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THE VIEWS OF THE CONVENTIONNELS CONCERNING  
REVOLUTIONARY GOVERNMENT  
SEPTEMBER 20, 1792 - JULY 27, 1794

by

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Any errors which may have entered into this dissertation are, of course, my own.

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## INTRODUCTION

The insurrection of August 10, 1792 dealt the monarchy a mortal blow. Demanding a new constitution, the insurgents forced the reluctant Legislative Assembly to initiate the election of a National Convention. The Convention was to possess unlimited authority to act for the sovereign people. Although its specific mandate would be to write a constitution, the Convention was to be drawn inexorably into an almost endless maze of day-to-day governmental operations. Three years were to pass before the establishment of a permanent government. In the interregnum the Convention would rule France. This provisional régime came to be called the "Revolutionary Government."

While awaiting the meeting of the Convention, the Legislative Assembly attempted to govern the country. It had to contend with the revolutionary Paris Commune. This extra-legal body, which had seized power from the constitutional Commune on the eve of the insurrection, shared power with the Legislative Assembly. It virtually controlled the Extraordinary Tribunal which was established on August 17 with the sanction of the Legislative Assembly. It sent its commissioners into the departments, arrested suspects and exercised other functions ordinarily reserved for the central government. The power of the Commune in this period, its intimidation of the Legislative Assembly and its condoning of the September

massacres help explain the debates over revolutionary government which would take place in the National Convention. It became clear, shortly after the Convention met, that many deputies had vowed to themselves that Paris would not tyrannize the Convention as it had the Assembly in August and September.

The Legislative Assembly, while reaching a tense accommodation with the Commune, sought to regularize the provisional government. It, and subsequently the Convention, exercised the legislative power. Out of respect for the separation of powers, a Provisional Executive Council was created. No deputy could serve as a minister, but the ministers were now chosen by the legislative body. The king was simply suspended, the ultimate fate of the monarchy being left to the discretion of the Convention.

The Convention met on September 20, 1792. Its first important acts were the abolition of the monarchy and the consequent establishment of the Republic. In the ten months which followed, there were few instances in which the Convention would move with such unity. A new, legal Commune was elected in November, but the power of Paris still had to be respected and feared. The revolutionary Commune and the sans-culottes which it represented had tolerated the Legislative Assembly, because they could look ahead to great things from the coming Convention, which was elected on a more democratic basis. But what if the Convention disappointed the sans-culottes? What would be their reaction? This question must have been in the mind of every deputy. The Convention, thought many of the deputies, would have to act to prevent another insurrection, a movement which might carry

the Revolution beyond its legitimate ends. The monarchy had been overthrown and tyranny ended. What more was there to do but to enshrine this accomplishment for the ages to come in a good and durable constitution? This is how many of the leaders of the right and center thought. The majority of the Convention was not radical, and was therefore amenable to this view.<sup>1</sup> There was no reason not to be. The armies of France were victorious, and no great crisis loomed on the horizon in the fall of 1792. Thus, the moderate deputies of the right and center had the upper hand.<sup>2</sup>

The right, however, was not content with its dominance in the Convention. The threat from Paris had to be removed. Those who would attack the Revolution of August 10 by seeking to carry it beyond its legitimate ends had to be repressed. The right, therefore, proposed a series of extraordinary measures directed against the Parisian sans-culottes and their leaders. These proposals aroused cries of anguish not only outside the Convention hall, but also within. Paris, after all, had its deputies and friends in the Convention. Factional disputes which had begun long before the meeting of the Convention

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<sup>1</sup>Raoul Arnaud, "La Majorité modérée de la Convention nationale," Revue Universelle, XXXIII (1928), 654-655.

<sup>2</sup>For convenience I will use the term "right," though there is no evidence that the moderate leadership sat on the extreme right. Leading opponents of the radical Montagnards, deputies who were allegedly members of the Girondin faction, often sat on the far right to separate themselves from their political enemies on the left. Yet, these anti-Montagnard leaders were far more liberal than many of the unknown deputies of the center who were not truly republican, and who voted against the death penalty for the king (Ibid.).

were carried into the Convention.<sup>1</sup> One dispute after another over the power of the Convention to regulate affairs in Paris divided the assembly. Old resentments were aroused, and personal invectives were exchanged. The Convention became an arena for struggling oratorical gladiators. Added to these disputes were the divisive debates over the fate of the king, wasting a good part of November, December and January. At the same time the constitution was being painfully and slowly written in committee, and the state of the division of the Convention was such that a long debate could be guaranteed before the constitution would be adopted.

While the Convention was mired in dissension, the country had to be governed. It had to be governed under circumstances which were rapidly changing. The military situation, so favorable to France in the fall, deteriorated seriously by the spring of 1793. The provisional government began to assume more and more of a "revolutionary" character.

The definition of revolutionary government, for the purposes of this dissertation, will be based on its meaning for the average deputy. Though there would have been much disagreement on a precise definition, it is possible to state a general definition which would have been agreeable to almost everyone. Robespierre and Condorcet both evolved coherent theories of revolutionary government.<sup>2</sup> Though

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<sup>1</sup>The divisions being discussed here originated in the Legislative Assembly, especially in the debate over the war (M. J. Sydenham, The Girondins [London: The Athlone Press, University of London, 1961], pp. 107-109).

<sup>2</sup>Infra, pp. 145-148, and 268-271.

they often disagreed on the actual development of the Revolutionary Government, in essence their definitions were the same. Their theories may be used as a basis to define the term as most deputies understood it. Broadly speaking, in the context of the French National Convention, revolutionary government was a provisional and extraordinary government established in the interregnum between the overthrow of the monarchy and the promulgation of a new constitution to act vigorously and without legal restraint in the defense of the Revolution.<sup>1</sup>

The Revolutionary Government was provisional because it was to last only until a new constitution could be implemented. It was extraordinary because it could act in ways which would not be permitted in ordinary times when a liberal constitution, of the sort envisaged by most deputies, would have been in effect. Extraordinary implied extra-constitutional and extra-legal, i.e. the absence of legal restraint. It was the extraordinary nature of the government that permitted it to act vigorously, and such actions were called extraordinary or revolutionary measures. They were strong measures for the defense of the Revolution which might infringe on ordinarily accepted liberties. The necessity for taking such measures endowed

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<sup>1</sup>It is so self-evident that revolutionary government was for the defense of the Revolution that the point is usually not emphasized. Jacques Godechot simply says, ". . . revolutionary signifies exceptional." (Jacques Godechot, Les Institutions de la France sous la Révolution et l'Empire [2nd ed., rev. & enl.; Paris: Presses Universitaires de France, 1968], pp. 293-294. [Hereinafter referred to as Institutions.]) Paul Mautouchet also saw the exceptional and provisional aspects of revolutionary government as its distinguishing marks (Paul Mautouchet, Le Gouvernement révolutionnaire, 10 août 1792-4 brumaire an IV [Paris: Edouard Cornély et Cie., 1912], p. 2. [Hereinafter referred to as Le Gouvernement révolutionnaire.])

the Revolutionary Government with two of its most striking attributes: a high degree of centralization and a powerful repressive machinery.

Though the consensus of the deputies favored these principles of revolutionary government, there was much disagreement on their practical implications. How soon a new constitution could be promulgated was a matter for dispute. The extent to which infringements on liberty could be permitted was also in question. It was around these broad issues that debate concerning revolutionary government was centered. These, however, were only the broad issues expressed in the abstract. The specific questions which aroused debate were the revolutionary measures which, if enacted, constituted the Revolutionary Government in actuality.

As the provisional government assumed a more revolutionary character in the spring of 1793, it became more centralized and more repressive. Many revolutionary measures, such as the law on émigrés and the sending of representatives on mission, were enacted in the fall of 1792. Though these measures were part of the process which led to the strengthening of the revolutionary government, they did not fit a pattern. It was not until the spring of 1793 that the pattern of Revolutionary Government was set. Then the sending of representatives on mission was regularized, the Revolutionary Tribunal and the Committee of Public Safety were created, laws against suspects were strengthened and the grain maximum was established. In these decrees appeared the elements which characterized the Revolutionary Government at its height.

The revolutionary measures of the spring were enacted over

strong opposition from the right. The expulsion of the "Girondins" from the Convention on June 2 brought an end to this opposition. The crisis, now exacerbated by the federalist revolt, continued into the summer months. It led to stronger, revolutionary measures. August and September saw the adoption of the levée en masse, the codification of the laws against suspects, and the general maximum. Terror became the "order of the day." The power of the Committee of Public Safety increased until the Committee became essentially the provisional government of France. On October 10, 1793 the government was declared "revolutionary until the peace," and on December 4 a decree, which was virtually a Constitution for the Revolutionary Government, was passed. In this latter enactment, the famous decree of 14 frimaire, was to be found a clear statement of the basic principles of the Revolutionary Government and a formal recognition of institutions which had already been created.

The decree of 14 frimaire recognized the high degree of centralization which had come to characterize the Revolutionary Government. Local administrators, now under the supervision of the representatives on mission, who in turn were being more closely watched by the Committee of Public Safety, had surrendered power to the central government. Within the central government power had been concentrated in the Convention which, in turn, gave all but the power of final decision to its committees, especially to the Committee of Public Safety. The Convention in theory was all powerful, but the Committee of Public Safety exercised this power.

Centralization was a consequence of the need for vigorous action

in defense of the Revolution. A second consequence was the establishment of powerful and centralized machinery for repression: the machinery of the terror. Contributing to the strengthening and centralization of the terror were laws against émigrés, foreigners, recalcitrant elements in the clergy, suspects in general and various counter-revolutionary activities. The Committee of General Security and the Revolutionary Tribunal also strengthened the repressive power of the Revolutionary Government.

In the months following the enactment of the decree of 14 frimaire, the Revolutionary Government became even more powerful. The Indulgent and Hébertist opposition was destroyed. The ministries were abolished in recognition of the omnipotence of the governing committees. The law of 22 prairial led to an intensification of the terror. At the same time French armies marched from one success to another. The need for the Revolutionary Government, therefore, became less obvious while the powers of the régime continued to increase. Opposition to the government, which had been almost completely submerged since the destruction of the "factions," surfaced on 8 and 9 thermidor. Robespierre, Saint-Just, and Couthon were executed. In the ensuing months the "Revolutionary Government" was dismantled in the "Thermidorian Reaction."

In order to determine the attitude of members of the Convention toward the Revolutionary Government, it is necessary to know whether they favored or opposed the creation and continuation of this highly centralized régime with great repressive powers. One must determine the nature of their attitude toward such a government in the abstract,

and toward the government as it was actually developing. The former and the latter often differed.

The frequent discontinuity between acceptance of revolutionary government in the abstract and in reality can be explained by differing conceptions of what constituted "defense of the Revolution," which had implications on two different levels. The first has already been mentioned: the extent to which the constitution should be delayed and liberties should be infringed. The second level involves a deputy's conception of the legitimate goals of the Revolution. In the eyes of any given deputy, an extraordinary measure which sought to carry the Revolution beyond its legitimate goals, or which prevented the attainment of these goals, was not a revolutionary measure. Each defined the legitimate goals of the Revolution for himself. A deputy's views concerning revolutionary government on the first level indicate his willingness to support revolutionary government and revolutionary measures in general and in the abstract. His views on the second level indicate whether he felt a given measure, or the Revolutionary Government as it was developing, tended to further or hinder the attainment of those goals which he considered legitimate.

Historians sympathetic to the left have tended to define only those measures congenial to them as revolutionary measures. To Albert Mathiez the extraordinary measures proposed by the right in the fall of 1792 were part of a "Girondin" plot to do away with their "Montagnard" opponents.<sup>1</sup> There is some truth in this view. Yet,

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<sup>1</sup>Albert Mathiez, The French Revolution, trans. by Catherine Alison Phillips (New York: Grosset & Dunlop, 1964), pp. 238, 248-249, and 251.

these measures met all the criteria for being revolutionary measures, and to those who proposed them, their purpose was to defend the Revolution. With this understanding it becomes easier to explain shifts of opinion in the Convention. It becomes more apparent that the struggle in the Convention over revolutionary government was not between one party which favored it and one party which opposed it, but between two parties with differing views on what the Revolutionary Government should do.

Until now, no study has been made of the views of the members of the Convention concerning revolutionary government. General studies of the period deal with the subject, but only obliquely. The views of important individuals on the subject have not been carefully scrutinized.<sup>1</sup> Even less have the views of large numbers of deputies been studied. Our historical literature is full of assertions on the attitudes of various groups of deputies with regard to revolutionary government, but evidence is extremely subjective.<sup>2</sup>

This failure to study the question of the views of members of the Convention on revolutionary government has left a significant gap in our knowledge of the period. The unanswered questions are many. Did the Convention create the Revolutionary Government because it

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<sup>1</sup>Jacques Godechot feels that the views of the members of the Convention concerning the Revolutionary Government is one of the most important unstudied topics of this period (Institutions, p. 291, note).

<sup>2</sup>For example, Georges Lefebvre assumes that the Girondins and Montagnards took opposing positions on the establishment of the Revolutionary Government, though there is no study to substantiate that view (La Révolution française [3rd. ed., rev. & enl.; Paris: Presses Universitaires de France, 1963], pp. 340-354).

thought it was necessary, or because it was terrorized by the sans-culottes? Were arguments over revolutionary government caused by ideological differences, an unwillingness of one side to accept extraordinary measures? After the Montagnard victory in the summer of 1793, was the apparent unanimity in favor of the Revolutionary Government real, or was it imposed by the Montagnard leadership on a restive Convention? In sum, why and to what extent did the deputies support the Revolutionary Government and, ultimately, the terror? Unfortunately, information on the views of the vast majority of the deputies is scarce or nonexistent. Nevertheless, through the study of the views of deputies who were relatively outspoken much can be learned about movements of opinion in the Convention and the deputies' ways of thinking.

One of the great unsolved questions concerning the Convention is the nature of factional divisions within it. The views of groups of leading deputies on an important complex of issues, the sum total of which was the issue of revolutionary government, can say much about the factions. M. J. Sydenham, in his book The Girondins, used the very small number of appels nominaux taken in the Convention to determine whether the deputies voted in groups and whether these groups were coherent. The expressed views of deputies on an important question is also evidence which will help determine whether they thought as groups. It will be possible to determine, within the limits of this study and of available information, the extent to which the alleged members of a faction agreed with one another.

Looking beyond the struggle between Girondins and Montagnards,

this study of the factions can be applied to the period of Montagnard dominance, the year II. Now the divisions were within the Mountain, supposedly between Dantonists and Robespierrists, terrorists and Indulgents, "ultras" and "citras." Unfortunately, information for this period is sparse. Once the Montagnards gained a firm grip on the Convention, deputies were clearly more restrained in the expression of their views. As the year II waned their silence became more pronounced. Yet, opposition to the Revolutionary Government, which in this period was practically synonymous with the Committee of Public Safety, did occasionally appear. It must be determined how prevalent this opposition was, from whom it came and whether the opponents formed coherent groups. The role of important individuals such as Danton must be examined and perhaps reassessed.

To avoid prejudgment in this discussion of the factions, the use of traditional factional designations has been avoided wherever possible. Instead of speaking of Girondins and Montagnards, the terms right and left have been used. These terms were common in the newspapers of the day, and simply indicate recognition of the fact that like-minded deputies sat together in the Convention. Where necessary, however, traditional factional names will be used without apology. Though we may question their validity, their meaning is widely accepted.

The issue of revolutionary government is extremely broad, covering many sub-issues. The number of deputies involved is immense, and their views are not always readily discernible. Thus, the conclusions of this study must be considered tentative. This is a

beginning. It is a path which must be explored if we are ever fully to understand the Convention.

## CHAPTER I

### REVOLUTIONARY GOVERNMENT IN ITS INFANCY

The Revolutionary Government was in its infancy in the fall of 1792. This period witnessed only the first hesitant steps toward the creation of a strong revolutionary government. Representatives on mission were sent into the departments on an ad hoc basis, laws against the émigrés were enacted, but very little more than this was done. It is clear, however, that members of the Convention already possessed the basic attitudes which would later lead them to establish a strong revolutionary government. Ironically, some of the revolutionary measures proposed in this period had the purpose of terminating the revolutionary movement. The deputies who proposed measures, such as the departmental guard and the law against provocateurs, sought to stop the leftward movement of the Revolution by repressing the radical leaders of the Parisian sans-culottes. The left wing deputies, who opposed these revolutionary measures in the Convention, were later to become the leading advocates of strong revolutionary government. The political pressures of the moment, however, caused some of them to go so far as to call for the immediate adoption of a constitution to end the extraordinary régime.

The debates of this period explain much of what was to occur at a later time. The extent of the powers of the Convention was the

basic issue of the Revolutionary Government. Without full legislative, executive and judicial powers, the Convention and its committees could not have exercised the extreme centralized control to the extent that they did later. Although revolutionary government was an issue provoking sharp discord, there was general agreement concerning the powers of the Convention. Views expressed on this issue show that most deputies accepted the basic premises of revolutionary government.

The Legislative Assembly clearly implied that the Convention was to have unlimited powers.<sup>1</sup> The same view was widely accepted in the Convention. Philippeaux, deputy of Sarthe<sup>2</sup> who in the fall of 1792 often refused to support revolutionary measures,<sup>3</sup> stated that the Convention was exercising the people's sovereign powers and was, therefore, superior to all other authority.<sup>4</sup> No voice was raised against this basic proposition. An anonymous author in the Feuille Villageoise summed up the general feeling:

As for the National Convention of France, it has been assembled without the presence of the king, it has been assembled to create a new plan of government; it has been formed to make all laws, take all resolutions and exercise all authority which can save the empire.<sup>5</sup>

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<sup>1</sup>Archives parlementaires, Series I (86 vols.; Paris, 1879-1965), XLVII, 645-646.

<sup>2</sup>Unless otherwise specified, basic biographical data on all the deputies have been drawn from Gustave Bord, "Convention nationale. Liste des députés et des suppléants," Revue de la Révolution, III-IV (1884), and A. Kuscinski, Dictionnaire des Conventionnels (Paris: Société de l'Histoire de la Révolution Française, 1916), 615 pp. (Hereinafter referred to as Dictionnaire.)

<sup>3</sup>Evidence for this generalization and for similar ones concerning other deputies will be found in the appendix.

<sup>4</sup>Archives parlementaires, LII, 72.

<sup>5</sup>La Feuille villageoise (Paris), September 27, 1792, p. 591.

Brissot, famous deputy of Eure-et-Loire, was hardly an ardent supporter of revolutionary government; yet he held similar views. According to him, the Convention not only had the power to write the constitution, but also to ". . . take all measures necessary to save the commonweal."<sup>1</sup> Its decisions on the constitution were subject to popular approval, he asserted, but in day-to-day affairs the Convention could act as the sovereign.

A dissenting voice was that of Salaville, one of the editors of the Annales patriotiques.<sup>2</sup> This was an exception that proved the rule, for in a later issue Carra, deputy of Saône-et-Loire and coeditor of the Annales, specifically disagreed with Salaville. He maintained that the Convention had to concern itself with everyday affairs as well as with the constitution.<sup>3</sup> Gensonné, deputy of the Gironde, and Condorcet, famous philosophe and deputy of Aisne, expressed similar views.<sup>4</sup>

Another objection came from Florent Guiot, deputy of Côte d'Or, around the time of the Convention's first session. According to Guiot the Convention had no right to execute laws, accuse or judge individuals, or remove any of the members of the Provisional Executive Council. Because of unusual circumstances the Convention had to

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<sup>1</sup>Le Patriote français (Paris), October 18, 1792, p. 437.

<sup>2</sup>Annales patriotiques et littéraires de la France, et affaires politiques de l'Europe (Paris), November 2, 1792, pp. 1368-1369. Salaville was not a deputy. (Hereinafter referred to as Annales Patriotiques.)

<sup>3</sup>Ibid., December 4, 1792, pp. 1511-1512.

<sup>4</sup>[Armand Gensonné], Bulletin des amis de la vérité, September 21, 1792, p. 3; Condorcet, Chronique de Paris, December 18, 1792, p. 1410.

oversee the executive power, but its authority stopped there. Consistent with these views, Guiot opposed the establishment of a departmental guard which was proposed for the defense of the Convention.<sup>1</sup> Guiot, in other words, insisted on the strict separation of powers. If the Convention had followed his reasoning, it never would have established a revolutionary government.

Oddly, many of those who later opposed revolutionary government were, in the fall and winter of 1792, the most inclined to accept the Convention's powers as absolute. Brissot was a good example. The explanation for this phenomenon is found in the fact that the revolutionary élan in the fall of 1792 was possessed by the Paris Commune. It had launched the Revolution of August 10, countenanced and even encouraged the September massacres, and was now prosecuting "aristocrats" in the Extraordinary Tribunal. The Commune was competing for power with the Convention.<sup>2</sup> It also sought to continue the Revolution. Those members of the Convention, sitting on the right and center, who seemed to control that body in the fall of 1792,<sup>3</sup> wanted the Revolution to end now that despotism had been overthrown. As this group saw it, the Convention had to solidify the previous accomplishments of the Revolution. They sought to restrain the forces of revolution, and looked to a Convention with unlimited powers to do this.

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<sup>1</sup>Florent Guiot, Essais sur les droits dont le Peuple a confié l'exercice à la Convention nationale, et sur les devoirs que l'exercice de ces mêmes droits lui impose (Paris: Vezard & Le Normant, 1792), pp. 26-37. (Hereinafter referred to as Guiot, Essais.) Guiot later served well as a representative on mission in the year II (Kuscinski, Dictionnaire, p. 319).

<sup>2</sup>Godechot, Institutions, pp. 291, 295, & 323.

<sup>3</sup>The officers of the Convention were deputies of the right.

Gensonné provided a good example of this view. The writing of the constitution, he said, was the Convention's main task. Until the new government was organized, the Convention should act as if it was the entire French people gathered in one great assembly.<sup>1</sup> The Convention, in other words, possessed all the power of the sovereign people. Gensonné supported the assumption of full police powers in Paris by the Convention because any action was within its competence.<sup>2</sup> The purpose of a strong revolutionary government, however, was not to push the Revolution to further extremes. It was to terminate it. Gensonné warned that the continuation of the revolutionary movement endangered all the gains of the Revolution. Thus, the continuing effervescence of the Commune and the sections was one of the most dangerous problems faced by the Convention.<sup>3</sup> "Do they not also say that we are a revolutionary convention? What do they want, then, by talking endlessly of insurrection and of a new revolution?"<sup>4</sup> Such a revolution, contended Gensonné, could only be directed against the rights of the people.

Gensonné accepted the basic tenets of revolutionary government: the omnipotence of the Convention and the desirability of its conducting day-to-day affairs. But continued revolution was undesirable.

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<sup>1</sup>Bulletin des amis de la vérité, September 21, 1792, p. 3.

<sup>2</sup>Archives parlementaires, LVII, 44.

<sup>3</sup>Bulletin des amis de la vérité, September 21, 1792, p. 3.

<sup>4</sup>Oeuvres de Vergniaud, Guadet, Gensonné, ed. by A. Vermorel (Paris: F. Cournol, 1866), p. 278; from a speech in the Convention, January 2, 1793. (Hereinafter referred to as Vergniaud, Guadet, Gensonné, Oeuvres.)

If the sans-culottes tried to promote further revolution, they would have to be stopped by a strong Convention. Gensonné's views on the policing of Paris showed that he did not shrink from the use of extraordinary measures. He simply wanted the Convention to control these measures, and for all parts of the country to have equal influence in the Convention.<sup>1</sup>

The Commune's supporters in the Convention, sitting on the left, also understood the need for centralized government. Yet they were ambivalent about the Convention's powers. They recognized the revolutionary role of outside groups such as the Commune and the revolutionary committees, whose powers, in their opinion, were not to be completely superseded by those of the Convention. Therefore, though they generally accepted the idea of the Convention's omnipotence, they sometimes contested it for political reasons.<sup>2</sup>

Thuriot, a deputy of the department of the Marne, who was a staunch supporter of the Commune and generally of the principle of revolutionary government, exemplified this ambivalence. In a dispassionate moment he recognized the Convention's unlimited powers.<sup>3</sup> On another occasion, during a diatribe against Roland, the controversial minister of the interior, he called for the complete suppression of the executive branch of the government.<sup>4</sup> Executive

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<sup>1</sup>Bulletin des amis de la vérité, March 9, 1793, p. 3.

<sup>2</sup>The views of Guiot, discussed above, resembled those discussed here, but there is too little information on his later views to allow a determination of whether he fit this pattern.

<sup>3</sup>Archives parlementaires, LV, 85-86.

<sup>4</sup>Ibid., LVI, 607.

powers would then have fallen entirely to the Convention, as eventually did happen. When it was politically convenient, however, Thuriot argued the opposite point of view. He objected to a suggestion that the Convention overrule the Commune's decree closing all theatres on the day of the king's judgment, on the grounds that the Convention did not have this power.<sup>1</sup> Thuriot was, of course, defending the Commune. Beyond this he saw the Commune's action as an "extraordinary measure" necessary to the maintenance of order.<sup>2</sup> Thus, the Convention was not to be omnipotent at the expense of the Commune's revolutionary powers.

Another future supporter of revolutionary government who objected to the prevailing view on the omnipotence of the Convention was Audouin, deputy of Seine-et-Oise and editor of the Journal Universel. He considered it dangerous to give the Convention legislative, executive and judicial powers. It should have none of these. Legislative and administrative bodies, he said, should have been reconstituted as a provisional government to attend to every day affairs while the Convention wrote the constitution. The handling of day-to-day affairs by the Convention had given rise to factionalism, and had delayed the constitution. Supreme authority, furthermore, had been given to men whose decisions should not go into effect until they were freely accepted by the people. Audouin obviously had little faith in the majority of the Convention. He opposed allowing the Convention to expel any of its members, not only because it lacked the authority, but also because he feared the people would eventually lose their

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<sup>1</sup>Ibid., LVII, 43.    <sup>2</sup>Ibid., p. 331.

best defenders.<sup>1</sup>

By early spring of 1793, the reluctance of Thuriot, Audouin and other men of their persuasion to accept the idea of the Convention's omnipotence had disappeared. They had finally gained enough support to obtain a majority on certain important issues. Still they continued to recognize the role of outside forces, as in the journées of May 31 to June 2. The Commune's enemies, with control of the Convention slipping from their grasp, became less inclined to recognize the Convention's absolute powers. They now sought to limit them, though they retained their belief in the Convention's constituent powers. This evolution of attitudes on both sides will be demonstrated in future chapters.

It should be clear by now that views on the powers of the Convention were determined by practical politics and not by an abstract preference for either the separation of powers or a dictatorship of the virtuous. As this dissertation progresses it will become evident that the same principle can be extended to other questions of revolutionary government. The debates over the powers of the Convention and other issues of revolutionary government centered, in fact, around the basic questions of whether or not the revolutionary movement was to continue. The factional disputes which raged during the fall of 1792 for the most part concerned this basic difference.

Brissot was the most outspoken advocate of the "revolution is over" thesis. He maintained that the people were now the masters.

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<sup>1</sup>Journal universel, ou révolutions des royaumes (Paris), November 3, 1792, pp. 3199-3200.

Liberty to its greatest possible extent was theirs. "What more could they desire?"<sup>1</sup> Brissot's answer to this rhetorical question was, ". . . interior tranquility." Those who favored continued revolution were, in fact, counter-revolutionaries.<sup>2</sup> He argued for the abolition of the Extraordinary Tribunal of August 17,<sup>3</sup> pointing out that institutions created for crisis must disappear once the crisis had ended.<sup>4</sup> The crisis was over, as far as he was concerned. Furthermore, once France had a constitution and a stable government, interior malcontents would disappear and foreign powers would sue for peace. "Convulsions must have their limits in politics, just as in medicine; if too prolonged, they kill."<sup>5</sup>

Condorcet, who shared Brissot's point of view on ending the Revolution, pointed out the consequences of that view. The Paris sections, he said, had to be informed that ". . . legislative authority has been returned entirely into the hands of the representatives of the people."<sup>6</sup> Gensonné denounced the continuing revolutionary spirit of

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<sup>1</sup>Jacques-Pierre Brissot, A tous les républicains de France; sur la société des jacobins de Paris (Paris: Imprimerie du Cercle Social, 1792), p. 24.

<sup>2</sup>Infra, p. 331.

<sup>3</sup>Created by the Legislative Assembly in response to a demand by the revolutionary Paris Commune.

<sup>4</sup>Le Patriote français, October 30, 1792, p. 493.

<sup>5</sup>Jacques-Pierre Brissot, J.-P. Brissot, député du département d'Eure-et-Loire, à ses commettans, sur la situation de la Convention nationale, sur l'influence des anarchistes, et les maux qu'elle a causés, sur la nécessité d'anéantir cette influence, pour sauver la République (Paris: Imprimerie P. Provost, [1793]), p. 102. (Hereinafter referred to as La Situation de la Convention.)

<sup>6</sup>Chronique de Paris, October 24, 1792, p. 1190.

the Paris Commune and sections. He could not understand continued talk of insurrection and of further revolution. Revolution was destructive. The work of the Convention was constructive. The former must cease before the latter could be successful.<sup>1</sup> A new revolution? "Against whom could it be directed if it is not against the nation itself; what remains to be overthrown if it is not its rights?"<sup>2</sup> Louvet de Couvrai, novelist, journalist, and deputy of Loiret, expressed similar sentiments.<sup>3</sup>

Finding opinions in the Convention congenial to their own views, these men naturally identified the Convention with the nation. The Convention was satisfied with the Revolution. Rebellion against the Convention to carry the Revolution further or in a different direction would be a rebellion against "the people." But though they refused to countenance continued revolution, they were not oblivious to the need for extraordinary measures to defend the Revolution. When Danton proposed bringing an end to the state of danger which had been declared on July 11, Brissot objected, calling the proposal "at least premature."<sup>4</sup> Men such as Brissot would not have hesitated to defend the Revolution, but unlike their more radical colleagues they saw enemies of the Revolution on the Jacobin left as well as on the royalist right.

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<sup>1</sup>Bulletin des amis de la vérité, September 21, 1793, p. 3; Vergniaud, Guadet, Gensonné, Oeuvres, p. 278.

<sup>2</sup>Vergniaud, Guadet, Gensonné, Oeuvres, p. 278.

<sup>3</sup>La Sentinelle (Paris), September 29, 1792.

<sup>4</sup>Le Patriote français, October 6, 1792, p. 389.

The proponents of continued revolution felt that further revolution and "revolutionary measures" were necessary to defeat foreign and domestic counter-revolutionaires. But revolutionary measures must be directed against "aristocrats" and not against the sans-culottes. Such measures could be originated by the Convention, by the Commune, or simply by "the people." The sans-culottes were the leading proponents of this point of view, but they had their advocates in the Convention. Indicative of their feelings was Audouin's fear that the law against incitement to murder, proposed by members of the right and center,<sup>1</sup> would outlaw the orators of the popular societies who in the past, he said, had advanced liberty and informed the people of their rights.<sup>2</sup> Marat, deputy of Paris and famed "ami du peuple," clearly felt that the Convention was dominated by his opponents.<sup>3</sup> He, therefore, opposed the departmental guard for the defense of the Convention, proposed by the same deputies of the right and center.<sup>4</sup> The "fripons," he said, wanted passive obedience so they could exercise their tyranny.<sup>5</sup> Obviously, Marat and Audouin saw the sans-culottes as a counter-weight to these incipient tyrants, and opposed any laws tending to cripple their ability to carry out an

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<sup>1</sup>Infra, pp. 25, and 30-35.

<sup>2</sup>Journal Universel, November 3, 1792, p. 3198.

<sup>3</sup>Journal de la République française, Par Marat, l'ami du peuple, député à la Convention nationale (Paris), October 12, 1792, p. 3, and November 16, 1792, pp. 2-3. (Hereinafter referred to as Journal de la République française.)

<sup>4</sup>Infra, pp. 25-31.

<sup>5</sup>Journal de la République française, September 28, 1792, p. 2.

insurrection. The left's sense of insecurity in the fall of 1792 is the best explanation for their position on the revolutionary measures proposed in that period.<sup>1</sup>

To continue the Revolution or to stop it, to bridle the sans-culottes or to allow them to continue to influence the course of the Revolution: these were the issues which lay behind the Convention's debates in the fall and winter of 1792. They explained why future opponents of revolutionary government proposed extraordinary measures, such as the law against incitement to murder and the departmental guard. They explained why future proponents of revolutionary government opposed these revolutionary measures. Such measures were, in effect, the use of revolutionary government against further revolution. To tame the Revolution, Paris would have to be tamed. Revolutionary measures would have to be used.

The Convention was but several days old when, on September 24, it received a letter from Roland describing disorders in the departments and requesting laws to deal with them. Kersaint, deputy of Seine-et-Oise, responded by proposing the establishment of a commission to plan measures against brigandage and incitement to murder. The debate was acrimonious, and out of it came a second proposal by Buzot, deputy of Eure, for the creation of a "public force" composed of contingents from all departments to guard the Convention. This departmental guard would protect the Convention against anyone who sought to attack it by force. By implication the Convention was not

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<sup>1</sup>The following deputies made statements clearly indicating that they felt the left was weak in this period: Marat, Choudieu, Robespierre and Audouin, (supra, p. 24; infra, pp. 52, 311, and 413-414).

safe among the people of Paris. Buzot combined these suggestions in a motion which was adopted. A commission of six members, later enlarged to nine, was created to report on the state of the Republic and, above all, of Paris, to present a bill against the provocateurs of murder and to inform the Convention of the means for the creation of a "public force" from the eighty-three departments.

Buzot had begun his statement on the departmental guard with a suggestion that the Convention might have been better off if it had met in some provincial city. He went on to support Kersaint's proposal for a law against provocateurs, accusing certain unnamed men of hoping to dominate the country through terror. Whatever laws there might be, he continued, they would be of no value if the Convention did not have enough power to enforce them. Thus, he said, he was asking for a public force with contingents from all the departments. Buzot obviously felt that the proposals for a law against provocateurs and for the creation of a departmental guard had a common purpose: the security of the Convention.<sup>1</sup> Security against whom? The Paris radicals were obviously the cause for concern.

On the following day Maure, deputy of Yonne, revived the question of the departmental guard. He felt that the creation of such a force represented a withdrawal of confidence from the people of Paris, and that the decree for its creation should therefore be repealed. Merlin de Thionville, deputy of Moselle, claimed that the Convention had no need to be guarded in Paris, and that if the guard was created, its purpose should be the defense of the city in case of attack, and not

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<sup>1</sup>Archives parlementaires, LIII, 124-127.

the defense of the Convention against the city. Lasource, deputy of Tarn, disagreed, though he still sought to mollify Paris. The Convention did need a guard, he said, but not against the people of Paris. The Convention had to be guarded against a party which was trying to use the power of Paris as a means to dictatorship. Lasource implied that this party was led by some Parisian deputies. The influence of Paris, he said, had to be reduced to a level equal to that of every other department. It must not become the Rome of a new empire. Lasource's statement made clear that the departmental guard was intended to counterbalance the influence of the Parisian radicals and deputies, whom he accused of seeking dictatorial power. This accusation turned the discussion to the subject of dictatorship. Osselin, Danton, Robespierre and Marat, all deputies of Paris, denied aspirations for supreme power. Barbaroux of Bouches-du-Rhône and Cambon of Hérault again revealed the deeper concerns motivating the call for a departmental guard when they expressed the fear that the Paris Commune was trying to establish a dictatorship. The issue of the departmental guard was then lost in a shower of personal invective, and finally the Convention went on to the order of the day.<sup>1</sup> The direction taken by the debate, however, was a significant indication of the motives of the backers of the guard.

The question was raised again on October 5 when Kersaint and Rewbell, deputy of Haut-Rhin, began complaining about the activities of some of the Paris sections. Rewbell felt that the Convention constantly had daggers at its throat in Paris. Lanjuinais of

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<sup>1</sup>Ibid., pp. 129-143.

Ille-et-Vilaine demanded the immediate creation of the proposed departmental force to protect the Convention. Merlin accused Lanjuinais of being a "feuillant." Several others entered the fray, and finally all motions were sent to the Committee of War for a report.<sup>1</sup>

Further debate was occasioned by a petition of the section du Temple on the sixth. What have you to fear, asked the section? The foreign enemies were retreating, and the people of Paris had given one proof after another of their respect for the national representation. The force was not needed, but if it was called let it be part of the people and not separate from them. Kersaint answered the petition in a conciliatory manner. It was not the deputies that had fears concerning the people of Paris, but it was the departments that had these fears and had to be reassured. The department of Paris had no right to claim the sole privilege of guarding that which belonged to the whole Republic. Lasource claimed that the purpose of the guard was to pay homage to the principle of republican unity. It would not police Paris or be an elite corps separate from the citizenry. Tallien, deputy of Seine-et-Oise, cast doubt on the sincerity of Lasource's argument by pointing out that, just the day before, certain deputies had been saying that the Convention was not safe in Paris. This talk, according to Tallien, justified the section's petition.<sup>2</sup>

Buzot finally delivered the awaited report for the Commission on October 8. Naturally, he recommended the creation of a departmental guard. He reiterated the frequently mentioned idea that the whole

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<sup>1</sup>Ibid., pp. 336-339.      <sup>2</sup>Ibid., pp. 366-368.

Republic had a right to defend its representatives. The creation of the guard would promote a beneficial unity. Furthermore, the force was for the protection of the city as well as the Convention. Fears that it would be a "pretorian guard" were absurd. The very fact that the guard would be summoned from all parts of the Republic would prevent its misuse by individual interests. Only the "factieux," who sought to use anarchy as a means to achieve power, opposed the measure. They had duped the people of Paris into opposing a measure which was really in their own interest.<sup>1</sup>

The debate was echoed in the press. Brissot strongly supported the departmental guard. The national representation, he said, belonged to the whole nation; and the nation, not just a part of it, had the right to protect its representatives.<sup>2</sup> The other side of the issue was taken by Dubois-Crancé, deputy of the department of Ardennes, in Révolutions de France et de Brabant. He accused proponents of the guard of wishing to surround themselves with a "foreign armed force" in order to dominate the situation.<sup>3</sup>

The proposed departmental guard was to be billeted in the fortified camp near Paris, the construction of which had commenced under the Legislative Assembly. Work on the camp was plagued by labor problems, some involving disorders. These problems were the subject of a report by Rouyer, deputy of Hérault, in the name of the Commission of

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<sup>1</sup>Ibid., pp. 399-402.

<sup>2</sup>Le Patriote français, October 6, 1792, p. 390, and October 9, 1792, pp. 401-402.

<sup>3</sup>Révolutions de France et de Brabant (Paris), November 18, 1792, pp. 2-3.

Nine<sup>1</sup> and other committees. Rouyer proposed a decree specifying continuation of work on the camp, regulating labor questions, and requiring that the Parisian contingent in the camp be no more numerous than those of the departments. Debate arose over whether work on the camp should be continued. Pénihères, deputy of Corrèze, stated the argument which was to be decisive. Large masses of men, he said, could become the tools of ambitious men. Who was to say that this camp would not become a dangerous center of sedition, eventually igniting civil war. Kersaint agreed. He said that the idea of withdrawing to this fortified camp at Paris in case of military defeat was unwise and unnecessary. France was no longer in Paris alone. It was in all 83 departments. Perhaps, concluded Kersaint, the camp had been justified when there was a treacherous executive. Now it was useless, and could become dangerous. The Convention decided to stop work on the camp, and it rejected the decree presented by Rouyer.<sup>2</sup>

This decision did not specify that the departmental guard was to be discontinued. It constituted, however, de facto recognition that the creation of the force would not go forward. The forty-eight sections of Paris seem to have felt that plans for the guard were continuing. On October 19 they presented an arrogant petition to the Convention in which they said, "They are proposing to you that you place yourselves on the level of tyrants by surrounding yourselves with a guard isolated and distinct from what is essentially the public police force."<sup>3</sup> The President of the Convention replied that

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<sup>1</sup>The Commission created by the decree of September 24.

<sup>2</sup>Archives parlementaires, LII, 507-510.      <sup>3</sup>Ibid., p. 582.

the Convention would take orders only from the French people. The deputies rebuffed the sections by going on to the order of the day. The attitude of the Convention, however, did not indicate a determination to carry on with the plan. Over the next several weeks petitions arrived advocating one or the other points of view on the question, but the plan was quietly dropped and no more mention made of it in the Convention.

Like the proposed departmental guard, Kersaint's idea for a law against provocateurs became the subject for involved debates. When he made the proposal, Kersaint sounded something like a terrorist. "It is time," he declared, "to raise the scaffolds for those who provoke assassinations as well as for those who commit them." Paris deputy Collot d'Herbois, sounding like those who he himself would later call "aristocrats," objected, "They are proposing to you une loi de sang."<sup>1</sup>

Basire, deputy of Côte-d'Or, made the real issue clear. It was the issue of popularly-inspired revolutionary measures. Basire said, "I also censure the murders and assassinations which have dishonored the Revolution since August 10; but I observe that France is still in a state of crisis and revolution, and the people have had to take vigorous measures."<sup>2</sup> A heated debate followed. Vergniaud, deputy of the Gironde and famous orator of the Legislative Assembly, Lanjuinais, Buzot and others, arguing in favor of Kersaint's proposal, claimed that France was in a state of anarchy which had to be stopped. Opponents, such as Collot d'Herbois, Tallien, and Fabre d'Eglantine,

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<sup>1</sup>Ibid., pp. 124-125.      <sup>2</sup>Ibid., p. 124.

poet and deputy of Paris, argued that the law would be repressive, would hinder action against the enemies of the Revolution, and was not needed because the ordinary law code forbade murders and assassinations. To this latter point Lanjuinais and Buzot responded that there were no specific laws against those who provoked murders and assassinations.<sup>1</sup>

It began to appear, as would become clearer later, that the law against incitement to various crimes would be an extraordinary measure which might infringe on ordinarily accepted individual liberties. Yet it would also hinder or prevent extraordinary measures by bodies other than the Convention, measures called "revolutionary" by supporters and "anarchical" by opponents.

Roland's letter to the Convention, which preceded and provoked Kersaint's proposal, described the latest of such measures to take place: "Popular executions" at Chalons-sur-Marne.<sup>2</sup> Kersaint and his supporters were determined to centralize the defense of the Revolution in lawfully empowered bodies and ultimately in the Convention. Their opponents considered it necessary to allow popular groups to exercise this power directly, to give local authorities the right to independent judgment. In a crisis nothing should hinder the punishment of enemies of the Revolution, nothing should restrict the "people" in their defense of the Revolution. The majority of the Convention was not trusted to do the job. Thus the paradox: both sides willing to use extraordinary measures, but for different ends and through different channels.

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<sup>1</sup>Ibid., pp. 124-127.

<sup>2</sup>Ibid., p. 124.

It will be recalled that one of the objections to the law against provocateurs was that there was already provision in the penal code for incitement to crime. As Tallien was reading the code to prove this point, he was interrupted. Louvet de Couvrai rushed to the podium. What has just been read to you, he declared, proves that there is no provision in the penal code for the crime under discussion. He continued, "Citizens, good laws are not those that punish crimes already committed, but those that prevent the crime from being committed."<sup>1</sup> In other words, to prevent a crime one had to stop noncriminal acts. In the context of Louvet's speech, this meant infringing on ordinarily accepted freedoms of speech and press. Thus was brashly revealed for all to see the extraordinary nature of the law.

Further debate was aroused on October 27 by Buzot, who reported for the Commission charged with elaborating a proposal for a law against provocateurs. The Commission proposed a decree to punish anyone who in writing or speech ". . . would have willfully provoked or counseled murder, assassination or sedition. . . ." <sup>2</sup> Punishment would be meted out whether or not the provocation was followed by a crime. Death would be the punishment if it was. The printers and distributors of such writings would also be punished.<sup>3</sup> Bailleul, deputy of Seine-Inférieure, opened discussion of the measure on October 30 by calling it insufficient. He felt that it should include direct or indirect provocation with or without a specific victim. Furthermore, anyone calling public authorities traitors should immediately be

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<sup>1</sup>Ibid., p. 127.

<sup>2</sup>Ibid., LIII, 12.

<sup>3</sup>Ibid., pp. 12-13.

arrested. Ducos, deputy of the Gironde, suggested sending Bailleul's proposed article to the Grand Inquisitor. Bailleul defended himself. "It is a loi de circonstance. A time when people seek to preach insurrection is not the time to be frightened by the severe measures that our situation requires."<sup>1</sup> Had the issue been different, these words could have been those of the most frightful terrorists of 1793.

Billaud-Varenne, deputy of Paris, accused Bailleul of wanting to "muzzle" the French people. Lepeletier de Saint-Fargeau, deputy of Yonne, used the occasion to deliver his famous speech in favor of complete freedom of the press. Danton followed with the exclamation, "La liberté de la presse ou la mort."<sup>2</sup>

Louvet de Couvrai's accusations against Robespierre and Marat provide insight into the motives of those supporting the proposed decree. Louvet's most important accusation was that Robespierre was planning to become dictator. His instrument was the Paris Commune, which Louvet supposed Robespierre controlled. Robespierre sought to subordinate the national authority to the power of the municipality. The means were slander, assassination and massacre. The purest patriots were being persecuted. Thus Louvet accused Robespierre of the very crimes the proposed law was meant to suppress. Among the emergency measures recommended by Louvet to cope with the situation was the law against provocateurs. He also recommended giving the Executive Council sufficient armed forces to repress insurrection and sedition.<sup>3</sup> Louvet considered the Convention to be in danger. The only way to defend it was to enact repressive legislation against

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<sup>1</sup>Ibid., p. 75.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., pp. 56-57.

those who would compete with the Convention for power.

The debates over the departmental guard and the law against provocateurs provided the spectacle of future proponents of revolutionary government opposing revolutionary measures, and opponents of revolutionary government being the primary advocates of these same measures. A third instance of this reversal of roles occurred on October 30 when Roland informed the Convention that he had suspended the Paris Commune's mailing of addresses to all the administrative bodies of France. The reason given was that Roland considered the sending of the addresses and their use of the name of Pétion, the former mayor of Paris who was now a deputy of Eure-et-Loire, to be irregular. The reading of Roland's message met with ". . . hostile murmurs on the extreme left--applause on the other benches of the assembly."<sup>1</sup> The action taken by the minister of the interior was clearly an extraordinary one which he considered necessary to protect the Revolution. Buzot, Kersaint and others defended the minister. Chabot of Allier and Cambon, however, led an attack on Roland on the grounds that his action was, or at least may have been, a violation of the secrecy of the mails. A compromise was proposed by Barère of Hautes-Pyrénées, supported by Pétion and adopted by the Convention. Without implying that Roland was at fault, the minister was asked to explain to the Convention how and why he had suspected the sending of the package.<sup>2</sup> Eventually the matter was settled amicably, with Roland and the Commune explaining their actions to the Convention satisfactorily.<sup>3</sup>

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<sup>1</sup>Ibid., p. 73.

<sup>2</sup>Ibid., pp. 73-74.

<sup>3</sup>Ibid., pp. 77, and 94-95.

The left's opposition to granting Roland extraordinary powers is indicative of its mistrust of the right. If Louvet and his associates accused Robespierre of aspirations to dictatorship on the grounds of his power in Paris, Robespierre and his friends accused the "Brissotins" of similar aspirations on grounds of their supposed control of the Convention and key ministries. On October 29 Augustin Robespierre who, like his older and more famous brother, was a deputy of Paris, charged in the Jacobin Club that the opposition had captured both the legislative and the executive powers.<sup>1</sup> Roland, as a close associate of the "Brissotins," was a prime subject for such accusations. On December 12 Maximilien Robespierre said that there would be despotism as long as Roland was minister, and that the "faction brissotine" held all powers.<sup>2</sup> These fears of executive despotism led to demands from the left for the strict subordination of the executive to the legislative power for the purpose of weakening the former. As early as September 23--for these enmities preceded the convocation of the Convention--Collot d'Herbois said that there should be no separate executive but simply "agents for execution."<sup>3</sup> A short time later Bentabole, deputy of Bas-Rhin, claimed that the ministers were more powerful than the Convention, when really they should only "slavishly" obey its orders.<sup>4</sup> The left's fear of "Brissotin" dictatorship places

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<sup>1</sup>Journal des débats de la société des amis de la constitution s'éant aux Jacobins à Paris, November 2, 1792, p. 1. (Hereinafter referred to as Journal des débats Jacobins.)

<sup>2</sup>F.-A. Aulard, ed., La Société des jacobins: recueil de documents pour l'histoire du club des jacobins de Paris (6 vols.; Paris; 1889-1897), IV, 573-575. (Hereinafter referred to as Jacobins.)

<sup>3</sup>Ibid., IV, 326.      <sup>4</sup>Ibid., pp. 364-365.

their opposition to the revolutionary measures of the fall of 1792 in clearer perspective.

Of course, the enemies of the left were found in the Convention as well as in the ministry. Thus, it would seem that some left-wing deputies were dissatisfied with the whole temporary régime which they did not control. Just as later in the year the opponents of the Revolutionary Government would call for the implementation of a constitution, so now there was heard a call for the quick organization of a permanent government.

Chabot, very vocal in this period in defense of Paris, was the strongest voice demanding a constitution. On September 23 he declared that the government had to be "bientôt fixé." He disagreed with those who said the whole plan of government had to be presented at one time en masse.<sup>1</sup> The next day he proposed to the Jacobins that they discuss the ways to "force" the Convention to organize the Government rapidly. He feared that liberty was doomed if the constitution was not written by the end of December. Chabot encountered opposition. Some objected to the use of the word "force." Levasseur, deputy of Sarthe, said that the formation of a government should come after the defeat of foreign and domestic enemies.<sup>2</sup> On December 12 Chabot renewed his appeal.<sup>3</sup> Apparently, enough Jacobins felt the other side could be handled in other ways. No action was taken on Chabot's proposal, but the fact that it was made indicates that he sensed danger from the right.<sup>4</sup>

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<sup>1</sup>Ibid., p. 320.    <sup>2</sup>Ibid., pp. 329-331.    <sup>3</sup>Ibid., p. 577.

<sup>4</sup>Saint-Just and Merlin de Thionville held similar views (infra, pp. 49-50).

An incident which clearly pointed out the general attitude toward extraordinary measures in the fall of 1792 occurred on October 2. It concerned the petition of a certain Antoine-François Cappy requesting his release from prison. Cappy claimed to have been placed there by an arbitrary order of the Commune. The same Buzot who so strongly called for extraordinary legislation against provocateurs took a different tack, for now it was the Commune accused of an arbitrary act. Men must finally be given their rights, said Buzot. "Undoubtedly nothing seems more detestable to the truly free man than that sort of arbitrariness that immolates all rights and all principles under the often specious pretext of the public welfare."<sup>1</sup> This was an argument which could have been used against his law on provocateurs. Marat, of course, saw these arguments in favor of liberty and legality--when they came from the mouth of a Buzot or a Vergniaud--as a pretext to defend counter-revolutionaries.<sup>2</sup>

Shortly after the debate on Cappy, in the same session, Delaunay d'Angers, deputy of Maine-et-Loire, delivered a report for the Committee of General Security concerning arrests made since August 10. Delaunay admitted the need for revolutionary measures. "Following a revolution that upsets formerly existing relationships, one is forced to employ strong and extraordinary measures which are not within the law. . . ."<sup>3</sup> He warned, however, that if revolutionary disorder was prolonged, it could bring ruin. He therefore told the Convention,

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<sup>1</sup>Archives parlementaires, LII, 274.

<sup>2</sup>Journal de la République française, October 10, 1792, p. 4.

<sup>3</sup>Archives parlementaires, LII, 84.

". . . your decisions must primarily bear on the re-establishment of order, the renewal of the spirit of subordination, the means to give strength to the authorities and to prevent the spilling of a single drop of human blood under any sword other than that of the law."

Since the arrests made by the Commune were of doubtful legality, the Convention, through its Committee of General Security, should examine them and decide on the justice of each. The proposal was adopted. The tone of Delaunay's report was moderate and not denunciatory. But it made one thing clear. Authority was to be reasserted, and if the Commune did not have the legal right to make certain arrests, then the Convention would not allow such arrests. In adopting this proposal, the Convention was asserting its authority. Competition with the Commune was a motive for the enactment of the decree. Delaunay expressed the deputies' fear: "If the authority of the representatives of the people could one day be degraded or unrecognized, . . . society would be dissolved and nothing would remain for us but to groan under the ruins of liberty."<sup>1</sup>

Political and moral issues were thus inextricably intertwined. The question of Cappy was not simply one of the freedom of the individual as opposed to the needs of society. The authority and honor of the Commune were also in question. When on October 8 Vergniaud raised the question of Cappy again, he phrased his statement in such a way as to imply that the Commune had imprisoned Cappy arbitrarily, thereby justifying the prisoner's release.<sup>2</sup> Thuriot objected. The Revolution, he asserted, justified putting aside the

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<sup>1</sup>Ibid., p. 285.      <sup>2</sup>Ibid., p. 391.

law to save the patrie. Camus, deputy of Marne, disagreed with Thuriot. "The time of revolution has passed, and the extraordinary measures which might have been beneficial at that time are today illegal and dangerous."<sup>1</sup> Camus's proposal for further investigation of arrests and for the liberation of all citizens against whom there was no arrest warrant or decree of accusation was adopted. The basic disagreement was not whether revolutionary measures were right or wrong, but whether or not the Revolution was still in progress.

The punishment of émigrés was a revolutionary measure which everyone agreed was necessary. Differences arose over the harshness of the punishments. On October 2 Osselin, in the name of the Committee of Legislation, presented a decree concerning the émigrés.<sup>2</sup> This began the process of discussion on the question. On the ninth the sentence of death was decreed for émigrés captured with arms in hand.<sup>3</sup> On the twenty-third Osselin explained his proposals. He distinguished between two types of émigrés. The first was defined as anyone who had left France since July 1, 1789 to live in countries with which France was at war. They were to be punished by death and the confiscation of property.<sup>4</sup> By implication any émigré in the first category who fell into French hands, even if he had returned to France before the law was enacted, would be subject to the death penalty. This was, indeed, a stringent proposal.

Garnier de Saintes, deputy of Charente-Inférieure, objected that Osselin's plan was incomplete and too lax. It must punish all

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<sup>1</sup>Ibid., p. 392.      <sup>2</sup>Ibid., pp. 285-287.      <sup>3</sup>Ibid., pp. 408-409.

<sup>4</sup>Ibid., pp. 632-633.

émigrés without distinction. He claimed that those who had emigrated to neutral countries were also conspiring against France. Would the Convention want these "assassins" to return, bringing back with them ". . . the germ of corruption and vice"? The decree was incomplete because, for example, it was necessary to punish those who sought to intimidate the purchasers of national lands. Garnier's ideas seemed to receive considerable support, but Osselin objected. He said that to pronounce the death penalty against all émigrés would be "immoral and barbarous."<sup>1</sup> Buzot answered Osselin's point. It was true, he said, that there were different types of émigrés, some worse than others. It would be unjust to punish them all with death. But if the law made a distinction, it would become useless because any émigrés could simply re-enter France through a neutral country. In light of these considerations, Buzot proposed the perpetual banishment of all émigrés and death for those who returned in violation of the law, without prejudicing the preceding decree of death for all émigrés captured with arms in hand. Danton lent his strong support. The émigrés had banished themselves, he said, and the Convention would make this banishment perpetual. Camille Desmoulins, journalist and deputy of Paris famous for his role in the events leading to the fall of the Bastille, protested the haste with which the Convention was preparing to enact Buzot's proposal. He characterized the proposal as harsher than the revocation of the edict of Nantes. Tallien complained that no consideration was being given to women, children and old people who had been forced to emigrate by their relatives. One

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<sup>1</sup>Ibid., p. 634.

did not wish to punish émigrés as such, he said, but only "fugitives and rebels." The Convention ignored these objections and adopted Buzot's proposal.<sup>1</sup>

The Buzot proposal was wiser than Osselin's original. It was harsher because it encompassed all émigrés without distinction, but more humane because no one would be executed for the simple fact of having been an émigré. Factional differences do not seem to have effected the debate. All were in favor of some law of this nature. Disagreements concerned methods of implementation. As if to confirm this view, the two men who objected on grounds of excessive harshness were members of the left.<sup>2</sup>

On November 12 Osselin read a new project for the Committee of Legislation. Included were points already adopted, or simply proposed, in previous discussions. For example it included the perpetual banishment of émigrés, and a prohibition against disturbing the buyers of émigré property. Articles three and four distinguished between émigrés and others who were abroad but exempt from the law. Children, artists, businessmen and others had varying forms of exemption.

After Osselin read the project several unnamed members objected to the exception in favor of children. It was said that like their parents they had in their hearts the "germ of pride." It was said that they would "corrupt our morals." Others found the year's time allowed for their return and the upper age limit of sixteen years excessively lenient. Pétion and Danton took the other side. How, they said, could

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<sup>1</sup>Ibid., pp. 634-635.

<sup>2</sup>Kuscinski, Dictionnaire, pp. 202-203, and 575.

mere children be held responsible for actions they did not commit of their own free will. The fear that children might inherit the property of their banished parents must have been behind much of the opposition to exceptions in favor of children, for Garrau, deputy of the Gironde, spent considerable effort demonstrating that this fear was groundless. The Convention finally adopted the principle of making some exceptions for children under the age of fourteen. Billaud-Varenne, who strongly opposed any exceptions for children, was able to persuade the Convention to exclude from the exemption young people who had taken up arms against France.<sup>1</sup>

On November 17 the debate on the émigrés continued with the suggestion of more exceptions. Manuel, deputy of Paris, said that those who had fled "brigands" should not be considered émigrés. Others argued in favor of exceptions for businessmen and artists who might be abroad. All were refused by the Convention. As one unnamed member put it, the law might seem unjust, but it was ". . . une loi de circonstance, une loi de guerre, . . ." To allow the exceptions would make the law ineffective.<sup>2</sup>

An area of concern, in which there was growing awareness of the need for extraordinary measures, was the economy. Where the émigrés were concerned, it was necessary to take effective measures for fear of popular violence such as had occurred on September 2. On economic matters popular pressure was more direct and vocal. As Rudé and Soboul have demonstrated, such matters were uppermost in the minds of

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<sup>1</sup>Archives parlementaires, LIII, 368-371.

<sup>2</sup>Ibid., p. 456.

the sans-culottes, and their pressure on the Convention played an important role in obtaining legislation.<sup>1</sup>

The Convention became aware of the problem gradually. On October 7 a deputation of the section of Réunion called for the death sentence for speculating in specie and paper currency. The request was sent to the committee on assignats and money.<sup>2</sup> On November 3 a deputation from the city of Lyons came to the Convention painting a grim picture of the food shortage in their city. They asked that something be done about the situation. Vergniaud was completely unsympathetic. He questioned the prudence of spreading such alarms, and indicated that fears of food shortage were exaggerated. Then Fabre, deputy of Hérault, announced that the report on food of the committee of agriculture and commerce was ready. He was allowed to present it immediately.

Fabre's proposals were relatively mild. They were extraordinary, but no more so than had been common under the old régime. He spoke of the need for a small sacrifice of property rights in order to enjoy better those which remained. This was a common eighteenth century idea, not particularly associated with revolutionary government. Fabre advocated the sacrifice of a certain amount of liberty to provide necessary food supplies. Thus, in time of famine, those who had wheat

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<sup>1</sup>George Rudé, The Crowd in the French Revolution (London: Oxford University Press, 1959), pp. 200-207; Albert Soboul, Les Sans-culottes parisiens en l'an II: Mouvement populaire et gouvernement révolutionnaire, 2 juin 1793 - 9 thermidor an II (Paris: Librairie Clavreuil, 1958), pp. 51 et seqq., and 116 et seqq. (Hereinafter referred to as Les Sans-culottes parisiens.)

<sup>2</sup>Archives parlementaires, LII, 389.

could be forced to sell it. Specific proposals were mild, requiring the sale of grain, forbidding its export and placing money at the disposal of the minister of the interior for its purchase abroad. The Convention ordered the printing of the project. It should be noted that there was no proposal for price fixing. Indeed, local authorities were expressly forbidden to control prices.<sup>1</sup>

Delacroix, deputy of Eure-et-Loire, proposed that in order to calm fears, new funds should immediately be given to the minister of the interior to purchase grain abroad. Chabot objected. He asked what the minister, Roland, had done with funds placed at his disposal by the Legislative Assembly. Had prices not continued to rise? Was it not possible that his agents were purposely augmenting the price, using famine to oppress the people? "The free circulation of grain," said Chabot, "that is the great cure for your ills. The paternal administration of the municipalities, that is the second remedy. For there is no one who knows better the needs of the local people than the local administrators."<sup>2</sup> Here was a future supporter of strong revolutionary measures<sup>3</sup> calling for freedom of the grain trade and local control. What could explain this but an antipathy for Roland and his administration? The political issue again superseded the question of revolutionary government.

As has been pointed out, the Convention's sense of urgency over food in the early fall was not great. When on November 5, Sergent, deputy of Paris, asked for the death penalty for speculators who were manipulating supplies for the army, the Convention adjourned the

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<sup>1</sup>Ibid., LIII, 130-132.

<sup>2</sup>Ibid., p. 133.

<sup>3</sup>Infra, p. 341.

proposal.<sup>1</sup> But the sense of urgency grew. After November 16, when the Committee on Subsistence presented a report on the prevention of hoarding, a long discussion took place.

In this discussion basic disagreements began to emerge more clearly. Fayau, deputy of the Vendée, admitting that he might be accused of attacking property, said, "Is there a virtuous citizen who, under these circumstances, has something of his own?"<sup>2</sup> Complete freedom of grain trade, he said, gave the hoarders a free hand. Pétion, on the other hand, made an appeal to preserve complete freedom of trade in spite of disturbances which had taken place in the departments as a result of the food shortage.<sup>3</sup>

Discussion of the freedom of the grain trade evoked assertions to the effect that freedom from starvation was a right which superseded all other rights. On November 15 Beffroy, deputy of Aisne, said that the right of property was being used by criminals as a pretext to hoard grain. The most essential property, he continued, was existence; it was the only completely inalienable property. He called for the regulation of the grain market to prevent hoarding.<sup>4</sup> The establishment of priorities above the maintenance of absolute liberty was a basic step in the direction of revolutionary government. As Robespierre put it, freedom of trade was necessary up to the point

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<sup>1</sup>Archives parlementaires, LIII, 157.

<sup>2</sup>Ibid., p. 659.      <sup>3</sup>Ibid., p. 679.

<sup>4</sup>Louis-Etienne Beffroy, Opinion de Louis-Etienne Beffroy, député du département de l'Aisne, concernant la révision des loix sur les subsistances. Prononcée le 15 Novembre 1792, l'an premier de la République française (Paris: Imprimerie Nationale, 1792), 18 pp.

where "murderous greed" began to abuse it. He said that economic theorists were wrong to consider food like any other article of trade. Certainly they had not taken into account revolutionary circumstances. No one had the right to speculate with food.

What is the first objective of society? It is to maintain the inalienable rights of man.

What is the first of these rights? That of existence.<sup>1</sup>

At this point, however, Robespierre's ideas were not radical. He recommended adoption of a proposal by Levasseur which sought to force growers to sell their grain on the open market.<sup>2</sup>

Marat's approach was less theoretical than Robespierre's, but tended in the same direction. Freedom of commerce would just lead back to despotism via misery. "No," said Marat, "a time when the people have been given over to the horrors of misery and hunger is not the time to speak of the maintenance of laws, distributive justice and the care not to hinder commerce. . . ."<sup>3</sup> Like Robespierre, Marat made no far-reaching proposals. He only wanted vigorous prosecution of hoarders, and for local officials to force grain onto the market.<sup>4</sup>

The basic question was posed: limited versus unlimited freedom of trade in grain. The Convention decreed that proponents of each point of view should write separate reports.<sup>5</sup> When the reports were presented, the lines of battle on the entire question of revolutionary government began to emerge more clearly. The men who supported extraordinary measures directed against the Commune now opposed them

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<sup>1</sup>Archives parlementaires, LIV, 45-46.      <sup>2</sup>Ibid., pp. 40-41.

<sup>3</sup>Journal de la République française, December 1, 1792, p. 8.

<sup>4</sup>Ibid., pp. 6-8.      <sup>5</sup>Archives parlementaires, LIV, 61.

in economic matters and vice versa. Even those who favored extraordinary economic measures, however, made no startling or radical proposals.

The reports were given on December 8. Beffroy spoke against free trade in grain. He asked the Convention to adopt the basic principle that freedom of trade could be modified by law according to the needs of the Republic. Barbaroux and Creuzé-Latouche, deputy of Vienne, gave reports advocating a grain trade free from almost all governmental interference, except for a prohibition on exports. In speaking for free grain trade, Barbaroux and Creuzé argued in terms of economic expediency, not abstract moral principles. Revolutionary government was not explicitly an issue, but implicitly it certainly was. After all their economic reasoning, the fact was that these men favored a free economy, even in revolutionary times.<sup>1</sup> The Convention, it seemed, agreed. With little discussion it adopted Creuzé-Latouche's proposal, the main article of which specified complete and absolute freedom of trade in grain. The Convention abolished what few controls were presently in force, notably a law allowing local authorities to compel peasants to sell their grain.<sup>2</sup>

The last major issue to be debated in the fall of 1792 again illustrated, as was the case with the other revolutionary measures proposed by the right, the ambiguous position of supporters of the Commune with regard to revolutionary government. This issue was the demand for the exile of all the Bourbons with the consequent expulsion

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<sup>1</sup>Ibid., pp. 668-687.

<sup>2</sup>Ibid., pp. 687-688; Godechot, Institutions, p. 410.

of Philippe Egalité, the former Duke of Orleans and now a deputy of Paris, from the Convention. Philippe Egalité was not only a deputy of Paris. He also sat with the Mountain.<sup>1</sup> This is enough to explain why many deputies of the left, supporters of the Commune and future proponents of revolutionary government, found themselves opposing the revolutionary measures directed against him. Out of the dispute, however, came further clarification of the deputies' views concerning revolutionary government.

The idea of exiling Philippe Egalité and the other Bourbons arose on December 16. A decree had just been passed to impose the death penalty on anyone who proposed disrupting the unity of the Republic. Supposedly in the spirit of this decree, Buzot offered the idea of exile as a measure which would really hurt the royalists. The left reacted coolly to the proposal. Saint-Just, deputy of Aisne and future member of the great Committee of Public Safety, agreed on the exile of the Bourbons, but questioned the motives of those who had first raised the issue. Sounding like one of the opponents of revolutionary government against whom he would later be struggling, Saint-Just protested that France had no laws. Under such circumstances dictatorship could arise.<sup>2</sup> He continued, "I demand that the rights of man and the principles of the Republic be laid down promptly."<sup>3</sup> He called upon the constitutional committee to present its proposed constitution simultaneously with the judgment of the king. Merlin de Thionville concurred with Saint-Just, and called for

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<sup>1</sup>Kuscinski, Dictionnaire, p. 240.

<sup>2</sup>Archives parlementaires, LV, 79-83.      <sup>3</sup>Ibid., p. 83.

an immediate reorganization of the Provisional Executive Council.

The attitude of Saint-Just, Merlin and others on the left was related to their charges that Roland aspired to more power, and perhaps sought to replace Louis with a new king. When they demanded Roland's resignation, the other side demanded the resignation of Pache, the minister of war who was friendly to the left. Barère, the compromiser as usual, presented a proposal for the exile of the Bourbons, the replacement of both Roland and Pache and a reorganization of the executive power through popular election. It should be noted that the last proposal amounted to a reorganization of the Revolutionary Government (though it was not called this), and not the enactment of a new constitution. Barère justified the departure of the Bourbons on the grounds that their fame made them dangerous. As for Roland and Pache, parties were forming around them, he said.<sup>1</sup>

Thuriot objected to one point of Barère's plan. Roland and Pache could return through the proposed popular election, especially Roland who had twenty-four million livres at his disposal for the purchase of food. Thuriot proposed that a measure be enacted to prevent his return. "And the sovereignty of the people?" objected a member. Thuriot responded, "The sovereignty of the people! Once the constitution is accepted, then all the limitations will be laid down, no one will have the right to take provisional measures for the safety of the people. I demand that they not be able to name either Roland or Pache . . . (loud interruptions) otherwise let them both alone."<sup>2</sup> Thuriot was perfectly aware that he was calling for a limitation on

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<sup>1</sup>Ibid., pp. 83-85.      <sup>2</sup>Ibid., p. 86.

popular sovereignty, but the best interests of the people had to be defended even in spite of the people. A basic tenet of revolutionary government thus became clear. It was an enlightened despotism; a government which might not be conducted according to the immediate will of the people, but which would be in their best long-range interests.<sup>1</sup> Of course, most important was the immediate political objective: get rid of Roland.

The president called on Barère to reread his proposal. Violent opposition to the exile of Philippe Egalité was mounted by the left. They claimed that the expulsion of a representative of the people violated the principle of popular sovereignty.<sup>2</sup> How ironic was this claim in light of what Thuriot had just said, and what was to take place on June 2, 1793. Barère, not yet allied with the left, replied, "You are not carrying out an ostracism, not passing a constitutional act, but a law of general security. Among the members of this family,

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<sup>1</sup>Another incident illustrated the view that democracy must be limited for the good of the people. On December 9, Guadet, deputy of the Gironde, proposed that members of the Convention be subject to recall by the primary assembly and that these assemblies be asked to examine each deputy. The Convention passed the decree. After all, was this not a legitimate exercise of popular sovereignty? But then cooler heads prevailed. The decree was sent for consideration to the constitutional committee. Manuel said the real purpose of the bill was to rid the Convention of several members, but it would provide an opportunity for intriguers. Guadet withdrew the proposal on the grounds that the aristocracy could use the occasion to foment trouble. (Archives Parlementaires, LIV, 713-714) In his speech of December 19 Robespierre branded the motion as an effort to ". . . enervate the national sovereignty." (Archives Parlementaires, LV, 163). It would seem, however, that the deputies were sensitive enough to their own interests to make the passage of any decree for the exclusion of one or more deputies extremely difficult. If this decree was passed the first time, it was because it seemed on the surface impossible to oppose.

<sup>2</sup>Ibid., LV, 86-87.

you find a man possessing national power. Are amendments or explanations necessary?" ". . . This is a case of carrying out a revolutionary measure."<sup>1</sup> Thus, Barère used the rhetoric of revolutionary government--the argument which would eventually be used by the left--against one of the members of the left, and over their vigorous objections. Barère denied that the expulsion of Philippe Egalité would set a precedent for other deputies, for unlike most deputies the Bourbons were outside common law.

Choudieu, deputy of Maine-et-Loire, receiving his applause from the left side of the hall, denied that "we," the minority who were fighting against the exclusion of Philippe Egalité, constituted that man's party. The Convention, he asserted, had not the right to expel a man invested with national sovereignty. He admitted, more consistently than some of his colleagues, that there might be some exceptions to this principle because the public safety came before anything else. But he objected to the rapidity with which certain members wanted the Convention to decide the issue. If the Convention excluded one deputy, it could exclude others. He was supported by Lecoite-Puyraveau, deputy of Deux-Sèvres. The Convention adjourned deliberation on the portion of the decree relating to Philippe Egalité, and later specifically exempted him from the provisions of the decree.<sup>2</sup> In spite of his exemption, however, the question of his expulsion from the Convention continued to be raised.

The defenders of Philippe Egalité generally did not question the principles of revolutionary government. They only objected to the

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<sup>1</sup>Ibid., p. 88.

<sup>2</sup>Ibid., pp. 88-89.

application of these principles in the case of Philippe Egalité. In the factional struggle each side sought to embarrass the other. The right saw the chance to force the left to defend the former Duke of Orleans by attacking him. The left not only saw one of its members on the point of being expelled from the Convention, but undoubtedly feared other expulsions in an assembly in which it had a minority. The majority of the deputies nevertheless were sensitive enough to the prerogatives of a deputy to act in favor of Philippe Egalité. In some cases lack of willingness to adopt extraordinary measures may have been involved. Laurent Lecointre of Seine-et-Oise, for example, asked for the repeal of the decree exiling the Bourbons, saying that it was unjust to punish someone for a crime he had not committed.<sup>1</sup> Lecointre did not think in terms of extraordinary measures, for he wished to preserve ordinary legal procedures.

The views of Robespierre on Philippe Egalité were interesting for their novelty. He agreed to the expulsion of Philippe Egalité, but he impugned the motives of those who urged it most strongly. He showed that he understood, better than anyone, the nature of and need for revolutionary government. In a speech to the Jacobins on December 16, Robespierre stated his support for Louvet's motion to exile all the Bourbons. The House of Orleans had conducted itself patriotically, he said, but no one knew if all its members would always do so. The exile of the Orleans family would not be a punishment. It was a "measure of security." If the "patriots" had appeared to defend Philippe Egalité, Robespierre continued, it was because they thought

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<sup>1</sup>Ibid., pp. 109-112.

they were defending principles. But the motion to exile Philippe Egalité was a trap set by "the faction." They wanted to make themselves seem republican, and the patriots seem orleanist. In view of the motives of the "Brissotins," the motion was dangerous. After having expelled Philippe Egalité they would want to expel other patriots. They were trying to establish the principle of the ostracizing of men disagreeable to them. Thus, concluded Robespierre, let us vote for the decree but oppose the consequences intended by the "Brissotins."<sup>1</sup>

Robespierre again had occasion to speak on the matter, this time in the Convention on December 19. A delegation led by the mayor of Paris, Chambon, had appeared to present a petition against the proposal to expel Philippe Egalité. In the commotion which ensued, Robespierre announced that he was going to denounce a plot to upset the public peace. The motion to expel Philippe Egalité, he said, had been intended to stir up an insurrection in Paris. He accused his enemies of hoping to convince the departments that the Convention was not safe in Paris, thereby having it transferred elsewhere. Robespierre implied that the "patriots," though he disagreed with them, were trying to adhere to principles in defending Philippe Egalité. The other side, Robespierre alleged, had purely political motives, aiming to embarrass the left and to set a precedent for future expulsions.<sup>2</sup>

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<sup>1</sup>Oeuvres de Maximilien Robespierre, Vol. IX: Discours 4<sup>e</sup> partie) septembre 1792 - 27 juillet 1793, ed. by Marc Bouloiseau et al. (Paris: Presses Universitaires de France, 1958), pp. 167-169. (Hereinafter referred to as Oeuvres, IX.)

<sup>2</sup>Archives parlementaires, LV, 162-163.

Motives are difficult to assess. If one has evil intentions he is not likely to write about them, even in private. We do not know in fact why each side took the position it did. Let us assume, therefore, that both idealism and hard-headed realism motivated both sides. One need not attribute ulterior motives only to Robespierre's enemies. Robespierre himself gave several good practical reasons for opposing the expulsion of Philippe Egalité. Most deputies of the left spoke only of popular sovereignty and due process of law. The right, on the other hand, argued in terms of revolutionary measures. If national security was one reason for the proposed expulsion, however, Robespierre cogently demonstrated that the right had other good reasons as well. He recognized that he and his friends were in a difficult position. To favor Philippe Egalité was compromising, but his expulsion would set a precedent dangerous for those who were in a minority in the Convention.

The argument of national security was cogent. A man with Philippe Egalité's reputation could eventually have used his name to assume supreme power. Robespierre fully accepted the idea of revolutionary government. His friends were talking about popular sovereignty and due process. He swept aside these principles and explicitly, in his speech to the Jacobins, recognized that the decree was a "measure of security." It was this willingness to place abstract rights after immediate security that was a distinguishing mark of revolutionary government.

Robespierre, in his speech of the nineteenth, gave another clue to the motives of all parties concerned when he claimed that the

"Brissotins," wanted to stir up trouble which they would use as an excuse to leave Paris. Robespierre could accept the expulsion of Philippe Egalité because he knew that if his enemies tried to follow the precedent with further expulsions, the Parisian sans-culottes would support the left. Yet his statement showed the left's fear that the Convention would leave Paris. Their enemies gave grounds for this fear. The deputies of the right and center were constantly talking about the Convention's lack of security in the city. That was, after all, what the dispute over the departmental guard was about. The issue of Paris was one of the dominant questions in the Convention before June 2, 1793.

It is possible to cite several examples of the tension created by the Parisian issue about the time of the discussion of Philippe Egalité. On December 15 Tallien suggested that the Paris Commune might refuse to enforce any decree of the Convention which is considered not to be in the national interest. He added, of course, that he did not advocate such action by the Commune. The Convention felt strongly enough about the implied threat to take the unusual step of censuring Tallien.<sup>1</sup> Another instance occurred on December 19, during the debate over Philippe Egalité. Lanjuinais began complaining about disorders in the public galleries during a previous debate. This caused some noise in the galleries. Rouyer demanded that the minutes of the session be printed to show the departments just how the Convention was respected in Paris. Kersaint, by way of conciliation, suggested that the galleries police themselves, and then added the

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<sup>1</sup>Ibid., pp. 65-66.

threat: ". . . I am persuaded that they [the galleries] will realize that the greatest misfortune that they could call down upon the city of Paris, would be to remove the representatives of the people from it."<sup>1</sup> This brought interruption from the extreme left of the Convention.

Many of the left's fears with regard to the Parisian issue had been expressed on numerous occasions throughout the fall in the Jacobin Club. On October 12 Marat stated two of the left's most pressing anxieties. The first was that the "Brissotins" wanted to provoke the Commune and the sans-culottes to insurrection as a pretext for leaving Paris. The other idea was that the Convention had to stay in Paris if it was to remain "revolutionary."<sup>2</sup> Similar ideas were expressed by Chabot on October 19 and by Basire on November 4.<sup>3</sup> On December 7 Robespierre said that the "enemies of liberty" were trying to provoke an insurrection in Paris. He advised the people against disorder, and urged the Jacobins to oppose any insurrection.<sup>4</sup> On December 8 the Jacobins voted approval of an address to the people warning against insurrection and calling for respect for the law.<sup>5</sup>

Following Robespierre's speech of December 19 in the Convention, Lanjuinais made statements which show a relationship between the issues of Philippe Egalité and Paris. The exile of Philippe Egalité, he said, was a measure of general security which could take place

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<sup>1</sup>Ibid., p. 167.

