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Response Page

The following responses were posted on the H-France discussion list in response to David A. Bell's review of James Livesey, *Making Democracy in the French Revolution* and James Livesey's response essay to Bell's review.

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The original review may be found on the H-France web page at:

<http://www.h-france.net/vol2reviews/vol2no32bell.pdf>

and the response may be found at:

<http://www.h-france.net/vol2reviews/vol2no33livesey.pdf>

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Monday, 8 Apr 2002

Daniel Gordon

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I agree with Bell here. But rather than reiterate his points, I would like to note the interesting selection of words on Livesey's part.

First, his title, "Making Democracy," seems like an allusion to E.P. Thompson, *The Making of the English Working Class*. Here the notion of "making" is highly celebratory. The historian identifies with and profusely praises a movement, instead of analyzing its contradictions, terrorism, and so forth. If Prof. Livesey chooses to respond to this message, I wonder if he could put aside theoretical considerations for a minute and simply inform us if there is indeed a tacit reference to Thompson here.

According to Livesey, the Revolutionaries were not interested in "formal" institutions. He uses "formal" many times. Here it's important to note that a tendency to belittle laws, constitutions, and elections as merely "formal" (as opposed to "real") is characteristic of both radical Leftist and radical Rightist thought. To use the word "formal" is to imply from the very outset that these institutions don't matter. It's true Livesey defends himself by saying that this is what the Revolutionaries thought—but Livesey wrote his book, the Revolutionaries didn't write it, and one of the points of the book is that the Revolutionaries did in fact "make" democracy. Bell thus seems justified in questioning what Livesey himself means by making democracy. Can you make democracy without forging durable institutions? To say that the Revolutionaries thought so does not answer the question.

Even more, I'm inclined to agree with our French colleague who has already expressed himself on this debate: the Revolutionaries cared deeply about institutions such as elections. They simply were unable

to make these institutions cohere and last. It would be interesting to know if the Revolutionaries referred to elections and law as merely "formal." I think this is a no-win situation for Livesey. If they didn't, then he has imported his own anti-institutionalism into the historical picture. He has projected a 19th and 20th century form of radicalism onto the Revolution by saying the Revolutionaries didn't care too much about "formal" institutions. If, however, he's right and the Revolutionaries did refer to laws, constitutions, and elections as merely "formal," then Bell is right to say that we can hardly consider such people makers of a viable democratic tradition. Democracy in France was forged in the late nineteenth century in spite of such thinking, not because of it.

Overall, I note that since Furet's death, the defenders of Jacobinism and of the whole Revolution have been trying to revive a celebratory rhetoric. Personally, I think the contributions of Furet, Baker, Schama, and other critical analysts of Revolutionary political culture are permanent. We cannot negate these criticisms by itemizing the Revolutionaries' good intentions and ideals—precisely because Furet and the others made their case by analyzing the discrepancy between ideals and outcomes. Nor can we negate their arguments by focusing on a more benign period of the Revolution. For the core of the Revisionist argument is the analysis of the period 1789-1794. The Jacobin Terror and the Vendee are the key examples. Livesey has much to say that's informative about the subsequent period, but much of the book is packaged as a vital interpretation of the meaning of the Revolution as a whole. I don't see how work whose center of gravity is on post-Thermidor can constitute a new view of French Revolutionary democracy.

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Tuesday, 9 Apr 2002

David Andress

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At the risk of igniting a flame-war [but what the heck], I think that triplet identified by Daniel Gordon would be an example of what is technically known as bathos....

BTW, Milord Schama is being employed by the BBC today to comment on the historical significance of the Queen Mother's funeral. I search in vain for a suitable epigram.... Any thoughts?

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Tuesday, 9 Apr 2002

Norman Ravitch

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The death of a royal personage, however important or minor in importance, puts us in touch with the

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past, with the meaning of fatherhood or motherhood, in effect with God. The death of monsters like Robespierre, Stalin, Lenin, Hitler, etc. only reminds us of sin. Leftwing historians are only interested in reminding us of sin -- while they also approve of it.

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Wednesday, 10 Apr 2002

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Daniel Gordon, in grouping Furet, Baker and Schama, was discussing a particular historiographical trend of which, he seems to be claiming, Schama's *Citizens* is an important part. What then is Dave Andress' point about "milord Schama" and his commentary on the BBC? If only he had found that epigram we would know!

Was the intention to begin a discussion of how the media is treating the death of the Queen mother, or perhaps -- and more interestingly -- how professional historians work with the media? A discussion of the role of public history and, indeed, even the popularization of history, of which Schama is one of the most aggressive proponents to date, is certainly long overdue.

However, if the comment was intended to bash a colleague, it would seem that H-France is hardly a suitable venue. As far as I know, Schama is not a member of the peerage.

