4 Lay Judges and the Acculturation of the Masses (France and the Southern Low Countries, Sixteenth to Eighteenth Centuries)

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In a recent study, I proposed that the concept of acculturation be used to describe and explain the immense endeavour by sixteenth- and seventeenth-century social, intellectual, political and religious elites to control and subject the masses in France and the Low Countries.[1] Among the numerous agents of that cultural conquest of the humble, a notable position was occupied by the lay judges. Bearers of an ideology heavily impregnated by Christianity, and in particular by the Counter-Reformation, they exercised acculturising functions in two principal areas: in the first place, they defined law and crime, that is, the Ideal City and the underworld of the outcasts; secondly, they played the role of cultural intermediaries at all levels of a judicial pyramid whose shadow extended more and more over the society of that time.

With the exception of village judges, municipal magistrates, or feudal knights of Flanders or Artois, for example, who came from rural areas and could not always read, sixteenth- and seventeenth-century magistrates partook of a new, almost closed, mental and cultural universe heavily marked by religion and by a sense of order. To be convinced of this, there is no need to undertake a painstaking study of the personnel of parliaments or sovereign courts,[2] nor of the striking personalities of the times – for example, Jean Bodin – nor even of the numerous legal commentators whose work achieved the dignity of print, such as Claude Le Brun De La Rochette's *Les Procès civiles et criminels* (Rouen, 1611).

Humbler magistrates were equally representative, not least in their ordinariness, of a group whose members differed from one another economically, but formed a very homogeneous team in ideological terms.

In effect, lawyers were formed by the universities and were cast in the successive moulds of the trivium, the quadrivium and the law. They were thus clerks by definition, and recorded this fact in codes of moral and religious behaviour which coloured their entire lives. They were also bookmen, eager to read and ready, at the slightest opportunity, to cite juridical works by ancient and modern authors. Consequently, they moved

in a world of rules, precepts and sentences. They were unable to avoid fusing their lives and writings. As examples, the manuscript works of two Artesian jurists include a sufficient number of personal commentaries or digressions to enable the historian to understand the authors' ideology.

The first of these is the anonymous editor of a collection of criminal decrees from various courts in Artois in the sixteenth and first third of the seventeenth century.[3] He indicates that about 1616 he was advocate at Aire-sur-la-Lys, *échevin* at Arras and member of the Council of Artois. The second, Pierre Desmasures, Lord of Val Bernard, Bachelor of Law and *procureur général* of the county of Artois, is much better known.[4] He left a manuscript commentary on the *coutume générale* of Artois, which was completed towards 1638, and held authority until the end of the ancien régime,[5] as the many copies of the work demonstrate.

These two jurists, then, both subjects of the Spanish Crown before the French conquest of Artois and contemporaries of one another, were privileged witnesses to the 'Golden Age' of Catholicism in the southern Low Countries. They saw the Counter-Reformation develop and reaffirm the power of the prince, after the Wars of Religion in the second half of the sixteenth century. At their own level of authority and in areas under their jurisdiction, they recorded and disseminated the dominant ideas which laity and ecclesiastics imposed, in order to avoid contamination by the heretical United Provinces situated so near at hand. They hoped thus to steer clear of another 'revolution' like the one which shattered the unity of the Seventeen Provinces in 1579. Their thoughts, while not always new and original, at least constitute a coherent body, centred around complementary notions of obedience to God and to secular powers.

For Desmasures, who examines the crime of *lèse-majesté*, subjects must honour God, and, after Him, their king 'as the universal father of the country, legitimate prince and natural protector, keeper and guardian of the state and the republic'.[6] While commenting on the crime of larceny, the anonymous jurist makes clear the importance of the relation which exists in his mind and in those of his fellow creatures between God, nature and the powers which govern human society. For there exists a law of nature, which is 'a sovereign reason, situated in nature, which commands us to do good and prevents us from doing evil'. In other words, there is in man a law 'given to him by God to shape his life and form his morals'. Thus, if 'virtue is natural', 'vice is an odious adversary of nature, detestable to the universe'. The anonymous author adds that by misfortune Adam 'let himself be tricked and deceived by the imposture of Satan, principal enemy of nature'. Therefore criminal punishments have been invented. They are necessary, so that those who refuse to obey natural reason 'are constrained by fear of the punishment which the law has ordained for their faults'.[7]

Crimes are linked, according to these lawyers, to vice, the Devil and evil. Because of this, the mission of judges, like those of the king and established authorities, is profoundly moral. The anonymous Artesian then goes on to state 'the office of magistrate is the gift of God, a divinely ordained dignity so that human society may be kept, maintained and guarded in such good order that, all confusion avoided, everyone should be held and maintained

in his position'. He adds, with a self-congratulatory flourish, that the magistrate stands in relation to human society as does the sun to the heavenly bodies.[8]

Of course, it is necessary to distinguish between the ideal and the real in reading such professions of faith. It is hardly surprising to find an old jurist, reflecting on the role he has played in society, or would perhaps like to have played, expressing judgements which value that role. But the discourse of Desmasures and his anonymous colleague must retain at least a fragment of truth. Common mental reflexes bound them. They distinguish two worlds, two camps, in the society of their times: one, superior, to which they belonged; the other, inferior, the confinement and control of which was their duty 'by nature'. In fact it is a commonplace that justice in the sixteenth and seventeenth centuries possessed clear class characteristics. A more detailed study, which it is not possible to provide here, would readily prove this. The anonymous author and Desmasures often speak in an offhand manner of their contempt for the 'vile populace', with their vulgar and scandalous morals. And each knows that criminal punishments vary according to many criteria, including the social origin of the culprit. Desmasures, for instance, calls for exemplary punishment in cases of inferiors insulting their superiors, failing which 'by the insolence and irreverence of a man of no substance, a person of quality would be attacked and insulted inopportunely, which would set a bad example'.[9]

In short, sixteenth- and seventeenth-century magistrates considered themselves invested with a quasi-divine mission and applied to human society a dualistic vision of the battle of good and evil, which had been forcefully reaffirmed by the Counter-Reformation. Their acculturising functions with regard to the masses proceeded from their social role and ideology.

The law underwent some important changes from the sixteenth century onwards. The common law (*coutumes*) began to be written down in France and the Low Countries. Criminal law was the object of important reforms, in 1539 and 1670 in France, and in 1570 in the Low Countries. In general, justice, which had been highly diffuse in the Middle Ages, was concentrated on diverse echelons in the hands of the officers of prince or king. A real judicial pyramid, imperfect, it is true, but more and more solid, began to appear. Judges and jurists defined precisely the boundaries of the Ideal City which they were duty-bound to defend against the hordes of besiegers — criminals and deviants of all descriptions. In the social arena, they tirelessly uprooted noxious weeds while defining new types of crime, or rather, reprimanding more ferociously than before certain anomalous modes of behaviour, in particular those pertaining to sexuality and superstition. Equally, the violence of the conflict led them to reinforce their real prestige and to pursue pitilessly any rejection of their authority. In these areas (which moreover were limitless) they worked steadily towards the acculturation of the masses, by spreading fear and making examples of offenders.

Historians of criminality have been much concerned to verify the hypothesis that in the sixteenth and seventeenth centuries crimes of violence

decreased as crimes of theft increased. They have been less concerned with two other types of crime distinguished by authors of the early modern period: immorality, and the crime of human and divine *lèse-majesté*. Now at that time legal counsels and commentators were quite obsessed by sexual deviations, which they treated, in long chapters, with a kind of puzzled delectation.[10] As for crimes of *lèse-majesté*, they enabled the worst obsessions of the period to be defined and, by antithesis, they clarified the principal values held by ecclesiastic and lay elites.

