Merchants, Landlords, Magistrates

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IV

Revolution

and Survival

L'âge des passions et des talens est l'époque de tous les succès. A cet âge seul on peut inspirer l'enthousiasme et exciter un tendre intérêt. Il faut mourir jeune, comme Alexandre et Germanicus, pour laisser une mémoire chère, un nom éclatant, un souvenir agréable. Quand on se figure Mithridate avec une longue barbe, on convient froidement de ses talens et de son courage.

On aime à contempler l'homme dans toute sa force et dans le moment d'énergie des passions. Les idées de dégradation et de foiblesse diminuent de l'admiration. Une belle femme enlevée à la fleur de son âge, ne présente à la postérité que l'idée des agréments et des charmes qui faisoient sa célébrité. Ninon qui a été belle et qui a vieilli jusqu'à la caducité, offre l'image d'une vieille femme spirituelle et philosophe, tandis que Madame de Montbazon ne rappelle que l'idée de la beauté.

Il est pour chacun un âge pour mourir.

—Sénac de Meilhan

"Du Penchant de l'Homme à Admirer Tous les Genres de Puissance"
On the morning of 4 May 1788 the august halls of the Parlement of Paris were invaded not by the habitual claque of parlementary supporters but by portions of the general public. Guy-Marie Sallier, then a young councilor at the Parlement, described the scene: "... a crowd of lackeys and idlers from the dregs of the populace halted at the doorway of the Grand Chambre. ... At a signal from the ushers, they rushed noisily into the hall. ... The mob applauded, not for what had been read, which it did not understand, but to register its own importance at being asked to serve as auxiliaries. In this distressing situation, natural curiosity made me glance over the ranks of my colleagues where I saw on all faces the embarrassment and confusion I myself felt."¹ But whatever second thoughts the magistrates had about such "public" support, these were heady days, when resistance to "ministerial despotism" elicited the finest rhetoric and bold assertions of "individual liberty" and "fundamental law."

Among many eloquent orators in the chambers of the Parlement, none was so effective as Duval d’Esprémesnil. Henri Carré has labeled Duval "an unconscious precursor of the Revolution"—unconscious indeed, since he quickly joined the conservative royalists after June 1789. But in 1787 he was the recognized leader of the parlementary opposition.² Known for his nervous temper, penetrating eyes, strong voice, theatrical gestures, and a capacity to speak for hours without apparent fatigue, Duval was especially effective with the young councilors in the subordinate chambers, the Requêtes and Enquêtes.³ He was surely their hero during those days of May 1788, which culminated in his arrest and that of his young colleague
Goislard de Montsabel by a special emissary of the king, though not before the whole hall had risen as a man to shout: "We are all Messieurs Duval and Goislard. You have to arrest all of us!" 4

The older magistrates had reason to suspect the "vivacity" and "turbulence" of their younger colleagues because of a temperamental difference that reached back at least to the early 1780s between the upper and lower chambers and reflected not only a marked disparity of age but also a festering resentment over the distribution of litigation fees, the épices and vacations. 5 As early as March 1783, the Parisian bookseller S. P. Hardy referred to the "very great division between the magistrates of the Grand' Chambre and those of the three chambers of Enquêtes," 6 who were demanding reform of legal fees, not an unpopular issue with litigants either. As magistrates of merit, the senior members of the Grand' Chambre left much to be desired. Even Etienne Denis Pasquier, whose later career under Napoleon and Louis XVIII hardly suggests a man partial to radical change, admitted that the grand banc provided "laudable virtues" but "no eminent merit, and above all, no talent for speaking," of which there was such an abundance among the younger parlementarians. 7 Pasquier remembers how the young men, lacking any models among the senior magistrates, looked elsewhere for guidance.

The young had suffered from the control of their elders. Placed on their own, and attracted by new ideas, they did produce men of talent, some even eloquent, but almost all of them were dominated by the ardor of their imaginations. Without other guides, is it strange that these young people were seduced by some of the greatest names of France, the La Rochefoucauld, Harcourt, Luynes, Aumont, Luxembourg, Praslin, and many others? ... Among 150 magistrates, at most half belonged to families long committed to the magistracy. The other half had more recent origins in the second rank of magistrates and high finance. 8

Pasquier proceeds to explore this unlikely alliance between an important part of the old blood nobility and the young robe nobles of recent vintage. He recalls his own seduction by the peerage.

I shall never forget how powerful was the appeal of such peers on the minds of young magistrates. Suddenly they saw themselves linked by party with these great names and their style of life; one knows how party spirit brings together, fuses even, people of different ranks [conditions]. Such a seductive and uncommon relationship easily turned heads; it did not take much to win us over: a kind word, the willingness to take notice of our opinions, submerged any difficulties. Then, when we returned home, our minds were full of the exchange in the assemblies of the Chambers. After these meetings, about twenty of us would regularly eat together, usually at the home of our colleague, M. de Trudaine. 9
If Pasquier saw the young magistrates of the Enquêtes as auxiliaries of the liberal aristocrats—La Rochefoucauld, Noailles, Aiguillon, Talleyrand-Périgord, Lafayette—Councilor Sallier considered them equally “seduced” by the gallery, by the hundreds of barristers, attorneys, bailiffs, and clerks who made up the basoche, mixed with unemployed lawyers, law students, and other oisifs who crowded the corridors outside the Grand' Chambre waiting for the latest news of the debates within. Far from obeying the oath of secrecy, wrote Sallier, “the young magistrates reported the debates to the public and were greeted with acclamation and applause. Flattered by this, they made it a point of honor not to exercise moderation.”

Translated into oratory, claimed Barentin, Keeper of the Seals, youthful rashness swamped mature judgment in the halls of Parliament. Convinced that the young magistrates were responsible for the “doubling of the Third” in the approaching meeting of the Estates-General, Barentin reflected on 1788 in Burkean prose. “Reason was sometimes submerged by the brilliant flashes of elocution and the strong imagination of a few young magistrates; they silenced the experience and sound reasoning of the old senators.”

Yet it would be wrong to attribute the “innovative spirit” of the reformist magistrates exclusively to the enthusiasm of youth, to resentment against their senior colleagues, to the manipulation of liberal peers, to a puerile desire for popularity, or even to public pressure pure and simple. Even Sallier and Pasquier, who would soon regret their youthful idealism, remembered that they too were brimming over with a spirit of generosity and moral earnestness in those fast-moving months before the spring of ‘89. “I am far from absolving myself ... of having shared in the impetuosity of a new outlook, proud of our independence and purity.” Pasquier was even more lyrical and less apologetic. “From the moment when our interest was clearly at issue, we saw nothing more beautiful than to sacrifice it to what we regarded as the public welfare. Generous feelings seized us and there was no holding us back.”

Barentin, to be sure, indicated no appreciation for such moments of euphoria. For him, the disastrous sequence of events leading to the calling of the Estates-General was brought about by “seditious assemblies” of “frondeurs, philosophes, and preachers of ephemeral philosophies [systèmes du jour], who drew up various plans for the destruction of legitimate power.” Barentin was fifty-one in early 1789; Sallier and Pasquier were in their late twenties; and a young councilor in the Deuxième Chambre des Enquêtes, Charles-Jean-François DePont, was only twenty-one.

Young DePont’s political education began as early as 1787, when he was still avocat-général at the Parlement of Metz. In August 1787, at the age of twenty, Charles-François wanted to be included in the “exile” of
the Paris parlement to Troyes. He had been overlooked in the distribution of lettres de cachet. To baron de Breteuil, the minister, he wrote: “I re-
quest that you forward my lettre to Troyes,” where he was going to join his
colleagues. Here was genuine solidarity with his colleagues of the En-
quêtes.

Political ferment was not limited in these years to the chambers behind
the grille on the Ile de la Cité. Public political life in France was literally
born between 1787 and 1789. By 1788, “seditious assemblies,” as
Barentin put it, took place in private homes and other unofficial places.
Since the first meeting of the Assembly of Notables in February 1787,
Paris was alive with private societies, dinner clubs, and politicized salons,
all of which focused attention on the financial crisis now fully exposed by
the government for the first time. “From the halls of the Parlement the
agitation spread to the clubs,” wrote Sallier. “Public opinion sallied forth
in the theaters, on the boulevards, the usual sign of great excitment.”17
Again, in these unofficial settings, the young robe magistrates were the
most active and the most vocal.