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Thursday, 11 Apr 2002

David Andress

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Forgive me for speaking by ellipsis -- what I meant to say was that the inclusion of Schama's name alongside that of Furet and Baker seemed inappropriate, given that:

A] Schama is not engaged with a long-term professional commitment to the discussion of the history of eighteenth-century France or the Revolution and its causes and consequences, unlike the others; this is reflected by his subsequent diversions into diverse topics such as Rembrandt and the history of Britain, this latter told, as many commentators have noted, from the very top down [and not very far down at that, making his BBC appearance symptomatic]; and

B] Schama's book *Citizens*, besides being rather well-written, contributed, IMHO, nothing to debates about the Revolution other than a somewhat dewy-eyed sentimentality about C18 elite culture and a visceral disdain for all popular engagement with political processes, on the grounds that it led, a priori,

to violence.

Not sublime, therefore, but the other thing.

If I may make a substantive point on the main Livesey/Bell discussion, following up Livesey's last message, one of the issues here seems to be a lack of clarity about what 'democracy' means in the first place, leading to a sense that, unqualified, it may not mean much at all. Both 'liberal' and 'representative' democracy imply some very specific institutional forms, while at the same time, not necessarily implying the same underlying political culture. Other versions, such as 'direct', or 'social', imply very different things.

The term 'liberal', on the other hand, can also be hitched to 'capitalism', and then comes close, if I read things aright, to describing the attitudes to property, etc, that Livesey paints as coming significantly to birth in this period. A 'democratic = individualistic' approach to property-ownership is certainly an evolution of this period, but such a formation might not easily equate with a 'democratic = egalitarian' reading of social relations.

It all depends, as it so often does, on what you mean by 'democracy'. The sans-culottes, good petit bourgeois that they were, mostly wanted a democracy of sturdily independent traders and yeomen farmers – Mrs Thatcher would have approved.

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Tuesday, 9 Apr 2002

James Livesey

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As delighted as I am to engage scholars such as Dan Gordon on my book I am perturbed to be asked to elucidate my political position as a element of the exchange. As a fellow countryman has written there are nets which one would rather fly around. Having said that, as David A Bell notes, the intertext for "Making Democracy" is not Thompson's fine work but Robert Putnam's "Making Democracy Work".

I feel that the point I make in my introduction that the research agenda initiated by Francois Furet has played itself out and now inhibits rather than encourages insight is reinforced by Professor Gordon's intervention. The Terror is an ineluctable object of attention for historians of the Revolution but it is not its only content. It is the co-existence of Terror with the end of colonial slavery, declarations of equality, emancipation of the Jews and so on that poses difficult questions. My study sought to identify where the durable content of the Revolution's political culture and institution-building embedded itself after the Terror. Had I found that there was no content to the Revolution outside the themes of Terror then I would have written a very different book. To declare that the study of the Revolution must be a study of Terror and cannot integrate the period of the Republic after 1794 into the analysis a priori, is a demand that a particular interpretation of the Revolution be granted authority over its meaning. Such claims to authority are inimical to liberal scholarship. Moreover, is Professor Gordon seriously contending that scholars from Judith Miller to Isser Woloch cease to tell us something important about

the Revolution as a whole when they turn their attention to the Directory?

The real issue here is of course how we understand the way democracy plays out in modern political life. As I have devoted a book to this I am not confident I can really express what I have to say in a short e-mail. The key point I would wish to make is not to take sides in any debate between liberals and republicans but to take up a perspective offered by Charles Taylor in his *Sources of the Self: The Making of Modern Identity* (Cambridge Mass; Harvard UP, 1989). Taylor identifies the eighteenth century as that of the "affirmation of everyday life", in other words of profound democratization. By this he draws attention to the extraordinary, and indeed unprecedented collapse of the ideal of hierarchy across the cultural horizon. Taylor's work refreshes our sense of the sheer novelty of the idea that individuals were (ideally) equal and self-realising, and reiterates just how difficult it was for them to generate compelling versions of themselves in the novel conditions of the "saddle-period" as our German colleagues put it. My work addresses this basic issue of identifying what individuals had to hand to make concrete the intuition of their political equality. Before there could be institutions to realize political equality there had to be a sense of what it was. The kinds of issues that Bell and Gordon address are internal to the problem I am posing. As historians we have to step outside our reality in which democracy is the hegemonic understanding of political life, to reimagine how it got that way.

