Vote by Order or Vote by Head? Interpreting the 1788-89 Controversy

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The controversy over voting procedures to be used in the Estates General that convened in May 1789 lies at the very heart of the story of the beginning of the French Revolution. For a period running from autumn 1788, through the start of the Estates General, and on to the fall of the Bastille in July, few issues dominated political discourse and activity as much as the question of voting by order or voting by head. Yet much of the historiography on the start of the French Revolution has not included the type of analysis envisioned in this essay with regard to political possibilities, probabilities, perceptions, and strategies in the voting controversy.

This essay describes several unexpected emerging interpretations about political views and strategies within the Third Estate concerning the controversy. I argue here that under voting by order, two-to-one votes would not have been the primary danger to the Third Estate; that the main threat was upper-order use of a veto rule to block some but not all reforms; that for this very reason, it was unlikely that the Third could persuade the nobility to agree to voting by head; that the crown was not silent on the voting question and supported voting by order from a relatively early stage of the controversy; and finally, that despite some Third-Estate desire for compromise, neither side seems to have given very serious consideration to it. Overall, these interpretations would lead us to conclude that some of the Third Estate’s perceptions and strategies in the voting controversy reflected misinformation and misunderstanding more than previously thought.

On 25 September 1788, the Paris Parlement called for the coming Estates General to use the same procedures as the last prior meeting in 1614, when the deputies representing each estate met in separate chambers: one for the clergy, one for the nobility, and one for the less-privileged Third Estate. In 1788-89, many in the Third Estate opposed these 1614 procedures—so-called voting by order—because they feared routinely losing to the other two estates by two votes to one.¹

This fear was understandably present early in the controversy when many people knew little about the 1614 procedures. However, the voting procedures in 1614 and many earlier meetings of the Estates General included a so-called veto rule. This rule specified that an estate’s consent could not be forced by the other two. On issues requiring the Estates General as a whole to take a position, it could not be based on a two-to-one vote. Each order had a veto.²

Although little could be certain in the midst of continuing economic, financial, and political crisis, advocates for voting by order—often nobles, including upper clergy—were not trying to dispense with the veto rule. In the Assembly of Notables 6 November to 12 December 1788, all six of the working bureaus stated the veto rule in their formal reports. For example, both the second and the fifth bureaus, quoting a 1355 decree and ordinance, stated that “the vote of two Orders could not tie or obligate the third.”³ The veto rule was also stated by pamphlets campaigning for voting by order, such as Duval d’Eprémesnil’s initially anonymous publication 7 December 1788. This leader in the Paris Parlement (and later a key deputy for the Second Estate) opened his pamphlet with the claim that France had a constitution and that it included voting by order with the veto rule: “DELIBERATION by Orders, each so independent of the others that two do not obligate the third, is the constitution.”⁴ The crown itself presumed the veto rule—citing the orders’ “rights of opposition” in the report it issued as part of the royal decision 27 December 1788 to increase the number of deputies for the Third Estate but maintain voting by order (as further discussed below).³

The fear of two-to-one votes seems to have subsided during the controversy, but the veto rule itself was a problem. Although it would allow the Third Estate to protect itself from harmful changes, it did nothing to prevent the upper orders from blocking changes that the Third Estate wanted. Many pamphlets, like one simply stating that “nothing will be accomplished,” claimed that all reform would

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be blocked. This claim was probably an exaggeration, particularly in relation to ending noble and clerical privileges regarding taxes (like the taille, a key direct tax). Starting with the Notables assembled more than a year earlier in the spring 1787, various groups of nobles and clergy declared that they would give up such privileges. These groups included the princes of the blood and most of the clergy’s and nobility’s assemblies convened in the spring 1789 to elect their deputies to the Estates General. Despite these declarations, some of their deputies may well have tried to protect some tax privileges once the Estates General convened. However, given the opposition of both the Third Estate and the crown, along with the critical need to address the fiscal crisis, there was little chance that the upper orders would have been able to preserve substantial tax privileges.

There were other areas where reforms might well have been possible in an Estates General using voting by order with the veto rule. Important examples included regular periodic meetings of the Estates General, required Estates-General consent for all taxes, greater freedom of the press, and freedom from arbitrary imprisonment.