Less eloquent, but also less mercurial than Duval d’Eprémesnil, the
spellbinder of the Enquétes, was the twenty-eight-year-old councilor
Adrien-Jean-François Duport. Jean Egret does not hesitate to call
Duport a “formidable party leader” at a time when political groupings in
France were only beginning to expand their organization beyond coteries
of families linked by institutional or “corporate” ties or drawn together by
some salon oracle or Parisian hostess. Duport’s circle started very
modestly as a dinner group of only twelve people who met at his town
house on the rue du Grand Chantier. By late autumn of 1788 it began to
grow rapidly until it gained a reputation as the most famous political club
in Paris, the “Committee of Thirty.” Barentin, the Keeper of the Seals,
saw it as a den of “sectateurs,” where the “frondeurs” of the Parlement of
Paris plotted such subversive measures as the doubling of the Third
Estate. And indeed, the parlementary arrêt of December 1788 amended
the famous September ruling that the meeting of the Estates-General
would follow the constitutional forms of 1614. According to Barentin and
other conservative royalists, the new ruling opened the way to the destruc-
tion of the Old Regime. “This act can be regarded as the product of
seditious meetings that took place at M. Duport’s. These meetings were
made up of magistrates, most of whom were young and very ardent”—
and, by implication, wrongheaded at best. Barentin identified thirty-one
members. Twenty-three were magistrates, and fifteen of these were
councilors in the Deuxième Chambre des Enquêtes. Mirabeau called
them a “reserve corps of parlementaires.”21
Magistrates in the Committee of Thirty* (December 1788)

From the Grand’Chambre:
Le Peletier de Saint-Fargeau, président à mortier (28)
Barillon de Morangis, honorary councilor
Robert de Saint-Vincent, councilor
Fréteau, councilor
Clément de Verneuil, councilor
Abbé Sabatier de Cabre, councilor
Abbé Lecoinneux, councilor
Abbé Mauperché de Fontenay, councilor

From the Enquêtes:
Duval d’Esprémesnil, councilor (42)
Robert de Lierville, councilor (30)
Bourré de Coberon, councilor (32)
La Bletonniére d’Ygé, councilor (30)
Rubat, councilor (45)
Abbé Perrotin de Barmond, councilor
Trudaine de Montigny, councilor (24)
Trudaine de la Sablière, councilor (22)
Huguet de Sémonville, councilor (34)
Clément de Givry, councilor (42)
Morel de Vondé, councilor (29)
Geoffrey de Charnois, councilor (27)
Abbé Louis de Barmond, councilor
Charles-Jean-François Dupont, councilor (21)
Adrien-Jean-François Duport, councilor (29), chairman

*Ages, where known, are given in parenthesis.

The Keeper of the Seals, himself a veteran of thirty years in the Paris Parlement, spoke regretfully of the remaining eight members of the Committee of Thirty. “A few persons of quality have abandoned honor to be admitted there; they have learned at this ‘school’ how to censure the king and his ministers. The police should have kept a close watch on these meetings and the authorities should have proscribed them.”22

Luynes, duc de Montmorency-Luxembourg, duc de Aiguillon, duc d’Aumont, duc d’Aumont, duc de Béthune-Charost, duc de Montmorency-Luxembourg, duc de
Aiguillon, duc d’Aumont, duc d’Aumont, duc de Béthune-Charost, duc de

Conservatives like Barentin and his successors in the nineteenth century will always regard the Committee of Thirty as a conspiratorial group, to be
associated with Cochin's or Tocqueville's bearers of "abstract" and "utopian" ideas that launched the French nation on an uncharted and ultimately disastrous voyage. Historians of a Marxist bent, on the other hand, see the Committee of Thirty as a vanguard of the "rising bourgeoisie." It seems to me that it was neither as conspiratorial nor as omnipotent as the conservative, anti-Revolutionary historians would have it. Nor were its ideas and legislative proposals "utopian," unless due process of law and representative government were utopian in France in 1789. The Committee was profoundly legalistic; its overwhelming majority of magistrates made this almost a certainty from the outset. The composition of the membership also makes it difficult to label it "bourgeois" or even "aristocratic" without oversimplifying and distorting the actual situation beyond recognition. In a formal sense, all thirty-one members were nobles, but this does not mean that they were part of an "aristocratic reaction" any more than they were spokesmen for "bourgeois capitalism." As Elizabeth Eisenstein has put it, the Committee of Thirty was "a loose political coalition based on an informal grouping of like-minded notables." This is not to say, of course, that the ideas discussed and the organization for political leadership provided by the Committee were not important at this stage of the pre-revolution.

Adrien Duport was an organizer of the first order. He carried on a prodigious correspondence, increased the membership, and published many of the famous Parisian pamphlets. By the time of the meeting of the Estates-General in May 1789 the Committee of Thirty was able to distill the key issues, distribute model cahiers, prepare for the elections, devise parliamentary strategies, mobilize votes, and eventually establish corresponding and affiliated societies throughout France. Equally important, Duport made a conscious effort to expand the earlier alliance between the robe magistrates and the liberal aristocrats by bringing together like-minded men from all the elites, nobles and non-nobles, bankers and magistrates, lawyers and physicians, journalists and men of letters, in what was to become the largest and probably most influential political club of the French Revolution, the "Society of Friends of the Constitution," later known simply as the Jacobin Club. It was to this nascent national or "national" party, led by an elite of all talents, that Duport first proposed the doubling of the Third Estate and made it seem natural among such equals of "merit" and dedication to public service to envisage the union of "Orders" and even voting "by head" in the Estates-General. Barentin and the conservative royalists were correct in their appraisal of Duport's position on this vital issue, a position he had held as early as 1787.

Historians have always stressed the importance of the Committee of Thirty in the "preparation" of the French Revolution, especially in its organization of a legislative program that went far beyond fiscal reform.
But whatever the Committee's precise impact on Revolutionary events—an influence almost impossible to measure—there can be no doubt that the frequent meetings at Duport's town house were an intense political education for the participants. We do not know if Charles-François DePont actually designed a model cahier, but he surely read them; he may not have written any of the eleven articles of the Committee's "declaration of rights," but he knew them well; he may not have spoken himself about a new national constitution, but it must have been discussed in his presence, and no doubt with vigor, given the professional and age composition of the Committee of Thirty.

"Meetings were held Sundays, Tuesdays, and Wednesdays, from five to ten in the evening, and one would be admitted only by unanimous consent of the society, which initially numbered only twelve. We chose a chairman, who sat at the head of the table, announced the issues to be discussed, controlled the discussion, took the vote ..., gave the sense of the meeting, and announced the next session." We can rather easily imagine a rather short and stocky twenty-one-year-old listening intently as Duval d'Esprémesnil discussed "due process" and Duport explained the English jury system to the dukes of La Rochefoucauld and d'Aiguillon, or as Marquis de Lafayette invoked America and introduced such provocative phrases as "National Assembly."

Charles-François DePont had been a follower of Adrien Duport from the very beginning as his younger colleague in the Enquêtes and as a charter member of the Committee of Thirty. He was the youngest in a very young group of magistrates and surely impressed by the distinguished company around him. He was not elected to the Estates-General, nor did he leave evidence of a speech, except one given in November 1789, before the National Assembly, apologizing for his former colleagues at the Parliament of Metz who had resisted the abolition of the parlements. But his correspondence with a well-known Englishman indicates how close his political ideas were to those of Adrien Duport and to the new National Party in 1789 and 1790.

Only with our advantage of hindsight do we know that the programs and policies of the National Party would be short-lived. By the end of 1790, after eighteen momentous months of political activity, the "Society of Friends of the Constitution" had become a thriving organization with its own publications, a dozen permanent committees, affiliated clubs throughout France representing perhaps 20,000 members and foreign correspondents throughout the continent and in England. In December 1790 the Society published its first complete list of 1,102 members, and a very distinguished group it was. In addition to the famous triumvirate—Duport, Lameth, and Barnave—there were contingents from all the nation's elites, a mass of lawyers, magistrates and physicians, a large
sprinkling of men of letters, journalists, and eminent scientists, a lesser number of financiers, négociants, ironmasters, and agriculturalists, and a few nobles and clergy. It very closely matches Alfred Cobban’s occupational breakdown of the National Assembly, although it shows a greater density of distinction. Among scientists, one sees Cabanis, Monge, Lecépéde; among artists and poets Vernet, David, Talma, Fabre d’Eglantine, Sabatier, and Chénier; among writers Sedaine, Mercier, Moreau de Saint-Méry, Carra, and Laclos; and among journalists Maréchal, Noël, Le Hodey, Saint-Aubin, Fréron, and Jourdan. To be sure, one also detects some future Conventionnels such as Billaud-Varenne, Rabaud Saint-Etienne, Reubell, Tallien, and the Robespierre brothers, but more frequent are those less notorious men who survived the Revolution and reappear as administrators or deputies to the legislatures of the Directory or as barons of the Empire. In short, the membership was what Adrien Duport hoped it would be—a notability of talent and wealth from all états, though, by late 1790, it lacked the great names of the high nobility.34 Among the “D’s we see “Depont, rue des Filles Saint-Thomas, no. 11,” without any other notation.35

