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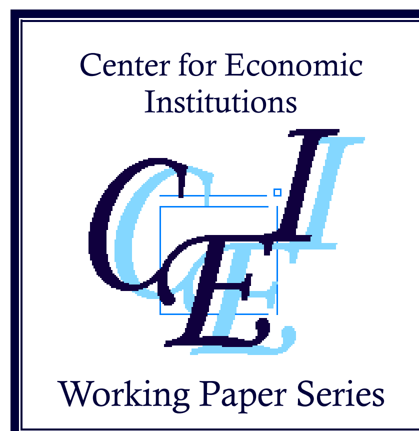

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Weak States and Hard Censorship*

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Abstract

This article explores why states with a weak enforcement capacity resort to tough censorship. Drawing on the authority structure in premodern Europe, I argue that threats to political legitimacy inform the degree of censorship. In this period the church-state relations constituted the foundation of legitimacy, which gave the ruler the motive to censor the writings critical of this institution. To examine this argument, I compile a new data set comprised of more than 1,400 banned books distributed in eighteenth-century France. Using nearly 1,700 times of confiscation events as my outcome, I assess whether religion-related attributes easily found on the book cover, such as imprint and title, drive confiscation. The statistical analysis indicates that religion is negatively linked to confiscations. Where the linkage is found, it is conditional on the timing of publication after 1763. My analysis suggests when and how censorship might occur given the tools of control states have.

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Introduction

In premodern Europe, state-directed censorship was a highly visible as well as costly venture. For it was often a *public* form of stifling dissent. Many who were believed to have subscribed to and promulgated heresy were officially condemned and burned alive (Johnson and Koyama 2019). Similarly, those believed to have practiced magic were labeled as embracing blasphemous ideas against the prevailing worldview, ostracized, or hunted down (Kieckhefer 2014). When it comes to books, perhaps the most dramatic as well as costliest measure would be the destruction of the library. To illustrate: In the summer of 1526, Suleiman the Magnificent, Sultan of the Ottoman Empire, conducted a successful military campaign against the Hungarians. Upon arrival at Mohács, he ordered his troops to kill Europeans summarily, and 20,000, including King Louis II of Hungary, perished. When Suleiman entered Buda, he encountered the Corvinus Library, founded in 1476 and one of the the world's largest at the time as it housed an estimated two to three thousand volumes (Báez 2008, 137). The sultan had the library looted and its books confiscated and shipped down the Danube. A little more than 200 Corvinus books survived.

These forms of repression are puzzling because premodern European states were typically not capable of enforcing them. At the time, territorial fragmentation made it difficult for rulers to collect information about the subjects and raise revenue (Dincecco 2015; Johnson and Koyama 2017). It also made the interactions among intellectuals—i.e., the flow of ideas—easier (Mokyr 2016). Thus, while these states would threaten the publication of what they deemed was the subversive literature with harsh punishments including imprisonment, these threats remained unenforced. The failed strategy of pre-publication censorship in the 1520s, introduced in response to the Protestant Reformation in the previous decade and was designed to prevent books on the *Index Librorum Prohibitorum* (Index of Forbidden Books) from being circulated in the market, illustrates this dilemma (Pettegree 2010, 204–7).[1]

In this paper, I argue that political legitimacy plays a central role in understanding why European

[1] The difficulty of minimizing the diffusion of ideas by the authorities was represented in the Counter-Reformation movement. See Lenard (2017) for an overview and Becker, Pino, and Vidal-Robert (2021) for an empirical study.

states with a weak enforcement capacity engaged in hard censorship. In a time when authority was defined in moral terms (Campbell 2012, 15), monarchies that represented the state were compelled to hold the right to rule dear. The source of monarchical power came from the church that conferred the ruler the divine right to govern the subjects (Campbell 2012, 18). The state-church alliance constituted the basis of the premodern political legitimacy. The state thus would feel threatened when the writings targeted it, the church, or both. Throughout the paper I focus on France, because as a defining case of "absolute monarchy" it both exercised its power and displayed its institutional weaknesses, including the relation with the Catholic church that grew increasingly dependent on the state (Beik 2005; Campbell 2012). At the same time, pre-revolutionary France had a vibrant literary culture (Burrows 2015), which spawned a number of Enlightenment authors whose writings often challenged the existing authorities. The state officially labeled these publications as "illegal" and sought to eliminate them from the market. Its censorship strategies included pre-publication and post-publication, but the "bad books" (*mauvais livres*) kept spreading due to a weak enforcement capacity. It is believed that thousands of illegal titles were produced on the century leading up to the French Revolution (Darnton 1995*b*).

This paper provides preliminary evidence about what kind of banned books were confiscated at customs. A lot has been written about the nature of the legal and illegal book markets, literacy, the kinds of forbidden literature produced. Historians vigorously debate the influence of ideas in those books, because these ideas were considered more progressive at the time and seemed to be closely linked to those underlining the revolutionary movement.[2] By comparison, few studies document quantitative evidence on the relationship between the banned books and revolutionary outcomes.[3] In this paper, I investigate the extent to which religion, foundational to political legitimacy in pre-modern Europe, played a role in the confiscations by state officials.

To explore this relationship, I have constructed a new data set, which comprises attributes of

[2] For the contributions of this particular literature in the literature on the French Revolution, see a bibliographical essay contained in Appendix 3, "The Revolution and its Historians," in Doyle (2018).

