

**The Social-Psychological Construction of the
Revolutionary State and Fouquier-Tinville's
Trial**

BY

LINDA JOAN CHRISTIAN

A Dissertation submitted to
The Faculty of Graduate Studies
In partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

Department of History
University of Manitoba
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The Social Psychological Construction of the Revolutionary State and Fouquier-Tinville's Trial

Using concepts developed by Melanie Klein and René Kaës, a French psychoanalytic theorist of groups, this dissertation sketches out a framework for looking at revolutionary state construction during the Terror and Thermidorian periods of the French Revolution.

One of the central premises of the work is that the failure to construct a revolutionary republic in France in 1793-1794 was due to the revolutionary leadership's inability to construct a group psychic apparatus, an unconscious, social psychological network of linkages. The thesis applies Kleinian psychoanalytic concepts of projective identification, displacement, psychological association and condensation to demonstrate how Fouquier-Tinville's trial and execution were part of a process of group construction after the Terror. It is argued that the Thermidorian political leadership constructed a political and cultural representation of the Terror that unified the government by displacing responsibility for it onto Fouquier and a few other "Great Criminals. Fouquier was scapegoated to protect the regime. Thermidorian political culture, symbol formation and discourse thus served to deny the real sources of revolutionary violence during the Terror.

The dissertation's significance is that it provides a means to consider representation – discourse, culture and ideology – as an intermediary formation between social and psychological realities. Thus it provides a theoretical basis for synthesizing the two major historiographical interpretations of the French Revolution – the social and revisionist.

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Writing a Ph.D. dissertation is an excruciating process that brings home the perpetual conflict between desire and reality. The dissertator, given the task to create something original and armed with a vision of how to do it, encounters three tormenting realities – limited time, limited resources and infinite uncertainty.

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List of Abbreviations

- A.N.* *Archives Nationales de la France*
- Arch. Parl.* *Archives Parlementaires*, (1787-1860). An almost complete collection of political and legislative debates. First series: M.M. Mavidal and E. Laurent, Eds. Volume I - LXXII. Second series: Marcel Reinhard and Marc Bouloiseau, Eds. Volume LXXIII to XC. Third series: Albert Soboul, Michel Vovelle, Françoise Brunel et al. Eds. Volume LXXVI, 4 Oct. to 18 Oct. 1793 to volume XCV, 26 Thermidor to 9 Fructidor an II - 13 Août 1794. Paris: Librairie administrative de Paul Dupont, 1889-1951; Paris: Centre Nationale de la Recherche Scientifique, 1961-2000.
- B.N.* Bibliothèque Nationale de la France.
- Hist. Parl.* P.J.B Buchez and P.C. Roux, Eds.. *Histoire parlementaire de la Révolution française*, 40 volumes. (Paris, 1834-1838).
- Dict. Conv.* Auguste Kuscinski, *Dictionnaire des Conventionnels*, (Paris: Société de l'Histoire de la Révolution Française et à la Librairie F. Rieder, 1916; Repr. Yvelines: Editions du Vexin Français Brueil-en-Vexin, 1973).
- Dict. Klein.* Robert. D. Hinshelwood, *A Dictionary of Kleinian Thought*, second edition (London: Free Association Books, 1991).
- Jud. Acc.*¹ *Judicius, Acte d'Accusation de Judicius contre Fouquier et complices*, Archives Nationales, W499, pièce 8.
- Leb. Acc.*² *Leblois, Fouquier-Tinville Acte d'Accusation*, notifié le 26 Frimaire pour le 28 du dit mois, Archives Nationales, W499, pièce 7.
- Maclure Coll.* Pennsylvania University Library, *French Revolutionary Materials: Maclure Collection*. 372 Reels. New Haven, Conn.: University of Pennsylvania, Research Publication, 1972.

¹ Judicius' indictment was the second one written against Fouquier; in it judges and jurors of the revolutionary tribunal were included as accomplices.

² Leblois' indictment was the first one against Fouquier; the charges in it applied to Fouquier alone.

- Mém. Gen & Justif.*³ Antoine-Quentin Fouquier-Tinville, *Mémoire Général et Justificatif pour Antoine Quentin Fouquier ex-accusateur public près le tribunal révolutionnaire établi à Paris, 16 Thermidor, an 2, Archives Nationales, W499, Pièce, 30.* Antoine-Quentin Fouquier, ex-accusateur public près le tribunal révolutionnaire établi à Paris, *Mémoire Général et Justificatif*, 19 Thermidor, an 2, W499, Pièce 108.
- Mém. Impr.*⁴ Fouquier-Tinville, Antoine-Quentin, *Mémoire pour Antoine-Quentin Fouquier, ex-accusateur public près le Tribunal Révolutionnaire établi à Paris et rendu volontairement à la conciergerie le jour du décret qui a ordonné son arrestation* (Imprimerie de la rue de Chartres, s.d.).
- Mém. Impr. Rép.*⁵ Fouquier-Tinville, Antoine-Quentin, *Réponse d'Antoine-Quentin Fouquier, ex-accusateur public près le tribunal révolutionnaire de Paris, aux différents chefs d'accusation portés en l'acte à lue notifié le 26 frimaire an II, à la défense générale de Billaud, Collot d'Herbois, Barère et Vadier, anciens membres des comités du gouvernement, et à celle particulière de Billaud-Varennes, et encore aux faits avancés par quelques-uns entre eux, dans les séances de la Convention des 12 et 13 fructidor an II (17 pluviôse an III-5 février 1795),* (Paris, Impr. Marchant, s.d.).
- Moniteur* *Gazette Nationale ou Le Moniteur Universel.* Paris: Panckoucke, 1811.
- Œuvres* Marc Bouloiseau and Albert Soboul Eds., *Œuvres de Maximilien Robespierre*, (Presses Universitaires de France, Paris, 1967).
- Loi de 22 Prairial* Convention Nationale, Rapport sur Le Tribunal Révolutionnaire, fait au nom du comité de salut public, par Couthon, dans la séance du 22 Prairial, an 2 de la République française une & indivisible, imprimé par ordre de la Convention nationale, et joint au décret qui l'a suivi, par forme d'instruction in *French Revolutionary Materials: Maclure Collection*, (vol. 1111, no. 18).

³ Fouquier's first mémoire for his defence, hand written shortly after he was imprisoned. There are two versions, 16 Thermidor and 19 Thermidor. It was written before he was indicted.

⁴ Fouquier's first printed mémoire, published before his first trial, in 1794 and written to address the accusations in Leblois' indictment.

⁵ Fouquier's second printed mémoire, printed before his second trial. In it he attempts to address the accusations Lecointre and later the former Committee members, made against him.

- Loi de 27 Germinal* Décrets concernant la répression des conspirateurs, l'éloignement des ex-nobles, des étrangers, et la police générale de la République, *Maclure Coll.*, vol. 255-260, reel 78: *Collection Générale des décrets rendus par la Convention Nationale*, mois Germinal, no. 13. Paris: Baudouin, Impr. de la Convention Nationale, 1794.
- Saint-Just: Discours* Albert Soboul Ed., *Saint-Just: Discours et Rapports*, (Paris: Éditions Sociales, 1957).

Preface

This dissertation presents a social-psychoanalytic interpretation of state construction during the Terror and Thermidorian periods of the French Revolution. This preface provides an overview of the dissertation and addresses some of the issues that arise from the work. The dissertation sketches out a framework for looking at revolutionary state construction as a psychological process that involved both social and ideological factors. It has three parts: Part One is composed of two chapters on historiography, history and theory. Part Two considers revolutionary state construction during the Terror, mostly using the theoretical concepts of René Kaës, a French psychoanalyst. Part Three draws on the theoretical insights of Melanie Klein. It considers the central role of Fouquier-Tinville's trial in the construction of the Thermidorian republic. Fouquier, the public prosecutor of the revolutionary tribunal was tried and executed after Maximilien Robespierre's fall. He and a few other so-called "Great Criminals" were held, with Robespierre, as being solely responsible for the Terror.

The central premise of the dissertation is that the failure to consolidate the revolutionary republic was due to the failure to construct a group psychic apparatus, an unconscious, psychological structure that underlies all groups. The construction of a group psychic apparatus, a network of "links" or points of collective emotional investment, is a necessary prerequisite to group formation at all levels, including that of the state. Throughout, the dissertation represents an attempt to demonstrate how these psychological processes of group construction operated during the major events and phases of the Terror and Thermidorian

periods. The group psychic apparatus of the state organizes different social groups to form a nation. This process involves three levels of reality – the psychological, the representational and the social.

Much of the recent historiography of the French revolution has focused solely on ideological, or related political and intellectual, factors. Historians have set out to explain the discrepancy between the enlightenment origins of revolutionary thought and the Terror by considering the Enlightenment's role in the destruction of the Old Regime. As revisionist historians Keith Baker and Roger Chartier have argued, ideology and public debate critical of the monarchy, church and nobility undermined the Old Regime, leading to revolution.¹ As François Furet, Mona Ozouf and many others have argued, ideology was also an essential component of the Terror.² The unravelling of the monarchy, according to these historians interrupted a process of state centralization that revolutionaries resumed during the Terror. Historians such as Timothy Tackett have noted the relationship between terror and the power vacuum left after the fall of the Monarchy.³ All these issues, including the discrepancy between enlightenment humanitarianism, justice and democracy and the Terror and the issue of power vacuum become more comprehensible if the course of the

¹ Keith Michael Baker, *Interpreting the French Revolution: Essays on French Political Culture in the Eighteenth Century*, (Cambridge and New York: Cambridge University Press, 1990). Roger Chartier, *The Cultural Origins of the French Revolution*, trans. Lydia G. Cochrane, (Durham, N.C.: Duke University Press, 1991).

² François Furet, *Interpreting the French Revolution*, trans. Elborg Forster (Cambridge, London and New York: Cambridge University Press, 1981); Mona Ozouf, "Thermidor ou le travail de l'oubli" in *L'école de la France: Essais sur la Révolution, l'utopie et l'enseignement* (Paris: Éditions Gallimard, 1984).

³ Timothy Tackett, "Interpreting the Terror" in *French Historical Studies*, 24, no. 4, (fall, 2001).

revolution is seen as a process involving the decomposition and re-composition of a group psychic apparatus.

This process of decomposition and re-composition revolves around the creation of what Kaës and others refer to as psychological links – points or nodes that become invested with psychic energy. The psychic energy of a number of individuals represents a collective *emotional* commitment to an idea, leader or institution. Such commitments are what create groups and hold networks of groups together. The construction of any group depends on the ability to compose the links by attracting psychic investments – this is the role of ideology. When emotional energy or commitment is drawn away from the link, the group or network, including the state, will dissolve. If the problem of state construction is looked at as a psychological issue of link composition in which social structure, psychology, institutions and ideology are all inherently linked, it is no surprise that the dissolution of any one of the links in the Old Regime affected other components, leading to a general process of decomposition that resulted in the revolution. Thus the causes of the French Revolution cannot be reduced to the role of ideology. The decomposition or unravelling of collective emotional commitments to specific institutions, leaders and ideas in an overarching system or structure is a necessary, but not sufficient, condition for the creation of a new one. Consequently, it is important to consider, as social historians have, the relationships between social groups and the role of the Terror in the construction of the republic.

The Terror emerged largely because revolutionaries could not agree on the constitutional bases for the republic in the spring of 1793. The new National Convention, installed to create a republican constitution after the execution of the King, could establish no single program for constructing and maintaining the collective psychological or emotional investments necessary to sustain a democratic regime. Terror and Revolutionary Government emerged as a substitute for the failure to establish consensus. Revolutionary state construction during the Constitutional discussions manifested a tension between two of the unconscious contracts that Kaës has discovered. The renunciation and narcissistic contracts defined the relationship between the revolutionary state and the groups and individuals that composed revolutionary society. The Terror attempted to enforce adherence to a renunciation contract as a means to divert individuals' psychic energy away from narcissistic pursuits and into the construction of the links that made up the group psychic apparatus of the republic. Thus, revolutionary government and the Terror, the institutional and the ideological basis of the revolutionary republic, represented a particular form and process of group construction.

Much of the historiographical debate revolves around ideology and the relationship between ideology and leadership. Following the work of René Kaës, the dissertation argues that the function of representation in any group, including ideology, is to attract psychic investment or energy in the form of a commitment to a link in the group psychic apparatus. Robespierre's theory of virtue was a form of renunciation contract. Furthermore this theory of virtue was a variation on

themes that the National Convention had already tried to deal with during the Constitutional discussions in the spring of 1793. The constitutional discussions broke down when the Girondins refused to participate without a prior commitment to protect private property as an absolute, natural right. The Girondin program represented a class-based narcissistic contract that did not resonate with the politically engaged popular movement in Paris. Furthermore, the narcissistic contract would not have been sufficient to construct the republic. Some sort of unifying renunciation contract – that is an unconscious agreement or commitment on the part of individuals, to give up something in the interests of the collective good – was necessary to construct and connect revolutionary society.

Robespierre's ideology represented the articulation of an ideal designed to attract psychic investment to revolutionary links, a mechanism for constructing the preconditions for the institutionalization of the republic – through the creation of a revolutionary culture of patriotic virtue – and a means of organizing the war against counter-revolution, of mobilizing people in defence of “the country in danger”. Thus, like the revisionist historians, it is argued that Robespierre's thought was ideology, but that ideology also played an important and explicable, even pragmatic, role in the construction of the revolutionary state. Thus, Robespierre's ideology of terror and virtue was not unrealistic “demagoguery”, as revisionist historians argue, but was an attempt to draw commitments to republican institutions. The Law of 14 Frimaire, which was the Law of Revolutionary Government, facilitated the institutional and political centralization and unification of the country, in the interests of consolidating the republic,

providing a uniform system of administration throughout the territory and ensuring compliance to the laws and decrees of the National Convention. Of course, the purpose of revolutionary government was not only to construct the republic but to do so in the context of war and counter-revolution. The Terror facilitated the war effort and enabled repression of counter-revolutionary activity within France, as Albert Soboul has argued.⁴

On the question of the relationship between the Terror and the Revolutionary Government it becomes necessary to engage with another concept that historians of the revolution have debated – the paranoia manifested at the level of the revolutionary leadership and institutions. This paranoia, the dissertation argues, was a direct consequence not only of the need to fight a European war and defend the republic against counter-revolutionary sabotage from within; it resulted from the power vacuum that emerged from the institutional collapse that is integral to revolutionary change. At one level, the paranoia was a direct consequence of the institutional collapse or power vacuum left in the wake of the failure of the Legislative Assembly and the fall of the King. The paranoid-schizoid processes that the revolutionary leadership manifested were symptomatic of a general fragmentation or collapse of the former group psychic apparatus and were an inevitable part of the process of revolutionary state construction. Like the construction of an individual's personality through

⁴ Albert Soboul, *Les Sans-culottes Parisiens de l'An II: Mouvement Populaire et Gouvernement Révolutionnaire, 2 Juin 1793-9 Thermidor An II*. (Paris: Librairie Clavreuil, 1962), 241 and passim. Soboul is primarily interested in the contradictory relationship between the revolutionary government and the sans-culottes. The government needed sans-culotte support but was also determined to keep political and economic reforms within bourgeois limits, with state control of the economy being provisional, in the interests of the war effort.

introjective and projective identification, the paranoid-schizoid defences might have functioned to modify the links in the group psychic apparatus, specifically through what the psychoanalyst Wilfred Bion refers to as “alpha function”, a process in which a leader transforms raw projections into a form that is tolerable for reintroduction, effecting change in the process. Had the Committee of Public Safety been able to perform that function in Ventôse, they might have been able to contain revolutionary paranoia, avoid the execution of the Dantonists and Hébertists and perhaps prevented the Great Terror, instead of presiding over it. Thus the thesis has tried to argue that in revolution, paranoia is inevitable but can be contained. Such containment was behind the original conception of the revolutionary tribunal itself. Had politicians been able to perform some kind of “alpha function”, to tolerate revolutionary dissent, they may have allowed the tribunal to fulfil its containment function as well as its objective function, which was to identify and punish real counter-revolutionaries. Failing to do so, interfering with the tribunal’s operation, the revolutionary leadership became even more paranoid throughout the summer of 1794 as they feared retaliation for their own actions. This is my explanation for the prison conspiracy trials that make up a good part of the Great Terror. Thus, in conjunction with revisionist historians the dissertation maintains that the revolutionaries manifested paranoid tendencies. Unlike the revisionists, however, the thesis argues that the paranoia itself was grounded in the reality of war and counter-revolution and in the psychological reality of institutional collapse, not solely in the personality of Robespierre.

Nonetheless, while repression of enemies of the state and the limitation of democratic freedoms is inevitable in a revolutionary context, it is also necessary to confine the repression to real enemies of the state. Thus a distinction has been made between Robespierre's theory of the Terror as a tool in the construction of the state and the actual working of the Great Terror, which was pathological. The Ventôse decrees, as a logical extension of revolutionary government, set out to tie revolutionary practices and institutions to those who supported the revolution while introducing more repressive legislation against those who did not. Thus it had a rational component. The Law of 22 Prairial was an extension of the same logic. Neither the Ventôse decrees nor the Law of 22 Prairial, in and of themselves, created the Great Terror, since, at one level, they merely continued the process of centralization and institutionalisation that began with the Law of 14 Frimaire and which was designed to create the linkages necessary to construct the republic. However, the elimination of Hébertist and Dantonist oppositions to the revolutionary government destroyed the links – the emotional ties – necessary to continue the process of republican state construction. In severing these significant links within the revolutionary movement the revolutionary government set the stage for the Great Terror and for Robespierre's fall.

After Robespierre's fall, the Thermidorians set out to construct a new group psychic apparatus that, in denying and renouncing responsibility for the Terror, facilitated the creation of a society that was modelled on the class-based narcissistic contract the Girondins had articulated in the spring of 1793. The

purpose of the ideology of a Robespierriest conspiracy, as with the charges and procedures against Fouquier-Tinville, were to displace blame for the Terror onto a few, highly stereotyped, vilified "great criminals", monsters and terrorists. Fouquier's trial and execution enabled the Thermidorians to create the new group psychic apparatus that, instead of reconciling different sectors of society under one general, revolutionary renunciation contract, denied the sans-culottes and the popular movement participation in the political arena by portraying them as a hydra-headed, anarchistic monster bent on violence and destruction. Fouquier and his colleagues, by processes of psychological association and condensation, came to represent this hydra-headed monster. Their destruction, aided by the phantasmagoric representation of the Terror as the epitome of mindless destructiveness, rationalized and justified the exclusion of the popular movement from participating in the construction of the republic. It also served to deny the real sources and real reasons for revolutionary violence, which are to be found in the process of group construction and the human failure of the revolutionary leadership itself.

Three possible concerns that might be raised about this dissertation's argument: First that the thesis does not sufficiently justify psychohistory; second that it does not engage sufficiently with the historiography; and third that it does not sufficiently justify the preference for Kaës over Kleinian psychoanalytic concepts. The concerns raised related to psychohistory are (1) that it is anachronistic to apply a twentieth-century theory to eighteenth-century people; in

other words, that it is dubious to try to “psychoanalyse dead people”; and (2) the thesis has not sufficiently justified the psychoanalytic perspective itself.

The first concern, about the anachronism of applying a twentieth century theory to eighteenth century people and events has been framed within a criticism of the argument, presented in Chapter 1 that nineteenth and early twentieth century historians have anachronistically applied theories of liberal justice that did not pertain during the revolution. These issues are not the same. First, the argument made in the dissertation was rooted in the idea, as presented in Fouquier’s defence, that revolutionary laws are unique to revolutionary situations. Fouquier was tried and executed for applying laws that he did not make. The laws of the Terror, being revolutionary, were not consistent with the theory and practice of liberal justice. Nineteenth century historians, in assessing Fouquier’s conduct “as if” revolutionary justice was liberal justice have been, not only anachronistic but legally in error. How can the public prosecutor be held responsible for neglecting to uphold laws that did not exist?

The argument that it is anachronistic to apply twentieth century theory to eighteenth century people and events is a completely different one. First, it must be said that twentieth century theories of discourse and representation have been and *are* applied to historical events. These theories, in fact, form the basis of much of the historiography of all fields since the 1960s. The application of a modern theory is, in and of itself, not anachronistic. It might, however, be argued that it is anachronistic to apply twentieth century theories of personality to eighteenth century people, particularly if it is assumed that psychology and

culture are one and the same. That concern requires three clarifications. First, this dissertation does not apply psychoanalytic theories of personality. Much care has been taken to avoid judgements about the psychopathology of individual actors. Indeed, such a tendency is one of the shortfalls in most psychohistory as it has been practiced. This thesis has focused on applying psychoanalytic concepts of human mental functioning that are, arguably, trans-historical and trans-cultural. The existence of the unconscious, the reality of the psychological defences of projective and introjective identification and even the oedipal conflict are not unique to twentieth century psychology. The relevance of culture occurs at the representational, not the psychological level. Thus, while cultural representations of psychological or social phenomena change over time, the psychological factors, rooted as they are in large part in human physiological and early relational experiences remain constant over time and are rooted in the trans-historical and trans-cultural reality that helpless infants *are* mothered.

In response to the question: "How does one psychoanalyse dead people?" The only answer is to argue that, this work has not, in fact, done so, with the one exception of one reference, using Otto Kernberg to argue that Fréron and Tallien were malignant narcissists. For the most part psychoanalytic theory has been used to consider broader cultural, social and political phenomena. The focus has not been on individuals but on group relations and specifically on the linkages between individuals and between the individual and the state and the linkages between the psychological, cultural and social realities. Kaës's notions of unconscious links and contracts are particularly relevant precisely because they

provide a means to construct linkages and structures to explain and elaborate the social and cultural phenomena that concern historians. Through the documents, the historian has almost as much access to these phenomena as does any contemporary and certainly as much access as any historian employing any other perspective. The use of psychoanalysis can be justified as a tool for analysing history in the same manner that discourse theorists justify the use of Derrida or Marxists justify the use of Marx or any historian justifies any other theory for analysing historical events. In fact, the historian's most significant *responsibility* is to reinterpret history using tools and insights gained from contemporary experience. Why else would we do history? Furthermore, since psychology is a major part of the human experience why should historians be afraid to address the question of how both individual and group psychology plays into historical events and processes. The approach is perfectly consistent with the new, or perhaps not so new, histories of representation, discourse, race, class and gender.

This raises the question: what is history? I interpret it broadly to include all methodologies that are or may be useful for understanding historical problems using historical documents or material culture as evidence. Historical investigation should include all aspects of the human experience. Why not? Cultural historians are looking at emotions, memory and representation – art, language and ideology. Most cultural histories, particularly those that are not theoretically informed, rarely go beyond finding archival evidence or examples of how a certain event *is* emotional, symbolic, political or ideological. This

dissertation has tried to make a case for the relevance of psychoanalytic theory to explaining how these phenomena relate and how they are linked to broader social and institutional factors. Thus although cultural factors are extremely important, it is necessary to go beyond the assumption that cultural phenomena, in and of themselves, determine events, to how they operate in conjunction with other material, social and psychological factors that enable us to link them to the institutional and social structures that are so essential to historical analysis. The application of psychoanalytic theory to history is more than the psychobiography that constitutes much of what people think of as psychohistory. It is best thought of as a form of cultural analysis.

The question "why psychohistory" is particularly relevant to the specific problems the revolution and Terror raise for the historian. The Terror, especially in its institutionalised or "official incarnation" as opposed to the Terror as popular violence, raises the question of how men, like Robespierre, Lazare Carnot, Bertrand de Barère, Fouquier and others, who showed if anything, highly developed sensibilities of justice and humanitarianism before the Terror, later became theorists, apologists and executors of the Terror. Secondly, the bizarre language of hydra headed monsters, blood-drinkers and cannibals begs for a psychological analysis for the simple reason that nothing else explains it. Thirdly, there is the discrepancy between aims and outcomes that marks revolutionary behaviour throughout the two periods this dissertation considers. The execution of Georges Danton and the Hébertists and the practices that reduced the Tribunal to a pathological death machine in the summer of 1794, so clearly

undermined the construction of the republic that psychology is the one tool that frees us from useless moral condemnation and enables us to explain and interpret a very difficult event. The executions of Danton and the Hébertists, however politically justified, did not create the effect intended. The Great Terror, also, did not, as anticipated deal a blow to the counter-revolution. As the Terror became not simply unjust but indiscriminate, it undermined the revolutionary government and gave impetus to the counter-revolution. These unintended consequences of historical events and actions point to the operation of unconscious, psychological factors. Fouquier's trial, permeated as it was with the issues of morality, guilt and innocence also points to psychology as much as and more than politics, since once again the Thermidorian Mountaineers, in their attack against Fouquier and the former members of the Great Committees brought themselves down. Again, as the dissertation tries to demonstrate, these discrepancies between aims and outcomes point to the insufficiency of a political argument and cry out for psychological analysis.

The second possible criticism of the dissertation is that the historiography has not been dealt with adequately within the body of the work, that the author has not been sufficiently critical of the historiography and that the historiographical debate has not been situated within an evolutionary perspective. The fundamental historiographical debate is presented in the historiographical chapter in an effort to simplify the narrative of the dissertation that is strained by the complexity of the theory. The fact that the dissertation not only applies theory to history but that the theory itself involves consideration of

three levels of reality and thus three levels of analysis, the psychological, representational and social adds to the complexity of the work. Consequently the historiographical debate has been put in a separate chapter and the primary focus of the work has been to employ theoretical concepts to the actual history. Furthermore, it must be said that the historiography is paralysed by the revisionists' failure to construct a new synthesis of the French Revolution. The historiography has been dominated for forty years by one perspective, originating with Furet. More significantly, Furet's perspective never provided the basis for a new synthetic interpretation of the French Revolution.⁵ Consequently, the historiography, which is enormous, has been monopolized by a process of critical destruction that, although it has enlightened us on political and representational factors, has not provided an all-encompassing interpretation of the revolution as an historical process.

Entire books have been written on the historiography of the French Revolution. As far back as the 1980s, William Doyle argued that although the revisionist history, focusing on the political or representational, had effectively dismantled the old social-Marxist interpretation of the French Revolution, it failed to offer any alternative synthesis.⁶ For analysis of the political evolution of the historiography of the French Revolution, readers can refer to Steven Kaplan's

⁵ Suzanne Desan, "What's after Political Culture? Recent French Revolutionary Historiography" in *French Historical Studies*, 23, No. 1, (Winter, 2000): 163-196.

⁶ William Doyle, *Origins of the French Revolution*, (New York: Oxford University Press, 1980).

two-volume work on the 1989 Bicentennial of the French Revolution and Annie Jourdan's recent book on the historiography.⁷

The fundamental objective for any French Revolutionary historian now is to create a synthesis. This requires not criticism, but constructive reconciliation. Furthermore, the likely solution to the historiographical impasse is to take a broad and theoretical approach to the problem. Recent work in France and the English-speaking world has turned a critical eye on aspects of François Furet's original argument. Virtually all of this new criticism is empirical, with the one exception of the feminist and "political culture" interpretations which are theoretically significant but offer little that is new outside of the gender optic. Furthermore, most of them, with the exception of Dominique Godineau, tend to cluster around the Furet-inspired "political culture" interpretation of the French Revolution.⁸ Recent French historians have focused their attention on regional and local histories, analysis of clubs, philanthropic societies, and local sociability – the creation of national networks of political practice and acculturation.⁹ The problem with all of this work is that it lacks a theoretical grounding and where it is theoretically informed, it tends to lack a structural perspective. Lacking structural grounding, the discourse or representational approaches limit themselves to

⁷ Steven L. Kaplan, *Farewell, Revolution: The Historians' Feud: France, 1789/1989*, (New York: Cornell University Press, 1995). Kaplan, *Farewell, Revolution: Disputed Legacies: France, 1789/1989*, (New York: Cornell University Press, 1995). Annie Jourdan, *La Révolution, une Exception Française?* (Paris: Éditions Flammarion, 2004).

⁸ Dominique Godineau, *The Women of Paris and their French Revolution*, (Berkeley: University of California Press, 1998).

⁹ Catherine Duprat, *Pour l'amour de l'humanité : Le Temps de Philanthropes : La Philanthropie parisienne des Lumières à la monarchie de Juillet*, 2 vols, (Paris: Éditions du CTHS, 1993). Michel Vovelle, *Les Jacobins de Robespierre à Chevènement* (Paris: La Découverte, 2001). Desan, "What's After Political Culture?", 170-174.

particular events, texts or phenomena that do not link up with anything beyond an amorphous cultural or representational sphere that has political implications but does not resonate with social or institutional realities. The new empirical history is important because it has little by little chipped away at Furet's approach that was, until about a decade ago, virtually monolithic and still remains conceptually dominant. The new synthesis French revolutionary historians seek will have to incorporate both the social and the revisionist perspectives, it will have to be theoretical, rather than empirical and it will have to be structural.

This dissertation attempts to deconstruct the relationship between social, political and representational factors at both a theoretical and structural level, using theoretical concepts from psychoanalysis. It argues that the social, political and representational factors can be considered as part of a general and comprehensible process of psychosocial group formation. The significance of the work is that, in considering representation – discourse, culture and ideology – as a compromise or intermediary formation between social and psychological realities, it provides a means for reconciling the social and revisionist interpretations of the French Revolution. Thus, although the thesis, being narrowly rooted in the Terror and Thermidorian periods, does not provide a new synthesis, the theory provides a point of departure for constructing one.

The third major criticism of the thesis might involve the question of why Kleinian theory has not been given as central a place as that of Kaës. In fact, Kleinian concepts have been used extensively because the Kleinian development of the psychological defence mechanisms, phantasy life and

individual development are particularly relevant to dealing with issues related to morality and violence, the issues that are central to Fouquier's trial. That said, even though Kleinian concepts, especially projective identification, are absolutely central to group analysis, as is Bion's notion of alpha function, it is difficult to actually apply these concepts to historical evidence without some overarching theory. With Klein, the historian tends to get trapped in a pattern of finding numerous examples of projective identification, paranoid-schizoid or narcissistic functioning and early Oedipal conflicts without knowing what to do with them. Kaës's ideas of unconscious contracts and links provide an overarching structural component that facilitates the transfer of Kleinian concepts to social and institutional networks that are relevant to historical analysis. Thus his concept of the group psychic apparatus and links provide us with a means to connect social and psychological material. Furthermore, his concept of links as nodes of psychic space and object relating as well as his notion of unconscious pacts and psychic organizers enable us to translate psychological material into historically relevant categories of analysis such as class, leadership, institutions, culture and corporate groupings. Kaës is the theorist who, having synthesized a great deal of the theoretical literature, provides a useful means to employ Kleinian concepts of projective identification, the primal scene, the paranoid-schizoid position and the early oedipal conflict. In my own experience, Klein has only become useable by linking her ideas with Kaës's overarching theory of a group psychic apparatus composed of unconscious psychological linkages and his notion that these links operate on the three levels – psychological, social and

representational. The theory provides a tool for analyzing a broad array of historical phenomena that is not possible with Klein, or any other theory that emerges primarily out of the intra or inter-subjective concerns of the clinic or consulting room. Finally, the use of Kaës's concepts of links and contracts, relating as they do to *unconscious* psychological realities are fundamental to distinguishing conscious from unconscious material and demonstrating the links and tensions between these two phenomena. A link in ordinary language is not a psychic space to contain projections or to foster the creation of phantasy-based representations or connections between the real and the phantasmagoric. However, a psychoanalytic link is just such a space.

Part I: Introduction

Chapter 1: Historiographical Introduction

The historiographical debate on the Terror in the French Revolution revolves, like the more general debate on the revolution as a whole, around whether or not the origins of the revolution are social, political, intellectual, ideological or cultural. The debate is very much informed, even dominated, by the "revisionist" critique of the "classic" Marxist or social interpretation of the revolution. The classic Marxist historians and their followers see the French revolution as a "bourgeois" revolution in which the middle class captures the state in order to transform it into an instrument of capitalist economic and social growth, as a continuation of a process of social and economic development that took place over the three hundred years of the Old Regime, after the abolition of serfdom in western Europe. For social historians, the revolution was a class war; the purpose of it was to institute a state responsive to the interests of the emerging capitalist class.

The revisionist interpretation of the revolution has emerged in the last fifty years, as a critique of the social interpretation. The revisionist body of work can be broadly characterized as defending two basic theses: first, that the events of the revolution cannot be interpreted as social phenomena; second, that the revolution cannot be classified as capitalist because it did not facilitate capitalist industrial development. The revisionist historians have worked piecemeal to dismantle various components of the social interpretation, mostly by focusing on the intellectual, ideological and cultural determinants of revolutionary events. They have uncovered some weaknesses. However, they have not provided a new

synthesis or framework for understanding the French revolution to replace the social interpretation.¹

The revisionist critique has been directed primarily against Albert Soboul and Georges Lefebvre who argued that the revolution was the product of a long-term process of social and economic development that brought the bourgeoisie into conflict with the feudal ruling classes.² Both Soboul and Lefebvre maintain that the Old Regime in France had created the basis for capitalist economic development and facilitated the formation of an increasingly influential urban and commercial bourgeoisie. By the middle of the 18th century, further development within the existing social structure was impossible; the continuing social class relations of feudalism impeded the economic activities of the bourgeoisie. Thus the classic social interpretation of the French revolution provides a version of Marx's "fettering" theory, the idea that any mode of production – capitalism, feudalism or socialism—develops within the confines of its antecedent.³ A revolution occurs when development has reached a point where the economic processes and relationships of the emergent mode of production are impeded or "fettered" by the constraints

¹ William Doyle, *Origins of the French Revolution* (New York: Oxford University Press, 1980), 39-40.

² Albert Soboul, *Understanding the French Revolution*, trans. April Ane Knutson, (New York: International Publishers Co. Inc., 1988), viz., 1-14 and passim. Georges Lefebvre, *The French Revolution*, 2 vols. trans Elizabeth Moss Evanson (London: Routledge and Kegan Paul, 1962), 1: 97-116.

³ See Perry Anderson for an interesting theoretical elaboration of the fettering argument in *Lineages of the Absolutist State*, (London: NLB, 1974); Jean-Laurent Rosenthal, *The Fruits of Revolution: Property Rights, litigation, and French Agriculture, 1700-1860* (Cambridge and New York: Cambridge University Press, 1992).

imposed by a superstructure (state, culture) organized around the interests of the ruling class of the dominant mode of production.⁴

Lefebvre maintained that the revolution represents the bourgeoisie's taking over of the power of the state, in order to consolidate its power as a class by wresting power from the feudal ruling class (aristocracy and monarchy), to eliminate the feudal privileges which impeded further development of a free market in labour and goods (capitalism). According to Lefebvre, the specific unfolding of the revolution itself occurred through three stages. First, the fiscal crisis of the monarchy made reform of the system imperative. Second, the aristocratic reaction which thwarted the monarchy's attempt to reform the system before 1789 prevented the stable institution of a constitutional monarchy after 1789 and compelled the revolutionary bourgeoisie to turn to the popular classes, both urban and rural, thus radicalising the revolution, in order to consolidate its hold on political power. Third, the failure to institute a constitutional monarchy pushed the bourgeoisie into a contradictory and unstable alliance with the popular classes. The support of the peasants and urban artisans and workers enabled the bourgeoisie successfully to fight the counter-revolution (foreign and civil war) and to eliminate feudal privileges. This support was hazardous because although the popular classes shared with the bourgeoisie an interest in abolishing feudal power and

⁴ Economic historians that support the view that France's economy and social structure was developing along capitalist lines in the 18th century include: Guy LeMarchand, "Economic Crises and Social Atmosphere in Urban Society Under Louis XIV" in *State and Society in Seventeenth Century France*, ed. Raymond F. Kierstead (New York: Franklin Watts Inc., 1975); Guy LeMarchand, *La Fin Du Féodalisme dans Le Pays de Caux: Conjoncture économique et démographique et structure sociale dans une région de grande culture de la crise du XVIIe Siècle à la stabilisation de la Révolution, 1640-1795* (Paris: Éditions du C.T.H.S., 1989); Cynthia Bouton *The Flour War: Gender, Class and Community in Late Ancien Régime French Society* (University Park, Pennsylvania: The Pennsylvania State University Press, 1993).

privilege they also represented a potential threat from below to bourgeois power and property. Lefebvre emphasized the importance of the peasant movement as an autonomous force that helped to complete the bourgeois revolution in its destruction of feudal privilege.⁵ Soboul emphasized the role of the Parisian sans-culottes – the artisans, small businessmen and workers who were, very often, at the forefront of revolutionary movements, most significantly the overthrow of the monarchy, in 1792 and the ousting of the liberal Girondins in the early summer of 1793.⁶

Soboul and Lefebvre argue that the radicalism of the popular movement was essential to the success of the bourgeois revolution because it provided the bourgeoisie with the social and military power to defeat the counterrevolution. Lefebvre argues that, given the recalcitrance of the French nobility, the participation of the masses was necessary to guarantee the victory of the bourgeoisie.⁷ Lefebvre maintains that the peasant revolt helped to consolidate the bourgeois victory over the nobility, but that it was, nonetheless, as vehemently anti-capitalist as it was anti-feudal; peasants sought to secure the reestablishment of their collective rights. Thus, the peasant movement hindered the development of capitalist agriculture in

⁵ Lefebvre, *The French Revolution*, 1: 115.

⁶ Albert Soboul, *Les Sans-culottes Parisiens de l'An II: Mouvement Populaire et Gouvernement Révolutionnaire, 2 Juin 1793-9 Thermidor An II*. (Paris: Librairie Clavreuil, 1962), 21-90.

⁷ Lefebvre, *The French Revolution*, 1: 115.

France.⁸ According to this view, the Terror was crucial as a means to eradicate all vestiges of counter-revolution.⁹

Revisionist historians have tried to demonstrate that the origins and progress of the French Revolution do not reveal a class struggle between nobility and middle class. There are a number of different revisionist arguments, the most prominent of which follow from the work of François Furet, who argues that until the Terror, the revolution was a political, ideological movement for the establishment of a liberal-democratic state.¹⁰ According to Furet, after 1789, the revolution developed a dynamic whereby a chain reaction of events snowballed into the series of crises that France experienced for almost a century afterwards.¹¹ Furet maintains that the counterrevolution did not exist in actuality, and that the Terror was a consequence of a totalitarian and demagogic revolutionary ideology that exaggerated the counter-revolutionary threat.¹² Jacobin fanaticism, supported by an irrational and violent popular movement, was symptomatic of the derailment of the liberal project, brought on by the fall of the

⁸Soboul, *Understanding the French Revolution*, 245.

⁹ Michel Vovelle, *The Fall of the French Monarchy, 1787-1792*, trans. Susan Burke (London and New York: Cambridge University Press, 1984), 118-127, 135-140 and passim. Vovelle provides a post-revisionist defence of this position, arguing that the vehemence of the counter-revolution made the violence of the Terror essential to the success of the revolution. Vovelle argues that the revisionists underestimate the recalcitrance of noble and monarchical elements.

¹⁰ François Furet, *Revolutionary France, 1770-1880*, trans. Antonia Neville (Cambridge, Oxford: Blackwell, 1992), x, 86.

¹¹ François Furet and Denis Richot, *The French Revolution*, trans. Stephen Hardman (London: Weidenfeld and Nicolson, 1970), 122-146.

¹² François Furet, *Interpreting the French Revolution*, trans. Elborg Forster (Cambridge, London and New York: Cambridge University Press, 1981), 128, 177-180.

king.¹³ Furet maintains that, until the consolidation of Jacobin power in 1793, the revolutionaries attempted to reform the state in accordance with the liberal ideal.¹⁴

Furet's work can be linked to two streams of revisionist literature. Historians such as Alfred Cobban represent the oldest work in this stream. Cobban and others have maintained that the bourgeoisie was not particularly revolutionary and that the revolution did not change the basic economic structure of France.¹⁵ According to him, the commercial and financial bourgeoisie were integrated into the seigniorial system through the purchase of titles and rights, and they were not revolutionary.¹⁶ The thesis that the revolutionary elite was composed of a "notable class", including members from the middle class and the enlightened nobility is generally accepted within the revisionist literature. Revisionists like Cobban argue that the nobility and high bourgeoisie were indistinguishable from one another because they both exercised seigniorial rights.¹⁷ Other revisionists have argued that the peasant revolts, a defence of traditional practices, represents resistance to, not support for, the bourgeoisie.¹⁸ "The revolution in the French countryside" argues Jacques Solé

¹³ Furet and Richot, *The French Revolution*, 124- 125.

¹⁴ *Ibid.*

¹⁵ Alfred Cobban, *The Social Interpretation of the French Revolution* (Cambridge: Cambridge University Press, 1968), 74. See also Guy Chaussinand-Nogaret, *The French Nobility in the Eighteenth Century: From Feudalism to Enlightenment*, trans. William Doyle (Cambridge and New York: Cambridge University Press, 1985). For refutations of the idea that the revolution impeded economic development see Gwynne Lewis, *The Advent of Modern Capitalism in France: 1770-1840* (Oxford: Oxford University Press, 1993), Jean-Laurent Rosenthal, *The Fruits of Revolution* and Peter McPhee, *The French Revolution 1789-1799*, (Oxford: Oxford University Press, 2002), 98.

¹⁶ Cobban, *The Social Interpretation*, 54-55.

¹⁷ *Ibid.*, 31.

¹⁸ Jacques Solé, *Questions of the French Revolution: A Historical Overview*, trans. Shelley Temchin, (New York: Pantheon Books, 1989); Donald Sutherland, *France 1789-1815: Revolution and Counter-Revolution*, (London: Fontana, 1985) emphasizing the peasant revolts in the Vendée, makes a similar argument.

"was not against feudalism but against a growing commercialisation" – against the penetration of urban bourgeois-financial interests into the countryside.¹⁹

The most recent revisionist work, and the most significant, takes the position that the most important drivers of the historical events that make up the revolution, and its origins, were not social, but political, ideological, intellectual or cultural. The most notable recent version of the argument is Furet's.²⁰ He builds on previous work that considered Jacobin republicanism as a form of totalitarian ideology stemming from a particularly uncompromising and unworkable discourse on political sovereignty, Rousseau's concept of the General Will.²¹ Of course, much of the more recent work on the revolution has undermined this notion of ideological totalitarianism. Timothy Tackett, for example, has argued that most revolutionaries, even those in the National Assembly, the more conservative of the revolutionary assemblies, operated under the assumption that political sovereignty had to be rooted in some concept of the General Will, although in actual practice, most of the deputies in the National Assembly voted pragmatically.²²

Roger Chartier, Keith Baker and Lynn Hunt, all argue that the causes and course of the revolution reflect cultural, intellectual or ideological influences.²³

¹⁹ Cobban, *The Social Interpretation*, 53.

²⁰ Furet, *Interpreting the French Revolution*, 182-186.

²¹ Auguste Cochin, *La Révolution et la libre pensée. La Socialisation de la pensée, 1750-1789: La Socialisation de la personne, 1789-1792: La Socialisation des biens, 1793-1794*, (Paris: Plon-Nourrit, 1924).

²² Timothy Tackett, *Becoming a Revolutionary: The Deputies of the French National Assembly and the Emergence of a Revolutionary Political Culture, 1789-1790* (New Jersey: Princeton University Press, 1996), 236, 111-112. Also new, non-Marxist social histories have emerged such as McPhee's *The French Revolution* and David Andress's *French Society in Revolution, 1789-1799*, (Manchester and N.Y.: Manchester University Press, 1999).

²³ Baker, *Interpreting the French Revolution*; Chartier, *The Cultural Origins of the French Revolution*; Hunt, *The Family Romance in the French Revolution*; Hunt, *Politics, Culture and Class in the French Revolution*.

Baker, Chartier and Hunt demonstrate how enlightenment culture chipped away at the cultural structures that supported the Old Regime. They emphasize that enlightenment ideas of liberty and democracy led to conflicts between the nobility and the monarchy, manifested most obviously by the trend towards judicial independence in the Parlements, the noble law courts. These historians also emphasize how enlightenment ideas of religious freedom and freedom of individual conscience, disseminated and developed through new social institutions such as a freer book trade and the salon culture resulted in the formation of a critically informed constituency that was able to create and mould "public opinion". The new enlightenment culture led to the de-sacralization of the monarchy and to demands for democratic reforms that undermined some of the fundamental ideological tenets of the absolutist monarchy.

Baker, Hunt and Chartier, among others, conclude that the revolution, consequently, was not the product of long term capitalist economic and social development, but of the undermining of the cultural foundations of the monarchy and that the primary conflicts were between enlightened "notables" – bourgeois and noble – and the monarchy and church. Given that there was, according to this view, no conflict between the nobility and the middle class, the Marxist argument, that the revolution represents the culmination of a long-term process of capitalist development and the rise of a bourgeoisie, cannot be sustained. Furthermore, they maintain, following Tocqueville, the continuity between the Old Regime and the Revolution is to be found, not in the institutionalization of capitalist social relations at the level of the state and economy, but in the

centralization of the state.²⁴

The value of revisionist work on the French revolution, especially in its 'political culture' incarnation, is that it takes cultural, representational and political factors seriously. However, most revisionist historians focus on culture, not as a structural reality, so much as a combination of competing or contradictory representations that give rise to instability and flux or as a process that, with the revolution, deviated from its original purpose – like a runaway train. Much of the work on discourse, emerging from an analysis of the role of the enlightenment in the revolution, is just an updated version of an old idealist argument that links historical causation to the promulgation of ideas, without considering the social implications of the fact that the ideas themselves were adopted and moulded by the propertied elite. Furthermore, the revisionist arguments all underemphasize the reality of war and counter-revolution.

Hunt's work, in some ways the most interesting of the revisionist arguments, considers culture as both a preconditioning structure and as a process, but the cultural structures she emphasizes are predominantly intellectual or political, rather than social.²⁵ They are somewhat disembodied from people's everyday lives and removed from practical political and economic matters. For example she finds the psychological and cultural factors influencing the propaganda campaign against the queen to be rooted in literary accounts of

²⁴ Alexis de Tocqueville, *The Old Régime and the French Revolution*, trans. Stuart Gilbert (New York: Doubleday, 1955), 8-9, 19-21 and 203-211.

²⁵ Lynn Hunt, *The Family Romance in the French Revolution*, (Berkeley: University of California Press, 1992) 17-52; Lynn Hunt, *Politics, Culture and Class in the French Revolution*, 52-86.

bad or absent parents.²⁶ Hunt's argument reflects the more general revisionist concern, which is to demonstrate how the revolution consolidated a modern, centralized state, following from the work that the absolutist monarchy had begun. For example, she argues that the process of revolution, a process of political, symbolic and ideological contestation, resulted in the creation of a new "political class".²⁷ Hunt, like all the revisionist historians, underestimates the systemic nature of the crisis that gave rise to the French Revolution. Revisionists overlook the structural, economic and social relationships that tied the monarchy, nobility and church together. Despite the squabbles and political manoeuvrings that occurred between monarchy and nobility, the fact is that once they became divided, the whole edifice upon which they all relied in order to maintain power and privilege within the system, unravelled.

The social interpretation, on the other hand, is rooted in a structural analysis. The social historians take the economic and social connections between the elite groups in the Old Regime seriously. They also demonstrate the relationships between different social groups during the revolution and link revolutionary politics to the pragmatic political and economic issues associated with war and counter-revolution. Social historians, in not reducing the revolution to philosophical or disembodied, de-socialized cultural factors, do not underestimate, or overly abstract the problematical nature of revolutionary state construction. Nonetheless, the social historians, in focusing on the role of the Terror as an instrument for fighting counter-revolution, underemphasize its

²⁶ Hunt, *The Family Romance*, 27-30 and 151-152.

²⁷ Hunt, *Politics, Culture and Class*, 149-179.

problematical nature – the fact that victims were not all counter-revolutionary, some of them quite obviously not – and indeed, they underplay its ideological aspects.

Neither interpretation takes the psychological aspects of the Terror, or of revolutionary state construction, seriously. The political culture approach abstracts the historical process into discourse or culture. The revisionist interpretation, by redefining the revolution as the 'democratic revolution', limits it to its political aspects and conjures away the fact that class conflict informed much of the revolutionary experience – as is evident in the counter-revolutionary war and the difficulties the revolutionaries faced consolidating the state after 1789. By rooting the Terror in Rousseau's General Will, it fails to distinguish the philosophical justification for terror from the ad hoc and pragmatic nature of its institutional structure and social practice.²⁸ By emphasizing discontinuity it tends to evade psychological issues. Recent social interpretations, focusing on how the middle class revolutionaries were sandwiched between counter-revolutionary forces on the one hand, and a radical popular movement on the other, have considered revolutionary mentality.²⁹ In doing so, however, they have tended to collapse class conflict and psychology into a struggle between the forces of 'The Old Regime' and 'The Revolution' that reduces a good deal of its violence to a recrudescence of 'violence populaire' formed by and in reaction to the violent use of repression by the absolutist state to sustain the privileges of the Old Regime

²⁸ Colin Lucas, *The Structure of the Terror: The Example of Javoques and the Loire* (London: Oxford University Press, 1973), 386-387 and passim.

²⁹ Vovelle, *Les Jacobins de Robespierre à Chevènement*.

ruling class. Thus, they underestimate the irrational aspects of the Terror and the violence of the middle class.

The events that revisionists consider to be representative of the cultural causes of the French revolution can all be seen as having social-psychological roots. The cultural aspects of pre-Revolutionary changes were manifestations of the disintegration of a social system in which economic, social, cultural, political and psychological factors combined structurally. The relationship between social, psychological and cultural factors is developed in Chapter 2. The conflict between the nobility and monarchy, as it played out in the King's conflict with the Parlements, culminating in the closure of the law courts by Chancellor Maupeou in 1770, the extensive pornographic campaign against the monarchy and the upper clergy, the enlightenment criticism of religious intolerance and absolutist "despotism" can all be seen as contributing to the unravelling of psychological investments or commitments that helped to hold the system together. The psychological linkages themselves were not just ideas; the ideas functioned to link specific social interests and institutions together into a systemic whole.

The problematical nature of state construction during the period of the National Convention, through the Terror and the Thermidorian period provides an opportunity to consider the relationship between the different factors and the relationship between ideological and social factors in a revolutionary context. The purpose of this thesis is to consider the problematical nature of state construction in the republican period by considering the relationship between social, ideological and psychological facts during the Terror and Thermidorian periods.

The thesis takes the trial of Fouquier-Tinville as a point of departure because it encapsulates the process of revolutionary state construction to include both its radical and "reactionary" phases. Thus the trial lends itself to analysis of state construction as a psychological phenomenon. Fouquier's trial represented a reconstruction of the Terror set within the Thermidorian context. The way the Thermidorians distorted and manipulated the history of the Revolutionary Tribunal provides a means of considering two phases of revolutionary state construction. In the first phase, during the Terror state construction was very much orientated around notions of revolution and counter-revolution, revolutionary justice, and the social construction of a broad base of support for the regime. During the Thermidorian period state construction shifted its social and ideological emphasis in favour of middle class interests. Ideology, it will be argued, served to mediate between social and psychological factors in all phases.

After the overthrow of Robespierre (9 Thermidor, Year II-July 27, 1794), Fouquier-Tinville, public prosecutor of the revolutionary tribunal during the Terror was arrested, tried and executed as one of the "Great Criminals" of the French Revolution.³⁰ Fouquier's trial took place in the context of the intense political crisis that followed Robespierre's defeat. The fall of Robespierre and the dismantling of the Terror gave impetus to formerly repressed political and social opponents of the revolution, and the Thermidorian period was marked by the re-

³⁰ The time between Fouquier's arrest (14 Thermidor Year II-Aug. 1, 1794) and his execution (18 Floréal Year III-May 7, 1795) spans the greater part of the Thermidorian period itself.

emergence of open calls for the restoration of the monarchy and wholesale campaigns of revenge against former terrorists and sans-culottes.

Thermidorian republicans repudiated the Terror by presenting it as the work of a few Robespierriest conspirators, veiling the fact that many Thermidorian members of the National Convention were themselves responsible for the Terror, its decrees and its institutions. Through Fouquier's trial, the survivors of 9 Thermidor were able to disassociate themselves from the Terror by displacing responsibility for it on to Robespierre, theorist and proponent of the Revolutionary Government during the Terror and onto select members of the institutions of the Terror. Fouquier's trial was a forum in which all the primary Thermidorian political, social and psychological preoccupations converged; through it the Thermidorians rationalized Robespierre's execution, justified the eradication of the institutions of popular government and publicly reconstructed the events of the Terror.

Historians of the Thermidorian period have often commented on the obsessive quality of the Thermidorian "discourse of the Revolution on itself" marked by a compulsion to forget, deny and renounce the Terror.³¹ This obsessive reconstruction of the Terror combined with the hypocritical way Thermidorian ex-terrorists disassociated themselves from it and refused to confront their own culpability for it signifies the operation of a psychological

³¹ Mona Ozouf, "De Thermidor à Brumaire: Le discours de la Révolution sur elle-même" in *Revue Historique*, 243, no. 1 (1970): 31-66. Ozouf, "Thermidor ou le travail de l'oubli" in *L'école de la France*; Françoise Brunel, *Thermidor: La Chute de Robespierre* (Bruxelles: Éditions Complexe, 1989), focusing on the Montagnards who participated in the overthrow of Robespierre, Brunel examines the contradictory character and social basis of these denials.

dynamic unique to the Thermidorian historical context. By a series of associations – Fouquier as Robespierrist conspirator (one of the “little Robespierres”) and representative of the Revolutionary Tribunal – Fouquier was assimilated into a psychological process of ideological construction. In the aftermath of the Terror, psychological issues of revenge and reparation permeated Thermidorian political discourse, were manipulated by individuals and political groups, and affected the outcome of the political and social conflicts characteristic of the Thermidorian period. However, these psychological and ideological factors converged with Thermidorian political and social interests. Psychological and political influences intruded into Fouquier's trial and interfered with the Thermidorian tribunal's capacity to apply "justice" in Fouquier's case. But they intruded in a way that served the particular social and political interests of the Thermidorian middle class. As such Fouquier's trial reflects a process of ideological construction that facilitated the transition from a provisional, revolutionary government to a bourgeois constitutional republic.

Fouquier was scapegoated in order to satisfy calls to exact punishment and avenge the deaths of the Girondins and Dantonists and to deflect accountability for the Terror away from members of the Convention. Thermidorian political actors defined the period as an end to the Terror, yet many of the most prominent Thermidorian figures had been relentless terrorists, and they brutally used the instruments of the Terror in order to safeguard their victory. The situation after the crisis of 9 Thermidor was not in any one faction's control. The Thermidorian alliance was made up of a contradictory mix of ex-terrorists

recalled by the Committee of Public Safety, surviving Girondins and Dantonists, monarchists, released suspects and the anti-Robespierre Deputies of the Mountain. The Thermidorians were able to appease calls to avenge the victims of the Terror by laying all the blame for it onto Fouquier and other "Great Criminals", as substitutes and the Robespierrists who had already been executed. Through Fouquier's trial the factional struggles within the Convention were relived and reconstructed. Fouquier had been public prosecutor throughout the history of the Tribunal and much of the content of the trial represents a re-examination of the work of the Tribunal itself-- primarily the Great political trials of the Girondins, Hébertists and Dantonists and the amalgams associated with the Conspiracies of Prisons which went through the tribunal after the Law of 22 Prairial was passed.

Fouquier's trial must be considered both within the Thermidorian political context and with reference to the purpose and function of revolutionary justice during the Terror. The Revolutionary Tribunal was an instrument of class warfare functioning in accordance with the principles of revolutionary law, revolutionary war (class war) and revolutionary state construction. The psychological dynamics between the trial and the Thermidorian political elite represent part of a larger process that determined the outcome of Thermidorian political struggles, as will be demonstrated in Chapter 7. Putting Fouquier's trial in its political context will demonstrate that through the trial Thermidorians distorted and manipulated the history of the Terror to their own advantage. Through the representation of Fouquier as a bloodthirsty monster, the evidence in the trial was consciously and unconsciously manipulated to divest the National Convention of responsibility for

the laws and decrees that structured the Terror. The distortions and omissions in the evidence and the displacement of responsibility that made up the content of the trial reflected Thermidorian political conflicts more than they revealed, as was claimed at the time, the will to make 'justice the order of the day' by punishing the truly guilty. Thermidorian political conflicts, rooted as they were in the need to deal with the Terror while dismantling it, were psychological. These psychological conflicts, reflected in a political discourse obsessed with issues of revenge and reparation, clearly play themselves out throughout the course of the trial.

Fouquier's trial has rarely been considered in its political and social context. Hector Fleischmann is the only historian to seriously consider the designation of monsters, tigers and blood-drinkers against Fouquier and his co-accused as absurd;³² he has exposed the extent to which Fouquier and the others on trial with him as, for the most part, honest and reasonable men who the Thermidorians vilified. Fleischmann, however, writing in 1910, did not consider the extent to which the vilification of the old Jacobins was unconscious or psychological. The psychological aspects of the Thermidorian reaction have not yet been seriously conceptualized. Fouquier's biographers often incorporate psychological insights into their analyses but tend to consider them only in reference to Fouquier's individual character. Generally they attribute his behaviour during the Terror to his personal ambition or to his despotic and

³² Hector Fleischmann, *Les Coulisses du Tribunal révolutionnaire: Fouquier-Tinville intime, avec des lettres inédites de Fouquier-Tinville, de sa veuve, de ses enfants, et de nombreux documents nouveaux tirés des cartons du Tribunal révolutionnaire aux Archives nationales*, (Paris: Société d'éditions et de publications parisiennes, 1910), passim; Hector Fleischmann, *Réquisitoires de Fouquier-Tinville: D'après les originaux conservés aux Archives Nationales*, (Paris: Charpentier et Fasquelle, 1911), i-xxx.

authoritarian personality. Yet the conflict they see as inherent in his personality was built into the circumstances, the structure within which he had had to perform. In taking the documents out of the context from which they were generated, in underestimating the extent to which Fouquier's behaviour was determined by the circumstances, the laws he was compelled to apply, the structure of authority to which he was subject and the revolutionary function of the Tribunal, its role in revolutionary state construction, historians have tended to reproduce Thermidorian biases, distorting the whole history of the Terror.

Henri Wallon and Émile Campardon accept the Thermidorian interpretation of Fouquier's role in the Terror.³³ Wallon and Campardon consider him guilty of failing in his responsibility to uphold the principles of liberal justice and maintain that his execution was an act of social reparation for the Terror. Wallon does not seem to be aware of the contradiction inherent in simultaneously holding Fouquier guilty while acknowledging the fact that he had acted in accordance with the laws and decrees passed by the members of the National Convention.³⁴ Wallon's conclusion echoes the Thermidorian platitudes about how the revolutionary tribunal had set out to depopulate France, to destroy talent and genius and to deprive France of its wealthiest and most valuable citizens. Like the Thermidorian reactors themselves, Wallon condemns the Jacobins and

³³ Henri Alexandre Wallon, *Histoire du tribunal révolutionnaire de Paris avec le journal de ses actes*, 6 vols (Paris: Hachette et Cie, 1880-1882); Émile Campardon, *Le Tribunal Révolutionnaire de Paris*, 2 vols (Paris: Plon, 1866; Reprod. en fac-sim, Genève: Slatkine, Megariotis, 1975). Despite their age these two works remain the most important works on the history of the Revolutionary Tribunal. Wallon's history is still considered the fundamental reference work on the subject.

³⁴ Wallon, *Histoire du tribunal révolutionnaire*, 6: 137.

Hébertists and narrowly assimilates the operation of the Tribunal with them. The tribunal, he argues, was *their* instrument. Fouquier was *their* agent.³⁵ Like the Thermidorian liberals (Girondins), Wallon rejects the very concept of revolutionary justice, artificially separates the Terror from the context in which it took place and shifts responsibility for it away from the middle class revolutionaries in the Convention and on to the sans-culottes, their Jacobin and Hébertist leaders and the personnel of the Revolutionary Tribunal.

Wallon and Campardon analyze Fouquier's trial in the light of their condemnation of the Terror and the role the Revolutionary Tribunal played in it. Both see Fouquier's trial as reparative. Campardon castigates the Revolutionary Tribunal during the Terror as "a servile instrument of the dominant factions", its condemnations as juridical murders and its juries as assassins devoid of conscience.³⁶ Like the Thermidorians, Campardon unambiguously differentiates Fouquier's "Tribunal of Blood" from the one that tried and executed him, characterizing the Thermidorian tribunal as "the Reparative Tribunal". Wallon again sees no contradiction in characterizing Fouquier's execution as reparative even as he recognises that the Tribunal's activity had been subordinated to the will of the Committees and the Convention and that Fouquier was a scapegoat.³⁷

In joining Fouquier's scapegoating to the concept of reparation, Wallon reproduces the Thermidorian justification for Fouquier's execution and avoids analyzing the contradiction inherent in the notion of effecting reparation through

³⁵ Ibid., 136.

³⁶ Campardon, *Le Tribunal Révolutionnaire*, 1: 2-3.

³⁷ Wallon, *Histoire du tribunal révolutionnaire*, 6: 137.

revenge or scapegoating. The contradiction is particularly striking in light of the fact that those offering up Fouquier as a sacrifice and advocating that he pay for the crimes of the whole group were themselves guilty.³⁸ The Thermidorian characterization of the Tribunal's activity, as resulting from a deliberate conspiracy on the part of its personnel to assassinate people was a way of reducing the Terror to a question of the excesses of a few villains in order to absolve the members of the Thermidorian Convention of having to take responsibility for their role in it, distorting its history.

Neither historian of the Revolutionary Tribunal addresses the extent to which Fouquier himself was denied justice. Echoing the Thermidorian claim to have made 'justice the order of the day', Campardon characterizes the tribunal which condemned Fouquier as the one where, "finally legality was going to replace arbitrariness".³⁹ Yet the testimony of witnesses against Fouquier is highly suspect. The most damning deposition was that of Nicolas-Joseph Pâris (alias Fabricius), formerly employed under Fouquier as Chief Clerk of the Court but imprisoned by order of the Committee of General Security for his refusal to sign Danton's judgement. Pâris hated Fouquier and blamed him for his own

³⁸ The most remarkable examples are Stanislas-Louis-Marie Fréron and Jean-Lambert Tallien. Robespierre had recalled them both from their positions as Representatives on Mission because of their excesses; Fréron in particular was a violent proponent of the idea that Fouquier had to be punished, that his death would somehow repair society after the ravages of the Terror.

³⁹ Campardon, *Le Tribunal Révolutionnaire*, 2: 137. Campardon and Wallon interpret the reorganization of the Revolutionary Tribunal after the fall of Robespierre as attempts to repair the deficiencies of the Tribunal of 22 Prairial. Procedural guarantees for the defense of the accused and the nature of crimes to be tried at the tribunal were clearly defined, but these safeguards consistently ran up against consistent calls for revenge against former Terrorists or representative members of the institutions of the Revolutionary government. A reaction developed after some of Carrier's co-accused were acquitted because they were not seen as having acted with counter-revolutionary intent, the law was abrogated for Fouquier's trial.

imprisonment and Danton's death. The Thermidorians returned him to his former post, making him a principal witness against Fouquier even as he performed his duties as Chief Clerk of the Court with full access to the documents used as evidence to judge Fouquier. Neither Wallon nor Campardon analyze the suspicious role of Pâris in Fouquier's trial.

Neither Fouquier's biographers nor historians of the Revolutionary Tribunal have been able to deal with evidence in Fouquier's favour. First, he had refused to try the ninety-four Nantais sent to him by Carrier and the Revolutionary Committee of Nantes because he thought the evidence sent to him insufficient. Amongst the documents from Fouquier's trial, there is a letter from Carrier to Fouquier demanding that the ninety-four people from Nantes be immediately put through the tribunal.⁴⁰ Originally Carrier sent one hundred and thirty people to the Revolutionary Tribunal in Paris to be judged as federalists. Ninety-four survived the trip. Fouquier held their appearance back. During his defence, he said that he had considered Carrier's evidence insufficient, that notes from a representative on mission were not sufficient to send the accused persons to the tribunal.⁴¹

Second, he buried the files of former judge Montané and of Pâris, in order to spare them going to trial while the harsh Law of 22 Prairial was in effect. During the trial, witnesses testified that he deliberately postponed the appearance of people he thought to be patriots, and maintained that they should

⁴⁰ *Carrier à Fouquier-Tinville*, A.N., W500.

⁴¹ Antoine-Quentin Fouquier-Tinville, *Mémoire pour Antoine-Quentin Fouquier, ex-accusateur public près le Tribunal Révolutionnaire établi à Paris et rendu volontairement à la conciergerie le jour du décret qui a ordonné son arrestation* (Imprimerie de la rue de Chartres, s.d.), 20.

not go before the tribunal until the laws were more lenient. Montané later admitted that Fouquier had saved his life. Campardon presents such evidence as a checklist of incidents, left unanalysed and not integrated into the body of the argument against Fouquier:

The reader will not reproach us for having hidden the good in order to show only the bad.... In the last analysis, this man, who in ordinary times had passed his life in obscurity, placed by the hazards of social upheaval into a difficult post, behaved barbarously and has well deserved the epithet of executioner that posterity has joined to his name.⁴²

Thus the evidence contradicting the characterization of Fouquier as a butcher is ignored and the issue is reduced to the question of Fouquier's personal character and his personal responsibility for the Terror.

Alphonse Dunoyer, sees the apparent contradiction between Fouquier's behaviour as Public Prosecutor during the Terror with the evidence in favour of his "humanity" as a manifestation of an internal psychological conflict between his role as a magistrate, bureaucrat and agent of the Committees and his humanity, his "bourgeois background".⁴³ Yet he, too, ultimately concludes that Fouquier's role as public prosecutor was determined by his violent, despotic character combined with his incapacity to rise above chicanery and procedure.

Ill at ease within the narrow confines of a tribunal....
He wants to win his cases, whatever the cost.... and
he wins them all high-handedly during the Terror, until

⁴² Campardon, *Le Tribunal Révolutionnaire*, 2: 208.

⁴³ Alphonse Dunoyer, *Fouquier-Tinville: Accusateur Public du Tribunal Révolutionnaire, 1746-1795* (Paris: Perrin et Cie., Libraires-Editeurs, 1913). This is still considered the most reliable biography on Fouquier. To date, he is the only historian who has relied exclusively on the archival trial documents, as opposed to the printed version of the trial.

9 Thermidor".⁴⁴

Pierre Labracherie systematically refutes the charges that were levelled against Fouquier by the Thermidorians, demonstrates that he was not a Robespierrist, that he showed himself capable of humanity in a situation where others members of the Tribunal did not and goes to great lengths to show that Fouquier saved Montané, the ninety-four Nantais and others.⁴⁵ Labracherie says of Fouquier: "If he was just a cog in the revolutionary machine, then the wheels sometimes operated in reverse." Yet he also concludes that Fouquier was "violent, angry, authoritarian. [A] victim of professional deformation, he wanted to win his cases at all cost."⁴⁶

Virtually all Fouquier's biographers and historians of the Revolutionary tribunal confine their analyses of his trial to the narrow parameters of debate raised in the trial – to whether he was guilty of violating procedure as it relates to the principles of liberal, as opposed to, revolutionary justice. Like the Thermidorians, some historians reduce the question to one of Fouquier's character – whether or not he was a monster incapable of human feeling or a bloodthirsty fanatic who was, in conjunction with a handful of other villains,

⁴⁴ Ibid., 406.

⁴⁵ Pierre Labracherie, *Fouquier-Tinville: Accusateur Public* (Paris: Fayard 1961).

⁴⁶ Ibid, 375.

personally responsible for the Terror.⁴⁷ None analyze Fouquier's trial in its political context; thus they do not see the extent to which the material presented as evidence was distorted. Neither Campardon nor Wallon, because they judge the revolutionary tribunal from the standards of liberal justice, effectively address the problems inherent in the application of revolutionary justice. Dunoyer and Labracherie carefully illustrate the ways in which the laws Fouquier was commissioned to apply compromised him and his ability to function properly in his role as Public Prosecutor; yet both, in the end hold him responsible for the Terror.

Historians of revolutionary justice usually fail to address the particular problems associated with its application during the Terror. Most either confine their inquiries to the question of whether or not the concept and practice of revolutionary justice conformed to humanitarian and liberal criteria of justice or whether or not it was necessary, within the context, to have had an extraordinary tribunal at all. Barry Shapiro, for example, limits himself to showing how early revolutionary justice was liberal and "humanitarian", in order to distinguish early revolutionary justice from that of the Terror.⁴⁸ Consequently studies of revolutionary justice tend to reproduce the same liberal biases already well

⁴⁷ The historiography is saturated with accounts showing Fouquier to be a bloodthirsty monster. See for example, Louis Teste, *Fouquier-Tinville* (Paris: Librairie de la société bibliographique, 1878); Robert Nuay, *Le Tribunal Révolutionnaire* (Paris: Librairie de la société bibliographique, 1876); Georges Lenôtre, *Paris Révolutionnaire: Vieilles maisons, vieux papiers* (Paris: Perrin, 1910-1924); Georges Lenôtre, *Mémoires et Souvenirs sur la Révolution et L'Empire, publiés avec des documents inédits: Le Tribunal Révolutionnaire* (Paris: Perrin, 1908). Georges Lecocq, *Notes et documents de Fouquier-Tinville* (Paris: Librairie des Bibliophiles, 1885) has published letters Fouquier wrote to his wife while in prison. On the basis of these letters he argues simply that Fouquier was not a monster.

⁴⁸ Barry M. Shapiro, *Revolutionary Justice in Paris, 1789-1790* (Cambridge: Cambridge University Press, 1993), 9-10 and *passim*.

entrenched in histories of the tribunal itself.⁴⁹

On the other hand, James Logan Godfrey provides an analysis of the workings of the revolutionary tribunal that does not artificially impose liberal standards of justice on it.⁵⁰ He argues that the Tribunal and the laws it applied were weapons of revolutionary justice. Godfrey maintains that the history of the Tribunal cannot be understood without looking at it as one institution within a matrix of revolutionary institutions – the Committees of Public Safety and General Security, and surveillance committees – all expressly designed to detect and punish counter-revolutionaries. The Committee of Public Safety carefully monitored the Tribunal's activity and most of those who appeared before it, had already passed through other institutions within the repressive apparatus. Most were sent to Fouquier after preliminary investigations had been made either in the criminal tribunals in the provinces, or by officials of the Committee of General Security. According to Godfrey, those who actually appeared before the tribunal

⁴⁹ The historiography of the Revolutionary Tribunal and that of Revolutionary justice are related and, in general, have tended to limit themselves to the same debates. Newer histories of the Revolutionary Tribunal have tended to reproduce the arguments made by Wallon and Campardon yet have not preserved the latter's commitment to the archival details. See for example, Jean-Marc Varaut, *La terreur judiciaire: La Révolution contre les droits de l'homme* (Paris: Perrin, 1993); Jean-François Fayard, *La justice révolutionnaire: Chronique de la Terreur* (Paris: R. Laffont, 1987) which chronicle the extent to which the Revolutionary Tribunal did not adhere any of the precepts of liberal justice. Frédéric Bluche, "Réflexions sur la justice révolutionnaire. À propos des procès de Germinal" in *Vu de haut Institut universitaire Saint-Pie X* (No. 3, 1984), 45-50 argues that revolutionary justice was nothing but a means for one faction to eliminate another. To these authors the legal and social context of the Terror is irrelevant; revolutionary justice cannot be anything but a formal mechanism for eradicating political opposition. Edmond Seligman, *La Justice en France pendant la Révolution 1791-1793*, 2 vols. (Paris: Plon-Nourrit, 1901-1913) demonstrates the need for a revolutionary tribunal but he does not actually analyze the workings of the tribunal itself. His analysis ends with the institution of the Revolutionary Tribunal.

⁵⁰ James Logan Godfrey, *Revolutionary Justice: A Study of the Organisation, Personnel and Procedure of the Paris Tribunal, 1793-1795* (Chapel Hill: University of North Carolina Press, 1951).

already carried an assumption of guilt, since they had clearly not made it through earlier screening procedures. All of the Great Trials before the fall of Robespierre were sent to the tribunal by decree from the Committee of Public Safety. He argues that the excesses and mistakes (he emphasises them as such) made by the tribunal were the fault neither of the structure or the personnel of the tribunal, but were a product of the speed with which it was expected to perform, especially after the law of 22 Prairial which massively increased the volume and tempo of work put before the tribunal.

In making his case for the rationality of the Tribunal's function as weapon of revolutionary justice, Godfrey under-emphasises the problems associated with its application. He does not address the extent to which the mistakes made were contrary and counter-productive to the achievement of its objective purpose, which was to identify and judge people who represented a real threat to the revolution in order to deter people from joining the counter-revolutionary cause. He does not consider the problem of the social and political status of the victims – most of whom were not aristocrats.⁵¹ Nor does he consider the great political trials of the Dantonists, Girondins, and Hébertists, which cannot unambiguously be considered trials of enemies of the revolution. Nevertheless, despite these problems Godfrey's analysis of revolutionary justice goes beyond the Thermidorian interpretation of the Terror and provides a basis for judging Fouquier's behaviour in the context of the legal and political constraints within

⁵¹ Donald Greer, *The Incidence of the Terror during the French Revolution: A Statistical Interpretation* (Cambridge, MA: Harvard University Press, 1935), 87. Still considered the most reliable statistical analysis of the Terror, Greer's book maintains that most of the victims were priests, peasants, and working people.

which he had to work.