No doubt young DePont heard the speech of Abbé Monnier at the Society’s meeting of 25 December 1790, in which the abbé spoke of the latest action of “a desperate aristocracy” trying to undermine “all that our legislators have done for the stability of the French Empire.” He referred to the establishment of a rival club called the Constitution Monarchique “as if our club were not concerned with founding a constitutional monarchy, but a legal monarchy, a monarchy based on the laws, and whose goal is the welfare of the nation.”36 Indeed the speeches of the Society would reiterate again and again the theme of legal monarchy. In May 1791 another speech referred to the sacred motto on the doors of the Jacobin Club: la Nation, la Loi, le Roi.37

In 1790 there was confidence in the National Party and pride of accomplishment. In the very first months of debate, the Monarchiens with their proposals for a hereditary upper house and an absolute veto for the king had been decisively voted down. “Aristocratic privileges,” from tax exemptions to venality of office were ended, “féodalité” abolished, and the financial crisis alleviated by the nationalization of Church property and the creation of paper money. The entire governmental structure was being rebuilt from top to bottom. And perhaps dearest of all to a reformist councilor of the former Chambre des Enquétes was the plan for a complete overhaul of the judiciary, abolishing judicial torture and instituting trial by jury. This project was the fruit of a long study by Duport, including an investigation of the English system of justice.38 Surely DePont had good reason to anticipate the approval of his English friends for legislation of this kind. Two years of intense political experience provided
the setting for young DePont's correspondence with the oracle of European conservatism, Edmund Burke.

Turning to the English side of the Channel, recall a few circumstances shaping Burke's perspective on French affairs. Burke did not know French society well. He had only visited Paris once in 1773 and even then he had been alarmed by the salon talk of the philosophes. Their religious skepticism and irreverent tone he characterized as "the confederacy of the powers of darkness" undermining the "props of good government." What little contact he had with France came to him through French visitors to Beaconsfield and by correspondence. Although Burke exchanged some letters with reformists such as Adrien Duport and even with a Revolutionary enthusiast like Jean-Baptiste Cloots, he had many more regular correspondents among political conservatives such as Lally-Tollendal, Pierre-Gaëton Dupont (not Charles-François DePont), François de Menonville, and Calonne, the former controller-general. Once the Revolution began, these correspondents reinforced Burke's hostility and even employed the same lurid vocabulary, effectively masking any nuances of difference among the revolutionaries.

Menonville, surely not the most violent of Burke's French royalist friends, expressed himself in these words in November 1790: "You cannot be acquainted, Sir, with the despicable Productions of the crawling, desperate, foolish, but altogether too much popular Scribblers, who daily pester this unhappy country with their firebrands,—perhaps you don't know they receive direct encouragement from this ignorant, ravenous, sophistical, atheist, mobbish Assembly of the Jacobins." Menonville might not fully agree with Burke that the National Assembly resembled "a gang of Assassins" but he more than met him halfway. This epithet he said, "exactly fitted to the majority of the Assembly, I must confess," though there was a minority of moderates left. Menonville even suggested to Burke that these moderate influences in the Assembly were being weakened by the emigration of such men as Lally-Tollendal and Mounier, and that "they were looked upon as Deserters from the patriotic Party." Burke replied that "those who consider Mounier and Lally as deserters must be themselves considered murderers and traitors, because what have they deserted if not crime and treason?"

As if his own prose were not dramatic enough in evoking the passage of the royal couple from Versailles to Paris in the "October Days" of 1789, Burke chose to print an extract in French from his friend Lally-Tollendal in the Reflections, as "an eye-witness" to substantiate this day of infamy. After an allusion to the "guilt" of the city of Paris and of the National Assembly, and his own failing health, Lally wrote: "... it is beyond my strength to stand any longer the horror of this blood—these heads—this
queen almost with her throat cut—this king—led as a slave—entering Paris, in the middle of these assassins, and preceded by the heads of the unfortunate guards. These perfidious Janissaries, these assassins, these cannibalistic women, this cry of ‘Hang all the Bishops’ at the very moment the king was entering his capital with two bishops of the royal Council in his coach . . . .” For Lally, as for Burke, the humiliation of the Crown was even worse than the violence of the crowd.

Burke’s idealization of the French court and the royal couple in particular owed something to his son’s presentation to the Queen at Versailles before the Revolution in 1785. Wrote Richard to his mother, on that occasion: “The King asking quel est M. Burke, the Queen asking où est M. B. . . . in short, there is no end of inquiries about me . . . . What court is there higher and more brilliant than that of France? What court where one could more desire to be distinguished treated and caressed?” No doubt Richard responded willingly when his father asked him to visit the émigré court at Koblenz in July 1791. As Ernest Barker points out, the whole cast of Burke’s mind was aristocratic and religious much before 1785. But his idealization of the Queen would seem to require a special inspiration. “I saw her just above the horizon, decorating and cheering the elevated sphere . . . glittering like the morning star, full of life, splendor, and joy. Oh, what a revolution!”

As for Burke’s view of the French nobility—“men of a high spirit and a delicate sense of honor . . . well-bred, very officious, humane, and hospitable”—he may well have been thinking about his friend, Lally-Tollendal. He described Lally as “one of the most honest, intelligent, and eloquent members of the National Assembly, one of the most active and zealous reformers of the State,” and obliged to secede from the Assembly and become a voluntary exile. Lally’s fight for bicameralism and an absolute royal veto was one with which Burke could sympathize. Most important, Lally was a spokesman for the Monarchiens, the Anglophile Party in the National Assembly which believed there was an unwritten French constitution to which the Nation should “return.” Would-be disciples of Montesquieu, the Monarchiens—Mounier, Clermont-Tonnerre, Malouet, Bergasse, Virieu—employed a parliamentary discourse Burke could appreciate. Proclaimed Clermont-Tonnerre from the rostrum: “There are two public opinions, one precipitous, ephemeral and fleeting, born of prejudice and passion; another is slow, stable, and irresistible, born of time and reason.”

Indeed from almost every point of view, Lally would seem to be the most appropriate French recipient of Burke’s Reflections. Yet he chose Charles-Francois DePont, a magistrate whose noble pedigree barely embraced three generations.

It is curious that, despite the great attention given to Edmund Burke
by historians, relatively little has been written about Burke's correspondent in France. For years, most commentators have considered the "very young gentleman at Paris, who did him the honor of desiring his opinion" on recent events in France to be a literary fiction devised by Burke in 1790, while others have confused the name DePont with Dupont, who later translated the Reflections into French. Only in 1936 was the real correspondent identified by the discovery in England of four DePont letters among the Fitzwilliam papers. The actual French texts appeared in 1951. The last of these four letters, written by DePont in December 1790, was translated into English in 1791 and published in England under the title Answer to the Reflections of the Right Hon. Edmund Burke, by M. Depont with the Original Notes (London: Debrett, Picadilly, 1791). It is possible that young DePont sent a copy of his letter to one of Burke's political opponents, perhaps to Thomas Paine. The authorship of the "Notes" is somewhat problematical, but it is my opinion that they were written by DePont himself. For some reason, historians, English and American in particular, have evinced little interest in this reply to Burke, perhaps considering it only one among so many English radical brochures of the year 1791.

The four letters written between January 1786 and December 1790 reflect DePont's growing excitement about the French Revolution and a desire to elicit Burke's comment and approval. Initially, DePont indicated a great respect and admiration for the English statesman, considering him an oracle of "Liberty," an inspiration and an example. DePont's youthful enthusiasm, together with political developments in England, moved Burke to comment on the Revolution and eventually led him to elaborate his views in the famous Reflections. DePont's letters serve to underline how different the political thinking of French liberals was from Burke's, and how inappropriate this "young gentleman" was as a sympathetic recipient of Burke's philosophical tract. The letters reveal the Frenchman's growing incomprehension, an increasingly frantic effort to convince Burke, and finally a recognition, albeit regretful, of the abyss that separated the two men's thinking about "Liberty," institutional change, and the meaning of the French Revolution.

Shortly after the visit of the DePonds, father and son, to London in 1785, Charles-François thanked Burke profusely for his hospitality in extremely deferential terms, praising his mind, his generosity, and even his "Nation," "la plus estimable de l'univers." "It seems to me that the three days I have spent with you have given my soul new strength and that, in short, I am better for them. Would that I could pass more time with you, have the pleasure of listening to you, of profiting from your enlightenment [vos lumières] and your gentle and informing knowledge, and finally bring myself to deserve your friendship. What a joy for me if I have been able to
inspire you with a little interest in me, and if you sometimes think of a young Frenchman who overwhelmed you with questions!”56 Making adequate allowance for the forms of politesse, and the “vivacity” of a youth not yet twenty years of age, DePont’s letter was surely sincere and deeply felt.

