

CHAPTER EIGHT

Policing the Moral Limits

Public Spirit, Surveillance, and the Remaking of Mœurs

Such is the kind of revolution still needed: that of mœurs.

Jean-Marie Roland, *Lettre du ministre de l'Intérieur
à la Convention nationale*, September 30, 1792

Quid leges sine moribus vanae proficiunt?

(How useless and vain are the laws without mœurs?)

Horace, the Third Ode of *Carmina*, cited by François-Xavier Lanthenas,
Bases fondamentales de l'instruction publique, 1793

Without public spirit, no mœurs.

Dieudonné Thiébault, *Traité sur l'esprit public*, 1797

Public Spirit, the Moral Limits

In the two and a half weeks between the time her father was fired and the time he was recalled and returned from Bâle, France, wrote Anne-Louise-Germaine Necker, fell apart. The future Madame de Staël, in her letter to the Emperor of Sweden of August 1789, recounted, "My father [Jacques Necker, First Minister of Finances] returned on July 27 to find authorities destroyed or confused with new ones...an old nation fallen into a state of infancy rather than youth, a corrupt people clamoring for American institutions, insisting on freedom before establishing public spirit."¹ In a letter eight months earlier, de Staël described France to be in a state of "great agitation" over the upcoming Estates-General. She thought that with the mass of conflicting interests, establishing public spirit would be treacherous. "The French want to establish public spirit amid a thousand particular interests. They believe a Constitution will be born from the clash of competing parties. I hope this will happen, but I tremble for the navigator who tries to guide them through so many obstacles."²

Three years later, Jean-Marie Roland was the navigator, and bearing out de Staël's presentiment, he crashed upon the reefs of revolutionary politics. As Minister of the Interior, he was accorded 100,000 livres by the National Assembly on August 18, 1792, to cultivate public spirit. His partisan propaganda, we have seen, raised the ire of radicals. In January 1793, as Montagnard deputies were driving him from office for allegedly corrupting public spirit, he published an essay defining it. His definition, which his wife, Jeanne-Marie Phlipon, may have penned, deserves to be cited at length. It echoes much of what was said about public spirit before the Revolution and offers insight into the political crisis of the early First Republic.

Public spirit is not what people often confuse unthinkingly with public opinion whose flux and partial applications can take on an indefinite variety of forms. What I call public spirit is a natural tendency, imperious toward all that can contribute to the happiness of the country; it is a most profound and religious sentiment which places the interest of our common mother [the nation] above our [particular] interests and inspires in us a fraternal affection for fellow citizens; it prescribes as the most important duty to love one's country, to respect and obey its laws, and to regard as scandalous and punishable all who violate them, undermine them, or even *censure them*; to honor as fathers the magistrates responsible for communicating the laws and executing them; and to recognize as unworthy of belonging to the social body those who isolate themselves, seeking only advantages without contributing to its harmony.³

In short, public spirit was "purely moral," involving civic values, patriotism, and social discipline.⁴ Like many revolutionaries before and after his ministry, Roland believed that laws and political authority were nothing without moral attachments binding the people to them. He claimed that this moral force was the much-needed antidote to the "calumny...insults, and attacks made against authorities" and the reigning "fracture sociale."⁵ He distinguished public spirit from public opinion, which allowed him to uphold the freedom of expression and of opinion while justifying state efforts to secure the moral foundations of the new regime. Finally, he considered not only revolt but even censure against the laws to be punishable. He viewed such censure as politically destabilizing—a specious assertion in other contexts, but perhaps less so in 1792 when the regime's legitimacy was uncertain.

The Rolands' definition of public spirit also fit with broader conceptions about civic *mœurs* developed before the Revolution. "*Mœurs*," we have seen, was a polyvalent term encompassing propriety, customs, and morality. Con-

temporaries saw them as the foundation of the social and political order. Laws needed to be conformable to mœurs, and mœurs needed to be good for the laws to have any influence. We have also seen that “public spirit” in Enlightenment tracts referred to republican mœurs. At times, public spirit consisted in disinterested reason, at others, heartfelt patriotism. It implied obedience to the law and respect for authorities. Without suppressing individual interests, public spirit placed collective interests above those of the individual. One did not have to subscribe to Rousseau’s writings to accept this hierarchy of interests, even if one could find it there; it appeared in the theories of classical, agricultural, and commercial republicanism circulating throughout the Atlantic world.⁶ Indeed, as the daughter of an international financier, de Staël’s use of the term in 1789 is not surprising. Nor is its institutionalization under Roland’s ministry in 1792. For decades Roland had devoted himself to the study of agriculture, commerce, and industry; he traveled often to England and Holland and wrote much about political economy.⁷ He had every opportunity to become steeped in ideas about public spirit.

This study has thus far examined the punitive aspects of policing opinion. Repression, we have seen, grew out of engrained cultural reflexes concerning calumny, honor, and authority—reflexes that ran amok under the strains of regime change and the introduction of civil equality. Yet, punishment and proscription were not the only methods revolutionaries adopted in dealing with perceived speech abuses. They also tried to cultivate moral restraints. For them, public spirit served as a normative ideal to guide them in monitoring and disciplining opinion. As a moral norm, public spirit helped them reconcile their policing of opinion with the principle of free speech; for as we have seen, the cahiers de doléances expressed the belief that the enforcement of mœurs, or moral limits, was compatible with press freedom. Although some revolutionaries initially believed that press freedom would vivify public spirit, they soon came to the conclusion that press abuses were undermining it. How were such abuses to be checked? Many militated for legal restrictions and extraordinary justice. Some, however, thought that the government should do more to instill civic values. They imagined that public spirit, once propagated, would dispense with the need for punishment. But the Revolution paralyzed or abolished mœurs-shaping institutions, notably the Church and the guilds, and it provoked tensions over the role of religion in education.⁸ The outlandish attempts in 1793 and 1794 to morally regenerate the nation by breaking with all tradition must be understood within the chronology of the Revolution and the failure to secure civic values and social discipline through religion between 1789 and 1792.

FIGURE 8.1. Jean-Marie Roland, Minister of the Interior. Courtesy of the Bibliothèque nationale de France, cabinet d'estampes.



Public Spirit before State Intervention: A Solution to Calumny and the Role of Religion

Belief that press freedom would strengthen public spirit did not last long. The comte de Mirabeau expressed this optimism in his 1788 *Sur la liberté de la presse*, an updated version of John Milton's *Areopagitica* (1644). Unlike de Staël, Mirabeau

FIGURE 8.2. Jeanne-Marie Phlipon, Madame Roland. Courtesy of the Bibliothèque nationale de France, cabinet d'estampes.



believed that France's public spirit was strong enough to risk constitutional overhaul and press freedom without sliding into anarchy. Even if agitation occurred, it was better, he insisted, than putting up with an arbitrary press regime.⁹ He claimed that the greatest threat to public spirit came from royal ministers who sought to impede communication between groups within society, keeping people divided and exploiting fears of anarchy.¹⁰ Mirabeau's belief in the positive effects of a

free press for the improvement of mœurs was echoed in an anonymous pamphlet published in the summer of 1789. Dismissing worries that press freedom would destroy mœurs, the author proclaimed, “Oh, you reactionary supporters of old errors...[By opposing press freedom] you deprive us of the sole means for reestablishing them!”¹¹

Most contemporaries felt differently. They believed that unregulated press freedom was contributing to moral decline and civil strife. In January 1790, a legal scholar from Lyon wrote, “If the Nation wants to regenerate its mœurs, reestablish order...and preserve its liberty, it will never do so by permitting the circulation of these dire writings that attack mœurs, blacken the honor of the most virtuous citizens, and destroy the ties between the people and their monarch and the National Assembly.”¹² The poet André Chénier agreed. While his radical playwright brother Marie-Joseph Chénier was clamoring for freedom in the theater, André offered more measured reflections on the freedom of the press. “All that is good and bad in this Revolution,” he asserted, “can be attributed to writings.”¹³ Focusing on the bad, he was convinced that hidden, high-powered interests were behind the production of libels. To combat them, he thought that action needed to be taken. Sedition laws, he believed, would suffice to thwart writings that preached insurrection. But to counteract calumnious writings that managed cleverly to remain within the law’s limits, readers would need to become more clever themselves. Wise readers, according to Chénier, “observe the reasoning and precepts [of writers], uncovering the interests that motivate them.” That is, wise readers discern the moral intentions behind the words on the page. He called upon such readers to “denounce writers as public enemies if their doctrines tend to mislead, reduce, or deteriorate public spirit.”¹⁴ (Ironically, the intentions behind his 1793 *Ode à Charlotte Corday*, which celebrated the assassination of Marat, were the grounds for his arrest during the Terror; he was guillotined two days before the fall of Robespierre.)