[3] For representative contributions over the past decade, see "FBTEE: The French Book Trade in Enlightenment Europe," the digitization project on the sales records of a Swiss publisher from 1769 to 1794 and the published versions in Burrows (2018) and Curran (2018).

banned books that were produced and circulated in pre-revolutionary France. It contains 1,413 unique titles, and my outcome variable is whether they were confiscated at the Parisian customs. As I explain below, France in 1744 introduced a new law requiring bookdealers who bring their orders to Paris to be first inspected before distribution. Customs officials interdicted these books for at least 1,698 times and sent them out for review, many of which were kept out of the market and eventually destroyed. Given the limited information available about these books, the analysis focuses on their attributes that are quantifiable, such as the imprint (i.e., place of publication on the title page), the title, the author, the date of publication, and the date of confiscation. These allow for exploring why some banned books were confiscated while others were not. To specify determinants of the decision-making process in my empirical analysis, I build a corpus, in two substantive areas, that is made up of a collection of related words by drawing on the titles of the banned books. These are a religion-related corpus and a state-related corpus. In addition, I create an indicator for sixteen well-known and prolific authors, because a number of Enlightenment scholars such as Voltaire and Rousseau saw their publications and their translated works banned. These factors allow for systematically assessing key drivers for the decision.

One of the main findings from the statistical analysis is that the place of publication denoting a Protestant city is not a systematic predictor of the confiscations. The variable is *negatively* and significantly associated when not conditioned by the timing of publication, but when the condition is introduced the significance drops. The second finding is that the religion corpus is also negatively and significantly associated with confiscations. This suggests that using religion-specific words, such as "chrétienne" or "ecclésiastique" in the book title allow the book *not* to be seized. By contrast, the state corpus is negatively linked but is strongly positively linked when interacted with the publication-timing variable, although the substantive effect seems small. Overall, the book titles suggestive of specific content does not seem to be a reliable predictor of the confiscations. At the same time, the indicator for Enlightenment authors is positively and significantly linked to confiscations. The analysis seems to point out that inspectors focus more on the name of the author than on the title to decide whether a given book should be removed from circulation.

I make two contributions in this paper. First, I provide a framework by drawing on the church-state relationship, the foundation of political legitimacy in premodern times. It highlights how the secular authority relied on the ecclesiastical authority for the source of legitimacy. Even though the former grew more powerful than the latter toward the end of the ancien régime, this structure remained intact. I argue that the state had to adopt a heavyhanded approach to the critics even when its capacity to police and regulate them was ineffective. Second, this paper is the first not just to quantify the extent of illicit literature but also to digitize its key attributes. One such characteristic is the data on nearly 1,700 customs confiscations. Taking advantage of the available information about the title, authorship, imprint, and publication as well as confiscation dates, I tested what factor is likely to lead to a confiscation. My data could also shed light on the ongoing debate in the specialized historical literature on the role of banned books in the French Revolution. There is a dispute about the degree to which illicit literature helped delegitimize the ancien régime.[4] My analysis contributes by quantifying how aggressively the state regulated the distribution of what it deemed as banned books—and how effectively it did so.

Conceptual Framework

Religion in Political Legitimacy

To understand why weak states undertake hard censorship toward what they deem as illegal literature, political legitimacy plays a central role. For the very aim of this literature is to undermine the legitimacy of the existing political structure. Specifically, this paper focuses on the religious authority as a primary agent of political legitimation among early-modern European states (and of moral authority).

In European history, the church-state relations have deep roots, originating in the medieval period (Strayer 1971, 20–1).[5] Each actor has its distinct set of interests, and they enter into a co-

[4] See Darnton (1995*b*) and Mason (1998).

[5] See Grzymała-Busse (2020) for a recent overview with a focus on political development in Europe and Grzymała-

operative relationship as one can supplement the needs of the other. The basic formation of such a bargain is that rulers can provide political and fiscal support while the religious authorities can provide ideological support (Weber 1978). Rulers find religious ideology attractive, because it constitutes a more complete set of ideas about beliefs and norms about individual behavior and social interactions than the ones created on their own (Becker and Pfaff Forthcoming in 2023). In turn, religious organizations demand protection from the secular authorities to minimize competition with others in a territory for greater adherents and revenue.

The religious actors are not necessarily the only ones capable of conferring political legitimacy or the only means to generate it (Greif and Rubin Forthcoming in 2023).[6] From the perspective of the secular authorities, they are useful because they offer cost-effective ways to win compliance from subjects on a large scale. Religion, in general, requires followers' ability to organize groups, worship regularly, and persuade non-followers. Social cooperation is especially critical for a confession to sustain and expand membership (Johnson and Koyama 2019, 27–8). Similarly, co-religionists tend to honor agreements and generate trust in their interactions as they believe that god is watching their behavior and cheating has adverse consequences (Johnson and Koyama 2019, 28–9). These behavioral norms are maintained and propagated by organizational elites such as priests who spread god's words and provide behavioral guide (Rubin 2017, 32). These are appealing to rulers, because obtaining support from a prevailing religion of the society reduces the cost of enforcement and increases chances of securing obedience (Gill 2008, 49). If a ruler can make the ruled believe that his authority is proper through an ideology that contains these attributes—or establish an institution that facilitates this process, coercive capacity or plentiful resources are not a prerequisite to establish rule (Levi 1988, 52; North 1981, ch. 5).

The establishment of a "state religion" is an ideal way to keep the cost of compliance low. Rulers have such an incentive, primarily because of the differing interests between the secular actors and

Busse (Forthcoming in 2023) for an empirical study. The roots of the relationship can go as far back as to the collapse of the Western Roman Empire in 476 (Becker and Pfaff Forthcoming in 2023).

[6] Greif and Rubin (Forthcoming in 2023) point out that besides the institutional sources of legitimacy, of which religion is one, the other major source is culture.

the religious ones. A state religion allows these interests to be as closely aligned with each other as possible, thus reducing rulers' cost of monitoring the dominant religious organization that acts as agents to legitimate them (Coşgel et al. 2018, 22). Once created, this arrangement can become path-dependent to reduce the monitoring cost—and the cost of securing compliance from the subjects in the long run.

The long-lasting relations between church and state has implications for the state's motive to undertake hard censorship. The attention to, and the popularity of, the non-state religions among the subjects increase the cost of compliance. The state has an incentive to root out books and pamphlets that challenge the religious orthodoxy to retain the ideological strengths of the state religion. At the same time, the cost of monitoring legitimating agents drives censorship. To maintain mass appeal, ideologies need to remain flexible with the times and persuasive (Becker and Pfaff Forthcoming in 2023). This helps explain why the secular authorities would crack down on reformist ideas and persecute reformist movements that gain popularity within their territory.

