



Liberté • Égalité • Fraternité
RÉPUBLIQUE FRANÇAISE

LA MARSEILLAISE

COUPLET 1
Allons ! Enfants de la Patrie !
Le jour de gloire est arrivé !
Contre nous de la tyrannie,
L'étendard sanglant est levé ! (bis)
Entendez-vous dans les campagnes
Mugir ces féroces soldats ?
Ils viennent jusque dans vos bras
Égorger vos fils, vos compagnes.

REFRAIN
Aux armes, citoyens,
Formez vos bataillons,
Marchons, marchons !
Qu'un sang impur
Abreuve nos sillons !

COUPLET 2
Que veut cette horde d'esclaves,
De traîtres, de rois conjurés ?
Pour qui ces ignobles entraves,
Ces fers dès longtemps préparés ? (bis)
Français, pour nous, ah ! Quel outrage
Quels transports il doit exciter !
C'est nous qu'on ose méditer
De rendre à l'antique esclavage !

COUPLET 5
Français, en guerriers magnanimes
Portez ou retenez vos coups !
Épargnez ces tristes victimes,
À regret, s'armant contre nous !
Mais ces despotes sanguinaires
Mais ces complices de Bouillé !
Tous ces tigres qui, sans pitié,
Déchirent le sein de leur mère !

COUPLET 3
Quoi ! des cohortes étrangères
Feraient la loi dans nos foyers !
Quoi ! ces phalanges mercenaires
Terrasseraient nos fiers guerriers ! (bis)
Grand Dieu ! par des mains enchaînées
Nos fronts sous le joug se ploieraient !

COUPLET 6
Amour sacré de la Patrie
Conduis, soutiens nos bras vengeurs
Liberté, Liberté chérie,
Combats avec tes défenseurs !
Sous nos drapeaux que la victoire
Accours à tes mâles accents

French Revolution: The Essence

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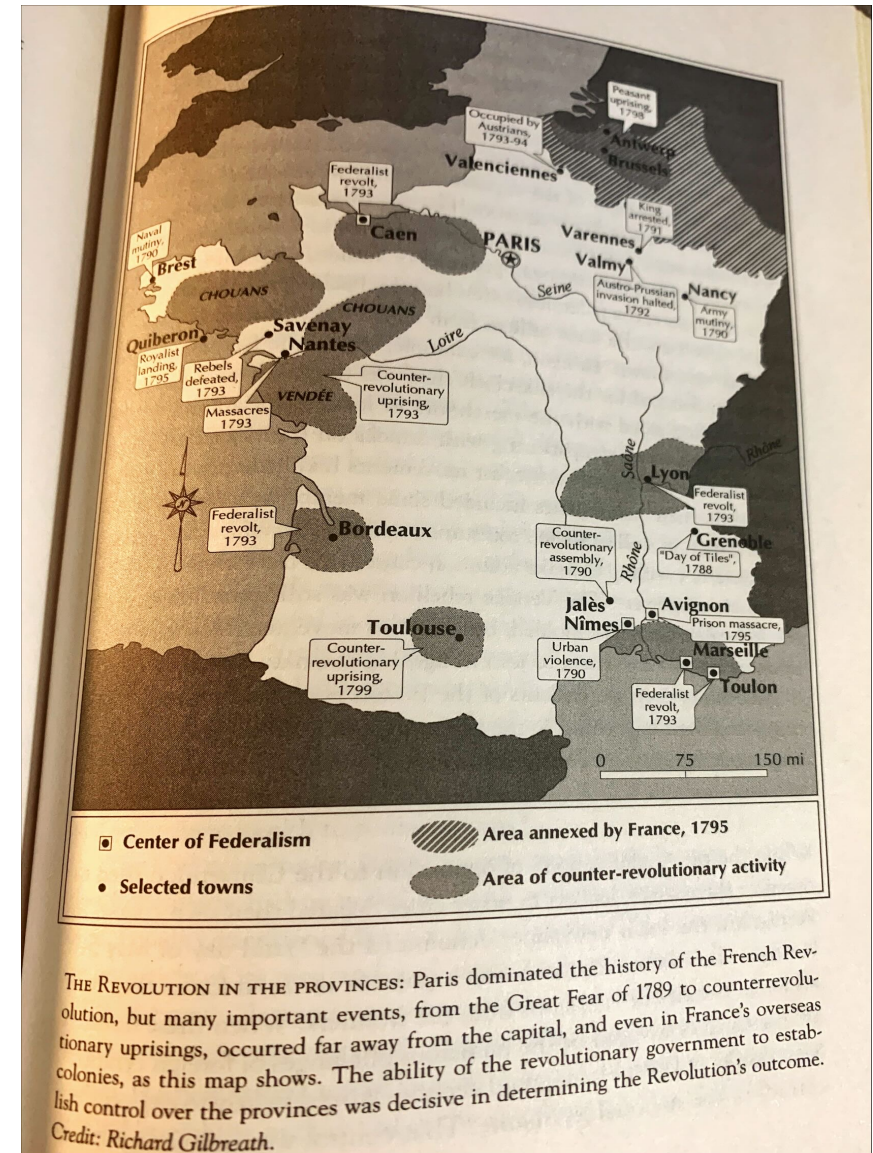
La Revolution Francaise

- We began the last unit with a discussion about the people of the eighteenth century, focusing on how minorities can influence the destiny of large groups and compel them to serve their interests.
- Today, we begin with a different story, where the absolutism of a ruling minority subjugates the most populous country in Europe, cannot sustain its chokehold, and loses control as it fails to cope with an enlarged circle of public consultation and participation.
- The most insightful part of this story is how a newly empowered minority seeks to understand and articulate the wishes of the majority and whether they succeed or not.

