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**Title: Of Bellicists and Feminists: French Conscription, Total War, and the Gender Contradictions of the State**

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**Abstract:**

How did the state protect and then subvert men's household authority when the state was exclusively staffed by men? I answer the above question by critically fusing neo-Weberian scholarship on modern state development with feminist political sociology on gender and the state, and by examining establishment of the French conscription system. When first creating a mass army in the nineteenth century, the French state offered family-based exemptions, balancing between expanding state power and maintenance of men's household authority. However, intensification of twentieth century total war led to a decrease in family-based exemptions, and the state's diminished support of men's household authority. I thereby identify how the fiscal-military state first supported then diminished men's household authority through one of the state's most masculine arms.

**Keywords**

War, Conscription, France, Gender, Neo-Weberian, State, Family, Bellicist, Feminist

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## **Introduction:**

How did the state protect and then subvert men's household authority when the state was staffed exclusively by men? Feminist scholarship on the modern state has been tackling the question of the state's contradictory relation to gender power since rejection of 1980s scholarship on the "patriarchal state." As of the 1990s, feminists have examined how the twentieth century welfare state affected the sexual division of labor at home and in the paid labor market, simultaneously expanding and limiting women's rights. Others have outlined what they view as some form of gender coherence to the state through concepts such as the state's "masculinism" or "governmentality." Whether emphasizing the state's gender coherence or contradictions, the result of this emphasis upon twentieth century social policy is that feminists have not noted how conscription, an institution constitutive of the state's monopoly of violence, could serve as an engine for undermining men's household authority during the twentieth century.

A distinct body of scholarship on modern state development has largely ignored men's household authority as relevant to modern state power. Scholars working in the tradition of Max Weber's historical sociology of the state maintain that especially for European states, the transition from early modern to modern nation-statehood entailed casting off patriarchal, patrimonial rule as grounds for political domination, and the rise of the legal-rational bureaucratic state anchored in the state's monopoly of legitimate violence and its ability to fill state coffers through systems of taxation. Such work ignores how the sexual division of labor and men's household authority continued to shape modern state development, let alone how the state's monopoly of violence could sustain and then subvert men's household positions.

This essay argues that if we follow the fate of family-based conscription exemptions, we can identify a process through which the state both protected and subverted men's household authority. This process was put in motion when the state was staffed by men, and through

consolidation of the state's monopoly of violence. I look at establishment of the French conscription system in the nineteenth century, and how in moving towards a mass army that could compete in intensifying interstate warfare, the state offered fathers, husbands, and some sons, exemptions from conscription. These exemptions persisted in the first decades of the French Third Republic (1870-1940), a period during which, according to conventional historiography, the Third Republic became strongly committed to the French "nation in arms" as a republican symbol of equality and abolishment of old privileges. Such exemptions resulted in a tenuous balance between the expanding power of the fiscal-military state, and maintenance of male citizen's household positions.

A change occurred after WWI, upon intensification of total war between states. Thereafter, family-based conscription exemptions declined. Despite an influential pronatalist movement in interwar France that fought to protect men's household authority, the needs of total war led male state actors to protect the security needs of the state over and above protection of men's household positions. Expansion of the mass army and conscription in the nineteenth century, along with state actors' simultaneous commitments to the state and to protection of men's household authority in the earlier phase of institutional implementation, first led to consolidation of state military power alongside protection of men's household authority. However, the arrival of total war as of WWI, and the state's shift towards prioritizing the security needs of the state, led to diminished support of men's household authority. These processes were effected by male state actors.

### **Familial Authority and the Gender Contradictions of the Modern State**

*Bellicists, not Feminists:*

Neo-Weberian approaches to modern state development emphasize the formation of conscription systems as a key ingredient in the rise of the nation-state as the dominant modern

political organization. Drawing from Max Weber's characterization of modern statehood, they view the state as an organization that co-opted access to means of violence away from kinship groups and "warrior consociations."<sup>1</sup> Arbitrating between Marxist and Weberian theories of modern state development, a neo-Weberian conception of the state forms the backbone of some of the most prominent scholarship characterizing modern state power,<sup>2</sup> alongside scholarship arguing for the importance of geo-military competition in accounting for modern state formation and disparate regime development.<sup>3</sup> Charles Tilly's *Coercion, Capital, and European States, AD 990-1992* opens, for example, with defining modern states as "coercion-wielding organizations that are distinct from households and kinship groups and exercise clear priority in some respects over all other organizations within substantial territories."<sup>4</sup>

Such work has done much to illuminate how the monopoly of legitimate violence is one of the modern state's principal characteristics. However, it presupposes that the overlap between patriarchal authority and political authority typified by older forms of state rule, such as that of patrimonial rule, is no longer relevant in conceptualizing the modern state.<sup>5</sup> The telos of state modernization wherein state modernity correlates with a decline in familial authority as grounds for state authority is rooted in Max Weber's own approach to state modernization. Weber noted that the modern state's army is characterized by its bureaucratization, tying it to the modern state's capacity to engage in constant territorial pacification.<sup>6</sup> He argued that bureaucratization developed due to the shifting of army service from the propertied to the unpropertied. Unpropertied men could not furnish their own equipment, leading states to construct an administrative apparatus of material provision, and to organize means of financing military organization directly into state bureaucracies.<sup>7</sup> Subsequent scholars have since outlined in greater detail how material maintenance of national armies and war can thicken state bureaucratization.<sup>8</sup>

Weber's writings were not concerned with the fact that not all unpropertied men were charged with the new burden of military service.<sup>9</sup> Historian Ute Frevert has shown that exemptions for family-related reasons were also present within German states' conscription

rules.<sup>10</sup> Weber's view of modern officialdom as organized through a separation of office-holding from private life, in contrast to, among others, patrimonial political rule, likely blinded him to the possibility that modern armies could be staffed using principles other than modern legal-rational categories such as professional specialization. Weber noted the place of household authority and kinship networks in modern organizations outside the "Occident," and correlated modern European political development with a decline in household, clan, kinship, or *oikos* authority.<sup>11</sup> For example, he saw patrimonial rule as emanating from patriarchal authority within early modern ruling families, eventually to be replaced by bureaucratic offices based on a distinct form of rational-bureaucratic authority, especially in Europe.<sup>12</sup> In another example, he claimed that already in Medieval European cities, citizenship had shed its ties to clan or kinship networks.<sup>13</sup>

*Feminists, not Bellicists:*

As Julia Adams argues in her refinement of the Weberian ideal type of patrimonial rule, Weber assumed that patriarchal authority was natural, and consequently "gender and family are neglected constituents of the development of state power and institutions."<sup>14</sup> Adams instead follows the strategies adopted by ruling fathers and ruling families in the early modern Netherlands in forging alliances and recruiting new members, shaping the trajectory of patrimonial rule. While Adams continues to identify patriarchalism with early modern rule, a logical consequence of her work is to question the Weberian developmental thesis equating state modernity with replacement of patriarchal rule by rational-bureaucratic authority.

Wendy Brown argues that Weber's originary story about the modern state is premised on a contract between male state actors and male heads of households, where male heads of households offer protection to weaker members of a household, and households are organized to reinforce male dominance.<sup>15</sup> Brown sees this arrangement as furthermore supported by modern law and the sexual division of labor. Like Catharine MacKinnon, Brown notes that Weber's dictum regarding the state's monopoly of legitimate violence describes a state where

men's violent authority in the household is sanctioned by the state.<sup>16</sup> Brown is correct in pointing to Weber's presumptions regarding men's natural physical dominance, and the household as a site where legitimate non-state violence can occur. However, her focus on Weber's "originary tale" leaves one with the impression that Weber allowed for a continued net bargain between state and household men.<sup>17</sup> Rather, by looking at Weber's larger oeuvre a more accurate reading of Weber is that he suggested that authority was a zero sum game, with men's familial authority declining relative to state authority in the transition from patrimonial rule to the modern state. Scholars such as Charles Tilly have since followed suit. In contrast, I argue that male citizens' household authority was maintained alongside the extension of state authority, and was later diminished relative to state authority.

In a distinct line of inquiry that rarely intersects with neo-Weberian work on the fiscal-military state, feminist scholarship on the state since the 1970s has sought to specify the gendered contours of modern states. The first strand of Marxist-feminist scholarship on the state emerged from the crucible of 1970s debates over the capitalist state, and claimed that the modern state was serving the dual interests of capital and patriarchy.<sup>18</sup> Unlike elaborate arguments in the 1970s over how to account for the contradictions of the capitalist state,<sup>19</sup> Marxist-feminists pointed to the seemingly straightforward fact that the state was historically led and staffed by men. They argued that there was no need to account for the semi-autonomy of the state in relation to patriarchy, as the state directly represented men's patriarchal interests. They saw patriarchy as a relationship where husbands and fathers held sovereign power over wives and children within the family, and where the state helped men maintain this position - although some claimed that the state also usurped men's power at home and made women and children dependent on the state.

Catharine MacKinnon took such arguments further. She argued that the liberal state was essentially masculine, and stripped conceptualization of the patriarchal state of its specifically familial framing.<sup>20</sup> MacKinnon's view of the modern state as imperialistically male was contested

in short order by other feminists who rejected this diagnosis, especially those who noted that women nonetheless benefited from certain domains of state action. While some scholars have since sought to refine the concept of patriarchy,<sup>21</sup> most feminist scholars of the state today treat patriarchy as an important but outmoded instrument of past feminist theorizing.

Feminists since then have struggled with a question that inverts the Marxist *problématique* of the state. Whereas Marxists wrestle with explaining how and why the modern state is not directly administered by capitalists and yet benefits capitalist interests, feminists have been grappling with how and why the modern state was founded and administered by men for much of its history, but did not always benefit men. One especially productive avenue has been work that emphasizes the gender contradictions of the state in the institutionalization of twentieth century welfare policy.<sup>22</sup> The first strain came from work on maternalism, uncovering the ways in which women reformers and their male allies fought for policies to support women as mothers.<sup>23</sup> Rather than identifying the welfare state as uniformly representing men's interests, welfare states came to be seen as rewarding women's interests as caregivers, while nonetheless failing to offer women equal rights to men. Some pointed to state "regimes," identifying patterns across policy domains within a state, yet such regimes could themselves be contradictory.<sup>24</sup> Others noted how some fathers came to be regulated by the state, punishing men seen as failing in their familial or labor market obligations.<sup>25</sup> Several feminist ethnographers have also noted how contemporary social policy is not coherently patriarchal, as it diverges from its macro, formal, policy formulation to its on-the-ground implementation.<sup>26</sup>

At the same time, some scholars still offer accounts of gender coherence. While Wendy Brown rejected MacKinnon's essentialism, she nonetheless conceptualized the state as "masculinist."<sup>27</sup> Another major development has been the influence of Michel Foucault's work on feminist scholarship. This scholarship has articulated some of the strongest recent statements regarding the gender coherence of the state. While such work is often critical of Foucault's lack of attentiveness to feminist accounts of gender and sexuality, it builds upon Foucauldian

concepts such as bio-politics and governmentality in identifying how states regulate sexuality, marriage, and reproduction, and has been especially productive in theorizing neoliberal transformations of the welfare state.<sup>28</sup> Yet, while Foucauldian accounts are attentive to resistance to governmental practices, they tend to paint the state as a coherent, governmental apparatus.