Nevertheless, there was ample reason to fear that the veto rule would allow the upper orders to block reforms reducing their non-tax privileges. One example of such a reform—desired by many in the Third Estate, but likely to be blocked—was the reduction or elimination of the nobility’s privileged eligibility for many public offices. Another example was reform of seigneurial regimes. Overall then, the prospects for reform under voting by order, though not as dire as the Third Estate often perceived and portrayed, were not as favorable as most of the Third wanted.

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10 In the historiography, voting by order has not generally received detailed discussion and there is a longstanding divergence of treatment. Among forty survey texts and other secondary sources, for example, about a third (with publication dates ranging from 1896
The alternative voting procedure that most of the Third Estate came to advocate was a unicameral approach: voting by head in a single assembly, coupled with so-called doubling, i.e., increasing the number of the Third Estate’s deputies to equal the number of deputies representing the clergy plus the number for the nobility. This approach would eliminate the veto rule without creating a problem of two-to-one votes. However, it also meant that on many issues, a combination of the deputies for most of the Third Estate, a liberal minority of nobles, and some of the clergy would be able to outvote the rest.

Many Third-Estate notables saw themselves as moderates. They considered their desired reforms to be demonstrably reasonable and just, and they believed that it was important to persuade the other orders to agree voluntarily to voting by head. Once the Estates General convened, most of the Third’s deputies strongly resisted a minority who displayed “inconceivable fury against the nobility” (as the moderate deputy Adrien Duquesnoy saw it), a minority who wanted to deliver an ultimatum to the nobility’s deputies immediately.11

Although it was probably necessary to try a strategy of persuasion, it did not have much chance of success. An ever-increasing number of nobles felt that there was no telling how far Third-Estate demands would go under voting by head. They feared that such a system would be tantamount to a blank check with regard to changes they opposed. During the first session of the nobility’s deputies at the Estates General 6 May 1789, for example, the Count de La Gallissonnière claimed that voting by head was intended “to destroy the antique constitution of the kingdom and substitute a new order of things whose provisions could neither be foreseen nor evaluated.” For most nobles, the fear of losing more than tax privileges increasingly overshadowed the desire shared by all three orders to maintain their united front in the ongoing campaign to rein in royal authority and establish a constitutional monarchy.12

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In other words, the Third Estate’s strategy of persuasion inherently contradicted its fear of voting by order. The Third Estate feared that under by-order procedures, the nobility would veto reforms rather than agree to them. As discussed above, this fear was warranted with regard to non-tax privileges. At the same time though, the Third somehow expected the nobility to agree in advance to changes of unknown nature and extent by voluntarily giving up their veto powers and agreeing to vote by head in a single overall assembly in which they would be outnumbered. There was not much chance for success.

Not only did many of the Third Estate believe the nobility could be persuaded, they also believed that their desired voting system and reforms had the backing of the king and of Jacques Necker, his head of finances. In an anonymous October pamphlet, Jean-Paul Rabaut de Saint-Etienne urged the Third Estate to claim its rights in the name of the nation and exclaimed, “the king and the nation, these are inseparable, because their interests are one.” Yet the Third Estate had little evidence of the king’s or Necker’s actual views beyond the crown’s few formal public statements touching on the voting issue. Starting late in December 1788, these pronouncements indicated lack of support for many of the Third Estate’s objectives.

On 27 December 1788, the crown issued a formal pronouncement called a “Result” (“Résultat”) from the king’s state council, accompanied by an extended discussion in the form of an ostensible “Report” (“Rapport”) to the king from Necker. In the Result, the king stated that he had adopted the Report’s “principles” (“principes”) and “views” (“vues”), and he ordered that the Report be published with the Result. Thus, they were explicitly linked, and should be read in concert. The Result provided for doubling but said nothing about voting procedure in the Estates General. At the same time, however, there were twelve passages explicitly touching on voting procedure in the linked Report. Throughout the twelve passages, the crown’s position emerged clearly: deliberation and voting would be


14 By the word “crown,” I mean the king acting formally, in consultation with his council and perhaps with other officials and often having heard the views of the closest members of his court and family. Crown pronouncements did not necessarily represent the specific views of Necker or any other individual who participated in their formulation. For the voting controversy, the frequent lack of first-hand contemporaneous evidence—memoranda, drafts, mark-ups, and participant diaries and letters—hinders our efforts to sort out the roles played by the king and others in the preparation of royal pronouncements. See further in note 34.

