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Hobson, Christopher

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Chapter 4

THE CRUCIBLE OF DEMOCRACY:
THE FRENCH REVOLUTION

Know that you are kings and more than kings. Can you not feel
the blood of sovereignty circulating in your veins?
Unknown French revolutionary (1792) (quoted in Sorel 1969: 256)

Let us fling down to the kings the head of a king as gage of battle.
Danton (1793) (quoted in Coupland 1940: xxvii)

We are at war with armed opinions.
William Pitt (1799) (Pitt 1940: 244)

INTRODUCTION

The French Revolution and the subsequent wars that engulfed Europe
represent the intersection of fundamental changes in the nature of
international politics with the modern appearance of democracy as a
political force. During this quarter-century of violence and upheaval
many of the last vestiges of Christendom were swept away and some of
the final pieces were added to the modern states system. These changes
took place in unison with and in response to the popular doctrines that
first emerged from revolutionary France. With the French Revolution
a powerful articulation of ideas and principles that directly challenged
the foundations of the existing society of states emerged from one of
its greatest powers. The fundamental significance of these events for
this book is conveyed by François Furet’s observation that ‘the central
mystery of the French Revolution’ remains ‘the origin of democracy’
(Furet 1981: 204).

The French Revolution has been a constant source of fascination over
the past 200 years, and this chapter is strictly limited to exploring the
conceptual shifts in democracy and popular sovereignty within France,
and how these interacted with wider dynamics in international politics. There are two interrelated movements that are considered. First is the way democracy was employed by the revolutionaries and their opponents, and how this helped to shape its meaning. Compared with the American Revolution, significant contestation and re-evaluation of the concept did occur in France, which resulted in democracy being reactivated in political discourse. As John Dunn observes, ‘with the French Revolution, democracy as a word and an idea acquired a political momentum that it has never since wholly lost’ (Dunn 2005: 17). Second, there was a powerful theoretical and practical elaboration of popular sovereignty, a form of statehood that directly challenged the foundations on which monarchical powers and international society were then established. When considering the way popular sovereignty was understood and enacted, a fundamental point is that it is ‘impossible to talk about the Revolution’s conception of popular sovereignty in the singular’ (Hont 2005: 139; original emphasis). Rather, two versions can be found and will be considered here: a represented or mediated version, best exemplified in the praxis of Abbé Sieyès; and a direct one, most closely associated with Robespierre and the Jacobins. Throughout the chapter close attention is paid to the overlap and interaction between ‘internal’ and ‘external’ changes in France, reflecting Fred Halliday’s observation that revolutions ‘are, above all, challenges to sovereignty in both its dimensions’ (Halliday 1999: 11; original emphasis). Internally, the French revolutionaries questioned the legitimacy of the state by attacking the most basic foundations on which it rested. Externally, prevailing conceptions of sovereignty were challenged, as was the very nature of international society.

**THE ANCIEN RÉGIME IN FRANCE AND EUROPE**

Before the revolution France was the embodiment of the monarchical principle of sovereignty. The Sun King, Louis XIV, famously announced its most basic meaning: ‘L’État, c’est moi.’ Sovereignty was indivisible, located in the person of the king. All power derived from the monarch, ‘the king was the fountainhead of all public authority, all magistracy, all legislation’ (Furet 1992: 3–4). The only law that stood above that of the sovereign was divine. Louis XV powerfully restated this conception of absolute sovereignty in dressing down ‘his’ parlements:
Legislative power is mine alone, without subordination or division.... Public order in its entirety emanates from me. I am its supreme guardian. My people are one with me, and the rights and interests of the nation – which some dare to make into a body separate from the monarch – are of necessity united with my own and rest entirely in my hands. (Quoted in Furet 1992: 5)

This understanding was shared by his successor, Louis XVI. A particularly instructive demonstration of this understanding of sovereignty was his retort to a suggestion from the Parisian parlement that an act of his was illegal: ‘It is legal because I wish it’ (quoted in Furet 1992: 43).

Given the exalted standing of the French monarchy it is unsurprising that democracy was little considered before the revolution. The French word démocratie, originally taken from Latin translations of Aristotle, remained an antiquarian term signifying an obsolete form of rule that only existed in ancient times (Costopoulos and Rosanvallon 1995: 140–1). The concept carried with it the connotations identified in the previous chapter: chaos, instability and irrelevance. The philosophes were largely dismissive of democracy, if they even considered it. Despite their differences, Montesquieu and Jean-Jacques Rousseau offered similar descriptions, seeing it as a form of self-government where the people directly exercise power, holding both executive and legislative functions (Costopoulos and Rosanvallon 1995: 141–3). And Abbé Mably was hardly exceptional in regarding democracy and anarchy as synonyms (Dupuis-Déri 2002: 106). In the entry on democracy in the famed Encyclopédie, a classical interpretation could be found: ‘It is the fate of this government, admirable in principle, to become almost inescapably the prey of a few citizens’ ambition, or the ambition of foreigners, and thus to pass from a precious liberty to the heaviest servitude’ (quoted in Dupuis-Déri 2002: 106–7). This judgement reflected that the primary concern for most philosophes was the threat of despotism, to which democracy represented a greater danger than even absolute monarchy.

The position of the French monarchy was regarded as unassailable not only due to its strong domestic foundations, but also because dynastic regimes remained the international standard. The few republican states that existed were small and ineffectual, and as considered in the last chapter, the American experiment had yet to impress. Most
major powers were monarchies, but there was considerable variation between them, ranging from the absolute version found in France through to the restrained British model. Indeed, international society was more heterogeneous than a focus on the most powerful states might imply. Pre-revolutionary Europe still had many feudal elements to it, with a rather broad mixture of polities remaining (Sorel 1969: 39–40). Considerable homogeneity did exist, however, in social structures, with almost all polities being hierarchically ordered. This had two major consequences. First, as Andreas Osiander suggests, kingship ‘was simply the outgrowth’ of these common hierarchical orders (Osiander 1994: 209; Bukovansky 2002: 77–82). It was the social structure of monarchical states that was arguably most important to their continuity, something Prince Metternich would later be acutely aware of. Second, diplomacy was conducted primarily by the nobility and aristocracy. Indeed, diplomats more readily identified with each other than with the people they represented (Bukovansky 2002: 62). The result was that diplomacy in international society resembled court culture, with a strong emphasis on less tangible interests such as glory and prestige. Thus, while there was a degree of heterogeneity in the state forms found in Europe, this diversity was tempered by the high level of homogeneity in their social makeup.

There may have been a range of constitutional forms in existence, but there was little doubt about which were better than others. As Mlada Bukovansky notes, ‘implicit in the rules of the game … were ideas about the identities of the major players – their constitutions were monarchical and dynastic rather than republican’ (Bukovansky 1999: 204–5). Great powers were monarchies, with Louis XIV’s France being the prototype. In contrast, democracy was simply not considered possible or viable for modern states. In this regard, Edmund Burke’s reflections on revolutionary France’s attempts to be a ‘pure democracy’ are instructive:

I reprobate no form of government merely upon abstract principles. There may be situations in which the purely democratic form will become necessary. There may be some (very few, and very particularly circumstanced) where it would be clearly desireable. This I do not take to be the case of France, or of any other great country. Until now, we have seen no examples of considerable democracies. (Burke 1999: 94)
Burke’s observations are illustrative of a general perception that France’s status as a great power necessitated that it remain a monarchy. Recognising this context sheds light on the way the events of 1789 unfolded within France, and how they were received by the rest of Europe: the framework of monarchy continued to dominate expectations, and the idea of France becoming a republic was simply not considered as a possibility for some time.

