

# JOHN ACTON

LECTURES ON  
THE FRENCH  
REVOLUTION

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# Lectures on the French Revolution

## PREFATORY NOTE

The following Lectures were delivered by Lord Acton as Regius Professor of Modern History at Cambridge in the academical years 1895-96, 1896-97, 1897-98, 1898-99. The French Revolution, 1789-95, was in those years one of the special subjects set for the Historical Tripos, and this determined the scope of the course. In addition some discussion of the literature of the Revolution generally took place either in a conversation class or as an additional lecture. Such connected fragments of these as remain have been printed as an appendix. For the titles of the Lectures the editors are responsible.

J. N. F.

R. V. L.

*August 10, 1910*

# I

## THE HERALDS OF THE REVOLUTION

The revenue of France was near twenty millions when Lewis XVI., finding it inadequate, called upon the nation for supply. In a single lifetime it rose to far more than one hundred millions, while the national income grew still more rapidly; and this increase was wrought by a class to whom the ancient monarchy denied its best rewards, and whom it deprived of power in the country they enriched. As their industry effected change in the distribution of property, and wealth ceased to be the prerogative of a few, the excluded majority perceived that their disabilities rested on no foundation of right and justice, and were unsupported by reasons of State. They proposed that the prizes in the Government, the Army, and the Church should be given to merit among the active and necessary portion of the people, and that no privilege injurious to them should be reserved for the unprofitable minority. Being nearly an hundred to one, they deemed that they were virtually the substance of the nation, and they claimed to govern themselves with a power proportioned to their numbers. They demanded that the State should be reformed, that the ruler should be their agent, not their master.

That is the French Revolution. To see that it is not a meteor from the unknown, but the product of historic influences which, by their union were efficient to destroy, and by their division powerless to construct, we must follow for a moment the procession of ideas that went before, and bind it to the law of continuity and the operation of constant forces.

If France failed where other nations have succeeded, and if the passage from the feudal and aristocratic forms of society to the industrial and democratic was attended by convulsions, the cause was not in the men of that day, but in the ground on which they stood. As long as the despotic kings were victorious abroad, they were accepted at home. The first signals of revolutionary thinking lurk dimly among the oppressed minorities during intervals of disaster. The Jansenists were loyal and patient; but their famous jurist Domat was a philosopher, and is remembered as the writer who restored the supremacy of reason in the chaotic jurisprudence of the time. He had learnt from St. Thomas, a great name in the school he belonged to, that legislation ought to be for the people and by the people, that the cashiering of bad kings may be not only a right but a duty. He insisted that law shall proceed from common sense, not from custom, and shall draw its precepts from an eternal code. The principle of the higher law signifies Revolution. No government founded on positive enactments only can stand before it, and it points the way to that system of primitive, universal, and indefeasible rights which the lawyers of the Assembly, descending from Domat, prefixed to

their constitution.

Under the edict of Nantes the Protestants were decided royalists; so that, even after the Revocation, Bayle, the apostle of Toleration, retained his loyalty in exile at Rotterdam. His enemy, Jurieu, though intolerant as a divine, was liberal in his politics, and contracted in the neighbourhood of William of Orange the temper of a continental Whig. He taught that sovereignty comes from the people and reverts to the people. The Crown forfeits powers it has made ill use of. The rights of the nation cannot be forfeited. The people alone possess an authority which is legitimate without conditions, and their acts are valid even when they are wrong. The most telling of Jurieu's seditious propositions, preserved in the transparent amber of Bossuet's reply, shared the immortality of a classic, and in time contributed to the doctrine that the democracy is irresponsible and must have its way.

Maultrot, the best ecclesiastical lawyer of the day, published three volumes in 1790 on the power of the people over kings, in which, with accurate research among sources very familiar to him and to nobody else, he explained how the Canon Law approves the principles of 1688 and rejects the modern invention of divine right. His book explains still better the attitude of the clergy in the Revolution, and their brief season of popularity.

The true originator of the opposition in literature was Fénelon. He was neither an innovating reformer nor a discoverer of new truth; but as a singularly independent and most intelligent

witness, he was the first who saw through the majestic hypocrisy of the court, and knew that France was on the road to ruin. The revolt of conscience began with him before the glory of the monarchy was clouded over. His views grew from an extraordinary perspicacity and refinement in the estimate of men. He learnt to refer the problem of government, like the conduct of private life, to the mere standard of morals, and extended further than any one the plain but hazardous practice of deciding all things by the exclusive precepts of enlightened virtue. If he did not know all about policy and international science, he could always tell what would be expected of a hypothetically perfect man. Fénelon feels like a citizen of Christian Europe, but he pursues his thoughts apart from his country or his church, and his deepest utterances are in the mouth of pagans. He desired to be alike true to his own beliefs, and gracious towards those who dispute them. He approved neither the deposing power nor the punishment of error, and declared that the highest need of the Church was not victory but liberty. Through his friends, Fleury and Chevreuse, he favoured the recall of the Protestants, and he advised a general toleration. He would have the secular power kept aloof from ecclesiastical concerns, because protection leads to religious servitude and persecution to religious hypocrisy. There were moments when his steps seemed to approach the border of the undiscovered land where Church and State are parted.

He has written that a historian ought to be neutral between

other countries and his own, and he expected the same discipline in politicians, as patriotism cannot absolve a man from his duty to mankind. Therefore no war can be just, unless a war to which we are compelled in the sole cause of freedom. Fénelon wished that France should surrender the ill-gotten conquests of which she was so proud, and especially that she should withdraw from Spain. He declared that the Spaniards were degenerate and imbecile, but that nothing could make that right which was contrary to the balance of power and the security of nations. Holland seemed to him the hope of Europe, and he thought the allies justified in excluding the French dynasty from Spain for the same reason that no claim of law could have made it right that Philip II. should occupy England. He hoped that his country would be thoroughly humbled, for he dreaded the effects of success on the temperament of the victorious French. He deemed it only fair that Lewis should be compelled to dethrone his grandson with his own guilty hand.

In the judgment of Fénelon, power is poison; and as kings are nearly always bad, they ought not to govern, but only to execute the law. For it is the mark of barbarians to obey precedent and custom. Civilised society must be regulated by a solid code. Nothing but a constitution can avert arbitrary power. The despotism of Lewis XIV. renders him odious and contemptible, and is the cause of all the evils which the country suffers. If the governing power which rightfully belonged to the nation was restored, it would save itself by its own exertion; but absolute

authority irreparably saps its foundations, and is bringing on a revolution by which it will not be moderated, but utterly destroyed. Although Fénelon has no wish to sacrifice either the monarchy or the aristocracy, he betrays sympathy with several tendencies of the movement which he foresaw with so much alarm. He admits the state of nature, and thinks civil society not the primitive condition of man, but a result of the passage from savage life to husbandry. He would transfer the duties of government to local and central assemblies; and he demands entire freedom of trade, and education provided by law, because children belong to the State first and to the family afterwards. He does not resign the hope of making men good by act of parliament, and his belief in public institutions as a means of moulding individual character brings him nearly into touch with a distant future.

He is the Platonic founder of revolutionary thinking. Whilst his real views were little known, he became a popular memory; but some complained that his force was centrifugal, and that a church can no more be preserved by suavity and distinction than a state by liberty and justice. Lewis XVI., we are often told, perished in expiation of the sins of his forefathers. He perished, not because the power he inherited from them had been carried to excess, but because it had been discredited and undermined. One author of this discredit was Fénelon. Until he came, the ablest men, Bossuet and even Bayle, revered the monarchy. Fénelon struck it at the zenith, and treated Lewis XIV.

in all his grandeur more severely than the disciples of Voltaire treated Lewis XV. in all his degradation. The season of scorn and shame begins with him. The best of his later contemporaries followed his example, and laid the basis of opposing criticism on motives of religion. They were the men whom Cardinal Dubois describes as dreamers of the same dreams as the chimerical archbishop of Cambrai. Their influence fades away before the great change that came over France about the middle of the century.

From that time unbelief so far prevailed that even men who were not professed assailants, as Montesquieu, Condillac, Turgot, were estranged from Christianity. Politically, the consequence was this: men who did not attribute any deep significance to church questions never acquired definite notions on Church and State, never seriously examined under what conditions religion may be established or disestablished, endowed or disendowed, never even knew whether there exists any general solution, or any principle by which problems of that kind are decided. This defect of knowledge became a fact of importance at a turning-point in the Revolution. The theory of the relations between states and churches is bound up with the theory of Toleration, and on that subject the eighteenth century scarcely rose above an intermittent, embarrassed, and unscientific view. For religious liberty is composed of the properties both of religion and of liberty, and one of its factors never became an object of disinterested observation

among actual leaders of opinion. They preferred the argument of doubt to the argument of certitude, and sought to defeat intolerance by casting out revelation as they had defeated the persecution of witches by casting out the devil. There remained a flaw in their liberalism, for liberty apart from belief is liberty with a good deal of the substance taken out of it. The problem is less complicated and the solution less radical and less profound. Already, then, there were writers who held somewhat superficially the conviction, which Tocqueville made a cornerstone, that nations that have not the self-governing force of religion within them are unprepared for freedom.

The early notions of reform moved on French lines, striving to utilise the existing form of society, to employ the parliamentary aristocracy, to revive the States-General and the provincial assemblies. But the scheme of standing on the ancient ways, and raising a new France on the substructure of the old, brought out the fact that whatever growth of institutions there once had been had been stunted and stood still. If the mediæval polity had been fitted to prosper, its fruit must be gathered from other countries, where the early notions had been pursued far ahead. The first thing to do was to cultivate the foreign example; and with that what we call the eighteenth century began. The English superiority, proclaimed first by Voltaire, was further demonstrated by Montesquieu. For England had recently created a government which was stronger than the institutions that had stood on antiquity. Founded upon fraud and treason, it had yet

established the security of law more firmly than it had ever existed under the system of legitimacy, of prolonged inheritance, and of religious sanction. It flourished on the unaccustomed belief that theological dissensions need not detract from the power of the State, while political dissensions are the very secret of its prosperity. The men of questionable character who accomplished the change and had governed for the better part of sixty years, had successfully maintained public order, in spite of conspiracy and rebellion; they had built up an enormous system of national credit, and had been victorious in continental war. The Jacobite doctrine, which was the basis of European monarchy, had been backed by the arms of France, and had failed to shake the newly planted throne. A great experiment had been crowned by a great discovery. A novelty that defied the wisdom of centuries had made good its footing, and revolution had become a principle of stability more sure than tradition.

Montesquieu undertook to make the disturbing fact avail in political science. He valued it because it reconciled him with monarchy. He had started with the belief that kings are an evil, and not a necessary evil, and that their time was running short. His visit to Walpolean England taught him a plan by which they might be reprieved. He still confessed that a republic is the reign of virtue; and by virtue he meant love of equality and renunciation of self. But he had seen a monarchy that throve by corruption. He said that the distinctive principle of monarchy is not virtue but honour, which he once described

as a contrivance to enable men of the world to commit almost every offence with impunity. The praise of England was made less injurious to French patriotism by the famous theory that explains institutions and character by the barometer and the latitude. Montesquieu looked about him, and abroad, but not far ahead. His admirable skill in supplying reason for every positive fact sometimes confounds the cause which produces with the argument that defends. He knows so many pleas for privilege that he almost overlooks the class that has none; and having no friendship for the clergy, he approves their immunities. He thinks that aristocracy alone can preserve monarchies, and makes England more free than any commonwealth. He lays down the great conservative maxim, that success generally depends on knowing the time it will take; and the most purely Whig maxim in his works, that the duty of a citizen is a crime when it obscures the duty of man, is Fénelon's. His liberty is of a Gothic type, and not insatiable. But the motto of his work, *Prolem sine matre creatam*, was intended to signify that the one thing wanting was liberty; and he had views on taxation, equality, and the division of powers that gave him a momentary influence in 1789. His warning that a legislature may be more dangerous than the executive remained unheard. The *Esprit des lois* had lost ground in 1767, during the ascendancy of Rousseau. The mind of the author moved within the conditions of society familiar to him, and he did not heed the coming democracy. He assured Hume that there would be no revolution, because the nobles were

without civic courage.

There was more divination in d'Argenson, who was Minister of Foreign Affairs in 1745, and knew politics from the inside. Less acquiescent than his brilliant contemporary, he was perpetually contriving schemes of fundamental change, and is the earliest writer from whom we can extract the system of 1789. Others before him had perceived the impending revolution; but d'Argenson foretold that it would open with the slaughter of priests in the streets of Paris. Thirty-eight years later these words came true at the gate of St. Germain's Abbey. As the supporter of the Pretender he was quite uninfluenced by admiration for England, and imputed, not to the English Deists and Whigs but to the Church and her divisions and intolerance, the unbelieving spirit that threatened both Church and State. It was conventionally understood on the Continent that 1688 had been an uprising of Nonconformists, and a Whig was assumed to be a Presbyterian down to the death of Anne. It was easy to infer that a more violent theological conflict would lead to a more violent convulsion. As early as 1743 his terrible foresight discerns that the State is going to pieces, and its doom was so certain that he began to think of a refuge under other masters. He would have deposed the noble, the priest, and the lawyer, and given their power to the masses. Although the science of politics was in its infancy, he relied on the dawning enlightenment to establish rational liberty, and the equality between classes and religions which is the perfection of politics. The world ought to be

governed not by parchment and vested rights, but by plain reason, which proceeds from the complex to the simple, and will sweep away all that interposes between the State and the democracy, giving to each part of the nation the management of its own affairs. He is eager to change everything, except the monarchy which alone can change all else. A deliberative assembly does not rise above the level of its average members. It is neither very foolish nor very wise. All might be well if the king made himself the irresistible instrument of philosophy and justice, and wrought the reform. But his king was Lewis XV. D'Argenson saw so little that was worthy to be preserved that he did not shrink from sweeping judgments and abstract propositions. By his rationalism, and his indifference to the prejudice of custom and the claim of possession; by his maxim that every man may be presumed to understand the things in which his own interest and responsibility are involved; by his zeal for democracy, equality, and simplicity, and his dislike of intermediate authorities, he belongs to a generation later than his own. He heralded events without preparing them, for the best of all he wrote only became known in our time.

Whilst Montesquieu, at the height of his fame as the foremost of living writers, was content to contemplate the past, there was a student in the Paris seminary who taught men to fix hope and endeavour on the future, and led the world at twenty-three. Turgot, when he proclaimed that upward growth and progress is the law of human life, was studying to become

a priest. To us, in an age of science, it has become difficult to imagine Christianity without the attribute of development and the faculty of improving society as well as souls. But the idea was acquired slowly. Under the burden of sin, men accustomed themselves to the consciousness of degeneracy; each generation confessed that they were unworthy children of their parents, and awaited with impatience the approaching end. From Lucretius and Seneca to Pascal and Leibniz we encounter a few dispersed and unsupported passages, suggesting advance towards perfection, and the flame that brightens as it moves from hand to hand; but they were without mastery or radiance. Turgot at once made the idea habitual and familiar, and it became a pervading force in thoughtful minds, whilst the new sciences arose to confirm it. He imparted a deeper significance to history, giving it unity of tendency and direction, constancy where there had been motion, and development instead of change. The progress he meant was moral as much as intellectual; and as he professed to think that the rogues of his day would have seemed sanctified models to an earlier century, he made his calculations without counting the wickedness of men. His analysis left unfathomed depths for future explorers, for Lessing and still more for Hegel; but he taught mankind to expect that the future would be unlike the past, that it would be better, and that the experience of ages may instruct and warn, but cannot guide or control. He is eminently a benefactor to historical study; but he forged a weapon charged with power to abolish the product of history and the

existing order. By the hypothesis of progress, the new is always gaining on the old; history is the embodiment of imperfection, and escape from history became the watchword of the coming day. Condorcet, the master's pupil, thought that the world might be emancipated by burning its records.

