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D. M. G. Sutherland, *Murder in Aubagne: Lynching, Law, and Justice during the French Revolution*. Cambridge and New York: Cambridge University Press, 2009. xvii + 316 pp. Figures, notes, appendix, and index. \$95.00 U.S. (cl). ISBN 978-0-521-88304-7.

Review by Paul R. Hanson, Butler University.

Donald Sutherland sets out the agenda for this book very clearly in his Preface. His aim is to explore revolutionary justice, particularly violent revolutionary justice, through the lens of Aubagne, a small town not far from Marseille in the Bouches-du-Rhône department. What began as a microhistory, the author notes, turned into a more traditional regional study, encompassing not only the history of Aubagne during the revolutionary decade, but also examining revolutionary politics, and violence, in Marseille as well as violence in a fairly wide swath of towns and villages throughout Provence. Sutherland sets out to challenge past historiography of the Revolution in two ways: first, he challenges the traditional interpretation of Jacobinism, arguing that local factors were crucial to its character, particularly in the Midi. In this he steps away from the more ideological interpretations of Patrice Higonnet, François Furet, and Augustin Cochin.<sup>[1]</sup> Second, he argues that Jacobin leaders and crowds were “aspects of a common movement,” that there was overlap between local officials and violent crowds, not the dichotomy between the two that is often presented. “By the time of Terror,” he asserts, “violence was no longer even an episodic occurrence, to be tolerated so long as it remained in the past. Instead, it was a strategy to annihilate an enemy who blocked the construction of a tranquil community in the future” (p. xiii).

Sutherland begins his account with the murder of a father and his two sons in June 1795, killed by a gang, known to locals, which would murder approximately forty-five ex-Jacobins between 1795 and 1798. Few in the gang were brought to justice, because of their ability to intimidate the local populace into silence. How are we to understand this violence? It cannot, Sutherland argues, be attributed to the fiery temperament of the inhabitants of the Midi, as representatives on mission would often assert during the Revolution. Aubagne had not been a village of endemic violence and blood feuds before 1789, nor would these post-Thermidor murders generate a cycle of vengeance and vendetta after the Revolution. Rather, Sutherland sees these killings as a response to the violent justice, especially vigilante justice, carried out by the faction of local Jacobins in 1792-93, extending up through the Terror. He sees this essentially as a struggle between factions for power in local politics, in a region characterized by weak state authority: “The resultant lack of public confidence in authority to mete out justice as ordinary people understood it was a precondition to vigilante justice” (p. 11). The Introduction ends on a curious note: “A special kind of democracy explains why the Revolution was so violent and tragic here” (p. 12). This functions as a kind of teaser, perhaps, since nothing has been said to this point about what was special about democracy in the Bouches-du-Rhône.

This brief *mise-en-scène* is followed by a chapter analyzing the social and economic structures of Aubagne and its environs, a staple of the traditional regional studies to which Sutherland alluded in his Preface. He describes Aubagne as a typical agro-town of Provence, though quite different from northern villages, more socially and functionally mixed. Since it lay on the road between Marseille and Toulon,

considerable traffic passed through town, giving “rise to a thriving set of inns and taverns” (p. 15). Some of those taverns, we learn later, were gathering places for members of the murderous gangs that would terrorize the region between 1795 and 1798. This was not a fertile agricultural area—barely 10 percent of the land was arable, and most of this was devoted to viticulture. While this was an area of subsistence agriculture, though, there was enough commercial activity to make it vulnerable to the wider market, a factor in the volatile politics of the early Revolution. The nobility was weak in Aubagne and its environs, but a significant number of property-owning bourgeois and other professionals controlled much of the wealth and land of the town, and paid substantially higher taxes than the majority of the population, composed of peasants and artisans. Sutherland concludes that “differences in wealth, cultural level, occupation, and residence underlay many political loyalties,” but that these factors are not sufficient to explain the factional politics of Aubagne (p. 25). Sutherland also notes the existence of three penitent societies in Aubagne, and suggests that these may have had an influence on political alignments during the Revolution, although archival evidence does not make it possible to draw direct connections between the penitent groups and the factions of the 1790s.

Local taxes were an additional factor shaping revolutionary politics in Aubagne. Property taxes at the end of the Old Regime clearly favored wealthy landowners, who controlled the municipal council in the 1780s, a council composed of sixty members. This seems to me unusually large for a modest town the size of Aubagne, and this may help to explain the contentious nature of local politics: those who controlled municipal politics in the 1780s, a group too numerous to be called an oligarchy, as Sutherland observes, would naturally have felt threatened when the political winds began to shift after 1789. In 1790, when the council presumably still included members who had served prior to 1789, a law was passed limiting the maximum tax to twenty *livres* per taxpayer, a policy that clearly favored the rich. The wealthier one was, indeed, the greater the benefit.