On the question of elections: David Bell should know that "elections" is a cognate of "voting" (index p. 321). The work that our colleague Serge Aberdam cites is one reason that elections are not a core feature of my own book; as the issue had been so well dealt with elsewhere it would have been redundant. Two empirical realities cannot be evaded however. The rules of elections, and the constitutional order they were embedded in, did not provide the context through which political modernity was elaborated in France. This is not to assert that elections were not important, the works cited, as well as older work by Reinhard and Suratteau, all establish the energy committed to the process. But, as Bernard Gainot underlines in his work, democratic moeurs were more directly important than constitutional provision when it came to regulating the electoral process during the Directory. Elections did not play a paradigmatic role in the elaboration of the meaning of democracy, but were an element of a wider process.

Democratization is a dynamic that has not played itself out in modern life. It was given its political colour in Europe by the French Revolution and was an oppositional rather than an elite value for much of the period. The problems that face scholars as they seek to understand the elaboration of the theme are not helped by dogmatic assertions of whatever political colour.

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Tuesday, 9 Apr 2002

Daniel Gordon

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I think James Livesey wrote a thoughtful response to my previous message. My thanks to him. He may

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well have refuted much of what I wrote. Still, there remain some things that are interesting to debate further, such as his remark:

"Before there could be institutions to realise political equality there had to be a sense of what it was."

I don't accept this separation of institutions and ideas, and the assumption that a nation has to think about ideas for a whole historical period before it can think about institutions.

It seems to me that most eighteenth-century political thought, and most political thought in general, refers to both. Rousseau's *Social Contract* is very abstract, but it's not empty of institutional references. He also wrote a constitution for Poland. Locke wrote a constitution for one of the Carolinas too.

If moments do occur within the French Revolution in which institutions seem irrelevant, this should not be seen as a first step toward the discovery of democracy but rather as a special ideological feature of revolutionary discourse.

I do recall that Saint-Just referred to judicial trials as "empty formalities" when others suggested Louis XVI deserved a trial. The point was that those who wished to dwell on procedures were not really democrats, did not have enough enthusiasm for the immediate realization of justice, etc. But surely this was not because a sense of substantive justice must develop historically before a sense of procedural justice can evolve. Rather, it's because a specific feature of Saint-Just's ideology is the subordination of what he regards as procedure to his own notion of substance.

While other Jacobins may not have been so bloodthirsty as Saint-Just, and while some Jacobins may have been in favor of commercialization and thus "liberals" in some sense, it looks to me like Livesey has actually underscored the ideological hostility of many Revolutionaries to what I would call constitutionalism. It seems to me he is explaining away this ideological peculiarity through a theory of how democratic modernization must take place: ideas must come before institutions. Yet I suspect that this is substituting a theory of historical necessity for an ideological feature of the Revolution.

Apart from that, it seems to me that so many of the critics of Furet and Revisionism these days have really granted Furet's emphasis on both ideas and political institutions (as opposed to socio-economic classes). I am a bit concerned that that the beginnings of books and articles, where one does the historiography part, are becoming highly scholastic, self-serving, and basically out of touch. I think of Sophie Rosenfeld's recent critique of Baker and Furet (in her excellent book so well reviewed, again, by Bell in *The New Republic*—I recommend the review highly) to the effect that they do not focus enough on epistemology!! So, I disagree with Livesey that revisionism is impeding further scholarship. I think revisionism is the foundation on which almost all current scholarship is taking place. The difficulty is that while following Furet's methodology, some scholars insist that they are refuting Furet and that in doing so, they are transcending Furet's supposed political bias!

As for the Terror and the Vendee, I agree that they do not make up the whole narrative of the Revolution. But I think any intellectually comprehensible history of "The French Revolution" must grapple directly with the problems these events pose. I think it's only the very high degree of professional specialization that allows scholars today to write entire books that do not highlight this problematic, books which focus on other subperiods of the Revolution, and so forth.

And sure, the Revolutionaries proclaimed rights for slaves, Jews, and so forth. But once one gets into the logic of the Terror, one can see similar problems in these emancipation movements. For example, you have to be "regenerated" in order to be liberated--and you may have to be regenerated through force. It seems to me all the same tapestry. The Terror is perhaps the most densely knit emblem of these Revolutionary ideological structures, but one can't decipher what's on the rest of the fabric without a grounding in the Jacobin frame of mind as Furet described it. I don't think the Directory is any exception to this either. I recommend Pierre Birnbaum's *Idea of France* for a truly broad perspective on the persistence of illiberal democracy in France.

None of this, by the way, is to imply that the French messed up, while some other society (like the U.S.) got things right. I think Americans could use a little dose of republicanism at this time.

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Tuesday, 09 Apr 2002

David A. Bell

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As I wrote in my book review for H-France, there are many things I admire in Livesey's book "Making Democracy in the French Revolution." The book is illuminating on the political culture of the Directory, and particularly on the development of what Livesey calls "commercial republicanism." The theoretical perspective he developed is intriguing and provocative, if, to my mind, not entirely convincing.