Turgot was too discreet for such an excess, and he looked to history for the demonstration of his law. He had come upon it in his theological studies. He renounced them soon after, saying that he could not wear a mask. When Guizot called Lamennais a malefactor, because he threw off his cassock and became a freethinker, Scherer, whose course had been some way parallel, observed: "He little knows how much it costs." The abrupt transition seems to have been accomplished by Turgot without a struggle. The *Encyclopædia*, which was the largest undertaking since the invention of printing, came out at that time, and Turgot wrote for it. But he broke off, refusing to be connected with a party professedly hostile to revealed religion; and he rejected the declamatory paradoxes of Diderot and Raynal. He found his home among the Physiocrats, of all the groups the one that possessed the most compact body of consistent views, and who already knew most of the accepted doctrines of political economy, although they ended by making way for Adam Smith. They are of supreme importance to us, because they founded political science on the economic science which was coming into existence. Harrington, a century before, had seen that the art of government can be reduced to system; but the French

economists precede all men in this, that holding a vast collection of combined and verified truths on matters contiguous to politics and belonging to their domain, they extended it to the whole, and governed the constitution by the same fixed principles that governed the purse. They said: A man's most sacred property is his labour. It is anterior even to the right of property, for it is the possession of those who own nothing else. Therefore he must be free to make the best use of it he can. The interference of one man with another, of society with its members, of the state with the subject, must be brought down to the lowest dimension. Power intervenes only to restrict intervention, to guard the individual from oppression, that is from regulation in an interest not his own. Free labour and its derivative free trade are the first conditions of legitimate government. Let things fall into their natural order, let society govern itself, and the sovereign function of the State will be to protect nature in the execution of her own law. Government must not be arbitrary, but it must be powerful enough to repress arbitrary action in others. If the supreme power is needlessly limited, the secondary powers will run riot and oppress. Its supremacy will bear no check. The problem is to enlighten the ruler, not to restrain him; and one man is more easily enlightened than many. Government by opposition, by balance and control, is contrary to principle; whereas absolutism might be requisite to the attainment of their higher purpose. Nothing less than concentrated power could overcome the obstacles to such beneficent reforms as they

meditated. Men who sought only the general good must wound every distinct and separate interest of class, and would be mad to break up the only force that they could count upon, and thus to throw away the means of preventing the evils that must follow if things were left to the working of opinion and the feeling of masses. They had no love for absolute power in itself, but they computed that, if they had the use of it for five years, France would be free. They distinguished an arbitrary monarch and the irresistible but impersonal state.

It was the era of repentant monarchy. Kings had become the first of public servants, executing, for the good of the people, what the people were unable to do for themselves; and there was a reforming movement on foot which led to many instances of prosperous and intelligent administration. To men who knew what unutterable suffering and wrong was inflicted by bad laws, and who lived in terror of the uneducated and inorganic masses, the idea of reform from above seemed preferable to parliamentary government managed by Newcastle and North, in the interest of the British landlord. The economists are outwardly and avowedly less liberal than Montesquieu, because they are incomparably more impressed by the evils of the time, and the need of immense and fundamental changes. They prepared to undo the work of absolutism by the hand of absolutism. They were not its opponents, but its advisers, and hoped to convert it by their advice. The indispensable liberties are those which constitute the wealth of nations; the rest will follow. The disease

had lasted too long for the sufferer to heal himself: the relief must come from the author of his sufferings. The power that had done the wrong was still efficient to undo the wrong. Transformation, infinitely more difficult in itself than preservation, was not more formidable to the economists because it consisted mainly in revoking the godless work of a darker age. They deemed it their mission not to devise new laws, for that is a task which God has not committed to man, but only to declare the inherent laws of the existence of society and enable them to prevail.

The defects of the social and political organisation were as distinctly pointed out by the economists as by the electors of the National Assembly, twenty years later, and in nearly all things they proposed the remedy. But they were persuaded that the only thing to regenerate France was a convulsion which the national character would make a dreadful one. They desired a large scheme of popular education, because commands take no root in soil that is not prepared. Political truths can be made so evident that the opinion of an instructed public will be invincible, and will banish the abuse of power. To resist oppression is to make a league with heaven, and all things are oppressive that resist the natural order of freedom. For society secures rights; it neither bestows nor restricts them. They are the direct consequence of duties. As truth can only convince by the exposure of errors and the defeat of objections, liberty is the essential guard of truth. Society is founded, not on the will of man, but on the nature of man and the will of God; and conformity to the divinely

appointed order is followed by inevitable reward. Relief of those who suffer is the duty of all men, and the affair of all.

Such was the spirit of that remarkable group of men, especially of Mercier de la Rivière, of whom Diderot said that he alone possessed the true and everlasting secret of the security and the happiness of empires. Turgot indeed had failed in office; but his reputation was not diminished, and the power of his name exceeded all others at the outbreak of the Revolution. His policy of employing the Crown to reform the State was at once rejected in favour of other counsels; but his influence may be traced in many acts of the Assembly, and on two very memorable occasions it was not auspicious. It was a central dogma of the party that land is the true source of wealth, or, as Asgill said, that man deals in nothing but earth. When a great part of France became national property, men were the more easily persuaded that land can serve as the basis of public credit and of unlimited assignats. According to a weighty opinion which we shall have to consider before long, the parting of the ways in the Revolution was on the day when, rejecting the example both of England and America, the French resolved to institute a single undivided legislature. It was the Pennsylvanian model and Voltaire had pronounced Pennsylvania the best government in the world. Franklin gave the sanction of an oracle to the constitution of his state, and Turgot was its vehement protagonist in Europe.

A king ruling over a level democracy, and a democracy ruling

itself through the agency of a king, were long contending notions in the first Assembly. One was monarchy according to Turgot, the other was monarchy adapted to Rousseau; and the latter, for a time, prevailed. Rousseau was the citizen of a small republic, consisting of a single town, and he professed to have applied its example to the government of the world. It was Geneva, not as he saw it, but as he extracted its essential principle, and as it has since become, Geneva illustrated by the Forest Cantons and the Landesgemeinde more than by its own charters. The idea was that the grown men met in the market-place, like the peasants of Glarus under their trees, to manage their affairs, making and unmaking officials, conferring and revoking powers. They were equal, because every man had exactly the same right to defend his interest by the guarantee of his vote. The welfare of all was safe in the hands of all, for they had not the separate interests that are bred by the egotism of wealth, nor the exclusive views that come from a distorted education. All being equal in power and similar in purpose, there can be no just cause why some should move apart and break into minorities. There is an implied contract that no part shall ever be preferred to the whole, and minorities shall always obey. Clever men are not wanted for the making of laws, because clever men and their laws are at the root of all mischief. Nature is a better guide than civilisation, because nature comes from God, and His works are good; culture from man, whose works are bad in proportion as he is remoter from natural innocence, as his desires increase upon him, as he

seeks more refined pleasures, and stores up more superfluity. It promotes inequality, selfishness, and the ruin of public spirit.

By plausible and easy stages the social ideas latent in parts of Switzerland produced the theory that men come innocent from the hands of the Creator, that they are originally equal, that progress from equality to civilisation is the passage from virtue to vice and from freedom to tyranny, that the people are sovereign, and govern by powers given and taken away; that an individual or a class may be mistaken and may desert the common cause and the general interest, but the people, necessarily sincere, and true, and incorrupt, cannot go wrong; that there is a right of resistance to all governments that are fallible, because they are partial, but none against government of the people by the people, because it has no master and no judge, and decides in the last instance and alone; that insurrection is the law of all unpopular societies founded on a false principle and a broken contract, and submission that of the only legitimate societies, based on the popular will; that there is no privilege against the law of nature, and no right against the power of all. By this chain of reasoning, with little infusion of other ingredients, Rousseau applied the sequence of the ideas of pure democracy to the government of nations.

Now the most glaring and familiar fact in history shows that the direct self-government of a town cannot be extended over an empire. It is a plan that scarcely reaches beyond the next parish. Either one district will be governed by another, or both

by somebody else chosen for the purpose. Either plan contradicts first principles. Subjection is the direct negation of democracy; representation is the indirect. So that an Englishman underwent bondage to parliament as much as Lausanne to Berne or as America to England if it had submitted to taxation, and by law recovered his liberty but once in seven years. Consequently Rousseau, still faithful to Swiss precedent as well as to the logic of his own theory, was a federalist. In Switzerland, when one half of a canton disagrees with the other, or the country with the town, it is deemed natural that they should break into two, that the general will may not oppress minorities. This multiplication of self-governing communities was admitted by Rousseau as a preservative of unanimity on one hand, and of liberty on the other. Helvétius came to his support with the idea that men are not only equal by nature but alike, and that society is the cause of variation; from which it would follow that everything may be done by laws and by education.

Rousseau is the author of the strongest political theory that had appeared amongst men. We cannot say that he reasons well, but he knew how to make his argument seem convincing, satisfying, inevitable, and he wrote with an eloquence and a fervour that had never been seen in prose, even in Bolingbroke or Milton. His books gave the first signal of a universal subversion, and were as fatal to the Republic as to the Monarchy. Although he lives by the social contract and the law of resistance, and owes his influence to what was extreme and systematic, his later writings

are loaded with sound political wisdom. He owes nothing to the novelty or the originality of his thoughts. Taken jointly or severally, they are old friends, and you will find them in the school of Wolf that just preceded, in the dogmatists of the Great Rebellion and the Jesuit casuists who were dear to Algernon Sidney, in their Protestant opponents, Duplessis Mornay, and the Scots who had heard the last of our schoolmen, Major of St. Andrews, renew the speculations of the time of schism, which decomposed and dissected the Church and rebuilt it on a model very propitious to political revolution, and even in the early interpreters of the Aristotelian Politics which appeared just at the era of the first parliament.

Rousseau's most advanced point was the doctrine that the people are infallible. Jurieu had taught that they can do no wrong: Rousseau added that they are positively in the right. The idea, like most others, was not new, and goes back to the Middle Ages. When the question arose what security there is for the preservation of traditional truth if the episcopate was divided and the papacy vacant, it was answered that the faith would be safely retained by the masses. The maxim that the voice of the people is the voice of God is as old as Alcuin; it was renewed by some of the greatest writers anterior to democracy, by Hooker and Bossuet, and it was employed in our day by Newman to prop his theory of development. Rousseau applied it to the State.

The sovereignty of public opinion was just then coming in through the rise of national debts and the increasing importance

of the public creditor. It meant more than the noble savage and the blameless South Sea islander, and distinguished the instinct that guides large masses of men from the calculating wisdom of the few. It was destined to prove the most serious of all obstacles to representative government. Equality of power readily suggests equality of property; but the movement of Socialism began earlier, and was not assisted by Rousseau. There were solemn theorists, such as Mably and Morelly, who were sometimes quoted in the Revolution, but the change in the distribution of property was independent of them.

A more effective influence was imported from Italy; for the Italians, through Vico, Giannone, Genovesi, had an eighteenth century of their own. Sardinia preceded France in solving the problem of feudalism. Arthur Young affirms that the measures of the Grand Duke Leopold had, in ten years, doubled the produce of Tuscany; at Milan, Count Firmian was accounted one of the best administrators in Europe. It was a Milanese, Beccaria, who, by his reform of criminal law, became a leader of French opinion. Continental jurisprudence had long been overshadowed by two ideas: that torture is the surest method of discovering truth, and that punishment deters not by its justice, its celerity, or its certainty, but in proportion to its severity. Even in the eighteenth century the penal system of Maria Theresa and Joseph II. was barbarous. Therefore no attack was more surely aimed at the heart of established usage than that which dealt with courts of justice. It forced men to conclude that

authority was odiously stupid and still more odiously ferocious, that existing governments were accursed, that the guardians and ministers of law, divine and human, were more guilty than their culprits. The past was branded as the reign of infernal powers, and charged with long arrears of unpunished wrong. As there was no sanctity left in law, there was no mercy for its merciless defenders; and if they fell into avenging hands, their doom would not exceed their desert. Men afterwards conspicuous by their violence, Brissot and Marat, were engaged in this campaign of humanity, which raised a demand for authorities that were not vitiated by the accumulation of infamy, for new laws, new powers, a new dynasty.

As religion was associated with cruelty, it is at this point that the movement of new Ideas became a crusade against Christianity. A book by the Curé Meslier, partially known at that time, but first printed by Strauss in 1864, is the clarion of vindictive unbelief; and another abbé, Raynal, hoped that the clergy would be crushed beneath the ruins of their altars.

Thus the movement which began, in Fénelon's time, with warnings and remonstrance and the zealous endeavour to preserve, which produced one great scheme of change by the Crown and another at the expense of the Crown, ended in the wild cry for vengeance and a passionate appeal to fire and sword. So many lines of thought converging on destruction explain the agreement that existed when the States-General began, and the explosion that followed the reforms of '89, and the ruins of

'93. No conflict can be more irreconcilable than that between a constitution and an enlightened absolutism, between abrogation of old laws and multiplication of new, between representation and direct democracy, the people controlling and the people governing, kings by contract and kings by mandate.

Yet all these fractions of opinion were called Liberal: Montesquieu, because he was an intelligent Tory; Voltaire, because he attacked the clergy; Turgot, as a reformer; Rousseau, as a democrat; Diderot, as a freethinker. The one thing common to them all is the disregard for liberty.

## II

# THE INFLUENCE OF AMERICA

The several structures of political thought that arose in France, and clashed in the process of revolution, were not directly responsible for the outbreak. The doctrines hung like a cloud upon the heights, and at critical moments in the reign of Lewis XV. men felt that a catastrophe was impending. It befell when there was less provocation, under his successor; and the spark that changed thought into action was supplied by the Declaration of American Independence. It was the system of an international extra-territorial universal Whig, far transcending the English model by its simplicity and rigour. It surpassed in force all the speculation of Paris and Geneva, for it had undergone the test of experiment, and its triumph was the most memorable thing that had been seen by men.

The expectation that the American colonies would separate was an old one. A century before, Harrington had written: "They are yet babes, that cannot live without sucking the breasts of their mother-cities; but such as I mistake if, when they come of age, they do not wean themselves; which causes me to wonder at princes that like to be exhausted in that way." When, in 1759, the elder Mirabeau announced it, he meant that the conquest of Canada involved the loss of America, as the colonists would

cling to England as long as the French were behind them, and no longer. He came very near to the truth, for the war in Canada gave the signal. The English colonies had meditated the annexation of the French, and they resented that the king's government undertook the expedition, to deprive them of the opportunity for united action. Fifty years later President Adams said that the treatment of American officers by the British made his blood boil.

The agitation began in 1761, and by the innovating ideas which it flung abroad it is as important as the Declaration itself, or the great constitutional debate. The colonies were more advanced than Great Britain in the way of free institutions, and existed only that they might escape the vices of the mother country. They had no remnants of feudalism to cherish or resist. They possessed written constitutions, some of them remarkably original, fit roots of an immense development. George III. thought it strange that he should be the sovereign of a democracy like Rhode Island, where all power reverted annually to the people, and the authorities had to be elected anew. Connecticut received from the Stuarts so liberal a charter, and worked out so finished a scheme of local self-government, that it served as a basis for the federal constitution. The Quakers had a plan founded on equality of power, without oppression, or privilege, or intolerance, or slavery. They declared that their holy experiment would not have been worth attempting if it did not offer some very real advantage over England. It was to enjoy

freedom, liberty of conscience, and the right to tax themselves, that they went into the desert. There were points on which these men anticipated the doctrines of a more unrestrained democracy, for they established their government not on conventions, but on divine right, and they claimed to be infallible. A Connecticut preacher said in 1638: "The choice of public magistrates belongs unto the people, by God's own allowance. They who have the power to appoint officers and magistrates, it is in their power, also, to set the bounds and limitations of the power and place unto which they call them." The following words, written in 1736, appear in the works of Franklin: "The judgment of a whole people, especially of a free people, is looked upon to be infallible. And this is universally true, while they remain in their proper sphere, unbiassed by faction, undeluded by the tricks of designing men. A body of people thus circumstanced cannot be supposed to judge amiss on any essential points; for if they decide in favour of themselves, which is extremely natural, their decision is just, inasmuch as whatever contributes to their benefit is a general benefit, and advances the real public good." A commentator adds that this notion of the infallible perception by the people of their true interest, and their unerring pursuit of it, was very prevalent in the provinces, and for a time in the States after the establishment of American independence.

In spite of their democratic spirit, these communities consented to have their trade regulated and restricted, to their own detriment and the advantage of English merchants. They

had protested, but they had ended by yielding. Now Adam Smith says that to prohibit a great people from making all they can of every part of their own produce, or from employing their stock and industry in the way that they judge most advantageous for themselves, is a manifest violation of the most sacred rights of mankind. There was a latent sense of injury which broke out when, in addition to interference with the freedom of trade, England exercised the right of taxation. An American lately wrote: "The real foundation of the discontent which led to the Revolution was the effort of Great Britain, beginning in 1750, to prevent diversity of occupation, to attack the growth of manufactures and the mechanic arts, and the final cause before the attempt to tax without representation was the effort to enforce the navigation laws." When England argued that the hardship of regulation might be greater than the hardship of taxation, and that those who submitted to the one submitted, in principle, to the other, Franklin replied that the Americans had not taken that view, but that, when it was put before them, they would be willing to reject both one and the other. He knew, however, that the ground taken up by his countrymen was too narrow. He wrote to the French economist, Morellet: "Nothing can be better expressed than your sentiments are on this point, where you prefer liberty of trading, cultivating, manufacturing, etc., even to civil liberty, this being affected but rarely, the other every hour."