Eighteenth-century international society was dominated by monarchies that engaged in balance-of-power politics and raison d’état thinking. The result was a system of shifting alliances, with constitutional forms not being determinative of partners. Conflict was mainly dynastic and territorial. As Martin Wight observes, ‘from the time of Louis XIV down to the French revolution the fundamentals of international society were not challenged. This is the classic age of power politics without doctrinal overtones’ (Wight 1978: 83). The prevailing wisdom of raison d’état meant that domestic revolts, revolutions, the overthrow of monarchs and even regicide were largely responded to in reference to state interests. Representative were the policies of Louis XVI: backing monarchy in Sweden and Poland, fighting for republicanism in America, intervening against democrats in Geneva (Sorel 1969: 92). This could only be considered consistent if understood in terms of raison d’état. As revolution broke out in France, it was from this perspective that Europe interpreted developments.

1789 AND THE CHALLENGE OF ABBÉ SIEYÈS

Decades of blunders, failed attempts at reform, short-sightedness, ineffectual leadership, aristocratic greed, international pressures and simple bad luck all collectively worked to bring France to a state of crisis by the 1780s. It remained an absolute monarchy, but it was more so in appearance than in substance: in reality it was heavily mixed with aristocratic rule. The end result was a hybrid beast, neither ‘absolute monarchy or aristocracy, but something born of the decadence of the two principles and still surviving on their complicity, at the expense of the people’ (Furet 1992: 32). The situation became increasingly untenable as national debt continued to mount at an alarming rate due to an inability to control the spending of the court, a problem further compounded by the costly support of the American revolutionaries. The complex causes that triggered the revolution are well beyond the scope
of this chapter. What matters, however, is that in August 1788 this potent cocktail of domestic and international failings resulted in Louis XVI calling for the Estates-General to convene.

A wealth of political tracts flooded France in the interregnum between the calling of the Estates-General and its scheduled opening on 1 May 1789. Among this deluge three particularly influential statements appeared from a previously unknown Abbé Sieyès. Of these, the most significant was the widely read *Qu’est-ce que le Tiers État?* (*What Is the Third Estate*?), published in January 1789. Like Paine’s *Common Sense* in the American Revolution, Sieyès’s intervention was a deftly weighted mix of polemic and praxis, acting both to crystallise and to catalyse emerging revolutionary sentiment. Sieyès would become central to the course of events of 1789, due both to his writings and to his leadership in the National Assembly. What one finds in Sieyès’s thought is what could then be found in France: a radical, revolutionary challenge to the *ancien régime*. Indeed, it is not a great overstatement to propose that Sieyès was ‘the man of 1789’, as ‘his theory represents the idea of the revolution itself in its first, momentous stages’ (Forsyth 1987: 3; original emphasis). What made him so pivotal – a true ideological innovator – was that he provided the means for fundamentally reconstituting the foundations of the French state on a popular basis, through furnishing ‘practicable, realizable ideas’ centred on popular sovereignty and representation (Forsyth 1987: 216–17). These innovations would ultimately reverberate well beyond the borders of France. As Murray Forsyth observes, Sieyès is ‘the most perfect representative in thought of the ideas that the Revolution transmitted to Europe … regarding the ends and organization of the state’ (Forsyth 1987: 3–4). For these reasons, it is valuable to consider his thought in more detail.

Sieyès outlined a theory of popular sovereignty that radically challenged the basis on which the French monarchy had been founded. While his ferocious assault was aimed at the nobility and clergy, the nature of his claims also unavoidably undermined the monarchy. Building on the social-contract tradition – of Thomas Hobbes especially – Sieyès identified sovereignty as residing not in the king, but in the nation. Compared with the absolute conception of sovereignty that had long prevailed in France, this was a significant reinterpretation as it left the monarch as a delegate of power, rather than its source. In placing sovereignty in the nation, this grouping was not conceived of in a cultural or ethnic fashion.¹ The nation was neither a pre-political form of
community, nor derivative of the king’s dignitas, but defined through its socio-political unity. It did not emerge from an agreement between the monarch and a number of social orders. The nation was a historical fact and political reality created by the coming together of previously atomised individuals. As such, the unity that defined the nation was deeply political: ‘a nation is made one by virtue of a common system of law and a common representation’ (Sieyès 2003: 99; original emphasis). It was this understanding that Sieyès successfully promoted in revolutionary discourse (Forsyth 1981; Hont 1994; Hont 2005). Sieyès failed, however, to provide a satisfactory explanation for the external boundaries of the nation, instead taking them simply as de facto (Hont 1994: 187). And this was where his conception of the nation was liable to merge into a pre-political, cultural understanding, as shared traits such as ethnicity are one way of clearly demarcating inside and outside.

The nation, identified as a historical and political reality, was the ultimate source of sovereignty, and thus logically prior to the form of government instituted. Sieyès expressed this very clearly: ‘The nation exists prior to everything; it is the origin of everything’ (Sieyès 2003: 136). Flowing from this, the nation is the ‘constitutive power’, which ‘is the one who makes the constitution and establishes a new political and legal order’ (Kalyvas 2005: 226). Sieyès explicitly distinguished between the ‘constitutive power’ and the new order it founds, the ‘constituted power’. This separation was central to his thought and the mediated conception of popular sovereignty it would give rise to. The constitutive power exists prior to any government, and in this sense, ‘it is the origin of all legality’ (Sieyès 2003: 137). Positive laws flow from the constitution, which is granted by the constitutive power. As such, the legal system and the government founded form the constituted power. These remain derivative of the constitutive power, the ultimate source of sovereignty.

Sieyès’s distinction between the constitutive and constituted powers provided the crucial link in the disaggregation of democracy into a form of state and a form of rule. In the latter sense, democracy is the constituted power, emerging from the exercise of the nation’s prerogative as the constitutive power, which is what popular sovereignty entails. As seen, this separation was present in the American Revolution, but Sieyès gave it greater force and conceptual clarity. Through identifying the nation as the constitutive power, the government and the state were fully secularised, as the constitution was explicitly a human
construction (Kalyvas 2005: 229). The constitutive power was the nation: a collective, unitary body from which all constituted power emanated. Sieyès explained: ‘To assume that there is a contract between a people and its government is a false and dangerous idea. A nation does not make a contract with those it mandates; it entrusts the exercise of its powers’ (Sieyès 2003: 120; original emphasis). This reformulation had potentially far-reaching consequences, as Keith Michael Baker observes: ‘The logic of Qu’est-ce que le Tiers Etat? threatened the entire standing order of international relations no less radically than it subverted the institutional order of the French monarchy’ (Baker 1989: 850). In this interpretation, the monarch was no longer sovereign, but merely a delegate of the people’s sovereignty. This represented a radically different understanding to that which prevailed in international society.

Sieyès challenged where sovereignty resided – arguing it ultimately lay with the people, not the king – but he did not question its nature as unitary and indivisible. The dictum of ‘l’État, c’est moi’ was effectively replaced with ‘l’État, c’est le peuple’. What this meant was that once a nation was formed of individuals, a general will had to emerge. ‘Power resides solely in the whole. A community has to have a common will. Without this unity of will, it would not be able to make itself a willing and acting whole,’ Sieyès explained (Sieyès 2003: 134; original emphasis). In any modern nation this will manifest itself indirectly, through representatives. Once polities became too large and numerous in population, ‘government by proxy’ had to be introduced, whereby ‘there is no longer a real common will that acts, but a representative common will’ (Sieyès 2003: 134–5; original emphasis). Whereas Rousseau denied that representation of the general will was possible, Sieyès argued that it could, and should, be represented. As well as being practically necessary, it was also a more rational system. According to Sieyès, ‘it is for the common utility that they [the people] nominate representatives more capable than themselves of knowing the general interest and of interpreting their own will in this respect’ (quoted in Forsyth 1987: 138).