La Revolution Francaise

The French Revolution is a complex story. So, this is how we will approach it, not chronologically, but in differently related segments:

- Today, we will focus on the core of the Revolution, what it achieves and how or not, its transformative locomotive.
- Revolutions are turbulent times. So, they can generate violence. We will see in our second lecture how and why, and to what purpose, horrible levels of internal and external violence occur during and as the aftermath of the French Revolution.
- In our third and last conversation for this unit, we will see how the French Revolution made the emergence of another despot, Napoleon Bonaparte, possible and what he meant to France, Europe, and the Americas.



La Revolution Francaise

- We will also learn that it is, in fact, the story of not one but two revolutions. The second occurs in France Overseas, in Saint-Domingue, and offers a great comparative perspective on what revolutions mean to the participants.
- We will sum up with a quick discussion of the legacy of the French Revolution.
- Also, I subtitled this lecture as The Essence, and then realized that I really do not know what it is. So, hopefully, while discussing its legacy at the end, we will make a collective effort to have some idea about it.

References

- C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York: Vintage Books, 1989).
- Jeremy D. Popkin, *A New World Begins: The History of the French Revolution* (New York: Basic Books, 2020).
- Georges Lefebvre, *The Thermidorians and the Directory: Two Phases of the French Revolution*, trans. Robert Baldick (New York: Random House, 1964)
- Electronic resources are hyperlinked to the related information.

La Revolution Francaise

- Broadly, we can say that revolutions, like those in France and Saint-Domingue, are microcosmic big bangs that unleash sudden bursts of volcanic energy. The challenge then is to harness this energy for creative and productive outcomes.
- We learned in the last unit that the Founding Fathers of America effectively channeled this energy, securing its achievements and establishing a constitutional arrangement to steer the nation forward. We also know that unresolved issues continue to challenge the system unless they are settled. In that long journey, the American constitutional structure remained intact.
- We will see that France and Saint-Domingue faced more complex challenges in their search for a constitutional path forward.

Remember the Parliaments?

- We will begin with the activity index of the parliaments that we discussed as part of the foundations of the Modern World. We learned that nations with higher activity indexes did better. We also noted that France had zero parliamentary activity since 1614, the last time the monarchy had convened it.
- By the latter half of the eighteenth century, facing a financial crunch, the growing expressions of public anger, frustration, and violence against state officials for multiple reasons, including rising bread prices, the monarchy failed to mobilize the fiscal support of the clergy and the nobility.
- The monarch recognized the need for extensive consultations and larger engagement with stakeholders. In 1787-1788, he summoned two Assemblies of Notables who refused to share the burden of new taxes to generate more revenue and rescue the royal finances from near bankruptcy.

Les Etats Généraux

- Amid a worsening financial situation, Louis XVI agreed on July 5, 1788, to summon the Etats Généraux, with equal representation for the three Estates: First, the clergy; Second, the nobility; and Third, the commoners. He also relaxed the censorship to allow open discussion and proposals.
- Following public discussion and reactions, on December 27, 1788, and through a subsequent decree of January 24, 1789, the King doubled the Third Estate representation, requiring elections of 300 representatives each for the First and Second, and 600 for the Third Estate, and a meeting of the Etats on May 1, 1789.

Les Etats Généraux

- France began the unprecedented process of electing 600 representatives to the Third Estate at all levels of its 450 Judicial Districts as follows:
 - Step I: February/April 89, villages and other Primary Units to constitute a Primary Assembly comprising all tax-paying men of twenty-five years and above.
 - Step II: Draft a cahier de doléances.
 - Step III: Elect at least one representative for up to fifty eligible persons, two for up to 100, and one for each additional 100.
 - Step IV: March/April 89, elected persons to attend a District Assembly to finalize the cahier de doléance into one and choose the assigned number of delegates for the Etats Généraux (six or whatever number).

Les Etats Généraux

- The procedures and number of delegates for major cities like Paris followed a different format but similar objectives.
- The First and Second Estates chose their representatives separately and finalized their cahiers de doléances.
- Some five to six million voters out of a population of around 28 million participated in the process. The voting list excluded domestic servants, bankrupt persons, vagabonds, or other sentenced criminals.

Les Etats Généraux

- The level of literacy discriminated against the peasants and laborers, but indirectly, they were all part of the consultation, the *cahiers de doléances*, the first-ever in their lives.
- In the end, persons with a legal background dominated the Third Estate: 218 law judges or magistrates, 181 lawyers, 84 doctors and professionals, and about 100 or so manufacturers and merchants. Only one Breton farmer joined them.

Les Etats Généraux

- It was a literate group. We cannot say how many of the Third Estate had read Moliere, or the “French Enlightenment’s trinity,” Voltaire, Rousseau, and Montesquieu. Historian Popkin, however, emphatically claims that by 1789, “nearly everyone who had the capacity to read” had access to the ‘subversive originality’ of Diderot’s Encyclopédie, published over 1751-1772. All “philosophes” had actively contributed to this great achievement in French intellectual history (Popkin: 48-50).
- On the other side of the Atlantic, Toussaint L'Ouverture had taught and freed himself. Historian James says that he read Caesar’s Commentaries and Abbe Guillaume Raynal’s History of the Two Indies (1770). His lifelong leaning was about forging an unbreakable bond with the blacks of Saint-Domingue.
- Louis XVI had no idea about the impact that level of literacy would make. On May 4, the Third Estate joined the others in the victory parade on Versailles streets.

Les Etats Généraux

- As planned, the Etats held their first formal session on May 5, 1789, at Versailles Palace, the bastion of French absolutism.
- The next day, the first item on the Third Estate's agenda was to capitalize on the ambiguity in the procedures for meetings and voting. They sought a merger of the tri-sectional estates and a single system of voting.
- A prolonged stalemate, spanning almost two months, occurred as the members of the First and Second Estates and the King opposed.
- In early June, Abbe Emmanuel Sieyes, the author of a widely circulated pamphlet, [What is the Third Estate](#), in the run-up to the elections, moved that the Third Estate initiate an inclusive roll call of all delegates and begin a session with all those who would respond.