15 For the crown’s endorsement of the Report and the order that it be printed “à la suite” of the Result, see *Résultat/Rapport*, 1st and 2nd (unnumbered) pages.
by order unless each of the three orders agreed otherwise and the king approved. This stance was sometimes stated explicitly and sometimes implied. It was sometimes indicated fully and sometimes only partially. One passage said voting by order was part of “the long-existing constitution or long-existing usages,” and the Report treated voting by order as a given that required no specific decree from the king.\footnote{Ibid., 4. For each of the twelve passages, the Exhibit at the end of this article contains the page citation and a short excerpt. See Excerpt B for the reference to a constitution or usages.}

The references to voting were brief, scattered through the Report’s twenty-six pages, and in no way highlighted, but they clearly supported the voting by order procedure desired by the first two estates. None of the twelve passages stated or implied that voting would generally be by head in a single assembly unless that single assembly decided otherwise. Three of the passages did raise the possibility of using voting by head on some occasions, and two of them indicated specific situations in which the crown would approve. Neither was very favorable to the Third Estate. The first seems to have envisioned voting by head when the orders were already essentially in agreement on an issue. The second was to use it with some unspecified super majority requirement to resolve sustained veto deadlock. Any use of voting by head, however, would still require the agreement of each of the orders.\footnote{Ibid., 4, 7, 12 (texts may be located using Excerpts B, D, and G in the Exhibit at the end of this essay). The suggestion on page 4 is to use voting by head for “all matters in which the orders’ interest is absolutely equal and alike” (“toutes les affaires où leur intérêt est absolument égal & semblable”).}

Separately, another of the twelve passages was preceded by a surprising statement that a wise monarch would follow the view of the Third Estate when that view was unanimous and equitable. However, despite its general wording, this statement occurred in the context of a list of arguments in favor of doubling the number of the Third Estate’s deputies. The Report almost immediately made it clear that the crown did not view this statement as a basis for “forcing” the general use of voting by head.\footnote{Ibid., 12-13 (Excerpt I in this essay’s Exhibit).}

All in all, the crown had not remained silent on the question of voting by order vs. voting by head. Short of a reversal on the crown’s part, the voting procedure remained open or up to the Estates General only in the sense that the Estates General could turn to voting by head if each order and the crown agreed to it, i.e., if the two more privileged orders both made the unlikely decision to give up their vote-by-order veto powers.\footnote{The question of whether the king remained silent on voting procedure in the Result/Report is another issue on which there is a longstanding divergence in the historiography. Among twenty survey texts and other secondary sources, about two-thirds (with publication dates ranging from 1901 to 2016) say that the crown remained silent or left the question open. (In this group, I have also included those that say the voting}
The _Result/Report_ opposed Third-Estate goals in other ways, too. The _Report_ stated the crown’s expectation that the Third Estate would never think of trying to reduce the seigneurial or honorific privileges of the first two orders. It added that the king would never permit the least injury to such privileges.\(^{20}\) In another passage, the _Report_ briefly discussed some of the major areas in which the crown did wish to see reforms. The discussion was not meant to be comprehensive, but it is worth noting that the areas for reform fell short of important Third-Estate goals. They did not, for example, include the nobility’s privileged eligibility for public office.\(^{21}\)

Despite the actual text of the crown’s 27 December pronouncement and despite diverse views among pamphlet writers, most of the Third Estate celebrated the _Result/Report_. They believed that Necker was “formally announcing his view for voting by head” (as Duquesnoy later wrote) and that the crown was going to implement it. Many in the two more privileged orders feared the same thing. This fundamental misunderstanding is not surprising given how little the crown did to draw attention to its contrary position. In addition, it would not be surprising if many individuals never read the 26-page _Report_, quickly saw that the short _Result_ decreed doubling but not a voting procedure, and assumed that the crown had not yet announced its position on voting. Above all, however, whether they had read the _Report_ or not, most people in all three orders felt that doubling was pointless if Necker had no plan to institute general voting by head.\(^{22}\)