The parallels with Madison are apparent: representation would enable a modern system of popular sovereignty and rule without it becoming a democracy. Notably, for Sieyès democracy still meant direct rule in a polity of limited size, and as such, the only way it was possible was by federalising France, an idea to which he was strongly opposed: ‘France is not, and cannot be a democracy; it must not become a federal state,
composed of a multitude of republics, united by some kind of political tie. France is and must be a *single whole*. Sieyès argued that modern states needed to be large and united, as this allowed for the pooling of resources to advance the arts and sciences and greater capacity for defence against others, and also protected against the perpetual wars that smaller, neighbouring states were prone to (Forsyth 1987: 140). On these grounds, democracy was seen as hopelessly inadequate.

Sieyès may have dismissed democracy as a form of rule, but his interventions were crucial in laying the conceptual groundwork for what Condorcet called, as early as 1789, ‘representative democracy’ (Urbinati 2006: ch. 6). These foundations were laid not through revising the concept of democracy itself, but by offering the most systemic and complete theory of representative government yet devised. The *dignitas* of the nation replaced that of the king, and the representative system activated and realised the ultimate power that resided in the people.

**THE ESTATES-GENERAL AND THE NATIONAL ASSEMBLY**

The revolt of the *parlements*, the airing of grievances through the *cahiers des doléances*, the explosion of new thought in political tracts, and the sense of increased participation through voting for representatives for the Estates-General, all exacerbated by poor harvests, gave an increased sense of urgency and gravity to the convening of the Estates. The gathering of France’s three orders had quickly outgrown its original purpose of finding a solution to the debt crisis, and had instead come to represent an opportunity to liberalise the French state. When the Estates-General opened in May 1789 it was immediately deadlocked by the Third Estate’s insistence that the three orders should meet together and that voting be by head, not by order. A resolution to the standoff was forced when, at the urging of Sieyès, the Third Estate reconstituted itself as the National Assembly on 17 June. After the king acceded to this bold move just ten days later, a new power was created.

Shortly after the National Assembly was constituted, the famous ‘Tennis Court Oath’ took place, where delegates vowed to continue meeting until they gave France a constitution. In so doing, the Assembly claimed for itself the constitutive powers to reform the French state, reflected in the new name adopted weeks later, the ‘National Constituent Assembly’. These developments powerfully enacted the
thinking of Sieyès, effectively moving sovereignty from the monarch to the people, as represented by the Assembly. Changes continued apace, with August 1789 being an especially busy month for the new Assembly. It commenced on 4 August with decrees abolishing feudalism, effectively demolishing the social basis of the ancien régime in France. These sweeping reforms – abolishing privileges and instituting civil equality – also established the revolutionaries as a major threat to the hierarchical social structure on which international society was then based. France abolished a composite body of social orders united and represented by a monarch, and refounded itself on the radically opposed principle of popular sovereignty. In reconstituting the state from a collection of individuals – who together formed the nation – it was necessary to consider first principles: to set out what rights, and perhaps also what duties, these individuals possessed (Furet 1992: 73). This would lead to the Declaration of Rights and Man and Citizen, which had its last article adopted by the Assembly on 26 August to complete a productive month.

The Declaration of Rights and Man and Citizen was further evidence that the revolution was pregnant with consequences for international society. Its universalist claims challenged the boundaries and the sovereign rights of Europe’s rulers. And by framing the declaration in terms of principles, it threatened an international order built on historic right and custom. This was one of Burke’s major reasons for attacking the ‘abstractions’ of the revolutionaries. He rhetorically asked: ‘Is it because liberty in the abstract may be classed amongst the blessings of mankind, that I am seriously to felicitate a madman, who has escaped from the protecting restraint and wholesome darkness of his cell, on his restoration to the enjoyment of light and liberty?’ (Burke 1999: 45). The example he used was hardly accidental, as it conjured up images of anarchy and violence then associated with popular rule. This reflects that it was not just abstract principles, but specifically popular principles that exacerbated the threat posed by the French revolutionaries. The declaration reinforced what Sieyès and the Assembly had already made clear: sovereignty no longer resided in the French monarch. Article 3 announced that ‘the source of all sovereignty resides essentially in the nation; no group, no individual may exercise authority not emanating expressly there-from’ (National Assembly of France 1789). The general will emanated from the nation, and this will defined the nature of the positive laws that existed in the French state, as Article 6
outlined: ‘Law is the expression of the general will; all citizens have the right to concur personally, or through their representatives in its formation’ (National Assembly of France 1789). A noteworthy feature is that the declaration was ambiguous as to whether the general will was formed directly or was represented. As Pierre Rosanvallon observes, ‘the sacralization of the general will does not necessarily involve popular power, in other words. The equivocation is fundamental and foundational’ (Rosanvallon 2002: 696).

FRANCE AND EUROPE: THE QUIET BEFORE THE STORM

During the opening stages of the revolution the French were understandably preoccupied with the momentous changes taking place. Reactions from other states ranged from mild concern, through indifference, to barely concealed pleasure at France’s fall. Events were viewed through the dominant raison d’état lens, which explains the ‘relative sangfroid’ that defined Europe’s collective reaction (Hobsbawm 1962: 116). The internal chaos and upheaval effectively removed France from balance-of-power calculations, which meant the major players could focus on other matters. As J. H. Clapham observes, ‘the prevailing opinion in European diplomatic circles was that to prevent France from destroying her own supremacy would be short-sighted and impolitic’ (Clapham 1899: 18). Moreover, the fate of Poland and the impact that any partitions would have on the overall balance of power was of greater concern. The revolutionary principles emerging from Paris were yet to be perceived as a serious challenge. The man in charge of Austria’s foreign policy, the Prince of Kaunitz, was most explicit about this: ‘The alleged danger of the possible effects that the bad example of the French could have on other peoples is nothing but a wild-eyed panic, a chimera contradicted by the facts’ (quoted in Walt 1996: 73). The Austrian’s judgement reflected the confidence of ancien régime Europe. Nonetheless, the popular doctrines being espoused and enacted in France were a major challenge to the foundations of international society, even if most lagged behind Burke in recognising this threat.

In comparison to the monumental changes of 1789, and the turmoil that would soon engulf France and eventually most of the continent, the intervening years of 1790–1 appear relatively quiet. Changes within France continued apace as the rest of Europe largely watched on: some
with concern, others with hope, and most with a fading degree of ambivalence. Writing early in 1790 Lord Sheffield, the British foreign secretary, observed:

At present there seems no symptom of attaining anything worthy the description of government in France. I cannot conceive it possible that a revolution, so managed as it is, can proceed smoothly. Progressive distress must produce a crisis, and probably a grand burst. (Quoted in Burley 1989: 94)

Trouble was brewing within France, as well with Europe. One of the first clear signs that the revolutionary principles would have direct and immediate consequences for international society was the Nootka Sound crisis in 1790. Facing possible war with England, Spain sought French naval support in accordance with the family compact between the Bourbon rulers. Even though the king retained prerogative over matters of war and peace, his foreign minister had to call on the National Assembly for funds to ready the fourteen ships that Louis had promised. The Assembly refused to allow the king to send the ships. In rejecting France’s obligations under the family compact, the revolutionaries were indicating they would not be bound by existing international law, as they did not accept the legitimacy of pacts made by monarchs, and not by peoples. This position was reinforced by the Assembly’s handing of the situation in Alsace, where the abolition of feudal privileges threatened the rights of a number of German princes, whose claims dated back to the treaties of Westphalia. In refuting their claims, the National Assembly decreed that ‘treaties made without the consent of the people of Alsace could not bestow legality on rights to which they had not given their consent…. In short, it is not the treaties of princes which regulate the rights of nations’ (quoted in Blanning 1986: 74–5). The revolutionary French were now defiantly asserting a new principle of legitimacy – one based on popular sovereignty – that openly challenged an international order built on monarchy and hereditary right.