Les Etats Généraux: The Street

- Although the Assembly worked in Versailles, the engagement of people in its election, the cahiers de doléances, and its mere existence inspired the people.
- Its proceedings became a major source of discussion and public debate not only in the hyperactive Parisian press but also in the public squares like Palais Royale and the growing number of cafes for the public and salons for the elite.
- The press and the public thronged Versailles to be eyewitnesses to the history in the making. They were aware of the nature, significance, and impact of the possible outcome of the impasse at the Etats.

Les Etats Généraux

- The first cracks in the First Estate appeared on June 13, as the three Parish Priests from Poitou Provence joined them. Cure Jacques Jallet defined their action as a response to “the cry of our conscience, to place ourselves with our fellow citizens and brothers.” Watching, the Journal des Etats Généraux told its readers, “tears of joy flowed, they were embraced” (122).
- On June 15, the Etats designated themselves as *Assemblée nationale*, one and indivisible.
- Two days later, the National Assembly declared illegal all existing taxes which had not been “consented to by the nation” but held them as valid pending replacement by the people’s representatives. They declared that only they had the authority to raise money and forbade any declaration of bankruptcy.
- By June 19, the majority of the First Estate joined the National Assembly.

Les Etats Généraux

- Woken up to the danger, the King locked the meeting hall at Versailles on June 20. The Assembly met, therefore, at the Tennis Court of the Versailles Palace. They took an oath to remain in continuous session until they finished writing a constitution for France. They also decided that their meeting place would be wherever they chose to be present.
- On June 23, 1789, the King conceded that there would be no taxation without their consent but rejected their organizational initiatives and banned the press from the proceedings. The Assembly refused to budge and legislated immunity from arrest for themselves.
- On June 25, fifty nobles joined the Assembly.
- Two days later, the King conceded the new organizational structure and directed the holdouts to join the Assembly.

Les Etats Généraux

- In retrospect, we know that with their first victory over absolutism, the Assembly embarked on dismantling the ancien regime and charting out a constitutional and legal path for France.
- The French Revolution had begun.
- On July 4, the Assembly admitted a colonial delegation from Saint-Domingue without considering the status of slavery. By February 4, 1794, two Assemblies later, their successors will ban slavery from all French territories and make the emancipation constitutional in 1795.
- On July 7, the Assembly appointed a 30-member committee to draft the constitution. As the Assembly adopted decrees and laws, the principles and provisions governing them found a place in the constitution. The change did not have to wait for the adoption of the constitution in its entirety.
- The King's decision to call the Etats Généraux had initiated a dynamic process of change he had not anticipated or understood. He will show this lack of comprehension multiple times. Deeply suspicious of public protests over their grievances, for example, in July 1789, he deployed Royal troops to Paris to quell growing unrest without considering consequences.

Les Etats Généraux: The Street

- The King had displeased his Parisian subjects with his initial obstructionist posture. The safety of the Third Estate figured eminently in their increasingly patriotic thoughts. The King's Austrian connection bothered them. Rumors of foreign or the Royal troops attacking the Third Estate deputies abounded.
- In this environment of distrust, the King's deployment of royal troops in Paris cost him more credibility with people, for possibly harmful use of force against people protesting over taxes and bread prices or their newly elected representatives.

Les Etats Généraux: The Street

- Between July 11-14, the Parisians decided to counter the royal force. They improvised a Garde française. Moreover, in their scuffles with the royal troops, the crowds discovered that they would not fire on their fellow citizens. They decided to defy the King, nonetheless, and capture the arsenals of the Invalides and Bastille to arm themselves. Bastille turned violent. At the cost of their lives, the citizens took over the arsenal, released all seven prisoners, demolished the château, and circulated its replicas in the Province.
- The people had scored the first armed victory over the King. Bastille Day now marks the anniversary of the Revolution and is the National Day of the French Republic.
- On August 10, modelled on the mid-July Paris initiative of Garde française, the Assembly created the National Guard, the citizens' militia, and a military force independent of the Royal Army.

Les Etats Généraux

- The Assembly sought to strengthen its bond with the street following reports about the turbulent situation in Paris on July 13. They declared themselves in permanent emergency session and reached out to the King to seek the withdrawal of troops. The King agreed, but only after the Parisians had taken over the Bastille. The Province also seethed with anger. In July alone, the authorities recorded 1000 protests all over the country.
- On August 4, the Assembly deliberated the measures it could take to restore people's confidence. Surprisingly, the first and second estates began to renounce their privileges.
- Based on their declarations, the Assembly finalized the following list for the elimination of privileges. Several of them had appeared in Third Estate's cahiers de doléances:

Les Etats Généraux

ARTICLE I. The National Assembly hereby completely abolishes the feudal system. It decrees that, among the existing rights and dues, both feudal and censual, all those originating in or representing real or personal serfdom or personal servitude, shall be abolished without indemnification...

II. The exclusive right to maintain pigeon-houses and dovecotes is abolished.

III. The exclusive right to hunt and to maintain unenclosed warrens is likewise abolished. All violators granted amnesty from any punishment awarded.

IV. All manorial courts are hereby suppressed without indemnification...

V. Tithes of every description, as well as the dues which have been substituted for them, under whatever denomination they are known or collected ... are abolished...

Les Etats Généraux

VII. The sale of judicial and municipal offices shall be suppressed forthwith. Justice shall be dispensed gratis...

VIII. The fees of the country priests are abolished...

IX. Pecuniary privileges, personal or real, in the payment of taxes are abolished forever. Taxes shall be collected from all the citizens, and from all property...