The general literature on the Thermidorian period, like the historiography of the earlier phases of the Revolution, revolves around the question of whether the most important dynamics were political and ideological or social, rather than how these factors intersected with one another, and with psychological and institutional factors. Bronislaw Baczko, for example, focuses on the way that the language and the imagery of the Terror survived in the imagery and language of the Thermidorian period, emphasising that the continuity of denunciation and charges of counter-revolutionary activities were holdovers of the ideology of the Terror.⁵² Following François Furet's interpretation of the Terror as fundamentally an ideological phenomenon, Baczko sees Thermidorian conflict as revolving around competing visions of political sovereignty – direct democracy versus representative democracy. Baczko sees Thermidorian political conflicts as a consequence of the continuation of a "discourse and imaginary of the Terror". He sees the Thermidorian period as transitional, where a terrorist discourse focusing on the need to defend the Revolution and punish its enemies (whether real or imagined) was gradually replaced by an anti-terrorist discourse which, in exposing the "realities" of the Terror brought out the truth of it and led to the relinquishment of the heroic symbolism of the Year II, finally ending the Terror.⁵³

Baczko's account of Thermidorian politics is the first really to delve into the contradiction between the Thermidorians' ideology and their actions. He shows

⁵² Bronislaw Baczko, *Ending the Terror: The French Revolution after Robespierre*, trans. Michel Petheram, (Cambridge: Cambridge University Press, 1994), 23-25 and passim.

⁵³ *Ibid.*, 204.

that while the Thermidorians claimed to have put an end to the Terror, to be instituting "justice as the order of the day", they were also mobilizing the apparatus of repression to eliminate their political rivals. He sets the trial of Jean-Baptiste Carrier into the Thermidorian political context and shows how much of the evidence against him cannot be substantiated and that fact and fantasy were merged to present Carrier as a monster, a tiger, a cannibal and blood-drinker. In the Thermidorian press, Fouquier was described in exactly the same terms as Carrier. For Baczko, Carrier's trial represents the beginning of a process whereby people repressed under the Terror could openly criticize the Terror and terrorists. To the extent that the evidence against Carrier was phantasmagoric, Baczko sees it simply as the continuation of a terrorist discourse. Baczko's artificial distinction between Terrorist and anti-terrorist discourses obscures the extent to which Thermidorian anti-terrorist discourse distorted and decontextualized the Terror.

Throughout the work, Baczko under-emphasises the extent to which the political conflicts themselves were rooted in the need to construct social support for the regime with a non-sans-culottes base.⁵⁴ Baczko maintains that the implementation of the Constitution of the year III was the Thermidorians'

⁵⁴ See Denis Woronoff, *The Thermidorian Regime and the Directory, 1794-1799* (Cambridge and New York and London: Cambridge University Press, 1984), 180-186; Denis, Woronoff, *La République bourgeoise, de Thermidor à Brumaire 1794-1799* (Paris: Editions du Seuil, 1972). Woronoff emphasizes the extent to which Thermidor paved the way for economic and political reforms that favoured bourgeois interests. François Gendron, *The Gilded Youth of Thermidor*, trans. James Cookson (Montreal and Kingston, London, Buffalo: McGill-Queen's University Press, 1993), 164-204 shows how in the Thermidorian and Directorial periods the representatives tried to build up a petty-bourgeois social base of support. Kare Tonnesson, *La Défaite des sans-culottes: Mouvement populaire et réaction bourgeoise en l'an III* (Paris: Librairie R. Clavreuil, 1959), 376-379. Tonnesson looks at the revolts of Germinal and Prairial Year III and their repression. He argues that the social character of the revolts was anti-bourgeois.

crowning political achievement. It represented a new capacity to overcome the escalating calls for violence and revenge associated with political factionalism. According to Baczko, in replacing the practice and idea of universal sovereignty of the will of the people with that of sovereignty in the representative bodies based on the rule of law, the Thermidorian Constitution represented a renunciation of the unworkable, utopian and demagogic ideals which had led to the Terror. This is to maintain that any political aspirations, beyond those that conform to the liberal formula, are inherently "demagogic" and unworkable. Baczko underemphasizes the extent to which adoption of the Constitution of the Year III was dependent on the elimination of Jacobin and sans-culottes opposition to the Thermidorian Convention. Even where Baczko shows how Thermidorian discourse and imagery targeted the sans-culottes, as in his analysis of the Thermidorian discourse on revolutionary vandalism and 'Hébertism in the arts', he refuses to acknowledge the extent to which the attack against vandalism was a means of de-legitimizing the role the sans-culottes had played in the Revolution.⁵⁵

By characterizing the Thermidorian political dynamic as a dialectic that moved between terrorist and anti-terrorist discourses, Baczko has illuminated the contradictory nature of Thermidorian politics and has subtly called into question the Thermidorian claims to have ended the Terror with Robespierre's execution. His analysis of Carrier's trial goes farther than any other to put the trials of former Terrorists in their political context. Nonetheless, his separation of the

⁵⁵ Baczko, *EndingThe Terror*, 185-223.

Thermidorian political dynamic into two distinct discourses, aside from the fact that it questionably attributes the power of causation to a discourse or ideology, shields the Thermidorians from the full impact of his critical analysis. Baczko is determined to preserve the Thermidorian political project as a positive achievement because he identifies with its liberal democratic character. Baczko artificially separates the Thermidorian ends from the means used to attain them. He under-emphasises the extent to which the use of repression was essential to the founding of the Constitutional Republic.

There are three general problems with the historiography on Fouquier. First, analyses do not situate his trial within its political context. Second, they do not analyze his behaviour during the Terror within the context of the laws he was commissioned to apply. Third, historians have neglected the fundamentally psychological character of the Thermidorian "politics of revenge" and of its claims to effect reparation for the Terror. Fouquier's biographers, as well as historians of the revolutionary tribunal and of revolutionary justice, tend to judge him on the basis of liberal criteria of justice which are not adequate for an analysis of legal behaviour in a revolutionary context operating under revolutionary laws. Revisionist historians of the Thermidorian period, while aware of the contradictory political dynamics, under-emphasize the social component driving Thermidorian politics. Social factors are present in its discourse and imagery. Even Baczko who is so sensitive to the contradictions in Thermidorian political discourse, ultimately pardons Thermidorian hypocrisy, arguing that the trials of ex-terrorists and the barrage of denunciations in the Thermidorian 'free' press ultimately

served the interests of truth by exposing the "realities" of the Terror.

The Terror was a psychological and social phenomenon. A psychological perspective is necessary as a means to rectify some of the problems with the historiography, re-situate Fouquier's behaviour during the Terror within its context, explain the Thermidorian politics of revenge and facilitate an understanding of revolutionary justice, without resorting to normative, liberal values that impose criteria on the Revolutionary Tribunal and its members that were not really relevant to their function or roles. Looking at the Terror and Thermidorian periods from a psychological perspective also provides an understanding of the significance and function of representation, including ideology, without sacrificing an awareness and respect for social factors.

Chapter 2: Historical and Theoretical Introduction

Chapter 1 presented the view that revisionist and Marxist interpretations of the French Revolution could be reconciled by looking at the revolution as a psychological process of state construction, involving both social and ideological or representational factors. Psychoanalytic concepts provide a means to analyze the process of state construction and to examine the relationships between social, psychological and ideological factors during the events of the Terror and the Thermidorian periods of the French Revolution. Psychoanalytic theoretical concepts drawn from Sigmund Freud, Melanie Klein, Wilfred Bion and Donald Winnicott, if used in conjunction with René Kaës's theory of the group psychic apparatus, are useful for understanding social and cultural phenomena because they demonstrate how unconscious psychological ideas and motives lay beneath all aspects of group life.

Although Kaës's theory of the group psychic apparatus, the construction of links and the function of representation dominate this dissertation, Kleinian concepts permeate the analysis throughout. Kaës's theory of a group psychic apparatus and his elaboration of how the links in group psychic apparatuses are constructed owe much to the works of Melanie Klein, Wilfred Bion and Donald Winnicott, as well as Freud. Kaës's theoretical synthesis depends heavily on Kleinian concepts of projection and introjection, projective identification, the paranoid-schizoid and depressive positions and reparation. The construction of the links in the group psychic apparatus occurs through the same projective and introjective processes than underlie the development of the individual psyche, as

Klein understood it. Kaës's theory of ideology and representation is very much rooted in Bion's notion of alpha-function. Bion's basic assumption groups are also central to Kaës more general concept of psychic organizers – shared unconscious phantasies, rooted in early development – that operate to organize group behaviour and construct the group psychic apparatus.

Before applying psychoanalytic theory to historical processes and events, it is necessary to provide an overview some of the psychoanalytic concepts that are most important for use as tools to investigate social phenomena. Kleinian concepts are indispensable for analyzing the mechanisms and processes that form groups and underlie representation in the cultural sphere. Klein's development of the psychological mechanisms of projection and introjection, understood to be crucial to the development of the individual psyche, provide the basis for institutional and social analysis. Projection and introjection are mechanisms of psychological exchange that link individual psychology with the products of culture and society – institutions, symbols and other representations. Social structures are thus formed through introjective and projective processes. Furthermore, representations in the cultural domain have common meaning because individuals project shared phantasies into those representations. These phantasies, moreover, being rooted in the earliest stages of psychological development, take standard forms. The psychological content of virtually all representations is rooted in oedipal issues. Consequently, Klein's revision of Freud's concept of the oedipal complex, centred as it is on some of the earliest and most primitive psychological processes, is particularly relevant to an

understanding of social violence and the representations that accompany it.

The most important concept for any psychoanalytic analysis of events or people is the notion of the unconscious. Since Freud, it is a psychoanalytic axiom that most of mental life occurs at an unconscious level. People are motivated by thoughts that exist in a part of the mental structure, the id; the id is not directly accessible to the conscious mind. Unconscious thoughts and impulses nonetheless find indirect expression in parapraxes, dreams, psychological symptoms and art. Freud argued that the unconscious consistently handled symbols through condensation and displacement, two forms of association prominent in dream thoughts and images.¹ These associative processes are also active in cultural representations.

Kleinian psychoanalysts have been particularly interested in unconscious *phantasy*, which has been deliberately spelled differently to distinguish it from fantasy or daydreams. At its most primitive, a phantasy is a mental representation of a body sensation or drive. During the processes of development, phantasies, although they remain unchanged in the unconscious, are modified through secondary processes, such as thinking and reasoning, which transform the conscious awareness or representation of them. Eventually, unconscious phantasies merge with experiences of reality to become symbols and cultural representations, transporting them out of the world of the body and

¹ Sigmund Freud, *Interpretation of Dreams* (Middlesex, New York and Toronto: Penguin Books Ltd, 1982), 381-651.

into that of culture.² When phantasies combine with secondary processes, such as thinking or other forms of relating to reality, they can become linked together and linked with representations in the external world. These representations, formed from a combination of reality and phantasy, develop like a dream, a little story that follows some form of "logical" progression. As in dreams, that logic represents a form of censorship, a disguise to hide the real motivation for the dream – to obtain satisfaction for some desire.³ Unconscious phantasies thus projected contain secondary content that gives the illusion of practical rationality or reason; but their real, unconscious aim is to obtain some sort of pleasure or satisfaction – even if it is just the absence of pain. The wish fulfilling quality of unconscious thought tends to obscure or hide realizations that are painful to the conscience or consciousness. The real, unconscious motives for action or speech are thus hidden or distorted.

Consequently, representation in the social world contains psychological elements that have been disguised, so that the representation is an amalgam of the real and the phantasmagoric. The social scientist or historian must try to interpret which components of the representation are phantasmagorical and which are real. Any attempt to analyze the psychology of historical events or processes must always see representations of reality as partly distorted. Representation in life, as in dreams or symptoms of psychological conflict, conceals and disguises at the same time that it reveals the psychological

² Robert. D. Hinshelwood, *A Dictionary of Kleinian Thought*, second edition (London: Free Association Books, 1991), 32.

³ Freud, *Interpretation of Dreams*, 381-651; Didier Anzieu, *The Group and the Unconscious*, trans. Benjamin Kilborne, (London; Boston: Routledge & Kegan Paul, 1984).

motivation behind it. The historian attempting to gain insight through the use of psychoanalytic theory must accept the basic axiom that unconscious psychological motives are always hidden from the conscious mind and can only reach it in distorted form. Thus there is never a direct connection between any given representation and either its real or its psychological component. No psychoanalytic analysis of historical events or processes can be done unless it is first recognized first, that the unconscious exists and second, representations of reality are almost always at least partially distorted, infused with phantasmagoric elements.

If the unconscious is paramount, two other concepts, both significantly developed by Klein and her followers in the Object Relations School of psychoanalytic thought, must be considered. The concepts of psychological *objects* and the psychological defences, especially *projective identification*, are of primary significance to the application of psychoanalytic theory to social analysis. Analysts working within the object-relations paradigm ascribe particular significance to psychological *objects*. Object relations theory is an understanding of the mental structure, and processes in which objects— internal and external — relate and become modified through the psychological processes of introjection and projection. For Kleinians, the unconscious is peopled with objects that are constructed from sensations, often associated with people and things in the external world (external objects).⁴ Technically, an object is the structural manifestation of an instinctual impulse. An internal object is

⁴ Melanie Klein, *Envy and Gratitude and Other Works, 1946-1963* (London: Hogarth, 1975); Klein, *Love, Guilt and Reparation* (London: Hogarth Press, 1975); *Dict. Klein.*, 467-468.

the unconscious experience or phantasy of a concrete object physically located internal to the ego (body) which has its own motives and intentions towards the ego and to other objects.⁵

Objects can be whole, part, internal or external, depending on where they are located and how they are perceived. An external object is a person or symbol that a subject relates to emotionally and that exists separately from the subject. Internal objects, according to Kleinian psychoanalysts, belong to the ego and compose part of the subject's identity, even though they have an identity of their own and separate from that of the ego.⁶ A subject tends to experience her internal objects much as she experiences her external objects. Internal objects are thus "mirrors of reality", although projective processes significantly alter them.⁷ Klein developed the concept to refer to parts of the mind, arguing that the personality was significantly composed of objects.⁸ Internal objects are *not* representations and are experienced as being concrete parts of the body and mind.⁹

The concept of psychological *objects* is important to social analysis. First, objects existing as part of the individual psyche are constructed through an individual's experience of the external world. Consequently, the notion of objects and object relating requires some assessment of the relationship between the external and internal worlds. The social then is a significant factor in the construction of individual identity. Secondly, social and cultural creations –

⁵ *Dict. Klein.*, 68.

⁶ *Ibid.*, 71-72.

⁷ *Ibid.*

⁸ *Ibid.*, 362.

⁹ *Ibid.*, 71-72.

institutions, representations and processes – are created not just to serve real objective functions or needs, but psychological ones also. Institutions and symbols serve to contain anxiety and destructiveness and thus function to support the individual psyche, as well as the operation of social systems. Furthermore, the meaning of things in the external world depends on their relationship to, and association with, internal objects. Thus the ability to construct representations and lasting social structures depends on how individuals and groups construct shared objects in the social world and how they relate to those shared objects. Finally, objects, parts of objects or impulses and thoughts related to objects are very often projected into the external world and form the basis of the individual's perception of the external world. Consequently, psychological objects and object relating form the basis of much of human behaviour.

In order to consider the significance of objects and object relating to any kind of social analysis, it is first necessary to the role of innate drives, the experience of frustration and gratification associated with early bodily sensations and the immaturity of the early ego and its defences against anxiety. According to Klein, the baby is born with two innate and conflicting impulses: love and hate. Love is a manifestation of the life drive; hate, destructiveness and envy are manifestations of the death drive. The infant's first psychological task is to protect the immature ego from the anxiety associated with the death drive, either by linking it with the life drive in order to modify it, or by expelling it outwards.¹⁰ The

¹⁰ Juliet Mitchell, Ed. *The Selected Melanie Klein* (Harmondsworth: Penguin, 1986), 19.

baby's experience of his innate drives are complicated by his experience of the external world, a world which is primitively experienced through body sensations as being frustrating or gratifying. The baby's internal object world is constructed through a combination of phantasies related to the innate drives and the bodily sensations of frustration or deprivation and gratification.¹¹

The baby's relationships to external objects are influenced by both factors – the experience of the innate drives internal to his own psyche and the experiences of gratification and frustration that are dependent on objects in the external world. In reality the baby's first external object is his mother. However, the baby's perception of the mother as a whole object only occurs as a result of development. The first external object the baby perceives is the mother's breast. The external object, the breast, is also the basis of the first internal objects. However, given the interplay of bodily sensations, phantasies associated with innate drives and the immature ego's early defence mechanisms, the first object – the breast – is not perceived as one object but two. The first objects are the good breast, which will become the basis of the good object, and the bad breast, which is the basis of the bad or persecuting object. The good breast is associated with bodily sensations of gratification and, alternatively the bad breast with the feeling of frustration. The bad breast is associated with the death drive and phantasies associated with destructiveness, envy and hate. The good breast, in turn, is associated with phantasies of life and love.

¹¹ Ibid.

The reason the breast, or first object, is split into good and bad is related to the immaturity of the infant's ego and the defence mechanisms used to cope with anxieties generated, mainly by the death drive and the baby's own innate destructiveness.¹² According to Klein, the operation of the death instinct, felt as fear of annihilation, takes the form of a fear of persecution.¹³ This fear, originating internally, is projected externally into the object – the mother's breast. The breast is then split into two as a means of preserving the good, gratifying breast from the infant's own destructiveness. The externalization of the death drive itself and its attachment to the bad breast/object functions to protect the immature ego from the falling to pieces or fragmentation that occurs as a result of anxiety associated with the destructiveness of the death drive.¹⁴

The four most significant defence mechanisms used to protect the ego from anxiety are splitting, projection, projective identification and introjection.¹⁵ Splitting allows for the separation of good and bad in the objects and in the ego itself. This, as has already been said, preserves the good object – both internal and external – from being associated with or corrupted with badness.¹⁶ The ego needs to preserve the good object because in development the ego is modeled on the good object.¹⁷ Projection accompanies splitting. With projection the bad or disavowed parts of the self or impulses are expelled, in phantasy, into the

¹² Melanie Klein, "Notes on Some Schizoid Mechanisms" in Mitchell, *The Selected Melanie Klein*, 179-180.

¹³ *Ibid.*, 179.

¹⁴ *Ibid.* 180.

¹⁵ Mitchell, *The Selected Melanie Klein*, 20.

¹⁶ *Ibid.*

¹⁷ Klein, "Notes on Some Schizoid Mechanisms" in Mitchell, *The Selected Melanie Klein*, 180-181.

external world, usually into an external object. Introjection involves the taking in of the external object's attributes or experiences associated with the external object.

Psychological objects are the basic building blocks of the human psyche and society. They are constructed and modified through processes of introjection and projection, psychological mechanisms of exchange and defence against anxiety that are absolutely central to Kleinian theory. Projective identification is the process of relating to an object through similarities perceived to be consistent with the subject's ego.¹⁸ Projective identification involves the expulsion of a part of the self, an object, motive or emotion, into an external object. In projective identification, the individual subject – infant or adult – who has thus made use of projection then relates to the object projected into as if the bad parts, belonging to the subject, actually originate with the external object, and not the subject. In projective identification, for example, external objects are perceived to contain the attributes projected into them. Projective identification represents a phantasied attack in which parts of the subject's ego are forced into the object in order to take over its contents and control it.¹⁹

Projective identification is one of the most important concepts for application of psychoanalysis to social phenomena because it is the mechanism through which objects in the external world are perceived and acted upon. It is the basis of aggressive object relationships.²⁰ Furthermore, as the dominant

¹⁸ *Dict. Klein.*, 319.

¹⁹ Klein, "Notes on Some Schizoid Mechanisms" in Mitchell, *The Selected Melanie Klein*, 179.

²⁰ Klein, "Envy and Gratitude" in *Envy and Gratitude*, 179.

mode of defence in the *paranoid-schizoid position*, projective identification underlies the violent behaviour that characterizes social crises. Additionally, projective identification is the basis of the construction of shared objects in the external world. Projective identification is particularly active in revolutionary paranoia and in the dehumanization of enemies that is typical of modern war and terror. With projective identification, perception corresponds much more closely to phantasy than to reality – a dangerous situation for human rights and justice.

For Klein, the splitting and fragmentation that occurs in dealing with the death drive, normal in the infant, become the basis of schizophrenic illnesses in adulthood. Phantasies of persecution in the schizophrenic take standard forms, in fears of being devoured and poisoned. For Klein, these phantasies of poisoning and cannibalizing are rooted in the earliest attempts to deal with the persecutions felt to come from the bad object, but which are really manifestations of the innate death drive.²¹ These same manifestations emerge as standard forms in the French Revolution, where persecution is felt, and represented as cannibalistic.²²

Wilfred Bion's concepts of alpha-function and containment provide a means to consider the psychological role and function of leadership and institutions. The combined operation of projective and introjective processes is necessary for the construction of the infant's ego and for groups and social structures. The construction of social structures, like the construction of the individual ego, will not occur unless projective identification is accompanied by

²¹ Klein, "Notes on Some Schizoid Mechanisms" in Mitchell, *The Selected Melanie Klein*, 180-181.

²² Hence the representations of Fouquier as a cannibalistic monster, as discussed in Chapter 8, 311-314 and 324-332.

introjection, the phantasied “taking in” of an object’s qualities. Wilfred Bion created the concept of *alpha function* to describe the mother’s role in containing, transforming and reprojecting her infant’s psychic material. Alpha function represents the mother’s ability to take in feelings and early thoughts and to process them in her mind.²³ Her ability to think, dream, recall and integrate and distinguish unconscious from conscious thought represents alpha function. The alpha function process transforms the infant’s projections and makes them tolerable. The infant can then reintroject or take them back in. The alpha function process builds up the infant’s ego and personality structures, thus developing the infant’s ability to tolerate frustration.²⁴ Bion maintained that the process of *alpha function* facilitates thinking and development, by making the interface between inner and outer reality (frustration) bearable.²⁵

A mother’s failure to perform alpha function, because she cannot tolerate the nature of the unconscious material projected into her, has serious consequences for the child. The unconscious material, instead of being transformed and reintrojected in a tolerable form, is reprojected outwards, often with some of the mother’s own projections attached to it. Bion referred to the reprojected psychic material as *beta elements*. Beta elements are terrifying,

²³ Wilfred Ruprecht Bion, *Experiences in Groups and Other Papers* (London: Tavistock Publications, 1959); Wilfred Ruprecht Bion, “A Theory of Thinking” in *International Journal of Psychoanalysis*, 43 (July-October, 1962): 306-310; Bion, “Language and the Schizophrenic” in *New Directions in Psycho-Analysis: The Significance of Infant Conflict in the Pattern of Adult Behaviour*, eds. Melanie Klein, Paula Heimann and Roger Money-Kyrle (London: Tavistock Publications, 1955).

²⁴ René Kaës, *Idéologie: Études psychanalytiques: Mentalité de l’Idéal et Esprit de corps*, (Paris: Dunod, 1976), 111.

²⁵ Wilfred Ruprecht Bion, *Attention and Interpretation: A scientific Approach to Insight in Psychoanalysis and Groups* (London: Tavistock Publications, 1970); Robert Hinshelwood, Susan Robinson and Oscar Zarate, *Introducing Melanie Klein* (New York: Totem Books, 1997), 152.

fragmented, dangerous or damaged objects or impulses. They take the form of acting out – acting out the terrible thoughts, instead of feeling and thinking about them. Acting out then is a product of the failure to think or contain (to contain the feeling in the thought).²⁶ Thus the infant's worst fears are realized. The infant, barraged with his own projection, amplified with the mother's, cannot tolerate it. The immature ego fragments; the child then experiences the equivalent of the death instinct – a feeling of falling to bits.

Another valuable concept, closely related to Bion's notion of alpha-function, is that of containment. In effect, the mother's ability to take in and process her child's projections is a containment function. Her ability to perform alpha function effectively contains the projections. Alternatively, her failure to contain (reprojection), releases damaging beta elements that exacerbate fragmentation and elicit even more violent projection as the immature ego makes use of further splitting and projection to defend against the anxiety associated with fragmentation and the death instinct.

Kleinian psychoanalysts, Elliott Jaques and Isabel Menzies-Lyth, have applied the notion of containment to analyze social and economic institutions – a factory and a hospital nursing division. Jaques and Lyth applied Bion's concept of 'containers' to analyse conflicts in the workplace. They argued that members of a group use and construct institutional structures and processes to reinforce individual mechanisms of defence against anxiety and guilt. Their work on the defensive uses of institutions “as containers of anxiety” and of the aggressive

²⁶ Kaës, *L'idéologie*, 112.

character and origin of psychological defence mechanisms are useful for understanding the way that anxieties, and destructiveness, associated with wholesale social transformation are dealt with by means of the psychological mechanism of projection and projective identification – in which feelings and thoughts belonging to one individual subject are thrown into an external object and reacted to as if belong to that object, and not to the subject.

Lyth maintained that low morale, high resignation rates and frequent sick leaves among nurses was due to the fact they had to deal with dying patients.²⁷ They unconsciously organized their work to construct a system that defended them from their anxieties about death, specifically by depersonalizing patients – referring to patients by their illness or location, rather than as people – and by projecting responsibility onto their supervisors. Jaques argued that workers in a factory projected their oedipal conflicts into the process of labour negotiations. As such, the confrontational bargaining process was, according to Jaques, a psychological defence system that enabled workers to avoid oedipal guilt and responsibility by projecting it onto management.²⁸ Management in turn, projected all their unruly id impulses onto the workers. The two defence systems, the unconscious structure underlying management behaviour on the one hand, and worker behaviour on the other, made for a difficult and confrontational negotiating process.²⁹

²⁷ Isabel Menzies-Lyth, *Containing Anxiety in Institutions: Selected Essays: Volume I* (London: Free Association Books, 1988).

²⁸ Elliott Jaques, "Social Systems as a Defense" in *New Directions in Psycho-Analysis*, 478-498; Elliott Jaques, *The Changing Culture of a Factory* (London: Tavistock Publications, 1951).

²⁹ Jaques, "Social Systems as a defense" in *New Directions in Psychoanalysis*, 478-499.

Klein argued that early development evolved over two stages, both within the first year of life. Klein's developmental model revolved around her concept of *positions*, the *paranoid-schizoid position* and the *depressive position*. The paranoid-schizoid position is the first developmental position and earliest state of mind, occurring in the first six months of life. The paranoid-schizoid position is characterized by persecutory anxiety, as opposed to the depressive anxiety that marks the *depressive position*. *Splitting* and *projection* are the predominant defensive mechanisms used at this stage as the infant, in order to deal with anxiety related to frustration or deprivation expels the phantasied persecutory object that is felt to be the source of it, projects the persecutory internal object into the external object or external world. This, although necessary because the immature ego cannot tolerate anxiety, has significant repercussions, including the loss of parts of the ego that get projected outwards, the awareness of danger being external and potentially retaliatory and fear of annihilation as a consequence.³⁰ Bion and Klein argued that alternating cycles of projection and introjection operate to structure the infant's internal world and, through the mother's *alpha-function*, strengthen the ego. The cycle also contributes to the construction of a good object, and a capacity of thinking and thus tolerance of anxiety.

The concept of a paranoid-schizoid position is useful for understanding the Terror in the French Revolution. The general collapse of the social system that accompanies revolution involves the decomposition of the social-psychological

³⁰ *Dict. Klein.*, 158-160.

defence systems, like the ones Lyth and Jaques have discovered. Consequently, revolutionary change unleashes anxiety that was formerly contained within institutional structures and processes. The massive release of anxiety on a social scale that ensues precipitates a general regression to paranoid-schizoid functioning and the violence that attends it. New social structures, including new psychological defence systems and links, have to be built up, like the individual ego, through processes of projection and introjection before normal social patterns of behaviour, structures and processes can be established and consolidated. In such a context, violence is inevitable.

The depressive position is the second of Klein's developmental stages. In it, the six-month old infant, emerging from the paranoid-schizoid position, begins to recognize the external object (mother) as a *whole object* composed of both good (gratifying) and bad/persecutory (depriving) aspects. The depressive position involves a process of integration, where *part objects* that had formerly been *split* into all-good and all-bad during the earlier paranoid-schizoid position, are brought together into a whole object with good and bad aspects combined. The recognition of the mother as a whole object is accompanied by feelings of ambivalence – intermingled love and hate – fear for the object's safety from the child's destructiveness and desire to repair the damage already done during phantasied attacks launched during the paranoid-schizoid position.³¹

With the move, in the depressive position, towards concern for the good object (the integrated, good and bad, mother-object) combined with the

³¹ Ibid., 138-141.

recognition of imperfection, comes a new capacity for love – a genuine concern for the object despite imperfection rather than concern and love rooted mainly in the awareness of its ability to satisfy need and gratify.³² The depressive position is accompanied by phantasies that the object has been irreparably damaged by the infant's own destructiveness, leading to a desire to achieve *reparation*. It is accompanied by a sense of the object's real separateness. Thus the depressive position involves the renunciation of omnipotence and perception of reality becomes more accurate.³³

For Klein, the depressive position was the root of all genuine love and morality. For her follower, Hanna Segal, it was also the root of genuine *symbol formation* in which a symbol is capable of containing phantasmagorical content without being equated with it.³⁴ Thus in genuine symbol formation, as with the doubt and uncertainty that comes with Klein's depressive position, there is space between the object and the symbol of the object. The relationship between the thing symbolized and the symbol is not one of domination and control. Chapter 8 considers how Fouquier was equated with phantasies of cannibalistic persecution. Consequently, rather than being a symbol of the Terror he was judged and acted on as if he was a human incarnation of it. The representation of Fouquier as a cannibalistic blood-drinker, because it represented what Segal referred to as *symbolic equation* rather than symbol formation proper left no

³² Ibid., 141.

³³ Ibid., 144.

³⁴ Hanna Segal, *The Work of Hanna Segal: A Kleinian Approach to Clinical Practice* (London and New York: Jason Aronson, 1981), 49-65.

space for the presumption of innocence and thus there could be no justice for Fouquier.

The transition from the paranoid-schizoid to the depressive position involves a radically changed object relationship. The issue of doubt, ambiguity and a new awareness of the complexity and independent *otherness* of people and things enters into object relationships in the depressive position. Klein argues that only with the onset of the depressive position and the sense of guilt, responsibility and desire to make reparation for phantasied damage to the object, that true morality or conscience is possible. If Klein is correct, and I believe she is, then justice and human rights have to be rooted in depressive object relationships.

The question of justice that permeates all analyses of the Revolutionary Tribunal during the Terror and in the Thermidorian period can be considered psychologically, in relationship to two psychoanalytic concepts that are related to Klein's notion of a depressive position – transitional phenomena and reparation. Donald Winnicott's notion of transitional phenomena provides a means to assess the quality of the linkages between individuals and between groups and individuals.³⁵ Winnicott's *transitional* phenomena are essential to Kaës's notion of psychic space and his assessment of the quality of the *links* that compose the group psychic apparatus. The concepts related to transitional phenomena are particularly significant because they facilitate an evaluation of the quality of a given link, the extent to which it is maintained through violence or through a give

³⁵ Donald Winnicott, *Playing and Reality* (London: Tavistock Publications, 1971), 95-103, 100.

and take exchange. Psychologically, the give and take exchange necessary for justice involves a particular attitude of a subject, or in this case an institution, towards an object, the accused.

Winnicott developed the concept of transitional objects. A transitional object is an internal object that represents a child's experience of beginning to perceive his mother as separate from himself. Transitional phenomena thus emerge with separation and individuation, and with the onset of what Klein referred to as the *depressive position*. Combined with Melanie Klein's notion of reparation during the *depressive position* in which the subject begins to feel concern for the object, the concept of transitional objects, introduces the crucial issue of doubt. Doubt and the changed object relationship that precipitates doubt and ambiguity are necessary to a wholesome (not persecuting or violent) link in the group psychic apparatus. Kaës considers the quality of the link to be dependent on the extent to which doubt enters into the relationship between subject and object. Doubt is, in essence, the existence of psychic space between subject and object and as such allows for justice. The most obvious example of such a link or psychic space is the legal axiom that an accused is innocent until proven guilty. Doubt associated with transitional phenomena and the concept of reparation are crucial to the understanding of revolutionary violence during the Terror, notions of reparation during the Thermidorian period and, more generally, for concepts related to human rights and justice.

The two final and extremely significant psychoanalytic concepts essential to application of the theory to history or social science are the oedipal complex

and the superego. These concepts, in both Freudian and Kleinian theory are central to the individual's relationship with the outside world beyond the parents. In the Freudian view, the Oedipus complex resulted from the child's psychological discharging of bodily sensations onto its parents, leading to typical prohibitions and anxieties.³⁶ Oedipal prohibitions include the incest taboo, law and government. Castration anxiety, according to Freud, was a typical oedipal response to fear of the father's retaliation for the male child's desire for its mother. The prohibitions – both individual and social – are defences against both castration anxiety and oedipal desire. The girl's oedipal conflict is more complicated than the boy's, a turning away from the mother, the primary love object, to the father and then displaced onto other men.³⁷

Both Freudian and Kleinian versions of the oedipal complex involve phantasies that are extraordinarily aggressive. In the Freudian version the underlying phantasy is to kill the father in order to possess the mother sexually; alternatively it also involves the fear of incredible aggression on the part of the father in retaliation. Indeed, the social benefits, the prohibitions enshrined in law and religion, that Freud considered to be derivatives of the oedipal conflicts are just as likely to be defensive reactions to the incredible violence of the phantasies that accompany oedipal conflicts.

³⁶ *Dict. Klein.*, 57.

³⁷ Sigmund Freud, "The Development of the Libido and the Sexual Organizations" in *Introductory Lectures on Psychoanalysis: Volume 1* (New York: Penguin Books, 1973), 362-382; Sigmund Freud, "Femininity" in *New Introductory Lectures on Psychoanalysis: Volume 2* (New York: Penguin Books, 1973), 145-169.

Oedipal conflict involves contradictory emotions surrounding both parents – alternating love and rivalrous hatred and fear of the father for the boy and love mingled with contempt on the part of the girl for her mother. Resolution of the oedipal conflict is considered the most significant outcome of normal psychological development and the Freudian version of it is a relatively late developmental achievement, begun in the third year of life and reinforced in adolescence and early adulthood. For Freud intellectual, creative and social – religious, legal and political – achievements emerge as a result of working through the oedipal conflict and of psychologically defending against them.³⁸

Klein's revision of the Oedipal complex involves a much earlier stage of development, at around six months of age, and is centred in both girls and boys around phantasies associated with the mother's body.³⁹ These phantasies, the most significant of which is the *primal scene*, are constructed on the basis of, and change in accordance with, the infant's physical development and concurrent psychological preoccupations.⁴⁰ The phantasies surrounding Klein's version of the Oedipal conflict are, rooted as they are in earlier periods of physical, cognitive and psychological development, even more aggressive than the ones Freud identified. In fact they are, in Klein's view, nothing less than sadistic. The early oedipal complex, emerging in conjunction with weaning elicits oral phantasies of biting, sucking and eating that are fundamentally aggressive. The aggression itself is

³⁸ Sigmund Freud, *Civilization and its Discontents*, trans. Joan Riviere and ed. by James Strachey (London: Hogarth Press: Institute of Psycho-analysis, 1951), 63-64 and passim.

³⁹ Melanie Klein, *The Psychoanalysis of Children* (London: Hogarth Press, 1975), 194-239.

⁴⁰ According to Klein, the primal scene is represented as an object, the combined parent figure, which represents the early, primitive and sadistic superego. Klein, "Envy and Gratitude" in *Envy and Gratitude*, 197-198.

motivated by that fact that weaning represents a difficult psychological process that involves feelings of deprivation, loss of control and separation from the mother.⁴¹ Phantasied oral attacks, directed at the mother, are cannibalistic. According to Klein, when the child begins to develop control over the anal and urethral functions of the body, accompanying phantasies of poisoning and contaminating are added to the arsenal used in retaliatory attacks against the mother, retaliatory attacks that are part and parcel of the aggression unleashed as part of the process of development involving autonomy and separation from the mother.

The destructive force of the phantasied attacks on the mother's body, being representative of anxieties related to separation and weaning, draw on the emotional forces of jealousy and envy. Often coinciding with the birth of a sibling, the early oedipal conflicts, can take the form of phantasied attacks against the unborn children perceived to be harboured inside the mother's body. They also, according to Klein, take the form of a more typical oedipal hatred and rivalry with the father, taking the form of attacking the father's penises, assumed to be inside the mother's body. For the girl, in Klein's version, the phantasied attacks on the mother represented attempts to steal the father's penis from within the mother's body.⁴²

⁴¹ Klein, "A Contribution to the Psychogenesis of Manic-Depressive States" in *Love, Guilt and Reparation*, 262-290; Klein, "Mourning and its Relation to Manic-Depressive States" in *Love, Guilt and Reparation*, 344-370; Klein, "Early Stages of Oedipus Conflict and Super-Ego Formation" in *The Psychoanalysis of Children*, 123-148.

⁴² Klein, "Early Stages of Oedipus Conflict and of Super-ego Formation" in *The Psychoanalysis of Children*, 128-130.

Klein's revision of the oedipal conflict necessitated the revision of other important psychoanalytic concepts. Her focus on the sadistic content of the phantasies led to a reformulation of the concept of the super-ego and of the nature of oedipal anxieties. Klein situated the oedipal complex at an earlier stage of development than Freud did, in the first year of life, rather than at age three. She also argued that the oedipal conflict was linked up with a super-ego that was present from the very earliest stages of development. Freud saw the super-ego quite differently, as an internal structure that emerged as a consequence of the resolution of the oedipal conflicts. For Klein, the oedipal conflict was inherently linked up with the destructiveness of the early oedipal attacks on the mother, and indirectly, on the father, because the father was attacked through the parts of him supposedly residing within the mother's body. Klein's recasting of the oedipal complex magnified the level and violence of the anxieties surrounding it and raised a whole series of questions about early development. Dealing with the new set of questions led Klein to create a whole new set of concepts, including the early super-ego, the depressive position and reparation.

Klein's revision of the oedipal conflict and superego provide the historian or social scientist with tools to understand social violence and terror, in ways that are not possible within Freud's developmental schema. First, Klein's descriptions of the phantasies that accompany the early oedipal conflict correspond much more closely with the representations that emerged in the Terror. Representations of cannibalism, blood drinking, baby killing, poisoning and wrecking, common during the Terror, indicate that revolutionary violence was

supported on phantasies similar to those Klein observed in her child patients. Second, the harsh and retributive quality of revolutionary morality and expressed in revolutionary discourse and action during the Terror and Thermidorian periods corresponds closely to the young child's punitive superego as Klein has described it. Third, the primitive psychology that accompanies revolutionary violence and terror is not consistent with Freud's notion that civilization is a product of the mature superego, emerging after the resolution of oedipal conflicts. In periods of crisis, social life regresses to pre-Oedipal forms of relating, perceiving and representation. Freud argued that all social institutions were set up in a wave of guilt and conscience after the murder of the original father. The root of all social institutions stems from the institution of the fraternal contract and the enunciation of the taboo prohibiting incest and murder, combined with the creation of the totem, a figure based on the original father, as an ideal object/God to worshipped and appeased as a measure of penance for the murder.⁴³ In fact, it seems more likely that the institutions that Freud describes as emerging from the wave of guilt and conscience is a later development, the final stage in a process of social construction that initially involves, not higher level superego functioning or sublimations of Oedipal conflicts, but actual enactments of Oedipal phantasies that are horrifically violent.

So far, the discussion has centred on the concepts of the unconscious, objects, object relations, projective and introjective identification, developmental positions, the oedipal conflict and superego. These concepts, most of which

⁴³ Sigmund Freud, *Totem and Taboo: Resemblances Between the Psychic Lives of Savages and Neurotics* (New York: Vintage Books, 1946), 135-137.

have been most significantly developed by Kleinian object relations theorists, open up a whole world of potential tools for the social scientist or historian. The notion of object relations is absolutely central because it focuses on the relationship between internal and external in the development of the human psyche. Nonetheless, Kleinian object relations' theory alone, though necessary, is not sufficient for direct application to social phenomena. Without other concepts, particularly those of Kaës, Kleinian theory has been limited to considering relationships at the intra or inter-subjective levels, rather than the broader trans-subjective, social or cultural level. Even Lyth's and Jaques' applications of Kleinian theory to institutions, its most significant adaptation so far, are limited analyses of the defensive structure and function of particular institutions without much attention to the overarching social structure or context.

Furthermore, both Lyth's and Jaques' analyses come out of psychoanalytic consulting work. Both analysts were hired by the management of the institutions they studied to solve particular, internal human relations problems. While it is not necessary to question the integrity of their work because it comes out of a consulting situation, the problems identified are, nonetheless, very narrowly defined and thus of limited value. Lyth, for example, was hired to deal with the problem of low morale and high turnover rates amongst nurses. Her analysis represents a new and interesting approach to the problem, but only marginally touches on the relationships between the hospital and the larger world. Similarly Jaques, contracted to deal with the conflicts between workers and managers in a factory during labour negotiations, limited himself to that

particular problem – as the factory management articulated it. Jaques, like Lyth, did not consider the broader social or political issues that an historian, sociologist or economist would deem necessary to address. Kleinian analyses tend to be limited to finding examples of projective identification, oedipal conflict or regression to paranoid-schizoid or depressive levels of functioning without explaining either how these psychological realities emerge from, or impact on the broader social world.

René Kaës has provided a conceptual structure that synthesizes a broad spectrum of psychoanalytic theory, including that of Freud and Klein, and provides a basis for its application to social phenomena. In order to do so, he has also created some new concepts of his own, the most important of which is the idea of a group psychic apparatus. Other concepts Kaës has developed to explain the construction and maintenance of the group psychic apparatus are: links, psychic organizers, group positions and unconscious pacts and contracts. Kaës's concepts also provide a means for considering representation, its relationship to reality and phantasy and its function. Kaës's theory of the group psychic apparatus provides an overarching structure that ties groups, institutions and ideas together into a system. Consequently, the events and historical processes that take place within that unconscious psychological system can be analyzed using psychoanalytic theory but without abandoning more conventional institutional and social approaches common to historical inquiry.

Kaës argues that psychic life is structured by a group psychic apparatus composed of unconscious intermediary formations or *links* that tie individuals with

society, institutions or groups with other institutions or groups and ideas or representations with social structures. A link is any common psychological object that is invested with “psychic” or psychological energy that is projected out, introjected in or otherwise unconsciously communicated or exchanged. Links are necessary to the coherence of a social system (or organization, institution, group) because they enable commitment and adherence to a common group, person, idea, institution, leader or process. Links are sustained by psychic energy or investments – a shared commitment to the link. The link is usually represented as, and corresponds to, an idea, institution or object. Networks of links form the group psychic apparatus – an unconscious social psychological structure. In Kaës’s theory, representations facilitate the construction of a link because they draw psychic investments necessary for group construction. Alternatively, representations can draw psychic investments away from a particular link and can thus contribute to its destruction. Representations are always group constructions that combine real social, political and economic/material concerns with psychological phantasy and motivation.⁴⁴

Kaës’s concept of an unconscious group psychic apparatus composed of multiple linkages enables us to take Kleinian concepts and apply them to social phenomena. Thus the concepts that Kleinians use to explain individual ego development become useful tools for analysis of the construction and maintenance of social systems, even at the most general level, that of the state. For example, at the social level, one of the psychological functions of leadership

⁴⁴ Kaës, *L'appareil psychique groupale*, (Paris: Dunod, 2000), 214-216.

is to perform alpha function – to absorb and deal with conflict from below and transform it, creating a workable social contract through policy or action. According to Kaës, the construction of the group psychic apparatus occurs through the same alpha function processes that Bion argued build up the individual psychic apparatus, through a cycle of splitting, projection, introjection and integration.⁴⁵ The group psychic apparatus thus is built up, like the individual's ego structures, through the alpha function process.

According to Kaës, a group exists and functions as a group, only with the mobilization of a psychic organizer, a shared unconscious phantasy, drama or imago (representation of an internal object). Psychic organizers are what give a specific group its particular characteristics. They function as intermediary formations, between the psychic and the social, between phantasy and reality. Their purpose is to organize psychic investment, to draw it into the formation of a link. Psychic organizers, including Wilfred Bion's basic assumptions, are usually supported on social representations, on culture.⁴⁶ Bion's basic assumptions are shared phantasies that characterize and organize the group around a specific phantasy. Bion identified three basic assumptions: fight-flight, dependency, and pairing.⁴⁷ The basic assumptions are standard phantasies that emerge consistently in all groups. The fight-flight group is organized around the idea of danger, fight or flight. The dependency group is organized around its dependence on a leader and the pairing group is a mystical group, organized

⁴⁵ Ibid., 205.

⁴⁶ Kaës, *Idéologie*, 62.

⁴⁷ Bion, *Experiences in Groups* (London: Tavistock Publications, 1961), 146-155.

around the idea of a couple within the group giving birth to a messiah that will facilitate the group's transformation and rebirth. Another typical psychic organizer, according to Kaës, is the body or machine metaphor, a representation that commonly supported revolutionary attempts to consolidate and organize the state.⁴⁸

According to Kaës, the construction of a stable group psychic apparatus depends on the negotiation of unconscious contracts or pacts. Each group or institution has its own group psychic apparatus, its own unconscious structures – ideologies, shared objects, procedures and hierarchies. Nonetheless, different groups link and organize to form a broader, more all-encompassing group psychic apparatus. For the purpose of this work, which is to consider the psychological aspects of state construction, the state is a structure that links and binds within one group psychic apparatus a number of other groups and group psychic structures. The problem of state construction is, of course, to link and bind groups and individuals with conflicting interests, both ego and material, psychological and social, which must somehow be reconciled within one system. Representation, including ideology, functions to consolidate links in the group psychic apparatus; representations function to attract psychic investments to the link. At the most basic level ideology operates to form what Kaës describes as unconscious pacts or contracts. He has identified three unconscious contracts that are common to all groups, the renunciation, narcissistic and negating contracts. The renunciation contract identifies what each individual will give up for

⁴⁸ Kaës, *L'idéologie*, 64-65.

the sake of the group. The narcissistic contract defines how the group will compensate the individual for her renunciation.⁴⁹

Unconscious contracts configure and maintain the links between institutions and social structures, individuals and society. The group psychic apparatus operates through these unconscious contracts, the most important of which is the “community of renunciation” or original contract – the relinquishment of direct individual gratification of instinctual demands in return for the benefits of civilization – security from the arbitrary brute force of nature, or of the most powerful, pooling of effort, the distribution and redistribution of resources and the sense of belonging and meaning associated with a mutually supporting, social existence.⁵⁰

Kaës argues that links are built up from a renunciation or transfer of narcissistic (egoistic, self-interested) investments into the social sphere. The narcissistic contract is paramount in the process, because it defines the mutual link between the individual and the social. The narcissistic contract fails when society fails to offer the individuals within it a place within the group, or when they refuse to accept what is offered. The society, organization or group then loses the support, based, as it is, on the collective investment of psychic energy, necessary for its continuity.⁵¹

⁴⁹ Kaës, *L'idéologie*, 68; Kaës, “Réalité psychique et souffrance dans les institutions” in *L'institution et les institutions: Études psychanalytiques* (Paris: Bordas, 1987), 11-12, 29; Kaës, *L'appareil psychique groupal*, 102-104.

⁵⁰ Kaës, “Réalité psychique et souffrance dans les institutions” in *L'institution et les institutions*, 24-26.

⁵¹ Kaës, *L'idéologie*, 68. The narcissistic contract operates differently depending on whether the intermediary spaces (links) tend toward the homomorphic or the isomorphic pole, discussed below.

The renunciation contract, or community of renunciation, is only one form of unconscious contract. The two other major unconscious contracts are the narcissistic contract and the negating pact. According to Kaës, the “community of renunciation”, is based on a narcissistic contract, in which

the individual... pursues his own ends and he is a member of a chain to which he is subjugated without the intervention of his will.⁵²

In return for abiding by the laws of society the individual is offered a place and the community invests in her welfare. The renunciation contract – necessary for both the individual and society – exacts narcissistic injuries on the individual, injuries that threaten the relationship between individual and society, the links.⁵³ The negatory pact functions to deny, for the sake of the individual’s narcissism (self-esteem, self-interest), that any renunciation has been made.

One of the arguments made throughout this work is that the specific phases of the French Revolution were part of a process of struggle in which conflicting social groups vied with each other to define the group psychic apparatus, through the ideological negotiation of the unconscious contracts. The process of republican-revolutionary state construction began in the spring of 1793, with the constitutional discussions. Chapter 3 considers the constitutional discussions as attempts to construct the republic through unconscious contracts. During the constitutional discussions, the Montagnards consistently argued for a renunciation contract that would bind all republicans together. The Girondins, on

⁵² Kaës, “Réalité psychique et souffrance dans les institutions” in *L’institution et les institutions*, 11-12 and 29.

⁵³ Kaës, *L’appareil psychique groupal*, 102-104.

the other hand were only able to articulate a class-based narcissistic contract, through a liberal ideology premised on property rights, which failed to attract the support of other groups. Girondin failure to construct a renunciation contract to bind all social groups to the republic led to their defeat, at least until Thermidor.

Although, the breakdown in constitutional discussions did not directly lead to the Terror, it contributed to the vehemence of it, exacerbated divisions within the revolutionary movement and made unified action, without repression, impossible. The Girondin-Montagnard split, like so many conflicts during the revolution, ended in violence. For three days, from May 31 to June 2, 1793 the Montagnard deputies, with the support of the Commune and sections of Paris, engineered a revolt to oust the Girondin deputies. The Montagnards hastily drafted and passed a constitution that was immediately put aside and enshrined in an "ark", as a symbol of popular democracy, to be put into effect at some future date when peace made democratic government possible. The Girondins, in turn, fled to the provinces and engineered their own revolt against the National Convention.

Divisions had become exacerbated, especially when military reversals and General Dumouriez's betrayal exacerbated suspicions about the Girondins' loyalty to the National Convention and tipped the political scales in favour of sans-culottes leaders, like Jean-Paul Marat, who had denounced the Girondin General's commitment to the republic before he actually tried to march his troops into Paris. On April 1, 1793, Dumouriez turned four Representatives on Mission to the army and the Minister of War, Beurnonville, over to the Austrians. The

Minister of War and representatives had been sent by the National Convention to take Dumouriez to Paris to answer questions related to his actions in Belgium and the denunciations that had surfaced against him. On April 3, the Convention "outlawed" Dumouriez; to be outlawed (*mis hors la loi*) was to be sentenced to death without trial. The next day the General ordered his troops to march on Paris, but the rank and file refused to obey. Dumouriez had been a close associate of the Girondins. His betrayal, combined with the Girondins' bellicose threats against the popular movement in Paris made consensus between the two factions in the National Convention, impossible.

The active Girondins were expelled from the National Convention on June 2, 1793. They organized a rebellion, a separate "federalist" movement in the provinces. By the end of June 1793, the Girondin federalists had taken sixty departments of France and some major cities, including Lyon, Bordeaux, Toulon and Marseille. By the fall of 1793, the Convention had taken back most of the federalist territories and the Girondin leaders were to stand trial for treason. So the struggle between Girondins and Montagnards took on catastrophic proportions.

Chapter 4 considers the relationship between Jacobin ideology, state construction and the attempt to construct a renunciation contract. It is argued that, if the Girondins failed because they refused to negotiate a renunciation contract to link the National Convention and the Commune or the popular movement and the middle class revolutionaries to one constitutional framework, or ideological conception of social relationships, the Jacobins articulated a theory

of the Terror that emphasized renunciation, at the expense of narcissistic compensation. The renunciation contract, as it took shape through the Terror had two phases. The first phase was a crisis driven, frenetic and necessary mobilization of energy to fight the war and save the Republic from its enemies. In this phase, the renunciation contract took the form of absolute sacrifices, people were expected to give up their lives, their property, their time and energy to the defence of the Republic – and they did. The republic or the revolution was an ideal object to be maintained at any cost. The institutions of the Terror emerged in response to various crises in the summer of 1793 around an ideology and reality of “the country in danger”. The institutions of the Terror began to emerge in the summer of 1793 in an ad hoc fashion, as the National Convention tried to respond to one crisis after another – war, revolts in the Vendée and the federalist crisis.

The institutional framework for the Terror actually started to emerge as soon as the republic was declared in August 1792 because of the heightened fear of counter-revolutionary resistance that was expected to result from the overthrow, trial and execution of the king. The Revolutionary Tribunal, the Revolutionary Committees (sectional surveillance committees), the Committee of Public Safety, Revolutionary Police and the Representatives on Mission would

form the institutional backbone of state terror.⁵⁴ Popular violence, endemic since 1789, broke out within a few weeks of the declaration of the Republic. During the days of September 2-6 Parisian crowds, fearing counter-revolutionary retaliation for the king's overthrow, doubting the new republic's ability to defend the city and inflamed by the Commune's Surveillance Committee and by violent articles in Marat's *L'Ami du Peuple* and Fréron's *L'Orateur du Peuple*, broke into the city's prisons and started massacring prisoners.⁵⁵ In all, an estimated 1300 prisoners were killed.⁵⁶ Montagnard members of the National Convention justified the creation of the Revolutionary Tribunal on March 10, 1793 as a means to contain popular violence.⁵⁷ By institutionalizing the detection and punishment of counter-revolutionaries, the Montagnards argued, that the Tribunal could pre-empt, and lessen the extent of popular violence. Similarly, the Law of Suspects, by legalizing the incarceration of individuals suspected of counter-revolutionary sentiments, belonging to social groups (nobles and clergymen), or holding specific political views (federalists and monarchists) was a draconian means to

⁵⁴ Lanjuinais, *Arch. Parl.*, tome 60, (9 mars 1793). On April 6, 1793 the Committee of General Defence is transformed into the Committee of Public Safety. Revolutionary surveillance committees instituted March 21, 1793. The revolutionary police, the Committee of General Security instituted October 2, 1792. The sending out Representatives on Mission was the formalization of a practice that the sectional committees and insurrectional Commune of Paris adopted as a means to ensure that their views, as well as the Girondin Convention's circulars etc. were made available in the Provinces.

⁵⁵ F. Bräesch, *La commune du dix août 1792* (Orig. 1911; Geneva: Mégarotis Reprints, 1978), 505-513. Bräesch argues that the General Council of the Commune tried to prevent the massacres but could not control its Committee, especially once the crowds were incited. Marat and Santerre, who would later become a sans-culottes General were members of the committee.

⁵⁶ Jacques Godechot, *La Révolution Française: Chronologie Commentée 1787-1799*, (Paris: Librairie Académique Perrin, 1988), 114.

⁵⁷ *Arch. Parl.*, tome 60, (10 mars, 1793): 62. The first extraordinary criminal tribunal was instituted August 17, 1792 charged with the mandate to investigate counter-revolutionary crimes related to the day of August 10, the king's overthrow. Fouquier-Tinville was Chairman of the Jury of this tribunal, which by August 26 had condemned only three people to death and was castigated for being too slow and indulgent.

prevent counter-revolutionary activity before it began.⁵⁸

The Terror was inextricably linked to the revolutionary government. It organized the government's tripartite function of containing counter-revolution and federalism internally, waging wars in defence of the republic against the monarchies of Europe and of carrying out republican state consolidation. The revolutionary government, as a structure of exceptional or emergency rule, formalized and organized the institutional framework that had developed during the Year I of the republic (September 1792 – September 1793).

The second phase of renunciation occurred in the fall of 1793 when the counter revolutionary revolts and crises had been contained. Renunciation in this phase was part of an attempt to consolidate the republic, to build links in the group psychic apparatus. The Revolutionary government and terror were proclaimed in the fall-winter of 1793 as the means to regularize the war effort, centralize the Terror, and coordinate the institutional framework of revolutionary government and subordinate administrative and secondary authorities to the National Convention, all in an effort to consolidate the republic.

The ideology of terror as a systematic justification of repression was not announced until the fall of 1793, months after the core institutions and laws of the

⁵⁸ *Arch. Parl.*, tome 74 (17 septembre 1793) : 303-305.

Terror had been put into place.⁵⁹ Terrorist ideology was thus validation after the fact. It is difficult to reconcile this tardy emergence of terrorist ideology with historical interpretations of the Terror that focus on it as an ideological tool of totalitarian democracy, separate from social phenomena.⁶⁰ Granted, it is true that terrorist ideology existed in embryonic form and was promulgated ad hoc as a way of organizing the National Convention's response to the various crises that shook the nation in the summer of 1793. But the ideology itself, rooted in a militant defence of the revolution against counter-revolution, of revolutionaries against counter-revolutionary social and political groups, was a tool for the social reconstruction of the state; it was the mechanism through which revolutionaries justified action against counter-revolutionaries, who were predominantly drawn from the ranks of the nobility and upper clergy, formerly privileged social groups.

Both the crisis and the consolidation phases of renunciation contract were mediated through ideology. The ideology of crisis was a representation of an unconscious conviction that the ideal object was in danger from its enemies, and necessarily involved considerable psychological splitting. In the second the predominance of the ideal object remained but emphasis shifted toward the need to construct, regulate and build. Renunciation in this second phase took the form

⁵⁹ Maximilien Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire, Fait au Nom du Comité du Salut Public" in *Œuvres*, tome X, 273-283; Maximilien Robespierre, "Rapport Sur Les Principes de Morale Politique qui Doivent Guider La Convention Nationale dans l'Administration Intérieure de la République" in *Œuvres*, tome X, 350-367; Saint-Just, "Pour un Gouvernement Révolutionnaire : Rapport présenté à la Convention au nom du Comité du Salut Public, 10 octobre 1793" in Albert Soboul Ed., *Saint-Just : Discours et Rapports*, (Paris: Éditions Sociales, 1957), 117-118; Billaud-Varennes, "Rapport sur un mode de gouvernement provisoire et révolutionnaire, fait au nom du comité de salut public, par Billaud-Varennes, dans la séance du 28 brumaire" in *Moniteur*, no. 62 (Duodi, 2 Frimaire, l'an 2) : 473-479.

⁶⁰ Furet, *Interpreting the French Revolution*, 164-204.

of exhortations for the virtuous sacrifice of time, energy and narcissistic pursuits in the interests of the construction of the republic, which if left unconsolidated was still in danger. In the second phase however, the danger came as much from within, as from without – in the form of egoism, greed and corruption harmful to the public interest. In both phases the ideology of the Terror emphasized the primacy of the public good over individual rights because, in a context of social crisis, constructing a system of links was imperative – necessary for the survival of the revolution and of the individuals within revolutionary society.

The unconscious contracts that create and sustain the links of the group psychic apparatus operate through representation – cultural images, symbols and ideology. Kaës uses Bion's theory of thinking as a means to analyze the function of representation.⁶¹ Representation facilitates negotiation between internal and external reality. According to Kaës, ideology as a system of ideas, or representations, operates between the real and the psychological. The extent to which it reflects reality or determines it depends on the quality of the link between the two – whether there is space for doubt and uncertainty or whether the subject and object are "sutured" to an idea that is, in essence a projection.⁶² The more ideology determines reality, the more there will be a resort to violence in denial of reality. Nonetheless, some form of ideology is inevitable in formative groups, because it creates an ideal object that helps to structure the link between an individual's internal ego ideal and some ideal or worthy cause in the external

⁶¹ Bion, "A Theory of Thinking" in *International Journal of Psychoanalysis*, 43 (July-October, 1962): 306-310;

⁶² Kaës, *Idéologie*, 64-70.

world; thus it provides a stimulus to divest psychic energy from narcissistic pursuits for investment into the group. Robespierre's ideology of the Terror provided an organizing principle and ideal around which energies were mobilized and sacrifices demanded for the war effort.

Revolutionary state construction during the Terror can be seen as part of a process of constructing unconscious "links" between different social and institutional groups. The actual process of state construction in revolution occurs through the same processes that form other groups, through a cycle of projection and introjection. The revolutionary state must be constructed on the "rubble" of the old system and new social links must be formed to support the institutional base of the new society of which the revolutionaries dream. The actual process of revolutionary state construction always occurs in a context of social strife, civil and foreign war, as the individuals and groups, still attached to the old system, fight to sustain it.

Revolutionary ideology can be seen as a way of constructing the links of the new society through the representation of the ideal, on the one hand, and the enemy, the counter revolutionary, on the other. Such processes of construction follow the path of Melanie Klein's paranoid-schizoid position, in which the world becomes split into good and bad.⁶³ The structural components of the group psychic apparatus are created and maintained through representations, including ideology, a special form of representation. These representations, like the psychic structure of an individual, are built up through paranoid-schizoid

⁶³ Klein, "On the Theory of Anxiety and Guilt" in *Envy and Gratitude*, 34.

processes in which internal mental contents are projected out into groups, individuals, structures, symbols and ideas. In ideal circumstances the projections will meet with some kind of containment in the outside world that holds them in a form that enables them to be re-introjected, or taken back in.

Revolutionary state construction operated through the representation of the revolution as an ideal object in danger. Links were constructed through an ideology of renunciation and were rooted in paranoid-schizoid splitting and projection mechanisms. The idea of the good revolutionaries fighting to save the country from dangerous counter-revolutionaries mobilized people to fight the revolutionary wars. The fact that the war and counter-revolution were real enough made mobilization necessary. So, real factors – psychological and social – as well as ideological ones were operative in the revolutionary process of state construction. However, these are only two factors in a more complicated dynamic.

The articulation of three factors creates the group psychic apparatus; there is a psychic (psychological), a real (social, economic, historic) and a representational component.⁶⁴ Groups form around some kind of representation that organizes the relationships between members and between the group object (the Revolution) and the environment. This representation tends to take on standard forms – the image of the body, the primal scene and family, such as the

⁶⁴ The objective here is to situate the analysis within a historiography that tends to see the issue as either social, political or ideological. I am arguing that it is all these factors combined. In contrast to idealists (who privilege the power of thought as an agent of historical development) or post-modern historians (who privilege internal reality – subjectivity – over external reality) the argument is that, although we cannot know it fully, there is a reality that must be grappled with and that it is possible to be more or less close to understanding it.

oedipal conflict or imago complexes – related to the super-ego, internal objects and other parts of the individual group psychic apparatus.⁶⁵ Psychic organizers such as Bion's basic assumptions, function as links between individuals and individuals and the group. Psychic organizers hold a social system together. Psychic organizers link the inner world of objects and phantasies to the outer world of others and reality. Psychic organizers are present in all processes of change.⁶⁶

According to Kaës, the image or metaphor of the body is a common group psychic organizer. Constituted and maintained through unconscious alliances, such as the narcissistic and renunciation contracts, on oppositions, dependencies and conflict, psychic organizers, like Bion's basic assumption groups link internal and external reality and are present in all processes of change and they organize group processes.⁶⁷ The construction of group space brings out the symbolic functions of the image of the body, the procedures for assigning places and organizing object relations, especially with primary phantasies and the projection, distortion, externalisation and organization of internal psychic structures – the creation of the group psychic apparatus.⁶⁸ The group psychic apparatus is constructed from properties of the individual psychic apparatuses of group members.⁶⁹ Given the role of the body in the generation of individual psychic structure, it follows that a significant difference between the

⁶⁵ Kaës, *L'appareil psychique groupale*, 185-187.

⁶⁶ Kaës, *L'idéologie*, 63.

⁶⁷ *Ibid.*, 62-63.

⁶⁸ *Ibid.*, 63.

⁶⁹ *Ibid.*, 64-65.

individual and group psychic apparatus is that the group psychic apparatus *has no body*. Kaës argues the lack of corporeality explains why groups consistently use, or are described with, body metaphors, represented as a united or divided body with a head, arms and other parts. Individuals invest energy into the representation of the group body, portrayed as immortal, indivisible and all-powerful. The group mind, its “esprit de corps”, founded on the denial of the lack of a real body, is the basis of ideology.⁷⁰ The metaphor or fantasy of a group body calms the anxiety related to the fear of being separated from the community, without a place, without existence.⁷¹

The group psychic apparatus is the common construction, by the members of a group, to constitute a group. It is an efficient fiction, the principal characteristic of which is to ensure mediation and exchange of the differences between psychic reality, in its group components, and the social and material aspects of group reality.⁷²

One of the psychic organizers manifested throughout the history of the Terror, was the idea of a “body group” or social body – the metaphor of a society as a body. For example, the Law of 14 Frimaire, the law that instituted the Revolutionary Government, and centralized the Terror, was premised on the idea that the republic was a fractured, fragmented body that could not operate unless all its parts worked together. The idea served as a means to organize the state under the Committee of Public Safety’s leadership. The body metaphor justified

⁷⁰ Ibid., 65.

⁷¹ Ibid. Dorinda Outram, *The Body and the French Revolution: Sex, Class and Political Culture* (New Haven and London: Yale University Press, 1989), 163 and passim, argues that the body metaphor was a significant metaphor in the political culture of the revolution. She sees the body focus as being indicative of the middle-class social position of the revolutionary leadership.

⁷² Kaës, *L'appareil psychique groupal*, 185.

expulsion or death – the purging – of any parts, groups or individuals that threatened the whole. The body group psychic organizer was thus a rationale for the use of terror as a means to construct the republic.

The ideology of terror, a theory of renunciation, underpinned by a group body phantasy of organization, was part of a process of state consolidation and centralization and organization in the fall and winter 1793-1794 that culminated in the execution of Danton and Hébert – popular leaders of two antagonistic factions in the Cordeliers Club. It was in the context of this paranoid-schizoid process of introjection and projection, association with the construction of the links in the group psychic apparatus and their corresponding institutions in the real world that the theories of revolutionary government were created, proposed and passed. In the midst of this process, culminating in the Ventôse decrees, the Dantonist and Hébertist oppositions to the revolutionary government emerged and were crushed.

In 1794, revolutionaries would gradually extend the terrorist framework, mostly through the introduction of new legislation against counter-revolutionaries or to consolidate the republic. Towards those ends end, Louis-Antoine-Léon Saint-Just presented the Ventôse decrees in March of 1794 and Georges Couthon presented the Law of 22 Prairial on June 10, 1794.⁷³ The Ventôse decrees and the Law of 22 Prairial both represented an extension of the logic and

⁷³ The Ventôse decrees are reproduced in Soboul Ed., *Saint-Just: Discours*; Convention Nationale, *Rapport sur Le Tribunal Révolutionnaire, fait au nom du comité de salut public, par Couthon, dans la séance du 22 Prairial, an 2 de la République française une & indivisible, imprimé par ordre de la Convention nationale, et joint au décret qui l'a suivi, par forme d'instruction* in *The Maclure Collection of French Revolutionary Materials*, (vol. 1111, no. 18).

structures of the Terror and revolutionary government that had been instituted in the fall of 1793.

Ventôse, Year II (February 19 – March 20, 1794) was a major turning point in the history of the Terror. Saint-Just presented a series of decrees. The purpose of the Ventôse decrees was to increase repressive measures, identify and condemn counter-revolutionaries in the prisons, confiscate counter-revolutionary property and redistribute it to the poor.⁷⁴ The expropriation of property through the Ventôse decrees thus had a considerably different social significance than the expropriation and sale of church lands (1790).⁷⁵ The Ventôse decrees aimed to provide the indigent with property, whereas the sale of expropriated church lands (*biens nationaux*) was through auction, and went to the highest bidder. The six Popular Commissions were to be instituted as the mechanisms through which these aims were to be realized. The Popular Commissions, modelled on the extraordinary commissions set up by Representatives on Mission, were conceived of as a means to ameliorate the Revolutionary Tribunal's workload.⁷⁶ Their function was to determine whether or not there were grounds for indictment and to construct a triage of suspects. Only two of the Ventôse Commissions were set up. One of them, the Civil Administration for Police and Tribunals, became implicated in Fouquier's trial.

⁷⁴ Soboul (ed), *Saint-Just : Discours*, 132-198.

⁷⁵ Jacques Godechot, *Les Institutions de la France sous la Révolution et L'Empire*, (Paris: Presses Universitaires de France, 1951), 346-348.

⁷⁶ The most famous Popular Commission, set up by a Representative on Mission was Le Bon's Popular Commission of Orange that eliminated procedural protections for the accused and was a model for the later Law of 22 Prairial. M. Pertué, "Commissions Populaires" in *Dictionnaire Historique de la Révolution Française*, ed. Albert Soboul, (Paris: Presses Universitaires de France, 1989), 263.

The trials and executions of the Hébertists and Dantonists, among the most significant events to emerge in conjunction with the Ventôse decrees, had far reaching consequences that would inevitably lead to Robespierre's fall. The trials of Hébert and Danton, the "trials of Germinal" as they are sometimes called, created divisions within the revolutionary movement, most significantly within the Montagnards in the National Convention, that led to Robespierre's fall.

The Germinal trials that eventually led to Robespierre's downfall, like the Girondins' failure to generate support during the constitutional discussions, were symptomatic of the regime's inability to articulate and forge an unconscious contract necessary to establish a stable group psychic apparatus. Terrorist ideology, focusing on the renunciation contract, expressed in the theories of revolutionary government and terror, failed to provide narcissistic compensation for sacrifices demanded in the interest of the republic. The Terror, its theory and institutional organization failed because it did not negotiate an effective narcissistic contract. Robespierist ideology rested on the need for renunciation of individual egoism in the interest of the public good. The opposition movements against the Revolutionary Government in the spring of 1794 occurred in conjunction with the real problem of corruption in the National Convention. Their demands for a lessening of rigour against suspects and for a shift from the public to the private interests combined with the problem of corruption made a paranoid reaction on the part of the Committee of Public Safety more likely, since they all seemed to be linked to a movement to undermine revolutionary integrity and institutions, even as the war against counter-revolution had not yet been won.

The Ventôse decrees were the revolutionary government's response to two extremes within the revolutionary movement – Danton's "indulgence" and Hébert's extremism. In his decree of 23 Ventôse Year II (March 13, 1794), Saint-Just argued that the two factions attacking the revolutionary government were both acting in the interests of the foreigners who wanted to destroy the revolution.⁷⁷ The Hébertists wanted to extend the violence of the Terror to include patriots while the Dantonists wanted clemency for the republic's enemies.⁷⁸ The Dantonists argued clemency as a general principle when their friends, Chabot and Fabre d'Églantine, became implicated in a real corruption scandal in which they had tried to use their positions on the Finance Committee to profit from the liquidation of the East India Company.

The Ventôse decrees were an attempt to tie both revolutionary factions to the government through repression, on the one hand, and redistribution on the other. The execution of the Hébertists had little objective effect on the government, except perhaps to put a brake on the activities of dechristianizers within the Assembly. Municipal personnel loyal to the government replaced the Hébertists and these people remained loyal, particularly to Robespierre, to the end. However, the execution of the Dantonists had far reaching consequences for the Committee of Public Safety, and especially for Robespierre who was blamed. Dantonists in the National Convention, especially Representatives on Mission who had used extreme violence, the dechristianizers and the corrupt feared for themselves, as the execution of the Dantonists – Fabre d'Églantine,

⁷⁷ Saint-Just, "Sur Les Factions De L'Étranger" in Soboul (ed), *Saint Just: Discours*, 152-176.

⁷⁸ *Ibid.*, 164.

Camille Désmoulins, François Chabot and others – provided a precedent for the prosecution of the representatives of the nation. Opposition to the Committee of Public Safety went underground and the rumour, gossip and intrigue was directed against Robespierre.

Chapter 5 and Chapter 9 have presented the view that the Revolutionary Tribunal of Paris was instituted to perform a psychological containment function. Specifically, the Tribunal was instituted to try and convict suspected counter-revolutionaries in order to pre-empt and contain popular violence and vigilantism in the aftermath of the September Massacres. It is argued that the Tribunal performed its containing function well until an alpha function failure at the level of the revolutionary leadership interfered with the process in Ventôse and Germinal Year II (March-April, 1794). The use of the Revolutionary Tribunal to eradicate the Dantonists and Hébertists undermined its integrity as an institution of revolutionary justice. Furthermore, alpha-function failure in the Committee of Public Safety, exacerbated divisions within the revolutionary movement and intensified paranoid fears of retaliation that further compromised the Tribunal's operation. The Great Terror itself and its manifestation in the conspiracies of prisons were, it is argued, consequences of alpha function failure manifested in the creation of laws that compromised the Revolutionary Tribunal's containment function.