Almost four years later, in November 1789, Charles-François resumed correspondence with Burke. Reminding his former host of the days at Beaconsfield and apologizing for his failure to write sooner, DePont supplicated: “Be assured [this young Frenchman] will never forget that his heart beat for the first time at the name of Liberty when he heard you speak of it. Do not doubt the interest with which he has followed in the public press the various motions you have made in Parliament.”57 DePont proposed that he inform Burke regularly about events in France. Above all, he solicited a reaction from the English statesman whom he yearned to see again face to face in the halls of Parliament, evoking his desire “to hear this great man speak again, this man who makes ministers tremble and encourages young men who are lovers of liberty.”58 DePont was convinced that Burke would approve the momentous events of 1789. Were they not the application of principles Burke himself had proclaimed? “I cannot leave France to see you now; public affairs hold me here. . . . I have heard the great principles of government proclaimed in our own National Assembly; I learned them from talking to you . . . and I have come to feel for my own new patrie those sentiments of which you were the first to speak, but which I could not then grasp in their full meaning.”

Surely, the English statesman, DePont’s political mentor, would approve—indeed bless—the Revolution of 1789. “If you will deign to assure him that the French are worthy of being free, that they know how to distinguish liberty from license, and legitimate government from a despotic power—if you will deign also to assure him that the Revolution now begun will succeed—proud in your support, he will never be cast down by the discouragement that often follows hope.”59

Burke’s first reaction to DePont’s plea to resume contact was expressed in a letter to his son Richard.

I enclose [for] you the letter I had this morning from young Picky Pokey [of Nov. 4]. You see he correctly remembers every good point of our attention to him, which gives one a good opinion of his heart. He is in the very focus of the flame of French Liberty. I am not sorry to have one Frenchman give some account of their proceedings. There really is some appearance, as if the Nation was more united than one would have imagined; and that they will be able to accomplish their ruin in the Establishment of what they call a constitution. You see that Dumpling hangs back. All that are firm against the Parisians are obliged to fly. Lally,60 it seems, is one of the fugitives. All of this looks as if no part of France offers a residence for the dissentients.61
This short passage reveals a number of things. First, it indicates that by November 1789 Burke had already made up his mind about the French Revolution, that he had no faith in the new constitution and in the “flame of French Liberty,” which he suggested was a kind of illness or fever. The “Parisians,” presumably both the majority in the National Assembly and the “street mob,” were forcing “statesmen” like Lally to flee the country. He could only have formed this idea from his conservative royalist correspondents, possibly from Lally himself. In November 1789, the French government was not “forcing” anyone to “flee.” In fact, emigration was a growing problem for the new government, as the émigrés gathered outside of France, especially at Turin and Koblenz, and made active efforts to solicit foreign intervention in French affairs. But Burke apparently never understood how the counterrevolution affected the actions of the revolutionaries and how his own work—his lurid characterizations more than his philosophy—would contribute to the counterrevolution. Carl Cone, in his standard work on Burke, states the issue well: “The constitution of 1791, whose provisions Burke scorned, never received a fair test, and the counterrevolution that finally caused its death was caused by Burke himself.” Finally, Burke’s unguarded allusion to “young Picky Pokey” and “Dumpling” indicates at best a condescending attitude toward his French disciple and at worst a mocking, even xenophobic one. The brief exchange of letters between Burke and DePont could hardly be expected to take on the flavor of a “Great Debate” among equals. But one might have expected a more open-minded, tolerant attitude toward a young man who was obviously sincere in his political convictions and full of good will toward Burke. Perhaps Burke’s coolness toward the young magistrate in this passage was a reflection of the growing passion, even “alarm” he felt for DePont’s “Revolution.”

Burke replied to DePont a month later in a letter that fills twelve pages of his correspondence. It was his first important “reflection” on the French Revolution, written a full year before the publication of the famous pamphlet. Burke hesitated to send the letter when he had finished it and, given its contents, one can see why. Knowing in retrospect Burke’s political philosophy, we are not surprised by his skepticism toward “constitution-making” in France. And knowing something about the young councilor at the Paris Parlement and his family background, we can well imagine the growing consternation on DePont’s face as he assimilated Burke’s English prose. Burke begins by explaining that he has delayed writing not only because he might say something “disagreeable to your formed opinions” but also because he fears that the French government is censoring all letters and that his criticisms of France might be transferred, as he puts it, “from the guilty Writer to the innocent Receiver.” Burke’s mistaken belief that censorship prevailed in France at
a time when freedom of the press had just been established sets the tone of his letter. Despite his disclaimer to any expertise on the “political Map of which I must be very imperfectly acquainted,” Burke nevertheless refers to “the scene now displayed in France,” where rapid changes defy “all speculation” and where “equitable judgments” and “deliberate resolutions” on the part of the “Power prevalent at the time” are undermined by the “inconclusive logick of the Passions.” Indeed, for Burke, rapid political change has to be the result of the “logic of the Passions” and therefore a dangerous game, like a child playing with fire. Surely, Burke looked upon his “French gentleman” as on an innocent child—“in the very focus of the flame of French Liberty”—who must be warned.

He begins with “Liberty,” a very complex abstraction: “You hope, Sir, that I think the French deserving of Liberty? I certainly do. I certainly think that all Men who desire it, deserve it. It is not the Reward of our Merit or the acquisition of our Industry. It is our Inheritance. It is the birthright of our Species.” We can only imagine how these words were translated into French and what they signified for a man who knew so well the remonstrances of the French parlements against “despotism,” remonstrances which by 1788 were based as much on “natural right and the law of reason” as on an “ancient constitution.” Was this the “sentiment” of which Burke was the first to speak?

A paragraph later Burke assumes a more didactic tone.

You kindly said, that You began to love Freedom from your intercourse with Me. This is the more necessary because of all the loose Terms in the world Liberty is the most indefinite. Permit me then to continue our conversation, and to tell you what the freedom is that I love and that to which I think all men entitled. It is not solitary, unconnected, individual, selfish Liberty, as if every Man was to regulate the whole of his Conduct by his own will. The Liberty I mean is social freedom. [Italics Burke’s.]

There is no need to review in detail all the elements of Burke’s political philosophy; but the Reflections are clearly announced here in this long letter to young DePont. Characteristically, Burke treats the actual institutional changes in France in an almost casual manner, as if the precise facts could make little difference in the ultimate outcome, unless they were guided by the proper “spirit” and “principles.” “But if neither your great Assemblies, nor your Judicatures nor your Municipalities act and forbear to act in the particulars, upon the principles, and in the spirit that I have stated, I must delay my congratulations on your acquisition of Liberty. You may have made a Revolution, but not a Reformation. You may have subverted Monarchy, but not recover’d freedom.” The “spirit” is characterized by those Burkean terms we know so well—Prudence, Moderation, Prescriptive Right, Individual Property, all properly elabor-
ated and understood. “If a Constitution is settled in France upon those principles and calculated for those ends, I believe there is no Man in this Country whose heart and Voice would not go along with You.” One line in this long letter might have given DePont the key to the fundamental difference between himself and Burke. In a disarming sentence, Burke writes: “You will however be so good as to receive my very few hints with your usual indulgence, tho’ some of them I confess are not in the taste of this enlighten’d age, and indeed are no better than the ripe fruit of mere experience.” (Italics mine.)

In this same month of November 1789, Charles-Jean-François DePont, councilor at the Parlement of Paris, was addressing the National Assembly as representative of the city of Metz. Recall that his father, Jean-Samuel De Pont, had been intendant at Metz since 1778, and that he himself had been avocat-général at the Parlement of Metz since 1784. Charles-François, therefore, had close relations with the robe magistracy there. On this occasion in Paris, he offered the apologies of his “anciens confrères” for their mistaken action in resisting the decrees of the National Assembly “suspending” the parlements of France. It should be added that Charles-François had been elected two months before to the Comité patriotique of Metz, a “patriotic” political organization that put him in good standing with the National Assembly.

Adrien Duquesnoy, a representative of the Third Estate from Bar-le-Duc, was present in the National Assembly on that November day. Duquesnoy was struck by young DePont’s political idealism and his respect for the work of the Assembly, even when it appeared to undermine his own place and status in French society.

It was a spectacle worthy of attention to see at the bar of the Assembly the son of an intendant (an intendant!), solicitor-general of the Parlement of Metz, councilor of the Parlement of Paris, deputy of the Commune of Metz, thanking the Assembly for pardoning a parlement! Add to this the fact that he is a noble, that this is an Assembly that has destroyed the noblesse, the intendants, and the parlements about which this deputy is speaking. And he is tendering his respects and obedience to this Assembly! These spectacles continue without end, and they never cease to astonish me every time they occur.

