CHAPTER XXIV

REFORM AND REVOLUTION IN FRANCE: OCTOBER 1789–FEBRUARY 1793

When, after the October crisis, the National Assembly followed the French court from Versailles to Paris, it was able quickly to come to grips with the task of devising a new constitution. The danger of counter-revolution had once more receded and by November the food shortage in the capital was over.¹ The timely surrenders of feudal privileges made in the August decrees, officially promulgated on 3 November, allayed peasant discontents at least temporarily and bought time for the lawyers of the feudal committee to consider how total the alleged ‘destruction’ of the feudal régime was to be in fact. A hiatus in the administration of justice and in the conduct of local government was averted by the provisional continuation of existing office-holders. The suspension, on 3 November, of the activities of the parlements removed a possible spring-board for counter-revolutionary resistance in the provinces. Though the October crisis prompted Louis XVI to send a secret and solemn protest against the restrictions forcibly imposed on the crown’s authority to Charles IV of Spain,² and though, by contrast, it encouraged the Belgian democrats to launch a revolt against the Austrian government in the Netherlands, neither of these repercussions involved much danger of European intervention in France. Most European governments were content to feel that France’s political influence on the continent had been extinguished for some time to come. The first serious difficulties in France’s foreign relations were in fact delayed till May 1790 and culminated in a solemn renunciation by the National Assembly of aggressive warfare and territorial conquest. Above all, when on 2 November the Assembly nationalised the landed estates of the Gallican church, it removed the impending danger of national bankruptcy.

¹ The immediate measures taken to undermine further the powers of the executive and to safeguard the independence and legal supremacy of the legislature indicated, however, how deeply the Assembly had resented the king’s stubborn defence of the feudal privileges of church and aristocracy and how suspicious it still was of his potential disloyalty. Louis had already been deprived of the right to prorogue or dissolve the legislature and of the power to initiate legislation. His suspensive veto applied only to ordinary and not to ‘constitutional’ decrees. Though preserved as the
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hereditary and inviolable sovereign, he now held his crown on terms specified in the constitution and not as a matter of divine right. No longer 'king of France and of Navarre' but 'king of the French', he was soon to be given a civil list and described as 'first functionary'. Even more serious in its political consequences was the assembly's rejection of a motion of Mirabeau which would have allowed ministers to take part in its deliberations, though not to vote. The decree of 7 November 1789, excluding deputies from the ministry for the existing session, was never reversed and it was in this way that revolutionary France was deprived of the benefits of ministerial responsibility and parliamentary government. Ever since the October days Mirabeau had cast himself for the role of saviour of the monarchy as a minister sitting in the assembly; henceforth, in the collapse of these ministerial ambitions, he could only aspire to become the king's secret and paid adviser, seeking to countermine not the revolution but the evolving constitution.

The pre-eminent authority now given to the future Legislative Assembly owed as much, however, to the influence exerted, from inside the reconstituted constitutional committee, by the Abbé Sieyès, as to the assembly's fears of the executive or its deference to the doctrine of the separation of powers. Sieyès, who had already done much to formulate the political pretensions of the Constituent Assembly, now assumed the mantle of Mounier as the chief prophet of revolutionary constitutional theory. An enemy of privilege before the revolution, but aggrieved by the abolition of clerical tithes, Sieyès revealed his suspicions of direct democracy and gave his support, along with the liberal aristocracy, to the physiocratic idea that the constitution should provide for government by an élite. His distinction between 'political' and 'civil' rights and between 'active' and 'passive' citizenship was used as the basis for the restriction of the electoral franchise. His emphasis on the 'representative' character of the constitution reinforced the assembly's decision to confine popular political rights to the mere exercise of the franchise. The importance he attached to the revolutionary concept of national unity was reflected in the dogma which he formulated and which was enshrined in so many modern French constitutions that the deputy represented, not his own local constituency, but the nation as a whole.

Sieyès's influence was immediately apparent in the new electoral process devised for the Legislative Assembly. The indirect election of deputies and the fiscal qualifications required for candidates, electors and voters in the primary assemblies, however, restricted the exercise of the electoral function within narrower social limits than even Sieyès had originally
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contemplated. Despite the protests of the Abbé Grégoire and of Robespierre, the assembly decided, on 22 October 1789, to confine eligibility for election as deputy to those paying direct taxes to the value of a silver mark (about fifty francs) and, on 22 December, required voters in the primary assemblies and electoral colleges to pay respectively the value of three and of ten days' labour in such taxes. Even so, the franchise thus determined was more liberal than it subsequently became at the time of the Restoration and of the July Monarchy, since it created about 4,300,000 'active' citizens as against two million 'passive' citizens. The system of indirect election of deputies, so often criticised as anti-democratic, survived in France till 1817 and the fiscal qualification for electors was only temporarily removed in 1792, and did not disappear till 1848.¹

The future legislative assembly was given an independence and sphere of authority which were meant to ensure its virtual monopoly of political power. The deputies were released from the control or supervision of their constituents by the abolition of 'imperative mandates', and they were also given the right of parliamentary immunity. Annual sessions, the un fettered control over their own meetings and procedure, freedom from dissolution, the right to initiate legislation and to elude even the restricted operation of the suspensive royal veto by the issue of proclamations, gave the legislature a hitherto unheard-of independence from interference on the part of the executive. Full control over the national finances, an annual check on military expenditure, the power to create or abolish all public offices, the right to enforce the legal responsibility of ministers and a close control of foreign policy endowed the Legislative Assembly with an omnicompetent and sovereign authority reminiscent of that of the British parliament.

Though this concentration of authority at the centre seemed to critics like Mirabeau to involve the danger of a new type of despotism on the part of a single-chamber legislature, it was, to some extent, offset by a very considerable decentralisation of administrative responsibility to a wide range of elected local authorities.² In the replanning of the institutions of local government the urgent need was not so much to fill a vacuum created by the collapse of the authority of the intendants, as to regularise the position of the elected revolutionary municipalities which had sprung into existence earlier in the year. It was also necessary, if the chaotic administration of the ancien régime was to be rationalised, for a unified and coherent framework to be established to which new units of ecclesiastical and judicial administration could later be assimilated. The way for reform had been cleared by the overthrow of many of the old municipal oligarchies, by the rejection of Necker's timid proposals for
the reform of the provincial estates, but above all by the sacrifices made on 4 August of the financial and corporate privileges of the \textit{pays d'êts}s. The issue of administrative decentralisation had first been raised at the end of July 1789 by Dupont de Nemours, Turgot’s former collaborator. Draft proposals for the division of France into departments, communes and cantons and for the establishment of a hierarchical system of elected local authorities had been reported to the assembly on 29 September by Thouret, in the name of the constitutional committee. The idea of the geometric dissection of the historic provinces into eighty-three departments emanated from Siéyès and the organisation of the new local authorities was copied by Thouret from the provincial assemblies of 1787. As there was general agreement that the unit for town government should be the parish, and as the need for speedy action in this sphere was obvious, discussion was concentrated initially on the problem of municipal organisation and the new system was approved by a decree of 14 December 1789. This provided all the towns and village communities throughout France with small executive corporations (\textit{corps municipaux}), consisting of a mayor and a variable number of officials and with deliberative assemblies (\textit{conseils généraux}), formed from the corporations, and a more numerous body of notables. Representing the king in the general assembly and with the right to be consulted on all local affairs was a \textit{procureur}, who carried out functions analogous to those of an English town-CLerk. “All these officials and councils were to be directly elected by the ‘active’ citizens of the commune from those who paid the value of ten-day’s labour in direct taxes. Though the consent of the general council of the commune was required for the transaction of the most important local business, the effective agents of the communal administration were the municipal corporations. In addition to their routine responsibilities for local affairs these bodies were given wide police powers, including the duty of enforcing martial law when necessary, and were later entrusted with the assessment and collection of the new direct taxes.