<sup>2</sup>Journal des débats Jacobins, October 14, 1792, p. 4.

<sup>3</sup>Aulard, Jacobins, IV, 404-406, and 452-455.

<sup>4</sup>Ibid., pp. 556-558.      <sup>5</sup>Ibid., pp. 559-561.

only once and only with regard to "royal citizens" whose hereditary pretensions made them dangerous. As for principles, the most important of these was the "public safety." "What it requires is everything that is necessary, everything that is possible." The expulsion was especially necessary, he said, ". . . in this city which is in a position to give the impulse to France, and that practically pretends to have the right to do so." He maintained that for the Convention to represent the nation, the presence of any particular individual was not necessary. The individual could be replaced by a substitute.<sup>1</sup> Lanjuinais would be speaking quite differently after June 2.<sup>2</sup> The point is, however, that Paris entered significantly into his thinking on the issue of Philippe Egalité.

The long debate over the former Duke finally ended in compromise. Pétion, with Kersaint's support, proposed and obtained the suspension of the decree against the Bourbons, and also the postponement of the discussion of it until the judgment of Louis XVI.<sup>3</sup> Any doubt concerning the status of Philippe Egalité which may have been left, in spite of his previous exemption from the decree concerning the Bourbons, was temporarily removed.

The fall of 1792 was the time of the revolutionary government's infancy. A provisional revolutionary régime ruled France, but its terms had not yet been defined, and its nature and reason for being

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<sup>1</sup>Archives parlementaires, LV, 166.

<sup>2</sup>Jean-Denis Lanjuinais, Oeuvres (4 vols.; Paris: Dendey-Dupré Père et Fils, 1832), I, 211-231.

<sup>3</sup>Archives parlementaires, LV, 168-169.

were not yet explicitly understood. The basic principles which justified the existence of the revolutionary government were accepted by almost all the deputies. The sense of urgency was not yet intense enough, however, to force the enactment of the extremely rigorous measures which were to mark the establishment of a truly extraordinary régime beginning in the spring of 1793. Though revolutionary measures such as the law on émigrés were passed in the fall of 1792, the rhetoric of revolutionary government was used primarily to justify moves and countermoves in the continuous factional strife of the period. This factional strife was motivated primarily by the question of continued revolution which, in turn, tended to be centered around the Parisian issue. The advocates of continued revolution saw the influence of Paris as the means to force further change. Their opponents naturally wondered how the Revolution could ever be stopped if the Convention was constantly to be pressured by sans-culotte mobs. The advocates of continued revolution, therefore, sought to protect the Commune and other sans-culotte pressure groups from their opponents, who often seemed to command a majority in the Convention. After June 2, 1793, the proponents of continued revolution controlled the Convention. Popular revolutionary groups were repressed, and responsibility for continuing the Revolution was vested in the Convention and its committees.

## CHAPTER II

### THE DEPUTIES' VIEWS IN TRANSITION: THE GROWING ACCEPTANCE OF REVOLUTIONARY MEASURES

During the fall of 1792, the Convention considered itself empowered to take all necessary steps to save the Revolution, but no one foresaw a long period in which that body would dominate the national life. As December waned, it became clear that the Convention was indeed to be a long-lived affair. On December 24 Jean Debry, deputy of Aisne, went so far as to offer a plan for a provisional government which presaged the famous plan of Billaud-Varenne by one year.

Debry's project began with the statement, "The national convention declares that having received from the people the mission to see to the establishment of their constitution, it must be the sole authority which directs the Revolutionary movement; . . ."<sup>1</sup> Following the opening statement was a plan for an executive branch which would report regularly to the Convention, a state tribunal formed from members of the eighty-three criminal tribunals for trying crimes of treason and conspiracy, an assertion of the supremacy of the Convention over all governmental or quasi-governmental groups and individuals, and finally, the cessation of "the state of danger" and all measures concomitant

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<sup>1</sup>Archives parlementaires, LV, 384.

with it. The proposal was premature. The Convention decreed the printing of the speech, but failed to act upon it. The fact that Debry and his colleagues gave serious consideration to the matter, however, testified to the spreading conviction that the Convention would have to rule the country for some time to come. The proposed abolition of "the state of danger," however, showed that the sense of urgency which marked the later revolutionary government was still lacking.

Though the sense of crisis which later prompted the enactment of stringent emergency measures was not yet strongly felt, deputies became more accustomed to thinking in terms of revolutionary measures during this winter of transition. The issue of the king's trial was a primary factor in this intellectual evolution. Those who favored bringing Louis to judgment often argued in terms of revolutionary necessity. There was much resistance, however, to the wider use of extraordinary measures in this period. The split between opponents and proponents of strong revolutionary measures gradually began to emerge, though it would not become clear until the spring. In the great crisis of the spring of 1793, the optimism of Valmy disappeared, and the majority of the Convention was offered a clear choice between the men advocating strong revolutionary government and those opposing it.

The discussion on the fate of Louis XVI was the dominant issue in December. It was related to revolutionary government in two respects. First, the question of whether the Convention had the competence to judge the king bore on the powers of the Convention. Secondly, if the power of the Convention to try the king was accepted, it was then asked whether this trial was legal under the old constitution, or whether it

was an extra-legal revolutionary measure. Because of the nature of the major arguments against the trial of the king, complete opposition to the proceedings was an indication that a deputy did not accept the premises of revolutionary government. To endorse the trial showed a willingness to accept extraordinary procedures not provided for by anterior legislation. Many deputies who favored the trial tried to justify it legally, but all had to recognize that it was to some extent extraordinary.

The Committee of Legislation set the keynote on the discussion of Louis XVI with a report delivered by Mailhe, deputy of Haute-Garonne, on November 7. The basic questions were: could Louis be tried, and if so, should the Convention try him? If Louis was to be tried, the stumbling block of his inviolability under the Constitution of 1791 had to be overcome. Mailhe said that when the Constitution had been written it was felt that a monarchy could not exist without inviolability. Thus inviolability was instituted not for the good of the king, but for the good of the people as understood in 1791. Inviolability placed responsibility on the heads of the ministers who had to countersign royal acts. But the king had plotted without the ministers' countersignature. Furthermore, and more important, no one, not even the king with his inviolability, was above the nation. The nation's hands were not tied by inviolability. Thus the king could be tried by an assembly possessing all the nation's powers. The Convention could, therefore, try the king. The Convention decreed the printing and distribution of the report, discussion of which would begin at a later date.<sup>1</sup>

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<sup>1</sup>Ibid., LIII, 275-282.

In the week which followed this report, deputies issued numerous opinions on the question. It will not be possible to discuss each of these opinions. Instead, a representative selection of views on the basic question of whether the king could be tried will be studied.

Of the arguments which sought to justify the trial of Louis, those of Saint-Just were typical. To Saint-Just the king was special, his case being unlike that of an ordinary citizen. As king he was not a citizen with the rights of a citizen. He was a sort of foreigner. To be a king was in itself to be a criminal. Beyond this, Louis had committed treason and murder. It would, therefore, not be necessary to give the king the kind of rights a citizen would have under similar circumstances. The issue of inviolability was false. The contract guaranteeing it was invalid. It had never been truly accepted by the king, and would have been one-sided, binding the people, but not the king. The Constitution had set down rules to govern the relationships between citizens. It had never bound the sovereign people with regard to the government. No constitution could restrict the will of the sovereign in such a matter. For the same reason, the Convention, and not a special court, should try the king. A court could never pretend to judge between a king and the sovereign. Louis was, therefore, unlike any other man, almost beyond the pale of humanity. He could be judged by any means deemed appropriate by the sovereign people.<sup>1</sup>

Saint-Just had proved that the king could be tried, and that the Convention could try him in an extraordinary procedure. He did not specify precisely why the king should be tried. It was just assumed

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<sup>1</sup>Ibid., pp. 390-392.

that the king's crimes merited punishment. Though he saw the trial as an extraordinary measure, he did not go so far as to justify it simply in terms of necessity and expediency in the defense of the Revolution. Saint-Just's argument indicated acceptance of the basic premises of revolutionary government, but acceptance not carried to its logical extreme.

Of all those favoring the trial of the king, the arguments of Rabaut-Saint-Etienne, deputy of Aube, most nearly indicated a distaste for revolutionary government. He denied the omnipotence of the Convention. He even tried to maintain that the trial would not be an extraordinary procedure, though he could cite no prior law justifying it. Rabaut's basic point was one which, if strictly applied, would have made the revolutionary government impossible. It was that the legislative and judicial powers should never be joined. The nation, he argued, had never intended to confide the judicial power to the Convention. Such an exercise of power would be tyranny, even in the hands of the Convention. "Undoubtedly, the nation sent you, but to delegate the powers, not to exercise them all at the same time, because, I repeat, it is impossible that it wanted only to change masters."<sup>1</sup>

Some said, continued Rabaut, that the trial of Louis was extraordinary. Was it right for republicans to consider a king so special as to require a special trial? The prohibition against the joining of the judicial and legislative powers was a ". . . law eternally true in all free societies."<sup>2</sup> They said that the trial of the king by the Convention

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<sup>1</sup>Jean-Paul Rabaut-Saint-Etienne, Discours et opinions de Rabaut-Saint-Etienne (Paris: Henri Servier, 1827), p. 294.

<sup>2</sup>Ibid., p. 295.

was a political necessity. But it could be said just as easily that politics forbade it. Foreign tyrants would seize the opportunity to denounce the Convention as a pack of assassins. The extraordinary procedures would be used to divide France and spread anarchy. The Convention, furthermore, could do its proper job much better if it was relieved of the task of judging Louis. The solution was to create a court of law to judge the king.

Barbaroux also favored the trial, but arrived at his conclusion in yet another way. Louis could be judged, he said, because the constitutional provision of inviolability did not apply. But the trial was not an extraordinary measure. It was justified under the Constitution of 1791. The constitution had never given Louis the right to murder Frenchmen. Inviolability had only applied to acts of royalty, not to the crime of tyranny. It had not relieved the king of the necessity of obeying natural and civil laws applicable to all men. Louis could be judged by the national representatives, because they were authorized to do so by the people.<sup>1</sup>

It was left to Robespierre to give the best response to the sort of reasoning found in the statements of Rabaut and Barbaroux. His argument was characterized by a ruthless logic of which few others were capable. To Robespierre the whole question of the right of the Convention to take judicial power was irrelevant. It was not a judicial matter. To try Louis would throw the whole Revolution into question.

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<sup>1</sup>Charles-Jean-Marie Barbaroux, Opinion de Charles Barbaroux, de Marseille, député par le département des Bouches-du-Rhône à la Convention nationale, sur les moyens de défense de Louis Capet, tirés de l'inviolabilité constitutionnelle ([Paris]: Imprimerie Nationale, N.d.), pp. 3, and 7-8.

It would open the possibility of Louis' innocence and, therefore, of the Republic's illegitimacy. The judgment of Louis was a political, not a judicial matter. A dethroned king alive in exile or in prison was a danger to the Republic. Louis had to be executed for the safety of the Republic. That was why the death penalty was necessary in this case, whereas in ordinary criminal cases it was abhorrent.<sup>1</sup> "I utter with regret this fatal truth . . . Louis must die, because it is necessary for the patrie to live."<sup>2</sup> Robespierre's suggestion to keep the king's son in prison for the duration of the war lacked logic, but the basic argument was unassailable. Robespierre had gone to the extreme that Saint-Just had not quite been able to reach.

For all their differences, Saint-Just, Rabaut, Barbaroux and Robespierre agreed that the king could be judged. Not all deputies did. Barbaroux's argument was directed primarily against the conservative view that the king's inviolability under the Constitution of 1791 should be respected. This argument challenged the right of the all-powerful Convention to infringe on the overthrown constitution. Claude Fauchet, deputy of Calvados, represented this point of view. The Declaration of Rights, he said, prohibited ex post facto laws. No pre-existing law condemned a conspirator king to anything more than dethronement. Indeed, the king was formally exempted from punishment. This inviolability had been abused by Louis, Fauchet admitted, but it had to be respected. The king deserved death, but would be punished more severely by being allowed to live. To execute the king had no purpose, for the royalists would then give their loyalty to the king's

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<sup>1</sup>Archives parlementaires, LIV, 74-77.

<sup>2</sup>Ibid., p. 77.

son. "The repose of the patrie in violated justice! The repose of the patrie in a national crime! The repose of the patrie in a bloody infamy, which would horrify the whole earth! Citizens, justice, wisdom, courage, there is the repose of the patrie!"<sup>1</sup>

To draw general conclusions concerning the Convention's view on revolutionary government from its vote on the king is not possible. Certainly, it may safely be said that the majority of the deputies did not agree with Fauchet. That Louis was eventually tried and executed, shows that most of the deputies were willing to accept extraordinary proceedings. This fact simply confirms the view that the basic premises of revolutionary government were widely accepted. Beyond this, however, it would be dangerous to venture conclusions, for as our survey shows, even among those who favored the trial there was a wide variation of views. Such was this complexity, so great was the variety of motives, that a deputy's vote on the king did not necessarily have any relationship to his views concerning revolutionary government.

One of the first steps in the creation of a strong revolutionary government was taken with almost no controversy at the suggestion of a man who had little sympathy for revolutionary government. On January 1, 1793, Kersaint gave a speech on the danger of war with England. He suggested the creation of a committee to oversee the whole defense effort. The Convention thus created the Committee of General Defense with little significant discussion.<sup>2</sup> Charlier, deputy of Marne, had at that time complained that such a committee would enervate the ministries. This might have been the result had the Committee of General Defense

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<sup>1</sup>Ibid., LIII, 399.

<sup>2</sup>Ibid., LVI, 116-117.

exercised effective executive functions. In fact, it never became a powerful instrument of government.<sup>1</sup> Its importance was that it set a precedent for the later creation of the Committee of Public Safety.

Progress towards acceptance of revolutionary government was uneven. The Convention, for example, still hesitated to violate individual rights. The Committee of General Security, with its powers of arrest, became an important issue.

The Committee of General Security was created on October 2, 1792. Its thirty members were carried over from the Legislative Assembly's Committee of Surveillance, which had been provisionally maintained in office by the Convention.<sup>2</sup> On October 17 a revised list of members was approved by the Convention,<sup>3</sup> though this list was further modified because some deputies declined their nominations.<sup>4</sup> As finally determined, the membership included men of both the left and the right, but much to the discomfort of the Girondins, the Montagnards dominated the committee.<sup>5</sup> Of the deputies later proscribed as Girondins, only Fauchet, Kervélegan and Salle were members.<sup>6</sup> Notable Montagnards on the committee included Hérault de Séchelles, Basire, Chabot, Rovère, Ingrand,

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<sup>1</sup>Godechot, Institutions, pp. 306-307.

<sup>2</sup>Ibid., pp. 304-305; Archives parlementaires, LII, 278.

<sup>3</sup>Archives parlementaires, LII, 547.

<sup>4</sup>J. Guillaume, "Le Personnel du Comité de Sureté générale," La Révolution française: Revue d'histoire moderne et contemporaine, XXXIX (July-December, 1900), p. 135.

<sup>5</sup>Godechot, Institutions, p. 305.

<sup>6</sup>Guillaume, "Le Personnel du Comité de Sureté générale," p. 135; Sydenham, The Girondins, pp. 216-217.

Cavaignac, Bernard de Saintes, Tallien and Drouet.<sup>1</sup> Hérault de Séchelles, deputy of Seine-et-Oise, and Basire were respectively chosen as the Committee's president and vice president,<sup>2</sup> and along with Chabot were among the few noteworthy and forceful deputies among its members.

Several examples of the Convention's mistrust of the Committee of General Security and of its attitude toward individual rights may be cited. The first, having to do with the Committee's accusations against the painter Boze, must be interpreted cautiously because it involved important political figures. On January 3 Gasparin, deputy of Bouches-du-Rhône, denounced Boze as the intermediary in a correspondence between Vergniaud, Guadet, Gensonné and the king. The Convention ruled that seals would be placed on Boze's papers, and that he would be remanded to the bar of the Convention to give an explanation.<sup>3</sup> Kersaint and Chasset, deputy of Rhône-et-Loire, vigorously opposed allowing the papers of the accused to be read to the Convention if they were not directly related to the accusation. They criticized Magnon, a secretary of the Committee of General Security, for having taken it upon himself to read them. Kersaint called the Committee of General Security a "Comité inquisitorial."<sup>4</sup> Boze was finally exonerated and voted an honorable mention.<sup>5</sup> The Convention had given the Committee a slap on the wrist.

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<sup>1</sup>Guillaume, "Le Personnel du Comité de Sureté générale," p. 135; Godechot, Institutions, p. 305.

<sup>2</sup>Guillaume, "Le Personnel du Comité de Sureté générale," p. 135.

<sup>3</sup>Archives parlementaires, LVI, 168-169.

<sup>4</sup>Ibid., p. 182.      <sup>5</sup>Ibid., p. 186.

On January 7 citizen Rivarol the elder wrote to the Convention that he had been imprisoned unjustly by the Committee of General Security because he was mistaken for his younger brother. While some deputies defended the Committee, there was a great outcry of opposition. Manuel called on the Convention to look into the "despotism" of the Committee of General Security. Lesage, deputy of the Department of le Nord, called for an investigation. He claimed that the Committee was attacking individual liberty. Manuel argued that the people must be made to like the new order, and therefore they must be shown that the reign of law was beginning. Buzot called for the addition of some new members to double the size of the Committee, while Chambon asked for a complete change in its membership. Chambon further suggested that the "frightful and revolutionary power" possessed by the Committee of General Security should be modified because the Revolution was over. This remark elicited exclamations of disapproval from the far left.<sup>1</sup> Chambon continued, "I said that, because every day I hear from the same ones who are interrupting me that a third revolution is necessary."<sup>2</sup> Genissieu, deputy of Isère, and Lehardy, deputy of Morbihan, proposed limitations on the powers of the Committee, limitations which Duhem, deputy of le Nord, claimed would favor counter-revolution. But the Convention did enact certain limitations. The number of members on the Committee was to be doubled, arrest warrants would require a two-thirds vote of the membership, with a quorum of eighteen required for such action. The Committee would be required to inform the Convention every

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<sup>1</sup>Ibid., pp. 259-260.      <sup>2</sup>Ibid., p. 260.

eighteen days of the arrest warrants it had issued.<sup>1</sup>

The list of new members was read on the ninth. Marat declared that there was a conspiracy, and Chabot cried, "This will no longer be a committee of general security, it will be a committee of counter-revolution."<sup>2</sup> The new members were considered Girondins.<sup>3</sup>

Anxieties over counter-revolution soon caused the Convention to take repressive measures in spite of its reluctance. On January 13, 1793, the General Council of Rouen sent word to the Convention of the upsurge of counter-revolutionary activity in the area. Thuriot warned the Convention of the danger of civil war, and proposed that "strong measures" be taken. At first the right was skeptical, but then the whole assembly seemed to be affected by a consciousness of the need to support Thuriot's proposals. The editor of a Rouen newspaper was indicted, and the minister of justice was directed to apprehend and prosecute rebels in that city. The Convention also decided to address the French people on the dangers of seditious writings.<sup>4</sup>

An incident occurring soon after the Convention's action on Rouen pointed out the nature of the political struggle in the Convention and its effect on revolutionary government. On Monday, January 14, the day Louis XVI was to be judged, Buzot informed the Convention that theaters in Paris were to be closed on the orders of the municipality. He

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<sup>1</sup>Ibid., p. 260. However, the Committee remained at thirty, and the quorum requirement was not enforced (Guillaume, "Le Personnel du Comité de Sureté générale," pp. 137-138).

<sup>2</sup>Archives parlementaires, LVI, 617.

<sup>3</sup>Godechot, Institutions, p. 305.

<sup>4</sup>Archives parlementaires, LVII, 36-37.

considered this and the resulting idleness dangerous on such a day. His fears may have been sincere. In any event, they showed that Buzot and his friends still wanted to harness Paris. Buzot demanded that the Convention supervise the policing of Paris. Thuriot answered that the action of the Commune was in the interest of security in that it closed places where undesirable elements could gather. He asked the Convention to ignore Buzot's proposal. Responsibility for police, he said, rested with the Commune. The Convention ". . . does not have such powers as to enable it to stop such a measure."<sup>1</sup> Seconds, deputy of Aveyron, said that Thuriot should be called to order because the Convention "has all power." Gensonné concurred, saying that the Convention had an unquestionable right to oversee general security, especially in the city where it was meeting. He continued, "I ask that you decree that the police power in Paris belongs to you."<sup>2</sup> At this, violent murmurs were heard from the extreme left. He asked that the Commune be obliged to refer to the Convention before taking any measure of general security. Quinette, deputy of Aisne, pointed out that the Convention had already decreed that the Executive Council would take all measures of general security during the king's trial. After some discussion the Convention went on to the order of the day reiterating the Council's responsibility in the matter.

It was with astounding inconsistency that Thuriot could in one breath have demanded that the Convention take a measure of security in Rouen, while in another deny that the Convention had the power to take a similar measure in Paris. At the same time, his opponents in this

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<sup>1</sup>Ibid., p. 44.

<sup>2</sup>Ibid., p. 45.

debate, advocates of the omnipotence of the Convention, contradicted themselves in other discussions. Obviously, the Paris Commune rather than the theory of revolutionary government was the real issue. A week later the same issue would arise, and another well known advocate of revolutionary government, Robespierre, would oppose the assumption of police powers in Paris by the Convention.<sup>1</sup>

A discussion issuing from the preceding one pitted Thuriot against Pétion and Guadet. On January 16 Bancal<sup>2</sup> reported that pursuant to the Convention's orders, the Executive Council had decided to permit plays, but had requested directors not to present provocative ones. He asked the Convention to annul the Council's order, which he thought was a flagrant violation of freedom of speech. Thuriot now took the position that the Executive Council and the municipality could do anything to maintain order. Pétion saw the threat of general censorship looming, and Guadet pointed out the great danger of allowing any authority to go beyond the law. The Convention voted to revoke the decree of the Executive Council.<sup>3</sup> Thuriot was consistent in his defense of the Commune but not in his contention that the executive power, along with the Commune, had full power in police matters. After all, the Council had been empowered by the Convention. The arguments of Guadet and Pétion were inconsistent with previous positions in which they had

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<sup>1</sup>Infra, p. 75.

<sup>2</sup>Spelled Banéal in Archives parlementaires, but neither Kuscinski nor Guillaume lists such a deputy. It will be assumed here and henceforth that Banéal was really Bancal, deputy of Puy-de-Dôme, who was the only deputy whose name resembled Banéal.

<sup>3</sup>Archives parlementaires, LVII, 331-332.

maintained the omnipotence of the Convention. They also showed more sensitivity to censorship than they had when they supported the law against provocateurs.

One of the great turning points of this period was the assassination of Lepeletier-Saint-Fargeau. Supporters of revolutionary government took to the offensive. The Committee of General Security, which had been reconstituted shortly before, became the main objective. On January 21 Bентаbole, discussing the lessons to be learned from the assassination, called for "vigorous and extraordinary" measures. Several months ago, he continued, the Committee of General Security was being denounced for doing its job. Its membership was changed, and the very people who were criticizing it most loudly were placed on it as members. It was they who now were hindering its activities. He called for the immediate renewal of the Committee. The proposal was supported by the left. After an interlude of personal invective, several deputies including Louis Legendre and Maribon-Montaut, both of Paris, made proposals for changing the Committee.<sup>1</sup>

Bréard, deputy of Charente-Inférieure, then added a call for domiciliary visits, directed by the Convention, to search out undesirables residing in Paris. He also called on the Convention to police Paris directly. Barère, with the support of Robespierre, agreed to the necessity of these searches, but insisted that they must be reconciled with individual liberty.<sup>2</sup> As Robespierre put it, these measures must not ". . . harm the property or the security of individuals and good

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<sup>1</sup>Ibid., pp. 516-518.

<sup>2</sup>Ibid., p. 519.

citizens."<sup>1</sup> They recommended that a committee report on the means to implement domiciliary visits.<sup>2</sup> Since Bréard had again raised the question of having the Convention exercise more immediate police powers, Robespierre added his opposition to that proposal. He reiterated that such matters were better left to local authorities, both for practical reasons and because, "Liberty will always be opposed to having a body, invested with an enormous power and an authority which embraces the whole state, specially and immediately responsible for the policing of a locality."<sup>3</sup> Pétion agreed that the Convention should not mix directly in police matters, and said domiciliary visits would only frighten the people. Danton strongly supported a change in the membership of the Committee of General Security which, he said, should then be empowered to carry out domiciliary visits. Most of the proposals which followed were modifications of the proposals for domiciliary visits. The Convention finally sent them all to the Committee of Legislation with the proviso that the final plan must not injure individual liberty or property.<sup>4</sup>

The question of the Committee of General Security was again raised on January 21. Basire said that the Committee as presently composed had lost confidence. Its membership should be renewed. He was supported by Quinette, Fabre d'Eglantine and Amar, deputy of Isère. The Convention decreed that the membership of the Committee would be

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<sup>1</sup>Robespierre, Oeuvres, IX, 249.

<sup>2</sup>Archives parlementaires, LVII, 521.

<sup>3</sup>Robespierre, Oeuvres, IX, 249.

<sup>4</sup>Archives parlementaires, LVII, 524-526; 529-530.

renewed and reduced to twelve the next day. Apparently the left was in some hurry to proceed to the renewal. That evening Choudieu, supported by Albitte, deputy of Seine-Inférieure, and Duhem called on the Convention to proceed immediately to the renewal of the Committee. They met with strong opposition from the center and right, especially from Louvet and Birotteau, deputy of Pyrénées-Orientales, but finally they persuaded the Convention to act immediately. The vote was held that evening.<sup>1</sup> This time the Committee was practically all Montagnard.<sup>2</sup>

On January 26 the Convention took another step in the direction of strong revolutionary government. Delacroix, who had acted as a representative on mission, suggested that more power be given to the commissioners of the Convention.<sup>3</sup> He asked that the Convention authorize the commissioners to take all measures of general security which they felt circumstances required. He further suggested that they be sent out to all the armies. Albitte opposed the suggestion because, he said, the commissioners were always chosen in one portion of the Convention (the left), spreading that side's writings among the armies and in the departments. The Convention, nevertheless, authorized in blanket fashion all its commissioners to take all measures required by circumstances with the proviso that they send copies of their rulings to the Convention within twenty-four hours. The orders of the representatives

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<sup>1</sup>Ibid., pp. 530-531; 534-535. The results were published the next day (Ibid., p. 547).

<sup>2</sup>Godechot, Institutions, p. 305; Guillaume, "Le Personnel du Comité de Sureté générale," p. 140.

<sup>3</sup>Representatives on mission and commissioners of the Convention are synonymous.

on mission had to be obeyed until they were overruled by the Convention.<sup>1</sup>

Part of the concern of the Convention in enacting this decree was the possibility that local authorities would interfere with the commissioners even before the Convention had approved their rulings.<sup>2</sup> Thus, the decree was one step further in the assertion of the supremacy of the Convention. The same session brought another example of this movement. The Convention decreed that municipal administrations were forbidden to interfere in maritime operations.<sup>3</sup>

The shocked reaction to Lepeletier's assassination brought a greater acceptance of revolutionary government. Though there was still a strong concern for civil liberties, public security began to assume precedence over personal rights. A discussion late in January concerning the Committee of General Security illustrated this fact. On January 28 the Committee of Finances proposed that the Convention help pay for the detention of prisoners in the Abbaye.<sup>4</sup> Buzot opposed the proposal. Why should the national treasury pay to ". . . satisfy the vengeance of hommes de sang."<sup>5</sup> Buzot wanted the Committee to make known why and by whom the prisoners were arrested, but the Convention adopted the Committee's proposal. This action was just the prelude to a concerted attack on the Committee of General Security.

Immediately after the Convention voted to pay the expenses of the Abbaye, Delbrel, deputy of Lot, called for an investigation of conditions

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<sup>1</sup>Archives parlementaires, LVII, 687-690.

<sup>2</sup>Ibid., p. 689.     <sup>3</sup>Ibid., p. 693.

<sup>4</sup>The Abbaye prison was run by the Commune.

<sup>5</sup>Archives parlementaires, LVII, 732.

at the prison. Buzot complained that the Committee of General Security had placed too many people in the Abbaye and other prisons. It had arrested a certain journalist,<sup>1</sup> he claimed, just because he was not a member of a "certain party," (the left). A heated exchange followed in which Jean Julien, deputy of Haute-Garonne, accused Buzot of having provoked the assassination of Lepeletier, and Buzot demanded an act of accusation against Julien. In a tumultuous interlude taunts and insults were exchanged until finally the president re-established order.<sup>2</sup>

Buzot continued his speech. He said that the law against provocateurs had not been passed because its opponents had said it was contrary to freedom of the press. Now, he claimed, printed works were being subjected to an "inquisition" much worse than would ever have occurred under the rejected law, while "cheap sheets" were being allowed to preach murder. "Take care," Buzot warned, "you are nearing a crisis which will decide the destiny of the state." Buzot called upon the Convention to "repress" the Committee and to repeal the decree reducing its membership to twelve. He said,

In the crisis in which we find ourselves, if you torment the citizens, if you embitter them against the Revolution, who will pay the taxes? Where will you find men to make war? They will ask you: for whom are we going off to fight? . . .

It was said that the Committee of Surveillance [i.e. the Committee of General Security] as it was composed, did not have the confidence of the people; but was it the people who were consulted? Union is spoken of, and all the citizens look at each other with suspicion. No one dares open his heart, everyone

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<sup>1</sup>The unnamed journalist was the assistant editor of the Tableau politique de Paris. Hatin does not give the name of this man (Louis-Eugène Hatin, Bibliographie historique et critique de la presse périodique française [Paris: Fermin Didot frères, fils et Cie, 1866], p. 230).

<sup>2</sup>Archives parlementaires, LVII, 732-733.

fears that with a word he will be sent to the Abbaye. (Loud murmurs.) I say that everyone fears being sent to the Abbaye where the memories of September 2 await him!<sup>1</sup>

At this point "violent interruptions" and "murmurs" were coming from the left. Jean Julien cried, "War is the order of the day." Buzot then claimed that the decree reducing the membership of the Committee of General Security had been rendered unexpectedly with no warning to the members of the Convention, and in an evening session normally devoted to petitions when there were many absences. "Revoke this fatal decree, liberty will be in mourning if you do not revoke it."<sup>2</sup>

Buzot's statement deserves careful examination. The law against provocateurs had been meant to stop those who preached further revolution. It had been intended to quiet denunciations against deputies who considered the Revolution over. Above all, it and other measures proposed at the time would have placed a rein on the Commune. The law had not been passed. The Commune retained its influence over the policing of Paris and thus the Abbaye. Since then the membership of the Committee of General Security had been changed a number of times, but it was now in the hands of those who had opposed the law against provocateurs and who favored further revolution. What was the Committee doing wrong? It was arresting too many people, and it was arresting the wrong people. It was arresting men such as Buzot's protégé on the Tableau politique de Paris, rather than the writers of those "cheap sheets," against whom Buzot complained. The Tableau politique had called Basire, Chabot and others on the Committee of General Security "hommes de sang," compared the Committee to the Venetian Council of Ten and implied that the

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<sup>1</sup>Ellipses are the reporter's.      <sup>2</sup>Ibid., p. 733.

Committee could have anyone assassinated.<sup>1</sup> The repression of such statements might also have occurred under the formerly proposed law against provocateurs, but the problem for Buzot was that the wrong side was being repressed.

If Buzot might have accepted infringements on freedom of the press under the proper circumstances, he was, nevertheless, criticizing these extraordinary measures at this juncture. One can only surmise ulterior motives. They are difficult to prove. Taken literally, Buzot's speech was an important anti-terrorist statement. In sensing a turning point, a crisis, Buzot was correct. His arguments that excessive terror would turn the people against the Revolution was true to a certain extent, and it was an argument to be used many times in the future against the terror. It was Robespierre's main reason for opposing the "ultra-revolutionaries" in the year II. One can only wonder whether Buzot's picture of a people frightened into silence by the prospect of going to the Abbaye was at all true at this time. It was at least a prediction, if somewhat melodramatic, of things to come. Buzot's question about who had consulted the people concerning the confidence in the Committee of General Security directly confronted the proponents of revolutionary government in their glib assumption that they represented the will of the people. This question would also arise again. Finally, Buzot's statement concerning absences in the Convention at the time of the enactment of the decree on the Committee of General Security was significant. It indicated that, at the time he was speaking, the Convention was well attended by all groups. The action taken by the Convention

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<sup>1</sup>Ibid., p. 734.

would therefore be a significant measure of its attitudes at this time.

After Buzot finished, Rovère, deputy of Bouches-du-Rhône, defended the Committee.<sup>1</sup> He read selections from the Tableau which lent credence to criticisms of that newspaper. Birotteau, Lanjuinais and others supported Buzot. They demanded a reduction of the Committee's powers and the liberation of the journalist. Bailleul demanded that the Committee of General Security not have the power to arrest citizens. So evenly divided was the Convention on this issue, that it took three votes for it to decide to adjourn the liberation of the editor until the Committee of General Security gave its report. The Convention then refused to revoke the decree which had renewed the Committee of General Security. Finally, a motion of Delbrel to investigate the Abbaye and other prisons of Paris came up for a vote. An investigation of this nature conducted by the Convention would have been an affront to the Commune. Prieur, deputy of Marne, offered an amendment. He asked that the Convention respect the administrative hierarchy by allowing the municipality itself to visit the prisons and report to the Convention. The Convention voted in favor of Delbrel's motion as amended by Prieur.<sup>2</sup>

Thus, after much resistance and with the questions clearly posed, the Convention had voted in favor of the harsh treatment of enemies of the Revolution. It was an impressive victory for proponents of strong revolutionary government, even though a few of the votes had been so close as to require more than one count. They had persuaded the full

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<sup>1</sup>Basire, Julien, Jean-Bon-Saint-André, Carrier, Garrau, Chabot and Collot d'Herbois also defended the Committee.

<sup>2</sup>Archives parlementaires, LVII, 734-735.

Convention to reject motions against strong revolutionary measures, the Committee of General Security and the Commune.

Though public security began to assume a greater importance relative to individual liberty, the Committee of General Security was not completely free of restraint. On February 1, 1793, the Committee announced that it had arrested the journalist Nicole,<sup>1</sup> and it proposed that he be prosecuted for having slandered Lepeletier de Saint-Fargeau. This time, not only did Lehardy, Lanjuinais and Salle intervene in favor of Nicole; so did Jean-Bon-Saint-André, deputy of Lot, and Thuriot. They all pointed to freedom of the press, and Thuriot said that the ordinary law against libel would be sufficient. The Convention agreed. It took no action against Nicole, and ordered that he be freed.<sup>2</sup> Philippeaux, who felt Nicole deserved punishment, asserted that the Convention had freed the journalist in "solemn homage" to freedom of the press.<sup>3</sup>

One of the favorite projects of the opponents of the Commune was the idea of prosecuting the perpetrators of the September massacres. The action taken by the Convention on such proposals showed that the deputies were willing, with some reservations and much dissent, to condone extraordinary measures taken by "the people." On January 20 Gensonné proposed that the instigators of the September massacres should be prosecuted. Marat, Tallien, Duhem and Robespierre demanded that the idea be dropped. Perhaps to divert energy from this prosecution, Tallien

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<sup>1</sup>Editor of the Tableau politique de Paris.

<sup>2</sup>Archives parlementaires, LVIII, 110-111.

<sup>3</sup>Le Défenseur de la vérité, ou l'ami du genre humain (Paris), February 9, [1793], p. 101.

and Thuriot proposed that supporters of the king who had gathered at the Tuileries the night of August 10, and public officials who left their posts at that time should also be prosecuted. The Convention adopted the proposal of Gensonné as amended by Tallien and Thuriot.<sup>1</sup>

On February 8 "defenders of the Republic" from all departments were allowed into the Convention to present a petition denouncing the Convention's decree for the prosecution of the instigators of the September massacres. They requested that their "brothers" of Meaux, who were under death sentence as a result of the decree, be freed. Lamarque, deputy of Dordogne, opposed by Salle and Birotteau, called for suspension of the trials and a report by the Committee of Legislation. The Convention seemed almost evenly divided, and some even called for an appel nominal because of doubtful results in voting. The Convention finally decided by voice vote in favor of Lamarque's compromise proposal.<sup>2</sup>

Somewhat earlier an uprising in the Sarthe over food had caused a similar debate. Delbrel and Salle opposed amnesties, the latter arguing for respect for the law. The Convention asked for a report from its committees.<sup>3</sup> The report was given on February 11, and recommended that only instigators be tried. This time Lehardy and Levasseur asked for amnesty. The Convention agreed to free all except those accused of murder and arson.<sup>4</sup>

The Convention's position on the uprising in the Sarthe and its adoption of Lamarque's compromise on the prosecution of the "men of September" was a withdrawal toward more leniency with regard to popular

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<sup>1</sup>Archives parlementaires, LVII, 510-511.

<sup>2</sup>Ibid., LVIII, 377-386.

<sup>3</sup>Ibid., LVII, 705.

<sup>4</sup>Ibid., LVIII, 449.

uprisings. But in neither of these cases was the Convention completely willing to condone disorder.

An example of the Convention's movement toward stronger revolutionary government was its renewed concern over the émigrés. On February 14 Osselin warned that many émigrés were returning with certificates obtained through the bribery of officials. The Convention adopted various proposals to cope with this problem. One of these proposals, which had been presented by Chambon, provided for death to administrators giving émigrés false certificates.<sup>1</sup>

Another alarm was sounded on the twenty-fifth when Saladin, deputy of Somme, denounced the district court of Amiens for acquitting an émigré because he had left the country with a passport. He feared a flood of returning émigrés, and proposed that the Convention overrule the court and enact a new law on the matter. Goupilleau, deputy of the Vendée, proposed domiciliary visits by local administrators to ferret out émigrés. Robespierre called for even stronger measures including the termination of all exceptions to the law. He endorsed Saladin's proposal for a new law on émigrés.

Lanjuinais, with his characteristic respect for procedure, opposed overruling the court because it was not within the competence of the Convention. Garrau was for revolutionary action. There should be no delay on any of the proposals:

Undoubtedly, if we lived in an ordinary time, we would not be able to depart from the course which would have been fixed by an existing constitution, and our duty would be to follow the order established by the laws: . . . .

Today, now that we possess all the powers of the people, we

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<sup>1</sup>Ibid., p. 546.

must do everything possible for their well being, and if for a moment we delay to strike down the guilty, we will embolden them.

The session was turning out to be a substantive discussion of revolutionary government. Garrau had just stated a classic argument for it. Pétion rose to answer. He accused his interlocutors of having taken a small denunciation concerning the district of Amiens as an opportunity to ask for domiciliary visits on a general basis. This was going too far, he said; we must respect the law. "I hear it said that we are a revolutionary body; with these words we could become a despotic body, an arbitrary body; with these words the people could be oppressed, liberty could be killed." A chorus on the left opposed Pétion. The Convention decreed Saladin's proposal in principle. It also approved the proposal for domiciliary visits.<sup>1</sup>

On February 28 the new law on émigrés was finally presented to the Convention by Osselin in the name of the combined Committees of Finances, Diplomacy and War. The new proposal essentially reiterated with greater precision and depth laws already in effect. It provided for banishment, death for return, and confiscation of property. There was a long list of exceptions: children, people who had been deported or banished for a limited time, businessmen, professional artists and scholars, and so on.

Debate was aroused by the sections of the first article which said of the émigrés, ". . . they are legally dead; their properties belong to the Republic."<sup>2</sup> Thuriot and Prieur proposed that the nation also take possession of all inheritances which might in the future

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<sup>1</sup>Ibid., LIX, 187-189.      <sup>2</sup>Ibid., p. 344.

accrue to the émigrés. Osselin formalized their proposal, adding that the Republic would take such inheritances for the next fifty years. These proposals in turn raised a storm on the right and center. To Laplaigne, deputy of Gers, the proposal constituted a violation of the right of property, an act which he claimed not to be within the competence of the Convention. Duhem responded. The law, he asserted, was outside the pale of ordinary measures. It was a "revolutionary law" against those who would use their wealth to harm the nation. Lesage feared that innocent people, who incidentally were relatives of émigrés, would be deprived of their rightful property. Must the interests of the nation, he asked, dictate every law? These were very non-revolutionary ideas. Garnier responded with more references to "extraordinary measures," and Chambon agreed that it was a matter of taking "strong revolutionary measures." Osselin's proposal was adopted.<sup>1</sup>

When discussion on the émigrés resumed on March 5, Lasource attacked the proposals because they would condemn children to death for crime which, essentially, their parents had committed. A number of deputies discussed different forms of exceptions for women and young people, but Robespierre intervened against them. He tried to show that exceptions would ruin the whole law. After all, he said, children and women possessed aristocratic views, too. Robespierre denounced those who had sympathy only for aristocrats and kings, and then proposed that mitigation of the penalties be studied only for girls under fourteen years of age. The Convention decreed essentially that a child of either sex under fourteen years of age would not be considered an émigré.<sup>2</sup>

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<sup>1</sup>Ibid., pp. 349-351.

<sup>2</sup>Ibid., pp. 519, and 630-631.

This was a compromise between unmitigated harshness and the avalanche of exceptions advocated by some. As a whole the new law, which was completed by this measure, was much stronger than previous legislation concerning the émigrés.

The winter was a period of transition, a period in which the ground was prepared for the rapid growth of the Revolutionary Government in the spring of 1793. It was a period in which strong revolutionary measures found increasing acceptance. The trial of the king was itself a great revolutionary measure. The theories used to defend his trial gave currency to ideas which later supported the growth of strong revolutionary government. The execution of the king was an irreversible decision which later made many regicides feel they had to support strong revolutionary measures in order to prevent the collapse of the Revolution. The assassination of Lepeletier-Saint-Fargeau was another turning point. It shocked the deputies, and immediately led to the strengthening of the Committee of General Security. The Committee was attacked thereafter on numerous occasions, but remained in the hands of men who favored the vigorous prosecution of "aristocrats." Other important measures taken by the Convention included increasing the powers of the representatives on mission, further centralizing the government, and toughening the law on émigrés. Thus, there was a definite movement--hesitant and erratic as it may have been--toward stronger revolutionary government.

### CHAPTER III

#### REVOLUTIONARY GOVERNMENT IS MADE

##### THE ORDER OF THE DAY

The spring of 1793 was a time of crisis. For the first time in its history, the Convention worked under the threat of impending disaster. During the winter the deputies had learned to accept strong revolutionary measures. Now, faced with disaster, they reacted positively and began creating a strong revolutionary government to deal with the emergency.

By early 1793 France was at war with Europe. England and Spain had entered the coalition against the revolutionary republic in February and March. Of the major powers only Russia did not take part. To meet the needs of this war, the Convention decreed a voluntary levy of 300,000 men, setting quotas which each locality was required to fulfill.<sup>1</sup> Military operations, however, did not go well. As Dumouriez entered Holland, Coburg attacked in Belgium, and in early March occupied Liège. Dumouriez was forced to retreat into Belgium, where a popular uprising against French rule had begun. The Convention learned of these setbacks on March 8 when Danton and Delacroix hurried back from their mission in Belgium to spread the alarm.<sup>2</sup> At the same time, between March 10 and March 15, the whole Vendée flared into a rebellion,

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<sup>1</sup>Archives parlementaires, LIX, 37-38.

<sup>2</sup>Ibid., pp. 714-719.

provoked largely by recruitment. Beginning in mid-March, the Convention began receiving alarming accounts of the disturbances.<sup>1</sup> In the meantime, more bad news continued to arrive from the frontiers. In late March the Prussians pushed General Custine's troops out of the Rhineland, forcing Custine into a protracted retreat. But this did not end the bad news. General Dumouriez continued to suffer defeats at the hands of Austrians and was resisting the Convention's efforts to exploit financially its Belgian conquests. Increasingly he became the object of severe criticism in the Convention. When on April 1 Minister of War Beurnonville and four deputies arrived in Belgium to bring the General back to Paris for an explanation, they were turned over to the enemy. Dumouriez then tried to persuade his army to follow him in a march on Paris, and failing this, he defected to the Austrians on April 5. The news of Dumouriez' treason reached the Convention on April 3.<sup>2</sup> It hit like a bombshell, and as news continued to flow in, caused great agitation. Added to the rebellion in the Vendée, news of Dumouriez' treason made it seem as if the patriots were surrounded by traitors.

Military reverses, the outbreak of civil war and treason in high places were not the sum of the Republic's difficulties. There was one more important cause for alarm. This was an economic crisis marked by unemployment, the scarcity of food, and rising prices. Agitation for stringent economic control increased. The combination of military reverses and high food prices was blamed by the sans-culottes, with the encouragement of the radical "Enragés," on treason. This popular

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<sup>1</sup>For example, see Archives parlementaires, LX, 265 and 296.

<sup>2</sup>Ibid., LXI, 117-121.

agitation led, on the night of March 9-10, to an attempted uprising which aborted for lack of support from either the Commune or the Jacobins.<sup>1</sup> In spite of this failure, popular agitation continued strong and was an element contributing to the atmosphere of tension.

Thus, in the spring of 1793, France experienced almost continuous crisis. The feeling of security which had accompanied the victories of the fall vanished. This crisis atmosphere was the background for the enactment of the great revolutionary measures of the spring of 1793 which elaborated the basic structure of the Revolutionary Government.

The defeats in Belgium announced by Delacroix shocked the Convention into action. Robespierre called on the deputies to ". . . sweep away all the traitors."<sup>2</sup> Duhem announced the new path to be followed by the Revolution: "Citizens, finally the moment has arrived when patriotism will triumph, when this great city, by renewed efforts will silence its vile slanderers, when you will relieve the patriots of all hindrances and of all persecution." It was necessary, he told the Convention ominously, to take a great revolutionary measure. He called for the expulsion of all journalists from the Convention hall. There ensued a discussion of freedom of the press in which Duhem cried, "Freedom of the press is not freedom to make counter-revolution."<sup>3</sup> The Convention was aroused. It took no action on Duhem's proposal, but the direction in which it would move was clearly indicated.

Reacting to the defeats in Belgium, the Convention sent commissioners

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<sup>1</sup>R. B. Rose, The Enragés: Socialists of the French Revolution? (Carlton, Victoria: Melbourne University Press, 1965), p. 21 (Hereinafter referred to as The Enragés.)

<sup>2</sup>Archives parlementaires, LIX, 718.      <sup>3</sup>Ibid., p. 720.

into the Paris sections to determine whether they were ready to send soldiers to the frontier. What followed brought the creation of one of the most important revolutionary institutions, the Revolutionary Tribunal. On March 9 all commissioners reported that the sections were ready, but Jean-Bon-Saint-André concluded his report on the section du Louvre with the observation that the people of the section wanted harsher repression of enemies within the country. He reported that they had asked for the establishment of a special court, a tribunal from which there would be no appeal, to punish traitors. Carrier, deputy of Cantal, converted the proposal into a formal motion.

The proposal immediately aroused opposition, but opponents were in the minority. It would be to their advantage to delay its enactment and to try to convert others to their viewpoint. Thus, Birotteau and Lanjuinais called for a discussion before the vote. Declaring themselves in favor of an immediate vote were Chabot, Turreau-Linières, deputy of Yonne, Albitte, and Delacroix. The Convention decided to decree immediately the establishment in principle of a revolutionary tribunal. But the debate continued.

Part of the continuing discussion concerned the question of whether or not to include the word "revolutionary" in the title of the tribunal. Levasseur wanted it to be called the Extraordinary Criminal Tribunal. Lanjuinais declared that tyranny was tyranny no matter what the name. The decree trampled all the liberties enshrined in the Declaration of Rights. Several members on the Mountain called on the Convention to adopt the name proposed by Levasseur. The Convention so acted.<sup>1</sup>

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<sup>1</sup>Ibid., LX, 2-5.

The Revolutionary Tribunal, as the Extraordinary Criminal Tribunal soon came to be called, had been decreed in principle. It now had to be established in fact. On March 10 Garrau called for the immediate organization of the Tribunal. After some debate, Delacroix persuaded the Convention to consider various plans for the organization of the Revolutionary Tribunal. Lesage presented one plan in the name of the Committee of Legislation and Robert Lindet, deputy of Eure, advanced one of his own.<sup>1</sup>

Of the two plans Lindet's was more explicitly "revolutionary" in tone. For example, he declared that the members of the Tribunal, ". . . will not be subject to any fixed procedure for the preliminary examination.--They will obtain convictions by all possible means."<sup>2</sup> Lesage's plan had no such wording. Lindet proposed a tribunal with nine members named by the Convention. There would be no jury. Lesage proposed four judges named by the Convention from department courts, and a jury named by the departments. Lindet would have allowed the Tribunal to prosecute individuals on its own initiative or as a result of an indictment issued by the Convention. Lesage would have required indictment by the Convention.

The debate which followed was spirited, to say the least. Vergniaud accused the proponents of the Tribunal of trying to establish an inquisition worse than that of Venice. He wanted to discuss all measures presented, but several members called for cloture and an immediate vote. Amar virtually threatened an insurrection in which the "enemies of the people" would fall if the measure did not pass. Cambon said that he was not

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<sup>1</sup>Ibid., pp. 59-60.

<sup>2</sup>Ibid., p. 60.

opposed to "revolutionary authority," but, referring to Lindet's plan, he wondered if it was wise to give such authority to nine persons chosen by the Convention. The Convention could make a mistake in its choice. It could become the victim of these nine men. "A revolutionary authority is necessary, I agree; but it must remain in the hands of the assembly. It is for it to organize a firm government, to use every means to strike down the enemies of the people."<sup>1</sup> Barère, likening Lindet's plan to the actions of the most enraged despots, called for the inclusion of a jury, ". . . the property of all free men." Billaud-Varenne proposed the addition of a jury whose members would be named by all the sections of the Republic. The proponents of a juryless tribunal found their champion in Philippeaux. He asked for the integral adoption of Lindet's proposal. In ordinary times, he asserted, juries protected individual liberties, but now they could kill the Revolution by hindering the rapid punishment of conspirators. Boyer-Fonfrède, deputy of the Gironde, called Philippeaux's idea counter-revolutionary. The Revolution, he said with some truth, had been made so that France could have juries. The question was put to a vote, and the Convention decreed, by a large majority, in favor of a jury which would be chosen from all the departments by the Convention.<sup>2</sup>

Just as the session was about to adjourn, Danton rushed to the podium and cried, "I summon all good citizens not to leave their posts! . . ." Everyone stayed and quiet reigned in the hall. How, in this moment of dire need, exhorted Danton, when the armies of the Republic were being defeated, could the Convention separate before

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<sup>1</sup>Ibid.      <sup>2</sup>Ibid., pp. 60-62.

enacting the necessary measure! Judicial measures against the counter-revolutionaries were absolutely necessary, measures which must ". . . replace the supreme tribunal of popular vengeance." Because political crimes were difficult to define and therefore to punish, they must be dealt with through "extraordinary laws." "I see no middle ground between ordinary procedures and a revolutionary tribunal."<sup>1</sup> Had the Legislative Assembly established such a court, Danton said, the September massacres would never have taken place. The Convention should profit from the Assembly's mistake. He reminded the deputies that establishing the Tribunal was well within their power, for the Convention possessed the full constituent power. He called for the organization of the Revolutionary Tribunal and of a new executive branch of the government that evening, and for the departure of the representatives on mission the next day to incite the country to military exertions. The Convention, at 7:00 P.M., decreed that it would meet again after an hour's adjournment.

When the Convention met later that evening, priority was given to discussion of Lindet's proposal. As it was considered section by section, various proposals were made for modification. Robespierre said that the crimes which would designate an individual as a conspirator to be tried by the Revolutionary Tribunal should be carefully defined. He said that certain people had equated counter-revolutionaries with anarchists and agitators, and had pinned these labels on the best patriots. If the Convention did not define carefully what it meant by a counter-revolutionary and a conspirator, the Tribunal might become a

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<sup>1</sup>Discours de Danton, ed. with notes by André Fribourg (Paris: Société de l'Histoire de la Révolution Française, 1910), pp. 289-291.

tool of the counter-revolutionaries. He included, in his definition of counter-revolutionary activities, writings which aroused pity for the "tyrant," designated Paris as a city which should be suspect to the departments, denounced those who had voted for the death of the "tyrant" as well as other more common seditious views. After a few angry exchanges over this proposal, Isnard, deputy of Var, presented a definition of counter-revolutionary crimes to be prosecuted by the Tribunal. He omitted Robespierre's proposal on press offenses because, he claimed, its inclusion would cause civil war. Isnard's proposal was adopted.<sup>1</sup>

Robespierre evidently understood the danger of the Tribunal. Perhaps he felt it was still within the capability of his enemies to use the Revolutionary Tribunal against the left as they had hoped to use the law against provocateurs. On the other hand, he defined "conspirator" in a way which would have meant sending all of his political enemies before the Tribunal as conspirators.

After some further discussion Duhem again raised the question of the jury. He asked for repeal of the decree enacting a jury system: ". . . let us set aside everything which can hinder revolutionary vengeance. . . ." Bourdon de l'Oise and Dufriche-Valazé, deputy of Orne, respectively, spoke for and against the proposal. Philippeaux made his views known in a pamphlet. He felt juries were "inclined to indulgence." The tribunal of August 17, created by the Legislative Assembly, was an example. He said that the Convention, with its unlimited powers, must obey only ". . . the supreme law of the safety of the people, . . ." and must sacrifice to that overriding

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<sup>1</sup>Archives parlementaires, LV, 64-65.

consideration ". . . formalities which are perilous under the circumstances."<sup>1</sup> The Convention, however, decided to keep the jury, but now it compromised. The jurors would pronounce their decision openly, and an absolute majority would carry the decision.<sup>2</sup> Since the court was meeting in Paris, it could be expected that it would vote as the "patriots" wished. Guadet and Birotteau said as much in a later session. They argued strongly in favor of a secret ballot in order to guarantee the jury independence, and thereby assure a fair trial for the accused. A number of deputies of the left convinced the Convention to retain open voting.<sup>3</sup>

Outside the Convention opposition to the Revolutionary Tribunal was as bitter as within. Brissot, silent in the Convention, was outspoken in his writings. In one of his pamphlets he said that the Tribunal had been created by conspirators to quiet the opposition and do away with republican deputies. Fortunately, the Convention had insisted on a jury; but the conspirators had obtained their ends by having the jurors vote publicly and by having the Convention itself elect the jurors. Brissot felt that the method of jury selection violated basic judicial principles, but that the Convention had at first chosen good men. Then, the requirement for open voting and the terror being spread by the "assassins" had caused many of these men to refuse the office. In their place were elected the "vile beings" who now dominated the Tribunal.

Yes, if there is a Tribunal capable of causing people to wish for the bastilles of despotism, if there is an institution capable of quickly bringing about and developing counter-revolution in favor

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<sup>1</sup>Ibid., pp. 67 and 70.

<sup>2</sup>Ibid., p. 68.

<sup>3</sup>Ibid., pp. 94-95.

of royalty, it is a Tribunal as arbitrary in its procedures, as absurd and biased in its evidence, as unjust in several of its decisions [as the Revolutionary Tribunal]. . . .<sup>1</sup>

According to Brissot the Convention had not wanted to enact the decree creating the Revolutionary Tribunal in its present form. The way Robespierre and Lindet had expanded the list of crimes, their thirst for blood, their arrogance, all of this, according to Brissot, had caused universal indignation in the Convention. But they were in absolute control, ". . . and one had to hold one's tongue."<sup>2</sup>

Others objected to the Tribunal on similar grounds. In his memoirs, Louvet de Couvrai accused the jurors of being mostly "massacreurs de septembre." He continued, ". . . they have not changed their role, they have only changed theater; and now as then, they are still assassinating in the name of the law."<sup>3</sup> Louvet and Salle both reiterated Brissot's complaint that the decree on the Revolutionary Tribunal had been forced through the Convention.<sup>4</sup>

A second measure provoked by the crisis in Belgium was the extension of the powers of the representatives on mission. These members of the Convention on mission in the departments were seen as direct extensions of the Convention, which was, in turn, the sovereign people incarnate. If the Convention was to assert its powers, these revolutionary

<sup>1</sup>Brissot, La Situation de la Convention, p. 27.      <sup>2</sup>Ibid., p. 28.

<sup>3</sup>Mémoires de Louvet de Couvray sur la Révolution française, ed. with preface and notes by F.-A. Aulard (2 vols.; Paris: Librairie des Bibliophiles, 1889), I, 75. (Hereinafter referred to as Mémoires.)

<sup>4</sup>Ibid., I, 74; Jean-Baptiste Salle, Lettre du Citoyen Salle, député à la Convention, au citoyen Biquilley, vice-président du département de la Meurthe ([Paris]: Imprimerie Nationale, [1793]), p. 4.

"intendants" would have to be increased in number and be given more power. When the crisis broke on March 9, Carnot, deputy of Pas-de-Calais who later became famous as the "Organizer of Victory," proposed, in the name of the Committees of General Defense and of War, a new general dispatch of commissioners of the Convention. Commissioners were to be sent into every department of the Republic, with the exception of certain border departments already covered by representatives on mission to the armies. These commissioners would tell the citizens about the new dangers facing the country and recruit new contingents for the armies. They would be empowered to take all measures necessary to raise troops and establish order, including the arrest of suspects and the requisitioning of armed forces. The proposal was adopted with little discussion.<sup>1</sup> This decree amounted to regularizing the institution of the representatives on mission by keeping them in every department of the Republic, where previously they had been sent out only on an ad hoc basis.<sup>2</sup>

Lack of discussion in this instance, however, only reflected the gravity of the crisis as it was felt on March 9. The powers of the representatives on mission had been, and would continue to be, a matter for the liveliest debate. Nor was this the first extension of the powers of the commissioners. Their powers had been developing for some time. The Convention had inherited from the Legislative Assembly the idea of sending representatives into the departments. Immediately upon meeting, the Convention began the practice. On September 22 Manuel,

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<sup>1</sup>Archives parlementaires, LX, 9-10.

<sup>2</sup>Mautouchet, Le Gouvernement révolutionnaire, p. 16.

Le Page, deputy of Loiret, and Thuriot were sent to Orleans to get information concerning disturbances there, and also provisionally to take any measures required by circumstances. All local armed forces were placed at their disposal.<sup>1</sup> Thus, from the very beginning commissioners were given nearly full powers in the limited area in which they were to act.

Instances of missions such as this multiplied. Similar powers were given to each new group of representatives on mission. On September 24 the Convention decreed that representatives going to Bayonne and Perpignan in order to prepare defenses, were authorized to re-establish order wherever it was disturbed along their route. They had the right to suspend civil and military authorities, arrest persons they considered suspect and requisition local armed forces for the execution of laws or of their own orders. The Convention called upon local authorities to obey the commissioners.<sup>2</sup> These commissioners were given broad and somewhat vague powers over a very wide geographical area. The Convention could hardly have gone further.

In fact, however, it was some time before the revolutionary institution of the representative on mission became fully elaborated. Representatives were not yet sent indiscriminately to all parts of France and to all the armies for an indefinite period. They were sent only where specific problems announced a need for them. Their powers

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<sup>1</sup>F. V. A. Aulard, ed., Recueil des actes du Comité de salut public, avec la correspondance officielle des représentants en mission et le registre du conseil exécutif provisoire (27 vols.; Paris: Imprimerie Nationale, 1889-1933), I, 60. (Hereinafter referred to as Recueil des actes.)

<sup>2</sup>Ibid., pp. 63-64.

were broad, but they usually had a specific mission. The right to act as proconsuls, overseeing all governmental activities, was attributed to them by implication. But it was not yet clear. No one, least of all the commissioners, was quite sure how far they were to go in exercising their broad powers. The idea of the representative on mission as an all powerful governor in the area in which he was located became clear only after a time.

On September 30 commissioners were sent to the Department of le Nord to assure order. The Convention simply stated that for this purpose they had "unlimited powers."<sup>1</sup> This did not mean that they had a completely free hand. For example, after representatives in the Basses-Pyrénées granted high pay to soldiers there, the Convention forbade all commissioners with the armies to order any expenditure of funds.<sup>2</sup>

The mission to the Army of Belgium, decreed on November 30, was a good example of the way in which the powers of the commissioners expanded. The mission was decreed to investigate the finances of General Dumouriez's army. The commissioners--Camus, Delacroix, Gossuin, and Danton--were authorized ". . . to have shown to them all books, records, registers, correspondence and to have all depots and magazines opened."<sup>3</sup> On December 23, after a report from these representatives, the Convention decreed ". . . an unlimited extension of powers for its commissioners who are with the armies . . . ," including the right provisionally to replace officials whom they had removed from office.<sup>4</sup> This decision was reaffirmed on the twenty-ninth. Representatives with

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<sup>1</sup>Ibid., p. 100.      <sup>2</sup>Ibid., pp. 256-257.

<sup>3</sup>Ibid., pp. 282-283.      <sup>4</sup>Ibid., p. 355.

the armies were given the right provisionally to make all requisitions, replacements and arrests necessary for the success of their mission and the maintenance of order. They only had to deliberate together and notify the Convention of their decision.<sup>1</sup> On January 21, 1793 the Convention extended these essentially unlimited powers to all of its representatives on mission.<sup>2</sup> This evolution, it should be remembered, took place before the crisis of the spring of 1793.

There was still no consensus, however, concerning the powers of the representatives on mission. The most acrimonious debate on the issue was yet to follow. On February 20 a letter from the Executive Council to the Convention told of a representative on mission appointing a commander of the fortress of Landau over the head of General Custine. The general requested a decision from the Convention concerning who had jurisdiction. Lehardy said that certainly the Convention did not intend to give its commissioners powers which it did not exercise itself. "Nevertheless, your commissioners have accumulated in their persons a collection of the most infamous powers."<sup>3</sup> The Convention sent the matter to the Committees of War and General Defense for a report. It was buried in committee.

In passing Carnot's proposal of March 9, the Convention simply reaffirmed past grants of power to the commissioners. Yet doubts remained. A letter from Pacholle and Saladin, commissioners in Seine-Inférieure, told of their forbidding anyone to obey any authority other than their own. They had told the administrators of these departments

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<sup>1</sup>Ibid., p. 370.      <sup>2</sup>Ibid., p. 503.

<sup>3</sup>Archives parlementaires, LIX, 32.

that their acts were to be recognized as acts of the Convention. Garran-Coulon, deputy of Loiret, objected. This extraordinary measure, he said, threatened the authority and indivisability of the Convention itself. He asked that the new Committee of Public Safety<sup>1</sup> examine the matter. Albitte and Sergent asked for approval of the commissioners' actions. The Convention compromised. It approved the commissioners' zeal, but sent the matter to the Committee of Public Safety for consideration.<sup>2</sup>

That same day, April 9, Bréard, reporting for the Committee of Public Safety, presented a projected decree which would require the presence of three representatives on mission with every army at all times. An unnamed member asked that one of the commissioners be changed every month. Deputies still hesitated to give these men great powers for an extended period. Robespierre, more concerned with the efficiency of the revolutionary government, contended that the commissioners would be more useful if they were not changed regularly. Birotteau feared their unlimited powers, and raised the possibility that they might hinder military operations. Bréard explained that the Committee of Public Safety did not wish to authorize the commissioners to interfere in military operations. Robespierre, however, contended that such interference might be necessary if the army was about to be betrayed. The Convention finally passed the decree with an amendment which prohibited the interference of the representatives on mission in regular military operations.<sup>3</sup>

On April 30 Cambon, in the name of the Committee of Public Safety,

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<sup>1</sup>Created April 6, 1793 (*infra*, pp. 125-126).

<sup>2</sup>Archives parlementaires, LXI, 497-498.      <sup>3</sup>Ibid., 478-480.

presented a report concerning representatives on mission in general, further organizing them and defining their functions. The proposed decree included a revised list of representatives on mission, and regulations concerning their powers. There were to be a total of eleven armies, each of which was to have a specified number of "representatives of the people." As before, the commissioners were given "unlimited powers" in the exercise of their missions. The Committee of Public Safety was to issue further instructions later.<sup>1</sup>

When some members moved for adoption of the whole decree, they were opposed by Buzot and several deputies of the center. The project was discussed article by article. The section which aroused opposition was article twenty-five specifying the names of the commissioners. Buzot complained that they were all from the Mountain. He felt that these men would become "proconsuls," and that the Committee of Public Safety was trying to dictate their selection to the Convention. We do not want royalists, quipped Marat. Nor do we want provocateurs of murder, retorted someone on the right. The Convention finally decided to choose the commissioners by a vote on the following day. Then Chales, deputy of Eure-et-Loire, and Marat demanded that the vote be by appel nominal. This demand, which would have forced deputies to reveal whether or not they favored "patriot" representatives on mission, must have chastened some of their opponents, for when Thuriot next proposed a new vote on whether the list of the Committee of Public Safety would be maintained, the vote was affirmative. Thus, the whole of Cambon's report was

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<sup>1</sup>Aulard, Recueil des actes, III, 533-541.

adopted without change.<sup>1</sup>

The additional instructions which were to be issued by the Committee of Public Safety under the decree of April 30 were read by Cambon on May 6. Strong opposition flared up, and more distinct lines of battle on the whole question of the powers of the representatives on mission began to emerge. The instructions proposed by Cambon were intended to supplement the law of April 30. Their purpose was to promote uniformity in the work of the representatives on mission. The instruction defined the functions of the commissioners with regard to armies and cities in frontier areas; land forces, sea forces and ports in maritime areas; and administrative bodies, municipal bodies and popular societies in all areas of the country. In each of these areas, the representative essentially was told to become involved in every type of affair. The instruction advised representatives to form "central committees," or essentially advisory councils composed of citizens chosen from local administrations on all levels and "popular societies." These committees would inform the representative of local resources, agricultural produce, manufactures and other matters of interest. The instruction concluded by reminding the representatives of their unlimited powers for the fulfillment of their mandates.<sup>2</sup>

Genissieu immediately objected to the plan on the grounds that it gave much more power to the representatives on mission than specified

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<sup>1</sup>Archives parlementaires, LXIII, 651-652. The new respectability of the Montagnards may explain their selection as representatives on mission (infra, p. 111)

<sup>2</sup>Ibid., LXIV, 280-287. The final version of the decree was approved on May 7.

under the decree of April 30. Under this new plan, he said, the commissioners would each be more powerful than a king. Barère suggested that the plan be printed and discussed further at a later date, but Thuriot and Legendre opposed the delay. This seems to have been a disagreement between proponents of the measure. Barère favored the plan saying, "In a time of revolution it is necessary to disseminate powers and to place near your generals very strong civil powers." This reflected the mistrust of the generals which prompted frequent warnings on the possibility of military dictatorship. Others, however, had more fear of the dictatorship of the commissioners. Some unnamed deputies yelled out at Barère, "It is thus that one implants tyranny."<sup>1</sup> Barère answered, calling those who feared revolutionary measures "big children" to the sound of applause from the Mountain. When the Convention decreed that discussion of Cambon's plan would take place on the following Wednesday, however, Legendre objected that the armies needed the commissioners immediately. He asked for reversal of the decree. Over the opposition of Gensonné and Louvet, the Convention decreed that discussion would take place the next day.<sup>2</sup>

Cambon reopened the discussion on the seventh. Genissieu asked, to shouts of "Non! non!" to place an amendment. Salle, Barbaroux, Gensonné and Buzot supported him, and he was allowed to speak. The amendment concerned the "central committees" that the commissioners were to choose from local administrative bodies and popular societies. It seems some members of the Convention feared local power would fall completely into the hands of the commissioners and a local clique of

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<sup>1</sup>Ibid., p. 216.

<sup>2</sup>Archives parlementaires, LXIV, 220.

their own choosing. Genissieu therefore proposed that the central committee could be chosen only among truly responsible agents of the central or local administrations, with the exception that the commissioners could seek the advice of the popular societies. Ducos saw the Convention giving away its powers, and setting up "satrapies" for the commissioners. Marat responded excitedly, "Il faut sauver la patrie." The Convention adopted the whole instruction.<sup>1</sup>

The discussion was reopened immediately. Barbaroux proposed that representatives of local administrations or popular societies serving on the central committees be chosen by their respective bodies, and not by the representatives on mission. Vergniaud had to defend Barbaroux's right to speak. Maure said the amendment would spoil the measure just passed. Gensonné cried, "I say that they want to take away from the people their rights in order to give them to several individuals." Marat: "Shut up, conspirator, accomplice of Dumouriez."<sup>2</sup>

Barbaroux intervened in the "discussion" with a statement which clarified the basic issue concerning the "central committees." He asked whether the committees were intended to serve the commissioners as ministries, or whether the Convention wanted the commissioners to consult with men who knew about the local situation and who had the confidence of the local people. In other words, was the committee to represent local interests before the commissioner, or was it simply to help him execute his will? Apparently Barbaroux hoped that a committee of independent, locally selected representatives would be a check on the arbitrary power of the representatives on mission. That he felt

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<sup>1</sup>Ibid., p. 278.      <sup>2</sup>Ibid., p. 279.

such a check was necessary was evident when he said, "Look at the conduct of your commissioners in the department of Bouches-du-Rhône [Barbaroux's department], they arrived there like devastating torrents. They arrived there like boulders detached from the mountain, crushing the flocks and plants; . . ." Barbaroux proposed that if it was necessary to give men "almost arbitrary power," these men should have the confidence of the local people. Delacroix said that Barbaroux's proposal contradicted the intentions of the Committee of Public Safety. "The [central] committee must only serve the commissioners, thus it is necessary that it be chosen by them. The representative on mission, in other words, should be supreme. He was to exercise absolute power for the Convention. The reason this was necessary, according to Delacroix, was that ". . . in several departments the administrators are not equal to the circumstances (murmurs on the right)." To Couthon, deputy of Puy-de-Dôme and future member of the great Committee of Public Safety, Barbaroux's proposal would "degrade" the commissioners of the Convention and subordinate them to the administrations. "Eh! how distressing it must be for the patriots to see men endlessly hindering the operation of the National Convention, and opposing revolutionary measures that circumstances require to be used against the rebels who are desolating several of our departments."<sup>1</sup> Barbaroux's proposal was rejected.

A little over a week later, on the sixteenth, the same basic question was reopened. The Committee of Public Safety sought to empower the representatives on mission to prevent administrative bodies from suspending or modifying orders which they or the Executive Council had

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<sup>1</sup>Ibid.

issued. Genissieu, Lasource, and others objected to this grant of power. The local administrative bodies, they said, had to have some way to resist representatives who exceeded their powers. Couthon characterized these ideas as counter-revolutionary and tending to provoke insubordination and disrespect for the national representation. The fact that the representatives had to send accounts of their actions was enough of a guarantee. Thuriot maintained that no one had the right to resist the power of the national representation embodied in the commissioners. Barère finally proposed a compromise amendment which was adopted. The representatives were to be personally responsible for all measures contradicting the regulations of April 30 and May 7.<sup>1</sup> This law, even with the amendment, which only strengthened the loyalty of the commissioners to the Convention, further advanced the centralization of the revolutionary government.

In pamphlets and newspapers the right wing of the Convention multiplied its denunciations of the representatives on mission. Brissot, writing in May, criticized the way in which the commissioners were named. He claimed that "appelants"<sup>2</sup> and others who disagreed with the views of his opponents were purposely excluded. These commissioners then went out and tried to stir up the departments against " . . . the deputies who were friends of order. . . ." <sup>3</sup> The commissioners of the Convention were, in fact, emissaries of the "anarchists of Paris."

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<sup>1</sup>Ibid., pp. 718-719.

<sup>2</sup>Those who had voted in favor of a popular referendum on the punishment of the king.

<sup>3</sup>Brissot, La Situation de la Convention, pp. 28-29.

They went everywhere violating the rights of individuals, and clapping the best citizens in irons.<sup>1</sup> Salle, in an undated pamphlet, complained, like Brissot, that the representatives on mission were chosen exclusively from the left. He went beyond this, however, to criticize the very basis of the commissioners' power. Unlimited power, he said, led naturally to abuse. He continued, ". . . it is a crime for a man, however wise he may be, to accept unlimited power. . . ." <sup>2</sup> Louvet, in his memoirs, voiced complaints similar to these.<sup>3</sup> He even charged that the sending of a "Montagnard" deputy with unlimited powers into the departments constituted an act of "federalism."<sup>4</sup> Ducos, writing in the Chronique de Paris, said that opposition to the power of the representatives on mission was directed more against the individuals exercising that power than against the power itself. He continued: "As a general rule, when it is a matter of determining the limits of the powers to be given to commissioners, their partisans seek to extend them and their adversaries to limit them."<sup>5</sup>

Complaints by Brissot, Salle, Louvet and Ducos concerning the individuals selected to be representatives on mission lend weight to the view that opposition to revolutionary government was politically motivated. Ironically, fears concerning the abuse of power by representatives on mission were at that time not justified in most cases.

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<sup>1</sup>Ibid., pp. 60-61.

<sup>2</sup>Jean-Baptiste Salle, Observations de Salle, sur sa lettre dénoncée à la convention, par les commissaires Antoine et Levasseur ([Paris]: Imprimerie de Gorsas, [1793]), p. 14.

<sup>3</sup>Louvet de Couvrai, Mémoires, P. 55.

<sup>4</sup>Ibid., pp. 37-38.      <sup>5</sup>May 20, 1793, p. 2.

Indeed, after the Committee of Public Safety was created, it was not uncommon to see the Committee urging the representatives to make greater use of their powers. Rather than exceed their powers, they would often ask the Committee whether a given act was within their competence. A letter to one of these representatives is a good example of how the Committee usually responded: "Your powers are unlimited and your zeal must dictate to you the important measures which will save the Republic."<sup>1</sup> In another instance, the Committee criticized several representatives on mission for weakness even after they had fired a general and requisitioned troops.<sup>2</sup>

Looking back over the development of the institution of the representatives on mission, we may again ask whether the disagreements which arose concerning their powers really indicated a substantially differing willingness to accept extraordinary measures. It has been shown that the broad powers of the commissioners developed very early. No substantial objections were made to their unlimited powers. Of course, the unlimited nature of their powers became clearer as time went on and the sending of representatives became much more widespread. But it is still strange that fears concerning the power of the representatives on mission were only vociferously expressed in the spring. Even then, objections concerned not the essential idea of representatives on mission with extraordinary powers, but details such as how the central committees were to be chosen and how extensive the commissioners' powers were to be. It seems, therefore, that the extraordinary powers of the representatives on mission worried the deputies of the right mainly because the prospect

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<sup>1</sup>Aulard, Recueil des actes, III, 488.      <sup>2</sup>Ibid., p. 603.

was that these powers would be used to the advantage of the left. The commissioners themselves were generally men of the left. The Convention, whose will the commissioners were supposed to carry out, was more amenable to the views of the left than it had been in the past. Furthermore, an insurrection might at any time place the Convention under the control of the Paris radicals. Thus, it was likely that the representatives on mission would, for one reason or another, be enforcing policies not congenial to the right. The localities might become the last havens of political sanity. They therefore had to retain sufficient independence to resist any unjust or dictatorial policies of the commissioners, perhaps of the Convention and ultimately of Paris.

The crisis over Belgium seems to have brought new respectability to the Mountain. Just as the right had profited by the success of Valmy, the left now thrived on the failures in Belgium. When Robespierre rose to lecture the Convention, he was listened to in silence, and no longer heckled. There were ever renewed calls for the enactment of "revolutionary measures." One of the first results of these demands had been the creation of the Revolutionary Tribunal. Another recurring demand concerned the creation of a central executive committee for the Convention. Though awareness of the need for such a committee was more strongly sensed in the crisis of the spring, it predated the defeats in Belgium.

The Committee of General Defense was the precursor of the Committee of Public Safety. Like the latter, it was a central executive committee of the Convention, but with much less power. The Committee of General Defense, first proposed by Kersaint, was created on January 1, 1793.

Its function was to oversee the defense effort because war with England was threatening.<sup>1</sup> Apparently, however, the inadequacy of this Committee was immediately felt by some deputies. Speaking on January 20, Rabaut-Saint-Etienne expressed the belief that to meet the needs of the spring campaigns, a new committee should be created to provide strong leadership, regenerate morals and instill a love of republican virtues.<sup>2</sup> The suggestion was ignored.

Nothing was done until the crisis broke. Then, on March 10, Robespierre proposed the creation of what came to be the main element of the Revolutionary Government. Robespierre's theme was similar to that which had brought the creation of the Revolutionary Tribunal: The problem was inside France, and not with the armies on the frontiers. While patriots were making sacrifices in the armies, the "aristocrats" were conspiring within. Executive functions had to be confided to a "faithful commission," composed of the purest patriots, which would expose all traitors. "We need a government in which all parts are closely linked."<sup>3</sup> The "foolish" separation of powers that the Convention was maintaining between itself and the Executive Council was preventing vigorous action. Danton supported Robespierre with a call for the rapid adoption of his proposals.<sup>4</sup>

The next day Danton returned to the subject. He called for a closer relationship between the Convention and the "revolutionary executive power." The Convention was not a constituted body, he continued,

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<sup>1</sup>Archives parlementaires, LVI, 116-117.

<sup>2</sup>Ibid., LVII, 508.     <sup>3</sup>Ibid., LX, 56.