DePont’s words before the Assembly make clear how far he was ideologically from Edmund Burke. The magistrates at Metz, he said, had been temporarily seduced “by false and dangerous principles,” but these fortunately had no influence on public opinion, so that “they cannot hinder the happy effects of a Revolution which all Frenchmen will soon be ashamed to have hindered in any way.” There is no reason to doubt young DePont’s loyalty to the National Assembly and his conviction that his country was on the threshold of a new era. “For many months,
Messeigneurs, you have been giving birth to new sentiments in our hearts that are impossible to express." DePont gained clemency from the Assembly for his former colleagues of the parlement of Metz and for the past "errors" of the Commune of Metz.

In late December 1789, DePont replied to Burke's first reaction to the French Revolution. His letter conveys a tone of perplexity rather than bitter disappointment. He still retains a very large measure of deference toward his senior correspondent. He even agrees with Burke that the issue of freedom has not yet been resolved in France. "I earnestly desire we should be free, I hope we shall be so—but it is for the foreign observer without passions and without prejudices in this respect to determine whether we are using the best methods to arrive at liberty" (p. 366). DePont proceeds to plead with Burke to understand the French situation. True, the new constitution has defects, "and some passages in your letter make me feel that you find terrible ones in it." "But does it not establish in the most precise manner the distinction between the powers and the rights of the nation?" Yes, there still is some "anarchy" here, but "is it not astonishing that this anarchy is not greater in an old, corrupt, and formerly servile nation, suddenly enlightened as to its rights, and that at the instant when all judicial and executive authority was annihilated? We have felt some violent shocks—but were they not naturally to be expected at the moment of attacking the formidable bodies of the nobility and the clergy, and of reforming the abuses under which the people groaned?"

The next line contains the conclusion of DePont's argument, which Burke could not concede. "Ah, tell me, you to whom I look as a guide and master, tell me that the events that have taken place have been the necessary consequences of a change which circumstances rendered indispensable!" (p. 367, italics mine).

Throughout this letter, DePont stresses the differences between England and France. "I am of the opinion that we require stronger means than you do to maintain [our personal freedom] and that local and national differences (l'esprit de notre nation) oblige us to adopt precautions on our part that with you are unnecessary. That single consideration perhaps has determined us to institute only one assembly and to give to the king only a suspensive veto." Here again, Burke seems to have no grasp of the apprehension felt by men like DePont and other constitutional monarchists toward the counterrevolution. This fear makes it easier to understand why young DePont, who, after all, owed much to birth and privilege, regarded "nobility" as a danger to "liberty" and dissociated himself from it. Moreover, his own self-image was changing. Charles-Jean-François DePont, magistrate, "constitutionalist," municipal leader, colleague of Duport and Lafayette, and charter member of the Committee of Thirty, did not need the trappings of noble status to gain
recognition, or so it seemed. His Anglophilia was apparently undeterred by Burke's circumlocutions about Liberty. He promised to learn English, though "politics have made me neglectful of it." He still hoped that he would be able to meet Burke again at his "charming house at Beaconsfield."

We shall again examine the different details of your farm. We shall renew those interesting walks from which I used to derive so much pleasure and instruction, and we shall talk of politics and reason together. It will be curious indeed to see one of the greatest men in England condescend to reason with a young Frenchman of twenty-three. That Frenchman has inspired some interest in Monsieur Burke; that Frenchman does not claim to be a philosopher, but he feels deeply about Liberty and Equality. Therefore he is worthy of your conversation. (pp. 367-68.)

These lines were written on 29 December 1789, after what can only be called the most spectacular six months of institutional change in French history. Burke must have winced at the last lines of DePont's letter, which associated him with the enterprise.

It was a full year before Burke replied. If 1790 was an eventful year for DePont from his vantage point in the Society of Friends of the Constitution in Paris, it was an equally important year for Burke. According to Carl Cone, this was the time when Burke's political philosophy matured under the traumatic impact of real political events that forced him to bring together previously scattered writings and ideas on constitutional change and the sacrosanct nature of institutions. More than by the "October Days" and other "acts of violence" in France, Burke was shocked by the legislation of the National Assembly concerning the Church, especially when Dr. Richard Price, the eminent Dissenting minister, praised the Revolution and proposed the disestablishment of the Anglican Church and parliamentary reform. Price's sermon in November was followed by DePont's reference in his letter of December 1789 to the "authority" of the London "Revolution Society," which had also approved of the French Revolution. This excited Burke even further. The contagion of the French Levellers had crossed the Channel.

Then, in February 1790, the London Chronicle advertised a "letter" to be published "soon" by the Hon. Edmund Burke on affairs in France. The "letter" grew into a 350-page book and was finally published under the title: Reflections on the Revolution in France and on the Proceedings of Certain Societies in London Relative to That Event in a Letter Intended to Have Been Sent to a Gentleman in Paris. In short, the book was intended for more than one audience, and DePont's allusion to the London "Revolution Society," a correspondent of his own Society of Friends of the Constitution, was an important catalyst for its composition.

Burke's Reflections on the French Revolution has been the source of an
enormous literature and commentary down to the present. It seems inappropriate, even presumptuous, to discuss the political ideas of a relatively unknown French magistrate as if they were of comparable significance and importance. It is certainly not my intention to add another footnote to the already prodigious corpus of Burkeana, not to say Burkomania. Burke was, of course, much more than a political thinker. He has been praised as a great moralist, Romantic, aesthete, English nationalist, philosopher of history, Whig politician, parliamentary orator, and expert in the common law. And of course he was a very effective writer, a stylist of the first order. What may seem to us today a florid and overly ornate prose was very attractive in its own day, and many passages in the *Reflections* still cast a certain spell even in less romantic and style-conscious times. Given this formidable array of assets, those who chose to respond to Burke’s *Reflections* by marshaling the empirical evidence and arguing in the lean, prosaic style a Cartesian logic imposes were at a distinct disadvantage. Even where the weight of the evidence and the cogency of the argument seemed compelling, the critic often emerged as a literal-minded pedant who failed to grasp the depth and the grandeur of the master’s thought. Respectable commentators today do not claim that Burke knew much about French society, but by implication, even for them, “facts” and “events” are such poor things, ultimately irrelevant and tedious, beside such an Olympian vision.

If this be true in our own time, how difficult it must have been for a twenty-two-year-old French magistrate, whose English was far from perfect, and who considered the elderly English statesman his “guide and master,” to criticize a book of 350 pages that had been dedicated to himself. That is why DePont’s letter of 6 December 1790 retains a deferential tone, even though disappointment, not to say disillusionment, is now apparent. On the other hand, DePont attempts, once again, to explain the peculiarities of the French situation without directly attacking Burke’s overall philosophy of change. He agrees with Burke that certain acts of violence are reprehensible, but points out that they must be weighed against the enormous benefits of the Revolution. For Burke, of course, it was almost an a priori truth that revolutions could not have “benefits,” the very mode of change condemning this possibility from the start. Burke, as we know, was more impressed by the dangers of radical change and precipitous action than by the “abuses” of the Old Regime.

DePont was concerned that those abuses, only recently eradicated, might return and that Burke’s book might be welcomed and used by the counterrevolutionary forces, which constituted a real danger in his eyes. “Yes, Monsieur, your kind, sensitive heart has been so deeply moved by the sorrows accompanying our Revolution that you must surely shrink from bringing more terrible suffering on us by involuntarily supporting
the party that actually wishes for a Counterrevolution” (italics mine). DePont not only enumerates the abuses of the Old Regime and stresses the inability of the old institutions to change them, but also attempts to answer Burke’s criticisms of specific policies and acts of the new regime point by point in order to build a case for the necessity and the achievements of the Revolutionary cause. The overall impression is one of a lawyer’s brief, organized into rather distinct sections, grounded in specific facts, punctuated with certain rhetorical devices, especially alliteration, and appealing to the reason and impartiality of the reader. At the same time, DePont conveys the sense of an enormous national effort grappling with complex and difficult problems. He appeals to Burke’s patience and also assures him that, given time, “the new political machine” will function “without difficulty.” (p. 373). The letter is not a manifesto of liberty and equality comparable to an oration by Mirabeau, Barnave, or Brissot—DePont was no orator—but it is, on balance, a coolly reasoned piece with a decided overture of earnest pleading and friendly persuasion. It is not a vindictive tract, certainly not hostile to Burke personally, and indeed it encourages a further exchange of views, perhaps face to face at Beaconsfield.

Yet behind a courteous and even deferential façade, there are indications of a deep disagreement that DePont only dimly perceived. There is at times a perplexity in his reaction that reveals a profound difference in two men’s assumptions about man, reason, and progress. “I am strongly reassured, Monsieur, by the progress of the Enlightenment that you have so cruelly attacked. I am reassured by the freedom of the press of which you do not speak at all, and I am convinced that these economists, these philanthropists, these philosophers whom you so harshly insult, by their writings will contribute as much to the maintenance of freedom and to the reestablishment of order as those brave paladins, those knights errant whose loss you so bitterly deplore” (p. 373).