Since the flight from theories of the imperialistically patriarchal state, feminist scholarship has been moving between accounts of state contradiction (e.g. hybridity, multi-layering, policy versus implementation, macro versus micro), to accounts of coherence (e.g. masculinism, governmentality). While some have since sought a middle ground between contradiction and coherence, such as Lynne Haney's theorization of the state as a "loosely coupled" system,<sup>29</sup> feminist scholars are still grappling with how to articulate a *developmental* account of the gendered origins and contradictory character of modern states.<sup>30</sup>

Work on regimes offers a synchronic snapshot in time, rather than theorization of *how* such contradiction or coherence evolved. Feminist scholarship inspired by Michel Foucault's work on modern power is more attentive to historical process, however, its emphasis on the role of experts, power/knowledge regimes, and their interplay with the state, suggests not an essentialist, but an overly coherent conception of the state. Although few feminists today would contest that the state has reproduced men's social and political dominance whilst it has also given women opportunities for increased equality, feminist-Foucauldian scholarship has sometimes cast a blind eye on this duality of the state.

Work that uncovers the gap between policy formulation versus implementation is capable of giving accounts of contradiction. However, this work also offers a synchronic account of the state, and has not proposed a more generative account of long-term processes leading to the state's gender contradictions. Coming closest to processual accounts of the state's gender contradictions, work on maternalism notes the conjuncture of agents, ideals, and interests that led some welfare states to support women as mothers, rather than strictly supporting men's

labor market and household domination. However, this scholarship does not go so far as to offer a more general theory of the state's constitution.

Additionally, scholarship on maternalism mostly focuses on twentieth century social policy, and has not investigated earlier moments in state development when there were scant female state actors. As per the neo-Weberians, consolidation of systems of extraction and coercion that pre-date the welfare state have been crucial to modern state development. Focusing on twentieth century social policy does not capture earlier formative stages, especially regarding how the state both represented and subverted men's household positions even when there were practically no female state actors.

Some feminist scholars, however, have focused on wars as periods during which the gender order has been challenged.<sup>31</sup> The effects of the First and Second World Wars on men and women's citizenship were often contradictory.<sup>32</sup> Women were somewhat rewarded for their wartime duties, but were not rewarded with political and social equality. Other feminists who focus on masculinity and militarism argue that the military is an especially masculine institution supporting male violence.<sup>33</sup> However, while campaigns to induce men's participation in the mass wars of the twentieth century emphasized masculine virtues such as honor and virility,<sup>34</sup> I argue that total wars fought by conscript armies undermined state support for men's household positions. Conscription removed men from their homes, challenging the household gender order. Additionally, in order to understand the longer relationship between the fiscal-military state and the gender-ordered family, it is fruitful to examine the continuous practice of conscription, rather than a punctuated focus on periods of war.

#### *A Bellicose Feminist Historical Sociology:*

I accept the Weberian contention that a key ingredient in modern state development has been the state's consolidation of systems of extraction and coercion that pre-date the welfare state. I look earlier than twentieth century developments in social policy, linking state development to

the state's support of men's household positions, followed by a decline in this support. I also specifically examine the relationship between state and household authority, and am careful not to use an overly expansive concept of the patriarchal state. Finally, I am not claiming that conscription was the single or primary source for the state's gender contradictions. Rather, my goal is to look at a 150-year process tying the long-term expansion of state power to the crystallization of men's household positions, and then to the state's declined commitment to men's familial authority due to security concerns. In so doing I show how the state's monopoly of violence, an especially masculine seat of the state, supported and then ceased to support men's household positions.

The choice of examining conscription politics in France is theoretically strategic. As noted above, conscription is treated as a marker of state modernity for neo-Weberians. The French Revolutionary and Napoleonic wars were important in the development of modern conscription practices, which then spread across Europe.<sup>35</sup> Conscription in France is especially seen as the paradigmatic case showing how mandatory conscription featured in nation-state development.<sup>36</sup>

Examining conscription is also strategic in relation to feminist political sociology. Given that early social systems of support in many countries were established as men were taken to fight in wars, the institutional genesis of modern social policy was forged at a weak moment in men's household positions. Although some post-war policies sought to reinstate the pre-war sexual division of labor, social policies formed in the shadow of total war continued to shape later welfare policies. France was not unique in providing family-based exemptions upon the introduction of conscription (see the Conclusion). Given the nearly global push for nation-states to create mass conscript armies by the early twentieth century, and the worldwide escalation of total war as of WWI, the proliferation of total war and mass conscription likely impacted numerous countries in the balance between state authority and men's household authority.

## **Institutional Implementation, Reproduction, and Transformation**

### *I. The Genesis of Mass Conscription and the State-Household Balance in Authority*

French conscription was implemented in the late eighteenth and early nineteenth centuries, in the midst of the exceptional events of the French Revolutionary and Napoleonic Wars. The French Revolution was not just a political revolution, but also a military one.<sup>37</sup> Although rationalization of French military organization had begun during the Ancien Régime, the Revolution introduced greater military professionalization, an expanded army, and conscription, changing the nature of modern warfare globally.<sup>38</sup> The pre-revolutionary army had organized a compulsory citizen militia formed by citizens randomly chosen by lottery. However, it was unpopular not only due to the difficulties it imposed upon the families of conscripts, but also because of the class-based exemptions that placed the burden of service primarily on poor rural families.<sup>39</sup> The Revolutionary National Assembly of 1789 abolished the militia, and initially established a small professional army.<sup>40</sup>

Even with the French declaration of war on Austria in April 1792, the French armed forces continued to rely on volunteers. Yet, the volunteer effort could not be sustained, and the first military levy was organized in 1793 by the Committee of Public Safety, which had seized power earlier that year.<sup>41</sup> The first article of the declaration of April 1793 calling for a mass levy required that “young men will go to battle, married men will forge arms and transport food; women will make the tents, garments, and help in the hospitals...” Article VIII further specified that unmarried men and widows without children would be the first men to be called for service. The levy was meant to be temporary,<sup>42</sup> however it was resented, especially in rural regions, and was experienced as the intrusion of a coercive national state undermining local institutions.<sup>43</sup> The Jourdan Law of 1798 transformed the ad hoc military levy into an annual event, and specified that only single and childless men between the ages of twenty and twenty-five needed to offer military service.<sup>44</sup> From the very first enactment of conscription, a radically new social, political and strategic experiment, married fathers were seen as better left at home, introducing the

genesis of the balance between conscription and men's household authority that was to be reproduced by the French state for the following century.

At the same time as the experiment with a mass levy presumed that married men were most needed at home, the early years of the revolution also saw innovation in penal and civil law in somewhat recalibrating men's, women's and children's power within the family. As of 1792, children who had reached the age of majority no longer had to submit to *la puissance paternelle*, paternal power.<sup>45</sup> The *père de famille*, the father patriarch, could no longer directly jail his children as of 1790.<sup>46</sup> Of high symbolic value, the *lettres de cachet* were abolished. These had been documents signed by the King during the Old Regime enabling imprisonment without trial, and through which a father could request from the King to imprison his child. Revolutionary abolishment of the *lettres de cachet* signaled a dual decline of the patriarch-king and the patriarch-father. In the sphere of civil law, a 1792 law enabled women to also initiate divorce. A 1793 law extended inheritance rights to children born out of wedlock, and in January 1794, *la puissance paternelle* was further weakened by a law requiring that most inheritances to be divided equally amongst children, abolishing the father's absolute privilege in determining inheritance allocations.<sup>47</sup> Nonetheless, women were not granted suffrage. And while civil and penal law were experimenting with changing the nature of *la puissance paternelle*, conscription rules tried to limit the revolutionary state's interventions into the family.

It was under Napoleon Bonaparte's reforms that conscription became more permanent and rationally organized. Upon his ascent to power in 1799, Napoleon inherited the Revolution's system of mandatory levies. He also inherited a corrupt system allowing for payment of substitutes, and widespread resistance. Failure to report for service, desertions, and occasional local rebellions served as a symbolic battleground between local communities and the newly centralized state.<sup>48</sup> Seeking to legitimize and rationalize the mass conscript army, Napoleon formalized a system of paid substitutions.<sup>49</sup> Additionally, men who were the sole son of a widow, the eldest brother of orphans, or brothers of men already in service could ask for

exemptions.<sup>50</sup> Napoleonic Italian conscription likewise enabled married men to avoid service if married.<sup>51</sup> Furthering the rationalization of military organization, Napoleon made the officer corps more meritocratic, promising promotion to the talented, and integrating aristocrats with the educated bourgeoisie.<sup>52</sup>

Conscription evasion nonetheless persisted, especially in remote areas.<sup>53</sup> Napoleon responded by instituting a tougher system of sanctions against the families of men refusing to serve. A conscript's parents were fined 1,500 francs if their son had deserted the military or failed to submit to the conscription process.<sup>54</sup> The new conscription regime also met with local mayors' refusal to organize the lists of eligible men for each conscription cohort.<sup>55</sup> Napoleon responded by formulating a more delocalized and uniform system across France. Rather than relying upon the personal discretion of local mayors, he allotted quotas across cantons.<sup>56</sup> Conscription was thus becoming delocalized and rationalized.

The prefectural corps was also reformed in order to further delocalization.<sup>57</sup> On specified dates mayors were to set out with their commune's conscripts to the sub-prefecture where they met with a doctor and the recruitment council, consisting of the prefect, a military commander and a recruitment officer. The recruitment council and the doctor would then determine if men were fit for service, and who would be exempt.