The organisation of the new departments, districts and cantons, outlined in a decree of 22 December 1789, was not, however, completed till 26 February 1790. This was because the original plans of the constitutional committee were considerably modified by the assembly and because the delimitation of the departmental boundaries was settled in relation to historical circumstances and geographical conditions by those best qualified to arbitrate on local differences—the deputies from the areas concerned. The administrative structure of the departmental and district authorities was analogous to that of the communes, but the system of election, like that prescribed for the National Assembly, involved not one but two stages—the departmental electoral colleges being elected by primary assemblies of ‘active’ citizens in the cantons. Departments and districts (but not cantons) were now endowed with
deliberative general councils, the former composed of thirty-six and the latter of twelve members, elected for four years and renewable, as regards half their membership, every two years. Half the numbers of the departmental and one-third of the district general councils were to be elected to departmental and district 'directories', which were to exercise executive functions. The departmental authorities were to assess direct taxes, organise hospitals, prisons and ateliers de charité and to supervise schemes for agricultural or commercial development. The districts were called on to draw up lists of 'active' citizens and the new taxation rolls, to control the organisation of the national guards and later to organise the sale of nationalised property. Some form of liaison with the central government was provided by the election of a procureur-général-syndic in the departments and of a procureur-syndic in the districts. The essential function of these important officials was to ensure the local application of laws passed by the National Assembly. At the time of the revision of the constitution in March 1791 the king was given power to annul acts of the departmental authorities contrary to law or ministerial order and also to suspend them from their functions. Similar disciplinary authority over the districts was also entrusted to the departments. In either case, however, suspension of these local assemblies had to be confirmed, and could be quashed, by the Legislative Assembly, which alone had the power to dissolve them.

By February 1790 the whole country had been divided into 83 departments, 547 districts, 4732 cantons and 43,360 communes and the new local assemblies were elected between February and the end of June. The new administrative machinery had its weaknesses—the municipal organisation, especially in the capital and the larger towns, was unnecessarily complex, the disparity between the social composition of the communal, district and departmental councils led to friction, while the lack of effective control from the centre meant that little or no check could be imposed on the progress of direct democracy in the communes. The effective decentralisation, imposed on the Assembly by popular demand, did, however, give France a new consciousness of national unity, which was signalised by the regional federal unions of the spring of 1790 and by the Festival of Federation in Paris on the first anniversary of the fall of the Bastille. The provincial separatism, which had defeated all attempts under the ancien régime to endow France with administrative unity, and which was still vigorous in 1789, had now been extinguished. The framework of local government thus devised has lasted, with modifications, till our own day.

The next piece of unfinished business to occupy the Assembly was the vast and complicated issue of agrarian feudalism. The practical contra-
diction between the ‘total destruction of the feudal régime’, announced in the August decrees, and the provisional preservation of certain feudal rent-charges pending their redemption, required explanation, if not justification. Interim solutions hurriedly drafted under the pressure of the agrarian revolts needed to be given final legislative form. Since 9 October 1789 these problems had been remitted to the feudal committee of the Assembly, and subcommittees, presided over respectively by the eminent lawyers Merlin de Douai and Tronchet, had been entrusted with the task of classifying the feudal dues and of determining the method of their proposed extinction. The decrees of 15 March and 3 May 1790 which disposed of these questions made it clear, however, that though feudalism in a legal sense was now extinct, the radical and immediate destruction of economic feudalism was still to be witheld. This refusal to concede what the peasants were determined at all costs to bring about was to have grave social and political consequences and can only be attributed to middle-class respect for property rights, the short-sighted conservatism of the lawyers and the desire of interested parties to restrict, and if possible to recoup, their earlier financial sacrifices.

In the week immediately following the night of 4 August when the surrender of feudal rights had been given more detailed formulation, self-interest had reasserted itself and even those who had precipitated what Rivarol had called the ‘Saint Bartholomew of property’ had had second thoughts about the wisdom of their actions. At that time it was still possible for the nobles who had surrendered to the infectious enthusiasm of the famous night session to doubt whether their impulsive action would secure the approval of their constituents; some who had acted from prudential motives thought that the salvage of feudal property rights could easily be compromised if radical solutions were allowed to prevail, and others, who had been absent on 4 August, were critical of the ‘snap’ voting in the Assembly, which had been engineered by the liberal ‘cave’ in the Breton club.\(^1\) These attitudes explain the attempts made between 5 and 11 August 1789 to contest the abolition of feudal hunting rights and of private jurisdictions, the postponement, till 20 July 1790, of the extinction of the honorific distinctions of the nobility, and the various restrictive clauses in the August decrees. Though it was realised that nothing should be done to question the abolition of the few surviving traces of servitude, and that little could be done to recall or qualify the sacrifice of dues deriving from servile status, many owners of feudal rent-charges became convinced that such dues ought to be preserved as long as was consistent with the maintenance of public order. This pointed to a system of redemption which would make it difficult, rather than easy, for the poorer peasants to free themselves from these charges. The intrusion of capitalist methods into agriculture in the later stages of the ancien régime had
also resulted in an increased financial yield from this type of feudal due and the problem of profitably reinvesting any capital from their redemption, at a time when interest rates were tending to decline, was a real one.¹

The principle governing the detailed classification of feudal dues in the decree of 15 March 1790 was the legal distinction derived from Roman Law between féodalité dominante and féodalité contractante. On this basis feudal and manorial dues were divided into two categories—on the one hand, personal dues, which were regarded as having been usurped or exacted illegally by feudal lords and, on the other, dues which were in effect contractual rent-charges, whose payment represented the concession of land either on a free or servile tenure. In reinterpreting and giving effect to the August decrees, the Assembly now explained that the abolition of the feudal régime meant that what had hitherto been feudal property would henceforth become freehold and that the feudal rent-charges, which were to be maintained until redeemed, would be converted into economic land-rents.² The distinction between personal and contractual dues, though satisfactory to the lawyers, could not, however, be applied with consistency to the vast complex of feudal obligations and in so far as it was understood by the peasantry was rejected as mere legal sophistry.³

The decree of 3 May 1790, by stipulating that annual money dues of a contractual nature should be redeemed at twenty years' purchase and dues in kind at twenty-five times their annual yield, established redemption rates which were, in themselves, not unreasonable. The conditions attached to the actual process of repayment, however, often made redemption a practical impossibility. Redemption was, in any case, only permissive and not mandatory: when it occurred it was to result from agreement between the owner and his individual tenants and no form of collective bargaining was permitted. Before the annual dues could be redeemed all arrears had to be paid up and all casual dues extinguished, even though the majority of tenants could normally expect not to be subject to these heavy contingent exactions at all. Dues which in the past had been paid collectively had also to be redeemed simultaneously, so that the inability of some tenants to raise the necessary capital prevented others, who could have afforded to do so, from acquiring the unrestricted ownership which all desired.

The consequent disillusionment of the peasants was increased still further by the repercussions on them of the Assembly's fiscal and economic reforms. Although it had been decided in principle, in August 1789,
that ecclesiastical tithe should be abolished without compensation, it had also been stipulated that it should continue to be levied until such time as the expropriated clergy should be paid salaries by the state. By a decree of 20 April 1790, these clerical salaries were to commence as from 1 January 1791, so that until then the collection of tithe was still legal and was in fact enforced. Even after that date the benefit resulting from the abolition of tithe was confined to the actual owners of land. Similarly the decision of the Assembly, on 14 May 1790, that the nationalised church lands should be sold by auction to the highest bidder deprived the poorer peasants of the chance of extending their holdings, even though they would have preferred to use their scanty capital resources in that way, rather than in the redemption of the contractual dues on their existing tenures. Finally the measures taken to free agriculture and trade from restrictions and monopolies in accordance with physiocratic ideas alienated the majority of peasants, who were profoundly attached to the collective methods of pre-capitalistic agriculture and to the state regulation of the corn trade. The only concessions made by the Assembly to the interest of the smaller agriculturalists were the retention of the embargo on the export of grain, the abolition of most of the indirect taxes on food and the maintenance of the right of common pasturage. These measures totally failed to protect the peasants from the economic distress caused by the new facilities accorded to the larger proprietors for the extension of enclosures and other forms of capitalistic production. Such were the origins of that endemic rural unrest which was only dissipated by the more drastic reforms of the Legislative Assembly on the eve of its dissolution.\footnote{Even more tragic in its consequences was the prolonged and embittered religious schism which resulted from the Assembly’s efforts to remodel the organisation of the Gallican church in the civil constitution of the clergy.}\footnote{This redefinition of the position of the Roman Catholic church in France in its relationship to the secular authority and to the papacy was consequential partly upon the demands for reform expressed in the clerical cahiers, partly upon the destruction of the corporate organisation of the Gallican church on 4 August 1789, and also upon the subsequent nationalisation of the clerical estates. The immediate need for this reform of ecclesiastical institutions arose, however, from the assembly’s obligation in the spring of 1790 to provide for the future cost of public worship and for the redemption of the pre-revolutionary clerical debt. The Assembly’s essential objective was the creation of a national church, free of the political abuses and social inequalities of the ancien régime, independent of any kind of foreign ecclesiastical control, democratic in its forms and}
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gear to the new system of local administration! Reform of this kind, so it was argued, would affect the civil, but not the spiritual, affairs of the clergy and no attempt would be made to interfere with either dogma or ecclesiastical discipline. Since the reforms would be part of the secular constitution, they would not be subject to the royal veto and it was generally assumed that, if necessary, the papacy could be either persuaded or forced to acquiesce. It was well known also that a substantial majority of the clerical deputation in the assembly, including a number of liberal prelates, led by de Boisgelin, the influential archbishop of Aix, would lend its support to the plans. The mood in which the Assembly and its ecclesiastical committee approached the problem of church-state relations was, therefore, confident, though far from intentionally provocative. The proposals of the ecclesiastical committee came before the Assembly at the end of May 1790, were approved by a large majority on 12 July and were ‘accepted’ by the king on 22 July, on the recommendation of his clerical advisers in the council of ministers—Champion de Cicé, archbishop of Bordeaux, Keeper of the Seals, and Lefranc de Pompignan, archbishop of Vienne.

