

THE STRENGTH AND THE WEAKNESS OF THE EDICT OF NANTES

BY PROFESSOR HENRY M. BAIRD, LL.D., L.H.D.,

New York University

THIRTEEN years ago, the Huguenot Society of America met in this very place to commemorate the same Edict of Nantes that occupies our attention to-day; and it honored me by the request that I should speak at some length on the occasion of the second centenary of the Revocation of the Edict by Louis the Fourteenth.

To-day I am asked to join with others, from both sides of the ocean, in directing your thoughts to topics appropriate to the three hundredth anniversary of the original Promulgation. It must be a law of wonderful significance in the world's history that will justify this species of anachronism,—if I may so call it,—that warrants us, so few years, comparatively speaking, after celebrating the benefits that accrued to this and other lands from the abrogation, to go back the greater part of a century and contemplate the first publication. This somewhat singular procedure finds its ground in the circumstance that the law in question not only constitutes one of the great landmarks in the story of human progress, but is itself one of the most impressive object-lessons in that instructive story. For it teaches, and it seems to have been providentially intended to teach, at least two distinct things: On the one hand, it shows the

immense advantages that may be derived by civilization from an ordinance embodying a well considered system of tolerant policy in religious matters ; and, on the other, it exhibits the infinite superiority to any such policy of a frank, straightforward concession of equal rights ; inasmuch as every scheme of legislation that restricts even in the slightest degree the freedom of religious profession or religious worship ; that denies, even if only by implication, that all men have the same inalienable right to hold, to publish, and to put into practice their conscientious convictions—inasmuch, I say, as every such scheme contains within itself the seeds of its own destruction, seeds possessed of marvellous vitality, seeds which will infallibly germinate, grow, and bear fruit sooner or later. It is because the law of Henry the Fourth is an object-lesson distinctly conveying such valuable instruction, by reason of its resplendent excellence and its scarcely less conspicuous defects, that I have undertaken to speak to you both of the strength and of the weakness of the Edict of Nantes. I say strength and weakness, because, in contemplating the Edict of Nantes, we are tempted to ask ourselves at one instant how came it to pass that, out of the ferment and animosities of almost a half-century spent by Frenchmen in the unprofitable work of mutual pillage and slaughter, there came forth a project of so honest a purpose and so excellent a spirit, and the next instant, to wonder that a work of such apparent stability could, within a few decades of years, be thoroughly overturned ? What flaw of construction, in other words, can account for the speedy overthrow in a short space of time and by a few well directed blows, of such a goodly edifice, to all appearance massive and well built, calculated to defy the violence of the elements and to attain a secular

existence, the wonder of successive generations of men?

The *Strength* of the Edict of Nantes lay primarily, it seems to me, in the circumstance that the provisions of the new law afforded to the adherents of the two religions that divided France between them—to the vastly more numerous Roman Catholics, constituting fully nine tenths of the population, and to the small minority of the Reformed, or the Huguenots, as they were customarily styled, never exceeding, perhaps never reaching, one tenth—the most practicable *modus vivendi*, the most judicious plan which that generation could devise to enable men of different and opposing faiths to dwell peaceably together.

Let us revert for a few moments to anterior legislation in France. Of all preceding laws only one could possibly be alleged as more favorable to religious liberty than the great law of Henry the Fourth. I refer to the first of all the laws given to render tolerable the position of the Huguenots in France, a law known as the “Edict of January,” because enacted on the seventeenth of January, 1562.

The circumstances under which the Edict of January was published were peculiar. Persecution had had its unbroken sway for half a century. Now for a brief hour the clouds were broken, the sun burst out. Patriotic men hoped that the storm was ended; mistaking a mere rift for the long-prayed-for beginning of peace and quietness. Or, if they could not see without a certain amount of misgiving the dark and ominous masses collected at one point of the horizon, they yet looked for some divinely sent wind to dispel them. Did not the venerable high chancellor of France, Michel de l' Hôpital, dissuade men from being cast

down, and continually reiterate the exhortation, "*Patience! Patience! Tout ira bien.*" And he really thought that all would go well. The Huguenots had attained what to them had long been the goal of their aspirations. Their representatives had seen the face of the King of France and been seen by him. In the persons of that courtly reformer, Theodore Beza, and his colleagues, at the famous Colloquy of Poissy, the Protestants had actually stood before Charles the Ninth, and there pleaded the cause of their religion. What did it matter, so long as they were heard, that they were compelled to stand at the bar as if they were culprits, while their enemies sat about His Majesty as though they were judges of the matters in dispute? At least, Protestantism had made itself heard, and the other side had been impressed with the conviction that something must be done.