Popular disaffection over taxation thus became a galvanizing force in Aubagne. In 1790-91 six separate petition campaigns called for a change in the tax system, aimed at sharing the burden more equally. None succeeded, since the propertied classes continued to control municipal politics. That changed in 1791. What would eventually become the local Jacobin club was founded in spring 1791, and Jacobins swept the elections in November that year. The election results were challenged, and eventually overturned by the district administration, but new elections in January 1792 produced the same result. Sutherland concludes that a “recurring theme of the period had clearly emerged: when popular sovereignty and the law were in conflict, only the wishes of the people were legitimate” (p. 55). But was this a conflict between popular sovereignty and the law? The district administration, I would argue, represented legal authority rather than the law, and we are not told very much about the reasons for the district council’s actions. We do know, however, that at this point in the Revolution district councils across the country were largely composed of landowners and professionals, and already jurisdictional skirmishes had begun to occur between municipal, district, and departmental administrations, all of which, it is worth noting, were political bodies. In addition, in 1791 and early 1792 passive citizens were not yet eligible to vote, and while there were allegations that passive citizens had voted illegally in Aubagne, there is no evidence in the archives that would substantiate such a charge. Can we really say, then, that these elections were an expression of popular sovereignty? This is, I would argue, precisely what was being contested at this moment.

In the wake of those elections, which showed political divisions developing along neighborhood lines, moderates in Aubagne attempted to consolidate opposition to the Jacobins at the Olive Festival, held annually in early February 1792. This year, however, although preliminary festivities occurred in town, the festival culminated at an “invitation only” gathering at the Château Belloi, which sat on a hillside perch overlooking Aubagne. Alarmed by this assemblage of several hundred men, some of them armed, and assisted by one hundred fifty National Guardsmen from Marseille, local Jacobins moved to suppress the Festival and disperse the crowd. There was confrontation, but no serious violence at this time. Sutherland views the elections of that fall and winter, and the large gathering for the Olive Festival, as

evidence that a popular movement had developed in support of the opposition, as well as the Jacobins, in Aubagne. I wonder, though, if this was not more likely patron-client relations called into action to marshal support for the local elite. These were clearly at work in Caen in the fall of 1791, when efforts on the part of local nobles to organize support for elections there resulted in what came to be known as the Affair of 84, so called because of the number that were arrested and later tried on charges of conspiracy. Patron-client ties were clearly at work in Aix-en-Provence, not far from Aubagne, in the contentious first years of the Revolution, and in both Lyon and Marseille local elites attempted to mobilize supporters, without great success, in the controversial municipal elections of late 1792.[2]

While Sutherland does not see the violence of this region as being rooted in ideology, he does see it growing out of local political currents. His discussion of violent acts between 1792 and 1794 can sometimes be a bit bewildering, however, as we jump in the narrative from Aubagne to Marseille to Salon to Aix and even as far afield as Toulon. Was there a pattern here? It is not clear, although certainly the citizens of one town would have heard of violent events in another. Would this necessarily have inspired imitation, though? Sutherland argues quite strongly that Aubagne politics cannot be understood apart from Marseille Jacobinism, but he seems not to allow the possibility that news of the Paris massacres might have triggered the violent murders in Aubagne in late September 1792. He characterizes the murders and lynchings of 1792-93 as “popular justice,” which was itself, in his view, an expression of direct democracy (p.117). The goal of radical Jacobins, we are told, was “to eliminate the bourgeoisie altogether,” this only pages after the author observed that Jacobin rhetoric could often be hyperbolic and misleading (p. 63). A similar argument is made later in the book: “The terrorists of Aix, for example, did not wish merely to defeat and punish the enemy, not merely to defend themselves against treason and foreign invasion, as Greer would have it; they wanted to crush, grind, and exterminate the enemy” (p. 174). It is hard for me to imagine revolutionaries bent on “elimination” or “extermination” of their enemies if ideology is not involved. I agree with Sutherland that local forces need to be considered in order to understand the violence of the Terror, but wholesale extermination does not seem to me what drove even the most rabid of Jacobins.