A further consequence of the Nootka Sound debate was the Assembly issuing the ‘Declaration of Peace to the World’. It pledged that ‘the French nation renounces the undertaking of any war with a view to making conquests, and it will never use its forces against the liberty of any people’ (National Assembly of France 1951: 285). This declaration reflected a fundamentally different Weltanschauung to
that which prevailed among European sovereigns and diplomats. The revolutionaries believed that peace would result when sovereignty was placed in the hands of the nation, as warfare was the practice of kings, not of peoples. A deputy from Poitou expressed this position with great clarity:

All unjust aggression is contrary to natural law; a nation has no more right to attack another nation than an individual has to attack another individual. A nation cannot therefore give a king the right to aggression that it does not have itself; the principle should above all be sacred for free nations. Were all nations free as we wish to be, there would be no more war. (Quoted in Keitner 2007: 101)

The problem was that not all nations were free by French standards, which left open the possibility that France might need to ‘assist’ other nations to be free. ‘The belligerent implications’, as Chimène Keitner observes, ‘were not immediately recognized by its proponents’ (Keitner 2007: 101).

The repudiation of the family pact with Spain, combined with the handling of the situations in Alsace and Avignon, were the first direct indications that change within France might be incompatible with international society as then constituted. Nonetheless, states continued to view the words and actions of the revolutionaries through the lens of raison d’état, which prevented a recognition of the genuineness of French universalism and the full ramifications of the doctrine of popular sovereignty they espoused. The revolution would become a more pressing concern when King Louis and Marie-Antoinette attempted to flee France.

THE FLIGHT TO VARENNES

The place of the French king in the new order being constructed was an ongoing thorn in the side of the revolutionaries. The National Constituent Assembly’s awkward attempt to turn the previously absolute monarch into a representative of the nation reflected a continuing inability to conceive of France without a monarch. Despite advocating a theory of popular sovereignty that fundamentally undermined the position of the king, Sieyès sought in vain to reconcile it with a form of
elective monarchy, something Thomas Paine strongly critiqued him for (Sieyès 2003: 166–73). Like most of his fellow revolutionaries, Sieyès was not yet willing to dispense with the hapless king. Louis himself did not help matters, charting the worst possible middle course: monarchical sensibilities left him incapable of reconciling himself with the revolutionaries’ programme, yet the weakness of his person prevented him from taking the steps necessary to restore the Bourbon throne. His farcical attempt to flee the country reflected this perfectly. Having complained secretly in letters to the Spanish king since October 1789, Louis finally decided to make a stand, hoping that from outside France he would be able to crystallise opposition against the revolution. When escaping Louis did so in a large coach suitably fitted for a king, making no real attempt to conceal his identity, or even to proceed in haste. The party made it as far as Varennes, near the border with the Austrian Netherlands, before being stopped and forced to return to Paris in humiliation, where the king and his family were again placed under heavy guard at the Tuileries.

The doubts many held about the real views and intentions of Louis, Marie-Antoinette and their associates had been confirmed. Following Varennes the king’s standing was irretrievably damaged, and claims that he was a representative of the nation were no longer tenable. In seeking refuge beyond its borders and with his fellow monarchs, Louis separated himself from the French nation. With his poorly executed attempt to flee Louis destroyed the strained attempts of moderates to construct a constitutional monarchy, and instead created the possibility of a France without a king. Shortly after Varennes the British envoy, Earl Gower, observed: ‘If this country ceases to be a monarchy it will be entirely the fault of Louis XVI’ (quoted in Black 1999: 519). Immediately on hearing the news of the attempted escape, Paine nailed a placard to the door of the National Constituent Assembly that denounced the king in typically strong fashion: ‘Whether fool or hypocrite, idiot or traitor, he has proved himself equally unworthy of the important functions that had been delegated to him’ (J. S. Hall 1951: 215). Even at this stage, though, Paine’s calls for a republic remained premature, and the Assembly instead suspended the king. The massacre at the Champs de Mars, involving the suppression of crowds rioting over this tepid response, indicated that growing republican sentiment among the Parisian crowd did not yet extend to the Assembly, which remained unable to abandon the monarch entirely.
The repercussions of Louis’s bungled escape were felt well beyond French borders. The plight of the hapless king garnered more attention from other sovereigns, who were starting to comprehend that the revolutionary changes were far greater in scope and significance than they had previously realised. Notably, Leopold II, the new emperor of Austria, kept a close watch on developments, as his sister – Marie-Antoinette – was married to Louis. Shortly after their capture at Varennes Leopold issued the ‘Padua Circular’, which built on discussions between Austria, Spain and Prussia, and indicated concern over the fate of the French king. A month later, Leopold and Frederick William II of Prussia subsequently issued the ‘Declaration of Pillnitz’. It announced that ‘they regard the present position of His Majesty the King of France as a matter of common concern to all sovereigns in Europe’, and that concerted action was needed to restore Louis (J. S. Hall 1951: 223). Included in the declaration was the proviso that international cooperation was an essential condition, which made action highly unlikely due to the unwillingness of the British to get involved (Blanning 1986: 87). Despite this careful phrasing, the actions of Austria and Prussia betrayed an inability to comprehend the revolutionary mindset, specifically how the declaration clashed with the emerging doctrine of popular sovereignty and its corollary of non-intervention. Likewise, the French Assembly was unwilling to acknowledge that the highly conditional nature of the document meant the strong words of Leopold and Frederick William held little real consequence. The result, as James Der Derian carefully explains, was that ‘France’s sense of isolation and estrangement had grown proportionally with the perception of a strengthened monarchical solidarity. This reciprocal estrangement had spread throughout Europe’ (Der Derian 1987: 174).

After more than two years of work the new constitution was completed in September 1791. Louis was reinstated after accepting it, decreeing prematurely that ‘the revolution is over’ (J. S. Hall 1951: 263). Reiterating the Declaration of the Rights of Man and Citizen, it definitively asserted the sovereignty of the people: ‘Sovereignty is one, indivisible, inalienable, and imprescriptible. It appertains to the nation’ (J. S. Hall 1951: 234). Sovereignty was seen as residing in the nation and being mediated through a system of representation, as Siéyès had envisaged. The constitution announced that ‘the nation, from which alone all powers emanate, may exercise such powers only by delegation. The French constitution is representative’ (J. S. Hall 1951:
Combining popular sovereignty with a system of representation distinguished the French constitution from the directness of Athenian democracy. As in the American case, this formulation fulfilled both revolutionary and conservative functions. In terms of the former, it confirmed that the king was no longer sovereign, but a delegate of the French nation, which now held absolute sovereignty. At the same stage, the form of representation instituted prevented this system from being overly democratic, as it tempered the direct influence of the people. In effect, representation played an intermediary role through offering the possibility of enacting popular sovereignty without it leading to direct popular rule.

There were two immediate consequences from the 1791 constitution worth highlighting. First, Louis’s public acceptance of the constitution made it difficult for Austria to justify intervening. As Emperor Leopold complained, it was impossible to ‘reply that they did not believe what he [Louis] said’ (quoted in Clapham 1899: 94–5). Returning to the theoretical discussion in Chapter 2, this is an example of the way language can shape the range of actions possible, enabling some and limiting others. Second, the newly formed Legislative Assembly was composed of the revolution’s ‘second generation’. The self-denying ordinance successfully championed by Robespierre prevented the re-election of deputies that had previously sat in the Constituent Assembly, which meant a fresh set of actors were brought to the centre of the revolutionary stage. The change in cast was an important facilitating factor in the radicalisation of politics that soon began to occur. The new Assembly would commence its work in a period of increasing instability and tension.