DePont obviously had no understanding of Burke’s complex notion of “prejudice” and “untaught feelings.” He said little about religion, except that it had not functioned to temper despotism in France. Indeed he felt that religion was part of the “ignorance, fanaticism, and superstition” of the past (p. 370). Good Voltairean slogans these, but hardly refined semantic tools for dissecting Burke’s “grand prejudice,” Christianity. For the English Whig, religion and the awe it inspired were fundamental to the English constitution. DePont had no grasp of this kind of constitution; for him a constitution was a rational, written, legal instrument assigning and limiting the public powers. Consequently, he could not understand Burke’s strong aversion to the nationalization of Church property and especially the new “Constitution of the Clergy.” “I cannot see how religion is attacked and atheism established,” wrote DePont, “because the salaries...
of public officials in the service of religion are not high enough” (p. 372). The phrase “fonctionnaires publics destinés au service du culte” clearly suggests that DePont had accepted the new Church-State arrangement.

Like Paine, DePont also wondered whether Burke had mistaken “the plumage for the bird” in his adulation of the French nobility. On this issue, DePont had more to say. A magistrate and the son of an intendant, he did not consider himself a nobleman. By December 1790 he identified “nobles” with “abuse” and “counterrevolution.”

You say, Monsieur, that it would have been better to reform and perfect it [the government] without making any innovations. But why should the firm, courageous man who has always been the most strenuous opponent of abuses in his own country suddenly adopt the clever language of Frenchmen [nobles] who, having been ignominiously beaten down from the ramparts of despotism, have sought refuge in a so-called Constitution that offers them, in the monstrous division of Orders and with four vetoes (adding the king’s), a second line of defense where they hope to defend step by step all the vices of the Old Regime. 76 (pp. 370-71.)

DePont proceeds to explain why the National Assembly voted against a second Chamber, “somewhat similar to the one that exists today in your country.” “We need not retrace,” he writes, “the special circumstances that made the people fear that the noblesse, which had kept it out of every public employ, should manage to usurp the same privileges [avantages] in another form” (p. 371).

It may seem strange that the scion of a family that had succeeded in gaining its own “noblesse” by “public employ” should subscribe to the thesis of an aristocratic blockage of office. Perhaps DePont believed that his own family’s mobility was the exception or that there should be more DePonds and fewer d’Ormessons or d’Aligres in high office. But the passage may also suggest that DePont, like Burke, lived by his own rhetoric, not a total delusion to be sure, but a set of assumptions that brooked little deviation, even in the face of empirical facts. “Nobility” had come to mean “abuse and privilege,” and France must eradicate both before it could be considered “worthy of freedom.” DePont did not think that aristocratie was always and everywhere an abuse, an evil. Somewhat reluctantly, he conceded that “an inhabitant of the canton of Berne, or an Englishman, may be free and happy in spite of the aristocratic element in his government” (p. 373, italics mine).

For Burke, of course, the word had quite different connotations. In November 1791 he wrote to Earl Fitzwilliam: “I will not enter into the baseness and depravity of the System they adopt, but one thing I will remark, that its great Object is not ... the destruction of all absolute Monarchies, but totally to root out that thing called Aristocrate or Nobleman and Gentleman. This they do not profess; but in France they
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profess it and do it." As Burke said in his essay "On Nobility": "The Nobility are not only the natural councillors of the Crown, but they are the natural guardians of the people. . . . Be assured that those who talk or practice any other principle are the true friends of despotism." DePont and Burke could not have been further apart in their respective conceptions of "aristocracy," regardless of the "objective facts" concerning noble behavior in either country.

Given these fundamental differences of outlook, one wonders how the two men had got on as long as they did. DePont, to be sure, was no longer asking Burke if he considered the French "worthy to be free" (see letter of 4 Nov. 1789), for he must have realized at last that he and Burke did not use the word "Liberty" in the same way. Yet he still wished to convey the notion that his "love of liberty had not been weakened by the temporary oppression of a few individuals . . . and that the fault you see in Dr. Price, of mistaking the deviation from principles for the principles themselves, must not be attributed to me" (p. 371). DePont admitted that the internal divisions within the National Assembly were not always dignified, and that the oratory was occasionally excessive, but "how can anyone who is only divided from us by a few miles maintain that the Assembly is not free?" As for the reorganization of the judiciary, no doubt it had its faults, "but I am consoled by the ease with which they can be rectified, and by the great advantages we have acquired in the institution of juries, of which you do not say a word" (p. 372).

Burke had taken the violence of the October Days, which, like other "events" of the year 1789, had been dramatized by his ultraroyalist friends in Paris, as the central message of the Revolution. DePont saw these events differently. He had celebrated his first Bastille Day only a few months earlier. "It was during the twelfth and thirteenth of July, 1789, that the battle was joined between the oppression of the past and the dawning of liberty. It was then that the French nation expressed its will [volonté] with the greatest of energy, and won the most complete victory" (p. 369). Burke had a strong appreciation of the providential and the messianic in history. His correspondent's verve and youthful exuberance must have reinforced his fears that Europe was entering a "time of troubles." What he called the "democratic species of tyranny under the name of rights of man" was on the march.

Taken as a whole, DePont's "reply" to Burke does not constitute a complete political philosophy comparable, for example, to that of his Feuillant leader, Joseph Barnave. There are, however, elements of Barnave's stages of liberty and his general view of the Revolution in DePont's letter. DePont sees a connection between social conditions and political events, between environment and ideas. He depicts a clergy and an aristocracy that are retrograde, if not historically bankrupt, relics of a
past age of “superstition and fanaticism.” While he does not refer to a “bourgeoisie” as representatives of newer forms of commercial wealth and “movable property” as Barnave did, he clearly discerns a new nation emerging, a groundswell of “democratic” energies that must one day triumph over “aristocracy” and “anarchy,” the twin threats to the Revolution and the march of history. And like Barnave, DePont sees this new Nation of ultimately “sovereign people” completed by a constitution placing legislative power into the hands of the people’s “trustees,” a political elite of families experienced in law and governance, capped by a monarch limited by law. As Harold Laski has said, in Barnave’s speeches one will find “the essence of French liberalism after the Restoration.” DePont shared this view with Barnave. 80

As far as we know, Burke never replied to DePont’s letter of December 1790.81 The French translator of the Reflections, Pierre-Gaétan Dupont, a conservative royalist, referred to Charles-François DePont in a letter he wrote to Burke a week later. “As for de Pons [sic], he has received his [copy]. Actually that is too much honor for him. Dreadful things are said about him. He is accused of having gone over to Democracy.”82 Again in February 1791 the translator alluded to the publication of DePont’s letter in England. “I will not speak about DePont’s letter. He is a young man who will have difficulty realizing that he needs instruction.”83 Quite obviously Dupont was speaking as a royalist who made no distinction between moderate constitutional monarchists and Jacobin republicans. “Démocratie,” like “aristocrate,” had become a party slogan, a rhetorical flourish, devoid of precision.84 Pierre-Gaétan Dupont ended a letter to Burke of May 1791 expressing the hope that the rest of Europe would intervene, “a generous and powerful coalition . . . to reestablish the King on the throne and to chase from the heart of Europe a band of factieux who have overthrown everything, destroyed everything.”85 Apparently Burke had decided to use Pierre-Gaétan Dupont rather than Charles-François DePont as his informant for political events in France.86

From the spring of 1791 to April 1792, we know almost nothing about the activities of young DePont. He was a member of the Feuillant Club, which had separated from the Jacobins after the flight of the king in June 1791, indicating that he remained loyal to Duport, Lameth, and Barnave, and to the constitutional monarchy.87 The Feuillant position was becoming increasingly difficult to maintain, however, as the republicans increased their converts both inside and outside the Legislative Assembly. With each passing month the Feuillants became more vocal in their attachment to the constitution and to their motto—Nation, Law, and King—as the only barrier against the “émigré peril” on one side and the “Jacobin peril” on the other. In December 1791 Duport and Barnave,
now close advisers to the Crown, drew up a policy statement that was intended to calm anxieties in foreign capitals and persuade Emperor Leopold to disperse the émigrés gathered at Trier and Koblenz. Between the émigrés and the republicans, the memorandum read, are the majority of French citizens who want peace, order, and freedom. "This is the class of people the king must unite behind him. They form the backbone of the nation; they furnish its wealth and strength, they are strongly attached to the monarchy. The king must gain the confidence of this middle class [classe mitoyenne], while remaining loyal to the Constitution, maintaining security, and defending property." 88

The confidence of the National Party that seemed so firmly grounded in late 1790 had largely eroded by late 1791. The party leaders began to regret the stridency of their declarations only a year before; they spoke less now of "groaning under the yoke" of ancient tyrannies and more about the "incendiary news sheets of Marat, Carra, Audouin, and Desmoulins." 89 Liberty was not to be license.