What was this “public spirit” that André Chénier thought needed to be protected? It was “a certain generalized, practical reason...always in calibrated accordance with public institutions.”¹⁵ He stressed the aspects of calm, cool reason rather than fervent patriotism. Still, like Roland, he saw public spirit as a “kind of religion, almost a superstition.” It inspired “respect for the law” and an appreciation of the distinction between what belonged to the individual and what belonged to society.¹⁶ For Chénier, free speech was not incompatible with public spirit, but neither did it guarantee that public spirit would flourish. To secure public spirit in France, the popular classes would have to undergo an “apprenticeship of reason.”¹⁷

Even those espousing quasi-libertarian views on free speech in 1791, though they rejected the notion of seditious libel, nevertheless believed that improved public spirit would reduce calumny. Unlike the philosophes of the 1750s and 1760s, who, as we have seen, dismissed the dangers of libels, the quasi-libertarians of the Revolution acknowledged their potential to do harm. The anonymous author of *Discours sur la censure publique et la calomnie patriotique* (1791), for example, criticized Loustalot's and Prudhomme's "calumny is good" precept and declared Camille Desmoulins to be one of the most dangerous calumniators around.¹⁸ Still, the author believed that legal limits were futile. Addressing legislators (he was probably one himself), he wrote,

You want to find a way to [establish legal limits] for the freedom of the press... but it is impossible to find one that would not compromise public liberty; you want at least to know if it is possible to pass a law against calumny, which is truly moral assassination, but the sad reality is that there are few laws that bad citizens cannot abuse, and a law against calumny would only enervate the courage of those who have hard truths to announce to the public.¹⁹

Like Chénier, this writer believed that the only solution to the problem of calumny was to teach readers to distinguish truth from calumny and to scorn libels. Society needed more Enlightenment and better mœurs. "Virtue and Verity, these are our gods, these are our guides!"²⁰

Even the more strident quasi-libertarians thought improved public spirit was needed to counteract abuses of press freedom, though they still entertained the belief that unlimited freedom would force society to become more self-policing and, hence, virtuous. In his second tract on press freedom in 1790, Louis-Félix Guynement de Kéralio claimed that repressive laws would sap public spirit, provoking public indignation of authorities and discouraging citizens from helping authorities track down true calumniators.²¹ The absence of repressive laws would have the opposite effect. Citizens would be more inclined to speak out against calumniators.²² The public would begin policing itself, and public spirit would consequently improve. Unlike André Chénier, who thought that repressive laws were necessary to combat seditious tracts, Kéralio insisted that a self-policing public could better deal with the problem. "Under an arbitrary government, an expressed *seditious intention* alarms only administrators, since they are its sole target. Subjects sit back and watch events like spectators. Under a free government, however, an announced *seditious intention* excites public spirit, alarms the nation, and all citizens are mobilized."²³

What about writings that whittled away at mœurs? Kéralio thought that the only viable remedy was to establish sound moral principles, "which exist in man's

nature, his rights, and the social pact.” “It is necessary,” he urged, “to discover them, develop them, and spread them through public oral instruction, writings, and a national education system. It is only through these means that one can rectify the general will, alter opinions, and constitute public spirit with regard to mœurs.”²⁴ In short, France needed “more instruction, more mœurs, and more freedom, but fewer laws.”²⁵

The compelling reason, then, to embark on the intellectual and moral regeneration of society was to secure the most amount of freedom with the fewest legal restrictions. Enlightened moral instruction was imagined to be the antidote to calumny and a civilizing alternative to repression and punishment. But legislators did little about public instruction, besides draw up proposals, conduct surveys, and blather about its importance. Meanwhile, the old system of education fell into disarray. This occurred for several reasons. The expropriation of Church property upon which many schools depended brought about their financial ruin. The Civil Constitution of the Clergy of July 1790 and the pope’s rejection of it in the spring of 1791 polarized clerical communities, sending waves of dissension throughout what remained of the education system.²⁶ Indeed, disputes over the legitimate role of religion in civic instruction were the main reason the National Assembly did so little to reform the education system. Before 1789, as we have seen, mœurs and religion were considered to be overlapping and mutually reinforcing. After 1789, they became increasingly irreconcilable.

The first serious set of education reforms proposed in the National Assembly did not appear until two years into the Revolution. In September 1791, Charles-Maurice de Talleyrand-Périgord, the very deputy-bishop who had supported the expropriation of Church property in the fall of 1789, called for free education for all girls and boys beginning at the age of seven.²⁷ His proposals were indeed progressive, but not radical. They did not make schooling compulsory and did not require children to remain in school throughout their teens, since most, he believed, were headed for the trades or domestic work. The least progressive aspect of his proposals was his call for Catholic instruction. Criticizing this point, Desmoulins wrote, “A Protestant, Jewish, or Mohammedan father could never send his child to such a school.”²⁸ As it turned out, Protestant, Jewish, and Muslim fathers did not have to make the choice; the proposal was shelved.

Desmoulins’s criticism notwithstanding, most early revolutionaries believed that Christian instruction—which usually meant Catholic instruction—was best suited for spreading civic consciousness. We have seen that Jacques Necker, a Protestant, devoted a lengthy publication in 1788 to arguing that civic mœurs depended on religious instruction. Only religion, he insisted,

could bind the individual's conscience to the general interest. This view predominated until 1792. Anthanase Auger, a key figure of the Cercle Social, raised the question in his *Catéchisme du citoyen français*: "Why should we submit to the religion of our ancestors?" His response: "In general, religion is the basis of all virtues and *good mœurs* without which laws would be ineffective."²⁹ Conceding that all societies have sacred beliefs that morally bind individuals together, he emphasized the superiority of Christianity, "whose dogmas are so sublime, whose morality is so pure, and whose outlook is so gentle, uniting all men through bonds of charity."³⁰ (He did not clarify whether Christianity encompassed Protestantism.)

Still, secular and outright anticlerical positions on education were, if not prevailing, at least discernible in these early years. On August 3, 1789, the eve of the abolition of feudal privileges, François Boissel submitted to the National Assembly his treatise *Le catéchisme du genre humain*. Boissel discussed guiding principles for public instruction, the most important of which was the exclusion of religion. "One must not mix up the principles of sound morality which have human relations as their chief object with religions that have as their chief object people's relationship to the divinity."³¹ Boissel did not pull any punches when it came to assessing the history of religious education. "If the ministers of fanaticism have until now preached principles of morality, without ever practicing them, it has been only to gild the knives they put in our hands...to divide us, to arm us against each other."³² An ardent Holbachian, Boissel repeatedly referred to the Church as a "mercenary, homicidal, and antisocial establishment."

Such statements were clearly intended to shake up prevailing pieties about how religion and mœurs reinforced each other. Yet, it is unclear that many read Boissel's book in 1789. No one made mention of it in the National Assembly until November 4, when a deputy-bishop, smarting over the expropriation of Church property decreed two days earlier, denounced it. The bishop was probably also trying to settle a score for the Assembly's recent *lèse-nation* accusation against Le Mintier, Bishop of Tréguier, for circulating antirevolutionary pastoral letters.³³ In any case, the deputy Rabaut Saint-Étienne (a Protestant) informed Boissel that his book had been denounced. He confessed that he had not yet read it, but since Boissel had sent him a copy, he felt obliged to warn him.³⁴ The author promptly wrote to the National Assembly's *comité des rapports*. He claimed that the ideas in his book were over the heads of "the majority of society"—a convenient claim, though probably accurate: no mention of it appears in the more than forty cartons of the *comité des recherches*, otherwise replete with denunciations of "bad" works.³⁵ In any case, the affair seems to have fizzled out there. A second edition

of the work did not appear until 1792, when troubles over religion made Boissel's anticlerical views more appealing.

Debate on the role of religion in educating the masses surfaced in various societies and clubs in 1790 and 1791. In his study of the Cercle Social, the think tank and propaganda machine of the Jacobin Club, historian Gary Kates shows that while some supported a Christian-based civil religion as the basis of moral instruction, others promoted a secular, nation-based one.³⁶ Debate on this issue surfaced in Jacobin Club meetings as well. In September 1791, an engineer from Lyon, Jean-Claude Simonne, delivered a speech on education. Like Boissel, Simonne was fiercely anticlerical. He asserted that the clergy had always been elitist and bent on keeping people in the dark. He called for establishing a national education system devoted to the teaching of, among other subjects, morality and mœurs, two disciplines that he took to be interdependent.³⁷ His speech was greatly applauded, though one member, a bishop from the Ain, branded it "atheistic" and accused Simonne of "debasing the clergy."³⁸ The bishop insisted that the club reverse its decision to have it printed. In the end, Simonne had it printed on his own.

In the winter of 1791–1792, as the Legislative Assembly was debating whether to declare war on Austria, tensions mounted over the clergy's privileged role in morally instructing the nation. The Civil Constitution of the Clergy was turning into a disaster, encountering fierce resistance in many parts of France.³⁹ Despite the abolition of the regular orders of the clergy in the spring of 1790, the National Assembly allowed members to continue living in their convents, monasteries, and seminaries, many of which became hothouses of counterrevolution.⁴⁰ According to a deputy in early February 1792, patriots were starting to "mark" them, a sign of imminent bloodletting. Anticipating violence, some departmental officials washed their hands of their responsibility over religious matters.⁴¹ Hopes that the Civil Constitution of the Clergy would reconcile the principles of religion and the Revolution and secure civic mœurs were vanishing quickly.

