

INTRODUCTION



On 22 January 1794, a Prussian, Frédéric-Christian Laukhard, arrived in Lyon with a small group of *sans-culottes* he had befriended. He wanted to join the ‘good cause’ of revolution and had heard there were other Germans there who had formed a battalion. On the way, he noticed the ‘terrified’ inhabitants they passed. They ‘hardly dared open their mouths, afraid that a word would slip out that the *sans-culottes* could interpret as being counter-revolutionary or favourable to aristocrats and which would mean an order of death’.¹ Once in the city, and left to his own devices, Laukhard was confronted with ‘misery and destruction’:

Entire rows of houses, always the most beautiful had been burnt, churches, convents ruined. When I reached the guillotine the blood of those executed several hours earlier was still running in the square.

The Prussian gradually became ‘filled with horror’ and asked those living nearby whether it would not be the decent thing to clean up human blood. ‘Why should we?’, someone replied, ‘It is the blood of aristocrats and rebels. It is the dogs who should lick it up.’² Those he met continued to talk of the guillotine as a *joujou* (toy) and suggested he come the next day or the following day to see it in action.

The fortunes of the city had shifted enormously from the earliest years of the French Revolution when one resident, Jean-Jacques Ampere and his brilliant son André-Marie, had watched ‘candle in hand’ as the new democratic institutions began to operate.³ Jean-Jacques had soon after left his son in the company of the seventeen volumes of the *Encyclopédie* of the Enlightenment era that had inspired the family while he took up a post as an elected magistrate. He would gradually become embroiled in political events leading to the guillotine being set up in the central square of the city. The ‘candle’ and the ‘guillotine’ bookend the changing experience of the French Revolution, as it touched the lives of the people of Lyon. From the enthusiasms of 1789 to the horrors of the guillotine that

Laukhard described, little more than four years had elapsed. It is these fraught years that this book examines.

Lyon was a city that had engaged passionately with the revolutionary changes of 1789. It had lively entrepreneurs like Joseph Chalier, who was bursting with ideas for how the city should grow. It had 'enlightened' bourgeois, like one Jean-Jacques Ampère, anxious to guide their own education and the education of their children by frequenting the libraries, the bookshops and the theatre. Both Chalier and Ampère were among the conscientious and capable men elected to judicial office with a new vision for society and who would go on to apply the new revolutionary laws. They became citizen magistrates when elected to the innovative role of the *juge de paix* (justice of the peace) from 1791. This position of functionary was responsible for the crucial changes in the delivery of justice. Although inspired by the English system of magistrates, the powers of the position went much further. The incumbents were elected and paid by the state and expected to provide direct justice for citizens at all levels of the new legal edifice. My book has a particular focus on these judges because their election was widely seen as one of the most important of the democratic changes then instituted, as authors like Melvyn Edelstein and Malcolm Crook have highlighted.⁴ But the position also invited new and important questions about the rule of law that had been envisaged at the time of the French Revolution.

Municipal and judicial officers elected at the end of 1791 had every reason to hope that their hard work and enthusiasm in setting up a new judicial regime would be successful and would obviate the need for 'popular' violence that had erupted at various points of the Revolution. However, confusion between legal procedure and real justice emerged during the turbulent years of 1792 and 1793 and would lead eventually to grave consequences for the city. The judges themselves became divided along political lines. The need to uncover fanaticism and conspiracies among rival factions in the day-to-day interpretation and implementation of their work gradually overtook the belief in an innate justice that many of those elected had originally expected. This book will attempt to understand how the enthusiasm for justice of the Lyonnais magistrates turned into an obsession with 'conspiracies' and 'fanaticisms' that then led to civil war and the 'terror' that threatened the citizens of Lyon.

While in hindsight we can see the problems inherent in contradictory interpretations of the 'rule of law', no such problem was anticipated by those who championed and helped enact the new changes. By following the trajectories of those Lyonnais elected as judges, we can see how the passions and enthusiasms of early revolutionary 'choosers' gradually deepened into bitter divisions as political rivalries grew in the city. The

more radical Jacobin leaders elected at the end of 1792 suspected hidden 'aristocratic' agendas. They asked whether new insidious crimes that threatened the state itself were being dealt with too leniently by judges disguising their own vested interests. The more conservative judges however saw the danger of a total collapse of law and order if procedures and rules were not followed.