In early-modern France, the church-state relation was quite tight. In public, it was demonstrated—and repeated—in the ceremonies of coronation of monarchs. Bourbon France was an embodiment of it by holding coronations in a majestic as well as sacramental manner, akin to consecrations of bishops (Jones 2002, 8). The purpose was not just to confer legitimacy by the church but also to reject religious dissidence (Aston 2012, 287). A crucial factor in this relationship was land ownership. It was the basis of the wealth (and thus power) of the church as a corporate entity, especially for the upper echelon of the hierarchy who wanted to maintain a lavish lifestyle (Aston 2012, 289). The French monarch, in turn, left the ecclesiastical wealth tax-exempt as part of the royal privileges given to the church and similarly exempted all priests from the *taille*, the direct tax on property, on their personal lands (Beik 2009, 176).

Ultimately, the relationship became more lopsided in this period, especially after the 1516 Concordat of Bologna that gave the French crown the power to appoint bishops as well as the Protestant Reformation that began in the following year.[7] The church grew more dependent on the state which

[7] See Grzymała-Busse (2020) that makes a list of factors that ultimately gave the state an advantage.

retained the right to withdraw the privileges and patronage (Aston 2012, 295). The French church thus kept the right to tax itself until the Revolution by holding the Assembly of Clergy debate every ten years to decide how much to give away to the monarch in the form of a "free gift" (Beik 2009, 176–7).

Censorship in Pre-Revolutionary France

In France's history of censorship, the subject of religion played a central role. It was the motive for the first policy on censorship at the state level in 1275, when Philip the Bold (r. 1270–1285) put the Parisian booksellers and copyists under the control of the Theology Faculty of the University of Paris (Sorbonne). The goal was to ensure textual correctness in the Latin Bible, an essential condition for theology, so that priests and theologians could safely propagate God's words (Pottinger 1958, 55). Once the Gutenberg press was invented and the technology spread in Europe in the second half of the fifteenth century, conflict over religious beliefs—particularly the Protestant Reformation—became a catalyst for political transformation.[8]

To begin, religion played a key role in creating the demand for the print technology within France. France had been a center of European medieval book trade two centuries before print. Once France's first printing press was established in Paris in 1470, Paris's importance as the country's hub of the book business grew (Pettegree 2010, 45). Regional dioceses, such as those in Toulouse, Troyes, and Rouen, wanted a press, because they had their own rites and wanted to publish local liturgies (Pettegree 2010, 45–6). In addition, commercial booksellers sought a profit opportunity by carrying French books to the Frankfurt fair. An in-depth study of surviving catalogues from the second half of the sixteenth century indicates that theology was among the most popular genres (Pettegree 2007, ch. 7). It also shows that within the theme, both Catholic and Protestant books were on display despite Frankfurt's status as a Protestant town (Pettegree 2007, 134).

In France, the Protestant Reformation yielded a thirty five-year civil war. Even though France

[8] See Eisenstein (1979) for the hypothesis linking print to the Reformation and Rubin (2014) for an empirical analysis. See Becker, Pfaff, and Rubin (2016) for a review of social-scientific studies on the Reformation.

ultimately adhered to Catholicism at the end of the Wars of Religion (1562–1598), forces that pushed to reform France remained active throughout the premodern era. During the first decades of the Reformation, some French evangelists congregated in Swiss cities just across the French borders. In November 1530, Guillaume Farel came to Neuchâtel to establish a haven for French Protestants analogous to Wittenberg by expelling Catholic priests and abolishing the Mass (Febvre and Martin 1976, 312–3). Then, in August 1535 Farel did the same in Geneva, where he allowed Jean Calvin to settle as well as printers to make copies of propaganda texts such as the New Testament in French (Febvre and Martin 1976, 314).[9] Subsequently, French Protestantism significantly weakened in the wake of the 1685 revocation of the Edict of Nantes, but it retained a degree of influence throughout the pre-revolutionary period (Poland 1957).

These events also shaped the types of publications produced. In his analysis of a sample of 600 writers, David T. Pottinger (1958) studies what kinds of writings were produced in the premodern period. Of the 4,951 titles published between 1500 and 1791, religion (or theology) constituted 1,123 (22.7 percent), the highest among the nineteen categories (Pottinger 1958, 30–1). More than three-quarters of these were published in the sixteenth century through the seventeenth century, which likely reflected the political environment at the time.

The evolution of the censorship regime reflected these conditions. Once Lutheran books began to be circulated in France, the Faculty of Theology at Sorbonne began to crack down on them by censuring them, posting an index of those books, and dispatching officers to print shops to search them (Pottinger 1958, 56–7). To reinforce it, the crown also issued an edict requiring the printers to obtain a pre-approval by the Faculty as well as owners of Protestant books to turn those books in to the authorities.

As the sheer volume of such books left *post-publication* censorship ineffective, the state instituted a system of *pre-publication* censorship. It came in May 1571, when Charles IX issued the Edict of Gaillon, which *de jure* recognized the book trade as a guild for the first time. In exchange for protection, the "authorized" printers and bookdealers were required to pledge loyalty to the crown.

[9] The first French New Testament, *Traduction française du Nouveau Testament*, translated by Jacques Lefèvre d'Étaples, was published in 1523 in Paris (Oakes 2001, 56).