It was in this context that Charles-Alexandre de Moy, a constitutional priest from the diocese of Saint-Laurent in Paris, wrote *Accord de la religion et des cultes chez une nation libre*. Moy insisted on the equality of all cults and pressed for the creation of an overarching national religion. "As long as the Roman Catholic cult does not take on the same status as all the other cults in the eyes of the nation, the body politic will never enjoy perfect health."⁴² Moy, who had won a prize from the Academy of Besançon in 1776 for a discourse on mœurs, was not anticlerical.⁴³ He insisted on tolerance for all religions, "except of course those that are contrary, not to reason, for that would be expecting too much, but to good mœurs and the constitution."⁴⁴ What was this national cult to consist in? He

believed that much still needed to be created. He observed that on July 14, 1789, "The French people dared to declare themselves a nation, but the nation did not yet exist."⁴⁵ The only festival the nation had was the Festival of the Federation (Bastille Day), and he criticized the use of Catholic rituals in celebrating it. The new religion was to have its own altar, he asserted. At this altar, the papist would stand hand-in-hand with the Protestant, the Protestant hand-in-hand with the Jew. "Everyone will embrace each other."⁴⁶ Factions would disappear before this altar as well. "These odious distinctions of aristocrats, democrats, jurors, non-jurors, royalists, republicans, and counterrevolutionaries will no longer exist."⁴⁷ Published in early 1792, Moy's pluralist vision of national unity was expressed against the backdrop of factionalism and civil strife. This context, exacerbated by the king's resistance to the Legislative Assembly's religious policies, helps explain Moy's unambiguous resolve: "There is no middle ground.... Either the nation remains entirely Roman Catholic... or it gives Roman Catholicism no more privileged status than any other cult" and creates its own.⁴⁸

Although Moy's book received official homage from the National Assembly, which forwarded a copy to the *comité d'instruction publique*, it stirred up a barrage of criticism. Jean-Baptiste-Joseph Gobel, Constitutional Bishop of Paris, was among its critics.⁴⁹ What must have been Gobel's consternation can be gleaned from an anonymous publication, *Lettre à M. Gobel*. The author begins, "It is said that you are not satisfied with your priest of Saint-Laurent [Moy]." He insisted that Gobel had no reason to reprimand Moy, since the latter's arguments were the logical, if unfortunate, result of the Civil Constitution of the Clergy, which Gobel, a deputy, had actively supported. "If [Moy's] pages are revolting to you, you should blame yourself.... Since you were witness to all the maneuvers employed in the Constituent Assembly to destroy religion, you cannot pretend that this system of irreligion developed by your priest is not what [the Assembly] was seeking to establish all along."⁵⁰ Others blamed the constitutional bishops as well. The author of *Épître dédicatoire à M. l'Évêque et les curés constitutionnels de Paris* wrote, "This is the [national] religion of which the abbé Fauchet was the precursor."⁵¹ (The abbé Fauchet had spearheaded the Civil Constitution of the Clergy.) One of Moy's critics succinctly summed up the reactionary view on the matter: "There is only one faith, and thus only one true religion. All others are false. To realize an accord [among all religions] could only be imagined by an extravagant philosophe."⁵²

By 1792, doubts that the clergy could reliably cultivate civic mœurs and faith in the new regime led some revolutionaries to count on the patriotic clubs and the press instead. In his 1792 *Des sociétés populaires considérées comme une branche essentielle de l'instruction publique*, François-Xavier Lanthenas wrote, "Since it is now recognized

that one cannot count on the priests of any sect for the most essential public instruction, it is necessary to find a mode of education appropriate for the teaching of morality—the most important science—and politics, which is simply a branch of the former.”⁵³ Lanthenas lamented the absence of an adequate education system, and he blamed certain deputies of the Constituent Assembly for not having dealt with the issue.⁵⁴ He believed that a national education system would eventually be established and would instill civic morality. In the meantime, political clubs and the press were the only viable means to counteract Old Regime prejudices. Combining the two, he proposed that the clubs devote sessions to discussing published works on morality and politics. In calling together people of all religions, the clubs would foster “a cult of reason and law” and bring about a “regeneration of mœurs.”⁵⁵

This was, of course, an unrealistic notion of what clubs could do, especially by 1792, when they were succumbing to calumny and factionalism. Declaring war against Austria was the main issue dividing Jacobins. While Brissot and his followers pressed for it, Robespierre and his allies were opposed, arguing (rightly) that war would drain state coffers and exacerbate domestic tensions. They claimed that the truly dangerous counterrevolution was conspiring in the Tuileries, not Coblenz. France needed to clean house, not start a war that would jeopardize the whole Revolution.

But the *brissotins* got their way; France declared war on Austria on April 20, 1792. Still, like their *robespierristes* adversaries, they were aware that counterrevolutionaries at Court and in the *pouvoir exécutif* were trying to sabotage the Revolution. In getting the king to go along with the war (he had his own reasons for doing so), they managed to get Jacobins, specifically, some of Brissot’s allies, appointed to ministries. Roland became Minister of the Interior on March 23, 1792. Together with Madame Roland and their assistant, Lanthenas, Roland established a propaganda bureau, thereby launching a nationwide campaign to spread public spirit and regenerate the nation. But instead of securing civic mœurs, they ended up exacerbating the revolutionary culture of calumny.

The Bureau of Public Spirit: Spreading Republicanism, Spreading Factionalism

By the spring of 1792, libels were coming from all parts. The monarchy, the National Assembly, and the refractory clergy were all secretly subsidizing writers to attack their opponents and advance their political agendas. The *lèse-nation*

affair involving Trouard, we have seen, provided incriminating evidence that the Court was involved in covert surveillance and propaganda campaigns as early as 1790. In rummaging through the monarchy's papers after August 10, 1792, the Legislative Assembly's inspectors found documents showing that the *liste civile*—the 25 million livres accorded annually by the National Assembly to the Court to cover the monarchy's public functions—had been spent on counter-revolutionary propaganda.⁵⁶ At the same time, the National Assembly's *comité de surveillance* conducted its own libel campaign, purportedly in efforts to expose counterrevolutionaries. For their part, high-ranking ecclesiastics, some of whom were deputies, churned out libels against the National Assembly, sending them through the postal system with the Assembly's official seal and diffusing them through local clerical networks.

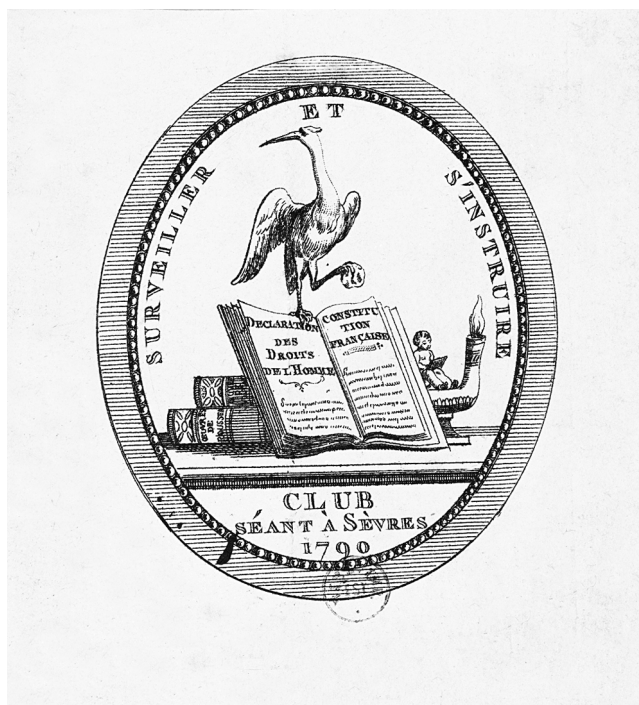
It was amid these covert campaigns that Roland entered the fray in the spring of 1792. He managed to obtain a monthly six thousand livres of secret funds to cultivate public spirit.⁵⁷ One of the first publications he circulated was an attack on Robespierre. It contained the speeches that Brissot and Guadet delivered at the Jacobin Club on April 25, 1792.⁵⁸ They appeared at the club to respond to the “vague accusations” and “insults” of the *robesspierristes*. Their speeches were fierce, slanderous, full of suspicions. Delivered just days after war was declared, they painted Robespierre and his antiwar faction as traitors. Feigning contempt for the calumnious tactics of his adversaries, Brissot insinuated that *robesspierristes* were on the pay of the monarchy's *liste civile* to undermine war efforts and the Revolution. After repeating a series of incriminating rumors, Brissot stopped short of confirming them. “But,” he added, “whatever secret aims the *robesspierristes* may have,” it was clear that “the *liste civile* has the same opinions as the party of M. Robespierre, slanders the [new Jacobin] ministers as he does, and seeks to discredit the National Assembly as he does.”⁵⁹ For his part, Guadet accused Robespierre of trying to divide the Jacobin Club for months, and he put Marat in the same bucket, depicting *L'Ami du peuple* as Robespierre's personal propaganda tool. (A week later, Guadet persuaded the Assembly to charge Marat with lèse-nation.) These accusations and Roland's circulation of them exacerbated tensions in the Paris club, where Robespierre and his supporters denounced him and Lanthenas as calumniators a week later.⁶⁰