<sup>4</sup>Ibid., pp. 56-57, and 62-63; Supra, pp. 93-94.

but one which was to constitute all powers. Thus, the Convention could, without violating principles, find talent wherever it might exist for the executive branch.<sup>1</sup> In other words, members of the Convention might be appointed as ministers. The exercise of executive power by members of the Convention was a basic element of revolutionary government. When the Committee of Public Safety evolved fully, it essentially replaced the Executive Council. At first the Executive Council was retained simply to reduce the workload of the Committee. It was the Committee's passive servant. It was finally abolished in April 1794. But early in 1793 men were not yet ready to accept this idea. They clung to the theory of the separation of powers, even in a revolutionary crisis. To bring together the legislative and executive powers would be tyranny. Only strong proponents of revolutionary government were at first willing to accept the abolition of a separate executive. The major objection to Kersaint's proposed Committee of General Defense had been that it would in effect destroy ministerial responsibility.<sup>2</sup> Thuriot's suggestion on January 9 for the complete suppression of the Executive Council was not even seriously considered.<sup>3</sup>

We may, therefore, understand why Danton's proposal met with concerted opposition. La Révellière-Lepaux, deputy of Maine-et-Loire, said it would begin the most "frightening tyranny." It could lead to dictatorship. Bancal argued for maintaining the separation of powers. When the Convention went on to the order of the day, ending the discussion, Duprat, deputy of Bouches-du-Rhône, declared that it had rejected a

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<sup>1</sup>Archives parlementaires, LX, 91.

<sup>2</sup>Archives parlementaires, LVI, 117.      <sup>3</sup>Ibid., p. 607.

proposal which would have established tyranny.<sup>1</sup> Two days later Vergniaud, in a speech concerning the abortive uprising of March 9-10, denounced Danton's plan as part of a counter-revolutionary plot. The plotters had first created the Revolutionary Tribunal, a tribunal which, ". . . if it were organized according to principles of justice could be useful."<sup>2</sup> Then the Convention was to be persuaded to choose new ministers from among its own members. The new ministers, exercising tremendous powers and possessing parliamentary immunity, would take supreme power and send anyone who objected before the Revolutionary Tribunal. The Convention fortunately, said Vergniaud, had rejected the proposal.

Interestingly, while giving this speech, which was for the most part a partisan diatribe against the left, Vergniaud hit upon several of the most important differences between proponents and opponents of revolutionary government at this point. Some of the deputies, observed Vergniaud objectively, felt the Revolution ended when France became a republic. They thought the revolutionary movement should end. Others, alarmed by the "coalition of tyrants" threatening France, felt that it was necessary to maintain revolutionary effervescence to stir the people to an energetic defense effort. The latter called the former "feuillants" and "aristocrats," while the former called the latter "anarchists."<sup>3</sup> Giving up any pretense of detachment, Vergniaud declared that the time had come to choose between the republic and tyranny, between law and anarchy. He called on the Convention to found liberty on a good constitution.<sup>4</sup> Vergniaud clearly wanted an end to revolutionary government.

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<sup>1</sup>Ibid., LX, 91-92.      <sup>2</sup>Ibid., p. 162.

<sup>3</sup>Ibid.      <sup>4</sup>Ibid., pp. 165-166.

This was reminiscent of the left's views in the fall of 1792. The abortive insurrection of March 9 and 10, which had provoked the statement, was the kind of event feared by Vergniaud and others on the right.

Not long after the announcement of disasters in Belgium came the news of the rising in the Vendée. This brought new cries for "revolutionary measures."<sup>1</sup> The uproar was further increased by an attempt on the life of representative Léonard Bourdon, deputy of Loiret, at Orleans.<sup>2</sup> On March 18 after numerous calls for strong measures, Barère rose and gave one of the great speeches of his career. He began by outlining the dangerous circumstances. He then discussed the divisions in the Convention. His analysis of the basic differences separating the factions was complete and accurate.

One part of the Assembly believes that it is, and is right to believe it is in the middle of a revolution, the other does not think so. From these two very different outlooks results internal divisions, enmities between those who are accused of exaggeration in their patriotism, and those whom the Revolution seems to be dragging in its wake. In the rapid course of revolution, the one side is as if it were stationary, measuring its movements according to laws which suit ordinary times, the other, more active, uses the strength of twelve men to do the work of six; and this exaggeration is necessary in temporary crises.

Barère felt that each type of mentality had its place. But these were not ordinary times, and exaggerated patriotism was necessary. The counter-revolution had begun, plots were being hatched everywhere, disturbances were multiplying and the Convention was deliberating only after the fact. If the Convention was going to follow rather than lead the

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<sup>1</sup>The announcement from the Vendée concerned the cutting of communications between a number of cities of the West (Ibid., pp. 268-269 and 284).

<sup>2</sup>Ibid., pp. 270-272.

revolutionary movement, liberty would be destroyed. Let us do away with half measures, he concluded, and declare that we are in a "state of revolution."<sup>1</sup>

Thus Barère, long sitting on the fence, had finally come down on the side of strong revolutionary government. He had done so decisively and effectively. To the sound of applause from the Mountain, he went on to propose the adoption of a long list of new revolutionary measures. He asked the Convention to impose the death penalty for advocacy of the "agrarian law." Only in this way would the propertied classes become attached to the Revolution, and the national lands be sold. He proposed more adequate public welfare, progressive taxation, implementation of the decree for the sale of émigré land in small parcels in order to increase the number of landowners and quiet the murmuring of the peasants, creation of a committee of public safety, enactment of a law on foreigners which would deport those who had no occupation, enactment of a method of "revolutionary inquiry" for the more rapid and certain punishment of criminals by the Revolutionary Tribunal, and finally, the issuing of an address to the French people concerning the present situation. Barère's proposal on the agrarian law was adopted immediately, and a number of his other proposals were enacted in principle.<sup>2</sup>

Barère's momentous call for revolutionary measures stimulated others. Levasseur wrote the formal decree on the "agrarian law," while Ramel-Nogaret, deputy of Aude, wrote the decree on the progressive tax. Bertrand-la-Hosdinière, deputy of Orne, proposed the partition of common lands among the poorest citizens. Duhem and Cambon made proposals to

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<sup>1</sup>Ibid., pp. 291-292.

<sup>2</sup>Ibid., pp. 293 and 298.

speed the sale of land in small parcels. Lasource persuaded the Convention to decree that the Paris police should give a list of unemployed persons to the Committee of General Security. Finally, Chabot proposed, and the Convention decreed, that the general councils of the departments, districts, and communes were to remain permanently in session.<sup>1</sup> Of all the proposals made on this day, however, the most important had been Barère's call for the creation of a Committee of Public Safety. This Committee would be the key element in the structure of a stronger revolutionary government.

The persistent question of the central executive committee was raised again on March 22 by Quinette. He pointed out that proposals to bring a closer relationship between the executive power and the Convention had raised cries of dictatorship. "They do not realize that it is a matter of placing the dictatorship in the hands of the Assembly, and not abandoning it to several individuals. . . ."<sup>2</sup> He warned the Convention that if it did not firmly take the reins of government, some dictator would do so. The remedy he proposed was the formation of a new committee to oversee the work of the Executive Council with regard to all phases of government. The Committee of General Defense would draw up the plan. Isnard, a member of the Committee of General Defense, supported Quinette's proposal. He saw divisions within the Convention as the major evil. A committee of public safety, with members drawn from both left and right, would give the Convention a "single will." It would coordinate the efforts of the legislative and executive powers. Bancal supported the proposal as well, but added that the committee must confine itself to

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<sup>1</sup>Ibid., pp. 292-298.      <sup>2</sup>Ibid., p. 442.

simple surveillance, must never encroach on the power of the Executive Council and that half the members should be renewed every month. The creation of this committee, he said, was a truly extraordinary measure. Quinette's proposal was decreed.

Finally, after weeks of debate, the creation of the Committee of Public Safety had been decreed in principle. But the decree of a principle and its final enactment were often far apart. This fact was becoming all too evident with regard to the Revolutionary Tribunal. A discussion on March 27 concerning delays in establishing the Tribunal brought important remarks from Danton who, since his return from Belgium, had become one of the leaders in the struggle to implement revolutionary measures. "It is time for us to declare war on our internal enemies. What, citizens, civil war is breaking out all over and the national convention is standing still! . . . You decreed a tribunal so the heads of the guilty would fall, and your tribunal is still not organized. What will the people say, for they are ready to rise en masse?"<sup>1</sup> Coming from the man who many blamed for the September massacres, this could only have been considered a threat.

Danton had accused the Convention of being immobile. His explanation for this immobility was one commonly given for the Convention's problems, that some deputies thought the Revolution was over.<sup>2</sup> He went on to propose the arming of every citizen with a pike, the immediate organization and activation of the Revolutionary Tribunal, and the issuing of a manifesto to the people assuring them that the Convention would be ". . . as terrifying as they, . . ." and would ". . . pass all

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<sup>1</sup>Danton, Discours, p. 300.    <sup>2</sup>Ibid., p. 306.

the laws necessary to destroy slavery forever. . . ."1

Robespierre continued in the same vein as Danton. He criticized the Convention for its lack of action. The "popular laws" which had been proposed must be enacted. Speculation, the principle source of evil, must be dealt with. But if the Convention did not have the people on its side, if the people were not aroused against the enemies of the Revolution, if the people did not rise "en masse" to be led by men who really had their confidence, the Revolution would not be victorious. Robespierre proposed the exile of all the Bourbons, the trial of Marie Antoinette, and the continued detention of the Dauphin. The proposal against the Bourbons aroused considerable opposition, and the Convention went on to the order of the day.<sup>2</sup>

The speeches of Danton and Robespierre had an important idea in common. Danton said that as a revolutionary body; the Convention must be ". . . peuple comme le peuple lui-même." Only the people, he said, could bring the Revolution to completion. They were like a tool which must be directed by the Convention.<sup>3</sup> Robespierre also contended that the key to victory was having the people on one's side and using their energy properly. This may have been among the reasons these men supported revolutionary measures. The enactment of the law creating the Revolutionary Tribunal had followed defeat in Belgium. It was not clear how the Tribunal could have had a direct effect on military operations. But "the people" wanted it, and the support of the people was necessary.

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<sup>1</sup>Ibid., p. 312.

<sup>2</sup>Archives parlementaires, LX, 606-607

<sup>3</sup>Danton, Discours, pp. 300 and 302.

The Convention finally did act that day to reorganize the Revolutionary Tribunal and to speed its work. A number of jurors and judges on the Tribunal informed the Convention that its Commission of Six, the function of which was to recommend indictments, was keeping the Tribunal inactive. Albitte suggested a remedy: the public prosecutor should be allowed to send individuals before the Revolutionary Tribunal without a prior indictment by the Convention. Poulitier, deputy of le Nord, Osselin and Marat supported the proposal. Lanjuinais feared that the prosecutor would become too powerful, even to the extent of establishing a dictatorship. The Convention compromised. It suppressed the Commission of Six, and gave the public prosecutor the power to send individuals before the Revolutionary Tribunal in anticipation of an indictment to be rendered by the Convention.<sup>1</sup> Lanjuinais' remarks, however, were indicative of the continuing fear that despotism would arise out of revolutionary government.

This fear of despotism seems to have been one of the most difficult stumbling blocks to the creation of a Committee of Public Safety. Those who opposed the establishment of such a committee were concerned with maintaining the separation of powers which, as every educated man of that age knew, was the best defense of liberty. The taboo against breaking down the almost sacred separation between the legislative and executive powers, however, seems to have been weakening. Garnier de Saintes may have been typical of the average conventionnel in this regard. He announced on April 3 that events had convinced him that "half measures" were endangering liberty. For a long time, he said, he

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<sup>1</sup>Archives parlementaires, LXI, 93-95.

had felt that the separation of powers was indispensable. He then came to realize that what was good for a time of stability was not suitable under the present circumstances. Now, when energetic measures were needed, the Executive Council was listless and inactive. The Convention had to act. "Take all powers. . . ," Garnier exhorted the Convention. He suggested that twelve deputies ". . . who would share all the Republic's toil . . ." should be chosen.<sup>1</sup> The Convention adjourned consideration of the proposal until the report of its Committee of General Defense. Garnier's proposal was just another call for the creation of a committee of public safety, and the Committee of General Defense was already working on the project.<sup>2</sup> But Garnier had posed the question well. Was the executive power to be in the hands of a separate ministry, or of a group of deputies possessing general confidence? Were theoretical considerations to be more important than public safety?

The Committee of General Defense, with Isnard as its spokesman, finally came forward on April 3 with its report on the proposed new committee. Isnard pointed out that the existing committees of the Convention and the Executive Council had been the subjects of mistrust. To give the government more efficiency, energy and unity, he proposed the creation of a committee having the powers of the Executive Council, and the right to take all necessary emergency measures. The people had given the Convention the power to create this committee, he said, and the deputies must not be overly concerned with "formalities." According to the proposed decree, the Committee would deliberate in secret, would

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<sup>1</sup>Ibid., p. 129.

<sup>2</sup>Aulard, Recueil des actes, III, 42-43.

direct the operations of the ministries, which would be reduced to pure administration, and would account to the Convention for such extraordinary acts as the arrest of generals or ministers. There was opposition to the plan because of its alleged disregard for the separation of powers. Danton, who favored the proposal, obtained adjournment of the discussion.<sup>1</sup>

Isnard again brought up the proposal on the fifth. He asked that the executive power be reorganized no matter how the Convention acted on this particular plan. For all intents and purposes, he said, there was no executive power at the time. The present Committee of General Defense was no substitute, for it was too large and its deliberations could not be kept secret. Isnard then resigned from the Committee of General Defense. Bréard followed suit, saying that while the Convention must not take over the executive power, it must have a committee with the power and confidence to oversee the work of the executive. Buzot and Barbaroux also resigned from the Committee without, however, giving an opinion on Isnard's proposal. Buzot later opposed the project, saying that any men having sufficient confidence to save the country should be named as ministers. He sought, in other words, to preserve the separation of powers. Barère maintained that there could be a good committee of public safety without dictatorship. In all countries temporary dictatorship had been necessary in times of revolution and conspiracy. He was not proposing such an authority. But what had the Convention to fear from a committee responsible to it, established for a month at a time, with no lawmaking powers, and whose only job was to supervise the executive

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<sup>1</sup>Archives parlementaires, LXI, 277-279.

power. He ridiculed "imaginary fears" of tyranny which could themselves lead to tyranny. There was only one dictatorship which was both necessary and proper, that of the National Convention through which the nation would impose a dictatorship upon itself. Barère called upon the Convention to create a committee of public safety. The Convention named Isnard, Danton, Barère, and Mathieu, deputy of Oise, to draw up a decree for the establishment of the new committee.<sup>1</sup>

Isnard presented the new plan the next day. The committee was to be renewed monthly and was to deliberate in secret. Its purpose was to accelerate and supervise the work of the Executive Council, with the power temporarily to suspend the Council's rulings. All of these ideas were familiar, but now there was an addition. The committee, in urgent circumstances, could take all measures of public safety which it considered necessary. The Executive Council would implement its orders without delay.<sup>2</sup>

Buzot was adamantly opposed. The proposal, he said, was dangerous. It gave a committee the right to make laws. In other words, this committee would have all the powers of the Convention. The provisional nature of its orders was an ineffective safeguard, for such provisional laws always became final by force of circumstances. Furthermore, if the present executive had no power because of lack of confidence, what would give men chosen within the Convention, members of one or the other of the supposed parties, more confidence? For lack of confidence, would they not have to take as much power as possible in order to have some effect? And then, what would prevent their abusing this power? Buzot

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<sup>1</sup>Ibid., pp. 341-343.      <sup>2</sup>Ibid., pp. 373-374.

foresaw the possibility that a man, adroitly using slander, might gradually dissolve the Convention until the committee, with the Revolutionary Tribunal in its hands, became the "rallying point" for the whole Republic. The Convention, he continued, had rejected the proposal to select the ministers from among the deputies because it did not wish to concentrate all power in its own hands, yet this would be the effect of the new proposal. "Such an institution would inspire terror in the soul of every citizen."<sup>1</sup>

Buzot admitted that the present Committee of General Defense had faults, such as excessive size and lack of secrecy. But these deficiencies could be overcome. He said that the committee could be given increased powers, but that it must remain a supervisory committee and not be turned into a "supreme executive power." Buzot proposed the selection of a nine man committee which would deliberate in secret, propose measures of public safety, supervise the activities of the Executive Council and have the power to suspend its resolutions on the condition that it informed the Convention immediately.<sup>2</sup> The committee, however, would not be empowered to take emergency measures. It would only propose them.

Thuriot rose in favor of Isnard's proposals. He said he had opposed the first proposal for a committee of public safety, because he saw in it the end of liberty. The new proposal did not have the same dangers. Thuriot maintained that the previous proposal would have led to the suppression of the separate executive power. The present one made the committee an intermediary between the legislative and

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<sup>1</sup>Ibid., p. 374.

<sup>2</sup>Ibid., pp. 374-375.

executive powers. It did not put these powers in the same hands. The provision for unilateral action by the committee was necessary for extreme and unforeseen emergencies. Lasource also changed his mind. He said that as long as the committee did not have the power of arrest, he would favor it.<sup>1</sup>

At this point Marat rose and gave one of the great speeches of his parliamentary career. He said that the torpor and failures of the Executive Council and the Committee of General Defense, which he called "le comité Dumouriez," had necessitated the creation of this new committee. Marat refused to examine the new committee in terms of abstract political principles. Revolutionary expediency was the only criterion. He continued, ". . . it is not a constituted authority that you are establishing now, it is a provisional authority destined solely to put the national forces into motion. . . ." Marat discounted cries of dictatorship. After all, the committee was completely subordinate to the Convention, which could dissolve it at any time. Indeed, the only possible objection was that the committee did not have enough power. "It is by violence that liberty must be established . . . (murmurs) and the time has come for us to organize the despotism of liberty, crushing the despotism of kings."<sup>2</sup> He called for the adoption of Isnard's proposal. Birotteau again raised the specter of dictatorship, but--over the objections of Barbaroux--the discussion was closed, and the decree was passed.

Debate on the Committee of Public Safety was reflected in an important pamphlet by Brissot, dated May 22. As usual, Brissot had

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<sup>1</sup>Ibid., pp. 375-376.      <sup>2</sup>Ibid., p. 377.

been silent in the Convention, but in his writing he made clear his opposition to the creation of the committee. This new committee, he said, in reality had all power. It dominated the ministry, handled all types of business, nominated all sorts of officials, influenced the departments and the armies through its representatives and dominated the Convention ". . . through its possession of legislative initiative, by the fear of what it hints at rather than what it says. . . ." <sup>1</sup>

Meanwhile, the Revolutionary Tribunal had again become a topic for debate. On April 5 Charlier criticized the slowness of prosecutions, and asked that the public prosecutor be allowed to try individuals for treason without any decree from the Convention. Lanjuinais objected, but Danton, repeating the familiar arguments concerning extraordinary circumstances and popular vengeance, supported the proposals of Charlier with the proviso that members of the Convention be excepted. Barbaroux agreed with Lanjuinais, raising the specter of oppression. Boyer-Fonfrède proposed that ministers and generals be exempted. Charlier offered a compromise. The trial of generals and ministers could be suspended by the Convention. La Révellière-Lepeaux feared the public prosecutor could disrupt the Republic if he had the right to arrest generals and administrators. Garran de Coulon wanted to add departmental administrators to the exceptions. After some further discussion the Convention adopted Charlier's proposal and asked the Committee of Legislation to consider the question of exemptions. <sup>2</sup>

The enactment of Charlier's proposal rounded out, for the time

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<sup>1</sup>Brissot, La Situation de la Convention, pp. 110-111.

<sup>2</sup>Archives parlementaires, LXI, 334-336.

being, the basic structure of the Revolutionary Government. The important revolutionary measures which constituted this structure had resulted from the near frenzy of the time. The same crisis atmosphere had also brought the enactment of other measures, less far reaching but just as extraordinary. Such were the laws on the émigrés, already discussed. Other revolutionary laws concerned ecclesiastics, foreigners and suspects in general as well as economic matters.

Apparently there was sufficient agreement on the danger from various types of suspects to allow enactment of repressive laws without serious debate. The decree of March 26 for disarming suspects was passed with no discussion except with regard to the means for publishing it. The decree was provoked by the need to dispatch men to the Vendée and resulting fears similar to those which had been current in September, 1792. Suspects were defined by the law as former nobles, ecclesiastics and their servants.<sup>1</sup>

Disturbances in the Vendée touched off debates on ecclesiastics, who were thought to be instrumental in the uprising. On March 23 the Convention adopted in principle the deportation of all priests who had not taken their oaths to liberty and equality in conformity to the law of August 15, 1792.<sup>2</sup> The final decree, which provided for deportation to French Guiana, was adopted with very little debate.<sup>3</sup>

Foreigners were the subject of a report on March 21 by Jean Debry for the Diplomatic Committee. Debry recognized that the measure was

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<sup>1</sup>Ibid., LX, 582-583.      <sup>2</sup>Ibid., p. 487.

<sup>3</sup>Ibid., LXIII, 79-80 (April 21), and 146-147 (April 23, final version).

extraordinary, but sought to combine the requirements of justice with those of security. The law, as finally passed, provided for the establishment of commune and section committees to examine declarations by foreigners in order to determine if they would be allowed to remain in France. Those who did not meet with approval would be required to leave. Criteria of acceptability included possession of property, exercise of a profession, or "civic sentiments" attested to by six citizens. Foreigners involved in riots could receive the death penalty.<sup>1</sup>

March of 1793 also saw the enactment of laws against various actions and writings deemed counter-revolutionary. The first was a stringent war measure. Introduced by the Committee of Legislation on March 19, and enacted the next day, the law declared that anyone who took part in counter-revolutionary rebellions or riots, past or present, and anyone who took up the white cockade or any other sign of rebellion, was an outlaw without the protection of the rights assured under ordinary criminal procedure. Those rebels who were captured with arms in hand or who were leaders, former priests, former noblemen or public officials would be put to death. The measure was draconian, yet it met with no opposition. Apparently all were impressed with the seriousness of the Vendée rebellion.<sup>2</sup>

More interesting was the law, proposed by the Committee of General Security on March 29, for inflicting the death penalty against authors

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<sup>1</sup>Ibid., LX, 386-390. This was the origin of the "revolutionary committees" (John Black Sirich, The Revolutionary Committees in the Departments of France, 1793-1794 [Cambridge, Mass: Harvard University Press, 1943], p. 9. [Hereinafter referred to as The Revolutionary Committees.])

<sup>2</sup>Archives parlementaires, LX, 331-332, and 347-348.

and printers of writings promoting the dissolution of the Convention or the re-establishment of royalty or any other power injurious to popular sovereignty. Lamarque, speaking for the Committee, recognized that there was a conflict between freedom of the press and the security of the state as defined in the law. But freedom of the press, he said, did not give anyone the right, through the display of his thoughts or writings, to disturb the public order established by law. In a time of revolution, said Lamarque, ". . . all types of individual liberty must undergo some modification. . . ." <sup>1</sup> This was not a violation of principles, he maintained, but a just exception required by the public safety. He pointed out that public expressions favoring the agrarian law and the re-establishment of the monarchy had been outlawed. <sup>2</sup> This showed, argued Lamarque, that the Convention felt it was necessary and proper to restrain freedom of speech and press. <sup>3</sup> Lamarque's speech was a cogent statement of some of the basic principles of revolutionary government. He argued that the Convention had already accepted these views in certain of its enactments, and that, therefore, it should not hesitate to adopt the new proposal.

Indeed, no one did oppose the decree. Instead, certain members of the center and right turned it into a revival of the law against provocateurs. Through the efforts of Lehardy, Barbaroux and M. J. Chénier, dramatic author and deputy of Seine-et-Oise, the inclusion of those who

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<sup>1</sup>Ibid., p. 699.

<sup>2</sup>Ibid., LIV, 351 (December 4), and LX, 292 (March 18).

<sup>3</sup>Ibid., LX, 699.

incited murder or the violation of property was proposed.<sup>1</sup> Marat objected that these additions were too vague, and could lead to the punishment of patriots. Duhem, Lamarque and Albitte argued that the amendment sought to punish ordinary rather than revolutionary crimes.<sup>2</sup> Finally, the Convention decided to treat the amendments separately. This made possible the rapid enactment of Lamarque's proposal. In addition, the death penalty was imposed for any incitement to murder or to the violation of property which resulted in the commission of a crime.<sup>3</sup>

Lamarque's original proposal resembled the law against provocateurs of the fall of 1792 in that it punished offenses of speech and press. But where the left had opposed the former law on the grounds of freedom of the press, it now found ways of justifying limitations on this freedom. One difference, as Marat's statement implied, was that Lamarque's decree was much more specific than the proposed law against provocateurs of 1792 or the amendment advanced by Chénier and his colleagues. Even when this amendment was enacted as a separate law, the left objected only mildly, in spite of the possibility that radical writings such as those of Marat could be interpreted as provocations to murder. What can account for the change in the left's attitude toward essentially similar measures between the fall of 1792 and the spring of 1793? One explanation is that it would have been inconsistent to have supported the

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<sup>1</sup>An individual act as distinguished from the loi agraire which was the violation of all property.

<sup>2</sup>A revolutionary crime would be an act considered criminal only in extraordinary revolutionary circumstances.

<sup>3</sup>Archives parlementaires, LX, 699-700.

proposals of Lamarque while rejecting those of Chénier and friends. It is also clear that the left felt secure in the spring, whereas it had felt extremely insecure in the fall. Ironically, parts of the decrees enacted this day, including the provision against incitement to murder, became the basis for the indictment of Marat. The Mountain was not able to prevent the indictment in great part because many of its members were away on mission,<sup>1</sup> but Marat's eventual acquittal in the Revolutionary Tribunal indicates that the left's confidence was justified.

War and civil war had provoked many of the measures discussed thus far. Of all the problems of the Revolution, however, none was to be more fertile in the production of revolutionary measures than the economic problem. This was essentially the problem of the scarcity and high cost of food.

Until the spring of 1793, problems of food supply had been dealt with mainly in terms of the suppression of monopolists. In the fall of 1792, the debate had been between those advocating complete freedom of commerce and those advocating some governmental intervention to suppress monopolists. The question of price controls had not even been raised. So loathe had the Convention been to interfere in the economy, that on December 8 it had abolished all regulations then in effect.<sup>2</sup> As late as February, 1793, even Marat opposed the idea of a price maximum. On February 12 a deputation purporting to represent the forty-eight sections

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<sup>1</sup>Louis R. Gottschalk, Jean Paul Marat: A Study in Radicalism (Chicago and London: The University of Chicago Press, 1967), pp. 155-156. (Hereinafter referred to as Marat.)

<sup>2</sup>Supra, pp. 44-48.

of Paris issued a petition requesting a "maximum" on wheat. Marat answered the petitioners in strong terms:

The measures which have just been proposed to you at the bar to re-establish abundance are so excessive, so strange, so subversive of all good order; they tend so evidently to destroy the free circulation of grain, and to excite disorders in the Republic, that I am astonished they have come from the mouths of men who pretend to be rational beings, and free citizens who love justice and peace.<sup>1</sup>

By the late spring of 1793, however, pressure for a maximum on wheat had grown to such an extent that it could not be ignored. Debate therefore centered around the proposal for a maximum on grain, eventually enacted and known as the "first maximum."

Agitation in the spring of 1793 culminated on April 18 in a petition of the Department of Paris advocating the establishment of a maximum on the price of grain.<sup>2</sup> Unable to resist any longer, the Convention began, on April 25, to discuss the matter. As a basis for the discussion, Baudin, deputy of Indre and reporter for the Committees of Agriculture and Commerce, read a proposal written by the administrators of the Department of Paris. The proposal summed up the results of discussions between the Parisians and the two Committees. The major innovation proposed in this document was the establishment of a maximum on the price of wheat. Levasseur and Fabre of Hérault read proposals of a different nature which the Committees wished the Convention to hear. Levasseur's plan omitted the maximum. It relied instead on forcing farmers to declare their grain holdings and to sell them. Fabre's plan, which obtained the most votes in the Committee, omitted the maximum as

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<sup>1</sup>Archives parlementaires, LVIII, 476.

<sup>2</sup>Ibid., LXII, 620-621, and 777-778.

well. It foresaw the establishment of large supplies of wheat in granaries to which farmers would be forced to transport their produce. Fabre said that inquisitorial methods involved in the maximum and some other proposals would lead to the ruin of the farmers and starvation in the cities.<sup>1</sup> Of course, both his and Levasseur's plans involved a strong measure of compulsion as well.

To Léonard Bourdon, even the proposals of Levasseur and Fabre were too authoritarian. Bourdon's plan provided for the sale of old stores of wheat by July 1, after which they would be confiscated for the poor. He stated expressly that his project had no maximum, no obligation to bring goods to market, no cessation of commerce in grain and no forced inventories; all of which measures he felt would harm production.<sup>2</sup> Barbaroux also sought a means to avoid measures of compulsion, which he thought should not be used when there were other means available. He argued that the maximum would upset natural market operations, causing the starvation of the great cities. It would also make it more difficult to buy grain from foreign countries. He favored a positive approach to attract goods to market. One measure would be a bounty on imports. Another would be to declare the Republic the owner of all harvested grains, but in debt to those who possessed them. The goods would be guaranteed against accidental damage. Whenever supplies were short, those possessing the grain would be asked to bring it to market on pain of the nullification of the guarantee, and perhaps later, a fine.<sup>3</sup> Laws protecting property would be much more effective than constraint, said Barbaroux. "Terror debases men, and never have severe laws made a

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<sup>1</sup>Ibid., LXIII, 314-319.

<sup>2</sup>Ibid., p. 340.

<sup>3</sup>Ibid., pp. 427-434.

people virtuous."<sup>1</sup>

Creuzé-Latouche admitted the necessity of revolutionary measures, such as obliging farmers to take grain to market. The maximum, however, would not work. He proposed obliging large farmers to take goods to market, but freeing the market in other respects. He would terminate the indemnities sometimes paid to bakers to hold the price of bread below the price of wheat. The government would relieve the hardships of the poor Parisians by paying them a refund on the price of bread.<sup>2</sup>

Philippeaux spoke in favor of the maximum. Since France was besieged by traitors from within, he said, extraordinary measures must be taken. Grain must be requisitioned, and a maximum temporarily imposed. The maximum would start at a level which would give the farmer more than he was obtaining before the inflation. It would then be lowered from month to month to encourage holders of grain to rid themselves of it as quickly as possible. Philippeaux strongly emphasized the extraordinary and revolutionary nature of the maximum. Along with it the government would have to diminish the amount of assignats in circulation in order to stop their depreciation.<sup>3</sup>

To Beffroy, the best way to control the price of wheat was to require that it be sold openly and in public. The maximum, he said, could only be enforced by a multitude of coercive, arbitrary, vexatious and mainly illusory measures. It would ruin agriculture, industry and commerce, and, in the end, have an effect opposite than intended. It would also endanger national security by allowing the agents of foreign

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<sup>1</sup>Ibid., p. 423.    <sup>2</sup>Ibid., pp. 507-513.

<sup>3</sup>Ibid., pp. 515-520.

powers to buy up grain at prices above the maximum.<sup>1</sup> Barailon, deputy of Creuse, advocated a novel approach. He would have allowed complete freedom of grain trade, while locally setting workers' wages in proportion to the price of grain.<sup>2</sup>

Unlike Beffroy and Barailon, not all of those opposed to the maximum proposed more libertarian schemes, as has already been shown in a number of cases. Vernier, deputy of Jura, proposed instead of the maximum, to give the Committee of Public Safety all necessary power to provision the people until the end of July, by which time the effects of such measures as forced inventories, prohibition of hoarding and wage-fixing would be felt. Penières proposed forced inventories and compulsory transportation of goods to market instead of the maximum.<sup>3</sup>

It should be obvious that many deputies sought by any means to avoid the maximum. Some felt, or at least argued in public, that it was impractical. Others felt that it and some other measures were excessive infringements on civil liberties. The large numbers of alternatives to the maximum that were offered showed that a great number of deputies were loathe to limit economic freedom. Even some who advocated the maximum made clear their dislike for the measure. They saw it as a necessary though distasteful revolutionary measure. As Viger, deputy of Maine-et-Loire, put it: "We are surrounded by danger; we are being attacked from within and from without; well, in a city under siege they do not follow the same laws as in peaceful times; and, to be sure, after the siege, no one would want to justify the extraordinary measures that

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<sup>1</sup>Ibid., pp. 520-523, and 541-544.

<sup>2</sup>Ibid., pp. 632-633, and 663-664.

<sup>3</sup>Ibid., pp. 640-641.

they took."<sup>1</sup> In the end this type of reasoning won, aided by pressure from the sans-culottes. On May 2 the Convention decreed in principle the fixing of a maximum on the price of grain.<sup>2</sup>

Another revolutionary measure in the economic sphere was the forced loan to be levied on the rich. The idea was formally proposed to the Convention by Cambon on May 20. He suggested a forced loan of one billion livres on the rich "égoïstes" and "indifférents." It would have the beneficial side effects of returning assignats to the treasury and attaching the interests of the rich to the Revolution. By this means the Republic would be able to pay for the war. When the war was over, the loan would be repaid. Was it not the rich, after all, who fomented disorders and were the cause of the war? It was the height of inequity for the citizens going off to war to pay as much as the rich egoists who stayed at home. Thuriot amplified Cambon's arguments. Diminish the assignats in circulation, he said, and the first effect would be to lower the price of food. Was it not the rich who furnished the rebels with money? The loan would instead attach them to the Revolution.<sup>3</sup> These, then, were the major arguments adduced in favor of the forced loan.

There was considerable opposition. Vernier, who had also opposed the maximum, said that a forced loan in the quantity of one billion livres was an infringement on the right of property not justified under present circumstances. It might be justified in a case of imperious necessity, but France was not in such dire straits at this time. Furthermore, other, more justly obtainable resources were available:

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<sup>1</sup>Ibid., LXIV, 12.      <sup>2</sup>Ibid., p. 17.      <sup>3</sup>Ibid., LXV, 119.

for example, the collection of back taxes and the sale of national lands. These should be exhausted before resorting to more stringent measures. The forced loan would make collection of funds from these other sources impossible. It would mean the abandonment of these resources in order to have recourse to ". . . violent, unjust, oppressive, and tyrannical measures . . ." which could probably not bear fruit.<sup>1</sup> Buzot argued that the measure was unnecessary and unwise. This "extraordinary measure" would spread mistrust and fear concerning the state of the public fortune. It was bad policy, he said, to ruin private fortunes in order to enhance the public fortune. Already many "friends of liberty" had been alienated by excessively violent measures. The poor man, furthermore, would be hurt as a consequence, for it was from the rich man that he obtained his livelihood.<sup>2</sup> The government could not attack property with impunity, he warned, because in doing so public confidence would be lost. It was not the way to attach the rich to the Revolution. "I also want the employment of every just means to consummate the Revolution; I want above all that it [the Revolution] be loved."<sup>3</sup>

This last statement aptly expressed the difference between proponents and opponents of revolutionary government. One said that the

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<sup>1</sup>Ibid., pp. 126-128.

<sup>2</sup>Barbaroux expressed the same view in a private letter. He felt that the forced loan would deprive the merchants of capital, thereby bringing commerce to a halt. This would be to the disadvantage of workers of all classes. (Correspondance et mémoires de Barbaroux, ed. by Cl. Perroud (Paris: F. Reider et Cie., 1923), p. 360 [letter of May 20, 1793].)

<sup>3</sup>Archives parlementaires, LXV, 129.

Revolution would be saved by forcing the people to save it. The other said that the Revolution would be saved if people were made to love it. This was the negative, terrorist approach, as opposed to a positive, moderate approach.

In spite of the objections raised, the principle of the forced loan of one billion livres was decreed immediately. The remainder of the debate over the forced loan took place after the expulsion of the Girondins from the Convention. It was no longer a question of whether there would be a forced loan, but simply of how it would be implemented. Basic questions of revolutionary government were not involved. Finally, on June 22 the Convention adopted a decree for its implementation. The decree, in fact, failed to provide a procedure for the collection of the loan.<sup>1</sup> The forced loan was, therefore, temporarily shelved, to a chorus of vain protests from the Enragés. The collection of the loan was reorganized in September, 1793, and eventually it brought large sums of assignats into the treasury.<sup>2</sup>

The forced loan, the maximum, the laws against suspects and the creation of the Committee of Public Safety and the Revolutionary Tribunal did not bring the dictatorship of virtue. They brought no dictatorship at all. The anti-Parisian deputies were still powerful enough to have Marat indicted, and to call the Commission of Twelve into being.<sup>3</sup> They could not resist the continuing advance of revolutionary government, however, though they certainly tried.

The powers of the various revolutionary institutions--the Committee

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<sup>1</sup>Ibid., LXVIII, p. 78.      <sup>2</sup>Godechot, Institutions, pp. 393-394.

<sup>3</sup>Infra, pp. 145-153.

of Public Safety, the Revolutionary Tribunal and the commissioners of the Convention--continued to disturb some deputies. They sought to keep these powers under tight rein. For example, on April 27 Cambon, in the name of the Committee of Public Safety, asked that the Committee of Public Safety be given the power to requisition armed forces to be sent to the Vendée. Lecointe-Puyraveau pointed out that the representatives on mission already had the power of requisitioning troops. He felt it would be dangerous to give the Committee this prerogative. It was the job of the Committee to supervise the executive branch, and not to act itself in an executive capacity. The Convention, following his advice, went on to the order of the day.<sup>1</sup>

Many questions were raised concerning the procedures and membership of the Revolutionary Tribunal. The Tribunal came under attack on April 29. Buzot pointed out that the present court, provisionally composed of Parisians until the departments could send representatives to sit on it, could not last forever. He proposed that it be maintained temporarily until departmental members arrived, but that the present jurors be changed because, ". . . in pronouncing frequent death sentences, one acquires the habit. . . ." <sup>2</sup> In the debate which followed, Levasseur charged that Buzot wanted the change because the court was in the midst of its investigation of the Dumouriez plot. The Convention finally adopted the proposal of Thuriot to the effect that the present judges and jurors would continue in office until those from the departments arrived.

It will be recalled that the powers of the representatives on

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<sup>1</sup>Archives parlementaires, LXIII, 438.

<sup>2</sup>Ibid., p. 559.

mission were called into question on May 6. A long series of heated debates ensued. In the end the commissioners emerged with their powers enlarged.

In summary, the Convention had refused to concede enlarged powers to the Committee of Public Safety, but had protected the integrity of the Revolutionary Tribunal, and had expanded the powers of the representatives on mission. The fact that these revolutionary powers were questioned so often showed that they continued to inspire fear. The indictment of Marat and the creation of the Commission of Twelve prove that the Convention had not been won over completely by the Mountain. Yet, when it came to maintaining the revolutionary institutions, the Convention did so. Whatever its political outlook, it sensed the need for extraordinary measures. A genuine crisis atmosphere prevailed.

Reactions to problems in the Vendée illustrate this crisis atmosphere. On May 18 a delegation from Indre-et-Loire told of dangers from the rebels. Several routine proposals for the sending of assistance to the area were made. Bентаbole, to a chorus of applause from the Mountain, declared that the tocsin must sound to signal an extraordinary mustering of forces. Thuriot suggested that all inhabitants of Paris had to be placed under the colors. Louis Legendre proposed that the Convention and the Committee of Public Safety declare themselves in permanent session, and that the alarm cannon be fired. Lecointe-Puyraveau and Vergniaud complained about the disorders which would accompany these measures. But Robespierre went further. He maintained that before the patriots went to the Vendée, all suspects should be arrested as hostages. Couthon agreed, and said that suspects should pay forced

contributions. Barailon called for what amounted to a levée en masse. Buzot objected to the arrest of suspects. Finally, the Convention adopted a relatively mild measure. Commissioners were to be sent into the Paris sections for ideas on measures for dealing with the crisis.<sup>1</sup>

More bad news from the Vendée on May 11 provoked a similar outburst. Collot d'Herbois called for the arrest of suspects, the channeling of one third of the wealth of the rich into war expenditures and other revolutionary measures. Levasseur called for freezing the membership of the Committee of Public Safety as it was while the crisis lasted. The Convention decreed Levasseur's proposal, but Lanjuinais, Salle, Barbaroux, Buzot and Dufriche-Valazé protested the decision. A second vote was taken in which the Convention confirmed its decree.<sup>2</sup>

It was usually after the announcement of bad news--the assassination of Lepeletier, the attempted assassination of Léonard Bourdon, the defeats in Belgium and reverses in the Vendée--that proponents of stronger revolutionary measures would launch a campaign. They would often obtain the passage of an important measure at such times. The crisis atmosphere played an important part in the passage of revolutionary measures. Those who opposed the revolutionary régime wanted a constitutional régime to replace it as soon as possible. It will be recalled that in the late fall and early winter of 1792 some members, obviously not sympathetic to the groups which then seemed to control the Convention, demanded the immediate implementation of a constitution.<sup>3</sup>

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<sup>1</sup>Archives parlementaires, LXIV, 309-313.      <sup>2</sup>Ibid., pp. 547-549.

<sup>3</sup>Among these deputies were Chabot, Saint-Just and Merlin de Thionville (supra, pp. 36-37, and 49-50).

Now it was the other side making the same demands.

On April 17 Isnard expressed the hope that the constitutional foundations of the Republic would be presented within the month. He saw a constitution as a rallying point for the French people which would bring more rapid victory.<sup>1</sup> On the twenty-ninth Marat was accused by Masuyer, deputy of Saône-et-Loire, of being a "public enemy" for allegedly opposing the establishment of the constitution.<sup>2</sup> On May 8 Vergniaud said that the Convention should hasten to issue a constitution in order to end factionalism lawlessness, and the "gouvernement de circonstance." This emergency government was a product of necessity, justified by repeated treasons, but it weighed heavily on good citizens as well as on bad ones. It could lead to tyranny. The constitution would bring internal calm and make it easier to achieve peace with foreign powers. Vergniaud warned against ". . . a culpable ambition to perpetuate our powers."<sup>3</sup> On May 13 Condorcet made similar points, calling for the election of a new Convention if a constitution was not ready by the end of October.<sup>4</sup>

Ducos, writing in the Chronique de Paris, expressed the same point of view with great clarity, and showed its relationship to revolutionary government. He complained that the Convention was always being told that it was a revolutionary body, and that it sometimes forgot that it was above all a "constituent body." Even if the Convention was considered primarily a revolutionary body, the establishment of a stable government should be seen as the most revolutionary of all possible

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<sup>1</sup>Archives parlementaires, LXII, 227.      <sup>2</sup>Ibid., LXIII, 561.

<sup>3</sup>Ibid., p. 330.      <sup>4</sup>Ibid., pp. 621-623.

measures. A constitution would rally all Frenchmen, revive love of country and lead to the defeat of enemies, both internal and external. Ducos was impatient with those who were emphasizing revolutionary government at the expense of constitutional government. What he wanted was an end to the Revolution. It was revolutionary, he said in effect, to end the Revolution. The word revolution, said Ducos, meant ". . . the act of turning," and ". . . if we turn much longer we might well have gone around the whole circle and find ourselves where we began; that is to say, with despotism."<sup>1</sup>

An interesting question comes to mind concerning the constitution. What would happen to "revolutionary measures" if the constitution was completed and promulgated before the end of the war? Buzot and Robespierre addressed themselves to this point on April 19. The context was the discussion of the declaration of rights proposed by Barère for the Constitutional Committee. The article under discussion prohibited any limitation or suspension of freedom of the press. Durand-Maillane, deputy of Bouches-du-Rhône, thought this right should be limited to prevent incitement to crime or advocacy of the overthrow of the constitution. Buzot insisted that ". . . outside of revolutionary times, freedom of the press cannot be suspended or limited by any law, . . ." He asserted that revolutionary and ordinary times required different types of laws. Recalling that he had favored a law against the abuse of the press months earlier,<sup>2</sup> he said that he still considered such a law necessary. In peaceful times, however, ". . . I oppose all limitations

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<sup>1</sup>Chronique de Paris, May 12, 1793, p. 1.

<sup>2</sup>The law against provocateurs.

on the freedom of the press."<sup>1</sup> Salle proposed limitations to protect the rights of others. Robespierre addressed himself to the remarks of Buzot which, it seems, he misunderstood. Claiming that Buzot had not made an exception for revolutionary times, Robespierre pointed out a basic paradox of revolution. The purpose of revolution, he said, was to establish the rights of man, yet to defend the Revolution one must often act in violation of these rights. He pointed out that the Convention had already enacted repressive laws concerning freedom of the press: the death penalty for attacking the unity of the Republic or for advocating the re-establishment of monarchy. "Such measures, though contrary to the legislation of peaceful times, must be taken in times of revolution; for otherwise the laws would protect those who were conspiring against the laws themselves."<sup>2</sup> Robespierre called for the adoption of Barère's proposal and for provisional maintenance of revolutionary laws against royalism and federalism. Buzot explained that he had not meant to impugn revolutionary laws. The committee's declaration of rights was adopted, free of any restrictions on freedom of the press.<sup>3</sup>

Basically, Robespierre and Buzot agreed. They both favored a constitution which would guarantee full liberty, but they did not want this constitution to go fully into effect until the end of the Revolution. Robespierre's speech of May 10 on the constitution showed that he had no love for the authoritarian measures which he recommended for revolutionary times. In this speech he said, ". . . the primary objective of

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<sup>1</sup>Archives parlementaires, LXII, 706.

<sup>2</sup>Robespierre, Oeuvres, IX, 453.

<sup>3</sup>Archives parlementaires, LXII, 707.

every constitution must be to defend public and individual liberty against the government itself."<sup>1</sup> Robespierre felt that the constitution should maintain a strict separation of the legislative and executive powers. It should avoid the usual tendency of government to "govern too much," leaving as much power as possible to individuals, families and local administrations.<sup>2</sup> All of this was the very antithesis of revolutionary government.

Throughout the foregoing discussions concerning the constitution, an emerging theory of revolutionary government can be discerned. The theory, however, was still fragmentary. Condorcet was the first deputy who would elaborate a coherent theory of revolutionary government. He did this in an article entitled, "On the Meaning of the Word Revolutionary," which was published on June 1, 1793.

Condorcet began by defining the word "revolutionary" as he would use it. He maintained that this word had been created for the French Revolution, and that because the French Republic was the first state to base its liberty on ". . . a complete equality of rights," the word "revolutionary" could be applied only to a revolution whose objective was liberty.<sup>3</sup> Continuing with his definition, he said, "A revolutionary law is a law the objective of which is to maintain that revolution, & to accelerate or regulate its progress. A revolutionary measure is one which can assure its success."<sup>4</sup> To be called revolutionary, such a

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<sup>1</sup>Robespierre, Oeuvres, IX, 496.

<sup>2</sup>Ibid., pp. 500-501.

<sup>3</sup>Journal d'instruction sociale, June 1, 1793, p. 1.

<sup>4</sup>Ibid., p. 2.

law must be one which would be suitable for revolutionary but not for ordinary times. Ordinarily it might be considered useless or unjust.<sup>1</sup>

As Condorcet defined the word "revolutionary," it was tied, through liberty, to equality of rights. Thus, a revolutionary measure was an extraordinary measure with distinct political objectives. Condorcet's conception of revolution was, furthermore, one of a continuing process. This was indicated when he said that its progress was to be accelerated or regulated by revolutionary measures. When Condorcet said the Revolution was over, he meant only the violence of the Revolution.

Once having defined his terms, Condorcet proceeded to establish a theoretical justification for extraordinary government. The Revolution, he said, might justly defend itself against counter-revolutionaries. Repressive laws could be enacted for this purpose. If human rights were in danger, lesser rights could be sacrificed to protect them. There was a social contract, but its guarantees were void for anyone who wished to dissolve it. Society had every right to prosecute these individuals without regard for their rights under this contract.<sup>2</sup> Nevertheless revolutionary laws should have a time limit, and should embody a certain justice. "They are laws of security & not of violence."<sup>3</sup> Their purpose was to terminate, not to lengthen the Revolution.<sup>4</sup> Yet, the men who had enacted these sometimes bloody laws should not be judged too harshly, for ". . . moderation is not always wisdom."<sup>5</sup>

Clearly, Condorcet supported revolutionary government but the limitations that he suggested be placed on revolutionary measures

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<sup>1</sup>Ibid., pp. 2-3.      <sup>2</sup>Ibid., pp. 6-7.      <sup>3</sup>Ibid., pp. 7-8.

<sup>4</sup>Ibid., p. 10.      <sup>5</sup>Ibid.

indicated that he did not accept them as unequivocally as some of his more radical colleagues. At one point he said that he felt the term "revolutionary law" was being abused, and that further misuse of the term could become dangerous.<sup>1</sup> He evidently felt that revolutionary measures were being used in cases where they were not absolutely necessary or that some of these measures had exceeded their just limits. Condorcet, therefore, disagreed with revolutionary government as it was currently being practiced, but his disagreement was one of degree. His theoretical basis for revolutionary government could have been used to support the measures taken by the Revolutionary Government during the year II. Condorcet's article of June 1 presaged the theories enunciated by Robespierre and others during the year II, and was more moderate only in that it failed to accept its ultimate logical consequences.

The most "revolutionary" of all measures in the late spring of 1793 was the expulsion of the Girondins from the Convention in the journées of May 31 to June 2. This was an extraordinary measure carried out by popular forces, but in the final analysis sanctioned by the government. Opinions on the expulsion are not a reliable indicator of views on revolutionary government. Certainly, the charge was heard that the Girondins were consistent opponents of measures of "public safety."<sup>2</sup> But even a proponent of revolutionary government would have opposed the purge if he or his friends were included. The importance of statements concerning the journées of May 31 to June 2 must, therefore, not be overemphasized. In spite of this, an examination of the discussion surrounding these stormy days and the period immediately

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<sup>1</sup>Ibid., pp. 3-6.      <sup>2</sup>Aulard, Jacobins, V, 221.

preceding it throws some light on the development of revolutionary government.

The question which immediately arises is whether the left, consistent with its position during the debate over the proposed expulsion of Philippe Egalité, maintained that the removal of a deputy from the Convention constituted an infringement on popular sovereignty. Of course they did not, again proving that arguments concerning revolutionary government were used as debating points in purely political disputes.

Ironically, it was Birotteau, one of the deputies expelled on June 2, who proposed and obtained the abolition of the inviolability of deputies. Had it not been abolished, he and his colleagues might have used this as an argument against their arrest and expulsion from the Convention on June 2. There is good reason to believe that the abolition of inviolability was aimed against Marat. On April 1, in the wake of suspicions aroused concerning Dumouriez, Marat called on the Convention to forget about the constitution for the moment and to devote its time to the enactment of "revolutionary laws." He asked for the examination of the conduct of deputies, generals and ministers with regard to Dumouriez. Birotteau took up the challenge. Let all types of inviolability cease, he said, even that of the deputies. "I ask that the Convention pass the decree of indictment against those of its members over whose heads hang violent suspicions."<sup>1</sup> In the mind of a deputy of the center or the right, no one fit this description better than Marat. Indeed, it was but twelve days before Marat was indicted, and a warrant

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<sup>1</sup>Archives parlementaires, LXI, 158.

for his arrest was issued by the Convention. He became the first victim of the abolition of the deputies' inviolability.<sup>1</sup>

Unlike the discussion surrounding the proposed expulsion of Philippe Egalité, the discussion of Marat's indictment did not become an issue of revolutionary government. Marat's opponents spoke of his alleged crimes. They did not consider his arrest an extraordinary revolutionary measure. Marat's supporters denounced the accusations as part of a conspiracy, they impugned the motives of the other side and they defended Marat's actions and writings as noncriminal, if at times in error. But they did not generally argue in terms of infringements on popular sovereignty or attacks on the national representation. In other words, the question was whether or not Marat had broken a given law.<sup>2</sup> Marat was sent to the Revolutionary Tribunal and not to an ordinary court, however, because he was accused of committing an anti-national crime, and of breaking laws which were revolutionary.

The indictment of Marat, in terms of revolutionary legislation, was an ordinary procedure. But what of the petition of the forty-eight sections, presented April 15, calling for the expulsion of twenty-two deputies from the Convention? Of course, at the time there was no one in the Convention who favored the proposal. Boyer-Fonfrède and others immediately denounced the petition on the grounds that a small portion of the sovereign people did not have the right to speak for the sovereign people as a whole, and therefore, had no right to demand the

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<sup>1</sup>Gottschalk, Marat, p. 158.

<sup>2</sup>Archives parlementaires, LXI, 640-644, and LXII, 24-65.

expulsion of representatives of the people.<sup>1</sup> The next day Philippeaux, who by this time had sided with the left, proposed a decree which censured the petition and denounced anyone who proposed the dissolution of the Convention, even only partially, before a constitution had been written. He was applauded by the Mountain.<sup>2</sup> The Mountain, of course, was defending its own interests as well as principle, for just before Philippeaux spoke, Lasource had proposed that the primary assemblies be convoked to purge the Convention.<sup>3</sup> Nevertheless, the left maintained its consistency by opposing the April 15 petition as well as Lasource's proposal.

In June the situation was different. Above all, Paris had mustered sufficient power to enforce its demand, whether with or without the support of the Mountain. The left, furthermore, was being attacked as well as being on the attack. It was a fight to the death between the factions. The attack on the left came from the Commission of Twelve, which was a good example of a revolutionary measure from the right.

The creation of the Commission of Twelve can only be understood if it is recalled that there had been reiterated demands from the Paris sections for the removal of certain deputies from the Convention. One of the more notable of such demands was the petition of April 15, already discussed. In response the right lashed out at its enemies. The indictment of Marat was one result. Then, in response to rumors of an impending insurrection, Guadet proposed on May 18 that the deputies' substitutes be convened at Bourges, and that the Commune be dissolved. As a compromise Barère proposed the creation of the Commission of Twelve

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<sup>1</sup>Ibid., LXII, 135-138.

<sup>2</sup>Ibid., pp. 200-201.

<sup>3</sup>Ibid., p. 196.

to investigate the rumors of insurrection.<sup>1</sup> The Commission's report on the planned insurrection and means for preventing it, along with its arrest of several radicals such as Hébert and Varlet,<sup>2</sup> brought protests from the Commune and the left. On the twenty-seventh the Convention, invaded by the sans-culottes, abolished the Commission, but the next day it was reinstated by appel nominal. But the power of the Commission had been destroyed, and the wheels of rebellion set in motion.

The supporters of the Commission of Twelve saw its actions as necessary revolutionary measures. There really was no explicit theorization concerning its extraordinary nature. Events were too pressing. Immediate concerns regarded the discovery of plots. The Commission, nevertheless, was created as ". . . an extraordinary commission,"<sup>3</sup> possessing extraordinary powers. Not only was it empowered to examine the papers of the Paris Commune and sections, to take cognizance of plots against liberty and to take all necessary measures to acquire proof of these conspiracies; it was also given the power to detain the accused. In other words, it was given the power to arrest individuals whom it suspected of conspiracy, a power which even the Committee of Public Safety did not yet have. When on May 24 Viger delivered the one and only report the Commission was allowed to present, he also pointed out the Commission's extraordinary nature. He began his report, "Citizens, when you instituted an extraordinary commission which you

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<sup>1</sup>Ibid., LXV, 46-48.

<sup>2</sup>Hébert was substitute procurator of the Commune, a leader of the Cordeliers Club and editor of the radical Père Duchesne. Varlet was a postal employee and a leader of the ultra-radical "Enragés."

<sup>3</sup>Archives parlementaires, LXV, 48.

invested with great powers, you felt that it was the last anchor lowered in the midst of the storm to save the patrie."<sup>1</sup> In the discussion which followed the report, Vergniaud reaffirmed this impression: "But as representatives of the people, you owe it to your security, even if only threatened to take extraordinary precautions."<sup>2</sup> Finally, if it be doubted that the right and center did not shrink from extraordinary measures, the arrest of Hébert and the others by the Commission need only be recalled. Here the Commission made full use of the extraordinary powers given to it by the Commission.

In opposition to the Commission, the left sounded somewhat as it had in the fall, but not quite so plaintive, for Paris was up in arms and in a position to dominate the situation. Nevertheless, the Commission of Twelve, with its extraordinary powers, was seen as a tyrannical, arbitrary authority depriving individuals of their liberties. On May 24 Osselin, in the name of the Committee of General Security, denounced the arbitrary nature of the Commission's seizure of the papers of the Revolutionary Committee of the section Contrat Social.<sup>3</sup> On May 25 a deputation from the General Council of the Commune complained about the arrest of Hébert. They called the arrest an attack against "the most sacred rights of man." The deputation continued, ". . . the sovereignty of the people is violated when their magistrates are arbitrarily taken from their duties, without accusation and without a proven offense."<sup>4</sup> These could have been the words of one of the purged Girondins but a few days later. In the Jacobin Club were heard appeals to principle

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<sup>1</sup>Ibid., p. 179.

<sup>2</sup>Ibid., p. 283.

<sup>3</sup>Ibid., p. 285.

<sup>4</sup>Ibid., pp. 319-320.

verging on an opposition to revolutionary government, now usually heard only from the right. On May 27 Hassenfratz, who held a post in the ministry of war and who was to be one of the organizers of the insurrection of May 31, complained about the arrests made by the Commission of Twelve. He maintained that in allowing its Commission to exercise such authority, the Convention was combining the legislative and executive powers. It was the job of the Convention to judge the "tyrant" and to write a constitution; nothing more. Another member added that soon all energetic patriots would suffer the fate of Hébert.<sup>1</sup>

On May 28, back in the Convention, the question being debated was the previous day's dissolution of the Commission of Twelve. Defending the dissolution, Jean-Bon-Saint-André said, "I maintain that the Commission of Twelve is an inquisitorial authority, contrary to every principle." Aubry, deputy of Gard, responded: "And the Committee of General Security?" "And your commissioners' inquisitions?"<sup>2</sup> added other members of the right. As this exchange indicated, each side had its supporters, armed with extraordinary powers, seeking to suppress the other side. The same cries were again heard in the Jacobin Club. On May 29 Hébert entered the Club to tell of his mistreatment at the hands of the Commission of Twelve. Legendre called Hébert's arrest a violation of freedom of the press, and Robespierre claimed that they had witnessed the triumph of tyranny.<sup>3</sup> The lesson to be learned from this dispute is that the left used the same arguments against the

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<sup>1</sup>Aulard, Jacobins, V, 211.

<sup>2</sup>Archives parlementaires, LV, 493.

<sup>3</sup>Aulard, Jacobins, V, 212-213.

"revolutionary measures" of the right as the right used against the "revolutionary measures" of the left.

In the days immediately following the debate over the Commission of Twelve, the days which witnessed the expulsion of the Girondins from the Convention, the left was not so concerned with the rights of man or the violation of the sovereignty of the people attendant on the arbitrary removal of the people's magistrates. As in the case of the Commission of Twelve, and more so, there were no reasoned statements on why deputies should or should not be excluded from the Convention. The reason for the exclusion of the Girondins was their alleged crimes: their efforts to prosecute the revolutionaries of August 10, their slanders against Paris, their efforts to save the king and their conspiracy with Dumouriez. This was how Robespierre summed up the charges.<sup>1</sup> The left turned a deaf ear to the same arguments they had used to fight the expulsion of Philippe Egalité from the Convention. When asked voluntarily to surrender his powers, Barbaroux summed up these arguments, this time on his own behalf. "But how can I myself dispose of powers invested in me by the people?"<sup>2</sup> Certainly, if he could not surrender his own powers, someone other than those who had elected him could not force him to give them up. The same theme ran through many Girondin protests against the purge. The national representation had been violated, the people's sovereignty had been infringed.<sup>3</sup> Such arguments counted for little. Power spoke.

Amazingly, toward the end of the charade of June 2, a small element

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<sup>1</sup>Archives parlementaires, LXV, 655.

<sup>2</sup>Ibid., p. 705.      <sup>3</sup>Infra, pp. 161-164.

of scruple entered the discussion. In what amounted nearly to an Orwellian "double think," Billaud-Varenne said, "In order to be correct, one must not exceed one's powers, and the Convention does not have the right to cause the suspension of any of its members."<sup>1</sup> If the deputies were guilty, he declared, they should be accused properly, and sent before the Revolutionary Tribunal. He proposed a decree of accusation against the deputies by appel nominal. As it turned out, the Convention opted for vagueness. It simply decreed the arrest of the deputies.

The purge of June 2 ended the most important formative period of the Revolutionary Government. Many changes were yet to be made, but the basic structure of a strong revolutionary government had been established. The purge prepared the way for the elaboration and strengthening of the government. It swept from the floor of the Convention men such as Buzot, Lanjuinais, Vergniaud, Barbaroux, Birotteau, Brissot, Louvet, Gensonné and others who had been in the vanguard of opposition to the creation of a strong revolutionary government. Had they remained, these men might have used their powers of persuasion to prevent or lessen the strengthening of the revolutionary government. Their departure, of course, did not remove from the Convention all the opponents of strong revolutionary government. Opposition continued, but without forceful leaders it lacked strength.

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<sup>1</sup>Archives parlementaires, LXV, 706.

## CHAPTER IV

### THE ESTABLISHMENT OF THE MONTAGNARD REGIME

The early summer of 1793 was dominated by the growing civil war within France. The foreign war was still serious. The Austrians were in northern France besieging the fortresses of Condé and Valenciennes, while the Prussians had entered eastern France and laid siege to Mayence. But with the arrests of the Girondins, the so-called Federalist Revolt assumed such threatening proportions that it seemed to dominate the thoughts of the Convention.

Already in May, Marseilles had escaped the control of the central government, while Bordeaux and a number of other cities were threatening to march on Paris to quell the insolent sans-culottes. These provincial cities resented the fact that Paris seemed to be dominating the Revolution. They sought to reassert the large measure of local autonomy which they had gained in the first phases of the Revolution. Now, with the arrest of the Girondins, many departments saw their most valued and outspoken deputies expelled from the Convention. The rebellion widened. Of the twenty-nine deputies proscribed, twenty avoided arrest or escaped from their house arrest. Many of them went into the departments to promote rebellion against Paris and the Montagnards. The Vendée was already in rebellion, and now, with a number of the fugitive deputies using Caen as a headquarters, Normandy and other areas in the northwest joined the rebellion. At the same time, in the

south, cities such as Toulouse, Toulon, and Lyons joined Bordeaux and Marseilles in rebellion. In short, about sixty departments of the west and south rose against the central government at Paris.

The Montagnards in Paris used a combination of persuasion and force to deal with the situation. The peasants were cajoled by the sale of national lands in small parcels and the outright abolition of all remaining "feudal dues." To show the departments that they sought no dictatorship, the Montagnards wrote the new constitution in the space of a week, and had it approved by the Convention on June 24. Many people in the departments refused to support the rebellion, because royalists had managed to attach themselves to the cause. A few minor battles in the northwest sufficed to bring that area under control by mid-July. Most cities of the south were persuaded or forced back into the fold by the end of the summer. Lyons and Toulon held out, however, and were to be a thorn in the side of the government for months to come.

A domestic crisis of unprecedented magnitude was therefore added to the great and increasing dangers posed by foreign enemies. The federalist revolt was so dangerous primarily because it was combined with a foreign war. The dual peril was the backdrop for the debates which occurred in the Convention in the early summer of 1793. By no means did the Montagnards have full control of the Convention immediately after June 2, but as in the past they used the dangers facing the country to persuade the Convention to adopt the strong measures which they recommended. Gradually, opposition was silenced, and the Montagnards achieved a firm hold over the Convention and the country as a whole.

The deputies had been loath to surrender their colleagues on June 2. The pitiful effort to pass through the lines of the besiegers symbolized this resistance. Though the Girondins had been arrested, the legal ground for their detention was still unclear. What had they done wrong? Of course, the enemies of the arrested deputies knew well in their own minds what their crimes were. But the more dispassionate were uncertain. The arrests, when seen in a favorable light, were a revolutionary measure. One would think that anyone would be afraid to criticize the purge, and yet criticism was rife. Both the arrested deputies and others sympathetic to them protested. Objections took the form of petitions (which led to further arrests), individual statements in the Convention and pamphlets published outside the Convention.

One thing the debate made clear was that the Montagnards victors of June 2 were not yet in absolute control of the Convention. On June 5 Doulcet-Pontecoulant, deputy of Calvados, denounced the "conspiracy" of June 2, and demanded justice for the arrested deputies.<sup>1</sup> On the tenth a number of deputies called for the more rapid trial of the arrested deputies. Some maintained that the Convention was not free. Devars, deputy of Charente, and Camboulas, deputy of Aveyron, complained that the circulation of the mail was being interrupted, and that laws were being dictated to the Convention by outside forces. These criticisms were directed against the Paris Commune. Guyomar, deputy of Côtes-du-Nord, demanded an immediate report of the Committee of Public Safety on the arrested deputies. When his proposal was rejected, Dumont, deputy of Calvados, demanded an appel nominal on the question so that France

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<sup>1</sup>Archives parlementaires, LXVI, 66.

would know that the decree depriving their colleagues of their liberty had been forced on the Convention. Vernier demanded that consideration of the constitution be postponed until after the decision on the fate of the arrested members. Jean-Bon-Saint-André claimed that Vernier's proposal was designed to discredit the constitution which was to be presented in the near future. He called for the immediate discussion of the constitution. Engerran-Deslandes, deputy of Manche, protested. The Convention was not free when its members were arrested. The purge was tantamount to the total dissolution of the assembly. Coupé, deputy of Oise, said that the nation would not look upon the constitution as the free expression of the Convention's will if the purged deputies remained under arrest arbitrarily and without proof. And so the discussion continued in a desultory fashion until the Convention proceeded with the scheduled agenda, the reading of the constitution.<sup>1</sup>

On June 11 Delacroix proposed draconian measures against Girondins who had left Paris to promote rebellion in the departments. Defermon, deputy of Ille-et-Vilaine, was astonished. He called for the reinstatement of the arrested members as the only way for the Convention to win the confidence of the departments. Boyer-Fonfrède lent support.<sup>2</sup> On June 24 a bitter debate took place over the proposal to send the remaining Girondins to detention centers to prevent their escape. Ducos and Boyer-Fonfrède opposed the plan. The right called for an appel nominal, and many members went to the desk to sign a petition for it. The Mountain, however, seemed to have the upper hand. It cut off debate by passing a resolution to send anyone to the Abbaye who interrupted

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<sup>1</sup>Ibid., pp. 252-256.

<sup>2</sup>Ibid., pp. 278-280.

the ongoing discussion of the constitution.<sup>1</sup> On June 30, when the Committee of General Security proposed that deputies who signed petitions opposed to the revolution of June 2 be arrested, two members in turn demanded that an indictment be issued against the Committee of General Security. Boyer-Fonfrède opposed the Committee's proposal.<sup>2</sup> As late as July 8, when Chabot proposed the indictment of Condorcet, Guyomar had the temerity to object.<sup>3</sup>

The petitions to which the Committee of General Security had referred on June 30 were those of June 6 and June 19 secretly signed by a total of seventy-five deputies.<sup>4</sup> The petition of June 6 was later printed by order of the Convention. It claimed that the chiefs of a faction had taken power in the journées of May 31 to June 2. They had violated the integrity of the national representation, and now they controlled the Convention by terror, while their commissioners exercised arbitrary power in the departments. The decree for the arrest of the deputies had been obtained by force, in violation of the rights of man and of the national sovereignty.<sup>5</sup> The deputies, therefore, denounced the purging of the Convention, though they recommended no drastic action. Presumably they left this to the discretion of their constituents.

Naturally, the Montagnards saw the journées of May 31 to June 2 in quite another light. When on June 13 Doulcet-Pontecoulant, an

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<sup>1</sup>Ibid., LXVII, 136-138.      <sup>2</sup>Ibid., p. 680.

<sup>3</sup>Ibid., LXVIII, 438-439.      <sup>4</sup>Sydenham, The Girondins, p. 219.

<sup>5</sup>Réimpression de l'ancien Moniteur (31 vols.; Paris: Plon Frères, 1843-1845), XXII, 385-386. The document was printed November 2, 1794. (Hereinafter referred to as Moniteur.)

opponent of the Montagnards, characterized the events of May 31 to June 2 as "journées de sédition," Danton defended the uprising. Without the insurrection, he said, the conspirators would have triumphed. They would then have ruled the Convention. The insurrectionists had done more for the people in several days than the Convention, tormented by intriguers, had done since its inception. He called on the Convention to issue a declaration on the matter. Couthon soon proposed just such a declaration. The proposal stated that in the days of May 31, June 1 and 2 the Commune and people of Paris had saved liberty, and the unity and indivisibility of the Republic. There were complaints from the right, but Robespierre persuaded the Convention to adopt Couthon's declaration, implying that those who were opposed to it were "federalists."<sup>1</sup>

To the Girondins the attack on the Convention had been a violation of popular sovereignty. A small fragment of the people had arrogated sovereignty to themselves. Now, with the removal of a number of deputies, the Convention no longer represented the nation. To Guiter, deputy of Pyrénées-Orientales, it was a plot against the sovereignty of the people and a violation of the integrity of the Convention, which gave the departments the right to rebel in order to put their deputies back into office.<sup>2</sup> Genevois, deputy of Isère, felt Paris had usurped dictatorial power.<sup>3</sup> Saladin felt that the Convention had been

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<sup>1</sup>Archives parlementaires, LXVI, 481-482, and 484-485.

<sup>2</sup>J. Guiter, député du département des pyrénées orientales, a ses commettans (Paris, 1793), pp. 20-21.

<sup>3</sup>[Louis-Benoit Genevois], Compte rendu à nos commettans (Paris, 1793), p. 2.

essentially dissolved.<sup>1</sup> Condorcet sought to show that the "Girondin Constitution," which he had helped write, expressed the will of the Convention and that the "Jacobin Constitution" did not. He maintained that the Convention was not free when it adopted the second version. Indeed, after June 2, ". . . the national representation no longer existed. . . ." <sup>2</sup> Other deputies expressed similar views on the violation of popular sovereignty.<sup>3</sup>

Some drew the conclusion that because of this violation of their sovereignty, the people could rise forcefully to reverse the decision. The views of Guiter have already been cited. Fauchet predicted that the Montagnards would soon drown in the blood of the Girondins.<sup>4</sup> The fugitive Barbaroux was the most extreme. Writing from Caen to his Marseillais constituents, he called for a march on Paris. The Parisians, he said, had to be delivered from the tyranny under which they were

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<sup>1</sup>Compte rendu, et déclaration par J.-B.-M. Saladin, député du département de la Somme, sur les journées des 27 et 31 mai, 1<sup>er</sup> et 2 juin 1793 (Paris: Imprimerie de Robert, [1793]), p. 14. (Hereinafter referred to as Compte rendu.)

<sup>2</sup>Condorcet, Aux citoyens français, sur la nouvelle constitution ([Paris], [1793]), pp. 4-5.

<sup>3</sup>Jacques Charles Bailleul, Déclaration de J. Ch. Bailleul, député du département de la Seine Inférieure à la Convention nationale, sur la situation politique (n.p., [1793]), p. 8. (Hereinafter referred to as Déclaration.); François Bergoeing, Bergoeing, député du département de la Gironde, et membre de la Commission des Douze, à ses commettans, et à tous les citoyens de la république (Caen: Imprimerie nationale, Le Roy, 1793), p. 2; Charles-Ambroise Bertrand de l'Hodiesnière, Le Citoyen Bertrand-l'Hodiesnière, député par le département de l'Orne, au président de la Convention nationale (Paris: Imprimerie F. Dufort, 1793), p. 4.

<sup>4</sup>Journal des amis (Paris), June 1, 1793, pp. 159-160.

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Others, while abhorring the expulsion of the deputies, drew less extreme conclusions. Saladin limited himself to appealing to the Parisians to demand justice for the deputies.<sup>2</sup> Of course no one wanted to appear to be advocating "federalism." Even Barbaroux had warned against this solution.<sup>3</sup> Dulaure, deputy of Puy-de-Dôme, felt that the departments had every right to seek vengeance against those who had violated the national representation, but he advised against it. ". . . the safety of the patrie must prevail over these considerations, over justice itself."<sup>4</sup> Some deputies who obviously disliked the expulsion of the Girondins, nevertheless advised in favor of internal peace and adoption of the Jacobin constitution. In a letter dated June 12, Besson, deputy of Doubs, characterized the expulsion as criminal, but he denied that it invalidated the Convention's status as the national representation. A good constitution would be the remedy for the country's problems, and the Convention was in the process of writing one.<sup>5</sup> Borel, deputy of Hautes-Alpes, had similar views. The constitution, he said, would bring tranquillity.<sup>6</sup> In an article of July 1, Carra

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<sup>1</sup>Charles Barbaroux de Marseille, député par le département des Bouches-du-Rhône a la Convention nationale, aux citoyens de Marseille (Caen, 1793), pp. 1-6. (Hereinafter referred to as Aux citoyens.)

<sup>2</sup>Saladin, Compte rendu, pp. 18-19.

<sup>3</sup>Barbaroux, Aux citoyens, p. 6.

<sup>4</sup>Le Thermometre du jour (Paris), June 11, 1793, p. 602.

<sup>5</sup>Albert Mathiez, ed., "Lettres inédites du conventionnel Besson," Annales Révolutionnaires, XIV (1922), p. 145.

<sup>6</sup>Hyacinthe-Marcellin Borel, Borel, député à la Convention nationale par le département des Hautes-Alpes, à ses commettans ([Paris]: Imprimerie Fr. Dufort, [1793]), p. 2.

virtually accused the Montagnards of working for foreign powers and desiring a royalist restoration. He nevertheless advised the acceptance of the constitution, which he considered basically good, as well as the immediate election of a new legislature.<sup>1</sup> Obviously Carra and the others who advised acceptance of the constitution saw it as the only means to end the Revolutionary Government dominated by their enemies.

Bailleul's denunciation of the insurrection is interesting because it related the events of June to the overall outlook of the right ever since September 1792. The rising, he said, was the product of a way of thinking which was leading to the destruction of the Republic. It made the people fear order, and believe that there had to be eternal revolution. It made them feel liberty could only be established through tyranny. The people, concluded Bailleul, should not have a direct influence on legislation. They should only judge its effect.<sup>2</sup> This statement was another example of the right's opposition to continued revolution and sans-culotte pressure on the Convention.

The ouster of the Girondins brought no great tidal wave of revolutionary measures. The "Dantonist" Committee of Public Safety was essentially moderate. It sought compromise with foreign powers and with the departments. Most of the sans-culottes' demands of June 2 were put aside. Even with regard to the Girondins, there was moderation. For example, Saint-Just in his report of July 8, recommended reinstatement of most of them.<sup>3</sup> Inflation continued, the war was not going well,

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<sup>1</sup>Annales patriotiques, July 1, 1793, p. 832.

<sup>2</sup>Bailleul, Déclaration, pp. 8-10, and 13-14.

<sup>3</sup>Archives parlementaires, LXVIII, 426-436.

sans-culotte dissatisfaction again began to mount, and, added to all these problems, was the federalist revolt. The revolt evoked new outcries for harsher revolutionary measures.<sup>1</sup> Yet there was no rush to adopt revolutionary measures. Delacroix' harsh proposal against rebel deputies and department administrators was sent to committee for consideration. Robespierre's demand for a strict law against slanderous journalists was dealt with in a like manner. Fabre d'Eglantine's proposal to allow the Committee of General Security to declare a newspaper "incivique," and deny it the use of the mails was not even considered. On the other hand, a proposal of the Committee of General Security to give some conspirators three days grace was rejected on the urging of Robespierre.<sup>2</sup>

The tendency toward centralization of the Revolutionary Government continued in this period. It took a new, very interesting turn. The specific question was the suppression of the "comités révolutionnaires de surveillance" proposed by Barère in the name of the Committee of Public Safety on June 6. The discussion brought out the divisions within the Montagnard group. It is interesting that once the Girondins were out of the way, some of the Montagnards sought to act against these popular organs of revolutionary government, which they had for so long been defending.

Barère's report was reminiscent of the views of those who felt the Revolution was over in the fall of 1792. But it also resembled the law

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<sup>1</sup>See, for example, Ibid., LXVI, 278-279 (June 11), 673 (June 18), and LXVII, 130-131 (June 24).

<sup>2</sup>Ibid., LXVI, 280, 582, and 673.

of 14 frimaire year II. In fact, all of these views were those of men who were in power, and who sought to deprive others of the means to attain power. According to Barère, once having obtained success on June 2, the revolutionary committees ceased to be useful. Indeed, they could now only be injurious to civil liberty and national sovereignty. They were the temporary creations of a crisis. Once liberty was attained, the committees were a danger to civil liberty and they had to be destroyed. They had been known to stop the mails, for example, infringing on freedom of the press and freedom of expression. The Convention, declared Barère, was the true "revolutionary committee of the republic." It should direct the forces of the nation.<sup>1</sup>

Barère's report and the decree he presented indicated that he had several objectives. One objective, and it would seem the most important, was to calm the country, and to douse the fires of the federalist revolt. All the committee's proposals, he said, were aimed at restoring order in Paris. The events of June 2 had had a great effect throughout France. Paris had risen. It was now necessary to prevent the rest of the country from misunderstanding this insurrection and from rising in turn against Paris. Toward this end, Barère linked the suppression of the revolutionary committees to the election of a new commander of the Paris National Guard, and the sending of hostages for the arrested deputies into the departments from which they came.<sup>2</sup> Beyond the need to calm the departments, however, the goal of centralizing all real power in the Convention was unmistakable. Article three of the proposed decree summed it up in practical terms: "When the National

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<sup>1</sup>Ibid., pp. 109-110.

<sup>2</sup>Ibid., pp. 111-112.

Convention considers it necessary to requisition armed forces, all other requisitions will stop, and the general commander will execute only the orders that come from the Convention."<sup>1</sup> In other words, whether they be counter-revolutionary departments or sans-culotte sections, all local administrators would be subordinate to the Convention.