Practically, the loyalty meant that they would actively look for materials on behalf of the existing organizations that could signal heresy, sedition, personal libel from the state's perspective (Pottinger 1958, 59, 120; Solomon 1972, 103).[10]

The regime of pre-publication censorship became more systematic in the eighteenth century.[11] Previously, the state had in the 1620s instituted a standalone body with a board of royal censors tasked with reviewing requests of publication that bears privilege. These censors, who were scholars and intellectuals of their fields, would "peer-review" the manuscripts before rendering judgment regarding whether they met the standard—that is, whether they contained profane or seditious material.[12] To illustrate, Raymond Birn (2012, 12–3) describes the results of this review based on 6,017 cases between 1700 and 1715. Of these, nearly a half (2,912 requests or 48.4 percent) can be classified as concerning religion. The manuscripts were sent to a specialized board of censors, distinct from the one dealing with non-religion subjects. The religion censors were mostly composed of Sorbonne's Theology Faculty, who scrutinized the manuscripts to see if the writings conformed to the orthodoxy of the church. In this period, 13 percent of the manuscripts on religion was, on average, rejected.

Toward the end of the ancien régime, the state-directed censorship regime grew increasingly ineffective as well as hollowed out. It became ineffective, because French readers who wanted to read the writings that were more "liberal" or "unorthodox" would turn to foreign publishers. Printing houses near the borders, particularly Bouillon, Brussels, Geneva, Liège, and Neuchâtel, were able to publish without these constraints (Birn 1971, 134). French authors also could—and did—send their manuscripts to places such as Amsterdam, Leyden, London, Rotterdam, and The Hague to circumvent censorship altogether. At the same time, the censorship regime grew hollowed out, be-

[10] The Edict of Gaillon came as part of a series of royal decrees on the regulation of the book industry. Previously, in 1566, Charles IX issued the *ordonnance* of Moulins, which stipulated that all forthcoming books would bear a license as well as a royal privilege in the form of a Grand Seal, along with the printer's name and address (Armstrong 1990, 44, 100; Pottinger 1958, 58). This edict effectively functioned as a copyright.

[11] Birn (2012, 12) notes that few archival records on the subject for the second half of the seventeenth century remain due to disappearances.

[12] Sasaki (2021) provides an overview of the history of censorship in pre-revolutionary France and a more detailed discussion about the pre-publication review process in the eighteenth century.

cause the pre-publication review process because more relaxed. In particular, the censorship regime under the director C.-G. de Lamoignon de Malesherbes (1750–1763) let a number of manuscripts be printed without an explicit approval under the category "tacit permission" (*permission tacite*).

Empirical Strategy

To explore the role of religion in political legitimacy, I have constructed a new data set on censored books in pre-revolutionary France. By the turn of the nineteenth century, the French society had a vibrant literary market especially for books, as their rate of penetration was much greater than the newspaper (Burrows 2015).[13] The Enlightenment spawned a number of influential domestic writers, such as Voltaire, Diderot, Holbach, Mercier, and Rousseau. However, the freedom of expression, to the extent that it existed in theory, had practical limitations. Once the Office of the Book Trade began to operate in the 1650s, it attempted to curb or ban the circulation of ideas discussing theology, philosophy, and politics (Pottinger 1958, 55). The Office, headed by the Director of the Book Trade, had the authority to decide whether a manuscript should be permitted as a "legal" publication, the condition that grants the author a status and could also be accompanied by a privilege (*privilège*) which would function as a copyright. Prospective authors would thus submit their works for a royal approval. One consequence of the review process was that a number of books were judged to be "illicit" and thus banned.[14]

My data set consists of those banned books and their attributes related to confiscations. There are two published sources that document illegal books circulated in France primarily for the eighteenth century. One is Robert Darnton (1995*a*), which compiles information about 719 books by drawing on the orders recorded by, and shipped from, the Société Typographique de Neuchâtel (STN), a prominent printer-wholesaler located in the Swiss city of Neuchâtel. Of the 719 books, 620 were published in the eighteenth century. Another source is Robert L. Dawson (2006), which contains

[13] Burrows (2015, 78) estimates that one in ten individuals was believed to own a book, while one in 600 subscribed to a newspaper.

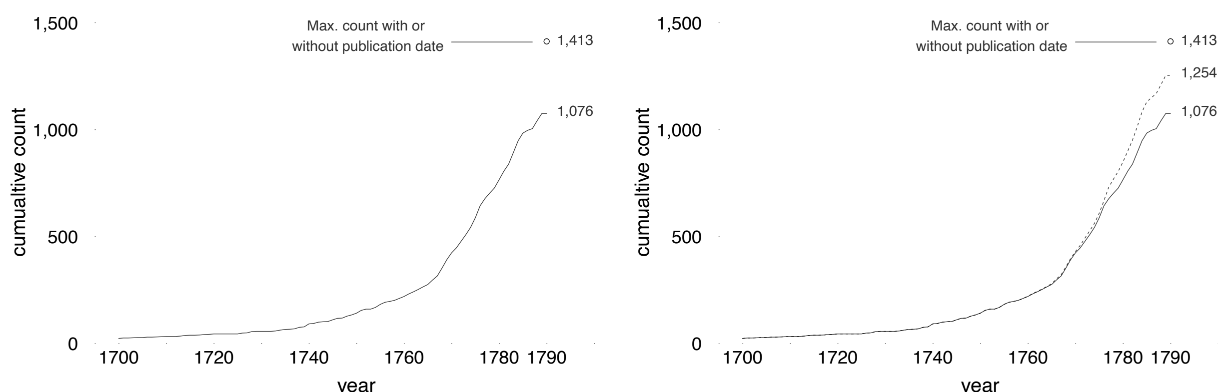
[14] Sasaki (2021) provides a more detailed discussion about the distinction between "legal" and "illegal" books as well as the process of pre-publication review process.

979 titles that were confiscated at the customs by state officials. Dawson draws on archival records concerning those books that went through the Parisian customs, since the 1744 law stipulated that all books and printed materials entering the city of Paris be first transported to the state-funded book guild for inspection before being allowed to be sold across the country (Dawson 2006, 3). The 979 books contain a couple of hundred overlaps in Darnton (1995*a*); 694 titles are unique in Dawson (2006).[15] My data set includes information about 1,413 unique titles from the two sources.