His partisan propaganda notwithstanding, Roland was straightforward about his efforts to shape public opinion. He was frank with local and departmental administrators that he was counting on them, along with the popular societies and patriotic clubs, to “form and manage opinion.”⁶¹ In his circular of April 9, he wrote, “It is up to you, Messieurs, to prepare and hasten instruction...and

to always surround yourselves with publicity.”⁶² To counteract the forces of civil strife, Roland insisted, “Domestic peace must be maintained through instruction, opinion, and only as a last resort, by repressive force.”⁶³

The Rolands and Lanthenas did have some success with their propaganda efforts, at least in undermining the monarchy. In June, Roland sent a strongly worded letter—a threat, really—to the king, warning him against vetoing two measures passed by the Legislative Assembly. When the king did not respond, Roland went public with the letter, reading it before him at a *Conseil d’État* meeting and printing it up afterward. Humiliated, Louis dismissed him along with two other *brissotin* ministers, Clavière and Servan. Since Roland’s funds for propaganda came circuitously through his friend Pétion de Villeneuve, mayor of Paris, the antimonarchical presses remained funded throughout the summer.⁶⁴ On August 10, when the monarchy was toppled, many throughout France took Roland and Brissot to be the heroes of the day.⁶⁵ Roland returned as Minister of the Interior, and on August 18, the National Assembly granted him 100,000 livres to spread

FIGURE 8.3. Surveiller et s’instruire [Monitor and instruct], a patriotic club in Sèvres, outside Paris. Courtesy of the Bibliothèque nationale de France, cabinet d’estampes.



public spirit.⁶⁶ Justifying the sum, the deputy Marc-David Alba Lasource insisted that after so much disinformation and counterrevolutionary calumny spread by the *liste civile*, the nation needed “truth.”⁶⁷ Facing widespread consternation over the fall of the monarchy, revolutionary leaders desperately sought to rally support for republicanism.⁶⁸

Generously funded, the Rolands and Lanthenas now had the opportunity to create on a national scale what they had already helped create in Lyon: a quasi-universal system of public instruction.⁶⁹ Having failed during Roland’s first ministry to persuade many local officials in France to instruct the people or even to publicize the laws, they redoubled their efforts by setting up their own network of local instructors.⁷⁰ These efforts were more successful.⁷¹ Between August and January, they recruited hundreds of *instituteurs du peuple* (teachers of the people) among municipal officers, lawyers, law clerks, justices of the peace, and constitutional priests. These agents distributed and publicly read the works sent by the bureau.

The August 18 decree gave Roland much discretionary authority in deciding what kinds of tracts the French should read.⁷² Aside from the publications that legislators instructed the Minister to distribute (and the Rolands sent out quantities tailored to their tastes), he was free to subsidize and circulate what he wished. The Rolands sent out updates on the war, patriotic hymns, and addresses. They also circulated republican-inspired works on moral philosophy.⁷³ Among the titles listed in the bureau’s registers, one finds Lanthenas’s investigation into the effects of freedom on health, morals, and happiness—a publication paid for on the very day sans-culottes stormed freely into Paris prisons and massacred the inmates (September 3).⁷⁴ The registers record the subvention of several Cercle Social writers, such as Paine, Condorcet, and Nicolas de Bonneville. In addition to books and pamphlets, the bureau continued to subsidize the newspaper founded during Roland’s first ministry, Jean-Baptiste Louvet de Couvray’s *La Sentinelle*. It also took out a good number of subscriptions of Gorsas’s *Courier des départements*, Carra and Mercier’s *Annales patriotiques et littéraires*, and Condorcet’s *Chronique de Paris*, among others.

The bureau was clearly biased in favor of Roland’s friends and allies. Robespierre, Billaud-Varenne, Fabre d’Eglantine, and Marat all claimed to have had their services turned down by Roland’s bureau. Given their hatred of Roland, they probably anticipated this response and counted on exploiting it.⁷⁵ Still, the Rolands did nothing to improve relations with those to the left of themselves. They continued circulating publications attacking Robespierre, Marat, and other radicals.⁷⁶ (One was titled *À Maximilien Robespierre et à ses royalistes*, by Louvet.) In turn, the *robepieristes* expelled Brissot, Louvet, Roland, and Lanthenas from the Jacobin Club in October and November. They also spread their own propaganda through club

correspondence and sympathetic newspapers. Meanwhile, radical sections in Paris plastered the city's walls with libels against the *rolandistes* and *brissotins*.

Roland's partisan subsidies cost him dearly, not financially—in five months he spent barely one-third of his budget—but politically. By December criticism of the bureau was spilling over from the Jacobin Club into the Convention, and many provincial clubs joined the chorus.⁷⁷ In early November, Marat lambasted Roland, “that con artist” who was flooding the departments with libels against “true patriots.”⁷⁸ Shortly before the Convention withdrew the bureau's funds in January, Robespierre wrote, “The most extravagant idea that ever entered the heads of legislators was according sums of money for the propagation of public spirit....If [the bureau] is not the most ridiculous invention, one must agree that it is the most dangerous to public spirit and liberty.”⁷⁹ In an open letter to Girondin deputies, Robespierre wrote, “You did not consult the people when you poured millions of livres into Roland's hands...with the pretext of buying grain and spreading public spirit, that is, starving the people and calumniating the friends of freedom.”⁸⁰

In addition to his partisan propaganda, Roland's backhanded treatment of the agents sent out jointly by the *conseil exécutif des ministres* and the Paris commune in late August and early September also riled radicals. These agents, whose missions Roland had approved, were given verbal instructions by the *conseil exécutif* (which had replaced the monarchy's *pouvoir exécutif*) and the commune. Their powers were vast.⁸¹ With enemy troops only a day from Paris, they were instructed to do whatever it took to recruit soldiers and procure military supplies. Shortly after they were sent out, Roland began exploiting complaints from local officials about these agents' intrusiveness, exaggerating it to the National Assembly.⁸² Moreover, he issued a circular to provincial administrators in which he included copies of the instructions he had given to his public-spirit agents, passing them off as if they had been given to the war-effort agents as well. The limited powers of his “patriotic missionaries,” whose task was “purely moral and one of providing public instruction,” were more palatable to local authorities who balked at the requisitions imposed by the war-effort agents. The circular thus gave administrators a convenient but inaccurate basis for evaluating the actions of the war-effort agents. Upon receiving the circular, several administrators had the war-effort agents arrested.⁸³ Slandered and double-crossed, these agents carried their rage against Roland back to Paris, where it festered in the Jacobin Club, contributing to the growing list of grievances against the Girondins.⁸⁴

Neither side knew when to stop. Throughout autumn 1792, the Girondins kept pouring oil on the fire, depicting the war-effort agents as bloodthirsty

brigands, the counterparts of the *septembriseurs* who committed the prison massacres.⁸⁵ For their part, when the Montagnards were not portraying the Girondins as Feuillants or outright counterrevolutionaries, they turned the growing Girondin obsession with property against their adversaries, vilipending them as selfish and egotistical at a time when the nation called upon citizens to make sacrifices for the war. Although Jacobin and Girondin leaders shared many socioeconomic and political values, when it came to winning over opinion, each side exploited different sets of public anxieties, carving out distinct forms of republicanism by caricaturing and demonizing their adversaries, reducing them to the most extreme elements of their support base.

On January 21, 1793, the National Convention withdrew Roland's public-spirit funds. No more publicity, no more power: Roland resigned the next day.⁸⁶ His resignation contributed to mounting tensions between Girondins and Jacobins throughout winter and spring. Letters in support of Roland streamed into the Convention. Officials in Tulle, for example, expressed dismay at his resignation. They assured that "all the writings he sent us, rather than corrupting public spirit, have contributed to enlightening opinion and making proselytes for the Republic."⁸⁷ But denunciations against him, particularly from Paris, outstripped support.⁸⁸

In April 1793, while the Girondins were trying to convict Marat, the Montagnard deputy Jacques Brival conducted an investigation into Roland's bureau on behalf of the Convention's Committee of General Security (*comité de sûreté générale*). He concluded that Roland had formed a plot to corrupt public spirit. Since Roland's subvention of the writings of Brissot and the Cercle Social was already public knowledge, Brival dug deeper into the bureau's correspondence, uncovering evidence of the cynical manipulation of sans-culottes by one of Roland's Paris-based agents, Gadol. In an attempt to pry sans-culottes of the faubourg Saint-Antoine away from Marat and Robespierre, Gadol wine and dined them, showering them with flattery sprinkled with *rolandiste* propaganda. Gadol's reports were indeed incriminating. In one, he boasted to Roland, "In taking them out to dinner and fraternizing in such a way to lead them to believe that I admired their patriotism—and in putting them in a state of frankness and abandon through wine which allows me to discover everything [they think], it is easy to manipulate them."⁸⁹ The dinners, by the way, were paid for by the Minister.