It is doubtful whether sixteenth-century people so abruptly liberated themselves from sexual inhibitions that they committed an increasing number of crimes of this type. Nevertheless, the anonymous Artesian cited above devotes nearly a third of his manuscript to the presentation of provincial law on matters of immorality. He distinguishes lewdness, adultery, procuration, polygamy, debauchery ('which deflowers without force ...'), abduction, incest, sodomy, not forgetting hermaphroditism.[11] In fact, what had developed during the Middle Ages was rather repression than the crime itself. Since the Council of Trent, magistrates had become very aware of the problem of sexuality. The anonymous Artesian frequently cites the decrees of this Council. In the chapter he devotes to lewdness, for example, he recalls the prohibition of concubinage, directed at both married and unmarried men; or that prohibiting clerks to 'wallow in the filth of lewdness or in the sour lime of concubinage'. Then he comments:

it is as feverish and furious a passion as carnal love, and very dangerous to him who lets himself be transported by it, for then where is he? He is no longer in control of himself, his body will undergo a thousand pains in the search for pleasure, his spirit will be racked a thousand times to serve his desire. Growing desire will turn into fury: as it is natural so also is it violent and common to all, whom it deranges by its action, uniting the fool and the wise man, man and beast, negating all wisdom, resolve, prudence, contemplation, and every operation of the soul.[12]

Whether it came from the pen of the anonymous magistrate or whether it had been copied from some literary source, this regular lay sermon against love and pleasure perfectly represents the Tridentine spirit as it issued from judges. The anonymous author makes clear once again that his preference leads to a morality of renunciation. 'Carnal pleasure is unsuitable for human nature', he writes, after having cited in support of his views Cicero and Pierre Charron. In conclusion he emphasises the necessity of knowing how the passions may be restrained, for it is 'an excellent thing to live by thrift, sobriety, temperance and in keeping to a golden mean'.[13]

The morality of the seventeenth-century 'honnête homme' flows from the pen of this jurist, who was directly influenced by the Council of Trent. Regarding debauchery, for example, the anonymous author refers to one of the rulings of the Council which defines lay celibacy as a state superior to marriage. In support of this decree he cites the writings of the Jesuit Théophile Bernardin. Then he personalises the issue: while marriages 'may be good and instituted by God himself, all the same, continence and

virginity are more noble and excellent', he writes; and he further claims that such principles have guided his own judicial action, quoting a succession dispute settled by the Council of Artois, in which a testator demanded that his heir take an 'état honorable' to be eligible to inherit. 'In my opinion [*rapport*], it was judged that celibacy is not a favourable state if it is not followed by a simple vow of chastity, and that vow should be made known to people by outward action', he says. Finally, he refers to the works of Jean-Pierre Camus, Bishop of Belley, on marital continence, to conclude in a prophetic tone that 'to lie with a wife and do nothing, that is a miracle!'[14]

This example helps us to understand how and why judges became agents of the acculturation of the masses. The anonymous Artesian, quite as much as Desmasures, is profoundly influenced by the spirit of the Council of Trent. And he performs his office by trying to implement within society the principles of the Counter-Reformation. The chastity he advocates is certainly not part of the norm for the average Christian and rather forms part of the monastic ideal, or the path towards sanctity. Yet, this practitioner of law expounds a fear of sexuality and a repressive intent in this area, which are typical of the sixteenth-century Catholic reform movement. Moreover, he has had opportunities, before various courts in Artois, to drive home the ideas he puts forth. For in the France and Low Countries of his times, justice pursued deviation with regard to sexual norms with a new rigour. Were not polygamists hanged in France, whereas in the past it had been considered sufficient to have them lashed and sent home with bedposts hung from their girdles? The anonymous Artesian adds that he has seen the latter penalty still practised in Artois in 1608.[15] As for Desmasures, regarding adultery he distinguishes between people of 'condition honneste' in Artois, who must pay a fine and make honourable reparation, and 'personnes viles et abjectes', who are thrashed and banned from the county.[16] Similarly, he also draws our attention to the increased sexual repression, which, as in France, expressed itself in the growing severity of the judgements passed on infanticidal mothers, who in theory were liable for the death penalty, or in the condemnation to degrading penalties of married men who frequented prostitutes. Numerous other examples could be given. A remark of Desmasures suffices to exemplify the evolution. He recounts that before the Council of Trent a public brothel, controlled by a kind of municipal officer called King of the Debauched, was tolerated at Arras. Since then, it had officially been closed.[17]

The judges therefore played an important role in the application of Tridentine ideology to society and in particular to the masses. Proof of this might be brought with regard to the example of the poor and the vagabonds, who had no place in a world ruled by a work ethic more constraining than hitherto, and who had become fair game for police and justice.[18] In the same way, the battle against superstition and sorcery provides evidence of the scope of the acculturation of the masses in the sixteenth and seventeenth centuries.

Though invented and systematised by churchmen at the end of the Middle Ages, demonology was put to work by lay judges, from the most humble to the most prestigious, fuelling an intense witch hunt from the middle of the

sixteenth century onwards. Civil authorities, supported by the courts, endeavoured for more than a century to extirpate the Devil and his accomplices. Hundreds were burned at the stake in France and the Low Countries. And as I have shown in detail elsewhere,[19] magistrates inculcated in the masses, and particularly in the peasants, a veritable pedagogy of fear, the better to separate them from their ancestral superstitions. In other words, lawyers, who were keenly conscious of the importance of their mission to defend Christianity, were seen by all contemporary witnesses of this confrontation as establishing the frontier between good and evil. Thus they transmitted the teaching of priests, and all the effort of the Counter-Reformation, directed at transforming the often polytheist and animist rural people into Tridentine Catholics. By defining precisely the diabolic figure, the elites were able much more efficiently to force those they governed to obey a terrible and vengeful God, who alone could help human beings triumph over the Devil.[20]

The battle against popular superstition occupied an important place among the preoccupations of the magistrates, and condemnations for witchcraft, which remained rare compared to the total number of crimes prosecuted, were its most spectacular form. However, lay judges frequently had occasion to deal severely with less flagrant but everyday offences among the people, such as belief in diviners and faith healers, abuse of relics or amulets, erroneous opinions, blasphemies, sacrileges, and heterodox pursuits, such as the flagellation of the statue of a saint who had not granted what was asked of him. In these seemingly trivial matters the magistrates patiently and painstakingly wove a new popular morality. The exemplary character of the penalties provides us with the main evidence in this respect. Once again, justice joined in pedagogy of the masses. Blasphemy, for example, was pursued more and more. In the Low Countries, a public notice of 5 October 1531 dealt with graduated punishments for relapses. The anonymous Artesian, a century later, notes that 'it seems that this penalty was remitted at the judge's discretion, who punished this offence more or less severely according to the circumstances'.[21] He then enumerates many examples and describes diverse punishments: making public reparation, being put in the pillory, carrying a cask, having the tongue cut out, being exposed with a notice defining the crime committed, being imprisoned with a diet of bread and water, being branded with a red-hot iron, banishment, and so on.

Blasphemy was included, like sacrilege and witchcraft, among crimes of *lèse-majesté* against God. In their rigorous persecution of it, the courts worked for a change in popular behaviour. Applying the rulings of political and religious authorities, they tried by coercion and by setting examples to impose on the masses new languages and attitudes. Desmasures expresses it well when he comments on a royal ruling of 1554 which was not directed at blasphemies, but only 'scandalous and very vulgar terms among the simple populace, like *bougre* ... *wuyot* [cuckold] or *conard, mort Dieu* ... scandalous and damaging to the honour of others, which should be banned in all properly-policed states', more especially since these words give a bad example to children.[22]

Lawyers of the sixteenth and seventeenth centuries bore within them the vision of an Ideal City which embodied the decrees of the Council of Trent. Like the ruling secular and ecclesiastical authorities of their time, they considered this City to be besieged by the Devil, heretics and deviants. They consciously participated in its defence. In addition, they felt themselves charged simultaneously with the elimination of perils, the extermination of witches and inveterate criminals, and the inculcation of their own ideals, or at least such of them as the masses could retain, in the superstitious and backward populace. The sword of justice therefore eliminated those beyond recovery. It was raised menacingly over deviants, to order them to get back into step, after a reparation, a penitence, a degrading penalty, or a fine had been imposed on them. In this second case, magistrates became cultural intermediaries between the elites and the masses, for they helped the former to dominate the latter.