The Committee's proposals met with strong dissent. On June 8 Robespierre gave a long speech in opposition. He began by praising the rising of May 31 to June 2 for having prevented a counter-revolutionary coup in Paris. This statement met with "violent interruption" on the right and center. Robespierre criticized Barère's proposals as provocative of further disturbances in Paris. The people should not have to give up their revolutionary committees when there were still aristocrats and traitors to be repressed.<sup>2</sup>

In his reply Barère amplified what he had already said. The revolutionary committees were alarming citizens, imprisoning many innocent people and levying unauthorized taxes. "It is necessary to further the revolution; but one does not further it at all by stirring up the citizens against the legitimate authorities. Measures which are arbitrary or too harsh and too violent produce good effects only with difficulty."<sup>3</sup> Barère pointed out that committees for the control of foreigners and those established by representatives on mission or local administrations would be retained under the law, but the confusion of authority resulting from the excessive number of committees must be stopped. The article concerning the right of the Convention to requisition public forces over

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<sup>1</sup>Ibid.      <sup>2</sup>Ibid., pp. 173-174.      <sup>3</sup>Ibid., pp. 174.

the heads of local authorities had raised strong objections. Some said that placing military power in the hands of a legislative body amounted to tyranny. Barère answered that the Convention had to protect its authority by using force if necessary. The nation as a whole would judge the Convention on this account and would not understand any surrender of its authority. Barère thus made clear that Paris had to be brought under control and that the authority of the Convention had to be asserted over the sans-culottes. Robespierre would one day be the leading advocate of such a course of action, but he was not at this time. Was it that he was not yet in power? Of course, one of Barère's motives was to calm the departments. Barère pointed out that the disruption of the mails was causing great alarm in the departments.<sup>1</sup> It was also important to make clear that Paris was not dominating the Convention.

Barère received support from an unaccustomed quarter: from those who had opposed revolutionary measures in the spring. Murmurs and other interventions from the right and center favored Barère. Ducos, Boyer-Fonfrède and Doulcet-Pontecoulant were among his supporters. Doulcet emphasized the importance of maintaining freedom of the press, individual security and the secrecy of the mails.<sup>2</sup> Thus, it should be clear that Barère and his supporters wished again to emphasize liberties proper for ordinary times, and to de-emphasize extraordinary measures. Their goal was the defense of the Revolution, for they felt terror would alienate the people. Their opponents also sought to defend the Revolution, but were more concerned with the

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<sup>1</sup>Ibid., p. 175.      <sup>2</sup>Ibid., pp. 172-175.

danger of "aristocrats" than popular rebellion.

Lejeune, deputy of Indre, receiving applause from the Mountain, advanced his own plan. He seemed very much concerned with the proposal for the requisitioning of armed forces by the Convention. He criticized the Committee's proposals for their weakness, and advocated the dissolution of any administrations which seemed to favor federalism. He felt that the requisitioning of armed forces by the Convention, however, would be tyrannical. To join the legislative power with the control of armed forces was impermissible. His solution, however, was unusual for the time. Lejeune would have established the Committee of Public Safety as an executive power of sorts, though he did not say this explicitly. He said that certainly the people had confided to the Convention the power to save the country. But the Committee of Public Safety, and not the whole Convention, should control the armed force. He proposed that in an emergency, the Committee of Public Safety have the power to requisition all armed forces, giving reasons for its action later. The Committee of Public Safety, he asserted, must be able to make conspirators tremble. For the sake of secrecy, all measures to be taken could not be submitted for the prior approval of a large assembly. ". . . This committee will be the great revolutionary committee of the nation."<sup>1</sup> If any popular rising against the enemies of the Revolution became necessary, he said, the Committee of Public Safety would direct it. It would act energetically and firmly according to the maxim that all measures for the conquest and maintenance of the people's rights were legitimate. Lejeune was applauded by the Mountain. He was advocating

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<sup>1</sup>Ibid., p. 176.

a role for the Committee of Public Safety which would only be fully accepted several months later. It is not that he greatly trusted the "Dantonist" committee, for he recommended adding seven members to it to plan the defeat of the enemies of the Revolution.

Lejeune's proposal, however, did not settle the debate. Danton, Basire and others sought to have the Committee of Public Safety re-examine its proposal. They asked for the adjournment of the discussion. Doulcet-Pontecoulant insisted that the questions of freedom of the press and secrecy of the mails were so important that the vote on the portions of the decree having to do with these matters must take place immediately. Jean-Bon-Saint-André agreed that these matters were of great importance, and pointed out that the left had been calling for the protection of the secrecy of the mails when it was being violated by Roland. He felt that even in the present revolutionary circumstances the secrecy of the mails should be maintained. Barère finally persuaded the Convention to adjourn the discussion.<sup>1</sup>

The next day Devars asked that the report begun by Barère on the preceding day be continued. Dumont threatened that if the Convention could not eliminate the oppression to which it was being subjected by destroying the "illegal" and "monstrous" authorities which had arisen in Paris, the departments . . . . At this point he was cut off. Thuriot said that the Committee needed time to perfect the report. The debate would continue the next day.<sup>2</sup> The report, however, had no direct consequence.

Nothing was more characteristic of the Revolutionary Government in

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<sup>1</sup>Ibid., pp. 177-178.      <sup>2</sup>Ibid., p. 223.

the remainder of 1793 than the growth of the power of the Committee of Public Safety. So closely identified did the Revolutionary Government and the Committee of Public Safety eventually become, that an attack on the Committee was an attack on the Revolutionary Government. During the early summer of 1793, the competence of the Committee grew steadily, though its views did not find the almost automatic acceptance that they did later. Indeed, up to the replacement of major members of the Committee on July 10, there seemed to be a growing sentiment that it was too moderate.

Nothing was more indicative of the Convention's increasing reliance on the Committee than its assigning the Committee the task of writing the new constitution. On May 29 Barère gave a report on the state of the Republic in which he told the Convention that it had to adopt the basic outline of a constitution immediately. He proposed a version of a declaration of the rights of man which was adopted immediately. He then proposed that five deputies be joined to the Committee of Public Safety to draw up, in the shortest possible time, those articles of the constitution which would not be revoked by any future legislative assembly. These would be the articles assuring the indivisibility of the Republic, its liberty and the rights of the people. The proposal was decreed.<sup>1</sup> On May 30 Cambon asked the Convention to confirm the Committee's choice of its new members: Héroult de Séchelles, Ramel-Nogaret, Couthon, Saint-Just and Mathieu. Confirmation was granted.<sup>2</sup> On June 13 Barère asked for the monthly renewal of the powers of the Committee of Public Safety. The existing committee was confirmed in

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<sup>1</sup>Ibid., LXV, 576-580.      <sup>2</sup>Ibid., p. 610.

power, and Jean-Bon-Saint-André and Gasparin were added as requested by Barère.<sup>1</sup> As the month of June wore on, the Convention referred an increasing number of matters of importance to the Committee for its recommendations. The nearly automatic renewal of the powers of the Committee, the nomination of Committee members by the Committee itself and the reliance of the Convention on the Committee for a wide range of matters were all attributes of the great Committee of Public Safety of the year II. Already in the summer of 1793, the "Dantonist" committee was assuming many of these attributes.

The "Dantonist" committee, however, was never as powerful as the later committee. For example, when Bouchotte, minister of war, tendered his resignation on June 21, the Committee of Public Safety proposed that Alexandre, an artillery captain and commissioner of the Executive Council, be named to replace him. The proposal met with serious opposition. Bantabole suggested that a list of candidates be considered and Thuriot proposed that the office be held jointly by three persons to share the work load. Thuriot felt that Alexandre did not possess the necessary talents. The Convention ruled that the Committee of Public Safety should examine Thuriot's proposal.<sup>2</sup> The next day, however, the Convention approved the Committee's nomination of Alexandre without Thuriot's amendment. Immediately following the approval, a number of members denounced Alexandre. On a motion by Thuriot, the Convention repealed its decree, and ruled that it would name a minister of war from a list of candidates.<sup>3</sup> This incident, the discussion of the proposed

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<sup>1</sup>Ibid., LXVI, 460.      <sup>2</sup>Ibid., LXVII, 52-53.

<sup>3</sup>Ibid., pp. 68-69. As it turned out, Bouchotte stayed on as

suppression of the revolutionary committees and a number of other incidents<sup>1</sup> illustrated the Convention's independence of the Committee.

Toward the end of June, it began to become clear that the Committee of Public Safety was considered too moderate in some quarters. On June 14 it was attacked in the Jacobin Club for having proposed Beauharnais, a former nobleman, for minister of war. The attack amounted to an accusation of excessive moderation against the Committee. Robespierre defended the Committee as being well-intentioned, but the furor continued.<sup>2</sup> On June 23, during a general discussion of the need for stronger measures against "federalist" rebels, Vadier, deputy of Ariège, said that there were "endormeurs" on the Committee.<sup>3</sup> On June 28 Couthon, in the name of the Committee, requested that the punishment of the administrators of Haute-Garonne, which had previously been ordered by the Convention, be suspended. Robespierre, Vadier and Chabot denounced the Committee for its weakness. The Convention decided not even to consider the suspension of punishment.<sup>4</sup> On June 29 Dartigoeyte, deputy of Landes, accused the Committee of Public Safety of "moderatism" in its dealings with the rebellious administration of

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minister of war. The Committee of Public Safety did prepare a list of candidates for the office, but because of the Committee's renewal on July 10, no action was taken (Général Herlaut, Le Colonel Bouchotte, ministre de la guerre en l'an II [Paris: Librairie Ch. Poisson, 1946], II, 32 [Hereinafter referred to as Bouchotte.])

<sup>1</sup>See, for example, Archives parlementaires, LXVII, 78, and 623-624.

<sup>2</sup>Journal de la Montagne (Paris), June 17, 1793, pp. 124-126.

<sup>3</sup>Aulard, Jacobins, V, 272. "Endormeurs" were men who were lulling others into a state of unjustified security.

<sup>4</sup>Archives parlementaires, LXVII, 623-624.

the Gironde. Robespierre called for stronger measures as well. The Convention decided to await further developments before taking action.<sup>1</sup> On July 4 Thomas Lindet, deputy of Eure, denounced the Committee's policies with regard to his department. He said the Committee had been mistaken in not sending Parisian forces to the department for fear of resentment against Paris. If the Convention listened to the Committee, his department would soon become another Vendée. He demanded that the Committee of Public Safety state what measures it had taken to crush the "factieux." A number of other deputies agreed with Lindet's denunciation of the Committee and proposed adding him along with Duroy and Francastel, both deputies of Eure, to the Committee of Public Safety because of their knowledge of the locality. The Convention decreed the addition.<sup>2</sup>

One of the bitterest attacks against the Committee of Public Safety came on July 8 in the Jacobin Club. Bourdon de l'Oise criticized it for lack of energy. What France needed, he said, was "revolutionary men." It was time that the membership of the Committee be changed and enlarged to eighteen. The eighteen members could divide the work more easily. Chabot continued in the same vein, and asked the Jacobin deputies to vote the unfit members out of office. Robespierre felt that Chabot was too extreme. The Committee, in his opinion, had good points in its favor as well as bad. The safety of the Republic depended on this Committee, and it was unwise to subject it to popular disfavor. The Committee, he pointed out, was not responsible for the whole revolutionary movement. The Convention had not created it to

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<sup>1</sup>Ibid., pp. 635-636.

<sup>2</sup>Ibid., LXVIII, 248-249.

dictate its decrees, but rather to suggest necessary measures and to help sort out good from bad ideas.<sup>1</sup> Robespierre was saying, in other words, that the Committee could not be expected to do everything, and that the Convention had to accept part of the blame for the nation's problems.

Thus, for a second time, Robespierre defended the "Dantonist" committee, just as Danton would on several future occasions defend the "Robespierrist" committee. These were not petty, ambitious men, Robespierre and Danton. They were statesmen whose first concern was the well-being of their country. Robespierre's statement of the eighth, in addition to being a defense of the Committee, was a statement of his view that the Committee's functions and competence were limited. The Committee, in the spirit in which it was founded, was but an arm of the Convention. That this was Robespierre's sincere view was borne out by his actions in the early weeks of his membership on the Committee, when he proved reluctant to accept increased powers offered to the Committee at the behest of Danton and Delacroix. Danton and Delacroix, who had served together on the Committee, may well have felt that their Committee's lack of power, recognized by Robespierre, had led it to grief. Their desire to improve the Committee as an instrument for victory may have accounted for their later campaign to strengthen it.

Opposition to the "Dantonist" committee culminated on July 10. It was brought to the attention of the Convention that the powers of the Committee of Public Safety, which expired every month, had to be renewed. Drouet, deputy of Marne, claimed that several members of the

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<sup>1</sup>Aulard, Jacobins, V, 291-296.

Committee had lost the confidence of the Convention. He asked for new elections to the Committee. His motion met with approval and new members were chosen by appel nominal so that all could see who voted for the true patriots. The number of members on the Committee was reduced to nine. Among those eliminated was Danton. Barère, Robert Lindet, Hérault de Séchelles, Saint-Just, Couthon, Gasparin and Jean-Bon-Saint-André were re-elected to the Committee. Thuriot and Prieur de la Marne were new members.<sup>1</sup>

The "Dantonist" Committee of Public Safety never possessed the great authority of its successor. It can, nevertheless, take partial credit for one important accomplishment. During its tenure Montagnard power was consolidated in the Convention. The Montagnards were able to write and obtain the adoption of a constitution. Opposition from the right, which was strong in June, was nonexistent by July. If there were disputes, and if the Committee of Public Safety had to face opposition, it was because of divisions within the Mountain. The right had been silenced. This did not mean that the running debate concerning revolutionary government was finished. There was still much disagreement on the question. Some deputies favored and others opposed a further strengthening of the Revolutionary Government. These differences surfaced from time to time in the form of opposition to the Committee of Public Safety.

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<sup>1</sup>Archives parlementaires, LXVIII, 513-515, and 521.

## CHAPTER V

### THE DEVELOPMENT OF THE EMERGENCY POWERS OF THE MONTAGNARD REGIME

The Committee of Public Safety which was elected on July 10 was to serve as the government of France during the next year with few changes in membership. Every month the Committee asked for a prolongation of its powers, and almost every time the request was granted by acclamation. The powers of the Committee steadily grew until its role was seemingly uncontested by April, 1794. In reality, however, the Committee was never secure in power. Throughout much of the year it had to face opposition, sometimes open and sometimes veiled, which resulted from group rivalries. It is furthermore clear that apart from unrest caused by group rivalries, there was a seething discontent in the Convention, a profound dislike for revolutionary government, which could at any time overwhelm the Committee. Motivated by a combination of necessity and personal fear, the deputies extended the powers of the Committee only reluctantly.<sup>1</sup>

If the deputies expected quick results from the change in leadership, they must have been disappointed. On July 13 the fear of royalist conspiracy was made frighteningly real with the assassination of Marat.

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<sup>1</sup>G[eorges] Lefebvre, "Sur la loi de 22 prairial an II," Annales historiques de la Révolution française, XXIII (July-September, 1951), 230.

The military situation both in the Vendée and on the frontiers continued to worsen while Generals Custine, Biron, Ronsin and Rossignol were the subjects of doubts and quarrels. When Gasparin resigned from the Committee because of "ill health," the empty place was filled by Robespierre, who was elected without opposition on July 27.<sup>1</sup>

In the midst of these difficulties, the new Committee had to face its first tests at the hands of its opponents. It had not only to answer normal criticisms of its daily operations, but also to parry serious attacks which threatened the Revolutionary Government itself. The Committee of General Security and the Revolutionary Tribunal were also frequently criticized. Some of the critics claimed that the two Committees and the Tribunal were lacking in revolutionary vigor. Others obviously sought to weaken or abolish the Revolutionary Government. One thing was clear beyond doubt: Parliamentary life was not yet dead.

Criticism of the Committee of General Security and the Revolutionary Tribunal was usually motivated by a desire to intensify revolutionary government. On August 18 Maure, a member of the Committee of General Security who was soon to leave on mission, told the Jacobins that the Committee was highly negligent. He called on the Convention to supervise the Committee more closely, and to stimulate its patriotism.<sup>2</sup> On the twenty-fifth Dartigoyte questioned the revolutionary ardor of some members of the Committee and called for the renewal of the membership. Robespierre mildly defended the Committee, speaking

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<sup>1</sup>Archives parlementaires, LXIX, 584.

<sup>2</sup>Aulard, Jacobins, V, 361.

understandingly of organizational problems and jurisdictional conflicts with the Committee of Public Safety. He recommended a change in the membership of the Committee, reduction to ten members and establishing a clear line of demarcation between the functions of the Committee of General Security and the Committee of Public Safety. These proposals were adopted in principle.<sup>1</sup> Criticism in the Jacobins was what finally brought a significant change. On September 8 Maure and Drouet denounced the whole Committee of General Security. Maure asserted that all of its members were "worn out." All should be replaced, and the Committee should be composed of nine reliable members rather than the present twenty-four. The Contracts Committee was criticized at the same time. Drouet demanded its replacement along with that of the Committee of General Security.<sup>2</sup>

The Convention took action on the ninth. On motions by Maure and Drouet, it decreed that the membership of the Committee of General Security would be completely renewed and reduced in number to nine.<sup>3</sup> An election was held in the Convention, and on September 11 the results of the vote were announced.<sup>4</sup> The matter, however, was not settled. Evidently, some deputies were dissatisfied with the results of the vote on the Committee of General Security. Furthermore, the Contracts Committee had not yet been renewed.

On September 13 Danton raised the question of the Contracts

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<sup>1</sup>Ibid., pp. 376-377.      <sup>2</sup>Ibid., pp. 393-394.

<sup>3</sup>Archives parlementaires, LXXIII, 598.

<sup>4</sup>Ibid., p. 704. The vote was not by appel nominal as suggested in the Jacobins.

Committee which, he said, was paralyzing efforts to supply the armies. He requested that the members of this committee be replaced. The Committee of Public Safety, he continued, had always consisted of excellent patriots and, therefore, it should present a list of new members for the Convention's approval. Indeed, said Danton, the Committee of Public Safety should be asked to nominate new members for all the other committees, all of which harbored some dubious patriots. Danton added that he did not want to be a member of any committee, but simply a "spur" to all of them. Danton's proposal was decreed. All the committees, with the exception of the Committee of Public Safety, would be renewed, the latter committee being given the task of presenting a list of candidates for each one of the others.<sup>1</sup> The next day the Convention decreed that the Committee of Public Safety would present in that day's sessions the list of members who were to compose the new Committee of General Security. Shortly afterwards, the Committee presented a list of eleven names which was approved without question.<sup>2</sup>

What had happened was obvious. Dissatisfaction with the members of the committees brought demands for their replacement. The Convention was asked to choose a new Committee of General Security. It did this in the usual manner, by free election. The results apparently were unsatisfactory. Not only could Danton foresee that a similar mode of election

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<sup>1</sup>Ibid., LXXIV, 52-53.

<sup>2</sup>Ibid., pp. 106 and 109. That only three on this list were among the nine named by the Convention three days before shows the growing authority of the Committee of Public Safety (Palmer, Twelve Who Ruled: The Year of the Terror in the French Revolution [New York : Atheneum, 1965], p. 66. [Hereinafter referred to as Twelve Who Ruled.]) The Markets Committee was renewed on September 16 (Archives parlementaires, LXXIV, 267).

for the Contracts Committee would lead to similarly unsatisfactory results, but he also hoped to reverse the verdict on the Committee of General Security and improve all the other committees. He, therefore, made his proposal for the Committee of Public Safety to renew all the other committees. The Committee of General Security was uppermost in the minds of the advocates of the renewal since they precipitated action on it the next day. Danton evidently trusted the Committee of Public Safety to choose good committee members more than he did the majority of the Convention.<sup>1</sup>

Severe criticism of the Revolutionary Tribunal began on August 21 in the Jacobins. A number of members, including Hébert, voiced charges amounting to treason against members of the Tribunal. Robespierre criticized the court for excessive adherence to legal formalities. He suggested the creation of twelve tribunals unhindered by legalities.<sup>2</sup> On the twenty-fifth Robespierre taxed the Tribunal for slowness and for hesitating to impose the death penalty. He again recommended reform along with the creation of revolutionary committees to judge certain types of crimes. The Jacobins voted in favor of his proposals.<sup>3</sup> On September 2 Desfieux, who was a leading member of the Jacobins, but not

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<sup>1</sup>Danton and his colleagues may have had some good reason to desire changes in the Committees of Markets and General Security. Perrin, deputy of Aube, who was a member of the former committee, was convicted on charges of malfeasance shortly thereafter. He was exonerated in 1795, after his death (Kuscinski, *Dictionnaire*, p. 484). Among the members of the Committee of General Security, before its final renewal, were Chabot, Basire, Julien de Toulouse and Osselin. All of these men had dubious reputations (Guillaume, "Le Personnel du Comité de Sureté Générale," p. 149).

<sup>2</sup>Aulard, *Jacobins*, V, 368-369.

<sup>3</sup>*Ibid.*, pp. 376-377.

a deputy, reiterated Robespierre's proposal of August 21.<sup>1</sup>

The Convention acted to cure the ills of the Revolutionary Tribunal on September 4. Thuriot persuaded the deputies to have the Committee of Legislation present a plan for its reorganization into four chambers which would divide the work.<sup>2</sup> On September 5 the assembly adopted a plan embodying this idea.<sup>3</sup> On September 26 the Convention decreed that a list of jurors should be presented that day for approval, and it sent other proposals to the Committee of Legislation for consideration.<sup>4</sup> That same day the Committees of Public Safety and General Security presented a list of jurors, judges and other officials of the Revolutionary Tribunal which was immediately approved.<sup>5</sup> The most important change with regard to the Tribunal, however, was to come late in October, again under pressure from the Jacobins. Thereafter, the rights of the defendant were to be severely limited.<sup>6</sup>

Clearly, the criticism of aspects of the Revolutionary Government was not necessarily an attack against it. Leading members of the governing committees, such as Maure, Robespierre and Saint-André took part, and the aim was to strengthen the Revolutionary Government. Sometimes

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<sup>1</sup>Ibid., p. 386.

<sup>2</sup>Archives parlementaires, LXXIII, 391-392.

<sup>3</sup>Ibid., pp. 405-406.

<sup>4</sup>Ibid., LXXV, 173.

<sup>5</sup>Ibid., pp. 177-179.

<sup>6</sup>On October 29 the Convention decreed that if the jury considered itself sufficiently informed after a trial had proceeded for three days, the trial could be stopped whether or not the defense had completed its case (Archives parlementaires, LXVIII, 22-23). It should be noted in passing that it was the law of October 29 that assured the conviction of Danton in April, 1794 (Hermann Wendel, Danton, trans., n.n. [New Haven: Yale University Press, 1935], p. 327; Danton, Discours, p. 719).

criticism of the Committee of Public Safety had the same goal, but it was often directed toward weakening the Revolutionary Government.

Numerous examples of the criticism of the Committee of Public Safety's day-to-day operations may be cited. On July 24 the Committee asked the Convention to dismiss and arrest the mayor of Villaines-la-Juhel for refusing to attend a ceremony for the proclamation of the new constitution. Delacroix and Charlier called the proposed punishment too indulgent. They demanded that the accused be sent to the Revolutionary Tribunal. The Committee's reporter, Thuriot, claimed that such a punishment would be too harsh for the offense. The Convention agreed.<sup>1</sup> The same day Cambon criticized the Committee for not revealing the true extent of the Republic's reverses in the Vendée. Demanding to know the true cause of the defeats, he said that the Committee was treating the deputies as if it was a king.<sup>2</sup> Criticism was heard in the Jacobin Club on August 19. Royer, deputy of Ain, expressed misgivings about leaving all measures of public safety to the Committee. He criticized it for failing to act on proposals presented on the sixteenth by delegates of the primary assemblies, and expressed the fear that the Committee was neglecting the organization of the revolutionary movement.<sup>3</sup> On August 25 Duhem criticized a report delivered for the Committee by Hérault de Séchelles which praised the patriotism of the people in the department of Mont Blanc. He termed the Committee's appraisal of the situation in that department as "quixotic."<sup>4</sup> Though none of these men

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<sup>1</sup>Archives parlementaires, LXIX, 430-431.      <sup>2</sup>Ibid., p. 485.

<sup>3</sup>Aulard, Jacobins, V, 361.

<sup>4</sup>Archives parlementaires, LXX, 22-23.

overtly questioned the existence of the Committee of Public Safety or the Revolutionary Government, a deeper dissatisfaction was implicit in the statements of Cambon and Royer.

One of the most outspoken critics of the Committee of Public Safety in the late summer of 1793 was Camille Desmoulins. His statements, more than those of Cambon and Royer, indicated a deep dissatisfaction with the Revolutionary Government. On July 10 he spoke in favor of changing the membership of the Committee. In doing so he voiced a basic criticism of its use of power. He demanded that the Committee no longer be allowed to act as if it was the upper house of the legislature, and to "royalise" its functions. Jean-Bon-Saint-André objected. He said the Committee had never forgotten that it was only an adjunct of the national representation. He told the deputies that they should either abolish the Committee or treat it with respect. Bréard claimed that the Committee's refusal to appoint General Dillon commander of the Army of the North was the motive for Desmoulin's criticism.<sup>1</sup>

The next day Desmoulins tried to speak in defense of Dillon, but was not allowed.<sup>2</sup> Instead, he made his statement in an open letter addressed to the General. In it he elaborated his charges concerning the Committee of Public Safety. The Committee, he said, had been created at a time when the "Brissotins" controlled the Convention and its committees. It had, therefore, been necessary for the Committee of Public Safety to despoil the other committees of their most important functions. Now the Committee of Public Safety should return these powers to the other committees. He complained, for example, that the

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<sup>1</sup>Ibid., LXVIII, 513-514.

<sup>2</sup>Ibid., p. 563.

functions of the Committee of War had been usurped by the war section of the Committee of Public Safety, which, he felt, was not doing the job properly. He repeated his denunciation of the Committee of Public Safety for acting like an upper house and assuming airs of importance. He also complained about the excessive secrecy of the Committee.<sup>1</sup>

Camille, as Desmoulins was called with affectionate derision, must not be taken too seriously. His influence was limited. Yet it is probable that he was voicing the sentiments of many of those who voted to revise the membership of the Committee of Public Safety on July 10, sentiments which were opposed, at this very early date, to the centralization of power in the Committee.

Desmoulins spoke against the concentration of governmental power. A contrary and more widespread movement of opinion surfaced as a drive by Danton and some of his friends<sup>2</sup> to endow the Committee of Public Safety with more powers. Danton's successful efforts to grant the Committee the power to nominate the members of the other committees were part of this movement. On July 28 Delacroix, a close associate of Danton's,<sup>3</sup> complained that the Committee of Public Safety had to work through the Committee of General Security to arrest suspects, and that

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<sup>1</sup>Ibid., p. 573.

<sup>2</sup>I will use terms such as "friends" or "associates" to refer to men such as Delacroix, Legendre and Merlin de Thionville (infra, pp. 185-186 and 188) who were Danton's personal friends, or who worked with Danton on an ad hoc basis with regard to specific issues. In this way I hope to emphasize my view that there was no "Dantonist" faction, although Danton did often work in concert with other deputies.

<sup>3</sup>A. Aulard, L'Eloquence parlementaire pendant la Révolution française, (2 Vols.; Paris: Librairie Hachette et Cie., 1866), II 245. (Hereinafter referred to as Eloquence.); Kuscinski, Dictionnaire, pp. 188-189.

this involved dangerous delays. He proposed that the greater committee be given the power to issue warrants of arrest.<sup>1</sup> The next occasion to strengthen the revolutionary régime came on July 31 when the Committee of Public Safety proposed that the Convention draw up a list of candidates for judges to expand the Revolutionary Tribunal. Legendre, one of Danton's friends,<sup>2</sup> opposed the suggestion, asking instead that the Committee prepare the list. Taillefer supported Legendre, explaining that only the Committee knew possible candidates well enough to judge their reliability. No vote was taken on this matter,<sup>3</sup> but the candidates were finally presented jointly by the two governing committees on September 26. At this time the Convention exercised its prerogative by rejecting several of the candidates.<sup>4</sup>

The drive to invigorate the Revolutionary Government took a new and more serious course on August 1. Danton rose to urge stronger revolutionary measures. The Republic had to be as ferocious as its enemies, he asserted, but the government still did not have sufficient energy or power. If it had, the federalist revolt would never have started. How could the Convention sit in inaction amidst the many dangers threatening the Republic? Why had a great mass of citizens not already been sent to the frontiers? France was plagued by traitors, and only a strong government could frustrate their plots. The solution to these problems was to establish the Committee of Public Safety as a provisional government, transform the ministers into the top level agents of this government

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<sup>1</sup>Archives parlementaires, LXIX, 632.

<sup>2</sup>Aulard, Eloquence, II, 224.

<sup>3</sup>Archives parlementaires, LXX, 56.      <sup>4</sup>Ibid., LXXV, 177-178.

and place at its disposal fifty million livres to be used in whatever way it saw fit. To allay suspicions that he was establishing the basis for his own assumption of power, Danton vowed that he would enter no responsible committee.<sup>1</sup> He apparently expected the Revolutionary Government to last for some time.

Danton had taken the Committee by surprise. Its initial response was not carefully considered. Jean-Bon-Saint-André and Barère feared slanderous attacks on the Committee if it was given a secret fund. Barère also felt it might be dangerous to alter the organization of the government at this time. Robespierre objected on the same grounds. Fearing that the change would lead to governmental paralysis, he proposed its adjournment until it could be elaborated and explained further. Couthon was much more agreeable. Although he objected to giving the Committee a fund, and, like Barère, threatened to resign if it was granted, he had also been thinking of establishing the Committee as a provisional government. He felt the Revolutionary Government was at present paralyzed. The solution he proposed was the abolition of the Executive Council and the presentation of a plan by the Committee of Public Safety for the organization of the new government. Delacroix argued strongly in favor of Danton's proposal. One thing was certain, he said, the government "ne marche pas." The Committee of Public Safety and the Executive Council were competing rather than working in harmony. Thuriot agreed with Danton's basic proposal, but asked that it be sent to the Committee for further consideration. With Danton's approval, the Convention so acted.<sup>2</sup>

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<sup>1</sup>Ibid., LXX, 104-105.

<sup>2</sup>Ibid., pp. 105-107.

The next day Héroult de Séchelles officially reported the Committee's views on Danton's proposal. By this time the members had reconsidered their rash statements of the previous day. They now informed the Convention that the fifty million might be useful. At the same time, the Committee opposed the reform of the government. Calling the Committee of Public Safety a provisional government would only have the effect of changing its name, for the Committee already had all the powers it would have as a provisional government. Forbidding the ministers to act on their own would only burden the Committee with details, distracting it from its task of planning general measures. Delacroix argued strongly against Héroult's report. He said that the Executive Council must be abolished, and the ministers confined to executing the will of the Committee of Public Safety. Thuriot argued the opposite point of view. The Convention finally decided in favor of the Committee's report, leaving its name and powers unchanged but giving it a fund of fifty million livres with safeguards to keep account of the money as requested by the Committee.<sup>1</sup> This decree constituted a significant increase in the powers of the Committee of Public Safety.

The campaign to transform the Committee of Public Safety into a provisional government was echoed in the Jacobins by one of its members, named Lejeune.<sup>2</sup> In spite of the Committee's opposition, the idea did not die. Much later, on November 29 Merlin de Thionville, one of Danton's associates,<sup>3</sup> brought up the proposal again. Billaud-Varenne, by then a member of the Committee, and Barère both opposed the measure

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<sup>1</sup>Ibid., pp. 137-139.      <sup>2</sup>Aulard, Jacobins, V, 326.

<sup>3</sup>Aulard, Eloquence, II, 224.

as possibly subversive of liberty. The Convention, they said, was the center of government, the Committee its instrument.<sup>1</sup>

The campaign to strengthen the Committee of Public Safety, as has been noted, was led by Danton and some of his associates. Their efforts have generally been interpreted as an attack on the Committee of Public Safety. Paradoxically, this agitation did take on the character of opposition because the Committee did not approve of it. Certainly, the ministers were being attacked, and because the ministers were by now subservient to the Committee, an attack on them could be regarded as an attack on the Committee.<sup>2</sup> Had not Danton and Delacroix recently been ousted from the Committee? Did not Danton have a burning desire to return to power, and to exercise increased powers if he did? Was he not trying to make the present Committee's job more difficult so it could more easily be overthrown to pave the way for his return? These are some of the arguments favoring a negative interpretation of Danton's motives.<sup>3</sup> There is, however, no evidence to support them. Danton could just as reasonably have been sincerely trying to make the Revolutionary Government more effective by strengthening its main organ. The Committee of Public Safety, overly cautious and fearing resentment or excessive work if it took increased powers, resisted. All Danton's actions before

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<sup>1</sup>Archives parlementaires, LXXX, 360.

<sup>2</sup>P.-B. Buchez, and P.-C. Roux, Histoire parlementaire de la Révolution française depuis 1789 jusqu'à l'Empire (43 Vols., Paris: Paulin, 1834-1838), XXX, 344. (Hereinafter referred to as Histoire parlementaire.); Herlaut, Bouchotte, II, 37. Herlaut goes so far as to say that all the denunciations directed against Bouchotte, the minister of war, had no other purpose than to attack the Committee of Public Safety.

<sup>3</sup>Louis Madelin, Danton (Paris: Librairie Hachette, 1924), p. 247.

and after this period indicate that he was motivated by unselfish considerations.

This view of Danton is compatible with yet another possible motivation, his opposition to radical elements in Paris. There are several reasons to believe that the drive to strengthen the Revolutionary Government was in part directed against the so-called Enragés and those who were later called Hébertists. As has been remarked, the effort to establish a provisional government amounted to an attack on the ministries. Bouchotte, the minister of war under whom the War Office became infested with Hébertists and other extremists, was the favorite target of Danton and his associates.<sup>1</sup> Furthermore, while Danton was campaigning to strengthen the government, the extremists were trying to destroy it. Revolutionary government was, in a sense, an organization of terror with the objective of limiting its excesses. By strengthening the government, one gave it the means to control the sans-culottes, thereby weakening the extremists, who may have looked forward to a new uprising to put themselves in power.<sup>2</sup> Danton and his associates were to become inveterate opponents of the Hébertists later in the year, but perhaps this early dispute was a manifestation of an incipient factional strife.

The proposal to make the Committee of Public Safety a provisional government met with strong opposition from the extremists. On August 4, writing in the Ami du Peuple, Leclerc claimed that Danton's proposal

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<sup>1</sup>R. R. Palmer, Twelve Who Ruled, p. 82; A[lbert] Mathiez, "La Campagne contre le gouvernement révolutionnaire à la veille du 9 thermidor; l'affaire Legray," Annales historiques de la Révolution française, IV (July-August, 1927), 119. (Hereinafter referred to as "L'Affaire Legray.")

<sup>2</sup>Soboul, Les Sans-culottes parisiens, pp. 139-140, and 241-242.

would establish in the Committee a "frightening dictatorship."<sup>1</sup> Vincent attacked Danton and Delacroix on August 5 in the Jacobin Club, claiming that their proposals were antithetical to popular sovereignty and the constitution. The Committee of Public Safety, he said, was already monopolizing all powers and becoming a monstrosity.<sup>2</sup> Robespierre defended Danton, though he did not agree with his proposal.<sup>3</sup>

At the same time, the extremists mounted their own attack on the Revolutionary Government. Shortly before the celebration of August 10, Hébert, in his journal Le Père Duchesne, called for the organization of the executive power so as to bring about a separation of powers. He warned that the Committee of Public Safety was leading France into counter-revolution. In a later issue he came out directly for the implementation of the constitution. Roux and Leclerc voiced similar demands.<sup>4</sup> The extremists were in effect demanding the complete dissolution of the Revolutionary Government.

The call for rapid establishment of a constitutional government had been constantly heard since the opening of the Convention. It had always been the group most dissatisfied with the Revolutionary Government of the period that voiced this demand. Revolutionary government gave their opponents power, and the best way to remove them from power was to dissolve the Revolutionary Government. Thus, the left had called for a constitution in late 1792 and the right had done so in the spring

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<sup>1</sup>Rose, The Enragés, pp. 79-80.

<sup>2</sup>Aulard, Jacobins, V, p. 329.

<sup>3</sup>Buchez and Roux, Histoire parlementaire, XXX, 410.

<sup>4</sup>Soboul, Les Sans-culottes parisiens, pp. 142, 144, and 148.

of 1793. By late May, however, a consensus in favor of the immediate writing of a constitution had developed. The "Jacobin Constitution" had been the result of this consensus.

It was natural to assume that the constitution would be implemented once the results of the national referendum for its adoption were known. As the summer waned, however, some individuals within and outside the Convention became concerned over the Committee of Public Safety's failure to produce plans for the establishment of the new permanent government.<sup>1</sup> They began to voice demands for the implementation of the constitution.<sup>2</sup>

Within the Convention the call for the implementation of the constitution was echoed by Delacroix. On August 11 he proposed that a population survey, necessitated by the new election procedures prescribed by the constitution, be made with a view to electing a new legislative assembly to replace the Convention. He considered this necessary to refute the slander being circulated to the effect that the Convention wished to perpetuate itself. As soon as this was done, and new election districts were determined, the members of the new legislative assembly would be chosen. The Convention adopted and applauded the motion.<sup>3</sup>

The main response to Delacroix came in the Jacobin Club. Even before Delacroix spoke, on August 8, Léonard Bourdon said that enemies

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<sup>1</sup>Buchez and Roux, Histoire parlementaire, XXVIII, 406.

<sup>2</sup>On August 1 a deputation from Nantes announced their city's acceptance of the constitution and invited the Convention to dissolve itself once the whole nation had accepted it. Thuriot, Chabot and Fayau violently denounced the deputation, questioning their patriotism. To ask the dissolution of the Convention was to speak like Pitt and Coburg.

<sup>3</sup>Archives parlementaires, LXXII, 40-41.

of the Republic were demanding that the Convention disband. Before thinking of the next legislature, he said, the Convention first had to end any threats to the constitution.<sup>1</sup> It was a speech by Robespierre on the evening of the eleventh that permanently ended any consideration of Delacroix' proposal. Nothing could save the Republic, he declared, if the Convention disbanded. He said that if the new legislative assembly were elected at the present time, it would be dominated by agents of Pitt and Coburg. Another unnamed member said that the Convention should not separate until the end of the war.<sup>2</sup> Nothing more was heard of Delacroix' proposal, and the implementation of the constitution was implicitly postponed until the end of the war.

It is difficult to understand why the Convention would have taken the preliminary steps toward dissolving the Revolutionary Government while the situation was still so critical. One can only ask if their approval of Delacroix' motion did not betray a certain restlessness under Montagnard rule.<sup>3</sup> Contrary to some assertions<sup>4</sup> there is no evidence that Delacroix spoke for a group of deputies. He may have been motivated by personal ideological preferences for an emnity for

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<sup>1</sup>Aulard, Jacobins, V, 338.

<sup>2</sup>Oeuvres de Maximilien Robespierre, Vol. X: Discours (5<sup>e</sup> partie) 27 juillet 1793 - 27 juillet 1794, ed. by Marc Bouloiseau and Albert Soboul (Paris: Presses Universitaires de France, 1967), p. 65. (Hereinafter referred to as Oeuvres, X.)

<sup>3</sup>Wilfred B. Kerr feels it did. See his article, "Le Parti modéré et le conflit des Classes à la Convention," Annales historiques de la Révolution française, IX (September-October, 1932), 445. (Hereinafter referred to as "Le Parti modéré.")

<sup>4</sup>Soboul, Les Sans-culottes parisiens, p. 143; Mathiez, "L'Affaire Legray." p. 119.

Robespierre.<sup>1</sup> His position was curious. It contradicted his earlier support of Danton's motion to turn the Committee of Public Safety into a provisional government. There was, however, a certain consistency in both positions. Both would have led to the establishment of a government with powers and functions clearly delineated. Even in the case of the first proposal, the powers of the Committee of Public Safety would have been fixed and, therefore, less arbitrary. Whatever the motives of Delacroix, however, it was the reaction of the Convention to his proposal of the eleventh that was of real significance.

This was by no means the end of the campaign to implement the constitution, though hereafter demands to this effect were not heard within the Convention. In September the Enragés, fearing the growing power of the Convention, took the leadership of the campaign.<sup>2</sup> On September 25 in the Jacobins, several members of the club denounced Vincent and Hébert for demanding the organization of the government according to the constitution. Robespierre said that to organize the executive according to the constitution meant essentially to disband the Convention. To give the ministers all the power they would have under the constitution in this time of trouble would destroy the Republic. Men who advocated this were "patriotic hypocrites."<sup>3</sup>

In the late summer of 1793, confidence in the Committee of Public Safety was the major factor determining the attitude of the deputies toward the Montagnard régime. This period witnessed a continuation of relatively free debate in the Convention. It seems that one was able

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<sup>1</sup>Based on information in Kuscinski, Dictionnaire, pp. 187-188.

<sup>2</sup>Rose, The Enragés, p. 80.      <sup>3</sup>Aulard, Jacobins, V, 420-421.

to oppose the Committee of Public Safety, even to the point of questioning its existence. If the Convention had wished to change the Committee it could have done so, just as it had on July 10. If the Convention had wished to abolish the Montagnard régime by voting itself out of existence and implementing the constitution, it could also have done so. The fact that it came near to doing this on August 11, illustrates that perhaps the Plain never reconciled itself to Montagnard rule. Clearly, they agreed to give the Committee of Public Safety progressively more power only reluctantly while victory was still uncertain. The important point, however, is that the majority of the Convention did have confidence in the Committee to accomplish the most important task of the moment, to win victory.

The contention that the majority felt the Committee was doing a good job is supported by their approval of most measures proposed by it. It has been pointed out that there were many instances of opposition. But support was far more frequent than opposition. More important, the first real increments in the power of the Committee of Public Safety were granted in this period. It was given the right to issue arrest warrants, granted a secret fund of fifty million livres, and it retained at least the hope of nominating the Revolutionary Tribunal. None of these new powers had originally been requested by the Committee.

Even though some of the radical leaders in Paris opposed the growing power of the Committee of Public Safety, much of the enlargement of the powers of the Revolutionary Government was prompted by radical agitation. In the latter part of August and early September, the

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<sup>1</sup> Lefebvre, "Sur la loi de 22 Prairial an II," p. 230.

extremists mobilized the sans-culottes and applied increasing pressure on the Convention. On August 23 they obtained adoption in principle of the levée en masse. Early September was marked by the surrender of Toulon to the English and a new bread shortage in Paris. Petitions to the Convention from the Jacobins and the Commune demanded an intensification of the terror. On September 5 a large crowd led by Chaumette, a Hébertist official of the Commune, filed into the Convention to present their demands. As a result of their demonstration, terror was declared "the order of the day." In the days and weeks which followed, legislation was enacted which implemented this directive. On September 9 the Convention enacted instructions for the recruitment of the "Revolutionary Army." On September 17 the law of suspects was decreed. On the twenty-ninth the general maximum was established.

The enactments of September carried previous legislation to its ultimate conclusion. The law of suspects, for example, was more widely applicable than previous laws of the same type. The general maximum extended price controls from flour to all necessities, and it now included wages. Administrative difficulties as well as resistance to the law made the equitable application of the general maximum almost impossible. Its results were extremely disappointing, though it did, to some extent, help limit inflation. From the point of view of those sans-culottes who were wage earners, the general maximum was not the unmitigated blessing they had hoped it would be. They became increasingly dissatisfied with its wage control provisions. With respect to its adverse effect on many of the sans-culottes, the maximum symbolized the other revolutionary measures enacted at this time. Ironically, the

sans-culotte victories of September benefited the Committee of Public Safety, often at the expense of the sans-culottes.<sup>1</sup> As the machinery of the terror grew, the Committee's power became more effective. Just as the Convention was tightening the noose around its own neck by granting the Committee more power, so the sans-culottes were giving the Committee the weapons it would one day use to liquidate their leaders.

About the time of the crisis of early September, an issue arose which could have more than nullified the Committee's gains of the fifth. On August 29 Billaud-Varenne proposed the creation of a commission to watch over the executive branch of the government, i.e. the ministers. Perhaps this proposal was meant as a compromise with extremist demands for the reorganization of the executive according to the constitution.<sup>2</sup> If so, it was a compromise decidedly to the disadvantage of the Montagnard régime. If implemented, it would have seriously weakened the Committee of Public Safety. The Convention's reaction to the motion showed its continuing belief in the need for a vigorous government. Garnier, Robespierre and Danton expressed the fear that such a commission would interfere with the Committee of Public Safety. Danton proposed that three members be added to the Committee to carry out this task of surveillance. The idea was sent to the Committee for consideration.<sup>3</sup>

On September 5 in the midst of the sans-culotte invasion of the

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<sup>1</sup>Albert Soboul, "Robespierre et la formation du gouvernement révolutionnaire, 27 juillet - 10 October 1793," Revue d'histoire moderne et contemporaine, V (October-December, 1958), 289. (Hereinafter referred to as "Robespierre.")

<sup>2</sup>Soboul, Les Sans-culottes parisiens, p. 155.

<sup>3</sup>Archives parlementaires, LXXIII, 171-172.

Convention, Billaud made the same proposal.<sup>1</sup> Fortunately for the Committee, it met with inaction. The next day, however, the Committee proposed that three men be added to itself to watch over the execution of laws. They were Billaud-Varenne, Collot d'Herbois and Granet, deputy of Bouches-du-Rhône. The Convention insisted on adding Danton as well, but he and Granet soon resigned.<sup>2</sup>

While the emergency powers of the Montagnard régime continued to grow, one of the Committee's most difficult trials at the hands of the Convention was fast approaching. Discontentment had been spreading among the deputies. Some may have been concerned with the growing powers of the Committee of Public Safety. A large group of malcontents had been created by former representatives on mission who had been recalled and reprimanded. Among these were Bourdon de l'Oise, Goupillau, Merlin de Thionville, Rewbell and Briez, deputy of le Nord. Others had been denounced at one time or another in the Jacobins. Among these were Lecointre, Courtois, Osselin, Dupain, Ryter, and Laurent.<sup>3</sup>

The first sign of trouble came on September 20 when Thuriot, a friend of Danton,<sup>4</sup> resigned from the Committee for reasons not stated.<sup>5</sup> On the twenty-fourth Duroy asked to know why Houchard and some other generals had been dismissed. He, Genissieu, Duhem and others told the Convention that it should keep close watch over the dismissal and appointment of generals. It was finally decreed that the Committee of

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<sup>1</sup>Ibid., p. 413.      <sup>2</sup>Ibid., pp. 467-468.

<sup>3</sup>Buchez and Roux, Histoire parlementaire, XXIX, 125.

<sup>4</sup>Aulard, Eloquence, II, 224.

<sup>5</sup>Archives parlementaires, LXXIV, 527.

Public Safety was to report the reasons for the dismissals.<sup>1</sup>

The crisis reached its zenith September 25 after Briez, one of the representatives on mission who signed the capitulation of Valenciennes,<sup>2</sup> read a memorandum on the state of the Army of the North. He criticized the Committee of Public Safety for its silence on the matter, and for having failed to take the measures necessary to insure the preparedness of that army. The Convention decreed that Briez' report be printed and that he be added to the Committee of Public Safety.<sup>3</sup>

Immediately after the Briez episode, Merlin de Douai, deputy of le Nord, read letters from the Vendée announcing republican reverses. He and Goupilleau criticized the conduct of General Rossignol. Fabre d'Eglantine suggested adjournment to the next day when the Committee of Public Safety would give a report and the whole session would be devoted to a determination of the causes of these reverses. Charlier cried out, "The causes of the evil are the rogues who are in office."<sup>4</sup> He was applauded. The discussion of Rossignol in these terms constituted an attack on the Committee of Public Safety. Rossignol was a controversial political appointee, a Parisian radical whose qualifications were in doubt, but who was favored by the Committee.<sup>5</sup> Prieur called him ". . . the eldest son of the Committee of Public Safety."<sup>6</sup> Understanding the implications of the discussion, Billaud-Varenne arose and requested

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<sup>1</sup>Ibid., LXXV, 102-103.

<sup>2</sup>Buchez and Roux, Histoire parlementaire, XXIX, 125.

<sup>3</sup>Archives parlementaires, LXXV, 124 and 126.

<sup>4</sup>Ibid., p. 126.     <sup>5</sup>Palmer, Twelve Who Ruled, p. 214.

<sup>6</sup>Cited by Palmer, Ibid.

that the Convention not adjourn until this matter had been settled. "I do not hesitate to say that the discussion which you have just heard is the greatest triumph that the enemies of the Republic have been able to achieve."<sup>1</sup> He admitted that the Committee had for several days been viewing with fear a coalition of all the intriguers who hoped to destroy the Republic and the Convention. This apparently referred to Briez as well as the opponents of Rossignol. The Committee alone, he said, could not save the Republic. In the final analysis, this could only be done by the Convention as a whole. He concluded with a call for unity. Billaud was applauded, and Charlier proposed that the Committee of Public Safety should report on the matter and the Convention reach a decision in the same session. This was decreed.

The Committee's response to its opponents was given primarily by Barère. He considered the attack to have been concerted and serious. His speech began with the words, "The Committee of Public Safety has just been denounced before you. . . ."<sup>2</sup> He blamed the attack on men, paid by the English, who clothed themselves in a false patriotism and on a group of "petits ambitieux." The Committee had prepared no report, he said. It would answer categorically each of the "pretended grievances" against it. Barère said that the Committee was but part of the Convention, and that one could not attack it without attacking the whole. He claimed that a party of foreigners or ambitious men sought to divide the Convention. Perhaps, he said slyly, some of their colleagues in the Convention wished to escape "an importunate surveillance" through the use of this tactic. If the Committee did not have the backing of the

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<sup>1</sup>Archives parlementaires, LXXV, 126.

<sup>2</sup>Ibid., p. 129.

Convention, concluded Barère, its members should be replaced. Prieur then read some documents justifying the Committee's dismissal of General Hédouville. Robespierre asserted that the "government" had to have unlimited confidence. To cries of "Non! Non!" he demanded that the Committee be replaced. Briez was apparently frightened. Robespierre had hardly vented half of his venom before Briez declared that he had not intended to attack the Committee, and that he possessed insufficient talents to become a member of the great Committee. The Convention obligingly revoked his appointment.<sup>1</sup>

In spite of Briez' retraction, the members of the Committee continued the counter attack. Jean-Bon-Saint-André said that the Committee of Public Safety was created to lend more vigor to the government. The members had no lust for power. Counter-revolutionaries were trying to destroy the Convention's confidence in the Committee as an institution. Replace the members if necessary, said Saint-André, but do not destroy the organization which had originated so many energetic and successful measures. He called on the Convention to give the Committee, whoever its members might be, its full confidence and all the authority it needed. Robespierre then returned to render the coup de grace. He attacked Briez and criticized the Convention with redoubled vigor. The purpose of the report on Valenciennes, he said, had been to inculcate the Committee of Public Safety. "As a prize for his vague accusation the author of this report was added to the committee that he denounced. Well! I declare before you; he who was at Valenciennes when the enemy entered, was not made to be a member of the Committee of Public Safety.

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<sup>1</sup>Ibid., pp. 129-132.

That deputy will never answer this question: Are you dead?"<sup>1</sup> Billaud-Varenne demanded a vote of confidence for the Committee. It was unanimously given.<sup>2</sup>

The dispute was echoed in the Jacobins. Desfieux informed the Jacobins of the attack on the Committee earlier that day. The attackers, he said, sought to promote disorder and anarchy. They spoke like counter-revolutionaries. The orators were applauded even by a part of the Mountain, though of course this was not the true Mountain. They were part of a large party which included Thuriot and Duhem. Desfieux summoned the Jacobins to rally around the Committee of Public Safety. Other members of the society perceived a wide-ranging conspiracy reaching into the Convention and even the Jacobin Club. Robespierre asked for the support of the Jacobin Club against the conspirators and enemies of the people who were attacking the Committee.<sup>3</sup>

Events in the Convention, indeed, had been strange. By placing Briez on the Committee of Public Safety, the assembly had for a moment shown its approval of the attack. This incident was reminiscent of the Convention's adoption of Delacroix' motion for the population survey. In both these cases, the deputies' apparent willingness to vote against the régime when they thought they had good cause might have betrayed their restiveness under Montagnard rule.<sup>4</sup> When they added Briez to the Committee, perhaps they were momentarily convinced that the war was being badly conducted. The Convention's confidence in the Committee was based

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<sup>1</sup>Ibid., p. 134.      <sup>2</sup>Ibid., pp. 132-135.

<sup>3</sup>Aulard, Jacobins, V, 419-422.

<sup>4</sup>Kerr, "Le Parti modéré," p. 446.

on the latter's ability to win the war. It was a limited confidence. In the end the Convention reaffirmed its faith in the Committee, perhaps convinced by Robespierre's arguments, perhaps frightened by his language.

The Committee's victory of September 25 was short-lived. Robespierre's bullying had not yet cowed the Convention into submission. On October 4, when a proposal of the Committee to reduce the number and define the powers of the representatives on mission was returned to it for reconsideration,<sup>1</sup> it became clear the Convention was not ready to surrender the last vestiges of its sovereignty. Later, in the Jacobins, Bентаbole characterized the proposal as "defective," and he opposed depriving any representatives on mission of their unlimited powers.<sup>2</sup> On October 8 Cambon revived the question of the organization of the executive according to the constitution. He proposed the creation of a special committee to present a plan for administrative reorganization. Robespierre perceived the danger to the Montagnard régime. He contended that a partial implementation of the constitution would paralyze revolutionary measures. No action was taken on Cambon's proposal.<sup>3</sup>

On October 10 the Committee requested the enactment of a law which was intended to end the controversy over the implementation of the constitution and increase the efficiency of the Revolutionary Government. The major provision of the decree, which was adopted with

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<sup>1</sup>Archives parlementaires, LXXVI, 50-51.

<sup>2</sup>Aulard, Jacobins, V, 452.

<sup>3</sup>Archives parlementaires, LXXVI, 248.

ease, was as follows: "The provisional government of France is revolutionary until the peace."<sup>1</sup> Thus, the constitution was definitely suspended until the end of the war. Furthermore, the Committee finally admitted that the Montagnard régime was a provisional government requiring a fixed organization. Under the decree of October 10, the Committee moved much closer to assuming formally the executive power, but maintained a semblance of the separation of powers. The law placed the Provisional Executive Council, the ministers, generals and constituted bodies under the supervision of the Committee of Public Safety. It was the Provisional Executive Council, with the authorization of the Committee of Public Safety, which formally was to be responsible for taking all measures of security. The Committee was responsible for informing the Convention of the activities of all the agencies under its supervision. Measures were to be taken to see that "revolutionary laws" were executed immediately.<sup>2</sup>

Saint-Just, in his report in the name of the Committee of Public Safety, justified the decree. Revolutionary laws had been passed, he said, but the men responsible for enforcing them were not revolutionary. The cause of the nation's problems lay in the weakness with which the Convention's decrees had been enforced. The Revolution would not be complete until the sovereign people reigned over the monarchist minority by right of conquest. Not only enemies, but also the indifferent and the passive must be punished. "For since the French people have manifested their will, everything that is opposed to them is outside the sovereign: everything outside the sovereign is the enemy." Acting

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<sup>1</sup>Ibid., p. 312.      <sup>2</sup>Ibid.

according to the maxims of peace and justice was good among friends of liberty, ". . . but between the people and their enemies, there is no longer anything in common except the sword. It is necessary to govern by the sword those who cannot be governed by justice: It is necessary to oppress tyrants."<sup>1</sup> Anyone not wholly in favor of the Revolution was not part of the "people" and, therefore, had no rights. He could be repressed by any means, no matter how harsh and unjust. This was a ruthless, logical justification not only for the law of suspects, but for all the extraordinary actions of the Revolutionary Government.

Saint-Just then proceeded to denounce the lower echelons of the government for their corruption and inefficiency. The problems facing France were the result of a conspiracy of foreign powers against the Republic. The Convention, the committees and the ministers were doing their best; but were continually being thwarted by lesser officials. Under such circumstances the constitution could not be implemented. It would not permit the violent methods necessary to repress attacks on liberty. Only a revolutionary government could enforce revolutionary laws against the aristocracy, as well as against the corrupt, the lazy and the incapable.<sup>2</sup> Saint-Just was calling for a declaration of war against anyone who was not actively revolutionary. Whether such a war could actually have been prosecuted in its full sense is doubtful. But this was the goal.

It would seem that a "cult" of the Committee of Public Safety was developing. An example of the growing prestige of the Committee was seen in the Jacobin Club on October 15. A deputation from the

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<sup>1</sup>Ibid., p. 313.      <sup>2</sup>Ibid., pp. 313-317.

popular societies of Sedan proposed ". . . that all men who seek to vilify, by a premeditated scheme of defamation, the Committee of Public Safety be declared suspect and be placed under arrest. . . ." <sup>1</sup> It also asked for a purging of the Convention as the Mountain saw fit. One member of the club had the audacity to oppose the idea because, he charged, not all members of the Committee were good. He referred specifically to Barère. Chabot, possibly to ingratiate himself with the Committee, disagreed, and supported the proposal. He said that to speak ill of the Committee as a whole would tend to disorganize the government. Nothing, however, came of the proposal.

In spite of the continued growth of the Committee's power and prestige, its proposals did not meet with automatic approval. The Committee's reaction to criticism showed that it was becoming less tolerant of opposition. One dispute originated on October 9 when the Committee proposed a law for boycotting English merchandise. The measure was expanded on the insistence of Fabre d'Eglantine, Robespierre and Billaud-Varenne to include the arrest of all Englishmen in France, and then to include the arrest of citizens of all countries at war with France. <sup>2</sup> Before the issue was settled, a lengthy debate involving much criticism of the Committee's proposals was to take place. On October 13 Pons, deputy of Meuse, criticized the Committee of Public Safety for having singled out Englishmen. He feared that the English war effort would be "nationalized," or that, in other words, the English people would oppose France out of national sentiment rather than simply as the

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<sup>1</sup>Aulard, Jacobins, V, 462.

<sup>2</sup>Archives parlementaires, LXXVI, 287-288 and 638.

"slaves" of some king. He asked that the measure be extended to all foreigners, or that the Committee explain why it had singled out Englishmen. The Convention sent his views to the Committee for consideration.<sup>1</sup> Pons's objections were innocent enough, but he made the mistake of appearing to criticize the Committee of Public Safety for "nationalizing" the war. On October 15 Barère referred to Pons's motion. He indicated that Saint-Just would present a report on the question, but he then made a statement indicating the sensitivity of the Committee to any criticism. There was a party, he said, always trying to sow division, deprive the Committee of Public Safety of confidence and attack the center of government by any means possible.<sup>2</sup> Barère made clear that one could not criticize the Committee without being called a conspirator.

Saint-Just gave his report the following day. Like Barère, he was bitter, remarking that some members of the assembly might have become the dupes of foreign spies. He charged that those who sought to extend the law to all belligerent aliens, wished to neutralize the law by overextending it. The Committee, he said, was willing to include in the detention until peace all enemy aliens, but the prohibition of merchandise must be confined only to English goods in France's own interests.

The report aroused considerable discussion, again showing that the Committee did not have a free hand. Pons declared that he felt insulted by the implications of Saint-Just's speech. He entered a heated argument with Robespierre over the issue. Chabot suggested the creation of a tribunal to examine the conduct of foreigners. He criticized Saint-Just's

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<sup>1</sup>Ibid., p. 492.      <sup>2</sup>Ibid., p. 603.

proposal for failing to distinguish between good and bad foreigners. Robespierre opposed any distinctions. The interests of the Republic were more important than justice for individuals. Desmoulins, Albitte and Philippeaux requested exceptions to the law, while Basire and Maribon-Montaut defended the Committee's proposal. The law was finally passed with exceptions for the wives of Frenchmen and for foreigners who had established valuable industries in France.<sup>1</sup>

Another incident illustrated the increasingly intolerant attitude of the Committee of Public Safety. On October 22 it was decreed, on the proposal of Philippeaux, that the Convention would name a commission to investigate the conduct of Ronsin and Rossignol. The decree specifically stated that the Convention itself was to name the commission.<sup>2</sup> The next day Barère criticized the decree. "It seems there was some sort of prejudice against the Committee." "Non, Non,"<sup>3</sup> protested several members. Barère was granted the revocation of the decree.

Time and again opposition to the Committee of Public Safety surfaced in the fall of 1793. Parliamentary life was not yet dead. But gradually dissidents were silenced. Soon the least opposition was beaten back with charges of conspiracy and lack of patriotism. The Convention would gingerly assert its independence, and the Committee would bludgeon it back into obedience. No one event marked the death of debate. Open opposition to the Committee of Public Safety continued into the spring of 1794, though as the iceberg of opposition grew, the portion appearing above the surface of the water shrank to virtually nothing. As gradual as this process was, however, there was one episode,

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<sup>1</sup>Ibid., pp. 638-644.

<sup>2</sup>Ibid., LXXVII, 398.

<sup>3</sup>Ibid., p. 453.

one series of events taking place in November, which more than anything else was a turning point in this process.

The pivotal episode was a protracted series of debates on the question of the security of deputies against arbitrary arrest. Repeatedly the deputies' security was jeopardized and repeatedly they defended it. Only in the end did they give in, allowing the governing committees the power of decision on this matter.

One of the first incidents illustrating the defensive attitude of the deputies occurred on November 7. Amar requested, in the name of the Committee of General Security, a decree for the arrest of Lecointe-Puyraveau on the basis of an intercepted anonymous letter addressed to Lecointe from Rouen describing with joy the uprisings in that area. Lecointe protested that he knew no one in Rouen. Basire pointed out that if Lecointe could be arrested on the basis of such weak evidence, no deputy would be secure. The Convention decreed that it would not deliberate on the request, though it was generally agreed that the Committee of General Security had done its duty in reporting the matter.<sup>1</sup>

The Committee of General Security had more success in obtaining the indictment of Osselin on November 9. In this case the evidence against the deputy was more conclusive. Osselin was accused of associating with and protecting from prosecution a former noblewoman and returned émigré.<sup>2</sup> Dubarran, reporting for the Committee, requested that the Convention issue a decree of indictment against Osselin. Merlin de Thionville suggested that Osselin first be heard, but the Convention

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<sup>1</sup>Ibid., pp. 547-548.

<sup>2</sup>Ibid., pp. 654-656; Kuscinski, Dictionnaire, p. 471.

refused and issued the decree requested by Dubarran.<sup>1</sup> On November 11 the Convention received a letter from Osselin requesting a hearing. Merlin de Thionville asked that Osselin be allowed to speak the next day, but the Convention decided to allow the Committee of General Security to study the matter further before granting Merlin's request.<sup>2</sup> The next day Dubarran reported on Osselin's papers. He read evidence which was conclusive enough to persuade the Convention to vote unanimously to refuse Osselin's request to be heard.<sup>3</sup> Apparently there was little sympathy for this deputy, though, as future debate would show, his fate may have aroused apprehension among the deputies for their own well-being.

In spite of the Convention's refusal to hear Osselin, debate over the issue of the deputies' security became more intense. On November 10, well before the decision on Osselin, Philippeaux proposed that all deputies account for their fortunes, and that those who did not be declared traitors. Philippeaux asked adjournment of the discussion to the following day when more deputies would be present. Adversaries of the idea opposed adjournment. The debate became more heated. Opposition assumed the character of opposition to the whole revolutionary government. Basire said that the proposal would divide the patriots and subject them to prosecutions which would deprive them of their energy and courage. Denunciations, he asserted, were often motivated by counter-revolutionary intentions. "It is time, citizens, for you again to be faithful to yourselves, it is time for you to deliver the patriots

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<sup>1</sup>Archives parlementaires, LXXVIII, 656.

<sup>2</sup>Ibid., LXXIX, 39-40.      <sup>3</sup>Ibid., pp. 66-76.

from this terror that is destroying magnanimous virtues, and generous sentiments, extinguishing imagination, compromising the efforts of patriotism and rendering the legislator incapable of making good laws."<sup>1</sup> Basire indicated that he was endangering his head by speaking so frankly.

What Basire said might well have applied to the terror as a whole. There is no evidence, however, that he was attacking the terror in general. The context of the discussion makes it appear that he was calling upon the assembly to end the state of insecurity in which the deputies lived.

Maribon-Montaut objected to Basire's statement. The Convention, he maintained, had punished only conspirators and counter-revolutionaries. Basire responded that he was not talking about the past, that those punished by the Convention had been worthy of their fate. "But I am speaking of the system of terror which seems to be announcing the ruin of patriots, and to be threatening us with a new tyranny. . . ." <sup>2</sup> He said it was the plan of Philippeaux to which he objected and, indeed, to any plan which tended to divide the deputies and bring their downfall one at a time. He asked that the Convention return to the agenda. Coupé reiterated the request for adjournment of the discussion, but Thuriot asked for and obtained the return to the agenda.

Chabot now arose to make a new motion. He proposed that the Convention decree as a "fundamental principle" that no deputy would be sent before the Revolutionary Tribunal before he was heard by the Convention. Thus, he said, a report by the Committee of General Security should not be accepted as the basis for an indictment before the deputy

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<sup>1</sup>Ibid., LXXVIII, 703.      <sup>2</sup>Ibid., p. 704.

was allowed to defend himself. He pointed out that though an indictment was not a condemnation, a decree of indictment issued by the Convention carried much weight with the public, and a juror would justly fear acquitting a man accused by the Convention. Chabot then proceeded to state his opposition to the Revolutionary Government more directly. He expressed the fear that a further thinning of the Convention would alienate more departments, in turn forcing an intensification of the terror. He was afraid that the successors to the Convention would be completely alienated from the work of the Convention. The Convention must discuss things, he asserted, and not just decree everything requested by the committees. "What matters to me is that there should not always be only one view on all the decrees."<sup>1</sup> For lack of a right wing, said Chabot, he would become the right wing himself even at the risk of his head. Thuriot supported Chabot. Patriots, he said, were the objects of a plan of terror and slander. Certain men sought to discredit the Convention. There were many partisans of tyranny who masqueraded as common men and sought to arouse the people against the authorities.<sup>2</sup>

Chabot had argued against allowing the committees to take all power. On the other hand, what Thuriot said showed that he was not in favor of decentralizing the government. Apparently, both men felt that the Convention must hold all reins firmly in its hands. Neither committee nor radical agitator should be allowed to take control. Thuriot called upon the Convention to punish slanderers severely and to

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<sup>1</sup>Ibid.

<sup>2</sup>This was an apparent reference to the Hébertists.

"render a dazzling justice to all those who are persecuted. . . ." <sup>1</sup>

Bourdon de l'Oise came to the defense of the Revolutionary Government. The "lamentations" of the previous orators, he said, were related to the indictment of Osselin. They were attacking the Revolutionary Tribunal and the revolutionary committees of the sections. They regretted that terror was "the order of the day." It was all part of a conspiracy. Both Thuriot and Chabot denied that they were referring to Osselin. Thuriot claimed that he was speaking in defense of the Mountain. Chabot said that he did not object to the Convention's decrees against aristocrats, priests and nobles. He was speaking against the "system of terror" which was dividing the patriots. Representatives on mission to the armies, he said, were in particular objects of this slander. He said he was receiving letters from the departments to the effect that no one wanted to accept public office for fear that he would lose his head. Bourdon pointed out that the Girondins had been accused without a hearing, and if Chabot's proposal was accepted it would be said that they had been victims of an injustice. Basire answered that the purpose of Chabot's motion was to protect the men who had been most active in the Revolution and, therefore, had made the most enemies. Bourdon retreated. He said that he did not oppose Chabot's motion, but he suggested that any deputy who fled from justice be declared an outlaw. Basire, Desmoulins and Jean Julien objected to this latter proposal. The Convention adopted Chabot's proposal in principle and sent all others to the Committee of Legislation for consideration. <sup>2</sup>

On November 11 Thuriot and Bourdon complained of unjustified

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<sup>1</sup>Ibid., p. 705.      <sup>2</sup>Ibid., pp. 705-706.

denunciations levelled against representatives on mission to the armies. They claimed that there was a conspiracy in the ministry of war to persecute Montagnards and to remove the watchful eye of the representatives on mission to the armies. The Committee of Public Safety was requested to look into the matter.<sup>1</sup> This showed a continued concern for the security of deputies.

The final decision on the question of the deputies' security, however, went against the trend which we have observed thus far. On November 12 Barère appeared in an unofficial capacity to request the repeal of the decree of November 10 requiring that deputies be heard before they were indicted. Barère warned that if the Convention stopped or reversed the course of the Revolution all would be lost. It was the job of the courts to hear the accused and decide on his guilt or innocence. The Convention should only ponder the evidence, listen to the report of the Committee of General Security and then pass the decree of indictment. Merlin de Thionville said he agreed with Barère and wished to extend his proposal further. Deputies should no longer have to be indicted by the Convention itself. From every part of the Convention came the demand to ignore this proposal. The pressure exerted by Barère was great enough that Thuriot felt it necessary to defend his prior support for the decree, the repeal of which Barère now demanded. Had Barère presented his views then, said Thuriot, the decree would never have been passed. He claimed that he had supported every measure ever presented by the Committee of Public Safety. Apparently, unlike Chabot, Thuriot was not ready to place his head on the block. Finally,

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<sup>1</sup>Ibid., LXXIX, 34.

Billaud-Varenne spoke. He opposed Merlin's proposal, but he supported the motion for repeal of the decree of November 10. He made it quite clear that opponents of the repeal were not good patriots. The repeal was decreed unanimously.<sup>1</sup>

The decree of November 10 did not escape the attention of the Jacobins. On the eleventh the measure and the debates surrounding it were harshly denounced in the society. Thuriot was expelled from the club, and an investigation of the conduct of Basire and Chabot was begun.<sup>2</sup> Then, on the thirteenth the society presented a petition to the Convention which was a denunciation of indulgence. The movement in the Convention to protect the security of the deputies was again roundly denounced. Basire felt compelled to apologize for his part in ". . . the unfortunate discussion of 20 brumaire in which I regret having taken part. . . ." <sup>3</sup> Chabot and Thuriot also humbly apologized. Both Basire and Chabot denied that an anti-Montagnard party desiring the termination of the Revolutionary movement was being formed. The Revolution would end, they said, only when peace came. Chabot said that those who were calling for the organization of the executive power according to the constitution were the ones who really wanted to stop the Revolution. That evening in the Jacobins, however, Thuriot, called a "feuillant" by Montaut, tried unsuccessfully to have himself reinstated in the society.<sup>4</sup>

Albert Mathiez has amply demonstrated that Chabot and Basire had good reason to believe that their personal positions were insecure in

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<sup>1</sup>Ibid., pp. 101-103.      <sup>2</sup>Aulard, Jacobins, V, 505-508.

<sup>3</sup>Archives parlementaires, LXXIX, 152.

<sup>4</sup>Aulard, Jacobins, V, 511-516.

October and November of 1793.<sup>1</sup> He has shown a plausible relationship between their involvement in the campaign concerning the security of deputies and their own personal insecurity. He claims that Thuriot was a friend of Osselin.<sup>2</sup> The campaign to protect the deputies against arbitrary arrest was mounted by two marked men fighting for their existence, and one man, perhaps angered by the arrest of a friend, perhaps also sincerely feeling the powers of the Committee had grown too much. These factors can explain the outburst by these three men against the governing committees. But why did the rest of the assembly follow? Was Thuriot representative of a large number of deputies? This was the importance of the debate over the arrest of deputies: the positive reaction of the Convention and the violent, angry and, perhaps, frightened reaction of the Committee of Public Safety. It is clear, therefore, that there was an undercurrent of discontent and that the Committee was aware of it.

This episode illuminates the question of the factions as well. The picture it gives is one of disunity. To resist the arrest of deputies without prior hearing was "indulgent." Yet Philippeaux and Bourdon were both notable opponents of Chabot, Basire and Thuriot. Philippeaux and Bourdon were supposedly among the leading indulgents, and were later leading critics of the Committee of Public Safety.

The challenges which the Committee of Public Safety successfully met in the late summer and fall of 1793 were the most dangerous to be

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<sup>1</sup>Mathiez, The French Revolution, pp. 405 et sqq., "The Foreign Plot."

<sup>2</sup>Ibid., pp. 420-423.

faced by the Montagnard régime in the year II. Until October 10 no one quite knew how permanent the Revolutionary Government was to be. Its existence was more easily challenged before it was generally agreed that it would last until the peace. In spite of these challenges, the Committee of Public Safety, which had clearly become the central organ of the Revolutionary Government, emerged stronger than ever before. The strengthening of the Committee resulted not only from the efforts of its own members, as in the decree of October 10, but also from the efforts of Danton and his associates. Gradually the prerogatives of the whole Convention were handed over to the Committee. The deputies were stripped of their remaining immunities. The Committee, it might have seemed, became their master, though the deputies retained the right to vote its members out of office. Many deputies evidently felt the Committee was still needed, and there were few who were willing to lead a movement against it. The Committee's growing sensitivity to criticism may have indicated that it sensed increasing opposition, but it also made it more difficult to oppose the Committee. Thus, after early November the Committee was able to finalize the informal constitution of the Revolutionary Government and to increase its own power with very little resistance. Surprisingly, opposition was not to be completely silenced in this period, but the Committee was to be in a better position to suppress it.

## CHAPTER VI

### FACTIONAL STRUGGLES AND THE CONSOLIDATION OF THE REVOLUTIONARY GOVERNMENT

During the fall and winter, group rivalries assumed a place of primary importance in the politics of the Republic. It has already been remarked that such rivalries may have explained the attitude of certain deputies toward the Montagnard régime as early as August. By the winter, lines of division became clearer, although the groups were never coherent enough to be called parties. For example, although one group was supposed to be "Dantonist," Danton never clearly made himself their leader.<sup>1</sup> The identification of groups is made more difficult by individuals who had a personal grievance against the Montagnard régime or who were afraid of being punished for some misdeed. These "mécontents" and "effrayés" would join any faction to oppose the government, and then withdraw at an opportune time.<sup>2</sup>

Winter brought an intensification of the factional struggle. On the side of the extremists, the Enragés had been eliminated, and the campaign for the constitutional organization of the executive had come

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<sup>1</sup>G[eorges] Lefebvre, "Sur Danton," Annales historiques de la Révolution française, IX (November-December, 1932), 496.

<sup>2</sup>Buchez and Roux, Histoire parlementaire, XXX, 356-357.

to an end.<sup>1</sup> But the Hébertists, centered in the Commune and the Cordeliers Club, adopted some of the political and economic slogans of the Enragés, and added their own, "dechristianization." Meanwhile, Danton and his friends, supported by Robespierre, launched a campaign against the Hébertists and their religious terror. Some of the opponents of the Hébertists generalized the campaign to cover the terror as a whole. They came to be called "Indulgents" for their efforts to mitigate the terror.<sup>2</sup>

The Hébertists and the Indulgents expended most of their energy against one another. While the Cordeliers Club denounced the Indulgents for attacking patriots, Camille Desmoulins' Vieux Cordelier anathematized the Hébertists as tools of the foreign conspiracy. In the midst of such tension, the Committee of Public Safety did not emerge unscathed. If either faction wished to carry its program to its logical conclusion, it would have to overthrow the Committee. Hébert eventually went to the extreme of planning open revolt. On the other hand, Indulgent attacks against the Hébertists often led to criticism of the Committee. In their effort to mitigate the terror, some of the Indulgents attempted to weaken the Committee that was holding the Revolution on its middle of the road terrorist course.

The Indulgent campaign is supposed to have been inaugurated with Danton's speech of November 22, 1793 in which he said, "I demand economy

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<sup>1</sup>Rose, The Enragés, pp. 79-81.

<sup>2</sup>R. R. Palmer and others often refer to the Indulgents as "Dantonists" (Palmer, Twelve Who Ruled, p. 262). It will become clear why I do not.

of men's blood. . . ."<sup>1</sup> Danton, it is said, had rushed back to Paris from a vacation in his native village of Arcis upon hearing of the arrest of his friends Chabot, Basire and Delaunay for their involvement in the affair of the Company of the Indies. Danton allegedly took the leadership of a great campaign to mitigate the terror, in great part to save his friends.<sup>2</sup> It is certain that such a campaign did take place, but it is doubtful that Danton led it. The Indulgent campaign actually began long before Danton's return to Paris. Its beginnings can be seen in the debates over the security of deputies against arrest and indictment. This first phase of the Indulgent campaign was, of course, a total failure, but many of the radical deputies recognized it as part of an effort to mitigate the terror.

The Jacobin petition of November 13 on the question of the arrest and indictment of deputies, showed that the campaign for indulgence was already causing alarm in terrorist circles. The society warned that the right wing was still present in the Convention, waiting for a leader to suspend the terror. One of the demands in the petition was that the Convention maintain all revolutionary measures in full force and that it give the committees charged with their enforcement full confidence and powers. The Jacobin petition made quite clear that they were referring to the campaign concerning the indictment of deputies. They considered this a campaign for indulgence. They even took phrases almost verbatim from the speeches of Basire, Chabot and others in order to denounce

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<sup>1</sup>Archives parlementaires, LXXIX, 645-646.

<sup>2</sup>Albert Mathiez, Autour de Danton (Paris: Payot, 1926), p. 266; La Conspiration de l'étranger (Paris: Armand Colin, 1918), p. 308.

these men.<sup>1</sup>

Clearly, the Indulgent campaign began well before Danton gave his speech of November 22. Danton's statement demanding the ". . . economy of men's blood . . ." was made while he was arguing in favor of a proposal by the Committees of Finances and Legislation to continue the compensation of priests. Forestier, who presented the proposal for the committees, felt compelled, like Danton, to justify the measure to the anticlerical deputies. Certainly, Forestier said, terror must be the order of the day, but it could be tempered by justice and charity.<sup>2</sup> In effect Danton was only following the Robespierriist policy of opposition to extreme anticlericalism and dechristianization. This impression was confirmed by a speech Danton gave on the twenty-sixth. The occasion was the appearance of deputations of individuals bringing spoils from the churches and of priests renouncing their functions. Danton called upon the Convention to stop the continual "antireligious masquerades" in their midst. The Convention could not spend all of its time receiving deputations. It must devote its energy to the government. The people rightfully wanted the terror to be the order of the day, he said, but they wanted it to be directed against the proper objective: aristocrats, egoists, conspirators and traitors. "The time when the people can show themselves to be clement has not come. The time for inflexibility and national vengeance has not passed: The people must have a powerful energy, a terrible energy."<sup>3</sup> The people, he continued, wanted the government to have as much power and energy as possible. Danton

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<sup>1</sup>Archives parlementaires, LXXIX, 151.