**THE DAWNING OF WAR AND THE SECOND REVOLUTION**

War between revolutionary France and Europe appeared increasingly likely as 1792 commenced. From Paris, America’s representative, Gouverneur Morris, observed: ‘All Europe just now is like a mine ready to explode’ (quoted in Burley 1989: 101). Within France the push for war had begun, driven by factional politics and jockeying for control of the revolution. A rather odd *de facto* alliance in favour of war soon emerged between the left and right. For the king and his supporters, it represented perhaps the last chance to restore the Bourbon throne to its former position. Meanwhile, the war party of the left was convinced
of the need to directly confront the revolution’s external enemies. Its leader, Jacques Pierre Brissot, thundered: ‘The time has come for a new crusade, a crusade of universal freedom’ (quoted in Lefebvre 2001: 211). This call to arms was driven by, and helped to further, an emergent ‘universalistic nationalism’. On the one hand, Austria and Prussia’s growing concerns with France’s revolution directly clashed with the emergent doctrine of popular sovereignty, which entailed the nation’s right to determine its own constitution. On the other hand, the Brissotins believed the French version of liberty was readily exportable, and the corrupt rulers of Europe would be quickly overthrown once local populations were exposed to the tenets of the revolution. In demanding that the band of émigrés on France’s borders be dispersed, the Legislative Assembly warned that ‘we will bring to them, not the sword and the torch, but liberty. It is up to them to calculate what the consequences of the awakening of nations might be’ (quoted in Keitner 2007: 108). One of the few unconvinced by the seductive logic for war was Maximilien Robespierre, who feared it would threaten the revolution at home without succeeding in spreading its doctrines abroad. ‘No one likes armed missionaries,’ he famously surmised. He argued that the focus should remain on finishing the more immediate task at hand: ‘Before losing yourselves in the politics and the states of the princes of Europe, start by turning your gaze to your internal position; restore order at home before carrying liberty abroad’ (Robespierre 2007: 31). Robespierre’s words of caution would fall on deaf ears, with those in favour of war prevailing.

After months of escalating rhetoric and growing tensions, war was declared by the French on 20 April 1792. The declaration was not addressed to the Holy Roman Empire or even Austria, but to one man: ‘The National Assembly declares war on the King of Hungary and Bohemia’ (J. S. Hall 1951: 288). The French were explicit that it was ‘not a war of nation against nation, but the just defence of a free people against the unjust aggression of a king’ (J. S. Hall 1951: 287). Here the logic of the revolution’s changes was directly extended to foreign policy. The Assembly distinguished between the Austrian nation, against which they held no grudge, and the Austrian emperor, whom they regarded as a usurper of the Austrian nation’s sovereignty and a threat to France. While this semantic separation between king and nation was rarely followed in practice, it ‘did not impair the potency and resonance of . . . [this] new legitimating standard’, or the innovative
nature of this distinction (Keitner 2007: 108). The consequences of the French adoption of the doctrine of popular sovereignty now migrated to the international sphere, standing in direct opposition to monarchical forms that had long prevailed in international society.

The rhythm of war would now come to dictate the tempo of the revolution, and it soon moved far beyond the relatively moderate goals the first generation had sought to entrench in the 1791 constitution. Republicanism would grow apace with France’s failing war effort. Economic hardships and a bad start to the war were blamed on the holder of the executive power, the duplicitous king, who looked even more suspect after vetoing an Assembly decree against refractory priests and then sacking ministers from the Girondin faction. On 20 June 1792 the Parisian crowd attempted to assert its sovereignty, marching on the Tuileries and unsuccessfully seeking the reinstatement of the Girondins. The degree to which the doctrine of popular sovereignty had been imbibed was evidenced in the words that accompanied the very physical presence of the crowd: ‘The people is here; it silently awaits a response worthy of its sovereignty’ (J. S. Hall 1951: 302). The following month, on 23 July, volunteer troops known as the Fédérés petitioned the Assembly to suspend the king, berating their representatives in similar terms: ‘Some weeks have passed since you declared that the Patrie was in danger, and you show us no means of saving it… We tell you that the source of our ills lies in the abuse which the head of the executive power had made of his authority’ (J. S. Hall 1951: 305).

Notable here is the wording that clearly separated the Assembly – ‘you’ – from the people – ‘us’. The growing republican mood of the Parisian crowd outstripped that of the Assembly, which placed further strain on the representative system the first generation of revolutionaries had established. Emblematic of this breakdown in representation was the commune of Marseilles assailing the Assembly for its support of the king:

How, then, could our constituents, your predecessors, establish upon such bases [the Declaration of the Rights of Man and Citizen] that monstrous pretension of a particular family to which the crown would be delegated hereditarily, by order of primogeniture? … What infamy! The nation cannot subscribe to it. It once made vain claims; today it wants them to be effective. Since it is the sole sovereign, it has the incontestable right to approve or
reject the laws with which its representatives impose on it. (J. S. Hall 1951: 303)

Contradictions stemming from the attempt to mediate popular sovereignty through a system of representation were now coming to the fore.

A deciding factor in France finally dispensing with its monarchy was the Brunswick Manifesto, a document that reflected the inability of old-regime Europe to comprehend the revolutionary mindset. On the urging of Louis, Marie-Antoinette and the ever-persistent émigrés, the Duke of Brunswick issued a heavy-handed warning:

> If the least violence, the least outrage be done to Their Majesties, the King, the Queen, and the Royal Family, if their security, preservation, and liberty be not provided for immediately, they will exact an exemplary and ever-memorable revenge thereon by delivering the city of Paris to military punishment and total destruction . . . (J. S. Hall 1951: 310)

Instead of shoring up the precarious position of the embattled king, these threats enflamed public opinion in Paris, taken as further proof that Louis was in league with hostile foreign powers. The manifesto was read to the Assembly on 1 August and published two days later. Forty-seven sections in Paris subsequently called for the removal of the king, and the section of Faubourg Saint-Antoine gave the Assembly until 9 August to accept their petitions. The representatives of the French nation would still not move against Louis, and so on 10 August the Parisian crowd did, storming the Tuileries. The constitutive power came to life, determining that France would be a republic. With these actions it was not just the king that fell; the ‘representative-ness’ of the Assembly was also destroyed through the direct action of the Parisian crowd. These dramatic events led to the emergence of a revolutionary commune that shared power with the Assembly, which was suspended along with the monarch as a new National Convention was convened to respond to the dramatic changes of 10 August 1792.

The Convention opened on 21 September 1792 and its first piece of business was abolishing royalty. What the Parisian crowd had already decided was confirmed by its representatives: France would be a republic. One of Europe’s greatest monarchies was replaced with
the antiquarian form of a republic, something thought impossible for a powerful country like France. For three years the revolutionaries had tried to construct a constitutional monarchy from the ill-matched parts of popular sovereignty and a king schooled in absolutism. Pushed by the Parisian crowd, France finally took the last step on a path that had been laid out in the opening stages of the revolution: this was where the logic of Sieyès had long pointed. This left the newly founded republic with the awkward question of what to do with their former king. In debating whether he could be brought to trial, Louis Antoine de Saint-Just argued that Louis ‘had no part in the contract which united the French people’. As he was outside the nation, no legal or moral obligation was owed to him. The deposed king was not a citizen but an ‘enemy’, which meant that ‘we must not so much judge him as combat him’ (Walzer 1974: 121). Supporting his ally, Robespierre argued that Louis could not be tried, as it left open the possibility of his innocence, which would thereby indict the revolution that overthrew him. Such reasoning was based on might, as it was the brute power of the people that determined Louis’s fate. Robespierre’s thinking was suggestive of the form of popular sovereignty that would emerge during 1793–4, where the will of the people was necessarily right. Louis was brought to trial, but it was hard to avoid Robespierre’s logic. While the Assembly was near unanimous in voting that Louis was guilty, the subsequent decision to put him to death passed only by a small minority. On 21 January 1793, Louis went to the guillotine. Saint-Just’s words rang true: ‘This man must reign or die’ (Walzer 1974: 123).