However, Livesey's comment, and his new post to H-France, have left me somewhat confused. In his response to me, he said, for instance, that the French political tradition "did not prioritize" constitutions, formal guarantees of civil liberties, and voting. Isn't this rather like saying that Henry VIII or Elizabeth Taylor "did not prioritize" marriage? In his new posting, he argues that "before there could be institutions to realize political equality there had to be a sense of what it was." I don't really understand what this means. Can political equality be distinguished so categorically from the institutions that realize it?

The problem at the heart of Livesey's book is that while he takes inspiration from Robert Putnam's "Making Democracy Work," he rejects a large part of Putnam's own methodology, namely Putnam's focus on the *longue durée*, and his attention to problems of success and failure. Putnam wanted to explain the relative success of democracy in northern as opposed to southern Italy, and to do so investigated civic traditions in the peninsula over a period of nearly a thousand years. This allowed Putnam to highlight such issues as long-term popular involvement in local government, and membership in private organizations (including sports clubs, whose American equivalents he then explored in his widely known book "Bowling Alone").

Livesey, by contrast, doesn't seem particularly interested in questions of success and failure. Whereas

for Putnam, the importance of civic traditions is that they ultimately lead to the creation of durable, functioning democratic institutions, for Livesey, democratic moeurs seem not merely to have a value in and of themselves, which is obviously true, but almost to constitute in and of themselves a desirable alternative to a functioning formal democracy. Did corruption, dictatorship and successive coups d'états cut French democracy off at the knees? No, Livesey almost seems to be saying, it was merely "differently abled."

Secondly, Livesey eschews the *longue durée*. Not only does he assert that democratic moeurs can be created with literally "revolutionary" speed, he also assumes that, once created, they endured. He therefore limits his study to the late 1790's, and does not attempt to follow the history of democratic moeurs into the modern period. The problem, however, is that this strategy makes it hard for him to study the sort of long-term forms of civic involvement that Putnam focused on, such as memberships in clubs, or day-to-day participation in local government. Therefore, as I suggested in my review, while he intended to study various sorts of institutions, and succeeded in doing so in at least one scintillating chapter, much of the book nonetheless ended up as a more conventional cultural/intellectual history of democratic ideas.

Livesey may dismiss these criticisms as the gripes of a "Hamiltonian," and worse, one "mugged" by the positivist in his closet (but surely, if you are mugged by a positivist, that makes you a postmodernist?). The French, he implies, were more "Jeffersonian." Perhaps. But since when does "Jeffersonian" imply a disdain for formal constitutions, and guarantees of human rights? It was Jefferson, not Hamilton who wrote (to Joseph Priestley in 1802) that "though written constitutions may be violated in moments of passion or delusion, yet they furnish a text to which those who are watchful may again rally and recall the people. They fix, too, for the people the principles of their political creed." And it was Jefferson, not Hamilton, who wrote in his second annual message that "to keep in all things within the pale of our constitutional powers... [is one of] the landmarks by which we are to guide ourselves in all our proceedings." Many, many French people have agreed with him, which is precisely why they kept writing constitutions, trying to find one that worked.

In short, to separate democratic moeurs from their formal realization is, in the end, a mistaken strategy. The two develop in tandem, and also in tension with each other. Any history of the "making" of democracy has, necessarily, to be a history of this process. Livesey's book is extremely useful in warning us away from a focus purely on the formal, constitutional side of things. But I think he goes too far in the other direction.

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Tuesday, 09 Apr 2002 15:50:42 -0400

Paul T Werner

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I've been reading this thread with a growing sense of *deja vu* - like a *sans-culotte* recognizing the Democratic Idea.

In my doctoral dissertation I suggested that Cochin's opposition between "La These du Complot" and "La These des Circonstances" continues to work itself out in Revolutionary Historiography as a conflict between two Hermeneutics: a Hermeneutics of Suspicion (Gordon) and a Hermeneutics of Revealed Meanings (Livesey - thanks, P. Ricoeur). It's nice to see myself proven right.

As for the validity of Livesey's argument - I found that the problem of "regeneration" - whether a corrupt people can pull themselves up by their own bootstraps - is a/the central question of pre- and Revolutionary thought in the arts.

Perhaps the statistical importance of my research is no better than Livesey's. Then again, Hermeneutics is like your mother: it only sees what it wants to see...