The consolidation of the judicial pyramid was reinforced in the early modern period by an increase in the magistrates' prestige. The majesty of their offices was made apparent in various ways: by the robes in which they appeared, the position they occupied in processions or triumphal entries, the deference which they exacted from the populace. Indeed, members of the great courts of justice privately considered that they took part in sacred rites while partaking of power, since 'the office of magistrate is a gift of God', as the anonymous Artesian says, adding that 'power is granted only to magistrates to punish delinquents'.[23] The interminable list of sentences given by the same writer covering resistance, outrages, or insults against judges or officers shows that the whole profession wished to place itself above the ordinary run of mortals: any violence directed towards the person of a magistrate had to be more severely punished than that committed against an ordinary person. Consequently the humble sergeant of a prison, as well as the counsellor of a sovereign court, took part in this 'sacramentalising' of justice. The phenomenon is also to be explained, in a period when police forces were few, by the need to protect lawyers from the often brutal reactions of the population. Fear of a particularly rigorous punishment for attacking officers and judges dissuaded many individuals from taking the risk. But this deterrent was only partially successful, for legal commentators recited long litanies of more or less serious transgressions: a fruit-seller of Arras, who had slandered the municipal office of the *Petit Marché* simply by saying she 'would have nothing to do with Messieurs', was condemned by the *échevins*, on 3 August 1580, to make an honourable reparation and pay a fine. This was combined with the threat of banishment and the lash in case of relapse.[24]

The rift which opened up progressively in the sixteenth and seventeenth centuries between the magistrates and the population they administered recalls that which at the same time grew up between the *curé* and his flock. Indeed, the Council of Trent had made priests distinguish themselves from the faithful by wearing vestments, practising celibacy and following a certain mode of life. Fundamentally, though, this retreat away from the ordinary world in both cases allowed the institutions and individuals

concerned to assume the role of cultural intermediaries, authoritarian messengers of the civilisation of the elites and the written word among the mostly illiterate rural and urban masses.

There were, however, in the sixteenth and seventeenth centuries *curés* as little educated as their faithful, and subordinate judges unable to write: at Bouvignies (Nord) in 1679, eight of the twenty feudal knights of the barony, that is, 40 per cent, made a cross to mark their names at the foot of procedural documents.[25] Among them figures the lieutenant of the village! Such men continued to belong to a popular and oral culture, especially since their mode of life was not always distinct from that of their fellow countrymen. They played an acculturising role none the less. In fact, priests were more and more controlled by the ecclesiastical hierarchy. As for subordinate judges, they assimilated the new values of the elites and the law they were charged with applying in diverse ways, for the general tendency – which was a little further advanced in the Low Countries than in France – was towards a tightening of the bonds between subordinate judges and superior courts. The Council of Artois, for example, created by Charles V, gradually came to control the jurisdictions of the entire county, including the powerful *échevinage* of the city of Arras. In short, the impulse towards organisation and hierarchy resulted in a weakening of ecclesiastical, municipal and seignorial power in face of the advancement of that of the king.[26] In these circumstances, royal officers controlled less educated village judges more and more effectively. This development was completed during the reign of Louis XIV. Henceforth, subordinate courts, in France as well as in recently conquered Flanders, had to ask the opinion of superior jurisdictions at each important stage of proceedings and were not permitted to use torture without authorisation.

The example of Bouvignies in 1679 illustrates the phenomenon and explains how the spirit of the elites was communicated to local judges. The six witchcraft trials which took place at that time were the occasion of constant to-ing and fro-ing between the village halls of justice and the jurists of Douai. The civic legal experts gradually explained to their ignorant rural colleagues the finer points of demonology. They clearly urged them to deal severely, while hitherto country magistrates had been content with seeking out evil practices and superstitions, which perhaps would not have led the accused to the stake. A painstaking study of these trials shows that a consensus finally evolved between the legal experts of Douai, who preached the greatest severity, the village judges, who eventually profited from the trials, and the inhabitants, who came to give evidence against witches so that they might be clearly distinguished from them.[27]

In summary, the feudal knights of Bouvignies took part in the work of purifying their community and, in the general sense of the term, educating their fellow countrymen. They enabled Tridentine morality and religion to triumph over rural superstition and the Devil. Like the purifying flames of the stakes, they served as links between the world of the elites and that of the masses. And it matters little that a certain number among them did not

know how to read: did they not learn the law and their craft by presiding at their courts, listening to the opinions of the Douai jurists being read, discussing demonology or how to obtain confessions?

All magistrates, even the most humble, took part in the battle against the paganism of the masses. The judicial pyramid cast a shadow ever more vast and ever more menacing over the society of the time. The repression of crime turned towards a tight control of popular behaviour. Lay judges at all levels were on the look-out for religious and moral deviations, ranging from the most trivial, like blasphemy, to the most terrifying, like witchcraft. They thus worked for the establishment of new mechanisms of power based on the submission of souls and of the body.[28]

Who better than judges, in effect, to bring royal power down on the bodies of the tortured and condemned? The theses of Michel Foucault on the judicial-political function of torment, which enabled power to retemper itself and affirm its omnipotence, find an echo in the manuscript work of the anonymous Artesian. Concerning larceny, this seventeenth-century magistrate says that he has often seen ear-cropping practised. He gravely inquires why this penalty is imposed. Hippocrates gives him a reason: he claims that severing the veins behind the ear prevents reproduction. The anonymous writer comments: 'the ears of thieves are cut to prevent them breeding and to extinguish their progeny'. He adds other ideas to this: 'There is nothing more subject to disdain than a man who has lost one or both his ears and it is the greatest affront which could be made to him.' Besides, according to certain writers, 'to pull off an ear, is to have punished and maimed the entire body'.[29] Here are added to the notion of exemplary penalties those of shame and ignominy. In the final analysis, the culprit is denied legitimate possession of his body. Justice, and therefore the king who is its source, constrains and beats the body at its own whim. Proof is thus given that justice retains absolute control, and it even appears that this includes the possibility, if Hippocrates is right, of limiting crime by extinguishing progeny.

As bearers of the ideology of the Counter-Reformation and of absolutism, lay judges played a leading role in the acculturation of the rural and urban masses in the sixteenth and seventeenth centuries. Their discourses and their attitudes to criminals indicate a social ideal which recalls the monastic model and still more that offered by the Society of Jesus. Chastity, repression of sexual deviance, a sense of restraint and the refusal to be led astray by excessive passions, the necessity for everyone to keep his or her place in the divine plan of organisation of the universe, must, according to them, guide the steps of the 'honnête homme'. It is clear that magistrates thought of themselves as the privileged defenders of a besieged city. Reality taught them that the masses could not easily attain to the social, moral and religious ideal which they defended, but at least it was possible to encourage them to approximate to it. For that purpose it was necessary to constrain the body, put souls under submission, be vigilant in the defence of Christianity against the Devil and his henchmen – in a word, to supervise and tightly control the ordinary world.

The judges of the sixteenth and seventeenth centuries were laymen only in

appearance. Their person, their ideology and their actions linked them with the missionaries of the Catholic Counter-Reformation. They belonged to the shock troops charged with inculcating a new definition of the sacred in the polytheist and animist masses, a new definition of authority and obedience. They took an active part in the vast offensive led by the elites against popular culture.

Notes: Chapter 4

1   R. Muchembled, *Culture populaire et culture des élites dans la France moderne (XVe–XVIIIe siècle). Essai* (Paris, 1978).

2   Among recent works: Ph. Sueur, *Le Conseil provincial d'Artois (1640–1790)*, Arras, Comm. Départmentale des Monuments Historiques, Vol. I (= only vol. publ.) (Arras, 1978).

3   Bibliothèque Municipale de Lille (hereafter: BML), MS 380, Receuil d'affaires criminelles, 336pp.

4   E. Fournier, 'La personne et l'oeuvre de Pierre Desmasures, jurisconsulte artésien du XVIIe siècle', *Bull. de la Soc. d'Etudes de la Province de Cambrai* (May–June 1934).

5   BML, MS 510, eighteenth-century copy of Desmasures, *Livre VI*: 'Remarques et observations ... sur la coutume generale d'Artois ...'

6   ibid., fol. 2318 r.