Those accused of complicity with the bureau had difficulty defending themselves. Roland did not try to refute the authenticity of Gadol's letter; he merely downplayed it, accused Brival of ignoring other letters, and emphasized how much he had succeeded in securing republicanism and public order. Challenging

Brival's notion of corruption, Roland insisted that the term denoted the use of public power for private profit. Since he had not enriched himself with bureau funds, and since he used them only to spread peace and patriotism (he failed to mention the subsidized libels against Robespierre), he believed he had done nothing wrong or shameful.⁹⁰ For her part, Madame Roland denied to her interrogators that she and her husband had established public opinion bureaus in the provinces.⁹¹ This was a half truth: although there were no bureaus per se in the provinces, they had recruited local agents to receive and circulate the bureau's propaganda. Moreover, in her memoirs written in prison, she admits that Roland sent out smaller quantities of publications ordered by the Convention if he did not find them "*bons*."⁹²

Roland never confronted interrogators. He went into hiding after June 2 and fled to Rouen later that summer. Shortly after his wife's execution in November, his body was found along the road outside Rouen, pierced with a sword cane. The government's representatives on mission there proposed that a plaque be installed at the site, letting all posterity know how Roland had "empoisoned public opinion."⁹³

Surveillance and the Spread of (Which?) Republican Values: Roland's Public-Spirit Agents at Work

How was the war going without the king? What was going to happen to the king? These were the questions that the French cared most about after August 10, and their unquenchable thirst for news provided Roland with a great current of demand to graft his republican moralizing mission onto. In late August, he sent a group of nine public-spirit agents into the provinces, to which he added another twelve over the next month. These agents had essentially four tasks. They were, first, to distribute the bureau's propaganda; second, fraternize with the locals to stir up support for the war, inform them about political events, and inspire attachments to the Republic; third, set up political clubs where they did not exist and recruit local individuals to serve as public instructors who would continue distributing the bureau's propaganda after the agent left; and fourth, send the Minister reports on the state of public spirit in the places they visited.⁹⁴

In his study on the revolutionary police, Richard Cobb claimed that one of the "golden rules" that Roland's public-spirit agents followed was telling the Minister what he wanted to hear.⁹⁵ If one looks only at the opening lines of these reports, this seems to be true; they express perfunctory optimism and flattery. Further into them, however, it becomes difficult to conclude that these agents

were telling Roland what he wanted to hear, if for no other reason than it was not clear what he wanted to hear. Republican values were still inchoate. Roland's recruitment of a strangely eclectic group of agents suggests that even he did not have fixed views on republican values, at least not at the time the agents were sent out. The increasingly differentiated positions that Montagnards and Girondins adopted in the course of slandering each other outpaced the republican discourse Roland's own agents were spreading in the field.

Furnished with authorizations, reams of propaganda, and horses, the first wave of public-spirit agents set out for the provinces in late August. The suspicion they frequently encountered was usually offset by the fervent desire for news and their ability to provide it. The agent Clément Gonchon recounted an incident that began when he stumbled upon a brawl outside his auberge in Bar-Le-Duc. Locals were beating two soldiers from Angoulême who had tried to sell their uniforms, calling them cowards and traitors. When Gonchon intervened, the aggressors turned their aspersions on him, calling him a traitor and an aristocrat. He averted further hostilities when he announced who he was—the famous orator from the sans-culotte faubourg Saint-Antoine—and pulled out newspapers and pamphlets from his sack. The rabid wolves were suddenly transformed into happily bleating sheep. “They all embraced me,” he reported, before going off to share the news with friends and family.⁹⁶

Gonchon's anecdote contains a good deal of bravado. Still, Roland's agents did not find it difficult to make contacts and recruit local instructors to carry on the bureau's propaganda campaign. Their success owed much to the clout that providing information conferred. Inversely, failure to deliver information—and this was frequent, either because of Lanthenas's ineptitude or obstruction at the post office—could undermine the agent's status and raise anxieties. Working in the Vienne, agent François Enenon complained in mid-October that it had been twenty days since he had received the last shipment of newspapers and propaganda. He worried that without news, particularly about counterrevolutionary perfidy, the situation would take a turn for the worse. “I am convinced that the people have thus far shown patience to put up with misery only because these papers flatter them with the hope of seeing the destruction of those whom they believe are the authors of their misfortune....It is thus important to inform them, otherwise insurrections are to be feared.”⁹⁷

For many agents, establishing good public spirit consisted in cultivating a healthy hatred of the monarchy, not abstract republican principles. Gonchon told the bureau flatly, “I have just received a shipment from the Cercle Social Messieurs, and I must say that this is not at all the kind of writing appropriate

for present circumstances.”⁹⁸ He continued, “I cannot distribute instruction books about how to be an apostle of liberty and equality; I need short, energetic readings.” He concluded with a request: “Please send me collections of writings about the treason [of the Court].” Reporting from the Ardennes, where people were outraged about the fall of the monarchy, the agent Vassant insisted that news of the king’s treachery was the best vehicle for securing republicanism. “I can never have enough writings dealing with Louis’s crimes...to advance the cause of the Republic, the very idea of which alarms citizens here.”⁹⁹ An agent working in Pontoise was also distressed about the lack of public spirit among the people. All he could do, he said, was to hammer them with “detailed accounts of the plots of our enemies, the counterrevolutionary massacres they provoke, and the bankruptcy that they are about to cause us to suffer.” Having done this, he sardonically added, “They almost understand now what these words mean: THE COUNTRY IN DANGER.”¹⁰⁰ Jean-Robert Buhot seemed to have more luck in the region of the Manche, at least in the cities. He attributed the good state of public spirit to the publications he was distributing, which “made known the crimes of Louis XVI.”¹⁰¹

What people wanted, then, was news, not ideology. And the news they hankered after was of the sensational sort that made someone look guilty. From the standpoint of the agents, the king’s crimes gave meaning and focus to what was otherwise an ungovernable ensemble of fears and frustrations. Such emotions were observed by Guillaume Bonnemant. On his way to Lyon, he ran into several National Guard battalions headed for Paris to help with the war. He tried distributing republican propaganda, but the soldiers rejected it. They wanted news about the war and the generals, and the agent was startled by the comment of one soldier who wanted the nation to appoint General Luckner as king. (General Luckner was close to Lafayette, who had just defected.) Bonnemant noted that they “often had on the tips of their tongues the word ‘vengeance.’... ‘Yes, we’ll go to war, but we will also purge the interior!’” Whom, exactly, did they want to purge? Bonnemant was not sure. Having put their trust in so many different authorities who betrayed them during the past three years, the people now harbored knee-jerk distrust of all authority (certain generals excepted).¹⁰²

For Enenon, there was an even better way to win the people over to the Republic than distributing propaganda: give them food. In a letter to Lanthenas in early September, he observed that the clergy’s charity was doing much to corrupt the people’s political morality. “The people are forced to turn to a charitable hand for subsistence, and this hand determines their opinion.” “I can think of no more powerful way to transform the masses corrupted in the name of the Divinity than

to alleviate the misery of the working class.... The least bit of charity performs miracles!"¹⁰³ Apparently, Lanthenas and Roland were of different minds about Enenon's reflections. Lanthenas, who had been Roland's close friend since 1778, wrote back an enthusiastic letter. "Your reflections on the ways to win the people's attachment to the Revolution are just and sound.... There is nothing more imperative now than to convey that a government that is *by* the people must also be *for* the people.... that the aid people can expect to receive will be greater and less humiliating than the insolent charity handed out by their former tyrants."¹⁰⁴ A month later, when propaganda shipments had still not arrived, Enenon wrote that he had begun handing out money. "The misery of some individuals, combined with the zeal of others, demands the greatest generosity."¹⁰⁵ Roland reprimanded the agent:

Your mission is purely moral; its aim is to instruct and inspire patriotism through the simple means of persuasion, zeal, and example. It does not authorize you to spread liberalities.... Such alms are on your personal account since I did not authorize you to hand them out. They tend to distort your mission, buying sentiments that cannot be bought.¹⁰⁶

Such scruples, of course, had not prevented Roland from using ministerial funds to have Gadol take the sans-culottes of the faubourg Saint-Antoine out for dinner and drinks, as we have seen. Nor does it appear that he reproached Gonchon for his "liberalities" toward the two soldiers whom he had saved from the clutches of a furious crowd; after freeing them from their attackers, Gonchon offered them drinks and gave them each ten francs. What disturbed Roland about Enenon's generosity were the political convictions behind it. Given the emerging Girondin strategy to win the support of the commercial and propertied classes by exploiting fears of brigands and associating their Jacobin adversaries with them, Roland refused to entertain the merits of a principled policy of government hand-outs.