X. ... all the peculiar privileges, pecuniary or otherwise, of the provinces, principalities, districts [pays], cantons, cities and communes, are once for all abolished...

XI. All citizens, without distinction of birth, are eligible to any office or dignity, whether ecclesiastical, civil, or military; and no profession shall imply any derogation.

XII. No more remittances to Rome or other Papal authorities...

The Constitution of 1791

- On July 14, the Assembly appointed an eight-member committee to begin work on the Declaration, which finally became that of the Rights of Man and the Citizen. They approved its 17 articles on August 27, 1789, provisionally, but considered it final as people adopted it as the creed of the Revolution. Several revisions occurred in the Republican Constitution of 1795.
- Implementing the broad principles of the Declaration remained a problem about several complex issues, such as women's rights, emancipation, and minorities' rights.
- The electoral law, for example, had to wrestle with who must vote or not. Finally, the Assembly divided the citizens into passive and active inhabitants. The size of the property of active citizens became the criterion for their participation in electoral life.

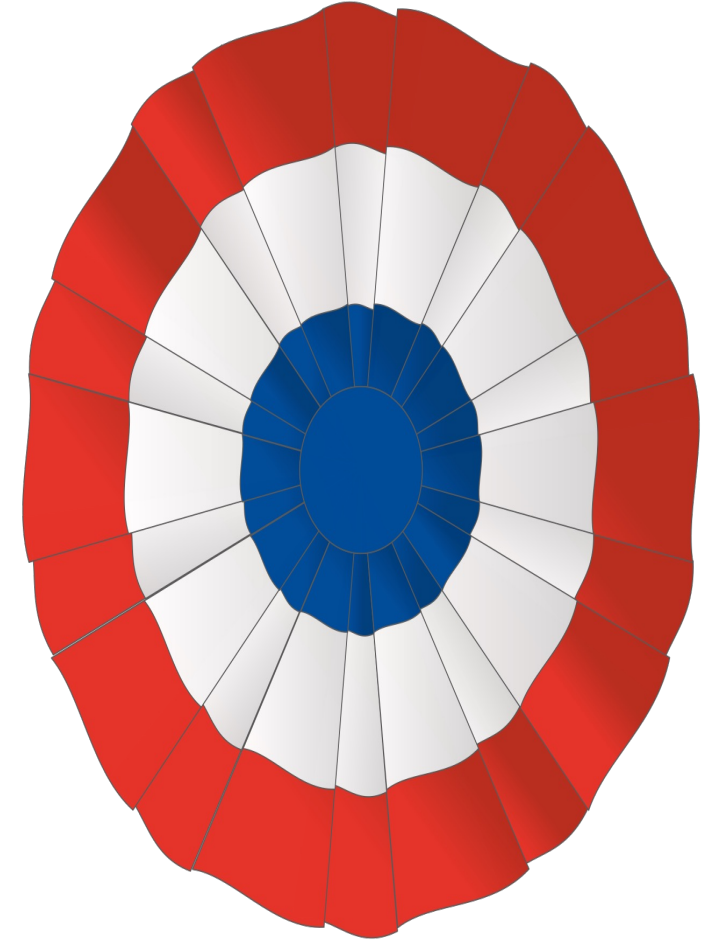


An illustration of the Women's March on Versailles, October 5, 1789, author unknown.

The Constitution of 1791: The Street

The Bastille had conveyed a clear signal to the Royalists about the people's commitment to the work the Third Estate was doing, but the doubts about the King's patriotism persisted.

- In October 1789, the King summoned a contingent of foreign troops, the Flanders Regiment, to Versailles. News of their alleged disrespect for the Revolutionary symbol of the cockade and the King's participation in a "counterrevolutionary orgy" and fears of a July repeat angered Parisian women. On October 5, a strong-armed contingent of women marched from Paris and stormed Versailles to register their protest. The next morning, their anger surged during a scuffle with the Palace Guard, resulting in two of them being killed. To pacify the mob, National Guard Commander Lafayette proposed that the Royal family accompany them to their Tuileries Palace in Paris.
- The women moved the King to Paris, under the protection of the Paris Municipality.
- The National Assembly also followed them and began to meet at the Salle de Manège, the Royal Riding Hall.
- The history will henceforth unfold under the vigilant eyes of Parisians and their favorite press organs.