Historian Isser Woloch claims that by 1806, conscription was a routinized process, resulting in "the ultimate form of state penetration."<sup>58</sup> Conscription, in his view, "overshadowed every problem of administration in Napoleonic France."<sup>59</sup> Despite the collapse of Napoleon's regime in 1814, he had organized a new centralized bureaucracy and normalized military service and taxation. By one estimate, 1,600,000 men were conscripted into Napoleon's army.<sup>60</sup> As part and parcel of this administrative challenge, men's natural duties to their family were also consecrated. A brochure distributed in 1809 by the Prefect of the Department of Seine et Marne to the local mayors charged with organizing the conscription process, just as Napoleonic forces were organizing against another Austrian affront, attests to how family men were to be treated

by the Napoleonic conscription regime. The prefect recapped that marriage exemptions had been allowed for the conscription classes of 1808, earlier in 1809 and would continue to do so in 1809.<sup>61</sup> If a man received a marriage exemption he needed to provide a legal marriage certificate, and a certificate from his local mayor further corroborated by three *pères de famille*.<sup>62</sup> Since the Imperial decree of Fructidor 8, Year XIII (1804), the surplus of men needed for a conscription class were placed in the Cantonal *depôts*. Based on a lottery, men were numbered within a *depôt*, so that if more men were needed for a conscript class, men at the top of the numbered list would be the first to be taken. However, certain categories of men could be immediately placed at the bottom of the *depôt* lists, including men with a brother already in service, the only son of a widow, the eldest brother of sibling orphans, or a man whose father was over seventy-one years old.<sup>63</sup> In the case of a son of an elderly father, of particular import was if the father had been “un père vivant du travail de ses mains...s’entendent d’un manouvrier, laboureur à gages, ou artisan.”<sup>64</sup> In all of the above cases, mayors needed to certify the veracity of the conscripts’ claims regarding their family situation, and the mayors’ certification was further confirmed by the signature of three local *pères de famille*.

Marriage in itself was treated as grounds for exemption, taking for granted that men’s primary duties were to the home. Sons or brother who had to act as breadwinning heads of families were also given special consideration. Additionally, the special status afforded to local *pères de familles* as witnesses affirming conscripts’ family circumstances demonstrates how the Napoleonic state treated the family patriarch as a particularly respected citizen. Patriarchal authority was treated by the Napoleonic state as an especially truth-bearing authority, further enabling operation of Napoleonic administration. The Napoleonic state extended its authority in tandem with reproducing the authority of the *père de famille*.

In addition to modernizing the French armed forces, Napoleon enacted a new Civil Code modernizing French law. Although Revolutionary legal reform had decreased patriarchal powers through legalization of divorce, and reformed inheritance law,<sup>65</sup> Napoleon’s Civil Code

strengthened Frenchmen's patriarchal rights.<sup>66</sup> The Code reinforced the power of the *père de famille*. Whereas during the revolutionary era men's household positions were naturalized in conscription rules at the same time as civil and penal law tried to reform power relations within the family, there was no such tension during the Napoleonic regime. Napoleon's new Civil and Penal Codes reinstated *la puissance paternelle*. Promulgated in 1804, the Civil Code especially re-established husbands' hierarchical position over wives. It required of women to show obedience to their husbands. A wife's wages belonged to her husband, and even if she owned her own noncommunal property, the Code specified that she could not transform the status of the property without her husband's consent. If a Frenchwoman married a foreigner, she lost her French nationality. The Code allowed for divorce, but divorce was transformed from the revolutionary dissolution of a contract to a sanction against marital transgressions, with punishment of transgressions weighted more heavily against women.<sup>67</sup>

Book I, Title IX of the Civil Code was exclusively devoted to enumerating the rights and obligations of paternal power. *Recherche de la paternité* was abolished, subverting centuries of law where a man who fathered a "natural child" out of wedlock could be legally declared the father and held to owe certain duties to an out-of-wedlock child.<sup>68</sup> In seeking to protect men's honor, and that of their "legitimate" families, the 1804 Code hardened the boundary of the nuclear family anchored by civil marriage at its core. Children under the age of majority needed parents' consent for marriage, and if the parents disagreed, the father's consent was the determining voice. The Penal Code restored fathers' correctional authority, though in a more limited form than during the Old Regime.<sup>69</sup>

At the turn of the nineteenth century, several extraordinary events occurred. These include the French Revolution, the Committee of Public Safety's call for the first mandatory levy, and then Napoleon's coup d'état and his determination to expand the French armed forces through a bureaucratized prefectural system organizing regular levies that offered exemptions to married men. In this formative stage, the French state created a national conscription system

and formalized its conscription rules, reformed the prefectural and military bureaucracy, and consolidated its hold over the coercion-extraction cycle that was a pivotal ingredient for imperial expansion and inter-state competition. Additionally, at this early phase in the introduction of mass conscription, state actors maintained their commitment to the post-revolutionary state alongside their protection of men's household positions. This was achieved by implementing selective, not universal, service. Two potentially competing commitments could be balanced, as the French state extended its national authority and imperial power, while it also supported men's household positions.

## *II. Nineteenth Century Reproduction of the Balance between State & Household Authority*

After Napoleon's fall from power in 1814, conscription declined during the subsequent regimes of the Bourbon Restoration, the July Monarchy, and the Second Empire, and was only seriously revived again in the early twentieth century. Conscription rules, however, continued to provide exemptions to breadwinning heads of families. The 1818 Loi Saint-Cyr, passed during the Restoration, specified procedures for selecting annual conscription classes to be composed of volunteers, with six years of active duty, followed by six years of reserve service. It also allowed for some mandatory conscription based on an annual lottery.<sup>70</sup> Exemptions, however, were offered for married men. In debating the law, Conservative Parliamentarians in favor of conscription linked military service to paternal power, claiming that it could instill men with a social discipline they were otherwise lacking given the putative changes in family structures.<sup>71</sup> The July Monarchy's 1832 law offered exemptions to the eldest brother of orphan siblings, the sole son or son-in-law or sole grandson of a widow or blind father or father who was over seventy years old.<sup>72</sup> These men were to be spared from service so that they could support their families. Historian Alan R. H. Baker estimates that in 1856, during the Second Empire, seventeen percent of the potential recruits in the cantons of Mer and Neung-sur-Beuvron in the department of Loir-et-Cher were given conscription exemptions for acting as heads of

households, and thirteen percent were exempt due to a brother already serving as a soldier, or if a brother had been killed as a soldier.<sup>73</sup>

Paid replacements continued throughout nineteenth century conscription. Historian Bernard Schnapper has shown that the main customers in the market of paid replacements were *pères de famille*, fathers paying men from lower classes to replace their own sons for years of military service.<sup>74</sup> An 1861 booklet explaining existing conscription rules shows the extent to which fathers had become the prime clients within the paid replacement system. Titled “*Les Pères de Famille et la Conscription Militaire*,” it opened with a preface offering a brief history of conscription in France. Its author, a lawyer from Le Mans, claimed that fathers had been the main victims of scams orchestrated by men posing as legitimate replacements. “The poor father had acted without dreaming of the consequences,” as swindlers would abscond with the money a father paid out, or would effectively blackmail fathers throughout the course of their military service.<sup>75</sup>

The author claimed that as a result the French state had tried to regulate the paid replacement system. He reminded fathers that paid replacements needed to meet certain physical and moral standards, and they could not be married, nor widowers with children.<sup>76</sup> Following still the law of 1818, cantonal lists were to be constructed by lottery. Exemptions would be offered to the eldest brother of orphans, the eldest son of a widowed mother, the eldest of a blind father, and the eldest son of an elderly father.<sup>77</sup> Men from poor families who could prove that they acted as the *soutien de famille*, the main family breadwinner, could also apply for exemption.<sup>78</sup> Marriage, however, was not in itself grounds for exemption.

The French Third Republic (1870-1940), founded on the heels of French defeat to the Prussians in the Franco-Prussian war, did not initially change this treatment of family breadwinners. Despite its endemic cabinet instability, many see the Third Republic as pivotal for establishing durable republican institutions in France, creating the definitive separation between Church and State through secular education, putting to rest hopes of a royalist revival, and

promoting the egalitarian French “nation in arms” as one of its pillars. In its first years of existence, the Third Republic’s National Assembly was preoccupied with the question of army reorganization. The Prussians had proved to be Napoleon’s keenest students.<sup>79</sup> Prussian military supremacy had highlighted the benefits of a conscript army, although the Paris Commune uprising of 1871 fostered fears over arming working class citizens.

Leaders of the Third Republic also pledged to republicanize the army by democratizing the officer corps and expanding conscription. Recruitment laws needed to be authorized by Parliament. However, in reality, the Third Republic was slow to republicanize military service. A new conscription law in 1872 maintained a lottery distinguishing between “good” and “bad” numbers. Those men who drew bad numbers had to complete five years of active duty, followed by four years in active reserve units, and finally, eleven years in the “territorial reserves.” Those with good numbers completed only one year of active duty before entering the reserves.<sup>80</sup> If a man who had drawn a bad number could pay a tax to the state and purchase his own equipment, he could serve for one year in the active army before transferring to the territorial reserves. The law maintained the same exemptions for reasons of *soutien de famille* (family support) as had been defined in the 1832 law.<sup>81</sup> Prefects were to show consideration for a wide range of men whose families needed their support, and men special family-based considerations needed three *pères de famille* to act as witnesses on their behalf (see Appendix A). These exemptions were maintained even after French defeat in the Franco-Prussian war.

An 1889 law somewhat modified the 1872 law. Men’s mandatory service was to last three years, with an addition twenty-two years of various stages of reserve duty. The lottery system was maintained, and while men with “bad” numbers had to serve three years, those with “good” numbers continued to serve one year. Men could still be exempt if they supported a family.<sup>82</sup> However, men needed to prove to the communal mayor that they indeed supported their families. They were required to provide a statement of financial contributions to the family, with three *pères de famille* signing as witnesses.<sup>83</sup> Alan R. H. Baker’s estimates of exemptions in the

cantons of Mer and Neung-sur-Beuvron again testify to the commitment to exempting men for family-related reasons. Baker calculates that in 1891, thirty-six percent of the exemptions were due to a brother's active service or the death of a brother due to military service, and twenty-eight percent of exemptions were due to a man's familial obligations.<sup>84</sup>

As was the case for much of French politics at the turn of the century, the topic of army reorganization could not escape the effects of the Dreyfus affair. While Alfred Dreyfus was initially accused of treason in September 1894, it was in late 1897 that the false accusations against him catalyzed an all-out political scandal, and eventually helped bring about a seismic shift in Parliament in 1899 through the formation of the *Bloc des Gauches*, a left-leaning coalition government. In the wake of the affair, the new cabinet was determined to increase civilian oversight of the military high command and further republicanize the army. Parliament therefore wished to re-examine the recruitment law of 1889. Seeking to further diminish the influence of the professional officers corps, the group seen as especially suspect in the wake of the Dreyfus affair, republicans in Parliament turned their efforts towards transforming the army into a large reserve force composed of a mass of male citizens adequately trained to constitute such a reserve.<sup>85</sup> The army was also seen now as a school for national citizenship, incorporating men from all social backgrounds.<sup>86</sup>