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12 September 2002

Serge Aberdam

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Voter, élire: deux procédures distinctes

J'ai lu avec beaucoup d'intérêt les papiers de débat autour du compte-rendu du livre de James Livesey, et sa contribution datée du 9 avril 2002. Je crois réellement être assez proche de lui sur un bon nombre de points. Il me semble néanmoins qu'il sous estime fortement les enjeux du présent débat lorsqu'il écrit: "On the question of elections: David Bell should know that "elections" is a cognate of "voting" (index p. 321). The work that our colleague Serge Aberdam cites is one reason that elections are not a core feature of my own book; as the issue had been so well dealt with elsewhere it would have been redundant. Two empirical realities cannot be evaded however. The rules of elections, and the constitutional order they were embedded in, did not provide the context through which political modernity was elaborated in France. This is not to assert that elections were not important, the works cited, as well as older work by Reinhard and Suratteau, all establish the energy committed to the process. But, as Bernard Gainot underlines in his work, democratic moeurs were more directly important than constitutional provision when it came to regulating the electoral process during the Directory. Elections did not play a paradigmatic role in the elaboration of the meaning of democracy, but were an element of a wider process."

Dans l'élaboration de ce que nous considérons usuellement comme «la démocratie», il est évident qu'on envisage des procédures politiques, morales, sociales, etc. extrêmement vastes. Mais si nous parlons ici de l'époque révolutionnaire, même au sens le plus extensif, il est un problème de définition sur lequel James Livesey se trompe: les termes «*élections*» et «*vote*» sont effectivement liés ou parents (ce sont les meilleures traductions que me donne mon Harraps pour «cognate») mais je ne crois pas qu'ils soient équivalents ou co-extensifs, du moins en Français, et je crois qu'ils peuvent aussi différer en Anglais.

Plus précisément, après un débat sévère en 1792, la période 1792-1799 a vu l'apparition en France (et

dans des «républiques s urs» comme la Hollande) de procédures bien connues de vote sans élection, ce que les modernes ont ensuite appelé plébiscite ou référendum. Les nombreux votes de *réunions* des nouveaux départements ont été les premières applications de ces nouvelles méthodes, et nous en avons gardé quelque chose jusqu'à nos jours. D'autres votes directs de citoyens sur d'importantes questions, comme sur le partage ou non des communaux, ont également été largement pratiqués. J'ai insisté sur cet héritage dans ma thèse, en particulier à partir des cas des votes populaires sur l'adoption des constitutions de 1793 et 1795, dont les conditions pratiques (et non politiques) sont très proches et sur lesquels on dispose d'une importante documentation.

Plus important peut-être du point de vue de James Livesey, tout au long des 10 années en question, le vote (même électif) ne se réduit jamais à l'élection. On vote toujours dans des assemblée de citoyens, réunies au moins pendant une journée. On prend toute une série de décision annexes, parfois légales, secondaires ou bien essentielles, et parfois moins légales, mais on DELIBERE. Lorsqu'il s'agit par exemple de voter sur l'admission de tel ou tel à la citoyenneté, tout au long de la révolution, les assemblées communales ou primaires sont décisives. Or la délibération des habitants dans les assemblées primaires, qui était parfaitement légale en 1789 lors de l'adoption des *cahiers*, se perpétue plus ou moins légalement ensuite et redevient nettement légale en 1793 comme en 1795. Elle se pratique alors dans des formes qui vont bien au delà de l'exercice du droit de pétition, car c'est une *portion du souverain assemblé* qui est censée s'exprimer.

En bref, toutes ces assemblées de citoyens, électives ou non, qui se réunissent au moins chaque année et souvent plus, sur tout le territoire, sont des espaces politiques fondamentaux et les lieux essentiels de mise en scène du lien social. L'ordre dans lequel on dresse les listes de citoyens qu'on utilise pour voter ou opiner sera-t-il par exemple le vieil ordre de préséance, ou bien l'ordre alphabétique des noms, ou celui des prénoms? Pourra-t-on rester ensemble jusqu'à la fin, ou les sabots et les bâtons entreront-ils dans la danse? Pourra-t-on considérer *unaniment* les décisions prises comme majoritaires, *saines et franches*, ou va-t-on scissionner l'assemblée?

Ces aspects pratiques des votes importent beaucoup dans la perspective défendue par Livesey de transformation des habitudes élémentaires et quotidiennes., parce qu'ils ont été massivement mis en oeuvre pendant des années (et supprimés sur le papier dès le coup d'état de brumaire). C'est pourquoi il faut continuer de réinsérer l'élection, le vote et l'assemblée citoyenne dans nos approches des années révolutionnaires, aux origines à la fois de ce que nous appelons régime démocratique et de ce que nous appelons droit d'association.