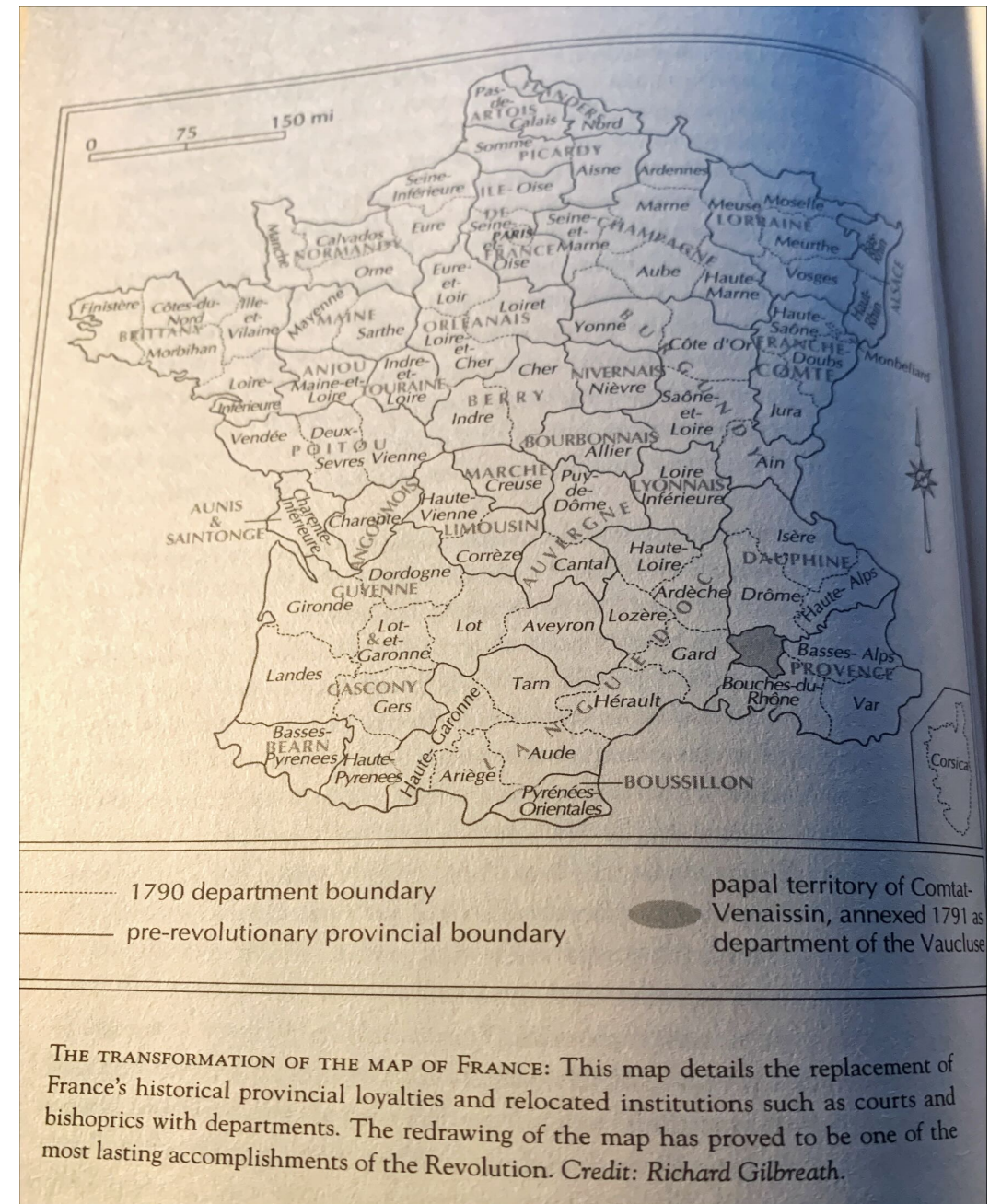


The Constitution of 1791

In November 1789, another remarkable achievement of the Revolution was the reorganization of the territorial units, departments, districts, and communes (counties). They renamed them after the dominant geographic features, giving the inhabitants a new sense of identity. Paris was part of Isle de France. Vichy and Clermont-Ferrand fell in the Puy de Dôme; Bordeaux is in the Gironde region, giving Girondin as a name to a moderate group of deputies.

The Revolution totally transformed the local administration. The Constitution's Section II: Of the internal administration mandated that people elect local officials who must act in accordance with the laws.

The Assembly thus successfully demolished the ancien regime local administration and replaced it in both rural and urban areas with elected municipal officials.



The Constitution of 1791

- Religious legislation turned out to be the most complex. This meant that the Assembly took on the oldest and generally venerated Gallic institution, which had a 300-member-strong presence in its midst.
- The laws of 1789 and 1790, the Civic Constitution of the Clergy required that, like all citizens and the King, the Clergy take a Civic Oath. Also, it should be elected by the citizens, like the Municipal officers. They also revised the dioceses following new administrative units; the devoted parishioners resented the change.
- The Assembly also dissolved the orders of monks and nuns.

A NEW WORLD BEGINS



Moyen de faire prêter serment aux Evêques et Curés aristocrates, en présence des Municipalités suivant le décret de l'Assemblée Nationale.

THE CLERGY OATH: This engraving, issued in 1791, captures the divisions stirred up by the controversy over the clergy oath. Several men dressed in the clothes of respectable provincial bourgeois are using ropes and pulleys to make a priest raise his hands, while young altarboys and some older women look on in dismay. Two uniformed National Guardsmen, holding their muskets, watch the proceedings with satisfaction, and two pretty young women smile at the soldiers. Two older gentlemen, who appear to be *ci-devant* (former) nobles, seem disgruntled. The prominent role of the women in this picture corresponded to reality: observers noted that female congregants often took the lead in opposing the oath. Source: *Bibliothèque nationale de France*.

The Constitution of 1791

- The clergy remained reluctant to take the Civic Oath. For local elected officials, finding replacements for non-jurors became an impossible task.
- Expropriation of the Church's land, despite posing logistical challenges, provided a valuable source of revenue to the famished treasury.
- The Catholic Church's intervention with the King seeking protection against Civic Oaths frustrated him and constituted a major reason for his differences with the Assembly.

The Constitution of 1791

- The Assembly created an independent judiciary to deliver justice “gratuitously by judges elected at stated times by the people and instituted by letters patent of the king, who cannot refuse them.”
- The “public accuser” shall also be chosen by the people.

LE TRAJET DE LOUIS XVI ENTRE PARIS ET VARENNES (Juin 1791)



The Constitution of 1791: The Street

On the morning of June 20, 1791, the King's valet discovered that the royal family had disappeared from the Tuileries Garden Royal Palace. Suddenly, France had lost its King. The Assembly suspended him.

The King had been guarded by the Parisian Municipality since October 1789. Completely frustrated with his unruly subjects, Louis XVI had tried to flee from his kingdom with his family. Well, his subjects found out.

At Varennes, a royalist recognized and knelt before him, and the municipality arranged for his safe return to his home in Paris.