These early authors of American independence were generally

enthusiasts for the British Constitution, and preceded Burke in the tendency to canonise it, and to magnify it as an ideal exemplar for nations. John Adams said, in 1766: "Here lies the difference between the British Constitution and other forms of government, namely, that liberty is its end, its use, its designation, drift and scope, as much as grinding corn is the use of a mill." Another celebrated Bostonian identified the Constitution with the law of Nature, as Montesquieu called the Civil Law, written Reason. He said: "It is the glory of the British prince and the happiness of all his subjects, that their constitution hath its foundation in the immutable laws of Nature; and as the supreme legislative, as well as the supreme executive, derives its authority from that constitution, it should seem that no laws can be made or executed that are repugnant to any essential law in Nature." The writer of these words, James Otis, is the founder of the revolutionary doctrine. Describing one of his pamphlets, the second President says: "Look over the declaration of rights and wrongs issued by Congress in 1774; look into the declaration of independence in 1776; look into the writings of Dr. Price and Dr. Priestley; look into all the French constitutions of government; and, to cap the climax, look into Mr. Thomas Paine's *Common Sense*, *Crisis*, and *Rights of Man*. What can you find that is not to be found in solid substance in this 'Vindication of the House of Representatives'?" When these men found that the appeal to the law and to the constitution did not avail them, that the king, by bribing the people's representatives with the people's money, was able to

enforce his will, they sought a higher tribunal, and turned from the law of England to the law of Nature, and from the king of England to the King of kings. Otis, in 1762, 1764 and 1765, says: "Most governments are, in fact, arbitrary, and consequently the curse and scandal of human nature; yet none are of right arbitrary. By the laws of God and nature, government must not raise taxes on the property of the people without the consent of the people or their deputies. There can be no prescription old enough to supersede the law of Nature and the grant of God Almighty, who has given all men a right to be free. If a man has but little property to protect and defend, yet his life and liberty are things of some importance." About the same time Gadsden wrote: "A confirmation of our essential and common rights as Englishmen may be pleaded from charters clearly enough; but any further dependence on them may be fatal. We should stand upon the broad common ground of those natural rights that we all feel and know as men and as descendants of Englishmen."

The primitive fathers of the United States began by preferring abstract moral principle to the letter of the law and the spirit of the Constitution. But they went farther. Not only was their grievance difficult to substantiate at law, but it was trivial in extent. The claim of England was not evidently disproved, and even if it was unjust, the injustice practically was not hard to bear. The suffering that would be caused by submission was immeasurably less than the suffering that must follow resistance, and it was more uncertain and remote. The utilitarian argument

was loud in favour of obedience and loyalty. But if interest was on one side, there was a manifest principle on the other – a principle so sacred and so clear as imperatively to demand the sacrifice of men's lives, of their families and their fortune. They resolved to give up everything, not to escape from actual oppression, but to honour a precept of unwritten law. That was the transatlantic discovery in the theory of political duty, the light that came over the ocean. It represented liberty not as a comparative release from tyranny, but as a thing so divine that the existence of society must be staked to prevent even the least constructive infraction of its sovereign right. "A free people," said Dickinson, "can never be too quick in observing nor too firm in opposing the beginnings of alteration either in form or reality, respecting institutions formed for their security. The first kind of alteration leads to the last. As violations of the rights of the governed are commonly not only specious, but small at the beginning, they spread over the multitude in such a manner as to touch individuals but slightly. Every free state should incessantly watch, and instantly take alarm at any addition being made to the power exercised over them." Who are a free people? Not those over whom government is reasonably and equitably exercised; but those who live under a government so constitutionally checked and controlled that proper provision is made against its being otherwise exercised. The contest was plainly a contest of principle, and was conducted entirely on principle by both parties. "The amount of taxes proposed to

be raised," said Marshall, the greatest of constitutional lawyers, "was too inconsiderable to interest the people of either country." I will add the words of Daniel Webster, the great expounder of the Constitution, who is the most eloquent of the Americans, and stands, in politics, next to Burke: "The Parliament of Great Britain asserted a right to tax the Colonies in all cases whatsoever; and it was precisely on this question that they made the Revolution turn. The amount of taxation was trifling, but the claim itself was inconsistent with liberty, and that was in their eyes enough. It was against the recital of an act of Parliament, rather than against any suffering under its enactment, that they took up arms. They went to war against a preamble. They fought seven years against a declaration. They saw in the claim of the British Parliament a seminal principle of mischief, the germ of unjust power."

The object of these men was liberty, not independence. Their feeling was expressed by Jay in his address to the people of Great Britain: "Permit us to be as free as yourselves, and we shall ever esteem a union with you to be our greatest glory and our greatest happiness." Before 1775 there was no question of separation. During all the Revolution Adams declared that he would have given everything to restore things as before with security; and both Jefferson and Madison admitted in the presence of the English minister that a few seats in both Houses would have set at rest the whole question.

In their appeal to the higher law the Americans professed

the purest Whiggism, and they claimed that their resistance to the House of Commons and the jurisprudence of Westminster only carried forward the eternal conflict between Whig and Tory. By their closer analysis, and their fearlessness of logical consequences, they transformed the doctrine and modified the party. The uprooted Whig, detached from his parchments and precedents, his leading families and historic conditions, exhibited new qualities; and the era of compromise made way for an era of principle. Whilst French diplomacy traced the long hand of the English opposition in the tea riots at Boston, Chatham and Camden were feeling the influence of Dickinson and Otis, without recognising the difference. It appears in a passage of one of Chatham's speeches, in 1775: "This universal opposition to your arbitrary system of taxation might have been foreseen. It was obvious from the nature of things, and from the nature of man, and, above all, from the confirmed habits of thinking, from the spirit of Whiggism flourishing in America. The spirit which now pervades America is the same which formerly opposed loans, benevolences, and ship-money in this country, is the same spirit which roused all England to action at the Revolution, and which established at a remote era your liberties, on the basis of that grand fundamental maxim of the Constitution, that no subject of England shall be taxed but by his own consent. To maintain this principle is the common cause of the Whigs on the other side of the Atlantic, and on this. It is the alliance of God and Nature, immutable, eternal, fixed as

the firmament of heaven. Resistance to your acts was necessary as it was just; and your vain declarations of the omnipotence of parliament, and your imperious doctrines of the necessity of submission will be found equally impotent to convince or enslave your fellow-subjects in America."

The most significant instance of the action of America on Europe is Edmund Burke. We think of him as a man who, in early life, rejected all generalities and abstract propositions, and who became the most strenuous and violent of conservatives. But there is an interval when, as the quarrel with the Colonies went on, Burke was as revolutionary as Washington. The inconsistency is not as flagrant as it seems. He had been brought forward by the party of measured propriety and imperative moderation, of compromise and unfinished thought, who claimed the right of taxing, but refused to employ it. When he urged the differences in every situation and every problem, and shrank from the common denominator and the underlying principle, he fell into step with his friends. As an Irishman, who had married into an Irish Catholic family, it was desirable that he should adopt no theories in America which would unsettle Ireland. He had learnt to teach government by party as an almost sacred dogma, and party forbids revolt as a breach of the laws of the game. His scruples and his protests, and his defiance of theory, were the policy and the precaution of a man conscious of restraints, and not entirely free in the exertion of powers that lifted him far above his tamer surroundings. As the strife sharpened and the Americans made

way, Burke was carried along, and developed views which he never utterly abandoned, but which are difficult to reconcile with much that he wrote when the Revolution had spread to France.

In his address to the Colonists he says: "We do not know how to qualify millions of our countrymen, contending with one heart for an admission to privileges which we have ever thought our own happiness and honour, by odious and unworthy names. On the contrary, we highly revere the principles on which you act. We had much rather see you totally independent of this crown and kingdom, than joined to it by so unnatural a conjunction as that of freedom and servitude. We view the establishment of the English Colonies on principles of liberty, as that which is to render this kingdom venerable to future ages. In comparison of this, we regard all the victories and conquests of our warlike ancestors, or of our own times, as barbarous, vulgar distinctions, in which many nations, whom we look upon with little respect or value, have equalled, if not far exceeded us. Those who have and who hold to that foundation of common liberty, whether on this or on your side of the ocean, we consider as the true and the only true Englishmen. Those who depart from it, whether there or here, are attainted, corrupted in blood, and wholly fallen from their original rank and value. They are the real rebels to the fair constitution and just supremacy of England. A long course of war with the administration of this country may be but a prelude to a series of wars and contentions among yourselves, to end at length (as such scenes have too often ended) in a species of

humiliating repose, which nothing but the preceding calamities would reconcile to the dispirited few who survived them. We allow that even this evil is worth the risk to men of honour when rational liberty is at stake, as in the present case we confess and lament that it is."

At other times he spoke as follows: – "Nothing less than a convulsion that will shake the globe to its centre can ever restore the European nations to that liberty by which they were once so much distinguished. The Western world was the seat of freedom until another, more Western, was discovered; and that other will probably be its asylum when it is hunted down in every other part. Happy it is that the worst of times may have one refuge still left for humanity. If the Irish resisted King William, they resisted him on the very same principle that the English and Scotch resisted King James. The Irish Catholics must have been the very worst and the most truly unnatural of rebels, if they had not supported a prince whom they had seen attacked, not for any designs against their religion or their liberties, but for an extreme partiality for their sect. Princes otherwise meritorious have violated the liberties of the people, and have been lawfully deposed for such violation. I know no human being exempt from the law. I consider Parliament as the proper judge of kings, and it is necessary that they should be amenable to it. There is no such thing as governing the whole body of the people contrary to their inclination. Whenever they have a feeling they commonly are in the right. Christ appeared in sympathy with the lowest of

the people, and thereby made it a firm and ruling principle that their welfare was the object of all government.

"In all forms of government the people is the true legislator. The remote and efficient cause is the consent of the people, either actual or implied, and such consent is absolutely essential to its validity. Whiggism did not consist in the support of the power of Parliament or of any other power, but of the rights of the people. If Parliament should become an instrument in invading them, it was no better in any respect, and much worse in some, than any other instrument of arbitrary power. They who call upon you to belong wholly to the people are those who wish you to belong to your proper home, to the sphere of your duty, to the post of your honour. Let the Commons in Parliament assembled be one and the same thing with the Commons at large. I see no other way for the preservation of a decent attention to public interest in the representatives, but the interposition of the body of the people itself, whenever, it shall appear by some flagrant and notorious act, by some capital innovation, that those representatives are going to overleap the fences of the law and to introduce an arbitrary power. This interposition is a most unpleasant remedy; but if it be a legal remedy, it is intended on some occasion to be used – to be used then only when it is evident that nothing else can hold the Constitution to its true principles. It is not in Parliament alone that the remedy for parliamentary disorders can be completed; hardly, indeed, can it begin there. A popular origin cannot therefore be the characteristic distinction

of a popular representative. This belongs equally to all parts of government, and in all forms. The virtue, spirit, and essence of a House of Commons consists in its being the express image of the feelings of the nation. It was not instituted to be a control upon the people. It was designed as a control for the people. Privilege of the crown and privilege of Parliament are only privilege so long as they are exercised for the benefit of the people. The voice of the people is a voice that is to be heard, and not the votes and resolutions of the House of Commons. He would preserve thoroughly every privilege of the people, because it is a privilege known and written in the law of the land; and he would support it, not against the crown or the aristocratic party only, but against the representatives of the people themselves. This was not a government of balances. It would be a strange thing if two hundred peers should have it in their power to defeat by their negative what had been done by the people of England. I have taken my part in political connections and political quarrels for the purpose of advancing justice and the dominion of reason, and I hope I shall never prefer the means, or any feelings growing out of the use of those means, to the great and substantial end itself. Legislators can do what lawyers can not, for they have no other rules to bind them but the great principles of reason and equity and the general sense of mankind. All human laws are, properly speaking, only declaratory; they may alter the mode and application, but have no power over the substance, of original justice. A conservation and secure enjoyment of our natural

rights is the great and ultimate purpose of civil society.

"The great inlet by which a colour for oppression has entered into the world is by one man's pretending to determine concerning the happiness of another. I would give a full civil protection, in which I include an immunity from all disturbance of their public religious worship, and a power of teaching in schools as well as temples, to Jews, Mahometans, and even Pagans. The Christian religion itself arose without establishment, it arose even without toleration, and whilst its own principles were not tolerated, it conquered all the powers of darkness, it conquered all the powers of the world. The moment it began to depart from these principles, it converted the establishment into tyranny, it subverted its foundation from that very hour. It is the power of government to prevent much evil; it can do very little positive good in this, or perhaps in anything else. It is not only so of the State and statesman, but of all the classes and descriptions of the rich: they are the pensioners of the poor, and are maintained by their superfluity. They are under an absolute, hereditary, and indefeasible dependence on those who labour and are miscalled the poor. That class of dependent pensioners called the rich is so extremely small, that if all their throats were cut, and a distribution made of all they consume in a year, it would not give a bit of bread and cheese for one night's supper to those who labour, and who in reality feed both the pensioners and themselves. It is not in breaking the laws of commerce, which are the laws of nature and consequently the laws of God, that we

are to place our hope of softening the divine displeasure. It is the law of nature, which is the law of God."

I cannot resist the inference from these passages that Burke, after 1770, underwent other influences than those of his reputed masters, the Whigs of 1688. And if we find that strain of unwonted thought in a man who afterwards gilded the old order of things and wavered as to toleration and the slave trade, we may expect that the same causes would operate in France.

When the *Letters of a Pennsylvanian Farmer* became known in Europe, Diderot said that it was madness to allow Frenchmen to read such things, as they could not do it without becoming intoxicated and changed into different men. But France was impressed by the event more than by the literature that accompanied it. America had made herself independent under less provocation than had ever been a motive of revolt, and the French Government had acknowledged that her cause was righteous and had gone to war for it. If the king was right in America, he was utterly wrong at home, and if the Americans acted rightly, the argument was stronger, the cause was a hundredfold better, in France itself. All that justified their independence condemned the Government of their French allies. By the principle that taxation without representation is robbery, there was no authority so illegitimate as that of Lewis XVI. The force of that demonstration was irresistible, and it produced its effect where the example of England failed. The English doctrine was repelled at the very earliest stage of the Revolution,

and the American was adopted. What the French took from the Americans was their theory of revolution, not their theory of government – their cutting, not their sewing. Many French nobles served in the war, and came home republicans and even democrats by conviction. It was America that converted the aristocracy to the reforming policy, and gave leaders to the Revolution. "The American Revolution," says Washington, "or the peculiar light of the age, seems to have opened the eyes of almost every nation in Europe, and a spirit of equal liberty appears fast to be gaining ground everywhere." When the French officers were leaving, Cooper, of Boston, addressed them in the language of warning: "Do not let your hopes be inflamed by our triumphs on this virgin soil. You will carry our sentiments with you, but if you try to plant them in a country that has been corrupt for centuries, you will encounter obstacles more formidable than ours. Our liberty has been won with blood; you will have to shed it in torrents before liberty can take root in the old world." Adams, after he had been President of the United States, bitterly regretted the Revolution which made them independent, because it had given the example to the French; although he also believed that they had not a single principle in common.

Nothing, on the contrary, is more certain than that American principles profoundly influenced France, and determined the course of the Revolution. It is from America that Lafayette derived the saying that created a commotion at the time, that resistance is the most sacred of duties. There also was the

theory that political power comes from those over whom it is exercised, and depends upon their will; that every authority not so constituted is illegitimate and precarious; that the past is more a warning than an example; that the earth belongs to those who are upon it, not to those who are underneath. These are characteristics common to both Revolutions.

At one time also the French adopted and acclaimed the American notion that the end of government is liberty, not happiness, or prosperity, or power, or the preservation of an historic inheritance, or the adaptation of national law to national character, or the progress of enlightenment and the promotion of virtue; that the private individual should not feel the pressure of public authority, and should direct his life by the influences that are within him, not around him.

And there was another political doctrine which the Americans transmitted to the French. In old colonial days the executive and the judicial powers were derived from a foreign source, and the common purpose was to diminish them. The assemblies were popular in origin and character, and everything that added to their power seemed to add security to rights. James Wilson, one of the authors and commentators of the constitution, informs us that "at the Revolution the same fond predilection, and the same jealous dislike, existed and prevailed. The executive, and the judicial as well as the legislative authority, was now the child of the people, but to the two former the people behaved like stepmothers. The legislature was still discriminated

by excessive partiality." This preference, historic but irrational, led up naturally to a single chamber. The people of America and their delegates in Congress were of opinion that a single Assembly was every way adequate to the management of their federal concerns, and when the Senate was invented, Franklin strongly objected. "As to the two chambers," he wrote, "I am of your opinion that one alone would be better; but, my dear friend, nothing in human affairs and schemes is perfect, and perhaps this is the case of our opinions."