The main features of the new settlement were the adjustment of the boundaries of the dioceses to those of the departments, the abrogation of the Concordat of 1516 by provision for the election of bishops and curés by all those on the roll of ‘active’ citizens, irrespective of their religious beliefs, the payment by the state of reasonable salaries to both upper and lower clergy and the canonical institution of bishops, by French metropolitans instead of by the pope. There was much in the civil constitution that appealed to the lower clergy—it offered them a chance of rising in the hierarchy of the church, whose upper ranges had, in the eighteenth century, been confined to those of noble status; it doubled their incomes; it enabled them to nominate their own vicars; it gave them complete security of tenure; and it satisfied those who had supported Richerist arguments for the establishment of diocesan and metropolitan synods. On the other hand, under the new régime, the former prestige and authority of the bishops were diminished. The bishops were now deprived of all except their purely spiritual or ecclesiastical functions; they were held strictly to the duty of residence and their jurisdictional powers within their dioceses were to be exercised in consultation with a permanent council of vicars-episcopal. Nevertheless freedom from the necessity of seeking papal confirmation for their election was undoubtedly considered by many bishops as an important compensation for their sacrifices and as a welcome concession to episcopal Gallicanism.
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In fact, however, though clerical opposition was slow to declare itself, the provisions of the civil constitution were bound to prove unacceptable not only to the French episcopate but also to the papacy. The reduction of the number of dioceses from 135 to 83 meant that some bishops would be deprived of their sees, while others would have their jurisdictions extended over larger areas. The decisions of the Council of Trent, however, and the formalities of canonical institution—whereby bishops were empowered to exercise their jurisdiction only over their own strictly defined dioceses—excluded the possibility of such transfers of authority, unless permission were given by the observance of regular canonical procedure. The Assembly had also gone beyond the wishes expressed in the clerical cahiers, when it provided for the participation of laymen, who might be Protestants, Jews or even atheists, in the election of the ‘constitutional’ clergy.

The actual conflict between church and state which broke out in the autumn of 1790 was due mainly, however, to the Assembly’s uncompromising rejection of de Boisgelin’s suggestion that the reforms should be submitted for approval to a national synod of the French church. Such procedure might have paved the way for an acceptable compromise, but only at the cost of infringing the sovereignty of the National Assembly and it might also have involved the risk that the church would attempt to bargain for the restoration of its status as a corporation within the state. Consequently the Assembly presented the church with a virtual ultimatum and left the ministers with the difficult task of negotiating its acceptance by the papacy. This alternative method of securing the canonical ‘baptism’ of the civil constitution was accepted with equanimity even by the radical reformers in the Assembly, because they considered that the consent of the pope, Pius VI, could, in the last resort, be enforced by threats to annex the papal enclaves in French territory—Avignon and the Venaisin. Before the results of these negotiations could be known, the Assembly took a further, and this time an irretrievable, step in the direction of religious schism when, on 20 November 1790, it imposed on all beneficed clergy in France an oath requiring them to uphold with all their power the constitution decreed by itself, on pain of deprivation. The clergy were thus compelled to choose between accepting the civil constitution, which had by then been condemned by many of the French bishops, and the loss of their clerical offices. In this crisis of conscience there was a striking and significant contrast between the behaviour of the bishops and that of the lower clergy—for whereas all except seven bishops refused, almost half the curés took the oath. The religious schism in the church
was thus precipitated, even before the pope, at long last, condemned the
civil constitution and the political and social reforms of the revolution in
briefs addressed to the French bishops on 10 March and 13 April 1791.
The main results of Pius' action were to provoke a number of retractions
among the clergy who had taken the oath, to cause the majority of the
French bishops to emigrate in the course of 1791 and finally to persuade
Louis XVI, torn by his religious scruples, of the necessity to break with
the Revolution by seeking safety in escape from Paris.

Parallel with the religious schism an important cleavage developed in
the political leadership of the Constituent Assembly. This was the conse-
quence of a conservative reaction among that section of the liberal
aristocracy, led by the Triumvirate of Barnave, Duport and Alexandre
Lameth, which in September 1789 had wrested the control of the parti
patriote from Mounier and the Moderates, by forcing the pace of social
and political change. By the spring of 1791, however, this group had con-
vincing itself that the time had come to halt the Revolution and to con-
ssolidate the conquests made by the propertied and enfranchised notables
before these could be endangered by the opposite extremes of counter-
revolution and radical egalitarianism. In one sense the Triumvirins merely
assumed the policy, ambitions and secret commitments of Mirabeau after
his death early in April 1791. They too wished to revise the constitution
so as to strengthen the monarchy and to pave their way to ministerial
office by abolishing the decree of 7 November 1789. In the altered cir-
cumstances of 1791, however, when new social and economic conflicts
were emerging in the capital, when the government had hardly recovered
from the serious military and naval mutinies at Nancy and Brest of the
previous autumn and when large areas in the south of France were con-
vulsed by outbreaks of religious fanaticism and aristocratic counter-
revolution, the new moderate or 'constitutional' group cast itself for the
role of a party of 'order'.

The fears and anxieties underlying this conservative trend had been
inspired by the rapid proliferation of new political clubs and fraternal
societies in the capital in the winter of 1790 and by the emergence, in the
spring of 1791, of an organised working-class movement. Originally de-
dsigned to promote the civic and political education of the unenfranchised
proletariat, these societies, with the encouragement of Marat, soon be-
came active political pressure groups.1 Composed largely of 'passive'
citizens and admitting women to their membership, the clubs gave expres-
sion to the rising popular dissatisfaction with the restricted electoral
régime imposed by the Assembly and put forward claims that not only
the constitution but even ordinary legislation should be submitted for
popular ratification. They also became vigorous critics of the bourgeois
establishment of the Parisian municipal administration and of the social exclusiveness of La Fayette’s National Guard. It was in these clubs that the Parisian sans-culottes first emerged as a recognisable revolutionary element, whose political and economic demands represented a new and more formidable challenge to the predominance of the middle-class élite.\(^1\)

Though the first popular clubs had sought and received the patronage of the Jacobin club, the later societies, established in the spring of 1791, were virtual offshoots of the radical Cordelier club. As such they were the first practical exponents of Rousseauite theories of direct democracy.

The working-class movement of the spring of 1791 in the capital was marked by the intense indignation of large numbers of unemployed at the news of the impending closure of the public workshops maintained by the municipality and by a widespread campaign of journeymen carpenters, hatters, typographers and master-farriers in support of minimum daily wages. For the middle-class legislators of the national assembly the disquieting features of these developments were, first, that the working-class claims were championed by the radicals of the Cordelier club and its affiliates in threatening petitions to the legislature, and secondly, that in early June a ‘coalition générale’ of 80,000 Paris workers was threatening to secure wage demands by direct pressure, picketing and general strikes, at a time when the former trade guilds dominated by the masters had recently been abolished in the name of economic liberalism.\(^8\)

In response to these developments the Assembly carried a series of decrees in the spring of 1791 which clearly demonstrated its growing fears of radicalism. At the end of April it excluded ‘passive’ citizens from the Parisian National Guard; on 7 May, in the name of religious liberty and moderation, it allowed refractory priests to celebrate mass in the parish churches; on 9 May a decree forbidding collective petitioning struck at the popular clubs and finally, on 14 June, on the motion of Le Chapelier, a law was passed forbidding, under severe penalties, the formation of trade unions and employees’ associations, any form of collective bargaining for the raising of wages, as well as picketing and strikes.\(^9\) Meanwhile an open breach between the Triumvirs and Robespierre had resulted from Barnave’s defence of the vested interests of the West Indian planters in the important colonial debates between 11 and 15 May and from Robespierre’s self-denying decree of 16 May, which excluded members of the Constituent Assembly from election to the following legislature.\(^4\) The
Triumvirs had now clearly emerged as Moderates, whose political ambitions would only be realised if direct democracy in Paris were stamped out and if the assembly could be persuaded to revise the constitution, so as to allow a strengthened executive to act as an effective bulwark against class conflict in the capital and the danger of civil war in the provinces.