These efforts resulted in passage of a new 1905 military recruitment law, which looked to be a turning point in the balance between the state's authority and men's household authority. It aimed to achieve egalitarian mass conscription, ended the lottery system, and is commonly interpreted as the moment from which French conscription became truly universal and truly republican.<sup>87</sup> The officer corps was made more egalitarian, as officers could be recruited from the rank and file of men in active duty.<sup>88</sup> Like the 1889 law, it required that men contribute twenty-five years of military obligations. However, whereas the 1889 law had required an initial three-year period of mandatory full time service, the 1905 law reduced it to two years of mandatory service followed by twenty-three years of reserve service. The first articles of the 1905

law conveyed the republican universalist spirit of the law, proclaiming that, “Each Frenchman is personally obligated to fulfill military service” and continued by affirming that, “Military service is equal for all. Other than for reasons of physical disability, no exemptions are allowed.”<sup>89</sup>

Yet, Article Twenty of the law allowed that during peacetime, if two brothers were to be called to serve, the younger brother could defer conscription until completion of his older brother’s service. More radically, Article Twenty-One allowed that if a man proved that he supported his family, he could defer conscription on a year-by-year basis.<sup>90</sup> A July 1911 law added that fathers with four children, along with fathers with six children, could skip their period in the active reserves (the second stage of service) and instead directly serve in the territorial reserves, meaning that men would be able to skip years of reserve service.<sup>91</sup>

Despite the political effects of the Dreyfus affair, balancing the needs of the mass army and maintenance of men’s positions at home continued to be reproduced a century after the first Revolutionary mandatory levy. Other concurrent developments also did not serve to radically diminish family-based exemptions, including the new influence of republicans in Parliament, the symbolic importance ascribed to the citizen-soldier army, the strategic importance of a mass army especially following defeat to the Prussian conscript army, and Parliament’s role in determining conscription rules.

### *III. Transformation: Total War and Decline in State Support for Men’s Household Authority*

As state actors continued to reproduce the balance between the state’s authority to conscript and men’s household authority, the seeds of transformation were being planted. Decline in the French birthrate had started in the late nineteenth century, and concerns over deterioration of French military and political dominance further fueled panic over French demographic decline.<sup>92</sup> Ever more publications concerned with the depopulation issue were published at the turn of the century, and were concerned less with the gender hierarchy within the family than with spurring population growth.<sup>93</sup> In 1896 the *Alliance nationale pour l’accroissement de la population française*, “The

National Alliance for French Population Growth” was formed, an organization devoted to the depopulation issue. The *Alliance nationale* was to be politically influential in the years immediately before and after WWI,<sup>94</sup> especially as demographic growth became linked to national revival.<sup>95</sup> Concern with the family was moving from protecting the *père de famille* to protecting *familles nombreuses*, families with many children.

In 1913 Parliament extended mandatory service from two to three years of service, and including reserve duty, required men to provide military service throughout twenty-eight years of their lives. Germany’s peacetime army had grown from 653,000 men to 863,000 men between 1911 and 1913,<sup>96</sup> and French military leadership thought it necessary to enlarge French standing forces. The 1913 law not only extended full-time military service to three years, but also shifted the age of conscription from twenty to nineteen. Whereas considerations for family men had mostly been the result of men’s presumed positions as breadwinning heads of families up until the eve of WWI, pronatalists just prior to WWI rather argued that family-based exemptions were needed so that men would aid in furnishing future soldiers for the state. The *Alliance Nationale’s* president, Fernand Boverat, petitioned the War Minister six months before the start of WWI to reduce the burden of military service for families with many children, claiming that failing to do so was a “a Malthusian encouragement” which rewarded families with few children.<sup>97</sup> Although women were especially the focus of pronatalist policies, men too were blamed for the demographic crisis. In emphasizing now fathers’ procreative duties, especially the duty to furnish future soldiers, men became subjected to greater regulation.<sup>98</sup>

Men’s procreative contributions were viewed by pronatalists as competing with their military obligations, and thus legitimate grounds for exemption or reduced service. For example, in debating the 1913 law in Parliament, two pro-family Deputies had submitted an amendment to the proposed three-year bill. They argued that men with large families were already fulfilling a duty by virtue of having many children, and should therefore benefit from reduced service.<sup>99</sup> Jean Jaurès, the socialist leader who had published in 1911 *L’Armée nouvelle*, a

tract advocating a Swiss-style citizen militia in France, had tried in the 1913 debates to convince his Parliamentary colleagues that a citizen militia best met French needs. The pronatalist bloc, however, disagreed with Jaurès and believed in the necessity of extending military service, yet sought exemptions for men from *familles nombreuses*. Deputy Joseph Reinach, arguing for extended mandatory military service with lightened service for men from large families, claimed that at stake was the very definition of justice and equity: “Due to the lowered birthrate it is just, it is moral, to lighten the burden of those who have fulfilled their social obligation.”<sup>100</sup>

Reinach did not emphasize the importance of protecting male heads of families, but rather men’s procreative contributions. The Chamber’s Army Commission rejected the amendment, and claimed that it would have too radical an effect on conscription numbers. However, another proposed amendment to the three-year bill suggested lowering the conscription age from twenty to ninety so that men could return home and start procreative life at an earlier age. The proposal was incorporated into the final bill.<sup>101</sup> Pivotaly, it was the first time that conscription rules were tied to demographic concerns rather than to protection of men’s household positions.

During WWI, fathers of *familles nombreuses* were given some special considerations, as the war of attrition settled in. As of February 11, 1915, fathers with six or more children were to be released from service, and from October 21 of the same year men with five children, or widowers with four children, were to be transferred from the frontlines to safer positions.<sup>102</sup> A 1917 bill, known as the Mourier Law, reflected integration of procreative concerns into French military manpower policy, expressed specifically in protection of fathers of families with many children, and men who had already lost siblings. The law authorized fathers with three or more children from older conscript classes, or men whose brothers had been killed, to be transferred to duties on the home front. Between August 1917 and February 1918, some 70,000 fathers from more senior conscription classes were transferred to service in the interior of France as the war was dragging on.<sup>103</sup> Demobilization rules at the end of the war also prioritized fathers of

*familles nombreuses*. The more children a man had, the earlier his date of demobilization.<sup>104</sup> The 1913 law and subsequent service rules during and after WWI rewarded men for reproducing for the state and aiding in French national revival. These laws no longer granted exemptions in order to maintain men's household positions as breadwinners and heads of families, nor for their position as husbands, but were rather rewards for men's procreation.

Although the years during and after WWI witnessed a cultural revolution in women's leisure, and consumption,<sup>105</sup> and though women's labor market participation had increased during the war,<sup>106</sup> the period following WWI saw setbacks for women's rights. These were due to the influence of the pronatalist movement in conjunction with social Catholics who viewed declining fertility rates as a sign of French moral decline, though statisticians and demographers gained the upper hand in defining the demographic crisis in more instrumental terms.<sup>107</sup> Female citizens became targets for invasive state policies aimed at enhancing the country's demographic renewal, as evidenced by legislation of harsher abortion penalties.<sup>108</sup>

Frenchmen did not escape the repercussions of the post-WWI depopulation crisis. Men were accused of selfish individualism by failing to commit to marriage and fatherhood.<sup>109</sup> Before long, the republican call for universal duty to serve as soldiers met the opposition of pronatalists and pro-family lobbyists arguing for protecting fathers. Removing fathers from their families for years of mandatory service was viewed as a disincentive towards marriage and procreation. The terrible loss of life France suffered during WWI further exacerbated demographic concerns. Some 1.5 million men had been killed during the war, in addition to over three million wounded, and 1.1 million permanently disabled.<sup>110</sup> By other estimates, 12.2% of males aged 25-50 had died, leaving France with 1,103 women per 1,000 men.<sup>111</sup> These were men who would have been vital resources for the French army, and who could have helped produce France's future soldiers.

Not only were conscription exemptions now tied to encouraging men's procreative obligations, but family-based exemptions were further reduced in the interwar years because the state's security needs came to supersede the state's commitment to maintaining men's household

authority. Although pronatalist and pro-family representatives in Parliament made repeated attempts at expanding again exemptions for family men, the army reorganization bills of 1923, 1928, and 1936 made only nominal concessions to them.<sup>112</sup> The 1923 law, for example, reduced mandatory service to eighteen months. It had taken nearly three years to pass the law, which had encountered opposition from the left and from the pronatalist and pro-family blocs. The Parliamentary Army Commission's spokesman, Jean Fabry, and War Minister André Maginot, made some conciliatory gestures especially towards pronatalist representatives whose numerous suggestions for reductions of service for men from *familles nombreuses* were viewed as too radical given the dire manpower situation. Jean Fabry had had to beg pronatalist parliamentarians to cease with the barrage of amendments they were proposing while the law was being debated throughout 1922: "It is imperative that [military service] maintain its character as an obligatory blood tax for all and under the same conditions... I ask of my colleagues, representatives of the *familles nombreuses*, not to lose sight of our objective."<sup>113</sup>

Nonetheless, pronatalist amendments persisted in the Chamber.<sup>114</sup> Parliament finally agreed on eighteen months of service, and an amendment proposing reduced service for the son of a family of five children.<sup>115</sup> Pronatalist movements persisted by tying depopulation to the security crisis. The *Alliance Nationale's* program of 1925 viewed depopulation as asking for a new German military invasion. It was therefore every man's obligation to "perpetuate the motherland, exactly as he is under obligation to defend her."<sup>116</sup> A 1928 law shortening service to twelve months offered nominal conciliatory gestures to fathers and sons from large families, focusing only on reserve service.<sup>117</sup> The more children a man had, the more he would be advanced into later stages of reserve service, effectively shortening the number of years he would have to serve as a reserve soldier. Men with at least six children were freed of reserve service.<sup>118</sup>

By 1935, the "hollow years" had arrived, referring to the diminished conscription classes following the post-WWI demographic crisis.<sup>119</sup> The unborn sons of the million and a half Frenchmen killed during WWI resulted in recruitment classes that were almost half the size of

those of the previous decade.<sup>120</sup> Prime Minister Pierre-Étienne Flandin requested from Parliament to double the duration of active service for the recruitment classes of 1935 to 1939 to two years. With a fearful eye towards Germany's rearmament and suspicions that Hitler was reinstating conscription in defiance of the Treaty of Versailles, Jean Fabry, then the War Minister, requested that the Chamber ignore the new wave of proposed amendments asking for reduced service for men from large families. He promised that "If it becomes possible to provide an exception to the principle of equal obligation of military service for all [...] it will be for the *familles nombreuses...*"<sup>121</sup>