The Assembly sought to address his “cahier de doléance” constitutionally. After a parliamentary enquiry, the Assembly felt confident to restore him to the throne on July 12, 1791.

The Constitution of 1791

- Ironically, a large part of the 1791 Constitution concerned constitutional monarchy, and reading it in retrospect, indicates the kind of questions that perturbed the ruling elite, and, hence, drove the extreme step of fleeing from France in the middle of the night, the apprehensions that the public had about the patriotism and future of the Royalty in France.
- The constitution sought to address the concerns of the monarchy and the public.
- Chapter II. Of the Royalty, the Regency, and the Ministers refers to the Royalty as indivisible and establishes its hereditary character “from male to male, by order of primogeniture.” It codifies the Salic Law, stipulating, “to the perpetual exclusion of females and their descendants.” It recognizes the king as “inviolable” but amends his “only title” as the King of the French.

The Constitution of 1791

- The king must take the Civic Oath like all citizens. In case he does not take the oath or retracts it, he “shall be considered to have abdicated the throne.”
- The King will trigger “abdication,” also, if he raised and commanded an army against the nation or deserted the country. Abdication will render him accountable to the justice system like ordinary citizens.
- Like the Church lands, the royal lands, excluding the ones personally titled to him, return to the nation.
- The National Assembly will grant him discretionary pocket money (generously) through “Civil Lists.”

The Constitution of 1791

- The Assembly thought about the Regency as well. In such a case, until he turned 18, a regent could be an at least twenty-five-year-old “kinsman of the king nearest in degree ... provided that he be French and native born, that he be not heir presumptive of another crown, and that he has previously taken the civic oath. Women are excluded from the regency.”
- If no such regent were available, people would elect one through the electors at the district level.

The Constitution of 1791

- There was no Royal veto, but the Assembly granted him extensive power to delay the implementation of any “suspended” decree for up to six years. If the two legislatures "following that which shall have presented the decree shall have again presented the same decree in the same terms, the king shall be considered to have given the sanction.”
- The Assembly also empowered the King as the head of the executive.
Chapter IV: Of the Exercise of the Executive Power vested the “supreme executive power” exclusively in him. He was also the supreme head of the army and navy, in charge of the external security of the kingdom, and of “maintaining its rights and possessions.” He appointed the ambassadors, and the list went on.

The Constitution of 1791

- While the Assembly alone could declare war and could require the King to pursue peace, through Section III: Of the external relations, it also gave him extensive foreign policy powers. He alone could conduct political relations abroad, “conduct negotiations, make preparations for war proportioned to those of the neighboring states, distribute the forces of the army and the navy as he shall deem suitable, and control the direction thereof in case of war.”
- The King also had the authority to “conclude and sign with all foreign powers all treaties of peace, alliance, and commerce, and all other conventions which he shall deem necessary for the welfare of the state, subject to the ratification of the legislative body.”

The Constitution of 1791

- The King agreed to give his assent to the constitution.
- After a transformative and unprecedented session, the Assembly concluded its work in twenty-nine months. They held the elections for the Legislative Assembly and handed over the gavel to them on October 1, 1791. This is how a new member of the succeeding Assembly, Emmanuel Pastoret, paid homage to them:

“... You broke all the links of the feudal chain...Pride had separated men; you worked to reunite them. Equality had been so distorted that it was regarded as a privilege to defend the country. All citizens have become soldiers...You made the service of the altar venerable...You freed commerce, agriculture, industry, thought...”

- We will discover that equality and freedom were works in progress. Les Etats Généraux cleared away the burden of a few centuries on French polity. Their successors will have their share of debate about them.

The Constitution of 1793: The Street

- As the Legislative Assembly assumed its role, the Constitutional Monarchy came under serious strains. The Assembly resolved to expand the possibilities of freedom and equality, while the King began to exercise his limited veto power to safeguard the interests of the Church, his émigré support-base, and counterrevolutionary forces in France.
- On August 10, 1792, Parisian insurrectionists surrounded the Tuileries. The King successfully escaped this time, but only to the haven the Legislative Assembly provided him within its premises. He forgot to disarm his Swiss Guards before he left. They fired a volley on the mob, killing over a thousand persons, “the bloodiest day of the Revolution in Paris” (282-283).
- The French remained vigilant about foreign interference after the August 17, 1791, Pilnitz declaration by the monarchs of Austria and Prussia, expressing European sovereigns’ concern about the situation of the King in France. Despite some setbacks, the French forces, with massive public support, were able to counter the external threats (details: next week).

The Constitution of 1793: The Street

- The Legislative Assembly recognized the need for new elections as the constitutional monarchy could no longer continue. They held the elections for a National Convention. Under the new law, all 18-year-old male citizens voted, and another transfer of power occurred on September 20, 1792.
- Through a decree of September 21, 1792, the Convention assured the country that after its approval by them, the French would have a constitution.
- A day later, it decreed on September 21-22, “The National Convention has unanimously abolished monarchy in France.”

The Constitution of 1793: The Street

- Under street pressure over a 1000 killed by the Swiss Guards and rising anger against enemies of the revolution, the National Convention put the former King on trial as Louis Capet. On January 1, 1793, the Convention found him guilty 691:27. On January 16, the final vote on his execution or not was 380: 310. On January 21, 1793, he was executed.
- The King was dead.
- The National Convention continued to craft a constitution for this new Republic. As promised, the Convention issued France's first-ever Republican Constitution on June 24, 1793.

The Constitution of 1793

- It begins with the Declaration of the Rights of Man and the Citizen, as it did in 1791.
- Obviously, the sections on the constitutional monarchy vanished, and the revolutionary legislature redistributed powers assigned to the King.
- The Constitution of 1793 also took great steps forward in sharing power more broadly with the citizens, as the electoral provisions showed. It also simplified the language while retaining several fundamental achievements of 1791.