7   BML, MS 380, pp. 49–50.

8   ibid., p. 90.

9   BML, MS 510, fols 2318 r and 2527 v – 2528 r.

10   See, for example, Claude Le Brun de la Rochette, *Les Procès civiles et criminels, divisé en cinq livres* (Rouen, 1611), and the manuscripts cited above, nn. 3 and 5.

11   BML, MS 380, pp. 171–290 (qualified homicide, pp. 44–7, and larceny, pp. 48–73).

12   ibid., pp. 175–6, 178.

13   ibid., p. 185.

14   ibid., pp. 252–5.

15   ibid., pp. 241–2.

16   BML, MS 510, fol. 2452 v.

17   ibid., fols 2479 v – 2480 r – v.

18   See J.-P. Gutton, *La Société et les pauvres en Europe (XVIe–XVIIIe siècles)* (Paris, 1974).

19   R. Muchembled, *La Sorcière au village (XVe–XVIIIe siècle)* (Paris, 1979); and my contribution to M.-S. Bouchat, W. Frijhoff and R. Muchembled, *Prophètes et sorciers dans les Pay-Bas, XVIe–XVIIIe siècle* (Paris, 1978).

20   See J. Delumeau, *La Peur en occident, XIVe–XVIIIe siècles: Une cité assiégée* (Paris, 1978).

21   BML, MS 380, p. 312.

22   BML, MS 510, fols 2317 v – 2318 r.

23   BML, MS 380, pp. 90, 127.

24   ibid., p. 139.

25   R. Muchembled, *Les Derniers Bûchers: Un village de Flandre et ses sorcières sous Louis XIV* (Paris, 1981), table 8, pp. 270–1.

26   Y. Bongert, *Le Droit pénal français de la fin du XVe siècle à l'ordonnance criminelle de 1670*, Paris, Les cours de droit, 2 vols (Paris, 1972–3).

27   Muchembled, *Les Derniers Bûchers*, notably pp. 53–76.

28   Muchembled, *Culture populaire*, pp. 229 ff.

29   ibid., pp. 247 ff. and BML, MS 380, pp. 57–8.

5 Against the Acculturation Thesis

JEAN WIRTH, translated by John Burke

In 1910 the French sociologist Lucien Lévy-Bruhl published *Les Fonctions mentales dans les sociétés inférieures*, and in 1922 *La Mentalité primitive*. The concept of *mentalité* which these books introduced very swiftly came in for criticism, in particular from Marcel Mauss.[1] As early as 1913 Lévy-Bruhl regretted the use of this vague and equivocal expression, as also the equally unfortunate use of 'primitive'. His notebooks, published in 1949, show that eventually he himself recognised the identity of mental structures in all known societies. But the harm had been done; though anthropologists became more prudent, historians threw themselves at this fashionable word. Half a century later it remains characteristic of the so-called *Nouvelle Histoire*.

From 1965 onwards French historians borrowed, at first timidly, another long word from anthropologists, acculturation, and I fear it will have as brilliant and controversial a career as that enjoyed by *mentalité*. The term acculturation appears in American anthropological literature about 1880.[2] It indicates, in an imprecise manner, phenomena of cultural contact and exchange. If it is usual to make use of a neologism to indicate a still badly defined phenomenon, it is less usual for a word usage to develop without it being satisfactorily defined. In 1904 the *Century Dictionary and Encyclopaedia* defined acculturation as 'the process of adoption and assimilation of foreign cultural elements'. This definition would be acceptable if phenomena of well-delimited exchange were studied under the name of acculturation, such as the introduction of coffee or tobacco to Europe, but that is not what it concerns. The concept serves on the contrary to account for cultural changes in so-called primitive societies in contact with whites. A degree of blindness is required to describe the 'acculturation' of American Indians in terms of cultural exchange.

In 1936 Redfield, Linton and Herskovits drew up a memorandum to reactivate acculturation studies and proposed a new definition of the concept: 'Acculturation comprehends those phenomena which result when groups of individuals having different cultures come into continuous first-hand contact, with subsequent changes in the original cultural patterns of either or both groups.'[3] The expression 'groups of individuals' is a revealing one: it excludes all attempts at distinction between the changes which affect, for example, the personnel of an embassy, immigrant workers, or an ethnic group on the way to extermination. In the 1950s a reaction finally took place against this, in a Europe faced with very different realities made evident by the struggles of decolonisation. Gluckmann in England,

Balandier in France, but also a political figure like Franz Fanon, who fought in the FLN and became Algerian, were to bring to the forefront the economic, social and political situation in which changes, that is to say colonisation, occurred.[4] The discussion of the concept of acculturation thus reached a new stage. Certain individuals, such as Balandier, preferred not to use it any longer; others, for example, Bastide, used it cautiously. While this alteration was taking place, the word acculturation became known to the public and came to tickle the ears of historians. In 1965 the Committee of French Historians placed the theme in the programme of the Congrès International des Sciences Historiques in Vienna.[5] Alfonse Dupront introduced the series of talks by discussing the history of the word and its possible application for historians. Although his paper was more remarkable for its enthusiasm than its caution, it never occurred to him for a moment to style as acculturation the internal evolution of a society.

Today, the fact of an acculturation of the Western 'masses' by their 'elites' is on the way to becoming a commonplace, patronised by French historians of renown, particularly Pierre Chaunu, Jean Delumeau and Robert Muchembled. The acculturised masses would be first of all the peasants, then, up to a certain point, townsmen. The term 'elites' is to be understood to mean intellectuals and the upper classes. Speaking of the disappearance of an ecclesiastical 'magic' at the beginning of the modern period, Muchembled considers that 'this mutation stems evidently from the activity of intellectual and religious elites, which is to say, from the upper strata of society'.[6] For his part, Chaunu stresses the role of reformers and attributes more or less 'acculturising' enterprises to them.[7] Delumeau speaks of a 'new and growing willingness to "acculturise" which existed among the elites' at the beginning of the modern period. According to him, 'forceful attempts were made to introduce the religious and moral framework of an austere Christianity into populations — too often recalcitrant to this rigorous order'. He explains the 'general falling into step' in terms of a 'great cultural fear' and a 'lack of ontological security'.[8]

This approach does not seem to stem from a preoccupation with the notion of culture. Far from defining culture as a global manifestation of a society, these historians tend rather to see in it the comportment of a group of individuals, in as much as it distinguishes itself from another group of individuals. I speak of a 'group of individuals' because I do not know whether for these authors the elites in question constitute a social class. The elites act on the masses to acculturise them by means of education, which is to say, instruction and preaching, but also by repression, that is, the proscription of manifestations of popular culture, and punishment. In actuality, acculturation is carried out on sexual life, magic and religion, festivities and language.

Judgements on the phenomenon vary. It undoubtedly arouses more antipathy in Muchembled, who seems to argue for less damaging forms of cultural evolution, than in Chaunu. In *La Peur en occident*, Delumeau explicitly seeks to delimit the church's responsibilities. On the other hand, these researches set out from a common presupposition: the elites possessed a learned culture, perhaps inherited from the Middle Ages, and sought to

impose it on the rest of society. According to Muchembled, 'two very different worlds, very separate mentally from one another, joined and interpenetrated, with all the traumatic effects which hence resulted'.[9] This point of view seems to me especially questionable, since it is concerned with explaining the disappearance of wholly trans-social phenomena, like ecclesiastical 'magic' and festivals. In fact, the existence of these phenomena presupposes the participation of disparate social groups. It is difficult to consider ecclesiastical benedictions or liturgical dances as manifestations of a popular culture separated from clerical culture. For them to disappear, it is necessary and sufficient that one group refuse contact, which is precisely the opposite of acculturation.