The flight of the royal family to Varennes on 20 June 1791 and its return in captivity to Paris on the 25th have always been regarded, and rightly so, as marking a turning-point in the history of the Revolution. These events forced the issue of republicanism for the first time to the forefront of public attention in France: they perpetuated the breach between the moderate and democratic leaders of the Jacobin club; they sowed fresh and ineradicable suspicions of royal duplicity in the mind of the people; demonstrated that even so large a country as France could be governed effectively at a period of national emergency without a king; and provoked the European great powers—particularly Austria and Prussia—into a heightened awareness of the solidarity of their monarchical interests against the revolutionary new order.

The immediate response of the general public to the royal flight was a curious mixture of anger and indifference in the capital and panic fears in the provinces of counter-revolution and foreign invasion. Popular demonstrations in favour of a republic followed quickly. The campaign was launched in Paris by the Cordeliers club and the fraternal societies and the example was imitated by some of the affiliated societies of the Jacobin club in the provinces. In the capital republicanism received the "philosophic" blessing of Condorcet and was prominently canvassed in the radical journals of Brissot, de Bonneville and Camille Desmoulins. Before the movement had time to gain real impetus, however, it ran into difficulties. Not all the radicals declared for a republic—Marat called, as usual, for a popular dictatorship. Danton appeared to favour an Orleanist regency, while Robespierre reserved his views and seemed to prevaricate. A republican manifesto, drafted by Thomas Paine, was countered by Sieyès and fizzled out like a damp squib. The return of the king to Paris, the declared hostility of the Constituent Assembly to any form of republicanism and the prevalent feeling that the deposition of Louis XVI might involve the country in war with Austria, quickly robbed the republicans of the initiative.

As soon as the king was safely back in Paris the Assembly suspended his powers until such time as final decisions could be taken as to his fate and future status. The legislature then calmly absorbed the powers of the executive, took immediate steps to provide for national defence by calling for a hundred thousand volunteers to man the frontiers, suspended the
elections for the new legislature and gave Louis the benefit of the doubt by instituting its own inquiry into the circumstances of his alleged 'abduction'. In this crisis the initiative in the determination of policy was seized by the small group of Moderates headed by the Triumvirate. As part of a secret compact with Marie Antoinette, Barnave and his associates were able to secure the exculpation of the king and queen by the Assembly (15 July). With the backing of the Assembly and the support of La Fayette as Commander of the National Guard, the Moderates were able to uphold this decision by the use of force against the republican petitions of the popular clubs on the Champ de Mars (17 July).

After the flight to Varennes Barnave was able to play even more successfully than hitherto on the Assembly's fears of radicalism and of foreign intervention. In this sense his main opponents—the Parisian radicals and the militant émigrés proved to be his most effective allies. It was easy to persuade the Assembly to take a short way with the republicans when the Cordeliers and popular clubs flouted its authority by pressing for the fate of the monarchy to be determined, not by the deputies, but by their constituents. To this open defiance of the sovereignty of the Assembly there seemed to be but one effective answer—the resort to martial law against the Champ de Mars demonstrators, the suppression of the popular clubs and the persecution of the radical leaders. Even though Robespierre and the democratic minority of the Jacobin club had dissociated themselves from the republican demonstration on the Champ de Mars, the Moderates broke away from the Jacobin club, which they themselves had originally organised, to found a new society of their own—the Feuillant club.1 It was only the loyalty of its affiliated societies in the provinces and the exertions of Robespierre which preserved the Jacobin club from complete extinction as a result of this schism.

Nor, at this juncture, did the Assembly need to be reminded by Barnave that the trial or deposition of the king, in accordance with the wishes of the radicals, might involve the country in the danger of civil war and foreign intervention. Events spoke more loudly than arguments. The Emperor Leopold II, brother of the queen, who had so far been reluctant to promise Louis XVI any form of active assistance until the royal family was safely out of Paris, now suggested joint action by the powers to safeguard the interests of the French monarchy. In the so-called Padua circular of 6 July 1791, forwarded to the empress of Russia and the kings of England, Prussia, Spain, Naples and Sardinia, he urged the need for concerted action 'to vindicate the liberty and honour of the most Christian King and his family and to limit the dangerous extremes of the French revolution'. He recommended that the powers should sponsor a strongly worded protest to be handed over in Paris by their ambassadors. In this

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they were to demand that Louis should be set at liberty without delay and declare that they would refuse to recognise any French law or constitution that had not been freely accepted by the king. If the extremists at Paris were not intimidated by this joint démarche, more vigorous measures would follow. Though Spain, Naples and Sardinia welcomed this proposed concert, the reply of Catherine II was guarded and the British government refused to commit itself. Nevertheless the essential basis of a future anti-French coalition was formed when, on 25 July, Prussia and Austria, hitherto jealous rivals, concluded a preliminary defensive alliance in which they agreed to take united action to bring about a European concert for the settlement of French affairs. Shortly afterwards, on 4 August, Leopold freed himself from his commitments in eastern Europe by making peace with the Turks at Sistova.

Meanwhile Louis’s brother, the comte de Provence, who had escaped to Belgium, had early in July joined the comte d’Artois and Gustavus III of Sweden at Aix-la-Chapelle. Here the émigrés made noisy and threatening preparations for an early restoration of the ancien régime in France by force of arms. With Provence claiming to be regent of France as of right, with Condé’s forces at Worms swollen by mass desertions of officers from the frontier regiments, these threats no doubt seemed more serious to the French Assembly than they were in fact.

To save Louis from trial and deposition and to scotch the immediate danger of ‘red’ republicanism was, however, much easier than to arrest the Revolution by a policy of reconciliation and constitutional revision. As the Constituent Assembly drew towards its close the Triumvirate pinned its hopes of a speedy termination of social and political conflict to a programme which, if statesmanlike in conception, was yet unrealistic in its presuppositions. This policy was, first, to heal the deep political and social schisms which the Revolution had opened up by appealing to the émigrés to return to France before their estates were confiscated and also by modifying the civil constitution of the clergy. Secondly, the Triumvirate wished to revise the constitution, so that its acceptance by the king could be made the basis for the restoration of the royal authority. Thirdly they hoped, by using Marie Antoinette as their secret intermediary, to persuade the emperor to refrain from further threats of intervention in French affairs. The corner-stone of the Triumvirate’s entente with the court was its attempt to revise the constitution so as to strengthen the executive. In this way they hoped to facilitate the achievement of their own ministerial ambitions, and to convince the emperor that a stable political régime would be created in France which would render superfluous any attempt to restore the ancien régime at the dictation of the émigrés. All their efforts, however, in the course of August and September
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1791 to abrogate the decrees excluding deputies from ministerial office and from the succeeding legislature failed, their hopes of providing the king with an absolute veto and of instituting a second chamber foundered, and the modifications of the existing constitutional provisions were on a minor scale and largely illusory.¹ This failure was due partly to the deep-seated suspicions in the Assembly of the political ambitions of the Triumvirate and partly to the refusal of the right-wing deputies to cooperate.

Though neither Marie Antoinette nor the emperor wished to trucule to the émigrés, each had their own reasons for not wholly accepting the policy of compromise and co-existence advocated by Barnave. The queen repudiated all contact with La Fayette, she regarded the constitution, even after its revision, as a ‘monstrosity’, and had no compunction in deceiving the Triumvirs by continuing to plead with the emperor for the restoration of the monarchical authority by means of an armed congress of the powers. Leopold, though recognising that the personal safety of the French royal family had been ensured by the Feuillants, was convinced that the political situation in Paris had been re-established mainly by his own initiative in issuing the Padua circular. Cautious by temperament and suspicious of the aggressive designs of Catherine II in Poland, the emperor thought it wise not to repudiate the Triumvirs. He decided, nevertheless, to maintain the policy of intimidation and bluff which he thought would discipline the French extremists, without committing him to the armed intervention recommended by the émigrés. It was this temporising attitude which led him, on 20 August 1791, to assure the Feuillants that he would recognise the revised French constitution if it was freely accepted by Louis and, on 27 August, in close concert with the king of Prussia, to issue the famous declaration of Pillnitz. In this document the emperor and king, recognising that the restoration of order in France was a matter of common concern to all European sovereigns, invited the powers to join them in helping Louis to establish a monarchical system compatible both with the rights of sovereigns and with the welfare of the French nation. If the powers jointly agreed on this policy, the contracting powers would take prompt measures to implement it. Since Leopold already knew, from the replies to the Padua circular, that this condition would not be realised, the declaration in no way committed him to armed intervention. Nevertheless the presence at Pillnitz of both

¹ The two main modifications were the removal of the civil constitution of the clergy from the constitution and the changes in the electoral régime. The former was intended to facilitate the revision of the ecclesiastical settlement by the new Legislative Assembly, so as to heal the religious settlement. This possibility was removed, however, by the fresh wave of anti-clericalism in the new Assembly, see below, pp. 697–8. The increase in the qualifications for electors did not help the Moderates, for the elections to the Legislative Assembly were conducted on the original franchise arrangements devised by the Constituent Assembly in 1789.
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the comte d'Artois and of his political adviser, Calonne, and the emphasis
subsequently placed on the counter-revolutionary significance of the
declaration by the émigrés only deepened French fears of the warlike
intentions of the emperor.

