

Proofread by “OP”, editor’s comments in blue. I only speak English, so any suggestions are based solely on how the English reads.

#### 4 – Nobles of the Robe

The ~~state Administration~~ *State Administration* (1, 2) ~~was occupying a~~ occupied a position of its own, which was intermediate between the first two orders and the Third Estate.

1. Can you explain the significance of “Administration” being capitalized, but not “state?” This appears to be from the original text with “*Etat*”. There’s also random capitalization in the German, but since it’s used throughout the whole book, I’m guessing it’s some old custom used with blackletter typefaces.
2. Anything that is in **bold** in the French translation is in italics in the German original.

Organs of the old feudal administration still existed, ~~hollowed-out~~ *stripped?* of their essential functions, ~~however not of~~ *but not* their income. Since they were part of the primary means by which the feudal nobility could use to take advantage of the State for its own gains, they hadn’t been eliminated as they lost their initial purposes. On the contrary, as ~~we’ve~~ *we have* (1) seen, the most lucrative and the most superfluous of offices had been proliferating throughout the 18th century.

1. Unless contractions are native to the text, they should be taken out (I have no way of knowing, but they don’t seem in line with Kautsky’s dry style).
- 2.

~~However along those~~ *Yet alongside these* useless organs, it had been necessary to create ~~novel~~ *new* ones better suited to the ~~current~~ *new* monarchy (1), in the realm of *the* justice, police, and ~~the~~ tax systems (2). Offices kept being made whose holders were appointed by the king. Yet at first, the king only paid them sparingly, were they even paid at all, thus they had to compensate themselves with the proceeds from taxes, sportulae imposed on the population. ~~As the jurisdiction of their activity kept expanding~~ *As the scope of their jurisdiction expanded*, their income increased (3). The royal ~~funds~~ *finances? treasury?*, still in terrible shape, had to resort, not only to grant, but to sell those lucrative offices. This practice was established as early as the 15<sup>th</sup> century in France and quickly became one of the main ways by which kings would acquire money. Hence their rapid proliferation. Not only members of steering committees of confraternities

and corporations, but also master craftsmen themselves had become public officers who had to pay their fees themselves if their corporation wasn't wealthy enough to buy its independence. Cities were ~~also?~~ deprived of their autonomy, and if they ~~didn't~~ ~~did not~~ buy it back in hard cash, their ~~magistracy and municipal dignities~~ ~~residents~~ ~~occupants~~ ~~the monarchy~~ (4) would become State offices, at the expense, ~~obviously~~ ~~of course~~, of the ~~residents~~ ~~occupants~~ (5) who had then to pay those their sportulae. Nevertheless this was not ~~sufficient~~ ~~enough~~ to put an end to the never-ending financial woes of ~~monarchs~~ ~~the monarchy~~, and the State ended up inventing the most nonsensical of offices, which at the same time forced the population to pay taxes to those new officers. ~~Such is how, for example, in the last years of Louis XIV's reign had been created the following offices:~~ Thus in the last years of Louis XIV's reign we found, for example, the following "offices" (6): wig inspectors, pig inspectors, hay hauliers, king counselors (7), wood stacking ~~controllers~~ ~~managers?~~, fresh butter inspectors, salted butter tasters<sup>1</sup> etc. From 1701 to 1715, the king ~~got~~ ~~collected~~ 542 millions ~~pounds~~ ~~livres~~ [7.3 billions euros] ~~out of from~~ the sale of new offices. The profile of the purchaser was not a consideration. Army paymasters would buy the offices of those who were supposed to oversee them thus eliminating of any kind of checks and balances.

1. "New" is better than "current" to communicate the qualitative difference separating the new absolutist monarchy (the subject of chapter 2) and the old decentralized feudal monarchy. "Contemporary" is also OK if keeping "novel" is important.
2. I think all three constitute a "system?" The awkward word is "police system", which could be changed to "law enforcement", but that term is too long and classcucked.
3. Trying to make it clear that the number of activities is expanding, not their geographic area. Alternate wording: "scope of their sovereignty" if you enjoy alliteration
4. I think there should be an editor's note explaining what exactly these offices do, not that I'm knowledgeable enough to write it myself.
5. "Residents" and "Citizens" are both politically charged in a feudal context (residents of a manor, citizens free from feudal levees), so I think "occupants" or "inhabitants" is best
6. Quotation marks from the original German
7. Counselors as in therapists, or as in advisors?

A great modern State ~~couldn't be governed in such a~~ **could not be governed in this** fashion. A novel stratum of civil servants was implemented, a carefully centralised bureaucracy under the absolute control of the king. It rendered, not only the functions of feudal organs, but also those of venal offices, all the more ~~superfluous~~ **redundant**, without however reducing their number nor the exploitation they caused.

On the contrary, venal offices gave birth to a new aristocracy. Exempted from taxes and ~~granting many more~~ **endowed with many other** privileges, the most important ~~ones~~ offices had become ~~hereditary~~ **hereditary**, ~~in exchange of for~~ a fee ~~and would bestow its holder nobility~~, and **conferred noble status**. ~~And thus~~ emerged the Nobles of the Robe, against the old feudal nobility, the ~~nobility~~ **nobles** of the sword. Economically independent from the king, this new nobility would prove ~~greatly indocile~~ **insolent**, often more stubborn than the ancient nobility.

At the top of this aristocracy we ~~could find~~ **found** the ~~Parliaments~~ **Parliaments**, ~~name which denoted~~ **its name denoting** the highest courts of Justice.