The Chamber's Army Commission rejected the possibility of shortening fathers' and sons' service. However, it advocated adding a paragraph to the proposed law stipulating that once the international situation improved, and once a greater number of professional soldiers were maintained, the eldest son of five, fathers (married or widowed), and the son of a fallen soldier would be the first to be released from two-year service.<sup>122</sup> The Commission also recommended that if special benefits were to be provided one day to men in the reserves, these would be aimed at fathers of large families, and not at sons, since a pronatalist policy needed to "look to the future," and not the past.<sup>123</sup> Finally, a father of three children would not have to do any reserve service. The law passed in March 1936. Certain that France was on the brink of war with Germany, the Minister of Defense and War announced in late September 1938 that due to uncertain estimates of the size of German reserve forces, men who were to have been released on October 1 were to remain in active service until further notice. However, an exception would be made for fathers of at least two children who would be able to return home.<sup>124</sup>

No longer balancing the needs of the state with a commitment to protecting men's household authority, War Minister Fabry insisted on the eve of WWII that the French military needed to be safeguarded. Male state actors ceased balancing between the needs of the state and men's household authority. Whereas up until 1913 the goal had been explicitly to protect men's household positions, the French state was *not* seeking to deliberately weaken men's household

authority as of 1913. From 1913 until the pre-WWII “hollow years” conscription rules aimed to simultaneously support the French military and French national rebirth, but a consequence of this was that the state effectively pulled back from its historic commitment to balancing between the male-led family and the state’s security needs. As of the mid-1930s, even national rebirth could not persuade figures such as War Minister Fabry to allow for conscription rules that promoted demographic growth. The past experience of total war and the specter of a new one led state actors to prioritize the security needs of the state above all else, if reluctantly so. While War Minister Fabry still rhetorically emphasized that he understood the plight of French fathers, in reality, the balance between state and men’s household authority perpetuated in the nineteenth century had shifted into support for the security state above all else, with some token support for men’s reproductive capacities.

### **Conclusion and Implications**

Neo-Weberian scholarship on the fiscal-military state has remained resistant to incorporating analyses of gender relations in explaining and characterizing modern state development. Yet, as this case study shows, male state actors’ attitudes towards men’s household authority also shaped aspects of modern state power that, on the surface, might appear far from “family policy.” Conscription, in itself, was a kind of family policy, painstakingly aware of its effects on men and women’s family roles. In turn, feminist scholarship has not looked at how the continuous practice of conscription was the source of long-standing support, then diminishment, of men’s household authority. Examining the development of French conscription over the nineteenth century, and transformations between the World Wars, has enabled identification of such a process. Further, following the trajectory of family-based conscription exemptions explains how male state actors supported and then subverted men’s household authority, that is, how a male-staffed state could itself be a source of undermining family patriarchy.

I first point to a phase of institutional implementation, where selective mass conscription was chosen as one means by which Revolutionary and Napoleonic France could dominate in interstate warfare. Competition in interstate warfare and male state actors' support of men's household positions were compatible, forging a balance between the expansion of the fiscal-military state and maintenance of men's household authority. State actors throughout numerous political regimes in the nineteenth century continued to reproduce this balance, including during the first forty years of the French Third Republic.

A turning point occurred due to the intensification of total war during WWI. Male state actors' diminished support for family-based conscription exemptions shows how state support of men's household authority diminished as of the interwar years when an extreme security threat loomed. Tracing nearly 150 years of conscription rules, we can identify how the state expanded its extractive and coercive capacities by supporting men's household authority, and can locate how the state then diminished its support of men's household authority.

The process identified in this essay was not exclusive to France. Certainly the French Revolution's first military levy, Napoleon's coup d'état, and Napoleonic military and bureaucratic reform during the Napoleonic Wars, together produced an extraordinary conjuncture of events. France was unique in being a site for igniting organization of mass conscript armies and the intensification of war between states. The demographic crisis was also unique to France. However, the demographic crisis in itself did not cause the decline in conscription exemptions. Rather, the demographic crisis caused a decline in numbers of soldiers, and concerns over the low birthrate were subsumed into French security concerns over a diminished mass army. These developments catalyzed a continental, and eventually, global transformation in warfare and organization of states' "human materiel" towards participation in total war.<sup>125</sup>

Most countries (and empires) participating in WWI adopted conscription. Even countries with weak conscription traditions, such as Great Britain, Canada, and the United States did so, and they all initially offered widespread exemptions to fathers and husbands. Great

Britain and Canada cancelled these exemptions as WWI dragged on.<sup>126</sup> While it had taken France over a century to first establish conscription alongside family-based exemptions, and then diminish these exemptions as manpower needs grew due to intensification of total war, during WWI Great Britain and Canada dramatically condensed the sequence of first implementing selective conscription balancing state and men's household authority, followed by reproduction of the state-household balance, and finally, a turn to more universal conscription and a decline in state support of the traditional sexual division of labor. The U.S. entered WWI late in the war, and did not have the same military involvement as Britain and Canada. Thus, while the U.S. introduced conscription in 1917, exemptions for breadwinners were maintained for the duration of the war.<sup>127</sup> However, much more extensive American participation in WWII pushed the United States to reorganize for total war, and family-based deferments were diminished during that conflict.<sup>128</sup> This suggests that a similar sequence unfolded over the course of two wars in the United States.<sup>129</sup>

The relationship between conscript armies, total war, and men's familial authority presented in this essay raises some questions for further consideration. Miguel Centeno has argued that not all wars have made strong states.<sup>130</sup> Focusing on Latin America, a continent with a bloody history but with weak state-building outcomes, Centeno isolates conditions that can give rise to a "successful" relationship between war-making and state-making. Whereas France is a case of a robust relationship between war-making and state-making, Centeno argues that states such as Brazil, Argentina and Paraguay are not. How might the relationship between state authority and men's household authority have unfolded in countries where wars did not make for strong states? The case of Brazil, for example, suggests that the first phase in the process identified in this article was present there. The Brazilian state imposed conscription upon its citizens in the nineteenth century, however only upon a partial segment of the population, and with exemptions for married men.<sup>131</sup> However, this was not followed by a later phase of transformation towards more universal service. The Brazilian armed forces did not extensively

participate in the total wars of the twentieth century, nor did the Brazilian state massively expand conscription to most men, regardless of class or family status.

If states such as Brazil did not organize a centralized and bureaucratized system of mass military service, and if such states did not extensively participate in the total wars of the twentieth century through more universal conscription systems, then can we expect to find more robust support for men's household authority in these countries? Mala Htun's research on the resilience of patriarchal law and policy in Brazil, Chile, and Argentina leaves open the possibility that such a connection could exist.<sup>132</sup> The process identified in this article therefore raises further questions regarding the relationship between the mass army, universal conscription, total war, the degree to which states support men's household authority, and the timing of changes to laws and policies leading to a decline in state support for men's paternal and conjugal authority.

This article also raises several questions about post-WWII developments regarding the relationship between conscription, war, and state support for men's household authority in countries where wars made for capacious states. Following professionalization of the armed forces and cancellation of conscription in the late twentieth century, sociologists have left behind questions about the relationship between the military and the state. Political sociologists have not followed how military professionalization has affected the nature of the contemporary state, let alone the relationship between gender and the state. As argued here, up until the mid-twentieth century, the less conscription was universal, the more the state supported the household sexual division of labor. It is unclear, however, how this relationship has transformed with the demise of the mass army following WWII.<sup>133</sup> In France, prior to cessation of conscription in 2001, exemptions were already becoming more widespread as of the mid-1960s, including family-based ones.<sup>134</sup> Yet, this coincided chronologically with the rise of Frenchwomen's familial authority in law and policy as of the mid-1960s.<sup>135</sup>

For now, we can note at most that increase in exemptions as of the 1960s occurred synchronically to French laws equalizing men and women's household positions, and what looks

to have been a decoupling between conscription exemptions and state support for men's household authority (that is, more family-based exemptions did not result in maintenance of men's household authority). How did this decoupling occur? A new challenge now lies in seeing if we can locate a distinct process connecting the decline of the mass army staffed by men, development of the professional army, and the rise of women's familial equality, especially as of the final third of the twentieth century.

The relationship I have identified between the mass army, total war, and state support for men's household authority uncovers how the state developed in relation to men's household authority in Europe and other regions where countries developed mass armies and participated in the twentieth century's total wars. Furthermore, I show how the most masculine of state institutions, staffed entirely by men, supported and then undermined men's household authority. In so doing, I raise new questions about gender equality in countries with war-making and state-making trajectories distinct from the European experience, and about contemporary and still poorly understood transformations in the relationship between the decline of the mass army, gender equality within the family, and the state.

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<p>Only son or eldest son of a woman whose husband absent is legally declared absent</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Copy of declaration of absence</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Only grandson or oldest grandson of a woman whose husband is legally declared absent</p>	<ul style="list-style-type: none"> <li>• Grandparents' marriage certificate</li> <li>• Parents' marriage certificate</li> <li>• Copy of declaration of absence</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Only son or eldest son of a blind father</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Only grandson or eldest grandson of a blind grandfather</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Only son or eldest son of a father who is at least seventy years old</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Father's birth certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Only grandson or eldest</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> </ul>

<p>grandson of a grandfather who is at least seventy years old</p>	<ul style="list-style-type: none"> <li>• Grandfather's birth certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Youngest orphan where both mother and father have died</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Parents' death certificates</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Youngest son of a widow</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Father's death certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Youngest grandson of a widow</p>	<ul style="list-style-type: none"> <li>• Grandparents' marriage certificate</li> <li>• Grandfather's death certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Youngest son of a woman whose husband was legally declared absent</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Declaration of absence</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p>Youngest grandson of a woman whose husband was</p>	<ul style="list-style-type: none"> <li>• Grandparents' marriage certificate</li> </ul>

<p>legally declared absent</p> <p>Youngest son of a blind father or a father who is at least seventy years old</p> <p>Youngest grandson of a blind grandfather or grandfather who is at least seventy years old</p>	<ul style="list-style-type: none"> <li>• Declaration of absence</li> <li>• Certificate signed by three <i>pères de famille</i></li>   <li>• Parents' marriage certificate</li> <li>• Father's birth certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li>   <li>• Parents' marriage certificate</li> <li>• Grandfather's birth certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p><b>Third Category:</b></p> <p>Eldest brother of a man included in the same lottery, and who is recognized as fit for service</p>	<ul style="list-style-type: none"> <li>• Parents' marriage certificate</li> <li>• Certificate signed by three <i>pères de famille</i></li> </ul>
<p><b>Fourth Category:</b></p> <p>A man whose brother is currently completing military service</p>	<ul style="list-style-type: none"> <li>• Certificate signed by three <i>pères de famille</i></li> <li>• Certificate by the <i>conseil d'administration du corps</i> or another document attesting to brother's service</li> </ul>

<p><b>Fifth and Final Category:</b></p> <p>A brother of a man who died while in active duty, or injured while in service, or who contracted illness while in service; and a young man whose brother died or was injured in the auxiliary army of 1870 and 1871</p>	<ul style="list-style-type: none"> <li>• Certificate signed by three <i>pères de famille</i>, approved by the mayor, and overseen by the sub-prefect</li> <li>• Independently of the above certificate, a document attesting to the brother's death, injury, or illness</li> <li>• If the brother died on a naval ship, a certificate must be supplied by the <i>commissaire de marine</i>.</li> </ul>
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Source: Bibliothèque Nationale de France (BNF), Louis Beaugé, *Le Service Militaire en France: Manuel à l'usage de tous les français soumis à la loi sur le recrutement, et spécialement des officiers de tout grade des armées de terre et mer, des préfets, des sous-préfets et des maires* (Nice: S.C. Cauvin et Cie, 1874), 24-27.