<sup>2</sup>Ibid., pp. 645-646.      <sup>3</sup>Ibid., LXXX, 165.

asked that the Committee of Public Safety give a prompt report on the foreign plot and on the means to strengthen the provisional government. His proposals were enacted amidst applause.<sup>1</sup>

On December 1, just three days before the adoption of the decree of 14 frimaire, Danton gave a speech which showed that his views were very much in line with official government thinking. The speech advocated that the terror be circumscribed within limits. This was also the essential purpose of the decree of 14 frimaire. The context of Danton's pronouncement was a report by Cambon for the Committee of Finances. The report denounced measures taken by local authorities and some representatives on mission to force the exchange of gold and silver objects for assignats, sometimes even under the threat of the death penalty. The Convention nullified all of these ordinances. Then Danton arose to speak. He denounced those representatives on mission who had passed "laws of death" for gold. Now that federalism was vanquished, he asserted, revolutionary measures must only be the consequence of the Convention's positive legislation. Ultra-revolutionaries were as dangerous as dedicated counter-revolutionaries. The Convention should uphold the principle that the law came only from the Convention. Danton proposed to recall those commissioners who had passed the ordinances in question, and to remind the others that they should not take any measures which were not in accord with the directives of the Convention or the Committee of Public Safety. Fayau, who was becoming a consistent opponent of Danton, maintained that it was necessary to leave the commissioners

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<sup>1</sup>Fayau tried to make it seem as if Danton had appealed for clemency, but Danton did not allow this perversion of his views to escape unchallenged (Ibid.).

the latitude and unlimited powers which had proved useful in the struggle against counter-revolutionaries. Danton retorted that it was up to the Committee of Public Safety to direct revolutionary measures without restricting them. He maintained that he was not calling for a softening of revolutionary measures, but that such measures had to be just in order to be strong. The Convention finally decided to send all proposals to the Committee of Public Safety.<sup>1</sup>

As has been pointed out, Danton's statements were in line with government policy. Already, in early November, Robespierre was denouncing "ultra" and "citra" revolutionaries, though he did not use those terms.<sup>2</sup> Again, in his report on the political situation of the Republic on November 17, Robespierre denounced the dual evils of "moderatism" and ". . . the systematic exaggeration of the false patriots."<sup>3</sup> It was in his great and well known speech of November 21 in the Jacobin Club that Robespierre strongly denounced extremism, this time concentrating on the "ultra dechristianizers." Robespierre denied that religious fanaticism was any longer an important threat to the Republic. Ambition, treason, men without honor or religion, these were the great dangers. He defended religious liberty, and said that the Convention had no intention of doing away with the Catholic faith. He denounced men, who, under the pretext of destroying superstition, sought to turn atheism into a sort of religion, who sought to replace one type of fanaticism with another. And what was their motive? They were agents in the pay of foreign powers, part of a "foreign plot,"

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<sup>1</sup>Ibid., pp. 452-455.      <sup>2</sup>Robespierre, Oeuvres, X, 161-163.

<sup>3</sup>Ibid., p. 182.

seeking to inspire hatred of the Revolution by making it appear immoral. Robespierre's speech received wild applause.<sup>1</sup> In light of these strong statements by Robespierre, it is difficult to see how Danton's later defense of religious freedom and attacks on "ultra-revolutionaries" could be considered anti-governmental indulgence.

A striking incident illustrating the essential unity between Danton and Robespierre occurred in the Jacobin Club on December 3. After several extreme proposals were made by a member of the Société du Havre, Danton spoke. He warned the deputies against ultra-revolutionary measures and supported the government's policy of delaying the implementation of the Constitution until the end of the war. When Coupé accused him of wanting to diminish the vigor of the Revolution, Danton requested that, in light of these suspicions, his own conduct should be examined by the society. Robespierre rose to the defense of his colleague. He listed the charges being circulated against Danton, dismissing them all. He finally demanded that his own conduct be examined along with that of Danton. This effectively closed the discussion.<sup>2</sup> If Robespierre had so desired, he could have added his voice to others denouncing Danton's alleged indulgence. But he had no reason to do so. Danton was a supporter of Robespierre's policies. By attacking Danton he would have been weakening a strong rampart against the ultras.

One of the themes of the Indulgent campaign was the reiterated call for the liberation of unjustly imprisoned patriots. The government was in partial sympathy with this demand, but the extent to which it should be carried out became a matter for dispute between the government

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<sup>1</sup>Ibid., pp. 193-201.

<sup>2</sup>Aulard, Jacobins, V, 541-545.

and the Indulgents.

On December 7 a deputation from the Commune of Amboise asked for the liberation of their mayor, arrested by order of the representative on mission, Richard. Thuriot said that many patriots had been unjustly imprisoned. He asked that the Committee of Public Safety and the Committee of General Security report on means for dealing with these requests for release. Couthon agreed that there was a problem, and suggested that revolutionary committees be asked to give reasons for all arrests. This proposal was decreed.<sup>1</sup> The government, in the person of Couthon, was in accord with the Indulgents.

While the Convention was easing its stand on suspects, Danton called for harsher measures. He said that it was always better to carry revolutionary action too far than to slow it down. This should be the premise for all further discussion on the question of suspects. He called for the confiscation of the property of suspects who had allowed their children to emigrate. The proposal was sent to the Committee of Public Safety for consideration.<sup>2</sup> On February 28 it was pointed out that suspects were selling or giving away property to avoid its confiscation under the ventôse decrees, and that such transfers made since the passage of these decrees should be nullified. Danton requested that the nullification be extended back to 1789. The proposals were sent to the Committee of Public Safety.<sup>3</sup>

There are, on the other hand, indications that Danton favored a certain degree of indulgence. On January 24 he requested a general

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<sup>1</sup>Archives parlementaires, LXXXI, p. 90.

<sup>2</sup>Ibid., pp. 91-93.      <sup>3</sup>Ibid., LXXXV, 572.

measure to give justice to imprisoned patriots. He warned that the revolutionary movement must be maintained, and that by doing too much for justice the Convention could fall into the trap of moderation. Better be too revolutionary, he said, than to risk losing all by taking a backward step. But the Republic was now victorious everywhere, and the government was as energetic as the Convention could wish. This was the time to take care that only enemies of the country were being punished. Danton called for a report by the Committee of Public Safety and the Committee of General Security on the imprisoned patriots. Priority should be given to poor heads of families, relatives of soldiers and those possessing known civic virtues. This was decreed.<sup>1</sup> Again, on February 26, Danton expressed the concern that only those who were truly enemies of the Revolution should be imprisoned as suspects.<sup>2</sup> Of course, Danton's concern for imprisoned patriots was a concern shared by many other deputies. Saint-Just's report of 8 ventôse was in part designed to meet this concern.

All was not perfect in Danton's relations with the governing committees. On February 22 he complained that the Convention was passing decrees without always knowing the facts. "It is time for the Convention to resume its appropriate role, and to decide only with full knowledge of the facts. This is only the preface to my political opinion, I will tell it all in time."<sup>3</sup> Danton was criticizing the Convention for its blind reliance on the governing committees. His final words may have indicated an even deeper dissatisfaction. Was Danton threatening the Committees or simply urging the Convention to be more careful in basing

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<sup>1</sup>Ibid., LXXXIII, 601-604.

<sup>2</sup>Ibid., LXXXV, 520.

<sup>3</sup>Ibid., p. 344.

decisions on their recommendations? In light of the numerous instances in which he defended the Committees, the latter must have been the case.

The denunciation of the Hébertists and the campaign for the release of unjustly imprisoned suspects were two of the most important aspects of the Indulgent drive. Both issues were thoroughly aired in the Vieux Cordelier by Camille Desmoulins. The first two issues of this journal were aimed essentially against the Hébertists and dechristianization.

In the first number of the Vieux Cordelier Camille denounced the attack upon Danton in the Jacobin Club on December 3. He called the Hébertist opponents of Danton "agents of Pitt," and extolled the virtues of both Danton and Robespierre.<sup>1</sup> In the second number the "hypocrites of patriotism" who sought to present the French to the world as "an atheist people" were denounced. Desmoulins explained that he had no love for the Catholic Church, but that reason would have to make progress before the Church would disappear.<sup>2</sup> All of this was innocuous enough as far as the government was concerned. Indeed, the Vieux Cordelier supported government policy, and Robespierre had seen and approved of the first two issues before their publication.<sup>3</sup>

The third number, appearing on December 15, was different. Nevertheless, more has usually been read into it than was justified. Certainly,

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<sup>1</sup>Camille Desmoulins, Le Vieux Cordelier, édition complète et critique d'après les notes de Albert Mathiez, commentaries by Henri Calvet (Paris: Librairie Armand Colin, 1936), pp. 41-43. (Hereinafter referred to as Le Vieux Cordelier.)

<sup>2</sup>Ibid., pp. 59-60 and 64.

<sup>3</sup>J. M. Thompson, Robespierre (2 Vols.; New York: D. Appleton-Century Co., 1936), II, 126.

Robespierre had no prior knowledge of it,<sup>1</sup> and would probably not have approved of it because it was a two-edged sword. It is usually seen as a frontal attack on the law of suspects, and as an attack against the very basis of the Revolutionary Government.<sup>2</sup> Actually, it would seem that Camille sought to encourage Robespierre and the Committee of Public Safety to follow a moderate terrorist course. Recognizing the necessity of certain aspects of the Revolutionary Government and the terror, Camille attacked the exaggerated terrorism of some of the radicals.

The first segment of number three lent itself to the view that Camille was attacking the Revolutionary Government. Pretending to be a translation of Tacitus concerning life under the caesars, it painted a picture of a people dominated by fear and denunciation. The society was one in which the simplest of actions was a counter-revolutionary crime, and the smallest of distinctions rendered one suspect.<sup>3</sup> In a second segment Camille went on to denounce what he considered to be unhealthy trends in the Revolution, such as ultra-radical demands. He pointed in particular to the call of the "marquis de Montaut"<sup>4</sup> for the heads of five hundred deputies. He criticized agents of the Revolutionary Government for usurping lawmaking powers: the commissioners of the Convention, the departments, districts, municipalities, sections, revolutionary

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<sup>1</sup>Ibid.

<sup>2</sup>Lefebvre, La Révolution Française, p. 384; Mathiez, The French Revolution, p. 433; Palmer, Twelve Who Ruled, pp. 259-260.

<sup>3</sup>Desmoulins, Le Vieux Cordelier, pp. 72-76.

<sup>4</sup>This referred to Maribon-Montaut, a former nobleman.

committees, and fraternal societies. This criticism was hardly anti-governmental, however, for the law of 14 frimaire implied the same criticism. Camille also argued in favor of the revitalization of freedom of the press. He blamed Roland for having first infringed on this liberty. Its preservation could have prevented much violence, though he made clear that he was referring to the violence of war.<sup>1</sup> He then continued in the same sentence with an often quoted statement, ". . . I will die with this opinion, that to make France republican, happy and flourishing, a little ink and a single guillotine would have sufficed."<sup>2</sup> In the context of Desmoulins' supposed translation of Tacitus, this statement has been seen as an attack on all revolutionary expression.<sup>3</sup> However, in the closer context surrounding the statement, Camille was actually saying: Had Roland not intercepted the writings of Robespierre and Billaud-Varenne,<sup>4</sup> and had the Girondins not started the war, the Revolution could have been carried forward with very little bloodshed. Unfortunately this had not been the case, and the terror had become a regrettable necessity.

In the paragraph immediately following this famous statement, Camille said that the ill-intentioned would try to establish a comparison between his translation of Tacitus and the present situation. He warned the royalists not to draw arguments against the Republic from his writings, because the alternative to the present situation was unacceptable in the context of the ". . . death struggle between the Republic

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<sup>1</sup>Desmoulins, *Le Vieux Cordelier*, pp. 82-88. This was an attack against the Brissotins. Both Desmoulins and Robespierre had opposed the war (note by Mathiez, p. 88).

<sup>2</sup>*Ibid.*, p. 88.

<sup>3</sup>*Ibid.* (Note by Mathiez).

<sup>4</sup>*Ibid.*

and monarchy." "Undoubtedly, the maxim of republics is that it is better now to punish several of the guilty than to strike down a single innocent person. But is it not true that in a time of revolution this maxim, full of reason and humanity, serves to encourage traitors to the patrie. . . ?" The maxim of despotism, which was the opposite of that of republics, had been adopted by the Committee of Public Safety only momentarily to establish the Republic. The Committee of Public Safety had had to place a temporary veil over the statue of liberty. The radicals wanted to cover it with a "drap mortuaire."<sup>1</sup>

The third issue was far from an unqualified denunciation of the Revolutionary Government. Desmoulins even praised the prudence of the Revolutionary Tribunal. He denounced "moderatism in mourning," referring to the women who had come into the Convention on December 12 to request the release of their husbands. His main barbs seemed to be directed against the ultra-revolutionary measures demanded by those who represented "l'exagération en moustaches."<sup>2</sup> In the last several paragraphs Desmoulins sought to draw a distinction between the Hébertists and other Montagnards in order to persuade the Committee of Public Safety to abandon the former.<sup>3</sup> Thus, when seen in this broader context, the translation of Tacitus was not a sketch of France as it was at the time under the Revolutionary Government, but a sort of Orwellian nightmare of what it might be if the radicals had their way. Camille's

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<sup>1</sup>Ibid., pp. 88-89.

<sup>2</sup>Ibid., pp. 84-85. According to Mathiez, the mustache was a sign of revolutionary patriotism (Note 1, p. 85).

<sup>3</sup>Ibid., p. 89 (Note 5, by Mathiez).

support for the basic ideas of revolutionary government, his praise for aspects of the Revolutionary Government, his efforts to separate the Committee of Public Safety from the radicals and the favorable way in which he used Robespierre's name throughout the issue all point to the conclusion that Camille was trying to persuade the government to brave the pressure of the Hébertists and adhere to a middle of the road approach to revolutionary government, mitigating its harshness to some extent. That the issue was interpreted as an attack on the Revolutionary Government is understandable. Camille's indirect style promoted misunderstanding. There were also many people looking for just such a denunciation, reading into Camille's writings what they hoped to find. Thus, the third issue of the Vieux Cordelier did have the effect of a direct attack on the Revolutionary Government, intended or not. It was received with great interest, especially in counter-revolutionary circles.<sup>1</sup>

In the session of December 20, between the third and fourth numbers of the Vieux Cordelier, Robespierre had occasion to comment on the Indulgent campaign. The session had heard a number of petitions from women requesting the release of their husbands from prison, and a petition requesting clemency for the city of Lyons. Immediately following this petition, a large number of women appeared to request a report on the release of their relatives from prison. Robespierre accused most of the women of being aristocrats.<sup>2</sup> He then went on to respond to the Indulgent campaign. "Ever since we protested against the excesses of a

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<sup>1</sup>Ibid., pp. 108-109 (In comments by H. Calvet).

<sup>2</sup>Archives parlementaires, LXXXII, 33-36.

false patriotism, some have thought that we wanted to lower ourselves from the revolutionary heights which we had attained."<sup>1</sup> The enemies of liberty, he continued, thought that the time for moderation had arrived. They were wrong. The Convention would liberate true patriots, but it would also keep its revolutionary energy and relentlessly pursue the enemies of liberty and equality. In spite of this harshness, Robespierre recommended the creation of what came to be called a "committee of clemency" to investigate the complaints of those claiming to have been imprisoned unjustly. In spite of this concession, Robespierre's speech was a warning that the Indulgents could not go too far.

Camille Desmoulins interpreted Robespierre's speech differently. Apparently encouraged by the proposal for a committee of clemency, he became bolder in the fourth issue of the Vieux Cordelier published on December 24. Again, more was read into his writing than he intended. The issue was seen by some as an appeal for the immediate and wholesale release of suspects. Certainly Camille's statement, ". . . open the prisons for those two hundred thousand citizens that you call suspects; . . ." <sup>2</sup> lent itself to this interpretation. But he said pointedly in a footnote that the moderates had better not isolate this passage from the rest of the text. He was only expressing his approval of the committee of clemency created by the Convention on December 20. In other words, the door should not be opened wide all at once. <sup>3</sup> He may have erred on the side of indulgence in the view of the government, but a

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<sup>1</sup>Ibid., p. 37.

<sup>2</sup>Desmoulins, Le Vieux Cordelier, pp. 115-116 (No. IV).

<sup>3</sup>Ibid., p. 115 (note 5).

sympathetic examination of what he said will not lead to the conclusion that Camille wanted the wholesale release of "aristocrats."

The purpose of the committee of clemency was to examine the appeals of those imprisoned as suspects. Desmoulins interpreted this as meaning that their guilt or innocence was to be determined, and the innocent were to be released. Of course, this view was opposed to the law of suspects as then interpreted, for Camille felt that mere suspects should not be imprisoned. "Suspicion has no prisoners, [it only has] the public prosecutor; there are no suspect persons, there are only persons charged with offenses fixed by the law."<sup>1</sup> Camille claimed that this view of the suspects would not be dangerous to the Republic. It would be impossible to exterminate all the Republic's enemies on the guillotine. For every enemy executed, ten more were created among his family or friends. What was needed to complete the Revolution was no longer "terror the order of the day" but a committee of clemency.<sup>2</sup> Camille then appealed directly to "my dear Robespierre." Admitting that the so-called committee of clemency was intended to be a "committee of justice," he appealed to his friend to give more careful consideration to clemency.<sup>3</sup> Certainly, Camille was advocating a course of action more indulgent than the government had yet adopted. This time he had, beyond doubt, attacked the law of suspects directly. It appears that he interpreted the decree of December 20 as a sign that the committees and the Convention were moving toward clemency. He now sought to encourage this move. He saw the law of 14 frimaire as another hopeful sign. It had created a government which would be strong enough to control the moderates and the ultras at

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<sup>1</sup>Ibid., p. 116.

<sup>2</sup>Ibid., pp. 116 and 119.

<sup>3</sup>Ibid., p. 124.

the same time.<sup>1</sup>

In the context of December, 1793, Camille Desmoulins was treading on dangerous ground. The Government understandably looked upon Camille's writings with disfavor, for whatever his own intentions, he was giving aid and comfort to an indulgent faction which was working for a complete change of government. The aims of this faction became clear on December 12 when Barère asked the Convention to prolong the powers of the Committee of Public Safety. Bourdon de l'Oise stood up and bravely asserted that certain members of the Committee who did not have the confidence of the whole Convention had to be replaced.<sup>2</sup> For the first time since July 10, opposition to the prolongation of the Committee's powers with its membership unchanged had arisen.

Bourdon was to be one of the Committee's most consistent critics in this period. As a commissioner of the Convention in the Vendée he had become involved in a heated dispute over Rossignol. He was recalled by the Convention, and humiliated by Robespierre before the Jacobins.<sup>3</sup> He was, in short, a "mécontent," like Phillipeaux, Charlier, Dubois-Crancé, Lecointre,<sup>4</sup> and the others who joined the campaign for indulgence.

Bourdon's proposal for a change in the Committee received support from Merlin de Thionville. He went one step further than Bourdon and proposed that one third of the Committee be renewed every month. Apparently Bourdon and Merlin spoke for a fairly large portion of the

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<sup>1</sup>Ibid., pp. 118-119.      <sup>2</sup>Archives parlementaires, LXXXI, 367.

<sup>3</sup>Kuscinski, Dictionnaire, p. 79; Aulard, Jacobins, V, 399-402.

<sup>4</sup>Buchez and Roux, Histoire parlementaire, XXX, 357; Palmer, Twelve Who Ruled, pp. 256-258.

Convention. It was decided to proceed to the renewal of the Committee the next day.<sup>1</sup> To renew the Committee meant to replace at least some of its members.

The next day Jay de Saint-Foy, deputy of Gironde, gave a convincing speech favoring the retention of the present Committee. Jay pointed to the many accomplishments of the Committee. He said that there was still much to be done, especially in the military sphere. Pitt and Coburg would be pleased with the proposed change at the very center of the revolutionary movement. If any deputy had charges against any member of the Committee, let him go to the Committee of General Security with them. As for the Convention's desire to exercise its power to determine the composition of the Committee, this did not require the renewal of the members. No one, concluded Jay, doubted the Convention's powers in this regard. The decree for the renewal of the Committee was revoked, and the Committee's power prolonged for another month.<sup>2</sup>

The crisis over the renewal of the Committee was only one of the more harrowing incidents in the Indulgent campaign. Throughout December and January Bourdon and his friends brought up a multitude of issues. They seemed to seize every opportunity to discredit the Committee. As during the summer, they frequently attacked the ministers and their agents. On December 10, for example, Bourdon warned that if the ministries were not abolished the revolutionary régime would never end, since the ministers had a vested interest in the continuation of the war. As usual, the Hébertist war office came in for special mention.<sup>3</sup>

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<sup>1</sup>Archives parlementaires, LXXXI, 367.      <sup>2</sup>Ibid., pp. 405-406.

<sup>3</sup>Buchez and Roux, Histoire parlementaire, XXX, 347.

A rapid volley of attacks followed. On December 16, after hearing complaints from Merlin and Bourdon, the Convention ordered the Committee of Public Safety to examine the conduct of the agents of the Executive Council.<sup>1</sup> The incident of the sixteenth was followed on the seventeenth by a more serious attack. Lecointre complained about the arrest of a mail carrier by an agent of the Executive Council. Two unnamed members complained of having been arrested by agents of the Executive Council. Voulland, deputy of Gard, pointed out that it was the policy of the Committee of Public Safety and the Committee of General Security to have these agents watch for counter-revolutionary couriers, but Charlier accused the Executive Council and its agents of carrying on a war against the Convention. Bourdon was bitter. The Executive Council was a monstrous power that sought to compete with the Convention. He accused the agents of the ministries of counteracting the efforts of the Committee of Public Safety and of prolonging the war in the Vendée. He demanded that the Committee of Public Safety present an alternative to the Executive Council as an administrative body. Without such a change, he said, the Revolution would never end. The people were already comparing the Convention to the Long Parliament. Fortunately for the Committee, Couthon was there to persuade the Convention to send proposals for a reorganization of the executive to the Committee of Public Safety for study. The Committee, he said, would be able to decide whether or not the Council was an asset to the Revolution. Any individual agents guilty of wrongdoing would be punished, and the Executive Council would be asked to explain its actions.<sup>2</sup>

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<sup>1</sup>Archives parlementaires, LXXI, 530-531.

<sup>2</sup>Ibid., pp. 575-577.

The next day the members of the Executive Council appeared in the Convention to explain the incident. Blame was placed on agents who had exceeded their powers. The ministers were exonerated, and the Committee of Public Safety was told to find the guilty agents.<sup>1</sup> The attack had been parried, but some of the criticism, especially that of Bourdon, was aimed at the Revolutionary Government as organized under the decree of 14 frimaire.

After December 18 Bourdon's attack continued relentlessly. On January 1 Bourdon persuaded the Convention to have a certain officer in the War Ministry sent to the Revolutionary Tribunal. Only after the intervention of Robespierre was this decision reversed.<sup>2</sup> On January 7 Bourdon proposed to reorganize the ministries and destroy their financial independence. With the partial support of Philippeaux and Danton the measure was adopted in principle, but on the insistence of Danton it was sent to the Committee for further consideration.<sup>3</sup>

Not every attack on the ministry was seen by the Committee as an attack upon itself. On December 17 the arrest of Vincent, secretary general of the War Ministry, Ronsin, general of the Revolutionary Army, and Maillard, agent of the military police, was ordered by the Convention on the denunciation of Fabre d'Eglantine, Bourdon, Lebon and Phillippeaux. Couthon was present, and rather than objecting, he added to the denunciations. He decried the counter-revolutionary effects of the ultra-revolutionary actions of these individuals, and suggested a general

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<sup>1</sup>Ibid., pp. 637-638.

<sup>2</sup>Buchez and Roux, Histoire parlementaire, XXXI, 148-150.

<sup>3</sup>Archives parlementaires, LXXXIII, 86-89.

purge of employees of the state.<sup>1</sup> It was not the Committee as a whole that had to be concerned with this denunciation, but men like Collot d'Herbois who had links with these Hébertists. Nevertheless, Robespierre and other middle of the road members of the government were becoming wary of the Indulgents, and the debate over Vincent, Ronsin and Maillard may have increased their mistrust. That Collot felt threatened became evident from the long speech which he gave to the Convention on December 21. Defending Ronsin and his own mission to Lyons, Collot persuaded the Convention to pass a decree approving his actions in Lyons and ordering an investigation of the reasons for the arrest of Ronsin.<sup>2</sup>

That evening in the Jacobins, Collot continued his plea.<sup>3</sup> He again defended Ronsin and lauded his own actions at Lyons. He said that if he had arrived in Paris five days later he might have been indicted, and that he had justified his actions to the Convention only with the greatest difficulty. He accused the Jacobins of weakness in the face of attack against himself and Ronsin, but said that he was sure they would mend their ways. Collot then concluded with an attack on the Indulgents. With this new support Hébert now took heart. He attacked Camille Desmoulins, Bourdon, Phillipeaux and Fabre d'Eglantine by name, asking that they be expelled from the society. He continued, "There are two men who have all my esteem and all my confidence: they are Danton and Robespierre, the two pillars of the Revolution; I urge them no longer to allow themselves to be circumvented by pygmies. . . ."<sup>4</sup> Thus, to Hébert,

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<sup>1</sup>Ibid., LXXXI, 574-575.      <sup>2</sup>Ibid., LXXXII, 94-100.

<sup>3</sup>Moniteur, XIX, 26. Aulard chose to give only a short summary of Collot's speech (Jacobins, V, 570).

<sup>4</sup>Moniteur, XIX, 27.

Danton was in the middle with Robespierre. After the strong statements of Collot and Hébert, the society decreed that those denounced by Hébert would have to explain themselves, and it expressed its continued confidence in Ronsin and Vincent.

In the Jacobins the Indulgents were clearly on the defensive. Philippeaux became the object of attacks because of his criticism of generals commanding in the Vendée. On December 6 he had published an open letter in which he denounced Generals Ronsin and Rossignol. He called upon the Committee of Public Safety to act against conspirators.<sup>1</sup> In effect, he was accusing the Committee of appointing and continuing to support generals who were, at best, incompetent. On December 23 in the Jacobin Club, he had to answer repeated charges that he was a moderate. Robespierre contended that Philippeaux had denounced ". . . the whole Committee of Public Safety to the universe. . . ," and had accused it of being composed of assassins.<sup>2</sup> Yet, when asked by Couthon to say definitely whether he thought there had been treason in the Vendée, Philippeaux said forthrightly, "Yes!" The society decided to investigate the charges. Momoro, a Hébertist leader, cried that patriots were being oppressed. Robespierre answered, accusing him of implying that the Convention was oppressing patriots. Robespierre hinted that he thought Momoro was contemplating an uprising, and said threateningly that the Convention would know how to deal with it.<sup>3</sup> Robespierre was holding fast to the center. Philippeaux was not to be

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<sup>1</sup>Pierre Philippeaux, Philippeaux, représentant du Peuple, à ses collègues et à ses concitoyens, Paris: Imprimerie Desenne, 1793.

<sup>2</sup>Aulard, Jacobins, V, 575.      <sup>3</sup>Ibid., pp. 574-577.

dismissed out of hand as a slanderer.

As in the case of Camille Desmoulins, discussion raged for weeks over Philippeaux.<sup>1</sup> He was repeatedly attacked in the Jacobins, where his expulsion was requested a number of times. On top of this, the Cordeliers declared him, along with Bourdon and Fabre, to be a moderate and a traitor.<sup>2</sup> In spite of these controversies, Philippeaux, Bourdon, Fabre and Desmoulins all remained in the Jacobin Club. Robespierre claimed that Philippeaux had never been a member of the club, and that he should not be dignified with a formal expulsion.<sup>3</sup> This does not explain why the others were not expelled. Robespierre, for his own reasons, opposed the expulsion of Camille Desmoulins.<sup>4</sup> Bourdon, though a leading opponent of the Committee of Public Safety, was more clever than the others, not launching major charges of treason as Fabre and Philippeaux had done. He was not even included in the arrest of the "Dantonists." Fabre was denounced by Robespierre in the Jacobins on January 8 as a moderate.<sup>5</sup> He had discredited himself through personal corruption, being accused in the affair of the Company of the Indies. This was the same scandal which had already led to the arrests of Chabot, Basire and Delaunay. Amar announced the arrest of Fabre on January 13.<sup>6</sup> Thus, before the affair of Vincent and Ronsin was settled by the

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<sup>1</sup>Archives parlementaires, LXXXIV, 213-216.

<sup>2</sup>Moniteur, XIX, 629. Camille Desmoulins was included in this denunciation, but was treated more leniently than the others.

<sup>3</sup>Aulard, Jacobins, V, 595.      <sup>4</sup>Infra, p. 248.

<sup>5</sup>Robespierre, Oeuvres, X, 311-317.

<sup>6</sup>Archives parlementaires, LXXXIII, 289. He was indicted along with Chabot, Delaunay and Basire on March 19 (Ibid., LXXXVI, 673).

Committee of General Security, Fabre had been removed from the picture.

Albert Mathiez has interpreted the discrediting of the Indulgent leaders in the eyes of the governing committees and the vigorous Hébertist counter-attack as marking the failure of the Indulgents.<sup>1</sup> Apparently, however, the Indulgents felt otherwise. Their campaign continued with vigor, though they were to receive setbacks.

The next target was the minister of war, Bouchotte. On January 1 Bourdon denounced the minister for unauthorized expenditures from the public treasury. He requested that the Convention immediately decree that the minister of war could no longer draw funds from the treasury. He also proposed a far-reaching reform of the ministry of war. Danton, along with Philippeaux and Bentabole, persuaded the Convention to send these proposals to the Committee of Public Safety for consideration. Danton then proceeded to lecture the Convention concerning the Committee. He warned that any reorganization of the ministry of war must not be allowed to hinder its operations. This was why the Committee had to report on the proposal. The government, he said, must move with a uniformity which could only be imparted by the Committee. He requested that the Committee of Public Safety report on a means to perfect the Revolutionary Government, which would include the strict responsibility of the ministers to the Committee.<sup>2</sup> The Committee of Public Safety ignored these proposals. The fact remained, however, that Danton helped to deflect an attack on the Revolutionary Government which could have had serious consequences.

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<sup>1</sup>Mathiez, The French Revolution, pp. 438-439.

<sup>2</sup>Archives parlementaires, LXXXIII, 85-89.

The next minister to be denounced was the naval minister, Delbarade. On January 29 Escudier, deputy of Var, announced that the minister had committed "an act of rebellion" against the Convention by failing to make a certain naval appointment as ordered by the Convention. He demanded a decree of indictment against the minister. Bourdon saw Delbarade's alleged action as a sign that the ministers were disregarding the Convention. He demanded that Delbarade be called to the bar to answer the charges. Danton proposed sending the denunciation to the Committee of Public Safety for a report. He advised the Convention to adhere to the procedures of the provisional revolutionary government as provided in the decree of 14 frimaire, and not to act precipitously before the Committee of Public Safety could report on the matter. He felt that there must have been some misunderstanding. Delacroix and Bourdon, however, insisted on immediate action.<sup>1</sup>

Danton had vainly supported the power of the Committee of Public Safety against the men with whom he is supposed to have been conspiring to overthrow that committee. Furthermore, Danton's defense of the minister and of the Committee's right to report on the matter could not have been inconsequential as far as the Committee was concerned. The Committee of Public Safety brought out its big guns to handle the matter when the minister appeared in the Convention to explain his position. When Delbarade's explanation was found to be unsatisfactory to the Convention, Jean-Bon-Saint-André stepped in. Bourdon, however, was still not satisfied. He demanded a decree of indictment against the minister. Saint-André, Barère, Legendre (who was supposedly a "Dantonist") and

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<sup>1</sup>Ibid., LXXXIV, 41-42.

Couthon all defended Delbarade. They finally convinced the Convention to drop any action against the minister.<sup>1</sup> The strong defense of Delbarade by the members of the Committee of Public Safety again makes clear that the Committee took an attack on a minister very seriously. Thus, Danton's defense of the minister and his proposal to have the Committee handle the matter represented a valuable service to the Committee.

Danton was again on the side of the governing committees when, on February 2, a final decision was made in the case of Ronsin and Vincent. Voulland announced for the Committee of General Security that no evidence had been found against Ronsin and Vincent. He asked that they be released. Bourdon accused the Committee of lying to the Convention and opposed the release. Philippeaux agreed with Bourdon. After some inconclusive debate Danton spoke. He said that Ronsin and Vincent had been impetuous and violent at times, but if there was no evidence against them, they should be released. Danton, of course, may have been concerned with the application of this principle to himself and his friends. He said that the Convention could now afford to be benevolent toward those who had served liberty, while still displaying unbending rigor toward its enemies. He concluded with a call for unity among patriots. Danton had voiced a view which might be considered mildly indulgent. But it must also be remembered that he had defended a proposal of the Committee of General Security in favor of the release of two radicals. Again, he had aided one of the governing committees in difficult circumstances. The release of Vincent and Ronsin was almost

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<sup>1</sup>Ibid., pp. 53-54.

immediately decreed.<sup>1</sup>

Danton found himself defending the Committee of Public Safety again on February 7. As had happened before, Bourdon attacked the Committee through Bouchotte. He virtually accused the minister of taking part in a conspiracy to bring large numbers of Austrian prisoners into Paris where they were to be given arms for some evil purpose. Four other deputies joined in the attack. Bourdon then presented a motion to have the minister of war account for his actions immediately to the Committees of Public Safety and General Security. Danton opposed the motion. We have a revolutionary government, he said, and Committees of Public Safety and General Security to which we have given great powers. The two Committees were the "avant-garde" of the body politic. Danton urged the Convention not to go in a direction which diverged from theirs. The Committees should be allowed to report on the minister of war, and to do so in their own time. The Convention adopted Danton's proposal to send all complaints concerning the minister of war to the combined Committees of Public Safety and General Security for consideration.<sup>2</sup> Whereas Bourdon would have sent specific orders to the Committees to investigate the minister of war, an action prejudicial to the minister, Danton convinced the Convention simply to send all proposals to the Committees for their consideration. In the process he made a strong statement indicating confidence in the governing committees.

Though the Indulgents often attacked the Committee of Public Safety indirectly through the ministers, there were a number of incidents which, like the dispute of December 12, assumed the character of

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<sup>1</sup>Ibid., pp. 213-216.

<sup>2</sup>Ibid., LXXXVI, 660-662.

direct attacks on the Committee. On December 14, for example, Fayau, Dubois-Crancé, Bourdon and Charlier influenced the Convention to create a commission to watch over the manufacture of arms in government shops. The major argument against this proposal was that the surveillance of such things as arms manufacture was within the competence of the Committee of Public Safety. The measure, as passed, was conciliatory. It gave the Committee the right to nominate the members of the commission, and required the two bodies to concert their efforts.<sup>1</sup>

Two days later, just after the Convention had given the Committee a vote of confidence by approving one of its resolutions which had been disobeyed by a representative on mission, the discussion was skillfully turned against two of the Committee's members. The delinquent representative was an ex-priest. The Committee's opponents persuaded the Convention that all ex-priests and ex-nobles should be recalled from mission and, on Bourdon's suggestion, excluded from the Committee of Public Safety. Bourdon was soon openly attacking Hérault de Séchelles, an ex-noble, as an accomplice in the "foreign plot," while another member wished to extend the motion to include ex-ministers of any religion, which would have included Jean-Bon-Saint-André. The whole idea had obvious inconveniences, and was soon dropped.<sup>2</sup>

With these repeated attacks as a background, it is not difficult to understand why the government was sensitive to calls for a reduction of the terror. In spite of this sensitivity, Robespierre still was able strongly to defend Camille Desmoulins during the purge of the Jacobins the day before the third number of the Vieux Cordelier was

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<sup>1</sup>Ibid., LXXXI, 443-444.

<sup>2</sup>Ibid., pp. 528-530.

published.<sup>1</sup> After the third number, Robespierre did not speak about Camille for some time. The first important response to the Vieux Cordelier by a member of the Committee of Public Safety was made by Collot d'Herbois. In a speech of December 23 to the Jacobins, Collot accused Camille of being unpatriotic, and of seeking to slow the revolutionary movement. Any idea of moderation, he said, must be rejected.<sup>2</sup> A second significant response was made by Barère in a report concerning the implementation of the decree of December 20 creating the committee of clemency. He began the report by justifying the imprisonment of suspects. Then, without naming him, Barère mildly rebuked Desmoulins for unintentionally aiding the counter-revolutionaries. Barère said that if the Revolution hesitated for a moment the door would open to counter-revolution. He presented a proposal on a means to free patriots without attenuating revolutionary measures. Commissioners would be chosen from the Committee of Public Safety and the Committee of General Security to search out wrongly imprisoned patriots. Robespierre objected to this proposal on the grounds that it would absorb the energies of too many deputies. He claimed that on December 20 he had had in mind allowing two members of the Committee of General Security, in their "leisure moments," to look for the few patriots who might have been incarcerated with the "aristocrats." In fact, this was a far cry from his proposal of December 20. Billaud-Varenne then criticized the Convention for having passed the decree of December 20 in the first place. If the Convention had kept its energy and firmness, it would

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<sup>1</sup>Robespierre, Oeuvres, X, 253-255.

<sup>2</sup>Aulard, Jacobins, V, 574.

have gone on to the order of the day on the counter-revolutionary motions presented to it. This was a direct slap at Robespierre. Billaud demanded and obtained the repeal of the decree.<sup>1</sup>

It was not until January 7, in the Jacobin Club, that Robespierre decided to comment at length on Camille's Vieux Cordelier. At this late date Robespierre still said, "Desmoulins is not worthy of the severity which certain people have provoked against him. . . ."<sup>2</sup> Nevertheless, he said that Camille's writings had given comfort to the aristocracy, and he suspected that the translation of Tacitus was meant to apply to the present situation. Robespierre then proceeded to a discussion of Desmoulins which was filled with an unaccustomed humor. Desmoulins was but a "light-headed child" who had fallen in with bad company. But, warned Robespierre, he should let this "little reprimand" suffice to correct his errors. In a hall filled with laughter, Robespierre proposed that the Vieux Cordelier be burned. Desmoulins replied, in the words of Rousseau, that to burn was not to answer. Robespierre decided to answer. The man who held fast to such writings, he said, was perhaps more than misled. On his suggestion, the fourth issue was read amidst jeers.

Discussion continued the next day. Robespierre complained that there were revolutionary statements and moderate statements one along side the other in Desmoulins' writings, and that Camille was a confusing knot of contradictions. Robespierre than quickly turned the discussion against the two-headed conspiracy of the "citra" and "ultra"

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<sup>1</sup>Archives parlementaires, LXXXII, 364-369.

<sup>2</sup>Aulard, Jacobins, V, 597.

revolutionaries, both secretly working for the same cause. As for Desmoulins, Robespierre said that it did not matter whether the society expelled him or not. In the next session Camille was expelled from the Jacobins after his third issue was read. But Robespierre was dissatisfied. Desmoulins should not be expelled, he said, without also expelling a certain member, who Robespierre did not name, of the opposite persuasion. He objected to the rumor that he was defending Camille. Yet, one cannot help receiving this impression. He had belatedly denounced Camille on January 7, and then turned the denunciation into a joke. He had quickly diverted the discussion away from Desmoulins on the eighth, and said he saw both good and bad in his writings. On the tenth he objected to Camille's expulsion from the Jacobins, and the society, on his request, obligingly repealed its decree of expulsion.<sup>1</sup> The next day the Cordeliers announced to the Jacobins that Camille had been provisionally expelled from their midst until he repented his heresies.<sup>2</sup> For the moment the matter came to rest.

The third and fourth numbers of the Vieux Cordelier had the greatest impact, but they were not the last to be written. Camille's fifth number was published on January 5, and his sixth on January 25.<sup>3</sup> The seventh was written between March 5 and 7, though it was seized by the authorities and published only after 9 thermidor.<sup>4</sup> The publication

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<sup>1</sup>Ibid., pp. 601-602, and 604-607.

<sup>2</sup>Desmoulins, Le Vieux Cordelier, p. 177 (in comments by H. Calvet).

<sup>3</sup>Ibid., p. 179 (Note 1 by Mathiez).

<sup>4</sup>Ibid., p. 197 (in comments by H. Calvet), and p. 201 (note 1 by Mathiez).

of numbers five and six came after the newspaper had aroused the ire of the government, and number six after Robespierre participated in the condemnation of Camille in the Jacobins. According to Mathiez, these issues were filled with retractions.<sup>1</sup> In fact, though they were defensive in tone, they simply reiterated what Camille had said in previous issues. At times, Camille seemed to feel the best defense was an offense. He severely criticized Barère for his report on the committee of clemency in which Barère, by implication, had accused Camille of moderation. That charge he threw right back in Barère's face. He then proceeded to attack Hébert bitterly.<sup>2</sup> Throughout the fifth issue he sought to defend himself by denying charges and by reviewing his services to the Revolution. But there were no retractions.

If any issue of the Vieux Cordelier should have been apologetic it was the sixth, for Camille's friend Robespierre had recently criticized him in the Jacobin Club, even if only mildly. Yet, Camille mounted the same sort of militant defense. He maintained that he was as revolutionary as he had ever been. Admitting that he could have been mistaken, he maintained that a deputy must have complete freedom to express his opinions. He said that the terror was not needed at all places and all times, but in some places such as Toulon he would not advocate any softening of the terror. He reiterated his previous statements to the effect that the Committee of Public Safety had been forced to restrain liberty in order to insure its full enjoyment at a later time. To make "terror the order of the day" had been

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<sup>1</sup>Mathiez, The French Revolution, p. 459.

<sup>2</sup>Desmoulins, Le Vieux Cordelier, pp. 148 et seqq.

necessary.<sup>1</sup> "No one has proved the necessity of revolutionary measures by stronger arguments than I have used, even in my Vieux Cordelier, which people have not wanted to hear."<sup>2</sup> Camille again went on to attack Hâbert.<sup>3</sup> Indeed, numbers five and six were laced with criticisms of the "ultra-revolutionaries." Camille's avowed purpose was to warn the "pilots of the ship of state" against "exaggeration," a danger which he thought Robespierre and Billaud-Varenne had already recognized.<sup>4</sup>

In numbers five and six Camille simply defended the positions he had already taken. In number seven he lashed out in a new, aggressive tirade. Why he did it is not clear. The reason probably is a combination of a personal break with Robespierre and a feeling of impending doom.<sup>5</sup> In this final, but unpublished edition, Camille went so far as to attack the Committee of Public Safety and Robespierre himself.<sup>6</sup> Basically, he criticized the Convention for humbling itself before the power of the Committee.<sup>7</sup> As a whole, the issue amounted to an attack on the governing committees. Camille had never before ventured to this extreme. Whether he had always had this antipathy for the Committees in the back of his mind cannot be known. It is certainly possible that

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<sup>1</sup>Ibid., pp. 181-183, and 187-188.

<sup>2</sup>Ibid., p. 188.      <sup>3</sup>Ibid., pp. 194-196.

<sup>4</sup>Desmoulins was referring to Robespierre's report on the "principles of the Revolutionary Government," and Billaud's report on the decree of 14 frimaire (Ibid., p. 132, note 2 by Mathiez).

<sup>5</sup>Jules Claretie, Camille Desmoulins and his Wife: Passages from the History of the Dantonists, trans. by Chasel Hoey (London: Smith Elder & Co., 1876), pp. 282-297.

<sup>6</sup>Desmoulins, Le Vieux Cordelier, pp. 214-216, 219, 220.

<sup>7</sup>Ibid., pp. 216 and 221-227.

he did not. But although Camille's attack was harsher, his basic idea was the same. If Camille was truly a "moderate," advocating wholesale indulgence and complete opposition to the Revolutionary Government, he certainly would have shown his colors in the same issue in which he took the Committees and Robespierre to task. Yet, he still said that the suspension of liberties under the Revolutionary Government was necessary, and that both moderates and ultra-revolutionaries were dangerous.<sup>1</sup> Thus, Camille's attitude toward revolutionary government was essentially consistent throughout the Vieux Cordelier.

The writing of the Vieux Cordelier, it will be recalled, was related to a campaign to free imprisoned "patriots." The problem was not forgotten amidst the controversy over Camille's paper. On January 5 Collot d'Herbois, who had obtained the repeal of the decree of December 20, called for a report of the Committee of General Security on the problem.<sup>2</sup> On January 6 the Committee addressed a questionnaire to district administrators requesting information which would allow the central government to learn the extent of the problem.<sup>3</sup> Strong concern also continued to be expressed in the Convention. On January 31 a proposal for the liberation of certain suspect administrators against whom no evidence had been adduced was expanded by Levasseur into a demand that all citizens who had been detained for three months and against whom there was no new evidence should be released. Couthon nipped this indulgent proposal in the bud, characterizing it as dangerous. He had all proposals sent to the Committee of General

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<sup>1</sup>Ibid., pp. 245-247.      <sup>2</sup>Aulard, Jacobins, V, 592-593.

<sup>3</sup>Archives parlementaires, LXXXIII, 64-65.

Security for consideration.<sup>1</sup> The sessions of the Convention in the winter of 1793-94 were filled with the appeals of individual "oppressed patriots," and expressions of interest in their plight by the deputies.<sup>2</sup> It is also notable that much time was spent by the Committee of General Security in preparing, and by the Convention in listening to, lengthy reports, even in cases of individuals.<sup>3</sup>

A general report on the problem of suspects was finally given on February 26 by Saint-Just in the name of the Committees of Public Safety and General Security. Saint-Just maintained that the public safety, not abstract justice, the public interest, not the interest of the individual, justified the arrest of suspects. He accused the Indulgents of opposing these arrests because they were afraid that they themselves would be consumed in the terror. He speculated that some of them might be working for the foreign powers. The security of the Republic, warned Saint-Just, was inseparably linked to the detention of the aristocracy and to depriving the Republic's enemies of power-giving wealth. "Those who make revolutions half way have done no more than to dig themselves a grave."<sup>4</sup> Though this speech was basically an anti-Indulgent diatribe, the decree which accompanied it and which was passed by the Convention gave the Committee of General Security the power to free imprisoned patriots. Those who were recognized as enemies of the Revolution would have their property confiscated, and would be

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<sup>1</sup>Ibid., LXXXIV, 119.

<sup>2</sup>See Archives parlementaires, LXXXV, 340-343 (February 22), 374 (February 23), LXXXVI, 423 (March 13).

<sup>3</sup>See Ibid., pp. 326-333 (March 11).      <sup>4</sup>Ibid., LXXXV, 519.

detained until peace, at which time they would be banished forever.<sup>1</sup> This measure was supplemented by a decree of March 3 which, among other things, provided for the formation of lists of indigent patriots who were to be indemnified from the enemies' former possessions.<sup>2</sup> Supposedly, these "ventôse decrees" would have led to the rapid discovery of imprisoned patriots and their immediate release.<sup>3</sup> In fact, few judgments were made, and few patriots were released before 9 thermidor.<sup>4</sup>

The condemnation of Philippeaux, Desmoulins and other Indulgents left opponents of the Committee of Public Safety undaunted. They continued to attack the Committee through its subordinate agents and organizations. On February 18 Bourdon alleged that certain commissioners of the Committee of Public Safety had made a number of arbitrary and illegal arrests, and committed other serious crimes. He continued in a somewhat insolent tone, "Never did the people intend to give the commissioners of any committee the right to issue in their name warrants for the arrest of a peaceful citizen."<sup>5</sup> Bourdon demanded that the Convention decree that no agent of any committee of the Convention be allowed to arrest a citizen on his own authority. Maribon-Montaut pointed out that this was a matter of great importance which should be studied by the Committee of Public Safety. The Convention ordered the study. Indeed, it was a matter of importance. It was an effort to deprive the agents of the Committee of much of their power. The Committee simply ignored

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<sup>1</sup>Ibid., 516-520.      <sup>2</sup>Ibid., LXXXVI, 22-23.

<sup>3</sup>Godechot, Institutions, pp. 378-379.

<sup>4</sup>Palmer, Twelve Who Ruled, pp. 314, and 371.

<sup>5</sup>Archives parlementaires, LXXXV, 206.

the whole question.

The opportunity for another attack against the agents of the Revolutionary Government presented itself on March 20 when the General Council of Versailles submitted a statement which praised the Convention for its work. Bassal, deputy of Seine-et-Oise, seized the occasion to charge that patriots were being persecuted in Versailles. Charles Delacroix claimed they were imprisoned as part of a Hébertist plot. Tallien charged that agents of the minister of war were the cause of the trouble. He asked that the Committee of General Security report on the situation in Versailles and in the nation as a whole with regard to this problem. Bourdon broadened the attack. He accused Héron, an agent of the Committee of General Security, of perpetrating the unjust arrests at Versailles. On the motion of Bourdon, the Convention decreed that the Committee of General Security should immediately arrest Héron and secure his papers.<sup>1</sup>

The governing committees saw this attack as a serious matter. It came almost immediately in the wake of the arrest of the Hébertists, and could justifiably have been seen as a drive for power by the Indulgents. The response of the Committees was rapid and extremely threatening. That same day Couthon mounted the speaker's platform to address the Convention in the name of the Committees of Public Safety and General Security. The Committees, he said, were familiar with the recently discovered Hébertist conspiracy in all its ramifications. The Convention should send any additional denunciations to the Committees because there was more than one conspiracy. "There are men who have

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<sup>1</sup>Ibid., LXXXVI, 712-714.

many reproaches to make against themselves, . . . and who consequently fear, above all, the vigorous and revolutionary measures that you are taking for the public safety. . . ."1 These men were the moderates, continued Couthon. Their objective was to overthrow the government because the government was virtuous and would not allow conspirators and rogues to remain in public office. This was why the Convention should always send to its committees any proposals concerning police measures, at least if the Committees still had the Convention's confidence. "Yes! Yes!" cried the deputies. The hall filled with applause. Couthon then turned more specifically to the decree of that morning concerning Héron. According to the Committee of General Security, he said, Héron had performed great services for the Republic. He had denounced many conspiracies, especially some involving bankers. Apparently the conspirators wished to make it impossible for Héron to serve the public any longer. This was a direct slap at Bourdon. But the tone was to become yet more menacing. Someday, said Couthon, the Committee of Public Safety would make a report naming the moderate party.

Moyse Bayle, deputy of Bouches-du-Rhône, spoke next for the Committee of General Security. He attested to Héron's patriotism, and said that the decree against him would have repercussions which might paralyze measures of public safety. Robespierre followed Bayle to the podium, refuting the charges against Héron. He then issued a veiled threat against the Indulgents. The Héron affair, he claimed, was part of a plot by the "remaining faction" to take advantage of the destruction of the "first faction" in order to seize power for itself. The

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<sup>1</sup>Ibid., p. 719.

opportunity must be used, he continued, to repress all the factions. The hall rang with applause. Robespierre asked that the decree against Héron be repealed. The Convention complied with his wishes amidst loud applause.<sup>1</sup> Thus, once again the Committee of Public Safety had placed its prestige on the line, and used threats to parry a serious attack.

Though Bordon, Philippeaux and others, who were attacking the Committee of Public Safety and its protégés, took part in the indulgent campaign, their attacks were not always closely related to that campaign. It does seem, however, that they hoped to moderate the terror by discrediting the Committee and replacing those of its members who supported a continuation of the terror. The attitude of the Convention as a whole is difficult to determine because only a small percentage of the deputies openly took part in the debates. The only definite conclusion is that the deputies' position was ambiguous. At times they seemed to side with the opposition, as when it was decided to renew the Committee on December 12. But they were usually brought back into line. They never took a resolution which seriously hindered the Committee. Indeed, during the fall and winter, the Convention had continued to allow the Committee's powers to expand, and had enacted the laws which consolidated the Revolutionary Government.

The government had been declared revolutionary until peace on October 10. The Revolutionary Government still had no written constitution. A proposal presented by Billaud-Varenne on November 18, sought not only to establish this constitution in writing, but also to reform and strengthen it. The reaction of the Convention to Billaud's

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<sup>1</sup>Ibid., p. 721.

proposals showed that it continued to support the principle of revolutionary government.

The overall purpose of the decree proposed by Billaud was to centralize and regularize the Revolutionary Government by defining its procedures and the functions and powers of the various agencies of government. The key section was the second. It began with the statement: "The National Convention is the sole center of the impulse of the government."<sup>1</sup> The whole government was put under the overall supervision of the Committee of Public Safety, while the responsibilities of the Executive Council, districts, departments, communes and other administrative bodies were strictly defined. Since the rigorous and uniform application of the law was a basic aim of the decree, the first section dealt with the publication of laws. A bulletin was to be established for this purpose, and other measures were to be taken to insure that laws were known and executed. The third section more precisely defined the functions of the various branches of the government. For example, the Committee of Public Safety was specifically charged with important diplomatic operations, while limitations on the powers of the representatives on mission, department administrations and other authorities were specified. Section four gave the Committee of Public Safety the power to change the organization of all constituted authorities, and called on the representatives on mission to speed the purging of these bodies.

Billaud explained these proposals in a very lengthy report. He saw them as complementary to the decree of October 10 creating the

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<sup>1</sup>Ibid., LXXIX, 458.

provisional revolutionary government. He made clear from the beginning that the purpose of these related laws was to re-establish order in government, thereby giving it the energy needed to overcome its enemies. Sounding almost like one of the Mountain's opponents of the year before, he said that anarchy, if prolonged, led back to slavery. The problem was that revolutionary laws were not being enforced. Only a strong government could repress those who were opposed to the Revolution. Unfortunately, many lower authorities hindered rather than helped the government. There were also many organizational vices hindering the government. Billaud discussed these, and suggested that a hierarchy of authority linked to the central government was the solution. He warned against both excessive indulgence and excessive zeal. Those who marched in line with the Revolution had nothing to fear from this new law.<sup>1</sup>

Discussion on the measure began on November 23 with a criticism by Danton. He said that the desire of the Committee was to centralize the administration, but that the decree provided no machinery for this centralization. The local procureurs, who would remain in office, had strong local ties, and might not be worthy of confidence. Danton demanded a "procureur national" for each department, appointed and subject to dismissal by the Committee of Public Safety. Thuriot backed Danton's proposal and asked for the abolition of all elected local procureurs. Billaud fought these proposals as being subversive of elective government. Barère supported Billaud's argument. The authorities whose decentralizing influence was feared by Danton, he said, would be restricted to purely administrative functions. They could no longer

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<sup>1</sup>Ibid., pp. 451 and 456-457.

interpret the laws and hinder their execution. They could no longer usurp the prerogative of acting as intermediaries between the people and the Convention. In the end, all the motions were sent to the Committee of Public Safety for consideration.<sup>1</sup>

On November 29 Billaud appeared with an amended version of the bill. He discussed ideas for articles which were to be added to the decree to ensure the unity of the provisional government, and saw three problems which militated against centralization. First, the central committees chosen by the representatives on mission had become dangerous because of their federalist tendencies. The second problem was related to the creation of "revolutionary armies" by the representatives on mission. Thirdly, government agents had to be made more responsible for their actions.<sup>2</sup> Immediately, Merlin de Thionville suggested that the Committee of Public Safety be called the "government committee." Billaud-Varenne and Barère objected. All authority was in the Convention, said Billaud, and to place this authority in other hands would undermine liberty. Barère said essentially the same thing. The Committee was the arm of the Convention, it was not the government. The name, he continued, might put the Committee in an unfavorable light which would deprive it of confidence. It would also place the members outside the Convention and in the ranks of executive agents. The motion was rejected. A section of the bill made the subordinates of ministers responsible for their own mistakes.<sup>3</sup> Thuriot and Danton maintained that to have real ministerial responsibility, the ministers always had to take primary responsibility. Bourdon agreed, and gratuitously added an

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<sup>1</sup>Ibid., pp. 711-712.

<sup>2</sup>Ibid., LXXX, 360.

<sup>3</sup>Ibid., p. 458.

attack on Bouchotte, the minister of war. Barère defended the minister, saying that the failure to carry out the decrees of the Convention was usually the doing of lower rank employees of the ministry. This was why the Committee felt it necessary to make them directly responsible. Danton asked for a decree combining the responsibility of subordinates with the primary responsibility of the ministers.<sup>1</sup>

Billaud went home to work on the bill again. On December 4 he appeared before the Assembly for the fourth time. Two of Danton's proposals had been incorporated into the bill. National agents were to replace local procureurs, and ministers were to denounce any subordinates who did not carry out their duties.<sup>2</sup> Thus, Danton's criticism of the Committee's original proposal must be considered constructive, especially in view of the fact that Danton, unlike Bourdon, had not engaged in personal denunciations.

Fayau, who was not associated with any faction,<sup>3</sup> now expressed fear at giving the Committee of Public Safety the power of naming national agents. A heated discussion ensued. Bourdon dismissed Fayau's objection as groundless. Barère pointed out that Danton and several others had made the proposal to have the Committee of Public Safety appoint national agents, and he said that the Committee really did not want this power. Instead he favored the simple confirmation of locally chosen officials. The question of the election of officials was again thoroughly discussed. Couthon argued that the right of the people to elect officials was incontestable under ordinary circumstances,

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<sup>1</sup>Ibid., pp. 361-362.      <sup>2</sup>Ibid., pp. 630-631.

<sup>3</sup>Kuscinski, Dictionnaire, pp. 254-255.

but that in the present circumstances this right could not be exercised. Couthon, therefore, maintained, as Danton had in an earlier session, that in a revolutionary situation all action must emanate from the center, meaning the Convention. For their own good the people must not be allowed to elect officials who might betray them. Those administrators who had to be replaced should be named by the Convention. This proposal was adopted. Ramel-Nogaret, still discontented with the measure, asked for a limitation on the power of the national agents. His objection was belittled by Bourdon, and ignored by the rest of the assembly.<sup>1</sup>

When the section of the bill on the competence of constituted authorities came up for discussion, Bourdon, as usual, attacked the ministries. A supporter of the Committee on the issue of the national agents, he now opposed it for its continued support of the ministers. His position was consistent. The ministers, he complained, were monarchi- cal leftovers who just hindered efficient centralized administration. Robespierre and Barère defended them as necessary instruments of the Convention who, under the new law, would have all their independent power taken away. After this discussion the bill was finally enacted.<sup>2</sup>

Compared to the original proposal, the decree adopted on December 4 (14 frimaire)<sup>3</sup> was much more detailed, and embodied numerous changes of detail. In essence, however, it was the same as the proposal of November 18. One notable change had the Committee of General Security sharing the power of supervision with the Committee of Public Safety, though the former Committee would be limited to police matters.<sup>4</sup>

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<sup>1</sup>Archives parlementaires, LXXX, 636.      <sup>2</sup>Ibid., p. 637.

<sup>3</sup>Ibid., pp. 629-635.      <sup>4</sup>Section II, article 2.

As already mentioned, a system of national agents was to be established as an integral part of the administration. These agents were to replace the procureurs of the districts and communes.<sup>1</sup> Another new provision, which has already been discussed, was the one which held that each minister was responsible not only for his own actions, but also for those of his subordinates.<sup>2</sup> These subordinates were to be punishable under a completely new penal section of the law which covered all levels of government and all possible infractions of the laws.<sup>3</sup> Thus, criticisms of the original proposal of the Committee of Public Safety had led to a law which was more precise, and probably more effective than it would otherwise have been. Yet, with the suggestions of Danton and others partially incorporated, the new law fulfilled the original intent of the Committee: the centralization of the Revolutionary Government.

The centralizing goal was particularly evident in section three of the law which concerned the competence of constituted authorities. The function of each type of local administration was strictly defined. The officers of revolutionary committees and committees of surveillance were to be changed regularly. The right to send out agents was limited to the Committee of Public Safety, the Executive Council, the Commission of Subsistence and to representatives on mission. These agents were strictly forbidden to surpass their powers, as were the representatives on mission themselves. The same restriction was placed on all constituted authorities and public officials. The central committees created by representatives on mission were dissolved because of their alleged

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<sup>1</sup>Section II, articles 14-22.

<sup>2</sup>Section II, articles 4-5.      <sup>3</sup>Section V.

federalist tendencies. Any revolutionary army not established by the Convention was to be disbanded within twenty-four hours. Only proper civil authorities were to conduct actions such as domiciliary visits. Thus, the law of 14 frimaire sought to end the decentralization of the terror which had been the product of the independence of the representatives on mission, local revolutionary committees and other authorities, official and unofficial. This decentralization had been responsible for the excessive leniency of the terror in some places and its excessive harshness in others.

What was most interesting about the discussions which preceded the decree of 14 frimaire was the attitude of Thuriot and Bourdon. They sought a stronger Committee of Public Safety, both in their support for national agents and in their attempts to weaken or abolish the ministries. It is true that an attack on the ministries could be construed as an attack on the Committee of Public Safety. The Committee supported the ministries. It could have had the Convention remove the ministers if it had so desired. But it still found them useful. An attack on the ministries was not, however, an attack on the powers of the Committee. Intrinsically, the abolition of the ministries and the placing of the executive power in the hands of the Committee would have increased the emergency powers of the Montagnard régime.

There is, therefore, a strange ambiguity in the attitude of the so-called Indulgents toward the Montagnard régime. Around the beginning of December, they had begun to press a campaign for moderating the terror. If terror was an instrument of the Montagnard régime, then the Indulgents were calling for a reduction in its emergency powers. But

it has already been noted that they supported a further centralization of power in the hands of the Committee of Public Safety, which was the régime's leading force. This position was really not inconsistent. The uneven application of the terror was in great part a result of decentralization.<sup>1</sup> Furthermore, the only way to control the Hébertists and their sans-culotte allies, who were the Indulgent's main enemies, was to endow the government with more vigor. If at times the Indulgents directly attacked the Committee, it is probably because they hoped to implement their policy of indulgence from a seat of power on the Committee after displacing its present members.

Once the decree of 14 frimaire was passed, the Committee of Public Safety had to explain it to all the officials and groups affected by it. These explanations further illuminated the meaning and purpose of the decree.

In a circular dated December 4, the Committee told the representatives on mission that some of them had been over-zealous. It urged the commissioners to stay within the bounds of the law. The Committee explained the dissolution of the revolutionary armies on the grounds that they could have become dangerous at some future time. Finally, the commissioners were asked to proceed quickly to the purging of the constituted authorities as required by the decree of 14 frimaire. In a circular to the commanding generals, the Committee explained that under a free government they must give absolute obedience to the orders of the government. The circular sent to the revolutionary committees and committees of surveillance emphasized the need for the Revolution to

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<sup>1</sup>Sirich, The Revolutionary Committees, pp. 118-120, and 206.

move with one will, the will of the Convention. Because these committees were to help in the application of revolutionary laws, the Committee of Public Safety likened them to the hands of a body of which the Convention was the head. Order, concluded the Committee of Public Safety, was now revolutionary and therefore must be sacred. Revolutionary order would protect the virtuous and crush the guilty. The Committee had emphasized the rebirth of the reign of law to the revolutionary committees, perhaps because of their tendency to take matters into their own hands. It emphasized the same idea in its circular to the department administrations, perhaps because of their love of order. "The legislators have recast the statue of the law in order to impress upon it revolutionary forms." The Committee went on to urge the departments to stay within the limits prescribed for them.<sup>1</sup>

The Committee's circular to the revolutionary, criminal and military tribunals and to the public prosecutors also urged strict adherence to the law. They were admonished to keep certain limits in mind. Excessively ardent patriotism could aggravate the burden of the law, and, therefore, was a crime calling for the punishment of the judge himself. The judiciary must not extend, limit or interpret the law. This was the job of the legislator and if questions arose, they should be addressed to the representatives of the people. On the other hand, the Committee urged the judges of avoid weakness. It said that its message could be summed up in two words, "speed" and "precision."<sup>2</sup>

Of all the circulars the one to the district administrations was

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<sup>1</sup>Aulard, Recueil des actes, IX, 161-169, and 172.

<sup>2</sup>Ibid., pp. 184-186.

the most informative, perhaps because these administrations were the links between local authorities and the central government in matters of public safety. As in previous circulars the Committee emphasized the importance of regularizing the government to make it function more smoothly. It then outlined the place of the districts in the administrative structure, thereby touching upon the functions of other bodies as well. The departments were only to administer taxes and the public establishments, and to exercise the ordinary police functions of maintaining order. With regard to "the revolutionary order" the districts were completely free from dependence on the departments.<sup>1</sup> The districts alone had the power to supervise the enforcement of revolutionary laws and measures of public safety in their jurisdictions. The direct enforcement of these laws and measures was the job of the municipalities and the revolutionary and surveillance committees. The municipalities and local committees would give accounts to the district every ten days, and the districts would report to the Committees of Public Safety and General Security within the respective competence of each of these committees. Through this hierarchical organization, the Revolutionary Government would speak and act as one.<sup>2</sup> The statement of the Committee was a concise explanation of all the administrative provisions of the decree of 14 frimaire.

The ordinary deputy who followed no faction may have felt a basic antagonism toward the Montagnard régime, but there is little to indicate

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<sup>1</sup>The department administrations tended to be more conservative than other branches of the government. (Godechot, Institutions, pp. 317-322).

<sup>2</sup>Aulard, Recueil des actes, IX, 173.

that many opposed a vigorous revolutionary government while victory was still incomplete. Fayau's objection to allowing the Committee of Public Safety to name national agents showed that fear of the growth of the powers of the Committee existed, but how widespread this fear was is not clear. In spite of the execution of the leading Girondins and Robespierre's imputations against the intentions of all his opponents, the guillotine does not seem to have stifled debate during the winter months. It is possible that the ordinary deputy felt isolated in the midst of the various factions of the Mountain. When even Indulgents favored a strong Committee of Public Safety, the isolated deputy may have felt hesitant to question the continued growth of the government's powers. Like Fayau, such a questioner would have been inundated by counter-attacks from terrorist and Indulgent alike.

The law of 14 frimaire was only the most important of a number of increases in the power of the Committee of Public Safety in November, December and January. On November 25, while the law on the Revolutionary Government was still being debated, the Convention unanimously decreed that representatives on mission were strictly to follow the orders of the Committee.<sup>1</sup> On December 19 the Committee asked the Jacobin Club for a list of its affiliated organizations. There was some opposition in the club, but both Hébert and Danton supported the request, which was granted.<sup>2</sup> In January, on the recommendation of the War and Finance Committees, the Committee of Public Safety was given the right

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<sup>1</sup>Archives parlementaires, LXXX, 117, and 127.

<sup>2</sup>Aulard, Jacobins, V, 567.

to name removable commanders, previously named by the generals.<sup>1</sup> While taking into account such relapses as the decision to renew the Committee, it must be concluded that most of the deputies still had confidence in Robespierre and his colleagues.

In the course of the discussion relating to the establishment and elaboration of the provisional revolutionary government, there began to emerge what amounted to an official theory of revolutionary government. This theory was embodied in a number of important pronouncements made by leading members of the Committee of Public Safety in the winter and spring of 1793-1794. It was the first time since Condorcet wrote on the subject in the Journal d'instruction social that an effort was made to develop a coherent theory of revolutionary government. The government had been created through a series of emergency measures designed to meet the needs of the moment. Now the continued enforcement of these measures had to be justified.

The most authoritative and definitive statement of the official theory of revolutionary government was Robespierre's December 25 report to the Convention on the "principles of the revolutionary government."<sup>2</sup> Robespierre explained that he was making the report in order to justify the government's power and to rally good citizens around it. He proceeded to contrast the purposes of the Revolutionary Government with those of a constitutional government.

The purpose of constitutional government is to preserve the

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<sup>1</sup>Archives parlementaires, LXXXII, 669-672.

<sup>2</sup>Recognized by Mautouchet as the clearest definition of the meaning of the word "revolutionary" (Mautouchet, Le Gouvernement révolutionnaire, p. 1).

Republic; that of revolutionary government is to found it.

The Revolution is the war of liberty against its enemies: the constitution is the reign of liberty victorious and peaceful.

Because of its nature as a war government, the Revolutionary Government could not submit to the unbending rules of a constitution. The different purposes of constitutional and revolutionary government and the different circumstances under which they functioned led them to emphasize different types of liberty. "Constitutional government is concerned principally with civil liberty, and revolutionary government with public liberty." Robespierre felt that under a constitutional régime the main purpose of the government was to protect individuals against the abuse of public power. These were hardly the thoughts of an authoritarian. In a revolution, he continued, the government was on the defensive and had to take all necessary measures to protect itself. The Revolutionary Government, of course, was temporary. To use Robespierre's words, "The constitutional vessel was not constructed in order to remain forever in the shipyard. . . ." <sup>1</sup> But neither should it be launched into the sea at the height of the storm where it would be destroyed.

Lack of a constitution did not mean that the Revolutionary Government was illegitimate. It was based on the most sacred of laws, the "safety of the people." Nor was the Revolutionary Government an anarchy without rules. Its very purpose was to repress disorder and ". . . affirm the reign of law. . . ." <sup>2</sup> Nor was it arbitrary, for public interest rather than private passions directed it. Furthermore, the Revolutionary Government should act according to ordinary principles as much as

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<sup>1</sup>Archives parlementaires, LXXXII, 300.      <sup>2</sup>Ibid.

possible without compromising public liberty, following the narrow road between moderation and excess.

Robespierre's speech contained a definition of revolutionary government. First, as Paul Mautouchet has pointed out, the word "revolutionary" was used as the opposite of "constitutional."<sup>1</sup> It was a government without a formal constitution, an extraordinary wartime government. Secondly, the purpose of the Revolutionary Government was, as Robespierre said, to found the Republic. This required the successful defense of the Revolution. The third element of the definition was the provisional nature of this government. When the Revolution was victorious and the Republic established, the Revolutionary Government would come to an end. In Robespierre's speech are found all the elements of the idea of revolutionary government as we have defined it.

Law and order was a major preoccupation of the Revolutionary Government. As Robespierre said, "It [the Revolutionary Government] also has its rules, all based on justice and public order."<sup>2</sup> He was not saying that the Revolutionary Government was restricted by a written constitution. Yet, one of the purposes of the law of 14 frimaire was to make the Revolutionary Government less arbitrary. He maintained that useless infringements on liberty and the disturbing of private interests without corresponding public gains were to be avoided.

It is interesting to compare Robespierre's view of revolutionary government with that of Condorcet. Condorcet was considered, by the Montagnards, to be a Girondin. He had not favored many of the

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<sup>1</sup>Mautouchet, Le Gouvernement révolutionnaire, p. 1.

<sup>2</sup>Archives parlementaires, LXXXII, 300.

"revolutionary measures" of early 1793. Yet, his basic theory of revolutionary government was the same as Robespierre's. On the means to be used and the goals to be attained by the Revolutionary Government, both men agreed. Robespierre had even come to accept Condorcet's idea that revolutionary measures must embody a certain justice and must be limited where possible. Condorcet had objected to the use of the phrase "revolutionary law" as a "vague excuse" to enact extraordinary measures, an excuse which could become dangerous if abused. It was this kind of hesitancy with regard to revolutionary measures that the Montagnards had criticized in the spring of 1793. Now that they were in power, however, they were fighting against radical measures proposed by the Hébertists. The Montagnards used the terms such as "exaggeration" and "ultra-revolutionary" to refer to the Hébertists and the measures they proposed. The law of 14 frimaire, and Robespierre's speech following shortly thereafter were the culmination of a process which had been taking place since September of 1792. This process was the metamorphosis in the outlook of the Montagnards. In the fall of 1792, they had fought proposals such as the law against provocateurs which would have protected public order. By the winter of 1793-1794, the maintenance of order had become one of their primary aims. The explanation for this change was, of course, that they were now in power.

Robespierre brought together in a coherent statement what had long been said in support of revolutionary government, essentially that the public safety was the highest law and that it "legitimized" any actions taken by the Revolutionary Government as long as they were not more harsh than was required by circumstances. There was a conflict between

this view and the idea that all men had certain inalienable rights. Saint-Just closed this breach when he spoke on February 26 (8 ventôse) to justify the imprisonment of suspects. His argument was that the enemies of the Revolution were not among those whose rights should be protected by the state. The suspects were essentially beyond the pale of humanity in any consideration of inalienable human rights. The same idea had appeared in Saint-Just's report of October 10 when he said that the only thing in common between the people and their enemies was the sword.

For the Revolutionary Government to fulfill the purposes discussed by Robespierre, it had to be highly centralized. For it to be centralized, it had to embody the unity of powers which was the opposite of the separation of powers. Such a break with revolutionary tradition required justification.

Centralization had been the trend of the Revolutionary Government since the first representative on mission was sent out. In the decree of 14 frimaire, it became an expressed and guiding principle of the Revolutionary Government. Billaud-Varenne asserted in his report of November 18 that the government had to have a central will acting through a hierarchy of authority. Secondary authorities were not to have a will of their own. Centralization would allow governmental action to be forceful, rapid and directed precisely toward its intended objectives. This held true for ordinary, as well as revolutionary government. The Revolutionary Government was an experiment, ". . . the success of which will serve you as a model for the writing of the organic code of the

constitution. . . ." <sup>1</sup> What was true for the efficient organization of governmental administration in general became an absolute necessity in a time of revolution. Robespierre made a similar point on December 25, when he said, "The Revolutionary Government requires extraordinary activity precisely because it is at war." <sup>2</sup> Couthon expressed the same idea, asserting that ". . . under extraordinary government it is from the center that all impulses must come. . . ." <sup>3</sup> As Saint-Just saw it, centralization was the only way the Convention could ensure that its decrees would be enforced. All authority had to be identified with the Convention and the Revolution. <sup>4</sup>

On the unity of powers, there was little theorization. The idea of the separation of powers was still too sacred in too many minds. In practice the separation between the legislative and executive powers had been abolished. Under the decree of October 10, the role of the Committee of Public Safety was limited to "surveillance" of the Executive Council. But the distinction was blurred because the Executive Council would not take a measure of security without the authorization of the Committee of Public Safety. <sup>5</sup> The decree of 14 frimaire, however, openly declared the unity of powers when it named the Convention as "sole center" of governmental action. <sup>6</sup> There was no executive with a will of its own. All initiatives, whether legislative or executive, were to come from the Convention through its governing committees. The de facto growth of the powers of the Committee of Public Safety was never fully recognized in theory. The tendency for executive power to

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<sup>1</sup>Ibid., LXXIX, 454.      <sup>2</sup>Ibid., LXXXII, 300.      <sup>3</sup>Ibid., LXXX, 636.

<sup>4</sup>Ibid., LXXVI, 313-315.      <sup>5</sup>Ibid., p. 317.      <sup>6</sup>Ibid., LXXX, 630.

be concentrated in the hands of the Committee continued, however, until it reached its logical conclusion on April 1, 1794. The Provisional Executive Council was suppressed, to be replaced by commissions which were responsible to the Committee of Public Safety. Carnot was careful to point out, in the report which preceded this decree, that the Committee was an "integral part"<sup>1</sup> of the Convention. It was necessary to say this because talk of the concentration of power in the hands of the Committee might smack of dictatorship. This fear of dictatorship was why this concentration was seldom recognized in theory.

The Revolutionary Government emerged from the period of intense factional strife in the fall, winter and spring of 1793-94 with its position consolidated. Its structure had been formalized, and would henceforth be more difficult to change. The government had been further centralized and the power of the Committee of Public Safety increased. A formal theory of revolutionary government had begun to be elaborated in order to justify practices which had been part of the government for many months. The factional strife, though it had seriously threatened the régime, in the final analysis helped to consolidate the Revolutionary Government. Though the Indulgents would have liked to have replaced the members of the Committee of Public Safety in order to mitigate the terror, they supported strengthening of the Committee's powers so it would be able to deal with the Hébertists. Danton, who could have exercised a powerful influence against the Committee, remained aloof from the factions. He was a staunch supporter of the Committee and of strong revolutionary government. With its hand strengthened the Committee was

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<sup>1</sup>Ibid., LXXXVII, 697-699.

able to seek a "final solution" to the problem of the factions. As it turned out, however, it was not a faction, but, rather, the majority of the Convention that proved to be the greatest danger to the Committee of Public Safety. Whereas in December the majority still supported the Committee, by July the majority was clearly alienated.

## CHAPTER VII

### THE FALL OF ROBESPIERRE AND THE DECLINE OF THE REVOLUTIONARY GOVERNMENT

Throughout the winter the Committee of Public Safety relied on a precarious balance to control the factions. The constant threat of the Hébertists, who might lead the sans-culottes into another June 2, was one factor which kept the Convention behind the Committee.<sup>1</sup> On the other hand, the vigorous Indulgent offensive against the Hébertists helped weaken the latter. But the Committee could not for long rest its power on this balance of battling factions. They attacked not only each other, but also the government. They sowed division among the revolutionaries, and division was intolerable.

Whether or not the Committee was planning the destruction of the factions, the Hébertists forced its hand by plotting an insurrection. They were arrested on March 15, and executed soon thereafter. The fall of the extremist faction upset the balance in favor of the Indulgents, who became bolder.<sup>2</sup> On March 20, it will be recalled, Bourdon persuaded the Convention to decree the arrest of Héron. It took the best efforts of the Committee of Public Safety to have the decree revoked. The arrest of the "Dantonists" on March 29 finally redressed the balance. Now the

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<sup>1</sup>Soboul, Les Sans-culottes parisiens, p. 238.