The conquering (1) capitalist mode of production had rendered the jurist class especially important and essential (2). The more commodity production ~~would become~~ **became** the dominant form of production, the more numerous and complex the contracts between individual owners of commodities ~~would get~~ **became**, the more issues of contention could emerge. It was a domain where feudal laws and feudal justice were powerless. The new social relationships (3) ~~had made the development of a new law necessary~~ **required a new system of law**, which ~~initially at first~~ they tried to build from canon law, until they had found roman law, its foundation, better suited to the task. ~~Yet, was needed too~~ **However, also required were** people who would spend a lifetime untangling the web of this novel **system of law**. The class of ~~jurists~~ **jurists**, judges and lawyers ~~had~~ developed rapidly and eventually became as prestigious as indispensable. Indeed, were they to ~~put an halt to their activity~~ **cease their work?**, and all trade and **daily life** would ~~run the risk of stoppage~~. **Paralysis**.

1. Rising? Conquering seems extreme for Ancien Regime France. Google translate for the German word claims "emerging".
2. Really damn tempted to take one of these words out, but it's not accurate to the source.
3. "social relations" in line with English translations of Marx

Obviously ~~Clearly~~, the highest courts of justice were enjoying a really special interest, all the more amplified by their political position. ~~The~~ Kings of France saw in Parliaments, which drew their ranks in the Third Estate and would adjudicate on the basis of laws, the roman law, favouring absolutism, useful instruments in crushing the feudal nobility's opposition, and thus, they kept expanding their jurisdictions and powers throughout the 14<sup>th</sup> and 15<sup>th</sup> ~~century~~ ~~centuries~~. As a result of the venality of parliamentary offices, introduced in the 16<sup>th</sup> century, and the economic autonomy of Parliaments, whose importance for the entire political and social life kept ~~growing~~ ~~expanding~~ and whose members were ~~getting~~ ~~growing~~ richer and richer from the abundant and proliferating sportulae, the situation was such that the courts of justice which ~~initially derived their powers from their function as instruments~~ ~~originally obtained their powers as tools~~ of absolutism, ~~ended up venturing to make use of~~ ~~now dared to use~~ those powers to ~~preserve~~ ~~defend~~ their own autonomy and privileges against the absolute monarchy itself, in ~~a period~~ ~~an age~~ where the monarchy, no longer facing any impediments, seemed all powerful.

Yet none of the above is enough to explain the crucial part played, from the 16<sup>th</sup> to the 18<sup>th</sup> century, by the oldest and most important Parliament, the Parliament of Paris. Neither its age nor rank can explain this, but only the fact that this Parliament was, precisely, the Parliament of Paris; Paris, the city which, as early as the French War of Religion, had shown that no king could afford to ~~brave it~~ ~~act~~ with impunity. The ~~Parisian public opinion's might~~ ~~power of Parisian public opinion~~ was a decisive factor for the parliament's (1). Yet, it was for this very reason that the Parliament was forced to grant concessions to that same public opinion, to align their position in order to secure the support of the Parisians. This ~~lead~~ ~~led~~ to truly peculiar developments.

1. I don't understand what this sentence is supposed to mean? What reason?
- 2.

Obviously, magistrates, being economically independent from the king, were not only ~~very indocile~~ ~~insolent~~ (1), but they would, generally speaking, ~~exercise their power having only one thing in mind, their personal interest~~ ~~rule with only their personal interest in mind~~. They would not be stopped by the fear of being removed, nor moved by any hope of securing an advance, and even less so by a concern for the ~~general interest~~ ~~greater good?~~ of the ~~territory they administered~~ ~~their province~~. They ~~wouldn't~~ ~~would not~~ settle for their regular income and their sportulae, and would thus try to expand it with any means necessary by abusing

their authority. Taxmen would defraud the tax office, giving back their taxes to the rich who would bribe them, and would then offset the losses by pressuring the poorest all the more. Justice was corrupt, police too. Chaos, insecurity and corruption ~~would reign supreme~~ **reigned supreme** in all aspects of the administration.

1. Really having a hard time finding a word for this – someone who's disobedient but not yet actively insurrectionary.

Atop of the Nobles of the Robe were the Parliaments, where corruption was the most severe. There, vileness, venality and cupidity ~~prospered~~ **abounded**, as well as an aristocratic arrogance and a fanatical hatred for any innovation that could put their privileges in jeopardy, which in turn, during the 18th century, drew the hostility of ~~their progressist~~ (1) **progressive** and honest elements as well as the ire of moralists. Voltaire ~~would~~ put all his energy into opposing « the murderers of Calas, Labarre et Lally », and the « Mémoires » published by Beaumarchais in 1774 ~~had been a~~ **was a** ruthless condemnation of the corruption which ~~at the time was corroding the judiciary~~ **was starting to corrode the judicial** system in its entirety.

1. Progressive elements of the Parliaments? Or progressive people outside their class?

However, in order to preserve this corruption and its own privileges, the Parliament of Paris, ~~that~~ **which** set the standard for ~~all the other ones~~ **the others**, had to ~~keep its popularity intact among Parisians,~~ **preserve the favor of the Parisian populace**, it had to make the rallying cries that were widespread in Paris its own. Allied to the Parisians and the rebel faction of the aristocracy, the members of the Parliament climbed the barricades in 1648 during the Fronde. In accordance with the Parisians, the Parliament opposed the «despotism» of Louis XVI's ministers and called for « the right to self-determination » and « the liberty of the nation», and furthermore designating itself as the only legitimate agent of the popular will.

Among all the oddities of the prerevolutionary period, Parliaments are by no means the least peculiar; they passed off as protectors of the people's rights in order to keep for themselves the privileges that would guaranty them the ability to exploit the very same people.