It was under these peculiar circumstances, I say, that the first edict, the Edict of January, the only law preceding the Edict of Nantes which can stand a favorable comparison with Henry the Fourth's edict, was enacted, greatly through the influence of Admiral Coligny and other fair-minded men. Did the Edict of January give the Huguenots all they asked for and had a right to expect? Far from it. Did it allow their worship to be celebrated throughout France, without distinction of places? By no means; that worship was distinctly excluded from all *walled cities*. What then did it grant? It granted permission to unarmed men and women to assemble for worship *outside* of the walled cities, that is, in the suburbs, in the neighborhood, and guaranteed to the Protestants protection from attack on their way to and from their places of worship. It tolerated the meetings of consistories and synods, but required that in

every case the preliminary consent of the authorities should be procured. All this it did, not permanently and for all time, but “provisionally and until the determination of a general council”—that council which was the tantalizing mirage of the times, always apparently near at hand and sure to be reached, but always receding as the footsore traveller advanced.

These concessions seem small, and yet the Edict of January was so exceptionally favorable a law for the Huguenots, that it stands at the head of the entire list of edicts given for the protection of the Huguenots, as in time it precedes all the rest. Every law that succeeded it, down to that of Nantes, infringes upon it more or less, and there are some points in which even the Edict of Nantes is less equitable.

It had been a happy thing for France, indeed, I may say, for humanity, had those pages of history that intervened between the Edict of January and the Edict of Nantes never been written; for, for the most part, they were written in blood. Incomplete and imperfect as was the liberty granted by the former edict, it was too extensive to suit the bigots who saw in the concession of even the slightest toleration to such as departed from the tenets of the Roman Catholic Church the most scandalous weakness, the most flagrant impiety. And so it was that judges protested and warriors drew the sword, while clergymen denounced from the pulpit the authors or abettors of even the limited scheme of toleration proposed. “*Non possumus, nec debemus pro conscientia,*” said the Parliament of Paris, when called upon to register the obnoxious law. And at the little Champagnese town of Vassy, by attacking a peaceable body of Huguenots met in a barn for the worship of God, and by massacring as many of the worshippers as he could

reach, the Duke of Guise expressed his own detestation and the detestation of the party which he represented for the accursed doctrine of religious liberty as embodied more or less imperfectly in the Edict of January.

From the Massacre of Vassy, on the first of March, 1562, to the Promulgation of the Edict of Nantes in 1598, is a period of about thirty-six years, in great part a period of open warfare, at times diversified by a resort to treachery and assassination. The edicts that were published to regulate the relation of the Protestants to the state, all of them less just than the original law of January, 1562, faithfully reflected the varying fortunes of the two great parties in the field. The first modification was effected by the Edict of Amboise (1563), at the end of a year and over, when the first religious war was concluded. The Protestants now found themselves deprived of a great part of the advantages conceded in the first law in their favor. No longer permitted to worship *anywhere* outside of the walled cities, behold them now restricted to certain places chosen singularly enough. The law was framed apparently in the special interest of the noblemen that had asserted their rights with armed hands. A Protestant nobleman possessed of what was styled *haute justice*, that is, authorized to inflict punishment on his estates for capital offences, might, under this law, hold services for divine worship on those estates, admitting all comers, while the nobleman of inferior rank only had the privilege for the benefit of his own family. Other Protestants were promised one city in every bailiwick and *sénéchaussée* of the kingdom, if they petitioned for it, and it was stipulated in addition that they should continue to hold their religious services in one or two other cities within whose walls Protestant rites had been celebrated during the course of

the recent war, on the seventh day of March of the current year! Such are apt to be the absurd distinctions that are drawn where expediency, and not justice, is the controlling influence.

It is not strange that, having once entered upon a course of absurd and inconsequent legislation, pronouncing that to be lawful in one part of France which it stamped as unlawful in another part, conceding to Protestant noblemen of one degree of importance privileges of worship denied to those of a degree that was inferior, making the rights of a particular city to depend on the question whether or not Protestant rites had been celebrated within its walls on a certain day of a certain year—I say it is not strange that, having once entered upon a course of such paradoxical legislation, the French monarchy should have pursued for years a policy fluctuating according to the supposed political exigencies of the moment. Accordingly, toleration or proscription becomes a matter for royal envoys and deputies of churches to settle, each party seeking to gain as much as possible and to sacrifice as little as possible. The religious interests of a large body of Christians becomes the football of diplomacy. If the Edict of Longjumeau (1568), published at the close of a second religious war, differs from its predecessor chiefly in the fact that under it Huguenot nobles are suffered to admit strangers as well as vassals to the services which they may hold on their estates, the Edict of Saint Germain (1570), published at the termination of a third and more obstinate conflict in arms, gives a list of cities by name, two in each of the twelve governments of the kingdom, in which or in the suburbs of which Protestants may meet for worship. It also has a provision in favor of places that were in Protestant hands on a certain date—

only that date, instead of the seventh of March, 1563, is now the first of August, 1570. And now, for the first time, cities of refuge—four in number—were entrusted to Protestants for their protection, to be restored to the King at the end of two years. On the other hand, the Reformed services were never to be held within ten leagues of Paris, nor within two leagues of where the King happened to be residing. Apparently there was greater fear entertained of the possibility of the contamination of the capital by heretical preaching, than of the perversion of the royal court; if we may judge by this discrimination in favor of the former.