However, the acculturation thesis does not always assume an imaginary zero point where two separate cultures ignore each other in the middle of the same society. This thesis rather suggests that the elites escape ancestral traditions sooner, adopt a critical point of view vis-à-vis these traditions, then impose it. This view is not entirely without foundation, since those who react most quickly are thus designated elites, in the same way that the man who generally draws first is considered a crack shot. Sometimes, too, the elites overshoot the mark, wishing to acculturise too much at once, and must then confront resistance by popular mentalities and social tensions. Here the acculturising reformers of Chaunu come into view. The problem is then to discover whether there was such antagonism between an avant-garde elite of reformers and the traumatised masses. This leads us to examine more closely the conditions in which religious change unfolds. I have chosen for this purpose two examples, one taken from Muchembled, the other from Chaunu, for it is by these authors that the acculturation thesis is presented in the most elaborate and systematic manner.

In *Culture populaire et culture des élites*, Muchembled describes French popular culture at the end of the Middle Ages and studies its progressive disappearance.[10] What he terms popular culture could elsewhere simply be called culture, for the sexual, medical, magical, religious and festive practices which he describes concern the entire society, with, of course, differences of emphasis. The most important of these differences could well be that between rural and urban cultures. This distinction appears quite pertinent, notably in the matter of festivities. One could, if one wished, accept the expression 'popular culture' if by that were understood a culture in which dominated social classes participated.

Difficulties begin with the study of its disappearance. The elites progressively took from the people their festivities, magic and religion. The two principal agents of this acculturation were church and state. But it is difficult to see which social classes controlled these institutions, or rather, which social relations brought about changes. Here is an imprecision which could give rise to misunderstandings. I would like to give an example of this.

To illustrate the action of preachers against popular culture, Muchembled borrows from the chronicler Enguerrand de Monstrelet the story of the Carmelite Thomas Conecte who traversed Flanders in 1428–9.[11] Since few 'acculturising' preachers in fifteenth-century Flanders are known

to us, the example deserves attention. At first sight the case is clear: Conecte attacks eccentric modes of dress, immorality and gaming. But let us take a closer look at Monstrelet's text.

When the Carmelite entered a town, his triumphal entry was organised by the authorities, which might in fact suggest the anti-popular character of his preaching. 'Nobles, bourgeois and other notable persons of towns where he was would make certain that a well-boarded, great wooden scaffold was erected for him in the most suitable place', says Monstrelet. However, he did not preach against the *menu peuple* – far from it. His first target was the eccentric appearance of high society women; he pursued with a fanatical hatred those high coiffures with a train then in fashion, the so-called *hennins*. Not content with slating them, he encouraged young children to pull on the trains. The drollery and the festive character of such a sermon can be imagined. Ridiculed by this unsympathetic treatment, but meanwhile wishing to participate in the festivity, these ladies adopted, for the occasion, the austere coiffes of the Beguines, 'imitating a snail, which, when one passes close to it, draws in its feelers', says Monstrelet. Of course, when Conecte left, the feelers began to emerge again. After the sermon, the Carmelite also burned games on a bonfire, which recalls the action of Savonarola at the end of the century. The comparison, as we shall see, is not far-fetched.

Directed as it was against the dominant classes, the preaching of Conecte was by no means unpopular. 'By the blasphemies which he would commonly pronounce, in particular against nobles and persons of the church, he acquired great love and renown from all people in all the countries he went in, and was by them most honoured and exalted', says Monstrelet. He acted rather as a tribune of the people who, again according to Monstrelet, 'made many speeches in praise of the common people'. The lay rulers did nothing against him, but received him sumptuously, perhaps to avoid a riot. On the other hand, churchmen detested him.

Muchembled omits the end of the story. In 1432 Conecte made his way to Rome. The pope invited him to preach before him and his refusal to do so led to his arrest. He was brought before the cardinals who declared him a heretic and sent him to the stake. If one wishes to present the cultural changes of the period entirely in terms of acculturation, then one must admit that the Carmelite, allied to the masses, sought to acculturise ecclesiastical and noble elites.

The example is significant, because it allows us to locate the themes of religious controversy. More precisely, the preaching of Conecte, as described by Monstrelet, presents the theme of polemic against sumptuary extravagance which is otherwise encountered only intermittently, together with a well-nigh universal theme, anticlerical polemic. It lacks one essential trait of contemporary heresy: attacks on ecclesiastical 'magic' or, if one prefers, on the pretensions of the church to supernatural power.

There is virtually no trace of the battle against the sumptuary practices of nobility and patriciate in what is known about heretical teaching in the fifteenth-century Low Countries.[12] Moreover, a glance at the paintings of the period shows that over the century costumes inspired by those of the

court disappeared, especially the *hennins* which were replaced by white coiffes, elegant but chaste. Towards 1500, in the work of Quentin Matsys, for example, *hennins* have become an element of caricature in pictures like the *Ugly Countess* (in the National Gallery in London). Conecte doubtless did not run any great risk in preaching against *hennins*. The common people were for him; so also, very probably, were the bourgeoisie, while the ecclesiastical authorities remained outside the conflict.

The fight against games seems to me to be part of the same attack on the nobility. Games, like dances, were not, of course, the prerogative of nobles, but they were symbolically linked to the noble mode of life, as in the engravings of Israel van Meckenem at the end of the century. Other social classes, in an attempt to isolate and bring pressure on the nobility, were willing to undergo at least temporary conversion to a puritan attitude. This explains the autos-da-fe which were inspired, in a revolutionary context, by the piper of Niklashausen, and the success of Savonarola at Florence which was achieved with techniques identical to those of Conecte, including the use of children as police.

Anticlericalism is the second major theme of Thomas Conecte. By the exaltation of poverty and the imitation of Christ it is linked to the former theme. The Carmelite, accompanied by his disciples, made his entry into towns seated on an ass. He refused money as remuneration, which seems to have been an indirect reproof of simoniacal priests. Such criticism was also a result of his puritanism. The only explicitly anticlerical grievance in Monstrelet's account concerns the taking of concubines by priests. Like the condemnation of the noble way of life, condemnation of the immorality of priests constitutes a typical example of puritanism. Conecte placed a cordon between the men and women among his listeners to avoid all contact between the sexes during the sermon.

Even a brief perusal of the *Corpus Inquisitionis Neerlandicae* reveals that anticlericalism, represented by attacks against simony and clerical immorality, constitutes an essential theme.[13] From the *Corpus* I have extracted forty-one cases, for the period 1400–1520, in which the nature of the heresy appears clearly.[14] Twenty-one of these cases comprise attacks against priests, nearly always against the secular clergy. In fact, it is necessary to ask oneself whether practically all heretics were not primarily anticlericals, for unorthodox views on the sacraments, confession, indulgences, or relics strongly called into question the power and pretensions of priests.

The attacks on *curés* are common coin in the preaching of the Franciscans, Augustinians and Carmelites. These latter knew how seductive such attitudes were to the people and sought in this way to substitute themselves for the secular clergy in the distribution of the sacrament and confession. Here again, it would seem truly paradoxical to speak of an acculturising theme. On the other hand, this type of preaching could degenerate into an attack on ecclesiastical practices. In effect, three stages can be discerned which led from anticlericalism to the most grave doctrinal errors:

(1)   To attack simony and the taking of concubines by priests is not, strictly

speaking, heretical. It was considered 'injuriosus' or 'seditiosus' by inquisitors.
(2)   To preach that the distribution of the sacrament by a priest in a state of mortal sin is without value. This time, one fell into doctrinal error.
(3)   To deny completely the efficacy of sacraments, the intercession of saints, pilgrimages, or indulgences. It was this which constituted the attack on ecclesiastical 'magic'.

Of the forty-one cases, twenty-three can be placed in the third category. Ecclesiastics are implicated in seven of them. Lay persons, mostly artisans, are implicated in four cases in which details of profession are given. It can be inferred that the majority of heretics, whose status is not specified, were of the common people.

There are reasonable grounds, therefore, for assimilating the attack on ecclesiastical 'magic' to heresy. On the other hand, the religious authorities hardly ever pursued excess in so-called popular piety;[15] I have found only four cases where doctrinal error does not have a secularising effect. These concern a visionary to whom a soul from Purgatory appeared, a monk who claimed the transubstantiation of St John by Christ, a university scholar who attacked the authority of Aristotle on contingencies and a millenarian Franciscan.[16]

It thus seems that the so-called ecclesiastical elites, instead of 'acculturising' other people, defended themselves against those who questioned their functions and practices. Though not the monopoly of the common people this questioning is well represented in the *Corpus*. One may characterise the evolution leading to the religious crisis of the sixteenth century in any way one likes, but it would be difficult to find a less appropriate name for it than acculturation. To use this word would be tantamount to characterising thus all evolution taking place within a culture.