If the crown did not intend to establish general voting by head, why had it bothered with doubling? We may never know the answer. However, it is important to recognize that there were many possibilities. The crown may simply have wanted to acknowledge the Third Estate’s importance without infringing on what it perceived to be the rights of the other two orders.\(^{23}\) Or, given its relatively limited

question was left up to the Estates General without noting that the Estates General was to decide using voting by order.) Most of the remaining third (published from 1939 to 2009) say that the crown’s position was voting by order. In both groups, the statements on the question itself are generally brief although many go on to argue that the crown made a mistake in one way or another. For an exception to this overall pattern—a more extensive discussion that views the _Result/Report_ as equivocal—see Margerison, _Pamphlets_, 73-75.\(^{20}\) _Résultat/Rapport_, 18.\(^{21}\) Ibid., 19-22.\(^{22}\) Duquesnoy, _Journal_, 1:11 (entry of 8 May); Margerison, _Pamphlets_, 75-79; Garrett, _Estates General_, 205-7; Jean Egret, _Necker: Ministre de Louis XVI, 1776-1790_ (Paris: Éditions Champion, 1975), 272-77; Georges Lefebvre and Anne Terroine, directors, _Les préliminaires—La séance du 5 mai_, no. 1 of vol. 1 of _Recueil de documents relatifs aux séances des etats généraux, mai-juin 1789_ (Paris: Centre National de la Recherche Scientifique, 1953), 221.\(^{23}\) Consistent with this possible reason for the crown’s position, a passage in the _Result/Report_ describes doubling as a decision which was being “requested with such urgency by the great majority of his [the king’s] subjects, and which completely conserves the constitutive usages of the Estates-General.” _Résultat/Rapport_, 25.
reform agenda, the crown may have had no intention of giving control of the Estates General to a combination of the Third Estate, liberal nobles, and some of the clergy through general voting by head. However, fearing their opposition, the crown may have wanted to grant them something and hoped doubling would be enough. Additionally, as indicated in the Report, the crown felt that voting by head might prove desirable in some circumstances. In a similar vein, the crown may have wanted to leave room for the possibility of a compromise among the orders to use voting by head regularly for some issues but not for others.\textsuperscript{24} Such developments would not be possible without doubling. Perhaps, given its relatively limited reform agenda, the crown felt that having the support of a majority of the deputies in each of the three orders, including a doubled Third Estate, would facilitate the implementation and enforcement of agreed reforms.\textsuperscript{25} Finally, the crown may have wanted to keep the voting controversy alive and hoped that it would produce prolonged and exhausting deadlock in the Estates General. At that point, the king could ostensibly recover lost authority by stepping in to propose or even order a settlement or by dissolving the meeting and ordering the tax changes and other reforms that he desired.\textsuperscript{26}

Third-Estate belief that the crown would act in its favor persisted even after the crown essentially reiterated its December positions in the speeches made in the king’s presence 5 May in the joint opening session of the Estates General. The speech by Charles de Barentin, the keeper of the seals, stated that voting by order was longstanding practice. It stated that in deciding for doubling, the king had not wanted any new form to operate unless each of the three orders and the king agreed. The speech presumed that the upper orders would surrender their tax privileges during deliberations by order. In turn, Necker’s speech warned strongly—at the king’s request, he said—against an attempt to force general voting by head as the first order of business.\textsuperscript{27}

Initially, it was not easy to understand what the speeches were saying. As has often been noted, Barentin’s speech was inaudible to most of the deputies, and Necker’s audible but extremely longwinded speech strained many listeners’

\textsuperscript{24} Lefebvre and Terroine suggest that Necker already envisioned such a settlement of the voting issue. \textit{5 mai}, 222.

