

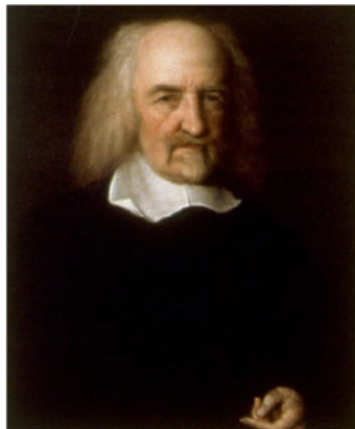
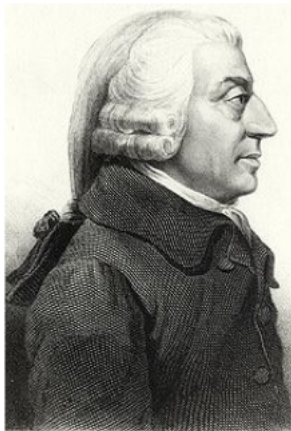
Taxes, Lawyers, and the Decline of Witchcraft in France

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Introduction: Smith vs. Hobbes



Introduction: Smith vs. Hobbes

“... the greatest pressure of
Soveraign Governours,
proceedeth not from any
delight, of profit they can
expect in the dammage or
weakening of their Subjects, in
whose vigor, consisteth their
own strength and glory...”

-Thomas Hobbes, *Leviathan*,
Ch. 18.



Introduction: Smith vs. Hobbes

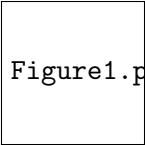


Figure1.pdf

Introduction: Smith vs. Hobbes



Introduction: Smith vs. Hobbes

- State capacity is an important determinant of economic performance:
- Large literature in sociology (???).
- ? and ? observe a relationship between state capacity and subsequent growth.
- However, we know little about the process through which increases in fiscal capacity affects broader outcomes, like **legal capacity**.
- ?? theorize that fiscal and legal capacity are **complements**.

Introduction: Smith vs. Hobbes

- Large literature uses Britain as a benchmark as it was the first industrial nation (??).
- However, the British path to modern economic growth was unique.
- Specifically, Britain, or at least, England had a highly centralized elite from the middle ages onwards (??).
- Rest of Europe was highly fragmented.

Introduction: Smith vs. Hobbes

We focus on early modern France

- Fiscal and Legal fragmentation were closely related and costly
- There were multiple tax authorities. Rouen to Nantes thirty tolls. (??)
- “...we have more laws in France than in the rest of the world put together... so much is left to the opinion and decision of our judges that never was their liberty more unshackled....”
-Montaigne (d. 1592)

Map3.pdf

Introduction: Smith vs. Hobbes

Within region fragmentation is prodigious:
Haute-Auvergne (?)

- Between 1587 and 1664 one royal présidial court, five local baillage courts and 15 maréchaux for about 175,000 inhabitants.
- As a result, many crimes handled by local nobility who also manipulated the laws to their advantage.
- For example, many seigneuries had their own weights and measures within their territory (??).

 auvergne.png

Introduction: Smith vs. Hobbes

"Prolonged witch hunting is as good a barometer as any for measuring weakness in a state" (?)

- Little consistent data on deviation of locally enforced rule of law from 'modern' standards of procedure.
- We use witch trials as a proxy of legal capacity in the early modern period.
- A simple theoretical model and historical evidence suggest that the rise of the fiscal state led to the decline in witch trials.
- We find that witch trials and fiscal capacity are strongly correlated in panel data set.

Introduction: Smith vs. Hobbes

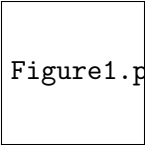


Figure1.pdf

Introduction: Smith vs. Hobbes



Figure2Maximal.png

French witch trials decline before trials elsewhere. Why?

Witch Trials

European Witch Hunt peaked during the age of Shakespeare, Descartes and Newton

- 20,000–40,000 executions between 1450–1750.
- No consensus as to why it began or why it ended.
- Witch hunt was fiercest in “border lands”. Organized states put an end to uncontrolled witch-hunting (??).

witchburning.png

We claim that the witch trials can be used as a proxy for lack of legal development

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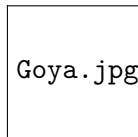
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Witch Trials

Two components of the early-modern definition of witchcraft

 maleficia.png

Maleficia

 Goya.jpg

Diabolism

Witch Trials

- Witchcraft (especially diabolism) left no physical evidence.
- Most legal codes restricted use of torture (e.g. Ordinance of Villiers Cotterets (1539)).
- Circumstantial evidence, at least, required for implementation of torture (?).
- Demonologists argued that judges and magistrates should relax legal standards in witchcraft cases.