In *Le Temps des Réformes* Pierre Chaunu proposes a sociological interpretation of the implantation of Protestantism.[17] He distinguishes three factors favourable to the Reformation: distance from Rome, widespread literacy and the fragmentation of political power. This leads him to think that the Rhineland corridor, rather than the Saxony of Luther, brought together all the circumstances favourable to this change. Now the Reformation was carried out in almost every other territory. As Chaunu rightly says, it is not the tidal wave of reform which needs explaining, but the fact that it did not submerge everything. Therefore he examines the characteristics of the Lutheran and humanist reforms in order to judge their different ability to succeed.

In Saxony, where the cultural situation was far from being as favourable as it might have been, Luther implemented a moderate 'acculturising' reform, while where the situation was very favourable, humanist reformers appeared who were much more radical due simply to these favourable conditions. Their radicalism progressed through violent acculturation and revolutionary change. 'The humanist reform is elitist and only finds a limited popular response; it is essentially an acculturising reform', says Chaunu.[18] Its excesses led to its failure. As examples of 'acculturising'

reformers Chaunu cites Karlstadt, on whom Luther laid hands when he returned from the Wartburg, and Müntzer who perished in the Battle of Frankenhausen, but above all Zwingli.

The most developed portrait of an acculturising reformer is indeed that of Zwingli. He would rely on the support of the dominant classes to impose a rigorous reform: 'Under his influence, the bourgeois authorities in Zürich imposed on the people, without having converted them to the cause, a form of ecclesiastical life which was at odds with their [the people's] traditions and sensibility.'[19] From 17 November 1523 he imposed his *Christian Instruction* by a 'massive recourse to the constraint of a state he controlled well'. Chaunu tries to specify the interaction of social classes: 'In fact, this humanist reform adopted by the "upper middle class" of those who could both read and write and the well-schooled drew the hatred of popular sensibility.'[20] Hence there was a 'counter-current in favour of traditional religion',[21] which Luther knew how to avoid in Saxony.

Chaunu's analysis is attractive, but it rests on three presuppositions, the validity of which must be examined:

(1) the assimilation of humanist to radical reform;
(2) the attribution to humanist reform of supposedly acculturising changes;
(3) the existence of a mass traumatised by these changes which would have accepted neither religious revolution nor political revolt.

Can humanist reform be assimilated to radicalism? The majority of reformers, radicals or not, came at first under the influence of Erasmus, but this influence tended to become muted, to the advantage of that of Luther. By radicals, Chaunu seems to indicate less conservative reforms than Luther. This forms a very large category in which it is necessary to distinguish supporters of orderly evolution, such as Zwingli in Zürich and Bucer in Strasbourg, and supporters of violent action, such as Müntzer, Hubmaier and, to a lesser extent, Karlstadt. To me it seems difficult to attribute their more or less radical positions to the influence of humanism, for that influence was often exercised on people whose religious and political behaviour was the most conservative possible. The Lutheran reform seemed too seditious to numerous humanists, such as Scheurl, Pirckheimer and Peutinger, not to mention the Cardinal Albrecht of Brandenburg.[22] Once the Reformation was under way, support for religious compromise was often drawn from humanist circles – that of Capito in Strasbourg and Melanchthon in Wittenberg, for example. The confusion between humanist and radical reform therefore runs the risk of diverting attention from political and social factors which determined the positions taken by reformers, regardless of their humanist background.

We must now consider whether the reformers, humanists or not, really implemented 'acculturising' changes, in the first place in the transformation of religious ceremony. For the sake of brevity, we will limit discussion to the problem of images, which are generally seen as an essential support of so-

called popular piety, but a comparable discussion could as easily be furnished for a problem such as that of the Eucharist.

In Wittenberg, iconoclasm broke out while Luther was in refuge at the Wartburg, whence he returned in the spring of 1522 to calm people's minds. This iconoclasm cannot be blamed on Karlstadt, who disapproved of the tumult and would have liked an orderly evolution.[23] It is rather the Augustinian Gabriel Zwilling who really played the role of leader. The riots began in the autumn of 1521 and the first altar was demolished on 3/4 December. The first publication hostile to images was Karlstadt's pamphlet *Von Abtuhung der Bylder* which came out on 27 January 1522. Luther did not systematise his position until 1525, in *Wider die himmlischen Propheten*.

The situation in Zürich is still more interesting. In 1520 a person originally from the county of Toggenburg was condemned to decapitation for having lacerated a picture representing the crucifixion with the Virgin and St John, blaspheming the while, 'Idols serve for nothing and are no help'.[24] The influence of Zwingli on the iconoclastic movement does not become evident until September 1523.[25] He also preferred an orderly evolution, but was overwhelmed by the iconoclasts. In fact, his influence, like that of Leo Jud, was limited to the realm of theory. Their attacks on the cult of saints served as arguments for the iconoclasts, but they adopted no position on the images themselves. The first pamphlet on the subject was that by Ludwig Hätzer which was approximately contemporary with the troubles of September, so that it is difficult to say whether it helped to provoke them. Zwingli did not systematise his position until the beginning of 1525, in his response to Valentin Compar.

In Strasbourg, the first iconoclastic riots occurred in September 1524.[26] The council tried to check the violence and reach a compromise. On 31 October the parishioners of St Aurelia removed the images from their church, after a unanimous decision. St Aurelia was very much a parish of the common people. Its flock consisted chiefly of gardeners who were ministered to by the city's main reformer, Martin Bucer. It is tempting to attribute the iconoclasm of his parishioners to him. In fact, it was they who wanted Bucer as their preacher and they obtained him only irregularly. The first pamphlet directed against images dates from June 1524. It is the work of the radical lay theologian Clement Ziegler, a gardener by profession.

It is unnecessary to multiply examples; the above suffice to characterise the process. Iconoclasm did not stem from great reformers: none of them had taken up a position on images before 1525. Their leadership was hesitant before that date and they took refuge in legalism, as did Zwingli when consulted in December 1522 about a woman of Lucerne who was summoned to return to the Beguines the statue of St Apollinarius which religious scruples had prompted her to remove, although she had originally offered the statue as a vow.[27] It would also be quite incorrect to regard iconoclasm as a popular activity which might have imposed itself on the reformers, because it lacked a popular tradition. It did not accompany the uprisings preceding the Peasants' War, the ideology of which included the cult of saints.[28] Before 1520 there was practically no iconoclasm at all. In

fact, these manifestations occurred when the popular anticlericalism came into contact with Lutheran attacks on the cult of saints. While the reformers placed the problem of intercession, which they regarded as idolatry, at the heart of the debate, their hearers took up the concept of idolatry in its most literal sense and attacked the images themselves. This new attitude was quickly rationalised by second-rate but radical reformers, basing themselves on a literal reading of Deuteronomy which was not very subtle but effective.

If, as I believe, iconoclasm occurred at the meeting-point of Reformation preaching and a more traditional anticlericalism, it is necessary to try to shed more light on the social origins of the iconoclasts. In Wittenberg, students seem to have played a considerable role. But what was the situation in non-university towns?

The unexpected events in Zürich in September 1523 were the act of a mostly artisan group, among which may be counted a weaver, a carpenter, a cordmaker and a tailor. They had support among the lower clergy and perhaps also in the council. But, most important, we know the context in which their opinions were formed. The bookseller Castelberger had been running a small biblical school since 1522 in order to facilitate the reading of holy writ by semi-literate people and to make it known to the illiterate. This was not an isolated phenomenon. Other schools of this type existed in Switzerland. In Alsace, public readings took place at the guildhalls. On the eve of the Peasants' War, Johannes Sapidus, director of the Latin school of Sélestat, practised this type of agitation among vine-growers.[29] In Strasbourg, the gardener Ziegler gave commentaries on the Bible to his colleagues.[30] These phenomena throw doubt on Chaunu's contrast between an 'upper middle class' of those who could both read and write and the rest of the population who were hostile to them. This antithesis proves even less adequate when we consider that the events of September 1523 in Zürich were immediately dwarfed by the iconoclasm in the surrounding villages. In Höngg and in Wipkingen, the removal of images was decided by an overwhelming majority in public discussion.