\textsuperscript{25} Similar ideas appeared in the Report as arguments for doubling the Third Estate. One idea was to help bring into the Estates-General a greater breadth of the practical knowledge and experience to be found in France with regard to such matters as commerce, manufacturing, investment, public credit, and abuses of taxation and privileges. Another was to increase the number and diversity of deputies explaining the adopted reforms to the public and gaining the confidence of “24 million” people in what had been decided. \textit{Résultat/Rapport}, 10, 12.

\textsuperscript{26} Lefebvre and Terroine present a hypothetical picture of the king’s December thinking that is similar to this idea. \textit{5 mai}, 223-24.

\textsuperscript{27} Ibid., 281-358 for the text of the published speeches (285-86 and 345-48 for the portions on voting procedures). For a somewhat differing view of the 5 May speeches, emphasizing their lack of specific directions, see Tackett, \textit{Revolutionary}, 122.
attention. Moreover, the speeches of Barentin and Necker were not printed and distributed to the deputies until 13 May, eight days later.28 Even on 5 May though, at least some deputies understood what Necker’s speech said about voting, and some in the Third Estate questioned his support. Duquesnoy viewed Necker’s 5 May speech as a reversal of the position he still thought Necker had taken in the December Result/Report: “After having drawn the Third into exaggerated opinions by his Result, after having given the strongest hopes in the provinces, he seems to contradict himself.”29 Despite doubts about Necker, however, many—like the Count de Mirabeau in his public letters to his constituents—continued to assert that the king himself backed deliberation in common and voting by head.30

Only as the days dragged by in May and into June with shrinking support among the minority nobles and with no help from the crown did the Third’s deputies take revolutionary steps, trying to force the issue by declaring themselves and a small number of the clergy’s deputies to be the sole legitimate national assembly.31 Even then, their declaration emphasized their hope that the rest of the deputies for the two more privileged orders would join them. Moreover, the cries of “Long Live the King” that filled the hall after they voted the declaration attested to their hope that the king supported them.32

Their declarations of 17 June did trigger a reaction from the crown, but not in the direction they hoped. Behind the scenes, Necker tried to move the crown part way toward the Third Estate’s goals. Although the written draft of his proposals has not survived, they probably retained voting by order for matters involving honorific and seigneurial privileges. However, they likely included appointment to public office regardless of birth, and imposition of voting by head for issues of “general interest” and for constitutional issues (though subject to a requirement that future assemblies have at least two chambers).33

28 The king’s speech, which did not address voting issues, was published alone as early as 7 May. Lefèvre and Terroine, 5 mai, 257, 261.
29 Duquesnoy, Journal, 1:7-8 (entry of 5 May).

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However, Necker was unsuccessful, and on 23 June the king again appeared before a joint session of the three orders, and the crown by and large repeated its earlier positions. The most notable changes were brevity and greater clarity, with specific indications of what the crown would accept on many matters. Relative to Necker’s internal proposals, the crown’s formal declarations had dropped eligibility for public office regardless of birth, kept voting by order for matters involving honorific and seigneurial privileges, and specified voting by order for constitutional matters. For other “matters of general utility,” the crown strongly urged use of voting by head with a two-thirds super-majority rule. This use of voting by head was subject to the condition of a clerical veto on matters involving religion and a condition that after a vote on any matter, 100 deputies could require a re-opening of the deliberation.\footnote{For the texts of the royal discourses and declarations presented 23 June 1789, see Lefebvre, \textit{23 juin}, 273-86. Generally, on the maneuvering among members of the king’s council, court, and family and the roles of Necker, the king, and others throughout the voting controversy, most of the evidence is second-hand and/or after-the-fact, and it is often contradictory. For various accounts along with discussion of the evidence for the period between 10 June and 23 June, see Egret, \textit{Necker}, 287-98; Lefebvre, \textit{23 juin}, 1-39; Hardman, \textit{Life of Louis XVI}, 312-20. Primary though after-the-fact resources include J. Necker, \textit{De la révolution française} (Paris: Maret, 1797), \textit{FRRC} 2.154, vol. 1, part 1, 184-227, \url{http://gallica.bnf.fr/ark:/12148/bpt6k46876p?rk=64378;0}; [Charles de] Barentin, \textit{Mémoire autographe de M. de Barentin chancelier et garde des sceaux sur les derniers conseils du roi Louis XVI}, ed. Maurice Champion (Paris: Au Comptoir des Imprimeurs-Unis, 1844), 168-236, \url{https://babel.hathitrust.org/cgi/pt?id=uc1.8b765205;view=1up;seq=7}. For similar information regarding the crown’s earlier pronouncements, sources include the titles just listed along with Levebvre and Terroine, \textit{5 mai}.} With the exception of the clerical veto and the re-opening rule, the crown’s 23 June position on voting was generally consistent with the 27 December 1788 \textit{Result/Report}.