In these circumstances the acceptance of the revised constitution by
Louis XVI on 13 September 1791 and the issue of a political amnesty
liberating the Parisian radicals and republicans did nothing to bolster up
the waning popularity of the Constituent Assembly. Despite its great
achievements in constructive reform, the Assembly had long forfeited
popular support by the exclusiveness of its concern for the narrow interests
of the middle-class notables and by its subservience to the political guid-
ance of the Feuillants. It was a tired and discredited Assembly which
closed its doors at the end of September.

The tasks awaiting the new Legislative Assembly, when it met on
1 October 1791, were serious enough to daunt even the most experienced
of politicians. For the most part its problems were the legacy of the
Constituent Assembly and were concerned with internal administration
and the practical working of an untried constitution. From the outset
its members were confronted with a deteriorating financial situation, a
deepening religious schism, growing disorders in the provinces and Negro
revolts in San Domingo, and by the problem of strained relations with a
suspect executive. Even more urgent and perplexing, however, was a
fresh problem—that of France's relations with the European autocracies
in the tense situation created by the declaration of Pillnitz. In the circum-
stances it was perhaps inevitable that these issues, which in normal times
might have been dealt with separately, should have been regarded as in-
separable, since they were all affected by, if they did not actually arise
from, the threatened counter-revolution at home and abroad. The attitude
of the new generation of revolutionary legislators to these problems was
indicated by the Brissotin orator Isnard. 'Our predecessors', he said,
'achieved liberty by means of the doctrines of philosophy and popular
revolts; our duty is to consolidate it by means of diplomacy and the
sword.'

Elected on a more restricted franchise than the Constituents, the mem-
bers of the Legislative Assembly were nevertheless less distinguished
intellectually and less wealthy than their predecessors. Predominantly
they came from the professional classes and were mostly lawyers, journal-
ists, doctors, soldiers and merchants, though a few liberal nobles and a
small group of 'constitutional' clergy helped to diversify the social struc-
ture of the Assembly. The great majority of the members—about 350 out
of a total of 745—formed a centre group, originally independent of a
right wing consisting of 264 associates of the Feuillant club and a left wing
of 136 members of the Jacobin and Cordelier clubs. The centre held

1 Archives Parlementaires, 1st series, vol. xxxvii, p. 545.
moderate views and was mainly concerned to uphold the constitution both against the *Feuillants*, some of whom would not have been averse to the kind of constitutional revision contemplated by Barnave, and also against the left-wing Jacobin extremists, who in time began to veer towards a cautious republicanism. The Assembly, however, soon showed a tendency, both on the right and on the left, to split into factions. When in December 1791 a secret alliance of convenience was contracted between the 'liberal' faction of the *Feuillant* group, which took its instructions from La Fayette, and the Brissotin faction, the residual elements of the *Feuillant* and Jacobin groupings were reduced to political impotence. This was one of the developments which explain the bellicose tendencies displayed by the Assembly, for both the factions which had been outmanoeuvred were critics of the war policy to which the neutralist centre party was eventually converted. Both the defeated groups were led from outside the Assembly by ex-Constituents—the more reactionary group of the *Feuillants* by the Triumvirs and the Jacobin minority by Robespierre. The group which eventually gained political predominance was, by contrast, strongly led from within the Assembly by Brissot. The latter was the faction known to contemporaries as Brissotins and to posterity as the Girondins.¹

Within a few weeks of its first meeting, the assembly turned its attention to the dual aspects of the counter-revolution—*the seditious activities of the non-juring priests in La Vendée and the Auvergne and the hostile demonstrations of the émigrés in the Rhineland and the Netherlands. Largely at the instigation of the group of Jacobin politicians led by Brissot, repressive measures were decreed against the émigrés on the 9th and against the refractory priests on 29 November. Though it was recognised that the émigrés congregated at Worms and Coblenz offered only a potential military threat to the country's security, it was against these enemies rather than against émigrés in general that action was directed. Other reasons, however, lay behind the decree. There was, for example, the practical problem of filling the twelve hundred commissions in the army vacated by the emigration of royalist officers. Nor could the Assembly ignore the need to check the flight of émigré revenues from France at a time when the assignats were beginning to depreciate. The decree of 9 November imposed on all émigrés who had joined the armed concentrations outside French frontiers and who failed to repatriate themselves by 1 January 1792 the penalties of treason—confiscation of their property and capital punishment if caught. Much time was devoted to the legislation against the refractory priests. The original draft, suggested by Gensonné and moved by François de Neufchâteau, provided a well-conceived compromise which might well have allayed the bitterness of
the religious schism. 1 Unfortunately, in its final form, the decree of 29 November was almost completely repressive in its provisions. The new civil oath, however, now exacted from clerics who had refused to take the oath of 27 November 1790, was intended not to impose a burden on religious consciences and the penalties imposed on all who demonstrated their disloyalty by refusing it were correspondingly severe. The decree declared such persons ‘suspect’ of treasonable intentions, deprived them of the ecclesiastical pensions which had been granted by the Constituent Assembly, made them liable to eviction from their homes and, if convicted of having provoked civil disturbances, to two years’ imprisonment.

When both these decrees were vetoed by the king on the advice of the Triumvirs, the tension between the executive and the legislature became acute and a ministerial crisis inevitably followed. Hitherto the existing ministry had consisted of nonentities who had been content to follow the guidance of Barnave and his collaborators, but in late November and early December, under sharp attacks from the legislature, its composition was changed in a way that was to compromise the influence of the Triumvirs and to strengthen the Brissotin faction in the Assembly. The main change was the inclusion in the ministry of a newcomer to the political scene, Count Louis de Narbonne, who replaced Duportail as War Minister on 7 December. 2 Although lacking the royal confidence, Narbonne, by his energetic measures to place the army on a proper war footing, by the harmonious relations he established with the legislature, and by the strength of his personality, soon gained an ascendancy in the government indistinguishable from that of a leading minister.

In the second half of December Narbonne and his supporters concluded their secret agreement with Brissot in order to unite the forces which were then pressing for war with Austria. The close relations between the War Minister and the Assembly facilitated the granting of the necessary credits to finance the formation of three armies, totalling 150,000 men, which were placed under the command of Rochambeau, Lückner and La Fayette. The union had come about because La Fayette had once more broken with the Triumvirs and because a rift had appeared in the ranks of the Jacobins, as a result of Robespierre’s opposition to Brissot’s war policy. The understanding was based on Narbonne’s conversion to the Brissotin thesis that France’s real enemy was not the elector of Trèves but the emperor and that in preparation for war, an alliance should be sought with Prussia and, if possible, with Great Britain. The ulterior
motives of Narbonne and Brissot were, however, diametrically opposed. Whereas Brissot favoured war partly because he thought it would expose the secret relations of the court with the emperor and thus undermine the king’s influence, Narbonne was thinking in terms of a military dictatorship to bring the revolution to an end and to restore the authority of Louis XVI. The alliance could not have survived long, but for the moment it checkmated the moderating counsels of the Triumvirs and helped to smother the warnings of Robespierre.¹

Up to this point the case made out by the Brissotin orators for war with Austria was not impressive. Their arguments were contradictory, they mistook the real direction from which the external danger was to come, and they contented themselves with fiery eloquence, popular slogans and misplaced illusions as to the duration and character of the impending conflict. It took Robespierre—the virtuoso of suspicion—to reveal to them the dangers of military dictatorship implicit in their deal with Narbonne and the unreality of their hopes of assistance from the ‘enslaved’ peoples of the Austrian dominions. They allowed themselves to be deluded by potential profiteers such as the war contractors and financial speculators and they took at their face value the assurances of the ill-assorted bands of Belgian, Genevan and Dutch exiles, who were anxious to return to their homes in the wake of the French armies. Yet they accurately reflected provincial impatience with the counter-revolutionary intrigues of the refractory priests, they made a true assessment of the reasonable designs of Marie Antoinette and their chauvinistic grandiloquence was attuned to the rapidly rising spirit of French nationalism.