One wonders whether Roland would have hired men with the personalities and convictions of Enenon, Gonchon, and the rather curious L.-J. Bailly had he foreseen in late August the kind of republicanism the Girondins would subsequently espouse. Enenon believed in state welfare; Gonchon capitalized on his fame as a radical orator of the faubourg Saint-Antoine; and Bailly fashioned himself as a sentimental sans-culotte. Bailly's correspondence with the bureau shows particularly well how radical self-fashioning could square with the Minister's agenda before Girondin-Jacobin divisions became more clearly defined.

The bureau's records contain a copy of Bailly's cover letter to Roland in August. In it, Bailly recounted his life, starting from the very beginning: "I was

born into the tears of misfortune,” reads the opening line. It appears that his life went downhill from there. His mother died in his infancy, and his father failed to support the family.¹⁰⁷ Amid many “disgraces and indigence,” the writings of Jean-Jacques Rousseau offered him solace (not to mention a template for his letter, which reads like *The Confessions*). During his adolescence, he was accepted into an Oratorian college, where he had been told “liberty had taken refuge.” Of “independent character,” Bailly claimed that his life had taken on its true purpose in 1789, the moment he “abandoned the phantom of freedom to embrace the real thing, ‘truth.’”¹⁰⁸ What the Rolands thought of all this is not known, but Bailly’s brief autobiography, together with appropriate patronage, was sufficient to secure him the job.

Bailly infused his mission with the same overblown sentimentalism. He cried his way through Jacobin clubs between Paris and the Vendée, moved to tears by demonstrations of the people’s patriotism. In Angers, the local club offered him the VIP chair to listen to all that the local patriots had done since August 10. He declined and took a seat on a bench. “The true place for a sans-culotte is among sans-culottes!”¹⁰⁹ He reported that the recent arrests of refractory priests and their imminent deportation to the Canary Islands were having a positive impact on public spirit. He was less enthusiastic about the state of public spirit in Nantes. He observed that the port city had too many egotistical wholesale merchants and slave-traders for patriotism to take root. “The merchants here clamor against the decrees concerning the colonies....The rich, the propertied, and the *bons bourgeois* fear equality like fire, and they scorn sans-culottes. The young men, referred to here as ‘*comme il faut*,’ have established separate societies.”¹¹⁰ The presence of Americans in the city, he observed, made public spirit worse. They “contribute not a little to spreading this arrogant character that they bring with them from America.”¹¹¹ Bailly bemoaned the fact that the posters hanging throughout the city were mostly commercial advertisements. Few informed the public about the political situation or the progress of the war.

To get a sense of the overall patriotic temperature in the city, Bailly attended a performance of Marie-Joseph Chénier’s 1789 box-office hit, *Charles IX ou la Saint-Barthélemy*. The play recounted the events of the Saint Bartholomew’s Day Massacres in Paris during the Wars of Religion in 1572 but was replete with allusions to the revolutionary circumstances of 1789. Bailly complained that the audience applauded at all the wrong passages and failed to cheer at the right ones. “In the final scene [just after the Saint Bartholomew’s Day Massacres], when Charles IX cries out ‘may the heavens strike me down as an example to all kings’ the audience was silent.” He added, “I could not help thinking that Louis XVI,

in the prison of the Temple, would express this same language if he knew how to speak in verse.”¹¹²

Bailly believed that public spirit could be improved in the Vendean countryside by setting up colonies of good sans-culottes in the region. Beyond that, he stressed the need for public instruction. Other patriotic missionaries echoed his view, insisting that civic education would weaken the power of aristocratic and immoral opinion makers. From the Ardennes, the agent Vassant insisted that public instruction was needed to combat the despotic influence of the manufacturing elite over their workers.¹¹³ For Buhot in the Manche, although public spirit was generally good in the cities, the despotism of refractory priests was preventing it from taking root in the countryside. “We await the establishment of a good education system which will uproot prejudice and fanaticism.”¹¹⁴

The agents repeatedly encountered local criticism and hatred of Roland, much of it fueled by propaganda coming from Roland’s enemies in the Jacobin Club. Indeed, their reports reveal how faction fighting in Paris was seeping out into the provinces, polarizing them. The agent Pierre Lalande reported on the agitation of a local patriotic club in the Vienne upon receiving a circular from the Paris Jacobin Club announcing Brissot’s expulsion. The worst part of the circular, according to Lalande, was its calumny of Roland. “This circular slanders you and calls for defiance against all the writings and agents sent by you.”¹¹⁵ The circular claimed that Roland was “seeking to divide and corrupt” the provinces. To calm spirits, the agent reminded the local club members about Roland’s heroic defiance toward the king the previous summer. But the political clout that Roland had accrued back then had diminished significantly by fall and winter.

As if the machinations of the Jacobin Club were not enough for Roland’s agents to contend with, some found themselves jeopardized by Roland’s own actions. The Minister’s September 13 circular, which was intended to compromise only the war-effort agents of the *conseil exécutif* and the Paris commune, ended up imperiling the missions of the public-spirit agents as well. The patriotic missionary assigned to Brittany, Ignace Doré, was arrested by local officials in Quimper in September, along with two war-effort agents. A fellow missionary, Guérin, was working in a neighboring region and wrote to inform Roland of Doré’s arrest. Guérin stated firmly that Roland’s circular undermined the efforts of all the patriotic missionaries in Brittany. “I dare request of you, Monsieur, a little more confidence, which is absolutely necessary for us; we are in a territory uncommitted to the Revolution.”¹¹⁶ Two weeks later, local officials informed Guérin that Roland had cancelled his mission. In inspecting this new circular of September 22, Guérin observed that it applied only to agents sent out by the *conseil exécutif*, not those

working for particular ministers, as was the case with Roland's public-spirit agents. The officials preferred their own interpretation and forbade Guérin from proselytizing until they received clarification from Roland. A week after having written to Roland without receiving a response, Guérin wrote to Madame Roland, desperate about his situation and imploring her for help and protection.¹¹⁷

Attacked by radicals in Paris, at odds with his own agents in the field, Roland recalled the agents in late October. (Several, however, continued working until the end of November, when the Convention officially revoked their missions.) The bureau suffered from internal strains as well. Lanthenas left the Rolands in December and began distancing himself from the Girondins. In January, the bureau stopped subsidizing Girondin writers.¹¹⁸ The writing was on the wall.

As de Staël had foreseen, establishing public spirit turned out to be treacherous. Certainly, it would have required more money than the 34,000 livres the Rolands spent on the bureau and more time than the bureau's five-month existence. Securing republican *mœurs* was all the more difficult given the culture of calumny and honor, which had spun out of control. Bequeathed by the Old Regime, this culture intensified in the early years of the Revolution, when traditional mechanisms for regulating it had broken down. Having undermined the Old Regime by 1789 and constitutional monarchy by 1792, it was now spilling over into republican politics, undermining them as well.

Between Pedagogy and Punishment: Civil Censorship

Calumny, vengeance, and purges: there had to be a remedy. At least that is what many deputies, distressed about the deteriorating political climate, sought in 1793. What was needed, they believed, was a way to give vent to public indignation and outrage while disciplining censorious opinions, preventing them from snowballing into calumny and violence. Civil censorship struck some deputies as a viable solution. Whereas Condorcet, we have seen, had opposed institutionalized forms of public censure in 1789, fearing that they would weaken the authority of the legislature, by 1793 it was evident that the legislature was weakened anyway by relentless calumny. It was also clear that radicals would no longer be placated by imprisoning "bad" deputies in the Abbaye for three days or putting them under house arrest for a week, as had been done in 1790. In this polarized, vindictive climate, civil censorship seemed to offer a way to combine republican pedagogy (which was sorely lacking) with restrained forms of punishment.

On January 6, 1793, a deputy from Nantes, François Mellinet, presented a plan to create a censorial committee within the National Convention. Mellinet deplored the calumny and resentments reigning in the Convention and sought a way to discipline the conduct of obstreperous deputies. He prefaced his suggestions with a passage from *The Social Contract*, “The less particular interests are related to the general interest, the more repressive force must increase.”¹¹⁹ The repressive force he envisaged was actually quite mild—milder, in any case, than the force soon to be employed in the Terror. He proposed appointing eighty-three censors on a biweekly basis from among the deputies, one from each department. Responsible for maintaining order, these deputies would be dispersed throughout the Convention floor wearing signs summoning the deputies to “order,” reminding them that “you are here to deliberate in the interest of the country.”¹²⁰ Each evening these censors would meet to discuss which deputies might need to be censured. The following day, the censors would present their conclusions to the Convention, which would vote on whether formal reprimands were warranted. If so, the offending deputies would be formally censured and their local constituents notified. Deputies applauded Mellinet’s suggestions and ordered them to be published. It is probable that moderates liked the plan because it would have given them a means to put loud-mouthed factional leaders in their place.

