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Loris Chavanette, *Quatre-vingt-quinze: La Terreur en procès*, Préface de Patrice Gueniffey. Paris: CNRS Éditions, 2017. 397 pp. Illustrations, bibliography, and index. € 26.00 (pb). ISBN 978-2-2710-9001-0.

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The Thermidorians have long had bad press—and for good reason. The politicians who dispatched Robespierre and his closest allies on 9 Thermidor Year II (July 27, 1794) acted principally to preserve themselves, not the republic. Over the following fifteen months, France careened from a populist dictatorship and a controlled economy to an elitist assembly and free-market chaos. A year of growing backlash against the policies and personnel of the previous regime introduced the term “reactionary” into the political lexicon. This *volte-face* on the regime of Year II is why hardline Soviet critics bashed the NEP, the liberalizing New Economic Policy of the 1920s, as “Thermidorian.” The Thermidorians also tried to end the French Revolution by adopting a new republican constitution, but then fudged its implementation in order to preserve themselves in power. The resulting combination of institutions and politicians, known as the Directory, proved congenitally incapable of providing political stability and so paved the road to personal dictatorship.

These obvious failures have been the basis for a persistent caricature, one that ignores some significant successes. In the past quarter century, historians have paid more attention to the once largely neglected years between Robespierre and Napoleon. The result is a better appreciation of the profound and multifaceted challenges that confronted the men of 1795. The difficulties faced by fledgling democracies in our own times have also no doubt provoked greater sympathy for the predicament of democratic predecessors two centuries earlier. Such developments have made the Thermidorians ripe for reassessment. Loris Chavanette’s new book is a welcome contribution to such an undertaking. He wisely does not attempt a wholesale rehabilitation of the Thermidorian period of the National Convention. As much as historians need a full-scale update on Albert Mathiez’s classic *La Réaction thermidorienne* (Paris: Armand Colin, 1929), this is not such a book. Chavanette forgoes analyzing developments in the economy, in religious practices, in foreign affairs, or in cultural matters to focus exclusively on high politics. Even then, he does not seek to explain the many factional alignments and realignments over the final fifteen months of the National Convention. As a result, the term “Thermidorians” often covers a rather wide range of political actors, and frequently takes the place of institutional entities, such as the Convention or one of its key committees. Moreover, Chavanette’s subtitle, “La Terreur en procès,” captures an important element of the book, but not its main argument or its greatest contribution.^[1] These lie in exploring efforts to enact a republican rule of law after the so-called “Reign of Terror.” As Chavanette emphasizes throughout, the National Convention severely compromised this effort through repeated recourse to revolutionary practices of exceptional justice. Nonetheless, he suggests, the Thermidorians deserve to be taken seriously because they strove to limit such deviations.

Chavanette frames his book in terms of a “Thermidorian revolution,” as opposed to the more traditional “Thermidorian reaction.” His claim rests largely on the Thermidorian rhetoric of making justice, rather than terror, “the order of the day,” and the consequences it had for actual juridical practices in the period. These consequences included making criminal intent a necessary part of felony convictions, even

in political crimes, thereby ending the sort of revolutionary justice that had sent individuals to the guillotine simply for their actions or social identities. Chavanette scrupulously notes, however, that such judicial niceties did not prevent Thermidorians from acting arbitrarily. Permitting dozens of Girondin deputies to resume their seats in the Convention was meant to repair some of the damage done to national sovereignty; it also stoked the fires of revenge and retribution. As a result, attempting to turn the deputy Jean-Baptiste Carrier into a scapegoat for atrocities committed in the Vendée civil war, or prosecuting Fouquier-Tinville and his co-defendants for the aberrations of the Revolutionary Tribunal during Year II, proved inadequate to contain widespread demands for retributive justice against former Jacobin functionaries, now dubbed “terrorists.” In short, the Thermidorians’ efforts to balance the rule of law and political exigencies made them “pionniers de la justice de transition” (p. 101), which is a perspective I put forward a few years ago.[2]

The relationship between this flawed effort to blend clemency and retributive justice, on the one hand, and Chavanette’s larger claim about a “Thermidorian revolution” instead of “reaction” on the other, is sometimes difficult to discern. This is partly due to conflicting statements about when the Thermidorian revolution ended. “La révolution du 9 thermidor, commence avec la mort de Robespierre, finit avec celle de Le Bon. Elle est cimentée par le sang” (p. 160). (Le Bon was convicted and executed in the late summer of 1795 for excesses while a representative on mission in the north east.) Such a statement suggests that violence and retribution were central to the Thermidorian revolution. However, later, Chavanette states that the “gouvernants de l’an III décidèrent de terminer la révolution du 9 thermidor en ayant recours à des moyens de salut public” (p. 212) by adopting severe means of repression in response to the *sans-culottes*’ final insurrection of 1-4 Prairial Year III. This ended the Thermidorians’ “politique de clémence,” (p. 212) which Chavanette sees as most evident in the amnesty granted by the Convention to rebels in western France in exchange for laying down their arms. (This was perhaps as much due to weakness and naïveté, as it was a policy of clemency.) The disarmament, mass arrests, and recourse to military justice that followed the Prairial uprising in Paris is described as a “une espèce de choix forcé” (p. 214) required to defend a regime in peril. The concluding chapter also shifts the ground. Here Chavanette states that “la France thermidorienne ne prit le vrai visage d’une révolution qu’au lendemain de la victoire remportée sur les insurgés parisiens en prairial an III” (p. 327), because this led to the destruction of Jacobinism and the decision to adopt a new constitution. Only then did Thermidorian “réforme” become a revolution: “La révolution ouverte par le 9 thermidor prenait enfin forme avec l’adoption par le peuple de la Constitution de l’an III” (p. 327). If the “Thermidorian revolution” ended both before and after it took shape, what actually was it? If it was the destruction of Parisian radicalism and the crippling of Jacobinism, then it was a reaction, not a revolution. If it was establishing a republican regime on the rule of law, then it was in some critical ways *une révolution manquée*.