CONSEQUENCES OF FRANCE BECOMING A REPUBLIC

With the regicide there was no turning back, a new era was born. France’s dramatic transition to a republic had significant consequences. First and foremost, France was stepping into the unknown. It had yet to be seen whether it was possible for a large country to exist successfully as a republic, and history did not offer a favourable prognosis. This relates to a second observation, which is that republicanism entailed more than simply being free of a monarch. As Norman Hampson explains, ‘the actual proclamation of a republic, in September 1792, meant much more than a deposition of a king. For men like Robespierre, it implied a qualitative change, government, not merely of the people, but of vertu’ (Hampson 1988: 132). The consequences of this shift were to play out
The rise of democracy over the next two years during the Jacobin ascendancy. Soon only those that possessed virtue – the defining characteristic of republicans – were considered part of the French nation. The third consequence was that popular sovereignty, already important to revolutionary discourse, now became absolutely central. Having dispensed with the monarchy, the people were left as the sole source for the legitimation of power. This also led to a significant rise in the consideration of democracy as a constitutional form.

The regicide completed France’s transition to being based solely on popular sovereignty. Since the people were not defined through exercising sovereignty directly as in ancient republics, nor through being part of a ‘community of subjects’ as in a monarchy, the question arose of how the French nation was constituted. Popular sovereignty necessitated the existence of a separate people, which then formed the constituted power, yet the doctrine was unable to provide an explanation for who is included and excluded in this pre-existing collective of people (Näström 2007; F. Whelan 1983). The revolutionaries understood the nation as a political category, defined through its unity in a common government and participation in society. As the constitutive power, however, the people cannot be defined by their participation in political life: they are necessarily prior to it, as they first constitute the political realm. It is at this point that the revolutionary conception of the nation as a political body began to transmogrify into an understanding of the nation as a pre-political community, identified more in ethnic, cultural and/or temporal terms (Yack 2001: 525). As Eugene Kamenka explains,

modern political nationalism arises in the course of stabilising or making possible the transition from autocratic to democratic or at least popular government. It is a recasting and re-formation of communities and of political boundaries in circumstances where the old basis of the polity has been radically undermined. (Kamenka 1976: 15)

This need to identify how the constitutive power was originally formed forged the bond between popular sovereignty and nationalism that emerged during the French Revolution. A pre-political, cultural conception of the nation would define the people that the doctrine of popular sovereignty could not itself account for.
Through the need to define the people who hold and exercise sovereignty, which led to the pre-political community as an answer, the foundations were laid for the modern nation-state. A link was forged between the state, understood as a juridical and political territorial unit, and the nation, as a cultural entity. As Bernard Yack notes, ‘popular sovereignty doctrines teach us to think of states as masters of territory and peoples as masters of states’ (Yack 2001: 527). This discussion suggests that in considering the appearance of nationalism as a powerful force in international politics in the nineteenth and twentieth centuries, it must be placed within the context of the emergence of popular sovereignty. ‘The nationalization or culturalization of political community is’, Yack suggests, ‘an unintended consequence of the widespread acceptance of the doctrine of popular sovereignty’ (Yack 2001: 524). The French Revolution is regularly taken as the catalyst in the creation of modern nationalism. The reading here supports a modified version of this argument. The French themselves largely understood the nation in political terms, most evidently in their broad conception of citizenship. They did not directly advocate a cultural understanding of the nation, but the doctrine of popular sovereignty they instituted ultimately relied on such a notion.

The regicide also had clear international ramifications. Most states had withdrawn their ambassadors after 10 August and France’s break with Europe was completed when Louis was sent to the guillotine. The conflict would now be about not only conflicting interests, but opposed values and principles. Popular sovereignty was no longer an abstract cause for concern for other rulers; the revolutionaries were deadly serious when they proclaimed: ‘You shall have no more kings!’ (quoted in Ozouf 1989: 219). Shortly after the regicide Great Britain and Spain joined the war against France. That Britain moved against the revolutionaries was significant, given its previous policy of strict neutrality. As late as November 1792, foreign minister Lord Grenville congratulated the British cabinet for having ‘the wit to keep ourselves out of this glorious enterprise…. We are not tempted by the hope of sharing the spoils in the division of France, nor by the prospect of crushing all democratic principles all over the world’ (quoted in Walt 1996: 82). The change in policy was partly driven by France’s provocative behaviour in the Low Countries, which the British regarded not only as a direct threat to its material interests, but also as demonstrating flagrant disregard for international law. Writing to Lord Auckland at the time, the British
foreign minister explained why the situation was now sufficiently grave to warrant action:

It is these views [of aggression and aggrandisement] rendered indefinitely more dangerous by the principles of Anarchy with which they are connected, both in their means, and in their ultimate object, that His Majesty is to oppose a vigorous and effectual resistance. (Quoted in MacLeod 1999: 37)

Sending Louis to the guillotine was a potent sign that the time for compromise was over. Beyond France’s borders it soon led to a broadening and deepening of the revolutionary wars. At home civil unrest and external conflict pushed the revolution to its extremes. The pressures of war manifested themselves in a vicious circle of threatening principles and actions: the conflict exacerbated tensions in the revolution, resulting in increasingly radical behaviour by the French, which in turn made France appear even more threatening to the rest of Europe, thus further strengthening the counter-revolutionary cause, thereby enhancing the perceived danger facing France, again leading to further radicalisation, and the cycle repeating. The course of the revolution until Thermidor and the fall of the Jacobins largely followed this pattern. It was also during this period that a second version of popular sovereignty came to the fore: one much more direct, finding inspiration not in the moderns, but in the ancients.

CONCEPTUAL SHIFTS IN DEMOCRACY

Following the establishment of the French republic there was a noticeable surge in the use and consideration of democracy. It was at this time that it began to appear as a pivotal concept in political discourse, in so far as it was becoming a term of contestation and contention, used to define one’s position and that of others. At the Jacobin club Camille Desmoulins did nothing but confirm Europe’s fears in proclaiming that ‘the English people must be exterminated from Europe, unless they democratise themselves!’ (quoted in Palmer 1964: 214). And when Prussia invaded Poland in January 1793, in a widely published circular the Prussian king claimed that he had done so in order to combat ‘the spirit of French democraticism’ (quoted in Palmer 1964: 94). This ‘spirit’ manifested itself most explicitly in the behaviour and words of
the *enragés* and the *sans-culottes*, for whom the term’s classical connotations of directness and equality made it of value. As the economic crisis worsened in France, Jean-Paul Rabaut feared that ‘democratic government will not last long alongside a huge inequality in fortunes’, and that aristocracy would soon rise from the ruins of France’s nascent democratic republic (quoted in Dupuis-Déri 2002: 194). In seeking more radical changes the *sans-culottes* consciously strove to emphasise the classical elements of equality and levelling, but identified these as positive, in contrast to most thinkers at the time.