The Committee of Public Safety's foreign faction theory represents a failure of psychological containment that had very dire consequences for the

Montagnard revolutionaries, and for the revolution itself.⁷⁹ Since the Dantonists and Hébertists both represented revolutionary, not counter-revolutionary, opposition to the government, the Committee should have been able to find some other means of dealing with them than execution based on trumped up charges or an imagined conspiracy with counter-revolutionaries. If, as has been argued, the construction of the group psychic apparatus occurs through a process of paranoid-schizoid splitting and projective-introjective processes, then the foreign faction theory can be explained in three ways. First, given the predominance of paranoid splitting that was inevitable due, not only to the terrible crises the revolutionaries faced, but to the fact of the unconsolidated state of the group psychic apparatus itself, the projection of fears onto *any* opposition, revolutionary or counter-revolutionary was possible. Second, the unconsolidated state of the republic, combined with an ideology of renunciation, would render repression against groups articulating narcissistic interests likely, since the group psychic apparatus was not secure. Third, as will be argued in Chapter 5, revolutionary opposition to the government could have been an opportunity for forging stronger links within the revolutionary movement itself. Projective-introjective processes could have had an integrating and developing effect. If the government had had the means somehow to contain the opposition, even if it was only in the process of giving the accused honest trials within the constraints of revolutionary justice,

⁷⁹ Although Saint-Just presented the decrees, they were the work of the Committee. Robert Palmer argues that the plan to expropriate property more likely came from Billaud and Collot d'Hérbois, the two members closest to the sans-culottes, than from Robespierre. Robert Palmer, *Twelve who Ruled: The Year of the Terror in the French Revolution*, (New York: Atheneum, 1965), 285.

the members of the public and the National Convention could have had the sense that the some kind of truth had been revealed and that justice, however harsh, had been served. The opposition might have provided the means for constructing a narcissistic contract.

The government's failure to contain Hébertist and Dantonist opposition represented a failure of "alpha function" on the part of the leadership in the Committee of Public Safety, as will be discussed in Chapter 5. Kaës argues that leaders and institutions (links) in the group psychic apparatus serve the same function in the construction of the group.⁸⁰ The Committee of Public Safety, in attributing Dantonist and Hébertist oppositions to a conspiracy with foreigners, represents such a failure. Instead of dealing with the opposition, the committee threw all its fear and anxiety related to the insecurity of government, back onto the opposition, with disastrous consequences.

The most pernicious consequences of the trials of Germinal, and the Ventôse decrees in general, were psychological; the trials paved the way for paranoid fears of retaliation that filtered into the operations of the institutions of revolutionary justice, the police, prisons and the Revolutionary Tribunal. First, the trials themselves involved political interference with the Tribunal's operations that undermined its credibility and its integrity. Second, the centralization of the Terror that followed from the Ventôse decrees added additional layers of police and surveillance. Finally, the laws eliminated departmental revolutionary tribunals that increased the caseload the Revolutionary Tribunal of Paris had to cope with,

⁸⁰ Kaës, *L'appareil psychique groupale*, 205.

without increasing its resources.⁸¹ Third, the Ventôse decrees and the trials of Germinal undermined support for the revolutionary government and, though intended to enhance the Committee of Public Safety's authority, in fact isolated it. The logic of centralization and increased repression culminated in the passage of the Law of 22 Prairial which undermined procedural safeguards in the Revolutionary Tribunal and made it impossible for the Public Prosecutor to investigate cases properly, for the jurors to deal adequately with the evidence presented to them and for the accused to defend themselves. Fourth, after the Germinal trials a paranoid fear of retaliation crept into the institutions of revolutionary justice and led to what became known as the "conspiracies of prisons".

The prison conspiracy trials were all based on denunciations that imprisoned followers of Dillon, Danton and Hébert were conspiring to break out and murder the members of the Committees and the National Convention and overthrow the revolutionary government. The Committee of Public Safety ordered an investigation and Fouquier had to try within twenty-four hours of receiving a denunciation, anyone suspected of participation. Fouquier was sent lists of proscription made up by members of the Popular Commission in conjunction with various spies and informers in the prisons, and hundreds of prisoners were guillotined without having been given a proper trial. The denunciations and lists, combined with the Law of 22 Prairial, radically accelerated legal procedures that had previously provided some defence for the accused and enabled the tribunal

⁸¹ Saint-Just, "Sur la Police Générale, sur la Justice, Le Commerce, la Législation et les Crimes des Factions", 26 Germinal Year II (15 April, 1794) in Soboul Ed., *Saint-Just: Discours*, 177-198.

to properly investigate cases. The Ventôse decrees created the climate for the Great Terror and ultimately led to Robespierre's fall.

The revolutionary leadership during the Terror, especially in the Spring of 1794, with the repression of the Hébertists and Dantonists, not only failed to create a narcissistic contract but actually severed links with its most important social bases in the clubs and Commune. The result was not only a climate of fear amongst former allies, but also dissolution of the ties that held the revolutionary system together. A social system that fails to sustain the narcissism of the individuals within it will be attacked; its links – leaders, structures and substructures – will be targeted. The repression of the Dantonists and Hébertists, because it attacked the links necessary to sustain the Revolutionary Government, started a long process of decomposition in the revolutionary group psychic apparatus that climaxed with Robespierre's fall and continued with Fouquier's trial. Because revolutionary institutions and ideas during the Terror were so inherently linked to Robespierre, the process of decomposition that began in Ventôse and continued through the spring of 1795, led to the rejection not only of him, but also of all the institutions and ideas with which he was identified – the Committee of Public Safety, the Commune and the Revolutionary Tribunal.

Fouquier's role made him both a symbol and a weapon in the arsenal of the Terror. As both a representative and an instrument of revolutionary justice, of terror, Fouquier provided a point of convergence for a number of both political and social issues that emerged after Robespierre's fall. Through Fouquier's trial

some Montagnard terrorists dealt with their own guilt and responsibility for the Terror by displacing guilt on to him. Girondins, returning from banishment, returned to the National Convention determined to turn back the clock, to institute the constitutional program they had presented in the spring of 1793, to preserve the absolute right of property, to subordinate the Commune of Paris to the National Convention and to repress the popular movement once and for all.

In Chapters 7, 8 and 9 three concepts in Kleinian thought have been applied to an analysis of Fouquier's trial: psychological containment, splitting and projective identification and reparation. The Kleinian theoretical elaboration of the concepts of splitting and projective and introjective identification will permit an analysis of the denunciations, calls for revenge and retaliation that pervaded Thermidorian politics. Permeated from the beginning by the 'politics of revenge', analysis of the trial will demonstrate how, through the operation of projective identification, Fouquier came to represent disavowed parts and feelings of members of the Thermidorian Convention.

Melanie Klein's theory of psychological reparation can be used as a conceptual tool with which to test the Thermidorian claims of reparation after the Terror. Klein's revision of the Freudian theories of the super-ego and oedipal conflict provide a meaningful way to consider the otherwise paradoxical Thermidorian combination of revenge and reparation and their representations of

the "Great Criminals" as bloodthirsty tigers, monsters and cannibals.⁸² Her theory of the primal scene phantasy and her idea of an early, primitive and violent oedipal complex provide a means of understanding the monster or cannibal representations.

The most powerful and violent representations that emerged throughout the revolutionary process were representation of early Oedipal conflicts. The primal scene is a very young child's understanding of the parents engaged in sexual intercourse. It is an image that evokes terror, partly because it represents not only the child's exclusion but also his inherent destructiveness.⁸³ At the same time, and as a related development, a sadistic super-ego emerges to counter the destructive impulses with threats of punishments that are equal in force to the originally projected feelings of violence, hate and envy. Klein's primal scene provides the basis for Kaës's idea of an archaic "group" object, an object that emerges again and again in the revolutionary context, taking the form of a monster or cannibal.⁸⁴

Lyth's analysis of the operation of a social defence system will be applied to the operation of the Revolutionary Tribunal during the Terror. It will provide a means to set the events and behaviour for which Fouquier stood trial, in their social and institutional context. The Tribunal was set up to perform both an

⁸² Klein, "A Contribution to the Psychogenesis of Manic-Depressive States" in *Love, Guilt and Reparation*, 262-290; Klein, "The Early Development of Conscience in the Child" in *Love, Guilt and Reparation*, 344-370; Klein, "Early Stages of Oedipus Conflict and Super-Ego Formation" in *The Psychoanalysis of Children*, 123-148.

⁸³ Klein sees destructiveness as inherent in the death drive. See the glossary entries for death drive (pp. 390-391) reparation (p. 397), super-ego (p. 397) and the paranoid-schizoid position (p. 395).

⁸⁴ See Chapters 7 to 9.

objective political function and a psychological one. The Montagnards had seen the institution of the Revolutionary tribunal as a formal mechanism for prosecuting and punishing counter-revolutionaries. This was justified as a way to secure the gains of the revolution and as a means of controlling popular rage, such as that which manifested itself in the September Massacres (1792). At the time of its creation, Danton argued that the existence of an extraordinary Tribunal to punish enemies of the Revolution would prevent popular vigilantism such as that which occurred during the September massacres⁸⁵ Thus while the Tribunal's objective function was to identify and punish counter-revolutionaries, its psychological function was to prevent people from taking the law into their own hands.

Much of the content of Fouquier's trial involves assigning blame for the Revolutionary Tribunal's failure to prevent unnecessary executions. Most of the trial involved the question of Fouquier's responsibility for what became known as the 'Conspiracy of Prisons'. The Thermidorian press and the Tribunal interpreted the 'conspiracy' as a conscious plot on the part of Fouquier and the Robespierrists in the Commune and Committee of Public Safety, to empty the jails by massacring innocent people.

One of the formal charges against Fouquier was that he imagined the conspiracies as a means to satisfy his bloodthirsty character, even though his behaviour was determined by the structure of authority and a body of laws that

⁸⁵ Carnot echoed this sentiment after the Terror when he said that the Tribunal in the end pronounced fewer condemnations than had been demanded by popular passions. Hippolyte Carnot, *Mémoires sur Lazare Carnot 1753-1823*, 2 vols. (Paris: Hachette, 1907), 1: 499.

did not permit him to gauge accurately the real situation in the prisons or the extent to which suspects were real counter-revolutionaries. Throughout its history, the Tribunal was under constant criticism for its slowness and leniency. Members worked in fear of being denounced. The law of suspects and the law of 22 Prairial defined as an enemy of the Revolution anyone who belonged to certain categories of people, ex-nobles, ex-priests, and defined counter-revolutionary behaviour broadly to include writings and speeches that could be interpreted as counter-revolutionary. The laws themselves did not provide a reliable guide for identifying counter-revolutionaries, and their all-encompassing nature, especially after 22 Prairial, filled the jails with suspects at the same time that they put pressure on the tribunal to operate quickly.

The 'Conspiracy of Prisons' can be interpreted as symptomatic of a pathological breakdown in the Tribunal's capacity to fulfill its containing function in the summer of 1794. In Fouquier's trial, the minute attention paid to the Conspiracy of Prisons and the emphasis on the innocence of the victims was partially a way of rehabilitating former suspects as a means for the Thermidorians to gain political support and deflect public anger away from the Convention on to Fouquier. But it was also an attempt to find a scapegoat for the very real failure of the Revolutionary Tribunal in both its objective and psychological function.

The Thermidorian Tribunal self-consciously and continuously referred to Fouquier's trial as a "real", just or fair one in order to distinguish itself from the Tribunal of the Terror. In the press, calls for revenge were justified as, and masked, behind claims to reparation. The most vehement calls for revenge

came from individuals who had themselves implemented the policies of the Terror, often violently surpassing the intentions of the members of the Committee of Public Safety. The savage denunciations of Fouquier represent splitting and projection as a result of the fear of retaliation and were manic defences against the depression which follows an individual's taking responsibility for her actions.⁸⁶ The use of these defences suggests that genuine attempts at making reparation for the Terror were not being made. Kleinian theorists maintain that reparation occurs when projective processes have diminished; as a result the individual is better capable of assessing reality and becomes more conscious of his or her own aggression. Reparation occurs as a consequence of the guilt that ensues from the recognitions of one's own destructiveness. Hence, the juxtaposition of vehement calls for revenge and claims to reparation are questionable.⁸⁷

Revolutionary group formation, because it occurs when old links have broken or been torn down, when the representation of the old group object, the links, institutions, political processes and ideology that sustains them, are no longer capable of mobilizing energies to support and maintain it, leads to regression back to the most primitive mental states.⁸⁸ The new group object, network of institutional links and ideology must be constructed in the context of this psychological regression. Such a process occurred, not only during the Terror but even more strikingly, in Thermidor. The Thermidorian representation of

⁸⁶ Melanie Klein, "A Contribution to the Psychogenesis of Manic-Depressive States" in *Contributions to Psycho-Analysis, 1921-1945* (London: Hogarth, 1948), 283, 282-309.

⁸⁷ See Chapter 7, 259-267.

⁸⁸ Some of them are based on even more primitive states (undifferentiated) than the paranoid-schizoid and depressive positions, both of which are psychotic.

Robespierre, or of his followers, real or imagined, as conspirators and monsters thirsty for human blood, represents a regression to the earliest stages of the oedipal conflict. These early stages are saturated with phantasies of cannibalizing and other sadistic forms of destructiveness. Such phantasies motivated the Thermidorians against Fouquier. Fouquier's denunciation and trial represent the Thermidorians' attempt to attach all guilt, blame and punishment for the Terror onto Fouquier and a few other "cannibals".

The Revolutionary Tribunal, situated within a complex of repressive and political revolutionary institutions – revolutionary committees, prisons, the Committee of General Security and the Committee of Public Safety – served three major social functions, to defend the republic from internal, counter-revolutionary threats, to enforce revolutionary laws and to contain popular violence. Until the trials of the Hébertists and Dantonists, in the spring of 1794, the Tribunal, though not independent, was able to negotiate the fine line between political repression necessary for the construction and formation of a new social order and the indiscriminate use of repression to silence political opposition. The Great Terror occurred when a crisis within the structure of links – the whole political, social and psychological network within which the tribunal operated – infiltrated the Tribunal's operations. From the Germinal trials (March-April 1794) leadership and laws continually narrowed the parameters within which the tribunal functioned.

After Thermidor, Fouquier became a container for psychological projections of guilt and responsibility. These projections became the basis for a

reinterpretation of the events of the Terror in which the laws and decrees of the National Convention and its committees were presented as the result of a Robespierist conspiracy, bent on replacing the republican government with a dictatorship. Fouquier and the other members of the tribunal tried with him were considered to be part of the supposed conspiracy. Like the mental processes in a dream, the charges, evidence and procedures in the Trial manifested distortion, condensation and displacement. As a compromise formation, like a dream or a neurotic symptom, the trial served to gratify Thermidorian desire for revenge while at the same time defending against guilt by confining it to a few select scapegoats. The consciously stated purpose of the trial – to punish Fouquier considered responsible for the disaster of the Great Terror and to ensure that those only marginally attached to the regime could hope for justice from its legal institutions – was not its main function. Unlike a dream or an individual's neurotic symptom, the forces acting on the trial were collective. Victims of the tribunal, obdurate counter-revolutionaries, Dantonist, ex-terrorists and the members of the former Committees of Public Safety and General Security, with diverse motives, all found common ground in demonizing Fouquier and his co-accused. Fouquier became a common object or receptacle for the disavowed guilt of the ex-terrorists, for ex-Committee members who, in warding off attacks on themselves, displaced responsibility for the Terror onto Fouquier, and for hatred of the friends and family of victims or for those imprisoned during the Terror.

Representations of Fouquier and the others as blood-drinkers, tigers and monsters, served to reinforce Fouquier's status as a shared bad or persecutory

object, a container of destructiveness and a direct emotional investment into the dismantling or decomposition of identifications and ideals that had formed during the Terror, and to channelling of them into the new ideals of justice and humanity that the Thermidorians trumpeted. The Thermidorian ideology that held the diverse group together was in short, that the whole Terror had been the work of Robespierre and a few henchmen, conspiring to create a dictatorship. The Tribunal, it was argued, had been Robespierre's personal instrument of terror. He staffed it with men of bloodthirsty character and they were all involved in a counter-revolutionary plot to debase and overthrow the republic.

This ideology conveniently served the interests of the Republican middle class: it helped secure the power of the National Convention, to protect ex-terrorists in the Convention from denunciation and to defend the notion of the inviolability of private property. Thermidorian ideology, present and constructed in and outside the "Great Criminals" trials, conveniently disengaged the Republic from the Terror that had, until then, been considered necessary for the defence of the Republic. During the Terror, ideology had operated to focus emotional energies on the war. The militant fight-flight organizing phantasy demanded unity for the war effort. The ideology of social justice served to channel narcissistic energies, not only to provide energy, drive and commitment for the war effort, but to encourage individuals to make the sacrifices necessary to manage the economy.

Understanding Fouquier's trial from a psychological perspective requires that the Thermidorian context in which it took place be considered. Because

remembering, reliving and repudiating the past were part and parcel of Thermidorian reality, it is also necessary to re-contextualize the period of the Terror, as a means to address how their terrorist pasts determined the Thermidorians' behaviour after Robespierre's fall. During the trial constant references were made to events of the Terror that had been subject at the time to considerable debate. These debates can be referred to in order to re-contextualize them and the discrepancies between what was debated during the Terror and how the Thermidorians later interpreted events can be analyzed. The discrepancies and omissions throughout the trial will be investigated in order to consider their psychological aspects. Psychological and political factors tend to overlap and are sometimes fused, but it should be possible to distinguish one from the other by analyzing the discrepancies between stated political goals and the means used to reach them. In order to understand truly Fouquier's trial and his role in the Terror, it is necessary to consider events within the broader context of the construction of the revolutionary group psychic apparatus from the spring of 1793, when the institutions of Revolutionary Government and the Terror were first constructed.

Much of the history of the Terror was a process of constructing revolutionary links and destroying the links of the Old Regime – as manifested in the church, state and noble privilege. Each phase of the revolution – from the attempt to agree on a constitution, through the institution of Revolutionary Government, the trials against the Hébertists and Dantonists in Germinal, the Great Terror and Thermidor – represents a stage in which revolutionary

leadership and ideology operated to generate or sustain links between individuals and the revolution, or to tear those links down. The revolutionaries first attempted to construct the republic on the basis of a constitution but when the process broke down, the movement split between the Mountain and the Girondins. Revolutionary government and Terror were instituted to create an institutional framework for fighting the war, repressing rebellion and managing the economy. The Thermidorian period represents a de-linking or “decomposition” of the identifications of the Terror – particularly with identification with Robespierre.⁸⁹ Fouquier, accused of being a Robespierrist conspirator, was caught up in the process of psychological decomposition. At the same time, he became a shared symbolic container for guilt and revenge that provided a mechanism for consolidating the Thermidorian Regime. Fouquier’s trial and execution, as the trial of the whole system of Terror, should be considered within the social, political and psychic structure of that system that was integral to the revolutionary process.

After Robespierre’s fall, the renunciation, narcissistic and negatory pacts were renegotiated in accordance with Girondin desires. By that time, the executions of Hébertists and Dantonists and the fear and paranoia that followed afterwards severed the linkages between the sans-culottes and the Montagnards and between the members of the Mountain. After Thermidor, the Mountain self-destructed as reactionary, former terrorist Representatives on Mission led a campaign of revenge against their former colleagues. The Girondins, hardened

⁸⁹ Sigmund Freud, “Psychoanalytic Notes on an Autobiographical Account of a Case of Paranoia” in *Sigmund Freud: Case Histories II* (New York: Penguin, 1979, c. 1911), 185 and 138-220.

by their suffering, returned to the National Convention and ruthlessly repressed the sans-culottes opposition that, although disorganized and leaderless after Robespierre's fall, re-emerged in the spring of 1795 demanding social democratic reforms and the Constitution the Montagnards had passed after the days of May 31-June 2, 1793. After that the linkages between the National Convention and the sans-culotte movement in Paris were severed and a Girondin constitution was implemented in the fall of 1795, instituting the Directory.

Part II: Terror and the Psycho-Social Construction of the Revolutionary State

Chapter 3: Constitutional Impasse and the Group Psychic Apparatus

In the spring of 1793, shortly after Louis XVI's execution, the members of the National Convention set out to exercise their mandate to draft a constitution for the democratic republic. The new government not only had to renegotiate and articulate the objective rights and responsibilities between groups and individuals and the state, but also to forge the unconscious links that would bind individuals within French society to each other and to the state. Consequently, as a psychological process, the constitutional discussions represented a first step in the reconstruction of a group psychic apparatus at the national level.

The discussions of 1793 failed to produce a republican constitution sanctioned by a majority in the National Convention because divisions between the Montagnard and Girondin leaderships made the construction of a stable group psychic apparatus impossible. At an unconscious level, the constitutional discussions involved the negotiation of the renunciation and narcissistic contracts to define the relationships between individuals and the revolutionary state. The renunciation contract is an unconscious agreement to renounce some narcissistic self-interest for the sake of the integrity of the group. The narcissistic contract is the group's compensation to the individuals within it, the concessions made to individual self-interest and self-esteem. The failure to form a stable group psychic apparatus resulted from the failure to negotiate the two unconscious contracts that form the basis for creating a framework for the group psychic apparatus, namely the renunciation and narcissistic contracts.

The victory of the Montagnards over the Girondins in the constitutional

debate was a consequence of the Girondins' failure to negotiate an unconscious renunciation contract that might have tied different social groups together. They failed to offer a narcissistic contract that appealed to the sans-culottes movement in Paris. Political divisions between Montagnards and Girondins tended to split in favour of one contract or the other. The Montagnards articulated a renunciation contract rooted in an ideal of social cooperation through "good morals", which would provide narcissistic compensation in a form offering recognition and security for social groups that, historically, had had little of either. The Girondins did not articulate a renunciation contract. Instead, they focused on individual property rights, articulating a class-based narcissistic contract that offered nothing to the sans-culottes. The overall failure to establish the renunciation and narcissistic contracts, both necessary for establishing support for the regime, contributed to the revolution's descent into terror and ultimately led to the failure to consolidate a stable republic.

During the constitutional process, Girondin and Montagnard deputies articulated conflicting ideological positions that related not only to the unconscious contracts but to the phantasies (unconscious thoughts, scenarios, dramas, desires) that lay beneath the surface of revolutionary politics. The Montagnards articulated an ideology that was politically more successful than that of the Girondins because it tapped into phantasies that crossed class boundaries and supported the construction of the unconscious contract essential to large group cooperation – the renunciation contract. The function of ideology, or ideologies, in the structuring process, is to link underlying phantasies with

reality as a means to obtain conscious support for the unconscious contracts. As such, the debate contained multi-layered concerns that were sometimes realistic, sometimes phantasmagoric. Debate over material and political realities, such as the war, property issues and political influence would turn rapidly into phantasmagoric diatribes about the cannibals, monsters and usurpers that were among the members of the assembly. The Montagnards defeated the Girondins because they were willing to cross class boundaries in order to generate the broad base of support necessary to construct the links in the group psychic apparatus.¹

René Kaës, following Freud, argues that any society is based on an unconscious renunciation contract in which individuals give up direct instinctual gratification (pleasure) in return for the benefits to be gained from belonging to a collective entity.² The renunciation or original contract provides compensation to the individual through the benefits of civilization – security from the arbitrary brute force of nature, or of the most powerful, pooling of effort, the distribution and redistribution of resources and the sense of belonging and meaning associated with a mutually supporting, social existence.³ The renunciation contract defines the individual's obligation to a collective project, group or society. It provides

¹ As social and Marxist historians have consistently argued. Soboul, *Les Sans-culottes Parisiens*, 21 and passim; Vovelle, *The Fall of the French Monarchy*, 225-232; Georges Lefebvre, *The French Revolution*, xvii and passim.

² René Kaës, "Réalité psychique et souffrance dans les institutions" in *L'institution et les institutions*, 11-12, 29; Kaës, *L'appareil psychique groupal*, 102-104; Kaës, *L'idéologie*, 68; Freud, *Civilization and its Discontents*, 143-144.

³ Kaës, "Réalité psychique et souffrance dans les institutions" in *L'institution et les institutions*, 24-26. Freud, *Civilization and its Discontents*, 121-127; Freud, *Totem and Taboo*, 185-189; Lynn Hunt uses this argument to explain the killing of the King in *The Family Romance in the French Revolution*, 8-10.

legitimacy for the use of force against individuals who do not comply with the will of the group. Another unconscious agreement, the narcissistic contract, provides the individual with compensation for renunciation, a place in the social hierarchy, individual rights and recognition.⁴

The renunciation contract is an unconscious agreement among the individuals within a group and between individuals and the group itself. The contract's purpose is to enforce a renunciation of narcissistic pursuits on the part of the individuals within the group and to deflect individual psychic investments from self and immediate family into the links of the group psychic apparatus.⁵ No group can survive without, on the one hand, exacting individual commitment and, on the other, providing some compensation for the exaction.

In the proposed constitution of April 1793, the revolutionaries formulated a definition of the nation and the individual's relationship to the social whole that was consistent with a renunciation contract that sought to minimize the pursuit of narcissistic self-interest.

The nation forms from all those who can serve the common interest, with their arms, their industry, their learning or their fortune.... The one, in the midst of his fellow men, who uses his faculties only for himself, does not make up a part of the social body. Doing nothing for others, others owe him nothing. Such

⁴ Kaës, *L'appareil psychique groupal*, 102-104.

⁵ Narcissism is the failure to recognize others as separate beings, failure to recognize their qualities and needs. A narcissist also denies that he needs others. There is some question as to whether or not the narcissist has an under-developed super-ego (lack of conscience), or whether it was a question of the failure to deflect libido to an object (another) rather than to the subject's own ego, as Freud argued in "Libido Theory and Narcissism" in *Introductory Lectures on Psychoanalysis*, (New York: Penguin Books, 1982), or whether he has maintained a primitive, over-harsh super-ego, that is incompletely integrated into the self, Heinz Kohut, *The Analysis of the Self: A Systematic Approach to the Psychoanalytic Treatment of Narcissistic Personality Disorders*, (New York: International Universities Press, 1971), 3.

exclusive love of the self... is a miscalculation of his own interests. He who lives for himself is one against all.⁶

According to Kaës, the renunciation contract will not endure – will not hold its authority with members of a group, citizens of a nation or individuals within a social class – unless there is a means to provide narcissistic compensation for allegiance to the group. Narcissistic compensation in the form of the narcissistic contract mitigates the pain, the “narcissistic wound” associated with having to submit to others. In the narcissistic contract, the individual “pursues his own ends and is a member of a chain to which he is subjected without the intervention of his will”.⁷ The individual pursues his own ends in conditions that are not of his choosing. The narcissistic contract is a correlate to the renunciation contract.

A renunciation contract, though prior to and more significant than the narcissistic contract, will not succeed without its correlate. The constitutional committee articulated an ideal of narcissistic perfection and happiness; effectively trying to patch over social differences between the propertied and the propertyless, the committee framed its narcissistic contract with emphasis on non-material or “moral” forms recognition and satisfaction. The goal of the social contract was to create the conditions for narcissistic gratifications such as “the

⁶ “Projet de déclaration des droits” in *Arch. Parl.*, tome 62, (17 avril, 1793): 264. Gilbert Romme was the member of the Constitutional Committee tasked with presenting its report. The Committee had been struck to analyse and synthesize the over 300 draft constitutions submitted to the National Convention. Romme was a Montagnard. He would become one of the “Martyrs of Liberty”– Montagnard deputies who the Thermidorians condemned to death for participating in the popular revolt on 1 Prairial, Year III. He committed suicide in the courtroom.

⁷ Kaës, “Réalité psychique et souffrance dans les institutions” in *L'institution et les institutions*, 11-12, 29.

most perfect happiness” and the ability to perfect oneself.⁸ Gilbert Romme, speaking on behalf of the Constitutional Committee, suggested two possible scenarios. In the first, individuals egoistically refused to use their assets, talents and abilities for any but their own interests. Society then would become an oppressive rule of the strong over the weak – a Hobbesian state of nature. In the second, individuals devoted themselves to the common good. In thus creating a better society, they benefited not only others, but themselves too. For the Constitutional Committee, as for Robespierre during the Terror, virtue was paramount to the creation of a collective “realm” that went beyond any individual but was necessary for the survival of each.⁹

He [a member of society] who lives for all has the whole of society for himself. The... [rule of the strong over the weak] is a state of continual privation and war. The state of the second is a tendency, always active for the most perfect happiness. Men, in searching for happiness, perfect themselves without cease and contribute each day to their joy. To respect the rights of others, in pursuing one's own, is a duty. To exercise one's faculties for the needs of others is virtue.¹⁰

The notion of virtue partly expressed a desire for an impossible “perfect happiness” of cooperation and was partly an idealistic defence against the individual and separate realization of it. Virtue, a philosophical and cultural construct, served an ideological function – to attract investment to the links between social reality and unconscious phantasy (desire). As such the Committee's representation of virtue like other ideological or cultural constructs

⁸ *Arch. Parl.*, tome 62, (17 avril, 1793): 264.

⁹ *Ibid.*

¹⁰ *Ibid.*

was a “compromise formation”, like a neurotic symptom or a dream image; it concealed and contained the desire (phantasy) that lay under the representation while at the same time giving expression to it.¹¹ Thus the representation, ideology and the group psychic apparatus itself function partially as expressions of unconscious desire and partly as defences against it. Virtue, the sacrifice of individual gratification for the sake of the group, was an ideological concomitant to the renunciation contract.

Virtue, like the unity or indivisibility of the republic during the Terror, was an idealized, ideological construct that also represented a denial of differences. It also served to deny the internecine social conflicts that lay beneath revolutionary action, the execution of the King and conflict between Girondins and Montagnards within the revolutionary movement itself. The social virtues, argued Romme, united men “through common good fortune” (*bonheur*); they were public if their goal was “the prosperity of the social body”. Public spirit (*l’esprit public*) showed itself, in attitudes and conduct that reflected concern for the social body as a whole. Public morality (*mœurs*) was “the sum total of all behaviours, tied together by the same mind”. Moral practices were “private or public, good or bad, depending on whether they were managed by an individual mind or the public mind” or whether they were composed of virtues or vices.¹² The Committee’s renunciation contract linked the members of the group together with an ideology of virtue, unity and the promise of sublimated pleasures, the “most perfect

¹¹ On considering the group psychic apparatus and its productions (representation, institutions etc.) as compromise formations see: Kaës, *L’appareil psychique groupale*, 214-216.

¹² *Arch. Parl.*, tome 62 (17 avril, 1793): 264.

happiness” to be gained from doing good.

For the Constitutional Committee in the spring of 1793, the priority was to establish a “moral realm” (*empire des mœurs*), a framework for individual compliance to the renunciation contract. Politics and ideology were the means through which this moral realm was to be sustained. For Romme, the “two essential bases” of a good constitution were moral and political philosophy. Moral philosophy would extend the “moral realm” while political philosophy prepared and protected the development of the moral realm through wise laws. But, he argued, “laws are only moral practices (*mœurs*) armed with the force of society, in order to contain... those who would separate themselves” from the moral realm.¹³ Romme’s “moral realm” was a representation of the group psychic apparatus, based on the renunciation contract and socially enforceable in the event of narcissistic indifference to its laws.

Thus the desire to force and enforce virtue was not exclusive to the Terror or to Robespierist ideology; in fact, although force was justified ideologically, its roots lay in the need to construct the group psychic apparatus and in the failure to establish a true renunciation contract, as the Committee wanted, for lack of narcissistic compensation. The Constitutional Committee of 1793 offered little in the way of narcissistic compensation. Narcissistic compensation, by fostering compliance, mitigates the need to use violence to enforce the renunciation contract, though it does not preclude it. This problem of narcissistic compensation ran like an unbroken thread through the whole period from the

¹³ *Ibid.*, 265.

spring of 1793 until the establishment of the Thermidorian constitution in 1795 – a constitution that would deal with the narcissistic contract in the way the Girondins had always envisioned it, as a class-centred one rooted on violent repression of the sans-culottes movement. Given that some kind of renunciation contract is necessary for any society to exist as a society, the use of force will always be an option and, being the function of any state, is not exclusive to reigns of terror.

The Committee's denial of difference – its ideological focus on unity and cooperation – was an attempt to mask the real social conflict that divided the republican movement, a conflict made worse for the propertied middle class, because real political power was not in the hands of the economic elite within the National Convention. The problem was how to reconcile the economic power of the middle class, based in the Departments, with the real political power the Commune of Paris wielded. Patching over the differences, the Committee tried to reconcile the conflicting interests of the propertied middle class with the sans-culottes in Paris through an ideology of cooperation and virtue in the interest of the nation. One of the members of the Constitutional Committee maintained that the construction of a constitution, a social contract, required some form of economic redistribution and cooperation between rich and poor. The rich needed the strength of the poor to ensure the protection of private property. In return, the rich man had to be willing to give up a portion of his wealth, to the poor.

In France's present state, when the social pact is to be renewed, the rich man does not always have the power to defend all his wealth; and the poor, but strong, man does not always have the will to protect

the weakness of the rich, nor to defend any of [the rich man's] possessions. In that position, what can the terms of the social contract we are about to formulate be? "I will defend your weakness" from the strong man to the wealthy Frenchman, and in exchange, you will give me some fragment of the product of your property; or in other words, we put power and wealth into the society, for mutual aid.¹⁴

In fact, divisions between Girondin and Montagnard members of the National Convention were real and visceral.

The constitutional discussions represented an attempt to forge the links of a national group psychic apparatus, within a context where links had already formed and broken down. The Girondins argued that the revolutionary movement had to be contained, which involved containing and controlling the popular movement by ensuring that the authority of the National Convention, as the legislative body, took precedence over the decisions and acts of the Paris Commune. They wanted to structure the relationship between propertied and those without property around issues of individual liberty and limited, representative democracy. The Montagnards, on the other hand, advocated some form of social democratic redistribution of wealth through the public provision of welfare and education.¹⁵

If the Constitutional Committee articulated a renunciation contract that was supported on an ideology of virtue that denied differences, the Girondins put

¹⁴ Guffroy, *Arch. Parl.*, tome 65, (22 mai, 1793): 192. Note that when I use material from discussions that were often tumultuous and divisive, I try to identify the speaker quoted in the note. I have not done so where, as in the case of Romme's presentation on behalf of the Committee, the speech was a prepared and uninterrupted presentation and the name of the speaker can be easily integrated into the body of the text.

¹⁵ Robespierre, "Présentation d'un projet de Déclaration des Droits" in Bouloiseau and Soboul Eds., *Œuvres de Maximilien Robespierre*, tome IX, 454 – 476.

forward a narcissistic contract rooted in narrow class-based interests that denied the social. The position the Girondins took during the constitutional discussions was a particular version of liberal ideology. Like any ideology, it functioned to mediate between their social reality and phantasy or desire, to attract psychic investments and thus ensure the stability and cohesion of the group psychic apparatus. Unfortunately for the Girondins, it was an ideology that appealed only to the property holders, a minority of the population and a small fraction of those who had won the right to vote. Given the proximity and political engagement of the Parisian sans-culottes, Girondin ideology did not foster linkages between social groups and thus was incapable of forging a unified and coherent state or social system. The Girondin liberal ideology, as a denial of the social and assertion of individual liberty and property rights, was the Girondin version of the narcissistic contract that compensated one social group above others.

The Girondin narcissistic contract was rooted in the idea of individual rights and liberty. The ideology that individuals were free to exercise their faculties and enjoy the products of their wealth or labour without incursion from others did not provide the basis of a renunciation contract designed to provide a framework for all individuals and groups in the nation (each with their own separate unconscious group psychic apparatuses). The Girondin view of natural rights saw them as being consistent with an individual's own efforts, abilities and faculties. Natural rights, given by virtue of existence, could not be alienated. Girondins tried to argue that property, historically altered and improved by the labour of the ancestors of property holders, was an inalienable natural right.

Property, for the Montagnards, was a social, not a natural right. It could therefore be alienated for the good of the less fortunate or for society.¹⁶

Romme, arguing on behalf of the Constitutional Committee and trying to walk the line between Girondins and Montagnards, limited himself to a statement on the significance of people's material and developmental (intellectual, creative and emotional) needs and the claim that society had the ability to meet those needs.

Man is born with needs and faculties amidst nature's rich productions that compose and embellish his domain. All that is necessary to life is keenly desired by man and forms the sum of his needs if he is deprived of it, and the sum of his riches, if he is provided it.¹⁷

The Constitutional Committee's narcissistic contract, like that of the Girondins, was individualistic, to the extent that individual, over collective rights were its emphasis. An individual had to be able to develop his talents and abilities. He could not be deprived of the right to use and dispose of "the faculties received from nature and all that he has acquired by the exercise of these faculties, for his own conservation and well-being".¹⁸ Political rights consistent with a republic required that, "as part of a great society" a man (not a woman) had the right to participate in society, to form its general will. Furthermore, he could demand that the public protect his rights. Since he was "one of the sentinels giving his time, his strength and his vigilance to protect other persons and their property", he had

¹⁶ This definition of property rights was to facilitate taxation, not expropriation and division of property, or "agrarian law" – peasant takeovers of land. Robespierre, "Présentation d'un projet de Déclaration des Droits" in *Œuvres*, tome IX, 454 -476.

¹⁷ *Arch. Parl.*, tome 62, (17 avril, 1793): 264.

¹⁸ *Ibid.*

the right to demand public protection for his person and his property. He had civil rights. He could expect to benefit from society – to obtain from it what he would have others obtain from it. A society formed when individuals began to exercise their faculties cooperatively to satisfy their needs. Individuals within a society also had the right to consent to live in the society in which they lived. “The social pact thus ties men only because they want, and have consented, to bind themselves together.”¹⁹ The combined exercise of natural, political and civil rights constituted a man’s social existence, according to the Committee. His needs and faculties constituted his individual existence.²⁰ Individuals of all ages and professions tied by common interests, living under the same law formed the social body.²¹ So, for the Constitutional Committee the renunciation contract buttressed on an ideology of virtue was to be reinforced by a narcissistic contract based on individual rights.

The Constitutional Committee, attempted to tow a middle line between the Girondins in the National Convention and the Commune supported Montagnards, advocated something more than the limited freedom of a *laissez-faire* philosophy. The Committee, in contrast to the Girondins tried to separate liberty, as the exercise of freedom as a right, from the property right by focusing on the need to foster equality. Inequalities between citizens were to be mitigated without supplanting property rights. The Constituent Assembly had defined liberty only in a negative sense “as being able to do what does not harm another.” This was not, according to Romme, a definition:

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

I gather fruit from a tree that I planted...[and] cared for; it belongs to me... I undertake an act of liberty but I exercise, more particularly, a right of property. The one must thus be distinguished from the other.²²

Liberty should not have been defined, argued Romme, as “the unconstrained exercise of one’s faculties, solely through the impulse of the will”.²³ The goal of society was to diminish inequalities or to render them bearable.²⁴

Equality then, was necessary for the formation of the links that tied people together, the links in the group psychic apparatus. A well-organized society, in “ceaselessly” fighting inequality, maintained a continual exchange of services between men and thus multiplied their ties and their enjoyment.²⁵ There were, argued Romme, two kinds of inequalities, natural and acquired. Age, strength, aesthetic sensibility, intelligence and feeling were the natural inequalities. Wealth, education, experience and public esteem were acquired inequalities. The committee’s distinction between natural and acquired inequalities fed into the debate on whether or not property and wealth were to be treated under natural law or not. While natural inequalities had to be accepted, acquired inequalities were to be mitigated. Superfluity, argued Romme, could not be tolerated until institutions could procure for all, at a minimum, what was necessary. The poor would get what they needed from the “tribute” that society demanded from the opulent.²⁶ The Committee, at least in principle, was arguing for a social-democratic redistribution of wealth.

²² *Arch. Parl.*, tome 62, (17 avril, 1793): 265.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

The goal in promoting equality, however, was directed as much to the moral education and improvement of individuals who, without the aid of society could not rise “to the level of their fellows”.²⁷ Public recognition, a concession to the much neglected narcissism of the poor, uneducated or indolent was “the stimulant by which society fights the inertia of some individuals”. Furthermore, it was necessary if there was to be a social contract for the construction of the nation. In exchange for esteem, men would “launch themselves toward the danger that threatens the country” and “ardently undertake all the exercises necessary to perfect their means and the great social virtues by which they render themselves useful”.²⁸ The Committee, through Romme, was articulating a psychological justification for social-democratic equality, not as a denial of difference, but as a means to create links between the individuals and groups that formed the nation and to perfect people’s opportunities for self-development. The justification was a more developed version of the idea of the “perfect happiness” through virtue that had been used to support the Committee’s version of the renunciation contract.

Public recognition or esteem and social welfare were not sufficient to build the nation. The issue revolved around property or the sovereignty of the people. Romme criticized the Constitutional Assembly’s *Declaration of Rights* as having been held up as a “precious conquest for liberty”. Nevertheless, he argued, it inadequately defined the sovereignty of the people.²⁹

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid., 266.

The law, before which all the world must submit, should only be a means to guarantee rights that are recognized by the general will and upon which it imprints its sovereign authority.³⁰

No rights, including property rights, could be guaranteed unless there was general recognition that they should, in fact, be rights. The Committee's argument was that no class-based ideology or contract would create the links of the nation.

Being sensitive to the real political and ideological divisions between Montagnards and Girondins – issues related to the relationship between the Commune and the Montagnards on the one hand, and the divisions between the Montagnard ideology of equality versus the Girondin ideology of private property – the Constitutional Committee tried to ignore class issues in favour of moral or psychological ones. There were some very good reasons for them to do so. First, if republican France was to function as a nation, especially in the context of a politically active and engaged popular movement that had shown itself to be a staunch defender of the revolution, its constitution would have to deal with the rights of those politically engaged citizens. If sans-culottes demands were not met, the only means the republic would have for defending its laws would be to resort to the use of the police and armed forces, because the popular movement had shown itself capable of bringing down the Legislative Assembly and the King. According to the Committee, "the real guarantee of rights lies with public morals and general surveillance".³¹ Public morals, social conscience and enlightened

³⁰ Ibid., 265.

³¹ Ibid., 266.

public opinion were more powerful than the law itself because they gave good laws their power, made bad laws obsolete and, like public safety, offered the best guarantee of rights through an active surveillance.³²

The problem with dependence on “public morals”, however philosophically and psychologically justified, was that the reality was that there were class issues within the revolutionary movement. First, that individual members of the propertied middle class may have been willing to give up a portion of their wealth to mitigate poverty and ignorance, if necessary, for the sake of creating a viable nation, did not mean they were prepared to give up their right to private property. Second, the Girondins were willing to fight against a constitutional process that did not guarantee their property rights. Middle class interests were integrally linked to property ownership, even more than they were tied to the institution of market mechanisms. State control over industry was limited to sectors necessary for the application of emergency measures, and necessary to guarantee provisions for the war effort and for subsistence.³³

Romme criticized the way property issues had been handled in Condorcet’s Girondin constitution and in the Constitution of 1791. The 1791 Constitution, he argued, had protected property, but property had been ill defined, equated to land, while “any man who works is truly a property owner.”³⁴ Condorcet’s constitution defined capital as property. “The right of property”, it stated, is that “every man is the master...of his goods, his capital, his revenues

³² Ibid.

³³ Soboul, *Les Sans-culottes Parisiens de l’An II*, 1025-1028 and passim.

³⁴ *Arch. Parl.*, tome 62, (17 avril, 1793): 266.

and his industry” and can dispose of them at his will. Romme interjected:

Ah! Why not speak of the worker's salary? His arms are his capital, if one understands the word in the general sense of revenue or property. Why not also include capital there?³⁵

Romme's interpolation equates labour with capital in what seems a very peculiar way. The worker's arms are his capital; consequently every worker is a bourgeois? Romme, for reasons related to the desire to keep the body politic unified, did not want to allow for the differences between workers and capitalists, especially when the whole former third estate was required to fight the counter-revolution. In addition, as a Montagnard Deputy, he envisioned a republic of small property holding equals; he did not savour the idea, or perhaps was not aware, that capital and labour might have irreconcilable differences that could tear the revolutionary movement apart.

In an effort to build consensus, Romme tried to manage the debate so as to avoid the most divisive issues, to conciliate through words, in an attempt to contain conflicts that had already become too manifest in the Convention. In his introductory remarks, Romme had stated that it was necessary “to understand what was meant by the words used ... since the fate of public liberty was attached to them”. Proper definitions, he said, could “throw new light on the social existence of man” while “one error, one equivocal word, could bring disastrous consequences”.³⁶ By February 1793, the revolutionary movement had already split into two significant groupings, each mobilized around different ideals

³⁵ Ibid.

³⁶ Ibid., 264.

or group phantasies; on the one hand, there was the sans-culottes movement, based in the Parisian Commune, but supported by the Montagnard deputies in the National Convention, on the other the Girondin deputies with their base of power in the departments.

Henri-Maximin Isnard, one of the Girondin members, gave a very clearly reasoned rationalization for private property, arguing that, as a natural right, it was inviolable. Isnard wanted a guarantee that property rights would be protected even in the future. If, he argued, a declaration of rights was the base guarantee of natural rights, the constitution outlined the limits that the law “and the future will of society cannot cross” while providing a mode of government. A social pact was “the declaration of rights put into action, reduced to practice”.³⁷ It must be authentic and real. Taking a shot at Robespierre, he argued that “vain declarations of rights” subject to “false interpretations and sophistry” could undermine the social contract, introduce oppression and provoke resistance to the government.³⁸

Isnard argued that property was a natural (absolute) right and that all the articles of the constitution, especially the protection of private property, had to be agreed to in unanimity, in order to ensure the viability of the social contract. Where agreement was impossible, those who chose to could leave society with their property, so long as they did not do so to wage war; to prohibit them would be an act of oppression because a person “could only be obliged by the will of

³⁷ Isnard, *Arch. Parl.*, tome 64, (10 mai, 1793): 418-419.

³⁸ Isnard, *Ibid.*

the majority if he had previously, and initially, consented to be [so obliged]”.³⁹ He has the right to enter a new society

on the condition that it guarantees him the property he has now and will acquire, through his industry, in the future.⁴⁰

Isnard articulated a class-based narcissistic contract rooted in enlightenment concepts of liberty and natural rights. Despite the fact that the enjoyment of landed property was “uncertain and ephemeral” because the force of nature ravaged it, property was a natural right, derived from liberty. His freedom to govern himself in accordance with his own will was at stake, he maintained.

It's enough that I want it. Certainly my will, at the least, is mine. You will not deny that no man has the right to determine the will of another by force.⁴¹

Property could not exist without liberty, the freedom an individual had to use his physical and moral, psychological and intellectual faculties as he chose. Attacking property, acquired as a result of the application of such abilities and talents, was a violation of liberty. Without the right to property there would be “no more liberty”.⁴²

Isnard articulated a class-based narcissistic contract that was inconsistent with the goal of creating the collective framework, a system of general linkages *between* different social groups in the group psychic apparatus. The class-based narcissistic contract, rooted in an ideology of the property right as a natural right,

³⁹ Isnard, *Ibid.*, 419.

⁴⁰ Isnard, *Ibid.*, 420.

⁴¹ Isnard, *Ibid.*

⁴² Isnard, *Ibid.*, 419.

laid out the Girondin conditions for participation in the union of citizens or nation. The Girondin position was not only that of a political faction, as revisionist historians have argued; it also represented class interests. The Girondins did not represent the whole of the propertied middle class. Romme's speech suggests that many of the members of the middle class were willing to accept temporary or limited incursions on their property right for the sake of the unity of the nation. Nonetheless, the Girondins represented the interests of the propertied middle class. Being almost one-third of the members of the National Convention, they were numerous enough to disorganize, even destroy, the National Convention. Furthermore, the class-character of property claims became very clear after Thermidor, once the worst of the counter-revolutionary threat to the republic had been beaten back. In the spring of 1793, the specific interests of the middle class were less important than the construction of a republican nation, a social and economic framework for the future – one that included both labour and capital.

If the construction of a group psychic apparatus, a process inaugurated with the negotiation of the unconscious contracts, is considered necessary to the construction of the state, Isnard's arguments are problematical. First, in a political context where the popular movement was influential, recognized by others as committed to the republic – arguably, responsible for it – and politically engaged, some kind of compromise with it was necessary. Isnard's defence of property, his militant and narcissistic demands that his particular interests be recognized as inviolable rights, was politically unrealistic. Second, Isnard's position was not conducive to the construction of a national group psychic apparatus, because it

ignored the renunciation contract that was already under construction – a contract, such as Romme presented, that recognized the “moral” – psychological, intellectual and creative needs (mœurs) – of individuals as human beings and that also recognized their basic material needs. Isnard’s position was thoroughly narcissistic. His property was at stake, so if the collective will refused to recognize it as his right, he would refuse to participate in society, taking his property elsewhere. Third, Isnard’s position was not consistent with the idea of full democracy, as it had taken form in the revolutionary struggle against monarchism and as the expression of the will of all citizens in the republic. Whether this view was “unrealistic”, as some historians argue, did not become relevant until Thermidor, after the Revolutionary Government had beaten back the counter-revolutionary threat.⁴³ After Thermidor the option to repress the popular movement was open; in the spring of 1793, it was not. At the time of the constitutional discussions, the main goal was to construct a system. In order to do so, the leaders in the National Convention had to have the support, or at least the passive acquiescence of the majority of the population. As sans-culottes members of the popular movement were not passively acquiescent, they had to be part of the process.

Isnard’s position was not consistent with the democratic ideal that inspired the revolutionary republic, the ideal Romme presented.⁴⁴ Isnard argued that the Declaration of Rights protected natural rights that existed “prior to society and

⁴³ Furet, *Interpreting the French Revolution*, 179; Baczko, *Ending the Terror*, 225-226.

⁴⁴ The Committee’s presentation was based on analysis of over 300 contributions, most of them from members of the National Convention.

above its laws". The Declaration, in other words, had to "shelter natural rights from the attack of the will of the majority".⁴⁵ He went on to declare that he was prepared to form part of a republic, "one and indivisible, in which the majority of individual wills form the common will", but only on condition that it contain a "social pact" that set limits "the common will" could not cross.⁴⁶ He demanded that his natural rights, defined as equality, liberty and "above all" property be guaranteed. Of these rights, according to Isnard, property was not philosophically the most important but "within the democratic regime that we are going to adopt" it was the one right most in danger of being violated.⁴⁷

The danger was a politically powerful popular movement that did not consider private property a natural right. In this context, Isnard's was a difficult position to justify. Robespierre for example argued that the right of property was historic, derived from association and granted by society. As such, society could justifiably use the law to modify property rights.⁴⁸ Anthropological work would suggest that Robespierre's interpretation of property is closer to historic reality. Stateless societies without the concept of private property preceded those in which property was recognized as a private right. Furthermore, even in eighteenth century France communal lands and forests remained, not to be eliminated, parcelled out and enclosed until the next century.⁴⁹

Isnard argued that property was a right because of the labour that had

⁴⁵ Isnard, *Arch. Parl.*, tome 64, (10 mai, 1793): 419.

⁴⁶ Isnard, *Ibid.*

⁴⁷ Isnard, *Ibid.*

⁴⁸ Robespierre, "Présentation d'un projet de Déclaration des Droits" in Bouloiseau and Soboul Eds., *Œuvres*, tome IX, 454 – 476.

⁴⁹ Gwynne Lewis, *France 1715-1804: Power and the People*, (New York and London: Pearson-Longman, 2005), 264-268.

gone into its production. He justified the private property rights associated with both moveable and resource based property. Moveable property, being the fruit of industrious work, clearly belonged to the one who created it. Landed property, on the other hand, required a theory of the "first occupant". Land such as it "leaves the hand of nature, is a common property destined to the human species".⁵⁰ Nonetheless land was a "primary resource" that a "first occupant" used, exploited and improved. As soon as that primary resource was "metamorphosed" by the sweat of the first occupant's labour, "into a productive whole", it became his property.⁵¹

This whole belongs to me. It is composed...of materials of the earth watered with my sweat. ... You cannot take from me what is mine, ...neither what I have the right to use as the first occupant nor what belongs to my being.⁵²

What about those who had no land to work? Isnard argued that there was still enough good quality, unoccupied land for those willing to work it. Furthermore, when all the land in France was occupied, people could colonize other parts of the world. Furthermore, Isnard claimed that as long as anyone who wanted to work the land, could do so, and draw a just salary from their work, as long as the necessities of life were met, the natural right was conserved. Society could tie the worker's salary to the price of subsistence.⁵³ Isnard was willing to allow that, in times of crisis or shortage, the property owner was obliged to contribute to general subsistence and the law could prohibit the property owner

⁵⁰Isnard, *Arch. Parl.*, tome 64, (10 mai, 1793): 419.

⁵¹Isnard, *Ibid.*

⁵²Isnard, *Ibid.*

⁵³Isnard, *Ibid.*, 420.

from hiding, destroying or exporting his property.⁵⁴ Nonetheless, Isnard wanted to ensure that expropriations or taxations exacted in times of crisis did not become a precedent for either making such exactions permanent or instituting them as a matter of principle.

If it is certain... that man, by natural right, has his subsistence mortgaged on the land, as long as his arms work it, as the infant on the breast of his mother, as long as he carries his lips to it.⁵⁵

Isnard's defence of private property illustrates a narcissistically based ideology. His metaphor of the mother's breast as a right of ownership indicates an early infantile, narcissistic object relationship that denies the mother's separateness. Thus the right of ownership and Isnard's rational defence of it had, as every thought does, an element of phantasy in it. For Isnard his property was his security and comfort. The narcissistic ideology, linking the reality of property with the phantasy of the mother's breast, was that the wealth was deserved, the happy result of the "first occupant's" sweat and hard work. It was the basis of a narcissistic contract for property holders only. Furthermore, Girondin ideology was not limited to a defence of private property. The other component of Girondin ideology, the argument that the popular movement was a corrupt, robbing pillaging horde, put the Girondins at odds with other members of the middle class – the ones who were convinced that the popular movement was essential to the success of the revolution and the republic that was to come out of it.

Ideology functions to generate and sustain psychic investment in the links

⁵⁴ Isnard, *Ibid.*

⁵⁵ Isnard, *Ibid.*

of the group psychic apparatus; it also serves to create support necessary for the unconscious contracts that provide the means of forming structure's basic framework. Ideology motivates action in the real world by infusing real tasks with unconscious desire (phantasy); reality is never represented without the admixture of phantasy. The Girondin ideology of property rights represented the propertied middle class Girondins as civilized, orderly and hard working and deserving of the wealth they had earned through the sweat of their brows. Class divisions within the revolutionary republic movement were a reality based in property ownership. The Girondins, as property owners, articulated an ideology that was rooted in their real social interests.

The ideology, however, also had a phantasy component that was expressed in a representation of the popular movement and the Commune as a chaotic, anarchistic, pillaging, devouring rabble.⁵⁶ Buzot, another Girondin who had threatened to destroy Paris, articulated the phantasy.

...Liberty cannot exist very long in the middle of a large mass of men who devour and dominate everything around them. It is not necessary to destroy Paris, but it is necessary to save it from this state of anarchy.⁵⁷

The Girondins tried to construct a link between property owners. In doing so they articulated a narcissistic contract to serve their own particular interests. They supported the endeavour on an ideology that presented themselves as worthy of exercising power, arguing that their opponents, the Mountain, by allying themselves with the Commune, could only promote disorder and anarchy. The

⁵⁶ This is a version of the primal scene.

⁵⁷ Buzot, *Arch. Parl.*, tome 65, (18 mai, 1793): 194.

ideology was an attempt to attract psychic investment to a particular kind of link, one that served particular, narcissistically based class interests. In denigrating their opponents by representing them as a pillaging, looting horde that would bankrupt the country through mismanagement and disorder, the Girondins hoped to win members of the Plain over to their side. The Commune, they argued, did not pay its taxes, did not respect patents, and had drawn millions from the Public Treasury. Furthermore, it used the threat of insurrection to wreck the public finances.⁵⁸

[The Commune] rings the tocsin; it speaks of insurrection; that is how it forces us to open the National Bank....⁵⁹

The representation also coincided with the Girondins' political interests – their power was in the departments, while their powerful opponents were in or allied with the Commune; the Girondins wanted a constitution that favoured the Departments over the large municipalities.

Ideology operates at the level of the links in the group psychic apparatus and functions to construct or to destroy links. Its work of construction, or destruction, works through representations that reflect a combination of reality and phantasy – social and political interests and unconscious motivations. The representations expressed during the constitutional discussions in Girondin ideology involved conflict at the level of a specific link in the group psychic apparatus. The Girondins, as has already been argued tried to construct links between property holders through an ideology of liberty and deservedness. The

⁵⁸ Lanjuinais, *Ibid.*, 274.

⁵⁹ Lanjuinais, *Ibid.*

negative correlate to that work of construction was a phantasy-based representation of the members of the popular movement, institutionally represented by the sections and Commune, as an anarchistic horde of usurpers. The purpose of that negative representation was to sever the links between the popular movement and the National Convention and to stop the revolution from any further radicalization.

The Commune, according to Girondin ideology, was an example of how large municipalities voted unworthy people into positions of power. Lanjuinais, a prominent Girondin argued:

In these large municipalities intrigue has all the leisure, as all the means to agitate and put in place the scum of the nation, tying it to the human species.... It's a great hazard when the man who wins the most votes merits them the least.... Once in place, their conduct responds to the means that got them elected. They busy themselves with their fortunes and their ambitious projects...⁶⁰

Guadet, another Girondin, advocated the destruction of the link between Commune and National Convention by accusing the municipal authorities of fomenting "anarchy" or chaos. "The evil is in anarchy", he said, and advocated firing the municipal authorities.⁶¹ Lanjuinais argued that the popular movement had to be contained. The Commune of Paris, he argued was "a revolutionary instrument, very difficult to hold in harmony with any higher authority".⁶² The revolution was over, continuing it would be a "disastrous calamity" that could only benefit the emergence of a new tyrant. It was necessary to consolidate the

⁶⁰ Lanjuinais, *Ibid.*

⁶¹ Guadet, *Ibid.*, 46.

⁶² *Ibid.*, 276.

revolution that had already been made.⁶³ "Citizens", argued another, "it is time to settle on our course. It is time to get to ...the end of anarchy by the shortest path."⁶⁴ The "shortest path" would have been repression, the organization of an armed force drawn from the Girondin provinces, to strike down the power of the Commune, a project that Girondins and Montagnards had been fighting about for months.

Without private property all the benefits of society were to give way to chaos and dissipation. For Verniaud, like Isnard, property was an essential component of liberty. Verniaud however went farther, arguing that violation of the property right would lead to disaster and would put the most worthy citizens at the mercy of the most indolent.

The maintenance of property is the main purpose of the social union; if property is not respected, liberty itself disappears. You will render industry dependent on stupidity, activity on laziness, the economy on dissipation. You will establish over the hard-working, intelligent and thrifty man the triple tyranny of ignorance, idleness and debauchery.⁶⁵

The Girondin representation of the members of the Commune betrays an attempt to marry their own political and economic interests with their phantasy of a devouring, irresponsible rabble. They were trying to construct an ideology that enabled them to privilege the Departments over the communes, to protect private property and ensure responsible financial administration. The narcissistic element in the ideology was that only they were capable of governing. It is also

⁶³ *Arch. Parl.*, tome 65, (24 mai, 1793): 276.

⁶⁴ Durand-Maillane, *Arch. Parl.*, tome 64, (10 mai, 1793): 414.

⁶⁵ Verniaud, *Arch. Parl.*, tome 65, (8 mai, 1793): 332.

reflected in their inability to articulate an ideal or ideology that appealed to population of Paris. In short, they articulated an ideal that appealed to the self-interests – both narcissistic and material – of one class within French society; it was not sufficient to build a renunciation contract for the whole society.

For the Girondins, the relationship between the Commune and the National Convention was a space of conflict. The Montagnards, on the other hand, fostered and encouraged a real link. For them, the Commune represented the people and the people had saved the revolution from a traitorous king and his accomplices. The Girondins, on the contrary, maintained that the Paris Commune did not represent the sovereign people. It represented only part of the people. The Montagnards, they argued, had confused the Paris population's "right to petition" with a right of sovereignty when that right only resided in "the whole people".⁶⁶ To favour part of the people over the whole people was the oppression of the minority over the majority and fostered anarchy.⁶⁷ The Girondin desire to "reduce Paris to its eighty-third's influence", to limit its influence to that of one department in the eighty-three in the territory of France, had been a Girondin preoccupation since the republican insurrection.⁶⁸

The Girondin-Montagnard split that made it impossible to construct a workable unconscious renunciation contract, a constitution and an institutional framework for the republic, took on a phantasmagoric cast on April 13, 1793, two days before the first scheduled constitutional discussion since Romme's

⁶⁶ Boyer-Fonfrède, *Arch. Parl.*, tome 62, (15 avril, 1793): 136.

⁶⁷ Guadet, *Arch. Parl.*, tome 65, (18 mai, 1793): 38.

⁶⁸ Lasource, *Arch. Parl.*, tome 52, (25 septembre, 1792): 130.

presentation. On April 13, the Jacobin Club, the Société des amis de la liberté et de l'égalité de Paris, presented a denunciation against 22 Girondin deputies as accomplices of Dumouriez.⁶⁹ Marat's letter, signed by prominent Jacobins, many of them Deputies in the National Convention, had called for all the departments, districts, municipalities and popular societies to unite and petition the recall of the Girondin deputies. It encouraged them to arrest all "the generals who were traitors to the republic, prevaricating ministers... and infidel agents of the government".⁷⁰ The letter ended by calling the people to arms. A number of Deputies of the Mountain had signed it. The Girondins and some members of the plain declared Marat, as President of the Society, under arrest. Marat, in hiding, responded that the Girondins were persecuting him, as an "incendiary writer" in order to deflect public attention from their own conspiracy with "the traitor Dumouriez".⁷¹ Marat maintained that the Girondin move against him was motivated by fear of his denunciation:

.... And I, the incorruptible defender of liberty, I would be incarcerated by my ferocious enemies, for having denounced their machinations, to have forced them to admit themselves traitors, infamous henchmen of the royalty! Since they work to ruin the most energetic defenders of the people, in order not to be ruined themselves, they want, at any price, to get rid of me, whose surveillance they fear.⁷²

The arguments that ensued revolved around two oppositional phantasies, the one Girondin, the other Montagnard. Phantasies – unconscious, shared,

⁶⁹ Brissot, Guadet, Vergniaud, Gensonné, Grangeneuve, Buzot, Barbaroux, Salle, Biroteau, Ponécoulant, Pétion, Lanjuinais, Valazé, Hardy, Lehardy, J.B. Louvet, Gorsas, Fauchet, Lanthenas, Lasource, Valady and Chambon were among the Girondins denounced.

⁷⁰ *Arch. Parl.*, tome 62, (13 avril, 1793): 25.

⁷¹ *Ibid.*, 23-24.

⁷² *Ibid.*

dramatized scenarios – operate to organize and hold a group together. Montagnard versus Girondin phantasies as alternative organizers of psychic and social life pivoted around the person of Marat, the “friend of the people”. The Montagnards supported Marat, partly because he was almost venerated by the sans-culottes, their ideal defender, and ideal object.⁷³ For the Girondins he was a scourge, a blight, a sub-human homunculus, a denigrated object worthy of nothing but contempt. Marat hated the Girondins, presented them as persecutors hunting him down for his writings, accusing them of pursuing him in order to hide their own treason. During the Legislative Assembly the police had repeatedly pursued Marat. He had often hidden in the sewers to escape arrest.

The debate started to take on a form that would later become standard parlance after Thermidor; the popular movement and its supporters in the National Convention, Robespierre and Marat, were leading France, through anarchy, into dictatorship and counter-revolution. Marat was accused of being a writer who abused the liberty of the press in order to incite people to “murder and pillage”; he manipulated the Convention’s decrees and threatened its members.⁷⁴ Marat was among those “who wanted counter-revolution, who searched to substitute anarchy and despotism for the reign of liberty and equality.” Delaunay, another Girondin, argued that Marat was a disruptive scourge.

[He] disturbs the order of society, and does not recognize the laws, having no respect for property, he commands the pillage of it, he wants to divest the rich of their patrimony, often the fruit of their own industry,

⁷³ Elisabeth Roudinesco, *Théroigne de Méricourt: A Melancholic Woman during the French Revolution*, trans. Martin Thom (London and New York: Verso, 1991), 73, 127-128 and 156.

⁷⁴ Delaunay, *Arch. Parl.*, tome 62, (13 avril, 1793): 32.

in order to invest it in citizens who have been seduced
... he is a scourge that must be purged.⁷⁵

Marat's trial would be the Revolutionary Tribunal's first big political trial; on April 24, 1793, it would acquit him. Marat's letter, his arrest and trial brought the Girondin-Montagnard conflict to a head. The deputies in the National Convention wondered what impact the letter would have in the Departments. If the letter was printed and distributed to the provinces, would it throw light on Girondin guilt? Or would it incite the Departments to rise up against the Assembly and foment civil war? Some Girondins, especially Gensonné, argued for the dissolution of the Convention and the convocation of the primary assemblies; it was an appeal to the people and a declaration of war against the National Convention.

Vernier, prefiguring later Thermidorian representations of Robespierre, accused him of being motivated by self-love, of wanting only the triumph of his opinions or "insane projects", of fighting through ruses, subtleties and subterfuge, of presenting his opinions "haughtily, like Caesar, with opinions already formed, prepared in advance". Then, referring presumably to Marat, he claimed the most dangerous men "were those who accused without cease", without evidence or, in the case of Robespierre, those who, "instead of serving the people, flatter it". Between the two extremes he argued, no one else could be heard. It was time, he said, that both parties abjure their hates, forget their differences and begin to deal with public safety and the public good.⁷⁶

Buzot argued that if the sections of Paris could meet to request the

⁷⁵ Delaunay, *Ibid.*

⁷⁶ *Ibid.*

expulsion of some of the Deputies that the departments should be able to take the same measures to save themselves, that the primary assemblies should be convoked to decide. On the question of Marat, he said, "it is inconceivable that that man should still throw division into the assembly", that he alone "has the right to be above the law". Buzot argued that Marat should be decreed under arrest.

What is this species of homunculus who dares tell you that he will not obey the law? And who are these vile beings that associate with him? The Convention should finally repress a man who has degraded public morality, whose very soul is calumny and whose entire life is a fabric of crimes. The departments will bless the day when you have delivered the human species from a man who dishonours it.⁷⁷

The Girondins, in calling for Marat's arrest, supported themselves on decree that had been passed two weeks before. The decree held that "public safety was the supreme law" that the inviolability of a representative could be broken if there were "strong presumptions of his complicity with the enemies of liberty, equality and the republican government." The Girondins were prepared to use the Decree of March 29, 1793 that punished with death those whose writings successfully incited murder or property crimes. The March 29 Decree stated that if a crime was committed, anyone who had provoked it, either by public speeches, writings or posted notices, was to be punished "with the same penalty pronounced against those who actually committed the crime".⁷⁸

The Girondin report further reminded the Assembly that, upon the declaration of the Republic, on September 22, 1792, it was "solemnly declared"

⁷⁷ Buzot, *Ibid.*, 31.

⁷⁸ *Ibid.*

that all property was to be the safeguard of the nation and the law. The report claimed that on February 15, 1793, following one of Marat's inflammatory articles, people had pillaged grocery stores and candle shops. Consequently he was as guilty as the perpetrators. The report warned that the "violent shocks" of revolution produced false patriots "who, under a mask of the most exaggerated civic spirit" set out to entrench the National Convention in anarchy and civil war.⁷⁹ Marat was a dangerous threat who, in slandering some members of the Assembly as enemies of the people and royalists, while calling not just for their recall, but for their extermination, "debased" the Convention and intended to force it to dissolve. Marat was accused of having provoked pillage, murder and the dissolution of the Convention.⁸⁰

The discussion that took place after the report took an even more bizarre turn. La Revellière-Lépeaux, citing the Law of December 4, 1792 that pronounced death against anyone proposing a King, accused Marat of doing so for having written in his newspaper, December 24, 1792 that "only a master could save France". The call for a master was tantamount to proposing that France needed a King.⁸¹ La Revellière-Lépeaux requested that the additional charge be added to the indictment. Charlier requested that the charges were too vague to justify sending a representative of the people to the Revolutionary Tribunal. He argued that the report against Marat should be printed and thus open to public scrutiny. Another member argued that since he had not voted to give the King the

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid., 33.

right to appeal to the people, he would not allow one for Marat. "Thus is the vicious circle in which we are pulled".⁸² Marat "is as guilty as the tyrant" because as a mandatory of the people, instead of maintaining liberty he had sought to destroy it, declared Lecointe-Puyraveau.⁸³

Robespierre trying to bring some order to the discussion, argued that the members of the assembly should make their decision about Marat, according to principles, as if they "didn't know the individual, as if he had not spoken against" any of them. Robespierre argued that "Marat had made mistakes and errors of style" but that since "on the other side there are conspirators and traitors" that it was necessary to show the "real spirit of oppression that hung over the deliberations."⁸⁴ Someone called for Robespierre's arrest. Robespierre continued, arguing that the real target was not just Marat, but Robespierre too and all the true Republicans.⁸⁵

When Robespierre had finished speaking, Marat's accusation was put to the vote. Citizens in the galleries spit on Buzot; the President resigned. Thirion abstained from voting, "since in this strange affair, principles and the most sacred forms of justice and reason had been forgotten or violated".⁸⁶ He protested that Marat, a representative of the people, had not even been informed of the charges against him. Marat, he argued, had to be given the right to defend himself. Furthermore, since Marat had denounced the Girondins, they should be obligated

⁸² Ibid., 34.

⁸³ Ibid.

⁸⁴ Ibid., 35.

⁸⁵ Ibid.

⁸⁶ Ibid., 36.

to clear themselves before their accusation against him could be given credence. Finally, he said, "The accusation itself represented the precipitation of passions unworthy of a legislator".⁸⁷ Others reiterated Thirion's objection. Poultier added that the report had been "dictated by the most atrocious vengeance and relentless passion" that it was "the fruit of the hate...of Dumouriez's accomplices".⁸⁸

On April 15, 1793 Lanjuinais proposed that the Assembly devote every Monday, Wednesday and Saturdays to discussion of the Declaration of the Rights of Man and the Constitution. In support of the proposition, Gossuin added, that in order to expedite the constitutional discussions and prevent discord, no denunciations should be heard during the debates. Gossuin then added that he did not mean to "to prevent surveillance, nor to remove a citizen's right to denounce traitors and intriguers", but that the denunciations be received, in writing, and dealt with by the Committee of Public Safety and that the denounced respond, in writing, to the Committee and not the Convention.⁸⁹ The Convention adopted Gossuin's proposal, all was to be referred to a committee.

Analysis of the constitutional discussions that took place in the spring of 1793 illustrates the interaction of reality and phantasy. The failed attempt to forge reality and phantasy into an ideology that could unify and consolidate the republic ensured that the conflicts that emerged in the constitutional discussions would resurface in Thermidor. After Thermidor, the Girondin arguments would survive,

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*, 37.

⁸⁹ *Arch. Parl.*, tome 62, (15 avril, 1793): 119.

providing the content, drive and symbolism for the development of a collective “historical memory”. However, as will be seen, in Chapters 7 and 8 that historical memory was constructed on the basis of the obliteration of Montagnard ideas or sans-culottes representation and would be rooted in the surviving Girondins’ thirst for revenge. The Montagnard constitution of June 1793, when passed, was to be kept in a consecrated “ark” until the end of the crisis. In fact, it remained only a symbolic representation of revolutionary ideals – the right to insurrection and the right to life. The 1793 Constitution would never be implemented.

Throughout the republican period of the revolution, including the Terror and the Thermidorian period, revolutionaries attempted to establish an ideal or vision to mobilize and sustain support for the republic. Throughout the whole revolution, revolutionary ideology manifested a tension between interests and principles, a tension that would lead to divisions and ultimately to the Terror. The problem was associated with the narcissistic contract. The failure to establish a frame, a system of connecting links in the group psychic apparatus, led to the creation of the government of the Terror, then to a degeneration of the Terror and finally to Thermidor.

The failure of the constitutional discussions did not immediately result in “Revolutionary Government”. The institutions, upon which the revolutionary government was built, were created to deal with the numerous crises that emerged in the spring of 1793, while the constitutional discussions were going on. In the two months between the presentation of Condorcet’s constitution and the discussions in mid-April, all the institutions of the Terror were to be created.