In April 1791, when the Jacobin Club was still firmly in constitutional monarchist hands, the diplomatic committee of the club, led by Barnave, Fréteau, and Menou, had protested to the foreign minister, Montmorin, for having made his ambassadorial appointments among the members of the Club Monarchique, selecting men of the Old Regime like Clermont-Tonnerre and Gouvernet rather than "patriots" of the Jacobin Club. 90 A year later, a new foreign minister, General Dumouriez, committed to the removal of counterrevolutionaries and to financial retrenchment in the foreign office, replaced those whose loyalty was suspect with new men, some from the lower ranks of the service. Among them were two men who had been members of the Jacobin Club the year before. Villars was appointed minister plenipotentiary to Mainz, and Charles-François DePont, minister plenipotentiary to Cologne. 91 With respect to new appointments for the minor courts, the diplomatic corps appeared to be one year behind political developments in Paris, or so Dumouriez would have us believe. On closer inspection, however, Dumouriez's own appointment and those of Clavière and Roland at the ministries of finance and interior, indicated that republicans of the Brissotin persuasion had replaced the Feuillant ministers. In fact, Dumouriez completely overhauled the six central bureaux of the foreign office, placing republican sympathizers in all key positions. DePont's division head for Germany was Jean-François Noël, former professor, journalist, "new" Jacobin, and friend of Robespierre. The foreign service, at least at Paris, was ideologically prepared for the declaration of war on Austria on 20 April 1792. 92

Citizen DePont arrived at his post on 9 May. Dumouriez had recommended the twenty-four-year-old diplomat to the king for his "zeal and in-
violable attachment to the Constitution,” a characterization surely more applicable to DePont than to Dumouriez and his republican friends. Charles-François found himself in a part of the Rhineland that was rapidly being infiltrated by émigrés from France and by troops from Austria and Prussia. His correspondence with the home office over the next three months provides a great deal of insight not only into the young diplomat’s desperate efforts to prevent the Elector of Cologne from joining the enemy coalition but, even more revealing, into his increasing difficulty maintaining a political position independent of both “counterrevolutionary émigrés” in Cologne and Jacobin “anarchists” in Paris. 93

“There is a general gathering of émigrés in Cologne,” he wrote in his first dispatch to Paris. “They think that the counterrevolution is already accomplished. When they heard of my arrival, they threatened the local innkeepers, asking them not to let me in; otherwise they would move out” (9 May 1792). DePont’s dislike of the émigrés extended to the outward signs of their royalism, their uniforms, cockades, and ribbons, which, he said rather naively, “have been outlawed by the Constitution” (18 June). He was acutely embarrassed by his awkward position in a small principality where he might meet those “fifty or sixty French families” presented at court every day “in their large white cockades” (9 June). After all, it was his task as the official French representative to present French subjects to the Elector.

Among well-known émigrés, DePont noted that Calonne had rented an apartment in Frankfurt in order to attend the coronation of the new Hapsburg emperor, Francis II. “Let us hope he will have no more influence on the new emperor than he has had on his two predecessors, Joseph and Leopold” (28 June). Calonne had been very actively urging military intervention on behalf of the émigrés; in fact he acted as a kind of prime minister for the princes in exile. 94 Unfortunately for the new French regime, Francis II needed little prodding from Calonne. 95 DePont also reported that Mallet du Pan, the intellectual of the emigration, had passed through Cologne. Obviously he was unaware that Mallet was on an important secret mission for the king to the princes at Koblenz. Louis XVI had his secret diplomacy parallel to official channels. 96 DePont also found it diplomatically embarrassing that his predecessor, Colbert de Maulevrier, had remained in nearby Bonn despite his recall by Dumouriez, and that he entertained such counterrevolutionaries as Abbé de Maury. Conservative clerical deputy to the Estates-General, Maury had violently opposed the Constitution of the Clergy and emigrated early. DePont said that the abbé was now telling the Elector, himself a prince of the Church, that there was a “system of subversion threatening all Europe”—shades of the “contagion” so dreaded by Burke and Mallet du Pan (13 May, 17 June).97
Far from implementing any “system of subversion” or issuing any manifesto about the liberation of foreign states, DePont informed Paris that “it is very important we assure the Elector that we do not intend to attack him” (22 May). Moreover, he did not believe the German states were ready for revolution.

The German peasants are in general too unenlightened to have the slightest idea about the rights of nations. The opposition that exists in a few diets of the Empire at the sufferance of the prince is purely aristocratic and can be compared to the resistance of the old estates of our provinces at the sufferance of our kings. However, it is no less true that we can take advantage of this resistance to prevent the princes from obtaining new taxes. ... But I think we must begin by making every effort to reassure the clergy and the nobles (who alone, or almost alone, are represented) of the preservation of their privileges so that they will not see any advantage in uniting with their princes against us. (17 June.)

In this letter, young DePont reveals a keenness of observation and a tactical acumen that would have pleased his father. He warned his government against Brissotin bravado; and he was convinced that the peoples of Central Europe were not awaiting a “liberation” to be brought by the armies of France. “There is nothing to hope for from desertion or insurrection of peoples. The different states of the Empire enjoy a form of government incomparably better than the one destroyed in France by the General Will of the Nation” (7 July). DePont had a capacity, not uncommon among diplomats, to separate political idealism at home from political realism in foreign affairs. In any case, multiplying France’s enemies might well unseat the delicate equilibrium of power at home and abroad. 98

DePont was constantly forced to look over his shoulder at events in Paris. If he had praised freedom of the press to Burke in 1789, he was concerned about the responsibilities of the press in foreign affairs in the spring of 1792. He was distressed to see the Mercure de France reporting that the Elector of Cologne had obtained the necessary money to fulfill his quota of troops for the coalition. DePont said that this news had not been confirmed and that in any case it was premature. “Of course, the newspapermen must retain the widest possible freedom of opinion, but they must not oblige me to deny the false news they have reported in their papers” (12 June). As the eventful month of June passed, DePont exhibited increased anxiety. “Austrian and Prussian troops are pouring through Cologne. The émigrés are so encouraged that my position here becomes more difficult by the hour.” DePont would stay on if the minister insisted, “but I must admit to you, Monsieur, that useless courage has always seemed unnatural to me” (9 June). A few days later he repeated that the post “required more courage than service in the field” (18 June),
very hard on a man who is “sensitive [délicat], concerned about his integrity [honnête], and excessively desirous of performing his task with dignity” (9 June). He yearned to resign his post and retire to his country house at Mantes-sur-Seine, forty kilometers from Paris. “I have the greatest desire to return to France and to rejoin that imposing mass of the Nation which will defend to the death the Constitution, the different powers created by it, and the sacred person of His Majesty” (12 June). On more than one occasion, DePont invoked the Constitution of 1791 as an institutional bulwark against a growing disorder that threatened more than just the outward rhythm of his political and professional life.

On 15 June, Dumouriez was forced to resign in what turned out to be the last effort of the king to stem the tide of republicanism. Duport, Lameth, and the Feuillants regained the ministries, but their hold was precarious, even in the eyes of contemporaries. DePont seized the occasion to write to the new foreign minister, Scipion Chambonas, a member of his own Feuillant Party. “If you will permit a Frenchman who has devoted his life and his very existence to the defense of Liberty to express his personal opinion, I confess to you that the security of the Assembly in the face of powerful movements united against us does not seem very strong” (22 June). Worse news arrived a few days later. On 20 June the royal palace was invaded by Parisians from the east-side wards, and the king narrowly escaped with his life. The effects of this incident abroad were “deplorable.” All embassies complained that after this “atrocity” their task of reassuring foreigners that the French loved their king had become immeasurably more difficult.

DePont clung ever more tenaciously to the legal façade of the Constitution, but with receding confidence. “My father and my friends [in the Feuillant Party?] must have begged you, Monsieur, to grant me leave if you cannot accept my resignation. . . . My motives must not be misrepresented by those who have not followed my political career from the beginning of the Revolution. . . . If political fortunes change once again and you are forced to leave office, please tender my resignation along with yours to the King, to whom I hope to prove during the course of my life my respect for the Constitution and my devotion to His person” (28 June). The plea has the mark of a career nearing its end.