Alexander Hamilton was the ablest as well as the most conservative of the American statesmen. He longed for monarchy, and he desired to establish a national government and to annihilate state rights. The American spirit, as it penetrated France, cannot well be described better than it was by him: "I consider civil liberty, in a genuine, unadulterated sense, as the greatest of terrestrial blessings. I am convinced that the whole human race is entitled to it, and that it can be wrested from no part of them without the blackest and most aggravated guilt. The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the Divinity itself, and can never be erased or obscured by mortal power."

But when we speak in the gross of the American Revolution we combine different and discordant things. From the first agitation in 1761 to the Declaration of Independence, and

then to the end of the war in 1782, the Americans were aggressive, violent in their language, fond of abstractions, prolific of doctrines universally applicable and universally destructive. It is the ideas of those earlier days that roused the attention of France, and were imported by Lafayette, Noailles, Lameth, and the leaders of the future revolution who had beheld the lowering of the British flag at Yorktown. The America of their experience was the America of James Otis, of Jefferson, of *The Rights of Man*.

A change followed in 1787, when the Convention drew up the Constitution. It was a period of construction, and every effort was made, every scheme was invented, to curb the inevitable democracy. The members of that assembly were, on the whole, eminently cautious and sensible men. They were not men of extraordinary parts, and the genius of Hamilton failed absolutely to impress them. Some of their most memorable contrivances proceeded from no design, but were merely half measures and mutual concessions. Seward has pointed out this distinction between the revolutionary epoch and the constituent epoch that succeeded: "The rights asserted by our forefathers were not peculiar to themselves. They were the common rights or mankind. The basis of the Constitution was laid broader by far than the superstructure which the conflicting interests and prejudices of the day suffered to be erected. The Constitution and laws of the Federal Government did not practically extend those principles throughout the new system of government; but they

were plainly promulgated in the Declaration of Independence."

Now, although France was deeply touched by the American Revolution, it was not affected by the American Constitution. It underwent the disturbing influence, not the conservative.

The Constitution, framed in the summer of 1787, came into operation in March 1789, and nobody knew how it worked, when the crisis came in France. The debates, which explain every intention and combination, remained long hidden from the world. Moreover, the Constitution has become something more than the original printed paper. Besides amendments, it has been interpreted by the courts, modified by opinion, developed in some directions, and tacitly altered in others. Some of its most valued provisions have been acquired in this way, and were not yet visible when the French so greatly needed the guiding lessons of other men's experience. Some of the restrictions on the governing power were not fully established at first.

The most important of these is the action of the Supreme Court in annulling unconstitutional laws. The Duke of Wellington said to Bunsen that by this institution alone the United States made up for all the defects of their government. Since Chief Justice Marshall, the judiciary undoubtedly obtained immense authority, which Jefferson, and others besides, believed to be unconstitutional; for the Constitution itself gives no such power. The idea had grown up in the States, chiefly, I think, in Virginia. At Richmond, in 1782, Judge Wythe said: "Tyranny has been sapped, the departments kept within their own spheres,

the citizens protected, and general liberty promoted. But this beneficial result attains to higher perfection when, those who hold the purse and the sword differing as to the powers which each may exercise, the tribunals, who hold neither, are called upon to declare the law impartially between them, if the whole legislature – an event to be deprecated – should attempt to overleap the boundaries prescribed to them by the people, I, in administering the justice of the country, will meet the united powers at my seat in this tribunal, and, pointing to the Constitution, will say to them: 'Here is the limit of your authority; hither shall you go, but no further.'" The Virginian legislature gave way, and repealed the act.

After the Federal Constitution was drawn up, Hamilton, in the seventy-eighth number of the *Federalist*, argued that the power belonged to the judiciary; but it was not constitutionally recognised until 1801. "This," said Madison, "makes the judiciary department paramount, in fact, to the legislature, which was never intended, and can never be proper. In a government whose vital principle is responsibility, it never will be allowed that the legislative and executive departments should be completely subjected to the judiciary, in which that characteristic feature is so faintly seen." Wilson, on the other hand, justified the practice on the principle of the higher law: "Parliament may, unquestionably, be controlled by natural or revealed law, proceeding from divine authority. Is not this superior authority binding upon the courts of justice? When the courts of justice

obey the superior authority, it cannot be said with propriety that they control the inferior one; they only declare, as it is their duty to declare, that this inferior one is controlled by the other, which is superior. They do not repeal an act of Parliament; they pronounce it void, because contrary to an overruling law." Thus the function of the judiciary to be a barrier against democracy, which, according to Tocqueville, it is destined to be, was not apparent. In the same manner religious liberty, which has become so much identified with the United States, is a thing which grew by degrees, and was not to be found imposed by the letter of the law.

The true natural check on absolute democracy is the federal system, which limits the central government by the powers reserved, and the state governments by the powers they have ceded. It is the one immortal tribute of America to political science, for state rights are at the same time the consummation and the guard of democracy. So much so that an officer wrote, a few months before Bull Run: "The people in the south are evidently unanimous in the opinion that slavery is endangered by the current of events, and it is useless to attempt to alter that opinion. As our government is founded on the will of the people, when that will is fixed our government is powerless." Those are the words of Sherman, the man who, by his march through Georgia, cut the Confederacy into two. Lincoln himself wrote, at the same time: "I declare that the maintenance inviolate of the rights of the states, and especially the right of each state to

order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depend." Such was the force with which state rights held the minds of abolitionists on the eve of the war that bore them down.

At the Revolution there were many Frenchmen who saw in federalism the only way to reconcile liberty and democracy, to establish government on contract, and to rescue the country from the crushing preponderance of Paris and the Parisian populace. I do not mean the Girondins, but men of opinions different from theirs, and, above all, Mirabeau. He planned to save the throne by detaching the provinces from the frenzy of the capital, and he declared that the federal system is alone capable of preserving freedom in any great empire. The idea did not grow up under American influence; for no man was more opposed to it than Lafayette; and the American witness of the Revolution, Morris, denounced federalism as a danger to France.

Apart from the Constitution, the political thought of America influenced the French next to their own. And it was not all speculation, but a system for which men died, which had proved entirely practical, and strong enough to conquer all resistance, with the sanction and encouragement of Europe. It displayed to France a finished model of revolution, both in thought and action, and showed that what seemed extreme and subversive in the old world, was compatible with good and wise government, with respect for social order, and the preservation of national

character and custom. The ideas which captured and convulsed the French people were mostly ready-made for them, and much that is familiar to you now, much of that which I have put before you from other than French sources, will meet us again next week with the old faces, when we come to the States-General.

### III

# THE SUMMONS OF THE STATES-GENERAL

The condition of France alone did not bring about the overthrow of the monarchy and the convulsion that ensued. For the sufferings of the people were not greater than they had been before; the misgovernment and oppression were less, and a successful war with England had largely wiped out the humiliations inflicted by Chatham.

But the confluence of French theory with American example caused the Revolution to break out, not in an excess of irritation and despair, but in a moment of better feeling between the nation and the king. The French were not mere reckless innovators; they were confiding followers, and many of the ideas with which they made their venture were those in which Burke agreed with Hamilton, and with his own illustrious countrymen, Adam Smith and Sir William Jones. When he said that, compared to England, the government of France was slavery, and that nothing but a revolution could restore European liberty, Frenchmen, saying the same thing, and acting upon it, were unconscious of extravagance, and might well believe that they were obeying precepts stored in the past by high and venerable authority. Beyond that common ground, they fell back on native opinion in

which there was wide divergence, and an irrepressible conflict arose. We have to deal with no unlikely motives, with no unheard of theories, and, on the whole, with convinced and average men.

The States-General were convoked because there was no other way of obtaining money for the public need. The deficit was a record of bad government, and the first practical object was the readjustment of taxes. From the king's accession, the revival of the old and neglected institution had been kept before the country as a remedy, not for financial straits only, but for all the ills of France.

The imposing corporation of the judiciary had constantly opposed the Crown, and claimed to subject its acts to the judgment of the law. The higher clergy had raised objections to Turgot, to Necker, to the emancipation of Protestants; and the nobles became the most active of all the parties of reform. But the great body of the people had borne their trouble in patience. They possessed no recognised means of expressing sentiments. There was no right of public meeting, no liberty for the periodical press; and the privileged newspapers were so tightly swaddled in their official character that they had nothing to say even of an event like the oath in the Tennis Court. The feelings that stirred the multitude did not appear, unless they appeared in the shape of disorder. Without it France remained an unknown quantity. The king felt the resistance of the privileged and interested classes which was the source of his necessity, but he was not apprehensive of a national opposition. He was

prepared to rely on the Third Estate with hopefulness, if not with confidence, and to pay a very high price for their support. In a certain measure their interest was the same. The penury of the State came from the fact that more than half the property of France was not taxed in its proportion, and it was essential for the government to abolish the exception, and to bring nobles and clergy to surrender their privilege, and pay like the rest. To that extent the object of the king was to do away with privilege and to introduce equality before the law. So far the Commons went along with him. They would be relieved of a heavy burden if they ceased to pay the share of those who were exempt, and rejected the time-honoured custom that the poor should bear taxation for the rich. An alliance, therefore, was indicated and natural. But the extinction of privilege, which for monarchy and democracy alike meant fiscal equality, meant for the democracy a great deal more. Besides the money which they were required to pay in behalf of the upper class and for their benefit and solace, money had to be paid to them. Apart from rent for house or land, there were payments due to them proceeding from the time, the obscure and distant time, when power went with land, and the focal landholder was the local government, the ruler and protector of the people, and was paid accordingly. And there was another category of claims, proceeding indirectly from the same historic source, consisting of commutation and compensation for ancient rights, and having therefore a legal character, founded upon contract, not upon force.

Every thinking politician knew that the first of these categories, the beneficial rights that were superfluous and oppressive, could not be maintained, and that the nobles would be made to give up not only that form of privilege which consisted in exemption from particular taxes, but that composed of superannuated demands in return for work no longer done, or value given. Those, on the other hand, which were not simply mediæval, but based upon contract, would be treated as lawful property, and would have to be redeemed. Privilege, in the eyes of the state, was the right of evading taxes. To the politician it meant, furthermore, the right of imposing taxes. For the rural democracy it had a wider significance. To them, all these privileges were products of the same principle, ruins of the same fabric. They were relics and remnants of feudalism, and feudalism meant power given to land and denied to capital and industry. It meant class government, the negation of the very idea of the state and of the nation; it meant conquest and subjugation by a foreign invader. None denied that many great families had won their spurs in the service of their country; everybody indeed knew that the noblest of all, Montmorency, bore the arms of France because, at the victory of Bouvines, where their ancestor was desperately wounded, the king laid his finger on the wound and drew with his blood the lilies upon his shield. When we come, presently, to the Abbé Sieyès, we shall see how firmly men believed that the nobles were, in the mass, Franks, Teutonic tyrants, and spoilers of the Celtic native. They

intended that feudalism should not be trimmed but uprooted, as the cause of much that was infinitely odious, and as a thing absolutely incompatible with public policy, social interests, and right reason. That men should be made to bear suffering for the sake of what could only be explained by very early history and very yellow parchments was simply irrational to a generation which received its notion of life from Turgot, Adam Smith, or Franklin.

Although there were three interpretations of feudal privilege, and consequently a dangerous problem in the near future, the first step was an easy one, and consisted in the appeal by the Crown to the Commons for aid in regenerating the State. Like other princes of his time, Lewis XVI. was a reforming monarch. At his accession, his first choice of a minister was Machault, known to have entertained a vast scheme of change, to be attempted whenever the throne should be occupied by a serious prince. Later, he appointed Turgot, the most profound and thorough reformer of the century. He appointed Malesherbes, one of the weakest but one of the most enlightened of public men; and after having, at the Coronation, taken an oath to persecute, he gave office to Necker, a Protestant, an alien, and a republican. When he had begun, through Malesherbes, to remove religious disabilities, he said to him, "Now you have been a Protestant, and I declare you a Jew"; and began to prepare a measure for the relief of Jews, who, wherever they went, were forced to pay the same toll as a pig. He carried out a large and complicated scheme

of law reform; and he achieved the independence of revolted America. In later days the Elector of Cologne complained to an *émigré* that his king's policy had been deplorable, and that, having promoted resistance to authority in the Colonies, in Holland, and in Brabant, he had no claim on the support of European monarchs.

But the impulse in the direction of liberal improvement was intermittent, and was checked by a natural diffidence and infirmity of purpose. The messenger who was to summon Machault was recalled as he mounted his horse. Turgot was sacrificed to gratify the queen. Necker's second administration would have begun a year and a half earlier, but, at the last moment, his enemies intervened. The war minister, Saint Germain, was agreeable to the king, and he wished to keep him. "But what can I do?" he wrote; "his enemies are bent on his dismissal, and I must yield to the majority." Maurepas, at his death, left a paper on which were the names of four men whom he entreated his master not to employ. Lewis bestowed the highest offices upon them all. He regarded England with the aversion with which Chatham, and at that time even Fox, looked upon France, and he went to war in the just hope of avenging the disgrace of the Seven Years' War, but from no sympathy with the American cause. When he was required to retrench his personal expenditure, he objected, and insisted that much of the loss should be made to fall on his pensioners. The liberal concessions which he allowed were in many cases

made at the expense, not of the Crown, but of powers that were obstructing the Crown. By the abolition of torture he incurred no loss, but curbed the resources of opposing magistrates. When he emancipated the Protestants and made a Swiss Calvinist his principal adviser, he displeased the clergy; but he cared little for clerical displeasure. The bishops, finding that he took no notice of them, disappeared from his *levée*. He objected to the appointment of French cardinals. English travellers at Versailles, Romilly and Valpy, observed that he was inattentive at mass, and talked and laughed before all the court. At the Council he would fall asleep, and when the discussion was distasteful, he used to snore louder than when he slept. He said to Necker that he desired the States-General because he wanted a guide. When, in 1788, after skirmishing with magistrates and prelates, he took the memorable resolution to call in the outer people, to compel a compromise with the class that filled his court, that constituted society, that ruled opinion, it was the act of a man destitute of energy, and gifted with an uncertain and indistinct enlightenment. And Necker said, "You may lend a man your ideas, you cannot lend him your strength of will."

The enterprise was far beyond the power and quality of his mind, but the lesson of his time was not lost upon him, and he had learnt something since the days when he spoke the unchanging language of absolutism. He showed another spirit when he emancipated the serfs of the Crown, when he introduced provincial and village councils, when he pronounced

that to confine local government to landowners was to offend a still larger class, when he invited assistance in reforming the criminal code in order that the result might be the work, not of experts only, but of the public. All this was genuine conviction. He was determined that the upper class should lose its fiscal privileges with as little further detriment as possible. And, to accomplish this necessary and deliberate purpose, he offered terms to the Commons of France such as no monarch ever proposed to his subjects. He declared in later days, and had a right to declare, that it was he who had taken the first step to concert with the French people a permanent constitution, the abolition of arbitrary power, of pecuniary privilege, of promotion apart from merit, of taxation without consent. When he heard that the Notables had given only one vote in favour of increased representation of the Third Estate, he said, "You can add mine." Malouet, the most high-minded and sagacious statesman of the Revolution, testifies to his sincerity, and declares that the king fully shared his opinions.

The tributary elements of a free constitution which were granted by Lewis XVI., not in consultation with deputies, not even always with public support, included religious toleration, Habeas Corpus, equal incidence of taxes, abolition of torture, decentralisation and local self-government, freedom of the press, universal suffrage, election without official candidates or influence, periodical convocation of parliament, right of voting supplies, of initiating legislation, of revising the

constitution, responsibility of ministers, double representation of the Commons at the States-General. All these concessions were acts of the Crown, yielding to dictates of policy more than to popular demand. It is said that power is an object of such ardent desire to man, that the voluntary surrender of it is absurd in psychology and unknown in history. Lewis XVI. no doubt calculated the probabilities of loss and gain, and persuaded himself that his action was politic even more than generous. The Prussian envoy rightly described him in a despatch of July 31, 1789. He says that the king was willing to weaken the executive at home, in order to strengthen it abroad; if the ministers lost by a better regulated administration, the nation would gain by it in resource, and a limited authority in a more powerful state seemed preferable to absolute authority which was helpless from its unpopularity and the irreparable disorder of finance. He was resolved to submit the arbitrary *government of his ancestors to the rising forces of the day*. The royal initiative was pushed so far on the way to established freedom that it was exhausted, and the rest was left to the nation. As the elections were not influenced, as the instructions were not inspired, the deliberations were not guided or controlled. The king abdicated before the States-General. He assigned so much authority to the new legislature that none remained with the Crown, and its powers, thus practically suspended, were never recovered. The rival classes, that only the king could have reconciled and restrained, were abandoned to the fatal issue of a trial of strength.