Uncertainty of this sort may derive from Chavanette’s penchant for ringing pronouncements. These often leave the reader impressed with his rhetorical skills and yet puzzled by his larger interpretation. Rhetorical gems include: “Désormais, les révolutionnaires ont la hantise du passé après avoir eu la monomanie de l’avenir” (p. 35) and “Lamartine écrit de Robespierre qu’il avait été modéré avec des idées extrêmes; les thermidoriens sont extrêmes avec des idées modérées” (p. 106). On the more puzzling side lies the statement, regarding the royalist insurrection of 13 Vendémiaire Year IV, that reactionaries had realized that they had returned to “point zéro.” “La réaction se rend à l’évidence: se libérer des conventionnels est la prochaine étape du mouvement de libération qu’est la révolution thermidorienne” (p. 269). What does such a statement mean for the relationship between “Thermidorian revolution” and “Thermidorian reaction”?

The difficulty in analyzing the fifteen months of the Thermidorian Convention lies in the changing constellation of leaders and their inconsistent policies. And yet, what shorthand term other than “Thermidorians” could be adopted? Chavanette would like to replace the idea of “reaction” with that of “revolution,” but he sticks with, or one might say that he is unavoidably stuck with, the term “Thermidorian.” Therein lies the difficulty of achieving a consistency of interpretation. The rhetoric of

making justice the order of the day helped to end the Terror, but it did not prevent the Convention from resorting to a military commission to prosecute the leaders of the Prairial insurrection. Chavanette's most in-depth archival research pertains to the operations of this commission, made famous by condemning to death six Montagnard deputies later dubbed the "martyrs of Prairial." He finds that, compared to the Revolutionary Tribunal at the height of the Terror, the military commission of mid-1795 offered a notably more regulated, but still compromised, form of justice determined in significant part by political arbitrariness. A score of similar military commissions also operated over the summer of 1795 and shot some 750 émigrés for participating in the Quiberon invasion. Chavanette does not investigate the procedural aspects of this quasi-judicial repression. Instead, he emphasizes the horror it caused among royalists and the breach it provoked with "Thermidorian" journalists such as Lacratelle. Chavanette also notes that the biggest trials of the Thermidorian period, those of Carrier and Fouquier-Tinville, were show trials and thus essentially precursors to propaganda. By August 1795, scores of Montagnard deputies, as well as hundreds of key leaders of the *sans-culottes* in Paris and beyond, were in prison awaiting formal prosecution for acts of arbitrariness and "terror." But the mounting reaction threatened to destroy the republic. A reaction to the reaction quickly ensued, as former "terrorists" were released, then rearmed in order to defend the Convention. Calling them "men of '89" did not fool the conservatives who had gained control of the sections of Paris. In the end, the "Thermidorians" used the army to crush these "reactionaries" on 14 Vendémiaire. The Convention then turned against its own leaders from the spring, men such as Boissy d'Anglas. After such twists and turns, who were the true Thermidorians?

Chavanette underscores the leniency of the repression that followed the Vendémiaire uprising, as well as the Convention's final act: a political amnesty that mainly favored Jacobins. If there was a "Thermidorian revolution," then surely this was the end of it. After all, the amnesty of 4 Brumaire IV meant that efforts to deal with the revolutionary past through judicial procedures (even compromised ones) were simply nullified. Loris Chavanette's book admirably demonstrates that the Thermidorian Convention is a fertile field for research, all the more so because the inconsistencies of the "Thermidorian revolution" need to be taken seriously. The Thermidorians both defined the Terror and ended it. They failed, however, either to define the French Revolution or to end it. Thus, neither "Thermidorian reaction" nor "Thermidorian revolution" adequately describes this confused period of transition.

NOTES

[1] This issue has been addressed most fully by Bronislaw Baczko in *Comment sortir de la Terreur. Thermidor et la Révolution* (Paris: Gallimard, 1989) and its sequel "Une passion thermidorienne: la revanche" in his *Politiques de la Révolution française* (Paris: Gallimard, 2008), pp. 165-338.

[2] Howard G. Brown, "Robespierre's Tail: The Possibilities of Justice after Thermidor" *Canadian Journal of History* 95 (2010): 503-555, describes the Thermidorians as "pioneers" of "transitional justice" on pages 505 and 535. Chavanette cites this article in reference to "retributive justice," but not "transitional justice," which is a key organizing principle for his book (although on p. 24 it becomes "justice transitoire," which is another matter). A similar ambiguity of origins arises when Chavanette uses, without quotations in the main text, Sergio Luzatto's phrase, found in his *L'Automne de la Révolution: Luttes et cultures politiques dans la France thermidorienne* (Paris: Honoré Champion, 2001), "lit de justice populaire" (p. 178) to describe the insurrection of 1 Prairial Year III; however, the origin of the phrase can be discovered by going back two reference notes on page 354.

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