DePont then outlines the qualities his replacement should possess in words reflecting his own political beliefs. “The new secretary . . . should be strongly attached to constitutional principles and exhibit a conduct worthy of esteem and general confidence. He must be penetrated with those great truths that have inspired our Constitution and remain the foundation of our National Sovereignty. But he must no less maintain a deep respect for the established governments of our neighbors and refrain from interfering in their domestic affairs.” Moving abruptly from general
principles to immediate and practical considerations, he explains his ef-
forts to counteract émigré propaganda, which stressed the bad treatment
of the king and queen at the Tuileries. "I have replied with skill [arti], but
without affectation, to various versions of this event, about which I have
heard through the newspapers or from private letters. This kind of effort
[counter-propaganda] should have been made much earlier. Long ago we
should have shown foreigners the difference between the Constitutional
Party and the anarchic faction [a distinction] that the French counter-
revolutionaries have tried so hard to blur" (28 June). Two years earlier,
DePont had tried in vain to make this distinction clear to Edmund Burke.
Did he believe it possible to "educate" the German princes in this matter
when he had failed with an eminent English political philosopher?

DePont was still at his post in July 1792. No doubt he received news in
the Mercure of Lafayette’s dramatic speech before the Assembly in Paris,
demanding the immediate dissolution of the Jacobin clubs and punish-
ment for those responsible for acts of violence at the Tuileries on 20
June. 

Almost in the words of Lafayette, DePont called the "events" of
20 June "illegal," an attack on the constitution never to be repeated. "The
moment has finally come, Monsieur, when all men who have risen with
strength and courage against despotism and aristocracy must unite and
raise their voices against the factieux" (6 July). Like most adherents to the
Feuillant Party in these weeks immediately before the invasion of France
and the end of the monarchy, DePont turned to Lafayette, last hope of the
"constitutionnels." He intended to visit the military camp at Maubeuge
on his return to France, just as the general had stopped at Cologne to see
him earlier. DePont’s words are even more laden with adulation than
those of his first letters to Burke, also a "friend of freedom," or so it had
seemed. "I shall never miss an occasion to see again this brave friend of
liberty, my hero, my master, my friend" (6 July). Perhaps there was a
touch of desperation as well.

This letter was written on the day France declared war on Prussia and
as the armies of the first coalition began advancing toward the French
frontier. In fact, the inaction of Lafayette’s army at Maubeuge proved to
the republicans that he was more concerned with the "factieux" at home
than with the preparations of the enemy in the Rhineland. Lafayette’s
popularity in the street had also considerably eroded since the halcyon
days of 1789 when he was commander of the National Guard of Paris.
DePont’s last days in Cologne were spent reporting Prussian troop
movements and the arrival of the Duke of Brunswick in the Rhineland.
The camp near Koblenz was said to contain fifty-two thousand troops
(4 July); DePont also reported an important meeting of the kings of
Bohemia and Prussia, the German electors, and the French émigré
princes, which was expected to produce a "manifesto" (17 July). On 24
July, DePont sent a coded letter to Paris, stating that he was sure the Allies would attack on the first days of August. The next day, the Elector of Cologne asked DePont to leave for Paris.

It hardly needs emphasizing that young DePont was a political moderate, at least in the spectrum of French parties and beliefs in the first five years of the Revolution. Perhaps less obvious was his identification of a peculiar set of institutional arrangements with his idea of France. He often used the word “constitution” interchangeably with the French “nation.” He wrote, for example, that Prussian troops will not be used “against our constitution, since our constitution does not threaten the tranquillity of their States” (6 June). Or, again, “we must break up the formidable alliance against our constitution” (8 June). He refused a solemn reception as French envoy, “in accordance with the principles of simplicity of our constitution” (13 May). The Constitution of 1791 was not, he felt, universally applicable: it was peculiarly French. The earlier words of DePont’s reply to Burke make his position clear. “I do not wish to exalt myself to the character of a reformer of mankind or a missionary of the new French institutions . . . but I will always defend the constitution of my country.” On this point, DePont did not change since his days in the Chambre des Enquêtes.

For DePont, the émigrés were not only aliens to the constitution, but a people without a country. They were no longer “French.” He described them in Cologne as adapting their dress and their mores to whatever country seemed to share their cause for the moment. “They have almost entirely abandoned their English dress to adopt Prussian styles. They have exchanged little tight-fitting boots for big heavy ones; they cut their hair very short; they wear big Swiss-style hats, . . . and they always carry long pipes with them. The old Prussian officers laugh through their whiskers at this sudden metamorphosis, which surely would have amused Frederick the Great” (6 July). If there was always something slightly ridiculous about the émigrés, the menace of the Jacobin “anarchists” was only too serious. But both seditious factions—“aristocrate” and “anarchiste”—had blasphemed the sacred motto of the old Jacobin Club: la Nation, la Loi, le Roi.

For Charles-François DePont, the fall of the monarchy in August 1792 must have been more than the triumph of “tumult” and “illegality”; it was the end, at least temporarily, of the “France” he had spent his early twenties building anew. Yet the words of his reply to Burke in 1790 still held true: “. . . your charge against Dr. Price, of taking the deviation from principles for the principles themselves, is not applicable to me.” And surely he agreed with—if indeed he did not write it himself—a note appended to the English publication of his Answer to the Reflections: “It is by a similar error in reasoning that the Revolution is confounded
with events ... such as those of October, those of Nancy, [and those of August 1792?] ... These are perhaps calamities inseparable from every great Revolution; these are not, it cannot be too often repeated, *the work of the nation.*

In all of his references to politics, whether in his reply to Burke or in his diplomatic correspondence with Paris, DePont used the political vocabulary of the leaders of the Feuillant Party. When he spoke of the “Constitution,” he reiterated the judicial phraseology of Adrien Duport and his colleagues from the former Parlement of Paris; when he referred to the “King,” he appeared to be following Lafayette and Lameth, who were increasingly concerned about political “order”; and when he spoke of the “Nation,” he seemed close to Sieyès, even to the point of adopting the abbé’s rather mystical notion of a “will” inherent in the Nation.

As a touchstone to a political philosophy, or even as an appealing political program, these “three principles” were failing to hold together. King and constitution were both being undermined by a newly organized democratic nationalism. Keith Baker has recently argued that the tension between the rights of man and the rights of the nation was not created by the Jacobin Party nor by the Declaration of the Rights of Man and of the Citizen in 1789, but was latent in much of the thinking of the Enlightenment. But by 1792, new political issues and a new political awareness made it impossible to paper over a fundamental incompatibility of goals. On a personal level, DePont experienced these tensions.

With the dispatch of 25 July 1792 the diplomatic correspondence of Charles-François DePont comes to an end, and with it any further opportunity to explore the man’s thinking. A police report in 1795 refers to him living “*dans ses terres*” near Mantes-sur-Seine. Apparently, he found his country retreat after retirement from the foreign service and survived the year of the Terror in the quiet wheat fields of the Beauce. In this he fared better than the leaders of the Feuillant Party. Adrien Duport and Théodore Lameth emigrated to England, Lafayette and Alexandre Lameth were imprisoned by the Prussians after fleeing from the French Army, and Joseph Barnave was arrested and executed in November 1793. In 1796 DePont married Avoye-Marie Michel de Grilleau, possibly from a non-noble family. The couple had a son who would never see his father.

In September 1797, at the age of thirty, Charles-François DePont blew out his brains. One can only speculate on the reasons for this unexpected and early death. The precipitating event, according to Théodore de Lameth, was the refusal by Madame de Castellane of his gift of some partridges, a trivial incident that strongly suggests that Charles-François was overwrought, if not clinically insane at the time of his suicide. No doubt
the meteoric career of this young man and its sudden end with the fall of
the monarchy, his father's arrest, and the loss of his colleagues and
leaders in the Feuillant Party had placed him under considerable stress.
He had pleaded in a dispatch to the minister (9 June 1792) that he was *un
homme délicat*, sensitive to the treatment he was receiving at the hands of
the émigrés at Cologne. He obviously abhorred popular violence and ex-
licitly denied any claim to physical courage. In 1785 Richard Burke, Ed-
mund's brother, had already described him as socially rather awkward,116
and Edmund did not refer to him as "Dumpling" without some cause,
however mean the metaphor. In short, although the evidence is rather
slim, there were some signs of a disturbed personality. Despite his ap-
parent competence as a lawyer, as a diplomat, and as a political thinker
whose "reply" to Edmund Burke was printed in London, it is possible that
he suffered from a sense of inadequacy. Had he been given too much
responsibility too early in life? His obvious dependency on "guides" and
"masters," terms he applied to both Burke and Lafayette, together with
the fact that he seems to have reversed roles with his father earlier than
most young people,117 suggests someone who needed authority and yet
had spent his youth and early manhood in the pursuit of "liberty" and the
fight against "tyranny" and "privilege." He must have placed enormous
stock in that "Constitution" and in being "worthy of liberty." His
"world" had indeed collapsed by 1797.

Little could he know in those difficult years of the Directory that a new
social amalgam was in the making in France, one in which professional
competence, national consciousness, and political moderation, pruned of
any "fanaticism" of the past, would join those older "qualities" of birth,
fortune, and connection. Had he lived, Charles-François DePont would
have made an ideal "notable" of the early nineteenth century.118