In 1786 the annual deficit amounted to between four and five millions, and the season for heroic remedies had evidently come. The artful and evasive confusion of accounts that shrouded the secret could not be maintained, and the minister of finance, Calonne, convoked the Notables for February 1787. The Notables were a selection of important personages, chiefly of the upper order, without legal powers or initiative. It was hoped that they would strengthen the hands of the government, and that what they agreed to would be accepted by the class to which they belonged. It was an experiment to avert the evil day of the States-General. For the States-General, which had not been seen for one hundred and seventy-five years, were the features of a bygone stage of political life, and could neither be revived as they once had been, nor adapted to modern society. If they imposed taxes, they would impose conditions, and they were an auxiliary who might become a master. The Notables were soon found inadequate to the purpose, and the minister, having failed to control them, was dismissed. Necker, his rival and obvious successor, was sent out of the way, and the Archbishop of Toulouse, afterwards of Sens, who was appointed in his place, got rid of the Assembly. There was nothing left to fall back upon but the dreaded States-General. Lafayette had demanded them at the meeting of the Notables, and the demand was now repeated far and wide.

On August 8, 1788, the king summoned the States-General for the following year, to the end, as he proclaimed, that the

nation might settle its own government in perpetuity. The words signified that the absolute monarchy of 1788 would make way for a representative monarchy in 1789. In what way this was to be done, and how the States would be constituted, was unknown. The public were invited to offer suggestions, and the press was practically made free for publications that were not periodical. Necker, the inevitable minister of the new order of things, was immediately nominated to succeed the Archbishop, and the funds rose 30 per cent in one day. He was a foreigner, independent of French tradition and ways of thought, who not only stood aloof from the Catholics, as a Genevese, but also from the prevailing freethinkers, for Priestley describes him as nearly the only believer in religion whom he found in intellectual society at Paris. He was the earliest foreign statesman who studied and understood the modern force of opinion; and he identified public opinion with credit, as we should say, with the city. He took the views of capitalists as the most sensitive record of public confidence; and as Paris was the headquarters of business, he contributed, in spite of his declared federalism, to that predominance of the centre which became fatal to liberty and order.

Necker was familiar with the working of republican institutions, and he was an admirer of the British model; but the king would not hear of going to school to the people whom he had so recently defeated, and who owed their disgrace as much to political as to military incapacity. Consequently Necker

repressed his zeal in politics, and was not eager for the States-General. They would never have been wanted, he said, if he had been called to succeed Calonne, and had had the managing of the Notables. He was glad now that they should serve to bring the entire property of the country, on equal terms, under the tax-gatherer, and if that could have been effected at once, by an overwhelming pressure of public feeling, his practical spirit would not have hungered for further changes.

The *Third Estate* was *Invoked* for a *great fiscal* operation. If it brought the upper class to the necessary sense of their own obligations and the national claims, that was enough for the keeper of the purse, and he would have deprecated the intrusion of other formidable and absorbing objects, detrimental to his own. Beyond that was danger, but the course was clear towards obtaining from the greater assembly what he would have extracted from the less if he had held office in 1787. That is the secret of Necker's unforeseen weakness in the midst of so much power, and of his sterility when the crisis broke and it was discovered that the force which had been calculated equal to the carrying of a modest and obvious reform was as the rush of Niagara, and that France was in the resistless rapids.

Everything depended on the manner in which the government decided that the States should be composed, elected, and conducted. To pronounce on this, Necker caused the Notables to be convoked again, exposed the problem, and desired their opinion. The nobles had been lately active on the side of liberal

reforms, and it seemed possible that their reply might relieve him of a dreaded responsibility and prevent a conflict. The Notables gave their advice. They resolved that the Commons should be elected, virtually, by universal suffrage without conditions of eligibility; that the parish priests should be electors and eligible, that the lesser class of nobles should be represented like the greater. They extended the franchise to the unlettered multitude, because the danger which they apprehended came from the middle class, not from the lower. But they voted, by three to one, that each order should be equal in numbers. The Count of Provence, the king's next brother, went with the minority, and voted that the deputies of the Commons should be as numerous as those of the two other orders together. This became the burning question. If the Commons did not predominate, there was no security that the other orders would give way. On the other hand, by the important innovation of admitting the parish clergy, and those whom we should call provincial gentry, a great concession was made to the popular element. The antagonism between the two branches of the clergy, and between the two branches of the *noblesse*, was greater than that between the inferior portion of each and the Third Estate, and promised a contingent to the liberal cause. It turned out, at the proper time, that the two strongest leaders of the democracy were, one, an ancient noble; the other, a canon of the cathedral of Chartres. The Notables concluded their acceptable labours on December 12. On the 5th the magistrates who formed the parliament

of Paris, after solemnly enumerating the great constitutional principles, entreated the king to establish them as the basis of all future legislation. The position of the government was immensely simplified. The walls of the city had fallen, and it was doubtful where any serious resistance would come from.

Meantime, the agitation in the provinces, and the explosion of pent-up feeling that followed the unlicensed printing of political tracts, showed that public opinion moved faster than that of the two great conservative bodies. It became urgent that the Government should come to an early and resolute decision, and should occupy ground that might be held against the surging democracy. Necker judged that the position would be impregnable if he stood upon the lines drawn by the Notables, and he decided that the Commons should be equal to either order singly, and not jointly to the two. In consultation with a statesmanlike prelate, the Archbishop of Bordeaux, he drew up and printed a report, refusing the desired increase. But as he sat anxiously watching the winds and the tide, he began to doubt; and when letters came, warning him that the nobles would be butchered if the decision went in their favour, he took alarm. He said to his friends, "If we do not multiply the Commons by two, they will multiply themselves by ten." When the Archbishop saw him again at Christmas, Necker assured him that the Government was no longer strong enough to resist the popular demand. But he was also determined that the three houses should vote separately, that the Commons should enjoy no

advantage from their numbers in any discussion where privilege was at stake, or the interest of classes was not identical. He hoped that the nobles would submit to equal taxation of their own accord, and that he would stand between them and any exorbitant claim of equal political power.

On December 27 Necker's scheme was adopted by the Council. There was some division of opinion; but the king overruled it, and the queen, who was present, showed, without speaking, that she was there to support the measure. By this momentous act Lewis XVI., without being conscious of its significance, went over to the democracy. He said, in plain terms, to the French people: "Afford me the aid I require, so far as we have a common interest, and for that definite and appropriated assistance you shall have a princely reward. For you shall at once have a constitution of your own making, which shall limit the power of the Crown, leaving untouched the power and the dignity and the property of the upper classes, beyond what is involved in an equal share of taxation." But in effect he said; "Let us combine to deprive the aristocracy of those privileges which are injurious to the Crown, whilst we retain those which are offensive only to the people." It was a tacit compact, of which the terms and limits were not defined; and where one thought of immunities, the other was thinking of oppression. The organisation of society required to be altered and remodelled from end to end to sustain a constitution founded on the principle of liberty. It was no arduous problem to adjust relations between the people and the king.

The deeper question was between the people and the aristocracy. Behind a political reform there was a social revolution, for the only liberty that could avail was liberty founded on equality. Malouet, who was at this moment Necker's best adviser, said to him: "You have made the Commons equal in influence to the other orders. Another revolution has to follow, and it is for you to accomplish it – the levelling of onerous privilege." Necker had no ambition of the kind, and he distinctly guarded privilege in all matters but taxation.

The resolution of the king in Council was received with loud applause; and the public believed that everything they had demanded was now obtained, or was at least within reach. The doubling of the Commons was illusory if they were to have no opportunity of making their numbers tell. The Count of Provence, afterwards Lewis XVIII., had expressly argued that the old States-General were useless because the Third Estate was not suffered to prevail in them. Therefore he urged that the three orders should deliberate and vote as one, and that the Commons should possess the majority. It was universally felt that this was the real meaning of the double representation, and that there was a logic in it which could not be resisted. The actual power vested in the Commons by the great concession exceeded their literal and legal power, and it was accepted and employed accordingly.

The mode of election was regulated on January 24. There were to be three hundred deputies for the clergy, three hundred for the nobles, six hundred for the Commons. There were to

be no restrictions and no exclusions; but whereas the greater personages voted directly, the vote of the lower classes was indirect; and the rule for the Commons was that one hundred primary voters chose an elector. Besides the deputy, there was the deputy's deputy, held in reserve, ready in case of vacancy to take his place. It was on this peculiar device of eventual representatives that the Commons relied, if their numbers had not been doubled. They would have called up their substitutes. The rights and charters of the several provinces were superseded, and all were placed on the same level.

A more sincere and genuine election has never been held. And on the whole it was orderly. The clergy were uneasy, and the nobles more openly alarmed. But the country in general had confidence in what was coming; and some of the most liberal and advanced and outspoken manifestations proceeded from aristocratic and ecclesiastical constituencies. On February 9 the Venetian envoy reports that the clergy and nobles are ready to accept the principle of equality in taxation. The elections were going on for more than two months, from February to the beginning of May.

In accordance with ancient custom, when a deputy was a plenipotentiary more than a representative, it was ordained that the preliminary of every election was the drawing up of instructions. Every corner of France was swept and searched for its ideas. The village gave them to its elector, and they were compared and consolidated by the electors in the process of

choosing their member. These instructions, the characteristic bequest to its successors of a society at the point of death, were often the work of conspicuous public men, such as Malouet, Lanjuinais, Dupont, the friend of Turgot and originator of the commercial treaty of 1786; and one paper, drawn up by Sieyès, was circulated all over France by the duke of Orleans.

In this way, by the lead which was taken by eminent and experienced men, there is an appearance of unanimity. All France desired the essential institutions of limited monarchy, in the shape of representation and the division of power, and foreshadowed the charter of 1814. There is scarcely a trace of the spirit of departing absolutism; there is not a sign of the coming republic. It is agreed that precedent is dead, and the world just going to begin. There are no clear views on certain grave matters of detail, on an Upper House, Church and State, and primary education. Free schools, progressive taxation, the extinction of slavery, of poverty, of ignorance, are among the things advised. The privileged orders are prepared for a vast surrender in regard to taxes, and nobody seems to associate the right of being represented in future parliaments with the possession of property. On nine-tenths of all that is material to a constitution there is a general agreement. The one broad division is that the Commons wish that the States-General shall form a single united Assembly, and the other orders wish for three. But on this supreme issue the Commons are all agreed, and the others are not. An ominous rift appears, and we already

perceive the minority of nobles and priests, who, in the hour of conflict, were to rule the fate of European society. From all these papers, the mandate of united France, it was the function of true statesmanship to distil the essence of a sufficient freedom.

These instructions were intended to be imperative. Nine years before, Burke, when he retired from the contest at Bristol, had defined the constitutional doctrine on constituency and member; and Charles Sumner said that he legislated when he made that speech. But the ancient view, on which instructions are founded, made the deputy the agent of the deputed power, and much French history turns on it. At first the danger was unfelt; for the instructions were often compiled by the deputy himself, who was to execute them. They were a pledge even more than an order.

The nation had responded to the royal appeal, and there was agreement between the offer and the demand. The upper classes had opposed and resisted the Crown; the people were eager to support it, and it was expected that the first steps would be taken together. The comparative moderation and serenity of the Instructions disguised the unappeasable conflict of opinion and the furious passion that raged below.

The very cream of the upper and middle class were elected; and the Court, in its prosperous complacency, abandoned to their wisdom the task of creating the new institutions and permanently settling the financial trouble. It persisted in non-interference, and had no policy but expectation. The initiative passed to every private member. The members consisted of new men, without

connection or party organisation. They wanted time to feel their way, and missed a moderator and a guide. The governing power ceased, for the moment, to serve the supreme purpose of government; and monarchy transformed itself into anarchy to see what would come of it, and to avoid committing itself on either side against the class by which it was always surrounded or the class which seemed ready with its alliance.

The Government renounced the advantage which the elections and the temperate instructions gave them; and in the hope that the elect would be at least as reasonable as the electors, they threw away their greatest opportunity. There was a disposition to underrate dangers that were not on the surface. Even Mirabeau, who, if not a deep thinker, was a keen observer, imagined that the entire mission of the States-General might have been accomplished in a week. Few men saw the ambiguity hidden in the term Privilege, and the immense difference that divided fiscal change from social change. In attacking feudalism, which was the survival of barbarism, the middle class designed to overthrow the condition of society which gave power as well as property to a favoured minority. The assault on the restricted distribution of power involved an assault on the concentration of wealth. The connection of the two ideas is the secret motive of the Revolution. At that time the law by which power follows property, which has been called the most important discovery made by man since the invention of printing, was not clearly known. But the underground forces at work were recognised

by the intelligent conservatives, and they were assuming the defensive, in preparation for the hour when they would be deserted by the king. It was therefore impossible that the object for which the States-General were summoned should be attained while they were divided into three. Either they must be dissolved, or the thing which the middle-class deputies could not accomplish by use of forms would be attempted by the lower class, their masters and employers, by use of force.

Before the meeting Malouet once more approached the minister with weighty counsel. He said: "You now know the wishes of France; you know the instructions, you do not know the deputies. Do not leave all things to the arbitrament of the unknown. Convert at once the demands of the people into a constitution, and give them force of law. Act while you have unfettered power of action. Act while your action will be hailed as the most magnificent concession ever granted by a monarch to a loyal and expectant nation. To-day you are supreme and safe. It may be too late to-morrow."

In particular, Malouet advised that the Government should regulate the verification of powers, leaving only contested returns to the judgment of the representatives. Necker abided by his meditated neutrality, and preferred that the problem should work itself out with entire freedom. He would not take sides lest he should offend one party without being sure of the other, and forfeit his chance of becoming the accepted arbitrator. Whilst, by deciding nothing, he kept the enemy at bay, the upper classes

might yet reach the wise conclusion that, in the midst of so much peril to royalty and to themselves, it was time to place the interest of the state before their own, and to accept the duties and the burdens of undistinguished men.

Neither party could yield. The Commons could not fail to see that time was on their side, and that, by compelling the other orders to merge with them, they secured the downfall of privilege and played the game of the court. The two other orders were, by the imperative mandate of many constituencies, prohibited from voting in common. Their resistance was legitimate, and could only be overcome by the intervention either of the Crown or the people. Their policy might have been justified if they had at once made their surrender, and had accomplished with deliberation in May what had to be done with tumult in August. With these problems and these perils before them, the States-General met on that memorable 5th of May. Necker, preferring the abode of financiers, wished them to meet at Paris; and four or five other places were proposed. At last the king, breaking silence, said that it could be only at Versailles, on account of his hunting. At the time he saw no cause for alarm in the proximity of the capital. Since then, the disturbances in one or two places, and the open language of some of the electors, had begun to make him swerve.

On the opening day the queen was received with offensive silence; but she acknowledged a belated cheer with such evident gladness and with such stately grace that applause followed her. The popular groups of deputies were cheered as they passed

– all but the Commons of Provence, for they had Mirabeau among them. He alone was hissed. Two ladies who watched the procession from the same window were the daughter of Necker and the wife of the Foreign Minister, Montmorin. One thought with admiration that she was a witness of the greatest scene in modern history; and the other was sad with evil forebodings. Both were right; but the feeling of confidence and enthusiasm pervaded the crowd. Near relations of my own were at Rome in 1846, during the excitement at the reforms of the new Pope, who, at that moment, was the most popular sovereign in Europe. They asked an Italian lady who was with them why all the demonstrations only made her more melancholy. She answered: "Because I was at Versailles in 1789."

Barentin, the minister who had opposed Necker's plans and viewed the States-General with apprehension and disgust, spoke after the king. He was a French judge, with no heart for any form of government but the ancient one enjoyed by France. Nevertheless he admitted that joint deliberation was the reasonable solution. He added that it could only be adopted by common consent; and he urged the two orders to sacrifice their right of exemption. Necker perplexed his hearers by receding from the ground which the Chancellor had taken. He assured the two orders that they need not apprehend absorption in the third if, while voting separately, they executed the promised surrender. He spoke as their protector, on the condition that they submitted to the common law, and paid their taxes in arithmetical

proportion. He implied, but did not say, that what they refused to the Crown would be taken by the people. In his financial statement he under-estimated the deficit, and he said nothing of the Constitution. The great day ended badly. The deputies were directed to hand in their returns to the Master of Ceremonies, an official of whom we shall soon see more. But the Master of Ceremonies was not acceptable to the Commons, because he had compelled them to withdraw, the day before, from their places in the nave of the church. Therefore the injunction was disregarded; and the verification of powers, which the Government might have regulated, was left to the deputies themselves, and became the lever by which the more numerous order overthrew the monarchy, and carried to an end, in seven weeks, the greatest constitutional struggle that has ever been fought out in the world by speech alone.