**Notes:**

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1. Max Weber, *Economy and Society* (Berkeley: University of California Press, 1978). Edited by G. Roth and C. Wittich.

2. For example, Michael Mann, *Sources of Social Power: The Rise of Classes and Nation States, 1760-1914*. Cambridge: Cambridge University Press, 1993).

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3. For example, Brian M. Downing, *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe* (Princeton, NJ: Princeton University Press, 1992); Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge & New York: Cambridge University Press, 1997).

4. Charles Tilly *Capital, Coercion, and European States, AD990-1992* (Oxford: Oxford University Press, 1992).

5. For example, Anthony Giddens, *A Contemporary Critique of Historical Materialism: Volume II, the Nation-State and Violence* (Berkeley: University of California Press, 1985); Mann, *Sources of Social Power: The Rise of Classes and Nation States, 1760-1914*; Gianfranco Poggi, *The Development of the Modern State: A Sociological Introduction* (Stanford, CA: Stanford University Press, 1978); Charles Tilly, Gabriel Ardant, and Social Science Research Council. Committee on Comparative Politics, *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press, 1975).

6. Weber, *Economy and Society*, 980-981.

7. *Ibid.*, 972.

8. See, for example, Jack. A. Goldstone, *Revolution and Rebellion in the Early Modern World* (Berkeley, CA: University of California Press, 1991); Edgar Kiser and Justin Baer "The Bureaucratization of States: Towards an Analytical Weberianism," in J. Adams, E. S. Clemens, and A. S. Orloff, eds., *Remaking Modernity: Politics, History, and Sociology* (Durham, N.C.: Duke University Press, 2005), 225-248; Edgar Kiser and Joshua Kane, "Revolution and State Structure: The Bureaucratization of Tax Administration in Early Modern England and France," *The American Journal of Sociology* 107, (2001):183-223; Edgar Kiser and April Linton, "Determinants of the Growth of the State: War and Taxation in Early Modern France and England," *Social Forces* 80, (2001):411-448; Theda Skocpol, *States and Social Revolutions: A Comparative Analysis of France,*

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*Russia, and China* (NYC: Cambridge University Press, 1979); Charles Tilly, *Capital, Coercion, and European States*.

9. Margaret Levi is one of the few scholars to have systematically examined implementation of selective conscription. She focuses on elimination of class-based privileges and continued exemptions provided on the basis of conscientious objection, but does not follow family-based exemptions. See Margaret Levi, "The Institution of Conscription," *Social Science History* 20, (1996):133-167; Margaret Levi, *Consent, Dissent, and Patriotism* (Cambridge: Cambridge University Press, 1997).

10. Ute Frevert, *A Nation in Barracks: Modern Germany, Military Conscription and Civil Society* (Oxford & New York: Berg, 2004).

11. Dorit Geva, "Where the State Feared to Tread: Conscription and Local Patriarchalism in Modern France," *The Annals of the American Academy of Political and Social Science* 636, no 1 (2011):111-28.

12. Weber, *Economy and Society*, 1087.

13. *Ibid.*, 1246.

14. Julia Adams, *The Familial State: Ruling Families and Merchant Capitalism in Early Modern Europe* (Ithaca, NY: Cornell University Press, 2005), 33.

15. Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton, N.J.: Princeton University Press, 1995), 188.

16. Catharine A MacKinnon, *Toward a Feminist Theory of the State* (Cambridge, MA: Harvard University Press, 1989), 169.

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17. Though I disagree with Brown's treatment of Weber as a liberal theorist who elaborated originary stories of political society, Brown points to a limit in Weber's historicism in his account of the origins of the modern state. Weber loses his historical compass with his assumption of a natural order of male physical domination reaching its political apotheosis in the modern state. See especially Weber, *Economy and Society*, 1007.

18. For example, Mimi Abramovitz, *Regulating the Lives of Women: Social Welfare Policy from Colonial Times to the Present* (Boston, MA: South End Press, 1988); Eileen Boris and Peter Bardaglio, "The Transformation of Patriarchy: The Historic Role of the State," in I. Diamond, ed., *Families, Politics and Public Policy* (New York: Longman, 1983), 70-93; Carol Brown, "Mothers, Fathers, and Children: From Private to Public Patriarchy," in L. Sargent, ed., *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism* (Boston, MA: South End, 1981), 239-68; Christine Delphy, *L'ennemi principe, tome 1: L'Économie Politique du Patriarcat* (Paris: Editions Syllepse, 1998); Zillah Eisenstein, "The State, the Patriarchal Family and Working Mothers," in Pp. 41-58 in I. Diamond, ed., *Families, Politics and Public Policy: A Feminist Dialogue on Women and the State* (New York: Longman, 1983); Heidi Hartmann, "Capitalism, Patriarchy, and Job Segregation by Sex." *Signs* 1, (1976):137-69.

19. For a review see Rianne Mahon, "From 'Bringing' to 'Putting': The State in Late Twentieth-Century Social Theory." *The Canadian Journal of Sociology/Cahiers canadiens de sociologie* 16, (1991):119-144.

20. MacKinnon, *Toward a Feminist Theory of the State*.

21. For example, Pavla Miller, *Transformations of Patriarchy in the West, 1500-1900* (Bloomington: Indiana University Press, 1998).

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22. For an exhaustive review of scholarship on gender and the welfare state, see Ann Shola Orloff, "Gendering the Comparative Analysis of Welfare States: An Unfinished Agenda." *Sociological Theory* 27, (2009):317–343.

23. For example, Seth Koven and Sonya Michel, *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (New York: Routledge, 1993), xi.

24. E.g. Julia Adams, and Tasleem Padamsee, "Signs and Regimes: Rereading Feminist Work on Welfare States," *Social Politics* 8, (2001):1-23; Jane Lewis, "Gender and the Development of Welfare Regimes," *Journal of European Social Policy* 2, (1992):159-173; Julia S. O'Connor, Ann Shola Orloff, and Sheila Shaver, *States, Markets, Families: Gender, Liberalism, and Social Policy in Australia, Canada, Great Britain, and the United States* (Cambridge; New York: Cambridge University Press, 1999); Ann Shola Orloff, "Markets Not States? The Weakness of State Social Provision for Breadwinning Men in the United States," in L. Haney and L. Pollard, eds., *Families of a New World: Gender, Politics, and State Development in a Global Context* (New York & London: Routledge, 2003), 217-43; Diane Sainsbury, "Women's and Men's Social Rights: Gendering Dimensions of Welfare States," in D. Sainsbury, ed., *Gendering Welfare States* (London: Sage, 1994), 50-169.

25. For example, Kristen Stromberg Childers, *Fathers, Families, and the State in France, 1914-1945* (Ithaca: Cornell University Press, 2003); Dorit Geva, "Not Just Maternalism: Marriage and Fatherhood in American Welfare Policy," *Social Politics* 18, (2011):24-51; Barbara Hobson, *Making Men into Fathers: Men, Masculinities and the Social Politics of Fatherhood* (Cambridge: Cambridge University Press, 2002); Anna R. Igra, *Wives without Husbands: Marriage, Desertion, and Welfare in New York, 1900-1935* (Chapel Hill, NC: University of North Carolina Press, 2007); Ann Shola Orloff, "Markets Not States? The Weakness of State Social Provision for Breadwinning Men in the United States," 217-43; Ann Shola Orloff and Renee Monson, "Citizen, Workers, or Fathers? Men in the History of U.S. Social Policy," in B. Hobson, ed., *Making Men into Fathers* (Cambridge:

---

Cambridge University Press, 2002), 61-91; Michael Willrich, "Home Slackers: Men, the State, and Welfare in Modern America," *The Journal of American History* 87, (2000):460-89.

26. For example, Lynne A. Haney, "Homeboys, Babies, Men in Suits: The State and the Reproduction of Male Dominance," *American Sociological Review* 61, (1996):759-778; Anna C. Korteweg, "Welfare Reform and the Subject of the Working Mother: 'Get a Job, a Better Job, Then a Career'," *Theory and Society* 32, (2003):445-480.

27. Brown, *States of Injury: Power and Freedom in Late Modernity*.

28. For example, Lisa D. Brush, *Gender and Governance* (Walnut Creek, CA: AltaMira Press, 2003); Anna Marie Smith, *Welfare Reform and Sexual Regulation* (Cambridge, UK & New York: Cambridge University Press, 2007).

29. Lynne A. Haney "Feminist State Theory: Applications to Jurisprudence, Criminology, and the Welfare State," *Annual Review of Sociology* 26, (2000):641-666.

30. The category of "women" was subject to extensive reassessment as of the 1990s, also affecting the multiple directions in which feminist state scholarship has moved. Nonetheless, questions as to how the state was staffed by men but did not always benefit men remained unanswered.

31. Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (Chapel Hill, NC: University of North Carolina Press, 1996).

32. For example, Stefan Dudink, Karen Hagemann, and John Tosh, *Masculinities in Politics and War: Gendering Modern History* (Manchester & New York: Palgrave, 2004); Margaret Randolph Higonnet, Jane Jenson, Sonya Michel, and Margaret Collins Weitz, *Behind the Lines: Gender and the Two World Wars* (New Haven & London: Yale University Press, 1987).

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33. For example, Cynthia Cockburn, *From Where We Stand: War, Women's Activism and Feminist Analysis* (London: Zed Books, 2007); Cynthia Enloe, *Does Khaki Become You?* (London: Pandora Press, 1988); John Tosh, "Hegemonic Masculinity and the History of Gender," in S. Dudink, K. S. Hagemann, and J. Tosh, eds., *Masculinities in Politics and War: Gendering Modern History* (Manchester, UK: Manchester University Press, 2004), 41-60.