When considering how democracy was used during the revolution a particularly important intervention came from Thomas Paine, acting again as an ideological innovator in his highly influential *Rights of Man*. Taking ‘democracy as the ground’, Paine argued that the system of representation remedied ‘the defects of simple democracy as to form, and the incapacity of the other two [monarchy and aristocracy] with respect to knowledge’ (Paine 1988: 281). Mirroring Madison and Sieyès, Paine argued that the representative system was a more practicable and desirable method for enabling popular sovereignty. He went further by actively identifying democracy as something positive, undesirable only for practical reasons that left it unworkable for the modern territorial state. With the representative system it was possible to improve on ‘simple democracy’, while remaining true to its original spirit. Paine explained that, ‘by ingrafting representation upon democracy, we arrive at a system of government capable of embracing and confederating all the various interests and every extent of territory and population’ (Paine 1988: 281). A remarkably similar formulation appeared in a speech given to the National Convention in 1794 by one of Paine’s arch-enemies, Robespierre. This is referred to by R. R. Palmer as nothing less than ‘the *locus classicus*’ for the concept of democracy during the revolution (Palmer 1959: 16). Speaking on behalf of the ruling Committee of Public Safety, Robespierre outlined the ultimate aims of the revolution. He proclaimed that ‘only democratic or republican government’ was capable of achieving the revolution’s goals, and made it clear that ‘these two words are synonymous, despite the abuses of vulgar language’ (Robespierre 2007: 108–25). This was a powerful rhetorical move, attaching the once-disreputable ‘democracy’ to the laudatory ‘republic’. Robespierre also went further than Paine by identifying democracy as a representative system of rule: ‘Democracy is a state in which the sovereign people, guided by laws which are its own
work, does for itself all that it can do properly, and through delegates all that it cannot do for itself’ (Robespierre 2007: 111). Found in these opposing figures of Paine and Robespierre is a significant combination of two thoughts that are commonplace now, but were very innovative at the time: one was that democracy was something desirable; the other was that democracy was based on a system of representation (C. Hobson 2008b).

By now most of Europe tended to agree with Robespierre’s description of France as a democracy, yet few would have supported his hope that the French would become ‘the model for all nations’ (Robespierre 2007: 110). As the strength of the revolutionary armies became evident, the coalition was expressly concerned with stopping France from imposing the doctrine of popular sovereignty elsewhere. Lord Auckland explained that ‘war was not made to prevent France from giving herself the constitution that she might prefer; but to prevent her from giving to Great Britain, and to her allies, all the wretchedness and horrors of a wild democracy’ (quoted in MacLeod 1999: 44). This depiction of France as a ‘wild democracy’ threatening Europe with canon and doctrine was one that became entrenched during the ascendance of the Jacobins. As Palmer notes, ‘for the adherents of monarchy and aristocracy, the Reign of Terror had in fact been a piece of remarkable good fortune. It “proved” what they wanted to know’ (Palmer 1964: 131). Ideational apologists of the ancien régime, such as Burke and de Maistre, interpreted the violence and chaos of the revolution as the logical outcome of trying to institute democracy in a large, modern state like France. Framing events in relation to the classical interpretation of democracy, Burke had warned that ‘if I recollect rightly, Aristotle observes, that a democracy has many striking points of resemblance with a tyranny’ (Burke 1999: 94). Countering the revolutionaries’ claim that monarchy was despotic, he argued that in a democracy oppression ‘will be carried on with much greater fury, than can almost even be apprehended from the dominion of a single sceptre’ (Burke 1999: 94). This fear was echoed by Joseph de Maistre: ‘Of all monarchs, the harshest, most despotic, and most intolerable, is the monarch people’ (Maistre 1996: 163). For these apologists, revolutionary excesses were taken as further evidence that democracy was something that should be left to the history books.
THE TERROR AND THE BREAKDOWN OF REPRESENTATION

Robespierre headed the Committee of Public Safety, which oversaw the ‘Reign of Terror’, a period that lasted from September 1793 until the fall of its leader and his allies in July 1794. During this period tens of thousands were put to death at the guillotine and in summary executions across the country. Central to the origins and nature of the Terror were fundamental tensions in the mediated form of popular sovereignty that had been instituted during the initial stages of the revolution. The order constructed by the first generation of revolutionaries stood on the threshold between the worlds of democracies ancient and modern. The appropriation of absolute sovereignty by the people, and the unity that the general will required, gravitated towards the direct exercise of sovereignty. Yet the practical realities of France – vast in territory and population and needing to stay so to be a great power – suggested a representative system, as Sieyès and others had successfully argued. Disaggregating popular sovereignty from popular rule was not necessarily so straightforward, however. Maistre pinpointed the tension that arose:

The people is sovereign, they say; and over whom? Over itself apparently. The people is therefore subject. There is surely something equivocal here, if not an error, for the people that commands is not the people that obeys…. The people, they will say, exercises its sovereignty by means of its representatives. We begin to understand. The people is a sovereign that cannot exercise sovereignty. (Maistre 1996: 45; original emphasis)

Beyond practical reasons that suggested representation was necessary, for more moderate revolutionaries it was also meant to restrict the part played by the people. Sieyès and his peers saw representation as a more rational system as it placed an elite ruling class in power. Through representation, as Nadia Urbinati explains, there were “two peoples” – “the producers” and “the auxiliaries”: a class of citizens who make the laws for all and a class of citizens who obey them’ (Urbinati 2006: 143). As the revolution progressed the continuous stress on the unity of the general will resulted in a breakdown in the separation between these two peoples.

What emerged during the Terror was, in essence, a contest between
The Rise of Democracy

direct and representative forms of democracy. Who represented the French nation: the Parisian crowd or the National Convention? The problem Rousseau had stressed – the inability to represent the general will – would now play itself out in the politics of France. How could the general will be represented with certainty? How could one be sure that what was re-presented by the National Convention as the general will was indeed consonant with the ‘real’ general will? The answer, of course, was that it was impossible to do so, which created the problem of one representation being subverted or replaced by another that appeared to correspond more closely to the perceived general will. Keith Michael Baker explains that ‘sovereignty represented could always be challenged in the name of sovereignty embodied in the people; claims to express the general will could always be indicted as particular’ (Baker 2001: 46). Each decision of the Convention was left open to challenge on the grounds that it failed to correspond to the ‘real’ will of the people. From Varennes onwards, this is what happened as the Parisian crowd increasingly questioned the right of their representatives to speak for the nation, instead actively seeking to assert their sovereignty, with the storming of the Tuileries being a particularly striking example of this shift. As R. R. Palmer observes, ‘when they said the people were sovereign, they mean it literally, and they meant themselves’ (Palmer 1964: 103). Pierre-Victor Malouet was among the first to identify the risks inherent in this synthesis of absolute popular sovereignty and representation:

You wanted … to bring people and sovereignty closer together, and you continually offer them the temptation of sovereignty, without immediately entrusting them with its exercise … By saying that sovereignty belongs to the people, but only delegating some powers, the enunciation of the principle is false as well as dangerous. (Quoted in Dupuis-Deri 2002: 128)

The chaos and violence of 1793–4 flowed, in part, from these contradictions that underlay the representative system that Sieyès and his fellow revolutionaries had established.

The centrality of the general will to the absolute version of popular sovereignty that was adopted created a greater need for a symbolic correspondence between the people and their representatives. Both the people and those that stood for them had to be virtuous. Blurring
the difference between republicanism and democracy, Robespierre was clear that the ‘fundamental principle of democratic or popular government’ was ‘virtue’ (Robespierre 2007: 111, 113). In this rendering, if either the French people or their representatives failed the test of virtue, the republic was unlikely to survive. This demand for a virtuous nation interacted with the breakdown of representation to drive the Terror. The need to assure, in Robespierre’s words, the ‘great purity of the foundations of the French revolution’ led to an exclusive understanding of the people, which manifested itself in a pernicious need to identify and ‘stifle the internal and external enemies of the Republic’ (Robespierre 2007: 114–15). Membership of the French nation continued to shrink to include only the virtuous, with all others identified as a threat. As the pressures of war combined with this republican demand for virtue, the heady universalism of the revolution’s early days was replaced by a Manichaean worldview that separated the French nation from its enemies. This mindset was evident in both the overriding emphasis placed on the unity of the nation and the ruthlessness towards those seen as threats. No mercy was shown to the ‘impure race … of rogues, of foreigners, of hypocritical counter-revolutionaries’ (Robespierre 1794). The guillotine worked overtime in Paris, while representatives on mission crushed royalist revolts in Lyons and the Vendée. Similar treatment was accorded to France’s external enemies. On 10 June 1794 it was declared that ‘no British or Hanoverian prisoners will be taken’. While this policy was actually applied only in a number of situations, it was a clear example that the conflict had ‘turned into something which went far beyond the normal aggressions of international politics’ (Cobban 1960: 188). Death to enemies, and life for the revolution: compromise was no longer an option.