On March 10, the Revolutionary Tribunal (Tribunal criminel extraordinaire) was established to judge, without appeal, all attacks against the liberty, equality, unity and indivisibility of the Republic, all attacks against the internal or external security of the state, and all plots tending to the reestablishment of the royalty or against the sovereignty of the people. On March 21st the Convention created the revolutionary committees (Comités de surveillance révolutionnaire) one per commune or section (in populated communes) initially, to create lists of foreigners, then of all suspects. On April 6th the Committee of General Defence would be transformed into the Committee of Public Safety, a nine-member committee renewable each month. The Revolutionary Tribunal, as an entity mandated to determine counterrevolutionary guilt or innocence in the context of foreign and civil war, factional and social conflict, inherited problems that legislators had found impossible to resolve. The impact of the Girondin revolt on the Constitutional debates, its impact on the whole history of the republican phase of the revolution, on revolutionary government, the Terror and Thermidor, cannot be exaggerated. It created a schism in the National Convention that proved to be irremediable.⁹⁰

The constitutional discussions were significant to the construction of the links between the National Convention, the state, and the sans-culottes movement in Paris. The Girondin and Montagnard members of the Convention split over the issues of property, the relationship of the government to the popular

⁹⁰ At least until Thermidor, when the internecine conflicts between Montagnard deputies finally destroyed the left wing of the Convention, leaving the field open for a reassertion of Girondin power and ideology.

movement, and by implication to the provinces. The Girondins tried to advocate an ideal of liberty that was rooted in the right of private property rationalized as a natural right. Absolute protection of private property was not an ideal that those without property would adhere to; in other words, the Girondin ideology or ideal did not provide any narcissistic compensation for the majority of the sans-culottes population, many of which were without any property and most without land. No individual will invest psychic energy into a psychological link without some narcissistic compensation.

Psychologically, the constitution and the Declaration of Rights might have provided the basis for the renunciation contract. The renunciation contract might have become the basis of a revolutionary ideology, a means of representing the ideal in order to attract support and adherence (psychic investments) from all levels of society. However, the constitutional debate foundered over the issue of property and, to some extent institutional control – whether sovereignty was to be exclusively located within the National Convention, or whether it would be shared with the Commune of Paris. The debate, and the revolutionary leadership in the National Convention split between Girondins who demanded absolute protection of private property against the “anarchy” of the Commune, and Montagnards who were willing to limit property rights in order to maintain a broad base of support for the revolution.

Ideology, like culture, functioning *between* social reality and phantasy (unconscious thought) functions to maintain and establish the contracts, and to create the links that form the group psychic apparatus. During the constitutional

discussions in the spring of 1793, ideological conflict increased between the Montagnards – former representatives in the Commune who were elected to the National Convention and who held a social-democratic ideology – and Girondins, middle class property holders and moderate republicans. The conflicts revolved around the two issues of property and the role of the Parisian sans-culottes in the revolution. The Girondins argued that property was an absolute right, an essential component of liberty and not to be alienated under any circumstances. The Montagnards argued that property could be alienated for the sake of the public good – property could be confiscated and wealth could be taxed for redistribution to those in need – or in the public interest for the war effort. The Girondins wanted to contain the sans-culottes movement while the Montagnards saw the popular movement as a means to protect the revolution from counter-revolutionary forces.

Chapter 4: Revolutionary Government

The failure to establish unconscious contracts during the Constitutional discussions brought the internal divisions and hatreds within the revolutionary movement, the factional conflicts, to the forefront, making the establishment of a national, revolutionary group psychic apparatus difficult. War and counter-revolution in the spring and summer of 1793 led to the hasty organization of a militaristic and repressive organization of government founded on the idea of fighting for the survival of the republic. During the summer of 1793, the fight to save the "country in danger" kept the Montagnards and their sans-culottes allies unified. The Terror was a social-psychological phenomenon associated with the construction of a group psychic apparatus, an unconscious social-psychological *structure* that interacts and forms with objective social structures. Given the failure to build consensus through the construction of a group psychic apparatus based on constitutionally supported unconscious contracts, the group psychic apparatus of the Terror was to be built largely, though not completely, on the basis of repression.

The group psychic apparatus of the revolutionary government and the Terror contained, like all group psychic apparatuses, three separate but interacting constituent elements – a real, a representational, and an unconscious psychological or phantasy element. By the winter of 1793, although the worst threats to the revolution had not been defeated, they had been repulsed. The Committee of Public Safety turned its energies toward the construction of the republic, to the question of how to institutionalize the revolutionary republic. The

construction of the republic necessarily involved all three components of the constituent elements of the group psychic apparatus. In the fall of 1793, the revolutionary government set out to try to consolidate the republic by constructing a group psychic apparatus through terrorist ideology – an ideology of renunciation.

Robespierre's ideology, although it was the clearest articulation of the Terror, was consistent with the goals, as well as anxieties and phantasies, of the other members of the Committee of Public Safety who were primarily concerned with the structural organization of the state. Robespierre's ideology of terror was encapsulated in his famous statement: "Without virtue the Terror is disastrous. Without terror virtue is powerless".¹ The statement reflects the extent to which terror was to be limited to the revolutionary government's primary goal: to construct the republic. Robespierre's definition of terror was simply to enforce virtue by making the "enemies of liberty" fear revolutionary justice in order to found the republic.

Terror is nothing but severe, prompt, and inflexible justice. It is thus an emanation of virtue.... Tame the enemies of liberty with terror, and you will be right, as founders of the Republic. The government of the Revolution is the despotism of liberty against tyranny. Is force made only to protect crime?²

The revolutionary government, as a mechanism for constructing the republic, reflected the processes and characteristics of the construction of a group psychic apparatus, showing the interaction between social, ideological and

¹ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 357.

² *Ibid.*

psychological factors. Revolutionary change necessarily involves cultural and ideological factors, since culture mediates between social reality and unconscious impulses or wishes and drives the process of constructing links in the group psychic apparatus. Jean-Nicolas Billaud-Varenne's and Saint-Just's theories of revolutionary government represented proposals for the organization and coordination of revolutionary institutions that had a realistic base, the need to coordinate the revolutionary institutions that had developed throughout the spring and summer of 1793. The republic was at war and the republican state was unconsolidated and vulnerable.

The consolidation of the Republic was a difficult, painful and violent process. Those counter-revolutionary segments of the population who stood to lose by the revolution, fought it, not just with arms, argued Robespierre, but also with subterfuge, spying and hypocrisy.³ How were the real threats to the republic to be distinguished from imaginary threats, manufactured out of anxiety, fear and fatigue? A whole phantasmagoric imagery of blood drinkers, parasites and multi-limbed monsters emerged in the struggle. The phantasmagoric aspects that lay beneath the objective content of the theories were early oedipal fantasies of blood-drinkers and monsters intent on destroying everything good – the republic.⁴ Robespierre's theory of terror, moderated by virtue, mediated between real and representational and created an ideal, to exhort individuals to direct psychic energy away from narcissistic pursuits and transfer it to the construction of the

³ Ibid., 361.

⁴ The early Oedipal content underlying revolutionary ideology is explored in more depth in the chapters on Fouquier-Tinville's trial (Chapters 7-9).

republic.

The Committee of Public Safety justified the revolutionary government, in the face of calls for the immediate implementation of the constitution, on the need to construct and secure a set of republican linkages, between the state and the population. One of the real problems for the revolutionary government was how to manage the bureaucracy and make it responsive to the government's social goals. The Committee aimed to take hold of the monolithic bureaucracy. As Saint-Just argued, the bureaucracy that the Jacobin government inherited had been constructed during the King's administration; it had developed into a structure that was "terrible for patriots and often indulgent to traitors".⁵ The revolutionary government wanted to ensure that the bureaucracy was responsive to the social goals of the republic. Consistent with the theory of revolutionary government, the Committee maintained that the Constitution could not be established until the Republic was safely established. If implemented too early, counter-revolutionaries would use it as a means "to sacrifice the Republic".⁶ The constitution, argued Saint-Just, would become "the guarantor of attacks against liberty", because the Republic would lack the violence necessary to repress its enemies.⁷ The government was already too restricted. "The sword of the law must circulate rapidly and your weapons must be everywhere in order to stop crime."⁸ Robespierre made the same argument.

⁵ Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 126.

⁶ *Ibid.*, 125.

⁷ *Ibid.*

⁸ *Ibid.*

The temples of the gods are not made to offer asylum to the sacrilegious who come to profane them. Nor is the constitution to protect the plots of tyrants who search to destroy it.⁹

The purpose of Revolutionary Government was not only to crack down on counter-revolutionary attempts to sabotage or passively resist the government from within; it was also to ensure the application of revolutionary or republican laws, bureaucratic accountability and the consistency and stability of the government.

We are accused of being anarchists. Prove that it's a slander by spontaneously substituting the action of revolutionary laws for the continuous oscillations of so many interests, combinations, wills [and] passions that clash and tear at the centre of the country.¹⁰

The first priority, for the Committee of Public Safety, was to create a framework for coordinating all the activities of government in order to establish the primacy of the legislative body over the departmental bureaucracies. The links of the group psychic apparatus form what Kaës calls a "frame".¹¹ Saint-Just and Billaud focused on the need to coordinate the links in the frame by ensuring that the institutions of government were staffed with loyal republicans. Establishing the Convention's authority over the provincial administrations, and other institutions, was seen as the first step in consolidating the Republic. Revolutionary laws, argued Saint-Just could not be executed, "unless the government is constituted in a revolutionary manner", making it necessary to deal with the problem of the

⁹ Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 275.

¹⁰ Billaud-Varenes, "Rapport sur un mode de gouvernement", 478.

¹¹ Kaës, *L'idéologie*, 212-220

bureaucracy.¹²

Constructing and maintaining the group psychic apparatus depends on the apparatus' ability to "seduce" adherents to invest psychic energy in the links.¹³ The group psychic apparatus undergoes three phases of construction, all responsible for attracting adherents. First, the group forms a framework to contain its members; this provides reassurance against the primitive anxieties associated with fear of abandonment, death and isolation. Second, it places individuals and groups differentially within that framework – outlines the "body" of the group; this provides individuals with security and a position within society. Third, it constructs myths or ideology about the group to maintain unity and coherence. All three components provide "identification points" – social positions and ideas that people can identify with and conform to (normative principles).¹⁴ The group's cohesion depends on the congruence of all three components. The placements and ideology the group assigns endows its members with their social and, to some extent, individual identities. Social identity has to be "be divided amongst a limited number of individuals and [must facilitate differentiation] between them and [between the group and] other groups".¹⁵ The group thus provides a social identity and position, not only within a particular group but also relative to other groups.

Analysis of the theories of revolutionary government presented by the

¹² Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 126.

¹³ Kaës, *L'appareil psychique groupale*, 203.

¹⁴ Ibid.

¹⁵ Ibid.

members of the Committee of Public Safety in the winter of 1793-1794, demonstrates the intersection between the ideology of terror and the construction of the revolutionary state. In the fall and winter of the Year II (1793-1794), Billaud-Varenes, Saint-Just and Robespierre proposed theories of Revolutionary Government that contained all the components and stages that Kaës has identified as part of the construction of a group psychic apparatus. Saint-Just and Billaud provided a theory of revolutionary government that provided a rudimentary framework for revolutionary society, rooted in the distinction between republicans and counter-revolutionaries. Billaud outlined a plan for coordinating the institutions within the structure that provided for differentiation, positioning and placement within the government. Robespierre sketched its ideological character. All three theorists focused on the regeneration of morals as the normative principle for the stability and institutionalization of the system. The Committee of Public Safety members all argued that the goal of revolutionary government was to tie revolutionary-republican institutions to republican practices – and republican individuals – as a means of consolidating the republic and setting the social framework, the system of social linkages that would prepare the ground for constitutional government.

The framework for the group psychic apparatus was based on the simple distinction between republicans and counter-revolutionaries and the need to ensure that the institutions of government were composed of, and served the interests of, republicans. The representation or theory that facilitated differentiation, placement and positioning within the framework was rooted in the

real need to organize and enforce revolutionary authority over the departmental administrations. The underlying phantasy was, as it had been during the summer, a fear of destruction of the good object, of the revolution being undermined from within because its bureaucracies were riddled with thousands of federalist saboteurs, corrupt or indifferent (narcissistic) opportunists and counter-revolutionaries. As Saint-Just put it: "The government is a hierarchy of errors and conspiratorial assaults."¹⁶ Although enemy agents and counter-revolutionary saboteurs had infiltrated the various government administrations since 1789, Saint-Just's claim that in three months the entire administration of thirty thousand positions could be occupied with enemy agents was unlikely.¹⁷ The representation of the counter-revolutionary threat was itself a composite of reality and phantasy. The representation of the counter-revolutionary threat motivated the members of government, and was designed to motivate others, to organize and streamline the bureaucracy in order to manage the threat.

The fact was that the departmental administrations did not automatically implement the National Convention's laws and decrees. The federalist movement had been defeated as a military force, but passive resistance on the part of the upper middle class in the departments, the sectors of the population that were sympathetic to Girondin ideas, was a reality.¹⁸ The Convention had inherited an administration designed to function within a constitutional monarchy and which, to the extent that it was revolutionary at all, had been federalist. Saint-Just

¹⁶ Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 119.

¹⁷ *Ibid.*, 120.

¹⁸ Godechot, *Les Institutions de la France*, 265.

complained that the Convention's laws and decrees were not being executed in the departments; there was no fiscal responsibility within the government administration, no stable planning mechanisms and no discipline.¹⁹ All such causes of "public misfortunes" were exacerbated by "the vicissitudes of the passions that influence the government", the temptation to exercise personal power.²⁰ The problem was also one of passive resistance. Too many individuals within the administrative machinery, a legacy of the Legislative Assembly and the Girondin ministry, pursued their own narcissistic interests at the expense of the public good.

No one in the public administration is sincere.
Patriotism is a trade of lips. Each sacrifices everyone
else and sacrifices nothing of his own interest.²¹

Saint-Just, complaining that the government was "a perpetual conspiracy against the present order of things" emphasized the need to link the bureaucracy and the military to the goals of the revolution.²² The government lacked institutions and military laws that conformed to the system of republican government that was to be reformed.²³ The revolutionary government did not have bureaucrats that were both politically reliable and competent. It was absurd, argued Billaud, to think that the revolutionary government should tolerate the bureaucrats' "reprehensible indolence, their criminal lack of civic spirit and their perfidious ambition and their treasons" for fear of not being able to recruit

¹⁹ Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 117-118.

²⁰ *Ibid.*

²¹ *Ibid.*, 121.

²² *Ibid.*, 119.

²³ *Ibid.*, 128.

competent people.²⁴ The generals, who were at that time appointed by the Minister of War, were not responsive to the nation, because neither the people nor the Convention chose them; military discipline suffered because the soldiers had no respect for their officers. Referring to Dumouriez, he said: "The generals still belong to the world of the monarchy".²⁵ It was necessary to "identify the men of war to the people and the country".²⁶

Billaud added a critique of factionalism, arguing that it was a destructive manipulation or annihilation of links. The press slandered the government and influenced public opinion and, manipulating even those individuals with "intact innocence", created fear and suspicion, undermined confidence, security, compromise, agreement and public spirit.²⁷ "Isn't it the most profoundly Machiavellian art, which breaks the knots of sociability by isolating all individuals with a general distrust?"²⁸ Breaking the "knots of sociability" furthermore was just another means for creating more factions, each advocating the demise of the other, thus tearing the social fabric apart.²⁹

In describing the problem as occurring at the points of linkage between the National Convention and the bureaucracy, between the principles and objectives of the revolution and their implementation at the institutional level, both Saint-Just and Billaud presented descriptions of the group psychic apparatus. In speaking of the need to subordinate the bureaucracy, Saint-Just exhorted the members of

²⁴ Billaud-Varennes, "Rapport sur un mode de gouvernement", 477.

²⁵ Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 119.

²⁶ Ibid.

²⁷ Billaud-Varennes, "Rapport sur un mode de gouvernement", 477.

²⁸ Ibid.

²⁹ Ibid.

the National Convention to “retake all the knots of responsibility”.³⁰ Saint-Just’s “knots of responsibility”, like Billaud’s “knots of sociability” were the points of convergence in the group psychic apparatus, places where multiple psychic links intersected. The provincial bureaucracies represented surviving Girondin power and resistance to the central government. They were potential links between the central republican government and the population, but because they were contested, the links were not made. The administrative “knots of responsibility” represented the passive resistance of non-performance, refusal to form the link. The intermediary authorities, Billaud argued, wanting to profit from the “machiavellian lesson” of federalism and in order to attain the goal of it, “allowed themselves to judge the law before transmitting it”.³¹ “Such were the perfidious means the federalist administrators used to break the sacred knots that united the nation to its representatives.”³² Billaud’s “sacred knots”, like Saint-Just’s “knots of responsibility”, represented links in the group psychic apparatus.

A link, as a relationship, in ideal circumstances, is not violently maintained, although in formative groups facing the nothingness of non-existence and non-assignment or placement, they tend to be. As with the renunciation contract, the existence of the social takes precedence over individual and narcissistic demands.³³ The link, the “connections” between revolutionary government and departmental bureaucracies were to be maintained by violence.

³⁰ Saint-Just, “Pour un Gouvernement Révolutionnaire” in Soboul Ed., *Saint-Just: Discours*, 126.

³¹ Billaud-Varenes, *Moniteur*, no. 62, 475.

³² *Ibid.*

³³ Kaës, *L'appareil psychic groupale*, 196.

This government must crack down ... through the energy of its connections. All injustices towards citizens, all betrayals, all acts of indifference towards the country and all indolence must be repressed with sovereign power.³⁴

The duties of members of the government had to be specified. Infractions had to be subject to punishment, in order to ensure bureaucratic accountability; "the sword had to be placed beside the abuse" to free the republic from those who conspired against it or who "governed badly".³⁵

If the notion of a group psychic apparatus is to be taken seriously, it can be said that the members of the Committee of Public Safety, charged with constructing the republic, proposed the revolutionary government recognize that, at some level, those who broke "the knots of sociability" were impeding the construction of the republic. Breaking the links that potentially formed the group psychic apparatus impeded the consolidation and linkages within revolutionary society. Billaud, in advocating the reconstruction of the system of linkages, built his theory of revolutionary government on the basis of a body and machine metaphor. The government was to work as a well-functioning and coordinated unit.

The body or machine form of representing a group is, according to Kaës, a psychic organizer.³⁶ Billaud in advocating a simplified administrative structure described the processes that would link the frame together. He employed a body metaphor to represent the operation not only of government as a real, social

³⁴ Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 126.

³⁵ Ibid. The Vendéen revolt erupted March 10, 1793 in opposition to conscription.

³⁶ See Chapter 2, 59-60.

system, but also as the frame or “body” of the group psychic apparatus. The problem of the bureaucracy, he argued, would never be solved unless administration was simplified. The relationship between the central government and the population had to be direct. According to Billaud, creating complicated intermediary systems, which deflected communication through multiple channels or relays in the system, served only to impede the execution of the laws. Billaud described the system as a circuit in which:

...The organic complication of the government releases the directing nerve that, in order to be tight, must be so without interruption and with only one middling support, to go from the centre to reattach to the circumference, instead of ending up at a single primary centre from where other threads depart in order to re-attach to other intermediary centres and which subdivide two times before joining at the extremities. This is what the circulation of the movement endures, in passing by successive ramifications of the Executive Council, departments, districts and municipalities.³⁷

On the more phantasmagoric end of the spectrum, the body metaphor was used to represent the bureaucracy, associated with monarchy, and represented as an uncontrollable monster with multiple, disorganized limbs. This phantasmagoric aspect of Billaud’s representation is a version of the early oedipal conflict. The representation combined with a reality – it was not possible to consolidate the republic with a bureaucracy that refused to respect the Convention’s authority.

We have decreed the republic and we are still organized as a monarchy. The head of the monster is overthrown but the body survives with its defective

³⁷ Billaud-Varennes, *Moniteur*, no. 62, 475.

forms. So many... authorities ... the vampires of liberty, have lost nothing of their despotic essence, of their corrosive attributions or their absorbing preponderance. With a King that represented that fabled giant who, provided with one hundred vigorous arms dared to... invade the empyrean.³⁸

As a representation of the Republic, the body metaphor tended to take one of two forms, the sick body or the revolutionary machine. The first, the sick body required surgical intervention. "It is time to return a robust health to the body politic at the expense of its gangrened members."³⁹ The sick body metaphor was used as justification for purging the departmental administrations of federalists. "The most dangerous assassin is the one who lodges in the house."⁴⁰ The body metaphor was also a means of representing the difficulty of establishing republican links, a major priority, in reality and as a means to forge loyalty to the regime, as an attribute of the group psychic apparatus. If the defective links were not smashed, the federalists in the departmental administrations could take advantage of "trouble and chaos" and a "complete paralysis" of the administration would "render all movements painful, partial, temporary and convulsive".⁴¹ The Republic would never materialize.

The second metaphor Billaud used to represent the Republic, particularly in its structure of authority, was as a machine with broken or over-complicated and malfunctioning gears.

In government, as in mechanics, anything that is not coordinated with precision ... results in awkward

³⁸ Ibid., 474.

³⁹ Ibid., 478.

⁴⁰ Ibid.

⁴¹ Ibid., 474.

movement and causes infinite breakdowns. Simplifying the gears reduces hindrances and destructive chafing. The best civil constitution... allows for only three movements: a pulsating will, the being enlivened by that will and the action of that [body] on surrounding objects. Thus, all good governments must have a centre of will, levers that immediately attach to it and secondary bodies that drive the levers to extend movement to the farthest extremities. Through that precision, the movement loses nothing of its force or direction, with a relay that is both faster and better managed. Everything beyond becomes exuberant, parasitic, without vigour and without unity.⁴²

Clearly the metaphor was not consistent with reality; social, institutional and political systems do not operate like machines and are not bodies. Nonetheless, the metaphor or representation coincided with a real need to coordinate the government processes. The argument, presented to persuade, was psychological. The government as a body could not function without all its parts synchronized and disciplined. The monstrous, multi-limbed, giant threatened to disorganize and ruin all – to invade the utopian empyrean. Nonetheless, the argument was based on a realistic and logical criticism of the failure of the Legislative Assembly. The Legislative Assembly, by adopting an overly complex form of government, Billaud argued, had deceptively tried “to persuade an inexperienced nation that liberty could be united with monarchism”.⁴³ The Constitution of 1791 had created two equal centres of power – the legislative and executive – so that the one could neutralize the other. Effectively the executive hindered the legislative branch of government and

⁴² Ibid.

⁴³ Ibid.

revolutionary policy had been repeatedly thwarted. It was a mistake, said Billaud, to assume that a large state made it necessary to have multiple levels of government. Intermediaries just "raised so many barriers between the representatives of the people and the people itself". In such a case, intermediaries would appropriate the legislative body's decrees, hear demands and distribute the nation's benefits. When intermediaries are permitted to rise above the national representation, the hope and attempt to annihilate becomes natural.⁴⁴ Such an organization, he argued, disrupted social harmony and broke the unified action and indivisibility of the republic.

Billaud then went on to advocate an augmentation of the Committee of Public Safety's power and responsibilities. The government, like the body, required a head, "an agency of execution" to implement the Convention's decisions, to direct "all the movements of the body politic and all the ascendancy" to be derived from the right to appoint the most important and most lucrative positions. That agency was to be the Committee of Public Safety, whose powers were substantially enlarged with the Law of 14 Frimaire. Executive power was to be concentrated in the Committee, which was answerable to the Convention. The concentration of power was a means to ensure the consistent application of the Convention's legislation.⁴⁵

The theories of revolutionary government that Billaud and Saint-Just presented were violent; both called for purges in the bureaucracy and the use of the Terror to repress those who resisted the implementation of legislative

⁴⁴ *Ibid.*, 475.

⁴⁵ *Ibid.*

decrees designed to consolidate the republic. Both used phantasmagoric, even psychotic, representations, hydra-headed monsters and machine bodies, as a means to try to motivate supporters to help eliminate the enemies that were thus vilified.⁴⁶ The new structure, with the Committee of Public Safety heading, managing and directing executive affairs, was supposed to prevent the emergence of an ambitious, “usurping master”, that would “weaken or paralyse the legislative body by the sole force of inertia.”⁴⁷ Like the tyrant’s practice of tying “living victims” to cadavers, “the executive power pretended to be dead in order to kill liberty”.⁴⁸

The phantasmagoric representations indicate that theories of revolutionary government involved more than just cold, hard reason. Nonetheless, both Billaud and Saint-Just, in the fall of 1793 were engaging with reality. Saint-Just’s concern was to ensure that bureaucrats and others did not interfere with provisioning the troops. Billaud’s phantasmagoric representations of the group body and the “sacred knots” or links were designed to support a specific, structural organization of the Revolutionary Government, one in which responsibility, authority, and political or administrative processes were clearly laid out and

⁴⁶ Elliot Jaques, among others, argues that all group life is psychotic. Kaës takes a more nuanced view arguing that the frame of the group psychic apparatus contains spaces, like psychological black holes, or “garbage dumps” that contain psychotic material. In fact Kaës argues that individual identity depends on the group psychic apparatus’s ability to contain such material. It follows then that in a revolutionary context in which the frame is destroyed, the psychotic material – multiple projections – gets released, leading to a major group psychological regression. In such a situation institutionalised Terror “moderated with virtue” seems less horrific than the alternative psychological terror – madness, depersonalisation, the destruction of identity. Jaques, “Social Systems as a defense” in *New Directions in Psychoanalysis*, 478-499; Kaës, “Réalité psychique et souffrance dans les institutions” in *L’institution et les institutions*, 2-5.

⁴⁷ Billaud-Varennes, *Moniteur*, no. 62, 474.

⁴⁸ *Ibid.*, 474-475.

directly communicated. If the Republic was to survive, it did need an administration that was responsive to the legislative authority.

Theories of revolutionary government, it has been argued, reflected an admixture of reality and phantasy and demonstrate how representation functioned as part of the process of constructing the republic. The failure to establish consensus during the constitutional discussions, and the inability to circumvent civil war, peasant uprisings and the federalist revolt, made violence inevitable. The theories of revolutionary government reflect a process, and a way of thinking, that is consistent with Kaës's notion of the significance of a group psychic apparatus and the mechanisms through which it is constructed.

Robespierre's ideology was consistent with Saint-Just's and Billaud's theories of revolutionary government. The importance of ideology during the Terror did not derive from its ability to drive historical events but because in mediating between social and psychological reality, it represented a means to organize and create the links in the group psychic apparatus. Ideology was an intermediary formation. It provided a link between social and psychological realities, and a means to contain the terrible anxieties related not only to the real threat of war, but also those related to the uncertain state of the republic due to the revolutionary disruption of institutional and social life.

On 5 Nivôse, Year II (Dec. 25, 1793), Robespierre presented his report on the principles of revolutionary government.⁴⁹ It contained his theory of the Terror. First, he said, the revolution's most important and difficult task was not the defeat

⁴⁹ Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 273-283.

of the English, France's most formidable military challenge, but "to confound, with unceasing energy, the eternal intrigues of all the enemies of liberty, and to make the principles on which public prosperity must be seated triumph".⁵⁰ Robespierre's interpretation of Revolutionary Government tended towards the metaphysical but it clearly stated the purpose and logic behind suspending constitutional government and instituting exceptional government.

The revolutionary government's role, he argued, was to create the republic, "to manage the moral and physical resources of the nation towards the goal of its institution".⁵¹ The constitution could not be immediately implemented because the revolution was at war. Constitutional government, primarily concerned with civil liberty, would be the "regime of victorious and peaceful liberty". Once the revolutionary war, a "war of liberty against its enemies" had established the regime, constitutional government would be sufficient to preserve it. Constitutional government can confine itself to the protection of individual rights from the abuses of public power but revolutionary government was required to found the republic.⁵²

The issue for Robespierre, as for the other theorists of revolutionary government, was to create a working structure, a frame, for the operation of the social system. Revolutionary government had to concern itself with what he described as "public liberty", the freedom of the revolutionary government to defend itself from attacks, divisions and disruptions, "all the factions that attack

⁵⁰ Ibid., 274.

⁵¹ Ibid.

⁵² Ibid.

it".⁵³ Only after that frame was created could civil liberty become predominant. Until such a time, the issue was the survival and institution of the collective structure.

Granted, Robespierre, unlike his counter-parts in the Committee of Public Safety, did not focus on the actual workings of republican institutions. Robespierre generalized the social and institutional difficulties of founding the republic into an ideology of the Terror that was metaphysical and idealist, even utopian. Robespierre's theory is important because it created an ideal for people to identify with and fight for. The ideal is an important component of the construction of the group psychic apparatus because, if people are divided because of the myriad of conflicting narcissistic interests – both ego and material – the ideal, the idea, can elicit personal sacrifices, renunciations for the sake of a common object. The common object for all the theorists of revolutionary government was, of course the republic. The function of the ideal was to unify different and conflicting social and political groups around the ideal common object – the republic of the future, worthy of sacrifice. The flip side of the ideal of course is the enemy, the disorganiser, and the counter-revolutionary destroyer. Hence the binary quality of revolutionary thought in which the ideals of perfect democracy, social justice and freedom operate beside terror and the battle against innumerable enemies.

The Terror, as it emerged between the spring of 1793 and late summer 1794, was the use or threat of force, justified in the public interest, against

⁵³ Ibid.

individuals or groups who opposed or jeopardized the creation and consolidation of the republic. Robespierre tended to identify the public interest with an abstraction, the collective will of the people. "The people" was an idealized, abstract composite of the collectivity as can be deduced from Robespierre's somewhat metaphysical definition of democracy.

Democracy is a state where the sovereign people guided by the laws that are its work, makes by itself all that can be well done, and by delegates all that it cannot do itself.⁵⁴

Robespierre's idea of the public interest the "public interest" was usually defined in moral terms, as virtue, as an attitude of self-sacrifice and was related to his notion of the liberty of the state – as opposed to the liberty of the individual.

Robespierre's theory was the clearest ideological statement justifying the Terror. Nevertheless, how ever metaphysical, the function of Robespierre's ideology was to draw psychic energies into the creation of the republic and the destruction of its enemies. The function of ideology rooted, on the one hand, in the reality of war and on the other in the utopian phantasy, was ultimately to transform the social world. Revisionist historians of the revolution focus on the allegedly autonomous power of Robespierre's ideology at the expense of considering its function. François Furet, argued that there was "a mysterious connivance between the Revolution and Robespierre; it surrounds him like a halo".

⁵⁴ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 352-253.

Robespierre he says was the “embodiment of revolutionary ideology”.⁵⁵

Robespierre was a prophet. He believed everything he said and expressed it in the language of the Revolution; none of his contemporaries assimilated as he did the ideological coding of the revolutionary phenomenon.⁵⁶

Furet argues that during the Revolution and especially during the Terror, the outcome and character of political conflict was determined *ideologically*. The discourse on power, according to Furet “became the means of conquering and preserving real power”. Kaës argument that ideology is an intermediary formation between reality and phantasy and that ideology fulfills an important function in the creation of links supports Furet’s argument that the revolutionary discourse of power was a means to conquer real power.

Furet refuses, however, to recognize the extent to which the revolutionaries faced real enemies. He underestimates the extent to which some form of unifying ideology was essential to the social construction of the Republic and he inverts the relationship between cause and effect. According to Furet, the Jacobins promoted the idea that the Revolution “had no objective limits, only enemies” which gave rise to a system of interpretation, whose acceptance or reflection separated the good from the wicked. In fact, the revolution did have an objective limit, the consolidation of a social democratic republic. Furet assumes that the only possible, “objective goal” of the revolution was a limited representative democracy, on the Girondin

⁵⁵ Furet, *Interpreting the French Revolution*, 56-7; Furet, *Revolutionary France*, ix. Furet maintains that the revolution was waged on behalf of the idea of a nation of free and equal citizens. The bourgeoisie (lawyers and philosophers) of 1789 was best placed to embody the ‘collective’ or ‘general will’ according to him but the institution of the ideal was difficult because it ran up against tradition – the king’s traditional authority and the privileges of the orders. This explains, according to Furet, both the violence and the long protracted duration of the revolution.

⁵⁶ Furet, *Interpreting the French Revolution*, 59.

model.

Furet sees Robespierre as an ideological demagogue, able to seduce the popular movement into supporting the revolutionary dictatorship. For Furet, the revolutionary government and the Terror, rooted in demagoguery, thus represent a form of totalitarian democracy.⁵⁷ Furet under-estimates the extent to which the revolutionary government was in conflict with the popular movement. Robespierre adhered to the concept of a representative democracy and did not hold to the ideal of direct democracy. Democracy, he said, was not a "state where the people, continually assembled and alone ruled all public affairs".⁵⁸ Nor was democracy, according to Robespierre, the product of popular pressure or lobbying; democracy was not a system in which "one hundred thousand fractions of the people, through isolated measures, hasty and contradictory, would decide the fate of the whole society." Nonetheless, democracy, for Robespierre, was not the "aristocratic" rule of any one fraction of the people. Nor was it the rule of a propertied elite. It was government organized around the public good.⁵⁹

Robespierre's philosophy of government was not based in the notion that "there were only enemies". Granted, Robespierre's theory of terror was premised on the idea that the republic was under attack and that there could be no constitutional democracy until republican institutions had been consolidated and affirmed. Democracy depended on virtue. In order to found a democratic republican system, functioning under the "peaceful reign of constitutional laws" it

⁵⁷ Furet, *Interpreting the French Revolution*, 164-204.

⁵⁸ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 352-253.

⁵⁹ *Ibid.*

was “necessary to end the war of liberty against tyranny” and to “pass through the storms of the Revolution”.⁶⁰ It was necessary to regularize the revolutionary government.

The whole logic of terror, as it was articulated from the fall of 1793, through the Ventôse decrees and even the Law of 22 Prairial, was an attempt to create institutions that were identified with the people – to reward supporters of the revolution and punish those who resisted.

Social protection is due on to peaceful citizens. There are no citizens in the Republic but republicans. Royalists and conspirators are only... foreigners or ... enemies. That terrible war that liberty sustains against tyranny, isn't it indivisible?⁶¹

The point of the social program was to make the institutional basis of the republic take root. “A state lacking institutions” said Saint-Just, “was only an illusory republic”.⁶² Furet refused to acknowledge that the Terror contained the germ of a social program that did, in theory, have objective limits. The goal was not socialism; while for Robespierre the public interest was paramount for the establishment of the republic, liberty, a system that respected private property and individual rights, was the ultimate goal.

The more terrible [the state] is to the wicked, the more it must be favourable to the good. The more that circumstances impose necessary rigours, the more it must abstain from measures that uselessly inhibit liberty, and offend private interests, with no public advantage.⁶³

⁶⁰ Ibid., 353.

⁶¹ Ibid., 357-358.

⁶² Saint-Just, “Sur les Personnes Incarcérées” in Soboul Ed., *Saint-Just: Discours*, 135.

⁶³ Robespierre, “Rapport Sur les Principes du Gouvernement Révolutionnaire” in *Œuvres*, tome X, 275.

Robespierre's political theory was not rooted in a materialist theory of the interests of the property owning middle class; his political philosophy was idealist and utopian. To the extent that he articulated a *republican*, anti-monarchist political and social order, one that should redistribute wealth to ameliorate economic inequalities and reduce economic discrepancies, Robespierre's theory of government was social, even if it did not correspond with Marxist categories of class analysis. Furthermore, to say that Robespierre's philosophy of revolutionary government was utopian is to say that it probably did not correspond exactly to the social reality of eighteenth century France in all of its complexities. This is not the same as arguing that it was without any "objective limits" The poor and the sans-culottes who had little to lose and everything to gain with the eradication of the monarchy were, after all, real social groups, even if "the people" was an idealized abstraction. Furthermore, they had proven themselves more capable than the moderate bourgeois revolutionaries and the Girondins of defending the Revolution. For Robespierre, equality of social condition was just as important as having equal political rights. Finally, social equality was a necessary precondition for democracy because it ensured the defence of public over private interests.

Equality, he argued, was "the essence" of democracy. Public virtue, or the public interest, was manifested in "the love of the country" which "necessarily embraces the love of equality". These two loves were nothing less than "the force of the soul rendering [it] capable of sacrifice"⁶⁴; consequently, for Robespierre,

⁶⁴ Ibid., 353.

the guiding principle of government was in “all that tends to stimulate the love of the country, to purify morals, to raise souls, to manage the passions of the human heart towards the public interest”.⁶⁵

All that tends to concentrate them in the abjection of the personal ego ... must be rejected or repressed.... In the system of the French Revolution, what is immoral is impolitic, what is corrupting is counter-revolutionary.⁶⁶

To affirm the Republic, it would be necessary to remedy all abuses. “The government must not be revolutionary only against the aristocracy”. It had to repress those who misled the soldiers, deprived the army and dissipated public provisions and who, in immiserating the people, led them “back to slavery and dissolution”. Corruption and cynicism were at the root of much of the government’s problems.⁶⁷ Lazy resistance to change, superstitious attachment to the “destroyed authority”, ambition and hypocrisy, all made it difficult to establish the new government. It was difficult to form the government’s direction, “its maxims” or vision and its decisions.⁶⁸

For Furet, real political power was dependent on the ability to *manipulate* revolutionary ideology. Furet maintains that Robespierre’s ideological manipulation centred around two concepts, the egalitarian ideal combined with the *aristocratic plot*. He adds that Robespierre’s belief that enemies surrounded the Revolution legitimized the use of violence.⁶⁹ The Terror, according to Furet,

⁶⁵ Ibid., 354.

⁶⁶ Ibid.

⁶⁷ Saint-Just, “Pour un Gouvernement Révolutionnaire” in Soboul Ed., *Saint-Just: Discours*, 129.

⁶⁸ Ibid.

⁶⁹ Furet, *Interpreting the French Revolution*, 52-53.

was based on an illusory ideology that increasingly narrowed the scope of political behaviour and saw enemies where there were none. For Furet, until Robespierre's fall, the "symbolic content of the revolutionary struggle was the most immediate reality".⁷⁰

Furet underestimates the extent to which a social program, rooted at least partially in reality, buttressed the Terror. He also underemphasizes the extent to which the abstract notions of equality and virtue were rooted in the social construction of the state. Robespierre's theory was a version of the renunciation contract. The leaders of the Year II were trying to construct links that would "glue" the social structure together. But even repressive states cannot exist in a vacuum, totally separate from society. Robespierre's theory of terror was premised also on its being contained by virtue.⁷¹ His egalitarian philosophy was a prerequisite to the construction of links of sociability that were, and are, necessary to the stability of any social structure. It was also a means of representing the idea, a democratic idea, that the representatives of a government should be accountable to the public. The magistrate, on the other hand, must "sacrifice his interest to the people's interest, and his pride in power to equality."⁷² Robespierre advocated popular surveillance over government and a limit to the exercise of state Terror. According to Robespierre, the fundamental principle of democratic government, "the essential spirit that sustains it and

⁷⁰ Ibid., 55.

⁷¹ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 356.

⁷² Ibid.

makes it move" was virtue.⁷³

If the spirit of popular government in peace is virtue, the spirit of popular government in revolution is both virtue and terror. Without virtue the Terror is disastrous; without terror virtue is impotent.⁷⁴

What was virtue? It was public virtue; it was "none other than the love of the country and its laws".⁷⁵ Virtue could only exist under a republican form of government. In an aristocratic state, only the patrician families, who had "invaded sovereignty", had a stake in the government.⁷⁶ The first rule of political conduct, argued Robespierre, was to connect all government operation with the "maintenance of equality and development of virtue."⁷⁷ By virtue, he did not mean casting the French Republic into the "Spartan mould" but a condition where a people with courage and reason could break "the chains of despotism",⁷⁸

when by the strength of its moral temperament, it leaves... the arms of death to retake the vigour of youth.... [but] stops before the image of the law.⁷⁹

If psychoanalytic concepts are to be taken seriously, it is necessary to address issues of ideology, phantasy and the power of ideas. Kaës allows us to interpret ideology as an intermediary formation between reality and phantasy. Consequently, it becomes possible first, to assess the extent to which ideology is

⁷³ Ibid., 353.

⁷⁴ Ibid., 357.

⁷⁵ Ibid., 353.

⁷⁶ Ibid., 353-254. Robespierre is using the term aristocratic according to Montesquieu's definition of it, as an oligarchy. By this definition class rule is aristocratic rule. The capitalist democracies, according to this definition, would be "aristocratic" states.

⁷⁷ Ibid., 354.

⁷⁸ Ibid., 355.

⁷⁹ Ibid.

rooted in some kind of social reality⁸⁰ without bolting it, vice-like, to a specific material reality. People do, to some extent construct their realities, even in the most oppressive conditions. Furthermore, the Terror in the French Revolution emerged out of a desire to impose order on chaos. Thus, the Terror was a product of the lack of structure and coordination in government that was partly a legacy of the collapse of the institutions of the Old Regime, and partly a legacy of the Girondins' refusal to address the power and demands of the social movements in Paris.

Nonetheless, to argue that the Terror, as both ideology and practice, involved a social program and some connection to social reality is not to argue that it was completely engaged with reality. Arguably, as the Terror progressed it became less and less connected to the necessities of social construction and more and more divorced from reality. The "aristocratic plot" goes to the very heart of the revolutionary unconscious. It emerged, right at the beginning of the Revolution, with the Great Fear of 1789 in which rumours began to circulate that the nobles were going to attack the towns and villages of France, and, in retaliation for their participation in the Revolution, were going to slaughter the inhabitants of both town and country.⁸¹ The aristocratic plot re-emerged as the September Massacres, with the founding of the Republic in the fall of 1792. It emerged again as the "foreign faction" – the charge that the indulgents and the ultra-revolutionaries, the Dantonists and Hébertists were in the pay of the enemy,

⁸⁰ Terry Eagleton, *Ideology: An Introduction*, (London and New York: Verso, 1991), 30-31.

⁸¹ Georges Lefebvre, *The Great Fear of 1789: Rural Panic in Revolutionary France* (New York: Vintage Books, 1973), 75-100.

and under the pretence of being ardent revolutionaries or defenders of the Constitution were actually secretly working to destroy the Republic. The aristocratic plot emerges yet again during the Great Terror as the "Conspiracies of Prisons"; in that version of the drama, the followers of Danton and Hébert were going to break out of the prisons and slit the throats of the members of the National Convention and the Great Committees. Conceding to Furet, it is necessary to conclude that the aristocratic plot, as it played out in these four scenarios, and especially the last three, was pure phantasy. There is no evidence that Danton and Hébert were in the pay of the enemy, nor is there any evidence that the prisoners, in the summer of 1794, were planning a mass escape and massacre.

However, Furet reasoned that because the aristocratic plots were phantasy, the revolution's enemies were nothing but a paranoid mental construction. Furet argued that the "aristocratic plot" was the "lever" of the Jacobin egalitarian ideology, since it synthesized two complementary symbolic symbols. On the one hand, the nation was to be created by patriots. On the other, it could only be formed in reaction to enemies who were secretly manipulated by aristocrats. Equality, according to Furet, could never be taken for granted because "Its enemies were not real, identifiable and circumscribed forces, but constantly renewed incarnations of its anti-values".⁸² This conclusion is difficult to fathom. What were the revolutionary wars? Certainly they were not mere "incarnations" of the revolution's "anti-values". Furet has inverted cause

⁸² Furet, *Interpreting the French Revolution*, 55.

and effect. Can it not be true that the revolutionaries had enemies, strong and powerful ones, but that, for a number of reasons, they were unable to identify specifically who and where these enemies were, especially within the boundaries of the French territory? The conclusion to be drawn is not that there were no enemies.

The question should rather be: why did they misidentify their enemies so grossly? What is the explanation then for the aristocratic plot? The first explanation is that the structure of Revolutionary government existed and acted but did not succeed in forging the links of the group psychic apparatus. Why? Partly, because the revolutionaries of the Year II based their structure on a relatively narrow base of the population, the Parisian sans-culottes. All they were significant as a social movement, and absolutely crucial to the overthrow of the monarchy, they were not a sufficient force to undermine the passive resistance of all the middle class property owners and the bureaucrats in the provinces. The ideology of virtue did not attract a significant constituency within the revolutionary ranks. Hébertists, other dechristianizers and Dantonists (many of whom carried the taint of corruption, even if it was not provable) did not have the stomach for Robespierre's notion of public virtue. The Dantonists were liberal republicans, not too interested in perfecting the machinery of state beyond what immediate circumstances required. The Hébertists and dechristianizers were hostile to Robespierre's religious ideals; yet his religious ideals were crucial to his notion of the construction of revolutionary virtue, and by extension revolutionary institutions.

The revolutionary government, structured by the Law of 14 Frimaire, was established, not only to organize the defence of the revolution against the counter-revolution, but also to consolidate the republic. The Law of 14 Frimaire laid down the groundwork for consolidating republican institutions responsive to the National Convention. The Committee of Public Safety devised the law in order to establish the principle of linking the benefits of the revolution to the individuals and social groups that defended it. Like the Ventôse decrees that would follow in March, the Law of 14 Frimaire set out to ensure that the bureaucracy was revolutionary by instituting a monitoring system of National Agents under the Committee of Public Safety's authority.

The law on revolutionary government (14 Frimaire) outlined a means of constructing not only the objective linkages between the central government and the departmental administrations, but also the unconscious links in the group psychic apparatus. Phantasmagoric representations of the government as a body or machine with overcomplicated, ill-functioning or diseased parts pervaded the rhetoric used to persuade the members of the National Convention to vote for the law. The ideologies of democracy, equality and virtue that the Committee presented in their speeches on revolutionary government functioned to foster the emotional ties or links that would compose the group psychic apparatus.

The speeches on revolutionary government, like all representations, existed in a psychic space situated between reality and phantasy. Robespierre's ideology, his theory of the Terror and revolutionary government, was consistent with the ideas of the other members of the Committee of Public Safety. His

ideology was a means to link psychological desire and social reality for the purpose of the social construction of the republic through, on the one hand, the ideal of the perfect social democratic republic, and on the other, the denigrated "enemy" that threatened that ideal.

Chapter 5: Ventôse and the “Foreign Faction Conspiracy”

On 17 Pluviôse, Year II (Feb. 5, 1794), Robespierre presented a second speech on Revolutionary Government¹. In it, he outlined what he considered to be the goals of the Revolution and the obstacles that stood in the way. What Robespierre articulated was a republican ideal. The functional purpose of an ideal, in the group context, is to unify and to elicit individual renunciations and to attract psychic energy to an object. The ideal object for Robespierre was the republic of the future, a goal he thought worthy of the sacrifices required to construct it. Robespierre’s was a utopian vision. The goal of the republic was “the peaceful enjoyment of liberty and equality, the reign of eternal justice”. His republic was one:

Where all the base and cruel passions are enchained, where all the beneficial and generous passions are awakened by the laws, where ambition is the desire to deserve glory and to serve the country, where distinctions are born of equality itself, where the citizen submits to the magistrate, the magistrate to the people and the people to justice, where the country ensures the well-being of each individual and where each individual rejoices with pride in the prosperity and glory of the country, where all souls are enlarged by the continuous communication of republican sentiments and the need to deserve the esteem of a great people, where the arts are the decorations of liberty that ennoble them and commerce is the source of public wealth and not only the monstrous opulence of some houses.²

In Robespierre’s utopia virtue reigned.

The vision was not, however, much different from Romme’s notion of a

¹ Maximilien Robespierre, “Rapport Sur Les Principes de Morale Politique” *Œuvres*, tome X, 350-367.

² *Ibid.*, 352.

moral realm, presented in April 1793 in the context of the constitutional discussions.³ Robespierre's theory of renunciation and terror was built around the ideal of virtue that, like Romme's earlier version, did not provide much narcissistic compensation. Once the most pressing dangers had been successfully repressed, two contrary sets of narcissistic demands emerged within the revolutionary movement. By the fall of 1793 the revolt in the Vendée was contained, federalism defeated and the war with foreign monarchies organized and manageable. In the spring of 1794, military successes led to demands to relax the rigours of revolutionary government.

In this context, two opposing groups or factions emerged out of the Cordeliers Club. The one faction, the Hébertists, began demanding more terror, including dechristianization and an extension of the economic controls that required terror to enforce. They called for harsher measures against counter-revolutionaries and for a sans-culottes economy – agrarian law, meaning the expropriation and redistribution of private, landed property and agricultural produce.⁴ They called for repressive measures against the Dantonist "Indulgents", their fellow, more conservative, club members. The Indulgents, the opposing faction, called for a relaxation of repressive measures against incarcerated suspects.⁵ Danton and his friend Camille Désmoulins advocated an immediate end to the Terror, peace negotiations with enemy powers and the

³ Ibid., 264.

⁴ Morris Slavin, *The Hébertistes to the Guillotine: Anatomy of a "Conspiracy" in Revolutionary France*, (Baton Rouge: Louisiana State University Press, 1994), 168-169.

⁵ Camille Desmoulins, *Le Vieux Cordelier*, 6 vols, (Paris : Ebrard, 1834), 1: 3-10, 4: 59-74., 5: 77-129.

release of suspects. The Indulgents also had come to the defence of some of the corrupt members of the National Convention. The revolutionary government tried to steer a middle course, an attempt to maintain the status quo, between these two factions, the Hébertist "ultras" and the Dantonist "Indulgents".⁶ Robespierre, speaking months later, described how the revolutionary government was caught between two tendencies and how they both threatened the integrity of the republic:

The internal enemies of the French people are divided into two factions, like in two army corps. They march under banners of different colours and by diverse paths; but they march to the same goal. This goal is the disorganization of popular government and the Convention's ruin... for the triumph of tyranny. One of these factions pushes us to weakness, the other to excess. The one wants to change liberty into a bacchanalia, the other into a prostitute.⁷

The whole theory of revolutionary government was premised on the idea that, until Republican institutions were established, that is, until the links of the group psychic apparatus were forged and solid, there were to be limits on individual freedoms; the unity of the revolutionary movement against the counter-revolution was the priority and the factions who interfered with the "sacred knots" of the social system were a threat to it.⁸ The Dantonists wanted the immediate application of the Constitution and the Hébertists wanted an extension of the Terror. In the midst of it all the Committee of Public Safety discovered real

⁶ Michael L. Kennedy, *The Jacobin Clubs in the French Revolution, 1793-1795* (New York and Oxford: Berghahn Books, 2000), 69-71.

⁷ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 359.

⁸ Billaud-Varenes, *Moniteur*, no. 62, 475; Saint-Just, "Pour un Gouvernement Révolutionnaire" in Soboul Ed., *Saint-Just: Discours*, 126.

corruption, the East India scandal, involving members of the National Convention's finance committee. A number of deputies were found to have used their influence in the National Convention to manipulate markets. As Jean-Pierre-André Amar, the member of the Committee of General Security responsible for investigating the scandal discovered, they had forged official documents and taken bribes from individuals connected with foreign bankers.⁹

The government responded with the Ventôse decrees, including the elimination of both factions, as participants in a corrupt, counter-revolutionary "foreign conspiracy" to destroy the republic. The Ventôse decrees laid out a strategy for augmenting repressive measures against enemies of the republic while providing increased benefits to its defenders.¹⁰ The decrees included provisions to expropriate the property of the "enemies of the revolution" condemned by the Revolutionary Tribunal and to give it to indigent patriots.¹¹ Repression against those suspected of being internal enemies, spies and agitators was to be stepped up.¹² The Ventôse decrees followed logically from the Law of 14 Frimaire and prepared the ground for more centralization of government – the creation of a bureau of police under the authority of the Committee of Public Safety, the elimination of revolutionary tribunals in the departments and the creation of popular commissions. The popular or executive commissions were to investigate the cases of suspects and determine the

⁹ Jean-Pierre-André Amar, *Moniteur*, no. 178, (18 Mars, 1794): 722-723.

¹⁰ Soboul Ed., *Saint-Just: Discours*, 152-198.

¹¹ *Ibid.* 132-151.

¹² Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 152-176.

indigents who were to benefit from the redistribution of expropriated property.¹³

The Ventôse decrees were a logical extension of the theory of revolutionary government, the logical derivative of the Law of 14 Frimaire. Like their antecedent, the Ventôse decrees represented a centralization of government, an attempt to tie republican institutions to a revolutionary social base and an attempt to maintain or forge the links in the group psychic apparatus. However, the Ventôse decrees, particularly the decree of 23 Ventôse on the "foreign faction conspiracy", also severed links that had already been constructed – links with the Dantonists and the Hébertists, with the Cordeliers Club.¹⁴ The foreign faction conspiracy theory represented a strengthening of the role of ideology in the execution of the Terror. More importantly, it corresponded to a tendency for revolutionary ideology to move more towards the phantasmagoric end of the spectrum and farther away from a difficult engagement with reality.

The attack against Hébertists and Dantonists was a manifestation of the idea that the republic was being crushed between two equally destructive tendencies: sans-culottes "anarchy", on the one hand, and bourgeois egoism and corruption, on the other. In the minds of those carrying the burden of the defence, or of the construction of the republic, neither seemed sufficiently motivated to contribute to the public good. The Committee of Public Safety saw the food

¹³ Convention Nationale, *Decreets concernant la répression des conspirateurs, l'éloignement des ex-nobles, des étrangers, et la police générale de la République* in *Maclure Coll.*, vol. 255-260, reel 78: *Collection Générale des décrets rendus par la Convention Nationale*, mois germinal, no. 13, (Paris, Baudouin, impr. de la Convention Nationale, 1794), 203-207.

¹⁴ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 152-176.

shortages in Paris as the fruit of Hébertist agitation. Hébert had denounced all commerce as "a form of despotism", claiming that it was impossible to have commerce and liberty at the same time and that therefore "commerce was a crime".¹⁵

As with the theories on revolutionary government, the Committee of Public Safety focused on how the links of the republic were vulnerable to attack, resulting in dangerous disruptions. Robespierre complained that Hébertist agitation made it impossible to get food supplies into Paris because the merchants and dealers feared "popular taxation" – food riots. The merchants, argued Robespierre, were not necessarily bad citizens when they refused to sell in such circumstances. The Hébertist agitators, he claimed, had disrupted the ties of mutual exchange and commerce and were thus operating to the benefit of the counter-revolution.

[The] mutual exchange that enables the members of society to live is annihilated, and in consequence, society dissolves. That was the goal of our enemies.

"In destroying commerce," Robespierre claimed that the Hébertist ultras in association with foreign counter-revolutionaries "wanted to starve the people, and lead it back to servitude through hunger".¹⁶ Saint-Just, echoing Robespierre, maintained that the foreign-led faction "was preparing the people for famine and

¹⁵ Robespierre, "Séance du 26 Ventôse An II (16 Mars 1794): Contre la Motion de Léonard Bourdon Demandant l'Épuration des Fonctionnaires Publics" in *Œuvres*, tome X, 384.

¹⁶ *Ibid.*

new shackles" by agitating the people with seditious speeches and food protests.¹⁷

The Committee of Public Safety's theory of a foreign faction conspiracy occurred in a context of sans-culottes rumblings about food shortages, on the one hand, and resistance to the implications of the Law of 14 Frimaire on the other. The Hébertists were not counter-revolutionaries, nor did they pose any real threat to the National Convention or the republic. Nevertheless, they had engaged in a political campaign to try to mobilize the sans-culottes against Robespierre and the Committee of Public Safety, motivated by the loss of bureaucratic positions that ensued from the application of the 14 Frimaire law that transferred some of the Commune's responsibilities to the Committee of Public Safety and which eliminated the predominantly sans-culottes "revolutionary armies".¹⁸ The revolutionary armies, a consistent sans-culottes demand since the founding of the republic, were formally instituted following a popular uprising in Paris on September 5, 1793.

The revolutionary armies had been part of a package of concessions to the sans-culottes movement that included the institution of the Maximum (price controls), the arrest of suspects, (instituted with the September 17 Law of Suspects) and a purge (radicalization) of the revolutionary committees responsible for surveillance of suspect activity.¹⁹ This package of concessions, referred to as making "terror the order of the day", was accompanied by the

¹⁷ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 156.

¹⁸ Jean Jaurès, *Histoire socialiste de la Révolution française: Le gouvernement révolutionnaire*, 7 vols, reviewed and annotated by Albert Soboul, (Paris: Éditions sociales, 1968-73), 6: 333-369.

¹⁹ Godechot, *La Révolution Française: Chronologie Commentée*, 148.

arrest of some of the most radical leaders of the popular movement, namely the enrages, Jacques Roux and Théophile Leclerc. The revolutionary armies, led by sans-culottes generals, tended to be undisciplined and given to the use of extreme repression in the departments. They worked with Representatives on Mission, presided over the "ambulatory guillotine" as well as food requisitioning for the armies and towns.²⁰ They were radical dechristianizers and, in Nantes, the "Marat Company" was responsible for atrocities. Robespierre's opposition to the Hébertists was based on their extremism in the application of terror – extremism that the 14 Frimaire Law had been designed to contain. In addition, agitation on the street about food shortages, the fact that Jaques Roux committed suicide in prison in Ventôse and the Hébertist campaign against Robespierre and other members of the Committee of Public Safety led to the Hébertists' arrest.

The execution of Danton was much more closely associated with the corruption scandal. The Committee of Public Safety responded with the idea that all opposition to the government was tied to foreign interests dedicated to the destruction of the republic. The conspiracy of the foreign faction, cutting as it did to the core of the revolutionary movement at all levels – the popular societies, the National Convention and some of the most popular leaders, Danton and Hébert – severed the links between the government, the Cordelier's club, many in the sections and Commune and some Dantonists in the National Convention. The

²⁰ Soboul Ed. *Dictionnaire Historique de la Révolution Française* 41-42; Richard Cobb, *The People's Armies: The Armées Révolutionnaires: Instrument of the Terror in the Departments, April 1793 to Floréal Year II*, trans. Marianne Elliott, (New Haven: Yale University Press, 1987), 2, 313-374 and passim.

conspiracy of the foreign faction represents the superimposition of ideology onto reality.

Saint-Just introduced his 23 Ventôse (Year II - March 1794) speech on the foreign factions with a reference to the Hébertists failed attempt to produce a popular insurrection against the Committee of Public Safety (March 4 – 14 Ventôse), including a statement on the right to insurrection, guaranteed in the Constitution of 1793. While it was necessary for the people to have the right to insurrection as a protection against an oppressive government, he argued, "governments must also have their guarantee... in the justice and virtue of the people."²¹ He then launched into the Committee of Public Safety's foreign faction theory. Alluding to the corruption scandal and the indulgent and Hébertist press campaigns against the Committee, Saint-Just maintained that the most disastrous plots against a government were those that corrupted the public spirit.

It's time to declare war on unbridled corruption, to make a duty of thrift, modesty and the civic virtues, to return the enemies of the people... to nothingness.²²

Corruption was counter-revolutionary. The people's enemies flattered "the vices and passions of corrupt men" as a means to "create parties, arm citizens against citizens and, in the midst of civil discord, to restore the throne and serve the foreigner".²³

Within the Republic the foreigner has hatched a conspiracy. [Its] goal ... is to use corruption to prevent

²¹ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 154.

²² *Ibid.*, 154-155.

²³ *Ibid.*

the establishment of liberty.²⁴

The "conspiracy of the foreign faction" emerged as a means to bring down all opposition to the government. Occurring in conjunction with serious concerns about the Revolutionary Government's ability to consolidate the republic, even as it was victorious in war, the "conspiracy of the foreign faction" represents, like the images in a dream, the amalgamation of real events, thoughts and fears. The conspiracy of the foreign faction emerged through a series of psychological associations, between the corruption scandal and foreign operatives, between Hébertist agitation in the sections at the same time as Désmoulin's Indulgent press campaign and Girondin opposition. Saint-Just, Barère and Robespierre each linked the various sources of opposition together into the foreign faction conspiracy. Since divisions served foreign interests, the foreigner must have coordinated them. Barère, reiterating some of the arguments made in defence of the institution of the revolutionary government, emphasized the need to maintain links and unity. In the Committee's view, those who disrupted unity and exploited the links were, or might as well have been, counter-revolutionaries.

What purposes can all these divisions, movements, and brutal disorganizations of the social sphere serve? They can only serve the foreigner, they can only serve tyrants; they are thus commanded only by the Kings of Europe and their valets. Citizens, the campaign is going to open, clear the soil of so many intrigues, so that we can occupy ourselves with nothing but with war and victory over our foreign enemies.²⁵

So the issue was one of repressing disruptions to the "social sphere" in order to

²⁴ Ibid., 155.

²⁵ Bertrand Barère, *Moniteur*, no. 167, (7 Mars 1794): 635.

focus on the war. There was to be no space for divisions, movements against the government or disorganization until the war was over.²⁶

The Committee's response to opposition reflects three connected psychological stances related to the group psychic apparatus: paranoia, isomorphic group construction and a failure of alpha function. The paranoid-schizoid response to opposition had been characteristic of revolutionary behaviour since 1789, but it had generally served to direct aggression against counter-revolutionary forces that were a real threat to the republic. The paranoid reaction to revolutionary opposition represented a degeneration in the way the revolutionaries in the Committee of Public Safety dealt with political problems – it represented a closure of psychic space, an increased rigidity in the relational link between the government and the Cordeliers Club. This closure of psychic space represented a shift to what Kaës refers to as "isomorphic" group construction and is characterized by ideological rigidity and a move away from reality into phantasy. Third, the repression of the Hébertists represented a failure of "alpha function" that represented a real failure on the part of the revolutionary leadership in the Committee of Public Safety – its failure to contain opposition to the revolutionary government that was not a threat to the republic.

First, of course, the foreign faction theory was a paranoid reaction to opposition. The opposition was real and was an attack on the Committee of Public Safety and its members. However, neither the Hébertists nor the Indulgents had the power to affect the Committee of Public Safety or its

²⁶ Ibid.

members, except in public opinion (or perhaps by assassinating them, a possibility that would materialize later). The paranoid reaction, as Robespierre's concern about the disruption of mutual exchange, Saint-Just's about the factions' attempts to prevent the establishment of liberty and Barère's about disruptions to the social sphere, all reflect the Committee's constant unease about the vulnerability of its links with the people and its fragmented unity. The paranoia fear was mobilized partly for themselves as individuals and partly for the links in the republic they were trying to institute, and with which they strongly identified.

The foreign faction theory was not the first manifestation of paranoia in the revolutionary movement and leadership; but it was the first example of paranoid phantasies leading to repression of other revolutionaries.²⁷ The revolutionary movement had shown paranoid tendencies as early as 1789.²⁸ Moreover, paranoia was not exclusive to the Jacobins; deputies of the Constituent and National Assemblies manifested "a paranoid style" although the Jacobin members of the National Convention may have been more susceptible to identifying with the paranoid fears of the peasants and sans-culottes, than were their predecessors.²⁹

The logic of the idea of the foreign faction was consistent with the theory of Revolutionary Government and of the Terror; paranoid-schizoid functioning – the splitting of the world into good and evil, or the splitting off of intolerable

²⁷ The repression of the Girondins was rooted, to a considerable extent, in reality. They had organized a rebellion against the government.

²⁸ Timothy Tackett, "Conspiracy Obsession in a Time of Revolution" in *American Historical Review*, vol. 105, no. 3 (June 2000): 691-713.

²⁹ Tackett, "Conspiracy Obsession in a Time of Revolution", 705.

mental contents – is probably inevitable in situations of severe social crisis. Referring to what seemed like an endless fragmenting of the revolutionary movement, Saint-Just lamented: "This is the league of all the vices armed against the people and against the government."³⁰ The government was besieged from all sides. In its group manifestation, paranoid-schizoid splitting can mobilize and organize individuals into a group designed to fight a common enemy. Unfortunately for the revolutionaries, the common fight against the counter-revolution was not enough to keep them united. The interpretation the Committee of Public Safety saw the two factions and the corrupt deputies of the National Convention all as part of one vast counter-revolutionary conspiracy. Saint-Just mentally amalgamated all opponents of the government together and associated them with all the difficulties and divisions the republic government had faced since its inception. The same enemies they had been fighting since the beginning drove the opposition movement. According to Saint-Just, some of those accused of belonging to the conspiracy of the foreign faction were spies. Some wanted revenge, some were manipulating the ambition of others and some wanted to profit from "the despair" of the Girondins, "those who were unmasked long ago" in order to incite them to "risk all to escape punishment".³¹

For the Committee of Public Safety, the corruption scandal was a point of convergence for a number of the problems that beset the Revolutionary Government in Ventôse Year II. The India Company corruption scandal, a sordid and real affair, added plausibility to the foreign faction theory. On 26 Ventôse,

³⁰ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 157.

³¹ Ibid.

Jean-Pierre-André Amar, presented the Committee of General Security's report against Chabot, Bazire, Delaunay d'Angers, Julien de Toulouse and Fabre d'Églantine, all implicated in the scandal. Amar's speech echoed that of Saint-Just. Linking the new "organized plan for corruption" with foreign powers and with federalism, Amar emphasized the ties the corrupt deputies had with foreign speculators and bankers, foreign courts and Girondins.³² "To corrupt several of us", he wrote,

to divide us, to debase us, to dissolve this national representation and to give us a king, such was the goal of the foreign courts, jealous of our glory and our success....³³

The conspiracy of the foreign faction, like other conspiracy theories, was composed of a complicated mix of reality and phantasy, truth and lies. In the scandal, Chabot, Julien and Delaunay had used their influence as members of the National Convention's finance committee to make the value of East India Company shares fall. Then during the liquidation proceedings, they falsified a National Convention decree regarding the disposal of assets, making it appear that the National Convention would bail the company out, thereby saving it from bankruptcy. As share values began to rise, certain speculators, including some foreign bankers and speculators associated with the Deputies, started selling off shares they had bought cheap. Chabot, one of the speculators, had one hundred thousand pounds to buy off Fabre D'Églantine. But perceiving that Fabre would not be bribed, he kept the money himself, telling his partners that Fabre was, in

³² Jean-Pierre-André Amar, *Moniteur*, no. 178, (18 mars, 1794): 722.

³³ *Ibid.*

fact, in on the deal. The falsified decree had Fabre's name on it and, although innocent, he was eventually executed as one of the corrupt plotters. In the meantime, however, Chabot's partners found out that he had kept the bribe. Chabot, in turn, trying to save himself, denounced his partners to the Committee of Public Safety.³⁴ Robespierre, "who was horrified by questions of money and speculation (jiggery-pokery)" referred the case to the Committee of General Security.³⁵ All those implicated in the scandal were arrested.

Making the association between the corruption scandal, foreign interests and the Dantonists was not pure phantasy; nor was it a cynical political manoeuvre on the part of the Committee of Public Safety to eliminate opposition. Corruption in the National Convention was real and it went beyond the East India Company. The corrupt deputies, most of them members of the Mountain, systematically targeted specific private business – banks, water and insurance companies – threatening revolutionary legislation.³⁶ When the company's stock value fell, they bought, being financed and laundering money through foreigners. The idea of the conspiracy of the foreign faction actually originated with Fabre d'Églantine.³⁷ He denounced the Hébertists, Vincent and Ronsin, at the Jacobin Club. Hébert, in turn denounced Fabre, Désmoulins and Bourdon de l'Oise. None of the five were expelled from the Jacobins but Fabre was chased out of the

³⁴ Auguste Kuscinski, *Dictionnaire des Conventionnels*, (Paris: Société de l'Histoire de la Révolution Française et à la Librairie F. Rieder, 1916; Repr. Yvelines: Editions du Vexin Français Brueil-en-Vexin, 1973), 250.

³⁵ *Ibid.*, 123.

³⁶ Palmer, *Twelve who Ruled*, 114-115.

³⁷ *Ibid.*, 115.

Cordeliers on 22 Nivôse Year II (January 11, 1794).³⁸ Fabre denounced the scandal as part of a foreign conspiracy involving the Hébertists and he implicated Hérault de Séchelles. Danton and Camille Désmoulins, rallying in Hérault's defence, became embroiled in the fray.³⁹

The foreign faction theory represented a shift in the character of the Committee's use of ideology. Ideology as a mechanism for mediating between reality and phantasy took a turn towards the phantasmagoric. With the foreign faction theory it underwent a number of mental slippages that reflect a turning away from reality. The Revolutionary government, as a formative group, was what Kaës calls an isomorphic group, involving a constriction of psychic space at the link – an intolerance of difference or opposition.⁴⁰

At this stage there are two dangers. The first is that there will be an absolute coincidence between the phantasy position and the individual's real position within the group – a form of concrete representation or "symbolic equation" rather than symbolization proper.⁴¹ The argument that any force disorganizing the war effort or getting in the way of the construction of the republic was counter-revolutionary was an example of symbolic equation, since it equated all opposition with counter-revolution. The second danger is that the individual will not be assigned a place. In fact, the ideology and practice of revolutionary politics was to eliminate the members of the counter-revolution by not assigning them a place within the structure. It must also be said that actual

³⁸ Kuscinski, *Dict. Conv.*, 249-250.

³⁹ *Ibid.*

⁴⁰ Kaës, *L'Idéologie*, 66-68.

⁴¹ Segal, *The Work of Hanna Segal*, 49-65.

counter-revolutionaries also choose not to have a place within the republic. Non-assignment is much more problematic when applied to revolutionary opposition. Robespierre, like the other members of the Committee of Public Safety did not always properly discriminate.

The revolutionary government owes good citizens the nation's protection. To the enemies of the people it owes only death.⁴²

Condemning an individual to death is, of course, the equivalent of denying him a place within the group.

According to Kaës, when a group manifests isomorphism, the death drive is mobilized against any threat to group unity or coherence, usually articulated and felt as a threat to the ideal object. The process then is characterized by the omnipotence of "the idea, the ideal and the idol".⁴³ Material reality exists, but is denied. Thought is reality; that is, the defensive processes used to maintain the isomorphic system – projection, splitting, denial and obsessive ritual render recognition of and engagement with reality impossible.⁴⁴ Referring to the Dantonists and Hébertists – the leaders of the "foreign faction", after their death, Robespierre continued to justify their executions in terms of revolutionary ideology that held all opposition a counter-revolutionary threat to the republic.

What did they want, those who, in the midst of the

⁴² Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 274.

⁴³ Kaës, *L'appareil psychique groupale*, 209.

⁴⁴ Kaës, *Idéologie*, 240-255. Kaës actually calls what I have referred to as the isomorphic system, the ideological position, to indicate that it represents a stance, like Klein's depressive and paranoid-schizoid positions. For Kaës the ideological position is part of a process of group development that is between the phantasmoric and mytho-poetic group development phases, which are roughly equivalent to the paranoid-schizoid and depressive positions in individual development.

conspiracies that surrounded us, in the middle of the difficulties of such a war, and the moment when the torches of civil discord still smoked, suddenly attacked all religions with violence, in order to erect themselves into fiery apostles of the void, and into the fanatical missionaries of atheism? What was the motive of that grand operation hatched in the shadows of the night, without the Convention's knowledge, by priests, foreigners and conspirators? Was it love of the country? The country has already inflicted a traitor's execution on them.⁴⁵

The revolutionary government, he maintained, continually had to navigate between the two reefs that threatened its existence, namely moderation and excess.

The fanatic covered with scapulars, and the fanatic who preaches atheism, have a lot of connections between them. ...and sometimes the red bonnets are closer to the red claws than you might think.⁴⁶

Ideology and other forms of collective representation mediate between unconscious phantasies and objective reality. The quality of representation, the extent to which it engages with reality, depends on the quality of the psychic space in which it operates; if the space allows for uncertainty and doubt, for some kind of suspended disbelief, psychic space will be open; it will allow for freedom of thought, tolerance of difference and respect for the rights of others (most importantly the right to exist). In such a situation modifications to the group psychic apparatus, and to the objective social institutions, leaders, cultural practices and beliefs that compose it, could occur through some kind of

⁴⁵ Robespierre, "Sur les Rapports des Idées Religieuses et Morales" in *Œuvres*, tome X, 450.

⁴⁶ Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 276.

consensus building exercise.⁴⁷ If the space is closed, if the interaction between phantasy and reality – if the group ideology that emerges, *substitutes* phantasy for reality – there is no suspended disbelief. In such closed space, violence becomes the mechanism for the social construction of the group.⁴⁸

The theory of the foreign faction, applied to revolutionary opposition, was a re-projection of anxiety and frustration bundled up in Jacobin ideology. Saint-Just, presenting in the name of the Committee of Public Safety, advocated increasing the Terror as a solution to the problem.

We know of only one way to stop the evil ...to finally tie the revolution to its institutions ["mettre enfin la Révolution dans l'état civil"], and to wage war on every kind of perversity. [Perversity that is]... deliberately sustained ... to debilitate the Republic and to undermine its guarantee; [We must] ... swear an oath against those who attack the present order of things, against all kinds of indulgence and to slay without pity, on the tyrant's tomb, all who lament [the fall] of tyranny, all who have an interest in avenging it and all who can revive it amongst us.⁴⁹

Saint-Just's violence stemmed from the frustrations the revolutionary government faced in trying to institute republican institutions. If the revolutionary movement could not be unified through ideology and politics, violence would "finally tie the revolution" to its institutions.

The closure of space characteristic of isomorphism and violent group construction was partly a product of the paranoid-schizoid processes that are inevitable in an unconsolidated group. Formative groups are often isomorphic.

⁴⁷ Kaës, *L'idéologie*, 66-68. Kaës refers to this type of space as homomorphic space. In fact, group construction rarely occurs in such a context.

⁴⁸ *Ibid.*, 66-68, 74, 228. Kaës calls this type of group an isomorphic group.

⁴⁹ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just : Discours*, 155-156.