These questions about how the new 'rule of law' would operate in a revolutionary state are critically important to any understanding of the 'Terror' that has often been seen as a deliberate and inflexible policy of the radical Jacobins applied as law in 1793–94. The city of Lyon was believed at the time to be a leader in the 'federalist' revolt against the nation and thus deserving of the most extreme condemnation. Although the charge of 'federalism' has been contested recently, Lyon is still viewed as one of the most tragic examples of what has been called the 'Terror'.⁵ Georges Couthon, a member of the powerful 'Committee of Twelve' in Paris, came to Lyon in October 1793. His instructions were to oversee the subjugation of the city after its capitulation. He began by symbolically attacking the buildings in the grandiose square of Bellecour with a silver hammer. He was an invalid and wielded the hammer from a wooden wheelchair as he proclaimed the actions to be taken against the city. First among them was the order that the 'sumptuous houses' in the square, their gardens and statues would be destroyed. Eight hundred workers were immediately engaged to commence demolition of the facades of the richest buildings here as well as many of the fortifications that protected the city.⁶ Couthon also decreed that 'severe' punishment was to be visited on the people of Lyon for 'having caused the national army to take action against them'.⁷ Those found with arms in the city, as well as all the *juges de paix* and municipal functionaries who had been active in their positions from June and throughout the two-month siege that had begun in September, were arrested. Notices affixed to the city walls under Couthon's authority warned that: 'terror should be awakened in the souls of the brigands and traitors'.⁸

For some historians, the 'Terror' has been seen as a tactic used by the radical revolutionaries in Paris – those usually associated with Maximilien Robespierre – to 'radicalize the conflict, create new dangers and new fractures' in their ongoing quest for political power.⁹ While at first Couthon's use of the word 'terror' seems to validate the idea that France had entered into such a 'Reign of Terror', with Lyon an example of the increasingly harsh measures taken to consolidate the Jacobin Republic, this theory has been recently challenged. Michel Biard has questioned the utility of writing 'terror' with a capital 'T' when at the time it was only ever used with a lower case 't'.¹⁰ Timothy Tackett has highlighted the deep convictions and



Figure 0.1 *Destruction des édifices de Lyon* (Destruction of the Facades of Lyon). Engraving by Georges Touchard-Lafosse, inv. SN 299 © Musée Gadagne (Lyon).

volatile emotions of the period that better explain terroristic episodes, and Marisa Linton has shown how many of the deputies themselves were the most terrorised because of such emotions. Both Tackett and Linton suggest that emotions of the period were exacerbated by fears of ‘conspiracy’, a very real and enduring fear, which adequately explains the use of contingency laws among the revolutionaries rather than a more intractable policy of ‘Terror’.¹¹ Peter McPhee has most recently surmised that the retrospective use of the concept of ‘Terror’ to describe the revolutionary period has too easily been accepted because of modern descriptions of Islamist terrorists as latter day ‘neo-Jacobins’.¹²

Understanding the ‘mental world’ of the revolutionary period has been seen as crucial by other historians. Robert Darnton argued that punishments meted out to those guilty of crimes well before the Revolution had been brutal, and the language of this world continued to be used to respond to fears of conspiracy and counterrevolution as they were then perceived.¹³ Ian Coller has shown how the emotion of ‘enthusiasm’ could have a positive connotation when it was pursued with ‘disinterest’, but it also had the potential to develop into ‘fanaticism’ in its negative connotation, the powerful feeling that clouded judgement and was decried

by Voltaire.¹⁴ Looking at the language used by the Lyonnais judges in this way, we do see 'enthusiasm' in its positive sense evident among those who took on the new judicial and municipal offices in Lyon from 1791 and who remained in office until 1793. It was clearly an emotion of the revolutionary period and was considered to be troublesome only when 'it tipped over' into the 'fanaticism' that we also subsequently see with many of the accused who came before the military tribunals, established soon after Couthon's visit. New fears and passions were engaged among the citizenry of Lyon as political factionalism grew in 1792 and 1793, and the judges of the period appear to have felt the same fears and passions as other citizens of the time. Increasingly, they used words like 'conspiracy', 'fanaticism' and 'terror' to explain their decisions in the revolutionary courts.