In Strasbourg, as we have seen, the gardeners played the decisive role. Having removed the idols from their parish church, they destroyed the tomb of the saint in spite of, or rather because of, her miraculous reputation. In December 1524 they relieved the church Saint-Pierre-le-Jeune of statues of the Virgin and St Anne. In March 1525 six burghers made a petition for the removal of idols from the cathedral. The council gave way very gradually between 1524 and 1530.

In Basle, iconoclasm was late but violent.[31] On 10 April 1528 the guilds of carpenters and masons attacked the idols at Saint-Martin. The imprisonment of those responsible led to a demonstration of solidarity by the guilds on 15 April. On 23 December the gardeners petitioned against the mass, supported by twelve guilds out of fifteen. On 4 January 1529 both an iconoclastic demonstration and a counter-demonstration by traditionalists took place. We have some figures: the iconoclasts brought together 3,000 armed townsmen, the traditionalists less than 400.

It is all the more difficult to describe these changes according to an acculturation model, because they were largely stimulated by the revolu-

tionary pressure of 1525. Thomas A. Brady has shown that in Strasbourg the principal concession granted by the City Council to the dominated classes in order to save the régime was religious change. In his excellent book on the Peasants' War, Peter Blickle has demonstrated that the united pressure of peasants and common townsmen brought about religious change in towns in spite of the councils' resistance, while repression in many cases resulted in the re-establishment of Catholicism.[32]

In these circumstances, the claim that there were masses traumatised by such change appears to me to be wishful thinking. Matters are particularly clear in Zürich where this change only disturbed a minority and for reasons which were not essentially religious. A *dévôt* called Kleinbrötli protested against Jud's sermon of 1 September 1523. He considered that no one had the right to remove images which others had paid for and that those objecting to this could go to Strasbourg.[33] The democratic discussion which took place in Höngg enabled a certain Claus Buri to announce a comparable opinion: that images could not be removed without legal permission. The commander of the Knights of St John at Küsnacht, Conrad Schmid, was afraid that too hasty a removal of images would be injurious to popular devotion. However, eventually he let himself be entirely convinced by Zwingli, who agreed with Schmid only in theory, pointing out that in reality there was no popular opposition.[34] In fact, the only opposition came from canons of the cathedral, certain members of the Small Council and above all from the burgomaster Marx Roist. The abolition of images was decreed on 15 June 1524, the very day of Roist's death.

Elsewhere no popular resistance to the abolition of images is in evidence. More generally, neither religious change, nor the revolutionary pressure to which it was closely linked in Germany, provoked any popular counter-current. No masses rose up to defend the monks; and at this point we should recall that repression of the peasants would not have been possible but for the return of mercenaries to Germany after their victory in Pavia.

If there can be no question of an elite 'acculturising' the masses, it would be equally false to view such religious change as the product of a popular ideology shared only by the dominated social class. On the contrary, in the towns which have provided our examples, an important section of the bourgeoisie belonged to the movement and the theologians who approved of it; Zwingli and Bucer, for example, were not revolutionary leaders. It is not unusual to find spontaneous removal of images by their donors. I have already mentioned a case of it at Lucerne. The cord-makers of St Gall acted in the same way, while in Höngg, a donor reacted to the public discussion by taking down the image which he had offered not long before. The movement rebounded, therefore, upon the original donors themselves.

So as not to limit myself to the critique of a thesis, may I end by proposing an alternative explanation of iconoclasm? For the moment it is difficult to give figures which would illustrate the rise and fall of pious donations, but one can safely say that the later fifteenth and early sixteenth centuries saw an unprecedented increase in images. In less than two generations church furnishings reached a saturation point which, even from the aesthetic point of view, must have had an unpleasant effect. For

patrician families, as also for the professions, the donation of works of art was the principal means of affirming social status. In his report on Germany, Machiavelli remarks on the absence of private sumptuary expenditure, and in particular the poverty of domestic furnishings.[35] However, we can assume that, towards 1520, the churches were saturated in this respect. Unless new ones were built or a programme to increase the numbers of the clergy was put into operation it was necessary to put a stop to this development. Now it is certain that no one wanted there to be more clergy, least of all the clerics who fought one another to defend their daily bread.

It was therefore necessary to stop, or at least considerably reduce, the production of sacred art. The artistic crisis which Germany experienced was not limited to the Reformed territories. Artists like Barthel Beham, who found work in a region which remained Catholic, were few and far between. The cessation or decline of donations had a grave political consequence; the unchanging decor of churches gave a fixed and rapidly inadequate image of the social hierarchy, newcomers being denied the means of affirming their status.

To destroy the most ancient donations and replace them with new ones would have removed from families the certainty that they were spending their money on durable articles, which in turn would have been prejudicial to the importance of donations. Wholesale removal was therefore the egalitarian solution to the problem. Iconoclasm occurred in the most democratic cities, while the feudal principalities preserved, as far as possible, the old ecclesiastical furnishings. Between these extreme solutions, all varieties of compromise can be distinguished, as, for example, in Wittenberg and Nuremberg.

If this theory is correct, it explains why iconoclasm was not limited to the common people. The cessation of sumptuary expenditure run riot was without doubt a matter of concern to many donating families and donors in power. They preferred to spend money on public assistance, to construct public buildings, decorate their dwellings, or to invest. This change affected only one part of the clergy, the most reactionary members of city councils and families who came to make exceptional donations. The austerity of the Reformed ceremony is better explained thus than by a wish for fanatical acculturation.

In conclusion, we must try to understand how as inappropriate a concept as acculturation came to pass into the domain of the history of Europe. There is, of course, the attraction which historians feel for concepts borrowed from more theoretical disciplines. However, as far as the borrowing of the concept of 'acculturation' is concerned, it is necessary to think carefully about three presuppositions which appear so natural that they are not easily put into question:

(1) The greater part of a population would be backward compared to an elite. This backwardness would be linked to a lack of initiative, a difficulty in adapting to novelty and, in particular, a whole reserve of ancestral practices which evolve very slowly and resist change.

(2) The different social groups would exist in different rhythms and

times. Above all in France this illusion could have been due to the orientation of historical research for half a century towards the study of social groups in isolation from a given context. Alain Guerreau has well pointed out the danger in a recent book, *Le Féodalisme*.[36] By viewing a society as a sum of social groups, the study of relations between these groups, which is to say, the dialectic of change, is entirely neglected. These restrictions, whose origin is of a methodological nature, lead to the illusion that different cultures can exist within the same culture. They thus make room for a thesis like that of acculturation.

(3) Finally there is the evolutionist presupposition, according to which populations live in a profound irrationality, in a magical world from which they little by little detach themselves, thanks to their elites, to arrive at rationality, which is more or less to be identified with the historian's ideology. This last point leads to considerations about rationality which go beyond the limits of this paper. But I do not see what gives anyone the right systematically to presuppose the existence, before the period studied, of a greater presence of religion, magic, the sacred and irrationality, from which it subsequently became possible to detach oneself. If the medieval chronicler began man's history with original sin, the historian tends to begin from a comparable myth. He or she places at the foundation of history primitive people who are terror-struck before the forces of nature which they neither dominate nor understand, adoring everything which moves, and even things which do not. According to recent research – I am thinking particularly of Jean Delumeau's *La Peur en occident* – such primitive beings survived until the Enlightenment. In the final analysis, the acculturation thesis is based on the hypothesis that these primitive beings actually existed, for it is they that the elites would be concerned to 'acculturise'. This hypothesis implies that the sacred is pre-existent and creates the necessity to explain how it came to be demolished. It has the great disadvantage of neglecting the human generation of the sacred. While the history of religion neglects the study of this generation, it remains a modest appendix to theodicy. Regardless of the varying opinions professed by historians, it thus loses sight of its object.