The isomorphic form of group formation is consistent with Melanie Klein's paranoid-schizoid position and uses the psychological defences characteristic of it. It splits the world into absolute good and bad. In the paranoid-schizoid position projective processes dominate. Projective processes involve the expulsion of a subject's own unconscious phantasies into others or the outside world. They are important because they distort the subject's perception of internal and external reality; the ideas, thoughts or phantasies projected, although they originate with the subject, are interpreted, and acted upon, as if they belonged to the external object or existed in the outside world. The isomorphic stage, according to Kaës, operates as a defensive move against the fear of death (the death drive) and against the "primary anxiety of being deprived" of a place.⁵⁰ In formative groups ideology takes on an organizing function. It plays a prescriptive role in the construction of the group. Its intermediary function then becomes rigid and controlling – isomorphic ideology does not "seduce" investments to the link; it forces them.

As an intermediary formation, the group psychic apparatus possesses some of the characteristics of transitional space – the space of illusion, symbolism, cultural experience and the management and creation of new relationships between internal structures and the external social world.⁵¹ One of the characteristics of isomorphic groups is the way they constrict the psychic space of the links in the group psychic apparatus. The crackdown on Hébertist and Dantonist opposition represented a constriction of the psychic space of the

⁵⁰ Kaës, *L'appareil psychique groupale*, 205.

⁵¹ Kaës, *L'idéologie*, 64.

link between the Cordeliers and the Committee of Public Safety. Leaving the Dantonists and Hébertists alone, even dealing with them by allowing the Revolutionary Tribunal properly to investigate accusations against them, would have required what psychoanalysts call "transitional space".⁵² Transitional space represents a loosening of the gridlock correspondence between internal and external reality that is characteristic of what Kaës calls the ideological position. Reality, instead of being a construction of the mind, can be perceived as something separate and outside of the control of thought. Tolerance of difference, uncertainty and doubt become possible. An isomorphic group is oppressive because there is a direct, unambiguous, and omnipotent correspondence between the ideology and thought, because ideology stands in for a genuine investigation of reality and because ideology can have an obligatory, enforced quality.

Kaës has adapted Donald Winnicott's concept of transitional space to describe the *quality* of a group link.⁵³ Transitional space, as Winnicott described it, exists somewhere between reality and phantasy; in it, creative, free play can take place.⁵⁴ A link is a relational space that can take on the same qualities or tones that relationships between people do – it can be authoritarian, oppressive, liberating, encouraging, respectful, trusting or distrusting, depending on the quality of the emotional space of the relationship. An isomorphic link is one in which transitional space is not free but imposed and it is imposed *ideologically*, in

⁵² Winnicott, *Playing and Reality*, 95-103.

⁵³ Kaës, *Idéologie*, 220-222 and 244-250.

⁵⁴ Winnicott, *Playing and Reality*, 95-103, 100.

the sense that ideology becomes the justification for the imposition, even for the use of violence. Kaës uses the concept to indicate the lack of space for doubt or uncertainty in the relationship or perception of reality, relative to phantasy. In an isomorphic group, the ideological link is not free but imposed.⁵⁵

In isomorphic group construction, ideology tends toward the phantasmagoric, because the links between each individual, the others and the group as an object (group object) shows an isomorphic relationship between an unconscious psychic organizer or shared phantasy and the group psychic apparatus. The paranoid splitting that accompanied the theory of the foreign faction was associated with a variation of the "fight-flight" basic assumption, or organizing phantasy⁵⁶, rooted in a common, unconscious agreement that there was a need to unify, to set aside differences and make sacrifices to fight in the interests of self and group preservation. If paranoid-schizoid functioning, and the representations that accompany it, fail to unify, the group will sometimes try to unify the main group by persecuting a scapegoat or subgroups within it. Directing hostility onto an out-group is one means of creating unity in the face of internal divisions.

In the ideology of the foreign faction conspiracy, all opposition was counter-revolutionary. To assign a counter-revolutionary identity to those associated with the foreign faction conspiracy was to eliminate them from the

⁵⁵ Here of course his analysis is informed by Melanie Klein's concept of the depressive position. See Klein, "Mourning and its Relation to Manic-Depressive States" in *Love, Guilt and Reparation*, 344-370 and Klein, "A Contribution to the Psychogenesis of Manic-Depressive States" in *Love, Guilt and Reparation*, 285-289. *Dict. Klein.*, 158-160.

⁵⁶ Bion, *Experiences in Groups*, 63-64.

nation. If in the case of real counter-revolutionaries the fight-flight response and the ideology of the "country in danger" were realistic, applying the same perception and response to revolutionary factionalism was not realistic. The foreign faction conspiracy idea was a manifestation of a basic assumption that has overridden reality-based work functions.⁵⁷ The problem was evident in the Committee's inability to recognize the truth that Dantonist and Hébertist oppositions represented a *revolutionary* opposition, not to the revolution or the republic but to the Committee and the revolutionary government.

The ideological slippage associated with factionalism and corruption further ossified in relationship to the concept of virtue. Virtue had always been the ideal, necessary to the republic but something to be fostered and developed. Robespierre argued that representatives of the people had to be more virtuous than ordinary citizens. The corruption scandal, Hébertist intrigues and Désmoulins' articles advocating the release of suspects made Robespierre despair. The members of the Convention, he argued, had to have virtue in order to withstand counter-revolutionary intrigues. After five years of "betrayal and tyranny" France's enemies, Austria, England, Prussia, Russia and Italy, had had the time to establish "a secret government, a rival of the French government", a government of spies infiltrating all the revolutionary organizations capable of undermining the revolution.⁵⁸ They had a unity that the revolutionary government

⁵⁷ Ibid., 159.

⁵⁸ Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 278.

lacked.⁵⁹ Furthermore, in the war of ruse and corruption, the tyrants had the advantage. They could buy support.

All the vices fight [for their favour]. The Republic has only virtues in its favour. The virtues are simple, modest, poor, often ignorant and sometimes vulgar. They are the prerogative of the unfortunate and the patrimony of the people. The vices are surrounded with all the treasures, armed with all the charms of sensual pleasure and all of perfidy's bait. All the dangerous talents exerted for crime escort them.⁶⁰

Foreign courts "vomited" mercenary agents into France; their agents "infested" the revolutionary armies, debated in the sectional assemblies and clubs and got positions in government. Some of them were "seated [in] the sanctuary of national representation. They "prowled around" spying out the republic's secrets. They flattered. "Manage them" argued Robespierre, and "they conspire publicly; threaten them and they conspire in the shadows, all under the mask of patriotism".⁶¹

The idea of masks, of the need to "tear the veil" and unearth the covert conspirator's or hypocrite's motive underneath an outward persona of virtuous republicanism, was a common motif in the language of revolutionary denunciation. The mask was a manifestation of projective identification in which the subject's internal phantasy was imposed on the denounced object. "Tearing the veil" involved a violation of transitional space, in which the object of the denunciation was not permitted to have an identity that was separate from the phantasy. The isomorphic group, in which the function of ideology came to

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid., 278-279.

represent phantasy, rather than to mediate between phantasy and reality, and the closure of transitional space that was characteristic of the idea of a foreign faction conspiracy, were both symptomatic of the Committee of Public Safety's failure to contain projections from the factions, especially the Hébertists, and the failure on the part of its members to manage their own anxieties related to the fragmentation of the revolutionary movement.

The paranoid-schizoid functioning that informed revolutionary thought and ideology during the revolutionary government was an inevitable part of the process of constructing the links in the group psychic apparatus, as a precondition to the construction of republican institutions and the state. The increasing isomorphism of the structure and the closure of the psychic space of the links that became more and more apparent in the winter of 1793-1794 were symptomatic of another psychological process that, although always a possibility, may not have had to unfold as it eventually did, in the form of the foreign faction conspiracy theory. The tragedy of Ventôse lies in how the foreign faction conspiracy represented a failure of leadership, an alpha function failure.

In order to successfully consolidate the group psychic apparatus, the revolutionary leadership or revolutionary institutions would have had to be able to survive and transform the projections directed onto to them by revolutionary opposition groups. With the foreign faction theory, the Committee of Public Safety manifested what Wilfred Bion referred to as a failure of "alpha function". Alpha function is represented by the ability of leadership to take in multiple projections, transform them and return them to their sources in a modified and

less vehement form. The interaction between revolutionary leadership and followers – supporting institutions, social groups and individuals – might have provided a means to establish the Republic without resorting to the Ventôse solution of more terror.⁶² Instead, the Committee of Public Safety, with the National Convention's consent, cracked down on opposition that was not counter-revolutionary.

If, in individual development, the process fails, if the mother is not capable of the alpha function, the infant's projections will be returned full-force with the addition of some of the mother's own intolerable psychic material, producing *beta elements*. Beta elements are terrifying, fragmented, dangerous or damaged objects or impulses. The beta elements, reprojections of the mother's alpha function failure, take the form of acting out – acting out the terrible thoughts, instead of feeling and thinking about them. Acting out then is a product of the failure to think or contain (to contain the feeling in the thought).⁶³ Similarly, failure of the group psychic apparatus or its functional components, its leaders and institutions, can lead to a massive cycle of splitting and fragmenting, projection and re-projection of beta elements.

At the social level, the alpha function of the group psychic apparatus creates adherence to the group and facilitates coherent, organized and

⁶² Jaurès, *Histoire socialiste de la Révolution française*, 6: 95. He argues that Robespierre and Saint-Just wanted to end the Terror by accelerating it.

⁶³ Kaës, *L'idéologie*, 112. Sometimes the "good" or ideal parts of the self are what are projected – the internal mental environment being too dangerous for them, they are projected as a means to keep them safe from the beta elements.

constructive group activity.⁶⁴ Failure of alpha function leads to the re-projection of what Bion called “beta elements”. Kaës argues that alpha function failure at the group level often manifests itself in the tied together beta elements – a package of intolerable psychic material that is propelled outwards, usually into an object; he calls this process *iota function*. Iota function ideology is a form of thinking without containment – without thought – based on the re-projections of controlled and cohesive beta elements into what he calls a pseudo-container that is constituted by a denial of the thought of frustration.⁶⁵ Iota function ideology then is ideology rooted in the paranoid-schizoid processes of splitting and projection.

Robespierre’s language became increasingly violent, increasingly phantasmagoric as he started speaking of the factions – other revolutionaries – as blood drinkers and brigands. The “wretches that secretly tear at our entrails” were able to conspire with impunity.⁶⁶

They surround us with their hired assassins and their spies; we know them, we see them, and they live! They seem inaccessible to the sword of the laws. It is more difficult, even today, to punish an important conspirator, than to release a friend of liberty from the grip of calumny.... On the one hand, they renew the former system of persecution against the friends of the Republic; on the other, they invoke indulgence in favour of the villains covered with the country’s

⁶⁴ Constructiveness can be understood in the psychological sense as maintaining safe and effective inter-subjective (between individuals in small groups) or trans-subjective (between individuals and large groups, or between social groups) or in the social-material sense, as being oriented to some positive function in the social world – work that engages with the real world.

⁶⁵ Kaës, *L'idéologie*, 112. Kaës, following Bion, refers to frustration as “the thought of the no-breast”. Bion, *Transformations: Change from Learning to Growth*, (New York: Basic Books, 1965), 54

⁶⁶ Robespierre, “Rapport Sur les Principes du Gouvernement Révolutionnaire” in *Œuvres*, tome X, 280.

blood.⁶⁷

What we have here is a serious failure of containment. The revolutionary movement that had already fragmented a number of times into constitutional monarchists versus republicans, into Girondins versus Montagnards, had, by the spring of 1794 fragmented into ultras and citras versus the Revolutionary Government. It would split even more as the Terror progressed – between the two committees, between atheists and deists, between Representatives on Mission, between Dantonists and Robespierrists. Robespierre began to see enemies everywhere.

The conspirators are numerous; they seem to multiply and [yet] the examples of this type are rare. The punishment of a hundred obscure and subaltern criminals is less useful to liberty than the execution of one leader of a conspiracy.⁶⁸

Robespierre's enemies that were everywhere, and yet could not be touched, were beta elements.

At the social level, the group psychic apparatus' alpha function failure is catastrophic, because of the magnification effect of multiple, destructive projections from a number of individuals. The destructive impulses get relayed through the links in the group psychic apparatus and, if the structure cannot contain them, thrown back into society. The group psychic apparatus' alpha failure can render group construction impossible; it results in the "non-construction" of the group, its destruction or its becoming fixated into a defensive, paranoid-schizoid, ideological position that sustains the repetitive projection and

⁶⁷ Ibid., 279.

⁶⁸ Ibid., 280.

re-projection of damaged objects (beta elements) onto an object external to the group or on an internal scapegoat.⁶⁹ In the French Revolution, during the Year II, there was an uncertain oscillation between the articulation of a republican utopia and the repetitive destruction of beta elements.

The vitally dependent relationship between the subjects and the group reifies into the inviolable assignments of each individual to imaginary places, characteristic of the structure of the "psychotic group".⁷⁰

The consequence of the Committee of Public's alpha function failure was catastrophic for the revolution. The foreign faction conspiracy theory was a failure of alpha-function containment at the highest levels of revolutionary leadership, the Committee of Public Safety. The actual belief in the presence of being surrounded by enemies everywhere came out of the revolutionary situation. As early as December 1793, Robespierre was speaking of having enemies everywhere that yet were difficult to identify. "The conspirators are numerous; they seem to multiply and [yet] the examples of this type are rare."⁷¹ Robespierre was describing the sense of disintegration that occurs with massive projection of beta-elements in the paranoid-schizoid position. Re-projected psychic material or objects become fractured into multiple part objects.⁷² The beta objects – already invested with intolerably terrifying psychic material – become even more dangerous and frightening because in fragmenting they have become multiplied.

⁶⁹ Kaës, *L'appareil psychique groupale*, 206.

⁷⁰ *Ibid.*, 204.

⁷¹ Robespierre, "Rapport Sur les Principes du Gouvernement Révolutionnaire" in *Œuvres*, tome X, 280.

⁷² Where the part stands in for the whole in a very concrete – non-symbolic way.

Additionally, the violent act of projection itself creates a fear of retaliation.⁷³

The conspiracy of the foreign faction later metamorphosed into the "conspiracies of prisons" in which followers of Danton and Hébert were thought to be conspiring from prison to attack the institutions and leaders of the Revolutionary Government. The factionists were, as early as Ventôse, accused of planning to massacre the patriots. "They commit atrocities in order to accuse the people and the Revolution of them. The foreigner corrupts all."⁷⁴ Danton, Hébert and the Deputies implicated in the India Company corruption scandal were all accused of being part of a vast foreign conspiracy to overthrow and disorganize the Republic.

The conspiracy that the Committee of Public Safety unveiled to you, that horrible conspiracy that would have had to make streams of blood flow, and raise on our corpses the throne of tyranny. Yes, the massacre of all the patriots was the goal of these infamous conspirators!⁷⁵

The institutional centralization that emerged from the Law of 14 Frimaire and the Ventôse decrees that were a logical extension of it were meant to gain control of the Terror. The foreign faction conspiracy theory disorganized the revolutionary movement, eventually leading to the Great Terror and to Thermidor. Ventôse was a crucial turning point in the Revolution; it led to increased political interference on the Tribunal, added another level of police to the already significant police and surveillance bureaucracy and culminated in the passage of the Law of 22 Prairial and the Great Terror.

⁷³ Klein, *Envy and Gratitude*, 433-436.

⁷⁴ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just : Discours*, 155.

⁷⁵ Robespierre, "Séance du 25 Ventôse" in *Œuvres*, tome X, 378.

The problem with the foreign faction theory, as it related specifically to the Revolutionary Tribunal, was with the way the Tribunal was forced to handle the ensuing trials. Augmenting the Terror, and unleashing it on members of the National Convention without enabling the Revolutionary Tribunal properly to investigate the accusations against them, created fear, resistance and cynicism within the revolutionary government. As will be argued in Chapter 6, the Dantonists and ex-Representatives on Mission actually started conspiring against Robespierre. The conspiracies of prisons for which Fouquier was held responsible were a direct consequence of various revolutionary laws that made it impossible to investigate cases properly. The divisions between the committees seriously diminished cooperation between the different sections of the system of revolutionary justice – between the municipal police in the Commune, the revolutionary committees from the sections, the Committee of General Security and the Committee of Public Safety, its Bureau of General Police and the Commission for the Civil Administration of Police and Tribunals set up after the Ventôse decrees. The Law of 27 Germinal required all conspiracy cases to be sent to Paris, and tried by the Revolutionary Tribunal, thus massively increasing its workload.⁷⁶ Previously, revolutionary tribunals had operated throughout the republic. A Decree of 17 Messidor, Year II made it mandatory for the Revolutionary Tribunal to judge anyone accused of conspiracy within twenty-four

⁷⁶ Convention Nationale. Décrets concernant la répression des conspirateurs, l'éloignement des ex-nobles, des étrangers, et la police générale de la République, *Maclure Coll.*, vol. 255-260, reel 78: *Collection Générale des décrets rendus par la Convention Nationale*, mois germinal, no. 13, (Paris, Baudouin, impr. de la Convention Nationale, 1794), 203-207.

hours of receiving a denunciation.⁷⁷ Finally, the Law of 22 Prairial not only broadened the definition of a counter-revolutionary crime to include counter-revolutionary declarations but also eliminated some of the more important procedures to the benefit of the accused, specifically the *instruction* used to verify the identity of an accused before trial.⁷⁸ The execution of the Dantonists and Hébertists was disastrous for the Republic. It would lead not only to the great Terror but also to Thermidor.

⁷⁷ Comité du Salut Public, *Extrait du registre des arrêtés du Comité du Salut Public, 17 Messidor, An II, A.N., W501, Dossier 1, pièce 55.*

⁷⁸ Georges Couthon, *Loi de 22 Prairial, "preamble".*

Chapter 6: Thermidor

The Great Terror culminated in the overthrow and execution of Robespierre. The defining events of the Thermidorian period in the French Revolution – Robespierre's arrest, the Commune's revolt in his favour, the Thermidorian repression of the insurrectionists and the slide into political and social reaction – lend themselves to psychoanalytic investigation. Psychological processes attendant on the actions taken in the Thermidorian National Convention provide an explanation for these events that include, of course, the denunciation trial and arrest of Fouquier-Tinville, public prosecutor of the Revolutionary Tribunal during the Terror. Kaës's theory of a group psychic apparatus provides a framework for understanding the significance and meaning of Fouquier's fate in a broader social context. It offers an approach for analyzing his arrest, trial and notoriety as a symbol of terror that considers the events in the context of the construction of Thermidorian political culture, social structures and ideology.

Robespierre's last speech, his denunciation of his colleagues on 8 Thermidor, Year II (July 26, 1794) and his role as revolutionary leader before Thermidor and as denigrated object afterwards, indicate the relationships between leadership, ideology and psychology. The reinvention of Robespierre after Thermidor was part of an ideology that was rooted in a group phantasy that organized Thermidorian social and political relationships into a new group psychic apparatus. Considering the psychological motives underlying the Thermidorian representation of Robespierre provides a means to explain how the

events of Thermidor led to an unintended decomposition (or dismantling) of revolutionary institutions. The compulsive, repetitive and destructive hunt for "Great Criminals", terrorists and "Robespierre's successors" that characterizes the period was rooted in the Thermidorians' denial of their own responsibility for the Terror, its institutions and its rationale. Their denial gave impetus to the counter-revolution and jeopardized the consolidation of the Republic.

The early Thermidorians were all members of the *Montagne*, the left wing of the National Convention – composed of ex-terrorist Representatives on Mission, anti-Robespierrist *Montagnards*, members of the Committee of General Security and Dantonists. In all, the initial alliance that formed, in fear and resentment of Robespierre's influence and his speech on 8 Thermidor, involved mostly *Montagnard* deputies.¹ On the face of it, the Thermidorian alliance was a contradiction socially and ideologically. Stanislas-Louis-Marie Fréron and Jean-Lambert Tallien, among the most vocal leaders of the faction in the first few months, had been *Montagnards* themselves and had been among the most notorious of terrorists. A rift between the Committee of Public Safety and General Security had occurred over the institution of a Police Bureau, one of Robespierre's initiatives, announced in the general reorganization of the executive presented by Saint-Just as part of the Ventôse decrees. By 12 Fructidor (August 29, 1794), Fréron, Tallien and Dantonist members of the

¹ Brunel, *Thermidor*, 112-113. Among them were Bourdon de l'Oise, Tallien and Legendre (Dantonist reactionaries), Thirion and Thuriot (Dantonists, among the "last *Montagnards*"), Fréron, Barras, Tallien and Dubois Crancé (ex-Terrorists reactionaries), Carrier, Fouché and Guffroy (ex-Terrorists who were persecuted after Thermidor), Collot d'Hérbois, Barère, Billaud-Varenne, (Thermidorian members of the Committee of Public Safety), Amar, Lacoste, Vadier, Ruhl, Voulland (Members of the Committee of General Security among the "last *Montagnards*").

Thermidorian Convention had formed a powerful faction within the National Convention. They supported themselves on the Jeunesse Dorée in the streets and on the reactionary press. Fréron launched a campaign that aimed to ruin the *Montagnards*, labelled Robespierre's successors, who remained faithful to the social principles of the Year II.²

With the events of 9 Thermidor, the network of revolutionary ideas and institutions that had developed since the fall of the King, started to crumble. After Robespierre's fall, the revolutionary government, subject to a process akin to the unravelling that begins with a single dropped stitch in a fabric, came apart as institutions, ideas and personnel were systematically dismantled. The process, a process of decomposing the links in the group psychic apparatus, resulted from the withdrawal of psychic energy, emotional support and system of identifications that occurred after Robespierre's fall.

Robespierre's speech of 8 Thermidor, accusing his colleagues of ruining the revolution, activated a chain reaction; deputies in the National Convention who felt threatened organized a quick defence by arresting Robespierre and Saint-Just; the Commune, in turn, organized an unsuccessful insurrection; the National Convention responded with harsh repressive measures, outlawing and executing over one hundred "Robespierrist" conspirators in the days following Robespierre's speech. One hundred and three suspected insurgents were declared outlawed (*hors la loi*); the National Convention condemned them to

² François Gendron, *La Jeunesse Dorée: Épisodes de la Révolution Française*, (Montréal: Les Presses de L'Université du Québec, 1979), 63.

death without the right to a trial.³ The National Convention dissolved the Commune and started purging “Robespierrists” in the institutions of Revolutionary Government, while at the same time effecting a policy of indulgence towards suspects; denunciations against Robespierrists, “terrorists” or the “Great Criminals” reached the members of the National Convention who had served on the governing committees of the Year II, former Representatives on Mission and the members of the Revolutionary Tribunal. The seventy-three Girondin deputies who had been banned from the National Convention were reintegrated. Ameliorative economic policies designed to ease the living conditions of the people of Paris were labelled “Robespierrist” and abrogated; popular uprisings in the spring of 1795 were brutally repressed. The hunt for Robespierrists led to the piecemeal dismantling of the institutions, policies and personnel of the Year II. The Montagnard members of the two Great Committees who initiated Robespierre’s downfall lost control over the political process and found themselves under attack as the links in the group psychic apparatus unravelled.

The unravelling of the group psychic apparatus after Thermidor was a manifestation of the psychological decomposition and re-composition (condensation) onto new objects.⁴ Revolutionary institutions, during the Terror, had been linked together through Robespierre, his ties with the Commune, the Committee of Public Safety and his role as ideologue or spokesperson for the revolutionary government. Institutions link social, political, cultural and economic

³ Campardon, *Le Tribunal Révolutionnaire*, 2: 15.

⁴ Freud, *Sigmund Freud: Case Histories II*, 85.

processes and perform various psychic functions. According to Kaës, links regulate and strengthen

the basis of individual's identification with the social whole; they also form a backdrop for psychic life into which certain parts of the psyche that tend to escape psychic reality can be deposited and find containment.⁵

What began the process of decomposition or unravelling? Once it began, what were the processes of decomposition (or dissociation) and displacement? How did these psychological processes impact on historical processes and events? Robespierre did not begin the process of decomposition with his denunciation on 8 Thermidor. It had begun with the "foreign faction theory" and the executions of the Hébertists and Dantonists and was well developed by the time of the Great Terror.

Nonetheless, Robespierre's speech broke whatever links remained between him and the other members of the Mountain.⁶ The denunciation was reckless and suicidal. In it Robespierre accused, without actually naming the individuals he had in mind, the Committee of General Security, some of his colleagues in the Committee of Public Safety, the Dantonists and ex-

⁵ Kaës, "Contribution From France: Psychoanalysis and Institutions in France" in *Organisations, Anxieties and Defences: Towards a Psychoanalytic Social Psychology*. Eds. R.D. Hinshelwood and Marco Chiesa (New York, Kentucky and Sussex, UK: Brunner-Routledge, 2001), 113.

⁶ As I argued in Chapters 3 and 4, formative groups are by their very nature not democratic and do not tolerate dissent. It may not be possible to construct a group, and certainly not a society, under democratic conditions, because there would always be a section of the population that would resist change. This was Marx's reason for a transitional, "dictatorship of the proletariat". Let us not forget that the term referred to the dictatorship of the majority over the minority, remnants of the old ruling class.

Representatives on Mission in the Convention and others.⁷ The 8 Thermidor denunciation ended Robespierre's six-week absence from the Convention and the Committee of Public Safety. It opened with a plea to the National Convention, likely directed to the members of the Plain, to listen to his warning that internal divisions and political intrigues threatened to undermine the integrity of the National Convention. Speaking to the members of the National Convention, Robespierre connected the danger to the Revolution with his own personal persecutions.

Let others flatter you; I am going to speak... truths....
I am going to unveil abuses that tend towards the ruin
of the country and that only your probity can repress. I
am going to defend...your outraged authority. If I also
say something of the persecutions of which I am the
object, you will not make a crime of it.⁸

The speech condemned a good many of Robespierre's colleagues in the Mountain; as he refused to identify by name the individuals he accused, the speech threatened any member of the National Convention who might have reason to fear Robespierre. The speech was emotional, despairing and reckless.

Saint-Just's speech of 8 Thermidor, a speech he was prohibited from delivering, was both a defence of Robespierre and an attempt to reconcile the two Great Committees. Saint-Just tried to excuse Robespierre's recklessness and accused Robespierre's enemies on the left of envy. Saint-Just pleaded that Robespierre had been:

⁷ Even Cambon and Carnot, two people engaged in technical work that Robespierre likely did not understand. He did not have a mind for technical details, either in economics or planning. See Carnot, *Mémoires sur Lazare Carnot 1753-1823*, 1: 580-585.

⁸ Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 543.

alienated from the Committee by the bitterest treatment. ...He did not explain himself... clearly enough, but his alienation and the bitterness of his soul could excuse some things. He doesn't know the story of his persecution; he only knows the pain of it. He has been made into a tyrant of public opinion.... It is necessary ... [to shed light] on a sophistry that would tend to have merit proscribed.⁹

Saint-Just, in an attempt to reassure the majority of members in the National Convention, said the Robespierre "didn't clearly distinguish" those he inculpated. In refusing to name those he accused, Robespierre had aroused fear in many of the members of the National Convention. Dangerously, he had aroused the fear of the most powerful members in the two Great Committees. Saint-Just tried to reassure the members that Robespierre's accusations were the product of his own suffering, and did not represent an attack.

He had nothing at all to complain of, and doesn't complain any more of the Committees, because the Committees it seem to me to have always been worthy of your esteem, and the ills I [spoke of] were born of isolation and the extreme authority of some members left alone.¹⁰

Saint-Just wanted to heal the rift between the two Great Committees – the Committee of Public Safety and the Committee of General Security. His desire to do so was consistent with his view, shared by both Robespierre and Billaud, that the Republic could only survive if it was based on institutions, not individuals.¹¹ The members left alone were Billaud and Jean-Marie Collot d'Hérbois; Saint-Just

⁹ Saint-Just, "Discours du 8 Thermidor" in Soboul Ed., *Saint-Just: Discours*, 213.

¹⁰ *Ibid.*, 214.

¹¹ Robespierre, "Rapport Sur Les Principes de Morale Politique" in *Œuvres*, tome X, 350-367; Billaud-Varenne, *Principes Régénérateurs du Système Social*, ed. Françoise Brunel, (Paris: Publications de la Sorbonne, 1992); Saint-Just, "Fragments d'Institutions Républicaines" in *Œuvres Complètes de Saint-Just*, ed. Michèle Duval (Paris: Lobovici, 1984), 979.

accused them of wanting to destroy “certain” of the members of the Committee of Public Safety and the Revolutionary Tribunal and the Jacobin Club, in order to usurp power.¹² The problem in the Committee of Public Safety was that so many of its members had been sent off on mission¹³. Others were overwhelmed with work.¹⁴ Consequently the Committee was left in the hands of Collot and Billaud. These men, most of whom Robespierre refused to name in his speech before the National Convention, had been spreading rumours that he was responsible for accelerating the Terror. The actual accusations, which were rumours at the time of Robespierre’s speech, held Robespierre responsible for the executions of the Dantonists, for the injustices of the Great Terror and for keeping “lists of proscription”, supposedly lists of deputies to be sent to the Revolutionary Tribunal. Rumours of lists of proscription started circulating in Prairial, Year II – about the time of the Festival of the Supreme Being and the passage of the Law of 22 Prairial.¹⁵

The rumours reflected a structure of unconscious thought that shifted and moved between political factions and social groups. This structure of unconscious thought or phantasy was most likely the most significant cause of Robespierre’s downfall. What was this “structure of thought”? The structure of thought was a new version of the consistent revolutionary phantasy, or fear, of a tyrant. The phantasy was consistent with Bion’s basic assumptions or Kaës

¹² Saint-Just, “Discours du 8 Thermidor” in Soboul Ed., *Saint-Just : Discours*, 215.

¹³ Jean-Bon Saint-André, Prieur de la Marne and Saint-Just himself

¹⁴ Palmer, *Twelve who Ruled*, passim. Saint-Just only mentioned Prieur de la Côte-d’Or and Lindet, but the same was likely true of Barère and Carnot.

¹⁵ Brunel, *Thermidor*, 82-83.

psychic organizers. The tyrant phantasy that had partly motivated revolutionaries against the King remained a constant theme throughout the republican period. According to Bion, all basic assumptions are a variation on oedipal themes and individuals within a group organize as players within the oedipal drama.¹⁶ Members within a group will perceive themselves acting a part in the oedipal drama. The Oedipal content of the organizing phantasy, of course, revolves around the leader. The leadership of a basic assumption group is, in fact, created by the group, by a number of individuals projecting the same content into him.

Group mentality is the unanimous expression of the will of the group, contributed to by the individual in ways of which he is unaware, influencing him disagreeably whenever he thinks or behaves in a manner at variance with the basic assumptions.¹⁷

Consequently, a leader who fails to conform to the basic assumption of the group will be ignored or, if necessary, eliminated.¹⁸

The structure of thought was also a myth, the Thermidorian myth – that Robespierre, Couthon and Saint-Just had formed a triumvirate within the Committee of Public Safety and that they wanted to usurp the power of the National Convention and then set Robespierre up as dictator. Deputies who tried to resist him would be sent to the Revolutionary Tribunal and executed. The theme became an all-out attack on so-called “terrorists”, virtually all of them accused of conspiring in some way with Robespierre. In the Year III (September

¹⁶ Bion, *Experiences in Groups*, 161-162; Kaës, *L'appareil psychique groupale*, 185-187. Kaës applies the term “psychic organizers” to Bion’s basic assumptions and other group “states of mind”.

¹⁷ Bion, *Experiences in Groups*, 65.

¹⁸ *Ibid.*, 177.

1794-September 1795), repudiating any association with Robespierre or his ideas became a condition of survival. The same structure of thought can be seen in the Thermidorian hunts for “Robespierre’s successors” (*continueurs de Robespierre*), in the attacks against former members of the Great Committees and in Fouquier’s trial.

What triggered this structure of thought and why did it emerge so powerfully after Robespierre’s speech on 8 Thermidor? First, it reflects the early stages of group formation. In the early stages of group construction, an individual’s internal object world has to be reconciled with the external world.¹⁹ This reconciliation or compromise is constructed through the mobilization of a “scenario”, a phantasied drama that places the individual in a position relative to others.²⁰ All individuals within a group mobilize some form of scenario that reflects, on the one hand, their own particular object relations and, on the other hand, object relations, imagoes and mental structures that are common to all – id, ego, super-ego structures, parental imagoes representing nurturing or authority of good, bad, ideal or persecuting objects. To the extent that the scenarios are common to all, a common phantasy will emerge; for example, pre-oedipal and oedipal scenarios or of super-ego functions will form.

The Thermidorian reaction to Robespierre’s speech was violent and

¹⁹ Kaës, *L'appareil psychique groupale*, 207. According to Kaës, the construction of the group psychic apparatus takes place along four “moments” or stages, the phantasmagorical moment, the ideological moment, the figurative-transitional moment and the mythopoetic moment. I have collapsed these phases somewhat – for the sake of the narrative. The revolutionary group during the Terror combined the phantasmagorical and ideological phases. The others are not relevant for the analysis of either the Terror or the Thermidorian periods, both of which manifested more primitive forms of defence.

²⁰ *Ibid.*

extreme because of the specific psychological function Robespierre had played throughout the Terror, a super-ego one. According to Kaës, to the extent that individual structures and internal object relations correspond to roles within commonly experienced dramatic or phantasied "scenarios", an individual will be assigned a specific role within the group.²¹ The individual's internal structure will likely determine which position is taken. An individual with a dominant or not fully integrated super-ego may be positioned to play the role of group super-ego. In short, the flux of individual scenarios will coalesce into a commonly held scenario that positions each member of the group, creating a group phantasy in which all have some role to play. Thus, the group phantasy organizes group relations. During the Terror, Robespierre modelled himself on the ideal of a Roman censor; taking on a vigilant surveillance and denunciation role, he served a super-ego or preconscious function.²² He took onto himself a super-ego role that the group, the members of the National Convention and especially the members of the Jacobin Club, assigned to him.

When Robespierre emerged from a six-week absence and started accusing his colleagues, they reacted in accordance with the psychological role that he had played within the group – a castigating, severe, and in Thermidor, persecuting super-ego. In the early stages of group formation, the preconscious does tend to become restricted to a strict role of censorship and surveillance.

According to Kaës:

²¹ Ibid.

²² On the ancient Roman institution of the censor and its relationship to denunciation in the French Revolution, see Colin Lucas, "The Theory and Practice of Denunciation in the French Revolution" in *The Journal of Modern History*, 68, no. 4, (December 1996): 768-785.

The leader and the ideology are appointed to [the task of surveillance and censorship], they hold the structural position of the preconscious in the group psychic apparatus. [The leader and ideology] operate by controlling the official norms of the group, exercising conformist pressures and, eventually, through terror.²³

The super-ego role was manifested so powerfully in Robespierre, partly because he tended towards being self-righteous and paranoid, but also because, as ideological leader of the Revolutionary Government, he took into himself many of the projections that people, particularly those that opposed him placed on him. By the spring of 1794, Robespierre had served this kind of "lightning rod" function, containing projections and personally absorbing attacks on the Jacobin government, for over a year. It had begun when he was a member of the Executive Council of the Commune of Paris, when the Girondins fixated on him as their mortal enemy.²⁴

How did the group phantasy or structure of thought give rise to the compulsive, repetitive killing of former patriots? First, early group formations exhibit a direct correspondence between individual and group experience. "If the group is threatened, each [member] is fundamentally threatened."²⁵ Consequently, when Robespierre attacked the members of the Mountain, they reacted *en bloc*. The fact that Robespierre had not specified any particular individuals made unified action against him easier. The fact that Danton had been executed on the basis of Saint-Just's speech on the foreign factions

²³ Kaës, *L'appareil psychique groupale*, 208.

²⁴ On Robespierre's role in the Commune and early relationship to the Girondins see Braesch, *La commune du dix août 1792*, 395-402

²⁵ Kaës, *L'appareil psychique groupale*, 208.

provided them with a precedent of what they might fear. Nonetheless, the reaction was not necessarily motivated by fear on the part of all of them. According to Kaës, if the group is attacked the individual members in it will mobilize defences to protect the coherence and integrity of the group psychic apparatus.²⁶ The defences mobilized include: denial, paranoid splitting, and compulsive “undoing”. Denial takes the form of a denial of differences, paranoid splitting divides the world into absolute good and absolute bad and obsessive “undoing” is the warding off of guilt through repetitive, ritual behaviour. As will be demonstrated in Chapter 7, the Thermidorian group phantasy contained a strong element of denial, on the part of individual members of the National Convention, of their own roles in the Terror. The repetitive killing of Robespierrists or those associated with his role was a means for Thermidorian terrorists to ward off their own guilt and responsibility. Finally, the Commune’s revolt in Robespierre’s defence generated a fear on the part of the members of the National Convention about the security and integrity of that institution, which added to the power of the phantasy and informed much of Thermidorian ideology.

The Thermidorian ideology that emerged involved a “victim” or dependency phantasy that encouraged victims to take revenge on their supposed oppressors, namely the personnel and institutions of Revolutionary Government during the Terror. As such, the phantasy played into the hands of the counter-revolution and put the “men of the Year II”, those who had done the most to serve the revolution, on the defensive. The victim or dependency

²⁶ Ibid.

phantasy – that all ill was Robespierre’s fault – functioned in two different ways. For those who had reason to reproach themselves, the ex-terrorists on mission and the Committee of General Security, the phantasy was a defence against guilt. If Robespierre and his “accomplices” were to blame for everything that had gone wrong, no one else would have to take responsibility and would be safe from punishment. For victims or friends of victims of the Terror, the Dantonists and Girondins, the phantasy gave free rein to exact revenge in the guise of justice. The phantasy was a convenient way to repress the popular movement and the Jacobin Club; consequently it came in handy for Girondins and other “bourgeois” revolutionaries who wanted to protect economic privilege and private property.

Robespierre’s speech on 8 Thermidor was a repudiation of the rumours that held him responsible for all the evils of the Terror; it was chillingly prophetic, as he described the acting out of the Thermidorian phantasy before it happened. He predicted his own death.

Some time ago, I promised to leave a testament, fearful to the oppressors of the people. I am going to make it public now with the independence appropriate to the situation in which I am placed. [One of almost certain death] I bequeath them the terrible truth and death!²⁷

Robespierre accused the same factions, the same individuals that prior to the reintegration of the Girondins, would drive Thermidorian politics – Dantonists, recalled Representatives on Mission, the clerks of the Jeunesse Dorée, Billaud-Varennes, Collot d’Hérbois and the Committee of General Security. Robespierre,

²⁷ Robespierre, “Discours du 8 Thermidor” in *Œuvres*, tome X, 567.

referring to the fact that the Dantonists were actually sent to the Tribunal on the basis of an indictment for which the National Convention had voted approval, lamented that they should be the reason for the rumours that he was oppressive.

"None would dare defend them."²⁸

Is it the memory of [Dantonist] conspirators that is to be defended? Is it the death of these conspirators that is to be revenged?²⁹

In fact, some of the Thermidorians would become obsessed with avenging the death of Danton, with Robespierre's supposed responsibility for the "persecution of patriots", with the Law of 22 Prairial and the Revolutionary Tribunal, with Robespierre's desire to become a dictator. "I am not going to make absurd terrors, spread by perfidy, come true."³⁰ Robespierre was not going to start executing members of the National Convention or set himself up as a dictator. Nonetheless, the rumours that Robespierre stormed against in his speech would become Thermidorian ideology. That Robespierre was actually a prophet was less likely than that his suspicions and his persecution had some basis in reality; there was most likely a conspiracy to overthrow him. The correspondence between Robespierre's accusations, his despairing attempt to defend himself against "absurd terrors" and their adoption as Thermidorian dogma, the fact that those he accused became the leading actors during the Thermidorian period, point to the existence of a tendency, if not an actual plan, to

²⁸ Ibid., 547.

²⁹ Ibid., 549.

³⁰ Ibid., 543.

overthrow him and the revolutionary government.³¹

Robespierre's speech indicates that the middle-class youths who would be active as Fréron's street-gang force after Thermidor were already active before Thermidor. He referred to that "army of clerks"³². The "horde of rogues" that, according to Robespierre, had already "usurped a destructive confidence under the name of clerks of the Committee of General Security" would become an active force against the sans-culottes. The clerks actively supported the reaction against their former bosses. The clerks in the Revolutionary Tribunal were among the reactionary youths that Robespierre predicted were an anti-revolutionary force.

Audacity is necessary to dare attack subaltern rascals... These men have achieved that frightful system of calumny and pursue all patriots suspected of probity while they protect those like them and justify their crimes with this word, which is the rallying cry of all the enemies of the country: "Robespierre commanded it."³³

Before his death, as after it, Robespierre was blamed for the persecution of patriots. The Thermidorian mantra that the Terror was "Robespierre's fault" was already formed before Thermidor.

They say to persecuted patriots 'He is the one who commanded it or who doesn't want to prevent it'. They throw back on me all complaints, trials that I could not

³¹ After Thermidor, incriminating evidence could be destroyed. The Courtois project, set up to inspect Robespierre's papers, did tamper with evidence. Courtois was commissioned to examine Robespierre's papers in order to find accomplices of the "tyrant". Courtois used the papers to blackmail his colleagues in the National Convention. Brunel, *Thermidor*, 82; Edme Bonaventure Courtois, *Rapport fait au nom de la commission chargée de l'examen des papiers trouvés chez Robespierre et ses complices*, (Paris: Imprimerie Nationale des Lois, Nivôse III – Décembre, 1794-January, 1795).

³² Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 552.

³³ *Ibid.*, 551.

stop, in saying 'your fate depends on him alone'....³⁴

Robespierre argued that his enemies, whom he did not identify although he seems to be referring to Fréron and the clerks that made up the "Gilded Youth" gang (*Jeunesse Dorée*), attacked the Revolutionary Tribunal and the revolutionary government by identifying it with him. The Committee of General Security, he argued, was behind the move. In fact, it seems more likely that the Dantonists and ex-terrorist Representatives on Mission were in collusion. Very shortly after Robespierre's fall, and in conjunction with Lecointre's denunciation, Tallien (a Dantonist and ex-terrorist) made a speech advocating the elimination of the Revolutionary Government.³⁵ Tallien's demands echoed, point by point, the accusations that Robespierre had made in his 8 Thermidor speech, in which he accused the Dantonists of trying to destroy the institutions of revolutionary government.

They had to invoke the declaration of rights to ask for the literal and immediate execution of the Constitution, unlimited freedom of the press, annihilation of the Revolutionary Tribunal and the release of the detained.³⁶

Robespierre mentally amalgamated the Dantonists with the Committee of General Security. These two groups shared their opposition to the Law of 22 Prairial but otherwise had very different reasons for opposing Robespierre. The Dantonists feared sharing Danton's fate and adopted the principle of indulgence as ideology. Robespierre reiterated arguments he had made throughout the

³⁴ *Ibid.*, 558.

³⁵ Tallien, "Discours sur l'harmonie qui doit régner dans la Convention et sur la terreur qu'a régné" in *Arch. Parl.*, tome 96, (28 août, 1794): 55.

³⁶ Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 563.

Terror about the need to maintain the revolutionary government until the republic was consolidated.

Each day patriots are plunged into prison cells and the aristocracy is given favour... It is there that indulgence is called humanity. Is that the revolutionary government we have instituted and defended? Without revolutionary government, the Republic cannot be affirmed and factions will smother it in its cradle. But if it falls into perfidious hands, it becomes itself an instrument of counter-revolution.³⁷

For the members of the Committee of General Security opposition was mainly a jurisdictional issue.³⁸ Jurisdictional conflict between the two Great Committees over police matters before the "Revolution of 9 Thermidor" would become grounds for purging the institutions of Revolutionary Government of Robespierrists afterwards. According to Robespierre, the Committee of General Security started denouncing functionaries of the Revolutionary Government for doing their jobs. For Robespierre, it was evidence that the Committee of General Security was willing to do anything to keep its own power unhindered and that the Committee was out to destroy revolutionary government.³⁹ The Revolutionary Tribunal got caught in the jurisdictional disputes between the two Great Committees; this is one of the reasons the Committee of General Security was

³⁷ Ibid., 557.

³⁸ Arne Ording, *Le Bureau de Police du Comité de Salut Public: Étude sur la Terreur* (Oslo: I Kommisjon Hos Jacob Dybwad, 1930).

³⁹ This is actually quite unlikely. Robespierre was mentally condensing their opposition to him with opposition to Revolutionary Government. He was interpreting any attack on him or his protégés as an attack on the Revolutionary Government. It may well have constituted an attack in fact, but that it was the Committee of General Security's intention to overthrow the Revolutionary Government is unlikely. First, the Revolutionary Government was the basis of that Committee's power as much as it was the basis of the Committee of Public Safety's. Also, Lecointre, and Fréron had denounced members of the Committee of General Security as well as those of the Committee of Public Safety. After Thermidor, the Committee of General Security was caught unawares by Fréron's and Tallien's manoeuvres.

willing to abandon Fouquier after Thermidor and is also the origin of the Thermidorian argument that Fouquier was a Robespierrist. Complaining that the Committee of General Security had bullied some of the Committee of Public Safety's employees for executing orders, Robespierre also indicated that the Committee of General Security denounced Fouquier for sending evidence on the case to the Committee of Public Safety.⁴⁰

So, Robespierre's speech laid out a number of the trends that explain Thermidorian ideology, the nature of the reactionary social movement that lay beneath it and the jurisdictional disputes that sandwiched the Public Prosecutor of the Revolutionary Tribunal in the middle. Fouquier, of course, tried to work with both Committees; every night starting with the Germinal trials Fouquier met with both committees, going to the Committee of Public Safety at around ten in the evening and the Committee of General Security after that.⁴¹ Another correlation between the pre-Thermidor rumours and post-Thermidorian ideology is in the representation of the Revolutionary Tribunal, a major target of Thermidorian (mostly Dantonist) revenge. The same accusations that would emerge in Fouquier's trial were already circulating before 9 Thermidor. Robespierre complained that the Revolutionary Tribunal was a target. The conspirators, Robespierre argued, complained of the "misery of the condemned" and blamed

⁴⁰Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 562. These lines were in the speech, but crossed out and presumably not presented.

⁴¹ Antoine-Quentin Fouquier-Tinville, *Réponse d'Antoine-Quentin Fouquier, ex-accusateur public près le tribunal révolutionnaire de Paris, aux différents chefs d'accusation portés en l'acte à lue notifié le 26 frimaire an II, à la défense générale de Billaud, Collot d'Herbois, Barère et Vadier, anciens membres des comités du gouvernement, et à celle particulière de Billaud-Varenes, et encore aux faits avancés par quelques-uns entre eux, dans les séances de la Convention des 12 et 13 fructidor an II (17 pluviôse an III-5 février 1795)*, Paris, Impr. Marchant, s.d., 263.

him.

Who is the cause of it [their misery]? Robespierre. They particularly like to claim that the Revolutionary Tribunal is a blood tribunal, created by me alone and that I mastered it completely in order to slit the throats of the men of property and even all the rogues, because they wanted to provoke enemies of all types. This howl rang out in all the prisons. This plan of proscription was executed, at the same time, in all the departments by the emissaries of tyranny.⁴²

Robespierre's interpretation of events leading to his downfall predicted Thermidorian actions and ideology after his execution. The arguments he claimed people were making about the role of the Revolutionary Tribunal and his use of it as an instrument for his own personal use, were indeed the arguments that surfaced in Fouquier's trial.

The "victim of Robespierre" phantasy would be carried forward into Fouquier's trial; the Thermidorian Tribunal would work hard to prove that Fouquier was Robespierre's accomplice. Robespierre objected to the rumours spread that his execution would free the nation, liberate the press and eliminate "that multitude of assassinations vulgarly known under the false name of judgments of the Revolutionary Tribunal".⁴³ Thus the Tribunal was represented, as it was during Fouquier's trial, as Robespierre's instrument for depopulating France.

The Thermidorian ideology that Robespierre had desired to become dictator was already circulating before his death. It was not just an on-the-fly

⁴² Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 558.

⁴³ *Ibid.*, 559-560.

ideological innovation picked up in a frenzy of fear.⁴⁴ The word “dictatorship”, Robespierre argued bitterly, “withers liberty, it swallows up the government, it destroys the republic” and degrades the institutions of the revolution, in presenting them as the work of one man’s personal ambition.⁴⁵ The purpose of the representation, he argued was counter-revolution. It undermined the work of the Revolutionary Tribunal and directed “all the hates and daggers of fanaticism and aristocracy” at its work.⁴⁶ The extent to which Robespierre’s description of the problem played out after his death is eerie.

Robespierre predicted that the attacks against the revolutionary government, its leaders and institutions would strengthen the position of counter-revolutionary elements within France. He accused “them”, the Dantonists and corrupt terrorist Representatives on Mission, of manoeuvring against him, of using the accusation of dictatorship to blame him for “all their iniquities”, for the “evils of fate” and for the severity of the Terror that had been necessary “for the safety of the country”.⁴⁷ The conspirators were trying to win over nobles, priests and “fanatics”, by arguing that without Robespierre they could live in peace, that Robespierre alone had “destroyed religion”.⁴⁸

So how can all these correlations between Robespierre’s speech, his denunciation of so many members of the National Convention, and Thermidorian ideology be explained as psychological phenomena? According to Didier Anzieu,

⁴⁴ Baczko, *Ending The Terror*, 21-32.

⁴⁵ Robespierre, “Discours du 8 Thermidor” in *Œuvres*, tome X, 553.

⁴⁶ *Ibid.*, 553.

⁴⁷ *Ibid.*, 558.

⁴⁸ *Ibid.*

associative processes in a group form and develop like a dream. They take on meaning through a process of association that has no necessary logical coherence – one thing might stand for, or be connected with, another because it has the same emotional content, whether or not there is any real or logical connection between the two.⁴⁹ The justification for executing the Dantonists and Hébertists as members of a “foreign faction” was an historical example of such processes of association. The processes of association that linked Dantonists and Hébertists involved events that were not actually associated except that they both moved against the revolutionary government at the same time and had common elements. Danton was calling for indulgence at the same time the Hébertists were calling for the immediate implementation of the Constitution. Both stances were dangerous to the Revolutionary Government. Both factions included individual foreigners and both had members suspected of corruption. Therefore, the two factions, it was reasoned, must be connected to each other and must be in the pay of foreign enemies. In the associative process, separate, disconnected facts come together to form an idea that amalgamates (condenses) them all into one idea. Their affective similarities or their proximity in space or time, not causative or logical connections, tie them together.

The question is why were such elaborate constructions necessary? Similar to a dream or a neurotic symptom, representations of associative processes are compromise formations – they partly express and partly disguise unconscious wishes. According to Kaës, there are two types of group

⁴⁹ Anzieu, *The Group and the Unconscious*, 129-142.

compromise formations. The first involves the prevalence of unconscious desire for a common idealized object, the revolution, in which the object represents the desire. The other type is a defensive organization, manifested in institutional processes as procedures, rules and regulations against unconscious desire.⁵⁰ Psychologically, groups owe their existence to one of two realities. Either they exist to express or represent desire or they organize defensively against the anxieties associated with the realization of that desire.⁵¹ A dream or symptom represents a conflict between a primitive, unconscious wish and the social or moral scruples of conscience. The particular images and distortions in a dream are the product of specific mechanisms of dream production, condensation, displacement, and secondary revision.⁵² In condensation, one image will represent a number of different thoughts. In displacement, the emotional content attached to one image or idea is associated with another image, displaced onto it. Secondary revision, the work of another part of the mind⁵³, arranges the dream material into a semblance of logical order, generally for the purposes of sanitizing or disguising the true nature of the material to pass the "censor", ensuring the material is acceptable to the conscious part of the mind. If the group and its

⁵⁰ Kaës, *L'Appareil psychici groupal*, 215.

⁵¹ *Ibid.*, 216.

⁵² Freud, *The Interpretation of Dreams*, 381-651. Another factor in dream construction "considerations of representability" is not included here because it refers to the dream's need to represent unconscious ideas through imagery, rather than through language or the logical organization of material. This is so even though language and words to make their way into dreams. These are later additions to the process, the unconscious, predating language, uses images.

⁵³ The preconscious, situated between the unconscious and conscious – an early theory in Freud's mental topography. His mental topography refers to consciousness. Freud's topography is to be distinguished from his mental structure of id, ego and super-ego, which serves the functioning of managing drive energy.

productions represent compromise formations, at the same time expressing and defending against the same desire, they can lean one way or the other. Too much phantasy will result in an isomorphic structure in which reality – social, individual or psychological – will be denied.⁵⁴

The processes used to transform unconscious dream thoughts into dream content, processes Freud referred to as the “dream work”, also function in groups. Through associative work, groups take up, build upon and transform individual contributions or statements into ideas, images or phantasies that reflect the group’s character. The process operates on two levels, that of secondary logic and the laws of language, on the one hand, and of unconscious phantasies, on the other. This process of dream work in groups, a process Kaës calls associative work, integrates the two levels.⁵⁵ The concept of associative work makes it possible to deconstruct Lecointre’s denunciation and the National Convention’s reaction to it. It will then be possible to demonstrate how the Members of the National Convention, through a dream-like series of associations and distortions, attached charges, rightly belonging to others, onto Robespierre and Robespierrists and then displaced them onto Fouquier.

It has been argued here that there was a conspiracy to overthrow Robespierre and that his speech reflected a situation that was real enough, even if, in his anguish, he failed to distinguish between those who were conspirators and those who were not and he failed to grasp the different sources of opposition to him. As such he was unable to manage the politics of the situation.

⁵⁴ Kaës, *L'appareil psychique groupale*, 214.

⁵⁵ Kaës, *La parole et le lien: Processus associatifs dans les groupes* (Paris: Dunod, 1994), 71.

Amalgamating the Cambons and Carnots with the Talliens and Frérons played into the hands of the latter and alienated others.⁵⁶ Temporarily the two groups (honest Montagnards and reactionary Montagnards) formed a link to contain Robespierre who seemed to have become a threat to everyone. The link would dissolve shortly after Thermidor, starting with Lecointre's denunciation. The processes of association coalesced into action with Robespierre's denunciation. He condensed two very different groups into one bloc of enemies who wanted to destroy him, the Revolutionary Tribunal and the Revolutionary Government. In response, honest and reactionary Montagnards combined to fend off his accusations. The members that Robespierre had denounced moved quickly after Robespierre finished his two-hour speech.⁵⁷

Another later condensation would make reintegration of the Girondins with the Thermidorians much easier. Robespierre pointed out that the "bizarre imputation" of dictatorship, allied his enemies on the Mountain with the Girondins. In reality, the Girondins had made the charge of "dictator" during early struggle between Commune and Legislative Assembly, as soon as Robespierre entered the Commune, on August 12, 1792. The Girondins had accused him of using the Commune as a base of power to challenge the Girondin controlled Legislative Assembly.⁵⁸ The Thermidorians would also do so. The "dictatorship" phantasy-ideology (isomorphic) had the added benefit of providing a convenient

⁵⁶ Both Cambon and Carnot personally detested Robespierre. Yet they were both honest republicans. They might have supported him had they thought doing so was in the best interests of the Republic.

⁵⁷ Bouloiseau and Soboul Eds., *Œuvres*, tome X, 542.

⁵⁸ Braesch, *La commune du dix août 1792*, 400, 395-402.

rationalization and justification for the massive executions that occurred between 10 and 12 Thermidor (July 29-30, 1794). Thus, like condensation in a dream, the representation of Robespierre as “dictator”, would take hold because it was able to hold together, in one idea, a number of streams of thought. Individual phantasies about Robespierre, all with quite different real motivations and sources, coalesced into one, logically ridiculous, but psychologically – and thus ideologically and politically – effective representation.⁵⁹

The other explanation is structural, relating to the psychic (psychological) formations that link individuals together in a group – the group psychic apparatus. Thought processes, ideological rationalizations, projections, displacements and associations take place within structures of thought and reality. Institutions, leaders, ideals, ideologies and myths form part of the structure. The psychological processes that build the group psychic apparatus include identification, projection, introjection, “resonant phantasy phenomena” (shared unconscious phantasies based on early objects and experiences), and the “search for complementary objects”, objects in the outer world that correspond with the internal objects or the structures of the mind – id, ego and super-ego.⁶⁰

Robespierre’s super-ego function was apparent throughout the Terror but manifested itself in the spring of 1794 in the form of the defender of religion. Robespierre’s deism was an important component of his theory of constructing

⁵⁹ Thus there was not a semi-autonomous discourse or ideology taking hold of the members of the Convention, Baczkó argues, but a psychological process. The end result, perhaps, was the same. Unconscious psychological processes often have a motivational force beyond conscious control. The point is that they do not represent a wholesale rejection of the Terror and coming out of the Terror might have occurred through a different process than the one that occurred.

⁶⁰ Kaës, “Contribution From France” in Hinshelwood and Chiesa eds., *Organisations, Anxieties and Defences*, 113.

revolutionary institutions. Religion was one means of creating a culture of virtue and morality – the two essential bases of the republic. As such he pronounced anathema on the atheist and violent dechristianization movement. Speaking on 18 Floréal, Year II (May 7, 1794) against the followers of Hébert, who had been executed in the previous six weeks, Robespierre argued that the factions were working to corrupt public morality. “Immorality”, he argued, “had been organized into a religion”; he was referring to the Hébertist dechristianizers, those who, in worshipping the goddess of reason, had turned atheism into a religion.

The villain wants to see that no good man remains on the earth, so that he will not encounter any accuser, and be able to breathe there in peace. These men went to look in the minds and hearts [of men] for all that served to support morality, in order to uproot and suffocate the invisible prosecutor that nature has hidden there.⁶¹

The “invisible prosecutor” hidden in the hearts and minds of men was the super-ego. Robespierist ideology and political practice, more than any other leader of Revolutionary Government, focused on the need to develop a republican morality.

As revolutionary ideologue during the Terror, as the spokesperson of revolutionary virtue and revolutionary government, “the Incorruptible” Robespierre had embodied the ideal of revolutionary virtue.⁶² As the most important ideological leader of the Year II, Robespierre was an important link in the group psychic apparatus. His leadership role as ideologue or theorist of the

⁶¹ Robespierre, “Sur les Rapports de Idées Religieuses et Morales” in *Œuvres*, tome X, 450.

⁶² Robespierre was dubbed the “incorruptible” while still active in the Commune, in the fall of 1792 and at loggerheads with the Girondins. Bernard Gainot, *Dictionnaire des membres du comité de Salut Public*, (Paris: Éditions Tallandier, 1990), 148.

Revolutionary Government paralleled the role of the super-ego in an individual psychic apparatus. He was the group's "public conscience" or "censor"⁶³, two sides of the super-ego function. The public conscience was the "ideal" side of the super-ego – manifested in the revolutionary festivals that were to enlighten, educate and stimulate moral virtues and in civic religion, the Supreme Being.⁶⁴ The censor represents the "bad" or punitive super-ego functions; these are manifested in the denouncer, ever on the alert to find and punish infractions. The term "dictator" may describe the psychological reality of a bad super-ego, even if it has no grounds in objective reality.

Robespierre represented both aspects of the super-ego; each had an obvious role in the construction of the republic. The punitive super-ego functioned to root out counter-revolutionaries and enemies while the ideal represented the positive institutions, morals and behaviours necessary to the construction and consolidation of the republic. According to Kaës, a group leader will take on a certain role if it suits his internal psychic structure. Robespierre was honest and moral and tended towards a harsh, perhaps superior and distant self-righteousness.⁶⁵ However, in order to function as a genuine link in the group psychic apparatus, Robespierre would have to have been "given" the role by others – given it through a process of multiple projective identifications in which

⁶³ Marat, when he was alive, was sometimes referred to as the "people's censor".

⁶⁴ Robespierre, "Rapport sur les idées religieuses et morales et sur les fêtes décadaïres, 18 Floréal Year III (May 7, 1794)" in *Œuvres*, tome X, 442.

⁶⁵ Max Gallo, *Robespierre the Incorruptible: A Psycho-Biography*, trans. Raymond Rudorff (New York: Herder and Herder, 1971), 177.

he came to represent, and contain⁶⁶, the super-egos⁶⁷ of others.⁶⁸ Robespierre's role as revolutionary super-ego provides an explanation for his theories, his influence in the Terror and in the attempt to construct the Republic. The idea that the role was given to him explains why he remained an important figure during his life and a significant, almost omni-present, psychological object in representations after his death.

In his 8 Thermidor speech, Robespierre reiterated his theory of virtue – a version of the renunciation contract. He argued that, while the success of the Revolution depended on a commitment to the public good, factions representing “a coalition of private interests” had, without openly fighting republican principles, worked to corrupt and slander the republic.⁶⁹ Then, he took on the role of censor and started denouncing corruption and individualist immorality. Robespierre reiterated an argument that he had made several times before, that those who wanted to destroy liberty did so by “slandering its defenders”, the men who had tried to found the republic on the principles of public morality and equality.⁷⁰

The conspirator's guarantee is in the forgetting of principles and in corruption; that of liberty's defenders is freedom in the public conscience. You serve them, those of you who... preach... the perfidious moderation of the aristocracy or sometimes the furor

⁶⁶ Because the process is effected through projective identification – putting a part of yourself or an idea that rightfully belongs to you and attributing it to another, usually used as a means of defence against some intolerable psychic reality (guilt, hate, fear, despair) but sometimes as a mechanism of control. These processes are unconscious.

⁶⁷ Or the ideal or persecutory objects, the split-off components that make up the super-ego.

⁶⁸ Sigmund Freud, “Group Psychology and the Analysis of the Ego” in *Civilization, Society and Religion: Group Psychology, Civilization and its Discontents and Other Works*, trans. James Strachey, (New York and London: Penguin Books, 1985), 93-178.

⁶⁹ Robespierre, “Discours du 8 Thermidor” in *Œuvres*, tome X, 544.

⁷⁰ *Ibid.*, 546.

of false democrats....⁷¹

Robespierre's denunciation was consistent with his notion of public virtue. Destroying the revolutionary government would destroy liberty. The Republic could not be consolidated without the triumph of the public over private interests. Too many members of the revolutionary government were corrupt and self-seeking. The revolutionary government needed to be subordinated to principles, to be simplified and to be reduced, especially in the Committee of General Security with its "incalculable mass of [corrupt] agents". It was necessary to ensure the security of the people, not of its enemies.⁷²

Of course even if Robespierre was the most important ideological leader and super-ego figure in the revolution, he was not the sole component of the revolutionary group psychic apparatus during the Terror. Robespierre's denunciation and the unravelling effect his death had on the institutions of the revolution after Thermidor reflect a structure in which ideology, real events, institutions and psychology interacted. The psychic structure, the group psychic apparatus is intermediary between reality and phantasy. Thus, it has components of both. The group psychic apparatus of the Terror and Thermidorian periods included the most important repressive institutions of the revolutionary government – the Revolutionary Tribunal and the Law of 22 Prairial. It also included memories of events, notably the execution of the Dantonists and the Great Terror. It had a social component that was manifested in representations of the Hébertists and the Popular Commissions that came out of the Ventôse

⁷¹ Ibid., 556.

⁷² Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 569.

decrees. All of these components of the structure re-emerged in the repetitive dialogue and action of Thermidor; they are re-enacted in Fouquier's trial.

Institutions, ideas and leaders are all links in the group psychic apparatus. They link the individual with the group and connect one group to others. Their existence depends on their ability to attract psychic investments (the commitment and energy to make them work). Robespierre's denunciation targeted two constituencies within the National Convention, the Dantonists and the members of the Committee of General Security. These two constituencies had both opposed the Law of 22 Prairial, for different reasons. The Dantonists or *Indulgents* feared and hated the Law of 22 Prairial because it represented, and threatened to enforce with the power of life and death, the idea that those who threatened the public good, were enemies of the revolution.⁷³ The Law of 22 Prairial was thus connected to the social program outlined in the Ventôse decrees. The Law had been written to protect collective, not individual rights.

The Dantonists tended to be advocates of individual over social rights. It was one of the reasons they had called for an immediate end to the Revolutionary Government. They feared the law and they were determined to revenge Danton's death. The Committee of General Security, and Fouquier, had opposed the Law of 22 Prairial because it made their work much more difficult. The Law of 22 Prairial not only expanded the activities to be considered counter-revolutionary but also defined counter-revolutionary activities to include intentions or effects. For example, the Law proscribed:

⁷³ Couthon, *Loi de 22 Prairial*.

Those who search to lead public opinion astray and to prevent the people's education, to deprave public morals and corrupt public conscience, to distort the energy and purity of revolutionary and republican principles or to stop the progress of them, either by counter-revolutionary writings or by any other insidious [means] or machinations.⁷⁴

Robespierre's theoretical position on revolutionary justice was consistent with his ideas on revolutionary government. Justice had to be institutionalized on the basis of the virtue of the people. On 8 Thermidor, responding to rumours and opposition to the law, Robespierre restated the rationale for the Law of 22 Prairial. The law had to be vague. The "people's justice" could not be hobbled with forms that opened the door to chicanery. Robespierre defended the Law of 22 Prairial, arguing that the vagueness in the law had been necessary because of the "dissimulation and hypocrisy of conspirators".⁷⁵ The patriot's guarantee was not in the weakness of the laws or the slowness of justice. The guarantee lay in the principles and integrity of those responsible for its execution, in the government's good faith to protect patriots and energetically repress the aristocracy. It was to be found in the virtue of the public spirit and in moral and political institutions.⁷⁶ These moral practices and institutions, because they were able to influence public opinion and keep the revolution on course, offered a safeguard to good citizens without hampering the course of revolutionary justice – the punishment of the bad.⁷⁷ In fact, revolutionary justice was premised on the

⁷⁴ Ibid.

⁷⁵ Robespierre, "Discours du 8 Thermidor" in *Œuvres*, tome X, 569.

⁷⁶ Ibid.

⁷⁷ Ibid.

assumption that the virtue and revolutionary patriotism of the jurors was the best protection for the innocent.

Robespierre blamed the Great Terror on those responsible for executing the laws, especially the Committee of General Security. Until the republic could be founded on "wise institutions", the revolutionary government had to be maintained.⁷⁸ Taking a shot at the members of the Committee of General Security, he argued that "national surveillance" had to be entrusted to men that were above factionalism. The abuses of the Terror were not the fault of the revolutionary government or the laws but of the way the laws had been applied. Influential men, he claimed, who "desire[d] the revolutionary government's secret destruction", who were inclined to indulgence rather than justice and who employed corrupt agents were the cause of the Great Terror. Instead of liberating patriots, they had liberated conspirators. As a result, all conspirators were able to unite to slander and oppress patriots. Any government, he said, would be unbearable under such conditions.⁷⁹ The revolutionary government, he said, had saved the country. "This is a strange way to protect patriots, to liberate counter revolutionaries and allow rogues to triumph!"⁸⁰ For Robespierre, the terror imposed on counter-revolutionaries was the only security for the innocent patriot, since only it would guarantee the survival of the revolution. The conspirators, he argued, had to be unmasked.

There exists a conspiracy against public liberty... It
owes its force to a criminal coalition that intrigues

⁷⁸ Ibid.

⁷⁹ Robespierre, Discours du 8 Thermidor" in *Œuvres*, tome X, 569.

⁸⁰ Ibid., 570.

within the Convention... That coalition has accomplices in the Committee of General Security and in the offices of that committee.... The enemies of the Republic set this Committee against the Committee of Public Safety and thus have constituted two governments.⁸¹

Robespierre stormed bitterly against rumours that he was responsible for the Great Terror. He blamed the Committee of General Security for misapplying the Law of 22 Prairial. It had upped-the-ante, by deliberating sending people to the Revolutionary Tribunal, who should have been screened out. The members of the Committee of General Security had used the Law of 22 Prairial as a means to discredit the Committee of Public Safety. He linked Dantonists with the Committee of General Security and accused them of pushing the "justice" of the National Convention, to "acts contrary to its intentions and its principles" that undermined the nation's confidence, in order to destroy it.⁸²

Is it we, who have plunged patriots into the prisons and brought terror to all? It is the monsters that have accused us! Is it we, who, forgetting the crimes of the aristocracy and protecting traitors, have declared war on peaceful citizens, made crimes of incurable prejudices or matters of indifference, in order to find criminals everywhere and make the Revolution frightful, even to the people? It is the monsters that have accused us....⁸³

Robespierre denounced the members of the Committee of General Security for oppressing innocent citizens through unjust arrests.⁸⁴

Robespierre accused the members of the Committee of General Security

⁸¹ Ibid., 576.

⁸² Ibid., 556.

⁸³ Ibid., 547.

⁸⁴ Ibid., 550. He went on to argue that his slanderers also accused him of wanting to go after the 73 Girondin deputies under arrest, although he had come under Hébertist fire for protecting them.

of projecting their own guilt on to Robespierre. He accused the members of the Committee of General Security, the atheist “apostles of immorality” of “persecuting patriots” in order to foist blame for it on the Committee of Public Safety.⁸⁵

They murdered indiscriminately [prodiguait les attentats] in order to blame the Committee of Public Safety for them. Those who clamoured against the government and those who committed the excesses attributed to it are the same men....⁸⁶

The conspirators, he said, exaggerated the level of discontent there was with the government, in order to blame their own crimes on one man – Robespierre.⁸⁷ In fact, collective guilt and responsibility was very much a part of the Thermidorian psychology and culture.⁸⁸

Because Robespierre’s base of power had emanated from his ties with the Commune in Paris, the Convention feared a sequel to the uprising of 9 Thermidor. Robespierre’s influence had enabled him to place a number of individuals, friends and acquaintances considered to be “good patriots” in positions of responsibility within revolutionary institutions, the Revolutionary Tribunal, the Executive Commissions and the Commune.⁸⁹ Over one hundred of them were executed in the frenetic days following Robespierre’s fall. It is not surprising that deputies Robespierre had accused responded with fear and aggression. It is also not surprising that the insurrection of the Commune resulted

⁸⁵ Ibid., 563.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ As will be argued below and in Chapter 7, 259-267.

⁸⁹ Michel Eude, *Études Sur La Commune Robespierrieste*, (Paris: Mellottée Éditeur, 1937).

in a purge. What needs to be explained, however, is why the Thermidorians were unable to stop the “reaction”. It lasted for several months, included the exile of the Thermidorian members of the Great Committee of Public Safety, the disbanding of the Jacobin Club, and the execution of Montagnards who supported the insurrections of Germinal and Prairial.

Why were the honest Thermidorians, both the honest Montagnards and the members of the Plain, unable to stop the reaction? First, fear of Robespierre’s supposed friends and followers exacerbated a split within the Mountain. This split played into the hands of reactionaries. Second, since Robespierre was dead and his followers, if not also dead, silenced, all responsibility for the Terror could be conveniently heaped on him. Processes of association created a double-edged sword; on the one hand, revolutionaries could rationalize the brutal repression after 9 Thermidor⁹⁰; on the other, accepting the phantasy put honest revolutionaries on the defensive, providing a justification for the incessant hunts for “terrorists”. Such a justification cast a wide net, trapping some of the best men of the Year II, the surviving members of the Great Committees and the “Martyrs of Prairial”.⁹¹

Distinct groupings of deputies within the National Convention, groupings that could easily come into conflict with one another, had banded together to overthrow Robespierre. Montagnards dominated the early Thermidorian period,

⁹⁰ The biggest batches of people sent to the guillotine went for the insurrection of 9 Thermidor, one hundred and three people in three days, including Robespierre, Saint-Just and Couthon. Campardon, *Le Tribunal Révolutionnaire*, 2: 15.

⁹¹ The six Montagnard deputies (Bourbotte, Duquesnoy, Duroy, Goujon, Romme, Soubrany) sentenced to death for their alleged involvement in the Prairial rising and who were executed or committed suicide on 16 June 1795.

from 9 Thermidor to 18 Frimaire. The groupings within the Mountain include: terrorist members known for their "excesses" as Representatives on Mission, the three anti-Robespierriest members of the Committee of Public Safety and virtually all members of the Committee of General Security (except Jacques Louis David, the famous artist, who was a member of the Committee of General Security). Others included the Plain and, after their reintegration on 18 Frimaire, the Girondins.

Within a month of Robespierre's execution, divisions within the Mountain manifested themselves in a move to arrest seven members of the Great Committees. In the session of August 28, 1794 (11 Fructidor, Year II), one month after the fall of Robespierre, Laurent Lecointre, a Montagnard member of the National Convention announced that he wanted to present a denunciation of seven members of the Convention's Committees of Public Safety and General Security.⁹² The denunciation and the debate that followed it revolved around the issue of responsibility for the Terror. The debate manifests how the various processes of identification and association were used to compromise the Revolution. It helps explain how the revolution after Thermidor unravelled under the sustained onslaught of reactionaries. It also provides insight into how and why reactionary ex-terrorist Montagnards, Dantonists and the counter-revolutionary press scapegoated Fouquier for collective guilt and responsibility for the Terror.

⁹² Kuscinski, *Dict. Conv.*, 389. Meeting Barère years later he admitted that he regretted having denounced him. Lecointre's denunciation was against Billaud-Varenne, Collot-d'Herbois, Barère, Vadier, Voulland, Amar and David. *Arch. Parl.*, tome 96, (29 août, 1794): 78-79.