It was, nevertheless, not until late December 1791 that serious provocation seemed to come from Vienna. After Louis XVI had accepted the constitution in mid-September and had been restored to his kingly office, the emperor had been content, not only to allow the plans for a European concert to stagnate, but had even ridiculed suggestions reaching him from Marie Antoinette that an armed congress of the powers should be held at Aix-la-Chapelle.² On 24 December, however, Lessert, the French Foreign Minister, communicated to the Legislative Assembly a note from the emperor demanding the restoration of the feudal rights of the German princes in Alsace infringed by the decrees of 4 August 1789. A week later an Austrian diplomatic instrument or ‘office’, drafted by Kaunitz, and dated 21 December, also reached the French Assembly. In this, after announcing the dispersal of the émigrés by the emperor and the elector of Trèves, the Chancellor warned that, if the elector was threatened by
undisciplined French troops, military assistance would be given by
Marshal Bender, the imperial general in the Low Countries. In thus
championing the rights of the German princes in Alsace based on the
strict interpretation of the terms of the peace of Münster (1648), and in
responding to the elector’s appeals for protection, Leopold was merely
fulfilling his elementary duty as head of the Empire. His intention was
certainly not to precipitate war. Nevertheless, the Austrian note gravely
provoked the French Assembly. The suggestion that the French govern-
ment was not able to restrain its forces from infringing imperial territory
was a gratuitous reflection on its lack of authority. An allusion to ‘sover-
eigns united in concert for the maintenance of public tranquillity and for
the safety and honour of crowns’ signified Kaunitz’s belief that he could
give orders to the French Assembly. The December ‘office’ thus played
directly into the hands of the Brissotin connection and gave their argu-
ments a force which they had hitherto lacked. It initiated a fresh phase
in the public debates in the assembly on the issue of war and peace in
which all the advantages were with the war party. Henceforth the descent
to the edge of the abyss was precipitous, and though it is best to interpret
the subsequent notes of Kaunitz as exercises in ‘brinkmanship’, there
was no doubt that majority opinion in the Legislative Assembly was
hardening all the time in favour of hostilities.

After the implications of Kaunitz’s message had been considered by
the diplomatic committee, its reporter Gensonné moved, on 14 January
1792, a draft decree that the king should be asked to seek specific under-
takings from the emperor that he would not commit himself to any action
against the French constitution ‘or the full and complete independence
of the French nation in the control of its own government’. Leopold was
also asked to confirm that, if France were attacked, he would honour his
obligations under the Franco-Austrian treaty of alliance of May 1756.
If these guarantees were not given before 10 February 1792, the emperor’s
refusal would be regarded as an act of hostility. These proposals were
intended to prepare the way for a preventive war—this being the purpose
of the short-dated ultimatum. Leopold was charged with having already
infringed the French alliance by his preliminary defensive treaty with
Prussia of the previous July, though what was being demanded of him,
avove all, was a public repudiation of the project of a European concert.1
The only modifications made in these proposals between 18 and 25
January was the extension of the period of the expiry of the ultimatum to
1 March and the demand that the treaty of 1756 should be regarded as
one contracted not with the French king but the French nation.

Kaunitz’s reply to this ultimatum, in a dispatch of 17 February, was
an attempt to redeploy the tactics of intimidation which he mistakenly

1 H. Glagau, Die Französische Legislative und der Ursprung der Revolutionskriege, 1791–
1792, p. 116.
thought had been so successful when used against the Constituent Assembly in the previous summer. The move was intended as a frank appeal to the uncommitted centre of the Assembly to repudiate the ascendancy of the Brissotin minority and to adopt the policy advocated by the Triumvirs. It had, in fact, precisely the opposite result, for after the Lameths had won a short-lived triumph by inducing Louis to dismiss Narbonne on 9 March, it enabled the Brissotins to impeach Lessart for his policy of appeasement on the following day, and to bring about the collapse of the whole Feuillant ministry. This was replaced by a new administration headed by Dumouriez as Minister for Foreign Affairs, with the Brissotin nominee, Roland, at the Interior, and Clavière, the Genevan inventor of the assignats, in control of finance. The other ministers, de Grave at the War Office, in place of Narbonne, and Lacoste at the Admiralty, as successor to de Molleville, represented the royal interest. Though the government was not, therefore, politically homogeneous, the dominating influence of Dumouriez, and the purge of the permanent officials in the Ministries of Foreign Affairs and the Interior, meant that it was effectively controlled by the Brissotin faction.

With the extinction of the political influence of Lameth and Duport, the death, on 1 March 1792, of the Emperor Leopold II and the advent to power of Dumouriez, the chances of preserving the precarious peace dwindled to vanishing point. Leopold’s successor, as Austrian ruler, Francis II, was young, impetuous and more under the influence of the Austrian war party, headed by Baron von Spielmann, than of the ageing and calculating Kaunitz. Dumouriez, after thirty years in the secret diplomacy of the ancien régime, at last saw his chance to reshape the diplomatic structure of Europe. A disciple of Favier—the leading French critic of the Austrian alliance before the revolution—Dumouriez was determined on war and was the advocate of a military assault on the Netherlands. He adopted from Narbonne the scheme to continue diplomatic approaches to both Prussia and Great Britain with the idea of isolating Austria, and like Narbonne secretly hoped to restore the authority of Louis XVI by means of a coup de force. The cornerstone of his foreign policy was the creation of an independent and neutral Belgian republic, a solution which he thought would ensure the neutrality of Britain. Sanguine of success, even when the negotiations with the British and Prussian governments made no progress, Dumouriez during March contented himself with merely exchanging ultimatums with Kaunitz. On 20 April, with only seven dissentient votes, the Legislative Assembly voted for war on ‘the king of Bohemia and Hungary’, hoping thereby that neither Prussia nor the Empire would be involved.

Hopes of a successful military promenade in the Netherlands were quickly dispelled; the diplomatic negotiations designed to isolate Austria collapsed: counter-revolutionary movements broke out in south-eastern
France and the Assembly's authority was challenged by recalcitrant generals in the field and by the king's veto on urgent measures of national defence. Under these strains and stresses the constitution of 1791 crumbled and on 10 August 1792 the Bourbon monarchy was overthrown by a popular insurrection in the capital. Four main factors exercised a decisive influence upon the evolution of this internal crisis. These were, firstly, the efforts of La Fayette to impose on the Assembly constitutional revision by means of military force; secondly, the conspicuous failure of both executive and legislature to grapple with the problems of internal security and national defence; thirdly, the intervention in the political struggle between executive and legislature of the extra-parliamentary forces represented by the Paris sections and the provincial fédérés; and lastly, the political leadership of these democratic forces by Robespierre.

Louis XVI had secretly forecast that war with Austria would result in military defeat for the French armies: Robespierre had prophesied that it would expose the country to the danger of a military dictatorship. Both these predictions were promptly fulfilled, for in the first few weeks of hostilities the French forces, which had advanced into the Netherlands, retreated in confusion before the Austrians, massacring some of their own leaders, while General La Fayette resolved to recapture the dominating position in the capital which he had forfeited as a result of the 'massacre' of the Champ de Mars. The military reverses were partly the result of Brissotin inefficiency in not preparing adequately for war. Partly, however, they were due to the insistence of Dumouriez on offensive operations in the Netherlands, against the advice of the generals who were wedded to the formalised defensive strategy of the ancien régime. Hardly had the campaign opened when the French commander-in-chief—Rochambeau—tendered his resignation, while La Fayette initiated secret negotiations for an armistice with the Austrians. La Fayette had now broken with his Brissotin allies and had finally committed himself to the political views of the Feuillants. The purpose of the projected armistice was to allow the general to divert his forces to the capital in order to enforce the kind of constitutional revision advocated by the Triumvirate. La Fayette was now convinced that the chief dangers to France came, not from the émigrés, nor from the Austrians, but from the affiliated Jacobin clubs and the popular societies. Having recovered from the 'tricolour terror' of 1791 the latter would need to be crushed by force. Though his overtures to the Austrian government were repelled and though his troops showed no disposition to further his political ambitions, La Fayette held himself in readiness throughout the summer months of 1792 for intervention in Paris in the interest of the party of order. He had, in fact, already cast himself for the role of a military dictator.

Meanwhile, neither the Brissotin ministry nor the Legislative Assembly had displayed the energy or resource which the accumulating internal
problems and the deteriorating military situation so clearly required. In January and February 1792 the economic troubles caused by the over-issue of assignats and sugar shortages resulting from the West Indian revouts of the previous autumn had led to the looting of grocers’ shops in the Paris faubourgs of Saint Antoine and Saint Marcel and to the forced sale of consumers’ commodities at popularly determined prices. These riots were rigorously repressed and popular demands for the official regulation of food prices had been ignored.