<sup>2</sup>Kerr, "Le Parti Modéré," pp. 451-452.

power of the Montagnard régime rested on the apparently uncontested dictatorship of the Committee of Public Safety.

The arrest of the Hébertists had included only one member of the Convention, Anacharsis Cloots, a foreigner. The arrest of Danton, Desmoulins, Philippeaux and Delacroix, all prominent members of the Convention, raised the issue of the rights of the deputies. The question was whether or not they would be heard by the Convention before being sent before the Revolutionary Tribunal, an issue which had so disturbed the Convention the past fall.

In March, as in November, the members of the Convention knew their heads were at stake in this issue; yet only one voice was raised in favor of Danton. On March 31 Legendre passionately pleaded with the Convention to allow Danton to speak before it. Robespierre responded in a long speech which was menacing and plaintive at the same time. Answering charges that the Committees were dictatorial, Robespierre pointed out that they could be renewed at any time. Legendre's request was denied.<sup>1</sup> Fear apparently gripped most of the deputies. Even Legendre felt constrained to admit later to the Jacobins that he might have been in error.<sup>2</sup> When Danton's defense before the Revolutionary Tribunal began to worry the Committee, Saint-Just requested that the Convention muzzle him, warning the deputies ominously, "Mark the distance that separates you from the guilty."<sup>3</sup> How could they resist? It was unanimously decreed that Danton and his co-defendants were not to be allowed

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<sup>1</sup>Archives parlementaires, LXXXVII, 626-629.

<sup>2</sup>Aulard, Jacobins, VI, 36.

<sup>3</sup>Archives parlementaires, LXXXVIII, 152.

to speak on their own behalf.<sup>1</sup>

The lack of discussion on the important issues raised by Danton's arrest was typical of the silence which characterized the political scene during the spring. Overt political life was dead. There was no liberty of opinion or press, even for Montagnards.<sup>2</sup> Opposition had to be carried on covertly.<sup>3</sup> But under the outward calm was a secret turmoil.<sup>4</sup>

As early as October 29, an obscure deputy of Landes named d'Yzez said, "Here the surface is calm; but in the bowels of the earth, a thousand combustible materials are fermenting secretly."<sup>5</sup> Secrecy was even stricter during the spring and early summer of 1794. The mayor of Paris, Payan, wrote to Robespierre about the conspiracies of Vadier, Bourdon de l'Oise and others. Bourdon and his friends, he said, were trying to save themselves by a hypocritical silence.<sup>6</sup> One police report tells us of Lacroix' seditious statements about the régime,<sup>7</sup> another of Bourdon's sarcastic remarks on the Supreme Being.<sup>8</sup> One hears of nine deputies signing a secret indictment against Robespierre, and two

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<sup>1</sup>Ibid., pp. 153-154. It is according to the Moniteur that the vote was unanimous (XX, 134).

<sup>2</sup>Arne Ordning, Le Bureau de Police du Comité de Salut Public: Etude sur la Terreur, Skrifter Utgitt Av Det Norske Videnskaps-Akademi I Oslo II. Hist. Filos. Klasse. 1930. No. 6. (Oslo: J Kommissjon Hos Jacib D ybwad, 1930), p. 183. (Hereinafter referred to as Le Bureau de police.)

<sup>3</sup>Ibid., p. 187. <sup>4</sup>Palmer, Twelve Who Ruled, p. 363.

<sup>5</sup>Jean d'Yzez, "Lettres," La Revue de France, VI (November 15, 1926), 226.

<sup>6</sup>Buchez and Roux, Histoire parlementaire, XXXIII, 394-397.

<sup>7</sup>Ibid., pp. 362-363. <sup>8</sup>Ibid., p. 170.

planning his assassination.<sup>1</sup> On June 27 Barère spoke to the Convention about "rumbling noises," "obscure calumnies," "subtle poisons" and "dangerous plots."<sup>2</sup> On July 11 at the Jacobins, Robespierre vaguely referred to certain people who wanted to discredit the Committee, and Couthon mentioned charges that the Committee wanted domination.<sup>3</sup>

In this atmosphere of intrigue, fear and discontent, the powers of the Committee were prolonged four times, usually in the midst of wild applause.<sup>4</sup> As the record will show, all measures proposed by the Committee, except the police law of April and the law of 22 prairial, were passed by the Convention without significant discussion. Undoubtedly, the continuous purges had removed many of the Committee's more vocal enemies. With 9 thermidor fast approaching, however, it would be difficult to believe that support for the Committee was stronger than ever. As Payan said, the Committee's enemies were maintaining a "hypocritical silence."

Increasing discontent coincided with a continuous improvement in the military situation. The Revolutionary Government and its repression seemed less necessary. To justify the continuation of the Revolutionary Government, the Committee of Public Safety, beginning in the fall, had elaborated a theory of revolutionary government. By the spring a coherent doctrine justified the continuation of the extraordinary régime. The words terror and virtue had become increasingly important elements

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<sup>1</sup>Ording, Le Bureau de police, p. 19.

<sup>2</sup>Moniteur, XXI, 79.      <sup>3</sup>Aulard, Jacobins, VI, 217-218.

<sup>4</sup>Archives parlementaires, LXXXVIII, 417; Moniteur, XX, 442, and XXI, 199. The one exception was June 10, immediately after the discussion of the Revolutionary Tribunal (Moniteur, XX, 699).

of this doctrine. The two words were generally used in conjunction with one another, but the emphasis on virtue was part of an effort to justify the continuation of the Revolutionary Government until a complete moral reform of the nation had been achieved.<sup>1</sup>

Paul Mautouchet gives us a sound definition of "terreur." He sees it as ". . . the totality of the measures taken against the enemies of the Revolution, and the period during which these measures were applied."<sup>2</sup> The relationship between terror and virtue was clearly expressed by Robespierre in his now famous speech of February 5. He maintained that the mainspring of popular government during a revolution was at the same time virtue and terror. Without virtue terror was dangerous. Without terror virtue was powerless. Robespierre went on to say that the terror was simply prompt, severe and inflexible justice. As such, terror was but an aspect of virtue, and both were an aspect of the Revolutionary Government. Like Saint-Just, Robespierre considered the enemies of the Republic to be outside the pale of humanity.

Social protection is due only to peaceful citizens: the only citizens in the Republic are the republicans. The royalists, the conspirators are to it only foreigners, or rather, enemies. This terrible war that liberty is sustaining against tyranny, is it not indivisible? The enemies within, are they not allies of the enemies on the outside?<sup>3</sup>

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<sup>1</sup>J. L. Talmon also recognizes this shift in the purpose of the "Terror," from being an instrument for the defense of the Revolution to being a means for a complete social regeneration (J. L. Talmon, The Origins of Totalitarian Democracy [New York: W. W. Norton & Company, Inc., 1970], p. 132). It should become evident from the following discussion that the elements of totalitarian thought which Talmon perceives in the theory of revolutionary government, did exist, especially as that theory was developing in the spring of 1794.

<sup>2</sup>Mautouchet, Le Gouvernement Révolutionnaire, p. 4.

<sup>3</sup>Robespierre, Oeuvres, X, 357.

All of them were as guilty and dangerous as the tyrants they were serving.

Saint-Just also considered virtue and terror to be closely associated. In his great speech of March 13 (23 ventôse), he accused the enemies of the Revolution of trying to defeat the Republic through the use of corruption. In other words, they sought to deprive the Republic of its virtue. War had to be made against all types of perversity which had purposely been aroused to enervate the Republic. Thus, terror was to be used to defend virtue, without which the Republic could not exist. Who was to be considered perverse enough to be an enemy in this war? Saint-Just made this clear when he said that the Republic would have to ". . . renounce any kind of indulgence for those who are attacking the present order of things. . . ." <sup>1</sup> In other words, anyone who openly opposed the Revolutionary Government was to be enveloped in the terror.

In his speech of May 7 on the Supreme Being, Robespierre again emphasized the importance of virtue, or as he now also called it, "morality." He thought that the destinies of the world were being determined by a great struggle between vice and virtue. Virtue was the essence of the Republic. The enemies of the Republic sought to attack it by corrupting public morality. Anything which tended to corrupt public morality was counter-revolutionary. Belief in the Supreme Being was necessary to maintain morality. Atheists, therefore, were counter-revolutionary conspirators. <sup>2</sup>

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<sup>1</sup>Archives parlementaires, LXXXVI, 434.

<sup>2</sup>Robespierre, Oeuvres, X, 446-452. The emphasis on virtue, as well as much of the rest of the theory of revolutionary government, was not

The particular association of virtue with the Republic placed those opposed to the Revolution in the ranks of those opposed to virtue.<sup>1</sup> It gave the leaders of the Revolutionary Government one more reason for treating opponents without mercy. This is why the concept of virtue was important to the theory of revolutionary government.

The concept of popular sovereignty was important for similar reasons. On March 16 the president of the Convention, Ruhl, said that the laws passed by the Convention were the expression of the will of the people. Those who opposed them or sought to denigrate the Convention were rebelling against the authority of the people and were guilty of the crime of lèse nation.<sup>2</sup> In other words, to oppose the Convention was to oppose the people; to oppose the people was to be guilty of treason. Opposition to the Revolutionary Government was impermissible on the grounds of both morality and popular sovereignty.

As the situation of the Revolution improved significantly in the spring of 1794, it became more than ever imperative to justify the continuation of the Revolutionary Government. Greater emphasis was placed on the need to use the extraordinary régime as an instrument for effecting a permanent change in the morals of the French nation.

This emphasis was seen in Billaud-Varenne's speech of April 20,

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exclusive to Robespierre and his colleagues. Most Jacobins held similar views (Clarence Crane Brinton, The Jacobins: An Essay in the New History [New York: Russell & Russell, Inc., 1961], pp. 175-183). (Hereinafter referred to as The Jacobins.)

<sup>1</sup>Brinton expressed this same principle as follows: "The Jacobins did not feel of their opponents merely that they were wrong, or inconvenient; but that they had sinned" (Brinton, The Jacobins, p. 219).

<sup>2</sup>Archives parlementaires, LXXXVI, 542-543.

1794. The speech was purportedly to present principles to guide the Revolution in its closing phases.

Billaud began his speech by asserting that war had been useful to the Revolutionary Government. It had exposed the treason of the monarchy, stimulated the energy of the people, increased the hatred of tyrants and unmasked traitors. Now the Revolution had to be maintained. Democracy had to be established in a nation which had always been enslaved. Ancient prejudices, old habits and ingrained vices all had to be destroyed. For this task the government had to be strong and energetic. A continued and inflexible severity was necessary. The factions had been defeated, but their remnants would sow disorder unless the government firmly suppressed intrigue. As long as there were those who sought to prolong the crisis of the Revolution, the Convention should not fear to seem severe. No nation would rebel against justice. Liberty was safe as long as only the evil were punished.<sup>1</sup>

Billaud saw the struggle to defend the Revolution as a war to the death. The counter-revolution was ". . . the premeditated murder of the social body, which can be prevented only by the death of the conspirators. . . ." <sup>2</sup> The Convention could not relent for an instant before the battle was won. Billaud had the Convention adopt the following decree:

The National Convention, after having heard the report of the Committee of Public Safety, declares that supported by the virtues of the French people, it will make the democratic republic triumph, and will punish without pity all its enemies.<sup>3</sup>

With this, the Convention solemnly reaffirmed that the government was to be revolutionary until peace. Implicitly, the terror would remain

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<sup>1</sup>Moniteur, XX, 263-264.

<sup>2</sup>Ibid., p. 264.

<sup>3</sup>Ibid., p. 268.

in full force.

Billaud implied in his speech that before the Republic could be fully secure, the morals of the French nation would have to be reformed and the civic virtues developed by "une action forte" and "une impulsion véhémente."<sup>1</sup> Such were essentially the methods of revolutionary government.

Billaud's view of the war as a positive element in the Revolution provided an insight into terrorist views on how to reform or "revolutionize" a nation. The war had provided the impetus for the Revolution. Now that the war was moving toward a successful conclusion, the Convention would have to maintain this impetus through its own firmness. It would have to maintain it until the civic virtues of the people were guaranteed by the defeat of the last enemy of the Revolution both outside and within France.

Billaud-Varenne's speech explains much about the latter phases of the Montagnard régime. The emergency government was to be continued because, in the minds of the leaders, the struggle was not over. Virtue did not yet characterize the morals of the French people. There would be one great final effort to rid the Republic of those beings whose existence was incompatible with its own.

To prepare for the final struggle against immorality and corruption, the Revolutionary Government continued to be strengthened and its structure refined. On April 1, it will be recalled, the Provisional Executive Council was abolished and all executive power was formally placed in the hands of the Committee of Public Safety. Another measure

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<sup>1</sup>Ibid., p. 267.

which strengthened the Committee was the general police law, proposed to the Convention on April 15 by Saint-Just in the name of the Committees of General Security and Public Safety. Its purpose was to tie up the loose ends in matters concerning the maintenance of security and order. Among the provisions was the requirement for nobles and foreigners to leave Paris and other important centers within one month. This provision aroused some discussion. Bréard, Bourdon, Maure and even Couthon requested certain changes in the decree. Bourdon was the most audacious, suggesting that the law would lead to the expulsion of ex-nobles in the Convention. This fear was dispelled by Couthon, who said that members of the Convention were exempt by virtue of their status as representatives of the people. The various suggestions that were made in this session were sent back to the Committees for possible incorporation into the final law.<sup>1</sup> The decree, incorporating some of these changes, was passed the next day.<sup>2</sup>

The passage of this decree was not, however, the end of the affair. On April 17 Couthon announced, in the name of the Committee of Public Safety, that several changes had to be made in the police law. Those who had usurped or bought titles or privileges of nobility were to be included in the law as nobles. The word "bought" was added to the decree during the course of a brief discussion.<sup>3</sup> The next day the Committee of Public Safety came back with second thoughts. Couthon thought the word "bought" should be eliminated because it overextended the decree. Charlier, Tallien and Delmas, deputy of Haute-Garonne, all opposed removing the

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<sup>1</sup>Archives parlementaires, LXXXVIII, 620-621.

<sup>2</sup>Ibid., pp. 647-650.      <sup>3</sup>Ibid., p. 711.

amendment, saying that men who had sought to raise themselves into the nobility deserved to be punished, and implying that the Committee's suggestion was too indulgent. Robespierre could not allow this challenge to pass. He maintained that the Committee was considering only the interests of the people, and that these interests did not always require the adoption of proposals which were "popular in appearance." The Committees had not lost their energy. It was simply that the amendment would lead to the inclusion of a vast number of people whom the Convention would not want to punish. Indeed, to allow the word "bought" to remain would deprive the law of its vigor. Robespierre asked for the adoption of Couthon's proposal. The opposition was silenced and the proposal was adopted.<sup>1</sup> The criticism of the Committee had been of a mild nature. Certainly the Committee's severity was above question. But no opposition had been heard on a major issue for a long time. Apparently Robespierre wished to hear no opposition. He crushed it with his accustomed ruthlessness.

The law itself represented a further growth of the powers of the Committee of Public Safety and a further centralization of the Revolutionary Government, which was really a logical consequence of previous enactments. Article two of the law essentially gave the Committee of Public Safety powers equal to those of the Committee of General Security in matters of security. Centralization was furthered in articles providing for the transferral of all conspirators to the Revolutionary Tribunal at Paris, and for stricter surveillance of local courts, administrations, representatives on mission and other authorities. All these

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<sup>1</sup>Moniteur, XX, 251-252.

authorities were to be held more strictly within the bounds of the powers delegated to them.<sup>1</sup> The Revolutionary Government was continuing to develop along the lines established by previous legislation. There was to be no slackening, no loosening of the reins of authority. On the contrary, the reins were to be held more tightly than before.

The fact that the leaders of the Revolutionary Government sought further to elaborate previous legislation centralizing the government and concentrating power in the hands of the Committee of Public Safety was again shown by a decree of May 29 concerning the representatives on mission. Couthon reported that too often representatives on mission, acting on their own initiative, had involuntarily hindered the force and unity of governmental action. The Committee of Public Safety, he said, must have complete control over the representatives on mission. This principle was embodied in a decree adopted by the Convention requiring representatives on mission promptly to obey the orders of the Committee recalling them from their mission.<sup>2</sup>

Couthon indicated that the Committee would soon present a decree further to centralize and unify the operations of the Revolutionary Government. It is in light of this goal, as well as of the laws concerning representatives on mission and the general police, that the momentous law of 22 prairial can be understood. The purpose of all this legislation was to perfect the Revolutionary Government.

The debates during this period were all insignificant compared to the heated discussion which arose over the law of 22 prairial. That

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<sup>1</sup>Archives parlementaires, LXXXVIII, 649-650.

<sup>2</sup>Moniteur, XX, 598-599.

such a debate could suddenly have replaced the silence which had dominated the Convention since the fall of the factions showed how important the deputies considered this law for perfecting the terror to be. Their necks were on the block. They fought for their lives. Before the struggle, however, Couthon delivered a report which illuminated the motives of the government, and further added to the official theory of revolutionary government.

Couthon presented the decree of 22 prairial in the same spirit which had motivated the police law and the law concerning representatives on mission. He made clear that its purpose was to perfect the Revolutionary Government. The proposed decree would summarize in one law regulations that were scattered among a multitude of decrees.<sup>1</sup>

The law, however, also envisaged a stiffening of the terror. This had to be justified. Couthon criticized previous judicial procedures for paying insufficient respect to the rights of the Republic. The Indulgents wanted to subject revolutionary justice to the same rules as ordinary justice. They had confused two opposites: measures taken by the Republic to extinguish conspiracies and ordinary criminal proceedings. Ordinary crimes were directly injurious only to individuals. Justice in such cases could be partial toward the accused. It could take care to protect the weak against the abuse of judicial power. In doing so it protected both public and private interests. The crimes of conspirators, however, directly threatened the liberty and existence of society. In the balance of justice, the right of society to exist weighed far more heavily than the right of the criminal to live. In such

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<sup>1</sup>Ibid., pp. 694-696.

cases there should be no delay beyond the time it took to identify the criminal, for ". . . it is less a matter of punishing them than of annihilating them."<sup>1</sup>

According to Couthon the French Revolution was facing a war of "tyranny against liberty," of "crime against virtue." Thus, justice was not a question of giving a few examples, ". . . but of exterminating the implacable satellites of tyranny. . . ." <sup>2</sup> It was for this reason, said Couthon, that indulgence was criminal. The public safety had to come first. The end of the revolutionary crisis would come only after the spirit of revolutionary justice infused every branch of the administration. Couthon said he would propose measures to rid the Revolutionary Tribunal of certain abuses made evident by experience.

Couthon, like Robespierre and Saint-Just, saw the Revolution as the war of the virtuous against the immoral. Its purpose was to exterminate the latter to insure the safety of the former. In a struggle of such epic proportions, clearly the extraordinary measures of the Revolution were justified. Couthon's speech supports the view that the revolutionary measures of the late spring of 1794 had the purpose of completing the Revolutionary Government with a view to the extermination of the enemies of the Republic, the termination of the revolutionary crisis and the consequent establishment of a constitutional government. The law of 22 prairial was the crowning measure of this effort.

The decree itself increased the number of jurors and judges on the Revolutionary Tribunal, and specified the procedures of the Tribunal. The number of crimes to be tried in a revolutionary manner was increased.

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<sup>1</sup>Ibid., p. 695.      <sup>2</sup>Ibid.

Private interrogation of the accused before the trial, the rigorous application of evidence, defense attorneys, all were now considered unnecessary. The court was also given the option of dispensing with witnesses. Legal guarantees for the accused thus were virtually eliminated.<sup>1</sup>

The proposed decree was presented on June 10. The bill's importance was immediately made clear by a deputy named Ruamps. He threatened to blow his brains out if the proposal was not printed for consideration, and discussion of it adjourned indefinitely. Lecointre of Versailles called for an indefinite adjournment of the decree. Barère maintained that for such a decree, surely the legislators could only have a unanimous will. He called for an adjournment of not more than three days. After a brief skirmish on the length of adjournment, Robespierre arose and demanded immediate discussion. It is not natural, he said in his usual manner, for men who are equally patriotic to be divided. Bourdon had the temerity to oppose Robespierre, but the Convention decided to discuss the decree. One article stated that witnesses for the defense might be omitted if they were not deemed necessary. Several unnamed deputies had the audacity to suggest that witnesses for the defense should always be allowed, but they were opposed by Robespierre. The article was adopted unchanged.<sup>2</sup>

The next day none of the members of the Committee was present in the Convention.<sup>3</sup> Discussion resumed on a provision of the law which

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<sup>1</sup>Moniteur, XX, 696-697.      <sup>2</sup>Ibid., pp. 697-699.

<sup>3</sup>Ibid., p. 715. Robespierre was president of the Convention at this time, but Voulland was occupying the presidential chair as his substitute on June 11.

nullified all preceding laws that conflicted with it. One section of the new law would have given the Committees of Public Safety and General Security, the public prosecutor and the representatives on mission the right to send accused persons directly before the Revolutionary Tribunal. Bourdon expressed the hope that the Convention did not mean to allow the authorities to exercise this power over its own members. To an assembly already decimated by countless purges, this was an important question. "Non, non!" they cried out from all parts of the chamber. "I was waiting for those auspicious murmurs," said Bourdon, "they announce that liberty is imperishable."<sup>1</sup> He asked the Convention to decree that deputies could not be sent before the Tribunal before having been indicted by the Convention. After a short discussion the debate was adjourned.

The next day Robespierre and Couthon were present, ready for the fight. After some discussion over minor points, Couthon rose to speak. He came directly to the point. The suggestion that the Committee wanted the power to send deputies before the Tribunal without a prior decree by the Convention was slanderous. "Non! Non!" cried several deputies, indicating that they had not sought to accuse the Committee of having bad intentions. "Yes, they accused it," answered Couthon, "they have slandered the Committee of Public Safety."<sup>2</sup> Couthon claimed that the Committee did not wish to infringe on the rights of the deputies, and to cries of "Non, non!" he offered the Committee's resignation. He then attacked Bourdon by name and the whole Convention by implication. To dare suppose that the Committee wanted to usurp sovereign power was to

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<sup>1</sup>Ibid., p. 699.

<sup>2</sup>Ibid., p. 715.

speak like Pitt and Coburg. Not to have called the Committee into the discussion was disloyal. Couthon asked the Convention to ignore all proposals for amending the bill.

Bourdon's defense bordered on rebellion. He objected to being called a counter-revolutionary for merely raising questions about the law. He talked as if he was the spokesman for the whole Mountain. "May the members of the two committees know that if they are patriots, so are we. . . ." <sup>1</sup> His speech was applauded.

Robespierre answered. Without naming him, Robespierre accused Bourdon of trying to make himself the head of a party. A hot exchange between the two ensued. Robespierre spoke of intriguers. He was asked to name them. He refused. He then got into a dispute with Tallien, accusing him of being one of those trying to trouble the Convention with the fear of the guillotine. Billaud-Varenne intervened and declared that the conspirators would perish and the country be saved. He was applauded. After this, Charles Delacroix and Merlin de Douai retracted criticisms they had made of the proposed law. All amendments were rejected. <sup>2</sup>

Robespierre and his colleagues on the Committee had bullied the Convention into accepting the decree. That there was any opposition at all in this atmosphere of denunciation is surprising; yet for a moment it seemed as if thermidor would arrive a month early. The attitude of the Committee was more revealing than that of its opponents. It was not

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<sup>1</sup>Ibid., p. 716. He also said, however, that he esteemed Couthon and the Committee.

<sup>2</sup>Ibid., pp. 716-719.

unusual for Robespierre to use vague threats to push a measure through the Convention. Now the threats were not so vague. Furthermore, the speeches of Robespierre and Couthon gave evidence of a rising tide of opposition. Robespierre, for example, spoke of how recalled representatives on mission became enemies of the régime, and how intriguers would rally around anyone who expressed dissent in the Convention.<sup>1</sup> When he spoke of people spreading fear of the guillotine, it was apparently not without some knowledge of the situation. Fouché, noted for his extreme terrorism as a representative on mission, was telling many deputies that their names were on the list.<sup>2</sup> The Committee's sensitivity to criticism on the law of 22 prairial and the implications that those who opposed the Committee were almost counter-revolutionary was characteristic of the Committee's inability to tolerate any criticism in this period. The Committee felt threatened. It sensed a rising tide of opposition.

The debate over the law of 22 prairial was followed by another month of silence and intrigue. The conspiracy which brought the fall of Robespierre began to form. It consisted in great part of "effrayés" like Laurent Lecointre, Fréron, Barras, Courtois, Garnier, Rovère, Thirion, Tallien, and Guffroy.<sup>3</sup> Outside the Convention there was dissatisfaction in the sections, and a general insurrection was in the

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<sup>1</sup>Ibid., p. 717.      <sup>2</sup>Palmer, Twelve Who Ruled, p. 367.

<sup>3</sup>Buchez and Roux, Histoire parlementaire, XXXIII, 358. Guffroy gave no indication of his dissatisfaction in his newspaper, except, perhaps, for his unusual silence. He had, nevertheless, developed an enmity toward Robespierre because of the latter's support for Lebon whom Guffroy had denounced for excessive terrorism (Thompson, Robespierre, II, 231-232).

making.<sup>1</sup> Popular feasts were held calling for peace and the constitution.<sup>2</sup> In fact, ever since the victories of June, there had been doubt about the necessity of continuing revolutionary government.<sup>3</sup> Opposition to the government was much stronger and more general than appeared on the surface.<sup>4</sup> One report of the Committee of Public Safety after another was adopted without question. Day after day during June, Barère would enter the hall amidst applause to announce new victories. All seemed happiness and concord. The shadow of 22 prairial obscured any ugly signs of discord.

One aspect of this opposition was directly related to the growth of the emergency powers of the Montagnard régime. Some of the deputies who were members of the lesser committees of the Convention were dissatisfied with the centralization of functions in the Committee of Public Safety. Cambon, on the Committee of Finance, is known to have been concerned by this trend. More important, however, was the growing rivalry between the Committee of Public Safety and the Committee of General Security.

By late spring the greater Committee had obtained the right to issue arrest warrants and had created a police bureau of its own.<sup>5</sup> Although the Committee of General Security still retained the direction

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<sup>1</sup>P[ierre] Caron, "Sur l'opposition de gauche à la veille de 9 thermidor," Annales historiques de la Révolution française, XIX (October-December, 1947), 323-324. Hereinafter referred to as "L'Opposition de gauche.")

<sup>2</sup>Mathiez, "L'Affaire Legray," p. 307. <sup>3</sup>Ibid., p. 319.

<sup>4</sup>Caron, "L'Opposition de gauche," p. 323.

<sup>5</sup>Ording, Le Bureau de police, p. 138.

of the revolutionary police, there were some serious jurisdictional disputes between the Committees. Though he did not get too far, Robespierre tried to deprive the Committee of General Security of some of its police powers.<sup>1</sup> Added to this cause for hard feelings were the dechristianizing views of most of the members of the lesser Committee, especially Vadier and Amar.<sup>2</sup> At least one member of the lesser Committee, Voulland, does not seem to have opposed Robespierre,<sup>3</sup> but as thermidor approached, the rivalry between the Committees was a growing threat to the régime.

In considering the events of 9 thermidor, we must ask their meaning in terms of the attitudes of the deputies toward the emergency powers of the Montagnard régime. Although the overthrow of Robespierre led to the destruction of the extraordinary régime, it does not necessarily mean that this was the intention of the "Thermidorians." Fouché, the man who spread the rumors about the guillotine, was hardly less of a terrorist than Robespierre. Vadier may have looked upon the cult of the Supreme Being as counter-revolutionary. How could Collot, hands covered with the blood of Lyons, or Barère, "Anacreon of the Guillotine," or any other members of the Committee have considered themselves any safer than Robespierre if they had thought the intrigues of thermidor

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<sup>1</sup>G[eorges] Lefebvre, "La Rivalité du Comité de Salut publique et du Comité de Sureté générale," Revue historique, CLXVII (July-August, 1931), 339-340.

<sup>2</sup>A[lbert] Mathiez, "Les Divisions dans les comités a la veille de thermidor," Revue historique, CXVIII (January-April, 1937), 70-71.

<sup>3</sup>A[lbert] Mathiez, and H. Chobaut, eds., "Trois lettres inédites de Voulland sur la crise de thermidor," Annales historiques de la Révolution française, IV (January-February, 1927), 73.

would lead to reaction? The Thermidorians were, in fact, a motley group with no ideological unity. In removing Robespierre they took from the Revolution its one remaining strong leader. Though they may not have known it, they were handing power back to the more moderate Plain.

The reconquest of Belgium had removed the need for an extraordinary government. In spite of this, the terror had become more intense than ever after 22 prairial. But the amorphous Plain had no way of ending it. They needed the leadership which was finally provided by the "effrayés" and "mécontents." Many times before, leadership had been there, especially during the Indulgent campaign of the winter. The Convention could have eliminated Robespierre in December if it had wished. Apparently, the Montagnard régime was still a necessity, even if an unpleasant one, in the eyes of most of the députés. The debate over the law of 22 prairial had again provided the opportunity, and the Convention almost followed. But the war was not yet won, and the Committee retained at least a facade of unity. Robespierre and his colleagues were able to bully the opposition into submission. Between prairial and thermidor, however, occurred the battle of Fleurus and the Great Terror. These events may have changed many minds. The events of 8 thermidor showed that the Plain only needed leadership to rebel.

After a long absence from the Convention, Robespierre appeared on the eighth and gave a speech which vaguely denounced the enemies of the people in the Convention and on the Committees. Lecointre asked that the speech be printed. Only Bourdon, Robespierre's inveterate enemy, got a chance to oppose Lecointre before Barère and Couthon persuaded the assembly to have the speech printed and sent out to the communes.

But opposition rose. Vadier objected to what Robespierre had to say on the Théot case.<sup>1</sup> Cambon accused Robespierre of attempting to paralyze the will of the assembly. Billaud-Varenne demanded the examination of Robespierre's speech before sending it out.<sup>2</sup>

Then the opposition moved to the subject of Robespierre's accusations. Panis, deputy of Paris, demanded to know who among the deputies was on Robespierre's list of accused. He claimed someone had told him, ". . . your head is being demanded."<sup>3</sup> Bentaïole said it would be dangerous to send out the speech. Charlier agreed, and also demanded to know the accused. He was applauded, and several voices yelled support. Robespierre refused to reveal the names. Amar again demanded the names. Robespierre was silent. Barère made clear he felt Robespierre was in error. Thurion wondered how Robespierre could pretend to be the only one who was right. He was applauded. After Bréard spoke against sending out the speech, the decree ordering its dissemination was revoked.

At first, the Convention had obediently approved of Robespierre's statement. Then, in a rising crescendo of criticism, those who had good reason to believe that they were on the list, voiced their dissent. Vadier spoke. It became evident the Committees were not united. Billaud and Barère spoke. The Committee of Public Safety was divided! Robespierre was isolated. As soon as they felt safe, the deputies turned against the "Incorruptible." After the eighth events of the ninth

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<sup>1</sup>Robespierre had been somewhat compromised by the visionary Catherine Théot, who had called him the true Messiah.

<sup>2</sup>Moniteur, XXI, 329-330.      <sup>3</sup>Ibid., p. 330.

should not have been a surprise.

Robespierre represented the Revolutionary Government. He had led in its formation. He had been its major defender. All that was bad in that government had been attributed to him.<sup>1</sup> It is therefore likely that in voting against Robespierre many of the deputies felt they were following a course that would eventually lead to the end of emergency government. That thermidor did turn out to be a reaction rather than a mere change in leadership tends to confirm this. The Convention now felt revolutionary government had outlived its usefulness. It is clear that a change in outlook had taken place. Exactly when it occurred is uncertain.

The causes of this change of mind were many: growing dissatisfaction in the sections, the death of Danton, the law of 22 prairial, military victories and the rise of divisions in the Committees. These were but the most important. There was one constant factor, however, which gave these causes of change the effect they finally had. This was the relatively moderate outlook of the Plain. Even more than Robespierre, the majority of the deputies regarded the emergency powers of the Montagnard régime as an unpleasant expedient which they would hasten to discard at the first opportunity.

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<sup>1</sup>Mathiez, "L'Affaire Legray," pp. 305-306; Soboul, "Robespierre," p. 293.

## CONCLUSION

The events of 9 thermidor were not the last turn in the evolution of the views of the conventionnels concerning revolutionary government. They were the most dramatic, however, for they signaled the beginning of the demise of the Revolutionary Government. This sudden change of course was indicative of the negative attitude of the majority of the deputies with regard to extraordinary government.

For insight into the views of the vast majority of relatively silent deputies, one is forced to rely on the positions taken by the Convention as a whole. It is clear that the majority of the deputies would have preferred to have avoided extraordinary government. They refused to pass the extraordinary measures proposed by the right in the fall of 1792, and they resisted establishing a strong revolutionary government until the crisis of 1793 made it an obvious necessity. They granted the Committee of Public Safety, the representatives on mission and the Revolutionary Tribunal additional powers only gradually. They passed the "maximums" and made "terror the order of the day" reluctantly. The debate over the security of deputies in the fall of 1793 and over the law of 22 prairial showed a continuing mistrust for an excessively powerful revolutionary government. The undercurrent of discontent, which has been noted throughout the Year II, and the final explosion of 9 thermidor is evidence that the deputies only tolerated extraordinary government.

The deputies were persuaded by the exigencies of the moment to adopt revolutionary measures. The arguments of the proponents of strong revolutionary government, and not simply sans-culotte threats, explained the growth of the Revolutionary Government. The Convention retained its independence until the end of May, 1793, as shown by its creation of the Commission of Twelve. The genuine crisis atmosphere of the spring of 1793 is sufficient explanation for the adoption of the great revolutionary measures of that period. The evolution of the views of Barère and Philippeaux represent the evolution of the views of the majority. Whereas to Brissot, Buzot, Louvet, Rabaut, Bailleul, Lanjuinais, Barbaroux, Guadet and others the Revolutionary Government, by the spring of 1793, was an instrument of Jacobin tyranny, to the majority of the Convention, it was a war government necessary for the defense of the Revolution.

Eventually the Revolutionary Government developed a momentum which could not be stopped. It is not clear when the majority of deputies ceased supporting it. Evidently many deputies wavered for a long time before they decided to seize the first possible opportunity to dismantle the extraordinary régime.

When one turns from the generality of the deputies to specific individuals, one is on more solid ground. It has been possible for us to trace the development of the views of a number of leading deputies on the issue of revolutionary government (see Appendix 1). It is clear that certain uniformities or patterns in the evolution of the views of the deputies can be perceived, and that they can be used to correlate the views of the deputies on revolutionary government to other questions. These patterns show that almost all the deputies, with individual

exceptions, accepted the basic premises of revolutionary government and were willing to use extraordinary measures. They also show that there were factions in the Convention which had deep differences. The deputies of the right felt the Revolution was over, while those of the left felt it should continue. This difference in basic approach, in turn, led to differences over questions concerning revolutionary government. Revolutionary measures became weapons in this political struggle.

The majority of the Convention was swept up in the middle of this dispute. The vote on Marat and the original vote creating the Commission of Twelve showed that they sympathized with the right's denunciations of sans-culotte violence. They saw no reason for further violence in the Revolution. But they also listened to the Montagnards, zealous in the defense of the Revolution. Less blinded by political antipathies than the right, the deputies of the center followed the Mountain in the creation of the Revolutionary Government of 1793. That they followed the Mountain out of conviction cannot be doubted, even though sans-culotte pressure and threats must have entered into consideration. If the Convention felt independent enough to create and then revive the Commission of Twelve at the late date that this occurred, certainly it could have voted against the creation of the Revolutionary Tribunal or the Committee of Public Safety at a time when sans-culotte pressure was much less acute.

The fact that some deputies supported certain extraordinary measures in the fall of 1792, but opposed many of the major revolutionary measures of the spring of 1793 strongly supports the thesis just discussed. This group generally accepted the basic premises of revolutionary

government. They supported such revolutionary measures as the departmental guard, the law against provocateurs, Roland's interference with the mails to stop propaganda sent out by the Commune and the expulsion of Philippe Egalité from the Convention. All these measures were aimed against their political opponents. They also generally favored the laws against the émigrés and the trial of the king. When it came to enacting the great revolutionary measures in the spring of 1793, however, they were in opposition.

It is, therefore, clear that one group of men opposed almost all revolutionary measures except for those directed against Paris, while another group favored almost all revolutionary measures except for those directed against Paris. Of course, there were few who adhered to this pattern precisely. Measures such as the laws against the émigrés attracted broad support so that men who were generally opposed to strong revolutionary government favored them. Brissot, Buzot, Lanjuinais and Louvet were among the more prominent of these deputies. But it is also clear that, with this exception, deputies were fairly consistent in their support for or opposition to strong revolutionary measures. This is especially so with regard to the great revolutionary measures of the spring of 1793. Another uniformity which emerges is that men who thought alike on revolutionary government generally agreed on their opinion of Paris. Those who opposed revolutionary government were also opponents of Paris and vice-versa (see Appendix 2, Table A).

A third apparent uniformity is that there was a clear relationship between these two groups and the two alleged factions in the Convention, the Girondins and the Montagnards. Of those deputies listed by Sydenham

as close associates of Brissot, and therefore most likely to be of the Girondin faction, all for whom we have clear and unequivocal expressions of opinion opposed revolutionary government. Of those who expressed their opinions clearly on anti-Parisian extraordinary measures, only three--Condorcet, Carra and Ducos--did not fully support these measures (see Appendix 2, Table B). These three opponents were, nevertheless, anti-Parisian in outlook, as indicated by their written opinions. We do not yet have a similarly reliable list of Montagnards, and no formal conclusions with regard to them will be attempted here. An informal sampling of the views of deputies generally reputed to be Montagnards, however, will show that most of them favored revolutionary government and opposed anti-Parisian extraordinary measures.

These uniformities have a special significance because we are dealing with outspoken leaders. In Table B, of the seventeen deputies listed by Sydenham as being closest to Brissot there are fourteen; and of these fourteen, all but three expressed clear opinions against the Revolutionary Government. Thus, the uniformities which have been established indicate strongly, though not conclusively, that the Girondins was a group of deputies with similar opinions on certain important issues. They were not a disciplined political party, but nevertheless they displayed a remarkable consistency and unity with regard to the questions studied here.

To show that the Girondins were united in their opposition to the Revolutionary Government and to Paris is not necessarily to refute Sydenham's contention that their views were essentially the same as

those of the majority of the Convention.<sup>1</sup> Yet, clearly the Girondins were a group distinct from the majority. The evidence is obvious. On major issues of revolutionary government, not to speak of issues outside the purview of this work, Girondin leaders staked their prestige and lost. The departmental guard was never created, and the law against provocateurs was voted down. The Committee of General Security became a Montagnard bastion, the representatives on mission were sent out in increasing numbers and with increasingly unlimited powers, the Revolutionary Tribunal was created--all of this in the face of bitter Girondin opposition. Because Isnard supported the creation of the Committee of Public Safety, it might be said that the Girondins were divided on this issue. But certainly there is no doubt that the Committee increased its powers in a way very much opposed by the Girondins.

The view that the Girondins and Montagnards acted as distinct factions with regard to revolutionary government supports the conclusions of a recent challenge to Sydenham's thesis by Alison Patrick. First, Patrick tries to determine the members of the factions. For the Girondins she uses a modified version of Sydenham's list. For the Montagnards she uses such criteria as a deputy's reputation for sitting with the Mountain in the Convention, his position in the appels nominaux and whether he served on committees or as a representative on mission under the Montagnard régime. (Unfortunately she has not yet published her list.) She then uses Kuscinski's Dictionnaire des conventionnels and

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<sup>1</sup>This contention is one of the basic theses of Sydenham's book, The Girondins, particularly pp. 205-207. Sydenham states this thesis even more explicitly in a more recent work (The French Revolution [New York: Capricorn Books, 1966] pp. 129-131).

other secondary sources along with the deputies' votes in the appels nominaux to determine their political behavior. Her conclusion is that the members of each group acted with remarkable unity and consistency.<sup>1</sup>

Our study has led to some conclusions with regard to the reasons for the differences between the factions on the question of revolutionary government. Differences over revolutionary government were not ideological. Neither faction had an intrinsic aversion to the use of revolutionary measures. Both sides opposed the enactment of revolutionary measures when they thought these measures would be used against them by their enemies. Thus, though revolutionary measures may have been for the defense of the Revolution, many deputies saw them as threats to their own safety. They argued in terms of individual liberty and the separation of powers when they opposed an extraordinary measure, and they cited the need for revolutionary vigor when they favored it. They may have sincerely believed their arguments, for to either side the adoption of the views of their opponents threatened the Revolution as they saw it.

The consolidation of the Montagnard régime, and the quieting of dissent in the summer of 1793 put a damper on debate in the Convention. It is difficult for us to ascertain the views of individual deputies in this period, or to show any distinct trends. One pattern which is clearly discernable, however, is that the leading opponents of the Revolutionary Government in the Year II had often been among the strongest

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<sup>1</sup>Alison Patrick, "Political Divisions in the French National Convention, 1792-93," The Journal of Modern History, XLI (December, 1969), 421-474. Sydenham's reply to Mrs. Patrick and her subsequent rebuttal are printed in a later issue of The Journal of Modern History (XLIII [June, 1971], 287-297).

supporters of revolutionary government in the spring of 1793. Men like Bourdon de l'Oise, Thuriot, Chabot and Philippeaux were notable in this regard. Thus, the leading Indulgents were a splinter group whose views on revolutionary government had previously been indistinguishable from those of other Montagnards.

Perhaps our most significant findings for this period concern Danton. His successful efforts to enlarge the powers of the Committee of Public Safety made him one of the architects of the Montagnard hegemony. Rather than being an Indulgent, Danton was a consistent defender of the governing committees. He sought a mitigation of the terror only in the sense that he wanted to make certain that it was directed exclusively against those who were truly enemies of the Revolution. Danton's consistent defense of the governing committees was apparently related to a desire for greater unity among revolutionaries. His defense of Vincent and Ronsin can only be explained in these terms. He felt that the arrest of the Hébertists was the beginning of the reign of virtue and of a new unity under the leadership of the Committee of Public Safety.<sup>1</sup> He was neither an extreme terrorist nor an extreme indulgent. He favored unbending harshness when necessary, and indulgence when possible.

Danton was executed, of course, in spite of his support for the government. As one of the most prestigious members of the Convention, he was the one man about whom the Indulgent faction might have crystallized. He was the one man who offered disgruntled members of the Convention, the proto-thermidorians, a viable alternative to Robespierre. He

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<sup>1</sup>Archives parlementaires, LXXXVI, 661-662.

was, therefore, the one man who could have endangered those in power, whether or not he sought to do so. Whatever his real position, Danton had gained a reputation for being more of a compromiser than Robespierre and his colleagues. Danton's "virtue" was also dubious. The emphasis on unbending terror and virtue led the leaders of the Committee of Public Safety to the conclusion that it was necessary to remove Danton.

The leaders of the Committee of Public Safety, however, had lost sight of the Revolutionary Government's *raison d'être*. The Revolutionary Government had developed as an emergency régime. It was the answer to impending national disaster. This was how it had been justified to the deputies, who had acceded to its growth very reluctantly. Evidently, the average deputy was not willing to accept the continuation of the terror until the achievement of a moral regeneration. The events of 9 thermidor, therefore, brought a return to revolutionary government as it was originally conceived. If these events also led to the dissolution of the Revolutionary Government, it was because the crisis had come to an end.

## APPENDIX 1

### SUMMARY OF THE DEPUTIES' VIEWS CONCERNING REVOLUTIONARY GOVERNMENT

This appendix contains a series of sketches on the views of individual deputies, for whom there is sufficient information, concerning revolutionary government. The three-fold purpose of the sketches is to summarize information scattered throughout the text of the dissertation, to introduce information which was not appropriate for inclusion in the text and, based on this data, to reach conclusions on the views of these individual deputies.

Where new information is introduced in this appendix, direct citations of the source will be given. In other cases, references to the text of the dissertation will be made. For the sake of brevity, these cross references, where applicable, will be placed in notes at the end of each sketch.

#### Antoine-Louis Albitte

Albitte was a supporter of revolutionary government, although before he left for his mission in late April, 1793, he had some reservations. For example, in place of domiciliary visits, he proposed requiring the citizens of Paris to declare the presence of strangers residing in their houses.<sup>1</sup> On another occasion he criticized the representatives on

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<sup>1</sup>Archives parlementaires, LVII, 350.

mission because most of them were deputies of the left. In the early days of his mission to the Army of the Alps, he was reluctant to use terroristic measures, though he soon overcame that reluctance.<sup>1</sup>

In spite of some contradictions, however, Albitte's support for revolutionary government is clear. On January 21, 1793 he was among those who favored the replacement of the "moderate" members of the Committee of General Security. He showed himself favorable to the popular revolutionary élan when he opposed punishing instigators of the September massacres. He supported the proponents of the Revolutionary Tribunal who wanted an immediate vote for its creation. A proposal to print and disseminate a petition requesting the disarming of all suspects received his support.<sup>2</sup> He favored less involved procedures for the Revolutionary Tribunal, and would have allowed the prosecutor to bring individuals to trial without a prior decree of the Convention. He supported Isnard's plan for a committee of public safety.<sup>3</sup> Finally, he argued in favor of approving certain extraordinary measures taken by representatives on mission Pachoille and Saladin. Thus, where important revolutionary measures were concerned, Albitte was in favor of them. It is interesting to note that in keeping with the Convention's general conversion to the cause of revolutionary government in the spring of 1793, the revolutionary measures which Albitte supported postdated those he opposed.<sup>4</sup>

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<sup>1</sup>Kuscinski, Dictionnaire, pp. 2-3.

<sup>2</sup>Archives parlementaires, LX, 583.

<sup>3</sup>Ibid., LXI, 93.

<sup>4</sup>Supra, pp. 75, 76, 83, 91, 102, and 120.

Jean-Pierre-André-Amar

Amar was not vocal on the issue of revolutionary government, but what he said clearly indicates that he favored it. On January 21, 1793 he spoke in favor of changing the membership of the Committee of General Security to make it more "revolutionary." Arguing in favor of Lindet's plan for the Revolutionary Tribunal, Amar said, "Only this measure can save the people, otherwise it is necessary for them to revolt and for their enemies to fall."<sup>1</sup> Later, as reporter for the Committee of General Security, he called for the imprisonment of all suspects until peace.<sup>2</sup> His report of October 3, 1793 resulted in the trial of forty-one deputies before the Revolutionary Tribunal, and the arrest of seventy-five deputies.<sup>3</sup>

Pierre-Jean Audouin

Few deputies wrote more complete records of their views than Jean-Pierre Audouin. He did so in his newspaper, Le Journal Universel. He was always an advocate of revolutionary measures, but it is significant that he did not support all of them. He eventually became one of the most staunch supporters of the Revolutionary Government. Indeed, at times during the Year II, his newspaper sounded as if it was the official voice of the "Robespierist" Committee of Public Safety, and well it might have been. The Committee subsidized his Journal universel with a subscription, supplied the paper which he used to print it, and requisitioned printers to produce it.<sup>4</sup> He was, nevertheless, loyal to the concept of revolutionary

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<sup>1</sup>Archives parlementaires, LX, 60.      <sup>2</sup>Ibid., LXXV, 520-535.

<sup>3</sup>Supra, p. 75.      <sup>4</sup>Kuscinski, Dictionnaire, p. 12.

government for nobler reasons, a fact made clear by his continued support for it after 9 thermidor.

In the early days of the Convention, Audouin generally supported the views of the left. He therefore opposed the extraordinary measures advanced by the right. He opposed the law against provocateurs, feeling--with Lepeletier and Danton--that it endangered freedom of the press.<sup>1</sup> He also felt that this arbitrary and "barbarous" proposal threatened to outlaw the orators of the popular societies. Audouin evidently feared that the right would take advantage of its strong position in the Convention to use these laws against men whom he considered to be the true revolutionaries. This fear of the right also explained why Audouin opposed the concept of the omnipotent Convention which was one of the bases of the revolutionary government. He felt that the Convention should have no powers in day-to-day affairs. It was natural for Audouin to feel the Convention was too powerful, with the "enemies of liberty" as strong in it as he seemed to think they were.

The same basic theme ran through Audouin's discussion of the proposed expulsion of Philippe Egalité from the Convention. The effort against Philippe was the work of the "faction Roland." If one deputy could be expelled today, said Audouin, tomorrow the majority of the Convention--perhaps corrupted, perhaps blinded--could expel the minority which desired popular rule.<sup>2</sup> This statement made clear that Audouin thought the "good deputies" were in the minority. It also showed that he feared the expulsion of this whole group.

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<sup>1</sup>Journal universel, November 3, 1792, p. 3198.

<sup>2</sup>Ibid., December 17, 1792, p. 3546.

Audouin's opposition to some revolutionary measures was more interesting in the light of his support for others, even in the fall of 1792. He applauded the Convention's decision to impose the death penalty for the exportation of grain.<sup>1</sup> He called Osselin's proposed law on the émigrés "detestable" because of all the exceptions made, and recommended banishment of all émigrés, with the death penalty for those who returned or who were caught with arms. No exceptions were needed, he said.<sup>2</sup> This proposal was slightly more radical than the law finally adopted by the Convention.

Apparently because they supported the Commune, many of the deputies of the Mountain were called "anarchists" by their opponents. Audouin sat with the Mountain, he said, and thought that the Montagnards were the "most ardent defenders of the people."<sup>3</sup> If Audouin represented the Montagnards at all, then they were certainly not anarchists. On December 26, in writing about the course of action necessary to bring "calm, peace, and prosperity," Audouin advised that the Revolution was the establishment of liberty based on law and the cessation of the "revolutionary movement." The continuation of this movement would bring a return of despotism.<sup>4</sup> This did not mean that Audouin favored an immediate end to the Revolution or the immediate replacement of revolutionary government by a constitutional régime. "The revolutionary movement must be stopped, when it has crushed the usurping powers. . . ."<sup>5</sup>

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<sup>1</sup>Ibid., December 8, 1792, p. 3479.

<sup>2</sup>Ibid., December 18, 1792, pp. 3554-3555.

<sup>3</sup>Ibid., December 26, 1792, p. 3623.

<sup>4</sup>Ibid., p. 3617.     <sup>5</sup>Ibid.

Thus the purpose of the Revolutionary Government was simply the short-run defense of the Revolution, and not the creation of a new and more perfect society. As Audouin put it, "It is not at all with revolutionary measures that one must attempt to destroy individual abuses . . . one must not use the mass of Hercules to crush insects."<sup>1</sup> The new order, according to the views just cited, were to be the product of a calmly devised constitution, and not of a series of emergency measures. But the Revolutionary Government was necessary if this constitution was ever to be written. The constitution could only be created, said Audouin, in an atmosphere of order, order with liberty. It was the task of the legislator to establish this atmosphere by ending divisions and giving the people rules to guide them temporarily while the constitution was being written and adopted.<sup>2</sup> Audouin pleaded with the people to stop the revolutionary movement for the time being.<sup>3</sup> To promote this temporary cessation of revolution he recommended the reorganization of the government and the enactment of a progressive tax to which the poor would contribute nothing. The government was in a chaotic state, he said, with a multitude of authorities all trying to rule at the same time. To cure this problem the Convention should take power away from the ministry. It was up to the Convention to ". . . direct the revolutionary movement."<sup>4</sup>

Audouin's idea of revolutionary government was therefore not what his opponents thought the left wanted: a continuous state of uprising and mob rule. To him the purpose of revolutionary government was to

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<sup>1</sup>Ibid.    <sup>2</sup>Ibid., pp. 3618-3621.

<sup>3</sup>Ibid., p. 3619.    <sup>4</sup>Ibid., pp. 3620-3622.

re-establish peace and then bring the Revolution to completion. It was much like what emerged in the year II. If Audouin at times seemed to mistrust the power of the Convention, it was usually with regard to measures he found politically distasteful.

Following the purge of the Girondins, Audouin made no significant statement concerning revolutionary government until his issue of November 24, 1793. He then gave a complete and sympathetic account of Billaud-Varenne's report of November 23 which presented the bases for what ultimately was enacted as the decree of 14 frimaire. Audouin commented that he agreed with the idea of giving the Committee of Public Safety more power as long as it remained, as at present, free of conspirators.<sup>1</sup> Audouin had great faith in the Committee of Public Safety as then constituted. The Revolution had only met with setbacks when the orders of the Committee were disobeyed.<sup>2</sup> He considered the opponents of the Committee to be enemies of la patrie. The members of the Committee, he said, had sworn to save the ship of the Republic or to go down with it. "Let us therefore rally around them."<sup>3</sup>

On the question of indulgence and ultra-revolution, Audouin took the same position as Robespierre. He saw the two extremes as both leading to counter-revolution. The true revolutionary, he said, walked the middle path.<sup>4</sup> He was particularly harsh on the Indulgents. He felt that the Revolution had constantly to advance to avoid counter-revolution.<sup>5</sup>

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<sup>1</sup>Ibid., 4 frimaire, p. 6267. (Here and henceforth, all dates in the Revolutionary style are for the year II.)

<sup>2</sup>Ibid., 7 frimaire, pp. 6290-6291.      <sup>3</sup>Ibid., 15 frimaire, p. 6356.

<sup>4</sup>Ibid., 21 frimaire, pp. 6404-6405.      <sup>5</sup>Ibid., 14 frimaire, p. 6347.

Apparently, however, Audouin did not consider Danton to be among the Indulgents, for he praised him as a model republican.<sup>1</sup> Quite otherwise was his view of Camille Desmoulins, whose parody of Tacitus Audouin thought would be used by those who sought to stop the Revolution. He denounced the whole movement for the release of suspects, saying it was based on the assumption that there were no longer any counter-revolutionaries.<sup>2</sup> Again and again, Audouin denounced those who sought to slow the Revolution, to mitigate the terror.<sup>3</sup> "Haine, haine aux entraveurs de la révolution!!! Permanence, permanence des mesures vraiment révolutionnaires pour achever la révolution!!!"<sup>4</sup>

Audouin applauded the destruction of the "factions." He was pleased with the arrest of the Hébertists, calling theirs the most terrible conspiracy which had yet taken place because it had been wrapped in the flag of patriotism.<sup>5</sup> Audouin now called for the destruction of the "faction of the moderates" just as the faction of the "false patriot" had been destroyed.<sup>6</sup> He warned the patriots not to go over to moderation even though the "aristocrats" might call them Hébertists.<sup>7</sup>

In line with his denunciations of the "moderate faction," Audouin praised the arrest of the "Dantonists," which, he said, had ". . . deprived royalty of its last defenders."<sup>8</sup> Apparently he forgot

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<sup>1</sup>Ibid., 18 frimaire, p. 6382.      <sup>2</sup>Ibid., 11 nivôse, pp. 6564-6565.

<sup>3</sup>Ibid., 12 nivôse, pp. 6575-6576, 6 ventôse, p. 7008.

<sup>4</sup>Ibid., 6 ventôse, p. 7008.

<sup>5</sup>Ibid., 2 germinal, p. 7212-7213, and 3 germinal, p. 7220.

<sup>6</sup>Ibid., 6 germinal, pp. 7246-7248.

<sup>7</sup>Ibid., 10 germinal, p. 7275.      <sup>8</sup>Ibid., 12 germinal, p. 7293.

his praise of Danton or had changed his mind. He had not a word of sympathy for the great tribune, including him among those he called "royalists." Audouin sensed a strong undercurrent of discontent at the session in which the arrest of Danton was announced. Though he said Legendre had defended Danton in good faith, he nevertheless thought he had perceived a ". . . plan to destroy the Committee of Public Safety,"<sup>1</sup> a plan which he and several of his colleagues were prepared to fight. Finally, however, Saint-Just's report won over the majority of the deputies, and the arrest of the "royalists" was decreed.<sup>2</sup>

After the death of Danton, Audouin continued in his loyal support of the Committee of Public Safety. In one article he said that the Revolutionary Government now possessed powers to which no government of the past had ever pretended. Yet the government of the Republic could never become oppressive.<sup>3</sup> He defended the Committee of Public Safety against the accusation that the law of 22 prairial sought to deprive the Convention of the sole right to indict its members. The governing Committees, the Mountain and the Convention were one and the same.<sup>4</sup> As in the past, he called on his readers to rally around the government.<sup>5</sup> This call was reiterated when, in the issue of 5 thermidor, he wrote of a plot that was being hatched against the government. These new conspirators would perish just as their predecessors had.<sup>6</sup> In the issue of 7 thermidor he continued to denounce the plot which was being prepared. There were many, he said, who wanted to terminate the Revolutionary

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<sup>1</sup>Ibid.    <sup>2</sup>Ibid.    <sup>3</sup>Ibid., 16 floréal, p. 7567.

<sup>4</sup>Ibid., 24 prairial, p. 7872, and 25 prairial, p. 7880.

<sup>5</sup>Ibid., 26 prairial, p. 7888.    <sup>6</sup>Ibid., 5 thermidor, p. 8198.

Government and bring the rule of the Indulgents.<sup>1</sup>

Audouin hesitated to take a strong position on the events of 8 thermidor. Evidently he wanted to await the outcome. When discussing Robespierre's speech on that day, for example, Audouin simply said that it contained several valid ideas, but also some errors. He did say, however, that for the first time in several months the deputies had spoken freely.<sup>2</sup> The next day Audouin changed his position. He applauded the downfall of "Catilina-Robespierre," whom he characterized as the country's worst enemy. Yet, he had nothing but praise for the Revolutionary Government and all that it had done for the country.<sup>3</sup> After 9 thermidor he consistently argued in favor of maintaining the Revolutionary Government. Any idea of ending it he branded as "aristocratic" and "counter-revolutionary."<sup>4</sup>

#### Jacques-Charles Bailleul

The views of Bailleul were expressed in a pamphlet written after June 2, 1793. Bailleul denounced the events of June 2 as an attack on the national sovereignty. The lack of law and order, the eternal state of revolution, were leading toward the destruction of the Republic. Liberty, he said, could not be founded by a frightening tyranny.<sup>5</sup> The Revolution was on the wrong course, and even salutary measures had

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<sup>1</sup>Ibid., 7 thermidor, pp. 8212 and 8216.

<sup>2</sup>Ibid., 9 thermidor, pp. 8231-8232.

<sup>3</sup>Ibid., 10 thermidor, pp. 8238-8239.

<sup>4</sup>Ibid., 12 thermidor, p. 8254, and 17 thermidor, p. 3294. Supra, pp. 20. and 24.

<sup>5</sup>Bailleul, Déclaration, pp. 8-10.

become bad by virtue of the way in which they were carried out.<sup>1</sup> "I bemoan most of the measures called revolutionary, & adopted by the National Convention. . . ."<sup>2</sup> He admitted, however, that he had been silent most of the time, because to contradict certain members was to be called a counter-revolutionary.<sup>3</sup> In one instance he did speak out in the Convention against an institution of the Revolutionary Government. When on January 28 Buzot attacked the "despotism" of the Committee of General Security, Bailleul agreed with him. He said that the Committee must confine itself to undoing plots, and should not jail persons for individual crimes.

Bailleul's pamphlet pictured him as an opponent of extraordinary measures, yet he supported one revolutionary measure: the proposal for a law against provocateurs. His only objection was that Buzot's proposal for this law was too weak. In the debate over the prosecution of the leaders of the September massacres, Bailleul proposed a compromise: Stop all prosecutions, but continue to investigate the instigators.

Bailleul's views concerning the law against provocateurs show that he did not oppose extraordinary measures as such. One can only conclude that Bailleul's views concerning revolutionary government were determined by political considerations. Clearly, however, he was an opponent of the Revolutionary Government as it developed in the spring of 1793.

#### Charles-Jean-Marie Barbaroux

In the early days of the Convention, Barbaroux supported certain extraordinary measures, though, in general, he opposed such measures.

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<sup>1</sup>Ibid., p. 6.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., pp. 6-7.

For example, when Roland was criticized for opening letters sent out by the Paris Commune, Barbaroux gave a long speech in support of the minister.<sup>1</sup> He also favored the departmental guard for the Convention.<sup>2</sup>

Barbaroux' opposition to most extraordinary measures was clear. He spoke for the maintenance of freedom of trade during the series of speeches concerning the grain trade in December 1792. He opposed the view, which he claimed was current among a certain party in the Convention, that there should be no constitution until the end of the war. He opposed allowing the prosecutor of the Revolutionary Tribunal the initiative to bring individuals to trial. The Convention, he felt, had to decree the indictment of every person sent before the Tribunal. He opposed Isnard's plan for establishing a committee of public safety. When the Convention voted, on May 11, 1793, to continue the present membership of the Committee of Public Safety indefinitely, Barbaroux protested. He opposed the granting of unlimited powers to the representatives on mission. Finally, he opposed the first maximum and the forced loan on the rich.

Barbaroux's pamphlets and correspondence confirmed the impression conveyed by his interventions in the Convention. He felt that the law proclaiming the death penalty for Vendée rebels drove them to desperation and lengthened the conflict.<sup>3</sup> In a letter dated fairly early, March 14, 1793, Barbaroux showed his distaste for revolutionary measures enacted up to that time. The proscription of courageous men, attacks on freedom of the press, the sending of "intendants" (representatives on

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<sup>1</sup>Archives parlementaires, LIII, 80.      <sup>2</sup>Ibid.

<sup>3</sup>Barbaroux, Aux citoyens de Marseille, p. 3.

mission), the establishment of a "tribunal de sang" and the exercise of the national sovereignty by the Department of Paris were all part of a great plot to establish a dictatorship.<sup>1</sup>

### Bertrand Barère

Barère did not tie himself to any faction. He was, therefore, perfectly free to maneuver as his own interests dictated. He was an adept fence-sitter, knowing when he come down from the fence, and on which side. In the early days of the Convention, he tried to be neutral in the party disputes. For example, when Robespierre gave his speech to rebut Louvet's charges, those asking to speak after Robespierre concerning his statement divided themselves into three groups "for," "on," and "against." Barère's name was in the "on" column.<sup>2</sup> Barère favored the expulsion of Philippe Egalité, but even in this case he played the role.

Before the spring of 1793 Barère was neither wholly for nor against revolutionary measures. On October 4 he opposed Danton's proposal to declare the patrie out of danger.<sup>3</sup> When domiciliary visits were being demanded in the wake of Lepeletier's assassination, Barère supported them on the condition that rights and property be respected. This was essentially the same position taken by Robespierre at the time. But when Osselin proposed that for residential buildings the searches be replaced by owners' declarations to protect individual rights, Barère announced his willingness to accept this weaker measure. He even wrote

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<sup>1</sup>Barbaroux, Correspondance, pp. 346-347 (letter of March 14, 1793). Supra, pp. 48, 106-107, 117, 125, 133, 137, and 141.

<sup>2</sup>Archives parlementaires, LIII, 164.

<sup>3</sup>Ibid., LII, 314.

a compromise proposal containing this system of declarations.<sup>1</sup> Barère showed himself favorable to the Revolutionary Tribunal, though here again he vacillated. Though he supported the idea of such a tribunal, he objected to Lindet's proposal to have nine persons of the Convention's choosing act as judges with no jury. Yet, when Billaud-Varenne proposed that the jurors be named by all the sections of the Republic, Barère agreed.<sup>2</sup>

It was in his important speech of March 18 that Barère gave up his prevarication. He stated unequivocally that extraordinary action was needed in the wake of Vendée uprising, and he proposed several important "revolutionary measures." Barère was on the committee which wrote the decree creating the Committee of Public Safety, and then was elected to the new Committee on April 6. After this there was no question which side Barère favored. On April 15 Barère stated that the Committee of Public Safety could be strong without dictatorship. On May 6 he unequivocally supported the strong powers given to the representatives on mission with the armies. Barère nevertheless still tended to be a compromiser. He proposed that the representatives on mission be made personally responsible for any actions going beyond powers previously given them. Often it was left to Barère to sum up the results of a prolonged discussion. For example, though he had not taken a prominent role in the discussion of the forced loan on the rich, it was he who wrote the decree for the loan which was finally adopted by the Convention.<sup>3</sup> Perhaps the most notorious example of Barère's tendency to compromise was his proposal for the creation of the Commission of Twelve to head off more extreme

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<sup>1</sup>Ibid., LVII, 529-530.

<sup>2</sup>Ibid., LX, 61.

<sup>3</sup>Ibid., LXV, 130.

measures against the Paris Commune being proposed by members of the right. As indicated by his initial denunciation of the insurrection of May 31 - June 2,<sup>1</sup> Barère preferred to see revolutionary measures exercised by the Convention rather than the mob. Thus, it was he who proposed, in the name of the Committee of Public Safety, the suppression of the revolutionary committees shortly after June 2.

The development of Barère's ideas was in many respects symbolic of the whole Convention's development. Noncommittal in the fall, by the spring he spoke strongly in favor of revolutionary government. Was he moving with the tide or answering the necessities of the moment? Though Barère was an opportunist, the latter seemed more the case. In the spring of 1793 he seems to have led the majority in the shifting of its views. His strong statements in favor of the Revolutionary Tribunal and the Committee of Public Safety were good examples of this leadership.<sup>2</sup>

#### Claude Basire

Until the fall of 1793 Basire was clearly a supporter of revolutionary government. After that time, however, he became one of its opponents.

A test of a deputy's willingness to accept extraordinary measures is his attitude toward popular violence aimed against "aristocrats." Basire opposed the law against provocateurs on the grounds that the people still had to take vigorous measures. He justified the September massacres as an unfortunate incident understandable in light of the

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<sup>1</sup>Ibid., pp. 706-707.

<sup>2</sup>Supra, pp. 50-52, 74, 93, 105-106, 108, 115-116, 122, 150-151, and 165-168.

dangers facing the country. He opposed prosecuting the men of September.<sup>1</sup> At the same time, however, he favored the more conventional means for punishing "aristocrats." Following Bentabole's original suggestion, it was Basire who proposed, on January 21, changing the membership of the moderate Committee of General Security to give that committee a more "revolutionary" image. When this newly composed committee was attacked by Buzot, Basire defended it. They wished to suppress the Committee, he said, because "it dared do some good."<sup>2</sup>

Basire went on mission, and not much more was heard from him until the fall of 1793. By the fall he seems to have come to feel that the Revolutionary Government was excessively repressive. He opposed Philippeaux's proposal to have all deputies account for their fortunes, asserting that patriots were living under a reign of terror. Basire claimed that he was endangering his head by speaking so frankly. He also opposed depriving deputies who fled from prosecution of their civil rights by declaring them to be outlaws.<sup>3</sup>

#### Pierre-Louis Bentabole

Following the death of Lepeletier, it was Bentabole who first proposed the renewal of the Committee of General Security. He considered the Committee too conservative in its pursuit of counter-revolutionaries. The Convention, he said, had to take measures which were "vigorous and extraordinary." He opposed the prosecution of the men of September 2.<sup>4</sup>

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<sup>1</sup>Archives parlementaires, LIII, 219-221.

<sup>2</sup>Ibid., LVII, 734.     <sup>3</sup>Supra, pp. 75, and 210-211.

<sup>4</sup>Archives parlementaires, LVIII, 377.

He opposed efforts to have the jury of the Revolutionary Tribunal vote in secret.<sup>1</sup> With continuous bad news from the Vendée in the late spring of 1793, Bentabole denounced the "ineffective" efforts to suppress the rebels. He called for stronger measures including the sounding of the tocsin and the extraordinary raising of forces. Finally, he favored the first maximum and the forced loan on the rich.<sup>2</sup> Thus, Bentabole supported revolutionary measures consistently.<sup>3</sup>

Jacques-Nicolas Billaud-Varenne

Though Billaud-Varenne was certainly a proponent of revolutionary government during the Convention's first ten months, he opposed revolutionary measures favored by the right. After June 2, 1793 and before his appointment to the Committee of Public Safety, he sometimes opposed the Revolutionary Government as one of its radical critics. On several occasions he opposed the law against provocateurs, accusing Roland of aspirations to dictatorship.<sup>4</sup> He also opposed the departmental guard.<sup>5</sup> Usually, however, he favored extraordinary measures. He was ferocious with regard to the émigrés, and even opposed exceptions in favor of their children. In the discussion on the Revolutionary Tribunal, Billaud favored Lindet's plan.<sup>6</sup> Billaud was relatively silent on the other revolutionary measures of that spring because he was sent on mission to the Côtes-du-Nord, arriving in Rennes on March 20 and only returning to

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<sup>1</sup>Ibid., LX, 94.    <sup>2</sup>Ibid., LXV, 122.    <sup>3</sup>Supra, pp. 74, and 140.

<sup>4</sup>Archives parlementaires, LIII, 57 and 75.

<sup>5</sup>Aulard, Jacobins, IV, 404.

<sup>6</sup>Archives parlementaires, LX, 64.

Paris on May 5.<sup>1</sup> However, one letter written by Billaud from Rennes on April 7, denounced the Girondins, virtually calling for a new revolution and more vigorous revolutionary measures in general.<sup>2</sup> After his return, Billaud fought against the Commission of Twelve, but also denounced a statement of Marat's which he interpreted as being a call for dictatorship.<sup>3</sup>

The summer months saw Billaud calling for new revolutionary measures. He applauded the forced loan, and went further, proposing that the very poor be exempted from taxation.<sup>4</sup> In the Jacobins on June 9 he gave a speech calling for measures which presaged the day when terror would be made "the order of the day." He proposed the internment of the wives of émigrés and the suspension of the rights of citizenship for all "anti-social" persons.<sup>5</sup> On July 15, after an interminable speech reviewing the actions of the Girondins, Billaud concluded with a demand for a decree of indictment against the thirty-two deputies denounced by the sections of Paris.<sup>6</sup> This was much harsher than the punishment recommended earlier by the Committee of Public Safety.<sup>7</sup> Thus, a number of times Billaud placed himself in opposition to the Committee of Public Safety,

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<sup>1</sup>Jacques Guilaine, Billaud-Varenne; l'ascète de la Révolution, 1756-1819 (Paris: Fayard, 1969), pp. 130, and 133. (Hereinafter referred to as Billaud-Varenne.)

<sup>2</sup>Aulard, Recueil des actes, III, 145-147.

<sup>3</sup>Aulard, Jacobins, V, 217-218.

<sup>4</sup>Archives parlementaires, LXVI, 222.

<sup>5</sup>Aulard, Jacobins, V, 243-244.

<sup>6</sup>Archives parlementaires, LXIX, 21-31.

<sup>7</sup>Ibid., LXVIII, 426-436; supra, p. 195.

though from a more radical position. His most serious act of opposition was his proposal for a commission to oversee the executive, a proposal which Robespierre took as an affront to the Committee of Public Safety.<sup>1</sup> Billaud was to renew this demand during the journée of September 5.<sup>2</sup> He was also a very active supporter of sans-culotte demands, such as for the revolutionary army and the arrest of suspects.<sup>3</sup> But he was appointed to the Committee of Public Safety on September 6, and thereafter his role as a public opponent ceased.

Jean-Bonaventure-Blaise-Hilarion Birotteau

Birotteau consistently opposed revolutionary measures. On January 21 he opposed removing the moderate members of the Committee of General Security. On January 28 he was among those who demanded a reduction of the powers of the recently elected and more radical Committee of General Security. He supported punishing instigators of the September massacres. He opposed the creation of the Revolutionary Tribunal. He supported a secret ballot for the jury of the Revolutionary Tribunal. He opposed the creation of the Committee of Public Safety for fear of dictatorship. Finally, he found the unlimited powers of the representatives on mission with the armies "frightening."<sup>4</sup>

François-Louis Bourdon (de l'Oise)

For a long time in the spring of 1793, Bourdon was on mission and, therefore, said little concerning revolutionary government. One statement, however, was extremely significant. When Duhem called for the

<sup>1</sup>Ibid., LXXIII, 171-172.      <sup>2</sup>Ibid., p. 413.      <sup>3</sup>Ibid., pp. 413-418.

<sup>4</sup>Supra, pp. 76, 81, 83, 91, 96, 102, and 125.

revocation of the decree instituting a jury system for the Revolutionary Tribunal, Bourdon supported Duhem forcefully.<sup>1</sup> Bourdon also defended the right of the sections to advise the Convention on revolutionary measures, a right challenged by Guadet and other opponents of the Commune.<sup>2</sup> The sections often advocated revolutionary measures which the Convention was reluctant to enact. On the whole, Bourdon can be classified as a proponent of strong revolutionary government in the period before June 2, 1793. Once Montagnard rule was consolidated, however, Bourdon became one of the most outspoken critics of the Revolutionary Government.

Bourdon had returned from a mission to the West in early September after losing the Convention's confidence. He was silent for some time, but on November 10 he spoke out. He charged that the lamentations of Chabot and Thuriot were part of a moderate conspiracy, but he joined with Thuriot in denouncing employees of the war ministry for conspiring to persecute Montagnards.

Bourdon's next important intervention was his attempt to overthrow the Committee of Public Safety on December 12. He also sought every opportunity to attack the Committee of Public Safety through the ministries, as on December 10 when he suggested that they all be abolished. More notable was his charge of the seventeenth against the ministries which he said were a "monstrous power" which sought to compete with the Convention. Bourdon was one of those who instigated the creation of a commission to oversee arms manufacture on December 14. On the sixteenth he attacked Hérault de Séchelles. Bourdon led the attack against Héron,

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<sup>1</sup>Archives parlementaires, LX, 68.

<sup>2</sup>Kuscinski, Dictionnaire, p. 79.

agent of the Committee of General Security. On November 29 he argued in favor of ministerial responsibility, and attacked Bouchotte in the process. Indeed, Bourdon led so many attacks against the ministers, protégés of the Committee of Public Safety, that it would be superfluous to mention them all.

In the spring Bourdon was still attacking the Committees. He was one of the few who mounted any opposition against the general police law. His audacious opposition to the law of 22 prairial is well known.<sup>1</sup>

#### Jean-Baptiste Boyer-Fonfrède

Boyer-Fonfrède cannot easily be classified. He labeled as counter-revolutionary suggestions for the elimination of the jury system for the Revolutionary Tribunal. On the other hand, he favored the decree disarming suspects, though he opposed printing and disseminating the petition which had evoked this decree because it had stated that the Convention had declared itself to be in a state of revolution.<sup>2</sup> On April 3 he opposed Marat's proposal to grant the Committees of Public Safety and General Security more extensive powers. During the heated debate of April 5 over the proposal to give the prosecutor of the Revolutionary Tribunal the power to bring individuals to trial without a prior accusation by the Convention, Boyer proposed that ministers, generals and treasury officials be exempted. Otherwise, he said, the prosecutor would be more powerful than the Convention itself.<sup>3</sup> Finally,

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<sup>1</sup>Supra, pp. 213, 214, 234, 236, and 237-238.

<sup>2</sup>Archives parlementaires, LX, 583.

<sup>3</sup>Ibid., LXI, 336.

Boyer-Fonfrède favored the forced loan on the rich.<sup>1</sup>

Boyer-Fonfrède was never strongly against revolutionary measures. He favored some, and even on the questions concerning the Revolutionary Tribunal his position was the same as the majority's. We can only conclude that he was in the center on the issue of revolutionary government.<sup>2</sup>

#### Jean-Jacques-Bréard

Bréard clearly favored revolutionary measures if they were not too extreme. After the assassination of Lapeletier, Bréard revived the proposal for the Convention to police Paris directly. This idea, opposed by the left because it infringed on the powers of the Commune, was clearly an extraordinary measure. At the same time, Bréard suggested that domiciliary visits be made to uncover undesirable strangers residing in Paris. The proposal aroused a lively debate, and was eventually sent to committee for examination.<sup>3</sup> As a member of the Committee of General Defense Bréard supported Isnard's proposal of April 5 for a new committee to supervise the Executive Council. Like Isnard he resigned from the Committee of General Defense. He did make clear, however, that he felt the new committee should not take over the executive power. Its function should be solely supervisory. On April 9, as a member of the new Committee of Public Safety, Bréard submitted a decree to send each army three commissioners with unlimited powers. He defended the proposal, and it was adopted with only minor modifications.<sup>4</sup>

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<sup>1</sup>Ibid., LXV, 125.      <sup>2</sup>Supra, pp. 93, and 120.

<sup>3</sup>Archives parlementaires, LVII, 530.

<sup>4</sup>Supra, pp. 74, 102, and 122.

Jacques-Pierre Brissot

Brissot agreed with most of the other deputies that the Convention was empowered to write the constitution and to take any measures necessary for the public safety. He opposed Danton's proposal to end the state of danger. Brissot strongly supported anti-Parisian extraordinary measures such as the departmental guard and the proposed law against provocateurs.<sup>1</sup> Finally, he supported a strong law against the émigrés, though he also favored exceptions to the law.<sup>2</sup>

The balance, however, was heavily weighted against revolutionary government. One of the revolutionary institutions Brissot attacked was the Extraordinary Criminal Tribunal created on August 17, 1792. He argued that it had been established for the immediate revolutionary crisis and should be abolished.<sup>3</sup> When the Tribunal was abolished, he applauded with the remark, "This Tribunal was a source of judicial dictatorship which could not have avoided becoming dangerous; . . ."<sup>4</sup> Brissot sought to temper the law on the émigrés by advocating various exceptions including one for women, "that timid sex."<sup>5</sup> He favored free trade in grain, and praised the views of Barbaroux and Creuzé-Latouche on this matter.<sup>6</sup>

In a pamphlet written in late 1792, Brissot expressed some of the

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<sup>1</sup>Le Patriote français, November 1, 1792, p. 501.

<sup>2</sup>Ibid., October 24, 1792, p. 470, and November 23, 1792, p. 593.

<sup>3</sup>Ibid., October 30, 1792, p. 493.

<sup>4</sup>Ibid., November 30, 1792, p. 621.

<sup>5</sup>Ibid., November 18, 1792, p. 569, and November 23, 1792, p. 593.