These sources offer advantages as well as limitations. The biggest advantage is that they focus exclusively on the underground market and document as many dimensions of attributes as can be drawn from the archives. These transcribe the complete information about the title of banned books, which shed light on the kinds of books that the state inspectors deemed reprehensible. However, there are limitations along several dimensions given that the business itself was illicit. First, many attributes are incomplete. These include the author (many were published anonymously), publication date, place of publication, and the number of copies when seized at the customs. Second, information about the price is missing, although anecdotal evidence indicates that banned books tended to be—unsurprisingly—more expensive than legal ones. Third, the rationale for the judgment about how confiscated books should be processed is typically unrecorded. The data availability has guided the construction of variables related to censorship. In addition, the analysis is necessarily exploratory for these reasons.

[15] The data is drawn not only from the book but also the online appendix of approximately 78,000 words.

Figure 1: Cumulative count of banned-books publications in eighteenth-century France.



(a) Cumulative count.

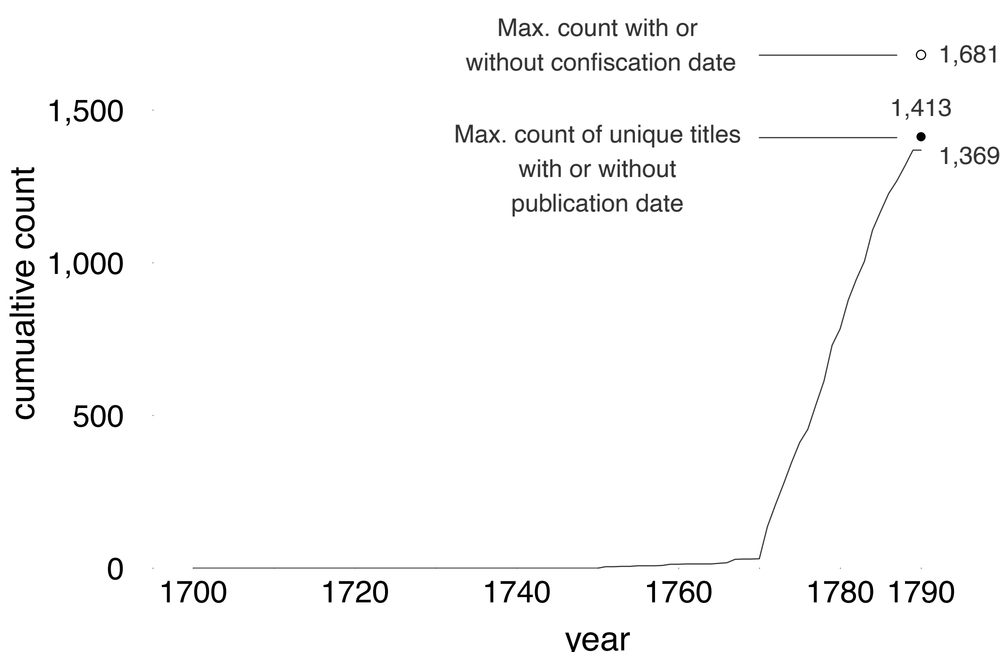
(b) Confiscation date as proxy for publication date.

Note: The maximum count of 1,413 includes books whose publication date is unknown. In Panel (b), the dotted line indicates the data where the missing publication date is imputed by the date of confiscation as a proxy for the date of publication.
Source: Dawson (2006) and Darnton (1995*a*).

Panel (a) of Figure 1 plots the cumulative count of publications of banned books in the eighteenth century. Of the 1,413 titles, a little more than a thousand have a recorded date of publication. Panel A also indicates that a vast majority of illicit literature was released in the 1770s and the 1780s.

The outcome variable is whether a banned book was confiscated at the customs. The term "confiscated" can mean "suspended" (*suspendu*), which signifies that books were taken out of circulation for inspection. It can also mean that an assigned inspector at the guild reviewed them and judged them to be forbidden. Such books were marked as *rayé* (struck down) and could later be destroyed (*au pilon*). Dawson (2006) makes these distinctions along with dates of the specific decision, while the Darnton volume provides the year when a customs confiscation took place. Although not all of the 1,413 titles were confiscated, a single title could be confiscated multiple times. I treat each incident as a separate outcome. There are a total of 2,144 events of book-confiscations, which include 1,681 cases of recorded confiscation, with or without date, in my data set.

Figure 2: Cumulative count of banned-books confiscations in eighteenth-century France.



Source: Dawson (2006) and Darnton (1995*a*).

Figure 2 displays the cumulative count of confiscations in the eighteenth century. Of the 1,681 confiscations, 1,369 have a recorded date of confiscation. Similar to Panel A of Figure 1, much of the confiscation events was concentrated in the last couple of decades of the ancien régime.[16]

I take advantage of the information in Figure 2 to explore further the nature of publications of banned books. More specifically, I use the date of confiscation for those that do not have a publication date. Only after a book was published could it be confiscated or destroyed, and I use this method as a proxy to supplement the publication date for nearly 200 additional works. The result is shown in Panel B of Figure 1. Based on this method, I can now account for the timing of publication for 88.7 percent of all titles in the date set.