Aristocratic conspiracies in the south-east of France were checked, not by the tardy measures of the central government, but by the vigorous local action of ‘patriotic’ forces from Marseille against Arles and Avignon. Even more serious was the recrudescence of châteaux-burning and agrarian outrage which was allowed to spread over large areas in the departments of Lot, Cantal and Aveyron. By this time the king, by refusing his sanction to further legislation directed against the refractory priests and to the formation of a camp of 20,000 provincial national guards at Paris, had produced a political deadlock. Acting on the advice of Théodore Lameth and Duport, he dismissed the majority of his Girondin ministry on 13 June and vetoed its recent security measures. Dumouriez resigned shortly afterwards and was given a military command in the army of the north.

Against the court dominated by the so-called ‘Austrian committee’, and the new Feuillant ministry, consisting of political nonentities, the Parisian sans-culottes of the democratic faubourgs quickly reacted by invading the Tuileries palace on 20 June in an illegally armed mass-demonstration designed to extort from the king the restoration of the Girondin ministers and the sanction of the Assembly’s decrees. This demonstration not only failed to intimidate the king, it also provided the opportunity for which La Fayette had been waiting. Fortunately for the Assembly, when the general appeared before it on 28 June to demand the dissolution of the Jacobin and popular clubs, he was not accompanied by his troops. He also failed on the following day to persuade the Parisian national guards to march on the clubs. Isolated and rebuffed the general had no alternative but to return to the military post he had deserted, without, however, abandoning his ultimate objectives.

As the external danger came closer and no decisive action was taken by the Assembly, the way became clearer for a fresh intervention of the extra-parliamentary forces, so soon as these could be organised, armed and reinforced by an accession of strength from the provinces. The latter was provided by the armed and resolute battalions of national guards from the departments, some of whom had been invited by the Girondin leaders to attend the festival of federation on 14 July as one way of circumventing the royal veto on the armed camp at Paris. Others had volunteered for service in a camp which the new Feuillant ministry had,
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Admiralty, Lebrun at the Foreign Office and Danton at the Ministry of Justice. The latter was the effective, though not formal, head of the new administration and, until his resignation in late September, acted as the driving force in the conduct of national defence. The eligibility of ex-members of the Constituent and Legislative Assemblies for election to the National Convention and the indirect system of election (designed to offset the probable effects of universal suffrage) also resulted from Girondin initiatives.

Between 10 August and 20 September, when it held its final session, the dying Legislative Assembly hurried through a spate of legislation which refashioned the French state on the principle of equality. The most fundamental changes were the virtual extinction of the surviving traces of feudalism, the transformation of the laws of inheritance, the decision to alienate the sequestrated estates of the émigrés in small lots, and the provision for civil marriage and divorce.¹ A fresh stage of anti-clerical terrorism was initiated by decrees imposing voluntary exile or compulsory deportation on the non-juring clergy and extending the new oath of liberty and equality to all clergy without exception.²

Hardly less important were the diplomatic and military consequences of the fall of the monarchy. The suspension of Louis XVI’s executive powers automatically terminated the missions of foreign ambassadors who had been accredited to him and deprived French diplomats abroad of their official status. On 13 August a general exodus of foreign representatives began with the departure of the Swedish minister. On the 17th the British ambassador, Lord Gower, was recalled, and, before the end of the month, all France’s normal diplomatic connections with the Dutch republic, Spain, Denmark, Poland, Russia, the Swiss Confederation and the majority of the Italian states had been severed. Though the British government emphasised that the withdrawal of its ambassador was not meant to infringe its policy of neutrality, the prospect of an eventual rupture between the two countries loomed sensibly nearer. Meanwhile on 19 August Prussian armies under the command of Brunswick had crossed the French frontier and Lafayette had deserted to the Austrians. A purge of French aristocratic commanders in the field became necessary and was effected by the dispatch of special commissioners to the French armies. Lafayette’s command was transferred to Dumouriez and
Lückner's to Kellermann. The response to the traitorous surrender of the fortresses of Longwy on the 23rd and the imminence of the fall of Verdun at the end of the month, combined with the threat of fifth-column activity in the capital, was the September massacres in the Paris prisons.

In the elections to the National Convention the full effects of universal suffrage were distorted by illiteracy, fear and intimidation. In some departments three-quarters of those qualified to vote in the primary assemblies abstained, while many were debarred from the electoral assemblies by refusal to take the new civic oath to liberty and equality. In Paris all who had shown royalist or Feuillant sympathies were disenfranchised, all votes were cast in public and the electoral assembly was transferred to the Jacobin club. The result was that all twenty-four members of the Paris delegation were Jacobins, convinced republicans and supporters of the Commune—with Robespierre at the head of the poll and Marat as the last to be elected. Some of the Girondin leaders, such as Brissot, Petion and Condorcet, defeated in the capital, managed to find seats as representatives of the departments. Electors in the provinces were less subject to pressure from the radicals and were more inclined to vote for those who had risen to public prominence in the Constituent or Legislative Assemblies, irrespective of their affiliations. The Jacobins, however, were at a disadvantage because they were made the target of a smear campaign launched by Roland as Minister of the Interior. These factors and the indirect system of election made the social and professional composition of the Convention correspond closely to that of the Legislative Assembly and gave the Girondins a working preponderance in the new assembly.

The Convention held its first session on 20 September—the same day that Dumouriez and Kellermann stopped the Prussian invasion in its tracks at the battle of Valmy. At first the chances of political concord among the deputies appeared to be good. After Valmy the military dangers receded with the Prussian retreat, and the threat to the assembly's sovereign authority from the Paris Commune declined. The first act of the Convention—the abolition of the monarchy on 21 September—was virtually unanimous, and the proclamation of the republic inevitably followed. Early sources of possible dissension between the Jacobins and Girondins were accommodated, when it was agreed that persons and property should be guaranteed by the nation and that the republic should be 'one and indivisible'. The spectre of rural communism which had apparently been preached in the provinces by some of the commissioners of the Paris Commune and the bogey of 'federalism', which some Girondins, such as Buzot, were thought to favour, thus appeared to have been eliminated. The primary task of the Convention—the formulation of a new republican constitution—although formidable, seemed not to be insuperable.
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Disunity, however, soon followed and the proceedings of the Convention were throughout bedevilled by the violent and irreconcilable conflicts between the Girondin deputies and the Jacobin members of the 'Mountain'. Although these groups or factions were in no sense disciplined political parties, what they were contending for was control of the Convention. The responsibility for the peculiar violence of these conflicts rests with the Girondins. It was they who plunged the assembly into bitter discord and rejected all efforts at reconciliation. Some of their differences with the Jacobins arose out of the perpetuation of the personal quarrels between Brissot and Robespierre carried over from the Legislative Assembly. Others developed out of Girondin recriminations over the 10th August and the September Massacres. The Jacobins were attacked as 'anarchists' and Marat, Danton and Robespierre were decried as 'Triumvirs' aiming at the establishment of a dictatorship. These accusations recoiled on those who made them, for they were condemned, not only by the more moderate elements in the assembly—the so-called 'phlegmatics', but also by the supporters of the Gironde in the provinces. Louvet's celebrated vendetta with Robespierre only served to emphasise the latter's ascendancy as leader of the 'Mountain'. Of greater substance was the division of opinion between the factions over the political importance of the capital—once more an issue raised by the supporters of Roland. The contention of Lasource that the capital should exercise no more influence than any other department reflected Girondin fears of the over-mighty preponderance of the Commune and of the unruly interventions of the Paris sections. The stubborn efforts made by Roland and Buzot to provide the Convention with a special guard drawn from the departments allowed their opponents to level against the Girondins the damaging, if baseless, charge of 'federalism'. Marxist historians, such as Soboul, however, have regarded these struggles as part of the class conflict.¹ Such an interpretation emphasises the undoubted connection between the Girondin group and the financiers, war-contractors and speculators of the time and the identification of the Jacobins with the interests and demands of the sans-culottes. Although any sharp distinction between the Girondins, as the defenders of the principle of laissez-faire, and the Montagnards, as reluctant protagonists of state intervention, would be exaggerated, the Girondins may, nevertheless, be rightly regarded as typical representatives of la bourgeoisie possédante.