The twenty-six charges that made up Lecointre's denunciation fell into three basic categories, all revolving around the question of responsibility for the Terror. There were charges against the coercive measures taken against suspects: the treatment of suspects, unjust imprisonment of people and interference with the work of the Revolutionary Tribunal. The seven accused were responsible for the specific terrorist laws governing its operation: the law of 22 Prairial and the decree ordering the Public Prosecutor to try within twenty-four hours anyone denounced in connection with the conspiracy of prisons. Second, they were complicit in the execution of the Dantonists. Third, the accused had not taken sufficient measures either to prevent Robespierre's "tyranny" or to aid in his overthrow; they had protected Hébertists or Robespierrists in the Commune who later led the revolt against the Convention; the two factions were considered one and the same.⁹³

Lecointre's charges form a series of associations that partly construct and partly reflect a Thermidorian group psychic structure that links, or unlinks, groups, institutions and culture that recalls Kaës's group psychic apparatus. Shared ideas, myths, ideology or theory provide the structure with meaning; meaning creates coherence, builds consensus, legitimacy. Through meaning, individuals agree to take up a place within the collective structure. Unconscious phantasy organizes both the group psychic structure or apparatus and the ideas

⁹³ *Arch. Parl.*, tome 96, (29 août, 1794): 78- 81; *Arch. Parl.*, tome 96, (30 août, 1794): 111-125.

that focus the psychic energies or investments that support it.⁹⁴

Lecointre's denunciation held the seven individual committee members responsible for arbitrary arrests, for extending the "system of oppression and terror" into the National Convention and for annihilating public opinion. Notice how these three "platforms" of the Thermidorian reaction echo the content of Robespierre's final speech. The seven members, according to Lecointre, had brought the Terror into the National Convention by "allowing and supporting, with an affected silence", the rumour that the Committee of Public Safety had a list of thirty people, designating members of the National Convention for arrest. With Robespierre, they had "annihilated" the freedom of opinion, "by not allowing any discussion" of the laws the Committee of Public Safety presented. They had surrounded themselves with agents to whom they had given unlimited powers. They had covered France with prisons, "a thousand Bastilles" and filled the whole republic with grief, through the unjust incarceration of 100,000 citizens, including the sick, octogenarians, fathers of families and defenders of the country.⁹⁵

The first category of charges outlined above, responsibility for the "system of oppression" pertained to the members' functions in the Revolutionary Government. The second set of charges related to interference in the legal system. The seven had misled the Convention by "spreading the rumour" that the Law of 22 Prairial was the work of Robespierre alone and that only Couthon knew about it, even though the members of the Revolutionary Tribunal informed

⁹⁴ Material reality, at the level of the body is unalterable, at the social level it is malleable, but as it is supported by powerful social and psychological structures, change is difficult. This is why revolutions are infrequent and extremely painful, violent events.

⁹⁵ *Arch. Parl.*, tome 96, (29 août, 1794): 78.

them of the serious consequences of the law.⁹⁶

Lecointre used Fouquier's defence as the basis for his denunciation.⁹⁷ The seven members had, according to Lecointre's version of events, substituted Fouquier's letter with a "lying report", Saint Just's report, that the accused had rebelled against the law, provoking the National Convention to decree that those suspected of conspiracy who resist or insult justice should be *mis hors des débats*, denied a voice in the courtroom, and judged immediately. They had also not made the National Convention aware of Fouquier's letter informing them that Danton had named sixteen members of the National Convention to serve as witnesses in his trial. Lecointre charged Amar and Vouland with having said to Fouquier, after getting the decree that "this will set you at ease and put sense into all those rebels."⁹⁸ In important trials, they interfered with the process of allocating jurors. "When the rumour around the tribunal indicated that the majority of jurors were going to acquit", Amar, David, Vouland and Vadier listened in, through a small room outside of the jury room, and engaged Herman to get a death sentence. Herman, as a result, spoke against the accused in the Counsel Chamber and got the jurors who voted for death to intimidate the others "with the

⁹⁶ He cites a *Mémoire* of Fouquier's dated 17 Thermidor. It is no doubt a version of the two that survive in the archives including: Antoine-Quentin Fouquier-Tinville, *Mémoire Général et Justificatif pour Antoine Quentin Fouquier ex-accusateur public près le tribunal révolutionnaire établi à Paris, 16 Thermidor, an 2, A.N.*, W499, Pièce, 30; Antoine-Quentin Fouquier, ex-accusateur public près le tribunal révolutionnaire établi à Paris, *Mémoire Général et Justificatif*, 19 Thermidor, an 2, W499, Pièce 108.

⁹⁷ He probably got it from Nicolas Joseph Pâris, a clerk in the Revolutionary Tribunal who was put into solitary confinement for ties with Danton. Pâris was released from prison shortly after Thermidor and started back on the job. He was responsible for conducting the research for Fouquier's prosecution, even though he was the most important witness for the prosecution during the trial and Fouquier's mortal enemy.

⁹⁸ *Arch. Parl.*, tome 96, (29 août, 1794): 79.

resentment of the committees".⁹⁹ The seven were responsible for batches of fifty or sixty victims charged with different crimes but judged in the same case, at the same time. They ordered the public prosecutor to judge in twenty-four hours those suspected of conspiracy in the prisons. They wanted all one hundred and fifty five people judged and executed the same day, on 18 Messidor but "fearing public opinion," they decided to have the accused judged in three batches. They also used the same witnesses, the *moutons*, or prison informers, including Leymerie, Amar's secretary and Ferrières-Sauveboeuf, an ex-noble. They also protected Joseph Le Bon. They did not warn the Convention of Robespierre's six week absence from the Committee and yet they allowed him to sign decrees and they hid the "manoeuvres this conspirator used to disorganize all, create partisans and ruin the public good [*la chose publique*]"¹⁰⁰

The seven committee members, according to Lecointre, had also protected traitors or conspirators denounced in the Convention, including General Lavalette, Dufraisse and others. Finally, they failed to take action on the night of 8-9 Thermidor to ensure the Convention's security after it had been "compromised by the tyrant's speech", nor did they take action against the Jacobin club that had "promised him aid, armed force and protection". They also failed to take action against Hanriot, Lavalette and "Robespierre's other accomplices" who had been denounced by their colleagues in the National Convention. By not taking action, they had been guilty of "criminal negligence

⁹⁹ Ibid.

¹⁰⁰ Ibid.

that exposed the National representation to have its throat slit".¹⁰¹ Finally, they employed various known counter-revolutionaries, Beaumarchais, d'Espagnac, Haller and others, and gave them "immense treasures belonging to the republic". During Hébert's trial, they had supposedly blocked a decree for the arrest of Pache, denounced as the Grand Judge of the Hébertist faction. They had also, "in order to save the guilty", prevented the arrests of Hanriot and others, denounced in the course of Hébert's trial, who had "since been guillotined as conspirators" of 9 Thermidor.¹⁰² Virtually all of these charges, with very little alteration, would find their way in Fouquier's indictment.

Lecointre's denunciation put the members of the National Convention in a difficult situation. On the one hand, if they refused to pursue the 'terrorists', they risked being associated with them. If they put the members on trial, their defence was likely to be that they had followed laws and decrees approved by the National Convention. Thus, the Convention would be implicated.¹⁰³ The attempt to neutralize the political attack, to deflect it from the National Convention and to diminish anxieties associated with guilt, was made by projecting blame and responsibility for the Terror onto Robespierre and his so-called accomplices, including Fouquier-Tinville. Members of the National Convention feared Lecointre's denunciation was really an attack on the Convention as a whole, that it would exacerbate tensions between them and that it would lead to the disintegration of the National Convention.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Gendron, *La Jeunesse Dorée*, 63.

The debate following Lecointre's denunciation illustrates how the hunt for Robespierre's successors, merged with a disavowal of the Terror, led to the displacement of all responsibility for the Terror on to Fouquier. It also shows how the argument that the Terror was all Robespierre's fault undermined honest republicans and the Revolutionary Government. In the discussion, Ruamps, Goujon and Carrier¹⁰⁴ immediately reacted to the indictment. Goujon, referring to Tallien's speech advocating the end of the Revolutionary Government, and rightly linking him with Lecointre, said that they were out to destroy the republican government. They wanted to "extend the veil of terror on the Convention through the use of the terms Robespierrist, Robespierre's successors and rascals, without naming them." Most of the charges made referred to laws or decrees the Convention had approved. "It's the Convention that is being accused."¹⁰⁵

Lecointre was the mouthpiece of Fréron and his Jeunesse Dorée – a gang type organization of middle-class youths, mostly clerks working within the revolutionary bureaucracies, disaffected with the revolution, the members of which had been hunting down sans-culottes in the streets since the fall of Robespierre. Group coherence depends on shared identification or identifications, with a leader, an idea or an institution, any group-object. Identification is one of the "glues" that holds a group together. The deputies who rallied in defence of the seven accused saw Lecointre's attack on the seven as an attack on them all. The ideal group object, the Convention, was threatened;

¹⁰⁴ Carrier, the member responsible for the mass drownings at Nantes had reason to twitch. He would soon be arrested and tried as one of the Great Criminals of the Revolution.

¹⁰⁵ *Arch. Parl.*, tome 96, (29 août, 1794): 80.

members perceived that the survival of the revolution itself was at stake. "What is wanted" said Cambon¹⁰⁶ "is that the people be made to think that the only thing that was put into effect since the nomination of the Committees was the Terror".¹⁰⁷ "No doubt Lecointre will extend his accusation against all members who had missions in the departments; because there are none who weren't forced to order arrests".¹⁰⁸ "Lecointre" he added, "you don't have the courage to attack the whole Convention, which is why you accuse only a part of it. But if you have verifiable facts you haven't gone far enough. It is necessary to accuse the two committees".¹⁰⁹ "Notice", added Goujon, "that most of the charges made against [the seven accused] bear on the Convention itself."¹¹⁰ There were justified fears that the National Convention itself would disintegrate in chaos and division.

The debate was emotional. The fear was that emotions would get out of control and further undermine unity within the Convention by damaging its reputation as a deliberating body. "It is necessary to consult reason and put the passions to sleep", asserted one speaker.¹¹¹ Another said "this discussion could easily serve to compromise us.... we have decreed the freedom of opinions [but]

¹⁰⁶ Cambon, almost always described as a man of integrity, was a member of the first Committee of Public Safety. He tried to reconcile the split between Montagnards and Girondins that deepened in the spring of 1793 over the Revolutionary Tribunal's acquittal of Marat. He however became embroiled with the Girondins. Brissot attacked him, accusing the Committee of Public Safety of squandering funds. As one of the first to denounce Dumouriez, Cambon refused to pay the General's expenditures, including a loan from Spain that the Convention had not authorized. In charge of finances during the Year II, he reorganized and centralized government accounts. He and Robespierre were personal enemies. After 9 Thermidor, in Brumaire, Tallien attacked him and tried to have him arrested. Cambon was removed from the Finance Committee in Germinal 16, Year III. Kuscinski, *Dict. Conv.*, 102-108.

¹⁰⁷ Cambon, *Arch. Parl.*, tome 96, (30 août, 1794): 111

¹⁰⁸ *Ibid.*, 112.

¹⁰⁹ *Ibid.*, 81.

¹¹⁰ Goujon, *Ibid.*, 80.

¹¹¹ Mathieu, *Ibid.*, 108.

Lecointre is in a frenzy".¹¹² The denunciation, he continued, was slanderous and should not have been allowed a hearing in the National Convention. "I wish that we had taken a resolution not to receive any slander against any of our colleagues".¹¹³ Thuriot concurred, saying, "I don't believe that, because men are in a state of delirium, that we all share that sickness. Another, Goupilleau de Fontenay¹¹⁴ complained that he did not sit as a member of the National Convention "to support the passions of [any] individual", but to consolidate the republican government. "Conscious of that truth, I have always [tried] to untangle what could serve the passions from what was useful to the state."¹¹⁵

The National Convention, in the period immediately following Robespierre's execution, was disorganized by the political intrigues of the self-serving members of the Mountain, the ex-terrorist, corrupt deputies – Tallien and Fréron. In the debate following Lecointre's denunciation, the attack on the Committee members was rebuffed but it would return. The Montagnards that would live to regret Thermidor – those that would become the "Martyrs of Prairial" and some independent leftists, such as Cambon – identified with the accused. All deputies identified with the National Convention because it represented the

¹¹²Thuriot, *Ibid.*

¹¹³ *Ibid.*

¹¹⁴ He was from the Vendée, the son of a procureur-fiscal. On March 9, 1793 he was responsible for executing the law on the recruitment of 300,000 men in the departments of Loir-et-Cher and L'Indre-et-Loire. Tallien was his colleague on that mission. As a commissaire to the armies and with Bourdon de l'Oise on August 24, 1793, he suspended and ordered General Rossignol under arrest for having stolen a carriage and a cow. Choudieu and Richard suspended the execution of the arrest warrant and denounced Goupilleau and Bourdon to the Committee of Public Safety. The Convention then cancelled the warrant and recalled the two representatives. Goupilleau entered into the Committee of General Security on 14 Thermidor, Year II. Kuscinski, *Dict. Conv.*, 302-303.

¹¹⁵Goupilleau de Fontenay, *Arch. Parl.*, tome 96, (30 août, 1794): 122.

revolution, and because it was the seat of their power. Those in the middle – republicans who had supported the revolutionary government because they thought it necessary, but who had supported Robespierre's arrest and execution because they felt he was a threat – supported the Committee members. But the issue of the Terror and who was responsible for it, the regret and guilt for it, played into the hands of the reactionary Montagnards (Fréron and Tallien) who were behind Lecointre's denunciation.

The group psychic apparatus of Thermidor was composed of levels of identification that were, like the republic itself, not consolidated around one vision of the republic or of the National Convention's role in its establishment. Identification is powerful psychological "glue" because it involves the psychological processes of projection and introjection where parts of the self are thrown into some other object or objects, in this case, into the National Convention and the seven accused members. Sometimes it is the ego itself that is projected into the external object (leader, institution, idea or representation). For the members to deny what they did in defence of the revolution and its institutions was to deny a psychic reality, to lose a part of their selves. Thuriot, tried to remind the members of the context in which the Terror took place.¹¹⁶ He was, in effect, trying to recall them to reality, to take responsibility for the Terror. He expressed what was at stake:

On what do the accusations bear? On so many of the

¹¹⁶ After Thermidor Thuriot remained faithful to the Mountain. He entered the Committee of Public Safety on the 13th Thermidor and left it 15 Frimaire, Year III. Rovère denounced him as having participated in the insurrection of Germinal and he was decreed under arrest 2 Prairial but fled. Kuscinski, *Dict. Conv.*, 587-588.

laws; and, I ask you, if we had wandered a little from the laws in order to sustain the revolutionary movement and save the country, would you send to the scaffold the ones who had saved liberty? All the activities cited are so many acts of government that the Convention sealed by law; and it is when you have approved everything by your decrees that it is proposed that you have done nothing, that you have no existence; and yet, by an unutterable contradiction, seven of us, who are nothing but by us, who received their powers only from us, would have had an existence, while we had none?¹¹⁷

The question of responsibility for the Terror relates to the underlying phantasy that organizes a group. Group formation, the creation of shared ideas or commitments to the same ideals, depends on what Kaës calls psychic organizers; a psychic organizer is a shared, unconscious and primitive phantasy. A primitive (unconscious) phantasy is archaic, rooted in infantile mental structures and images in the unconscious. These primitive phantasies function as psychic organizers of group life; most of the psychic organizers are expressed as ideology, myths or some other kind of dramatic scenario. One of the dominant Thermidorian psychic organizers, or unconscious group phantasies, was a dependency or "victim" phantasy, revolving around Robespierre as a "tyrant". The group phantasy of dependency manifested itself in the idea that members of the National Convention could not be responsible for the Terror because Robespierre had either duped or terrorized them.

Some members, fearing the political consequences of acting on the dependency phantasy, the dissolution of the revolutionary government, tried to

¹¹⁷Thuriot, *Arch. Parl.*, tome 96, (30 août, 1794): 107.

fight it. "You are told", said Goujon:¹¹⁸

That the Terror was spread into the Convention; how could this count be proven? How can it be proved to me that I did not always vote freely? This indictment is an act of counter-revolution....¹¹⁹

Goupilleau tried to emphasize the dire circumstances that gave birth to the Terror. When the Committee of Public Safety "took the reins of government", four large northern towns had been taken by enemy powers. The English had captured Toulon and the Vendée, the gravest threat at the time, was under rebel control.¹²⁰ The two Great Committees had "delivered" the National Convention from these "curses" even at a time when the government "had neither powder nor ammunition and famine was at our doors".¹²¹

When it is a question to judge the political life of individuals, it is necessary to set in the same balance the services and the mistakes of an individual... not one of us is exempt from them. I look on the past; I see that mistakes and injustices were committed. I search to discover the origin of them [and] find it in events inseparable from a great revolution.¹²²

Legendre urged them simply to forget about it. Having made the revolution, it was essential not to look back because to do so would tear the republic apart. Circumstances, he argued, mattered. What was good in one circumstance was bad in another. If "we put an event on trial six weeks or a month after it has happened, we risk rendering all patriots guilty".¹²³

¹¹⁸ One of the "martyrs of Prairial" who committed suicide after being condemned to death 29 Prairial, Year III.

¹¹⁹ Goujon, *Arch. Parl.*, tome 96, (30 août, 1794): 107.

¹²⁰ Goupilleau de Fontenay, *Ibid.*, 123.

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ Legendre, *Ibid.*, 105.

A number of factors, both real and psychological, would militate against taking responsibility for the Terror. Denial of responsibility, operating through the hunt for scapegoats and "Robespierre's accomplices", would be the most powerful psychic organizer, partly because it was Robespierre's execution that united the Thermidorians. When Goujon and others tried to encourage the members back to remember the circumstances of the Terror, to place its laws, and their actions, in context, to take responsibility and move on, several voices in the National Convention cried out in denial "no mistakes were committed".¹²⁴ The reasons for the prominence of denial, as they related to reality, were twofold; politically a thorough examination of responsibility, in the context, would have played into the hands of the reaction. Members were caught between taking responsibility for the Terror and getting trapped in the Thermidorian dependency phantasy. If they tried to take responsibility, if they tried to justify the Terror, they would be labelled Robespierrist conspirators and expelled.

Thibaudeau advocated that the denunciation be heard as a means to restore public confidence in the National Convention.¹²⁵ The emotions manifested in the discussions, he argued, were going to sully the National Convention in the eyes of the people. The anxieties expressed have to come to an end, so that the people can have confidence that the members of the National Convention are worthy of representing them.

Have you not noticed the movements that are being
produced to destroy the revolutionary government? I

¹²⁴ Ibid., 123.

¹²⁵ As a middle of the line, but active, Thermidorian, Thibaudeau tried to steer a course between the reaction and the popular movement.

believe that the true means of making the anxiety stop is to let the Convention bring the conduct of the accused and the accusers into the light of day.¹²⁶

Roux de la Haute-Marne concurred, arguing that, it would be better for the Committee members to give a public accounting of "what they did for the nation's safety" in order to free themselves from the "contempt and blame" being heaped on them.¹²⁷

During the discussion early concerns that the denunciation was really an attack on the Convention intended to generate division were reiterated, but the tendency to denial of any responsibility was reinforced. Shifting responsibility for the facts onto Robespierre and his accomplices, the Convention dismissed Lecointre's evidence. Fouquier, by a process of association and displacement, came to be discredited. In the end, the Convention agreed that Lecointre was trying to shift Robespierre's guilt onto the seven accused, the Committees and the Convention. The standard strategy was to argue that Lecointre's denunciation echoed Robespierre's. Lecointre was declared in a state of "manic delirium" and his denunciation dismissed.¹²⁸

Fouquier-Tinville who was arrested five days after the fall of Robespierre was singled out, partly because Lecointre had appropriated his legal defence as evidence for the denunciation. Members discredited Lecointre by discrediting Fouquier who was accused of trying to project his own guilt on to the Assembly.

This.... causes [me to] shudder. What! This man, the object of public indignation and Robespierre's

¹²⁶Thibaudeau, *Arch. Parl.*, tome 96, (30 août, 1794): 108.

¹²⁷Roux, *Ibid.*, 103.

¹²⁸Bourdon de l'Oise, *Ibid.*, 112.

accomplice, with whom [Lecointre is trying] to lead to the scaffold the very ones that Robespierre had designated to be his victims!¹²⁹

Goujon argued that any evidence coming from Fouquier, "one of the agents of the villains" that had just been overthrown, was worthless. Fouquier was willing to destroy the National Convention in order to save himself.¹³⁰ "All of France" had to be made aware that neither the Convention nor its committees were responsible for "the abominations committed at the revolutionary tribunal". They were the work of Robespierre "who devised his atrocities with Fouquier-Tinville".¹³¹ Billaud-Varenes accused Fouquier of imagining "an infernal intrigue" as a means to project "his own hateful conduct" on to the members of the Committees. Furthermore, he argued Lecointre's denunciation was just a reiteration of the charges Robespierre had made against the Committee in his denunciation of 8 Thermidor. Then he linked Fouquier with Robespierre.¹³² "The Convention knows", he continued, that

Robespierre, in order to march towards the counter-revolution by the Terror, had organized a general police that he took upon himself exclusively with Saint-Just. I recall that Fouquier, appearing in front of the bar of the Convention, admitted that, although he came every day to the Committee of Public Safety, he only ever spoke to Robespierre".¹³³

Billaud was lying to save his own skin.

At the end of the debate a fragile consensus was reached, Lecointre's denunciation was declared slanderous. The debate itself was considered to have

¹²⁹ Ibid. 113.

¹³⁰ Goujon, Ibid., 80.

¹³¹ Marec, Ibid., 117.

¹³² Billaud-Varenne, Ibid., 81.

¹³³ Ibid., 118.

'proven' that the Committees and the National Convention were not responsible for the Terror and that Robespierre and his accomplices were alone guilty. In a speech that left the walls of the National convention "ringing with applause", Collot d'Hérbois summed up the debate in highly optimistic terms,

Only the enemies of the revolution have become despairing, the country rejoices. [The room rings with applause]. This session will be greatly beneficial; it will prevent renewed denunciations... I too am persuaded that, if the accusation that you have heard had succeeded, it would have had to include more individuals than were counted in it... If it had succeeded in its first attempt, it would not have hesitated to unload the reproaches made against some of its members onto the entire Convention. ...Soon we would all have been accused... the republic will be conserved whole, great and sublime, in the midst of movements paid for by the aristocracy. All the attempts of Robespierre's satellites, whose attempt to break the citizens' confidence in the Convention, will be without effect.¹³⁴

The outcome of the debate was not nearly as positive as Collot d'Hérbois claimed. By 15 Frimaire (December 5, 1794), the context had changed dramatically. Over 20,000 prisoners had been released in Paris.¹³⁵ The Jeunesse Dorée, led by Fréron, had stepped up pressure on the National Convention and the reactionary press had launched a concerted campaign. On 18 Frimaire, the Girondins were reintegrated into the National Convention and one of them, Saladin named to chair a Commission of 21 charged with examining the grounds of the denunciation.¹³⁶

Thermidorian ideology emerged directly out of the relationship between

¹³⁴ Collot d'Hérbois, *Ibid.*, 124-125.

¹³⁵ Brunel, *Thermidor*, 124.

¹³⁶ Gendron, *La Jeunesse Dorée*, 74.

Robespierre and the Thermidorians. The dominant psychological and emotional characteristics of Thermidorian ideology included the vilification of Robespierre and his followers, the idealization of the National Convention and of the event of 9 Thermidor, political revenge against “terrorists” and the displacement and denial of responsibility for the Terror. These tendencies both reflected and structured the relationships between groups, institutions and individuals. These relationships, in turn, determined the range of allowable perceptions and meanings to be attributed to specific events, institutions and people. As such they structured conflicts between groups and individuals and determined how those conflicts could be resolved; specifically they structured the ideology of the republic and the institutions of the state.

Much of Thermidorian ideology rested on the denial of the relationship between the Terror and the construction of the republican state, economy and society. The Thermidorians also denied the constructive role played by specific social groups, the middle and working class sans-culottes. The “good sans-culottes,” idealized during the Terror as having a natural republican virtue, were denigrated, forsaken and persecuted after Thermidor. The combination of blaming Robespierre and of pursuing his followers or supposed followers led to a compulsively repetitive hunt for “little Robespierres,” leading to the trial and execution of Fouquier, among others. The whole scenario was one way of dealing with one of the central problems of the French Revolution – how to construct and maintain a popular republic without compromising property rights – but it did not do so effectively. As has often been argued, Thermidor, in cutting off

or losing the support of social groups that had always fought in defence of the republic, provided the means for the reaction, for Napoleon's military dictatorship and ultimately the restoration. Thermidorian ideology, denial of responsibility for the Terror, alienation of the sans-culottes and persecution of Robespierrists played into the hands of royalists and counter-revolutionaries.

Part III: Fouquier-Tinville and the Thermidorians: Reparation or Revenge?

Chapter 7: Fouquier & the Thermidorians: Guilt, Revenge & Reparation

The political processes that characterized the Thermidorian period, especially during its first eight months, from Robespierre's fall on 9 Thermidor (July 27, 1794) to the final major popular revolt on 1 Prairial (May 21, 1795), represented a process of dissolving the links within the group psychic apparatus – social, political and ideological – that had kept the structures of the Terror in place. The dissolution, or decomposition, of links forged during the Terror, facilitated the construction of new links between groups and individuals and the state. The processes of dissolution and reconstruction created the Thermidorian period and regime. These processes operated during Fouquier's trial and were absolutely integral to it. The trial cannot be taken, as it so often has been, at face value as a process of reparation for the Terror or ending the Terror. Fouquier's trial is generally represented as a true examination of the horrors of the Terror and as an example of the just punishment of the guilty.¹ Historians have tended to see the trial as a process of social healing, justice and reparation.² Fouquier's trial, culminating in his execution, was a sacrifice, initiated to deflect guilt and responsibility for the Terror from those in power and consummated to satisfy the thirst for revenge harboured by previously suspect individuals and social groups.³

Fouquier's trial was psychologically determined, from denunciation to

¹ Including Campardon, Wallon, Dunoyer, Labracherie and Lenôtre, as discussed, at length, in the historiographical chapter. See Chapter 1, 18-21.

² *Ibid.*

³ The idea that collective guilt is often dealt with through the scapegoating of an individual is consistent with René Girard's view. René Girard, *The Scapegoat*, trans. Yvonne Freccero, (Baltimore: John's Hopkins University Press, 1989).

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execution. The trial proceedings were infiltrated with psychological debris from ex-Representatives on Mission who wanted to escape their own guilt, Committee members who wanted to deflect anti-terrorist violence from themselves, and former suspects who wanted revenge for their sufferings. At its most essential level, the trial was motivated by members of the political elite who wanted to distance itself from their recent terrorist pasts. It was not, at the core, really about Fouquier or the individual members of the Tribunal. First, through processes of psychological projection, association and displacement Fouquier and his colleagues were forced to bear all the hatred for revolutionary justice, for Robespierre and for the Terror. The victims of the Terror and anti-revolutionary social groups provided ammunition for the indictment. As individuals and representatives of an institution that was no longer considered necessary, Fouquier and his colleagues were made to carry responsibility for collective mistakes, errors and injustices committed at the height of the revolutionary crisis. In a political context in which it was dangerous for anyone to take responsibility for the Terror, Fouquier and the former judges and jurors of the tribunal were sacrificed to save the lives of the former-Committee members and the reputation of the National Convention. The sacrifice absolved the members of revolutionary government from having to take responsibility for their role in the Terror. Fouquier and a few others, all subordinates to those in power, were held responsible for the entire system of terror. The psychological processes that foisted guilt and responsibility for the Terror onto Fouquier were part of the construction of a new Thermidorian group psychic apparatus.

Chapter 7: Fouquier and the Thermidorians: Guilt, Revenge and Reparation

For a few days after Thermidor, the members of the National Convention were unified by a common hatred of Robespierre, his allies and the Paris Commune. At first, they all cohered around the idea that Robespierre, aspiring to dictatorship, had to be taken down. René Levasseur described the emotional atmosphere that gripped the National Convention after Robespierre's fall:

All the members of the Convention.... seemed to be driven by a unanimous impulse. All rejoiced, intoxicated by their common deliverance, because all had feared the despotism of the austere Robespierre and the fierce Saint-Just.⁴

The Thermidorian regime originated as a reaction to Robespierre's denunciation on 8 Thermidor. Robespierre's execution inaugurated the regime. After the speech, Dantonist-Montagnards and independent, anti-Robespierrist Montagnards and the three anti-Robespierrist members of the Committee of Public Safety (Billaud-Varennes, Collot d'Hérbois and Barère) hastily organized a motion to arrest Robespierre.

Before long, however, the Mountain began to split over issues related to responsibility for the Terror, punishment and reparation. Divisions manifested themselves early, almost immediately after Robespierre's execution. It was Stanislas-Louis-Marie Fréron's denunciation of Fouquier-Tinville that provided the impetus for the "reaction", the seemingly uncontrollable unravelling of the revolutionary government that occurred in the first eight months of the Thermidorian period, as the institutions and identifications of the Terror were attacked and dismantled, enabling the counter-revolutionary movement to

⁴ René Levasseur (de la Sarthe), *Mémoires*, 4 vols. (Rapilly, Paris; 1829-1831), 3: 249.

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resurface. Fréron's attack on Fouquier and the Revolutionary Tribunal would reverberate through the entire structure of Revolutionary Government. The Revolutionary Tribunal was one of the first institutions affected by a process of decomposition that would continue throughout the period.

Fouquier was arrested on 14 Thermidor, Year III (August 1, 1794), when Fréron denounced him in the National Convention. Fréron's denunciation occurred in the context of the reorganization of the Revolutionary Tribunal and abrogation of the Law of 22 Prairial. Fouquier was on the list to continue as Public Prosecutor of the new Tribunal. Fréron launched his attack in a tone and form of discourse, marked by an exaggerated sense of horror punctuated with a thirst for revenge, which typified Thermidorian politics.

I saw with astonishment mixed with horror... [on the list] men condemned in the public's estimation. All of Paris calls for Fouquier-Tinville's well-deserved execution.⁵

The fact that Fouquier's arrest was supported on a denunciation articulated by one of the most brutal terrorists the Revolution had known, is not only one of the more interesting aspects of the "reaction", but also one of the most significant. Fréron was an Ex-Montagnard member of the National Convention, a former representative on mission who Robespierre had chastised for his use of excessive violence in Toulon. He was also a revolutionary journalist who, after Thermidor, became the increasingly reactionary leader of the Jeunesse Dorée. Levasseur noted the hypocrisy of the Dantonists reactors, including Fréron.

⁵ *Moniteur*, no. 315, (August 2, 1794): 368.

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You see... how ready the Thermidorians were to exact persecutions with words of clemency in their mouths. You see how popular institutions gave offence to those who repeated every second, with emphasis, the sacred words of liberty and equality. Strange thing! They used against the patriots all the weapons of the Terror, while they declared these weapons infamous!⁶

Fréron, who according to one biographer, was "without talent, without political ability, ferocious in character, violent in temperament and destructive by instinct" would eventually become a nefarious ambassador for individuals and social groups looking for revenge.⁷ Fréron's call for Fouquier's blood was contained within the stereotyped, anti-Robespierrist language and ideology of Thermidor.

You have sent [to the grave] the infamous Dumas and the jurors who, with him, shared the crimes of that villain Robespierre. The public prosecutor was equally [guilty] since his indictments reflected the same views.⁸

The Thermidorian members of the National Convention were unaware of how much Robespierre's death and the repression of the Commune and Robespierrists in the revolutionary bureaucracies would undermine the National Convention itself. Like pulling out the keystone of a building, the violence of Thermidor threatened to bring the whole edifice down.

Fréron's denunciation of Fouquier occurred in the context of massive executions that took place after 9 Thermidor, accompanied by a wave of denunciations against Robespierre's supposed accomplices in the ensuing days

⁶ Levasseur, *Mémoires*, 4: 23.

⁷ Kuscinski, *Dict. Conv.*, 274.

⁸ *Moniteur*, no. 315, (August 2, 1794): 368.

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and weeks. Robespierre, Saint-Just, Couthon and others, totalling one hundred and four people had been declared outlaws and sent to the guillotine on 10, 11 and 12 Thermidor.⁹ On the 14th the Convention was still in permanent session, prepared to deal with another insurrection, if necessary. Fréron's denunciation of Fouquier followed that of others including Herman and Lanne,¹⁰ Jagot,¹¹ David, and others, members of the Committee of Public Safety and the Commission for Civil Administration, Police and Tribunals, one of the executive commissions set up after the Ventôse decrees.¹²

Fréron, in fact, had no evidence against Fouquier. His denunciation had no support beyond assertions that the Tribunal had committed atrocities. There was, in fact, very little solid evidence to support Fréron's denunciation. Later, when the trial was about to start, Fréron, in a letter to Leblois, the Public Prosecutor of the Thermidorian Revolutionary Tribunal wrote:

I asked, with all of France, to have Fouquier, ex-public prosecutor, sent to the Revolutionary Tribunal, but personally, I have very few facts against him.¹³

Fouquier's experience, from denunciation to trial and execution, reflected

⁹ For a list of those executed see Campardon, *Le Tribunal Révolutionnaire*, I: 543-552

¹⁰ *Moniteur*, no. 314, (August 1, 1794): 364. Herman was Head of the Commission of Civil Administration, Police and Tribunals. Lanne was his assistant. Later, both would be incorporated into Fouquier's trial.

¹¹ *Moniteur*, no. 315, (August 2, 1794): 366-367. A member of the Committee of General Security as was Lavicomterié, who was not denounced but was "reproached" in the same session. David, also denounced was not decreed under arrest until the next day.

¹² *Moniteur*, no. 316, (August 3, 1794): 377. David was the only Robespierrist member of the Committee of General Security. Le Bon as Representative on Mission had set up a Revolutionary Tribunal in Arras. Others denounced included Le Bon, Héron, Rossignol, Baptiste and Haller. Héron was an agent of the Committee of General Security. Rossignol was a former General of the Army of the West who had been suspended and supposedly arrested but who had been seen in Paris. Baptiste was Héron's servant. Haller was accused of working with Robespierre to get funds that would have enabled him to gain control of France's silk exports.

¹³ Letter, Fréron to the Public Prosecutor of the Revolutionary Tribunal, Paris, 14 Vendémiaire, An III, A.N., W 500, dossier 2, pièce 114.

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a process of group formation that was built up around issues of guilt and responsibility for the Terror. Responsibility for the Terror was collective. The Committee of Public Safety's authority had been dependent on the National Convention's support. The most significant decrees related to the Terror that came up for scrutiny after Thermidor, including the law of Revolutionary Government, Danton's arrest and the law of 22 Prairial, had been passed in the National Convention. At the same time, none of the Deputies in the National Convention were willing to take responsibility for the Terror. To do so would have been to identify and be identified with Robespierre.

While in Pélagie prison, Fouquier was able to have letters to his wife smuggled in and out by their maid.¹⁴ "My fear" he wrote, "is not to be judged, but to be sacrificed".¹⁵ In fact, Fouquier would be sacrificed as a means to save the committee members and protect the National Convention from the reactionary onslaught. The prosecution of Fouquier, the jurors and judges of the Terror Tribunal and others, enabled the Thermidorian members of the National Convention to displace their own responsibility, their own guilt, for the Terror onto others. Prosecuting the guilty, while focusing on those outside the Thermidorian political elite, was a way to deflect calls for revenge on to a few scapegoats, thus preserving the integrity of the National Convention, the base of republican power after Thermidor. The denunciation and defence of the former Committee

¹⁴ Before he was transferred to La Force Prison and kept in solitary confinement.

¹⁵ Lecocq, *Notes et Documents sur Fouquier-Tinville*, 45. Lecocq's reproduction of the letters is identical to the originals except that he omits the occasional sentence in which Fouquier asked his wife to send him some "eau de vie" – liquor. Bibliothèque Historique de la Ville de Paris, *Lettres et papiers de Fouquier-Tinville*, Reserve 28.

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members is evidence of this process of deflecting guilt.

Fouquier's basic defence was simple. He acted in conformity with the Law of 14 Frimaire, the Ventôse decrees, the Law of 22 Prairial and other laws, decrees and decisions passed down from the Committees and the National Convention. As a public functionary who obeyed, and carried out the decisions of higher political authorities, in accordance with the dictates of his position, he could not be held responsible for those decisions. It was his duty to execute the will of higher authorities and he had done so.¹⁶

Fréron, with the support of others, notably that of Pâris, alias Fabricius, head clerk of the Tribunal and active member of Fréron's Jeunesse Dorée, used Fouquier's defence as a pretext for attacking the former committee members. Lecointre, a well-intentioned dupe, serving at the time on the regenerated post-Thermidor Committee of General Security, presented the denunciation against the Committee members.¹⁷ In response to the denunciation, the members of the National Convention closed ranks. Initially all of the members, representatives of different factions, defended the Committee members as colleagues and accused Fouquier of trying to divide them and blamed him for the Terror.¹⁸

All France must know that [neither the Convention nor the Committees allowed] the abominations committed at the Revolutionary Tribunal... It was Robespierre,

¹⁶ Fouquier, *Mém. Impr.*; Fouquier, *Mém. Impr. Rép.*; *Mém. Gen. & Justif.*, 19 Thermidor, an 2, W499, Pièce108.

¹⁷ Levasseur, *Mémoires*, 4: 203. Levasseur, with a lot of sympathy for Lecointre, attributed his accusation against the committee members as a product of his naivety and lack of political sophistication. Carnot, also maintained that Lecointre was a good patriot and courageous but not very perceptive. Carnot, *Mémoires sur Lazare Carnot*, 1753-1823, 1: 582.

¹⁸ As argued in Chapter 7, 285-305.

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who devised these atrocities with Fouquier-Tinville.¹⁹

The leading Thermidorians were Montagnards, all of them on the left of the political spectrum. Yet the Thermidorian period is characterized as a “reaction” and manifested a clear and general anti-Revolutionary tendency that dismantled Republican institutions and, in an astonishing reversal of political direction, persecuted the most ardent Republicans. One of the fundamental problems the Thermidorian regime poses is: how did an event initiated and led by ardent Republicans lead to reaction?

One answer to the question is that there was a cynical, political struggle for power that pitted one faction with another without any thought of the consequences to the Republic. Divisions emerged because, on the one hand, the members of the Committee of Public Safety wanted “to retain power” and preserve “the system that Robespierre had made triumph”.²⁰ On the other hand, the Dantonists, sometimes referred to as *the* Thermidorians, hoped to seize power. Divisions within the Convention split, yet again, when the proscribed Girondins were reintegrated into the assembly and started to advocate a substitute for the Constitution of 1793. Even the Montagnards, excluding the Dantonists, if not divided, were at cross-purposes. The moderate Montagnards just “wanted order, calm and peace” while the “pure Montagnards”, including René Levasseur, who was imprisoned after the popular revolts in the spring of 1795, desired a social-democratic republic with some form of reparation after the

¹⁹ Marec, *Arch. Parl.*, tome 96, (30 août, 1794): 117.

²⁰ Levasseur, *Mémoires*, 3: 249.

Terror.²¹

Satisfied with having done justice to the dictatorship, [the pure Montagnards] wanted to lose none of the energy of the revolution and, while bringing back the forms of order and justice, too long forgotten, nevertheless, to conserve, in the face of our enemies, the redoubtable attitude that had already rendered us victors so many times.²²

The power struggle, initiated by the leading Thermidorian Dantonists immediately took on a character of persecution and revenge, as a means to undermine the committee members Lecointre had denounced. After the reintegration of the Girondins, the prominent Dantonists, or “reactionary Montagnards”, allied with the Girondins to attack, in succession, the Montagnard Committee members, the Jacobin Club and the Montagnards. The latter were known in the press as “Robespierre’s tail”, those that called themselves the “true Montagnards”, who had remained more or less true to the precepts of May 31, committed to some form of social democracy.²³

Levasseur suggests that the rest of the revolutionary leadership was caught off guard by the way the reaction, rooted in a politics of revenge, seemed to creep up on them. The state, he argued, “placed in the hands of the men of Thermidor” was used against their personal enemies, that “the character of government remained visibly republican, until the return of the Girondins.²⁴ Levasseur argued that the Dantonist-“reactors” were initially sincere

²¹ Ibid., 249-250. Levasseur was arrested and imprisoned, on 8 Germinal Year III, after the first of two major popular insurrections after Thermidor.

²² Ibid., 249-250.

²³ Felhémési (pseud.), [Méhée fils], *La queue de Robespierre ou les dangers de la liberté de la presse*, Paris, 9 fructidor an II de la république française, une et indivisible (Paris: Imprimerie de Rougyff, s.d., [1794]).

²⁴ Levasseur, *Mémoires*, 4: 7.

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Thermidorian (anti-Robespierriest) republicans.

It was only little by little that the movement of 9 Thermidor degenerated into reaction and aristocracy.... The Thermidorians were in good faith when they showed a great republican exaltation.²⁵

The reintegration of the Girondins, on 18 Frimaire Year III (Dec. 8, 1794), gave added impetus to the impulse to revenge. At first, "the Girondins asked only for reparative measures" but when the seventy-three proscribed members returned, bent on revenge, they themselves "became proscribers. They asked for victims."²⁶ As Levasseur observed, Tallien, Barras and Fréron were happy to deliver.

... Several Girondins returned amongst us with their souls ulcerated by their suffering, ready to support any party that wanted to destroy the Republic.²⁷

The revenge itself, rationalized as reparation, easily, and at least for the Montagnards, unintentionally slipped into political reaction. According to Levasseur, the turning point was the attack on the committee members that broke the Thermidorian coalition apart, splitting it into "two parties".²⁸

The one, exultant, its leaders were the former members of the Committee. The other, moderate, the Girondins, remaining silent on the right side [of the assembly], formed the kernel of it.²⁹

The Dantonists formed an informal alliance with the Girondins, hoping to be able to "dominate them more easily" than they could the rest of what was left of the

²⁵ Ibid., 4-5.

²⁶ Ibid., 5.

²⁷ Ibid., 10.

²⁸ Ibid., 4-5.

²⁹ Ibid.

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Mountain, and began sitting on the right side of the assembly.³⁰ But, “in the debris of the former Gironde”, the Dantonist-Thermidorians found “recalcitrant allies, rather than timid auxiliaries”.³¹ The return of the seventy-three proscribed members made the Girondin faction numerically equal to the other sections in the assembly and they “decided to sell their support dearly”.³²

...The first actions of the new majority had all the appearance of an intrigue. First, the Girondins tacitly supported the Thermidorians and allowed them influence. In return, they... asked for concessions.³³

Levasseur’s “power struggle” argument, that Thermidorian politics can be explained by analysis of the factional-political intrigues within the National Convention, has two major flaws. First, it does not explain why or how the revolution’s most ardent defenders in 1793 became the most violent agents of its destruction in 1795. Secondly, in attributing the hypocrisy of the Thermidorian reaction to a cynical politics, it fails to address the essential content of political arguments – the emphasis on guilt, reparation, punishment and revenge that provided impetus for the attack on the institutions of government. According to the “power struggle” explanation, the increased influence of counter-revolutionary ideas and social groups and the dismantling of Revolutionary institutions were unintentional, almost accidental.

Rather than looking at Thermidor as a primarily political phenomenon, with unintended outcomes, it is useful to consider the event and the period as

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid., 5.

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fundamentally psychological, driven by unconscious motives that *seemed* to produce unintended effects but that were, in fact, part of a process of de-linking and reconstruction that served powerful psychological interests. Furthermore, those psychological interests combined with social interests. The violence of Thermidor, the killing of Robespierre, as revolutionary symbol and ideologue and the destruction of the Commune of Paris set the Thermidorian process in motion. The process was an unravelling of the psychic links that had been built up throughout the Terror. This psychological process had both a representational and a social component. Consequently, it cannot be considered merely political, merely representational (mere discourse) or merely social, but a combination of the three elements.

The Thermidorians' emphasis on moral issues and the significance of psychological factors does not simply reflect the revolutionary government's degeneration to hypocritical political manoeuvring for power and control, although the genuine desire to "end the Terror" opened the door for treacherous political manipulation. Political manipulation operated through powerful representations – representation of certain individuals as "Robespierrist conspirators", cannibals and blood drinkers.³⁴ These representations led to a public discourse on the Terror that seemed to merge seamlessly into a "discourse of the revolution on itself" that Mona Ozouf and others have argued evolved into a rejection of the republic itself.³⁵ Furthermore, the representations seemed to take on a life of their

³⁴ Representation will be considered more fully in Chapter 8.

³⁵ Ozouf, "De Thermidor à Brumaire: Le discours de la Révolution sur elle-même" in *Revue Historique*, 243, no. 1 (1970): 31-66.

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own, outside of the direct control of any individual, political faction or social group, as Keith Michael Baker argues for the earlier period of the revolution.³⁶ Bronislaw Baczko, seeing political and cultural factors as the primary determinants of revolutionary events, maintains that the Thermidorian period, as a transition from terror to democracy, demonstrates the lingering power of terrorist ideology as a *discursive structural* force from which Thermidorian revolutionaries had to extricate themselves before they could truly “end the Terror”.³⁷

Like Levasseur, the revisionist historians see the events of Thermidor as having unintended consequences. Like him, they also tend to focus on the political dynamics of Thermidor. However, Levasseur, unlike the revisionist historians, was concerned not with a limited or “realistic” Thermidorian democracy but with the social democratic principles for which he, and many others, had fought. Levasseur thought the Thermidorians, in their quest for revenge, destroyed the republic. Levasseur considered the social consequences of the political intrigues of particular significance. The most significant consequence was the marginalization of the popular movement as a political force. The social consequences related to the group psychic apparatus and the state – the quality of the links between the National Convention and the popular movement. The links between the popular movement and the Thermidorian Convention was isomorphic – based on physical repression, force and exclusion.

³⁶ Baker, “On the Problem of the Ideological Origins of the French Revolution” in *The French Revolution*, ed. Ronald Schechter, (Oxford: Blackwell, 2001), 52-74.

³⁷ Baczko, *Ending the Terror*, 42, 112-113, 136-137, *passim*.

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The Thermidorian reality was complex. The central problem of the period was how to end the Terror and consolidate the republic.³⁸ Ending the Terror required some kind of solution to the social question. What kind of republic was to be formed? How were the Thermidorians to consolidate the private-property-based republic without the support of the Parisian sans-culottes movement that had been such important allies against the forces of counter-revolution prior to Thermidor? Thermidor was not simply an inevitable or necessary transition from the Terror, in preparation for the construction of a "realistic", limited, representative democracy. Thermidor represented the return to an order in which property rights were paramount and Thermidorian democracy was limited to the propertied.

The Thermidorians dealt with the Terror by disavowing particular aspects of it, by compulsively reliving and publicly "remembering" the Terror in a selective, distorted and ideologically charged and socially biased way. Furthermore, the Thermidorian period can be defined by the particular way moral and psychological issues functioned to create the structures of the state and the group psychic apparatus that supported it. The most prominent characteristic of the Thermidorian period was the hypocrisy of it, a schizoid splitting. Let us not take the discourse for reality. Baczko underemphasizes the centrality of denial to the process. Although they made a great show of the need to end the Terror and to institute a normal regime based on liberal legal concepts of "justice and humanity", the reactionary terrorists who "took the upper hand", men like Fréron,

³⁸ Baczko, *Ending the Terror*, 34-35.

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Tallien and Barras, were “for the most part, men without principles, ambitious mercenaries”.³⁹ They advocated a retaliatory form of justice and were at the head of the movement against “Robespierre’s successors”. The Thermidorian period was inaugurated with the killing of Robespierre and more than one hundred others and was punctuated by the sacrificial killing of individuals who came to represent the Terror, including Fouquier-Tinville.⁴⁰ The violence itself, selective socially targeted violence against the popular movement and the men who had led the revolutionary movement, was a means of dealing with the moral and psychological problems of the Terror by not dealing with them, through denial. Fouquier’s arrest, imprisonment and trial were rooted, not in the simple reality of guilt or innocence, but in the difficult process of state construction, or reconstruction, put into motion after 9 Thermidor.

If a political system and the system or systems of representation that manage and express political processes are part of a broader system of institutional and psychic links – part of the group psychic apparatus – then it becomes imperative to consider the social bases that supported such processes. Even in the least democratic of systems, politics are a means of generating compliance, if not support, and thus always involve individuals and social groups beyond the immediate medium or forum of political discourse, beyond either the social, intellectual or bureaucratic elite that define, organize and benefit from the state. The Thermidorian political dynamic demonstrates a process of

³⁹ Levasseur, *Mémoires*, 3: 248.

⁴⁰ This does not include, of course, the officially or passively sanctioned murders of individuals in the Provinces, in the so-called “White Terror”.

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decomposition of links with some social groups and the re-establishment of links with others. The most significant links to be severed were the ones between the Thermidorian Montagnards and the sans-culottes and between the National Convention and the institutions of revolutionary government, including the Revolutionary Tribunal. The new linkages formed were with lower middle class elements and formerly suspect social groups.

The Thermidorian discourse on justice and revenge resonated with and reached out to members of the propertied middle and upper-middle class groups and mobilized repressions against the sans-culottes. In Levasseur's words, Fréron "mirrored" the views of the middle class and took on Girondin positions, "especially" after their return proved "that in politics all is pardoned in success".⁴¹ Fréron, being sensitive to what was most likely to win him acceptance in the eyes of public opinion, affected moderation, especially when moderation was "the general view".⁴²

Furthermore, by the spring of 1795, Thermidorian refusal to deal with issues of importance to the sans-culottes and the Thermidorian persecution of patriots led to two popular revolts that were subdued, not by politics, discourse or ideology, but by repression. On 12 Germinal, the first of two popular revolts took place. The crowd entered the Convention demanding bread, the application of the Constitution of 1793 and the release of patriots in prison. Levasseur wrote that Paris, after eight months of Thermidorian rule had become

divided into two nations, on the one side the people

⁴¹ Levasseur, *Mémoires*, 3: 252.

⁴² *Ibid.*

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and on the other the bourgeoisie. The people [was] always patriotic, but without leadership, without weapons left and without any true influence. The bourgeoisie entirely concerned with its own, egoistic interests, [was] armed and driven by redoubtable leaders.⁴³

Of course, by Germinal Year III (April/May 1795), it was impossible to reconstitute a democratic republic of the people, as the Jacobins had envisioned in 1794. Robespierre was long gone, his partisans, the Commune, the "patriots" in the revolutionary bureaucracy were cowed, imprisoned, dead or, like Fouquier-Tinville, on trial for treason. By then the Girondins were in control, thanks to the reactionary Dantonists who decimated the Mountain. The links of the new group psychic apparatus had been forged and were not to be broken by desperate and disorganized crowds demanding bread and the Constitution of 1793, whether they represented a mass of suffering sans-culottes or not.

So, the Thermidorian period represents a psychological process that involved both social and representational factors. However, even if the social base of Thermidorian power was middle class, it becomes necessary to answer the two basic questions that have not yet been considered. How and why did some of the revolution's most ardent defenders in 1793 become the most violent agents of its destruction in 1795? Put in other words, what does it mean that the most vocal proponents of "justice and humanity" after Thermidor, were the same men who had been the most violent proponents and executors of the Terror? Second, how and why did the representational process, by which the new middle-class regime was constructed, operate through ideas of guilt, reparation,

⁴³ Levasseur, *Mémoires*, 4: 217.

punishment and revenge?

The themes of guilt, reparation and revenge shaped political, ideological, social and psychic structures. The psychological processes of group construction that created the Thermidorian regime played out in Fouquier's trial around the issues of guilt and responsibility. Fouquier's trial provided a public screen or spectacle that, in facilitating and creating a reinterpretation of the events of the Terror, facilitated the creation of a new group psychic apparatus. The Thermidorian attack on revolutionary government officials, symbols and ideals represents the tearing down of links formed during the Terror. Fouquier's trial was a mechanism the Thermidorians used to consolidate the new republic while grappling with the legacy of the Terror. The problem of the Terror was not, of course, just a problem of how to deal with the problem of "suspects" and the resistance that had been generated against the Republic during the Terror. For the leading Thermidorians who had actively participated in the Terror and for those members within the National Convention who had actively or passively consented to it, dealing with the Terror meant dealing with the moral and psychological issues associated with their own involvement.

The Thermidorian justification for Robespierre's execution was that he had aspired to dictatorship. This charge of despotism was partly a cynical fabrication, invented in reaction to the crisis that emerged with the revolt of the Commune but it was also had a psychological root. "It was a flight of fancy that was ... strangely shared."⁴⁴ Robespierre, as an ideological leader of a formative group, represented

⁴⁴ Baczko, *Ending the Terror*, 21.

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to some extent people's super-egos. Freud, trying to explain why moral functioning seems to be much lower in groups than it is in individuals, argued that individuals within groups project their super-ego functions on to their leaders. This frees them from their own super-ego constraints and explains why people, even those who as individuals function at a normal moral level, can become savage when in a group.⁴⁵

It is likely that members of the National Convention had projected their own super-ego functions on Robespierre. When on 8 Thermidor, still a powerful figure in people's minds, if not in reality, Robespierre accused his colleagues, he represented a cruel and harsh, punishing super-ego. His colleagues could not have been sure that Robespierre did not intend to purge the Convention by having some of them executed. They had Danton's example to fear. After Thermidor, virtually all factions and individuals within the National Convention, except perhaps the Girondins, projected another function of the super-ego onto the dead Robespierre: responsibility for the Terror. Lazare Carnot later argued that the accused Committee members sought "to throw all the odium of the Terror onto Robespierre" in order to escape the consequences of Thermidorian

⁴⁵ The idea originates with Sigmund, "Group Psychology and the Analysis of the Ego" in *Civilization, Society and Religion*, 93-178. Le Bon has applied the notion to the French Revolution, arguing that the violent behaviour of crowds is due to the fact that in a crowd a sort of primitive "racial mind" takes over and obliterates an individual's reason. Gustave Le Bon, *The Psychology of Revolution*, trans. Bernard Miall, (London and Leipsic: T. Fisher Unwin, 1913), 102-103. Le Bon's work grossly oversimplifies the motivations of the popular movement. He makes the assumption that "the rabble" can have no legitimate motive for revolt and therefore can have no restraint. For two excellent accounts of the rationales behind popular action, even its seemingly mindless violence, see George Rudé, *The Crowd in the French Revolution* (Oxford: Clarendon Press, 1959) 196-209 and passim; See also Peter Kropotkin, *The Great French Revolution*, 2 vols. Trans. N.F. Dryhurst (New York: Vanguard Press, 1929), 83-87 and passim.

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justice.⁴⁶ In the context of Thermidor where, with “passions unleashed” and with “parties, in a state of exasperation impossible to describe, coming to blows every day” it was desirable, Carnot thought, that in the interest of public peace

[The] dead Robespierre temporarily carried the responsibility for a regime in which he had largely participated and for which his name remains the symbol. Perhaps it was desirable that concern for the exercise of a distributive justice was reserved for history.⁴⁷

Such psychological processes, projection of moral responsibility for the Terror, being unconscious, were neither planned nor rationally controlled. Thus they gave rise to unintended consequences. Internecine divisions developed within the National Convention. The reactionary Montagnards, who had actually initiated the attack on Robespierre, lost control of events and political control of the National Convention. Nonetheless, out of the chaos and contradictions of Thermidor, the unconscious processes of group construction did create identifiable institutional (real) and psychic (immaterial and imaginary) structures. The splintering of the revolutionary movement and its inability to manage the transition “out of the Terror” increased the influence and power of anti-republican, anti-revolutionary forces, even in the National Convention. Levasseur, speaking from the Thermidorian left lived to regret the influence of Tallien and Fréron.

The reaction carried us away, and even men who had otherwise proven their wisdom and moderation, followed Tallien’s chariot on the ignoble road of personal revenge.⁴⁸

⁴⁶ Carnot, *Mémoires sur Lazare Carnot*, 1: 584-585.

⁴⁷ *Ibid.*, 585.

⁴⁸ Levasseur, *Mémoires*, 3: 264-265.

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The Thermidorian group psychic apparatus formed as a result of a violent restructuring of the links that had been constructed during the Terror. Restructuring the links necessarily involved the creation of a new ideology – to mediate between social and psychological realities. Thermidorian ideological construction, part of the process of decomposing or de-linking the group psychic apparatus, or psychic infrastructure, of the Year II occurred by demonizing the leadership, laws and institutions of the Terror. In the Thermidorian imagination, Robespierre was “the tyrant”, a dictator striving for absolute power. Robespierre, according to Thermidorian representations, used his position in the Committee of Public Safety to usurp political power from the National Convention and had used his influence with the sans-culottes movement and the Jacobin Club to place his fellow conspirators in the Revolutionary bureaucracy and, with his agents, had begun executing his plan to depopulate France.

The depiction of Robespierre as a tyrant who had terrorized all but a few of his henchmen and was thus responsible for the Terror, formed the basis of a new Thermidorian “negating pact”, an unconscious pact between the revolutionary leaders that emerged to divest them of responsibility for the Terror. The negating pact would have, if it had not been torn apart by divisions within the revolutionary movement, enabled the revolutionaries mutually to overlook the role of each in the Terror. The substance of the “negating pact” was mutual support for the denial of responsibility for the Terror – virtually all members of the National Convention adhered to it. Fouquier was sacrificed because he could not defend himself without reference to the actual laws and institutions that had framed his

actions. Fouquier could not deny the Terror and still live.

The negating pact is an intermediary formation that is closely associated with the narcissistic contract. According to Kaës, the negating pact sustains the narcissistic contract because it supports denial of the founding violence of all societies and thus sustains the narcissistic identification between the individual and the ideal, the latter being what organizes consensus around a political authority.⁴⁹ The negating pact and narcissistic contract, like the renunciation contract, are significant because they define the terms of the relationship between individual and group. Both the negating pact and the narcissistic contract are created from collective investments of psychic energy into a specific idea or set of unconscious ideas buried within conscious representations – images, theories, “dramas” or stories, discourse and ideology.⁵⁰

The negating pact is a correlation of the renunciation and narcissistic contracts. If the renunciation contract requires each individual to renounce some narcissistic investment for the good of the group or society, the negatory pact is a denial, repression or disavowal of narcissistic injury, of the loss of parts of the self to the group and of the debt owed to the group for individual existence (both psychic and physical). The negating pact maintains the common psychic space necessary for group relationships. It protects the ideal and organizes collective

⁴⁹ Kaës, “Réalité psychique et souffrance dans les institutions” in *L'institution et les institutions*, 4; Kaës, *L'appareil psychique groupal*, 242; Kaës “Ruptures Catastrophiques et Travail de la Mémoire” in *Violence d'Etat et Psychanalyse*, Eds. Janine Puget and René Kaës (Paris: Bordas, 1989), 181-185.

⁵⁰ Kaës, *L'idéologie*, 68. The narcissistic contract operates differently depending on whether the intermediary spaces (links) tend toward the homomorphic or the isomorphic pole, discussed below.

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mechanisms of defence.⁵¹ The function of the negating pact is to negate/repress the violence, division and differences that exist in all links. Like other unconscious pacts, it functions through identification – with others and with the ideal.⁵²

A social system that fails to sustain the narcissism of the individuals within it will be attacked. Its links – leaders, structures and substructures – and its primary task will be targeted. A crisis/attack at any level of the structure will affect other parts of the institution, a result of the dissolution of its links. The failure of a link will manifest itself in the inability of the subject to maintain a position within the structure, affecting the narcissistic reciprocity between subject and institution/group. Every individual is potentially a threat to the links that hold a system together and is considered capable of imperilling the shared, common object. Private appropriation of the link, on the other hand, threatens to destroy the whole community because it threatens the relationship to the contract. The dissolution of a link leads to reformation, change or destruction of the relationships (links) to the common objects and to their representations.⁵³

It may have been fitting for Fouquier's trial, as an examination of extraordinary, revolutionary law, or justice as terror, to provide opportunities to reform or normalize the actual institutions of justice to conform to notions of liberal justice, the protection of individual rights and other legal protections from state persecution. Nonetheless, the actual performance of the new Thermidorian Tribunal was subordinated to political and social conflicts unleashed as part of

⁵¹ Kaës, "Réalité psychique et souffrance dans les institutions" in *L'institution et les institutions*, 32.

⁵² *Ibid.*, 33.

⁵³ Freud, *Sigmund Freud: Case Histories II*, 185.

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the decomposition of the group psychic apparatus after Robespierre's fall.⁵⁴ Political divisions and struggle, bolstered by grievances and demands emanating from social groups that had been suspect during the Terror, defined the trial and determined its outcome. Thermidor, the killing of Robespierre and the abrupt and violent change in the direction of government created a crisis because it severed links in the group psychic apparatus. Many of the events and political processes during the Thermidorian period represent a serious unravelling of all the links – institutions, ideals and leaders that had, until that time composed the Revolutionary Government. The process of reconstructing the group psychic apparatus and the institutions of government after Thermidor operated through representations of the Terror that reflected psychological issues of guilt, revenge and reparation. These psychological issues and conflicts, acted out and manipulated on the political stage, explain how and why the Thermidorian period progressed as it did. The Thermidorian “discourse on the Terror”, rather than being a means to end the Terror, was a fruitless and destructive denial of responsibility for the Terror that made consolidating the Republic through any true reparation impossible. The complex layers of conscious and unconscious motivation underlying Thermidorian “discourse” can be psychoanalytically deconstructed.

The new Thermidorian group psychic apparatus was created through the

⁵⁴ The Thermidorian tribunal was brought into being with the Law of 8 Nivôse. *Convention Nationale, Rapport fait à la Convention National au nom des comités de salut public et de sûreté générale et de législation, sur la réorganisation du Tribunal révolutionnaire, Par Ph.-Ant. Merlin (de Douai), séance du 8 nivôse, an 3 de la République. Suivi du décret rendu le même jour; imprimé par ordre de la Convention Nationale* (Paris: Impr. Nationale, 1795): *Maclure Coll.*, (vol. 1111, no. 19).

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renegotiation of the narcissistic contract between individuals and the state. The Terror, with the war and economic controls, had demanded great personal sacrifices. Much of Robespierre's theory of virtue, of public over private interest, compelled people to forgo private, narcissistic interests for the sake of the revolution, the war and the public good. Consolidating the republic, a republic that was never meant to maintain the system of state management of the economy, expropriation of private property or collective management of the economy, would have required some kind of shift to a system that was more responsive to the narcissistic requirements of individuals. The exceptional collectivist measures associated with the Terror, that "era of great national resistance", had been implemented for the war effort.⁵⁵

The system the French revolutionaries were trying to institutionalize was capitalist – it was to be based on private property and free markets in goods and labour.⁵⁶ Any transition from the Terror to a normal capitalist free market system would have required the loosening of a whole system of sacrifice for the public good to a system based on private property. The Thermidorians carried it through. The whole period from 9 Thermidor to the passage of the Constitution of the Year III manifested a process of social change that elevated private interests above the public good. Private, narcissistic interests, to be sure, are not just economic, material or property based. Nonetheless, the pursuit of individual, private, material interests is narcissistic, especially when supported on

⁵⁵ Levasseur, *Mémoires*, 4: 7.

⁵⁶ On the restoration of a free market after Thermidor see Woronoff, *The Thermidorian Regime and the Directory*, 8-13.

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ideological, institutional and philosophical notions of individual, rather than social or collective, rights. With Thermidor, personal interests supplanted collective ones. As Levasseur argued, ordinary activities replaced the heroic struggles of the Year II.

... Little by little, patriotic delirium and enthusiasm for liberty was extinguished. Personal interests retook the upper hand, the Convention was no more than an ordinary assembly that often ... acted through hidden motives and ceded to the power of intrigue and the secret animosities of parties.⁵⁷

Thermidorian ideology, composed of the denigration of former Robespierrists and personnel in the revolutionary government combined with a denial of the National Convention's role in the Terror, contains the elements of both the negatory and narcissistic contracts. The new, Thermidorian establishment of private property, individual rights and individual liberties and the limited, representative democracy that accompanied them, were created through a process of de-linking, by denigration of individuals and social groups associated with the former regime and by offering compensation for narcissistic injuries. Psychologically, such narcissistic compensation was delivered by gratifying demands for revenge, and, more subtly, by a process of mutual affirmation of the role of each in the "Great Revolution of 9 Thermidor" that had, it was declared, ousted the tyrant and instituted an era of justice and humanity. Such narcissistic affirmation of goodness, combined with denigration of the institutions and personnel of the Terror, were the psychological building blocks of the new narcissistic contract, and the Thermidorian regime. The denial of the

⁵⁷ Levasseur, *Mémoires*, 4: 2.

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National Convention's role in the Terror, and the collusion amongst the various factions represented by their refusal to meaningfully acknowledge one another's role in the Terror, represent the negatory pact that supported the new narcissistic contract.

Fouquier's trial was part of the process. The Thermidorians argued that Fouquier and the other members of the Tribunal were part of a vast conspiracy to set Robespierre up as dictator. Fouquier's judgment, the basis of his death sentence, was that the Robespierrist conspirators in the Tribunal, with Fouquier as the leading henchman, set out to achieve their goals by depopulating France, targeting its most valuable citizens – the wealthy, the virtuous and the educated.⁵⁸ This representation of the Tribunal was a Thermidorian cliché, used to rehabilitate suspects and demonize the personnel associated with the revolutionary government during the Terror. Speaking of the Tribunal members one of the witnesses testified:

In what prisons ... in what houses, in what towns, in what villages... did they not, or would they not have imagined, [conspiracies as pretexts for slaughtering the innocent] without the happy revolution of 9 Thermidor when the tyrant and... his accomplices fell? Vile and contemptible men were called from everywhere to execute their pernicious and barbarous designs. The virtuous and educated man was hunted from positions and the administrations.⁵⁹

The Thermidorian representation of Fouquier and others as cannibals

⁵⁸ Tribunal Révolutionnaire, *Jugement du 17 Prairial an 3 qui condamne à la peine de mort Fouquier et 15 autres*, A.N., W499, pièce 16. Leblois, *Fouquier-Tinville Acte d'Accusation, notifié le 26 Frimaire pour le 28 du dit mois*, A.N., W499, pièce 7. *Judicius, Acte d'Accusation de Judicius contre Fouquier et complices*, A.N., W499, pièce 8.

⁵⁹ P.J. Brunet, chirurgien en chef de Bicêtre, *Hist. Parl.*, 34: 357.

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and blood drinkers was associated with a denial of the Terror's basis in the laws and decrees passed by the National Convention. The Terror had been, as Fouquier argued in his defence, legally mandated. Revolutionary justice emanated from the highest political authority, the National Convention, through laws, the Law of 14 Frimaire, the Ventôse decrees and other legislation. However, it was not in the Thermidorian Convention's interest to trace the links of revolutionary justice during the Terror. Fouquier and his colleagues, like Robespierre before them, were represented as cannibals and monsters that had usurped and perverted the law. The ideas of law and justice perpetuated after Thermidor were abstractions promulgated to create an ideal around which diverse social groups could cohere. Fouquier and the tribunal members, as representatives of a legal institution the Thermidorians wanted to renounce and a legal order they wanted to disavow, were sacrificed at the altar of the law.

Real, practical law, during the Terror and the Thermidorian periods both, was a political instrument, a tool to enforce the unconscious contracts that were to underwrite institutional and social relationships in the real world. The language of revenge – the calls to exterminate, to purge the earth of the cannibals and execrable monsters – was not the language of justice. Thermidorian, retributive justice was rationalized as a means to re-establish the rule of non-revolutionary law by delivering up those who had violated its precepts. In reality, like the violent language of the Terror, it was a language of death, to condemn those who would refuse to comply with the terms of the contract.⁶⁰ As one of the many reactionary

⁶⁰ Carnot, *Mémoires sur Lazare Carnot*, 1: 591.

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pamphlets that emerged after Thermidor, Rouyl's was typical of the calls for revenge that proliferated after Robespierre's fall.

Innocent blood cries out for vengeance; the country screams against all the cannibals that have spilled it; the people and justice demand that all the accomplices of the infamous Robespierre... the plotters and creators of lists of proscription in the prisons, be exterminated under the sword of the laws. The Representatives of the People must fulfill the wishes of their sovereign.... The Revolutionary Tribunal must purge the earth of these execrable monsters.... Nature, humanity, the country and liberty, will only be satisfied when thus avenged.⁶¹

One of Fréron's newspaper articles, published a few months after Fouquier's denunciation, and while the Committee members were on trial, shows how Fouquier became a pawn in a larger political game whose objective was to destroy those at the highest level of the political system.

Be careful what you say Fouquier-Tinville. Cast your eyes on the past. Strike out at all those who slit throats or drowned [people] without any formality of justice, and who, in the hope of hiding their crimes, search to rally their accomplices in order to commit more of them....⁶²

Fouquier's guilt was not the only object of Fréron's denunciation, perhaps not even the main one. Fréron used Fouquier's defence as a means to put the

⁶¹ B.N.16⁰ LB⁴¹ 1145A. Rouyl, l'aîné, *Assassinats Commis Sur 81 Prisonniers de la Prison, dite Saint-Lazare, les 7, 8 et 9 Thermidor, par le Tribunal Révolutionnaire, les Moutons et les Fabricateurs de Conspirations dans la dite prison, ensemble le tableau de horreurs qui furent exercées envers les détenus de ce tombeau des vivans*, (Paris, De l'imprimerie de Guffroy, Rue Honoré, No 35, s.d), 17.

⁶² B.N. Microfilm, 8⁰ LC2392(15). Fréron, *L'Orateur du Peuple*, tome VIII, no. 14 (18 Vendémiaire, An III): 110-111.

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Committee members and Carrier on trial for crimes associated with the Terror.⁶³

Fouquier's trial must be considered within this broader political context.

French people, you sacrificed Robespierre, Couthon and Saint-Just for liberty, because they were conspirers. But they alone did not cause all your ills.⁶⁴

The Thermidorian reactors warded off their opponents on the left, the Montagnards who were not reactors, who accused them of counter-revolution. Fréron's approach for warding off attacks from the left was to take the offensive. He charged his accusers of attacking anyone who wanted "the liberty of the press, the reign of the laws and justice", Camille Désmoulins' old argument.⁶⁵ Fréron claimed his attackers were part of a counter-revolutionary conspiracy that would bring back the Terror in all its force, acquit Fouquier, Lebon, Carrier and their accomplices, execute the members of the new Tribunal and dissolve the National Convention, replacing it with the leaders of the Jacobin Club. The republic then, he warned, would "swim in blood".⁶⁶ Pillaging, rape, throat slitting and arson would return. "Robespierre's old reign would recommence" and the people would be made to "accept one master".⁶⁷

Fréron, who built up his Jeunesse Dorée from released suspects and middle class youths disaffected with revolutionary austerity, violently opposed any move towards indulgence for either the former members of the committees.

⁶³ The crimes, and the processes used to punish them have the form and function of contemporary prosecutions for "crimes against humanity" but in accordance with the jurisdiction of the Tribunal, the actual legal charge against Fouquier was treason.

⁶⁴ Fréron, *L'Orateur du Peuple*, tome VIII, no. 14: 110.

⁶⁵ B.N. Microfilm, 8^o LC2392(15). Fréron, *L'Orateur du Peuple*, tome VIII, no. 15 (21 Vendémiaire, An III): 117.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

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Fouquier and his colleagues, he wrote, the “butchers and executioners” who “fight in the convulsions of their consciences, drenched, but not quenched of crimes”, did not deserve clemency.⁶⁸ On 29 Fructidor he ranted against a proposal to suspend the application of the Revolutionary Tribunal's penalties against those incarcerated since 9 Thermidor.

Who are the persons incarcerated since 9 Thermidor? Fouquier-Tinville.... the Revolutionary Committee of Nantes.... all the villains... all the agents of Robespierre, his conspirators, his accomplices and the partisans and executors of his system of Terror and Death.⁶⁹

The purpose of the proposal for clemency, wrote Fréron, was to save the “executioners of the people” from punishment.⁷⁰

Oh revolting partiality! [The Revolutionary Tribunal] will judge without appeal all the victims that have languished in prison for eleven, twelve and fifteen months, incarcerated by order of Saint-Just, Couthon, Lebas, Robespierre and consorts, but there has to be a revision of its judgments when it is a question of these great criminals, these liberticidal agents...these monsters on whom public opinion has already done justice, [these men] whose names alone make [us] shudder with horror....⁷¹

Fréron went on to argue that exceptions were to be made and measures of clemency demanded for Fouquier, Lebon and Carrier.

The Terror ceases to be the order of the day for these tigers that handled that weapon [terror] with such

⁶⁸ B.N. Microfilm, 8^o LC2392(15). Fréron, *L'Orateur du Peuple*, tome VIII, no. 1 (25 Fructidor, An II): 6.

⁶⁹ B.N. Microfilm, 8^o LC2392(15). Fréron, *L'Orateur du Peuple*, tome VIII, no. 3, (29 Fructidor, An II): 19.