According to Jean Bodin:

... proof of such evil is so obscure and difficult that not one of a million witches would be accused and punished if regular legal procedure were followed. (quoted in ?, 19)

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Witch Trials

- Witch-fears sparked trials but fear of witches was endogenous:
... [s]uccessful witch-trials confirmed to potential accusers the presence of witches, encouraging them to act. Rather than allaying local fears, witch-hunts spread them (?, 80).
- Trials begat more trials:
The news of witch-hunts and executions in other parts of a country could easily fan popular and elite fears and create a mood that was conducive to witch-hunting in a village or town (?, 53).

Hence a trial in one area could cascade causing more trials in nearby regions

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Model

Want the model to capture the following...

- Witch trials required a deviation from “official” legal procedure
- Witch accusations often came from below (or at least had popular support)
- Belief in witches was reinforced by nearby trials
- Magistrates faced trade-off when deciding whether to prosecute: Accommodate popular belief vs. Disorder

Model

- Not really interested in explaining why the central authority **asserts control over legal system** when attempting to increase fiscal capacity.
- We are interested in why the central authority might impose a **stricter interpretation of legal procedure** than local authority.

Model

- Two regions $i \in \{1, 2\}$, each under the authority of a local court: l_i .
- Popular demand for witch trials is denoted by $d_i^* \in \mathbb{R}^+$
- Each local authority chooses the extent to which it will accommodate popular belief by allowing a deviation from formal legal procedure so as to try witches $s_i^l \in \mathbb{R}^+$.
- Deviation from formal procedures comes with a cost of γ .

The local authority minimizes the following quadratic loss function:

$$\min_{s_i^l} u_i^l = \frac{(s_i^l - d_i^*)^2}{2} + \frac{\gamma(s_i^l)^2}{2}. \quad (1)$$

A Model

- Bottom-up demand for witch trials depends on local belief in witches, θ , which in turn depends on a parameter, ω , which reflects bad weather and other exogenous shocks and another term, βs_j , reflecting the externality created by trials in neighboring jurisdictions.

$$d_i^*(\theta_i) = \omega + \beta s_j ,$$

- The symmetric Nash equilibrium when the central court does not intervene is:

$$\hat{s}_i^l = \hat{s}_j^l = \frac{\omega}{(1 + \gamma - \beta)} . \quad (2)$$

Which is increasing in β for $\beta \in (0, 1)$.

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A Model

If the central authority intervenes in both territories, then it internalizes the “belief externality” by solving

$$\min_{s_i^c, s_j^c} u_i^l = \left[\frac{(s_i^l - d^*)^2}{2} + \frac{\gamma(s_i^l)^2}{2} \right] + \left[\frac{(s_j^c - d^*)^2}{2} + \frac{\gamma(s_j^c)^2}{2} \right]$$

The optimal number of sentences is given by

$$\hat{s}^c = (1 - \beta) \left[\frac{\omega}{1 + \gamma - \beta} \right] = (1 - \beta) \hat{s}_i^l. \quad (3)$$

Result: The central authority permits (weakly) fewer deviations from formal legal procedure and, thus, fewer witchcraft trials than does that local court: $s_i^l \geq s_i^c$ for $i \in \{1, 2\}$.

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Model

The case of the apprentice weaver Bacqué

- In Gascony two local judges took young Bacqué to over thirty villages.
- Villagers would line up while Bacqué declared each a witch or not.
- He “identified” about 6,210 witches in this way.
- Henri Pussort, uncle of J.B. Colbert intervened.

Gascony.png

Model

The case of the apprentice weaver Bacqué

- Pussort's efforts to stop the trial were blocked by nobles at Versailles.
- Took the intervention of Colbert himself to have Bacqué transferred to Bastille and witch trials stopped.

Versailles.png

Model

Colbert ultimately stopped the affair by annulling all previous prosecution through a royal edict which...

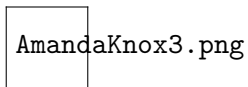
*... prevents the courts and averts the disorders that would be caused by a procedure so irregular that it would envelop the majority of inhabitants of the aforementioned province, trouble the repose of families, and violate the **rules of justice** ...*

Model

This model consistent with other types of criminal behavior. Any crime whose legitimacy is increased by others' beliefs and in which evidence is difficult to evaluate. For example . . .

- Arson
- Tax Evasion
- Infanticide

Model



Data

- We would like to identify whether fiscal capacity and legal capacity were correlated across time and space in 16th and 17th century France
- We proxy fiscal capacity with real per capita tax receipts from the most important direct tax, the Taille.
- We proxy legal capacity by the number of witch trials in a given region.

Data

Witch Trial Data

- Base data on 2,261 witch trials in France between 1550-1700 was collected from various primary and secondary sources by Marc Carlson.
- We also create a “maximal” data set with an additional 572 trials from various sources (**Not in paper**)
- We recoded these data to correspond to the appropriate tax region (*généralités*).

Map2.pdf

Data

Witch Trial Data

- We omit the Swiss territories (Geneva, Neuchâtel, and Belfort) and Lorraine despite their close links to French institutions.
- Also omit North Eastern trials listed as Nord since it was vague what tax region (if any, they belong too).
- Finally, dropped 530 trials from Gascony in 1607 that were falsely attributed to Pierre de Lancre.