Notes: Chapter 5

1 M. Mauss, *Oeuvres* (Paris, 1968–9), Vol. II, pp. 125 ff. This text dates from 1923.

2 On the history of the word, consult: G. Gurvitch (ed.), *Traité de sociologie* (Paris, 1958–60), Vol. II, pp. 451 ff. (chapter edited by G. Balandier); R. Bastide, 'Acculturation', in *Encyclopaedia Universalis*, Vol. I, pp. 102 ff.; A. Dupront, 'De l'acculturation', *XII⁰ Congrès international des sciences historiques*, Vienna, 1965, *Rapports*, Vol. I, pp. 7–36; N. Wachtel, 'L'acculturation', in *Faire l'histoire*, ed. J. Le Goff and P. Nora (Paris, 1974), Vol. I, pp. 124–46; E. M'Bokolo, 'Acculturation', in J. Le Goff, R. Chartier and J. Revel (eds), *La Nouvelle Histoire* (Paris, 1978), pp. 21 ff.

3 R. Redfield, R. Linton and M. J. Herskovits, 'Memorandum for the study of acculturation', *American Anthropologist*, Vol. XXXVIII (1936), pp. 149–52. Equally the following may be consulted: M. J. Herskovits, *Acculturation: The Study of Culture Contact* (New York, 1938); R. Beals, 'Acculturation', in *Anthropology Today. An Encyclopedic Inventory* (Chicago and New York, 1965), pp. 621–41 (1st edn, 1953).

4   G. Balandier, *Sociologie actuelle de l'Afrique noire* (Paris, 1963) (1st edn, 1955); F. Fanon, *L'An V de la révolution algérienne* (Paris, 1959); id., *Les Damnés de la terre* (Paris, 1961). I have been unable to consult: M. Gluckmann, 'Analysis of a social situation in modern Zululand', *Bantu Studies*, Vol. XIV (1960). .

5   Cf. n. 2 above.

6   M.-S. Dupont-Bouchat, W. Frijhoff and R. Muchembled, *Prophètes et sorciers dans les Pays-Bas, XVIe–XVIIIe siècles* (Paris, 1978), p. 29.

7   P. Chaunu, *Le Temps des Réformes. Histoire religieuse et système de civilisation* (Paris, 1975).

8   J. Delumeau, *La Peur en occident* (Paris, 1978), pp. 400, 414.

9   R. Muchembled, *La Sorcière au village (XVe–XVIIIe siècle)* (Paris, 1979), p. 220.

10   R. Muchembled, *Culture populaire et culture des élites dans la France moderne* (Paris, 1978).

11   E. de Monstrelet, *Chronique*, ed. L. Douet d'Arcq (Paris, 1857–62), Vol. IV, pp. 302–6; Vol. V, pp. 43–4 (Société de l'histoire de France, Publications, Vols CV and CVIII).

12   cf. P. Fredericq, *Corpus Inquisitionis Neerlandicae* (Ghent and The Hague, 1889–1906).

13   ibid. The first three volumes cover the period studied here.

14   The following numbers are the ones in question: Vol. I: 248, 249, 261–4, 266, 271, 272, 276, 279, 289, 292, 297, 299, 300, 304, 330, 332–5, 336–43, 345, 349, 350, 352, 353, 354, 356, 357–8, 359, 363, 366, 371, 396, 398, 400, 401, 408; Vol. II: 120, 122, 127, 132, 139–40, 181, 184–5; Vol. III: 45, 48–9, 106.

15   For reasons which I cannot develop here, it appears impossible to me to view witch-hunting as the result of a battle against popular religion or culture. Furthermore, out of 162 cases registered by Fredericq between 1400 and 1520, only fifteen trials are for sorcery.

16   These are the numbers 304, 336–43, 345 and 357–8 in Vol. I.

17   Chaunu, *Le Temps des Réformes*.

18   ibid., p. 489.

19   ibid., p. 497.

20   ibid., p. 489.

21   ibid., p. 492.

22   B. Moeller, *Villes d'empire et Réformation* (French trans., Geneva, 1966); id., 'Die deutschen Humanisten und die Anfänge der Reformation', *Zeitschrift für Kirchengeschichte*, Vol. XX (1959), pp. 46–61.

23   C. C. Christensen, *Art and the Reformation in Germany* (Athens, Ohio, and Detroit, Mich., 1979), pp. 35 ff.

24   E. Egli, *Aktensammlung zur Geschichte der Zürcher Reformation in den Jahren 1519–1533* (Zürich, 1879), no. 126.

25   On iconoclasm in Zürich, Ch. Garside, Jr, *Zwingli and the Arts* (New Haven, Conn., and London, 1966), contains all the useful information. Meanwhile the following may be consulted with profit: W. Köhler, *Zwingli und Luther. Ihr Streit über das Abendmahl nach seinen politischen und religiösen Beziehungen*, Vol. I (Leipzig, 1924).

26   On iconoclasm in Strasbourg: F. Rapp, *Réformes et réformation à Strasbourg. Église et société dans le diocèse de Strasbourg (1450–1525)* (Paris, 1974); T. A. Brady, *Ruling Class, Regime and Reformation at Strasbourg, 1520–1555* (Leiden, 1978); Christensen, *Art and the Reformation in Germany*.

27   Garside, *Zwingli and the Arts*, pp. 99 ff.

28   cf. J. Wirth, *Luther. Étude d'histoire religieuse* (Geneva, 1981), pp. 54 ff.

29   P. Adam, *L'Humanisme à Sélestat* (Sélestat, 1973), p. 23.

30   R. Peter, 'Le Maraîcher Clément Ziegler. L'homme et son oeuvre', *Revue d'histoire et de philosophie religieuses*, Vol. XXXIV (1954), pp. 255–82.

31   cf. Christensen, *Art and the Reformation in Germany*, pp. 93 ff.

32   P. Blickle, *Die Revolution von 1525* (Munich and Vienna, 1975), pp. 156 ff.

33   Garside, *Zwingli and the Arts*, pp. 104 ff.

34   ibid, p. 140.

35   Machiavelli, *Oeuvres complètes*, ed. E. Barincou (Paris, 1952), p. 129.

36   A. Guerreau, *Le Féodalisme. Un horizon théorique* (Paris, 1980).

6   Dechristianisation in Year II: Expression or Extinction of a Popular Culture

MICHEL VOVELLE, translated by John Burke

If my contribution to a reflection on religion, indeed, more generally, on popular culture at the end of the eighteenth century, concentrates on the traumatic episode of the dechristianisation of Year II, which from the winter of 1793 until the spring of 1794 shook revolutionary France, this does not stem from a desire for paradox. In taking this crisis as a moment of truth, I should like to look at the substance of this popular culture, taking into account the complex dialectic which at once associated and opposed it to impulses arising in dominant groups.

The Opposite of a Received Idea

To begin, we must reject the deeply rooted view that the violent conflagration of dechristianisation was accidental, an incongruous, superficial and superimposed episode which by no means mirrored the depths of collective mentalities, save only by the traumatic shock which it was able to precipitate, and in any case an event which in its origins as in its development remained foreign to the people. The force of this cliché is in part the result of a rather unexpected consensus which has been made of it: conservative historiography of religion viewed (and continues to view) the dechristianisation as a campaign launched by a small group of impassioned revolutionaries in the delirium of the moment, as a radicalised Jacobin revolution. But Jacobin tradition, relying on the very sources of Robespierrist tradition, has long been occupied in minimising this episode, perhaps as a result of the difficulty in accounting for it, but also in an attempt to whitewash the image of the Revolution. From Mathiez to Daniel Guérin, in differing terms, there has been an attempt to revitalise the Robespierrist idea that the dechristianisation was a Hébertist invention, and a diversion offered to the people, even if people did not go so far as to believe, like some of the Jacobins, that it was the Machiavellian fruit of a counter-revolutionary conspiracy to set the masses against the new regime. Some recent studies, even while wishing to renew the approach to the problem, have conformed to this image in their fashion: for Richard Cobb, who follows the dechristianisation offensive of the revolutionary armies with precision, the accent