## IV

# THE MEETING OF THE STATES-GENERAL

The argument of the drama which opened on May 6, 1789, and closed on June 27, is this: – The French people had been called to the enjoyment of freedom by every voice they heard – by the king; by the notables, who proposed unrestricted suffrage; by the supreme judiciary, who proclaimed the future Constitution; by the clergy and the aristocracy, in the most solemn pledges of the electoral period; by the British example, celebrated by Montesquieu and Voltaire; by the more cogent example of America; by the national classics, who declared, with a hundred tongues, that all authority must be controlled, that the masses must be rescued from degradation, and the individual from constraint.

When the Commons appeared at Versailles, they were there to claim an inheritance of which, by universal consent, they had been wrongfully deprived. They were not arrayed against the king, who had been already brought to submission by blows not dealt by them. They desired to make terms with those to whom he was ostensibly opposed. There could be no real freedom for them until they were as free on the side of the nobles as on that of the Crown. The modern absolutism of the monarch had surrendered;

but the ancient owners of the soil remained, with their exclusive position in the State, and a complicated system of honours and exactions which humiliated the middle class and pauperised the lower. The educated democracy, acting for themselves, might have been content with the retrenchment of those privileges which put them at a disadvantage. But the rural population were concerned with every fragment of obsolete feudalism that added to the burden of their lives.

The two classes were undivided. Together they had elected their deputies, and the cleavage between the political and the social democrat, which has become so great a fact in modern society, was scarcely perceived. The same common principle, the same comprehensive term, composed the policy of both. They demanded liberty, both in the State and in society, and required that oppression should cease, whether exercised in the name of the king or in the name of the aristocracy. In a word, they required equality as well as liberty, and sought deliverance from feudalism and from absolutism at the same time. And equality was the most urgent and prominent claim of the two, because the king, virtually, had given way, but the nobles had not.

The battle that remained to be fought, and at once commenced, was between the Commons and the nobles; that is, between people doomed to poverty by the operation of law, and people who were prosperous at their expense. And as there were men who would perish from want while the laws remained unchanged, and others who would be ruined by their repeal, the

strife was deadly.

The real object of assault was not the living landlord, but the unburied past. It had little to do with socialism, or with high rents, bad times, and rapacious proprietors. Apart from all this was the hope of release from irrational and indefensible laws, such as that by which a patrician's land paid three francs where the plebeian's paid fourteen, because one was noble and the other was not, and it was an elementary deduction from the motives of liberal desire.

The elections had made it unexpectedly evident that when one part of territorial wealth had been taken by the State, another would be taken by the people; and that a free community, making its own laws, would not submit to exactions imposed of old by the governing class on a defenceless population. When the notables advised that every man should have a vote, this consequence was not clear to them. It was perceived as things went on, and no provision for aristocratic interests was included in the popular demands.

In the presence of imminent peril, the privileged classes closed their ranks, and pressed the king to resist changes sure to be injurious to them. They became a Conservative party. The court was on their side, with the Count d'Artois at its head, and the queen and her immediate circle.

The king remained firm in the belief that popularity is the best form of authority, and he relied on the wholesome dread of democracy to make the rich aristocrats yield to his wishes. As long as the Commons exerted the inert pressure of delay, he

watched the course of events. When at the end of five tedious and unprofitable weeks they began their attack, he was driven slowly, and without either confidence or sympathy, to take his stand with the nobles, and to shrink from the indefinite change that was impending.

When the Commons met to deliberate on the morning of the 6th of May, the deputies were unknown to each other. It was necessary to proceed with caution, and to occupy ground on which they could not be divided. Their unanimity was out of danger so long as nothing more complex was discussed than the verification of powers. The other orders resolved at once that each should examine its own returns. But this vote, which the nobles carried by a majority of 141, obtained in the clergy a majority of only 19. It was evident at once that the party of privilege was going asunder, and that the priests were nearly as well inclined to the Commons as to the *noblesse*. It became advisable to give them time, to discard violence until the arts of conciliation were exhausted and the cause of united action had been pleaded in vain. The policy of moderation was advocated by Malouet, a man of practical insight and experience, who had grown grey in the service of the State. It was said that he defended the slave trade; he attempted to exclude the public from the debates; he even offered, in unauthorised terms, to secure the claims, both real and formal, of the upper classes. He soon lost the ear of the House. But he was a man of great good sense, as free from ancient prejudice as from modern theory, and he never

lost sight of the public interest in favour of a class. The most generous proposals on behalf of the poor afterwards emanated from him, and parliamentary life in France began with his motion for negotiation with the other orders.

He was supported by Mounier, one of the deepest minds of that day, and the most popular of the deputies. He was a magistrate of Grenoble, and had conducted the Estates of Dauphiné with such consummate art and wisdom that all ranks and all parties had worked in harmony. They had demanded equal representation and the vote in common; they gave to their deputies full powers instead of written instructions, only requiring that they should obtain a free government to the best of their ability; they resolved that the chartered rights of their province should not be put in competition with the new and theoretic rights of the nation. Under Mounier's controlling hand the prelate and the noble united to declare that the essential liberties of men are ensured to them by nature, and not by perishable title-deeds. Travellers had initiated him in the working of English institutions, and he represented the school of Montesquieu; but he was an emancipated disciple and a discriminate admirer. He held Montesquieu to be radically illiberal, and believed the famous theory which divides powers without isolating them to be an old and a common discovery. He thought that nations differ less in their character than in their stage of progress, and that a Constitution like the English applies not to a region, but to a time. He belonged to that type of

statesmanship which Washington had shown to be so powerful – revolutionary doctrine in a conservative temper. In the centre of affairs the powerful provincial betrayed a lack of sympathy and attraction. He refused to meet Sieyès, and persistently denounced and vilified Mirabeau. Influence and public esteem came to him at once, and in the great constructive party he was a natural leader, and predominated for a time. But at the encounter of defeat, his austere and rigid character turned it into disaster; and as he possessed but one line of defence, the failure of his tactics was the ruin of his cause. Although he despaired prematurely, and was vociferously repentant of his part in the great days of June, parading his sackcloth before Europe, he never faltered in the conviction that the interests of no class, of no family, of no man, can be preferred to those of the nation. Napoleon once said with a sneer: "You are still the man of 1789." Mounier replied: "Yes, sir. Principles are not subject to the law of change."

He desired to adopt the English model, which meant: representation of property; an upper house founded upon merit, not upon descent; royal veto and right of dissolution. This could only be secured by active co-operation on the part of all the conservative elements. To obtain his majority he required that the other orders should come over, not vanquished and reluctant, but under the influence of persuasion. Mirabeau and his friends only wished to put the nobles in the wrong, to expose their obstinacy and arrogance, and then to proceed without them. The plan of Mounier depended on a real conciliation.

The clergy were ready for a conference; and by their intervention the nobles were induced to take part in it. There, on May 23, the Archbishop of Vienne, who was in the confidence of Mounier, declared that the clergy recognised the duty of sharing taxes in equal proportion. The Duke of Luxemburg, speaking for the nobles, made the same declaration. The intention, he said, was irrevocable; but he added that it would not be executed until the problem of the Constitution was solved. The nobles declined to abandon the mode of separate verification which had been practised formerly. And when the Commons objected that what was good in times of civil dissension was inapplicable to the Arcadian tranquillity of 1789, the others were not to blame if they treated the argument with contempt.

The failure of the conference was followed by an event which confirmed Necker in the belief that he was not waiting in vain. He received overtures from Mirabeau. Until that time Mirabeau had been notorious for the obtrusive scandal of his life, and the books he had written under pressure of need did not restore his good name. People avoided him, not because he was brutal and vicious like other men of his rank, but because he was reputed a liar and a thief. During one of his imprisonments he had obtained from Dupont de Nemours communication of an important memoir embodying Turgot's ideas on local government. He copied the manuscript, presented it to the minister as his own work, and sold another copy to the booksellers as the work of Turgot. Afterwards he offered to suppress his letters from

Prussia if the Government would buy them at the price he could obtain by publishing them. Montmorin paid what he asked for, on condition that he renounced his candidature in Provence. Mirabeau agreed, spent the money on his canvass, and made more by printing what he had sold to the king. During the contest, by his coolness, audacity, and resource, he soon acquired ascendancy. The nobles who rejected him were made to feel his power. When tumults broke out, he appeased them by his presence, and he moved from Marseilles to Aix escorted by a retinue of 200 carriages. Elected in both places by the Third Estate, he came to Versailles hoping to repair his fortune. There it was soon apparent that he possessed powers of mind equal to the baseness of his conduct. He is described by Malouet as the only man who perceived from the first where the Revolution was tending; and his enemy Mounier avows that he never met a more intelligent politician. He was always ready to speak, and always vigorous and adroit. His renowned orations were often borrowed, for he surrounded himself with able men, mostly Genevese, versed in civil strife, who supplied him with facts, mediated with the public, and helped him in the press. Rivarol said that his head was a gigantic sponge, swelled out with other men's ideas. As extempore speaking was a new art, and the ablest men read their speeches, Mirabeau was at once an effective debater – probably the best debater, though not the most perfect orator, that has appeared in the splendid record of parliamentary life in France. His father was one of the most conspicuous economists, and he

inherited their belief in a popular and active monarchy, and their preference for a single chamber.

In 1784 he visited London, frequented the Whigs, and supplied Burke with a quotation. He did not love England, but he thought it a convincing proof of the efficacy of paper Constitutions, that a few laws for the protection of personal liberty should be sufficient to make a corrupt and ignorant people prosper.

His keynote was to abandon privilege and to retain the prerogative; for he aspired to sway the monarchy, and would not destroy the power he was to wield. The king, he said, is the State, and can do no wrong. Therefore he was at times the most violent and indiscreet of men, and at times unaccountably moderate and reserved; and both parts were carefully prepared. As he had a fixed purpose before him, but neither principle nor scruple, no emergency found him at a loss, or embarrassed by a cargo of consistent maxims. Incalculable, and unfit to trust in daily life, at a crisis he was the surest and most available force. From the first moment he came to the front. On the opening day he was ready with a plan for a consultation in common, before deciding whether they should act jointly or separately. The next day he started a newspaper, in the shape of a report to his constituents, and when the Government attempted to suppress it, he succeeded, May 19, in establishing the liberty of the press.

The first political club, afterwards that of the Jacobins, was founded, at his instigation, by men who did not know the meaning

of a club. For, he said to them, ten men acting together can make a hundred thousand tremble apart from each other. Mirabeau began with caution, for his materials were new and he had no friends. He believed that the king was really identified with the magnates, and that the Commons were totally unprepared to confront either the court or the approaching Revolution. He thought it hopeless to negotiate with his own doomed order, and meant to detach the king from them. When the scheme of conciliation failed, his opportunity came. He requested Malouet to bring him into communication with ministers. He told him that he was seriously alarmed, that the nobles meant to push resistance to extremity, and that his reliance was on the Crown. He promised, if the Government would admit him to their confidence, to support their policy with all his might. Montmorin refused to see him. Necker reluctantly consented. He had a way of pointing his nose at the ceiling, which was not conciliatory, and he received the hated visitor with a request to know what proposals he had to make. Mirabeau, purple with rage at this frigid treatment by the man he had come to save, replied that he proposed to wish him good morning. To Malouet he said, "Your friend is a fool, and he will soon have news of me." Necker lived to regret that he had thrown such a chance away. At the time, the interview only helped to persuade him that the Commons knew their weakness, and felt the need of his succour.

Just then the expected appeal reached him from the ecclesiastical quarter. When it was seen that the nobles could

not be constrained by fair words, the Commons made one more experiment with the clergy. On May 27 they sent a numerous and weighty deputation to adjure them, in the name of the God of peace and of the national welfare, not to abandon the cause of united action. The clergy this time invoked the interposition of Government.

On the 30th conferences were once more opened, and the ministers were present. The discussion was as inconclusive as before, and, on June 4, Necker produced a plan of his own. He proposed, in substance, separate verification, the crown to decide in last instance. It was a solution favourable to the privileged orders, one of which had appealed to him. He wanted their money, not their power. The clergy agreed. The Commons were embarrassed what to do, but were quickly relieved; for the nobles replied that they had already decided simply to try their own cases. By this act, on June 9, negotiations were broken off.

The decision had been taken in the apartments of the Duchess of Polignac, the queen's familiar friend, and it made a breach between the court and the minister at the first step he had taken since the Assembly met. Up to this point the aristocracy were intelligible and consistent. They would make no beginning of surrender until they knew how far it would lead them, or put themselves at the mercy of a hostile majority without any assurance for private rights. Malouet offered them a guarantee, but he was disavowed by his colleagues in a way that warned the nobles not to be too trusting.

Nobody could say how far the edifice of privilege was condemned to crumble, or what nucleus of feudal property, however secured by contract and prescription, would be suffered to remain. The nobles felt justified in defending things which were their own by law, by centuries of unquestioned possession, by purchase and inheritance, by sanction of government, by the express will of their constituents. In upholding the interest, and the very existence, of the class they represented, they might well believe that they acted in the spirit of true liberty, which depends on the multiplicity of checking forces, and that they were saving the throne. From the engagement to renounce fiscal exemption, and submit to the equal burden of taxation, they did not recede, and they claimed the support of the king. Montlosier, who belonged to their order, pronounced that their case was good and their argument bad. Twice they gave the enemy an advantage. When they saw the clergy waver, they resolved, by their usual majority of 197 to 44, that each order possessed the right of nullification; so that they would no more yield to the separate vote of the three Estates than to their united vote. Evidently the country would support those who denied the veto and were ready to overrule it, against those who gave no hope that anything would be done. Again, when they declined the Government proposals, they isolated themselves, and became an obstruction. They had lost the clergy. They now repulsed the minister. Nothing was left them except their hopes of the king. They ruined him as well as themselves. It did not follow

that, because they supported the monarchy, they were sure of the monarch. And it was a graver miscalculation to think that a regular army is stronger than an undisciplined mob, and that the turbulent Parisians, eight miles off, could not protect the deputies against regiments of horse and foot, commanded by the gallant gentlemen of France, accustomed for centuries to pay the tax of blood, and fighting now in their own cause.

There was nothing more to be done. The arts of peace were exhausted. A deliberate breach with legality could alone fulfil the national decree. The country had grown tired of dilatory tactics and prolonged inaction. Conciliation, tried by the Commons, by the clergy, and by the Government, had been vain. The point was reached where it was necessary to choose between compulsion and surrender, and the Commons must either employ the means at their command to overcome resistance, or go away confessing that the great movement had broken down in their hands, and that the people had elected the wrong men. Inaction and delay had not been a policy, but the preliminary of a policy. It was reasonable to say that they would try every possible effort before resorting to aggression; but it would have been unmeaning to say that they would begin by doing nothing, and that afterwards they would continue to do nothing. Their enemy had been beforehand with them in making mistakes. They might hazard something with less danger now.

Victory indeed was assured by the defection among the nobles and the clergy. Near fifty of the one, and certainly more than

one hundred of the others, were ready to come over. Instead of being equal, the parties were now two to one. Six hundred Commons could not control the same number of the deputies of privilege. But eight hundred deputies were more than a match for four hundred. Therefore, on June 10, the Commons opened the attack and summoned the garrison. Mirabeau gave notice that one of the Paris deputies had an important motion to submit. The mover was more important than the motion, for this was the apparition of Sieyès, the most original of the revolutionary statesmen, who, within a fortnight of this, his maiden speech, laid low the ancient monarchy of France. He was a new member, for the Paris elections had been delayed, the forty deputies took their seats three weeks after the opening, and Sieyès was the last deputy chosen. He objected to the existing stagnation, believing that there was no duty to the nobles that outweighed the duty to France. He proposed that the other orders be formally invited to join, and that the House should proceed to constitute itself, and to act with them if they came, without them if they stayed away. The returns were accordingly verified, and Sieyès then moved that they should declare themselves the National Assembly, the proper name for that which they claimed to be.

In spite of Malouet, and even of Mirabeau, on June 17 this motion was carried by 491 to 90. All taxes became dependent on the Assembly. The broad principle on which Sieyès acted was that the Commons were really the nation. The upper classes were not an essential part of it. They were not even a natural

and normal growth, but an offending excrescence, a negative quantity, to be subtracted, not to be added up. That which ought not to exist ought not to be represented. The deputies of the Third Estate appeared for the whole. Alone they were sufficient to govern it, for alone they were identified with the common interest.

Sieyès was not solicitous that his invitation should be obeyed, for the accession of the other orders might displace the majority. Those who possessed the plenitude of power were bound to employ it. By axiomatic simplicity more than by sustained argument Sieyès mastered his hearers.

## V

# THE TENNIS-COURT OATH

We saw last week that much time was spent in fruitless negotiation which ended in a deadlock – the Commons refusing to act except in conjunction with the other orders, and the others insisting on the separate action which had been prescribed by their instructions and by the king.