Given these limitations, I construct a few measures to capture the role of religion in confiscations. The first is imprint, specifically the place of publication, marked on the book. I highlight the *marked*, because imprint was sometimes deliberately made false by publishers. The key motive

[16] Overall, nearly 1,700 events of confiscations yield more than 60,000 copies, of which 46,000 copies were interdicted in the eighteenth century. A time-series plot is available in the Appendix.

was to mislead the censors and the customs officials so that the judging of whether a book being inspected was worthy of condemnation (Dawson 2007, 155). Dawson (2006) indicates that many imprints which were nominally printed in a town outside France were printed inside France. Such corrections are revealed in research, not by contemporary inspectors. To explore the extent to which imprint factored in these officials' decision, the straightforward approach is to take the place of publication marked on the book at face value. I create two indicators, each taking the value of one if imprint bears the name of a French city or a Protestant city outside France (such as London and Geneva).[17]

Another measure on religion draws from the book title. I create a corpus that includes strings of letters (or partial words) indicative or suggestive of a particular subject in a book and raise suspicion for a reviewer that the book might be critical of the ancien régime. I construct two corpuses: religion and the state. For each, I make a list of words related to the genre and make an indicator that equals to one if the title of a banned book bears a keyword.[18] The religion corpus comprises 35 strings, such as "relig" (e.g., *religion*, *religieux*, or *religieuse*) and "archevê" (e.g., *archevêque*). It also includes proper nouns related to religion, such as "Clément" (i.e., pape [Pope] Clément XIV), "Calvin" (e.g., John Calvin or *Calvanisme*). Similarly, I produce a state corpus, which is made of 22 strings related to the state in the book title. These include words that refer to the existing state, such as "Louis" (e.g., Louis XIV), "monarch" (*monarchie* or *monarchisme*), and words suggestive of criticism, such as "droit" (i.e., the right), "républi" (*républic* or *république*), "nation" (*nation* or *nationale*), and "patri" (*patrie* or *patriote*). The religion corpus has 322 matches in the book titles, and the state corpus has 411 matches.[19]

Other dimensions of the banned books in my data set include year of publication and authorship. For the former, I create an indicator that equals to one if books were published after 1763, when Malesherbes, the influential Director of the Book Trade who served from 1750, ended his stint. It

[17] In some cases imprint was patently fictitious. These include *Ici à présent* ("Here, today"), *Dans le pays de la liberté* ("In the liberal country"), and *Imprimé dans le mondd* ("Printed in the world"). These are excluded from analysis.

[18] General political words, such as "philo" (e.g., *philosophe* or *philosophique*), "politique" and "public," are omitted.

[19] The full list of the strings in each corpus is reported in the Appendix.

is conceivable that the post-Malesherbes era saw a growing number of books that would not have been published previously—and that confiscations could grow accordingly.

For the latter, I make a tally of frequent contributors and make an indicator that equals to one if one of them wrote a monograph or translated a book into French from another language (often English, German, or Latin). Table 1 lists Enlightenment authors who published books more than several times. Although authorship is sometimes uncertain (and in many cases remains anonymous), I maintain a broadly-defined category that a well-known scholar authored a book. Table 1 reveals that Voltaire is the most prolific writer in my data set whose contribution should be considered an outlier. Thus I created a standalone indicator for Voltaire.

Table 1: Frequency of authorship and translation by Enlightenment writers.

Shorthand	Name	Authorship	Translation	Total
Voltaire	François-Marie Arouet de Voltaire	117		117
Holbach	Paul-Henri-Dietrich Thiry, baron d'Holbach	30	15	45
Du Laurens	Henri-Joseph Du Laurens (or Dulaurens)	23		23
Linguet	Simon-Nicolas-Henri Linguet	22		22
Rousseau	Jean-Jacques Rousseau	22		22
Crébillon fils	Claude-Prosper Jolyot de Crébillon fils	18		18
Mercier	Louis-Sébastien Mercier	17	1	18
Mirabeau	Honoré-Gabriel Riqueti, comte de Mirabeau	18		18
d'Argens	Jean-Baptiste de Boyer, marquis d'Argens	17		17
Helvétius	Claude-Adrien Helvétius	13		13
Mairobert	Mathieu-François Pidansat de Mairobert	13		13
Brissot	Jacques-Pierre Brissot de Warville	12		12
Diderot	Denis Diderot	10	2	12
Raynal	Guillaume-Thomas-François Raynal	10		10
Luchet	Jean-Pierre-Louis de la Roche du Maine, marquis de Luchet	9		9
Morande	Charles-Thévenau Morande	9		9
Boulanger	Nicolas-Antoine Boulanger	8		8

Source: Dawson (2006) and Darnton (1995*a*).

Two additional controls include an indicator that equals to one if a book is a work of translation. The other is whether a book is handled by major dealers. When dealers sent their packages to Paris for inspection, senders, not the titles or the authors, might give officials a clue about the extent to which the enclosed books would raise suspicion. In the sources, Darnton (1995*a*) provides a list of major book dealers who were located in one of the twenty cities that played a key role in processing

and circulating orders for each of the banned books. Such information is often not reported in Dawson (2006), but the book's record of confiscation often notes the city from which packages were delivered to Paris for inspection. When this data is available, it is matched with a city with major bookdealers. Table 2 provides the summary statistics of these variables in my data set.

Table 2: Summary statistics.

	N	mean	median	sd	min	max
Outcome variable						
Banned book confiscated	2,144	0.78	1	0.41	0	1
Explanatory variables						
Imprint in France	2,144	0.09	0	0.29	0	1
Imprint in Protestant city	2,144	0.45	0	0.5	0	1
Books published after Malesherbes era	2,144	0.74	1	0.39	0	1
Religion-related words in book title	2,144	0.15	0	0.36	0	1
State-related words in book title	2,144	0.19	0	0.39	0	1
Enlightenment authors	2,144	0.21	0	0.41	0	1
Books by Voltaire	2,144	0.12	0	0.32	0	1
Control variables						
Books handled by major dealers	2,144	0.39	0	0.49	0	1
Translated books	2,144	0.06	0	0.24	0	1

Source: Dawson (2006) and Darnton (1995*a*).

Estimation Results

I begin by estimating whether imprint drove the customs officials to confiscate banned books with the following reduced form in Ordinary Least Squares (OLS):

$$\text{Confiscated}_i = \alpha + \beta \text{Imprint in French/Protestant town}_i \times \text{Post-Malesherbes era}_i + \gamma X_i + \epsilon_i, \quad (1)$$

where β is the main parameter that includes the two indicators. Each is then interacted with the post-Malesherbes era indicator. γ has two variables, whether books were translations and whether they were ordered through major bookdealers. The results are reported in Table 3.