Map2.pdf

Data

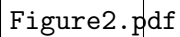
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Figure2.pdf

Data

Figure2Maximal.png

Data

Figure2NoAlsace.png

Data

Tax Revenue Data

- The Tailles constituted between 1/3 and 2/3 of ordinary revenues between 1550 and 1700.
- Collected at the Généralité level. There were 33 Généralités over the course of the 16th and 17th centuries. We aggregate these into 21 consistent regions.
- Missing tax data for 1657-1660 and 1550-1599.

Map1.pdf

Data

Regional tax data missing for 1550-1599. We adopt two strategies:

Figure5.png

Data

- Convert tax data into silver equivalents
- Use population data from Dupâquier around 1700 to make per capita

AppendixTableMaximal.png

Witch Trials

- Base Malet data set has 21 regions and 3 periods: 1550-1609, 1610-1649, 1650-1699.
- Begin by creating a dichotomous variables =1 if there was at least one witch trial, =0 otherwise.

... it is putting a very high price on one's conjecture to roast a man alive for them... (?)

Witch Trials

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Data

BinaryBarChart.pdf

Data

- Regions with greater fiscal capacity were less likely to prosecute witches.
- The number of regions where trials were recorded declined from 12 in the 1550–1609 period to 3 in the 1660–1700 period.
- Average tax receipts in ‘witchcraft’ regions remained constant. Regions which were abandoning witch trials were doing so at the same time as their fiscal capacity was increasing.

Econometrics

- We would like to control for time-variant unobservables common to all regions (e.g. changing mentalités, weather, etc. . .) and region-specific time invariant factors (e.g. cultures, geography, etc. . .).
- Begin by running logits on the dichotomous witch trial variable.
- Numbers in brackets are odds-ratios

Econometrics

LogitResults.png

Econometrics

partialregplotmaximal.png

Econometrics

- The count data on trials are over-dispersed (variance greater than mean).
- We estimate a series of Negative Binomial Regressions using both the Malet and Forbonnais data sets.
- Numbers in brackets are Incident Rate Ratios.

Econometrics

BaseMaletCount.png

Econometrics

BaseForbonnaisCount.png

Econometrics

As robustness checks. . .

- Run count regressions on the “Maximal” data.
- Run count regressions dropping the Alsace outlier.
- Run count regressions using witch trials per capita.

Econometrics



Robustness.png

Econometrics

Instrumental Variables

- Pays d'état had much more bargaining power over taxes than did Pays d'éléción.
- Pays d'état were later additions to Monarchy and retained their representative bodies.
- Our instrument is dichotomous variable =1 if Pays d'état and =0 if Pays d'éléción.



Map3.pdf

Econometrics

InstrumentDescription.pdf

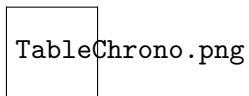
Econometrics

IVBaseMalet.png

Edicts

- Econometric results suggest increases in fiscal capacity were accompanied by improvements in legal capacity.
- Were there actual changes in laws that accompanied this trend?
- Yes. 1604 Parlement of Paris requires all witch trials to be automatically appealed. 1629 Code Michau. 1682 Louis XIV issues edict banning witch trials.
- Can we look more generally at whether the central authority was imposing itself on surrounding regions?
- Under the direction of Colbert, all laws and edicts issued by the Crown since 1115 were compiled at the end of the seventeenth century. We use this source to identify how legislatively active the crown was and what kind of legislation was being created.

Edicts



Edicts



EdictsOverTime.pdf

Edicts

- The period from 1550-1580 is just as active as 1630-1680.
- What about the composition of laws being promulgated?
- For 1576 and 1664 (two years with similar amounts of legislation) we count the number of laws falling into each of 8 categories.

Edicts

EdictsComposition.png

Difference between 1576 and 1664 is the amount of legislation aimed at suppressing local rights and privileges.

Edicts

EdictsComposition.png

Difference between 1576 and 1664 is the amount of legislation aimed at suppressing local rights and privileges.

Conclusions

- In the middle of the seventeenth century the centralized state played an increasingly prominent role in coordinating the behavior of local legal jurisdictions.
- This is consistent with the work of ? and ?
- Also provides support for the claims of ?? that fiscal and legal capacity are complements.

Conclusions

- The decline of witch trials in early modern France was driven less by changes in preferences (mentalités) than by a process of legal and fiscal centralization.
- This supports the views of ?? and ? over those of ??.

Conclusions

- In contrast to the traditional emphasis by economists on the importance of constraints on the centralized state (?????), our findings highlight the importance of increased state capacity for the development of a favorable institutional environment for economic growth.
- Democracy is almost certainly desirable but, at least in France, we agree with ? that the centralizing policies of the Absolute Monarchy laid the foundations in the seventeenth century for what would eventually come to pass by the end of the eighteenth century (??).

Support

MaletDescStats.png

Support

ForbDescStats.png

Support

FranceCrimProcedure.png

Support

Charges.png

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