Couthon's use of the language of 'terror' when he was sent to Lyon in early October was referencing the discussion before the Convention on 5 September 1793. National deputies were suggesting that 'terror' should be the 'order of the day' and that it should be the required response to internal troubles.¹⁵ In this discussion, terror was seen as a positive force empowering the Republic against those who appeared to be conspiring against the nation. Ronald Schechter has suggested the revolutionaries at this time 'characterised terror as a property of the law, deeming it exemplary, restraining and therefore "salutary"'.¹⁶ And because Lyon was suspected of having broken away from the one and indivisible Republic to become such an enemy in need of restraint, a policy of 'terror' was called for. The strongly felt 'convictions' of the period appear to have provided an 'explosive combination' when mixed with the prevailing 'circumstances'. In the words of Peter McPhee, they justified a policy of 'Revolution until the peace' against internal and external enemies.¹⁷

Many books have been written about the debates and the personalities of Paris during the Revolution, but few recent books have looked at the important provincial cities like Lyon or personalities who lived there rather than in the capital.¹⁸ The judicial archives in Lyon are voluminous, and we can find in them the history of less well-known provincial magistrates like Chalier and Ampère. The reader can then appreciate the revolutionary experience of some 'enlightened' actors, who, although having similar backgrounds, came to astonishingly different views about the law and exceptional justice, which culminated in a turn to violence. The events in Lyon appear to have triggered many of the profound fears of the time. Yet, the impressions of Laukhard also show vividly the extent of the tragedy that befell Lyon and directly raise the question of why and how Lyon and its inhabitants were so harshly

dealt with. To understand the decision to use ‘terror’ to subdue Lyon, we thus need to revisit what happened in the city from the very earliest stages of the Revolution.

Notes

1. W. Bauer (Trad.) *Un Allemand en France sous la Terreur: Souvenirs de Frédéric-Christian Laukhard* (Paris: Perrin, 1915), 269.
2. Bauer, *Un Allemand en France*, 272.
3. See the Historic note, 14 December 1790 signed by Ryard, where municipal officers searching his home in Poleymieux stated that Ampère had been more than willing to show them his property and had accompanied them ‘candle in hand’ to the peripheries of his courtyard; quoted by L. Dupré-Latour, *Bulletin de la Société des Amis d’André-Marie* 3, 58.
4. M. Edelstein, *The French Revolution and the Birth of Electoral Democracy* (Farnham, Surrey; Burlington, UT: Ashgate 2014), 282. M. Crook, *Elections in the French Revolution: An Apprenticeship in Democracy, 1789–1799* (Cambridge and NY: Cambridge University Press, 1996).
5. The most comprehensive analysis of the ‘federalist’ revolts that suggests they were neither ‘federalist’ nor ‘royalist’ in their original motivation is contained in P. Hanson, *The Jacobin Republic Under Fire: The Federalist Revolt in the French Revolution* (University Park, PA: Pennsylvania State University Press, 2003), 100.
6. E. Herriot, *Lyon n’est plus: La repression*, vol. 3 (Paris: Hachette, 1939), 49.
7. Herriot, *Lyon n’est plus*, vol. 3, 5.
8. G. Couthon, 14 October 1793, Archives départemental du Rhône [hereinafter ADR] 1 L 981.
9. P. Gueniffey, *La politique de la Terreur: Essai sur la violence révolutionnaire 1789–1794* (Paris, 2000), 338.
10. M. Biard and H. Leuwens (eds), *Visages de la Terreur* (Paris: Armand Colin, 2014), 5–7.
11. T. Tackett, *The Coming of the Terror in the French Revolution* (Cambridge, MA: Belknap Press, HUP, 2015). M. Linton, *Choosing Terror: Virtue, Friendship and Authenticity in the French Revolution* (Oxford: OUP, 2013).
12. M. Biard et al. ‘Analyser “la Terreur” dans l’historiographie Anglophone’, *Annales Historiques de la Révolution française* 2 (2018), 143–144.
13. R. Darnton, *The Kiss of Lamourette: Reflections in Cultural History* (New York: W.W. Norton, 1990), 11–20.
14. Presentation of Ian Coller, ‘Turbans of Liberty: Revolutionary Emotions and Global Emotions’, Conference, *Society of French Historical Studies* 10 May 2018.
15. Patrice Gueniffey suggests 1793 was merely the ‘official’ commencement of ‘The Terror’, it having actually begun with the exceptional laws of 1791 against émigrés: *La politique de la Terreur*, 15.
16. R. Schechter, *A Genealogy of Terror in Eighteenth Century France* (Chicago and London: University of Chicago Press, 2018).
17. McPhee, *Liberty or Death: The French Revolution* (New Haven, CT and London: Yale University Press, 2016), 270–73.

18. The best analyses of Lyon and the Revolution are now somewhat dated: Camille Riffaterre, *Le Mouvement antijacobin et antiparisien à Lyon et dans le Rhône-et-Loire en 1793, 29 mai-15 août*, tome 1 (Lyon, 1912), the four volumes of Edouard Herriot, *Lyon n'est plus* and W.D. Edmonds, *Jacobinism and the Revolt of Lyon, 1789–1793* (New York: OUP, 1990).