The blow that fell on France two years later, as a thunderbolt out of a clear sky, rudely put an end for a time to all efforts to formulate a plan whereby Romanists and Huguenots might live side by side with some degree of mutual toleration. The atrocity of the massacre perpetrated on Sunday, the twenty-fourth of August, Saint Bartholomew's Day, in the year of our Lord 1572, caused all Christendom to shudder at the commission of so frightful a crime against the human race. But more disastrous to France than the butchery of the thousands assassinated in their beds, or as they tried to escape from Paris, more disastrous than the loss of those many thousands more that perished in succeeding days and weeks in towns and villages from one end of France to the other—more disastrous, I say, than all this, was it that Perfidy had struck a deadly blow at the root of all public confidence, and inaugurated a detestable reign of lasting, incurable distrust.

Charles the Ninth had acquiesced in the Massacre tardily, reluctantly, only with the stipulation that not a Huguenot be left alive in France to reproach him with his crime. Catharine herself was determined that such

should be the result. And indeed it looked for a while as if the assassins had done their work so thoroughly that the remains of the Huguenot party would prove too inconsiderable to necessitate treating with them, not to speak of issuing edicts in their favor. Yet this was precisely what Charles the Ninth found himself compelled to do, and that within less than a twelve-month. It was significant that three Protestant cities, if only three,—La Rochelle, Montauban, and Nîmes,—secured that entire freedom of worship which was denied to their brethren throughout the rest of the realm.

I am almost tempted, in this rapid view of the edicts preceding that of Nantes, to make no mention at all of the Edict of Beaulieu (1576), published by Henry the Third, Charles the Ninth's brother and successor, two years after he came to the throne. And this for the reason that it was an edict only in name; for Henry had signed it only to save his capital, or to secure quiet and leisure for the pursuit of those effeminate pleasures which he valued above crown or capital. He felt that the Edict of Beaulieu had been wrung from him by superior force, and it is no wonder that so unprincipled a prince unblushingly avowed to Duplessis Mornay, at a later time, that he had never had any intention to observe its provisions! Inasmuch as neither he nor any one else did observe them—so far as concerns the guarantee of the liberty of religious worship throughout France, Paris alone excluded, but without any farther exception of time or place, unless the particular lord should object to its exercise upon his land—it would be absurd to take into serious account so deceptive a document.

But it is far otherwise with the Edict of Poitiers, which the same king published the next year (1577),

happily the last that I shall have to contrast with the Edict of Nantes, and, although preceding the latter by a score of years, deriving great interest and importance from the circumstance that its provisions were to a great extent the foundation whereon was reared the law of Henry the Fourth which to-day we commemorate. Repealed by the king that granted it, when, in 1585, the so-called Holy League compelled the weak monarch to concede all its demands and sign the ordinance at Nemours proscribing every religion but the Roman Catholic, the Edict of Poitiers was re-established by Henry the Fourth, six years later (1591), in his Declaration of Mantes, and remained in force until replaced by the Edict of Nantes.

I should exhaust your patience, upon which I fear that I have already laid too heavy a tax, were I to give in detail the provisions of this Edict of Poitiers. Happily that is unnecessary; inasmuch as the main points are all incorporated in the Edict of Nantes, with many important additions which go to prove that, as compared with previous legislation affecting the Huguenots, the law of Henry the Fourth occupies a unique position, being incomparably superior to every other edict that ever went into actual operation.

And now let us look at the provisions of the Edict of Nantes itself, that we may observe that, not only by comparison, but in itself, it seemed to be a law embodying a solution of the religious question likely to prove permanent and satisfactory. First of all, it guaranteed full *liberty of conscience*, everywhere throughout France, without distinction of place. Not a Protestant might be subjected to inquiry regarding his religious belief, nor vexed, molested, or constrained to do anything contrary to his conscience.

The "Château de Nantes," the Official Residence of Henry IV., in which it is said the Edict was Signed.

The room on the right as one descends the steps going into the court is shown as the scene of the transaction, but a local tradition transfers it to the "Maison des Tourelles," No. 5 Quai du Fossé, the house of Gabrielle d'Estrées, where Henry passed his time while in Nantes.