The Constitution of 1793: The Street

- The Republic, however, faced a difficult situation, externally and internally.
- Externally, the Assembly had to manage a totally unforeseen situation: fourteen different armies deployed or in action against the “First Coalition,” including Austria, Prussia, Great Britain, and Spain.
- Internally, growing decentralization, a larger number of locally elected representatives, divergent interpretations of people’s rights, unmanageable expectations, disenchanted religious and monarchical lobbies, and region-specific factors often spilled over to the streets with varying degrees of violence.

The Constitution of 1793: The Street

- In a newly founded Republic, several hyperactive, ideologically motivated, emotionally charged, and often sufficiently armed and organized groups determined that they had no time to sort out their grievances rationally with an evolving governance structure or with each other. Opposing groups viewed each other as enemies, traitors, collaborators, saboteurs, and a threat to the revolution or to the existence of the country.
- The consequences, the topic of our next week, were horrendous. In a nutshell, the National Convention extended its legal life. The prisons and guillotines proliferated during the Reign of Terror, September 1793 to July 1794. One of its victims was the 1793 constitution. It was never implemented.

The Constitution of 1793: The Emancipation

- Emancipation was the brightest achievement of the Convention years.
- French officials in Saint Domingue recognized by 1793 that the blacks had emancipated themselves. Amid a threatening regional war situation, they sought to win them over by making it official and sent a new three-member Saint-Domingue delegation to the convention, representing each of the three communities. The Convention approved their credentials on February 3, 1794.
- The next day, as soon as one of its members finished telling the session about the situation on the Island, René Levasseur moved to “decree as of this moment that slavery is abolished throughout the territory of the Republic” (Popkin: 387).

The Constitution of 1793: The Emancipation

- Within minutes, the National Convention approved the motion. The President embraced the members of the Black and Mulatto communities amid an emotional fervor in the hall reminiscent of August 4, 1789.
- In 1795, the convention wrote the emancipation into the Constitution's Article 6, incorporating colonies into the French Republic with equal rights.
- Popkin would like us to remember, "Twelve years before the British Parliament finally banned the slave trade, but not the practice of slavery, a full seventy years before the United States ended slavery, Republican France reaffirmed the promise of universal freedom and racial equality made in 1794" (451).

The Constitution of 1795: The Declaration

The National Convention also decided to respond to the Thermidorian reaction, i.e., the end of Robespierre's Reign of Terror on July 27, 1794, and propose a new constitution to the nation. It begins with an expanded version of the Declaration, which essentially speaks to the abuse of power France experienced during the Reign of Terror. Here are the excerpts:

1. The rights of man in society are liberty, equality, security, and property (definitions follow with great emphasis on law).
3. Equality consists in this, that the law is the same for all, whether it protects or punishes.
8. No one can be summoned into court, accused, arrested, or detained except in the cases determined by the law and according to the forms which it has prescribed.
9. Those who incite, promote, sign, execute, or cause to be executed arbitrary acts are guilty and ought to be punished.
10. Every severity which may not be necessary to secure the person of a prisoner ought to be severely repressed by the law.

The Constitution of 1795: The Declaration

- 11. No one can be tried until after he has been heard or legally summoned.
- 12. The law ought to decree only such penalties as are strictly necessary and proportionate to the offense.
- 13. All treatment that increases the penalty fixed by the law is a crime.
- 15. Every man can contract his time and his services, but he cannot sell himself nor be sold; his person is not an alienable property.
- 19. No one can, without legal delegation, exercise any authority or fill any public function.
- 21. The public offices cannot become the property of those who hold them.
- 22. The social guarantee cannot exist if the division of powers is not established, if their limits are not fixed, and if the responsibility of the public functionaries is not assured.

The Constitution of 1795: The Declaration

- The Declaration, for the first time, included nine duties. Here are the excerpts:
- 1. The legislators should both know and fulfill their duties.
- 2. Not to do to others that which you would not that they do to you.
- 3. The obligations of each person to society consist in defending it, serving it, living in submission to the laws, and respecting those who are the agents of them.
- 4. No one is a good citizen unless he is a good son, good father, good brother, good friend, good husband.
- 6. The one who violates the laws openly declares himself in a state of war with society.
- 7. The one who, without transgressing the laws, eludes them by stratagem or ingenuity wounds the interests of all; he makes himself unworthy of their goodwill and their esteem.

The Constitution of 1795

- Articles three to five concern the composition of 89 departments of the French territory.
- Articles 6 and 7 incorporate French colonies as an integral part of the French Republic under the same constitution. Emancipation thus gets constitutional protection.
- Articles 8-16 concern citizenship. While they allowed voting at the age of 21, they also introduced conditions of property or employment and residence within the territory, and an age of 25 for the electors. The conditions were to get more stringent as time went by.

The Constitution of 1795

- France will have a bicameral legislature comprising 500 members of the lower house and a 250-member House of Elders.
- Executive Power shall be delegated to a Directory of five members chosen by the bicameral legislature following strict criteria to eliminate the abuse of power during the Reign of Terror.
- Each member of the Directory shall preside over it in turn for three months only. The president will enact the Laws and acts. They will deliberate when at least three of its members are present.
- It entrusted the five with domestic and external, civil and military matters.

The Constitution of 1795

- The constitution guaranteed fundamental freedom, including speech and religion, and separated the Church and the State by stopping any state expense for religion.
- The Constitution guaranteed the inviolability of all property.
- It imposed several restraints on civic organizations: Corporations and associations that are contrary to public order may not be formed. No assembly of citizens may call itself a popular society. No private society which concerns itself with political questions may correspond with another, or affiliate therewith, or hold public sessions composed of the members of the societies and of associates distinguished from one another, or impose conditions of admission and eligibility, or arrogate to itself rights of exclusion, or cause its members to wear any external insignia of their association.