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Tuesday, 9 Apr 2002

Steven Vincent

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I've been provoked into intervening in this exchange by Daniel Gordon's recent remarks concerning the James Livesey's new book. It seems to me that Gordon has misrepresented an important part of what I understand to be Livesey's argument - namely, that the issue of "making democracy" is more than just

institution-building in the conventional sense. I don't see Livesey denying anywhere in his excellent book that the Thermidorians were, in part, hoping to construct a stable constitutional order, with attendant concern for civil liberties and a representative political system. Clearly, after Thermidor, there was much consideration given to exactly these issues, as indicated by everything we know about the concern for elections and the writing of the constitution of 1795. Moreover, one of the points Livesey makes in chapter 6 ("Dance Like a Republican") is that the festivals orchestrated by the Directory were different from earlier ones because they were viewed as supplementing, not replacing, politics.

What Livesey so importantly recognizes is that formal institution-building was not perceived as sufficient at the time (and, some of us might wish to argue, should not be viewed as sufficient now). Following the Terror, many believed that it was necessary -- in order to avoid the worst excesses of the immediate political past (the Old Regime and the Terror) -- to create not just a constitutional order, but a new political culture. Livesey quite correctly sees this as reflecting the insight of the time that this required (among other things) a new educational policy, a new attitude toward the arts, and a new vision of agrarian reform. To miss this is to reduce the most perceptive political voices of the Directory period to something resembling the least interesting garden variety liberals of the Cold War, who focused only on the cold market and formal political institutions.

My own reservation concerning Livesey's immensely interesting thesis is his depiction of the dominance of "commercial republicanism" as the reigning cultural model during the Directory. This relies too much, I believe, on the reform agendas of certain writers like Daunou and Neufchateau, seeing them as creating a "discourse" that is then operationalized in different realms. I believe that there was a more complex cultural mix during the Directory, one that historians need to illuminate more fully. Livesey's intelligent and useful book is a very large step in that direction.

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Wednesday, 10 Apr 2002

Alan Kahan

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I am confused by Mr. Vincent's version of the Livesey argument. Vincent/Livesey claim that the Thermidorians were innovating when they recognized that democracy "required (among other things) a new educational policy, a new attitude toward the arts, and a new vision of agrarian reform." Rousseau, not to mention a host of others, also thought democracy required changes in these things. So too did the Jacobins. To suggest that the Thermidorians discovered either the connection between democracy and culture, or the fact that they were distinct, seems greatly exaggerated.

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Wednesday, 10 Apr 2002

Jon Cowans

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I believe there is an important dimension missing so far from this exchange on the historical development of democracy during and after the Revolution. I agree with Livesey that there was more to the development of democracy than the creation of political institutions, so I very much welcome his contributions. I also agree with those who call for close scrutiny of institution-building in any tale of the development of democracy in France, and I share the view that neither institution-building nor conceptualizing of democracy can really precede or be separated from the other.

What I find missing so far from this discussion's dichotomy between conceptions and institutions is some sense of the politics of public opinion, which I believe are located in a realm between the two. During the Revolution, after all, constitutions and the institutions they created failed repeatedly to secure consensus and create political legitimacy and stability; as a result, revolutionaries habitually turned to a parallel means of legitimation by invoking "public opinion" (and other related concepts). In this sense, I would propose, in addition to a distinction between the "formal" and the "real," a distinction between the formal and the informal.

Unfortunately for the French of that era, dismissing the verdicts rendered in formal institutions and passing to informal invocations of "public opinion" or "the will of the people" solved very little. As I have recently argued, just as revolutionaries failed to settle their differences in or about elections and other "formal" institutions, they also failed to settle much through a rhetoric of public opinion. Their problems, I believe, had to do not only with the enormous gulfs separating the competing parties' opinions on specific issues, but also with those rival groups' inability even to agree on any groundrules for invoking public opinion (e.g., whose opinions should count, how opinions might be legitimately expressed and ascertained, whether opinion was unitary, corporate, or individual, etc.). Both formal and informal means of legitimation thus failed to settle the disputes of the time.

Though I accept Livesey's argument that important things were accomplished outside the realm of formal institution-building, I still generally see the Revolution's attempts to develop democracy as a failure. Nevertheless, it was a productive failure, one that began to furnish the French with experiences and memories that would later prove useful. It was, to borrow a familiar metaphor, an apprenticeship, both in terms of developing formal institutions and broadly acceptable notions of what public opinion was and how one might invoke it to secure political legitimacy. Unfortunately, it was also the beginning of a very long apprenticeship, in which the basic problems of both institutions and the politics of public opinion were not lastingly resolved until the Fifth Republic.

One final comment: much of this website discussion has touched on topics on which Lucien Jaume has made vital contributions, though Livesey certainly adds to his insights about Jacobin democracy and republicanism.