The Commons altered their policy under the influence of Sieyès, who advised that they should not wait for the others, but should proceed in their absence. In his famous pamphlet he had argued that they were really the nation, and had the right on their side. And his theory was converted into practice, because it now appeared that they had not only the right, but the power. They knew it, because the clergy were wavering. Thursday, June 18, the day after the proclamation of the National Assembly, was a festival. On Friday the clergy divided on the question of joining. The proposal was negatived, but twelve of its opponents stated that they would be on the other side if the vote in common extended only to the verification of returns. The minority at once accepted the condition, and so became the majority. Others thereupon acceded, and by six o'clock in the evening 149 ecclesiastics recorded their votes for the Commons. That 19th of June is a decisive date, for then the priests went

over to the Revolution. The Commons, by a questionable and audacious act, had put themselves wrong with everybody when the inferior clergy abandoned the cause of privilege and came to their rescue.

The dauphin had lately died, and the royal family were living in retirement at Marly. At ten o'clock in the evening of the vote, the Archbishops of Paris and Rouen arrived there, described the event to the king, and comforted him by saying that the prelates, all but four, had remained true to their order. They were followed by a very different visitor, whom it behoved the king to hear, for he was a man destined to hold the highest offices of State under many governments, to be the foremost minister of the republic, the empire, and the monarchy, to predominate over European sovereigns at Vienna, over European statesmen in London, and to be universally feared, and hated, and admired, as the most sagacious politician in the world.

Talleyrand came to Marly at dead of night, and begged a secret audience of the king. He was not a favourite at court. He had obtained the see of Autun only at the request of the assembled clergy of France, and when the pope selected him for a cardinal's hat, Lewis prevented his nomination. He now refused to see him, and sent him to his brother. The Count d'Artois was in bed, but the bishop was his friend, and was admitted. He said it was necessary that the Government should act with vigour. The conduct of the Assembly was illegal and foolish, and would ruin the monarchy unless the States-General were

dissolved. Talleyrand would undertake, with his friends, some of whom came with him and were waiting below, to form a new administration. The Assembly, compromised and discredited by the recent outbreak, would be dismissed, a new one would be elected on an altered franchise, and a sufficient display of force would prevent resistance. Talleyrand proposed to reverse the policy of Necker, which he thought feeble and vacillating, and which had thrown France into the hands of Sieyès. With a stronger grasp he meant to restore the royal initiative, in order to carry out the constitutional changes which the nation expected.

The count put on his clothes, and carried the matter to the king. He detested Necker with his concessions, and welcomed the prospect of getting rid of him for a minister of his own making taken from his own circle. He came back with a positive refusal. Then Talleyrand, convinced that it was henceforth vain to serve the king, gave notice that every man must be allowed to shift for himself; and the count admitted that he was right. They remembered that interview after twenty-five years of separation, when one of the two held in his hands the crown of France, which the other, in the name of Lewis XVIII., came to receive from him.

The king repulsed Talleyrand because he had just taken a momentous resolution. The time had arrived which Necker had waited for, the time to interpose with a Constitution so largely conceived, so exactly defined, so faithfully adapted to the deliberate wishes of the people, as to supersede and overshadow

the Assembly, with its perilous tumult and its prolonged sterility. He had proposed some such measure early in May, when it was rejected, and he did not insist. But now the policy unwisely postponed was clearly opportune. Secret advice came from liberal public men, urging the danger of the crisis, and the certainty that the Assembly would soon hurry to extremes. Mirabeau himself deplored its action, and Malouet had reason to expect a stouter resistance to the revolutionary argument and the sudden ascendancy of Sieyès. The queen in person, and influential men at court, entreated Necker to modify his constitutional scheme; but he was unshaken, and the king stood by him. It was decided that the comprehensive measure intended to distance and annul the Assembly should be proclaimed from the throne on the following Monday.

This was the rock that wrecked the Talleyrand ministry, and it destroyed more solid structures than that unsubstantial phantom. The plan was statesmanlike, and it marks the summit of Necker's career. But he neglected to communicate with men whom he might well have trusted, and the secret was fatal, for it was kept twelve hours too long. As the princes had refused the use of their riding-school, there were only three buildings dedicated to the States-General, instead of four, and the Commons, by reason of their numbers, occupied the great hall where the opening ceremony was held, and which had now to be made ready for the royal sitting.

Very early in the morning of Saturday, June 20, the president

of the Assembly, the astronomer Bailly, received notice from the master of ceremonies that the hall was wanted, in order to be prepared for Monday, and that the meetings of the Commons were meanwhile suspended for that day. Bailly was not taken by surprise, for a friend, who went about with his eyes open, had warned him of what was going on. But the Assembly had formally adjourned to that day, the members were expecting the appointed meeting, and the message came too late. Bailly deemed that it was a studied insult, the angry retort of Government, and the penalty of the recent vote, and he inferred, most erroneously as we know, that the coming speech from the throne would be hostile. Therefore he gave all the solemnity he could to the famous scene that ensued. Appearing at the head of the indignant deputies, he was denied admission. The door was only opened that he might fetch his papers, and the National Assembly that represented France found itself, by royal command, standing outside on the pavement, at the hour fixed for its deliberations.

At that instant the doubts and divisions provoked by the overriding logic of Sieyès disappeared. Moderate and Revolutionist felt the same resentment, and had the same sense of being opposed by a power that was insane. There were some, and Sieyès among them, who proposed that they should adjourn to Paris. But a home was found in the empty Tennis Court hard by. There, with a view to baffle dangerous designs, and also to retrieve his own waning influence, Mounier assumed the lead. He

moved that they should bind themselves by oath never to separate until they had given a Constitution to France; and all the deputies immediately swore it, save one, who added "Dissident" to his name, and who was hustled out by a backdoor, to save him from the fury of his colleagues. This dramatic action added little to that which had been done three days earlier. The deputies understood that a Constituent Assembly must be single, that the legislative power had, for the purpose, been transferred to them, and could not be restrained or recalled. Their authority was not to be limited by an upper house, for both upper houses were absorbed; nor by the king, for they regarded neither his sanction nor his veto; nor by the nation itself, for they refused, by their oath, to be dissolved.

The real event of the Tennis Court was to unite all parties against the crown, and to make them adopt the new policy of radical and indefinite change, outdoing what Sieyès himself had done. The mismanagement of the court drove its friends into the van of the movement. The last Royalist defender of safe measures had vanished through the backdoor.

Malouet had tendered a clause saving the royal power; but it was decided not to put it, lest it should be refused. Mirabeau, in whose eyes the decree of the 17th portended civil war, now voted, reluctantly, with the rest.

Whilst the Assembly held its improvised and informal meeting at Versailles, the king sat in council at Marly on Necker's magnanimous proposal. After a struggle, and with some

damaging concessions, the minister carried his main points. They were gathering their papers, and making ready to disperse, when a private message was brought to the king. He went out, desiring them to wait his return. Montmorin turned to Necker and said, "It is the queen, and all is over." The king came back, and adjourned the council to Monday at Versailles. And it was in this way that the report of what had happened that morning told upon the Government, and the enthusiasm of the Tennis Court frustrated the pondered measures of the most liberal minister in Europe. For it was, in truth, the queen, and in that brief interval it was decreed that France, so near the goal in that month of June, should wade to it through streams of blood during the twenty-five most terrible years in the history of Christian nations.

The council of ministers, which was adjourned in consequence of the meeting in the Tennis Court, went over to the *noblesse*, and restored in their interest the principles of the old régime. It resolved that the king should rescind the recent acts of the Assembly; should maintain inviolate the division of orders, allowing the option of debate in common only in cases where neither privilege nor the Constitution were affected; that he should confirm feudal rights and even fiscal immunities, unless voluntarily abandoned, and should deny admission to public employment irrespective of class. Necker's adversaries prevailed, and the ancient bulwarks were set up again, in favour of the aristocracy.

Still, a portion of the great scheme was preserved, and the

concessions on the part of the crown were such that some weeks earlier they would have been hailed with enthusiasm, and the consistent logic of free institutions exercises a coercive virtue that made many think that the King's Speech of June 23 ought to have been accepted as the greater charter of France. That was the opinion of Arthur Young; of Gouverneur Morris, who had given the final touches to the American Constitution; of Jefferson, the author of the *Declaration of Independence*; and afterwards even of Sieyès himself.

On this account, Necker wavered to the last moment, and on the Tuesday morning prepared to attend the king. His friends, his family, his daughter, the wonder of the age, made him understand that he could not sanction by his presence, at a solemn crisis, an act which reversed one essential half of his policy. He dismissed his carriage, took off his court suit, and left the vacant place to proclaim his fall. That evening he sent in his resignation. His significant absence; the peremptory language of the king; the abrogation of their decrees, which was effectual and immediate, while the compensating promises were eventual, and not yet equivalent to laws; the avowed resolve to identify the Crown with the nobles, struck the Assembly with consternation. The removal of the constitutional question to the list of matters to be debated separately was, in the existing conditions of antagonism, the end of free government. And indeed the position occupied by the king was untenable, because the division of orders into three Houses had already come to an end. For on Monday the

22nd, in the Church of St. Lewis, 149 ecclesiastical deputies, the Archbishops of Bordeaux and Vienne at their head, had joined the Commons. It was a step which they were legally authorised and competent to take, and the Revolution now had a majority not only of individual votes, but of orders. It was a forlorn hope, therefore, to separate them by compulsion.

Lewis XVI. ended by declaring that he was determined to accomplish the happiness of his people, and that if the deputies refused to co-operate he would accomplish it alone; and he charged them to withdraw. The Commons were in their own House, and, with the majority of the clergy, they resumed their seats, uncertain of the future. Their uncertainty was all at once auspiciously relieved. Dreux Brézé, the master of ceremonies, reappeared, and as he brought a message from the king he wore his plumed hat upon his head. With clamorous outcries he was told to uncover, and he uttered a reply so insolent that his son, describing the scene in public after many years, declined to repeat his words. Therefore, when he asked whether they had heard the king's order to depart, he received a memorable lesson. Mirabeau exclaimed, "Yes, but if we are to be expelled, we shall yield only to force." Brézé answered, correctly, that he did not recognise Mirabeau as the organ of the Assembly, and he turned to the president. But Bailly rose above Mirabeau, and said, "The nation is assembled here, and receives no orders." At these words the master of ceremonies, as if suddenly aware of the presence of majesty, retired, walking backwards to the door. It was at that

moment that the old order changed and made place for the new. For Sieyès, who possessed the good gift of putting a keen edge to his thoughts, who had begun his career in Parliament ten days before by saying, "It is time to cut the cables," now spoke, and with superb simplicity thus defined the position: "What you were yesterday you are now. Let us pass to the order of the day." In this way the monarchy, as a force distinct from a form, was not assailed, or abolished, or condemned, but passed over. Assault, abolition, condemnation were to follow, and already there were penetrating eyes that caught, in the distance, the first gleam of the axe. "The king," said Mirabeau, "has taken the road to the scaffold."

The abdication of prerogative, which the king offered on June 23, went far; but the people demanded surrender in regard to privilege. The Assembly, submitting to the geometrical reasoning of Sieyès and to the surprise of the Tennis Court, had frightened him into an alliance with the nobles, and he linked his cause to theirs. He elected to stand or fall with interests not his own, with an order which was powerless to help him, which could make no return for his sacrifice in their behalf, which was unable for one hour to defend itself, and was about to perish by its own hand. The failure of June 23 was immediately apparent. The Assembly, having dismissed Dreux Brézé, was not molested further. Necker consented to resume office, with greatly increased popularity. Under the influence of the royal declaration forty-seven nobles, being a portion only of the Liberal minority, went over to the

Commons, and Talleyrand followed at the head of twenty-five prelates. Then the king gave way. He instructed the resisting magnates to join the National Assembly. In very sincere and solemn terms they warned him that by such a surrender he was putting off his crown. The Count d'Artois rejoined that the king's life would be in danger if they persisted. There was one young nobleman rising rapidly to fame as a gracious and impressive speaker, whom even this appeal to loyal hearts failed to move. "Perish the monarch," cried Cazalès, "but not the monarchy!"

Lewis underwent the humiliation of revoking, on June 27, what he had ceremoniously promulgated on the 23rd, because there was a fatal secret. Paris was agitated, and the people promised the deputies to stand by them at their need. But what could they effect at Versailles against the master of so many legions? Just then a mutiny broke out in the French guards, the most disciplined body of troops in the capital, and betrayed the key to the hollow and unstable counsels of the Government. The army could not be trusted. Necker suspected it as early as February. In the last week of June, the English, Prussian, and Venetian envoys report that the crown was disabled because it was disarmed. The regiments at hand would not serve against the national representatives. It was resolved to collect faithful bands of Swiss, Alsatians, and Walloons. Ten foreign regiments, near 30,000 men in all, were hurried to the scene. They were the last hope of royalism. Trusty friends were informed that the surrender was only to last until the frontier garrisons could be

brought to Versailles. D'Artois confided to one of them that many heads must fall. And he uttered the sinister proverb which became historic in another tragedy: If you want an omelette you must not be afraid of breaking eggs.

# VI

## THE FALL OF THE BASTILLE

After the dramatic intervention of the Marquis de Brézé, the king's speech of June 23 was never seriously considered by the Assembly. Yet the concessions, which it made to the spirit of political progress, satisfied philosophic observers, and there had been no time in English history where changes so extensive, proceeding from the Crown, would have failed to conciliate the people. It was a common belief in those days, expressly sanctioned by the Economists, that secondary liberties, carried far enough, are worth more than formal securities for the principle of self-government. One is of daily use and practical advantage; the other is of the domain of theory, dubiously beneficial, and without assurance of enlightenment and justice. A wise, honest, and intelligent administration gives more to men than the established reign of uncertain opinion. These arguments had more weight with philosophers than with the deputies, for it was already decided that they must make the Constitution. All the king offered, and a great deal more, they intended to take. Much that he insisted on preserving they were resolved to destroy. The offer, at its best, was vitiated by the alloy: for the most offensive privileges, immunities, and emoluments of rank were to be perpetuated, and it was against these that the fiercest force

of the revolutionary movement was beating. In order that they might be abolished, the nation tendered its indefeasible support, its unconquerable power, to its representatives.

If the Assembly, content with the advantage gained over the king, had surrendered unconditionally to the nobles, and assented, for a few political reforms, to the social degradation of the democracy, they would have betrayed their constituents. On that consideration they were compelled to act. They acted also on the principle, which was not new, which came down indeed from mediæval divines, but which was newly invested with universal authority, that the law is not the will of the sovereign that commands, but of the nation that obeys. It was the very marrow of the doctrine that obstruction of liberty is crime, that absolute authority is not a thing to be consulted, but a thing to be removed, and that resistance to it is no affair of interest or convenience, but of sacred obligation. Every drop of blood shed in the American conflict was shed in a cause immeasurably inferior to theirs, against a system more legitimate by far than that of June 23. Unless Washington was an assassin, it was their duty to oppose, if it might be, by policy, if it must be, by force, the mongrel measure of concession and obstinacy which the Court had carried against the proposals of Necker. That victory was reversed, and the success of the Commons was complete. They had brought the three orders into one; they had compelled the king to retract his declaration and to restore his disgraced minister; they had exposed the weakness of their oppressors, and

they had the nation at their back.

On June 27, in the united Assembly, Mirabeau delivered an address of mingled triumph and conciliation, which was his first act of statesmanship. He said that the speech from the throne contained large and generous views that proved the genuine liberality of the king. He desired to receive them gratefully without the drawbacks imposed by unthinking advisers, and to respect the just rights of the *noblesse*. He took the good without the evil, extricating Lewis from his entanglement, and tracing the line by which he might have advanced to great results. "The past," he said, "has been the history of wild beasts. We are inaugurating the history of men; for we have no weapon but discussion, and no adversary but prejudice."

Their victory brought loss as well as gain to the Commons, and there was reason to think that the counsel of Sieyès, to let the other orders take their own separate course, was founded on wisdom. Their opponents, joining under compulsion, had the means as well as the will of doing them injury.