¹The Jacobin counter-offensive to the Girondin campaign of personal abuse was the trial of Louis XVI. By this move the Jacobins sought, not only to strengthen the republican form of government, but also to embarrass and discredit their political opponents. Any attempt to delay the institution of legal proceedings against Louis could easily be misrepresented and it seemed probable that legal technicalities and the larger
issues of policy would divide and distract the Girondins. As soon, therefore, as the battle of Valmy robbed Louis of his potential value as a political hostage, the Jacobins did their best to expedite the trial. In the political contest which followed the Girondins were compelled to rely on temporising expedients, which revealed rather than concealed their hesitations, and on diversionary manoeuvres, designed to confuse the main issues. All their efforts to stave off the trial were rendered futile by the discovery, on 20 November, of the iron chest in the Tuileries, with its damning disclosures of the king's dealings with the émigrés. Once Louis appeared before his judges—the members of the Convention—on 11 December, his conviction of the high political crimes of which he was accused was assured. His stubborn refusal to recognise the authority of the evidence against him created a bad impression. The chief plea of his leading defence counsel—de Sèze—that the king was inviolate under the terms of the constitution of 1791—proved a broken reed. Once it had become evident that the king could not escape a verdict of guilty the Girondins made two efforts to save his life. The first of these was the proposal, made on 27 December by Salle, that the sentence imposed by the assembly should not be carried out unless it was ratified by a popular referendum. This, however, called in question the sovereign authority of the Convention and naturally antagonised some sections of the assembly and it also had the effect of dividing the Girondins themselves—a striking example of their lack of discipline and cohesion as a political group. The final effort—after Louis had been found guilty and sentenced to death—was the proposal of a reprieve. This too failed and, on 21 January 1793, to the dismay of many of his subjects and the horror of countless sympathisers abroad, Louis XVI was executed. By their equivocal attitudes and votes in the final stages of the trial the Girondins had done much to dig their own political graves. Control over the uncommitted members of the Convention had already eluded them.

Between the fall of the monarchy and the final stages of the king's trial French foreign policy evolved rapidly under the pressure of events. From a cautious attitude of reserve in early August the Ministry of Foreign Affairs became in November a sounding board for revolutionary propaganda abroad and in December the Convention embarked on a course of aggressive territorial expansion. Successive challenges to the established order in Europe, the sanctity of international agreements and the economic and military security of the Netherlands led directly to the hostility of Great Britain and to the formation of the first European coalition against France.

So long as Danton exercised a preponderating influence in the provisional executive council, the foreign policy of the French government remained on the defensive. Once Danton had resigned his ministerial office at the end of September 1792, however, new factors conditioned the
evolution of French foreign policy. These were, firstly the presence of Lebrun at the Ministry of Foreign Affairs, secondly a run of striking military successes for the French armies under their new leadership, and thirdly the problem posed by the administration of foreign territories ‘liberated’ by French arms.

With the election of Lebrun as head of the Ministry of Foreign Affairs in August 1792 French foreign policy came under the control of a former revolutionary journalist who since the spring had been responsible, as an under-secretary, for the direction of France’s relations with Britain, Holland and the Austrian Netherlands. He had been given this appointment by Dumouriez because of his close association with the united group of democratic refugees from Liège and Belgium who were preparing, on French soil, for the establishment of an independent Belgian republic. Dumouriez’s rapid advances in the Netherlands after Jemappes brought this objective within sight of achievement. At this point, however, the Belgian democrats were faced with the revival of the conservative Statist faction, whose leader, Van der Noot, had suggested the creation of a Belgian monarchy with a sovereign drawn from one of the princely houses of Orange, Brandenburg or Hanover. It was to offset this new danger that Lebrun induced the French executive council on 16 November 1792 to proclaim the freedom of the navigation of the river Scheldt. This new departure in French foreign policy was designed to wean the commercial interests in Antwerp from their leanings towards the monarchical cause in Belgium by assuring them of their future economic prosperity under French auspices and, more generally, to convince the Belgians that they need have no fears for their own independence as the result of French victories. To proclaim the freedom of commerce on the Scheldt, however, which since the Treaty of Münster of 1648 had been closed to all nations except the Dutch, was not only to tamper unilaterally with one of the greatest international treaties, but also to infringe the rights and privileges of the United Provinces which both Great Britain and Prussia had guaranteed in 1788. In order to win over the support of his own colleagues in the Executive Council Lebrun appealed, against international treaties, to the principles of natural law and it was on this basis that the executive act was vociferously approved by the Convention on 20 November. On the 23rd French gunboats forced their way down the Scheldt estuary despite the protests of the Dutch States General, osten-
sibly to reduce the fortress of Antwerp. The immediate threat to Holland and the ultimate naval threat to Britain could no longer be disregarded.

Meanwhile, on 19 November, in answer to various petitions from the Rhineland soliciting French protection, the Convention passed with acclamation a decree promising 'friendship and assistance' to all peoples wishing to recover their liberty. This decree seriously increased Pitt's anxieties as to the dangers to be anticipated from British radical societies and had an important immediate effect in causing the British government to repudiate negotiations which had been unofficially initiated at The Hague for a general pacification.\(^1\) Pitt and the conservative 'Alarmists' regarded the opening of the Scheldt and the Edict of Fraternity as acts of deliberate provocation designed to drive Britain into war and, at the same time, to stimulate radical discontent inside the country. Precautionary measures to call out part of the militia and to increase Britain's state of naval preparedness were taken on 1 December and parliament was recalled on the 13th. Two days later, on 15 December, the Convention defined its policy in relation to territories conquered by French armies in a way that clearly indicated that it had virtually committed itself to the policy of annexation.\(^2\) This decision was taken primarily for financial reasons—in order to stop the drain of French stocks of metallic currency to Belgium, where Dumouriez had been unable to meet his heavy military expenditure by means of local loans. On the initiative of Cambon, it was now declared that war expenditure incurred in the 'liberation' of subject people abroad would be defrayed by the introduction of French assignats, secured on the sequestrated property of clerical and noble estates. In conquered territories clerical tithes and feudal dues would be extinguished, political rights would be confined to the unprivileged classes, and provisional governments established under French control, exercised through special commissioners dispatched by the Executive Council. All previous French assurances to the Belgians that their independence would be respected had thus been jettisoned. These decisions would alienate not only Britain but the moderates, Catholics and counter-revolutionaries in Belgium. If the latter resisted, formal annexation would follow.\(^3\) This was the policy of guerre aux châteaux, paix aux chaumières. The revolutionary
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new order was now to be exported in the wake of conquering French armies and the costs of liberation were to be borne by the expropriation of the privileged.

As hostilities with Britain loomed nearer, however, Lebrun and the Girondins displayed signs of hesitation. Early in December the Executive Council suspended Dumouriez’s plans for an attack on Holland. In his negotiations with the British government Lebrun made repeated efforts to allay its fears of the Edict of Fraternity by restrictive interpretation of its motivation.¹ Dumouriez was severely critical of the decree of 15 December and did his best to prevent its implementation in Belgium. By their attempts to adjourn the execution of the king the Girondin faction showed their apprehensions of a general war with the rest of Europe. Realising that a guerre à outrance would play into the hands of the sans-culottes, they increasingly expressed the same fears and anxieties as had formerly moved the Feuillants. When at the end of January 1793 Danton induced the Convention to pass the celebrated decree claiming for France her ‘natural frontiers’ on the Rhine, the Alps and the Pyrenees, his intention was not to extend but rather to set limits to revolutionary annexations.²

Unfortunately, from the middle of December 1792 French foreign policy slipped from the control of Lebrun and the Executive Council and was determined largely by the Convention. The question of the extension of hostilities with Europe, equally with the fate of Louis XVI, thus became a bone of contention between the political factions. The more complex the issues became, the more ambiguous and calculating was the attitude of both Girondins and Jacobins and the more divided the views expressed by both sides. Robespierre himself did not fully approve of the decree of 15 December promoted by the Jacobin Cambon, and he was critical of the policy of annexation. He did not, nevertheless, throw his weight against an extension of the conflict. Some of the Girondins, such as Kersaint, became the passionate advocates of a war with France’s traditional enemy Britain, contending that both her colonial empire and her financial system could easily be laid in ruins. Brissot and other responsible leaders were afraid that if the Girondins committed themselves to last-minute negotiations with Pitt they would be accused by their opponents of treason and counter-revolution and would forfeit the support of the

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Plain in the assembly. These were the reasons why Lebrun and the Executive Council were unable to meet the demands of the British government for the retraction of the offending decrees and adequate guarantees for the security of Holland. In this impasse war with Britain and Holland became unavoidable and the execution of the king merely had the effect of adding Spain to the list of France’s enemies. On 1 February 1793 the Convention declared war on Britain and the United Provinces and during March France found herself at war with most of Europe, with the exception of Russia and one or two Scandinavian powers.

2 J. Chaumié, Les relations diplomatiques entre l’Espagne et la France de Varennes à la mort de Louis XVI (1957), ch. xv.