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Wednesday, 10 Apr 2002

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At the risk of getting the discussion off topic, I'd like to comment on Steven Vincent's idealization of the Thermidoreans. No doubt some did hope to build a "stable constitutional order" and a new "political culture" but that attempt was doomed to failure from the start by any number of practices. The thermidorean and the First Directory regimes were not moderates by any standard, despite their rhetoric.

The law of 25 brumaire An III (November 15, 1794) codified the previous émigré laws and among other things, required death for any returning émigré. This law also applied not just to the émigré armies but to refractory priests who were hardly a military threat, whether they had been deported or especially if they had gone underground. Refractory priests were executed throughout the period.

This relates to another issue: priests and non-constitutional Catholics continued to be persecuted. The law of 3 ventôse An III (Feb 21, 1795) continued many aspects of the previous year's dechristianization. It severely limited religious expression in public places. In policy terms the police archives are filled with thousands of examples of defiance of this law and attempts of officials to enforce it.

The regime continued to use jurisdictions of exception: note the military tribunals that judged those captured at Quiberon were not essentially different from those of the Year II, either in the legislation enabling them or in their practice; or the military tribunals that judged the demonstrators of prairial. For a detailed examination of all this, see Howard Brown's articles on conseils de guerre.

There is a lot that could be said about this but let me finish in saying there is almost nothing in thermidorean practice that indicates they were interested in founding a new political culture, if by that we mean respect for the rule of law. Take for instance the Carrier trial. Poor sod went to his death saying essentially why me? when so many others had done the same. What nobody told him was he had to die because so many others had done the same.

Did the regime care about elections and a representative political system? I don't think so, not if there were higher priorities like defeating a political enemy. I cite the two-thirds decree, the limitations on petitions and the formation of political clubs, the de facto censorship, and the purge of fructidor An V.

Thus, to bring the discussion back to the original issues: a few intellectuals theorizing about ideal republics and agrarian reform (the best agrarian reform would have been to stop robbing the agricultural sector by inflating the currency) was about as remote from the serious issues the polity faced as one can imagine.

The intellectuals contributed nothing to their resolution. The Second Directory and Bonaparte did, but at the cost of political liberty, constitutionalism, and all the rest.

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Thursday, 11 Apr 2002

Ronen Shapira

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I Think I would agree completely with Donald Sutherland remarks. I would like to add that most Thermidoriens could adapt themselves quite willingly with almost any regime, beside that of an "old regime" style monarchy. It is amazing to note the rapidity by which they were ready to change, mock or disregard laws and institutions they themselves help to make...

One has to look much deeper into 19th century republicanism to find real effort to create a new democratic civilisation. But this is another subject.

Ronen Shapira

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Wednesday, 10 Apr 2002

Daniel Gordon

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Steven Vincent made some fine points in reference to my critique of Livesey. I have a thought with reference to the following, which Steven wrote:

"Following the Terror, many believed that it was necessary -- in order to avoid the worst excesses of the immediate political past (the Old Regime and the Terror) -- to create not just a constitutional order, but a new political culture."

The difficulty I have here is this. I agree that the Directory is very important period because among the things that happen in this period, there is a serious reconsideration of basic Revolutionary assumptions. Since I happen to be aware that you are working on Benjamin Constant, the great liberal critic of Revolutionary notions of sovereignty, general will, virtue (in short, democracy), I understand why you are intrigued by this period and how you can mine Livesey's book for good ideas and information. But as I read Livesey's book, especially the more general parts, like the intro., I don't see him saying, as you say, that people in the Directory were trying to avoid the "excessses" of the Revolution, which they identified with "the Old Regime" on account of its terror. I also don't see Jim saying that the Directory wished to create a "new political culture," where "new" implies a break with the previous Revolution. It seems to me that Livesey is trying to revive the image of the French REvolution as a whole, which he sees as "making democracy." It's true he privileges the Directory period, but it seems to me that the intro. is arguing that understanding the Directory can take us past Furet's critique of the earlier period. It seems to me, by way of contrast, that you (Steven) are actually profiting Furet in approaching the Directory as a rich period of \_post-Jacobin reconstruction.\_

Keep in mind I'm not a specialist of the Revolution. My interest in details is limited. I do, however, take great interest in general interpretations and programatic statements about the REvolution because I think knowing the important historiography of the Revolution should simply part of everyone's intellectual culture. So I keep asking myself, does this really refute Furet? How does it redefine the REvolution as a whole? I don't deny that Livesey is a superb expert on the Directory. I'm just confused by the conceptualization.

Perhaps there is room for a disagreement here in that in his big book, Livesey may shift the terms of analysis in different parts, depending on whether he is looking at the Directoy microscopically or commenting on the historiography of the Revolution.