⁷⁰ *Ibid.*, 19-20.

⁷¹ *Ibid.*, 20.

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criminal audacity!⁷²

Fréron was really after the Committee members and calculated that Fouquier's trial would clinch their defeat. Fouquier's trial was one component of a much broader strategy to destroy them, a strategy that included manipulating public opinion through attacks published in his newspaper, using the *Jeunesse Dorée* to intimidate opposition, finding a means to control the Girondins and attacking the Jacobin Club. Fréron's strategy was not, in the end, entirely successful; the Committee members were eventually tried, but only exiled, not executed. Nonetheless, the strategy was effective. The Commission of Twenty One, a committee of the National Convention struck to investigate the accusation against the Committee members, based its report, virtually item by item, on Fouquier's defence.⁷³ As Fréron argued in his newspaper, the Committee members were afraid of what Fouquier, Lebon and Carrier might say. "They strangely fear enlightenment".⁷⁴

Fréron's attack on the Jacobin Club, like his determination to see Fouquier punished, was rooted in projective identification, a psychological defence that he used to ward off his own guilt. In his newspaper, where "the *Jeunesse Dorée* took the watchwords for its odious expeditions", Fréron wrote that the Jacobin leaders, acting in concert with the Commune, had been "the absolute masters of France

⁷² Ibid.

⁷³ Convention nationale. *Rapport au nom de la commission des vingt-un, créée par décret du 7 nivôse an III, pour l'examen de la conduite des représentants du peuple Billaud-Vareannes, Collot D'Herbois et Barère, membres de l'ancien comité de salut public, et Vadier, membre de l'ancien comité de sûreté générale, fait le 12 ventôse, par Saladin, représentant du peuple, député par le département de la Somme. Imprimé en exécution de l'article XII de la loi du 8 brumaire an III* (Paris: Rondeau, An III, 28 ventôse). This report is often just referred to as the "Saladin Report". It is significant that Saladin was a particularly reactionary Girondin.

⁷⁴ Fréron, *L'Orateur du Peuple*, tome VIII, no. 3: 20.

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and of the Convention since May 31, 1793". But, he asked, "What have they done?"⁷⁵

In speaking to us of liberty, justice, virtue and probity, they established a tyranny so monstrous, that the history of revolutions provides no example of it. ... They destroyed public morale, to substitute barbarity and ferocity for it. Finally, they did more harm to France than Pitt and Cobourg could have ever hoped.... With justice, we can attribute to them all these horrors, since the members of that society who were also part of the Convention and who oppressed it, committed them....⁷⁶

Fréron buttressed his attack on the Committee members by associating them with Robespierre, the tyrant and dictator, and the monsters and cannibals, like Fouquier, who were in prison awaiting their just punishment. The Committee members, Fréron claimed, wanted to save Fouquier and others, Robespierre's accomplices, in order to put terror back on the agenda.⁷⁷ The attack on the Jacobin Club became part of Fréron and Tallien's overall strategy when, having failed to take over the club, in order to use it as a means to control their Girondin allies after reintegration, they attacked it.⁷⁸ Fréron sent the Jeunesse Dorée to provoke an altercation that provided the pretext for legislation to close it.⁷⁹

In an attack on one of the former members of the Committees, Fréron accused the member, Billaud-Varennes, of trying to assuage his own conscience for having tried to gain absolute power by undermining his colleagues. These accusations, based in projective identification, uncannily parallel the manoeuvres

⁷⁵ B.N. Microfilm, 8⁰ LC2392(15). Fréron, *L'Orateur du Peuple*, tome VIII, no. 7, (3 Vendémiaire, An III): 54. On the odiousness of the Jeunesse Dorée, see Levasseur, *Mémoires*, 4: 85.

⁷⁶ Fréron, *L'Orateur du Peuple*, tome VIII, no 7: 54.

⁷⁷ *Ibid.*

⁷⁸ Levasseur, *Mémoires*, 4: 14-20.

⁷⁹ *Ibid.*, 27.

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that Fréron himself engaged in after Thermidor.

Billaud, in order to reassure himself against his own conscience, to stifle all remorse and to certify himself a consummated tyrant began by slitting Danton's throat, his only benefactor. After this stroke of force, he felt himself capable of all, and busied himself by silently undermining Robespierre.⁸⁰

Billaud and Robespierre, according to Fréron, "each wanted to slit the other's throat" and "reign by universal misery"⁸¹. Fréron himself was trying, in a manic defence against guilt, to "stifle all remorse" through denial.⁸² The manic defenses, including grandiosity, obsessive-compulsiveness and "magical" forms of reparation, are used when, unable to bear the pain of the depressive position, the individual adopts paranoid-schizoid mechanisms as defences against guilt and remorse for his own aggression.⁸³ Evidence of Fréron's manic defenses include his obsessive demands for punishment of the guilty, his denial of his own role in the Terror, his paranoid mania for control, manifested in his political maneuverings and manipulations, and his emphasis on reparation through magical means – effected by sacrificing the guilty terrorists, as if to appease some angry God. Real reparation would have required that Fréron consider the victims of his own aggression, not those of others. The root of Fréron's obsession with the guilty was his own conduct during the Terror.

When Fréron denounced Fouquier, he did so in a language that reflected the Thermidorian theme of sacrificing the guilty: "I request that Fouquier-Tinville

⁸⁰ Fréron, *L'Orateur du Peuple*, tome VIII, no. 14: 110.

⁸¹ Ibid.

⁸² Klein, "Mourning and its Relation to Manic-Depressive States" in *Love, Guilt and Reparation*, 344-370.

⁸³ Klein, "A Contribution to the Psychogenesis of Manic-Depressive States" in *Love, Guilt and Reparation*, 285-289.

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atone [for it] in the hell of the blood he spilt."⁸⁴ Fréron himself was, by an objective analysis, guiltier than Fouquier.⁸⁵ As Representatives on Mission, Fréron and Barras, had razed Toulon, gunned down groups of rebels and set up a Revolutionary Tribunal. These activities resulted in the deaths of about four hundred people over the course of a few months.⁸⁶ At the time, Fréron wrote to Moyses Bayle, another member of the National Convention, denouncing Antoine-Louis Albitte, the Representative on Mission in Toulon who Fréron replaced. Fréron claimed that Albitte demonstrated "the most invincible repugnance for grand measures."⁸⁷

He conducted himself badly. He massacred no one; he allowed an opportunity to escape that will never return. ...Toulon will be razed, its inhabitants dead by the blade of the sword [killed in war], the English, the Spaniards and Neapolitans, drowned.⁸⁸

Albitte had indeed written to the Committee of his inability to apply their decree of September 4, 1793. His concern was that to conform literally to the decree he would have to annihilate the entire population.

If we punished all the guilty in Marseille and in the Department of Bouches-du-Rhône, at least three quarters of the population would disappear. Almost all, either by error, by fear or weakness, have sworn an oath to the anti-revolutionary sermon, carried arms

⁸⁴ *Moniteur*, no. 315, (August 2, 1794): 368.

⁸⁵ During the entire sixteen-month period of its existence at the height of the revolutionary crisis, the Revolutionary Tribunal of Paris sentenced fewer than 2,500 hundred people to death. During the Great Terror – mid-June to July 27 – some of the people condemned were probably innocent. Nonetheless, Fouquier did not preside over a holocaust.

⁸⁶ Kuscinski, *Dict. Conv.*, 274.

⁸⁷ Kuscinski, *Dict. Conv.*, 2; Aulard Ed., *Recueil des Actes du Comité du Salut Public, avec la correspondance officielle des représentants en Mission et le Registre du Conseil exécutif provisoire*, 28 volumes, (Paris: Impr. nationale, 1889-1951).

⁸⁸ A.N. Série, AF II, 253, cited in Kuscinski, *Dict. Conv.*, 274.

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against the Republic [and] been secessionists....⁸⁹

Fréron, who after Thermidor was such a vociferous defender of innocence, had had no such scruples while on mission. After Toulon had been taken he wrote:

We have hired twelve thousand masons to raze the city. Everyday, since our arrival, two hundred Toulonnais have been gunned down. Eight hundred have already been shot... without fearing the deaths of innocent victims, [including] the detained patriots, all have been put to the sword.... The city has been delivered to the flames.... Shootings [will continue] until there are no more traitors.... Our revolutionary tribunal operates at a terrible speed; lawyers dance the carmagnole....⁹⁰

Fréron exaggerated his own terrorist exploits. Yet, after Thermidor, his obsession with guilt and vengeance in the name of justice was a way of dealing with his own guilt, and ensuring his safety, through an audacious hypocrisy. Fréron's identifications split two ways. One the one hand, in taking up the cause of the victims of the Terror, provided they were someone else's victims, he consciously identified with the reaction. His identification with the reaction took the form of acting out their calls for revenge. Fréron's constant attacks against the "guilty" reflect identification with a harsh and unforgiving super-ego, in the form of a retaliatory justice.

Blood... is incense that satisfies heaven and purifies the earth. Indulgence favourable to crime is a crime itself.... Your enemies will never find grace before

⁸⁹ Cited in Kuscinski, *Dict. Conv.*, 3.

⁹⁰ Cited in Kuscinski, *Dict. Conv.*, 274. The carmagnole was a country-dance. During the revolution, the phrase "to dance the carmagnole" was a euphemism, or gruesome joke, for execution. It originated with the crowd lynchings in 1789 and referred to the twitching a body when a person was hung from a street lamp or lantern.

those that you have entrusted to ensure your liberty.⁹¹

On the other hand, he identified with those he attacked, attributing to them tortures of conscience that he likely denied in himself.

Does a terrifying dream, at least, paint for them all the horror of their heinous deeds? Carrier, horrible C-A-R-R-I-E-R, you who... commanded murder and plunged your own hand into the hearts of your victims, isn't the bed where you try to rest, a scorching inferno?⁹²

He took the same line with Collot, Barère and Billaud-Varenes: "doesn't each night plunge you into hell?"⁹³ Fréron then claims a kind of mystical connection that enables him to hook into their thoughts.

And while I am awake and when I light my lamp, the torch of truth, doesn't it establish, between you and me, an affinity of thought that reflects in the depths of your consciences the picture of your crimes that is painted in my mind; or ... does a deceptive illusion make you calm?⁹⁴

These thoughts are not just the rhetorical flourishes of a reactionary journalist-politician writing to arouse public opinion against his enemies. The tone and content, the self-aggrandizement of his "torch of truth", betrays his own conscience. Fréron's notion of the pictures of *their* crimes supernaturally transmitted to *his* mind as if he had some direct, magical link to those he accused betrays a conflict within his own guilty conscience. His own crimes were unconsciously present but denied with "a deceptive illusion" that "made" him "calm". His claim to have some kind of direct, psychic, connection with Carrier and the Committee members provides insight into a more conscious motivation,

⁹¹ Fréron, *L'Orateur du Peuple*, tome VIII, no. 15: 118.

⁹² *Ibid.*, 118-119.

⁹³ *Ibid.*

⁹⁴ *Ibid.*

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to take upon himself a mission to punish the guilty.

For us, in the middle of the night we confide to paper the results of our thoughts, and the expression of the terrible truth, our pen is suddenly agitated by the shadows of so many victims. And death, sad death speaks these fearful words to us: 'where are the criminals that justice promised me!'⁹⁵

The tortures of conscience he supposed in others were his own. He must have wondered why his own crimes, so well known, since both he and Tallien openly flaunted them during the Terror, went unpunished.

Do you take [the Convention's] prudent path for the forgetting of crime! Do you believe that you will only be punished by your remorse? ... An invisible arm is already pressing on you. You will not escape its power and heaven will soon be vindicated.⁹⁶

Jean-Lambert Tallien, another ex-terrorist, like Fréron and his fellow-Dantonists who had been recalled for excesses, attacked his colleagues as a means to deflect punishment from himself.⁹⁷ Tallien and Fréron's concern for others' guilt were manifestations of projective identification. As one of the recalled terrorists, Tallien had a reputation for corruption and violence. Before Robespierre's fall, he was accused of having taken part in the September Massacres.⁹⁸ His marriage to Thérésia Cabarrus, a wealthy banker's daughter, had opened him up to accusations of having become the protector of "the caste

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Tallien, *Moniteur*, no. 313, (July 31, 1794): 355. While calling for the need to purge the Executive Commissions denounced Julien de la Drôme, the 19-year-old son of the Conventional of the same name. He had been made head of the Executive Commission on Public Education and sent to the Midi where, according to Tallien, he "exerted a revolting power" and "made blood flow in order to congratulate himself for his arbitrary acts, in front of Robespierre, "to which he sent lists of his victims. In fact, Julien, had not made so much blood flow, nor had as much to hide, as did Tallien himself.

⁹⁸ Mortimer Ternaux, *Histoire de la terreur, 1792-1794, d'après des documents authentiques et inédits*, (Paris : Michel-Lévy frères, 1866-1881), 3: 526.

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of nobles, financiers and monopolists.⁹⁹ He had also been denounced for liberating aristocrats, selling goods to the enemy, personally appropriating expropriations exacted in the name of the Republic and for persecuting patriots in Bordeaux, where he served as Representative on Mission.¹⁰⁰ Tallien fell out with Robespierre and the Committee when on 3 Prairial the Committee of Public Safety arrested Tallien's wife, La Cabarrus. Shortly after, he joined forces with the Dantonists over the law of 22 Prairial, particularly over the article that gave the two Great Committees authority to arrest deputies.¹⁰¹ On 24 Prairial, in the National Convention, Robespierre and Billaud both accused Tallien of being a lying manipulator and chastised him for his violent speeches.

Tallien is one of those who speak endlessly, publicly and with fear about the guillotine... in order to debase and disrupt the Convention. You can judge what they are capable of, those who support crime with lies.¹⁰²

Tallien used the ideal of freedom of the press as a means to slander his colleagues in the National Convention.¹⁰³ He, like Fréron, deflected possible scrutiny of his own conduct by accusing others and taking the offensive. During the Fructidor debate, Tallien feigned surprise at Lecointre's denunciation when he in fact was behind it.¹⁰⁴ Expressing horror at the "divisions seeded in the

⁹⁹ A.N., Série AA 57 cited in Kuscinski, *Dict. Conv.*, 576.

¹⁰⁰ A.N., Série D III, 356 cited in Kuscinski, *Dict. Conv.*, 576.

¹⁰¹ Kuscinski, *Dict. Conv.*, 574-580.

¹⁰² Robespierre, 24 Prairial, Year II cited in Kuscinski, *Dict. Conv.*, 577.

¹⁰³ Jean-Lambert Tallien, *L'Ami des Citoyens*, no. 81, 23 fructidor an II- 27 vendémiaire an III.

¹⁰⁴ He was tied with Pâris, alias Fabricius, head clerk of the Revolutionary Tribunal. Fabricius, a member of Fréron's Jeunesse Dorée, who had his own reasons for wanting to take revenge, supplied Lecointre, probably through Tallien, Fabricius' protector with the accusations against the Committee members, accusations that were to be transferred, virtually without alteration, to Fouquier. This issue will be considered more fully in Chapter 7. Carrier and Duhem both accused Tallien of being behind the accusation against the Committee members. Carrier, *Arch. Parl.* tome 96, (13 Fructidor, Year 2): 116.

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assembly”, someone retorted: “It’s you who seeds them”.¹⁰⁵ Already, Tallien was being accused of trying to undermine the Jacobin Club.¹⁰⁶ Tallien, a master manipulator, deftly used the argument that Robespierre’s tyranny was a system to be sustained by his successors. Tallien, without naming them, was after the Jacobin Club and the former Committee members.

Robespierre’s shadow still hovers over the soil of the Republic. Minds [have been] so long divided, so violently agitated by the infernal spirit of that tyrant of public opinion, that known enemy of liberty.... We must finally cut down these men for whom to divide is a pleasure, and to slander, a need.¹⁰⁷

The day before Lecointre’s denunciation, Tallien gave a speech on the Terror. The presentation is remarkable for what seems to be an audacious hypocrisy, given Tallien’s own history as a terrorist. The speech nonetheless, provides an analysis of the psychological effects of terror and provides some insight into the motivations of the Thermidorian reactors “for whom to divide” was “a pleasure and to slander, a need”. As Levasseur wrote, Tallien and the other ex-terrorist reactors described themselves in those they accused.¹⁰⁸

Their speeches, their newspapers, [and] their actions were nothing but a long series of accusations against their former deeds and their former speeches. They condemned themselves in the persons of their former friends.¹⁰⁹

According to Tallien, the system of Terror, “Robespierre’s system” divided

¹⁰⁵ Tallien, *Arch. Parl.*, tome 96, (30 août, 1794): 111.

¹⁰⁶ Duhem, *Ibid.*

¹⁰⁷ Tallien, *Arch. Parl.* tome 96, (28 août, 1794): 55.

¹⁰⁸ The psychoanalytic term for this is projective identification. The reactors identified with those they accused – because they had thrown their own guilt and responsibility into them. Projective identification is unconscious. Consciously Tallien may have been convinced, against all evidence to the contrary, that he did not have any reasons for self-reproach.

¹⁰⁹ Levasseur, *Mémoires*, 3: 252.

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society into two classes, the persecutors and the persecuted.¹¹⁰ The problem with the Terror he argued was that it created fear in everyone, the guilty and the innocent. What was necessary was to strike fear only in the guilty, evildoers, through the power of the law, rather than by terror. According to Tallien, terror, requiring power without limits, would inevitably create a usurper. Fear of retaliation would inevitably make the terrorist try to usurp power. How, he asked, would it be possible "to return to the crowd after having made so many enemies?"¹¹¹

How not to fear revenge, after having committed so many crimes? How finally not to take advantage of the Terror that you have spread by tyranny, to perpetuate tyranny, when there remains no other means on earth to shield yourself from eternal justice? The system of Terror assumes excess that is always novel and always growing. You accomplished nothing yesterday by cutting off twenty heads, if you don't cut off thirty of them today or sixty tomorrow. Also, no matter how rapid the advance, it will barely follow that of the resentment that flares up every day in people's minds.¹¹²

Levasseur attributed both the brutality of the ex-terrorist Dantonists during the Terror and their disavowal of the Terror after Thermidor to a lack of consistency and character. These were men who, incapable of devoting themselves to a political or social ideal, acted on instinct.

Endowed with sentiments less inflexible than ours, [the Montagnards who remained true to social democratic principles], and supported on less assured principles, their enthusiasm had had only the brutal instinct of the moment, a sort of force of circumstance.

¹¹⁰ Tallien, *Arch. Parl.* tome 96, (28 août, 1794): 57-58.

¹¹¹ Tallien, *Ibid.*, 57.

¹¹² Tallien, *Ibid.*

They followed us thus into the political arena where they often even went beyond us. But their conduct was never founded on the unshakable idea of duty. They never considered virtuous devotion an unconquerable necessity. Also, when the dreams of republican happiness or of personal ambition faded, they remained without support against adversity and without any vehicle for new sacrifices. Then they looked on their life as enthusiasts like a time of madness. Then they turned their power against the liberty and truth they had at first desired to serve.¹¹³

Levasseur's analysis draws our attention to the object relations of individual revolutionaries and how those individual object relations played out at different social, political and institutional levels. The reactors who, during the Terror, acted only on the "brutal instinct of the moment" or "force of circumstance" because they were incapable of devoting themselves to principles, or to a revolutionary sense of duty, later looked upon the Terror as madness and turned against the revolution. The reactors, men who were incapable of sacrifice in the interest of an ideal, could not establish the revolution or the revolutionary system as a good object. Thus they had no internal "support against adversity" nor energy for "new sacrifices".

[The Dantonist reactors] daily accused the Mountain of supposed excesses. What must be especially noted is that the Thermidorians had ...[been] the hottest partisans of May 31.... They had... [driven] the anarchical movement that had pulled us so far.... Almost all had taken an active part in the government of the Terror.... Most...had been on mission in the departments where they had given way to reprehensible acts that they wanted to throw back on their adversaries. Thus Bordeaux was still frightened by the memory of Tallien's power, thus Marseille and Toulon smoked with the blood spread by Fréron and

¹¹³ Levasseur, *Mémoires*, 4: 20.

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Barras; in the Midi, these two men had shown themselves Carrier's worthy emulators.¹¹⁴

Neither Tallien nor Fréron was capable of reforming the system, as a system. Neither one could have provided the moral or political leadership necessary for consolidating the Republic by creating secure and lasting institutions. Both leaders were driven by a combination of defensive and narcissistic motives. Both Tallien and Fréron had feared reprisals for their actions as Representatives on Mission; Tallien also feared being held to account for his corruption. One of his primary interests was to have his wife, imprisoned as a suspect, released from prison. Fréron, whose motives were complex, was also driven by unconscious guilt that led him to act in a manner that was both completely contrary to his former political position and to the interests of the Revolution itself. Both Tallien and Fréron had interests that linked them with the counter-revolution, Tallien through his wife and thus his social connections and Fréron through his guilt. "Yet it was to such men" that political "affairs were delivered."¹¹⁵

The Thermidorian leaders, Tallien, Fréron and Barras, were probably what Otto Kernberg refers to as "malignant narcissists", people who manifest both strongly narcissistic and paranoid characteristics. Malignant narcissists lack a strong autonomous value system and a developed superego. Such individuals, because they are particularly sensitive to narcissistic regression at the

¹¹⁴ Levasseur, *Mémoires*, 3: 246. The "partisans of May 31" were those who ousted the Girondins in the insurrection of May 31-June 2, 1793. Carrier, remember, was the Representative on Mission responsible for the drawings in Nantes.

¹¹⁵ Levasseur, *Mémoires*, 3: 246.

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institutional and social levels, can become influential when there is a general regression in the group and especially when the malignant narcissist enjoys a position within the group that offers the potential for extraordinary gain by either manipulating or submitting to power.¹¹⁶ In a group manifesting paranoid regression in which a malignant narcissist has power and influence, aggression and violence will prevail. Indeed it will be exacerbated as the immoral, grandiose and manipulative characteristics of the narcissist create a climate where uncertainty and suspicion within a group is increased.¹¹⁷ The dynamic is most likely to occur in the context of a breakdown in the social or political system.

According to Kernberg, malignant narcissists tend to be drawn to power, are attentive to rumour and gossip and will carry gossip from one side to the other. Hypocritically, as they help intensify the destructive effect of gossip, they manifest indignation at its "misleading, dishonest and aggressive distortions of the truth".¹¹⁸ Such people can have a devastating regressive impact on group life. The regression that results from a deterioration of super-ego functioning will have, according to Kernberg, disastrous consequences for a group or organization that will become dangerous under the impact of narcissistic and paranoid regression.¹¹⁹ The influence of such paranoiogenic leadership aggravates distortions in perception related to massive projective identification. It tends to create a situation in which members of a group re-project certain

¹¹⁶ Otto Kernberg, *Ideology, Conflict and Leadership in Groups and Organizations* (New Haven and London: Yale University Press, 1998), 285.

¹¹⁷ *Ibid.*, 171.

¹¹⁸ *Ibid.*, 293.

¹¹⁹ *Ibid.*, 115.

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aspects of superego functioning onto an institution.¹²⁰ Kernberg borrowed the term *paranoiagenesis* from Elliot Jaques. The term refers to the general regression within a group and conforms to Jaques' and Kernberg's contention that group behaviour is basically psychotic. Jaques coined the term *paranoiagenesis* to refer to a general regression to the paranoid-schizoid level of functioning. According to Kernberg paranoid regressions are always possible in organizations.¹²¹ Such conditions give rise to regressions in the moral function within individuals.¹²²

Three questions remain. First, if Tallien and Fréron were widely recognized as hypocrites, why did the National Convention tolerate their disruptions? The second, how and why did the immorality associated with "malignant narcissism" and the primitive retaliatory morality associated with super-ego regression become generalized? In other words, how was the retributive psychology activated socially? Third, how did these processes relate to the trial of Fouquier-Tinville?

Attributing responsibility for the Terror to Fouquier served the political and psychological interests of a variety of social groups and individuals. Even the "last" or "true" Montagnards had no sympathy for Fouquier-Tinville – surprisingly, since they also found themselves on the wrong end of Thermidorian justice. Nonetheless, they did not support Fouquier; virtually no one did except the

¹²⁰ Ibid., 110.

¹²¹ Ibid., 110.

¹²² Ibid., 131-132.

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deputy Martel, Fouquier's friend.¹²³ Levasseur, who vehemently defended the Committee members and who, in the end, conceded true republicanism, virtue and probity to Robespierre and Saint-Just, had no sympathy for Fouquier. The austere Saint-Just, he said, who sacrificed all to his principles, fighting without fear "although incapable of human sympathy", was to be admired.¹²⁴

His was a cruel virtue. But who would dare sully it with contempt? After considering Saint-Just with terror, examining the depths of his heart and finding disinterest, probity and enthusiasm for goodness there, who would dare say: "I don't admire him?"¹²⁵

Levasseur, who greatly valued heroism, maintained that had the Committee members been sacrificed "in a moment of struggle", Thermidor might not have been such a bitter memory. But the trial and judgment of the Committee members had been futile, unnecessary and executed "in cold blood and with premeditation". Accordingly, it was an "absurdity and an iniquitous madness".¹²⁶ Whatever their faults, their "bilious cruelty", he could never "conceive of judging them for adopting a system that had saved the republic".¹²⁷ The government during the Terror "was an organization of war and power (force) and nothing more".¹²⁸ Revolutionary crimes committed in the necessary defence of liberty were pardonable. The terror organized by the reaction was corrupt, futile, mean and cowardly, motivated by nothing more than a "thirst for vengeance."¹²⁹

During the revolutionary Terror... an enthusiasm that

¹²³ Martel, *Hist. Parl.*, 35: 14-15.

¹²⁴ Levasseur, *Mémoires*, 4: 186.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, 186-187.

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*, 193.

¹²⁹ *Ibid.*, 192-194.

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vibrated in all parts of the social body, the need to finally conquer liberty lived with power, in the middle of so many bloody acts, in the midst of that devouring fever, in the midst of those colossal and imprudent measures. Also, often the man, who had dipped his hands in blood, was not bloody.... [Furthermore, during the Terror] the guiltiest man... marched with his head high, in the certainty that he had fulfilled a duty and was ready to recount with pride his entire revolutionary career.¹³⁰

The military successes the Committee of Public Safety had achieved, the establishment of equality and other positive achievements in the interests of the revolution, were such that "it seemed to us guilty to want to punish the leaders of it".¹³¹

Certainly, we knew, and we have never denied it, that mistakes and crimes were committed. But we could not tolerate that, under the pretext of pursuing the perpetrators of them, [the Thermidorians] declared war on the active principle of the revolution.¹³²

Fouquier, on the other hand, "could well be delivered with justice to the prosecution of the laws." The members of the Tribunal had been

...cold executors of a system that they did not understand, these men had accepted a shameful trade as harvesters of human heads in order to deliver them to the executioner. Hate, vengeance, cruelty, personal interest, plunder, everything ignoble found itself in such a role.¹³³

The last Montagnards supported the Thermidorians' avowed desire to make reparation for the Terror. Like them, Levasseur considered the punishment

¹³⁰ Ibid., 194.

¹³¹ Ibid., 62.

¹³² Ibid.

¹³³ Ibid., 186-187.

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“of some monsters”, such as Fouquier-Tinville and Carrier, to be reparative.¹³⁴ Levasseur claimed that the last Montagnards wanted a return to regular government, to ensure the reign of law, justice and equality, while “as much as possible” rectifying the troubles individual citizens had suffered from the Terror.¹³⁵ “We all sincerely applauded the fall of Robespierre” but when Lecointre requested that the former committee members be judged, as Robespierre’s “lieutenants”, the Montagnards fought it. They wanted to end to divisions and could only hope to do so by denial, “by throwing a veil on the past”.¹³⁶ The Montagnards did not want to see the “zealous defenders of the revolution” accused and condemned as blood-drinkers, especially when they had fought against the émigrés and the coalition of powers. “Above all, he said, “we did not want to give the upper hand to the factions we had vanquished.”¹³⁷

Levasseur’s analysis is important for two reasons. First, his conclusion, reached years after the events, that reparation required denial is interesting. The idea of “throwing the veil” over the Terror was partly a concession to Robespierre. Levasseur, who hated Robespierre for his intransigence and ideological dogmatism while he lived, had supported his execution.¹³⁸ Yet he admitted that his death “was the undoing of the republic”.¹³⁹ Secondly, Levasseur, again after years of persecution at the hands of the enemies of the republic and reflection in exile, still personally identified with the Committee members and the

¹³⁴ *Ibid.*, 59-60.

¹³⁵ *Ibid.*, 89.

¹³⁶ *Ibid.*, 90.

¹³⁷ *Ibid.*

¹³⁸ In principle but not in deed. On 9 Thermidor, Year II, Levasseur was working on mission with the armies.

¹³⁹ Levasseur, *Mémoires*, 4: 196.

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heroic deeds of the revolution. They were to be absolved for their errors and injustices because they had saved the Republic. The latter view correlated absolutely with the Committee members' own defence at the time of their trial. If injustices had been committed, they were inherent to a "great revolution", ensuing from the grave crises the country had faced.¹⁴⁰ Levasseur's personal identification with the Committee members contains the germ of a "negating pact" that might have enabled the Revolutionaries to "end the Terror" without destroying the Republic. Through his defence, Fouquier violated the terms of that pact and was duly punished for his crimes, sacrificed to spare the Committee members who had in the view of those remaining on the left, including Levasseur, "saved the Republic".

The manifest purpose of Fouquier's trial for the Thermidorians – the politicians in the National Convention, the "Gilded Youth" street gangs, the ex-terrorist Representatives on Mission, the Committee members and released suspects – was to determine and publicly punish those responsible for the Terror.¹⁴¹ "Justice", not terror, was the new "order of the day". But why were the accused represented so phantasmagorically, as bloodthirsty cannibals and "monsters dressed up in human faces", guilty of unthinkable crimes?

The amalgamation of cannibalistic phantasies with harsh demands for justice and punishment reflect the conflicts accompanying the early development

¹⁴⁰ Bertrand Barère de Vieuxac, *Second Mémoire des membres de L'Ancien Comité de Salut Public, Dénoncés par Laurent Lecointre* (Paris: Imprimerie Nationale, An III-1795), 14.

¹⁴¹ The terms latent and manifest content come from Freud's *Interpretation of Dreams*, in which he distinguishes between the "manifest" dream representation of unconscious thought and the real, or latent, unconscious thought that is partly expressed and partly disguised by the dream thoughts (and sensory perceptions – images, sounds, smells, colours and feelings etc.).

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of the super-ego or super-ego precursors and of the first stirrings of conscience in an individual's development.¹⁴² Like small children at a specific phase of development¹⁴³, the Thermidorians split-off aspects of themselves – motives and thoughts felt to be intolerable – because they represented a threat to psychological identity or cohesiveness. They projected the disavowed parts of themselves into their victims. Thermidorian revolutionaries supported their accusations of injustice, inhumanity and immorality with representations of the objects of their fear, contempt and hatred as cannibalistic, bloodthirsty monsters because they could not tolerate such impulses in themselves. The regression to the righteously harsh, sadistic early super-ego in individuals such as Fréron, Tallien and Barras was part and parcel of their enactment of the accompanying sadistic, cannibalistic phantasies of such early stages of development.

The emotional, psychological or latent motive driving the course of Fouquier's trial, its content and structure, was guilt. Such guilt, projected onto others, was then punished with all the force, vigour and righteousness of the super-ego at its earliest, most sadistic phase of development. The sadism for which Fouquier and his co-accused were tried, was equal in magnitude to the guilt and sadism of their accusers. Such sadism is easily demonstrated with Fréron who gave voice to it in his journal. But how and why did it become a general phenomenon? In other words, how did the preoccupations of a few ex-

¹⁴² Klein, "Early Stages of Oedipus Conflict and Super-Ego Formation" in *The Psychoanalysis of Children* (London: Hogarth Press, 1975), 123-148; Klein, "Early Stages of the Oedipus Conflict" in *Love, Guilt and Reparation*, 186-198; Klein, "The Early Development of Conscience in the Child" in *Love, Guilt and Reparation*, 248-257.

¹⁴³ At what Melanie Klein refers to as the oral-sadistic phase, around the time of weaning. Klein, "The Oedipus Complex in the Light of Early Anxieties" in *Love Guilt and Reparation*, 404.

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Representatives on Mission with weak characters and regressive psychological tendencies become generalized and why did those of stronger character and more integrated super-egos acquiesce to the Fréron and his "Gilded Youth"? In other words, how was it social?

The Thermidorian group psychic apparatus formed as a result of a violent restructuring of the links that had been constructed during the Terror. Restructuring the links necessarily involved the creation of a new ideology. Thermidorian ideological construction, part of the process of "decomposing" or "de-linking" the group psychic apparatus, or psychic infrastructure, of the Year II occurred by demonizing the leadership, laws and institutions of the Terror. In the Thermidorian imagination, Robespierre was "the tyrant", a dictator striving for absolute power. Robespierre, according to Thermidorian representations, used his position in the Committee of Public Safety to usurp political power from the National Convention, had used his influence with the sans-culottes movement and the Jacobin Club to place his fellow conspirators in the Revolutionary bureaucracy and, with his agents, had begun executing his plan to depopulate France. The depiction of Robespierre as a tyrant who had terrorized all but a few of his henchmen and was thus responsible for the Terror, formed the basis of a new Thermidorian "negating pact"¹⁴⁴, an unconscious pact between the revolutionary leaders that emerged to divest them of responsibility for the Terror. If it had not been torn apart by divisions within the revolutionary movement, the negating pact would have enabled the revolutionaries mutually to overlook the

¹⁴⁴ Kaës's concept. See Chapter 2, 61-63 and Chapter 7, 277-278.

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role of each in the Terror.¹⁴⁵ According to Levasseur, the Thermidorian movement for revenge, hypocritical and destructive as it was, interfered with genuine closure after the Terror.

In murdering, the reactors shouted: 'We avenge our fathers....' In speaking of these infamous murderers, [some people said], 'They are guilty, no doubt, because they should have left the care of a just vengeance to the laws, but they only advanced justice, in striking some monsters burdened with their heinous deeds. These deplorable apologies represent a kind of complicity that, while in some way involuntary, was no less frightful, because it justified new crimes and new excesses.'¹⁴⁶

The Thermidorian renunciation of the Terror was played out in Fouquier's trial around the idea and ideal of justice and reparation for the Terror. As a public examination of the Revolutionary Tribunal during the Terror, Fouquier's trial – its content and symbolic or ideological function – operated on the border between conscious and unconscious, reality and phantasy. Considerations of guilt and responsibility for the Terror fluidly transformed what was for some Thermidorians, including Levasseur, a desire for genuine institutional reform, into a struggle for power through a political culture of revenge. For Fréron especially, the campaign for justice was a demand for blood and retribution for his own guilt. In

¹⁴⁵ The argument for Terror as necessity is a form of negating pact, especially when it necessity is equated with what happened, as apology after the fact. Even if the Terror was necessary, it is necessary to consider the ways in which it overreached purely objective necessity in cases where innocent people, errant comrades and masses of rebels were executed. It would have formed the basis of a new narcissistic contract in which the heroism and self-sacrifice of the Terrorists was lauded, while underestimating or underemphasizing the violence as "necessary" for the survival of the revolution or the republic. These tendencies were present in the Montagnard movement even after Robespierre's fall.

¹⁴⁶ Levasseur, *Mémoires*, 4: 10.

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Levasseur's words: "The... *reparative* measures he took were sacrifices."¹⁴⁷

Fouquier-Tinville was one of his sacrifices.

¹⁴⁷ Levasseur, *Mémoires*, 3: 252.

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Fouquier's defence, that he had been a mere public servant, the "organ" of revolutionary law and a cog in the machinery of revolutionary justice, did not save him.¹ The argument did not serve the interests of the Thermidorian political elite, nor did it resonate with Thermidorian group psychology, the links, conflicts and associative processes through which the Thermidorian republic was constructed. Thermidorian links and associative processes were built around denial and repudiation of the past, while Fouquier's defence depended on an acknowledgement of the circumstances that had generated the Terror and of the laws and decrees that organized it. Fouquier's trial was part of the process of ideological and social construction that included the construction of a new group psychic apparatus after Robespierre's fall.

Fouquier stood trial twice. The first trial, on 28 Frimaire Year III (Dec. 18, 1794), was cancelled shortly after it began. The Convention had decreed another reorganization of the Tribunal and instituted a new law to govern its operations. The reorganization occurred because two members of the Revolutionary Committee of Nantes, participants in mass drownings and executions, had been acquitted because the tribunal could not rule that they had committed their crimes "with counter-revolutionary intent".² The members of the reorganized 8 Nivôse (Dec. 28, 1794) Tribunal that was subsequently installed, did not have to

¹ Fouquier, *Mém. Impr.; Mém. Gen. & Justif.*, 16 Thermidor, an 2, A.N., W499, Pièce, 30 and *Mém. Impr. Rép.*, 251.

² Campardon, *Le Tribunal Révolutionnaire*, 2: 131. The Law of 8 Nivôse, Year III that replaced the Law of 14 Thermidor, Year II, then governed tribunal operations.

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consider whether or not the accused committed the indicted crimes intentionally.³ Fouquier's second and final trial did not begin until 8 Germinal (March 28, 1795) and finished on 17 Floréal Year III (May 7, 1795). In Frimaire, Fouquier was tried alone. The Germinal trial encompassed Fouquier and thirty-six others, twelve former judges⁴, seventeen former jurors,⁵ four prison informers or spies⁶, two former members of the Commission for Civil Administration, Police and Tribunals⁷, one administrator of the Paris Police⁸ and two prison concierges⁹.

Fouquier's second trial involved almost the entire system of revolutionary justice during the Terror. The first indictment against Fouquier, written by Leblois on 25 Frimaire (Dec. 15, 1794), laid the groundwork for both trials. Subsequent indictments carried exactly the same charges with new details appended. The second indictment included Fouquier, as the leader of a conspiracy in the Tribunal, with other members of the tribunal and the apparatus of revolutionary

³ Convention Nationale, *Rapport fait à la Convention Nationale, au nom des Comités de Salut Public, de Surêté Générale et de Législation, Sur la Réorganisation du Tribunal Révolutionnaire, par Ph.-Ant. Merlin (de Douai), Séance du 8 nivôse, an 3 de la République, Titre VII, Article LXVIII*, (Paris, Impr. Nationale, 1794): *Maclure Coll.* (vol. 1111, no. 19).

⁴ *Judicius, Acte d'Accusation de Judicius contre Fouquier et complices*, Archives Nationales, W499, pièce 8. Deliège, Delaporte, Foucalt, Maire, Scellier, Harny, Garnier-Launay, and Naulin. Bravet, Barbier Felix and Liendon were also charged but failed to appear for trial. The accused judges and jurors were all members of the 22 Prairial Tribunal, which presided over the Great Terror, which is dated over a six-week period, from June 10 to July 27, 1794 (22 Prairial – 9 Thermidor, Year II), from the passage of the Law of 22 Prairial to Robespierre's fall.

⁵ *Ibid.* Including Lohier, Trincharé, Leroy dit Dix Août, Renaudin, Pigeot, Aubry, Vilatte, Duplay, Prieur, Châtelet, Brochet, Chrétien, Trey and Ganey. Didier and Girard, also charged, did not appear for trial.

⁶ Including Boyaval, Beausire, Benoit and Valagnos. *Judicius, Acte d'accusation contre Boyaval, Beausire, Benoit, Lanne, Vernet, Guyard et Dupaumier, le 18 Germinal 3^e année.*

⁷ Herman and Lanne. *Judicius, Acte de l'accusation contre Herman et Valagnos, notifié le 24 Germinal de l'an 3^e, A.N., W499, Pièce 10.*

⁸ Dupaumier. *Judicius, Acte d'accusation contre Boyaval, Beausire, Benoit, Lanne, Vernet, Guyard et Dupaumier, le 18 Germinal 3^e année*

⁹ *Ibid.* Vernet, Concierge at Lazare Prison and Guyard, Concierge at Luxembourg Prison.

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justice added as accomplices.¹⁰ The charges against Fouquier were bizarre, implausible – phantasmagoric. Fouquier was tried as a counter-revolutionary conspirator, an agent and accomplice of Robespierre, in a plot to depopulate France, dissolve the republic and set up a dictatorship. The Thermidorian Tribunal proceedings represented Fouquier as a “tiger”, thirsty for human blood who had used his position in the Tribunal to satisfy his sadistic desires. The most damning testimony against him came from his clerks who, reciting a catalogue of horrors they claimed to have witnessed him committing, indicated that he had been just as much of a “despot” to the clerks, bailiffs and other Tribunal employees as he had supposedly been to the victims of the Terror.

René Kaës argues that representation, including ideology, plays an important role in the formation of a group and the structural components of the group psychic apparatus. Representation functions as intermediary between social structures (reality) and phantasy (unconscious thought). The representation of Fouquier and his co-accused as despotic, bloodthirsty cannibals was the product of unconscious phantasies related to the destructiveness, guilt and revenge of the accusers. The representation facilitated the collective construction of a socially sanctioned defensive structure because it limited guilt to a few horrible monsters who could be brought to justice; guilt and

¹⁰ Leblois, *Fouquier-Tinville Acte d'Accusation, notifié le 26 Frimaire pour le 28 du dit mois, A.N., W499, pièce 7. Judicius, Acte d'Accusation de Judicius contre Fouquier et complices, A.N., W499, pièce 8. Judicius, Acte d'accusation contre Boyaval, Beausire, Benoit, Lanne, Vernet, Guyard et Dupaumier, le 18 Germinal 3^e année and Judicius, Acte de l'accusation contre Herman et Valagnos, notifié le 24 Germinal de l'an 3^e, A.N., W499, Pièce 10. Judicius, Acte de l'accusation contre Herman et Valagnos, notifié le 24 Germinal de l'an 3^e, A.N., W 499, pièce 10.*

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punishment was psychologically “contained” in Fouquier and his co-accused.¹¹ At the same time, it enabled the victims of the Terror, and those revolutionaries who identified with them, to satisfy their desire for revenge.

If the Thermidorian preoccupation with terrorists was a psychological defence against guilt and expression of rage, the punishment of the guilty served other, more practical and ideological purposes. First, in displacing guilt, the Thermidorians not only defended against the intra-psychological conflict associated with their own guilt – guilt for the Terror, guilt for the incredible repression of Robespierrists, guilt for jeopardizing the Revolution. Second, the Thermidorian government was also able to deflect calls for punishment and revenge directed against its own members, by sacrificing a few of its members. By displacing guilt onto the subordinate levels of revolutionary authority, the Thermidorian political elite was able to manage divisions within its own ranks, at least enough to hold onto power. Third, punishing former officials within the revolutionary bureaucracy enabled the Thermidorians to purge and reform it. They were able expel individuals associated with Robespierism, the Jacobin Club or vestiges of Hébertism. Fourth, by publicly trying and punishing the supposed guilty, the Thermidorians constructed a new ideology that, by offering up a glorious spectacle of justice, the triumph of good over evil, the revenge of the innocent over the guilty and affirmation of “humanity” over inhumanity, would sustain the new, post-Robespierre regime against “anarchy”, demands for social reforms and direct democracy coming from the sans-culottes. The ideology

¹¹ Elliott Jaques, “Social Systems as a Defense” in *New Directions in Psycho-Analysis*, 478-498; Lyth, *Containing Anxiety in Institutions*, 49-50.

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presented in the trial would enable the Thermidorians to claim their rule emerged not from the brutal suppression of a whole segment of the republican revolutionary elite – the Robespierrists—and the popular movement in Paris, but from a universal, moral and legal foundation. According to Thermidorian mythology, the Robespierrist blood drinkers and monsters would have wiped out the whole population, but the “happy Revolution of 9 Thermidor”, stopped the depopulators and terrorists in their tracks and instituted the era of “justice and humanity”.¹² Of course, the Thermidorian regime was no era of justice and humanity. It ruthlessly used the instruments of terror to eliminate the “men of the Year II” and to repress the sans-culottes movement.

Three factors determine the character of the group psychic apparatus; there is a psychic (psychological), a real (social, economic, historic) and a representational component.¹³ The articulation of these three factors created the group psychic apparatus. Ideology (as a system of ideas) operates between the real and the psychological. The process involved three interacting levels of experience – the psychological reality of phantasy, the social and economic realities of class and property rights and the “part-reality, part-phantasy” of representation, specifically ideological representation, as an intermediary between the psychological and material or social realities and as a means of reconstructing the group psychic apparatus.

Psychological or unconscious processes of group formation determined the processes and content of Fouquier’s denunciation and trial. Fouquier’s trial

¹² P.J. Brunet, chirurgien en chef de Bicêtre, *Hist. Parl.*, 34: 357.

¹³ Kaës, *L’Idéologie*, 42-46, 92, 232.

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was a forum for the public re-examination of the events and structures of the Terror. Witness after witness presented interpretations of events to support the idea that the accused were cannibals and monsters. Much of the testimony was phantasmagoric. People spoke of orgies, the callous jokes of sadists and greedy desires to have more heads and more blood; they accused Fouquier and others of "destroying the whole world".¹⁴ In fact, the Tribunal throughout its entire sixteen-month history executed about twenty-five hundred people. As Levasseur, one of the Montagnard deputies, noted about the Law of 22 Prairial, one of the Terror's most deadly instruments: "However atrocious the Law of 22 Prairial, it did not... have entire populations guillotined."¹⁵

Fouquier was charged as a counter-revolutionary. He had to be. The Revolutionary Tribunal, as an extraordinary tribunal of revolutionary justice, had no jurisdiction over ordinary crimes. According to the indictment against him, Fouquier had provoked the Law of 22 Prairial, was an agent in the Robespierriest conspiracy to overthrow the republic and institute a one-man dictatorship, was responsible for Danton's death and conspired to depopulate France by emptying the prisons.¹⁶ In the words of Leblois, the Public Prosecutor for the Thermidorian Tribunal instituted with the Law of 23 Thermidor, Year II (August 10, 1794)¹⁷ Fouquier had "meanly and with criminal intent, bizarrely and by all means

¹⁴ Cambon, *Hist. Parl.*, 34: 315.

¹⁵ Levasseur, *Mémoires*, 4: 12.

¹⁶ *Leb. Acc.*

¹⁷ Convention Nationale, *Projet de décret pour la réorganisation du tribunal révolutionnaire, par Merlin (de Douai)*, 23 Thermidor, An II.

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possible prevaricated in the function of his position"¹⁸; Fouquier had used his position to advance the interests of the Robespierriest faction. As a Robespierriest conspirator, Fouquier had supposedly attempted to overthrow the republic, re-establish the monarchy and incite civil war. According to the indictment, he had,

...undertaken correspondence with, seconded and favoured the liberticide and counter-revolutionary plans and plots of the enemies of the people and the republic. [He] had conspired, either as instigator or accomplice, against the internal security of the state and the French people. [Consequently, he] ... had provoked the dissolution of the national representative institutions, the overthrow of the republican regime and the reestablishment of the royalty. [He] had endeavoured to provoke, through murder and terror, the arming of the citizens against one another and to excite civil war.¹⁹

The main accusation against Fouquier, that he had participated in a conspiracy to re-establish the monarchy, was absurd. The Public Prosecutor of the Revolutionary Tribunal for sixteen months during a time when the Republic faced peasant revolts, the federalist crisis, the betrayals of its generals and the presence of foreign troops on its soil, was charged with conspiring to re-establish the monarchy. Fouquier responded that, had he been arrested on foreign territory, he would have been "exposed to all the tortures and barbarities the crowns of tyranny could invent!" for his role in the condemnations of all the "great counter-revolutionary conspirators", all enemies of liberty and equality,²⁰ who

¹⁸ *Leb. Acc.* § 3.

¹⁹ *Ibid.*

²⁰ Fouquier, *Mém. Impr.*, 13. The federalists, Parliamentarians, the English conspirators (La Rouerie and accomplices) the financiers and bankers.

betrayed the Republic both "inside and at the head of the armies".²¹

I could not prevent myself from shuddering with horror upon reading that charge and I said to myself: "Thus, it is enough just to be arrested, to have all crimes, even the most implausible, piled on you at once."²²

The charge of counter-revolution, implausible and absurd though it was, demonstrates how the Thermidorians used the trial to preserve a republican form of government in the face of public demands for the reestablishment of the monarchy. In disavowing and denigrating the Revolutionary Tribunal, one of the Terror's most conspicuous instruments, the Thermidorians denied that they had used violence to found the Republic. They split off responsibility for the destructiveness associated with creating the new society and projected it into "the patriots" of the Year II. On trial after six months of imprisonment when the Thermidorian regime degenerated into a hunt for the "grands coupables" – the guiltiest ones, the great criminals – Fouquier noted bitterly

No one has forgotten to set in motion that infernal tactic imagined to render unfavourable in public opinion all patriotic and energetic men who performed public functions during the course of the Revolution.²³

Fouquier was a revolutionary; he defended his role as Public Prosecutor of the extraordinary tribunal, as a revolutionary. "The aristocrats rejoice greatly at my arrest".²⁴ In his first published defence, Fouquier tried to warn that the attack on him was counter-revolutionary.

²¹ Fouquier, *Mém. Impr. Rép.*, 276. Including Cazotte, Laporte and other "partisans of Capet" as well as factionists "the Blanchelands, the Duchâtelet's, the Héberts and Ronsins", the traitorous generals, Custine and Houchard as well as Orléans".

²² Ibid.

²³ Ibid., 247.

²⁴ Fouquier, *Mém. Gen. & Justif.*, 19 Thermidor.

My principle care was to put the great conspirators, ex-nobles and priests on trial. Given the present circumstances there can remain no doubt of the true motives of the instigator of the declaration and denunciation directed against me.²⁵

A few months later, before his second trial, his defence would demonstrate a more profound, if angry, resignation to the cynicism that underlay some of the procedures the Thermidorian Tribunal, even as it trumpeted its commitment to "justice":

I have... seen, without surprise, the wives, brothers, sisters and parents of the condemned... [testify against me].²⁶

When he was first arrested, Fouquier thought his arrest was a simple case of misunderstanding, a result of slanders spread by counter-revolutionaries and published in reactionary pamphlets and journals, spreading the rumour that he was a Robespierist. After Fréron denounced him, he immediately turned himself in to the police, wrote to the Convention to request to be heard at the rostrum and started to prepare his defence. The initial defence was immediately sent to the Committee of General Security. Since he had worked closely with the members of that Committee, Fouquier thought they would support him. He assumed that, given his past loyalty, his unwavering support for the regime and his actual dislike for "Robespierre's despotism"²⁷ he could expect his fellow patriots to come to his aid. He believed that the National Convention would immediately recognize that he was the target of counter-revolutionary manoeuvres for revenge.

²⁵ Fouquier, *Mém. Impr.*, 19.

²⁶ Fouquier, *Mém. Impr. Rép.*, 277.

²⁷ Fouquier, *Mém. Impr.*, 9.

[My] firm conduct has made all the enemies of the public good, my enemies. Accordingly, it is no surprise that its enemies look for all sorts of manoeuvres to have all the weight of their vengeance fall on my head.²⁸

Fouquier had been arrested only a few days after Robespierre's fall. In the aftermath of the Commune's revolt suspicion fell on all public office holders, a number of whom it was said, "had taken part in the rebellion."²⁹ The Revolutionary Tribunal immediately came under suspicion because some prominent judges and jurors "devoted to Robespierre" had participated in the insurrection. Five active members, and two former members, of the Revolutionary Tribunal had been outlawed and executed in the days following 9 Thermidor, including René-François Dumas one of the judges.³⁰

The Revolutionary Tribunal immediately after Thermidor was associated, not only with terror, but with participating in the 9 Thermidor insurrection against the National Convention. These two evils would become the bulwark of Thermidorian ideology, since they would provide a means to link the Terror with individuals who had conspired to undermine the constituted authorities. The conspirers, agents, executors and subordinates, could be represented as responsible for the Terror while the constituted authority – the National Convention itself – disavowed its own laws. The rebel magistrates "were doubly guilty" since they had been "charged with the sacred depot of the laws and their

²⁸ Ibid., 1.

²⁹ *Moniteur*, no. 313, (July 31, 1794): 354.

³⁰ The others were: Claude-François Payan, juror; Jaques-Nicolas Lumière, juror; Charles-Huant Desboisseaux, juror; Claude Besnard, ex-juror; Léopold Nicolas, juror; Jean-Baptiste-Edmond Lescot-Fleuriot, Mayor of Paris and ex-substitute to the public prosecutor.

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execution” and “like cowards, had abandoned their posts”.³¹ They should have stayed to defend “the country in danger”, but had instead “enrolled themselves under the banner of rebellion”.³² The Tribunal, tainted with the mark of Robespierism, was reorganized.³³ Four days after Robespierre’s fall, the Tribunal was already being represented as a mechanism for the “tyrant’s despotism”, a tool in the re-establishment of both royal and religious oppression. “When his holiness [Robespierre]... pointed to an individual, the jury pronounced and the judgment was executed.”³⁴

But Fouquier had not participated in the insurrection. Throughout the proceedings of his trial, Fouquier fought the designation of Robespierist. The Public Prosecutor, doggedly, perhaps cynically, “remaining at his post”, rebuffed all entreaties from the Commune on the night of 8-9 Thermidor.³⁵ The next day, he presided over the proceedings of the outlawed rebels. On 9 Thermidor, Fouquier refused invitations that Fleuriot-Lescot, former substitute to the public prosecutor of the Revolutionary Tribunal and Mayor of Paris, to join the insurrectionists at the Commune. Fouquier refused.³⁶ Initially, Fouquier focused his defence around the charge of Robespierism. Fouquier described himself as someone who had hated Robespierre, had opposed him and suffered under his “despotism”. Fouquier used the anti-Robespierre argument, not only because he felt it would resonate with the Thermidorian mental framework, or mentality, but

³¹ Thuriot, *Moniteur*, no. 313, (July 31, 1794): 354.

³² *Moniteur*, no. 313, 13 (July 31, 1794): 354.

³³ Mallarmé, *Ibid.*, 355.

³⁴ Thuriot, *Ibid.*, 354.

³⁵ Fouquier, *Mém. Impr. Rép.*, 269. P.F. Morizan, père, buvetier du tribunal, *Hist. Parl.*, 35: 21.

³⁶ Fouquier, *Mém. Impr.*, 9.

also because it was true.³⁷

Thus, by what peculiarity am I pursued and detained as suspected of having seconded with all my power the monstrous plans of Robespierre and his accomplices, I who was only aware of them by the denunciation made at the Convention? I who never had any relationship or individual correspondence with those conspirators, no more is it possible to point to any work, any act or any step that tended to support the plans of... those monsters. Yet I groan under the weight of an accusation of complicity with all those tigers.³⁸

Fouquier, hoping that his former colleagues would come to his defence, maintained that he and Jean-Henri Vouland, a member of the Committee of General Security, spoke of Robespierre's despotism. They had "agreed that he dreamed of conspiracy".³⁹ He had also complained of Robespierre's despotism to Pourçain Martel.⁴⁰ Vouland, afraid of being targeted himself, remained silent but Martel, a member of the Convention, confirmed Fouquier's testimony.

Before 9 Thermidor, Fouquier told me that it was necessary for us to league against Robespierre's despotism, in order to save our heads, and that Robespierre had threatened him if he didn't go more quickly in the work.⁴¹

³⁷ Fouquier, if anything, was more likely to have supported the attack on Robespierre. Fouquier had associated much more closely with the members of the Committee of General Security. He trusted them and most likely hated Robespierre.

³⁸ Fouquier, *Mém. Impr.*, 9.

³⁹ *Ibid.*

⁴⁰ Martel, a lawyer, was an obscure member of the National Convention. Judging from some of his votes, he was likely sympathetic with the Mountain. At the time of the vote on the King, Martel voted for death, against deferral and against the appeal to the people. In the vote on Marat, he argued that since none of the charges against him were proven, "nor discussed with the principles of eternal justice" and that "loyal to the voice" of his conscience, he would not betray it by engaging in "an act of oppression" or serve the interests of the "infamous Dumouriez and his adherents", the Girondins. On 19 Ventôse, he argued that if Fouquier-Tinville could not "seize all the threads of the great foreign conspiracy, it was because he did not have "enough agents" (staff). Kuscinski, *Dict. Conv.*, 438.

⁴¹ Martel, *Hist. Parl.*, 35: 15.

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Martel added that he and Fouquier worked to save the lives of some innocent people. "I saw Fouquier profess principles of justice and humanity."⁴²

Throughout Fouquier's whole experience, from arrest to execution, he was cast into an ideological and psychological straightjacket. As one of the Deputies said, Fouquier had to be silenced so that he could not "accuse the Committees".⁴³ His defence threatened the members of the Committees, and by implication, the surviving Montagnards and the National Convention itself. The 12-13 Fructidor (August 30-31, 1794), debates on responsibility for the Terror, sparked by Lecointre's denunciation of the Committee members, shattered any hopes for both a short detention and the support of his former colleagues in the Committee of General Security. Fouquier had sent his first statement of defence⁴⁴, written on 16 Thermidor (August 3), to the Committee of General Security. Lecointre, a member of the Committee at the time, responsible for examining Fouquier's papers, used his defence as the basis for attacking the former Committee members.⁴⁵

Fouquier, in solitary confinement, was able to communicate with his wife through letters smuggled into the prison by their maid. "My conscience is clear", he wrote, but it concerned him that the accusations in Lecointre's denunciation seemed to be attributed to him.⁴⁶ Later, he said:

I never intended to attack the members of the former

⁴² Ibid., 14. Martel also spoke in Foucault's and Sellier's defense.

⁴³ Lefiot, *Arch. Parl.*, tome 94, 348.

⁴⁴ Fouquier, *Mém. Gen. & Justif.*, 16 Thermidor and 19 Thermidor, an 2, W499, Pièces 108 and 109.

⁴⁵ Fouquier, *Mém. Impr.*, 18.

⁴⁶ Fouquier-Tinville à Mme Fouquier, Bibliothèque Historique de la Ville de Paris, (Paris, s.d), reproduced in Georges Lecocq, *Notes et Documents sur Fouquier-Tinville*, 35.

committees of government, because I never knew of any faction or triumvirate in these committees, and I believed that the goal of all their orders and all their decisions was the public good.⁴⁷

The purpose of his defence was not to accuse the committees, but to place his actions within the legal and political context in which he had worked. "The members of the Committee of Public Safety and of General Security know more than anyone of the zeal and activity that I brought to my work."⁴⁸

Fouquier's indictment, prosecution and defence unfolded around the issue of responsibility for the Terror, specifically for Danton's death, the Law of 22 Prairial and the conspiracies of prisons. The Robespierist conspiracy theory was a means to maintain the basic structure of republican government, preserve the National Convention and enable the members of the Convention to deflect responsibility from themselves to their subordinates in an effort to patch over the factional divisions; the representation of the Great Criminals as monsters thirsty for human blood, tied to a Robespierist conspiracy to depopulate France diverted negative psychic energy – hate, revenge and destructiveness – onto selected individuals, recognized as symbols of revolutionary institutions, but far enough away from the upper reaches of power to be dispensable.

In Kleinian psychoanalytic theory there are two types of symbol-formation – symbol formation proper and symbolic equation. Symbol formation proper occurs in conjunction with the "depressive phase" and is associated with reparation; in this case the formation of a symbol helps people deal with

⁴⁷ Fouquier, *Mém. Impr. Rép.*, 278.

⁴⁸ Fouquier, *Mém. Gen. & Justif.*, 16 Thermidor, an 2, W499, Pièce 108.

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“depressive anxieties” – fear of loss and guilt over having harmed a loved one either in reality or in phantasy. In genuine symbol formation there is a capacity to distinguish the symbol from the real person or thing it symbolizes. The symbol exists separately and distinctly from that on which it was modelled, the symbol represents the thing.⁴⁹

If Fouquier and his co-accused had been genuine symbols of the Terror, it might have been possible to discuss the mistakes, injustices and excesses without having to exact revenge, without taking their actions out of context and without depriving them of the reasonable doubt that is necessary for justice. The representation of Fouquier was what Hanna Segal refers to as “symbolic equation”.⁵⁰ The object designated for symbolic processes does not symbolize the unconscious object or idea but, through projection, *becomes* it. Thus Fouquier was not an example of the Terror; he was the Terror – a primitive, dangerous, cannibalistic monster.⁵¹ Fouquier was never represented in metaphorical terms as being “like” a cannibal, monster or blood-drinker – he was one.

According to Segal, when there is symbolic equation “the symbol and the phantasy object become almost or completely equated” consequently the anxieties associated with the phantasy object are also aroused “in full intensity” by the symbolic object.⁵² The symbol then fails to contain anxiety.⁵³ The symbol’s

⁴⁹ Segal, *The Work of Hanna Segal*, 49-65.

⁵⁰ Ibid.

⁵¹ Very much along the lines of Melanie Klein’s “combined-parent figure” – a horrible and terrifying image of the parents, Klein, “Envy and Gratitude” in *Envy and Gratitude*, 197-198.

⁵² Lyth, *Containing Anxiety in Institutions*, 49-50.

role is to contain and transform primitive psychic material, making it engage with the reality of the object symbolized. Thus symbols facilitate an alpha function.

Fouquier, symbolized as a phantasy object, the cannibal monster, did not function as a transformative container for anxiety and destructiveness, hate and guilt, as is evident from the way that the phantasmagoric blood-drinker projections were directly translated into his indictment and became the basis of his trial. On the other hand, Fouquier and his co-accused were forced to act as receptacles for Thermidorian projections, containing primitive psychic material in an untransformed state. As such, the accused served to focus hatred and revenge and limit the hunt for "little Robespierre's". The fact that Fouquier was made to bear the guilt of accusations against the Committee members provides some evidence for the trial's function as a purely containing symbol, rather than a containing and transforming symbol. Nonetheless, as the Thermidorians never engaged with Fouquier's real personality, the real moral dilemmas he faced or the reality of the Terror, the concept of symbolic equation is a useful one.

Fouquier, created as a symbolic-equation of the Terror and cast in the role of Robespierre's "accomplice", like the other "Great Criminals"⁵⁴ was made to bear the guilt of a whole society, and to pay for that guilt as if he and his colleagues were solely responsible. The Thermidorian members of the National Convention constructed the "Great Criminals", partly in order to deal with guilt associated with their own roles in the Terror, but in equating Fouquier and others with the Terror they failed to deal with one of the real causes of their guilt – their

⁵³ Ibid.

⁵⁴ Literally the great "guilty ones"— Carrier, Lebon and Fouquier.

own role in it.⁵⁵ The primitive defence that replaced symbol formation was a massive projective expulsion – death for Fouquier and his colleagues. Thus, although Fouquier's execution might have provided some with the satisfaction of revenge, there was no real reparation for the Terror.

Fouquier and his co-accused, as "men of the Year II", were put on trial as examples of the supposed degeneracy of the regime of terror. At best, they were represented as slavish servants of "the tyrant" Robespierre. At worst, as in Fouquier's case, they were bloodthirsty sadists, in the business of terror for their own perverted pleasure or "devouring wolves" hungry for blood. One of the primary witnesses against Fouquier, and especially against his former boss A.M.J. Herman, Therriret Grand-Pré described the tribunal in the most graphic terms.

The Revolutionary Tribunal, as completely disengaged from ordinary forms as it was, still didn't serve Robespierre's designs fast enough. He succeeded, by degree, to suppress ...the voices of the accused and their defenders.... But the ferocious Law of 22 Prairial was not enough. It was not enough to have reconstituted the Revolutionary Tribunal with devouring wolves disposed to execute the bloody decrees of this abhorred despot, it was still necessary to provide daily food to this atrocious Tribunal, and for that, it was necessary to have, at the head of the constituted authorities some monsters dressed up in human faces who aided the tyrant in his frightful plans.⁵⁶

Fouquier and his co-accused were reluctant "containers" for disavowed

⁵⁵ For the clerks in the tribunal the issue was more strictly a retaliatory oedipal attack on the father. For the victims of the Terror, it might have represented what, at a psychological level, they actually experienced.

⁵⁶ Therriret-Grandpré, chef de division à la commission nationale des administrations civiles, police et des tribunaux, ayant le département des prisons, *Hist. Parl.*, 35: 46.

guilt and responsibility, accused as individuals for the crimes of a system, for collective culpability. In their defence, they tried to refer the Thermidorian Revolutionary Tribunal to the circumstances of the Terror, to the laws and structures of political authority that framed their work. Committee members' and ex-terrorists' denial of responsibility for the Terror was tantamount to a denial of their recent past, the history of the revolution and, thus, of internal (psychological) as well as external realities. Such denial operated through massive projective identification that made any assessment of the true character, motives, actions and behaviour of the accused impossible. Fouquier argued his case within a psychic space – the space of the psychological link, the relationship between accused and accuser – that was “sutured” to Thermidorian denial, a straight jacket. The Thermidorians, because they could allow no room – no psychic space – for doubt, for the possibility of innocence, for the defence of the accused, could not exercise justice.⁵⁷

Fouquier and fifteen of his co-accused were condemned to death for participating in a conspiracy to overthrow the Republic even though there was no material evidence of a conspiracy in the Tribunal.⁵⁸ In response to the accusations of having schemed to re-establish monarchy, to incite civil war and to have engaged in correspondence contrary to public safety, Fouquier complained that the charges against him were not specific or detailed enough:

⁵⁷ Kaës, *Idéologie*, 220-222 and 244-250.

⁵⁸ Another 15 of them were acquitted. *Jugement du 17 Prairial an 3 qui condamne à la peine de mort Fouquier et 15 autres*, A.N., W499, Pièce 16, Paris, 17 Floréal, An III. *Jugement du 17 Floréal qui acquitte Maire, Harny, Deliège, Naulin, Lohier, Trincharde, Chrétien, Ganney, Duplay, Brochet, Trey, Beausire, Guyard, Valagnos and Delaporte*, A.N., W499, Pièce 17, Paris, 17 Floréal, An III.

There are some other accusations that are so foreign to me, or that are linked and merged with [other ones]... in such a way that they are not susceptible to a more extensive discussion.⁵⁹

The accusations, the ones that Fouquier said “were not susceptible” to extensive discussion, were representations of primitive unconscious psychological phantasies, atavistic remnants of the earliest stages of psychological development. Thermidorian ideology, and through it the new group psychic apparatus, formed through a process of decomposition, the process of unravelling the multiple identifications involved in the construction of the Terror.⁶⁰ The process involved the disavowal and discrediting of the identifications – ideas, idol(s) and ideals – that had composed the ideology of the Terror. The typical manifestation of Thermidorian decomposition was the phantasmagoric representation of Robespierrists or any of the prominent “men of the year II” as monsters, blood drinkers and cannibals. The accusations Fouquier could not refute specifically and in detail were, first, that he went out of his way to have pregnant women executed⁶¹, that he made jokes about “his victims” before he sent them to the guillotine and that he took particular pleasure in having the weakest, most vulnerable people executed, including a blind, deaf, senile old man, a deaf-mute paralytic.⁶² Second, he was accused of having participated in orgies with Robespierre and Saint-Just and, of course, that he sought the

⁵⁹ Fouquier, *Mém. Impr. Rép.*, 277.

⁶⁰ Freud, *Sigmund Freud: Case Histories II*, 185 and 138-220. Freud considered decomposition as it related to the intra-psychic and inter-psychic identifications within an individual. I am concerned with the decomposition of identifications and psychic investments associated with the group psychic apparatus and the ideology that sustained it.

⁶¹ *Jud. Acc.*, 1.14

⁶² Cambon, *Hist. Parl.*, 35: 135-136; Retz, *Hist. Parl.*, 35: 135.

overthrow of the Republic.⁶³ All of these charges contributed to the image of Fouquier as a “cannibal”.

The cannibal phantasy, a primal scene phantasy, is an atavistic, primary and universal phantasy that, reaching deep into the unconscious, back to the earliest infantile experiences, is a standard and primitive group psychic organizer.⁶⁴ Melanie Klein posited the idea of the primal scene in her analyses with children. It represents the child’s earliest sexual theory – parents mutually cannibalizing each other and sadistically destroying the inside of the mother’s body and the parts of the father’s body contained in it.⁶⁵ The primal scene phantasy, the sadism and terror it represents, is the product of the child’s own destructive impulses, projected into the parents. The early sadistic super-ego is, according to Klein, a product of primal scene phantasies.⁶⁶

The two components of the primal scene phantasy – the child’s own destructiveness and the structurally internalized reaction to that destructiveness, the sadistic super-ego – showed themselves in the accusations Fouquier was unable to refute because they were “so foreign to him”. First, the focus on pregnant women reflects very early, and universal, jealous and envious desire to attack the unborn babies (the child’s siblings) in the mother’s body. Second, the idea that the most vulnerable were attacked, the defenseless and powerless, those lacking cognitive abilities who could not speak for themselves,

⁶³ *Jud. Acc.*, § 2.

⁶⁴ Kaës, *L'appareil psychique groupale*, 57-92 and 186.

⁶⁵ Klein, “Early Stages of Oedipus Conflict and Super-Ego Formation” in *The Psychoanalysis of Children*, 130; Klein, *Love Guilt and Reparation*, 252-254.

⁶⁶ Klein, *Love Guilt and Reparation*, 252-254.

demonstrates not only a conscious identification with the helpless victim, but with those who are child-like – weak, dependent, unable to speak or fully understand what is happening to them. The senile old man, for example, had “forgotten three quarters of the things most urgent in life”, suffered from dementia, was incontinent and required, like a child, a full-time attendant.⁶⁷ The identification of the victims with child-like attributes points to a regression to a very early stage of development. The jokes Fouquier and other members of the Tribunal supposedly gave emphasis to the idea of the sadism and moral degeneration of the accused – a lack of conscience, lack of super-ego constraints.

Fouquier was able to articulate a very precise and detailed defence when countering accusations related to the conspiracies of prisons and Danton's trial. The fact that he could not respond to the primal scene accusations indicates that those charges were motivated by massive projective identifications.⁶⁸ The charge of counter-revolution, like the primal scene accusations, was too bizarre and extraordinary to allow for a formal defence, leaving Fouquier in the position of being able to do nothing but deny it and to declare that he spoke the truth whether or not anyone wanted to hear it.

I am accused of wanting to re-establish the royalty!
.... I ... limit myself to countering such an accusation,
as bizarre as extraordinary, with my formal denial,
with my conduct to the contrary, sustained since the
Revolution and with my declaration that, born with a
free heart, when it happens, I will die free!⁶⁹

⁶⁷ Cambon, *Hist. Parl.*, 35: 135-136.

⁶⁸ Bion, *Experiences in Groups*, 149. Fouquier was experiencing a feeling akin to counter-transference.

⁶⁹ Fouquier, *Mém. Impr. Rép.*, 276.

The Thermidorian representation of Fouquier as a symbolic equation for the Terror was constructed through a process that Kaës, following Freud, calls "psychic work".⁷⁰ Psychic work creates and maintains any group psychic apparatus, its links and its ideology and culture.⁷¹ Representations are the product of psychic work – symbolic processes or their equivalents and association, the mental work associated with bringing an unconscious idea to consciousness. The structural components of the group psychic apparatus are created and maintained through such representations. These representations, like the psychic structure of an individual, are built up through a process of projection and introjection – internal mental contents are projected out – into groups, individuals, structures and ideas. Mental contents include structures of the mind, – id, ego, super-ego and objects – unconscious phantasies and conscious ideas. Through the psychic work associated with representation mental contents become common property to be reacted to, exchanged, adapted or rejected.

Representations mediate between the three interrelated and dynamic levels of psychic reality, the intra-subjective level in which conflicts occur within an individual, the inter-subjective that involves conflicts between individuals one-to-one or in small groups and the trans-subjective, or social level.⁷² Conflicts occur between and within these levels as well as between them, as psychological

⁷⁰ Kaës, *Idéologie*, 25, 38-40, 53. The concept of psychic work, originally developed by Freud in *The Interpretation of Dreams* is a central concept in Kaës' theory of the group psychic apparatus that is to be found in all of his works.

⁷¹ Kaës, *Transmission de la Vie Psychique Entre les Générations*, (Paris: Dunod, 1993), 56-58. The same process creates historical myth and maintains the transmission of not just ideas but emotions and unconscious thoughts from one generation to another.

