

1974-03-02a: [DYNASTIC OFFICIALDOM] Officialdom and Legal Education

Easily overlooked in the haste to find examples of the perfunctory test of officials who got their office by venal or hereditary rights is the fact that they all had to have a legal education. In the development of this officialdom, the function of education became standardized. The law schools trained almost everyone who would enter officialdom, and this is no mean institutional form for the state to have in the age when it is developing its bureaucracy. If offices had been parceled out ad hoc to supposedly talented or more likely favored individuals by the crown, the requirement of a legal education would surely often have been overlooked. In effect, education was the device to train the new rulers in society, as much or more than their high-born status. It is similar to the modern emphasis on education which has training a vast managerial class to run the economy, divorced from the owners of corporations. Why, therefore, doesn't one stress as much the fact that the officialdom of the *ancien régime* was all well-educated, as that they had the birth-privilege to get their offices? Especially worth close inspection would be the extent to which the sense of national officialdom influenced the sense of national law, and imperceptibly led to the development of common interpretations of the law which brought France close to uniformity and thus allowed the Code Civil to come into being not as much a radical house-cleaning as one might think.

Church, *FrHistStud* V(1967), 14, speaks of how Domat was concerned with a codification, and of the project as early as 1664 of a Code Louis, and again in 1680.

Professionalism, as much as venality, is a characteristic of dynastic officialdom; indeed, how much better a system could you have than one where the child knew from the first what his main role in life would be, and trained himself for it from the beginning? If it was clear that his nobility came from his office and not from hoary ancestry, then he justified himself by functioning in office. The notion that once office was achieved the descendants lived the pleasurable life of the noble in Versailles is patently ridiculous. And if their function in office remained the core of their pride and dignity, then they were indeed civil servants in the best sense of the word.