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Wednesday, 10 Apr 2002

Steven Vincent

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My interventions in this discussion should probably go off-line. But I feel that I should respond briefly to Alan Kahan. I don't think I said that the belief that there was a connection between institutions and culture was NEW in the late-1790s. Of course there were predecessors, especially in France -- Montesquieu, Rousseau, etc. I simply wanted to suggest that the Thermidorians' concern for political culture, moeurs, education, etc., did not preclude their commitment to a constitutional order and the protection of rights. Perhaps the one thing that we can all agree about is that (as David Bell's last posting suggested) it is a mistake to separate formal constitutional/institutional issues from the considerations of moeurs and culture (what Livesey, I gather, would include under the heading "institutions").

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Thursday, 11 Apr 2002

James Livesey

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At risk of stretching the patience of the list to breaking point....

David raises a valid issue about the long-run effects of the phenomena I investigate and questions whether the development of French democracy was "cut off at the knees" by the evident coups, corruption and so on. This raises exactly the point I am pressing and that Steven Vincent also notes. Democracy in France develops in the social body and not at the political head; the problem is not in the knees. The work by Hazareesingh, Nord, Lehning (among others) illustrates the continuity of this location for the elaboration of democracy in France. One way of reading my book would be to make understandable the historical background for Philip Nord's *Republican Moment* (and I recommend pages 5-9 as a brief introduction to the literature of democratic transition and the centrality of the problem of rupture and origins). Alan Baker (*Fraternity among the French Peasantry. Sociability and Voluntary Associations in the Loire Valley, 1814-1914* (Cambridge, 1999)) offers a long-run local study of one area along the same axis. In France Maurice Agulhon has sponsored an impressive body of work on this theme. The recent fine work on the constitutional work of the Second Empire and the

Third Republic in the creation of democratic modernity acknowledges the pre-existence of an older practice of democracy. My work seeks to identify where that originated.

The related questions of the interpretation of the Revolution and the approaches appropriate to that interpretation raise too many issues to be dealt with here. My own view is that we too easily become victims of various reductionisms when we try to evaluate the Revolution as a whole and so I would endorse Sophia Rosenfeld's argument that we need to pay attention to the epistemological foundations of our own explanatory strategies if we are to respond adequately to the complexity of the Revolution. My own approach, organised around institutions and agency, rather than categories such as "culture" and "society" is an effort to build in that kind of complexity.

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Thursday, 11 Apr 2002

Jeremy Popkin

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James Livesey's defense of his book has at least disproved one statement I made in my French Revolution textbook: I called the Directory the only French regime for which no one ever expressed nostalgia after it fell! I am sympathetic to the general argument he makes in his book, to the effect that democracy implies a certain set of behavior patterns or social practices as well as legal institutions (I find the usage he wants to make of the term "institutions" to refer to informal, rather than legal and constitutional, setups, confusing, however). After all, we all know that modern Britain is a democratic society even though it has the formal political institutions of a monarchy, whereas Stalin's Soviet Union was highly undemocratic even under the model constitution of 1936. But, having read the book, I remain baffled by his determination to see the Directory period as the one when the prerequisites of a healthy democratic civic culture were laid down. Don Sutherland has reminded us of how thoroughly the thermidorians opposed any attempts to create a 'civil society' that was in any way autonomous, and these efforts continued throughout the Directory period. The attractive-sounding reform proposals Livesey emphasizes—none of which were even passed by the legislature, let alone implemented—would have had to be imposed on a largely hostile population under the rubric of "forcing men to be free." A good example of what this involved was the heavy-handed campaign to force the population to observe the *decadi* and to work on Sundays.

I fully agree that the Revolution as a whole was a crucial period for the creation of models of behavior that eventually made a democratic society possible. Whether we like it or not, however, it seems to me that the critical phases of this process were, as most historians have assumed, 1789 to 1793, not 1795 to 1799, and that this process is thus inextricably bound up with the issues of violence and terror. We remain faced with the dilemma of explaining how values that the majority of us embrace came out of a process so strongly affected by elements we would like to reject. But we won't get out of this dilemma by creating a utopian notion of the Directory period and making those years alone the origins of modern democracy.

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Thursday, 11 Apr 2002

Mary Lewis

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James Livesay writes, "At risk of stretching the patience of the list to breaking point..."

To the contrary, this has been one of the most interesting exchanges on H-France in years!

To respond to Nina Kushner's remark, Schama gives at least some idea of where he stands in relation to royalty in the following Guardian article:

<http://www.guardian.co.uk/Archive/Article/0,4273,4389342,00.html> - an article which also speaks to her question about the relationship between historians and the media. There are interesting comments pertaining to the relationship of royalty to political culture, as well; these may be relevant to the ongoing debate here about political culture, its inseparability from institutions, and so forth.

I hope this, and other debates like it, will continue on H-France.

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