Table 3: Relationship between imprint location or publication period and confiscations of banned books in pre-revolutionary France.

Dependent variable	Confiscations among banned books				
	(1)	(2)	(3)	(4)	(5)
Imprint in French town	0.037			0.067	
	(0.030)			(0.054)	
Imprint in Protestant town		-0.046^{**}			-0.044
		(0.018)			(0.039)
Post-Malesharbes era: 1763–1789			0.041^{*}	0.047^{*}	0.046
			(0.023)	(0.024)	(0.033)
Imprint in French town $\times$ Post-Malesharbes era				-0.022	
				(0.067)	
Imprint in Protestant town $\times$ Post-Malesharbes era					-0.004
					(0.045)
Translated books	-0.196^{***}	-0.188^{***}	-0.192^{***}	-0.191^{***}	-0.186^{***}
	(0.036)	(0.036)	(0.039)	(0.039)	(0.039)
Books handled by major dealers	-0.152^{***}	-0.142^{***}	-0.112^{***}	-0.110^{***}	-0.105^{***}
	(0.018)	(0.018)	(0.020)	(0.020)	(0.020)
Observations	2,144	2,144	1,745	1,745	1,745

Notes: In Columns 3–5, 399 observations are dropped due to the missingness in the publication date. *** denote $p < 0.01$, ** $p < 0.05$, and * $p < 0.1$.

Columns 1 and 4 show the relationship between imprint in French towns and confiscations, where Column 4 interacts the French imprint variable with the timing of the relaxation of censorship. These indicate positive but not significant relations. By contrast, imprint in Protestant towns is negatively and significantly linked to confiscations (Column 2). Since these addresses are outside France, and the motive to use them, which were sometimes deliberately false, was to mislead customs officials, there is some evidence to such a strategy. But when interacted with the post-Malesherbes era in Column 5, the significance drops, suggesting that the Protestant imprint is not a reliable indicator for confiscation when censorship was relaxed. Table 3 suggests that place of

publication did not play a role in officials' judgment on confiscations.

I then introduce two corpuses based on the book titles, one related to religion and the other related to the state, in separate regressions. These regressions now include the authorship variables as additional controls. The results are reported in Table 4.

Table 4: Predictors of confiscations among banned books in Eighteenth-century France.

Dependent variable	Confiscations among banned books			
	(1)	(2)	(3)	(4)
Panel A: Religion corpus				
Religion-related words in book title	-0.157^{***}	-0.298^{***}	-0.146^{***}	-0.281^{***}
	(0.028)	(0.058)	(0.028)	(0.058)
Post-Malesherbes era: 1763–1789	0.046^{**}	0.022	0.040^{*}	0.016
	(0.023)	(0.024)	(0.022)	(0.024)
Religion-related words × Post-Malesherbes era		0.182^{***}		0.174^{***}
		(0.066)		(0.066)
Enlightenment authors (except for Voltaire)			0.131^{***}	0.130^{***}
			(0.024)	(0.024)
Books by Voltaire			0.088^{***}	0.083^{***}
			(0.031)	(0.031)
Translated books	-0.169^{***}	-0.169^{***}	-0.158^{***}	-0.157^{***}
	(0.039)	(0.039)	(0.038)	(0.038)
Books handled by major dealers	-0.117^{***}	-0.121^{***}	-0.157^{***}	-0.159^{***}
	(0.020)	(0.020)	(0.021)	(0.021)
Panel B: State corpus				
State-related words in book title	-0.038	-0.392^{***}	-0.034	-0.397^{***}
	(0.025)	(0.064)	(0.025)	(0.063)
Post-Malesherbes era: 1763–1789	0.047^{**}	-0.006	0.039^{*}	-0.015
	(0.023)	(0.024)	(0.023)	(0.024)
State-related words × Post-Malesherbes era		0.417^{***}		0.429^{***}
		(0.069)		(0.069)
Enlightenment authors (except for Voltaire)			0.139^{***}	0.143^{***}
			(0.025)	(0.024)
Books by Voltaire			0.090^{***}	0.095^{***}
			(0.031)	(0.031)
Translated books	-0.193^{***}	-0.188^{***}	-0.179^{***}	-0.173^{***}
	(0.039)	(0.038)	(0.038)	(0.038)
Books handled by major dealers	-0.113^{***}	-0.125^{***}	-0.155^{***}	-0.169^{***}
	(0.020)	(0.020)	(0.022)	(0.021)
Observations	1,745	1,745	1,745	1,745

Notes: 399 observations are dropped due to the missingness in the publication date. *** denote $p < 0.01$, ** $p < 0.05$, and * $p < 0.1$.

Panel A documents evidence on the relationship between religion books and confiscations. It is negative and significant, suggesting that these books are *less* likely to be seized. The direction of the magnitude is the same when the corpus variable is interacted with the post-Malesherbes indicator (Column 2). The coefficient of the interaction is positive but the overall magnitude is still negative ($-0.298 + 0.182 = -0.106$). This means that these books got increasingly confiscated toward the end of the ancien régime, but they were still less likely to be confiscated relative to the book titles without religious words. The same result obtains when the authorship variables are introduced.

Panel B on the state corpus documents the contrary evidence. When interacted with the post-Malesherbes indicator, the magnitude is positive and significant. This suggests that book titles related to the state were more likely to be seized in the era when censorship was relaxed. Yet the substantive impact in these interaction models is small in Columns 2 and 4. Combined with the evidence from Panel A, Table 4 suggests that officials did not pay close attention to book titles when deciding whether to confiscate them.

The author names are positively and significantly linked to confiscations across the panels. One reason could be that names constitute a useful mnemonic device for inspectors to judge quickly whether a book is suspicious or worthy of condemnation. Decisions based primarily on the title would be less straightforward and be more time-consuming. From officials' perspectives, authorship may have provided a shortcut to what to do with a book at hand.