The reference noted in the previous paragraph was to Donald Greer’s work on the Terror, a statistical study that appeared nearly eighty years ago.[3] In Sutherland’s view, “Greer normalized the Terror” (p. 173). By this he means that “Greer’s description of Terror as defense emphasizes the legitimacy, patriotism and even nobility of repression” (p. 174). I do not recall Greer presenting revolutionary terror as a noble endeavor, but his certainly was a statistical study, aimed precisely at moving beyond individual cases and popular misconceptions to arrive at a general sense of the incidence of the Terror, analyzed both in geographic terms and according to social class. Did this produce a somewhat antiseptic picture of the Terror, as Sutherland asserts? Absolutely. Sutherland proposes to remedy that by examining the Terror in a local context. But does this result in a better understanding of the Terror? Sutherland himself seems a bit inconsistent at times in the way he addresses this question. At one point we are told, for example, that “The Law of 17 September 1793, the infamous Law of Suspects, gave the *comités de surveillance* a new injection of energy everywhere in France” (p. 204). But two pages later we read that “just as the local terrorists had graduated from earlier faction fights, so too had their enemies” (p. 206). In other words, the local idiom of terror was often different than the national idiom. Terror in the provinces was not simply a product of national policy, any more than the overall pattern of terror grew out of local particularities. Nor was the Terror the same in Normandy as it was in Provence, despite the fact that the federalist revolt was an important part of local politics in both cases.[4]

The role of faction is a theme that runs throughout the book. Factional divisions lay at the root of the Jacobin violence of the Terror, and similarly played a fundamental role in the killings that occurred after Thermidor. The personal animosities that informed those factional divisions may also have had their roots in the Old Regime, rather than being imbedded in revolutionary politics. In both cases Sutherland sees the violent killings as a form of popular justice, the people taking things into their own hands due

to their impatience with, or lack of confidence in, the formal judicial process. He does note one telling difference, though, that he might have dwelled on more: the crowd violence of 1792-1794 was carried out in public, in the light of day. The authorities chose not to bring the perpetrators to justice because they agreed with their motivation, even if they might have condemned their vigilante methods. The killings after Thermidor, however, were generally not public, most often occurring at night on isolated paths, away from the center of town. It was difficult to bring the perpetrators to justice because no one would testify in court against them, not because they shared their political views, but rather out of fear. These killings, then, were all about intimidation.

We meet the perpetrators of the violence in Aubagne, we know them by name, but we do not really learn very much about them. I found myself wanting to know them better, to learn something about their personal enmities and their clientage relations, in order to understand why they committed the crimes they did. Sutherland sees this violence, at least the violence of the Terror, as an expression of direct democracy, and he argues that “we usually think of direct democracy as a perfected version of representative democracy” (p. 287). This seems problematical to me on two counts. First, not all Jacobins, perhaps not most of them, were advocates of direct democracy. Second, for those *sans-culottes* who did advocate direct democracy, it meant something fundamentally different from representative democracy. It was a vision of politics in which elected officials were directly accountable to their constituents. A final point. While Sutherland is careful to insist that the violence of Aubagne “was not paradigmatic of France as a whole” (p. 285), he ends by concluding that “once the political class in Paris converted to a policy of uninhibited repression during the summer of 1793, the men of the National Convention adopted a jurisprudence for the revolutionary tribunals that channeled the vigilante instinct” (p. 289). Here, it seems to me, Sutherland is offering an interpretation that does apply to France as a whole, and it is one that is diametrically opposed to that offered by Jean-Clément Martin in his recent book on revolutionary violence.[5] This is an issue, I hope, that future scholars of the Revolution and the Terror will engage, and we can thank Professor Sutherland for helping to stimulate that argument.

[1] Patrice Higonnet, *Goodness beyond Virtue: Jacobins during the French Revolution* (Cambridge, MA: Harvard University Press, 1998; François Furet, *Penser la Révolution française* (Paris: Gallimard, 1978); Augustin Cochin, *Les Sociétés de Pensée et la Démocratie: Etudes d'histoire révolutionnaire* (Paris: Plon-Nourrit, 1921).

[2] Paul R. Hanson, “The Federalist Revolt: An Affirmation or Denial of Popular Sovereignty?” *French History* 6 (September 1992), 335-355.

[3] Donald Greer, *The Incidence of the Terror during the French Revolution* (Cambridge, MA: Harvard University Press, 1935).

[4] Paul R. Hanson, *The Jacobin Republic under Fire: The Federalist Revolt in the French Revolution* (University Park: Pennsylvania State University Press, 2003).

[5] Jean-Clément Martin, *Violence et Révolution: Essai sur la naissance d'un mythe national* (Paris: Editions du Seuil, 2006).

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