Reflecting on the Terror, Abbé Sieyès would later observe that ‘people seem to think, with a kind of patriotic pride, that if the sovereignty of great kings was so powerful and so terrible, then the sovereignty of a great people had to be something greater still’ (quoted in Forsyth 1987: 146). Describing the heady cocktail of ancient republicanism and modern absolutism that emerged during the ascent of the Jacobins, Sieyès termed this direct version of popular sovereignty a ‘ré-totale’. A ré-totale was popular sovereignty unmediated, emphasising the unity of the people. Sieyès contrasted this with what he and Paine understood as a ‘ré-publique’, a mediated form of sovereignty. Whereas this representative form did not rely on a strict unity of the people, a ré-totale did:
the government had to ‘push down’ on itself, in Robespierre’s telling words (2007: 114), so as to eliminate or minimise the gap between the people and their representatives. The corollary to this emphasis on homogeneity, as Carl Schmitt (perhaps unsurprisingly) notes, is a need to identify and exclude those not part of the nation. The identity between ruler and ruled is constructed through its boundaries, with democracy resting ‘on the quality of belonging to a particular people’ (Schmitt 2008: 258; original emphasis; see also Schmitt 1985: 8–9). Through the revolutionaries’ discovery, defence and promotion of this vision of popular sovereignty, an international environment of separate states was not challenged or overthrown, as the Jacobins originally hoped, but actually reinforced (Bukovansky 1999; Hont 1994).

ABSOLUTE SOVEREIGNTY AND ABSOLUTE WAR

The emergence of the ré-totale of the Jacobins – a potent mixture of ancient republicanism, emergent nationalism, ruthless reason of state and exclusionary universalism – confirmed that compromise between France and international society was not an option. The principles of the revolution, which directly challenged the monarchies of Europe, had become so closely intertwined with the French state that the conflict had become one of non-negotiable identities. The increasingly radical nature of the revolution was even more troubling due to the surprising resilience and success of the French armies. After withstanding the initial push by the Austrians and Prussians, the activation of popular sovereignty in the form of the levée en masse had turned the French into a far more formidable fighting force than its opponents could have ever imagined. It was representative of revolutionary France being both behaviourally and ontologically threatening to international society.5

That the Jacobins pursued primarily defensive strategies while in power was to some extent inconsequential, as it was what they were, rather than what they did, which made them so threatening. The Jacobins embodied the most radical, unmediated form of popular sovereignty that modern Europe had seen, one which posed a direct, sustained challenge to an international society founded on monarchic right and custom. In a speech entitled ‘The Jacobin Government of France’, British prime minister William Pitt stated ‘unequivocally’ that ‘the moment will never come, when I shall not think of any alternative
preferable to that of making peace with France, upon the system of its present rulers’ (Pitt 1940: 108). Prince Metternich drew a similar conclusion: ‘Peace does not exist with a revolutionary system’ (Metternich 1880: 205). What made peace impossible was precisely the dual challenge revolutionary France posed, attacking international society with both doctrine and cannon.

The rule of Robespierre and the Jacobins came to an end with the Thermidorian Reaction of 27 July 1794. This marked the conclusion of the Terror, and with it the revolutionaries completed what François Furet calls their ‘exploration’ of ‘the paradox of democracy’, namely, the relationship between sovereignty and the people (Furet 1981: 77). From 1795 the French republic went on the march, destroying much of Europe and in the process shattering preconceptions about what republics were capable of. As important as the subsequent revolutionary and Napoleonic wars were, they were much less consequential in terms of the development of popular sovereignty and democracy. The major exception to this generalisation was the development and promulgation of the Napoleonic Code, as well as the creation of a modern administrative state apparatus to enforce it. As Francis Fukuyama notes, ‘even in the absence of democracy, these constituted major advances that made government less arbitrary, more transparent, and more uniform in its treatment of citizens’ (Fukuyama 2014b: 15–18). Another lasting consequence of the revolutionary and Napoleonic wars was the simplification of the international landscape with many of the remaining vestiges of Christendom being swept away. While the revolution and the ensuing wars irrevocably destroyed the ancien régime based on custom and precedent, the anarchical society composed of separate, sovereign states was actually reinforced. Reflecting on the revolutionaries’ failed attempts, Linda and Marsha Frey observe that ‘the French, who had envisaged the possibility of a law common to all mankind, had permanently and ironically destroyed that conception’ (Frey and Frey 1993: 741; see also Hont 1994: 217–31). The revolutionary wars shaped the fortunes not only of democracy, but also of international society.

CONCLUSION

The French Revolution represents the most significant turning point in the development of modern democracy and international relations. Certainly many important elements of popular sovereignty, democracy
The consequences of France’s rediscovery of democracy were felt across the whole of international society. France’s fleeting, yet powerful, existence as a ‘military democracy’, in the words of a prominent British politician at the time (quoted in MacLeod 1999: 39), reflected that the appearance of democracy was an international question, right from the outset.

The revolutionaries fundamentally challenged, and in time helped to change, the prevailing conception of statehood through proclaiming and then enacting popular sovereignty. In so doing, the revolution produced two versions of popular sovereignty, understood here in terms of Sieyès’s distinction between ré-publique and ré-totale. The former was an indirect form of sovereignty, where the people were sovereign but their role in government was limited, mediated through representatives. This representative system was what the first generation of revolutionaries led by Sieyès had attempted to institute. Representation enabled the consent and participation of the people in the exercise of power, but it also acted as a filter by limiting and constraining the direct role they could play. Yet this compromise of locating ultimate power in the people without actually entrusting them with its full exercise broke down, as the people – manifested in the immediate form of the Parisian crowd – asserted their sovereignty in a very direct and real manner. The
result was the emergence of a second version of popular sovereignty, a ré-totale. This was a much more direct form, one constructed on a suspicion, if not outright denial, of representation. The term ré-totale conveys the emphasis placed on the absolute and unitary nature of the sovereign people and the general will, which was central to the way the Terror unfolded.

The multiple visions of democracy to emerge from the French Revolution meant its legacies were unavoidably diverse and contradictory. As will be seen, the immediate reaction was to view the revolution as an attempt to institute a ré-totale. The Jacobins and the Terror they unleashed came to represent the danger of trying to establish the ancient form of democracy in a modern world. At the same stage, it was the mediated ré-publique advocated by Sieyès and Paine, already taking shape in the United States, that would prove more consequential in the medium to long term. The question was left open: would popular sovereignty mean the United States or France? The statesmen that gathered in Vienna thought the latter was much more likely.

Notes

1 The crediting of Sieyès as one of the progenitors of nationalism, as numerous commentators have done, misunderstands the sense in which he used the term (Forsyth 1987: 71–2; Hont 2005: 133–4).

2 Sieyès continues: ‘Hence citizens who nominate representatives, renounce and must renounce the idea of making the law directly themselves…. If they dictate their wills, it would no longer be a representative state but a democratic one’ (quoted in Forsyth 1987: 138).

3 Conflict broke out in Avignon, a papal territory, between revolutionaries and supporters of the ancien régime shortly after the revolution commenced. Following a number of petitions to the National Assembly, in May 1791 a vote to annex Avignon was narrowly defeated. A decision was made to occupy the area so as to restore order and consult with the population. This led to the first recorded plebiscite, which resulted in Avignon joining France in September 1791.

4 The manner in which representatives were to be chosen imposed strong ‘filters’ that limited the role played by the people. Most notable was the contentious distinction between ‘active’ and ‘passive’ citizens, with only the former having full voting rights.

5 This draws on a distinction that Jack Donnelly makes between ‘behavioural’ and ‘ontological outlaws’ (Donnelly 2006).