For the clergy there was a brief season of popular favour. The country priests, sprung from the peasantry, and poorly off, shared many of their feelings. The patronage of the State went to men of birth; and one of these, the Archbishop of Aix, had proclaimed his belief that, if anybody was to be exempt from taxation, it ought to be the impoverished layman, not the wealthy ecclesiastic. When it chanced that the Committee of Constitution was elected without any member of the clergy upon

it, the Commons raised a cry that they should be introduced in their proportion. They, in a fraternal spirit, refused. And the second Committee, the one that actually drew up the scheme, was composed of three churchmen to five laymen. The nobles were not reconciled, and refused to unite with men of English views in a Tory party. To them, the separation of orders was a fundamental maxim of security, which they had inherited, which they were bound to hand down. They looked on debate in common as provisional, as an exception, to be rectified as soon as might be. They kept up the practice of also meeting separately. On July 3 there were one hundred and thirty-eight present; and on the 11th there still were eighty. They refused to vote in the divisions of the joint Assembly, because their instructions forbade. The scruple was sincere, and was shared by Lafayette; but others meant it as a protest that the Assembly was not lawfully constituted. Therefore, July 7, Talleyrand moved to annul the instructions. They could not be allowed to control the Assembly; they ought not to influence individuals. The constituencies contribute to a decision; they cannot resist it. Whatever the original wish of the electors, the final act belonged to the legislature. The king himself, on June 27, had declared the imperative mandates unconstitutional. But the deputies, in declaring themselves permanent, had cut themselves adrift from their constituents. The instructions had become the sole security that the Constitution would remain within the limits laid down by the nation, the sole assurance against indefinite change.

They alone determined the line of advance, and gave protection to monarchy, property, religion, against the headlong rush of opinion, and the exigencies of popular feeling.

Sieyès, who expected no good from the co-operation of the orders which he condemned, and who thought a nobleman or prelate who did not vote better than one who voted wrong, urged that the question did not affect the Assembly, but the constituencies, and might be left to them. He carried his amendment by seven hundred to twenty-eight.

Meantime the party that had prevailed on June 23 and had succumbed on the 27th was at work to recover the lost position. Lewis had retained the services of Necker, without dismissing the colleagues who baffled him. He told him that he would not accept his resignation now, but would choose the time for it. Necker had not the acuteness to understand that he would be dismissed as soon as his enemies felt strong enough to do without him. A king who deserted his friends and reversed his accepted policy because there was no force he could depend on, was a king with a short shrift before him. He became the tool of men who did not love him, and who now despised him.

The resources wanting at the critical moment were, however, within reach, and the scheme proposed to the Count d'Artois by the wily bishop a few nights before was revived by less accomplished plotters. On July 1 it became known that a camp of 25,000 men was to be formed near Versailles under Marshal de Broglie, a veteran who gathered his laurels in the Seven Years'

War, and soon the Terrace was crowded with officers from the north and east, who boasted that they had sharpened their sabres, and meant to make short work of the ambitious lawyers, the profligate noblemen, and unfrocked priests who were ruining the country.

In adopting these measures the king did not regard himself as the originator of violence. There had been disturbances in Paris, and at Versailles the archbishop of Paris had been assaulted, and compelled to promise that he would go over to the Assembly. The leader on the other side, Champion de Cicé, archbishop of Bordeaux, came to him, and entreated him not to yield to faction, not to keep a promise extorted by threats. He replied that he had given his word and meant to keep it.

Forty years later Charles X. declared that his brother had mounted the scaffold because, at this juncture, he would not mount his horse. In truth Lewis believed that the deputies, cut off from Paris by visible battalions, would be overawed, that the army of waverers would be accessible to influence, to promises, remonstrances, and rewards, that it would be safer to coerce the Assembly by intimidation than to dissolve it. He had refused to listen to Talleyrand; he still rejected the stronger part of his scheme. By judicious management he hoped that the Assembly might be brought to undo its own usurping and unwarranted work, and that he would be able to recover the position he had taken up on June 23, the last day on which his policy had been that of a free agent.

Necker knew no more than everybody else of the warlike array. On July 7 thirty regiments were concentrated; more were within a few days' march, and the marshal, surrounded by an eager and hurried staff, surveyed his maps of suburban Paris at his headquarters at Versailles.

The peril grew day by day, and it was time for the Assembly to act. They were defenceless, but they relied on the people of Paris and on the demoralisation of the army. Their friends had the command of money, and large sums were spent in preparing the citizens for an armed conflict. For the capitalists were on their side, looking to them to prevent the national bankruptcy which the Court and the nobles were bringing on. And the Palais Royal, the residence of the Duke of Orleans, was the centre of an active organisation. Since the king had proved himself incompetent, helpless, and insincere, men had looked to the Duke as a popular prince of the Blood, who was also wealthy and ambitious, and might avail to save the principle of monarchy, which Lewis had discredited. His friends clung to the idea, and continued to conspire in his interest after the rest of the world had been repelled by the defects of his character. For a moment they thought of his son, who was gifted for that dangerous part as perfectly as the father was unfit, but his time was to be in a later generation.

The leading men in the Assembly knew their position with accuracy, and did not exaggerate the danger they were in. On July 10 their shrewd American adviser, Morris, wrote: "I think

the crisis is past without having been perceived; and now a free Constitution will be the certain result." And yet there were 30,000 men, commanded by a marshal of France, ready for action; and several regiments of Swiss, famed for fidelity and valour, and destined, in the same cause, to become still more famous, were massed in Paris itself under Besenval, the trusted soldier of the Court.

On July 8, breaking through the order of debate, Mirabeau rose and the action began – the action which changed the face of the world, and the imperishable effects of which will be felt by every one of us, to the last day of his life. He moved an address to the king, warning him that, if he did not withdraw his troops, the streets of Paris would run blood; and proposing that the preservation of order should be committed to a civic guard. On the following day the Assembly voted the address, and on the 10th the Count de Clermont Tonnerre, at the head of a deputation, read it to the king. On the morning of Saturday, 11th, his reply was communicated to the Assembly. He had had three days to hasten his military preparations. At Paris, the agitators and organisers employed the time in arranging their counter measures.

The king refused to send away troops which there had been good reason to collect, but he was ready to move, with the Assembly, to some town at a distance from the turbid capital. The royal message was tipped with irony, and the deputies, in spite of Mirabeau, resolved not to discuss it. After this first thrust Lewis

flung away the scabbard. That day, at council, it was noticed that he was nervous and uneasy, and disguised his restlessness by feigning sleep. At the end, taking one of the ministers aside, he gave him a letter for Necker, who was absent. The letter contained his dismissal, with an order for banishment.

Necker, who for some days had known that it must come, was at dinner. He said nothing to his company, and went out, as usual, for a drive. Then he made for the frontier, and never stopped till he reached Brussels. Two horsemen who had followed, keeping out of sight, had orders to arrest him if he changed his course. He travelled up the Rhine to his own country, on the way to his home by the lake of Geneva. At the first Swiss hotel he found the Duchess de Polignac. He had left her at Versailles, the Queen's best friend and the heart of the intrigue against him; and she was now ruined and an exile, and the forerunner of the emigration. From her, and from the letters that quickly followed, forwarded by the Assembly, he learned the events that had happened since his fall, learned that he was, for one delirious moment, master of the king, of his enemies, and of the country.

The astounding news that Necker heard at "The Three Kings" at Bâle was this. His friends had been disgraced with him, and the chief of the new ministry was Breteuil, who had been the colleague of Calonne and Vergennes, and had managed the affair of the Diamond Necklace. He had directed the policy of those who opposed the National Assembly, holding himself in the twilight, until strong measures and a strong man were called

for. He now came forward, and proposed that the nobles should depart in a body, protesting against the methods by which the States-General had been sunk in the National Assembly. In one day he brought round twenty-six of the minority to his views. A few remained, who would make a light day's work for a man of conviction and resource. But resolute as Breteuil was, the Parisian democracy acted with still greater quickness and decision, and with a not less certain aim. On the 12th it became known that Necker had been sent out of the country, and that the armaments were in the hands of men who meant to employ them against the people. Paris was in disorder, but the middle class provided a civic guard for its protection. There were encounters with the troops, and some blood was shed.

New men began to appear who represented the rising classes: Camille Desmoulins, a rhetorical journalist, with literary but not political talent, harangued the people in the garden of the Palais Royal; and one of the strong men of history, Danton, showed that he knew how to manage and to direct the masses.

The 13th was a day wasted by Government, spent by Paris in busy preparation. Men talked wildly of destroying the Bastille, as a sign that would be understood. Early on July 14 a body of men made their way to the Invalides, and seized 28,000 stand of arms and some cannon. At the other extremity of Paris the ancient fortress of the Bastille towered over the workmen's quarter and commanded the city. Whenever the guns thundered from its lofty battlements, resistance would be over, and the conquered arms

would be unavailing.

The Bastille not only overshadowed the capital, but it darkened the hearts of men, for it had been notorious for centuries as the instrument and the emblem of tyranny. The captives behind its bars were few and uninteresting; but the wide world knew the horror of its history, the blighted lives, the ruined families, the three thousand dishonoured graves within the precincts, and the common voice called for its destruction as the sign of deliverance. At the elections both nobles and commons demanded that it should be levelled with the ground.

As early as the 4th of July Besenval received notice that it would be attacked. He sent a detachment of Swiss, that raised the garrison to one hundred and thirty-eight, and he did no more. During the morning hours, while the invaders of the Invalides were distributing the plundered arms and ammunition, emissaries penetrated into the Bastille, under various pretexts, to observe the defences. One fair-spoken visitor was taken to the top of the dreaded towers, where he saw that the guns with which the embrasures had bristled, which were beyond the range of marksmen, and had Paris at their mercy, were dismantled and could not be fired.

About the middle of the day, when this was known, the attack began. It was directed by the *Gardes Françaises*, who had been the first to mutiny, and had been disbanded, and were now the backbone of the people's army. The siege consisted in efforts to lower the drawbridge. After several hours the massive walls

were unshaken, and the place was as safe as before the first discharge. But the defenders knew that they were lost. Besenval was not the man to rescue them by fighting his way through several miles of streets. They were not provisioned, and the men urged the governor to make terms before he was compelled. They had brought down above a hundred of their assailants, without losing a man. But it was plain that the loss neither of a hundred nor of a thousand would affect the stern determination of the crowd, whilst it might increase their fury. Delauney, in his despair, seized a match, and wanted to fire the magazine. His men remonstrated and spoke of the dreadful devastation that must follow the explosion. The man who stayed the hand of the despairing commander, and whose name was Bécard, deserved a better fate than he met that day, for he was one of the four or five that were butchered. The men beat a parley, hoisted the white flag, and obtained, on the honour of a French officer, a verbal promise of safety.

Then the victors came pouring over the bridge, triumphant over a handful of Swiss and invalids – triumphant too over thirteen centuries of monarchy and the longest line of kings. Those who had served in the regular army took charge of as many prisoners as they could rescue, carried them to their quarters, and gave them their own beds to sleep in. The officers who had conducted the unreal attack, and received the piteous surrender, brought the governor to the Hôtel de Ville, fighting their way through a murderous crowd. For it was long believed

that Delauney had admitted the people into the first court, and then had perfidiously shot them down. In his struggles he hurt a bystander, who chanced to be a cook. The man, prompted, it seems, less by animosity than by the pride of professional skill, drew a knife and cut off his head. Flesselles, the chief of the old municipality, appointed by the Crown, was shot soon after, under suspicion of having encouraged Delauney to resist.

Dr. Rigby, an Englishman who was at the Palais Royal, has described what he saw. First came an enormous multitude bearing aloft the keys of the conquered citadel, with the inscription, "The Bastille is taken." The joy was indescribable, and strangers shook his hand, saying, "We too are free men, and there will never more be war between our countries." Then came another procession, also shouting and rejoicing; but the bystanders looked on with horror, for the trophies carried by were the heads of murdered men. For the nation had become sovereign, and the soldiers who fired upon it were reckoned rebels and traitors. The foreign envoys were all impressed with the idea that the vengeance wrought was out of all proportion with the immensity of the thing achieved. At nightfall the marshal gave orders to evacuate Paris. Besenval was already in full retreat, and the capital was no longer in the possession of the king of France.

Meanwhile the National Assembly, aware of the strength of popular feeling around them, were calm in the midst of danger. Theirs was a diminished part, while, almost within sight and

hearing, history was being unmade and made by a power superior to their own. On the morning of the 14th they elected the Committee of Eight who were to draw up the Constitution. Mounier and the friends of the English model still prevailed. By evening their chance had vanished, for the English model includes a king.

Late in the day Noailles brought authentic news of what he had witnessed; and the Assembly learned, in agitated silence, that the head of the governor of the impregnable Bastille had been displayed on a pike about the streets of Paris. Lafayette took the chair, while the President hurried with Noailles to the palace. They made no impression there. Lewis informed them that he had recalled his troops, and then he went to bed, tranquil, and persistently ignoring what it was that had been done, and what it was that had passed away.

But in the morning, when the Assembly met in disorder, and were about to send one more deputation, it was found that a change had taken place in the brief hours of that memorable night. At two o'clock the king was roused from sleep by one of the great officers of the household. The intruder, La Rochefoucauld, Duke de Liancourt, was not a man of talent, but he was universally known as the most benevolent and the most beneficent of the titled nobles of the realm. He made his master understand the truth and its significance, and how, in the capital that day, in every province on the morrow, the authority of government was at an end. And when Lewis, gradually awaking,

exclaimed, "But this is a great revolt!" Liancourt replied, "No, sir, it is a great Revolution!" With those historic words the faithful courtier detached the monarch from his ministers, and obtained control over him in the deciding days that were to follow. Guided by the duke, and attended by his brothers, but without the ceremonious glories of regality, Lewis XVI. went down to the Assembly and made his submission. In the pathetic solemnity of the scene, the deputies forgot for a moment their righteous anger and their more righteous scorn, and the king returned to the palace on foot, in a sudden procession of triumph, amnestied and escorted by the entire body.

The struggle was over, and the spell was broken; and the Assembly had to govern France. To establish order a vast deputation repaired to the Hôtel de Ville, where Lally Tollendal delivered an oration thrilling with brotherhood and gladness, and appeared, crowned with flowers, before the people.

To cement the compact between Paris and Versailles, Bailly, the first president, was placed at the head of the new elective municipality, and the vice-president, Lafayette, became commander of the National Guard. This was the first step towards that Commune which was to exercise so vast an influence over the fortunes of France. It came into existence of necessity, when the action of Government was paralysed, and the space which it occupied was untenanted.

The National Guard was an invention of great import, for it was the army of society distinct from the army of the state,

opinion in arms apart from authority. It was the middle class organised as a force, against the force above and the force below; and it protected liberty against the Crown, and property against the poor. It has been ever since the defence of order and the ruin of governments; for, as it was the nation itself, nobody was bold enough to fight it. Before the altar of Notre Dame Lafayette took the oath of fidelity to the people, and not to the king. He never displayed real capacity for peace or war; but in the changes of a long life he was true to the early convictions imbibed in Washington's camp.

On their return from Paris the great deputation reported that the people demanded the recall of Necker. At last the king dismissed Breteuil, and charged the Assembly to take charge of a letter to the banished statesman. His banishment had lasted five days; it was now the turn of his enemies. On the same night, July 16, the baffled intriguers went into exile. Lewis himself sent his brother away, for the safety of himself and of the dynasty. The others followed. The queen was compelled to dismiss Madame de Polignac, whom she had too confidently trusted, and she was left alone amongst her enemies. This was the first emigration. The remaining nobles announced that they abandoned resistance, and the Assembly was at last united. The fight was lost and won, and the victor claimed the spoils.

But the Assembly was not the victor, and had contributed little to the portentous change between the dismissal of Necker and the despatch of the fleet messenger with his recall. Whilst the

deputies served the national cause by talking, there were plainer men at Paris who had died for it. The force that risked life and conquered was not at Versailles. It was Paris that held the fallen power, the power of governing itself, the Assembly, and France. The predominance of the capital was the new feature that enabled the monarchy to pass into a Republic.

The king had become a servant of two masters. Having recanted before his master at Versailles, it became necessary that he should submit himself to the new and mysterious authority at the Hôtel de Ville. He had yielded to representative democracy. He had to pay the same recognition to direct democracy. It was not safe to leave the Orleans stronghold entirely in their hands. Between the ministry that was gone and the ministry to come, Lewis acted by the advice of Liancourt.

Early on July 17 he made his will, heard mass, received communion, and set out to visit his good city. The queen remained behind, with all her carriages ready, in order that, at the first signal, she might fly for her life. At the barrier the king's eye fell, for the first time, on innumerable armed men, who lined the streets for miles, and wore strange colours, and did not own him as their chief. Neither the National Guard, nor the dense crowd behind them, uttered a sound of welcome. Not a voice was raised, except for the nation and its deputies.

The peace made between the king and the Assembly did not count here. All men had to know that there was a distinct authority, to which a further homage was due, even from the

sovereign. At the Hôtel de Ville the homage was paid. There the king confirmed the new mayor, and approved what had been done, and he showed himself to the people with the new cockade, devised by Lafayette, to proclaim that the royal power which had ruled France since the conversion of Clovis ruled France no more. He made his way home amid acclamations, regulated by the commander of the National Guard, like the gloomy and menacing silence in which he had been received.

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