By 23 June though, the Third Estate’s revolutionary momentum proved to be unstoppable, and it begs the question why the crown had not highlighted its position in succinct terms long before. Whatever the reasons, starting 27 December 1788, the crown had not remained silent on the voting issue. However, as events transpired, it was almost as if it had.

If persuading the nobility to accept general voting by head was probably not going to work, what about compromise? In their letters and personal journals, some deputies for the Third Estate sometimes said they desired compromise but the nobility had prevented it. “There would perhaps have been ways of conciliation in principle,” Duquesnoy lamented. “The nobility was too hasty, one would have been able to adopt a middle course.”\footnote{Duquesnoy, \textit{Journal}, 1:20 (entry of 15 May). More generally, see Tackett, \textit{Revolutionary}, 120, 127, 129, 142-43; Lefebvre, \textit{23 juin}, 1.} Are such portrayals reasonably accurate? Were other factors involved? At this stage of my work, I can at least offer some observations.
It is difficult to estimate the prevalence of Third-Estate desire for compromise with the other two Estates. Their deputies frequently spoke and wrote of “conciliating” with the nobility on the voting issue. As in Duquesnoy’s journal quoted just above, this word sometimes clearly included seeking compromise—finding a middle course. However, it often clearly meant nothing more than patiently persuading the nobility to agree to across-the-board voting by head. For example, the Third’s deputies would not allow their representatives to discuss compromise in the joint “conciliation” conferences on verification of deputy credentials. In many instances, we cannot tell what the term meant.

What would a compromise on the issue of how to vote in 1789 need to entail? As noted above, many of the underlying issues dividing the Third Estate and the nobility involved the nobility’s non-tax privileges. Any compromise on voting procedure would therefore require a voting mechanism that would allow the Third Estate to make some headway in reducing such privileges while allowing the nobility to maintain some of its ability to limit how far such reductions could go. What kind of voting procedures were envisioned and did they meet this requirement?

One idea was to reduce the Estates General to two chambers. However, this bicameral idea would not allow the Third Estate to make much headway on reduction of privileges. The upper two orders together would retain a veto power through their dominance of the upper house. Initially, there was possibly a fair amount of Third-Estate interest in the bicameral idea, but it is often hard to tell if it was for use in 1789 or only in later years. Mirabeau devoted significant parts of three of his public letters to combatting the bicameral idea. His focus on it suggests that he thought it was gaining attention although he claimed that few had taken up the idea. In any case, it never seems to have gone very far as a solution to the problem of how to vote in 1789.

The other idea for compromise was possibly more promising—use of voting by head for some issues and voting by order for others. Necker’s 5 May speech