As animosities intensified in the Convention and popular punitive pressures increased throughout the spring of 1793, more proposals for civil censorship were submitted. In early May, the deputy Jean-Pierre Picqué presented his ideas on *La nécessité d’une censure publique*. Picqué envisaged civil censorship as “a complement to moral education,” one that would help society discover the “right measure of political mœurs.” Picqué called for establishing censorship tribunals “in all the departments, alongside schools and popular societies.”¹²¹ These courts would watch over not only the laws and authorities, but all forms of “treason, lesions of the public’s majesty,” and “denigrations of the national representation.”¹²² But since the main motivation for erecting censorship tribunals was to escape “the anarchy now menacing us,” these tribunals would have to morally regenerate society. Illustrating what Michel Foucault describes as an eighteenth-century shift from spectacular vengeance to more internalized forms of social control, Picqué said that this civil censorship “will not be satisfied, as justice is, to punish the offender; it is necessary that the chastisement changes his heart.”¹²³ The shame generated by the tribunal’s ruling, he imagined, would dissuade citizens from violating mœurs. “Man is made in such a way that he fears ridicule more than rigorous punishment.”¹²⁴ But given contemporary obsessions with calumny, might not the censors’ rulings be considered instances of calumny in themselves?

Picqué thought not. The difference between calumny and the occasional erroneous verdict lay in intentions: “The purpose of calumny is to vilify the individual; the purpose of censorship is to correct the individual.”¹²⁵ Once again, the Convention praised the proposal, ordered it to be printed, and forgot about it.

After the expulsion of the Girondins in June, Léonard-Joseph Prunelle, a deputy from Isère, proposed erecting a “tribunal of public conscience.” As he framed the problem, what France needed was “an imposing voice [i.e., an alternative to pike-fisted sans-culottes] which will warn the legislature if it deviates from sound moral principles.”¹²⁶ He believed that this tribunal would compensate for the lack of institutional checks and balances in the Republic’s unicameral system. Prunelle was practical, not utopian. Although he entertained the fantasy that one day citizens would become fully enlightened and politics would become obsolete, he thought this day was still a long way off. In the meantime, society needed to be governed. Laws alone were not sufficient, for two reasons. First, legislators might err. Second, laws could never be expected to govern all of the citizen’s myriad actions. One’s internal censor, or conscience, needed to fill in where the law failed to do so. To keep legislators in check and incite moral reflection within society, a tribunal of public conscience—a nationalized super-ego, really—needed to be created. How? Prunelle proposed that local primary assemblies elect judges who would receive addresses, petitions, and denunciations from citizens. If particular laws or a legislator’s actions were thought to warrant reprimand, the judges would discuss the matter. The tribunal would be limited to censure, and its conclusions would be preceded with the solemn statement that “all existing laws will be obeyed until they are explicitly repealed or superseded by new laws.”¹²⁷

Prunelle assured that this tribunal would have an “excellent impact on public spirit.”¹²⁸ In prompting society to reflect constantly on rights and duties, it would prevent civic consciousness from flagging and serve as a branch of moral education for both the people and legislators. Its most attractive feature, one surmises, was that it would “forever prevent people from relying on insurrections, the most justified of which are nevertheless accompanied by excesses that offend free, generous, and sensitive souls.”¹²⁹

The most elaborate proposal for civil censorship was presented by Lanthenas. In many respects, Lanthenas seems the quintessential revolutionary idealist, fervent in his politics, utopian in his vision. And indeed, his plans for education reform are imbued with what one might call naive optimism. Yet this enlightened theorist of public instruction proved to be politically astute, successfully navigating his way through the treacherous politics of the Terror without losing his head.

After incurring the wrath of radicals for his involvement with Roland's public-spirit bureau, he managed to distance himself from the Girondins in the winter and spring of 1793. He narrowly escaped the purges on June 2. He was saved by Marat, who insultingly scratched him from the list (he was "too insignificant a mind to fuss over"), probably in veiled reciprocity for Lanthenas's opposition to Girondin attempts to purge him in April.¹³⁰ In any case, Lanthenas's civil-censorship proposal can be read as a relatively pragmatic solution to the problem of calumny and vengeance. As he envisaged it, civil censorship would reinforce civic norms while channeling vengeful sentiments into mild, pedagogical forms of censure.

Lanthenas began outlining his theories on moral surveillance and civil censorship in March. In the first edition of his *Bases fondamentales de l'instruction publique* (it was republished later that year and again in 1795), he prefaced his proposals with a diagnosis of the problem: a National Convention infected by "reciprocal insults and calumny."¹³¹ He upheld his quasi-libertarian position on free expression of 1791 but conceded that society would be "perpetually unhappy" if it "did not establish the means for protecting citizens from libels and calumny."¹³² Civil censorship, for him, was the solution, and he defined it as "nothing other than the Republic's surveillance of general mœurs."¹³³ He conceived it operating at all levels of government and society. He called for local justices of the peace to produce regular surveillance reports on mœurs. These reports would be sent to the department, where a national commissioner would synthesize them, forwarding his report to a *conseil national de la morale et de l'instruction publique*.¹³⁴ This national council would serve as the moral nerve center of the Republic, devising festivals, public instruction, and literary encouragements to improve mœurs.

Lanthenas's civil censorship would also deal with violations of mœurs. He proposed that they pass through a multi-tiered system of "fraternal" censorship. At the bottom level, civil and military administrations would elect internal censors. If fraternal reprimands failed, cases would work their way up through the administrative hierarchy, potentially ending up at the *conseil national*. If the *conseil national* also failed to find an adequate solution through persuasion, the matter would be turned over to the *tribunal national de la censure publique*.¹³⁵ This tribunal would be limited to imposing light punishments, the most severe of which included removal from administrative functions, two-year exile, or temporary detention. Lanthenas's plan also called for authorizing the National Convention to send officials, military leaders, deputies, and even writers whose doctrines "undermined republican principles" before this tribunal. In the case of denounced writings, the National Convention could suspend the distribution of the tracts in question until the tribunal issued a verdict.¹³⁶

What guidelines were censors supposed to follow? Lanthenas resurrected the idea that revolutionaries had rejected in the summer of 1789: a declaration of duties. (Duties would appear in the Constitution of 1795.) Any public official or writer who “by incompetence, stubbornness, negligence, or ill will” failed to abide by these duties was liable to censure. However, to prevent calumny, any denouncer found to be motivated by “envy, hate, or self-interest,” regardless of any truth in the assertions, would end up receiving the tribunal’s censure.¹³⁷ Thus, like Condorcet’s ideas about legitimate limits on press freedom in 1776, Lanthenas’s plan made intentions, not truth, the criteria for distinguishing virtuous denunciation from calumny.

Despite the enthusiastic reception of some of these proposals for civil censorship, none of them were implemented. Ultimately, spiraling calumny and vengeance stymied efforts to establish gentler, civil (and civilizing) forms of censure. During the Directory, Lanthenas lamented this path not taken. According to him, it “would have prevented the great tragedy.” “Oh, victims of 31 May [1793]...it would have saved you and your executioners after you! It would have saved all those who were more faulty than criminal.”¹³⁸ It would have offered, he believed, a way to “remove men harmful to the Republic other than cutting off their heads!”¹³⁹

Public Spirit as Social Science: Thiébault’s *Traité sur l’esprit public* and Enlightened Police Surveillance

Lanthenas’s remarks appeared in a tract devoted to civil religion, one of many such tracts written during the revolutionary decade. After the fall of Robespierre, republican theorists continued their search for principles and institutions that would ensure peace and stability. As many saw it, the problem was how to secure social discipline and moral attachments to the regime without sacrificing liberty. Public spirit was imagined to resolve this dilemma. Conceptually, it reconciled the policing of public opinion with the principle of free expression.

Dieudonné Thiébault gave these matters much thought. When we last encountered him, he was an Old Regime censor proposing voluntary censorship to protect writers from judicial repression in 1789. Seven years later, he turned his attention to the problem of how to make the nation’s *mœurs* compatible with republicanism—that is, how to secure public spirit. Like many revolutionaries who had reflected on public spirit, Thiébault associated it with such values as truth, freedom, equality, patriotism, *mœurs*, and respect for laws and property.¹⁴⁰

But he went further than most in his analysis, distinguishing public spirit from a host of other “spirits”—*esprit de nation, de parti, de religion, de corps, de sectes, and de faction*. Most of these spirits were to be avoided, but “national spirit” held a central place in his sociological schema. In many ways, his treatise can be read as a revolutionary sequel to *De l'esprit des lois*, with “public spirit” substituting for Montesquieu’s “general spirit” as the normative standard to which the national spirit was to be calibrated.