34. John Horne, "Masculinities in Politics and War in the Age of Nation-States and World Wars, 1850-1950," in S. Dudink, K. Hagemann, and J. Tosh, eds., *Masculinities in Politics and War: Gendering Modern History* (Manchester & New York: Manchester University Press, 2004), 22-40.

35. Stuart J. Woolf, *Napoleon's Integration of Europe* (London & New York: Routledge, 1991).

36. For example, George Q. Flynn, *Conscription and Democracy: The Draft in France, Great Britain, and the United States* (Westport, Conn.: Greenwood Press, 2002); Thomas Hippler, *Citizens, Soldiers, and National Armies: Military Service in France and Germany, 1789-1830* (New York and London: Routledge, 2008); Meyer Kestnbaum, "Citizenship and Compulsory Military Service: The Revolutionary Origins of Conscription in the United States," *Armed Forces and Society* 27, (2000):7-36; Meyer Kestnbaum, "Citizen-Soldiers, National Service and the Mass Army: The Birth of Conscription in Revolutionary Europe and North America," *Comparative Social Research* 20, (2002):117-144; Tilly, *Capital, Coercion, and European States, AD990-1992*; Isser Woloch, *The New Regime: Transformations of the French Civic Order, 1789-1820s* (New York: W.W. Norton, 1994).

37. Peter Paret, *Understanding War: Essays on Clausewitz and the History of Military Power* (Princeton, NJ: Princeton University Press, 1992).

38. Meyer Kestnbaum "Mars Revealed: The Entry of Ordinary People into War among States," in J. Adams, E. S. Clemens, and A. Shola Orloff, eds., *Remaking Modernity: Politics, History, and Sociology* (Durham: Duke University Press, 2005); Theda Skocpol and Meyer Kestnbaum "Mars Unshackled: The French Revolution in World-Historical Perspective," in F. Feher., ed., *The*

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*French Revolution and the Birth of Modernity* (Berkeley and L.A, CA: University of California Press, 1990), 13-29.

39. Isser Woloch, "Napoleonic Conscription: State Power and Civil Society," *Past & Present* 111, (1986):101-129.

40. Arpad F. Kovacs, "French Military Institutions before the Franco-Prussian War," *The American Historical Review* 51, (1946):217-235.

41. Woloch, "Napoleonic Conscription: State Power and Civil Society," 101-129.

421. Jean Paul Bertaud, *La Révolution armée: les Soldats-Citoyens et la Révolution française* (Paris: R. Laffont, 1979).

43. Charles Tilly, *The Vendée* (Cambridge, MA: Harvard University Press, 1964); Woloch, *The New Regime: Transformations of the French Civic Order*.

44. Alan I. Forrest, *Conscripts and Deserters: The Army and French Society during the Revolution and Empire* (New York: Oxford University Press, 1989).

45. Bibliothèque Nationale de France (BNF), M. Justin-Jules Delafon, Faculté de droit, Académie de Rennes. Thèse pour la licence. Jus romanum: De Patria potestate. Droit français: De la Puissance paternelle (Orléans: G. Jacob, 1864), 12.

46. Pierre Murat, "La puissance paternelle et la Révolution française: essai de régénération de l'autorité des pères," in I. Théry and C. Biet, eds., *La Famille, La Loi, L'État: De la Révolution au Code Civil* (Paris: Imprimerie nationale, 1989), 390-411.

47. Suzanne Desan, *The Family on Trial in Revolutionary France* (Berkeley: University of California Press, 2004).

- 
48. Forrest, *Conscripts and Deserters: The Army and French Society during the Revolution and Empire; Woloch, Napoleonic Conscription: State Power and Civil Society.*
49. Alan I. Forrest, *Napoleon's Men: The Soldiers of the Revolution and Empire* (London & New York: Hambledon and London, 2002).
50. Woloch, "Napoleonic Conscription: State Power and Civil Society," 108.
51. Alexander Grab, "Army, State, and Society: Conscription and Desertion in Napoleonic Italy (1802-1814)," *The Journal of Modern History* 67, (1995):25-54, 41.
52. Jean Paul Bertaud, "Napoleon's Officers," *Past & Present* 112, (1986):91-111; John A. Lynn "Toward an Army of Honor: The Moral Evolution of the French Army, 1789-1815," *French Historical Studies* 16, (1989):152-173.
53. Eric A. Arnold, "Some Observations on the French Opposition to Napoleonic Conscription, 1804-1806," *French Historical Studies* 4, (1966):452-462; Annie Crépin, "A l'épreuve des réalités locales: les préfets, théoriciens et maîtres d'oeuvre de la conscription (Consulat, Empire et monarchies censitaires)," in M. Vaïsse, ed., *Les préfets, leur rôle, leur action dans le domaine de la défense de 1800 à nos jours* (Brussels: Bruylant, 2001), 27-46.
54. See for example BNF, France. Direction générale de l'enregistrement, des domaines et du timbre, Instructions générales du conseiller d'État, directeur général de l'administration de l'enregistrement et des domaines. Tome quatrième (Paris: Impimerie impériale, 1806), 186-188.
55. Forrest, *Conscripts and Deserters: The Army and French Society during the Revolution and Empire.*
56. Woloch, "Napoleonic Conscription: State Power and Civil Society."
57. Edward A Whitcomb, "Napoleon's Prefects," *The American Historical Review* 79, (1974):1089-1118.
58. Woloch, *The New Regime: Transformations of the French Civic Order*, 393.

- 
59. Woloch, "Napoleonic Conscription: State Power and Civil Society," 101.
60. Jean Morvan, *Le soldat imperial* (Paris: Plon-Nourrit et Cie: 1904).
61. BNF, France, Instruction spéciale sur la conscription en ce qui interesse les conscrits et leurs parents, donnés par le préfet du département de Seine et Marne aux maires de son département (Paris: Imprimerie des Messageries imperiales, 1809), 29.
62. Ibid., 29-30.
63. Ibid., 39-50.
64. A manual laborer, or an artisan. Ibid., 49.
65. Jean-Louis Halpérin, *L'impossible code civil* (Paris: Presses universitaires de France, 1992).
66. Rachel Ginnis Fuchs, *Contested Paternity: Constructing Families in Modern France* (Baltimore: Johns Hopkins University Press, 2008); Jaques Mulliez, "Pater is est...?": La Source juridique de la puissance paternelle du droit révolutionnaire au Code civil," in I. Théry and C. Biet, eds., *La Famille, la Loi, l'État: De la Révolution au Code civil* (Paris: Imprimerie nationale, 1989); Florence Rochefort, "Laïcisation des mœurs et équilibres de genre, le débat sur la capacité civile de la femme mariée (1918-1938)," *Vingtième Siècle. Revue d'histoire* (2005):129-141.
67. Jaques Commaille, *La Divorce en France: de la réforme de 1975 à la sociologie du divorce* (Paris: La Documentation française, 1978).
68. Fuchs, *Contested Paternity: Constructing Families in Modern France*.
69. Véronique Paraiso, *Pouvoir politique et pouvoir paternel: réflexion théorique et réponses institutionnelles du XVIe siècle à 1914* (Paris: Connaissances et Savoirs, 2005)
70. France, *Historique des diverses lois sur le recrutement depuis la Révolution jusqu'à nos jours* (Paris: Imprimerie Nationale, 1902), 12.

- 
71. Thomas Hippler, "Conscription in the French Restoration: The 1818 Debate on Military Service," *War in History* 13, no 3 (2006): 281-298.
72. France, *Historique des diverses lois sur le recrutement*, 35.
73. Alan R. H. Baker, "Military Service and Migration in Nineteenth-Century France: Some Evidence from Loir-et-Cher," *Transactions of the Institute of British Geographers* 23, (1998):193-206, 198.
74. Bernard Schnapper, *Le Remplacement militaire en France* (Paris: S.E.V.P.E.N., 1968). As I have argued elsewhere (Geva, "Where the State Feared to Tread: Conscription and Local Patriarchalism in Modern France," 111-28), Schnapper's work on the persistence of paid replacements until 1872 shows that at the same time as the nineteenth-century saw the birth of mass conscription, this era also gave rise to the marketization of military service.
75. BNF, Peau Saint-Martin, *Les Pères de famille et la conscription militaire, guide du tirage au sort et de la revision* (Le Mans: V. Doublet fils, 1861), 14.
76. *Ibid.*, 25.
77. *Ibid.*, 84.
78. *Ibid.*, 63.
79. Paret, *Understanding War: Essays on Clausewitz and the History of Military Power*.
80. Adolph G. Rosengarten, "The Evolution of French Military Manpower Policy from 1872 to 1914," *Military Affairs* 45, (1981):180-186.
81. France, *Historique des diverses lois sur le recrutement*, 55.
82. Joseph Monteilhet, *Les institutions militaires de la France (1814-1932)* (Paris: F. Alcan, 1932).

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83. BNF, France, Ministère de la Guerre, "Instruction ministérielle du 13 octobre 1891 relative aux obligations des hommes astreints au service militaire et renvoyés ou maintenus dans leurs foyers" (Paris: Léauté, 1892), 33-34.

84. Baker, "Military Service and Migration in Nineteenth-Century France: Some Evidence from Loir-et-Cher," 198.

85. Richard D. Challener, *The French Theory of the Nation in Arms, 1866-1939* (New York: Russell & Russell, 1965).

86. Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, MA: Harvard University Press, 1992); Eugen Weber, *Peasants into Frenchmen: the modernization of rural France, 1870-1914* (Stanford, CA: Stanford University Press, 1976).

87. For example, Challener, *The French Theory of the Nation in Arms, 1866-1939*; Rosengarten, "The Evolution of French Military Manpower Policy from 1872 to 1914." The debates leading to the 1905 law were long and difficult. Seemingly every aspect of military recruitment was debated, ranging from officer recruitment, necessity of citizen-soldier service versus a professional army, length of mandatory period and length of reserve service, stages of reserve service, total years for each such stage, the lottery system, furloughs, and exemptions. Due to space limitations I cannot convey here its extent and range.

88. André José Lambelet, "A Reluctant Reconciliation: Army Officers, Conscription, and Democratic Citizenship in the French Third Republic, 1870-1940." Ph.D. Dissertation. Department of History, University of California, Berkeley, (2001).

89. BNF, France, *Bulletin des lois de la République française, XIIe Série, Premier Semestre de 1905, contenant les lois et décrets d'intérêt public et générale, publiés depuis le 1er janvier jusqu'au 30 juin 1905. Partie Principale. Tome soixante-dixième. Nos 2582 à 2624* (Paris: Imprimerie Nationale. MDCCCCV), 1265.