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38 As an example of the idea of a bicameral assembly for later years only, Mounier consistently argued that general voting by head was essential for the 1789 Estates General in order to make all necessary reforms, which would include a constitution providing for a bicameral Estates General thereafter. Nouvelles Observations, 241-51, 268-69.
39 Mirabeau, Lettres ... à ses commettans, 48-57, 78-85, and 137-41.
raised the general idea, and at least one of the Third Estate’s deputies noted it in his personal journal during the meeting. Well before the Estates General met, at least one of the clergy’s electoral assemblies, one of the Third Estate’s, and a nobleman’s pamphlet endorsed a specific mixed voting approach—using voting by head for tax issues and voting by order for everything else.\footnote{LeFebvre and Terroine, 5 mai, 346-47; Tackett, Revolutionary, 120; Beatrice Hyslop, \textit{French Nationalism in 1789 according to the General Cahiers}. Rev. ed. (New York: Octagon Books, 1968), 68; [The Marquis de Montesquiou-Fezensac], \textit{Aux trois ordres de la Nation} (n.p., [1789]), FRRC 5.985, 19-23, http://gallica.bnf.fr/ark:/12148/bpt6k479108/f6.image. Of the pamphlets studied by Margerison, he describes Montesquiou-Fezensac’s February publication as the “last serious attempt to bridge the gap.” Margerison, \textit{Pamphlets}, 48.} Tax issues would presumably have gone beyond the issue of upper-order tax privileges and included power-of-the-purse matters like types and amounts of tax. Would voting by head on such matters have been enough for the Third Estate but not too much for the nobility? If not, there seem to have been other possibilities to consider, like voting by head on issues of eligibility for public office. Did either side ever analyze the possibilities or put out feelers? Were there informal discussions? Would there have been practical ways to make the details work and get to an agreement? The unanswered questions here reflect the seeming lack of evidence that the idea of mixed voting—and desires for compromise more generally—ever went very far.

Leaving the questions of compromise at this point, what would we conclude from the other interpretations in this essay? I have argued that the Third Estate’s fear of voting by order was somewhat exaggerated, that its strategy of persuading the upper orders to accept voting by head had little chance of success, and that its faith and hope in the king’s and Necker’s support was out of step with the crown’s actual pronouncements from a relatively early stage of the voting controversy. This essay cannot cover all aspects and implications of these interpretations and the further questions that they raise. Overall though, these interpretations would not substantially change the content of our existing picture of what the educated Third Estate’s political perceptions and strategies actually were. Instead they would change the way we view the picture. We would recognize that to varying degrees and for various reasons, some of the Third’s perceptions and strategies in the voting controversy reflected misinformation and misunderstanding more than we have thought.

EXHIBIT

\textbf{The 27 December 1788 Result Report}

Short Excerpts with Page Citations for Passages Touching on Voting Procedures

The purpose of these excerpts is to provide a flavor for the various ways in which voting by order was stated or presumed in these passages and to facilitate a reader’s location of each passage in the Report.

A. “if in each Order at the Estates General, voting is by Bailiwicks” (“si dans chaque Ordre aux États-généraux, on opine par Bailliages”), pp. 3-4, emphasis mine.

B. “since the long-existing constitution or the long-existing usages authorize the three Orders to deliberate and vote separately” (“puisque l’ancienne constitution ou les anciens usages autorisent les trois Ordres à délibérer & voter séparément”), 4.

C. “It is presumed that ... [the Third Estate’s desire for doubling] announces its intention to bring the Estates General to deliberate in common.” (“On présume que ... [the Third Estate’s desire for doubling] annonce le dessein d’amener les États-généraux à délibérer en commun.”), 7.

D. “the assent of the first two orders” (“l’assentiment des deux premiers Ordres”), 7.

E. “The long-existing deliberation by order being amendable only by agreement of the three orders with the king’s approval” (“L’ancienne délibération par Ordre ne pouvant être changée que par le concours des trois Ordres & par l’approbation du Roi”), 10.

F. “three Orders voting separately” (“trois Ordres opinans séparément”), 11.

G. “the three Orders coming to use their vetoes reciprocally” (“les trois Ordres venant à faire usage réciproquement de leurs droits d’opposition”), 12.

H. “if it leads to approval by the Nobility and the Clergy at the Estates General” (“si elle entraîne le suffrage de la Noblesse & du Clergé aux États-généraux”), 12.

I. “not to force, as seems to be feared, deliberation by head” (“non pour forcer, comme on paraît le craindre, la délibération par tête”), 12-13.

J. “the decision [doubling] ... whose result should not with justice lead to any important consequence.” (“la décision ... dont le résultat ne doit conduire, avec justice, à aucune conséquence importante.”), 13-14.

K. “the Nobility ... the same influence as the Deputies of an entire kingdom.” (“la Noblesse ... une influence égale aux Députés de tout un royaume.”), 18.

L. “a decision [doubling] ... which entirely conserves the constitutive usages of the Estates General” (“une décision ... qui conserve en entier les usages constitutifs des États-généraux”), 25.