The Constitution of 1795

- Citizens may exercise their political rights only in the primary or communal assemblies. They can address petitions but only individually and respectfully.
- Every armed gathering is an attack upon the Constitution; it shall be dispersed immediately by force. Every unarmed gathering, likewise, shall be dispersed, at first by verbal command, and, if necessary, by the deployment of armed force.
- Several constituted authorities may never unite for the purpose of deliberating together; no instrument emanating from such a union may be executed. No one may wear distinctive symbols indicative of duties formerly performed or services rendered.
- There shall be uniformity of weights and measures throughout the Republic.

The Constitution of 1795

Table I: The French Revolutionary Calendar

Season	Month	Meaning	Correlation
Fall	Vendémiaire	Vintager	Sept. 22 - Oct. 21
	Brumaire	Foggy	Oct. 22 - Nov. 20
	Frimaire	Chilly	Nov. 21 - Dec. 20
Winter	Nivôse	Snowy	Dec. 21 - Jan. 19
	Pluviôse	Rainy	Jan. 20 - Feb. 18
	Ventôse	Windy	Feb. 19 - March 20
Spring	Germinal	Of the sprouts	March 21 - April 19
	Floréal	Flowery	April 20 - May 19
	Prairial	Grassy	May 20 - June 18
Summer	Messidor	Harvester	June 19 - July 18
	Thermidor	Heat-giver	July 19 - Aug. 17
	Fructidor	Fruit-giver	Aug. 18 - Sept. 16
	Jour de la Vertu	Day of Virtue	Sept. 17
	Jour du Génie	Day of Engineering	Sept. 18
	Jour du Travail	Day of Work	Sept. 19
	Jour de l' Opinion	Day of Opinion	Sept. 20
	Jour des Récompenses	Day of Rewards	Sept. 21
	Jour de la Révolution	Day of Revolution	
		(Only in leap years)	Sept.22

- It adopts a new French calendar beginning on September 22, 1792, the day the Republic was established.
- It forbids the return of émigrés who have been living abroad since July 15, 1789, unless granted an exception, and it deprives the Legislative Body of the authority to make further exceptions. Their properties are considered forfeited.
- It also guarantees the property rights of those who acquire property after a legally conducted auction of national property, regardless of its origin.

The Constitution of 1795: The Street

- The Constitution of 1795 responded to the fear that the Reign of Terror had generated and the abuse of power that stemmed from the organized groups outside the Assembly.
- The Convention removed from the Declaration, “Men are born and remain free and equal in rights.” Liberty was in the state, maintaining law and order. They dropped the right to insurrection as well (Lefebvre: 176-177).
- The Thermidorians barred and restrained democracy and thought they had prevented the advent of a dictatorship. They turned out to be wrong on both counts.
- The Constitution missed the revolutionary fervor of 1791 and 1793, taking a cautious, conservative, and security-oriented approach to the issues of freedom and equality.

The Constitution of 1795: The Street

- The voting rules were unfriendly. While the 1791 Constitution had excluded the outgoing members from the candidates' list, the 1795 team passed a “two-thirds decree” which mandated the local electoral colleges to elect at least two-thirds of the members for the next Assembly out of the incumbents.
- Under the 1793 constitution, one member represented every 40,000 citizens; population, without any regard to tax or property, constituted the electoral unit. For the bicameral legislature, the Thermidorians staged an encore of the Etats-Généraux model: the local assemblies held the elections in two rounds: first, the 21-year-old eligible persons chose the allowed number of electors who must be 25 years old and own property, yielding different levels of income in rural or urban areas. At their own expense, the electors travelled to the electoral assemblies to appoint the assigned number of deputies for the district. (178-179)

The Constitution of 1795: The Street

- For the referendum on the constitution, the Thermidorians kept a liberal voting regime: if you were 21, a resident for a year, and a taxpayer, you were an active citizen and could vote. The public response, however, least enthusiastic.
- The rate of participation remained low. Less than one million voters approved it, while over forty-one thousand opposed. Specifically, on the two-thirds decree, only over 167,000 voters approved, while over 95,000 rejected.
- Paris will burst into protest over the results, but this time, they will not succeed. The Convention had sufficient force in place to prevail.

Enters Napoleon

- The 1795 Constitution had designed a five-member collegial system of governance, which turned out to be a failure despite French victories abroad. Contrary to the expectations of Thermidorians, it could not restrain dictatorial tendencies. Its weaknesses also permitted the emergence of Napoleon Bonaparte, an increasingly successful military officer in the foreign military campaigns.
- Napoleon staged a coup d'état on November 9-10, 1799. He had risen to power through the battlefields. In 1815, at 45, the battlefield of Waterloo took him out of there. In the intervening years, he ruled energetically.
- We will get an overview of Napoleonic France in the third week of our unit.

Conclusion

- The French absolutism failed to sustain itself financially without the collaboration of the nobility and clergy. They obstructed its path for additional taxation. The royal officials sought to overcome obstruction by adding an equal weight of the Third Estate to the consultations.
- Contrary to the royal expectations, the Etats Généraux joined hands to chalk out a constitutional path for the country.
- The King failed to recognize the forces of change. France turned into a Republic, but consistently ran into factional rivalries and violent clashes, which rendered a transition to a stable, constitutional monarchy difficult.

Conclusion

- The transition from an antiquated absolutism to a radically different constitutional structure was cumbersome. The revolutionaries framed three constitutions between 1791-1795, and yet a military despot found a path to dictatorship.
- The French Revolution, however, changed minds and instilled a sustained urge in the French to keep looking for Liberte, Egalite, Fraternite.
- Violence marred this search within France, its regional neighborhood, and in Saint-Domingue. We will see next week, how?