<sup>6</sup>Ibid., December 9, 1792, pp. 661-662.

feelings and resentments which motivated his attitude toward revolutionary measures. He asserted that there was a party of "disorganizers," which included Robespierre, Marat, Chabot and Collot d'Herbois. They wanted Paris to dominate the country because they controlled Paris.<sup>1</sup> With obvious reference to the Tribunal of August 17, Brissot complained that the Commune had sanctioned ". . . the death sentences of a committee of inquisition. . . ." <sup>2</sup> With much injustice to even the most radical members of the Convention, Brissot accused the "disorganizers" of wanting to level everything including property and the price of food. A third charge was that this party wanted "continual revolution."<sup>3</sup> In short, Brissot announced his opposition to all revolutionary measures which were not controlled by the moderate members of the Convention. He accused the "disorganizers" of trying to eliminate their opponents by ". . . arming themselves with a pretended revolutionary power. . . ." <sup>4</sup> Notice that it was a "pretended" revolutionary power. To Brissot extreme revolutionary government was counter-revolutionary. The "disorganizers" were the true counter-revolutionaries.<sup>5</sup>

Brissot expanded his ideas in a pamphlet written in May, 1793. He called order the true "revolutionary measure," and said that "knaves" sought domination through the use of their "revolutionary power."<sup>6</sup> He denounced the "anarchists" for their supposed attacks on property and individual security.<sup>7</sup> There were also new revolutionary measures to

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<sup>1</sup>Brissot, A tous les républicains, pp. 3-6.      <sup>2</sup>Ibid., p. 25.

<sup>3</sup>Ibid., pp. 5-6.      <sup>4</sup>Ibid., p. 4.      <sup>5</sup>Ibid., p. 24.

<sup>6</sup>Brissot, La Situation de la Convention, pp. 4-6.

<sup>7</sup>Ibid., p. 60.

oppose. Brissot denounced the Revolutionary Tribunal and the representatives on mission with great candidness. Finally, the Committee of Public Safety came under attack for its despotic tendencies.

Unlike the strong supporters of revolutionary government in the Convention, Brissot blamed the problems of the Revolution on revolutionary measures rather than on "aristocrats." Brissot claimed that the most important cause of the rebellion in the Vendée was the cruel measures ordered by the "anarchists" against the refractory priests. Now the war in the Vendée was being prolonged because of the "loi de sang" which condemned to death all rebels taken arms in hand. Similarly, it was the slanders directed against Dumouriez by the "anarchists" that had caused the general to betray his country. Brissot blamed the high price of bread not on wicked merchants, but on "anarchists" who were constantly demanding price controls.<sup>1</sup> Unfortunately, ". . . there must be blood, and ever more blood, think the anarchists; the guillotine must be permanent. . . ." <sup>2</sup>

In its early phases the Convention had been moderate. Brissot had supported extraordinary measures such as the law against provocateurs because they represented a way to take power from the "anarchists." By the spring of 1793, Brissot was opposing all extraordinary measures. His solution to the problems of the Revolution was to eliminate the Revolutionary Government in favor of the new constitutional régime as soon as possible. Brissot recognized that a change had taken place in the Convention's state of mind. He claimed that the Commune and the Jacobins actually dominated the Convention, implying that they used

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<sup>1</sup>Ibid., pp. 61-66.      <sup>2</sup>Ibid., p. 105.

revolutionary government as the instrument of domination. It was from the Jacobin Club that the Revolutionary Tribunal received its orders to "prosecute, condemn, or absolve."<sup>1</sup> Brissot painted a picture of the Convention, gripped by fear and dominated by the Jacobins, the Commune and the sections.<sup>2</sup> It was this "anarchist" domination of the Convention which, according to Brissot, accounted for the enactment of revolutionary measures in the spring of 1793.<sup>3</sup>

The remedy for all these problems was to end the Revolution immediately. Brissot wondered what the "anarchists" meant by "their word, revolutionary." To him the word meant the provisional establishment of order, the enforcement of the laws and the immediate adoption of a constitution.<sup>4</sup> He continued,

The anarchist says: undoubtedly there must be order, there must be a constitution, but the time has not yet come. Eh! why? one answers. Because, he says, the revolution is not finished, because we have malcontents within, and enemies on the outside, and revolutionary authority alone can defeat both of them.<sup>5</sup>

In this statement Brissot offered a concise summary of the argument in favor of revolutionary government. He then proceeded to argue the opposite point of view with cogency. How would you defeat your enemies, he asked, if your soldiers saw despotism instead of liberty at home? They would fight best if they were sincerely attached to the new régime. How could you expect the businessman to buy goods if his store might be pillaged? How could you expect to have a stable currency if people hid

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<sup>1</sup>Ibid., pp. 36-38, and 60.

<sup>2</sup>Ibid., pp. 14-15, 18-19, 22-23, and 60.

<sup>3</sup>Ibid., p. 30.      <sup>4</sup>Ibid., p. 100.      <sup>5</sup>Ibid.,

money out of fear, and if disorder lowered the value of the assignats? How could you expect to reduce the number of malcontents in the interior if every citizen lived in fear for his life and fortune, when commissioners of the Convention distributed thousands of lettres de cachet, and when you set the poor against the rich?"<sup>1</sup> "No, believe this; to continue what you call revolutionary authority is to wish to destroy the Revolution."<sup>2</sup> The solution: Adopt a constitution. Thus, Brissot offered an alternative to revolutionary government. It was an alternative which had the same objective as revolutionary government, but which Brissot felt would be more effective. It was to re-establish normalcy as soon as possible.

Clearly, Brissot was one of the most determined opponents of revolutionary government. Yet he did not oppose extraordinary government as such. He opposed it because it was the instrument which allowed the "anarchists" to dominate the country. When it came to using extraordinary measures against the "anarchists," Brissot was in the forefront of those who advocated their use.<sup>3</sup>

#### Nicolas-Léonard-François Buzot

In the early factional disputes Buzot placed himself on the anti-Parisian side. He favored the right's two most important revolutionary measures, the departmental guard and the law against provocateurs. Indeed, it was Buzot who, on October 8, presented the report proposing the establishment of the departmental guard, and on October 27 reported

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<sup>1</sup>Ibid., pp. 100-101.      <sup>2</sup>Ibid., pp. 101-102.

<sup>3</sup>Supra, pp. 16, 23, 29, 96-97, 108, and 125-126.

a proposal for the law against provocateurs which included sedition among the offenses. When Roland was severely criticized for taking the extraordinary action of opening letters sent out by the Paris Commune, Buzot called on the Convention to support the minister's actions.

Buzot was always ready to criticize the Commune. His position on the measures discussed above was indicative of this. In the Cappy affair he denounced the Commune for making arbitrary arrests. He seemed to have felt the Convention rather than the Commune should police Paris. On January 14, when the king was being judged, Buzot criticized the Commune's police measures and called upon the Convention to police Paris. Thus, when it came to opposing the power of the Paris Commune, Buzot favored extraordinary measures. Likewise, regarding the émigrés, he favored a rigorous approach. It was he who proposed the banishment of all émigrés and the death sentence for those who returned. Other revolutionary measures proposed by Buzot were the death penalty for advocating the re-establishment of the monarchy, and the banishment of all the Bourbons.

After this early period, however, Buzot opposed revolutionary measures and institutions of revolutionary government. On January 28 he attacked the Committee of General Security for making excessive and arbitrary arrests, and he sought to repeal the decree which had placed the Committee under the control of the proponents of "rigorous action." He called proposals to give the Convention more executive power "despotic."<sup>1</sup> Specifically, he opposed Isnard's proposal along these lines.<sup>2</sup>

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<sup>1</sup>Archives parlementaires, LX, 59-60.

<sup>2</sup>Ibid., LXI, 278.

When Isnard presented the plan for a committee of public safety, which was finally adopted, Buzot opposed it. He claimed it gave the committee too much power. On April 29 Buzot attacked the Revolutionary Tribunal, implying that it was blood-thirsty. He called for the replacement of the temporary jury, even before the jurors from the departments arrived. On April 30 Buzot objected to the powers possessed by the representatives on mission. On May 8 he opposed the arrest of suspects, which had been demanded as a precondition for the sending of troops to the Vendée by Paris. When, on May 11, the Convention decreed that the Committee of Public Safety was to retain the same members while danger persisted in the Vendée, it was Buzot who asked that the Committee be renewed by one half.<sup>1</sup> Finally, Buzot opposed the first maximum and the forced loan on the rich.

Of some interest are Buzot's memoirs written for the most part in the fall of 1793.<sup>2</sup> According to Buzot the "people's" ignorance had allowed those who knew how to manipulate them to come to power. The "people" were imbeciles who completely lacked republican virtues.<sup>3</sup> Buzot said that the people's belief that he and his friends opposed popular tyranny had been entirely correct.<sup>4</sup> Indeed, he admitted to having been a federalist.<sup>5</sup> He had proposed the law against provocateurs, he said, because of Marat's writings.<sup>6</sup> But repression under this law

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<sup>1</sup>Ibid., LXIV, 549.

<sup>2</sup>[Nicolas-Léonard-François] Buzot, Mémoires sur la Révolution française, par Buzot, député à la Convention nationale, ed. by M. Guadet (Paris: Pichon & Didier, 1828), pp. 1-2.

<sup>3</sup>Ibid., pp. 17-19.      <sup>4</sup>Ibid., p. 17.

<sup>5</sup>Ibid., p. 58.      <sup>6</sup>Ibid., p. 26.

would not have been as harsh as under the system presently in force. The present leaders of France were trying to re-establish order, having discovered that it was necessary for their own purposes. But the manner in which they were doing it would make one long for a return of disorder.<sup>1</sup> The guillotine was the basis for all loyalty to the present government.<sup>2</sup>

In the fall of 1792, while he and his friends had been in control in the Convention, Buzot had supported one extraordinary measure after another to re-establish order. But now, under his opponents, order was tyranny.<sup>3</sup>

#### Pierre-Joseph Cambon

Cambon, who was preoccupied with finances during his tenure in the Convention, supported the most important revolutionary measures. Nevertheless, he feared the authoritarianism of revolutionary government. When Chabot denounced Roland for opening letters sent out by the Paris Commune, Cambon supported Chabot's objections. Since he was quite critical of the Commune at this time,<sup>4</sup> it is evident that he was genuinely concerned with the secrecy of the mails. This point is made even clearer by the fact that Cambon supported the departmental guard because he feared that the Commune was trying to establish a dictatorship. Another example of his opposition to arbitrary actions arose when Buzot demanded the reasons for the arrest of prisoners being held at the Abbaye by the

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<sup>1</sup>Ibid., p. 5.

<sup>2</sup>Ibid., p. 33.

<sup>3</sup>Supra, pp. 28-29, 33, 35, 38, 41-42, 49, 71-72, 77-80, 103, 123-124, 137, 139, and 141.

<sup>4</sup>Kuscinski, Dictionnaire, p. 105.

Commune. Cambon supported Buzot.<sup>1</sup> When the Revolutionary Tribunal was being discussed, Cambon questioned the wisdom of giving the Tribunal's immense power to nine men. The Convention, he said, had to keep control of the Revolutionary Government.

The crisis of the spring seems to have weakened somewhat Cambon's doubts. He was more unequivocal in his support of revolutionary measures. On March 19 he declared that the time for half measures was over. He called for the deportation of all priests to America, and all foreigners from the territory of the Republic. The Convention decreed the latter proposal in principle.<sup>2</sup> Cambon supported Isnard's plan for a committee of public safety.<sup>3</sup> As a member of the new Committee of Public Safety, he asked in its name that it be given the power to requisition troops for the Vendée. Many opposed granting the Committee such extensive powers, and the Convention ignored the request. When opposition to the unlimited powers of the representatives on mission developed, Cambon supported these powers.<sup>4</sup> It was Cambon who proposed the forced loan on the rich.<sup>5</sup>

#### Jean-Louis Carra

Jean-Louis Carra was a well known journalist, but was relatively silent in the Convention. He was on mission for extended periods in 1792 and 1793. His views are to be found in his newspaper, the Annales patriotiques et littéraires. It will be recalled that Carra disagreed with his collaborator on the Annales concerning the powers of the

<sup>1</sup>Archives parlementaires, LVII, 731-732.

<sup>2</sup>Ibid., LX, 318-319.      <sup>3</sup>Ibid., LXI, 278.      <sup>4</sup>Ibid., LXIV, 718.

<sup>5</sup>Supra, pp. 27, 35, 92-93, 136, and 139.

Convention. He felt the Convention had to occupy itself with winning the war while writing the constitution. He considered it to be an omnipotent legislative body. Carra opposed the departmental guard, feeling that the Convention had nothing to fear in Paris.<sup>1</sup> In these early days he did not take a strongly partisan stand, reporting, for example, the running controversy between Louvet and Robespierre with an air of neutrality. He often failed to take a position on revolutionary measures. For example, the debate on and passage of the law on émigrés was reported without comment.<sup>2</sup> Carra's position concerning Louis XVI was unequivocal, and favorable to revolutionary government. He supported the execution of the king. To those who said the Convention should not assume judicial powers, Carra said that the Convention was a political court. Louis' execution would be a great "coup de politique" in favor of liberty. In other words, the trial of Louis was an extraordinary measure, not a judicial action.<sup>3</sup> Carra's views on this matter strongly resembled those of Robespierre.

Carra seems to have become more partisan in the late spring of 1793. While denying that he had changed his principles, he strongly defended the twenty-two deputies who were on the Parisian radicals' black list.<sup>4</sup> He, nevertheless, maintained a certain neutrality. While opposed to the expulsion of the Girondins, he complimented the forty-eight sections of Paris for conducting themselves with much "prudence, wisdom, and

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<sup>1</sup>Annales patriotiques, November 17, 1792, p. 1438.

<sup>2</sup>Ibid., October 24, 1792, p. 1330.

<sup>3</sup>Ibid., December 25, 1792, pp. 1609-1610.

<sup>4</sup>Ibid., May 3, 1793, p. 582.

patriotism" on June 2.<sup>1</sup> Although Carra accused the "Mountain" of working for foreign powers, he urged the acceptance of the new constitution. He felt the constitution was basically good and would bring the election of a new legislature. Rejection would be used as an excuse to re-establish the monarchy.<sup>2</sup>

Carra cannot be ranked among the staunch enemies of revolutionary government. It is impossible definitely to classify his views because he failed to take a position on many revolutionary measures. It is also obvious, however, that he was not a supporter of very strong revolutionary government. His sympathies, at least by the spring of 1793, seemed to be with the right. His views on the constitution indicated that he sought an end to the exceptional régime. Thus, Carra was a man not opposed to revolutionary measures in principle, yet increasingly opposed to the Revolutionary Government as it began to fall into the hands of his political enemies.<sup>3</sup>

#### Jean-Baptiste Carrier

Carrier was a firm supporter of the principle of revolutionary government. He defended the Montagnard Committee of General Security against Buzot's attack of January 28, 1793. On March 9 it was Carrier who converted the petition of the section of the Louvre into the motion that the Convention decree the creation of a revolutionary tribunal.<sup>4</sup>

#### François Chabot

Under the Montagnard régime Chabot was an opponent of the

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<sup>1</sup>Ibid., June 4, 1793, p. 710.      <sup>2</sup>Ibid., July 1, 1793, p. 832.

<sup>3</sup>Supra, p. 16.      <sup>4</sup>Supra, pp. 81, and 91.

Revolutionary Government. Before June 2, 1793, however, he was generally a supporter of revolutionary government, though he opposed a number of revolutionary measures proposed by the right. The first of these was the motion to approve Roland's opening of letters sent out by the Paris Commune. Chabot felt that the action had in it the seeds of despotism. He also opposed granting the minister funds to buy grain abroad in response to the food crisis. He felt this would place too much power in Roland's hands. Instead, he proposed giving the municipalities more responsibility in the matter. Chabot was one of the leaders of those calling for a constitution in the fall of 1792.

Chabot had obviously opposed these extraordinary measures for political reasons. Usually he favored such "revolutionary" action. When, on January 28, Buzot attacked the Committee of General Security for being too terroristic, Chabot was one of those who came to the Committee's defense. He opposed punishing the instigators of the September massacres, fearing such action might worsen divisions within the country.<sup>1</sup> On March 9 Chabot favored Carrier's motion for the immediate creation of a revolutionary tribunal, and in later debates he opposed allowing the jury to vote in secret. Finally, on March 18, as part of a general outcry for revolutionary measures, Chabot proposed that all administrative bodies meet in "permanent" sessions.

Again, in the spring of 1793, Chabot opposed the extraordinary measures of the right. Writing from his mission he denounced the indictment of Marat as a measure which endangered the whole national

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<sup>1</sup>Archives parlementaires, LVIII, 378.

representation!<sup>1</sup> He later voted against the reinstatement of the Commission of Twelve.

After the consolidation of the Montagnard régime, Chabot became one of the critics of the Committee of Public Safety. Not all of his utterings represented opposition to the government. For example, he supported the idea of arresting anyone who spoke badly of the Committee of Public Safety as a whole. On the other hand, he criticized the Committee of Public Safety for becoming too involved in battle plans. He criticized a report of the Committee of Public Safety for excessive harshness with regard to foreigners. Chabot became passionate on the question of the security of the deputies against arrest. He opposed Raffron's proposal to create a special tribunal to judge deputies. On November 10 he proposed that the Convention decree as a fundamental principle that all deputies had to be heard by it before being sent before the Revolutionary Tribunal. This was a direct slap at the governing Committees. As will be recalled, Chabot said that the Convention should take back some of its power from its committees, and that there should be some opposition in the Convention. Clearly, Chabot was among the opponents of the Revolutionary Government in this period.<sup>2</sup>

#### Aubin-Bigorie Chambon

Chambon was a strong supporter of harsh legislation against the

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<sup>1</sup>Marc Bouloiseau, ed., Recueil des actes du Comité de Salut Public avec la correspondance officielle des représentants en mission et le registre du Conseil Exécutif Provisoire; Supplément, 1er volume, 10 août 1792-15 août 1793 (Paris: Bibliothèque Nationale, 1966), p. 160. (Hereinafter referred to as Recueil des actes; Supplément.)

<sup>2</sup>Supra, pp. 35, 37, 45, 81, 91, 117, 206, 207-208, and 211-212.

émigrés, but he opposed other revolutionary measures. On February 14 he demanded the death penalty for administrators giving false certificates to émigrés. On the twenty-eighth he supported the proposal to make it more difficult for relatives of émigrés to inherit property.

On the other side, Chambon proposed, on January 7, the renewal of the Committee of General Security. He declared that it was too revolutionary, and that the Revolution was over. When, on March 10, Robespierre proposed including press offenses in matters to be judged by the Revolutionary Tribunal, Chambon was one of those who objected.<sup>1</sup> Although Chambon's statements are somewhat contradictory, it seems that he was opposed to the Revolutionary Government as it was developing in 1793.<sup>2</sup>

#### Louis-Joseph Charlier

The preponderance of the evidence places Charlier in the ranks of the supporters of revolutionary government before June 2, 1792, although he later became an opponent of the Revolutionary Government. He opposed Kersaint's proposal for the establishment of the Committee of General Defense on the ground that it would enervate ministerial responsibility. This was the only instance of his opposing a revolutionary measure before the Montagnard period. On March 18 he suggested that all citizens be empowered to arrest émigrés and priests who returned from banishment, and that the returnees be shot after their identity was determined.<sup>3</sup> He strongly advocated allowing the public prosecutor to bring individuals before the Revolutionary Tribunal without a prior indictment by the Convention. He felt this

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<sup>1</sup>Archives parlementaires, LX, 65.      <sup>2</sup>Supra, pp. 70, 84, and 86.

<sup>3</sup>Archives parlementaires, LX, 298.

was necessary to assure speed in the operation of the Tribunal. He opposed more lenient treatment of those who only passed counterfeit assignats.<sup>1</sup> Finally, he favored the proposal for a forced loan on the rich.<sup>2</sup>

Once the Montagnards took power and consolidated their régime Charlier became a critic and then an opponent of the Revolutionary Government. On July 24 he joined with Delacroix in calling one of the Committee of Public Safety's proposals too indulgent. Charlier's criticism of Rossignol in September took on the character of opposition to the government. In December he severely criticized the Executive Council, and was one of those who on December 14 had the Convention create a commission to oversee the manufacture of arms. In April Charlier opposed the Committee of Public Safety on an issue concerning the police law. Charlier was, therefore, a fairly consistent opponent of the Revolutionary Government in the year II.<sup>3</sup>

#### Jean-Marie Collot d'Herbois

Before his appointment to the Committee of Public Safety on September 6, 1793, Collot d'Herbois consistently favored revolutionary measures, with the exception of those proposed by the right. On September 24, 1792 he characterized the proposed law against provocateurs as a "loi de sang." Yet when Buzot denounced the Committee of General Security in his great anti-terrorist speech of January 28, 1793, Collot was one of those who defended the Montagnard Committee. When in the

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<sup>1</sup>Ibid., LXIII, 147-148.      <sup>2</sup>Ibid., LXV, 129.

<sup>3</sup>Supra, pp. 67, 126, 183, 200, 236, and 285-286.

session of March 9, opponents of the proposed Revolutionary Tribunal wished to delay the measure in committee, Collot d'Herbois opposed their maneuvers.<sup>1</sup>

On May 11 Collot proposed the arrest of all suspects and the confiscation of one-third of the property of the rich, which would be diverted to meet the costs of war. At the same time, he supported Levasseur's proposal to continue the present membership of the Committee of Public Safety unchanged while the danger continued.

When Collot was on mission, and therefore not in the Convention to comment on matters, he communicated his views in writing. A letter dated April 14, 1793 written in Collot's hand, praised the creation of the Committee of Public Safety and other energetic measures. In the same letter Collot called for the enactment of a war tax.<sup>2</sup> In a letter of April 8 from Nevers, Collot and Laplanche urged rapid implementation of a war tax, the proportioning of wages to match the price of bread and the organization of a paid guard chosen among the poorer citizens.<sup>3</sup> A letter of April 22, again in Collot's hand, urged the punishment of press offenses for those who opposed revolutionary principles.<sup>4</sup> Thus, Collot did not confine himself to applauding the accomplishments of the Convention. He urged it on.<sup>5</sup>

Marie-Jean-Antoine-Nicolas Caritat de Condorcet

Condorcet was an independent spirit. Though he was most closely

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<sup>1</sup>Archives parlementaires, LX, 4.

<sup>2</sup>Aulard, Recueil des actes, III, 253-255.

<sup>3</sup>Ibid., p. 322. <sup>4</sup>Ibid., pp. 397 and 399. <sup>5</sup>Supra, pp. 81, and 141.

linked to the Girondins,<sup>1</sup> and had views which in most respects agreed with theirs, he did not fit any general pattern of thought.

Condorcet was not outspoken in the Convention. We know his views on revolutionary government from his writings in newspapers and pamphlets. He clearly opposed many revolutionary measures, yet he accepted the basic propositions of revolutionary government.

In agreement with Brissot and other advocates of "law and order," Condorcet subscribed to the view that the Revolution was over. He feared further popular violence, and sought to have the sections and other popular groups recognize that further change must be made peacefully in the Convention.<sup>2</sup> If violence was revolution, then the Revolution was over. As a peaceful process guided by the firm hand of the wise legislator, however, Condorcet clearly felt that the Revolution was still continuing.

In factional conflicts Condorcet tried to be objective, especially in the early months of the Convention. He had many personal ties with the "Girondins," and was linked to their cause after June 2, 1793.<sup>3</sup> Yet Kuscinski had difficulty classifying Condorcet politically.<sup>4</sup> Condorcet certainly did not support consistently the views of any faction. Though he opposed further disorders and spoke disapprovingly of the attitude of the Paris sections in this regard,<sup>5</sup> Condorcet was cool to

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<sup>1</sup>Sydenham, The Girondins, p. 229.

<sup>2</sup>Chronique de Paris, October 24, 1792, p. 1190.

<sup>3</sup>Sydenham, The Girondins, pp. 41, 62-63, 73, 78-79, and 89-90.

<sup>4</sup>Kuscinski, Dictionnaire, p. 151.

<sup>5</sup>Chronique de Paris, October 24, 1792, pp. 1190-1191.

the proposed law against provocateurs. He feared its possible arbitrary interpretation, especially in a time of upheaval.<sup>1</sup> Condorcet criticized both sides in the dispute between Louvet de Couvrai and Robespierre, though he was somewhat partial to Louvet, agreeing with most of his criticisms of Robespierre.<sup>2</sup> Unlike Louvet, however, Condorcet was not unremittingly bitter toward Robespierre. On the occasion of Robespierre's speech against the popular referendum on the king, Condorcet praised the speaker's eloquence, reasoning and concern for his country.<sup>3</sup> He agreed with Robespierre on the issue, though he could not bring himself to vote for the death penalty.<sup>4</sup> Condorcet took sides against the right when he opposed the proposed expulsion of Philippe Egalité from the Convention.<sup>5</sup>

The remarks made by Condorcet with regard to his opposition to the expulsion of Philippe Egalité provide insight into his views on revolutionary government. "At a time when a single body of representatives of the people is invested with all powers, the weakest offense against the inviolability of its members would be an act of anarchy."<sup>6</sup> The belief that the Convention had all power was a basic concept of revolutionary government. But the very power of the Convention led Condorcet to conclude that it should be very cautious as to the use of its powers, especially in the enactment of extraordinary measures. Even the supporters of the expulsion of Philippe Egalité admitted that it was

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<sup>1</sup>Ibid., October 31, 1792, p. 1218.

<sup>2</sup>Ibid., pp. 1217-1218, and November 6, 1792, p. 1241.

<sup>3</sup>Ibid., December 29, 1792, p. 1454.

<sup>4</sup>Archives parlementaires, LVII, 70, 100, 384, and 422.

<sup>5</sup>Chronique de Paris, December 18, 1792, p. 1410.      <sup>6</sup>Ibid.

an extraordinary measure. Condorcet agreed that the principles of "natural justice" were not suitable to the French situation at the time. But, he said, it was wrong to assume that "loix de guerre" were not also subject to certain laws of justice, and that one had to adopt laws similar to those of a city under siege.<sup>1</sup>

If one examines our laws on the émigrés or those who have been deported, on the certificates of residence or of civism, on passports, on allotting police powers in security matters to administrative bodies, on the trial of conspirators, on the powers of the commissioners of the Convention or of the executive power, on the functions of the Committee of General Security, one will see in them a great number of provisions which, by their injustice, their minutiae, their incoherence, by a useless or even illusory severity, harm interior security, far from being able to ward off the dangers which threaten it.<sup>2</sup>

The foregoing statement was almost a condemnation of everything that was called revolutionary government. Condorcet, nevertheless, admitted that "loix de guerre" were necessary even if some injustices resulted. About this he said, "Every law made for the state of war, being itself an exception to the natural order of societies, must lead to individual injustices. It is difficult to prevent them by general provisions if one wishes the law to retain its effectiveness."<sup>3</sup> These rather contradictory statements give the impression that Condorcet favored revolutionary government in theory, but abhorred what he saw of it in practice. He certainly questioned the efficacy and severity of many basic revolutionary measures. Furthermore, by asserting that war-time laws had to have a certain justice, he suggested that the enforcement

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<sup>1</sup>Condorcet, Ce que les citoyens ont droit d'attendre de leurs représentans ([Paris]: Imprimerie des Sourds-Muets, 1793), pp. 9-10. (Hereinafter referred to as Ce que les citoyens.)

<sup>2</sup>Ibid., p. 10.

<sup>3</sup>Chronique de Paris, November 24, 1792, p. 1313.

of any and all measures considered necessary for the safety of the Revolution was not acceptable even under revolutionary government. He did not oppose revolutionary government as such. The measures he condemned were those he considered as excesses of revolutionary government. After reviewing all their shortcomings, he recommended, not doing away with revolutionary measures, but simply reviewing them and rationalizing them.<sup>1</sup>

The view that "loix de guerre" should have some justice attested to Condorcet's desire to protect individual liberties in spite of the revolutionary crisis. He fought a proposal to give the chief judge of the Paris Criminal Tribunal wide investigative powers, labeling the proposed power "dictatorial."<sup>2</sup> At a time when efforts were being made to keep émigrés from returning to the country and undesirables from moving around, Condorcet even opposed instituting passports. He felt they directly attacked personal liberty. Passports would make people hate the patrie ". . . which one cannot make them love except through the feeling of their independence, and through the free exercise of their abilities."<sup>3</sup>

As Condorcet's views of civil liberties would lead us to expect, he did not subscribe to the law on the émigrés with unmitigated enthusiasm. Condorcet thought the law was necessary. Something had to be done to prevent the émigrés from returning to conspire against the Republic from within.<sup>4</sup> But he was also keenly aware of the possible injustices

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<sup>1</sup>Ibid.    <sup>2</sup>Ibid., October 25, 1792, p. 1194.

<sup>3</sup>Ibid., December 8, 1792, p. 1367.

<sup>4</sup>Ibid., October 25, 1792, p. 1193, and November 27, 1792, p. 1325.

which might arise from the law, and strongly favored including certain exceptions in the law on émigrés.<sup>1</sup> He was rather bitter about those who opposed exceptions for artists and "savants" living abroad. After all, he said with irony, if allowed to return, such men could help prevent the establishment of the ". . . happy dictatorship of ignorance and stupidity."<sup>2</sup> It will be recalled that the law on émigrés was one of those Condorcet criticized for useless severity.

In economic affairs Condorcet was again a moderate, but willing to accept extraordinary measures. He was willing to accept measures which would ordinarily appear to be contrary to freedom of commerce.<sup>3</sup> He felt that those who conspired to raise the price of wheat should be harshly punished.<sup>4</sup> He supported the idea of a forced loan on the rich.<sup>5</sup> On the other hand, he supported the complete freedom of the grain trade which even in the fall of 1792 was a somewhat conservative position.<sup>6</sup>

Concerning the punishment of the king, Condorcet was ambivalent. He was impressed by Robespierre's reasoning on the matter.<sup>7</sup> He admitted the Convention's competence to try the king, the king's guilt and the justice of any punishment which might be meted out. But he asked if the execution of the king would be worthy of the kind of image France wanted

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<sup>1</sup>Ibid., October 25, 1792, p. 1193, and November 24, 1792, p. 1313.

<sup>2</sup>Ibid., December 12, 1792, p. 1385.

<sup>3</sup>Ibid., December 26, 1792, p. 1441.      <sup>4</sup>Ibid.

<sup>5</sup>Journal d'instruction sociale, June 1, 1793, pp. 18-24.

<sup>6</sup>Chronique de Paris, November 3, 1792, p. 1229.

<sup>7</sup>Ibid., December 29, 1792, p. 1454; Mémoires de Condorcet, sur la Révolution française, extraits de sa correspondance et de celles de ses amis, Vol. II (Paris: Ponthieu, 1824), 212-213.

to show the world at the close of the eighteenth century.<sup>1</sup>

Another indication of Condorcet's dislike for revolutionary government was his strong advocacy of the need for a constitution as soon as possible. The adoption of a constitution, and not simply rigorous measures, would give the Convention the loyalty needed to win the war.<sup>2</sup> On May 13 he went so far as to recommend the election of a new convention if a constitution was not written before fall.

Condorcet was eventually included among the proscribed deputies. Before June 2 he warned against impugning the independence of the Convention in any way, including any expulsions.<sup>3</sup> After June 2 he denounced the Convention's loss of independence, and felt its validity had been compromised.<sup>4</sup> He severely criticized the Jacobin Constitution both in substance and for the conditions under which it was written.<sup>5</sup>

Condorcet's important article of June 1 in the Journal d'instruction social showed that he feared the excesses of revolutionary measures, while defending the basic idea of revolutionary government. He wanted the Revolution to end quickly. This was his consistent position, whether in the fall when the right was advocating extraordinary measures or in the spring when the left had taken the lead. He was essentially a moderate opponent of the Revolutionary Government as it had developed by the summer of 1793. It was at this time that he enumerated the revolutionary measures he disliked, and denounced the misuse of the word

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<sup>1</sup>Chronique de Paris, November 7, 1792, pp. 1245-1246.

<sup>2</sup>Archives parlementaires, LXIV, 621-623.

<sup>3</sup>Condorcet, Ce que les citoyens, pp. 20-21.      <sup>4</sup>Ibid.

<sup>5</sup>Condorcet, La nouvelle constitution, pp. 4-5.

"revolutionary." It is, therefore, clear that he was less willing than the majority of the Convention to accept strong revolutionary measures.<sup>1</sup>

Georges Couthon

Though Couthon was not extremely vocal before his appointment to the Committee of Public Safety on May 30, 1793, he clearly favored the revolutionary measures passed in the spring of 1793. His statement concerning the trial of the king shows that he felt the Convention was all powerful. He said that the Convention had full constituent powers which included the power to try the king.<sup>2</sup> Couthon was on mission in the early spring,<sup>3</sup> but when he returned he supported important revolutionary measures. On May 2 he said that he favored the maximum on grain, and that he thought the punishment proposed for disobedience to the requisitioning of grain was too weak.<sup>4</sup> On May 8 he said that he favored the arrest of suspects by the sections, but he wished to go further and impose a progressive tax on them to pay the sans-culottes fighting in the Vendée. He also thought local functionaries and the Executive Council should be investigated for complicity in the civil war.<sup>5</sup> On May 16, when the Committee of Public Safety's proposal to forbid local authorities to disobey the orders of the representatives on mission raised a storm of protest against the great powers of the commissioners, Couthon defended the Committee's proposal, asserting that the protests were counter-revolutionary. When agents of the right had great powers, however,

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<sup>1</sup>Supra, pp. 142, and 145-146.      <sup>2</sup>Archives parlementaires, LV, 640.

<sup>3</sup>Kuscinski, Dictionnaire, p. 159.

<sup>4</sup>Archives parlementaires, LXIV, 14.      <sup>5</sup>Ibid., p. 313.

Couthon objected. He therefore voted on May 28 to maintain the decree which had dissolved the Commission of Twelve.<sup>1</sup>

Georges-Jacques Danton

Georges-Jacques Danton was one of the "pillars of the Revolution,"<sup>2</sup> and a constant supporter of revolutionary government. Ironically, one of his first statements on this subject was his suggestion on October 4 that the state of danger, the declaration of the "patrie en danger," be ended. He based his request on the victories of the armies and the national dignity, for the enhancement of which he felt this measure would be desirable. The Convention chose not to act on his motion.<sup>3</sup>

One must not attribute sinister motives to Danton for this isolated proposal, for on substantive matters he supported revolutionary government. It was Danton, for example, who proposed the first dispatch of representatives on mission on September 22, 1792.<sup>4</sup> When Buzot proposed the treatment for émigrés which was finally adopted--banishment and death for return--Danton was the first to support him. In line with the pattern established by Robespierre and Marat, Danton opposed the law against provocateurs. Danton vigorously supported Lapeletier de Saint-Fargeau's famous speech against this law and in favor of complete freedom of the press. A similar extraordinary measure which he opposed was the departmental guard.<sup>5</sup> When the assassination of Lapeletier aroused

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<sup>1</sup>Ibid., LXV, 535; Supra, p. 108.

<sup>2</sup>Words of Hébert (supra, p. 238).

<sup>3</sup>Archives parlementaires, LII, 314. <sup>4</sup>Danton, Discours, pp. 178-181.

<sup>5</sup>He mentioned his opposition in later speeches. The one closest to the period in which the matter was being debated was a speech of

demands from the left for a renewal of the Committee of General Security and the institution of domiciliary visits, Danton supported both measures, requesting, like Robespierre, that there be safeguards against the abuse of the latter measures.

When the crisis of the spring of 1793 brought demands for the formation of a revolutionary tribunal and a committee of public safety, Danton was among the leading proponents of these revolutionary measures. On March 10 Danton gave an important speech calling for the immediate organization of the Revolutionary Tribunal and for a reorganization of the executive power. On the eleventh Danton displayed his disregard for Montesquieu, by calling for a closer relationship between the legislative and the executive powers, on the grounds that the Convention possessed constituent powers and could select ministers even from among its own members. On March 27 Danton gave one of his greatest speeches in favor of revolutionary government, calling for a declaration of war against the internal enemies of the Republic. Again, on April 3, he spoke in favor of the creation of a strong committee of public safety. On April 5 he supported the proposal to allow the public prosecutor to cite individuals before the Revolutionary Tribunal on his own initiative, remarking that there must be no indulgence for conspirators.<sup>1</sup> When, on April 1, Danton was compelled to defend himself against charges of complicity with Dumouriez, he was able to show that he had been a consistent supporter of revolutionary measures.<sup>2</sup>

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January 21, 1793. (Ibid., p. 262 and note 3. Also, see pp. 358 [April 1] and 436 [May 24].)

<sup>1</sup>Archives parlementaires, LXI, 335.

<sup>2</sup>Danton, Discours, pp. 360-363.

The facts speak for themselves. Danton was certainly a consistent supporter of revolutionary government during the Convention's first ten months. Like others on the left, however, he opposed extraordinary measures, such as the law against provocateurs, aimed against Paris and the sans-culottes. He also opposed the right's extraordinary measures of the spring. He spoke, for example, against the indictment of Marat on the grounds that the Convention was not following the proper judicial form or giving the degree of consideration to the evidence required in the indictment of a deputy.<sup>1</sup> Danton also spoke against the Commission of Twelve on numerous occasions. On May 27, for example, he cited the Commission as a danger because it was arresting good citizens and taking magistrates of the people away from their functions.<sup>2</sup> On May 28 he spoke against the re-establishment of the Commission, which he said had exercised a tyrannical power that could be turned against the deputies themselves.<sup>3</sup>

Danton was "revolutionary" in economic as well as political measures. On April 27 he proposed that the Republic as a whole follow the example of the Department of Hérault and levy a forced loan on the rich.<sup>4</sup> Danton said nothing concerning the first maximum at the time of its passage, but later, when it was attacked, he defended it strongly and advocated its extension.<sup>5</sup>

Danton's position on the constitution, immediately after June 2, was similar to that of other Montagnards. He saw it as a rallying point,

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<sup>1</sup>Ibid., pp. 389-397.      <sup>2</sup>Ibid., pp. 447-448.

<sup>3</sup>Ibid., pp. 452-453.      <sup>4</sup>Ibid., pp. 411-413.

<sup>5</sup>Ibid., pp. 562-563.

as a strong argument against the federalists and as a way to win the loyalty of the departments.<sup>1</sup> The haste with which he wished to see the constitution written was not unusual in this period.

After July 10, when he lost his position on the Committee of Public Safety, Danton remained consistent in the support of the Revolutionary Government. On August 1 he proposed establishing the Committee of Public Safety as a provisional government, thereby showing his desire to continue the Montagnard régime for some time to come. Danton was attempting, with this proposal and the proposal to grant the Committee a fund of fifty million livres, to strengthen the Revolutionary Government, even if he did so over the opposition of the Committee. Danton was, however, a middle-of-the-road supporter of revolutionary government. On August 12, for example, when the commissioners of the primary assemblies suggested that suspects be placed in the front lines of the war while their families were held hostage, Danton supported the arrest and detention of all suspects, but he opposed the more extreme measures. He also suggested that the commissioners of the primary assemblies be empowered to requisition men for the armies and carry out other important missions in their localities. Danton's proposals were enacted by the Convention.<sup>2</sup> When the Committee of Public Safety had the Convention decree that the commissioners would be charged with arousing patriotism and supervising local administrations, Danton persuaded the Convention, amidst applause, to go further and have them work in concert with the representatives on mission to raise and supply the great national army

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<sup>1</sup>Ibid., pp. 476, and 485.

<sup>2</sup>Archives parlementaires, LXXII, 102-104.

needed to defeat the foreign powers.<sup>1</sup> Then, said Danton, ". . . the terror which the march of this great mass will spread will do us justice."<sup>2</sup>

Danton was capable of showing an almost sans-culotte antipathy for what he called "the aristocracy of commerce."<sup>3</sup> When Marseilles was retaken he suggested that the city's merchants be treated like nobles, and that they be made to pay the cost of the war by indemnifying the Marseillais patriots whom they had oppressed. Danton's proposal was adopted.<sup>4</sup> On September 3 Danton strongly supported the arguments of Thuriot, who sought to have a maximum on the price of grain set by the central government because local administrators had neglected to enforce the maximum of May 4. Danton proclaimed that this was a matter of the Convention pronouncing between the interests of the hoarders and those of the nation.<sup>5</sup> Let us not abandon the people, he warned, ". . . or it will do justice for itself."<sup>6</sup> With Danton's support, Thuriot's proposals on the maximum were adopted.<sup>7</sup>

On the great day of September 5 Danton proved himself as "revolutionary" as any man. He supported with force Billaud-Varenne's demand for the immediate organization of a revolutionary army. This measure, he said, should be decreed instantaneously.<sup>8</sup> He then went on to propose other revolutionary measures: that the Paris sections be called on to hold extraordinary sessions twice a week, and that the poor citizens be

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<sup>1</sup>Ibid., pp. 156-157, and 161.      <sup>2</sup>Danton, Discours, p. 541.

<sup>3</sup>Ibid., p. 560.      <sup>4</sup>Ibid., p. 561.

<sup>5</sup>Archives parlementaires, LXXIII, 357-359.

<sup>6</sup>Ibid., p. 359.      <sup>7</sup>Ibid.      <sup>8</sup>Ibid., p. 415.

given forty sous for attending; that large sums of money be given to the minister of war for the manufacture of arms, and that every good citizen be given a gun. Finally, he requested that a report be made with a view to speeding the work of the Revolutionary Tribunal. Danton's proposals were decreed amidst wild acclamations and cries of "Vive la République."<sup>1</sup>

General Rossignol was one of the bêtes noires of the Indulgents. On September 6 a letter from Rossignol to the Jacobins complaining of intrigues aimed against him gave Danton an opportunity to defend, as Danton put it, ". . . this sans-culotte general." He suggested that the Committee of Public Safety be informed of the Jacobins' full confidence in the general.<sup>2</sup> "Bourdon de l'Oise," said Danton, "must not be listened to in this affair, because he has displayed such a revolting bias against this general."<sup>3</sup> Later, on September 11, Danton supported Robespierre and Hébert in their defense of Rossignol against the attacks of Bourdon. He went beyond this, suggesting that the society recommend that some of the representatives on mission be recalled from the Vendée, and that Rossignol be given enlarged powers to present a list of suspects and replace officials whom he felt were hindering his operations. These proposals were adopted.<sup>4</sup>

Danton's positions on other questions of revolutionary government indicated support. It was he who recommended stronger actions against foreigners and great capitalists who were exporting their funds.<sup>5</sup> It was he who proposed that the Committee of Public Safety be empowered to nominate the members of all the other committees. Danton's actions belie

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<sup>1</sup>Ibid., pp. 415-416.      <sup>2</sup>Danton, Discours, pp. 572-573.

<sup>3</sup>Ibid., p. 573.      <sup>4</sup>Ibid., pp. 577-579.      <sup>5</sup>Ibid., pp. 573-575.

charges that his efforts to strengthen the Committee of Public Safety were motivated by personal ambition. Recall his refusal to enter any committee and his resignation from the Committee of Public Safety when the Convention ignored this refusal.<sup>1</sup> Danton remembered that it was he who had proposed giving the Committee of Public Safety a secret fund of fifty million livres, and that if he became part of the Committee suspicions would be aroused.<sup>2</sup>

It should be clear that before his departure for a vacation in his home town of Arcis, Danton was as "revolutionary" as any Montagnard. He did not take part in the campaign to implement the constitution, and in no way did he show himself to be "indulgent." He proposed, in this period, several measures which greatly strengthened the Committee of Public Safety without himself having any ambition to become a member of that committee. As for the period between his return from Arcis and his death, it has already been shown that Danton was not the head of the Indulgents, although at times he acted in concert with some of them, and that essentially he supported the policies of Robespierre and the Committee of Public Safety. If Danton permitted himself several indiscretions against his accusers at his trial, this was the rage of a man unjustly accused, of a man who could forthrightly say to his accuser: "And you, Saint-Just, you will answer to posterity for the defamation launched against the best friend of the people, against its most ardent

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<sup>1</sup>Archives parlementaires, LXXIII, 467-468 (September 6), 504-505 (September 7), and 604 (September 9).

<sup>2</sup>Danton, Discours, p. 577.

defender!"<sup>1</sup>

Jean-François Delacroix

In only one case did Delacroix oppose a revolutionary measure before June 2, 1793. In October, 1792 he opposed the extension of laws concerning the émigrés to refractory priests.<sup>2</sup> Subsequently he was on mission in Belgium with Danton and others. After his return, he proposed that the Convention send commissioners to all the armies with the power to take all measures of general security that they considered necessary. Thereafter he consistently advocated granting extensive powers to the representatives on mission. Delacroix favored the creation of the Revolutionary Tribunal. When bad news arrived from the front on April 3, Delacroix called on the Committee of Public Safety immediately to propose ". . . great measures of general security. . . ." <sup>3</sup> Finally, he favored the forced loan on the rich.<sup>4</sup> Thus, for the most part, Delacroix supported revolutionary measures before June 2, 1793.

Delacroix was among those displaced from the Committee of Public Safety on July 10, 1793. He became one of the first major opponents of the renewed Committee of Public Safety. On July 24 he criticized one proposal of the Committee as too indulgent. On another occasion he attacked the Provisional Executive Council. Most important of all was his proposal for the implementation of the constitution, striking at the very heart of the Revolutionary Government. Thereafter, not much was

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<sup>1</sup>Ibid., p. 705 (April 3, 1794 session of the Revolutionary Tribunal). Supra, pp. 34, 41, 75, 93-94, 112-113, 118, 122, and 180.

<sup>2</sup>Archives parlementaires, LII, 629.

<sup>3</sup>Ibid., LXI, 123.     <sup>4</sup>Ibid., LXV, 126.

heard from Delacroix. Although he was arrested and executed along with Danton, it is impossible to determine his position with regard to the Indulgents. Though he showed signs of opposing the Revolutionary Government in the year II, the extent of his opposition cannot be determined.<sup>1</sup>

#### Camille Desmoulins

Information concerning the attitude of Camille Desmoulins toward revolutionary measures before the summer of 1793 is scanty. His history of the Brissotins<sup>2</sup> was a violent anti-Girondin diatribe, but it said nothing about questions of revolutionary government. Only his views on the émigrés were of some interest in this regard. On October 23, 1792 he opposed the proposal on the émigrés which provided banishment and death in case of their return. He characterized the decree enacting this punishment as worse than the revocation of the Edict of Nantes.<sup>3</sup> This isolated incident does not reveal Camille's views concerning revolutionary government in the first phase of the Convention, but it is a telling preface to his later views.

If Danton was not the leading Indulgent opponent of the Committee of Public Safety in the year II, perhaps it was Camille Desmoulins, who won himself notoriety with his Vieux Cordelier. A much better case can be made for Camille's indulgence. Yet Camille was not an extreme

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<sup>1</sup>Supra, pp. 77, 91, 92, 107, 183, 187-188, and 191-193.

<sup>2</sup>Camille Desmoulins, Fragment de l'histoire secrète de la Révolution, Sur la faction d'Orléans, le comité Anglo-Prussien et les six premier mois de la République; Par Camille Desmoulins, Député de Paris à la Convention, [Paris]: Imprimerie Patriotique et Républicaine, 1793.

<sup>3</sup>Archives parlementaires, LII, 634.

Indulgent. He did not seek the termination of the Revolutionary Government and of the terror.

The Montagnards were not in control for long before Camille displayed dissatisfaction with the growth of the power of the Revolutionary Government. It will be recalled that on July 10 he criticized the Committee of Public Safety for acting as if it was the upper house of the legislature, and this was the "Dantonist" committee. In his open letter to General Dillon he again criticized the power of the Committee of Public Safety. Apparently the Dillon affair raised grave doubts in his mind concerning the Revolutionary Government. He mentioned the affair in a private letter to his father, dated August 10. In this same letter he also expressed pessimism over the present state of affairs and his own safety. The government, he said, was run by ambitious men without common sense. Though things were much better than they had been before the Revolution and there was hope for improvement, the great expenditure of blood made by the nation should have brought it more happiness.<sup>1</sup> Camille's reference to the expenditure of blood was probably more concerned with war losses than with the terror, since he discussed the former and not the latter in his letter. Nevertheless, he was dissatisfied with the government, and, in light of his views concerning Dillon, with the terror as well.<sup>2</sup>

With this record of dissatisfaction, the Vieux Cordelier must be

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<sup>1</sup>Camille Desmoulins, Correspondance inédite de Camille Desmoulins, député à la Convention nationale, ed. by M. Matton aîné (Paris: Librairie Ebrard, 1836), pp. 175-178.

<sup>2</sup>In his letter to his father he did speak of seeing many injustices (Ibid., p. 176).

accepted as being, in part, an expression of opposition to the Revolutionary Government. But it has already been demonstrated that the paper was more an attack against the "ultra-revolutionary" Hébertists. It sought to persuade the government to continue the terror in a moderate way, and perhaps to mitigate it somewhat. But Camille never advocated a policy radically different from that of the government.<sup>1</sup>

Edmond-Louis-Alexis Dubois-Crancé

Dubois-Crancé was on the Parisian side in the factional dispute. He clearly took Robespierre's side in his dispute with Louvet. He said attacks on Robespierre, Marat and Danton were really aimed against all Jacobins.<sup>2</sup> This political position led him to oppose extraordinary measures such as the departmental guard and the law against provocateurs. He considered the latter to be a violation of freedom of the press.<sup>3</sup> He accused his opponents on the right of wanting to proscribe those with whom they disagreed. They had formed a majority party, he said, and controlled the choice of committee members and the officers of the Convention.<sup>4</sup> These statements confirm the view, once again, that the left opposed the extraordinary measures of the right in the fall of 1792 because they felt they were weaker than the right in the Convention. Thus, like other deputies of the left, Dubois-Crancé called for the immediate implementation of a new constitution.<sup>5</sup> Though we do not have records of Dubois-Crancé's views on the revolutionary measures passed

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<sup>1</sup>Supra, pp. 184-185.

<sup>2</sup>Révolutions de France et de Brabant, November 18, 1792, pp. 2-3.

<sup>3</sup>Ibid., p. 2.      <sup>4</sup>Ibid.      <sup>5</sup>Ibid., pp. 2-3.

during the spring of 1793, one statement indicates that he favored extraordinary measures which were not inspired by the right. What his opponents called "anarchy," he said, he preferred to call ". . . the active vigilance of the patriots against the endormeurs. . . ." <sup>1</sup>

#### Jean-François Ducos

Jean-François Ducos' high respect for civil liberties was consistent. He did not waiver in the interests of any party. His position on revolutionary government is not completely clear, though he did accept the basic premises of revolutionary government.

When, on October 30, Bailleul proposed that the law against provocateurs should include the repression of seditious verbal statements, Ducos sarcastically proposed that the idea be sent to the Grand Inquisitor. When the question of domiciliary visits came up in the Convention on January 21, Ducos opposed them, favoring instead a declaration by Parisians concerning outsiders living in their homes. <sup>2</sup> Reporting in the Chronique on the calls for "revolutionary measures" heard in the session of May 11, he commented, "It seems that every new setback received by liberty gives birth within the Convention to the most absurd proposals against it [liberty]. And who will defend it if it finds itself thus attacked at the same time by its enemies & by its own partisans?" <sup>3</sup> He proceeded to argue against proposals for outlawing suspect newspapers

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<sup>1</sup>[Edmond-Louis-Alexis Dubois-Crancé], Dialogue entre le Père Duchêne et Carra sur l'état actuel de la République française (Paris: Imprimerie Pierre J. Duplain, 1793), pp. 30-31.

<sup>2</sup>Archives parlementaires, LVII, 530.

<sup>3</sup>Chronique de Paris, May 13, 1793, p. 1.

and arresting suspects and confiscating their property. The proposal for the confiscation of suspects' property ". . . would cause all those who have some property to be suspected."<sup>1</sup>

It is often difficult to discern Ducos' position because he usually reported on heated discussions of revolutionary measures with complete neutrality.<sup>2</sup> Ducos did not hide his generally negative view of the powers possessed by the representatives on mission, although he conceded that one either favored or opposed giving a particular commissioner more power according to whether or not one agreed with him politically. Ducos obviously felt that some commissioners of the Convention abused their powers. On May 7 he complained that the Convention was establishing "satrapies" for the representatives on mission. The Convention's nullification of rulings by certain representatives on mission forbidding the sale of some newspapers led Ducos gleefully to remark that the departments would now be informed from sources other than Marat's Publiciste.<sup>3</sup> Ducos was as much a proponent of economic liberty as of political liberty. He opposed the maximum, and indeed all measures of coercion.<sup>4</sup> On the other hand, he seems to have favored the forced loan on the rich, and it is certain that the editors in general of the Chronique favored the

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<sup>1</sup>Ibid., pp. 1-2.

<sup>2</sup>See, for example, his report on a discussion concerning the powers of the representatives on mission on May 7 (Ibid., May 8, 1793, pp. 1-2.)

<sup>3</sup>Ibid., May 27, 1793, pp. 1-2.

<sup>4</sup>Ibid., April 29, 1793, p. 3; Archives parlementaires, LXIII, 644, 647, and LXIV, 16.

measure.<sup>1</sup> Another opinion of Ducos bearing on revolutionary government was his desire for quick implementation of a constitution and the end of the Revolution. His position on the Commission of Twelve was ambivalent. He criticized the Commission for heavy-handed use of its power. Yet he was sorry that it had been abolished before being heard.<sup>2</sup> His criticism of the Commission was consistent with his high regard for civil liberties.

Ducos is difficult to judge. On the balance, he tended to oppose revolutionary government. His high regard for individual liberties, even in a time of revolution, and his desire to see the Revolutionary Government replaced with a constitutional régime lead to this conclusion. But Ducos did not denounce major revolutionary institutions with the exception of the representatives on mission. It seems, therefore, that he opposed extreme revolutionary measures and not revolutionary government as such.<sup>3</sup>

#### Charles-Eléonor Dufriche-Valazé

Dufriche-Valazé, in his recorded opinions, clearly opposed revolutionary government. He opposed the creation of the Revolutionary Tribunal,<sup>4</sup> and after it was accepted in principle he opposed eliminating the jury system for it. He opposed the creation of a new committee of public safety, advocating retention of the Committee of General Defense.<sup>5</sup> When the Convention voted on May 11 to keep the Committee of Public

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<sup>1</sup>Chronique de Paris, May 21, 1793, p. 1, and May 22, 1793, pp. 1-3.

<sup>2</sup>Ibid., May 29, 1793, p. 2.      <sup>3</sup>Supra, pp. 96, and 141.

<sup>4</sup>Archives parlementaires, LX, 4.      <sup>5</sup>Ibid., LXI, 342.

Safety in office until danger in the Vendée receded, Dufriche-Valazé supported Buzot's proposal to change half of the Committee's members.<sup>1</sup>

Pierre-Joseph Duhem

Duhem was a vocal proponent of strong revolutionary measures. When on January 7, 1793 the newly-active Montagnard Committee of General Security came under attack from Buzot and others, Duhem called their proposals to restrict its powers and change its membership counter-revolutionary. On January 21 he strongly supported efforts to displace the moderates who then dominated the Committee of General Security. About the same time Duhem opposed the prosecution of the instigators of the September massacres. On February 14 he called for better enforcement of the laws against the émigrés. On February 28 the discussion of a new law on the émigrés posed the question of the right of property against the right of the Convention to take defensive extraordinary measures. Duhem clearly considered the latter to be the overriding consideration. On March 8, when Delacroix returned with bad news from Belgium, Duhem called for stricter controls on the press. Freedom of the press, he said, was not supposed to be freedom for counter-revolution. After the Convention decided to endow the Revolutionary Tribunal with the jury system, Duhem called for the reversal of this decision. In order to protect liberty, he said, "revolutionary vengeance" must be left completely unhindered. He later opposed efforts to have the jury vote secretly.<sup>2</sup>

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<sup>1</sup>Supra, pp. 95, and 141.

<sup>2</sup>Archives parlementaires, LX, 94. Supra, pp. 70, 75, 82, 86, 90, and 95.

Jacques-Antoine Dulaure

Dulaure's Thermometre du jour was a highly partisan newspaper, but reports of discussions within the Convention were usually neutral. Dulaure's views concerning revolutionary government can, therefore, be determined only with difficulty. His partisanship came out in his defense of Brissot upon the latter's expulsion from the Jacobin Club.<sup>1</sup> In the controversy between Louvet de Couvrai and Robespierre he was clearly sympathetic to Louvet. He accused the "faction of Robespierre" of having a burning desire to dominate France.<sup>2</sup> This partisanship continued into the spring and summer of 1793. On April 18 he called for the arrest of Marat.<sup>3</sup> On May 2 he denounced the suppression of a newspaper in Avignon, claiming that the reason for the action against the paper was its alleged "Brissotin" tendencies.<sup>4</sup> He denounced the events of June 2, but also counselled against civil war.<sup>5</sup> This moderation was carried further when he praised and recommended adoption of the Constitution of 1793.<sup>6</sup> He ceased publication on August 25, explaining that ". . . in the present order of things . . ." he felt his newspaper could no longer be useful.<sup>7</sup>

Dulaure's attitude concerning revolutionary government can only be gleaned from miscellaneous statements. He favored the basic laws on

<sup>1</sup>Le Thermometre du jour, October 19, 1792, p. 160.

<sup>2</sup>Ibid., October 31, 1792, p. 260.

<sup>3</sup>Ibid., April 18, 1793, pp. 146-147.

<sup>4</sup>Ibid., May 2, 1793, pp. 261-262.

<sup>5</sup>Ibid., June 11, 1793, p. 602.      <sup>6</sup>Ibid., July 26, 1793, p. 212.

<sup>7</sup>Ibid., August 25, 1793, p. 450.

émigres enacted in October 1792.<sup>1</sup> He admitted that the proposed law against provocateurs endangered freedom of the press, although he supported the proposal. He felt freedom of the press and security could be reconciled with one another.<sup>2</sup> He approved of domiciliary visits in Lyon to maintain tranquillity.<sup>3</sup> He reported so blandly on the establishment of the Revolutionary Tribunal that it is impossible to discern his views.<sup>4</sup> He definitely thought the Tribunal should have a jury which he considered to be liberty's only safeguard.<sup>5</sup> The same bland reporting announced the creation of the Committee of Public Safety.<sup>6</sup> One revolutionary measure unequivocally opposed by Dulaure was the arming of all sans-culottes. This he saw as the arming of all nonproprietors against all property owners. He said it would lead to civil war.<sup>7</sup> The last issue of his newspaper called for unity. This could best be obtained, he felt, by a cessation of terror." He hoped the prospects of the revival of law and order and the implementation of a new constitution would bring unity. Thus Dulaure wanted a quick end to revolutionary government.<sup>8</sup>

In summary, Dulaure sided with the right and favored the law against provocateurs. He seemed to oppose many of the revolutionary

<sup>1</sup>Ibid., October 24, 1792, p. 207.      <sup>2</sup>Ibid., November 4, 1792, p. 293.

<sup>3</sup>Ibid., February 14, 1793, p. 362.

<sup>4</sup>Ibid., March 10, 1793, p. 573; March 11, 1793, p. 583; March 12, 1793, pp. 588-589.

<sup>5</sup>Ibid., March 12, 1793, pp. 588-589.

<sup>6</sup>Ibid., April 7, 1793, p. 62.      <sup>7</sup>Ibid., May 18, 1793, p. 404.

<sup>8</sup>Ibid., August 16, 1793, p. 379.

measures of the spring of 1793, but this opposition was never strong nor consistent. His appeal for the cessation of terror in itself constituted sufficient indication that he opposed the Revolutionary Government as it had developed by the summer of 1793.

Charles-François-Marie Duval

From the beginning Duval made clear his preference for the left. The prospectus for his newspaper Le Républicain contained a diatribe against Brissot and friends whom he accused of being in league with Pitt.<sup>1</sup> In the controversy between Louvet de Couvrai and Robespierre he was clearly on Robespierre's side.<sup>2</sup> Likewise, wherever he discussed revolutionary government, he was in favor of it, though he was given neither too many nor too strong statements on the matter. He saw the creation of the Revolutionary Tribunal as a victory for the public interest.<sup>3</sup> By his language and his more complete coverage of those favoring one position, Duval seemed to oppose the jury system for the Revolutionary Tribunal.<sup>4</sup> In the same way he showed that he favored giving the prosecutor the power to arrest and try individuals on his own initiative.<sup>5</sup> By reporting that Thuriot had "destroyed" Buzot's arguments against the creation of a committee of public safety, he gave support to the establishment of the committee.<sup>6</sup> Thus, before June 2 Duval

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<sup>1</sup>Le Républicain, journal des hommes libres de tous les pays, rédigé par un député à la Convention nationale, et par plusieurs autres écrivains patriotes, November 1, 1792, prospectus.

<sup>2</sup>Ibid., November 6, 1792, p. 18.

<sup>3</sup>Ibid., March 10, 1793, p. 548.

<sup>4</sup>Ibid., March 11, 1793, p. 557.

<sup>5</sup>Ibid., April 6, 1793, p. 674.

<sup>6</sup>Ibid., April 7, 1793, p. 678.

avored revolutionary government.

Having preferred the Mountain when it was struggling for survival, it is understandable that Duval would become a supporter of the Montagnard régime after June 2. He was still not given to voluminous comments, but those statements he made indicated support for the Revolutionary Government. In his report on the September 25 attack on the Committee of Public Safety, he accused the attackers of being members of the former right wing. Robespierre's views on that occasion, he said, were shared by all true Montagnards. The Committee of Public Safety had given the Revolution the vigorous movement necessary to bring it to an end.<sup>1</sup> All other debates and major enactments were reported by Duval with such neutrality as to make his opinion undiscernible. He showed no disapproval of the growing power of the Revolutionary Government, and summarized the reports given by members of the Committee of Public Safety sympathetically and completely. He even reported on the debate of 8 thermidor without comment in the 9 thermidor issue of the Républicain. In the issue of 10 thermidor he continued his summary of the debate of the eighth, but now his tone was completely changed. He clearly sided with the thermidorians.<sup>2</sup> Yet, he was disillusioned with "ambitious men" such as Robespierre, and not with the Revolutionary Government.

The Républicain took on a whole new look after 9 thermidor. There were now many more editorial comments. Evidently Duval felt liberated. With the new freedom Duval continued to support revolutionary government. Those who wanted to take advantage of Robespierre's discredit to end the

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<sup>1</sup>Ibid., September 26, 1793, pp. 1390-1391.

<sup>2</sup>Ibid., 10 thermidor, p. 890.

Revolutionary Government were "aristocrats." To end the Revolutionary Government would lead to the dissolution of the Convention.<sup>1</sup> Duval was clearly a consistent supporter of revolutionary government.

#### Claude Fauchet

Fauchet was generally a staunch opponent of revolutionary government, but he was willing to use revolutionary measures to achieve certain political goals. His position on the trial and punishment of the king illustrated his generally moderate outlook. He opposed trying the king on the grounds of the monarch's inviolability under the Constitution of 1791. He voted in favor of the popular referendum and detention of the king during the war with banishment thereafter.<sup>2</sup> He praised the Committee of General Security as it was constituted prior to its renewal in favor of the Montagnards. The new Committee of General Security was inquisitorial and a danger to liberty.<sup>3</sup> He accused the Committee, which he named the "comité de proscription," of being the executioner for "maratisme."<sup>4</sup> He called the Revolutionary Tribunal a ". . . chambre ardente devised at the Jacobins by the anarchists. . . ." <sup>5</sup> Fauchet did not denounce the Committee of Public Safety so openly, but his attitude was clear from the spiteful names he gave its members: "novemvirs" and "dictateurs."<sup>6</sup> He called the new law on émigrés an "unbelievable law"

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<sup>1</sup>Ibid., 23 thermidor, p. 942, and 26 thermidor, p. 953.

<sup>2</sup>Journal des amis, January 19, 1793, pp. 143-144.

<sup>3</sup>Ibid., February 9, 1793, pp. 245-246, 248-249, and 258.

<sup>4</sup>Ibid., February 16, 1793, p. 317.

<sup>5</sup>Ibid., No. 11 (N.d.), p. 526.      <sup>6</sup>Ibid., May 11, 1793, p. 53.

by which departmental administrations could do away with anyone who displeased them.<sup>1</sup> According to Fauchet the powers given the representatives on mission on April 30 were "dictatorial."<sup>2</sup> Finally, he denounced the events of May 30.<sup>3</sup>

Fauchet considered the question of revolutionary government to be a central issue. He wanted the Revolution to end. There were some men, he said, who wanted to have eternal revolution. This would lead back to despotism.<sup>4</sup> There were two parties in the Convention, he continued, one that wanted a republican constitution, and one that wanted no constitution, one that said ". . . the Revolution is over, let us stop . . ." and another that said ". . . the Revolution does not suffice, let us go further. . . ."<sup>5</sup> Fauchet feared that the "sans-culotterie" would become a new aristocracy enriched by the wealth they had taken from others.<sup>6</sup>

Fauchet was against further revolution and revolutionary government. He, nevertheless, proposed the most far-reaching extraordinary measures. According to his proposal a new extraordinary tribunal would prosecute members of "popular societies" who sought to incite the assassination of members of the Convention, and those deputies who were their accomplices. For their failure to act against the conspirators, the ministries, the Revolutionary Tribunal, the administration of the department of Paris and the Paris Commune would be dissolved. Anyone who attacked the liberty of the Convention, whether in writing or by speech, would have half his wealth confiscated, and would be placed in

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<sup>1</sup>Ibid., p. 56.      <sup>2</sup>Ibid., May 25, 1793, p. 122.

<sup>3</sup>Ibid., June 1, 1793, pp. 159-160.      <sup>4</sup>Ibid., May 11, 1793, p. 36.

<sup>5</sup>Ibid., p. 37.      <sup>6</sup>Ibid., May 4, 1793, p. 4.

irons for ten years. Spectators in the galleries of the Convention who disturbed the session would be deported to French Guiana, no matter what their number. The Paris sections would be required to have a quorum of one-half of their voting members in order to meet. Those who did not attend section meetings would be fined according to their wealth on a progressive scale. Anyone with an income below one thousand livres would be exempted from this fine.<sup>1</sup>

Jacques Garnier (de Saintes)

Garnier was a supporter of revolutionary government. He criticized Osselin's original proposal for a law against the émigrés as excessively lenient, and he presented a number of proposals to strengthen the law. When, in the discussion of a later law concerning the émigrés, the right of the state to take the inheritance of heirs of émigrés was being challenged, Garnier supported the confiscation as an extraordinary measure which had to be taken in spite of its injustice.<sup>2</sup> On April 3, 1793 Garnier called upon the Convention to form a committee of twelve members, essentially a committee of public safety, which would control the executive power. He admitted that this proposal represented a reversal of his previous views.<sup>3</sup>

Pierre-Anselme Garrau

Garrau was favorable to revolutionary government. In supporting exceptions for émigré children, he essentially agreed with the majority of the Convention. He favored a proposal to give the representatives

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<sup>1</sup>Ibid., May 11, 1793, p. 33. Supra, pp. 66-67.

<sup>2</sup>Archives parlementaires, LIX, 350. <sup>3</sup>Supra, pp. 40-41.

on mission more power so that local administrators could not countermand their orders.<sup>1</sup> When Buzot attacked the Committee of General Security for its excessive zeal, Garrau was one of those who defended it. On February 25 Garrau made an excellent statement of the principles of revolutionary government. On March 10, after the Revolutionary Tribunal had been decreed in principle, it was Garrau who called for its immediate organization.<sup>2</sup>

#### Armond Gensonné

Gensonné, like most other deputies, felt that the Convention was empowered to establish a revolutionary government. He stated his views on this in the Convention and in the Bulletin des amis de la vérité.<sup>3</sup>

Gensonné feared, above all, that the Paris Commune and sections would drive the Revolution to further extremes. He advocated that the Convention establish a strong extraordinary government to prevent such a continuation of the revolutionary movement. He wanted all parts of the

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<sup>1</sup>Archives parlementaires, LVII, 688.

<sup>2</sup>Supra, pp. 43, 81, 85, and 92.

<sup>3</sup>Though Gensonné did not sign any of the newspaper articles which I have attributed to him, it seems certain that he was the author. The "Prospectus" of the Bulletin des amis de la vérité (n.d.) stated that an eminent legislator would discuss the sessions of the Convention. It furthermore listed Gensonné as one of the authors who would be contributing to the newspaper. Thereafter, a series of articles entitled "Vues philosophiques sur les travaux de la Convention depuis le 21 Septembre 1792," and signed "G" followed by seven periods, appeared regularly. These seven periods could have referred to the last seven letters of Gensonné's name. No one else among the contributors or editors had an eight letter name beginning with the letter G (Bulletin des amis de la vérité, "Prospectus"; Bibliothèque Nationale, Département des Imprimés, Catalogue de l'histoire de la Révolution française, ed. by André Martin and Gérard Walter [5 vols.; Paris: Bibliothèque Nationale, 1936-1943], V, 141).

country to have an equal influence.<sup>1</sup> He advocated that the Convention assume full police powers in Paris. In a speech on January 2, 1793 he reiterated his fears of a "new revolution."<sup>2</sup> Gensonné was not opposed to revolutionary government. He simply wanted it to be directed against further revolution. Information is insufficient to allow a determination of Gensonné's views concerning the Revolutionary Government as it developed in the spring of 1793.<sup>3</sup>

Marguerite-Elie Guadet

Guadet, for the most part, opposed extraordinary measures, although he was not against all extraordinary measures as such. He spoke against the efforts of the Commune and the Executive Council to outlaw certain plays during the trial of Louis XVI. No authority, he said, should be allowed to exceed the law. He supported an effort, after the creation in principle of the Revolutionary Tribunal, to send the whole matter to committee for a report, an obvious delaying tactic. His attitude toward revolutionary government was shown by his charge that the Jacobins, strong advocates of revolutionary measures, wanted to turn France into a sort of police state.<sup>4</sup> Yet, he proposed extraordinary measures against his enemies, which included seizing the papers of the Jacobins

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<sup>1</sup>Bulletin des amis de la vérité, March 9, 1793, p. 3.

<sup>2</sup>Vergniaud, Guadet, Gensonné, Oeuvres, p. 278.

<sup>3</sup>Supra, pp. 18-19, 22-23, and 72.

<sup>4</sup>Marguerite-Elie Guadet, Réponse de Guadet, député de la Gironde, à Robespierre, député de Paris, prononcée dans la séance de 12 avril 1793 (2nd ed.; [Paris]: Imprimerie Ant. - Jos. Gorsas, [1793]), p. 44.

and Cordeliers, and dissolving all the administrative bodies of Paris.<sup>1</sup>

Florent Guiot

Guiot was relatively silent, but a pamphlet which he wrote in the fall of 1792 indicates that he did not adhere to the theory of the Convention's omnipotence. Guiot felt that the Convention must not in any way exercise executive or judicial functions. In line with this narrow interpretation of the Convention's powers, he opposed the departmental guard. The question arises, did he change his views once the left gained more power in the Convention? We cannot answer this question with available information. Guiot's overall views concerning revolutionary government cannot, therefore, be determined. He is of interest as an unusual example of a deputy who felt the Convention was not all-powerful.<sup>2</sup>

Armand-Benôit-Joseph Guffroy

Guffroy's newspaper Rougyff<sup>3</sup> began publication in July, 1793, after the Montagnard victory. Though basically he was a good Montagnard, he often questioned government policy.

Much space in the early issues of Rougyff was devoted to denunciations of the Girondins. On September 1 Guffroy supported the idea of remaining in a "state of revolution" until the foreign powers recognized the independence of the Republic.<sup>4</sup> He also advocated the formation of a

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<sup>1</sup>Ibid., pp. 47-48. Supra, p. 73.

<sup>2</sup>Supra, pp. 16-17.

<sup>3</sup>The title Rougyff was an anagram from Guffroy's name.

<sup>4</sup>Rougyff, ou le Frank en vedette (Paris), September 1, 1793, p. 2.

revolutionary army in each department.<sup>1</sup> On the other hand, he denounced excessive arrests being demanded by revolutionary committees. He also criticized the "false patriots" who were denouncing Chabot, Basire and other members of the Convention.<sup>2</sup> Guffroy made clear that his criticism of the revolutionary committees was not an attack on the law of suspects. The arrest of suspects was just and necessary.<sup>3</sup>

Guffroy had great faith in the Committee of Public Safety. He suggested that treason could be ended if the Committee placed spies throughout the administration.<sup>4</sup> In spite of his general support for the Committee, Guffroy sometimes criticized it. After commending Danton and Chabot for their revolutionary audacity in the past, he complained that the Convention and the Committee of Public Safety did not possess sufficient audacity. The levée en masse, for example, was not being enforced with sufficient vigor. Not that he was an "ultra-revolutionary." He denounced the "ultras" as counter-revolutionaries who were trying to seize control of the Revolution under the mask of patriotism. The advocates of religious terror wanted to defeat the Revolution by turning all of France into a Vendée. Those who advocated increasing the terror sought to defeat the Revolution by multiplying the mass of malcontents, and making it seem as if the evils of the Revolution surpassed its benefits.<sup>5</sup> Thus, while criticizing the Committee of Public Safety from a leftist point of view, he clearly opposed the ultra-revolutionaries. However, he was more

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<sup>1</sup>Ibid., September 25, 1793, p. 1.

<sup>2</sup>Ibid., October 3, 1793, pp. 2-3.

<sup>3</sup>Ibid., October 11, 1793, p. 2.

<sup>4</sup>Ibid.      <sup>5</sup>Ibid., 20 frimaire, pp. 1-3.

enthusiastic in his denunciation of the ultra-revolutionaries than of the Indulgents. Apparently having experienced change of heart on the revolutionary armies, he applauded the abolition of the revolutionary armies created by representatives on mission. He denounced those who were misusing "our revolutionary measures," and warned against counter-revolution "en bonnet rouge."<sup>1</sup> Guffroy seemed to agree essentially with the official government position. He praised the decree of 14 frimaire, and defended its major provisions. He wrote an article explaining why the constitution had to be suspended and power concentrated in the hands of the Convention. The constitution, he said, was a treasure reserved for the sans-culottes and to be enjoyed when the soil of France was purged of aristocrats. The Revolutionary Government was needed for the energy it gave to the Republic.<sup>2</sup>

By the spring of 1794 it would seem that Guffroy gave up whatever independence he had had in the past. As would be expected, he applauded the arrest of the Hébertists.<sup>3</sup> He also applauded the arrest of Danton. Now, for the first time, he strongly denounced indulgence. The Indulgents, said Guffroy, had awakened the doubts in the minds of many sincere members of the Convention concerning the concentration of powers. Anxieties over Danton's arrest had also been sincere, but finally the deputies became convinced of the necessity of the arrest. Justice and virtue triumphed.<sup>4</sup>

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<sup>1</sup>Ibid., 26 frimaire, p. 4.

<sup>2</sup>Ibid., 20 nivôse, p. 4.

<sup>3</sup>Ibid., 6 germinal, p. 2.

<sup>4</sup>Ibid., 14 germinal, pp. 3 and 4.

Maximin Isnard

Maximin Isnard was supposedly a Girondin,<sup>1</sup> but his position on revolutionary government was often inconsistent with that of his Girondin associates. Isnard's views, therefore, lend support to the idea that so-called Girondins did not have a consistent position concerning revolutionary government. The preponderance of the evidence in this dissertation, however, contradicts this view. Inconsistencies in the Girondin position, exemplified by Isnard, only show that they were not a disciplined political party.

Isnard opposed further revolution and a prolongation of extraordinary government. In May he denounced those who preached the necessity for a new revolution.<sup>2</sup> He favored the immediate implementation of a new constitution. He opposed excessively harsh measures such as Robespierre's proposal to include press offenses in the competence of the Revolutionary Tribunal.

On the matter of the Committee of Public Safety Isnard was one of the most advanced members of the Convention. On March 22, following the lead of Quinette, Isnard proposed the creation of a Committee of Public Safety. These proposals began the process by which the Committee of Public Safety was eventually created. Later, it was Isnard who reported the proposal of the Committee of General Defense for the establishment of this new committee. He made clear from the beginning that the

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<sup>1</sup>Sydenham, The Girondins, p. 218.

<sup>2</sup>Maximin Isnard, Déclaration que le président de la Convention nationale a faite dans la séance du 18 mai, et dont l'assemblée a ordonné l'impression, et l'affiche dans Paris ([Paris]: Imprimerie Nationale, [1793]), pp. 1-3.

Committee would possess executive powers, and would take any emergency steps required by circumstances. Finally, on April 5, accusing the executive branch of incompetence, and claiming that the Committee of General Defense was not equal to the task of supervising the executive power, Isnard resigned from that committee. In this way, he materially promoted the final organization of the Committee of Public Safety.

The recorded opinions of Isnard are too contradictory to permit a final classification of his views concerning revolutionary government. Yet, his views on the Committee of Public Safety make him important. He provides us with an example of a Girondin who actively supported one of the most essential revolutionary measures of the spring of 1793.<sup>1</sup>

#### Jean-Bon-Saint-André

Jean-Bon-Saint-André was a staunch supporter of revolutionary measures with the exception of those proposed by the right. He wrote a rather lengthy pamphlet to prove that the proposed departmental guard was unnecessary, as well as dangerous, and opposed to all principles. Saint-André maintained that the legislative branch should not have control of an armed force. This would contradict the principle of the separation of powers. The guard would be a dangerous armed force, separate from the national army, with an esprit de corps of its own.<sup>2</sup> Saint-André placed great emphasis on the importance of maintaining the separation of powers with regard to the military force. His arguments were such

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<sup>1</sup>Supra, pp. 95, 117, 121-122, and 142.