Conclusion

This paper explores the puzzle about why premodern states with weak enforcement capacity resort to hard censorship. I argue that threats to political legitimacy inform the degree of censorship. Drawing on the church-state relations as the foundation of the legitimacy in this period, I discuss how the secular authorities were defined in moral terms and provide illustrations of how pre-revolutionary France put censorship in practice on critical writings before and after publication. Evidence from a new data set on the occurrences of confiscations among the banned books

indicates that religion, as captured in the place of publication or the titles, did not play an important role in the confiscation of banned books. The interaction models suggest positive associations between the religion-themed or state-themed book titles and confiscations, but this might be because a number of confiscations were recorded toward the end of the eighteenth century. This suggests that if religion—or, more generally, other attributes on the *content* of banned books—played a role in these episodes of confiscations, it might go with other factors, such as the timing of publication.

This study yields implications for when and how state-directed censorship takes place. Premodern states might want to clamp down on any publication that poses a threat to the moral authority. Religion occupied a prominent role in premodern French society, even though Catholicism was predominant whose position got strengthened following the 1685 revocation of the Edict of Nantes. Likewise, modern authoritarian states use discretion as to when they censor. The recent scholarship indicates that they direct resources to censorship when citizens' writings might lead to occurrences of mass demonstration or other types of collective action (King, Pan, and Roberts 2013). Today, the technologies of control, especially the digital ones, are so sophisticated that targeted responses are feasible, which seem to be instrumental to authoritarian longevity (King, Pan, and Roberts 2017; Roberts 2018; Xu 2021). Premodern states only had more blunt means, such as confiscations, which could incur costs on regime stability.

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Appendix for "Weak States and Hard Censorship"

April 2, 2022

Contents

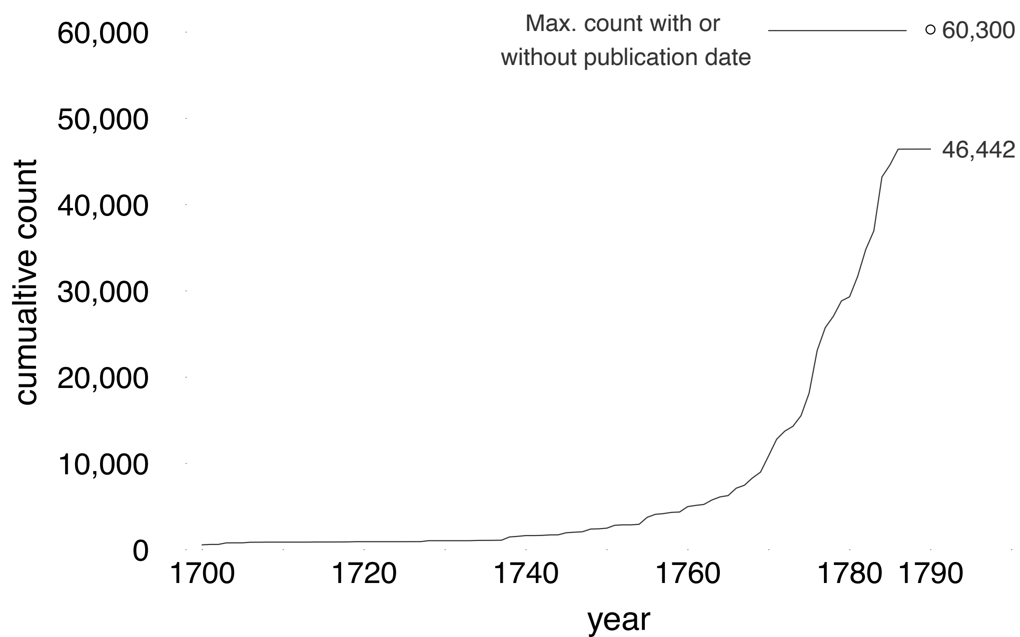
1 Distribution of the Number of Copies of Illegal Literature A2

2 List of Strings in the Religion and State Corpuses A3

1 Distribution of the Number of Copies of Illegal Literature

Figure A1 shows the over-time distribution of the number of copies of banned books in the eighteenth century. Of the 60,300 copies, 46,442 have a publication date.

Figure A1



2 List of Strings in the Religion and State Corpuses

The following tables describe the list of the strings used to make the religion corpus (Table A1) and the state corpus (Table A2).

Table A1: Religion-related corpus.

String	Example
abbé	abbé
apôtre	apôtre
archevê	archevêque
Calvin	Calvin, Calvinisme
caté	catéchisme, catéchumème
cathol	catholique, catholicon
chrétien	chrétienne
christ	christianisme, (Jésus) Christ
Clément	(pape) Clément (XIV)
clergé	clergé
dieu	Dieu
divine	divine
ecclesiast	ecclesiastica (Latin)
ecclésiast	ecclésiastique
église	église
épître	épître
évangél	évangélique
evangile	evangile
évêque	évêque
jésuit	Jésuit
Luther	(Martin) Luther
pape	pape
papism	papism
péch	péché
pontif	pontif
prophète	Prophète
protestant	protestants
psaume	psaume
relig	religion, religieux, religieuse
sécular	sécularisé, sécularisation
sermon	sermon
saint	saint
Testament	(Nouveau) Testament
théol	théologie, théologique, théologien
Unigenitus	Unigenitus

Table A2: State-related corpus.

String	Example
civil	civil
Colbert	(Jean-Baptiste) Colbert
despotisme	despotisme
droit	droit
établi	établissements
féodal	féodal
légitimt	légitimté
liberté	liberté
Louis	Louis (XIV, XV, XVI)
monarch	monarchie, monarchisme
nation	nation, nationale
Necker	(Jacques) Necker
patri	patrie, patriote
réform	réforme, réformation
règne	règne
reine	reine
républi	républic, république
révolution	révolution
Richelieu	(Cardinal) Richelieu
roi	roi
roy	royaume, royal
souverain	souverains