For Thiébauld, public spirit was not about orthodoxy or doctrine: “Beware of imagining that you can give a veritable code to a people who lack public spirit.” It was about harmonizing, strengthening, and improving the opinions circulating in society. It involved cultivating dispositions favorable to the pursuit of enlightenment. In this regard, it chimed with the ideas of Spinoza, namely, that free speech should be limited to statements inspired by the desire to want to use reason, regardless of whether those statements turned out to be reasonable or not. The progress of public spirit, as Thiébauld imagined it, involved tacking between mœurs and opinions as they were and mœurs and opinions as they could and should be, regenerated according to universal reason. Public spirit required adapting the truths discovered through reasoned observation and experience to the already existing national spirit. He counseled, “Study the public spirit of your nation: figure out how to discover its tendencies and grasp its direction and movement.... Learn to animate it and correct it if necessary; learn to direct it and even change it, but only in as much as it needs changing and as much as it is possible to do so.”¹⁴¹

What if newly discovered truths clashed with customs and prejudices? In such cases, customs and prejudices were to take precedence. Changing the foundations of public opinion and mœurs was fraught with dangers and needed to be undertaken prudently, even if that meant that geniuses championing useful knowledge would have to bend to erroneous opinions. Here, Thiébauld echoed Kant’s views on enlightenment, namely, that “a public can only attain enlightenment slowly,” and that, for freedom and enlightenment to advance, a people must be allowed to “argue as much as [they] want,” but “obey.”¹⁴² But whereas for Kant, the people were to obey the sovereign, for Thiébauld, they were to obey the reigning opinions held by the nation. He wrote,

Enlightened men who respect [the nation’s] public opinion even after they have ceased believing in it [should not be seen as guilty of] a cowardly and base deference to public authority or a small portion of society.... To the contrary, [their] deference is to the general will; it is a sacrifice made for the good of maintaining

the established order; it demonstrates a necessary respect for the whole of society and public mœurs.¹⁴³

For all his conservatism, Thiébault was strikingly progressive. He claimed that societies based on religion were doomed to decline, since they equated change with decadence and corruption and were thus unable to accommodate it. Nations driven by public spirit, however, were capable of advancing toward perfection, since they encouraged constant reassessment of values and opinions, adjusting them in light of new discoveries or circumstances.¹⁴⁴ But securing public spirit—this “moral fluid” running through the social body, as he referred to it—necessitated the policing of public opinion.¹⁴⁵ The institutional practices Thiébault envisaged for vivifying public spirit included surveillance, public instruction, festivals, and literary encouragements. Surveillance was particularly important because the perfection of opinion was predicated on understanding how opinions were formed. To paraphrase his views in the conceptual terms repeated in previous chapters, surveillance involved studying the relationship between public opinion (convictions), *publicized* opinions (publicity), and political action. The fact that this relationship was thought to be in need of study attests to the flimsiness of the boundary posited by Kant and Spinoza, namely, between speech and action. Kant’s precept, “Argue as much as you like, but obey,” presupposed a clear boundary between speech and action. Years of revolutionary turmoil, however, proved this boundary to be illusory. Publicity mattered. Under revolutionary conditions, it could set off violence and provoke the overthrow of weak regimes. Surveillance was thus intended to help revolutionaries get a handle on the volatile relationship between speech, opinion, and action. As Thiébault insisted, “The kind of inquiry still needed would focus on the relationship between opinion makers and the people...when the former gives an opinion and the latter receives it.”¹⁴⁶

This kind of surveillance is what the public-spirit agents of the Ministry of the Interior had been doing all along, even after Roland’s resignation in January 1793. His successors to the Ministry, Dominique-Joseph Garat and Jules-François Paré, continued developing enlightened surveillance.¹⁴⁷ In many respects, public-spirit surveillance amounted to a kind of state-based Republic of Letters. In his instructions to his observers, Garat wrote, “It is necessary that intelligent men, discreet and well intentioned, are spread throughout [the Republic]...that they observe all that goes on, that they study conditions and people [*les choses et les gens*], that they scrutinize local officials, the people, mœurs, and the people’s dispositions, that they pay attention to the effect of new laws.”¹⁴⁸ Observers were instructed to assess the social impact of publicity, as well as other phenomena,

such as the economy, government policies, climate, demography, and war. Under the rubric *la morale*, Garat's agents were to seek answers to several questions: "What is the character of the habitants? How can it be improved? Is there local public instruction? Can the locals teach themselves? Are their mœurs venerated, property respected?"¹⁴⁹ Garat also gave his agents French translations of Adam Smith's *Wealth of Nations* and Arthur Young's *Journey through France*, instructing them to engage critically with these works in light of their observations.¹⁵⁰

Garat had even greater plans for his enlightened surveillance. In a printed circular to the Committee of Public Safety in late July 1793, he proposed expanding the network of agents, which already included many philosophers, journalists, orators, and men of letters. He also called for broadening agents' tasks, instructing them to observe the kinds of phenomena social scientists, ethnographers, economists, and medical researchers would concern themselves with in the nineteenth and twentieth centuries. He wanted them to investigate the effects of racial mixing, the age at which girls became nubile, and the impact of the new money on public opinion.¹⁵¹ In short, he sought to do what the Cercle Social had called for in 1790, "[bringing together] useful truths, tying them into a universal system, getting them accepted into national government," only now it was the government itself bringing together useful truths.¹⁵²

Garat was forced to resign before his ambitions could be realized. Accusations similar to those against Roland, namely, that he was using agents for partisan purposes, were made against him.¹⁵³ Despite chronic suspicions about what these observers and public-spirit agents were really up to, surveillance continued to expand, becoming a permanent feature of the modern French state. During the Directory, a hierarchy of surveillance institutions, much like the one Lanthenas had proposed, was established: public-spirit reports worked their way up from local observers and national commissioners before arriving on the desks of the Ministers of the Interior and of the Police.

But surveillance had inherent limits, for the relationship between public opinion, publicized opinions, and collective action remained elusive. The writer of one public-spirit report written in Vendémiaire of the Year V eloquently described the elusiveness of this relationship, the study of which constituted the very essence of his job.

Between news about the army, the taxes that the government is trying to collect, and the quarrels of opinions between Jacobins and royalists, nothing remains that can give a clear idea of what public opinion is. It has been proved that what is called an "opinion" is, for most of the superficial people, nothing more than a

tradition of words that rebound off bodies like sounds producing echoes, passing from mouth to mouth without ever affecting one's spirit with the slightest conviction, circulating by the whims of passions or according to fashionable caprices. So then, how many echoes does it take to constitute a generalized opinion?¹⁵⁴

That is, at what point did publicized opinions become internalized convictions capable of generating political action, perhaps revolt?

Disaggregating Public Spirit and Moral Regeneration from the Terror

According to recent French dictionaries, “public spirit” is dead. The *Dictionnaire historique de la langue française* dates the term's entry into the language to 1790 and says that it has since fallen out of use.¹⁵⁵ This dictionary, along with others, claims that it was synonymous with “public opinion.” To be sure, some eighteenth-century contemporaries did use it in this sense. But as we have seen, revolutionaries who reflected on the concept distinguished it from public opinion. Conceptually, “public spirit” gave moral and scientific justification to policing practices aimed at monitoring public opinion and cultivating civic mœurs. However loathed such practices had been during the Old Regime, by the time of the Directory they were recovering a certain degree of legitimacy. Of course, that legitimacy derived from the traumatic experience of the Terror and an awareness of how calumny had contributed to it. For many, policing public opinion through surveillance and moral regeneration was the only viable alternative to terror.

To argue that moral regeneration was not a principal cause of the Terror's violence cannot obscure the fact that public-spirit discourse was invoked to justify that violence. Examples abound. A chilling one appears in *Le glaive vengeur*, a 216-page “gallery” of those executed in Paris—many for speech crimes—compiled by an anonymous “friend of the Revolution, mœurs, and justice.”¹⁵⁶ The author presents the Terror as just vengeance against the nation's enemies, even as he insists that republican morality was “the only true and unique religion.”¹⁵⁷ A better-known example is Robespierre's speech on political morality delivered in the National Convention on 17 Pluviôse, Year II, which was discussed at the outset of this study. As Marisa Linton argues, Robespierre “tied himself up in ideological knots” trying to reconcile classical republican notions of virtue with the revolutionary practice of terror; the two were not inherently of a piece. His attempt to fuse them, she continues, “owed nothing to the established meaning of virtue and everything to the dilemmas of revolutionary government.”¹⁵⁸

Thus, we should distinguish the origins and mainsprings of the Terror from the language used by contemporaries to justify it, or to try to justify it. The rhetoric of moral regeneration that accompanied top-down terror (the rhetoric of pure vengeance accompanied bottom-up terror) reveals the desperate attempt of leaders to curb popular vengeance by cultivating a spirit of unity and restraint. The stridency with which they invoked this rhetoric attests to the gravity of the situation. Calls to virtue grew increasingly shrill as calumny and vengeance became increasingly unrestrained. At the same time, leaders seeking to secure the state's monopoly on punitive violence drew on this moral rhetoric to dress up state repression in virtuous garb. The masquerade was not convincing, and as soon as enough deputies could unite to outmaneuver Robespierre and the Committee of Public Safety, they did so.

In any case, the policing practices aimed at securing public spirit—namely, the surveillance of public opinion and the spread of civic consciousness—long outlived the debacle resulting from the breakdown of limits on speech and the desperately strident attempts to reestablish them. The Terror ended. The policing of public opinion did not.