<sup>2</sup>Jean-Bon-Saint-André, Opinion sur le projet d'une garde militaire pour faire le service auprès de la Convention nationale; par Jean-Bon-Saint-André, député du département du Lot (Lille: Imprimerie Louis Potier, 1792), pp. 2-3, and 12-15.

that they might well have been used against many of the revolutionary measures which he later supported. The following spring he opposed another extraordinary measure of the right, the Commission of Twelve.

Jean-Bon-Saint-André's support for revolutionary government was shown on numerous occasions. On January 28, 1793 he supported the Committee of General Security against the attacks of Buzot. His support for the Committee was not unconditional, however, and in agreement with other friends of the Committee, he favored the release of the journalist Nicole out of respect for freedom of the press.

When on February 8 the "defenders of the patrie" appeared before the Convention to object to the decree for the punishment of the leaders of the September massacres, Jean-Bon-Saint-André supported them. He asked that a full amnesty be granted those who might have been misled in those September days, a position more favorable to the men of September than the one finally adopted.<sup>1</sup> On March 8, the question of freedom of the press arose again when Duhem proposed that all journalists be expelled from the Convention. Jean-Bon-Saint-André, complaining specifically about the writings of Brissot, suggested that journalists who abused freedom of the press should be refused entrance into the Convention. No action, however, was taken.<sup>2</sup> Thus, though conscious of the need for freedom of the press, Saint-André was willing to suppress it under circumstances disadvantageous to his political adversaries.

On the fateful day of March 9, 1793 it was Jean-Bon-Saint-André who was sent to the section of the Louvre to determine its views, and it was he who returned with and presented forcefully that section's demand

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<sup>1</sup>Archives parlementaires, LVIII, 378.      <sup>2</sup>Ibid., LIX, 720.

for the institution of a revolutionary tribunal. After this, Saint-André was absent for some time from the Convention, being sent on mission to accelerate army recruitment.<sup>1</sup> However, he gave evidence of his continued revolutionary fervor in a letter of March 26 from Moissac addressed to Barère. The letter was also signed by Elie Lacoste, but was in Saint-André's handwriting.<sup>2</sup> There were those, he wrote, who claimed the Revolution was over, but, "Experience now proves that the Revolution is not over at all, and the National Convention must openly be told today: 'You are a revolutionary assembly.'"<sup>3</sup> He went on to point out the dangers facing the Republic, the greatest of which he found was a weariness with the Revolution among all groups. He said that moderates were nothing better than counter-revolutionaries. A person was either a friend or an enemy of liberty. Only rigorous measures could save the Republic. It was especially necessary to provide food for the poor if they were to help in the completion of the Revolution. He suggested the possibility of a general requisitioning of grain. He appealed to Barère, as a man who had widespread confidence among the deputies, to promote these necessary revolutionary measures.<sup>4</sup>

Another letter written by Saint-André to the Committee of Public Safety from Cahors on April 17, told of a "revolutionary measure" which the representatives on mission had taken in the area: the institution of "cartes civiques" to assist local authorities in their arrests of suspects.<sup>5</sup> There is little record of Saint-André's views between this last letter and his entrance into the Committee of Public Safety on July 10,

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<sup>1</sup>Ibid., LX, 25.

<sup>2</sup>Aulard, Recueil des actes, II, 535.

<sup>3</sup>Ibid., p. 532.

<sup>4</sup>Ibid., pp. 532-535.

<sup>5</sup>Ibid., III, 305-306.

1793. The fact that he was a supporter of revolutionary government in the early phases of the Convention, however, is clear.<sup>1</sup>

Jean Julien

Julien intervened twice in the debates of the Convention to support strong revolutionary government. On January 28 he opposed Buzot's attack on the Montagnard Committee of General Security. On March 9 he spoke in favor of the establishment of the Revolutionary Tribunal, testifying that there should be no appeal from its decisions.<sup>2</sup>

Armond-Guy-Simon Kersaint de Coetnempren

While supporting some revolutionary measures, Kersaint clearly opposed the Revolutionary Government as it developed in the spring of 1793. He proposed the law against provocateurs, supported the departmental guard and approved Roland's extraordinary opening of letters sent out by the Paris Commune. It was also Kersaint who first proposed the creation of the Committee of General Defense. His opposition to the trend of events during early 1793 was made clear in a letter which he addressed to the president of the Convention on January 18. He announced his resignation as a deputy, explaining that he could not sit in the same Convention with "hommes de sang" whose views were winning over those of the "gens de bien" through terror.<sup>3</sup>

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<sup>1</sup>Supra, pp. 81, 82, and 91.

<sup>2</sup>Supra, pp. 78, and 81.

<sup>3</sup>Armond-Guy Kersaint au président de la Convention nationale (Paris: Imprimerie Nationale, 1793), p. 1. Supra, pp. 25, 28, 35, and 67.

Jean-Denis-Lanjuinais

Lanjuinais favored certain extraordinary measures, but in the spring of 1793 he opposed most of the significant revolutionary measures which were proposed. He was in favor of the departmental force for Paris, the law against provocateurs and the expulsion of Philippe Egalité from the Convention. He saw the latter as a measure of "general security." The expulsion might offend principles, but after all, the first principle was the public safety for which anything that was necessary could be done. Lanjuinais was in favor of strong measures against the émigrés; however, he felt the Convention should not interfere with the judicial power to reverse lenient decisions concerning émigrés. Finally, he favored the forced loan on the rich.<sup>1</sup>

On the other side of the balance, Lanjuinais favored the punishment of the leaders of the September massacres and denounced the massacres unequivocally.<sup>2</sup> Similarly, he refused to condone other instances of popular uprising as necessary extraordinary measures.<sup>3</sup> On January 28 he supported Buzot's denunciation of the Committee of General Security for its alleged terrorist excesses. On March 9 Lanjuinais was one of the most ardent opponents of the proposal for the creation of the Revolutionary Tribunal. He later opposed, with a majority of the Convention, the inclusion of press offenses within the competence of the Tribunal.<sup>4</sup> When it was proposed that the public prosecutor be allowed to bring individuals before the Tribunal without a prior decree of the Convention, Lanjuinais was there to oppose the idea, raising the danger of dictatorship.

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<sup>1</sup>Archives parlementaires, LXV, 119.      <sup>2</sup>Ibid., LVIII, 378.

<sup>3</sup>Ibid., p. 449.      <sup>4</sup>Ibid., LX, 65.

He was also cool to the Committee of Public Safety. When the Convention voted to extend the life of the Committee as then constituted until danger in the Vendée subsided, Lanjuinais was among those who protested the vote.<sup>1</sup>

Marc-David-Albin Lasource

Information concerning Lasource's views on revolutionary government is somewhat contradictory and inconclusive. He supported the departmental guard. He favored unusually liberal exemptions for émigré children.<sup>2</sup> On the other hand, he called on the Paris police to give lists of people with no visible means of support to the Committee of General Security. He supported the creation of the Committee of Public Safety with the proviso that it should never have the power to make arrests. On the other hand, he supported a proposal to give local administrators the right to refuse to obey representatives on mission who exceeded their power. It must be concluded that Lasource's views were too contradictory to permit a determination of his position on the Revolutionary Government as it was developing in the spring of 1793.<sup>3</sup>

Michel-Mattieu Lecoïnte-Puyraveau

Lecoïnte-Puyraveau's few statements on the subject indicate that he opposed strong revolutionary government. He spoke against the expulsion of Philippe Egalité from the Convention. He opposed a proposal to give all commissioners with the armies the right to take all necessary

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<sup>1</sup>Supra, pp. 28, 31, 58, 81, 85, 91-92, 120, and 141.

<sup>2</sup>Archives parlementaires, LIX, 629.

<sup>3</sup>Supra, pp. 108, 117, and 125.

measures of general security. He feared that a man with such powers could, if "misled," do irreparable harm.<sup>1</sup> When the Committee of Public Safety asked for the power to requisition troops to send to the Vendée, Lecointe-Puyraveau, convinced that the request was dangerous, persuaded the Convention to refuse. Finally, on May 8 he opposed an extraordinary levy of troops in Paris for the Vendée.<sup>2</sup>

### Louis Legendre

Following the death of Lepeletier, Legendre was one of those who called for the renewal of the Committee of General Security which was being criticized for its moderation. He favored a complete amnesty for the men of September 2.<sup>3</sup> He defended the Revolutionary Tribunal against Buzot's efforts to change the membership of the jury.<sup>4</sup> He favored the strong powers of the representatives on mission. He favored a maximum on grain based on the value of a day's work.<sup>5</sup> In the wake of discouraging news from the Vendée, Legendre proposed that the Convention and the Committee of Public Safety meet in permanent session, and that the alarm cannon be sounded. Thus, before June 2, Legendre definitely favored revolutionary measures and institutions.<sup>6</sup>

### Pierre Lehardy

On January 7 Lehardy participated in an attack against the newly reconstituted Committee of General Security by calling for limitations

<sup>1</sup>Archives parlementaires, LVII, 688.

<sup>2</sup>Supra, pp. 52, 139, and 140-141.

<sup>3</sup>Archives parlementaires, LVIII, 378.      <sup>4</sup>Ibid., LXIII, 560.

<sup>5</sup>Ibid., LXIV, 113-115.      <sup>6</sup>Supra, pp. 74, 105, and 140.

on its power. Lehardy was willing to condone a popular uprising. He asked for the suspension of all prosecutions for the rising in the Sarthe. On February 20 Lehardy strongly criticized what he considered to be the excessive power of the representatives on mission. On March 23 he proposed that all refractory priests be sent to the Ile Saint-Vincent.<sup>1</sup> When some wished to publicize the decree concerning the disarming of suspects immediately, Lehardy favored caution. No citizens, he said, must be disturbed on the pretext of a search for arms.<sup>2</sup> On March 29 Lehardy proposed extending the law against counter-revolutionary writings to those who sought to provoke the assassination of representatives. Though Lehardy's views were contradictory, his positions concerning the Committee of General Security and representatives on mission indicate that he opposed the Revolutionary Government as it developed in 1793.<sup>3</sup>

#### René Levasseur

Levasseur generally supported extraordinary measures, and he clearly supported the Revolutionary Government as it developed in the spring of 1793. He advocated, in December 1792, the forced sale of grain. He was willing to condone popular uprisings, advocating an amnesty for rioters in the Sarthe, his own department. When some wished to delay the publication of the decree for disarming suspects, Levasseur supported its immediate printing and dissemination.<sup>4</sup> He defended the Revolutionary

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<sup>1</sup>Archives parlementaires, LX, 487.

<sup>2</sup>Ibid., p. 583.     <sup>3</sup>Supra, pp. 70, 83, 101, and 129-130.

<sup>4</sup>Archives parlementaires, LX, 583.

Tribunal against Buzot's efforts to change its jury. It was Levasseur who on May 11 proposed that the membership of the Committee of Public Safety be frozen until the danger in the Vendée receded. Though Levasseur opposed the first maximum, his proposals concerning the grain supply involved strong measures of compulsion.<sup>1</sup>

#### Jean-Baptiste-Robert Lindet

If nothing else was to be considered, Robert Lindet's proposal on the Revolutionary Tribunal, the proposal which finally became the basis for the establishment of the Tribunal, would give him sufficient title to being a supporter of revolutionary government. In explaining his proposal he said that a number of counter-revolutionaries had been acquitted in the ordinary courts, making the extraordinary tribunal necessary.<sup>2</sup> Lindet also opposed prosecutions for the September massacres, which he characterized as a "prodigious movement."<sup>3</sup> Lindet was opposed to the "revolutionary measures" of the right, however. He voted against the indictment of Marat, adding a lengthy panegyric of Marat, and implying that the attack against him represented an attack on the whole national representation.<sup>4</sup> Lindet had become a member of the Committee of Public Safety on April 7.

#### Jean-Baptiste Louvet de Couvrai

Louvet de Couvrai was opposed to most aspects of revolutionary

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<sup>1</sup>Supra, pp. 47, 83, 133, and 139-141.

<sup>2</sup>Robert Lindet, Exposition des motifs qui ont déterminé Robert Lindet à voter pour l'arrestation de 32 membres de la Convention nationale ([Paris] R. Vatar, [1793]), p. 36.

<sup>3</sup>Ibid., pp. 15-16.

<sup>4</sup>Archives parlementaires, LXII, 54-55.

government, though for political reasons he supported certain revolutionary measures. Basically, he opposed the terrorism of the Revolutionary Government, and warned against continued revolution. Republican government, he said, was founded on "vertus douces" and humanity. Oppression was founded on violence, proscriptions and mistrust.<sup>1</sup> On January 21 he opposed the renewal of the Committee of General Security which led to the removal of its moderate members. Louvet, however, was quite capable of proposing extraordinary measures. When he made his famous accusation against Robespierre, he urged enactment of the law against provocateurs and other "measures of general security" against Robespierre's faction. Thus, an executive agency with great emergency powers was not repugnant to Louvet as long as it was directed by the right people and against the right party.

Louvet also favored some revolutionary measures which were not obviously related to partisan issues. On October 27, for example, he warned his readers against those who were playing on their humanity to soften the law against émigrés. He favored the law just as it was. No law could be too rigorous where the interests of the nation were concerned.<sup>2</sup> Louvet's attitude toward the king was consistent with this view. He advised his readers not to listen to those (like Condorcet) who advocated giving the world an example of generosity by sparing the life of the former monarch. True grandeur, he said, was in the complete execution of the law, and Louis was a traitor.<sup>3</sup> To maintain that Louis was inviolable was to place him on the same level as the sovereign

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<sup>1</sup>La Sentinelle, September 29, 1792.

<sup>2</sup>Ibid., October 27, 1792.      <sup>3</sup>Ibid., November 10, 1792.

nation. This was impossible. He recommended that the Convention establish a committee of its own members to judge Louis so it could proceed to writing a constitution without delay.<sup>1</sup>

The major record of Louvet's views concerning revolutionary government after late 1792 is his memoirs written while he was in hiding in the spring of 1794.<sup>2</sup> These memoirs provide evidence that Louvet became less willing to accept extraordinary measures once his political enemies became stronger in the Convention. He strongly denounced the unlimited powers given to the representatives on mission.<sup>3</sup> He condemned the creation and the subsequent actions of the Revolutionary Tribunal. The establishment of both the Tribunal and the Committee of Public Safety was part of a grand conspiracy.<sup>4</sup>

#### Pierre-Louis Manuel

On the basis of the few statements by Manuel related to revolutionary government, it is possible to classify him as an opponent. On November 17, 1792 he advocated an exception to the law on émigrés for those who had fled "internal brigands."<sup>5</sup> This was one of the most far-reaching exceptions proposed for the law, one with unlimited possibilities for abuse. It was also a slap at the insurgent masses. On January 7 Manuel denounced the "despotism" of the Committee of General Security and called for the beginning of the "reign of law."<sup>6</sup> Finally, in a

<sup>1</sup>Ibid., November 17, 1792.      <sup>2</sup>Louvet, Mémoires, I, 1-6.

<sup>3</sup>Ibid., pp. 37-38, and 55. On one occasion in the Convention, he opposed granting more power to the representatives on mission (supra, p.105).

<sup>4</sup>Ibid., pp. 74-75. Supra, pp. 23, 34, and 76.

<sup>5</sup>Archives parlementaires, LIII, 456.      <sup>6</sup>Ibid., LVI, 259-260.

letter to the editors of the Chronique de Paris printed on March 4, 1793, he said that the Revolution should have ended on August 10, when, "the despot was put in chains."<sup>1</sup>

### Jean-Paul Marat

From Marat's writings of almost any period can be drawn unequivocal statements favoring strong revolutionary government. While others called for order, Marat saw a need for a "healthy defiance" against authority in a revolutionary crisis.<sup>2</sup> He opposed the liberation of Cappy, complained that too few traitors were being convicted,<sup>3</sup> and called for a law on émigrés without exceptions.<sup>4</sup> He tried to defend himself against the charge of being an homme de sang by saying that he did not want blood for the love of it, but only because some impure blood had to flow to save much pure blood.<sup>5</sup>

Marat asserted long before the creation of the Revolutionary Tribunal that judicial proofs should not be required of those making denunciations related to the safety of the Republic.<sup>6</sup> He also put public safety ahead of freedom of the press. He admitted quite frankly that he opposed complete freedom of opinion which, he said, ". . . must be unlimited only for true friends of the patrie. . . ." <sup>7</sup> "Under the system of the moderates, the public safety is sacrificed to a false love of humanity."<sup>8</sup> Under the

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<sup>1</sup>Ibid., p. 250.

<sup>2</sup>Journal de la République française, September 28, 1792, p. 2.

<sup>3</sup>Ibid., October 21, 1792, p. 2.      <sup>4</sup>Ibid., November 18, 1792, p. 8.

<sup>5</sup>Ibid., November 8, 1792, p. 6.      <sup>6</sup>Ibid., November 7, 1792, pp. 4-5.

<sup>7</sup>Ibid., November 20, 1792, p. 5.      <sup>8</sup>Ibid.

pretext of defending individual liberty they would allow enemies to overturn the state.<sup>1</sup> Marat criticized the Girondin-dominated Committee of General Security for being too soft. In a "time of crisis" it must be a "committee of inquisitors."<sup>2</sup> He would give this committee "carte-blanche" to make arrests, domiciliary visits and seizures of papers. It would not only pursue traitors but also suspects.<sup>3</sup>

It would be difficult to question Marat's credentials as a supporter of revolutionary government. Like other left wing supporters of revolutionary government, however, he sought to limit the powers of the Convention in the fall of 1792, because he felt his opponents were dominant in the Convention. His call for a "healthy defiance" can be understood in this light. He saw the proposed departmental guard as an effort by his opponents to gain passive obedience. What power, after all, did an outnumbered Mountain have if they could not count on the sans-culottes. He opposed the law against provocateurs because he feared the power of his opponents, and their ability to use this law to liquidate the defenders of the Revolution. He did not base his opposition on a claim that the law infringed directly on liberty.<sup>4</sup> He opposed prosecuting the instigators of the September massacres. Finally, in the early period of the Convention he opposed what eventually became a basic tenet of revolutionary government: the omnipotence of the Convention. He criticized the Convention for acting as a judicial body in deciding the validity of an indictment in the Extraordinary Tribunal of Paris. The Convention's powers were limited, he said, to making laws,

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<sup>1</sup>Ibid.      <sup>2</sup>Ibid., November 28, 1792, p. 2.

<sup>3</sup>Ibid.      <sup>4</sup>Ibid., October 31, 1792, p. 8.

assuring their execution by supervising government officials and indicting plotters who have been denounced to it. It could not perform the smallest judicial act, and even less an administrative act without usurping all power and re-establishing despotism.<sup>1</sup> Later, Marat linked this insistence on the limitation of the Convention's power to a discussion of demands that he be expelled from the Convention. He maintained that only the sovereign people had the right to remove a deputy. The Convention, furthermore, should not act as a judicial body. He exhorted the Convention, ". . . recognize finally the limits of your powers."<sup>2</sup> In short, Marat opposed revolutionary government when it became an instrument of the right to be used against the left.

On other issues Marat continued to support revolutionary government. In the fall of 1792, he was against complete freedom of grain trade. He called for the exclusion of all ex-nobles, ex-financiers and other suspect individuals from all public employment.<sup>3</sup> Marat considered the death penalty for Louis XVI to be not only a measure of security to prevent the re-establishment of the monarchy, but also a means of terrorizing the enemies of the Revolution.<sup>4</sup> Marat was in the forefront of those advocating the arming of the sans-culottes and the creation of a committee of public safety.<sup>5</sup> On April 2 he spoke in favor of allowing the prosecutor of the Revolutionary Tribunal to bring individuals to trial without a prior decree of accusation by the Convention,<sup>6</sup> and later

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<sup>1</sup>Ibid., October 13, 1792, pp. 2-3.

<sup>2</sup>Ibid., November 7, 1792, pp. 5-6.      <sup>3</sup>Ibid., December 19, 1792, p. 4.

<sup>4</sup>Ibid., January 23, 1793, p. 3.      <sup>5</sup>Ibid., March 27, 1793, pp. 2-5.

<sup>6</sup>Archives parlementaires, LXI, 95.

he ridiculed proposals for exceptions to this rule.<sup>1</sup> On April 3 he called for the naming of new committees of general security and general defense possessing more extensive powers. He spoke in favor of Isnard's plan for a committee of public safety,<sup>2</sup> and later referred to the Committee of Public Safety as the necessary "despotism of liberty." He defended the Revolutionary Tribunal against Buzot's proposal to renew the jury.<sup>3</sup> He supported the extensive powers given to the representatives on mission. Finally, Marat spoke in favor of the forced loan on the rich.<sup>4</sup>

#### Louis Maribon-Montaut

Scarce evidence indicates that Maribon-Montaut was a proponent of strong extraordinary measures. He supported Bentabole's proposal for the renewal of the Committee of General Security in the wake of Lepelletier's assassination. He also suggested that the Committee be reduced to twelve members.<sup>5</sup> It is this combination of proposals that led to the reinvigoration of the Committee. On March 26, when some were trying to delay the enforcement of the decree for the disarming of suspects, Maribon-Montaut favored the immediate printing of the decree.<sup>6</sup>

#### Jean-Nicolas Meaulle

Two statements indicate that Meaulle favored revolutionary government. When the Committee of Legislation presented a measure to reduce punishment for those who had merely passed counterfeit assignats, he

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<sup>1</sup>Ibid., p. 336.    <sup>2</sup>Ibid., p. 278.    <sup>3</sup>Ibid., LXIII, 561.

<sup>4</sup>Supra, pp. 24, 38, 47, 82, 103, 106, 120, and 125.

<sup>5</sup>Archives parlementaires, LVII, 519.    <sup>6</sup>Ibid., LX, 583.

objected. The life of an individual, he said, was not important where the Republic was at stake.<sup>1</sup> When some advocated the rights of local administrators to resist representatives on mission, Meaulle supported the view that the orders of the commissioners could not be countermanded except by the Convention.<sup>2</sup>

#### Jean-Baptiste Mennesson

Mennesson wrote in one of his pamphlets that under the pretext of republican vengeance tyranny could be established. He called for a return as soon as possible to the ordinary processes of government where law protected all.<sup>3</sup> This was as good as saying that the Revolutionary Government should end as soon as possible. In another pamphlet he claimed that France was still under despotism.<sup>4</sup> Yet Mennesson was willing to use extraordinary measures against his political enemies. Writing in or after the spring of 1793, he admitted that he had opposed the law against provocateurs and the departmental guard, but had since changed his mind. He had supported republican ideas at the expense of the interests of the Republic. He now saw the two proposals as extraordinary measures necessitated by revolutionary times.<sup>5</sup> Mennesson's thinking in the spring was very much effected by efforts to oust the Girondins from the Convention. He wanted the deputies to convoke their substitutes in

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<sup>1</sup>Ibid., LXIII, 148.      <sup>2</sup>Ibid., LXIV, 718.

<sup>3</sup>Jean-Baptiste Mennesson, Mon opinion sur vos opinions. Nos principes contre vos préjudices (Paris: Imprimerie Nationale, 1792), p. 10.

<sup>4</sup>Jean-Baptiste Mennesson, Compte rendu au peuple français, par le citoyen Mennesson, député du département des Ardennes à la Convention nationale de France (Paris: Imprimerie du Journal des débats, 1793), p. 1.

<sup>5</sup>Ibid., pp. 18-21.

another city in case they were attacked at Paris.<sup>1</sup> Of course, he denounced the events of June 2, and denounced France's "revolutionary aristocrats" with specific reference to Marat and Robespierre. He called for the prosecution of the rioters of September 2 and the insurgents of March 10, demanding that laws be enforced and anarchy be brought to an end. He threatened to resign his post if what he called "anarchy" continued.<sup>2</sup>

Mennesson was obviously opposed to popular uprisings. He saw the Revolutionary Government as unnecessarily tyrannical, and called for its rapid termination.

Antoine-Christophe Merlin (de Thionville)

Merlin de Thionville was constantly on mission, and, therefore, was unable to comment in detail on many of the revolutionary measures taken by the Convention in early 1793. Thanks to a letter which he personally wrote from his mission to the army of the Rhine we can tell that he favored rigorous measures.

Early in the life of the Convention he had opposed the right's extraordinary measure: the departmental guard for the Convention, and the law against provocateurs.<sup>3</sup> He had also supported Saint-Just's call

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<sup>1</sup>Jean-Baptiste Mennesson, Motion d'ordre du citoyen Mennesson, député du département des Ardennes, à la Convention nationale, pour donner une garantie à la liberté dans les dangers de la patrie, et assurer les droits du peuple après la perte de ses représentans (Paris: Imprimerie nationale, 1793), pp. 4-5.

<sup>2</sup>Jean-Baptiste Mennesson, Déclaration du citoyen Mennesson, député du département des Ardennes, à la Convention nationale de France (Paris: Imprimerie nationale, 1793), pp. 2-5.

<sup>3</sup>Archives parlementaires, LIII, 75.

for a constitution. His opinion on the king had much in common with Robespierre's views. Merlin proposed that the Convention not even listen to those who spoke of inviolability because ". . . a tyrant must perish, for the sole reason that he is a tyrant."<sup>1</sup>

Shortly after pronouncing his opinion on the king Merlin left on mission. In a letter to the Convention from Mayence, he criticized the Convention for even considering sparing the life of the king. It did not have the right to spare him.<sup>2</sup> Merlin's views on revolutionary government in general were expressed in another letter from Mayence to the Convention dated March 25, 1793. He implied that the afflictions of the Republic were the product of treason in government, and of the moderates who cried that the Revolution was over. He called on the Convention to create a force of 12,000 men very similar in concept to the future "revolutionary army." It would suppress troubles where they arose. Seditious resolutions would be punished by death, and the property of the condemned would be treated like émigré property. Finally, the Convention should create a commission to examine the conduct of each deputy. Those accused of wrongdoing should be condemned without regard to the usual judicial forms.<sup>3</sup>

Once the Montagnard régime was consolidated and his own position became insecure, Merlin became less anxious to facilitate the trial of deputies. Indeed, he became an opponent of the Revolutionary Government over the issue of the arrest of deputies. When Dubarran first requested

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<sup>1</sup>Ibid., p. 638.

<sup>2</sup>Bouloiseau, Recueil des actes; Supplément, p. 21.

<sup>3</sup>Aulard, Recueil des actes, II, 513.

a decree of accusation against Osselin, Merlin was the one who requested that Osselin be heard. On November 11 he reiterated this request, unsuccessfully. In an about-face, probably either to protect himself or to carry a proposal of the Committee of Public Safety to its logical and unacceptable conclusion, when Barère requested the repeal of the decree requiring the hearing of deputies before their accusation, Merlin suggested that in the future it should be unnecessary for the Convention to issue indictments against its members. If there is any doubt concerning Merlin's opposition to the government, however, let us recall that it was he who on December 12 seconded Bourdon's proposal to renew the Committee of Public Safety, and carried it further by recommending that the Committee be renewed by one-third every month.

With the exception of the revolutionary measures proposed by the right, Merlin clearly favored revolutionary government before June 2, 1793. After the rise of the Montagnard régime, Merlin became an opponent of the Revolutionary Government.<sup>1</sup>

#### Jean-Baptiste-Benôit Monestier

Monestier's correspondence is a mine of information. It shows that he was a strong proponent of revolutionary government, although he opposed certain extraordinary measures. Monestier spoke well for himself:

It is better to remain under a revolutionary administration for several more months, though it might be less legal than possible, than to go right away in a precipitous and unthinking manner into a pretended state of calm and peace which could bring on sleep,

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<sup>1</sup>Supra, pp. 26, 49-50, 209-210, 214, and 234-235.

death or the lethargy of despotism and consequently new insurrections.<sup>1</sup>

He clearly favored the principles of extraordinary, revolutionary government, and was in no hurry to end the Revolutionary Government. He often denounced moderation and praised revolutionary zeal. He felt that exaggeration was preferable to moderation.<sup>2</sup> The safety of the country could only be assured by "severe and rigorous measures."<sup>3</sup> He criticized those who were overly concerned with forms which they felt were the only safeguards of liberty and property. They understood nothing about revolution, he said.<sup>4</sup> He denounced the "feuillants" and "modérés" who said in effect that the country was tired of revolution, that it could no longer accept a state of "such violent crisis," and that interior peace brought by the adoption of a constitution was necessary to fight the foreign powers. Peace was necessary, said Monestier, but a good peace based on victories.<sup>5</sup>

Other opinions also indicated Monestier's support for extraordinary measures. He supported the idea of domiciliary visits and the repression of grain hoarding. He opposed any prosecutions with regard

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<sup>1</sup>Jean-Baptiste-Benoît Monestier, Correspondance de J.-B.-B. Monestier, député du Puy-de-Dôme à la Convention, Vol. I; Le Conventionnel (Riom: Ulysse Jouvot, 1897), p. 68 (letter to the Commune of Clermont-Ferrand dated January 3, 1793).

<sup>2</sup>Ibid., p. 12 (letter to the Jacobins of Clermont-Ferrand dated October 6, 1792).

<sup>3</sup>Ibid., p. 117 (letter to the Jacobins of Clermont-Ferrand dated March 7, 1793).

<sup>4</sup>Ibid., p. 56 (letter to the Commune of Clermont-Ferrand dated December 13, 1792).

<sup>5</sup>Ibid., p. 101 (letter to the Jacobins of Clermont-Ferrand dated February 19, 1793).

to the September massacres.<sup>1</sup> He praised the September massacres as a defense of the revolution of August 10.<sup>2</sup> He also defended the record of the Montagnard Committee of General Security.<sup>3</sup>

Monestier was not immune to a little indulgence. For example, he favored exceptions in the law on émigrés for domestics and children under the age of fourteen.<sup>4</sup> One extraordinary measure which he definitely opposed was the departmental guard.<sup>5</sup> On the whole, however, Monestier was a model of the zealous advocate of strong revolutionary government.

#### Charles-Nicolas Osselin

As spokesman for the Committee of Legislation, Osselin was virtually the official reporter for the laws concerning émigrés. Whether or not these laws represented his thinking, he defended them even when they were thought, at times, to be excessively moderate. His position on domiciliary visits was moderate. He favored their being limited to public places, with individuals declaring the presence of outsiders

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<sup>1</sup>Ibid., p. 106 (letter to the Commune of Clermont-Ferrand dated February 26, 1793).

<sup>2</sup>Ibid., p. 36 (letter to the Jacobins of Clermont-Ferrand dated November 6, 1792).

<sup>3</sup>Ibid., pp. 79-80 (letter to the Commune of Clermont-Ferrand dated January 29, 1793).

<sup>4</sup>Ibid., p. 26 (letter to the Commune of Clermont-Ferrand dated October 25, 1792); p. 42 (letter to the Commune of Clermont-Ferrand dated November 13, 1792).

<sup>5</sup>Ibid., pp. 16-17 (letter to the Jacobins of Clermont-Ferrand dated October 11, 1792).

residing in their homes.<sup>1</sup> When it was proposed to disarm suspects he suggested sending the measure to the Committee of General Defense for consideration.<sup>2</sup> This might have been a delaying tactic. Osselin, however, did support giving the power of bringing individuals before the Revolutionary Tribunal to the public prosecutor. Eventually, Osselin was accused of favoring a former noblewoman and émigré, and was removed from the Convention and prosecuted. This deputy of Paris was thus, at most, a lukewarm supporter of revolutionary government.<sup>3</sup>

### Jérôme Pétion

Many indicators mark Pétion as essentially an opponent of revolutionary government. In his Lettre aux Parisiens he called for an end to the Revolution.<sup>4</sup> He supported complete freedom of grain trade in the fall of 1792. He opposed allowing the Executive Council and the municipality to censor plays during the period of Louis XVI's judgment and execution, fearing the measure might grow into general censorship. On the occasion of Lepeletier's assassination, Pétion opposed one of the major revolutionary measures demanded by angered deputies: domiciliary visits. At the same time, he opposed the direct intervention of the Convention in the policing of Paris.<sup>5</sup> In this latter position he agreed with the friends of Paris such as Robespierre. When a denunciation of the district court of Amiens for favoring an émigré brought demands for

<sup>1</sup>Archives parlementaires, LVII, 529.

<sup>2</sup>Ibid., LX, 582.    <sup>3</sup>Supra, pp. 40-42, 84-87, and 120.

<sup>4</sup>Lettre de Jérôme Pétion aux Parisiens ([Paris]: Imprimerie d'Antoine-Joseph Gorsas, [1793]), pp. 6-11.

<sup>5</sup>Archives parlementaires, LVII, 524.

"revolutionary measures" including domiciliary visits, Pétion led the opposition.<sup>1</sup>

### Pierre Philippeaux

Philippeaux, like Barère, seems to illustrate the evolution of the views of the majority. His views concerning revolutionary government changed significantly between the fall of 1792 and the spring of 1793. In the fall he was cautious concerning revolutionary measures, though he was more willing to accept them than most of those who have been classified as opponents of revolutionary government. Gradually his views began to change until, toward the end of the king's trial, he was clearly a proponent of strong revolutionary government. It may be that this evolution of Philippeaux' outlook was symbolic of the evolution in the attitude of the Convention as a whole. Unlike most of the deputies, however, Philippeaux left a fairly complete record of this change in his newspaper, the Defenseur de la Vérité, and in the records of the Convention. Under the Montagnard régime, Philippeaux became an opponent of the Revolutionary Government.

Philippeaux showed his willingness to accept revolutionary measures in some early remarks made shortly after the first meeting of the Convention. They concerned the September massacres and the powers of the Convention. Philippeaux called the September massacres a "popular vengeance" which was "legitimate and just," especially at a time when enforcement of the law was in "unfaithful hands." He continued with what could be a classic defense of revolutionary government: ". . . In a

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<sup>1</sup>Supra, pp. 73, and 85.

time of revolution, when tyranny is trying to stab public liberty, violent and extraordinary measures are indispensable. . . ." Let us keep in mind, however, that in the same period Philippeaux lamented the ". . . volcanic torrent of arbitrary punishments . . ." based on ". . . the abuse and excess of a power without limits. . . ." <sup>1</sup> These remarks were obviously directed against the Paris Commune, which was the only body having such powers at the time. Whatever his reservations, however, it is clear that Philippeaux was willing to support actions which were extraordinary. As for the powers of the Convention, Philippeaux thought that they were unlimited. In accepting the idea of the omnipotence of the Convention, he accepted a basic premise of revolutionary government.

On other issues, however, Philippeaux was cautious, and often opposed to extraordinary measures. His views did not have the clear political motivation seen in other deputies. On October 27, he reported in his newspaper that he had not yet formed an opinion on the departmental guard. <sup>2</sup> He opposed Buzot's proposal for a law against provocateurs, and agreed with Lepeletier that the measure could not be reconciled with freedom of the press. <sup>3</sup> He praised the decree on the émigrés, asking that there be no indulgence in their favor, but strongly favoring an exception for children. <sup>4</sup> Philippeaux was ambivalent concerning popular

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<sup>1</sup>Défenseur, October 6, 1792, p. 276.

<sup>2</sup>Ibid., October 27, 1792, p. 333.

<sup>3</sup>Ibid., November 3, 1792, p. 345.

<sup>4</sup>Ibid., October 27, 1792, p. 336; November 10, 1792, pp. 362-364; November 17, 1792, p. 377.

uprisings and other revolutionary actions not controlled by the Convention. He said that power in Paris should be returned to lawful authorities, and the provisional Commune, which he criticized for its "unpunished rebellions" should be dissolved.<sup>1</sup> On the other hand, he favored punishing only the instigators of the uprising in the Sarthe.<sup>2</sup> On economic matters, he was among those who supported complete freedom of commerce.<sup>3</sup> Philippeaux' views on the king were consistent with his ideas concerning the powers of the Convention. He argued that the Convention had the power to try the king, because inviolability did not protect him against the sovereign people assembled in Convention.<sup>4</sup>

In the factional disputes of the time Philippeaux seems to have been closer to the right. He agreed with many of Louvet's accusations against Robespierre, and felt Robespierre's response to Louvet did not demonstrate his innocence. He did remark, however, that Robespierre was not "dictator of Paris."<sup>5</sup> On December 8 he denounced popular risings over food supplies, which he felt were part of a plan of Marat and friends to dissolve the Convention. He defended Pétion, Carra and Roland against the "slanders" of these "conspirators."<sup>6</sup>

Sometime during the debate on the king, Philippeaux changed sides in the factional dispute, and also became a supporter of strong

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<sup>1</sup>Ibid., November 3, 1792, p. 347.

<sup>2</sup>Archives parlementaires, LVII, 705, and LVIII, 449.

<sup>3</sup>Défenseur, November 10, 1792, p. 361.

<sup>4</sup>Ibid., November 3, 1792, pp. 342-343.

<sup>5</sup>Ibid., November 10, 1792, pp. 365-366.

<sup>6</sup>Ibid., December 8, 1792, pp. 421-428.

revolutionary government. On January 5 he announced that he had changed his mind on the popular referendum concerning the king, and now opposed it. He criticized the views of Vergniaud and Gensonné on the issue, and seemed to believe the charge that they had corresponded with the king.<sup>1</sup> On the twelfth he denied that Paris wanted to control the Republic,<sup>2</sup> and on the nineteenth he denounced those sitting on the right where, as he put it, Cazalès and Maury had once sat.<sup>3</sup> He also denied the right's charge that the Convention was not free. Philippeaux explained his change of heart. He said that when he saw the same men who had attacked the Mountain turn on the majority of the Assembly, denouncing its decree on the death of the king, he became convinced that they had sacrificed everything to their passions. He accused them of slandering the Mountain which, he admitted, was often given to ". . . élans impétueux, produits par le fanatisme de la liberté. . . ."<sup>4</sup> Later he went further accusing the opponents of the Mountain of trying to ruin Paris, to control the Convention through terror by having it transferred out of Paris, and to save the king through the popular referendum.<sup>5</sup> Much later, on June 1, he admitted that for several months he had been, as he put it, the dupe of Brissot's hypocrisy.<sup>6</sup> It should be clear from all of these statements that by early 1793 Philippeaux, while still retaining some

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<sup>1</sup>Ibid., January 5, 1793, pp. 6-10.

<sup>2</sup>Ibid., January 12, 1793, pp. 17-18.

<sup>3</sup>Ibid., January 19, 1793, pp. 42-43.

<sup>4</sup>Ibid., January 26, 1793, p. 58.

<sup>5</sup>Ibid., February 9, 1793, pp. 90-91.

<sup>6</sup>Ibid., June 1, 1793, p. 356.

independence (for he did criticize the Mountain at times), nevertheless, moved closer to the left wing of the Convention. It seems that the prevarication of the right over the king was what prompted this change.

From this point through June 2 Philippeaux was a consistent and strong supporter of revolutionary government. He supported the creation of the Revolutionary Tribunal.<sup>1</sup> Of the opponents of this measure he said bitterly, ". . . those people would like to crush the sans-culottes, but to deliver up the great criminals to a certain punishment is to them the upsetting of the whole natural order. . . ."2 It might well have seemed that way to Philippeaux when many of those who opposed the Tribunal had supported the law against provocateurs. He went beyond support of the Revolutionary Tribunal to opposition to a jury system for the Court on the grounds that a jury would be too indulgent.<sup>3</sup> Philippeaux also praised the decree for the trial of émigrés in twenty-four hours, the outlawing of proposals for the agrarian law and the decree on the progressive tax.<sup>4</sup> He supported the creation of the Committee of General Defense, which he hoped might lessen party disputes. The disarming of suspects received his praise, even though he admitted it "might appear to be contrary to the principle of liberty."<sup>5</sup> Reporting on the creation of the Committee of Public Safety, Philippeaux said that the Convention

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<sup>1</sup>Ibid., March 16, 1793, p. 179; Archives parlementaires, LXI, 4.

<sup>2</sup>Défenseur, March 16, 1793, p. 180.

<sup>3</sup>Pierre Philippeaux, Opinion de P. Philippeaux, député de la Sarthe, sur la formation du tribunal révolutionnaire ([Paris]: Imprimerie Nationale, 1793), p. 1.

<sup>4</sup>Défenseur, March 23, 1793, p. 197.

<sup>5</sup>Ibid., March 30, 1793, p. 211.

felt it was necessary to give the government as much energy as possible.<sup>1</sup> Where before he had supported complete free trade, in the late spring he favored a maximum on the price of food.<sup>2</sup> Indeed, it was he who proposed the "decreasing maximum" which was finally adopted. He also reported favorably the sending of representatives on mission to the armies with unlimited powers.<sup>3</sup> Philippeaux opposed extraordinary measures of the right, denouncing the Commission of Twelve as tyrannical.<sup>4</sup>

After the consolidation of the Montagnard régime, Philippeaux became one of the opponents of the Revolutionary Government. As in the case of many others, his opposition was based on fears for his own safety.

Philippeaux gave a clear sign of his opposition to the Revolutionary Government on October 22 when he instigated the creation of a commission to investigate the conduct of Ronsin and Rossignol. This was a decree which Barère, with a certain bitterness, took the trouble to have repealed the next day. Philippeaux' opposition was not concerted with others. For example, it was his proposal for having the deputies account for their fortunes that aroused the opposition of Chabot and others. Philippeaux, however, continued his opposition to Ronsin and Rossignol, extending it to the Committee of Public Safety itself in his famous open letter to his colleagues. Philippeaux' attitude on this subject finally led to a severe rebuke by Robespierre.<sup>5</sup>

#### Louis Portiez

Portiez was somewhat timid for a journalist. His newspaper, the

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<sup>1</sup>Ibid., April 13, 1793, p. 244.      <sup>2</sup>Ibid., May 4, 1793, p. 288.

<sup>3</sup>Ibid., May 4, 1793, pp. 297-298.      <sup>4</sup>Ibid., June 1, 1793, p. 358.

<sup>5</sup>Supra, pp. 15, 134, 208; 210, and 239.

Journal du département de l'Oise, was not extremely partisan, and one gleans his opinions from it with some difficulty. His support for Roland,<sup>1</sup> and strong opposition to Marat<sup>2</sup> would indicate a prejudice for the right wing of the Convention. Other of his opinions showed opposition to revolutionary government. He displayed the right's typical love for law and order, saying that the popularity of the play Ami des loix showed that there were still men in France who loved order.<sup>3</sup> On April 20 he called a decree for the detention of all nobles a "loi de sang."<sup>4</sup> Another extraordinary measure which he opposed was the first maximum.<sup>5</sup> But he was too cautious to express himself strongly. After June 2 he openly admitted that he did not wish to express his opinion on the uprising because he did not want to take any chances.<sup>6</sup> In an apparent effort to protect himself, he wrote a pamphlet praising ". . . a new revolution, a truly moral revolution. . . ."<sup>7</sup> He saw France as a vast armed camp in which everyone was sacrificing himself for the country. But he hoped that the Revolutionary Government could still be a government of laws, asserting, "While the government is revolutionary, and the laws are equal to the circumstances, that which goes beyond their provisions is counter-revolutionary."<sup>8</sup>

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<sup>1</sup>Journal du département de l'Oise (Beauvais), January 12, 1792, p. 19.

<sup>2</sup>Ibid., April 20, 1793, p. 185.    <sup>3</sup>Ibid., January 14, 1793, p. 22.

<sup>4</sup>Ibid., April 20, 1793, p. 186.    <sup>5</sup>Ibid., May 4, 1793, p. 216.

<sup>6</sup>Ibid., June 5, 1793, pp. 273-274.

<sup>7</sup>Louis Portiez, L. Portiez, député de l'Oise, à ses concitoyens (Paris: Imprimerie de Campenon, [1793]), p. 2.

<sup>8</sup>Ibid., p. 3.

Pierre-Louis Prieur (de la Marne)

Prieur's sparse record indicates that he supported revolutionary government. He proposed that the Republic confiscate all inheritances accruing to émigrés. He favored open voting in the Revolutionary Tribunal, maintaining that while the secret vote might be preferable in ordinary times, the law for the Revolutionary Tribunal was an extraordinary measure. It was a "revolutionary law" to save the Revolution. The jurors in such times had to be held accountable to public opinion. Only this would assure that they fulfilled their duties.<sup>1</sup> On March 19 Prieur called for a more rapid organization of the Revolutionary Tribunal.<sup>2</sup> On July 10, 1793 he was elected to the Committee of Public Safety.

Nicolas Quinette

Quinette definitely favored revolutionary government. He supported changing the membership of the Committee of General Security on January 21, 1793, when the Committee was being attacked for its lack of vigor.<sup>3</sup> When Danton proposed a closer relationship between legislative and executive powers, Quinette supported Danton at least to the extent of asking that his proposal be discussed. He said that during a time of revolution there should be a certain unification of powers.<sup>4</sup> On March 22 Quinette strongly defended the concept of revolutionary dictatorship.<sup>5</sup>

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<sup>1</sup>Archives parlementaires, LX, 94-95.

<sup>2</sup>Ibid., p. 328.      <sup>3</sup>Ibid., LVII, 530.

<sup>4</sup>Ibid., LX, 92.      <sup>5</sup>Supra, p. 117.

Jean-Paul Rabaut-Saint-Etienne

Rabaut-Saint-Etienne was essentially an opponent of revolutionary government, though not of extraordinary measures as such. On December 2 he proposed that the distribution of pamphlets criticizing the Convention be prohibited near its meeting place. The Convention eventually rejected the measure on the grounds that its sergeants at arms could not be given the power to define a libel.<sup>1</sup> Rabaut favored the forced loan on the rich,<sup>2</sup> and called for harsher measures of repression in the Vendée.<sup>3</sup> He also favored the actions of the Commission of Twelve.<sup>4</sup>

Other opinions of Rabaut, however, indicated a strong dislike for revolutionary measures. It became apparent in his discussion of the king's trial that he did not feel the Convention was omnipotent, and that he thought it should exercise only the legislative power.<sup>5</sup> Though on January 20 he proposed the creation of a committee to give strong leadership to the nation, he did not mean a committee with powers like the later Committee of Public Safety. When Danton proposed the establishment of a closer relationship between the Convention and the executive power, Rabaut was one of those who spoke in opposition.<sup>6</sup> It would seem he favored a strict separation of powers not only between legislative and judicial powers but also between legislative and executive.

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<sup>1</sup>Archives parlementaires, LIV, 27.

<sup>2</sup>Chronique de Paris, April 30, 1793, p. 4.    <sup>3</sup>Ibid., May 9, 1793, p. 4.

<sup>4</sup>[Jean-Paul] Rabaut-Saint-Etienne, Précis tracé à la hâte par le citoyen Rabaut-Saint-Etienne, chargé du rapport, au nom de la Commission des Douze, dont il était membre (n.p., [1793]), pp. 9-15. (Hereinafter referred to as Rabaut, Précis.)

<sup>5</sup>Rabaut, Discours, p. 293.

<sup>6</sup>Archives parlementaires, LX, 91-92.

More explicit were other remarks against various revolutionary measures. Rabaut spoke out against, "La fureur de mettre en arrestation . . ." which everyone called a "revolutionary measure."<sup>1</sup> He denounced the commissioners in the departments for infringing on freedom of the press with a sort of "anarchical tyranny."<sup>2</sup> He ridiculed the use of the phrase "revolutionary measures," remarking, ". . . that word says all, explains all, excuses all & justifies all."<sup>3</sup> Rabaut drew a telling comparison between the actions of the Commission of Twelve and the revolutionary institutions. He said that the Commission had been reproached for making four arrests at a time when the Committee of General Security was holding several hundred citizens prisoner, many of them arrested at night on the basis of simple denunciations or suspicions. It was at a time when the commissioners of the Convention in the departments had arrested or deported several thousand people using dubious procedures, when committees of surveillance in Paris had arrested all whom they considered "suspect persons." These "arbitrary arrests" had aroused no complaints.<sup>4</sup> Thus, Rabaut spoke out against some of the most important revolutionary measures, though he seemed to have been most concerned with those related to civil liberties.

Rabaut was also concerned with revolutionary measures which tended to take power away from the Convention. When he spoke of the representatives on mission he called their activities "anarchical tyranny." When he praised the forced loan on the rich, he did so while denouncing measures of the same nature enacted by local authorities. The Convention

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<sup>1</sup>Chronique de Paris, May 23, 1793, p. 4.      <sup>2</sup>Ibid.

<sup>3</sup>Ibid.      <sup>4</sup>Rabaut, Précis, pp. 14-15.

alone, he asserted, had the authority to enact these measures.<sup>1</sup> Rabaut heaped scorn on the multitude of societies, revolutionary committees and other groups claiming the right to enact revolutionary measures. "If France is not well governed, it will not be for lack of people to govern."<sup>2</sup>

Rabaut was ready to accept extraordinary measures, but in his opposition to numerous arrests, to the powers of the representatives on mission, to the unification of legislative, executive and judicial powers he can only be classified as an opponent of revolutionary government. He favored centralization in the Convention, but only to restrain the excesses of the often less moderate lower office holders and popular organizations.<sup>3</sup>

#### Maximilien-Marie-Isidore Robespierre

Robespierre was from the beginning one of the most influential deputies in the Convention. His influence did not begin with the victory of the Mountain. Certainly, in the fall and winter of 1792, Robespierre did not have the power that he would acquire as the left gradually assumed the leadership of the Convention. In this early period Robespierre was accused by the right of the most evil intentions. He was heckled and interrupted by members of the right when he sought to speak. He felt (as has been observed with regard to other members of the left) that the Convention was dominated by a "coalition" of deputies who were enemies of Paris and of everyone associated with the

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<sup>1</sup>Chronique de Paris, April 30, 1793, p. 4.

<sup>2</sup>Ibid., May 23, 1793, p. 4.      <sup>3</sup>Supra, 112.

city.<sup>1</sup> In spite of his weak political position, however, something about Robespierre gave his pronouncements a great moral weight in the eyes of the assembly, and, therefore, a great force. This, even Condorcet had to admit as early as the fall of 1792,<sup>2</sup> though Robespierre and Condorcet disagreed more often than they agreed. If Robespierre could impress Condorcet, certainly his views must have carried great weight with the deputies of the left who essentially agreed with him. Robespierre was one of the few prominent Jacobins whose revolutionary rectitude none of his colleagues ever dared challenge. He was the left's guiding light.

Even though Robespierre was the pre-eminent leader of the left, the evolution of his views did not follow the left's pattern of thought precisely. Like other deputies of the left, however, Robespierre opposed the departmental guard. In a speech to the Jacobins on October 15, 1792 he explained his opposition at length. He voiced the usual arguments that the Convention did not need protection in Paris, asserting that the proposal was the child of an anti-Parisian faction. Like other deputies of the left, Robespierre claimed that the guard endangered liberty. Indeed, he used arguments which could have been cited against most extraordinary measures. He maintained that the purpose of the public force was to enforce the general will. This force must work only in the name of the law and only under the orders of the lawfully empowered magistrate. Any force loyal to a man or an assembly, no matter what the assembly's powers, was a social "monster." It would be dangerous, because, being

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<sup>1</sup>Robespierre, Oeuvres, IX, 33.

<sup>2</sup>Chronique de Paris, December 29, 1792, p. 1454.

loyal to a particular individual or group, it would no longer be directed by the general will. No longer would its purpose be the protection of society as a whole, but rather the protection of that individual or group. It would be an instrument of tyranny.<sup>1</sup> Robespierre was saying, in other words, that the Convention should not have all power. It should not have control over an armed force for the policing of a given area. Only the lawfully empowered magistrates should have control of this force, and those empowered to police Paris were the municipal authorities of Paris. This was an argument essentially opposed to revolutionary government, but Robespierre was not about to defend revolutionary government when it was in the hands of his opponents.

Robespierre did not discuss the law against provocateurs extensively, yet it is clear that he opposed this second important revolutionary measure of the right. Like the departmental guard, the law against provocateurs was to Robespierre part of the conspiracy of a faction which sought to slander Paris and its deputies. He seemed to agree with Lepeletier that the law would be an unconscionable infringement on freedom of the press and, indeed, on liberty in general.<sup>2</sup>

It was with regard to the expulsion of Philippe Egalité that Robespierre's views deviated most from the norm for the left. He saw the exile of the Bourbons as a necessary revolutionary measure, but warned against following the consequent expulsion of Philippe Egalité

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<sup>1</sup>Robespierre, Oeuvres, IX, 32-40.

<sup>2</sup>Oeuvres complètes de Robespierre, Vol. V: Les Journaux: Lettres à ses commettans, ed. with notes by Gustave Laurent (Gap: Imprimerie Louis-Jean, 1961), pp. 28-29, and 93-94.

from the Convention to set a precedent for other deputies. He undoubtedly recognized the political liability inherent in defending Philippe Egalité.

Robespierre usually supported revolutionary measures and he usually led the left. He was strongly in favor of extraordinary governmental intervention in the economy in the fall of 1792. While opposing the direct exercise of police powers in Paris by the Convention, he supported domiciliary visits directed by the Convention if basic liberties were protected. In discussions on the émigrés, Robespierre argued strongly against exceptions to the repressive law, even for most children. Robespierre's opinion on the king was a landmark in the theory of revolutionary government. He saw the execution of Louis as a revolutionary measure and nothing more. Robespierre strongly opposed the law for the prosecution of the originators of the September massacres.<sup>1</sup> Along with Danton, Robespierre was one of the first to recommend the narrowing of the gap between the legislative and executive powers through the creation of what was essentially the Committee of Public Safety. During the debate on the Revolutionary Tribunal, Robespierre proposed a definition of crimes to be punished by the Tribunal which was very broad and would have included press offenses. His proposal was rejected. On May 18 he suggested the arrest of all suspects as hostages.

At times, Robespierre, like other members of the left, made a generalized call for revolutionary measures. Such was the case on March 27 when he demanded the enactment of "popular laws" including the exile of the Bourbons and the trial of Marie-Antionette. In the

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<sup>1</sup>Robespierre, Oeuvres, IX, 263.

discussion of the declaration of rights, Robespierre clearly pointed out the distinction between the needs of revolutionary and ordinary times, and asked for the provisional maintenance of revolutionary laws which infringed upon ordinarily accepted liberties. Robespierre, of course, opposed the last revolutionary measure of the right, the Commission of Twelve.

During the summer of 1793, before his appointment to the Committee of Public Safety on July 27, Robespierre did not have the look of a man hungry for power. A number of times he defended the "Dantonist" Committee of Public Safety against its detractors.<sup>1</sup> One measure proposed by the Committee which Robespierre opposed vehemently was the suppression of the popular revolutionary committees.<sup>2</sup> Robespierre feared this measure would stifle popularly inspired revolutionary measures.

Clearly, Robespierre was a staunch supporter of revolutionary government. Like other members of the left, however, he opposed extraordinary measures which would have benefited the right.<sup>3</sup>

#### Antoine-Louis-Léon Saint-Just

Saint-Just's basic support for revolutionary government is best illustrated by his statements concerning the judgment of Louis XVI. He saw the trial of the king as a political and revolutionary measure. His arguments approached, but did not attain, Robespierre's ruthless logic. Saint-Just did not oppose the expulsion of Philippe Egalité on the same grounds as other members of the left, the sanctity of the national

<sup>1</sup>Supra, pp. 173-175.

<sup>2</sup>Archives parlementaires, LXVI, 173-174.

<sup>3</sup>Supra, pp. 46-47, 53-55, 65-66, 74-75, 86, 94-95, 112, 119, 140-141, 144-145, and 153.

representation. He would have had the Duke of Orleans leave as soon as the king was judged and the constitution was presented for approval. This would assure that the expulsion would not serve simply as another maneuver in an interminable factional struggle. Beyond this, there is no substantial record of Saint-Just's views on revolutionary government through the time of his appointment to the Committee of Public Safety on May 30, 1793.<sup>1</sup>

#### Jean-Baptiste-Michel Saladin

Legislation against the émigrés was one of Saladin's favorite concerns. He supported extraordinary measures in this field. It was he who on February 25 denounced the district court of Amiens for releasing an émigré. He called for the enactment of a new law concerning the émigrés. In a pamphlet Saladin argued that the law on émigrés was an extraordinary measure, a sort of "loi de guerre," and that, therefore, ordinary standards of justice could not be applied to it. Thus, it could not be argued that the law should not be applied *ex post facto*.<sup>2</sup> Nevertheless, he advocated exceptions. A law which was inhumane would never be enforced by a free people. The exceptions which he advocated were wide-ranging, even including those who fled trials which they thought would be unjust.<sup>3</sup> He would allow departmental directories and other officials to act on petitions from those who felt they should not

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<sup>1</sup>Supra, pp. 49, and 63-64.

<sup>2</sup>Jean-Baptiste-Michel Saladin, Développement des motifs en faveur du mode de juger les exceptions particulières non prévues par la loi contre les émigrés, par J.-B. Michel Saladin, député du département de la Somme ([Paris]: Imprimerie Nationale, [1793]), pp. 2-4.

<sup>3</sup>Ibid., pp. 8-9.

be included in the laws.<sup>1</sup>

Saladin's views on exceptions to the law on émigrés indicate his concern for liberty. Though he supported the work of the Commission of Twelve and voted in favor of its reinstatement on May 28, he admitted that it had too much power. He opposed the arrests it made.<sup>2</sup> He denounced the expulsion of the Girondins which he felt constituted the dissolution of the Convention.<sup>3</sup>

In summary, Saladin's views on revolutionary government were contradictory. While favoring an extraordinary law concerning the émigrés, the exceptions which he suggested were so broad that they might have made this law ineffective. Apparently, he opposed allowing extraordinary measures to infringe too greatly on individual liberty.<sup>4</sup>

#### Jean-Baptiste Salle

Salle opposed most aspects of the Revolutionary Government. He showed no sympathy for those involved in uprisings, opposing any sort of amnesty for the rising in the Sarthe.<sup>5</sup> He was also in favor of trying the leaders of the September massacres. When the Convention voted to freeze the membership of the Committee of Public Safety until the threat in the Vendée subsided, Salle was one of those who protested.

More revealing than Salle's interventions in the debates of the

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<sup>1</sup>Jean-Baptiste-Michel Saladin, Rapport et projet de décret, sur le mode de juger les exceptions particulières, non prévus par la loi contre les émigrés; présentés à la Convention nationale, au nom des quatre comités réunis de Législation, des Finances, Diplomatique et de la Guerre; Par J.-B.-Michel Saladin, député du département de la Somme. (Paris: Imprimerie Nationale, 1793), pp. 17-23.

<sup>2</sup>Saladin, Compte rendu, pp. 7-9.      <sup>3</sup>Ibid., pp. 14-16.

<sup>4</sup>Supra, p. 84.      <sup>5</sup>Archives parlementaires, LVII, 705.

Convention were several of his published writings. Some time in March, 1793 he wrote a letter to Bicquille, the vice-president of the department of Meurthe. The letter was found by representatives on mission and sent to the Convention.<sup>1</sup> According to Salle the letter was meant to be private.<sup>2</sup> It concerned the abortive uprising of March 9. There were a number of compromising statements in it. Salle claimed that some of the deputies were part of a conspiracy, and that Danton's proposal for a closer relationship between the legislative and executive powers was part of a plot to give the conspirators supreme power. With obvious reference to the Revolutionary Tribunal he spoke of "their bloody tribunal." He said the decree for the Tribunal was forced out of the Convention, though he happily admitted that the members of the court were chosen by "us," and that the court as now composed was good. He spoke of the "dictatorial missions" of the representatives on mission, to whom he referred as "proconsuls."<sup>3</sup> In his published explanation of the letter he refused to make any retractions. He likened the Revolutionary Tribunal to a commission of the Old Régime, and expressed the fear that its major purpose was to do away with Brissot, himself and others who held similar opinions.<sup>4</sup> He was totally opposed to the unlimited powers possessed by the representatives on mission.

As can be seen, Salle's opposition to revolutionary measures and institutions was based in large part on political judgment. He saw

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<sup>1</sup>Ibid., LX, 708-711, and 722-724.

<sup>2</sup>Salle, Observations sur sa lettre, p. 1.

<sup>3</sup>Salle, Lettre au citoyen Bicquille, pp. 2-5.

<sup>4</sup>Salle, Observation sur sa lettre, pp. 4-8.

them as instruments of the political opposition, which might even be used to eliminate himself and his friends. Naturally he denounced the events of June 2, and accused his enemies of intending eventually to dissolve the Convention and have the Committee of Public Safety take its power.<sup>1</sup> He called for the rejection of the Jacobin constitution, the purpose of which, he said, was to perpetuate the dictatorship of those who had seized power.<sup>2</sup>

### Jean-Louis Seconds

Two statements by Seconds indicate that he supported revolutionary government. When the power of the Convention to reopen shows closed by the Commune was questioned, Seconds maintained that the Convention was all-powerful. In his book, De l'art social, he devoted several pages to a discussion of revolutionary government. He said that the nature of the times in which laws were enacted shaped those laws. They could not be the same for revolutionary times as for ordinary times. This was especially true when a new constitution was being written, and there was an "interregnum of law."<sup>3</sup> "People finally understand that necessity has no laws, or rather that it is, so to speak,

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<sup>1</sup>Jean-Baptiste Salle, Déclaration de Salle du 3 juin, 1793, 1'an II de la République (Paris: Gorsas, 1794), pp. 67-68. (included at the end of the pamphlet entitled, Plan suivi par Robespierre et les Jacobins, pour donner un Roi à la France.)

<sup>2</sup>Jean-Baptiste Salle, Examen critique de la constitution (N.p., [1793]), pp. 19-20. Supra, pp. 83, 109, and 141.

<sup>3</sup>Jean-Louis Seconds, De l'art social, ou des vrais principes de la société politique, par Jean-Louis Seconds, citoyen français du département de l'Aveyron, et député à la Convention nationale (Paris: Imprimerie Nationale, 1792-1793), pp. 116-117.

the law of laws. . . ."<sup>1</sup>

### Jean-Lambert Tallien

Tallien was a moderate supporter of revolutionary government. He opposed the law against provocateurs. He considered the punishment of émigrés by banishment and death for their return too harsh. He favored unusually liberal exceptions to the law. On the other hand, he favored the extension of the law on émigrés to all refractory priests,<sup>2</sup> and later advocated the imprisonment of all priests pending an investigation of their conduct.<sup>3</sup> On mission in May 1793, Tallien wrote to the Committee of Public Safety from Tours urging in a very general way that vigorous measures be taken.<sup>4</sup>

Beyond the purview of this study, yet casting some light on Tallien's views concerning revolutionary government in general, is clear evidence that Tallien the "thermidorian" did not intend to end the Revolutionary Government. In a pamphlet on the principles of revolutionary government, Tallien called for a government that was severe but not "terroristic." He advocated the retention of the Revolutionary Government until peace.<sup>5</sup>

### Jacques-Alexis Thuriot

Thuriot was one of the most vocal deputies, and it can safely be

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<sup>1</sup>Ibid., p. 119. Supra, p. 72.

<sup>2</sup>Archives parlementaires, LII, 629.      <sup>3</sup>Ibid., LX, 487.

<sup>4</sup>Aulard, Recueil des actes, III, 615-616.

<sup>5</sup>J. L. Tallien, Discours sur les principes du gouvernement révolutionnaire (Paris: Imprimerie Nationale, [1794]). Supra, p. 41.

said that he supported revolutionary government before the achievement of the Montagnard hegemony. After the rise of the Montagnard régime, however, he became an opponent of the Revolutionary Government.

In December of 1792 Thuriot made one of the first significant statements on the theory of revolutionary government. He said, in effect, that the people could exercise their sovereignty under the constitutional régime, but until then the Convention should take all "provisional measures" "necessary for the good of the people, whether the people liked it or not.

Thuriot was thoroughly willing to accept infringements on individual liberty. When the Commune was being criticized for the supposedly arbitrary arrest of Cappy, Thuriot supported the arrest. Revolutionary times justified extraordinary measures, he said. He was willing to pardon those involved in uprisings, proposing that in the Sarthe all be freed except those accused of murder and arson.<sup>1</sup>

It was not beyond Thuriot to place politics above questions of revolutionary government. When speaking against Roland he called for the suppression of the executive power. Yet, when defending the Commune he claimed that the Convention did not have the power to overrule the closing of shows by the Commune on the day of the king's judgment. Thus, Thuriot was willing to support the omnipotence of the Convention only as long as it was in the vanguard, as he saw it, of the defenders of the Revolution.

Thuriot supported the creation of the Revolutionary Tribunal,<sup>2</sup> and defended it against its enemies' attacks. He was more hesitant

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<sup>1</sup>Archives parlementaires, LVIII, 449.

<sup>2</sup>Ibid., LX, 3.

concerning the Committee of Public Safety. When Isnard first proposed the creation of this committee, Thuriot opposed it on the grounds that it would give the Convention both legislative and executive powers.<sup>1</sup> Yet, by the time Isnard advanced the proposal finally adopted, Thuriot had changed his mind. Even though the same charge that he had originally made was now being directed against this new proposal, Thuriot claimed that he was now satisfied that the new plan did not give the proposed committee executive powers. Thuriot, thereafter, remained a consistent supporter of the Committee. When it asked for the power to requisition troops for the Vendée, to the objections of those who felt this would give the Committee too much power, Thuriot supported the request.<sup>2</sup> Finally, Thuriot supported the unlimited powers given the representatives on mission.

Thuriot supported various other revolutionary measures. He proposed offering rewards for the denunciation of returned émigrés.<sup>3</sup> He supported the confiscation of the inheritances of émigrés. He pointed out that returning émigrés presented a danger in the Vendée, and suggested that "grandes mesures" be adopted for dealing with them.<sup>4</sup> When the elimination of the death penalty was proposed, Thuriot advocated unyielding firmness.<sup>5</sup> When bad news from the Vendée arrived on May 8, Thuriot proposed arming all Parisians to fight the rebels.<sup>6</sup> Thuriot also supported the first maximum<sup>7</sup> and the forced loan on the rich.

With his own life at stake, Thuriot became one of the leading

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<sup>1</sup>Ibid., LXI, 278.    <sup>2</sup>Ibid., LXIII, 438.    <sup>3</sup>Ibid., LVIII, 546.

<sup>4</sup>Ibid., LVII, 36-37.    <sup>5</sup>Ibid., LXIII, 147.

<sup>6</sup>Ibid., LXIV, 310.    <sup>7</sup>Ibid., p. 13.

opponents of the Revolutionary Government in the fall of 1793. He opposed Raffron's proposal to create a tribunal to try deputies, and Philippeaux' proposal to have the deputies account for their fortunes. He supported Chabot's motion to have the Convention hear any of its members who were to be sent before the Revolutionary Tribunal. On November 11 he claimed that certain deputies were being persecuted by the ministry of war. Where the deputies' security was concerned, Thuriot was an opponent of the Revolutionary Government in the year II.<sup>1</sup>

#### Louis Turreau-Linières

There is one recorded instance when Turreau-Linières opposed an extraordinary measure. When Roland confiscated mail sent out by the Paris Commune, he called for the immediate return of the packets.<sup>2</sup> In all other cases he supported extraordinary measures. He supported Duhem's demand for the exclusion of journalists from the Convention hall.<sup>3</sup> He supported an immediate vote on the Revolutionary Tribunal on March 9. He also supported the forced loan on the rich.<sup>4</sup> Clearly, Turreau-Linières was a supporter of revolutionary government as it developed in the spring of 1793.<sup>5</sup>

#### Pierre-Victorien Vergniaud

Vergniaud supported some revolutionary measures, but he was essentially an opponent of revolutionary government. Though the record of Vergniaud's views in the fall of 1792 is sparse, he made clear his

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<sup>1</sup>Supra, pp. 19-20, 50-51, 108, 124-125, 136, 139, and 214.

<sup>2</sup>Archives parlementaires, LIII, 74.      <sup>3</sup>Ibid., LIX, 720.

<sup>4</sup>Ibid., LXV, 120.      <sup>5</sup>Supra, p. 91.

support for the law against provocateurs. He also opposed the imprisonment of Cappy. He left a clear record of his opposition to the revolutionary measures of the spring of 1793. He compared proposals for the Revolutionary Tribunal to the inquisition of Venice. He did not oppose the Tribunal itself, he explained, as long as it was organized in a just fashion. Obviously he felt it was not. He thought it was serving the cause of counter-revolution. Vergniaud also felt that it would be dangerous to allow members of the Convention to exercise executive powers.<sup>1</sup> Vergniaud's overall judgment of the laws being enacted in the spring of 1793 was harsh. He called them "loix de sang."<sup>2</sup> His solution was the adoption of a constitution in order to end the "interregnum of law" and the "gouvernement de circonstance."

One of Vergniaud's most interesting statements bearing on this subject was made in the Convention on April 10. He was answering the charge that he and other former members of the Committee of General Security were moderates. He said he realized that in revolutionary times it was foolish to try to calm the effervescence. But this did not mean that the legislator had to protect "murder and brigandage." Anyone who talked about further insurrection was counter-revolutionary, for the "statue of liberty" was now on the throne. He complained that his opponents were always talking about "terrible measures" and "revolutionary measures." He wanted such measures, too, he said, but they must

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<sup>1</sup>Vergniaud, Guadet, Gensonné, Oeuvres, pp. 190-191.

<sup>2</sup>Pierre Vergniaud, Manuscrites, lettres et papiers, pièces pour la plupart inédites, ed. with notes by C. Vatel (2 vols.; Paris: J. B. Dumoulin, 1873), I, 153 (letter to the Jacobins of Bordeaux dated May 5, 1793).

be directed against the enemies of the Revolution: the émigrés and other conspirators.<sup>1</sup> "They have tried to consummate the Revolution by terror, I would have wanted to consummate it by love."<sup>2</sup>

To consummate the Revolution by love or to consummate it by terror; here in a sentence was expressed the essential difference between opponents and proponents of strong revolutionary government. One side sought normalization of the government to elicit support from the nation. The other felt that a man was either for or against the Revolution, and that opponents could only be crushed.

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<sup>1</sup>Vergniaud, Guadet, Gensonné, Oeuvres, pp. 214-216.

<sup>2</sup>Ibid., p. 217. Supra, pp. 92, and 142.

## APPENDIX 2

Table A

### VIEWS OF THE MEMBERS OF THE CONVENTION CONCERNING THE REVOLUTIONARY GOVERNMENT AND IMPORTANT REVOLUTIONARY MEASURES

This table summarizes the views of the deputies who were included in Appendix 1. The table is confined to the period before June 2, 1793, because for the later period, data is insufficient. The categories in the table are worded so that an "F" for favorable indicates that the deputy favored the Revolutionary Government or a certain revolutionary measure, and an "O" for opposed indicates the opposite. A "C" indicates contradictory evidence. A blank indicates insufficient evidence. The categories are as follows:

1. The Revolutionary Government:

This indicates whether the deputy favored or opposed the Revolutionary Government as it developed in the spring of 1793. It is a composite of his positions on revolutionary measures in the late winter and spring of 1792-1793. Though other items in the table may reflect the reasons for this general judgment, it may be based on considerations not reflected in the table, but to be found in the sketch of the deputy in Appendix 1. Opposition to the Revolutionary Government does not necessarily indicate opposition to revolutionary government in the abstract. We have found

that almost every deputy accepted the use of revolutionary measures.

2. Anti-Parisian Revolutionary Measures:

a. Fall:

Indicates whether the deputy favored or opposed one or more of the following measures: the law against provocateurs, the departmental guard, Roland's opening of mail packets sent out by the Paris Commune, the expulsion of Philippe Egalité from the Convention and the direct policing of Paris by the Convention.

b. Spring:

Indicates whether the deputy favored or opposed the reinstatement of the Commission of Twelve in the appel nominal of May 28, 1793,<sup>1</sup> or gave his opinion on this question in some other way.

3. The Committee of General Security:

Indicates whether the deputy favored or opposed an active Committee of General Security. The criteria for determining this attitude are as follows: defense or criticism of the Montagnard Committee of General Security for its harshness, defense or criticism of the Girondin Committee of General Security for the opposite reason, position on replacing the original Montagnard Committee of General Security in the first nine days of January, 1793, position on replacing the Girondin Committee of General Security and reducing the membership of the Committee of twelve on January 21, 1793.

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<sup>1</sup>The results of this vote may be found in Archives parlementaires, LXV, 531-539.

4. Representatives on Mission:

Indicates whether the deputy favored or opposed the sending and extension of the powers of the representatives on mission.

5. Revolutionary Tribunal:

Indicates whether the deputy favored or opposed the creation of the Revolutionary Tribunal, and later whether he favored or opposed strengthening its powers, or whether he defended or attacked it.

6. Committee of Public Safety:

Indicates whether the deputy favored or opposed the creation of the Committee of Public Safety, and later whether he favored or opposed strengthening its powers, or whether he defended or attacked it.

7. Economic Compulsion:a. Fall:

Indicates whether the deputy favored or opposed limitations on the freedom of trade in grain.

b. Spring:

Indicates whether the deputy favored or opposed one or both of the following: the forced loan on the rich and the grain maximum.

8. Emigrés:

Indicates whether the deputy favored or opposed strong laws against the émigrés. Advocating a law weaker than those adopted by the Convention would indicate opposition.

9. Suspects in General:

Indicates whether the deputy favored or opposed strong laws against

refractory priests and other suspects, whether he favored or opposed domiciliary visits and whether he favored or opposed laws against sedition other than the original law against provocateurs.

10. Amnesty for Uprisings:

Indicates whether the deputy favored or opposed amnesties for insurrection.

TABLE A

VIEWS OF THE MEMBERS OF THE CONVENTION CONCERNING  
THE REVOLUTIONARY GOVERNMENT AND  
IMPORTANT REVOLUTIONARY MEASURES

Deputies	The Revolutionary Government		Anti-Parisian Revolutionary Measures		Committee of General Security	Representatives on Mission	Revolutionary Tribunal	Committee of Public Safety	Economic Compulsion		Emigrés	Suspects in General	Amnesty for Uprisings
	Fall	Spring	Fall	Spring					Fall	Spring			
Albittle	F					C	F	F				F	F
Amar	F		O									F	
Audouin	F		O								F		
Bailloul	O		F		O								C
Barbaroux	O		F			O	O	O					
Barère	F		O			F	C	F					
Basire	F		O		F								F
Bentabole	F		O		F								F
Billaud-Varenne	F		O			F					F	F	
Blotteau	O		F		O	O		O					O
Bourdon (de l'Oise)	F		O				F					F	
Boyer-Fonfrède	C		F				C					F	
Bréard	F		F			F		F					

TABLE A--Continued

Deputies	The Revolutionary Government		Anti-Parisian Revolutionary Measures		Committee of General Security	Representatives on Mission	Revolutionary Tribunal	Committee of Public Safety	Economic Compulsion		Emigrés	Suspects in General	Amnesty for Uprisings
	Fall	Spring	Fall	Spring					Fall	Spring			
Brisot	0	F	F			0	0	0	0		0		
Buzot	0	F	F		0	0	0	0	0		F	0	
Cambon	F	0	0		F	C	F		F			F	
Carra		0											
Carrier	F				F	F							
Chabot	F	0	0		F	F							F
Chambon	0		F		0	0					F		
Charlier	F		0			F			F		F	F	
Collot d'Herbois	F	0	0		F	F	F					F	
Condorcet	0	0	0					0	F		0		
Couthon	F		0			F			F			F	
Danton	F	0	0		F	F	F		F		F		
Delacroix	F		0		F	F			F			0	
Desmoulin										0			
Dubois-Crancé		0											F
Ducos		0	F		0							0	
Duhem	F				F	F					F	F	

TABLE A--Continued

Deputies	The Revolutionary Government		Anti-Parisian Revolutionary Measures		Committee of General Security Representatives on Mission	Revolutionary Tribunal	Committee of Public Safety	Economic Compulsion		Emigrés	Suspects in General	Amnesty for Uprisings
	Fall	Spring	Fall	Spring				Fall	Spring			
Dufriche-Valazé	O		F			O	O					
Dulaure	O		F	F					F			
Duval	F					F	F					
Faucher	O		F			O	O			O		O
Garnier (de Saintes)								F		F		
Garran	F		O			F						
Gensonné			F	F								
Guadet	O		F	F		O						
Guffroy			O	O								
Guiot			O	O								
Isnard	C		F			O	F					
Jean-Bon- Saint-André	F		O	O		F	F					F
Julien					F							
Kersaint	O		F									
Lanjuinais	O		F	F		O	O		F	F		
Lasource	C		F		O		O			O	F	





TABLE B

VIEWS OF THE ASSOCIATES OF BRISSOT ON THE REVOLUTIONARY  
GOVERNMENT AS IT DEVELOPED IN THE SPRING  
OF 1793 AND ON RELATED MATTERS

The list of names is taken from Appendix C in The Girondins by M. J. Sydenham. Only those deputies for whom there is sufficient data are listed here. Groups A, B and C, established by Sydenham, are in order of decreasing prominence and decreasing closeness with Brissot. Those in group A were the most prominent (explaining why we have sufficient information on a larger percentage of them), and were most closely associated with Brissot. The closer a deputy was to Brissot, the closer he should have been to the center of the alleged Girondin faction.

The two questions studied in this table are views on the Revolutionary Government as it developed in the spring of 1793, and views on anti-Parisian revolutionary measures. The letters F, C, and O stand respectively for favorable, contradictory and opposed.

Group A (out of 17)	Revolutionary Government			Anti-Parisian Measures		
	F	C	O	F	C	O
Barbaroux			X	X		
Brissot			X	X		
Buzot			X	X		
Condorcet			X			X
Ducos			X		X	
Gensonné				X		
Guadet			X	X		

TABLE B--Continued

Group A (out of 17)	Revolutionary Government			Anti-Parisian Measures		
	F	C	O	F	C	O
Isnard		X		X		
Kersaint			X	X		
Lanjuinais			X	X		
Lasource		X		X		
Louvet			X	X		
Pétion			X	X		
Vergniaud			X	X		
Group B (out of 18)						
Boyer-Fonfrède		X		X		
Chambon			X	X		
Fauchet			X	X		
Lehardy		X		X		
Salle			X	X		
Group C (out of 25)						
Bailleul			X	X		
Birotteau			X	X		
Carra						X
Manuel			X			
Rabaut-Saint-Etienne			X	X		

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