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90. Ibid., 1273.

91. Robert Talmy, *Histoire du mouvement familiale en France (1896-1939)* (Paris: Union nationale des caisses d'allocations familiales, 1962), 25.

92. Joseph John Spengler, *France Faces Depopulation: Postlude Edition, 1936-1976* (Durham, N.C.: Duke University Press, 1979).

93. Talmy, *Histoire du mouvement familiale en France (1896-1939)*.

94. Richard Tomlinson, "The 'Disappearance' of France, 1896-1940: French Politics and the Birth Rate," *The Historical Journal* 28, (1985):405-41.

95. Joshua H. Cole, "'There Are Only Good Mothers': The Ideological Work of Women's Fertility in France before World War I." *French Historical Studies* 19, no. 3 (1996): 639-672; Rémi Lenoir, "L'Etat et la construction de la Famille," *Actes de la recherche en sciences sociales* 91-92, (1992):20-37; Cheryl A Koos, "Gender, Anti-Individualism, and Nationalism: The Alliance Nationale and the Pronatalist Backlash against the Femme Moderne, 1933-1940," *French Historical Studies* 19, (1996):699-723; Michel Messu, *Les Politiques familiales du natalisme à la solidarité* (Paris: Éditions ouvrières, 1992); Sylvia Schafer, *Children in Moral Danger and the Problem of Government in Third Republic France* (Princeton, N.J.: Princeton University Press, 1997); Eugen Weber, *The Nationalist Revival in France, 1905-1914* (Berkeley and Los Angeles: University of California Press, 1959).

96. Douglas Porch, *The March to the Marne: The French Army 1871-1914* (Cambridge: Cambridge University Press, 1981).

97. Archives Nationales, AN 50 AP/26, Fernand Boverat, Alliance Nationale Pour l'Acroissement de la Population Française, "Dispenses militaires à accorder aux fils de familles nombreuses, aux jeunes mariés et aux soldats qui veulent se marier. Not remise à Monsieur le Ministre de la Guerre" (February 11, 1913).

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98. Here I am in agreement with historian Kristen Stromberg Childers, who argues for a break between the Napoleonic Code's articulation of *la puissance paternelle* and the Third Republic's treatment of paternity. See her *Fathers, Families, and the State in France, 1914-1945*.
99. Journal Officiel de la République Française, Chambre (Débats) (June 3, 1913), 168.
100. Ibid.
101. Journal Officiel, Lois et Décrets, (August 7, 1913), 7138-7142.
102. BNF, France. Ministère de la guerre, Mémorial de la gendarmerie (Paris, 1918), 47.
103. John Horne, "'L'impôt du Sang': Republican Rhetoric and Industrial Warfare in France, 1914-18," *Social History* 14, (1989):201-223, 215.
104. BNF, France. Ministère de la guerre, Mémorial de la gendarmerie, 690.
105. Christine Bard, "Marianne and the Mother Rabbits: Feminism and Natality under the Third Republic," in M. Cross and S. Perry, eds., *Population and Social Policy in France* (London & Washington: Pinter, 1997); Mary Louise Roberts, *Civilization without Sexes: Reconstructing Gender in Postwar France, 1917-1927* (Chicago: University of Chicago Press, 1994).
106. Susan Pedersen, *Family, Dependence, and the Origins of the Welfare State: Britain and France, 1914-1945* (Cambridge, UK & New York: Cambridge University Press, 1995); Jean-Louis Robert, "Women and Work in France during the First World War," in R. Wall and J. Winter, eds., *The Upheaval of War: Family, Work and Welfare in Europe 1914-1918* (Cambridge, UK: Cambridge University Press, 1988), 251-66; Mary Lynn Stewart-McDougall, *Women, Work, and the French State: Labour Protection and Social Patriarchy, 1879-1919* (Kingston, Ont.: McGill-Queen's University Press, 1989).
107. Jean Elisabeth Pedersen, "Regulating Abortion and Birth Control: Gender, Medicine, and Republican Politics in France, 1870-1920," *French Historical Studies* 19 (1996):673-698; Antoine

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Prost, "Catholic Conservatives, Population, and the Family in Twentieth Century France," *Population and Development Review* 14, (1988):147-164.

108. See Bard, "Marianne and the Mother Rabbits: Feminism and Natality under the Third Republic," 34-48; Childers, *Fathers, Families, and the State in France, 1914-1945*; Christine Fauré, *La démocratie sans les femmes: essai sur le libéralisme en France* (Paris: Presses universitaires de France, 1985); Alisa Klaus, "Depopulation and Race Suicide: Maternalism and Pronatalist Ideologies in France and the United States," in S. Koven and S. Michel, eds., *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (New York & London: Routledge, 1993); Koos, "Gender, Anti-Individualism, and Nationalism: The Alliance Nationale and the Pronatalist Backlash against the Femme Moderne, 1933-1940," 699-723; Karen Offen, "Depopulation, Nationalism, and Feminism in Fin-de-Siècle France," *The American Historical Review* 89, (1984):648-676; Susan Pedersen, "Catholicism, Feminism, and the Politics of the Family during the Late Third Republic," in S. Koven and S. Michel, eds., *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (New York & London: Routledge 1993); Pedersen, "Regulating Abortion and Birth Control: Gender, Medicine, and Republican Politics in France, 1870-1920," 673-698; Andres Horacio Reggiani, "Procreating France: The Politics of Demography, 1919-1945," *French Historical Studies* 19, (1996):725-754.

109. Childers, *Fathers, Families, and the State in France, 1914-1945*; Fuchs, *Contested Paternity: Constructing Families in Modern France*; Robert A. Nye, *Masculinity and Male Codes of Honor in Modern France* (New York: Oxford University Press, 1993).

110. Colin L. Dyer, *Population and Society in Twentieth Century France* (New York: Holmes & Meier, 1978).

111. Marc Auffret, *La France de l'entre deux guerres* (Paris: Culture, Arts, Loisirs, 1972); Jacques Dupâquier, *Histoire de la population française* (Paris: INED/Presses universitaires de France, 1988).

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112. Dorit Geva, *Conscription, Family, and the Modern State: A Comparative Study of France and the United States* (Cambridge, UK: Cambridge University Press, 2013).
113. JO Débats (Chambre) (March 1, 1922), 569.
114. BNF, *La plus grande Famille, Revue trimestrielle*, July 24, 1922.
115. Gara, "Les lois militaires à la Chambre : Les aînés de cinq enfants ne feront qu'un an de service," *L'Echo de Paris* (June 14, 1922).
116. BNF, JO-46085, 1925/04-05. Alliance nationale pour l'accroissement de la population française, *Natalité* (April 1925), 4.
117. Journal Officiel, Lois et Décrets (January 5, 1928), 4025 .
118. Journal Officiel, Lois et Décrets (January 5, 1928), 4025.
119. Eugen Weber, *The Hollow Years: France in the 1930s* (New York: W.W. Norton & Company, 1996).
120. Challener, *The French Theory of the Nation in Arms, 1866-1939*, 227.
121. Journal Officiel, Débats (Chambre) (December 26, 1935), 2779-2781.
122. Journal Officiel, Débats (Chambre) (January 21, 1936), 105-107.
123. Ibid., 106.
124. Service Historique de l'Armée de Terre au Château de Vincennes, "Objet: Libération d'Octobre 1939," Circular no. 8405 – 1/E.M.A, Ministre de la Défense Nationale et de la Guerre (Septembre 22, 1938).
125. See Kestnbaum, "Mars Revealed: The Entry of Ordinary People into War among States."
126. Ralph J.Q. Adams, "Asquith's Choice: The May Coalition and the Coming of Conscription, 1915-1916," *The Journal of British Studies* 25, (1986):243-263; Ralph J.Q. Adams and Philip P.

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Poirier, *The Conscription Controversy in Great Britain, 1900-18* (Columbus, OH: Ohio State University Press, 1987); Desmond Morton, *When Your Number's Up: The Canadian Soldier in the First World War* (Toronto: Random House of Canada, 1993); Desmond Morton, *Fight or Pay: Soldiers' Families in the Great War* (Vancouver, BC: University of British Columbia Press, 2004).

127. Dorit Geva, "Different and Unequal? Breadwinning, Dependency Deferments, and the Gendered Origins of the U.S. Selective Service System," *Armed Forces & Society* 37, (2011):598-618; K. Walter Hickel, "Justice and the Highest Kind of Equality Require Discrimination?: Citizenship, Dependency, and Conscription in the South, 1917-1919," *The Journal of Southern History* 66, (2000):749-780; Jeanette Keith, *Rich Man's War, Poor Man's Fight: Race, Class, and Power in the Rural South during the First World War* (Chapel Hill: University of North Carolina Press, 2004).

128. Geva, *Conscription, Family, and the Modern State: A Comparative Study of France and the United States*.

129. While some scholars have noted that conscription and soldiers' benefits were precursors to the welfare state (e.g. Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992); George Steinmetz, *Regulating the Social: The Welfare State and Local Politics in Imperial Germany*. Princeton, NJ: Princeton University Press, 1993), no one has comparatively analyzed the link between types of conscription systems and types of welfare states. A quick glance suggests that countries with more universal conscription systems also implemented more universal social benefits.

130. Miguel Angel Centeno, *Blood and Debt: War and the Nation-State in Latin America* (University Park, PA: The Pennsylvania State University Press, 2002).

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131. Peter M. Beattie, "The House, the Street, and the Barracks: Reform and Honorable Masculine Social Space in Brazil, 1864-1945," *The Hispanic American Historical Review* 76, (1996):439-473; Peter M. Beattie, "Conscription versus Penal Servitude: Army Reform's Influence on the Brazilian State's Management of Social Control, 1870-1930," *Journal of Social History* 32, (1999):847-878; Joan E. Meznar, "The Ranks of the Poor: Military Service and Social Differentiation in Northeast Brazil, 1830-1875," *The Hispanic American Historical Review* 72, (1992):335-351.

132. Mala Htun, *Sex and the State: Abortion, Divorce, and the Family under Latin American Dictatorships and Democracies* (Cambridge, UK & New York: Cambridge University Press, 2003).

133. On decline of the French mass army, see Michel L. Martin, "Conscription and the Decline of the Mass Army in France, 1960-1975," *Armed Forces & Society* 3, (1977):355-406.

134. George Q. Flynn, "Conscription and Equity in Western Democracies, 1940-75," *Journal of Contemporary History* 33, (1998):5-20.

135. Antoine Prost, "L'évolution de la politique familiale en France de 1938 à 1981," *Le Mouvement social* 129, *Images Des Familles en France au XXe Siècle*, (1984):7-28.