⁷² Kaës, *Idéologie*, 207.

dynamics, and reality. Culture – as a system of representations constructed by a group and including institutions, ideology and socio-cultural practices – mediates conflict at the group level. Cultural representations as the product of psychic work at the group level function to transfer drive investments from narcissistic and close or familial relationships (inter-subjective) to the trans-subjective field – encompassing all the aspects of social life necessary to create a social system – economy, politics and culture. According to Kaës, no group can form without this psychic work that is manifested in representation.⁷³ The group psychic apparatus is the bridge between individual and social, between different individuals and groups at different levels within a social system and between institutions with specialized functions.⁷⁴

Kaës argues that the extent to which ideology reflects reality or determines it depends on the quality of the link between the two, between ideology and reality. The more ideology determines reality, the more there will be a resort to violence, in denial of reality – both social and psychological. In formative groups ideology is necessary because it creates an ideal object that links with the internal ego ideal to provide individuals a stimulus to divest psychic energy from narcissistic pursuits for investment into a group-object. The group psychic apparatus is constructed and maintained through the operation of various defensive psychic mechanisms – introjection, projection, identification and denial

⁷³ The origin of all representation is in the mind's attempt to grasp the nature of reality – at the beginning the only reality that is known is that of physical pain or pleasure rooted in helplessness and dependence on others for the satisfaction of physical and psychological needs. Without representation, very early "thinking", no individual identity or subjectivity would form. The point is that the origin of all representation is in the negotiation between internal and external reality.

⁷⁴ Kaës, *L'appareil psychique groupal*, 185.

– that transfer the raw psychic material that becomes a representation. The quality of the representation depends on its ability to engage with reality, whether it is symbolic or a symbolic equation.

Fouquier's trial was an ideological construction, serving both its intermediary and psychological functions. The charges, the indictment and the testimony all unfold, like the manifest content in a dream⁷⁵, juxtaposing plausible and bizarre scenes in a dramatized scenario, a compromise formation, that partly disguised and partly revealed the underlying reality or motivation of its creators. As a compromise formation, Thermidorian ideology was both a defence against psychological guilt, responsibility and hatred and an expression of those emotions.⁷⁶ The Thermidorian ideological representation of Robespierrists, sans-culottes and others, including Fouquier, as a horde of bloodthirsty monsters out to destroy all wealth, wisdom and virtue satisfied a psychological desire for revenge as it provided a defence against guilt.

Thermidorian ideology also served to mediate between social and psychological reality. The monsters, associated with the popular movement and with social democracy, were represented as envious, destructive and greedy cannibals, grasping for or attacking the wealth, property and persons of those in the middle class.

In what prisons ... in what houses, in what towns, in what villages even did they not, or would they not have imagined [conspiracies], without the happy revolution of 9 Thermidor when the tyrant and only

⁷⁵ The obvious or conscious thoughts in the dream, rather than underlying "real", unconscious thoughts that express some kind of wish.

⁷⁶ Kaës, *L'appareil psychique groupale*, 214-216.

two or three of his accomplices fell? Vile and contemptible men had been called from everywhere to execute their pernicious and barbarous designs. The virtuous and educated man was hunted from positions and the administrations.⁷⁷

While the government of the Terror was presented as cannibalistic, the Thermidorian Convention was represented as reparative. One witness testified that his father heroically went to death so that his son, the witness, could live.⁷⁸ The testimony, it was said, had "so much affected people's minds, torn their hearts and filled their souls with pity, grief and consternation that the audience melted into tears".⁷⁹ However, when the Legislative Committee considered his case, it recommended that the Convention return their confiscated property. Thus, the Thermidorian government was shown to have "put an end to the monstrous atrocity under which we groaned".⁸⁰

Evidence of how the process of psychic work operates to construct ideology can be seen in the evolution of representations of the Terror's victims. Initially, representations of the Tribunal's violence vacillated between showing it to be, on the one hand, an indiscriminate orgy of violence or, on the other of unjustly targeting specific social groups. Some witnesses emphasized that the individuals indicted did not know one another, differed in origin, rank, social status, profession, wealth, habits, tastes, residence and relations.⁸¹ Another witness emphasized how, when one of the bailiffs complained that he could not

⁷⁷ P.J. Brunet, chirurgien en chef de Bicêtre, *Hist. Parl.*, 34: 357.

⁷⁸ This is an Oedipal phantasy that is explored more fully in Chapter 9, 376-378.

⁷⁹ *Hist. Parl.*, 35: 114.

⁸⁰ Loizerolles, *Hist. Parl.*, 35: 113.

⁸¹ *Leb. Acc.*, § 1.1.

find the right person because he had no first name and a number of people had the same surnames, Fouquier was represented as having said "just bring them all", the implication being that they would all be guillotined.⁸² Other witnesses targeted "priests, nobles, the rich and the scholars".⁸³ Fouquier, of course, argued that in fact, the rich, nobles, priests and ex-Constituents were targeted, since they belonged to the social groups that were the most implacably opposed to the Revolution.⁸⁴

By the early 19th century, when the social system was a little more consolidated, the cannibal representation, a legacy of Thermidor, had become, in some ways, even more phantasmagoric, while the social distinctiveness of the victims of the Terror was broadened out. The editors of the *Histoire Parlementaire*, written in the 1830s vilified, Dumas, President of the Tribunal on the eve of his execution, for his role in the Luxembourg prison batch trial.

Oh well! [The Luxembourg batch trial] was not enough to assuage the rage and stanch the thirst of the infamous Dumas, thirsty for human blood. When Marat, the patron of thieves and the assassin of the people, at the rostrum of the Convention, demanded one-hundred-thousand heads, Verniaud, [a Girondin] indignantly shouted: "Give him a good glass of human blood to refresh him." Torrents of it were necessary for this Mathan priest, for the Dumas of execrable memory.... [He wanted to work in comfort while he] depopulated and juridically assassinated... half of the French, [in an effort to] demoralize the people in order to subjugate it more easily.⁸⁵

The characterization of Robespierre as dictator, tyrant, depopulator,

⁸² *Leb. Acc.*, §1.10.

⁸³ F.J. Levasseur, *traiteur*, *Hist. Parl.*, 35: 88.

⁸⁴ Fouquier, *Hist. Parl.*, 34: 485-486.

⁸⁵ Editor's note, *Hist. Parl.*, 34: 487.

monster and even King was one way to try to sustain consensus around the serious divisions within the Thermidorian National Convention. Even the former committee members adopted the portrayal. Immediately after 9 Thermidor, the “tyrant” representation became a code, a prerequisite for political argument, behaviour and decision-making. Levasseur, writing decades later, while considering the Thermidorian charge that the former members of the Committees were guilty of Robespierism and of having not taken sufficient action against Robespierre on 9 Thermidor, said

Those who had first fought him, those who in some way have brought on their heads all the responsibility for that bloody tragedy! And that accusation was not the effect of the delirium of one isolated man. It was the banal territory of discussions whenever the accusers were beaten on some special fact.⁸⁶

According to Levasseur, party spirit and Danton’s death, “rather than justice”, were the base of the pursuit of the former members of the Committees.⁸⁷ The charges against the former committee members, not being due to “the delirium of one isolated man” but the product of multiple projective identifications were displaced onto Fouquier and his co-accused. The Committee members were preserved and the charges against them – ideas or representations composed of an admixture of conscious and unconscious content related to guilt – were transferred on to Fouquier. The Thermidorians forced these ideas, all revolving around responsibility for the Terror, a responsibility that no one was willing to take, into Fouquier and his co-accused. Forged into monsters and

⁸⁶ Levasseur, *Mémoires*, 4: 196.

⁸⁷ *Ibid.*, 198.

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cannibals, "thirsty for human blood", the accused symbolized the Terror in a way that divested the political authorities of responsibility for it and dissociated the history of the Terror from that of the Republic.

Fouquier's defence was that he had been a mere executor of the laws and decrees passed down from the constituted authorities. Bitterly he argued:

I am accused, as a sequel to a supposed complicity [with Robespierre], to have sought to introduce civil war, to dissolve the national representation, and to have had correspondence contrary to public safety.... I have ... demonstrated that... I conformed to revolutionary law and to the wishes of the Committees of Government.... How did I search to dissolve [national representation]? Is it in executing its decrees, because no one had more respect for the Convention and its decrees? I formally challenge anyone to validate these infamous charges with any piece of evidence.⁸⁸

What was the evidence? What specific crimes supported the charge that Fouquier led a conspiracy in the tribunal with the intention to overthrow and debase the Republic? Leblois indicted Fouquier on charges related to procedural expediencies and errors, including the batch trials, the manipulation of judges, jurors and the National Convention in the course of the proceedings against Danton, the creation of lists of proscription on the basis of "imagined" conspiracies in the prisons and corruption.

The trial was lengthy, detailed and political. Fouquier was in prison almost eight months before he was tried; tribunal clerks, one of whom had sworn that if

⁸⁸ Fouquier, *Mém. Impr. Rép.*, 271-272.

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the court “needed to find cord to hang Fouquier, he would provide it”⁸⁹, sifted through a massive amount of evidence in order to put the case together.⁹⁰ The trial itself lasted six weeks. Providing a lengthy spectacle of “atrocities” for public consumption, it functioned to “decompose” the revolutionary allegiances and ideology of the Terror. The length of the trial also gave an illusion of justice, as the accused were given time and opportunity to speak in their defence. As a result, the trial reinforced, as was intended, the idea that the Thermidorians and the Thermidorian Revolutionary Tribunal, in contrast to the Tribunal of the Terror, implemented the forms, at least, of justice. Thus it served as a mechanism to construct and reinforce Thermidorian ideology.

According to the Thermidorian Public Prosecutor, Fouquier’s “bloodsucking cruelties”, not only operated to depopulate France, but to “satisfy the ferocity of his character”. Much of the trial revolved around Fouquier’s “morality and character”.⁹¹ In characterizing Fouquier as a bloodthirsty monster, reality and phantasy merged at the level of representation. According to Leblois, in the performance of his functions, Fouquier had employed his “bloody character”. Fouquier had “more ferocious emotions” than any who led, or followed him “in his extensive criminal career”.⁹² He got amusement and “a sort of

⁸⁹ Morizan fille, *Hist. Parl.*, 35: 20. The daughter of the Tribunal canteen operator said that her father had heard Pâris say this, although her father denied it when asked. She persisted in her testimony. The father, a sans-culotte, prefacing his testimony with an account of his activities on 9 Thermidor, was probably unwilling to contradict Pâris, a member of the Jeunesse Dorée. P.F. Morizan, père, buvetier du tribunal, *Hist. Parl.*, 35: 21.

⁹⁰ The five hundred boxes of Revolutionary Tribunal documents plus interviews with more than four hundred witnesses and interrogations with the almost thirty accused. A.N., Séries W, Cartons 1 - 502.

⁹¹ *Leb. Acc.*, § 3.

⁹² *Ibid.*, § 1.

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sexual pleasure" (une sorte de jouissance) from the great number of those he put on trial and condemned.⁹³ The ironies and jokes he made could belong "to the cruelty of a debased soul thirsty for blood." Fouquier, "violent, imperious and always mortified when an accused escaped the blows" designed to bring him down", stamped with frenzy and rage."⁹⁴ Finally, Fouquier was "so certain of the success of his manoeuvres" that he ordered the guillotine prepared and carts brought, even on the morning of the day the accused were to be tried.⁹⁵

Representations function to divert or attract psychic investments or commitments to groups, institutions, leaders and ideas in the formation and maintenance of the group psychic apparatus. They also play an important role in the reformation of social structures and institutions. For the Thermidorians, the trial was a medium for showcasing their avowed commitment to "justice and humanity" while acting out phantasies of revenge. Leblois maintained that Fouquier, as public prosecutor of the Revolutionary Tribunal had been entrusted with a dual responsibility. On the one hand, he had had the "painful" obligation to pursue and investigate crime. On the other, he had had the "holy and consoling mission" to elevate himself in favour of the defence and protection of innocence.⁹⁶ Instead, Fouquier manifesting a "cruel, barbarous game," inverted the two distinctions, punished innocence and favoured crime. Great evils had resulted from such "atrocious subversion". "Such evils" continued Leblois,

would have excited shame, anxiety and remorse in

⁹³ Ibid., § 3.

⁹⁴ Ibid., § 3.

⁹⁵ Ibid., § 3.

⁹⁶ Ibid., préambule, 1.

another. Fouquier, to the contrary, took a conceited pleasure in the prodigious number of victims that he slew, complaining and lamenting that he could not sacrifice more of them. Promising to get more [victims, Fouquier] took shameless delight in the inconceivable hope of filling the gap with manoeuvres so criminal and behaviour so shocking that, animated under his terrible hands, the imposing sword of the law and sceptre of justice seemed no more than a divisive instrument of fury and a sacrilegious craze of irony and cruelty.⁹⁷

The Revolutionary Tribunal during the Terror, in fact, had no “holy and consoling mission” to protect innocence in the way that Leblois implied. As Fouquier and his co-accused repeated often during the trial, the Revolutionary Tribunal was not an ordinary tribunal.⁹⁸

You are putting the Tribunal on trial here, as if a Revolutionary Tribunal was an ordinary tribunal! You should refer to the period of revolutionary laws.⁹⁹

Fouquier argued that the Thermidorian Tribunal members refused to consider the laws and “rigorous measures” in the context of the “critical and stormy circumstances in which the Republic, at different periods found itself, because of the multiple betrayals that it suffered”.¹⁰⁰ Fouquier’s duty had been to apply the laws and decrees of the National Convention and its two Committees. “Does a public servant have the right to investigate if the law he is responsible for executing is the result of the despotism of this or that deputy?”¹⁰¹ Fouquier argued that if he had arrogated to himself the right to “elude, interpret or modify

⁹⁷ Ibid.

⁹⁸ Trinchard, *Hist. Parl.*, 35: 102.

⁹⁹ Fouquier, *Ibid.*, 17.

¹⁰⁰ Fouquier, *Mém. Impr. Rép.*, 286. The Ventôse decrees were considered in Chapter 5, the *Law of 14 Frimaire* sometimes referred to as the law of revolutionary government was discussed in Chapter 4.

¹⁰¹ *Ibid.*, 287.

the law on the basis of his individual opinion” he would have acted contrary to the public good.¹⁰² Furthermore, had the government tolerated such “abuses” it would have rehabilitated the practices of the old *Parlements* which though acting “in the name of the people”, although they merely sought to subjugate it, when they “interpreted, modified and omitted what was contrary to their personal interests?”¹⁰³

In a Republic, on the other hand, “a bureaucrat”,

... can only recognize the law that emanates from sovereign power, without questioning either its causes and motives, or the rigour or injustice of it. His duty is to execute it and to have it executed. Such is the path I followed.¹⁰⁴

Fouquier reasoned that, since his position had obligated him to execute revolutionary laws, including the Law of 22 Prairial, his actions could not be considered criminal. He could not be held responsible for the “evils and inconveniences” that resulted from the Law of 22 Prairial because

I was only a passive being, a cog in the mechanism that moved the law. Thus, it is necessary to go after the law and not its organ.¹⁰⁵

To sacrifice a public servant, who, in good faith, obeyed the laws, decrees and orders of the government would be to return to “passions” worthy of the practices of the Old Regime. Fouquier had executed revolutionary laws in the confidence that the members of the government committees were in good faith. He believed that their actions, decisions and decrees were “necessary to sustain the

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

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revolutionary movement and the country".¹⁰⁶ If he misinterpreted their decisions, decrees or laws, he was guilty of error "due to the imperfection" of his "wisdom", not of crime. Fouquier, as a revolutionary, declared, "My intentions were always pure and right".¹⁰⁷

As a public man, [I put forth] my ministry, the laws and the all-powerful will of the government.... I was only a moving gear, subordinate to the mechanical force of the revolutionary government. Was the mechanism too violent? It was for the government, for the Convention even, to stop it. I could only receive the impulsion and render it with the same force.¹⁰⁸

The three substantive charges in the indictments against Fouquier – that he was responsible for Danton's death, for the prison conspiracy trials and for procedural errors leading to the execution of the wrong individuals – all related to revolutionary laws and decrees passed by the National Convention or its Committees. Danton, Camille Désmoulins and others were put on trial on the basis of a denunciation that Saint-Just prepared and that the National Convention voted on.¹⁰⁹ In the course of the proceedings against Danton the Committee of Public Safety produced and presented a decree stating

... anyone suspected of conspiracy who resists or insults national justice [the Revolutionary Tribunal] will be removed from the proceedings and immediately

¹⁰⁶ Ibid.

¹⁰⁷ Ibid. Notice that he mentions his intentions, even though with the Law of 8 Nivôse, they were not relevant to his case.

¹⁰⁸ Fouquier, *Mém. Impr. Rép.*, 247.

¹⁰⁹ Convention Nationale, Saint-Just, *Rapport Fait a la Convention Nationale au nom de ses Comités de Sureté Générale et de Salut Public, sur la Conjuration Ourdie Depuis Plusieurs Années par les Factions Criminelles, pour Absorber la Révolution Française dans un Changement de Dynastie, & contre Fabre-d'Eglantine, Danton, Philippeaux, Lacroix & Camille-Desmoulins, Prévenus de Complicité dans ces Factions, & d'autres Délits Personnels Contre la Liberté*, (Paris, Imprimerie nationale, l'An 2 de la République Française, 1794).

judged.¹¹⁰

The prison conspiracy trials were also based on decrees from the Committee of Public Safety or the Civil Commission for the Administration of Police and Tribunals. A creation of the Ventôse decrees the Commission was authorized to send individuals to the Tribunal for judgment.¹¹¹ Finally, procedural errors and expediencies were a direct consequence of revolutionary legislation that increased the tribunal's workload, and imposed time constraints that made it impossible for the Tribunal to properly protect the innocent. The Law of 22 Prairial, particularly, was responsible for eliminating procedural protections.¹¹²

Leblois presented the Law of 22 Prairial, the trial of Danton and the procedural errors as if Fouquier had deliberately caused them as a means to get more victims "to satisfy the ferocity of his character".¹¹³ Not content with the blood "his ferocity had spilled" and "wanting to enlarge the torrent of it", Fouquier "devised lies and stratagems to obtain the means to spill more."¹¹⁴ The charges related to the Law of 22 Prairial were that the procedures, especially during the prison conspiracy trials, went so fast that defendants had no opportunity to speak in their own defence¹¹⁵, that Fouquier did not always properly identify individuals in the indictments, resulting in executions of the wrong people and not opening or presenting all the evidence in a defendant's favour.¹¹⁶ There was evidence of

¹¹⁰ Extrait du p.v. de la Convention Nationale du 15 germinal, an 2, A.N., W500, Dossier 2, Pièce 9.

¹¹¹ The prison conspiracies are dealt with in depth in Chapter 9.

¹¹² Couthon, *Loi de 22 Prairial*; Godfrey, *Revolutionary Justice*, 131-133.

¹¹³ *Leb. Acc.*, § 1.21.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*, § 1.17.

¹¹⁶ *Ibid.*, § 1.18.

“blank” judgments with no names and indictments and judgments with incorrect names.¹¹⁷

According to Leblois, Fouquier set out to trick the Convention, “to catch it unawares” in order to obtain the terrible Law of 22 Prairial.¹¹⁸ It was a law, said Leblois for which “he alone, perhaps, could have given the unnerving idea”. When the law was brought to him he received it “with signs of a satisfaction proportionate to... the shameful abuse, he intended to make of it.”¹¹⁹ The Law of 22 Prairial, he continued, enabled Fouquier “to abandon himself to all his ferocity”.¹²⁰ Leblois’ indictment, like the denunciation against Fouquier, was designed to exculpate the members of the National Convention from having to take responsibility for the laws they had created. The displacement of guilt onto Fouquier operated through the representations of him as a monster consciously seeking to get out as many victims as he could.

Fouquier resolutely maintained his innocence throughout the trial. “People speak of the disastrous laws” that governed the Revolutionary Tribunal especially the “odious” Law of 22 Prairial; “it even seems that they are attributed to me”.¹²¹

Am I to be [held] responsible for the rigour, the atrocity even, if you like, of the Law of 22 Prairial, when I could only be the passive executor of it? Was it I who made the laws? Was it I who chose the judges and the jurors? Were they not appointed by the Convention? Was it I who covered the territory of the Republic with permanent scaffolds? Was it I who crammed error, innocence and virtue into jail cells,

¹¹⁷ *Jud. Acc.*, § 1.1.

¹¹⁸ *Leb. Acc.*, § 1.21.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*, § 1.22

¹²¹ Fouquier, *Mém. Impr. Rép.*, 285.

pell-mell with crime? Was it I, in short, who wrote the book of the dead and who designated the victims? No, I presented the suspects. I exposed the crimes. The jury noted them, the judges applied the punishment and my duty was to make them submit to it.¹²²

Fouquier was charged with putting individuals on trial on the same day as the notification of indictment and of indicting people in batches; thus, he was accused of not following prescribed legal forms. Fouquier argued that a Revolutionary Tribunal is not an ordinary criminal tribunal. The laws of 17 August 1792, those of March and April 1793 and of the Law of 22 Prairial, outlined the parameters of Revolutionary Justice. Article 20 of the Law of 22 Prairial, for example, stated

The Convention departs from all the provisions of laws that are not in accordance with the present decree, and does not intend that the laws concerning the organization of ordinary tribunals will apply to the crimes of counter-revolution and to the action of the Tribunal.¹²³

The revolutionary tribunal started amalgamating people in “batch” trials as early as June 1793.¹²⁴ In the early trials, the batches included only people associated with the same crime. Fouquier began amalgamating people accused of different crimes under the general rubric of “conspiracy” after the Ventôse decrees and other laws passed in the spring of 1794 put enormous pressure on the tribunal to operate more quickly.¹²⁵ James Godfrey, one of the few historians to have considered the impact of revolutionary legislation on the Tribunal’s

¹²² Ibid., 247.

¹²³ Ibid., 275; Couthon, *Loi de 22 Prairial*.

¹²⁴ Godfrey, *Revolutionary Justice*, 131.

¹²⁵ Ibid. The Ventôse decrees, the *Loi de 27 Germinal* and the *Loi de 22 Prairial* are discussed in Chapter 5.

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operation, sees the Tribunal's errors as result of procedural expediencies that followed from the laws imposed on the Tribunal.

It seems altogether likely that the number of erroneous convictions [before 1794] was not sufficiently large to justify a valid indictment against the Tribunal when the proper allowances are made for the psychological strain under which much of the work was done.¹²⁶

Revolutionary legislation, especially the Law of 22 Prairial, imposed an enormous burden of work on the Tribunal.¹²⁷

Fouquier, claiming that he solicited the Committees against the Law of 22 Prairial, said, "I wish, that it had never left the murky depths" from which it came.¹²⁸ He was, "more than once" denounced for supposedly being too slow, especially by the Cordeliers Club, the halls of which "echoed with Vincent's hotheaded vociferations", especially in the case of Custine, one of the revolutionary generals put on trial.¹²⁹ He could not be considered responsible for "the severity of the law against Danton" since the crime belonged to Saint-Just's misleading report.¹³⁰ "The prison conspiracies and the perpetual solitary confinement of the detained are charges that have nothing to do with me"; they were enacted through decrees from the Committees.¹³¹

I was never the triumvirate's man. I was the government's man. I was the organ of the law and its atrocity is not my crime.... I employed my care and my waking hours to the task full of bitterness and danger with which the people had entrusted me,

¹²⁶ Ibid.

¹²⁷ Ibid., 133.

¹²⁸ Fouquier, *Mém. Impr. Rép.*, 266.

¹²⁹ Ibid., 288.

¹³⁰ Ibid.

¹³¹ Ibid.

through the voice of its representatives, and I pulled the revolutionary chariot under the law's guarantee, without imagining that one day, a capital crime would be made of its execution.¹³²

Fouquier's strategy for defending himself was simple. He was not responsible for the system of Terror. He executed the laws, decrees and decisions emanating from the higher political authorities, the Committees of Public Safety and General Security, the Commission of Civil Administration Police and Tribunals. He worked within a politically and legally sanctioned network of individuals and institutions responsible for revolutionary justice – the police, commissioners, judges and jurors – each with their own responsibilities within the system. Yet, Fouquier argued, he was held responsible for the failure of the whole system.

It's thus that in accumulating on my head all the functions of president, judge, clerk and juror, all the errors that might have been committed are heaped there and are revamped as my crimes, while... they are not, nor could they be mine.¹³³

Making Fouquier responsible for the work of the whole Tribunal was the project of projective identifications, multiple ones, coming from a number of different individuals and social groups, all converging onto or into Fouquier. The fact that he was held responsible for the errors, mistakes and perceived injustices of clerks, jurors, judges and others was a product of condensation, a process of symbolization, often seen in dreams, in which one image or representation carries associations that come from many different sources. The condensation is

¹³² *Ibid.*

¹³³ *Ibid.*, 277.

an example of how unconscious psychological processes informed both the representations of Fouquier and the actual charges against him. Fouquier complained that he was charged with infractions and mistakes that had nothing to do with his own responsibilities as Public Prosecutor. The public prosecutor could not be held responsible for the failure of the judges.

To try to render me responsible for judgments is the abnegation of all received principles. The public prosecutor's responsibility ceases when he establishes that he will indict only on the material transmitted, witness's testimonies, denunciations and documents. He is not responsible for the application of the law; the judges alone are responsible for it. But similarly, the judges and the public prosecutor are not responsible for the jurors' opinions on the facts that are submitted to them, for the reason that the jurors are alone the judges of fact.¹³⁴

Psychic life is structured by unconscious intermediary formations or "links"¹³⁵ that tie individuals with society, institutions or groups with other institutions or groups and ideas or representations with social structures. The group psychic apparatus is formed out of networks of links that create an unconscious social psychological structure or "social unconscious".¹³⁶ The representations in Fouquier's trial were ideological – they served the interests of the political elite at the time. However, these ideological representations formed and developed with input from other levels of society, from individuals who, relatively far removed from power, had their own reasons for investing psychic

¹³⁴ Fouquier, *Mém. Impr.*, 15-16.

¹³⁵ A link is any common psychological object that is invested with "psychic" (psychological energy that is projected, introjected or otherwise unconsciously communicated or exchanged). Links are necessary to the coherence of a social system (or organization, institution, group) because they enable commitment and adherence to a common group, person, idea, institution, leader or process.

¹³⁶ Kaës and Puget Eds., *Violence d'État et Psychanalyse*, 172.

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energy into ideological representations of Fouquier or the Tribunal. The role of the clerks of the Tribunal demonstrates how different social levels and different unconscious motivations merged to form and sustain the idea of Fouquier as monster.

The symbol, Fouquier as revolutionary violence and terror, represents the culmination of a number of psycho-social processes put into play after the fall of Robespierre. The symbol itself was constructed through processes, like those in a dream, of condensation in which a number of ideas, emotions and impulses, originating from different sectors of the population, with differing motives, converged on Fouquier. As represented in his trial, Fouquier was a persecutory or bad object, a sadistic super-ego¹³⁷, an authority figure who had abused his power and used his position in the Tribunal to persecute his employees, the clerks of the tribunal and the innocent victims sent to him looking for justice. These representations of Fouquier's individual character were joined with other representations of him that were associated with his institutional role and social function. As Public Prosecutor of the Revolutionary Tribunal, Fouquier was held responsible for all the errors and injustices associated with its operation – the law of 22 Prairial, procedural errors, the receptacle for hatred and guilt.

According to Leblois, Fouquier had worked deliberately with Saint-Just to mislead the National Convention on the course of Danton's trial proceedings. He had sought to make people "believe, on the one hand, that some defendants had declared themselves in a state of rebellion against the court and had lacked

¹³⁷ See Chapter 2, 51-55 and Chapter 7, 299 for the development of this idea.

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respect for it."¹³⁸ Thus the decree authorizing to remove the defendants from the courtroom was presented as Fouquier's fault. It also implied that he had worked closely with Saint-Just to obtain it, thus affirming the charge of conspiracy against Fouquier.

The series of events that actually led to the closure of proceedings in Danton's trial was more complicated than Leblois' indictment asserted. Danton was sent to the Tribunal on the basis Saint-Just's report and denounced as being a participant in the "conspiracy of the foreign faction" – a plausible fiction that the Committee of Public Safety presented to explain and repress growing revolutionary resistance to the regime.¹³⁹ Fouquier had no choice but to put him and his fellow accused on trial. During his trial, Fouquier argued that the committees, and of course the National Convention, functioned like grand juries, so when he wrote up his indictment against Danton and the others, he simply copied parts of Saint-Just's presentation to the Convention.¹⁴⁰

Danton had not been willing to go to the guillotine without a fight. He was an excellent, and very powerful, orator. He was also extremely popular. He had a wide network of admirers among the clerks and other office workers in Paris.¹⁴¹ As he spoke, he was able to generate support from the audience in the

¹³⁸ *Leb. Acc.*, § 1.21.

¹³⁹ The foreign faction conspiracy is considered in depth in Chapter 5. The Committee of Public Safety was not being totally Machiavellian – the members actually believed that there was a conspiracy, led by the foreigner, to destroy the revolution by corrupting its representatives. See Palmer, *The Twelve Who Ruled*, 113-115.

¹⁴⁰ Fouquier, *Mém. Impr. Rép.*, 274.

¹⁴¹ Including the clerks within the Revolutionary Tribunal. Young Dantonists formed the corps of Fréron's "Gilded Youth" after Thermidor.

Tribunal.¹⁴² Fouquier, in a panic, wrote to the Committee of Public Safety:

A horrible storm has been rumbling since the moment the session started: the frenzied accused demanded the appearance of the Deputies Simon, Gossuin, Legendre, Fréron, Panis, Lindet, Calon, Merlin de Douai, Courtois, Laignelot, Robert-Lindet, Robin, Goupilleau-de-Montaigu, Lecointre de Versailles, Brival and Merlin de Thionville. The accused, [are] calling on the whole people [to defend them if the Tribunal refuses to summon the witnesses].... Despite the firmness of the tribunal, their multiple demands are disrupting the session. They have openly announced that they will not be quiet unless their witnesses are heard. We request that you definitively outline our rule of conduct regarding [their] request; the judicial order furnishes us no means to refuse them.¹⁴³

The testimony related to Danton's death came primarily from the Clerks in the Tribunal, Nicolas-Joseph Pâris (alias Fabricius) and Robert Wolf. They had both been admirers of Danton. At the same time, Fouquier was their boss. Given the increased caseloads the Tribunal carried after the Ventôse decrees, and especially after the Law of 22 Prairial, the Clerks were overworked. Many of the mistakes on the indictments, mistakes that Fouquier was blamed for, were in fact their mistakes, due to fatigue and overwork. The climate in which they all worked was extremely oppressive. Given the maniacal fear of conspirators that raged at the highest levels of political authority after the spring of 1794, people felt that the shadow of death hung over them all – subordinates and superiors alike. One of the clerks' colleagues, Legris, was guillotined. Thus, at the Tribunal a very real

¹⁴² Herman, *Hist. Parl.*, 35: 131; Debregeas, *Hist. Parl.*, 35: 131.

¹⁴³ Fouquier and Herman to the Committee of Public Safety, 15 Germinal, Year II, A.N., W500, Dossier 2, Pièce 22. The version published in the *Histoire Parlementaire* is slightly different from the original – it shows Fouquier requesting a decree, *Hist. Parl.*, 34: 461.

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climate of fear lay over the ordinary workplace. Oedipal rivalries, jealousies, envy and hatred are to be found in any ordinary workplace, but the clerks at the Tribunal felt that Fouquier and others actually exercised the power of life and death over them.

The testimonies of the clerks of the tribunal were devastating for Fouquier since they contributed stories of "his despotism" as a boss that served to mix and merge with ideological representations of him as agent of the despotic tyrant Robespierre.¹⁴⁴ As Joseph Noiret, one of the clerks, testified "Fouquier exercised such despotism over the employees at the Tribunal" that when the clerk handed him a list of people to be judged that day (7 Thermidor) Fouquier, seeing that the social status or professions of some of them had been omitted, supposedly said that "the Clerk's Office was composed of villains and counter-revolutionaries", that considering that the example of Legris, the assistant clerk that was guillotined, did not make the clerks work any better, he would send them to the Conciergerie (the Tribunal prison).¹⁴⁵

Adding to the general climate of oppression was the fact that most of the clerks were Dantonists. They idealized and identified with Danton. On one level, their testimony on Danton's trial was a means for them to make some form of reparation to their lost idol. On another level it was a means to take revenge on Fouquier for his "despotism" as their boss. As Fouquier said,

The witness, Paris and others have formed a criminal coalition to ruin me. They have used, to that end, all that hate and passion can suggest to them. The

¹⁴⁴ *Leb. Acc.*, § 1.15.

¹⁴⁵ Joseph Noiret, commis au greffe du tribunal révolutionnaire, *Hist. Parl.*, 35: 8.

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reason is their resentment for Danton's death, their intimate friend, who I put on trial only in accordance with a decree from the Convention.¹⁴⁶

Fabricius was the source of the accusation that Fouquier was responsible for Danton's death. He testified that when Danton requested the appearance of the other Deputies:

Instead of acceding to the just and well-founded requests of the accused, [Fouquier] wrote a letter to the Committee of Public Safety where he depicted them in a state of revolt. He asked for a decree... removing the accused from the proceedings.¹⁴⁷

Fabricius' idealization of Danton was juxtaposed against his vilification of Fouquier. Both these psychological states – the idealization of the one and denigration of the other – operated to sustain the ideology of Thermidor. The idealization of Danton provided justification for Tallien's and Fréron's as well as Fabricius' revenge. Furthermore the testimony provided evidence that supported the projection of guilt on to him, guilt the rightly belonged to the legislators – the members of the Committees and the National Convention. So the testimony, as part of the process of Thermidorian ideological construction, resonated at several different layers with different groups and factions.¹⁴⁸ According to Fabricius, Fouquier needed a decree because there was no way justice could condemn the worthy Dantonists. Fabricius testified that, for a single moment, “both of those atrocious men”, Fouquier and Fleuriot-Lescot¹⁴⁹, like the judges and jurors,

¹⁴⁶ Fouquier, *Hist. Parl.*, 34: 459.

¹⁴⁷ *Déclaration de Nicolas-Joseph Pâris*, A.N., W501, Dossier 2, Pièce 117.

¹⁴⁸ As argued in Chapter 7, 256-267.

¹⁴⁹ Lescot-Fleuriot was mayor of Paris on 9 Thermidor and was executed on 10 Thermidor for participation in the revolt, but at the time of Danton's trial, Lescot-Fleuriot was President of the Revolutionary Tribunal.

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"blanched" before the virtuous and innocent Dantonists that were about to be delivered up to the guillotine.¹⁵⁰ "For an instant" Fabricius believed that "they would not have the audacity to sacrifice" Danton, who was so much better than them.¹⁵¹ However, at that very moment, Amar and Vouland, members of the Committee of General Security brought the "fatal decree". They were pale, "so much did they appear to fear to see their victims escape death".¹⁵² Vouland supposedly told Fouquier, "Here it is, to put you at ease". Fouquier responded, smiling, "my faith, we need it."¹⁵³

Some of Robert Wolf's testimony demonstrates the relationship between the individual psyche, group construction and ideology. Wolf confirmed the accusation that Fouquier was a bloody monster "thirsty for human blood". Wolf claimed that he heard Fouquier "coldly calculating" the number of victims he had sent to the guillotine in the preceding weeks, how many he was going to send – from four to five hundred each week. Fouquier supposedly said: "It [the guillotine] has to move."¹⁵⁴ Wolf's testimony condensed a number of different representations into one. First, Wolf underlined the relationship between Fouquier and the Robespierrists in the rebel Commune. Fouquier, Wolf claimed "had been intimately tied with Fleuriot-Lescot", the Robespierrist Mayor of Paris who had been executed in the days following Robespierre's fall for his participation in the Commune's revolt. Second, he linked Fouquier with the

¹⁵⁰ *Déclaration de Nicolas-Joseph Pâris*, A.N., W501, Dossier 2, Pièce 117.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

¹⁵⁴ Wolf, *Hist. Parl.*, 34: 448.

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erroneous and expeditious judgments and batch trials. He saw people “from all points in the republic” going to trial, or “rather to the butchery” together, although indicted for different and unrelated crimes, “and sent to execution in the space of two hours”.¹⁵⁵

Wolf’s testimony illustrated the clerk’s working conditions. He also indicated that the mistakes and “blank” judgments might have been due not to Fouquier’s greedy desire for more and more victims, but to the heavy caseload. The reason some people went into court without indictments, was that copies of each one had to be made for each juror, for the public prosecutor and the president. The clerks spent most of the night working.¹⁵⁶ The blanks on the indictments were for Christian names, which had to be verified when the bailiffs went to find the accused in the prison system.¹⁵⁷ After the Committee of Public Safety decreed that anyone denounced for conspiracy had to be judged within twenty-four hours,¹⁵⁸ names were left blank in order to get the indictments quickly to the bailiffs, who often had to search for people throughout the different prisons of Paris, because it was not always known exactly where people were.¹⁵⁹ Mistakes had to be scratched out and initialled, sometimes just before the trial was scheduled.¹⁶⁰

Wolf admitted that the clerks were partially responsible for the blank judgments and mistakes for which Fouquier was made to bear full responsibility.

¹⁵⁵ *Déclaration de Robert Wolf, A.N., W501, Dossier 2, Pièce 77.*

¹⁵⁶ *Ibid.*

¹⁵⁷ J. Advenier, *Hist. Parl.*, 35: 11.

¹⁵⁸ *Extrait du registre des arrêtés du Comité du Salut Public, 17 Messidor, An II, A.N., W501, Dossier 1, pièce 55.*

¹⁵⁹ Duchateau, *Hist. Parl.*, 34: 445.

¹⁶⁰ Wolf, *Ibid.*, 448.

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Leblois tried to make the case that the mistakes were the result of Fouquier's maniacal hunt for blood, or heads.¹⁶¹ The "blank judgments", the ones with only the judge's signature, resulted from precipitation in the operation of the tribunal. In order to deliver an extract of a judgment, necessary for the execution of it, the clerk had to have a judge's signature. The blank judgments, according to Wolf, resulted from the fact that after Legris' execution the clerks were too busy to seek out the judges to get their signatures.¹⁶² Needless to say, they were also likely to have been highly resentful and less willing to perform their duties properly after the execution of their co-worker.

Wolf and Fabricius were members of Fréron's Jeunesse Dorée gang. Fabricius had endured six months in solitary confinement for refusing to sign the minute of Danton's judgment. Fouquier complained that the accusations against him were based on statements that had been either

misunderstood or malignly interpreted by cowardly and complacent agents, for whom ingratitude, baseness and personal interest are a need or by individuals moved by resentment and passion."¹⁶³

The "cowardly and complacent agents" Fouquier referred to were Fabricius, Wolf,

¹⁶¹ J.B.B. Auvray, Huissier du tribunal révolutionnaire, *Hist. Parl.*, 35: 9; J.L. Joly, huissier du tribunal criminel du département, *Hist. Parl.*, 35: 89-90.

¹⁶² Wolf, *Hist. Parl.*, 34: 449.

¹⁶³ Fouquier, *Mém. Impr. Rép.*, 277.

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Masson and Tavernier, all clerks at the revolutionary tribunal.¹⁶⁴ Fouquier had some reason for referring to Fabricius' ingratitude. Fouquier deliberately kept Fabricius from trial, thus lengthening his imprisonment but, given the terms of the Law of 22 Prairial, saving his life.

Fouquier, the monster thirsty for human blood, tiger and despot, was responsible for other, albeit small, acts of compassion. Fouquier saved Montané's life.¹⁶⁵ Montané, formerly one of the Presidents of the Tribunal, was arrested and imprisoned when Fouquier denounced him for altering the questions put to the jurors in Charlotte Corday's trial.¹⁶⁶ Montané, furious with Fouquier for denouncing him and then refusing to put him on trial and persuading the Committee of General Security not to do so, accused him of despotism, of making lists of proscription and of corruption.¹⁶⁷ However, by the start of the proceedings, Montané, having been released from prison, recovered from his rage and requested to be exempt from testifying. Although his request was denied, he actually refused to speak against Fouquier in the proceedings,

¹⁶⁴ *Déclaration de Nicolas-Joseph Pâris*, A.N., W501, Dossier 2, Pièce 117; *Déclaration de Robert Wolf*, A.N., W501, Dossier 2, Pièce 77; *Déclaration de Charles-Nicolas Tavernier*, A.N., W501, Dossier 2, Pièce 72. *Déclaration de Étienne Masson*, A.N., W501, Dossier 2, Pièce 81; Étienne Masson, ex-greffier, et depuis juge au tribunal révolutionnaire, jusqu'au 22 prairial an II, actuellement employé au comité de salut public, *Hist. Parl.*, 35: 89; Wolf, *Hist. Parl.*, 34: 465; Charles-Nicolas Tavernier, huissier du tribunal depuis sa création jusqu'au 9 Thermidor, actuellement commis-greffier du même tribunal, *Hist. Parl.*, 35: 13-19; Wolf, *Hist. Parl.*, 34: 456; Nicolas-Joseph Pâris, greffier du tribunal révolutionnaire, *Hist. Parl.*, 34: 466; Pâris, *Hist. Parl.*, 35: 130.

¹⁶⁵ J.B.M. Montané, ex-président du tribunal criminel extraordinaire de Paris, juge du tribunal du deuxième arrondissement du département du Paris, *Hist. Parl.*, 34: 441.

¹⁶⁶ *Fouquier-Tinville à Citoyens Représentants* (the Committee of General Security), A.N., W500, Dossier 3, Pièce 91. Corday murdered Marat. Montané changed the question related to intention from "did the accused commit the crime with counter-revolutionary intent to "with criminal intent". The distinction would have made the punishment different. Murder with counter-revolutionary intent was punishable by death. It was not so with an ordinary murder, which was not considered to be a threat to the public good. See Campardon, *Le Tribunal Révolutionnaire de Paris*, 1: 85-88.

¹⁶⁷ *Déclaration de J.B. Montané*, A.N., W501, Dossier 2, Pièce 65.

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admitting, "I owe my life to him".¹⁶⁸ After the Law of 22 Prairial, Fouquier tried to keep certain people from trial, in order to keep them safe until the laws were more lenient. One of the witnesses testified that Fouquier put aside two thousand cases involving cultivators who had been arrested; twelve hundred of them were released after 9 Thermidor.¹⁶⁹ Fouquier also saved the ninety-four survivors from Nantes, sent to the Tribunal by Carrier, because he refused to put them on trial without documentation, saying that the notes Carrier sent him were insufficient.¹⁷⁰

Fouquier concluded his defence thus:

Despite the enormous catalogue of accusations with which hate and vengeance have poisoned my ministry and withered my reputation, [my actions were] entirely written in the law and [my defence] in the book of truth.¹⁷¹

One of his biographers wrote, "The life of Fouquier-Tinville is the history of the Terror seen through one man", implying that Fouquier was a historical figure who, because of his personality and psychology, represented the era in which he lived and worked.¹⁷² This representation of Fouquier is a product of Thermidor. Through the trial of Fouquier-Tinville and other "Great Criminals" the Thermidorians presented an interpretation of the history that divested the surviving members of the National Convention of responsibility for the Terror by imposing it on a few selected former terrorist personnel.

¹⁶⁸ Montané, *Hist. Parl.*, 34: 443.

¹⁶⁹ Toutin, *Hist. Parl.*, 35: 22.

¹⁷⁰ Fouquier, *Mém. Impr.*, 20. See *Carrier à Fouquier-Tinville*, A.N., W500 for corroboration of Fouquier's claim.

¹⁷¹ Fouquier, *Mém. Impr. Rép.*, 288.

¹⁷² Jacques Castelnau, *Fouquier Tinville: Le Pourvoyeur de l'Echafaud*, (Paris: Librairie Hachette, 1937), 7. His more recent and more objective biographers, Dunoyer, *Fouquier-Tinville* and Pierre Labracherie, *Fouquier-Tinville*, take a similar view.

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The Fouquier-Tinville, Public Prosecutor of the Terror tribunal, portrayed as a tiger thirsting for blood, legendary for his perversion of justice, was a phantasmagoric, imaginary construction built up by multiple projections. Those multiple projections created a representation of the Tribunal and the Terror that functioned to construct the Thermidorian regime. In projecting responsibility for the Terror on Fouquier, the Thermidorians distorted its history and constructed a memory of events that conformed to their political and social agenda, which was to create a representative democracy rooted in private property rights. Thus the social construction of the Thermidorian state, organized around, supported and maintained by anti-Terror, anti-social democratic ideology, was defined and effected through the collective denial of responsibility and guilt that resulted in a hunt for scapegoats. In the process, Fouquier became a symbol of revolutionary violence and the Terror. The characterization of Fouquier and the nature of the crimes he was charged with reflect all three levels of group construction – the representational, the real (social) and the phantasmagoric. Leblois, Public Prosecutor for the Thermidorian Tribunal, articulated the social content behind the characterization of Fouquier as monsters.

[They were] conspirators... who, like the Robespierres, Saint-Justs, Couthons and others had promised to depopulate France and make disappear from it all genius, talent, honour and industry.¹⁷³

The ideological representation, through which political activity and debate took place after 9 Thermidor, was dominated by attacks on Robespierre, characterized as a tyrant who had usurped revolutionary power in order to

¹⁷³ *Leb. Acc.*

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depopulate France. He had, it was said, stacked revolutionary institutions with his "creatures". The characterization of Robespierre as tyrant or dictator with a myriad of henchmen, served to encourage and justify repression, murder and execution of the men of the Year II. These processes reflect divisions within the National Convention, a reorientation of social policy and practice from the sans-culottes to the more conservative or propertied middle class and reform and reconstruction of the state bureaucracy after Robespierre's fall.

The trial, as a particular representation of the Terror that was to be publicly reacted to and manipulated, facilitated the construction and consolidation of the Thermidorian regime. The function of representation, in this instance, was to redirect psychic investments in support of the Thermidorian regime. To construct the new regime the Thermidorians had to reconstruct the group psychic apparatus that had developed during the Terror. The trial served to build up a new defensive structures and series of links, with the liberal-bourgeois National Convention and with the idea of the rule of law and private property. Through representations of the monsters and cannibals in the Tribunal, representations of Robespierre as a tyrant and of the sans-culottes "anarchists" as immorally violent, the trial supported the dissolution of links with Robespierreism, the Jacobin Club and the sans-culottes movement.

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Fouquier's trial was an obsessive, public re-creation, re-living and re-evaluation of the history of the Terror, particularly the period between Danton's execution and Robespierre's fall, including the Great Terror. The Thermidorian attempts to reinterpret what had gone wrong with the Terror were not, of course, all lies and fabrications. Some of the issues were real. The Dantonists and Hébertists had been executed unjustly. Danton's judgment was not a fair or proper application of justice, not even of revolutionary justice. The charges brought against Fouquier originated with the crisis of Ventôse and Germinal Year II (March and April 1794), in the alpha function failure at the level of the Committee of Public Safety. The Revolutionary Government had passed laws and decrees that accelerated procedures at the Tribunal and enabled political interference in its work, destroying its ability to function as a rational tool of revolutionary justice— as a psychological container. Nonetheless, the Thermidorians reconstructed actual events, remembered them in a way that resonated with their immediate political interests.

Much of the testimony given in Fouquier's trial revolved around the prison conspiracy trials. These trials were a series of large batch trials in which prisoners, thought to be followers of Hébert and Danton, were accused of conspiring to break out of prison and overthrow the government.¹ The Thermidorians represented the prison conspiracy trials as the fruit of a Robespierist conspiracy to depopulate France. The unfolding of the story of the

¹ Ibid.

prison conspiracies during Fouquier's trial was the convoluted account of a conspiracy within a conspiracy in which Robespierre, Saint-Just and Couthon in the Committee of Public Safety worked with Fouquier at the Tribunal and the Head of the Civil Commission for Police and Tribunals and prison spies and informers to eliminate some of the best people in France. The contents of Fouquier's trial – the two indictments, the testimonies of the witnesses, the proceedings and the judgment – reflect three processes: the manipulation of public sentiment for political purposes, revenge and the displacement of guilt and responsibility for the Terror, and a psychological-social re-enactment of the events of the Terror.

Phantasy and reality combined to create the myth of the cannibal-monsters of the Terror. The cannibalism for which Fouquier was accused in his trial represented six different but connected displacements, all serving to deflect responsibility from members of the Thermidorian elite, to facilitate the construction of a new group psychic apparatus and, in eliminating popular influence on national policy, to ensure the dominance of the Thermidorian, propertied middle class. First, cannibalism represents unconscious, early oedipal phantasies. The leadership of the Committee of Public Safety responded to opposition movements as if they were oedipal attacks by re-projecting the content outwards instead of containing them. Second, alpha function failure (the reprojection) on the part of the leadership of the Revolutionary Government, led the members of the Committee of Public Safety to perceive the opposition as what Bion called "beta elements" – fragmented, dangerous part-objects,

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represented in the ideology of all the opposition being part of a foreign faction conspiracy. The executions of Dantonists and Hébertists, led to unconscious fears of retaliation. The beta element retaliation took the form of the prison conspiracy theory that followers of Danton and Hébert, bent on revenge, were plotting to destroy the revolutionary government from within the prisons. Third, those fears of retaliation led to increasing pressure on the Revolutionary Tribunal, through laws, decrees and the creation of a climate of fear that made it impossible for the Tribunal to investigate cases of conspiracy properly – to fulfill its psychological function of containment. Fourth, the conspiracies of prisons and the Great Terror actually became a manifestation, in reality, of the initial unconscious early-oedipal projection; the system of revolutionary justice did become an uncontrollable, devouring machine – a hunt for “heads” – over which, the members of the Tribunal had little control. Fifth and finally, the whole experience was re-created and relived during Fouquier's trial, giving vent, not only to the persecution that people experienced in the Great Terror, but also the satisfaction of realizing the initial, unconscious early Oedipal attack on the government, an attack that was veiled and disguised as justice. Sixth, in the Thermidorian period, the distorted arguments and biased evidence in Fouquier's trial represented mental and psychological links to the Terror through “screen memories,” the displacement of contemporary emotions and experiences onto the past.²

² A screen memory is memory of the past that, in fact, is rooted in a present psychological state. Memories do not necessary reflect the past but are images, events and feelings from the present that are projected onto a past experience and remembered in a way that suits present, often

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The Thermidorian Tribunal presented the prison conspiracies, much as it presented Fouquier – as a conspiracy of monsters thirsty for blood. The phantasmagoric representation served to place responsibility with a few demonized conspirators and displace guilt and responsibility for injustices resulting from the laws, onto Fouquier and his co-accused. In reality, the prison conspiracy trials during the Terror were symptomatic of a serious breakdown in the psychic containing function of the revolutionary tribunal during the Terror. This was due to legislation and decrees that incrementally dismantled the procedures and structures that supported its containing function – those that provided sufficient “psychic space” for a genuine assessment of guilt or innocence. Even if revolutionary justice was a weapon, it had until Ventôse been careful to distinguish real counter revolutionaries from patriots who might be maliciously denounced.

The Committee of Public Safety's move against the Dantonists and Hébertists discredited the work of the Revolutionary Tribunal. Until then, its work had conformed to basic principles of revolutionary justice and had been successful in its task of accurately identifying and punishing counter-revolutionaries.³ The tribunal's containment function was tied to its ability to realistically judge and repress counter-revolutionary activity. The prison conspiracy trials are an example of how the laws and decrees passed between

defensive, purposes. Thus the past is a “screen” for the present, the past event, image, feeling etc. stands in for the present one. Freud, *The Interpretation of Dreams*, 258, 372 and 514; Sigmund Freud, “Screen Memories” in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 3, trans. and ed. James Strachey, (London: Hogarth Press, 1953-1974), 3: 301, 258, 769.

³ Godfrey, *Revolutionary Justice*, passim.

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Ventôse and Thermidor interfered with the Revolutionary Tribunal's containment function. The Law of 22 Prairial, the Messidor decree that required the Public Prosecutor to try anyone suspected of participating in a conspiracy in the prisons within twenty-four hours of receiving a denunciation and the 27 Germinal decree that, in transferring all treason cases to the Revolutionary Tribunal in Paris, dramatically increased its workload all put strain on the Tribunal's ability to assess treason cases accurately.

Nonetheless, the Revolutionary Tribunal's containment failure – resulting in the Great Terror – was not just a problem with the laws and decrees passed by the Revolutionary Government. The Terror was also a product of the application of the laws – thus the fault for it belongs not only to the Committee of Public Safety. Throughout the period between Ventôse and Thermidor, Dantonist opposition to Robespierre grew amid a climate of division and competition between Dantonists and Robespierrists, between Robespierrists and ex-Representatives on Mission, and between the Committees of Public Safety and General Security. The divisions between the two Great Committees particularly affected the application of the laws because the Committee of General Security had always had a close relationship with the Tribunal. The Dantonist movement against Robespierre, of course, was significantly responsible for Robespierre's sense of isolation and paranoia.

The Committee of Public Safety's desire to "tie the people to its institutions" (*mettre enfin la Révolution dans l'état civil*) by stepping up the Terror was a reaction to the frustration associated with constant opposition to the

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regime and intra-revolutionary disunity.⁴ It was a re-projection of the criticisms the factions levelled against the revolutionary government. The government, failing to contain and manage opposition, became draconian, striking out at two of its most fundamental bases of support. On the one hand, it increased the use of terror against the Dantonists who were calling for an end to the Terror and severed ties with the Hébertists who were calling for more terror. The Revolution was stuck, wedged between two extremes; the crucial task of building Republican Institutions had reached an impasse.

The Revolution is frozen. All principles are weakened. Nothing remains but red bonnets, led by intrigue. The exercise of terror has made crime indifferent [to the threat of punishment], like strong liquor makes the palace indifferent.⁵

It has already been argued that Robespierre, as the Revolution's ideologue and most important leader, took on the functions of a super-ego and that he also performed an alpha, or containing function that, given the personal strain on him, eventually broke down, giving rise to a proliferation of "beta elements".⁶ The foreign faction conspiracy theory itself was symptomatic of a failure of psychological containment. The Revolutionary Tribunal's capacity to function realistically – by convicting those actually guilty of treason – was hampered, most significantly with Danton's trial.

From its inception, the Revolutionary Tribunal was meant to perform a significant psychological "containing" function. When, in March 1793, the National

⁴ Saint-Just, "Sur Les Factions de l'Étranger" in Soboul Ed., *Saint-Just: Discours*, 155.

⁵ "La Révolution est glacée." Saint-Just, "Fragments d'Institutions Républicains" in *Œuvres Complètes*, 979.

⁶ See the discussions on alpha function in Chapter 2, 43-45 and Chapter 5, 179-195.

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Convention discussed the institution of an extraordinary criminal tribunal, the Girondins argued against it, maintaining that in violating the principles laid out in the *Declaration of the Rights of Man*, the tribunal would become the legal equivalent of the September Massacres.⁷ Danton himself replied:

....public safety demands significant and terrible measures....and since you dare recall those bloody days....I will say and everyone will agree that no human power could have stopped that overflowing of national vengeance....Let's take advantage of the mistakes of our predecessors....[the National Assembly]...Let's be terrible to prevent the people from being so....⁸

During the Great Terror, the Tribunal, instead of functioning to contain counter-revolutionary activity became an instrument, pure and simple, of revolutionary violence. If the Revolutionary Tribunal had been set up as a container of anxiety and if its primary mandate was to root out and punish real enemies of the revolution, it failed in that task, especially after the Law of 22 Prairial was passed. By July 1794, over 7500 prisoners were crammed into overcrowded Parisian jails, and the Revolutionary Tribunal was processing them in batch trials (*fournées*), heterogeneous amalgamations of prisoners all accused of treason, but not for precisely the same crimes. In the fifteen months between March 1793 and the Law of 22 Prairial the revolutionary tribunal had condemned 1251 people to death, averaging three a day. Between June 10 and July 27 it sent 1376 people to the guillotine, averaging thirty people a day. Nine batch trials were related to prison conspiracy trials. The first batch, with seventy-three

⁷ Lanjuinais, *Arch. Parl.*, tome 60, (9 mars, 1793): 4.

⁸ Danton, *Ibid.*

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prisoners, took place on June 16. Eight more batches followed. Clearly after the passage of the Law of 22 Prairial the tribunal lost its capacity to realistically judge the accused that came before it. Table 1 below provides a summary of the numbers involved.⁹

Date - Year II (1794)	Prison	Number of Accused	Acquitted or Receiving Penalties Other than Death	Condemned to Death
28 Prairial (June 16)	Bicêtre	37	0	37
8 Messidor (26 June)	Bicêtre	37	2	35
19 Messidor (7 July)	Luxembourg	60	0	60
21 Messidor (9 July)	Luxembourg	50	2	48
22 Messidor (10 July)	Luxembourg	46	8	38
4 Thermidor (22 July)	Luxembourg	18	2	16
5 Thermidor (23 July)	Carmes	49	4	45
6 Thermidor (24 July)	Saint-Lazare	25	0	25
7 Thermidor (25 July)	Saint-Lazare	26	1	25
8 Thermidor (26 July)	Saint-Lazare	25	2	23
9 Thermidor (27 July)	Saint-Lazare	48	4	44
Totals		421	25	396
% of Total Accused			6%	94%

The Law of 22 Prairial was not the sole cause of the Great Terror. Certainly, the law took away the right of an accused to have defence counsel, and the definition of what constituted evidence was broadened to include moral proofs as well as material proofs. Moral proofs, often consisting of nothing more than the testimony of a "good patriot" that the accused was politically unreliable or had made

⁹ Table compiled with data from: Dunoyer, *Fouquier-Tinville*, 93-94; Campardon, *Le Tribunal Révolutionnaire*, 1: 350, 372, 381-2, 382, 384, 400, 401, 409, 413 and 414; Henri Wallon, *Histoire du tribunal révolutionnaire*, 4: 452.

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anti-revolutionary statements, was deemed sufficient evidence to convict. But this was not really new. The Dantonists had already been denied the right to defend themselves. In the preamble to the Law of 22 Prairial, Couthon argued, "It is no longer a question of providing a few examples, but of annihilating our enemies".¹⁰ The procedural mechanisms by which the Tribunal had to function were accelerated to the point where it was impossible for Fouquier to comply with the laws *and* investigate cases thoroughly enough to determine guilt or innocence. The law rendered the death penalty the only punishment for guilt.

The Law of 22 Prairial does not explain the Great Terror in its totality. The law was a continuation of the revolutionary measures that Saint-Just proposed in the Ventôse decrees and of the centralization of the Law of Revolutionary Government, presented on 14 Frimaire, Year II.¹¹ The Law of 22 Prairial was thus a logical extension of revolutionary legislation. Lefebvre argued that the law originated with the attempt to assassinate Robespierre on 1 Prairial.¹² Others have argued that the law itself was not the problem. Arne Ordning and Mathiez maintain that divisions between the two Great Committees created problems in the application of the law.¹³ The members of the Committee of General Security, jealous of their institutional monopoly over the revolutionary police and seeking to sabotage Robespierre's religious policy, committed themselves to an extravagant

¹⁰ Couthon, *Loi de 22 Prairial*.

¹¹ Henri Calvi, "Une Interprétation Nouvelle de la Loi de Prairial" in *Annales historiques de la révolution française*, tome 22, (1950): 313.

¹² Georges Lefebvre, "Sur la loi du 22 prairial an II" in *Annales historiques de la révolution française*, (1951): 230-232.

¹³ Albert Mathiez, *La Révolution Française: La Terreur*, (Paris: Colin, 1927), 3: 200-202; Arne Ordning, *Annales Historiques de la Révolution française*, (novembre-décembre, 1930): 563-573.

interpretation of the law.¹⁴ The law was not the cause of the Great Terror, since it was the culmination of a process inherent in the logic of revolutionary government. It reflected the increasing concentration of legislative, executive and judicial power in the Committee of Public Safety, which had begun with the Law of 14 Frimaire and continued through the Ventôse decrees.¹⁵ The roots of the Great Terror are to be found in the disintegration of the quality of the links in the group psychic apparatus that occurred as a result of execution of the Dantonists and Hébertists.

The executions created a paranoid fear of retaliation, manifested in the conspiracies of prisons. Like most opposition to authority, the Dantonist and Hébertist opposition to the Revolutionary Government resonated with an oedipal theme. It became linked to the idea of conspiracies in the prisons.¹⁶ The Revolutionary Government responded ruthlessly by accusing the dissenters of murderous treason. "Parricidal indulgence" masked as patriotism was the work of the foreign faction, argued Saint-Just. "A deafening noise has spread of the opening of the prisons."¹⁷ The foreign faction, he said in Ventôse, "believing itself ruined" because the Revolutionary Government was instituting decrees designed to enhance public security, "shows itself howling". The Hébertists had wanted to

¹⁴ Mathiez, *La Révolution Française*, 3: 200-202.

¹⁵ Calvi, "Une Interprétation Nouvelle de la Loi de Prairial", 313.

¹⁶ On Oedipal themes and revolution, see Hunt, *Family romance of the French Revolution*, 53- 88 and 165-167; Gustav Bychowski, "Joseph V. Stalin: Paranoia and the Dictatorship of the Proletariat" in *The Psychoanalytic Interpretation of History*, ed. Benjamin B. Wolman (New York and London: Basic Books Inc., 1971).

¹⁷ Soboul cites anonymous letters encouraging the women to go in mass to the Convention declaring that "One King was worth more than 700 executioners. Soboul Ed., *Saint-Just: Discours*, 163.

turn "severity against the people's defenders" while the Indulgent faction wanted "to save the criminals".¹⁸ Robespierre echoed the theme.

At the present moment, you can still see it [the foreigner] dare to defy the French people, in preaching sedition against the representative body, and the massacre of its representatives.¹⁹

The foreign faction conspiracy theory that led to Danton's and Hébert's execution represented a failure of alpha function, a failure that manifested itself in the Ventôse decrees and other legislation that shattered the Revolutionary Tribunal's containing function and turned revolutionary justice into a fear-driven machine. The psychology of these phenomena is to be found in the early oedipal conflict. The process by which revolutionary legislation incrementally undermined the Revolutionary Tribunal's objective capacity to try cases of treason indicates the operation of an oedipal psychic organizer that, like the body metaphor during the discussions on the Revolutionary Government, was the phantasmagoric foundation of much of the Great Terror. In their defence, Fouquier and his co-accused argued that the Terror was a machine over which none of them had had any power. The "machine body" psychic organizer was a manifestation of a paranoid regression to a psychological state consistent with Melanie Klein's description of the early oedipal conflict.

Klein's theory of the oedipal conflict in children differed greatly from Freud, and the differences have considerable significance for the understanding of group behaviour. Freud argued that the story of Oedipus, in which the main

¹⁸ Soboul Ed., *Saint-Just: Discours*, 163-164.

¹⁹ Robespierre, *Arch. Parl.*, tome 86: 500.

character unknowingly killed his father and married his mother, actually portrays a universal unconscious phantasy that is central to every individual's social and sexual development. Oedipal phantasies give rise to some typical psychological conflicts. There is, on the one hand, a conflict between rivalry with the father and love for him. On the other hand, according to Freud, there is a conflict between the sexual desire for the mother and fear of the father's jealous retaliation, in the form of castration.²⁰ Freud thought that the resolution of the oedipal conflict, the relinquishment of instinctual desire, provided the basis for participation in "civilization". It was the precondition for having a social conscience, religion, morality and the ability to pursue artistic or intellectual achievements.²¹ Furthermore, he argued that the origin of civilization itself, all civilizations, was organized defensively around the incest taboo and prohibitions against murder. He posited that at sometime in prehistory a primal horde, a "band of brothers", ganged up against a herd leader or patriarch, murdered him and then, feeling guilt and identifying with the dead leader, established prohibitions against incest and murder.²² For Freud then, resolving the oedipal conflict is the mark of a healthy, sane individual and culture.

Melanie Klein and her followers have radically revised Freud's idea of the oedipal conflict. Freud, they argued, discovered the oedipal conflict as it played

²⁰ Freud, "The Development of the Libido and the Sexual Organizations" in *Introductory Lectures*, 1: 362-382; Freud, "Femininity" in *New Introductory Lectures*, 2: 145-169. Freud's theory of the girl's psychosexual development is hotly contested and problematical: see Juliet Mitchell, *Psychoanalysis and Feminism* (New York: Pantheon Books, 1974); Nancy Chodorow, *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender* (Berkeley: University of California Press, 1978); Karen Horney, *Feminine Psychology* (New York: W. W. Norton, 1967).

²¹ Freud, *Civilization and Its Discontents*, 121, 127.

²² Freud, *Totem and Taboo*, 27-36. On the application of these ideas to the execution of the king and the notion of brotherly fraternity see, Hunt, *Family romance of the French Revolution*, 67-71.

out at relatively advanced or mature stages of individual psychological development.²³ Kleinians have a less sanguine view of the oedipal conflict, describing the phantasies associated with it as sadistically vicious – phantasies of tearing up the mother's body and ripping out or damaging its contents.²⁴ Kleinian psychoanalysts argued that early oedipal issues are influenced by the young child's projection of his or her own destructive impulses. The guilt associated with the early oedipal conflict and the early super-ego is a consequence of the sadism of the child's early phantasies, in both girls and boys, towards the mother and her body.²⁵ The phantasies projected outward create a horrifying terror of being devoured and destroyed in retaliatory attacks.²⁶

According to Klein, the early oedipal conflict, coinciding with the frustrations associated with weaning, were extremely sadistic. She justified this rather shocking theory with reference to her observations in clinical practice.

The idea of an infant of from six to twelve months trying to destroy its mother by every method at the disposal of its sadistic trends – with its teeth, nails and excreta and with the whole of its body, transformed in phantasy into all kinds of dangerous weapons – presents a horrifying, ... an unbelievable picture to our minds. And it is difficult, as I know from my own experience, to [accept] that such an abhorrent idea answers to the truth. But the abundance, force and multiplicity of the cruel phantasies that accompany these cravings are displayed ... in early analyses so clearly and forcibly that they leave no room for doubt. We are already familiar with those sadistic phantasies

²³ Paula Heimann, "A Contribution to the Re-Evaluation of the Oedipus Complex: The Early Stages" in *New Directions in Psychoanalysis*, 27.

²⁴ Klein, "Early Stages of Oedipus Conflict and of Super-ego Formation" in *The Psychoanalysis of Children*, 128-130.

²⁵ *Ibid.*, 132, 135.

²⁶ Klein, "On the Theory of Anxiety and Guilt" in *Envy and Gratitude*, 31; Klein, "Early Stages of Oedipus Conflict and of Super-ego Formation" in *The Psychoanalysis of Children*, 187.

of the child which find their culmination in cannibalism, and this makes it easier for us to accept the further fact that as its methods of sadistic attack become enlarged so do its sadistic phantasies gain in fullness and vigour.²⁷

Kleinian theory is particularly relevant to the study of the French Revolution, and especially the Terror, because it posits that institutions and processes function as social-psychological defence mechanisms against the most primitive and most destructive phantasies; as such institutions contain anxiety and destructiveness.²⁸ The psychological phantasies and conflicts that children struggle with, according to Klein, exist throughout life and are mobilized in all anxiety situations.²⁹ Kleinians maintain that ego defences, the kind that social psychoanalytic theorists see as being imbedded in institutional structures and processes, serve to alleviate anxiety caused by aggressive impulses and phantasies.³⁰

So the Revolutionary Government's preoccupation with consolidating the revolution had been both socially and psychologically realistic; it was necessary not only to consolidate revolutionary institutions as a means to defeat counter-revolution and prevent the restoration of absolutism, it was also necessary to consolidate institutions, institutional processes and networks in order to provide structures necessary for psychological well-being – necessary for containing anxiety. Institutions were necessary to ensure the survival of the republic as a

²⁷ Klein, "Early Stages of Oedipus Conflict and of Super-ego Formation" in *The Psychoanalysis of Children*, 130.

²⁸ Lyth, *Containing Anxiety in Institutions*, 49-50.

²⁹ Klein, "On the Theory of Anxiety and Guilt" in *Envy and Gratitude*, 29.

³⁰ *Ibid.*; Klein, "Early Stages of Oedipus Conflict and Super-Ego Formation" in *The Psychoanalysis of Children*, 123-148; Klein, "The Relations Between Obsessional Neurosis and the Early Stages of the Super-Ego" in *The Psychoanalysis of Children*, 149-175.

political and social entity, but also as a frame for the intolerable psychic content that people jettison in the interest of dealing with anxiety and the life and death struggle of everyday existence.³¹ A good deal of revolutionary violence can be attributed to the breakdown of the institutional framework for intolerable psychic content – such as the fear of annihilation by counter-revolutionary forces and traitors. Individuals deal with a fear of annihilation by splitting off and projecting their own destructive impulses onto objects – internal and external.³²

The most severe Oedipal anxieties in children or in adults or groups experiencing serious (paranoid-schizoid) regression relate to these early, primitive, phantasies which are tied to polymorphous perverse instinctual impulses.³³ The cannibal-monster representation of Fouquier and others stems from a memory of the Terror as a devouring machine, a version of early oedipal destructiveness. As the accused in Fouquier's trial – former prosecutors, judges and jurors – tried to argue in their defences, they had become mere instruments in the revolutionary machine. As such they were deprived of agency, without the freedom necessary to exercise judgment and lacking the proper resources, time and staff, necessary for the performance of their duties. The group psychic apparatus at that time was analogous not just to a body, but to a cannibalizing "machine" body in which accused and accusers were depersonalized, transformed all-good or all-bad part-objects, acting as specialized parts, cannibalizing or cannibalized.

³¹ Klein, "On the Theory of Anxiety and Guilt" in *Envy and Gratitude*, 29.

³² Klein, "Notes on Some Schizoid Mechanisms" in *Envy and Gratitude*, 6-14.

³³ Heimann, "A Contribution to the Re-Evaluation of the Oedipus Complex" in *New Directions in Psychoanalysis*, 27.

The Thermidorian Tribunal, looking at the prison conspiracy trials, interpreted them as the work of Robespierriest conspirators in the Revolutionary Tribunal and the Civil Administration for police, tribunals and prisons. The latter organization was one of the two popular commissions set up in accordance with the Ventôse decrees. Cast in Oedipal terms, the Thermidorian idea combined social and political factors with psychological ones. The Great Terror was the product of a villainous conspiracy executing a plan to "depopulate France" in order to sustain power or concentrate power in a tyrant's hands. The details of the myth – the notion of a blood lusting, power hungry, arbitrary authority that sacrificed innocent victims for pleasure – represent not merely an oppressive regime, but the embodiment of death itself. As one of the witnesses at Fouquier's trial, Louis Baraguay-d'Hilliers described in his testimony, being imprisoned was like waiting for certain death.

Under the austere regime of tyranny, we prepared slowly for death, absolutely deprived of any... relationship with the outside. Neither letters from our families, nor newspapers could cross the threshold of the bars. Gates and guards took from us even the ability to communicate by signs. Our sole distractions were the gloomy sound of the trumpet of death, which, due to the vicinity of the horse guard, ranted every day at a fixed hour and the bellowing of a crier who came under our windows to bawl out the evening newspaper headlines, and the list of winners of the day in the "lottery of Saint Guillotine".³⁴

The Terror's victims thus also saw the regime as a death-machine.

The proceedings in Fouquier's trial concluded with an oedipal story that was linked to the idea of mistaken identity and the machine of death. Ardenne,

³⁴ Louis Baraguay-d'Hilliers, *Hist. Parl.*, 35: 65-66.

one of the judges, showed the indictment to the audience and read out the name on the Loiserolles indictment. It read François-Simon Loiserolles son, aged twenty-two. On the judgment, François was struck out and Jean written above, while the questions to jurors contained the same name as on the indictment. Coffinhal, the President of the Tribunal at the time, simply struck out the name on the indictment and replaced it with Jean. He did the same with the age, replacing twenty-two with sixty-one. Effectively, it was argued, because the wrong name was on the indictment and the judgment, Loiserolles, the father was executed without an indictment; this mistake was cast in a representation of an oedipal phantasy that claimed the father knowingly went to his own death at the hands of the cannibals, in order to save his son from them.³⁵ The editors of the *Histoire Parlementaire* commented,

Jean-Simon Loiserolles, father, was detained at Saint-Lazare with his son. The system of prison conspiracies was in full activity.... Loiserolles was called. It was Loiserolles, the son, which death called. Loiserolles, the father, did not hesitate to present himself.... For a second time, he gave him his life.... This virtuous father, against whom there was no indictment, was put to death on 8 Thermidor. And this respectable father kept silent! And the blood-drinkers had the villainy to say that such men were conspirators! ... What an atrocious murder! What a sublime sacrifice!³⁶

Fouquier maintained that the whole Loiserolles testimony was a fabrication "as contrived as" the other accusations against him.³⁷ The real mistake was that the Clerk had written the wrong name on the Indictment when copying it.

³⁵ Ardenne, Substitut de l'accusateur public près le tribunal révolutionnaire, *Hist. Parl.* 34: 440.

³⁶ Editor's note, *Hist. Parl.*, 34: 488.

³⁷ Fouquier, *Mém. Impr. Rép.*, 257.

Coffinhal, instead of verifying the identity of the accused, just crossed out the name on the Indictment with the son's name.³⁸ The origin of the problem was, according to Fouquier, the abolition of the preliminary interrogation, one of the modifications made to the Tribunal's procedures with the Law of 22 Prairial. He argued that, in fact, in the case of Loiserolles, there was no mistake. Loiserolles senior was the one who should have been on the indictment.³⁹

[Thus]... there was no devotion on the part of the father for his son, who to my knowledge was never denounced, and there was no mistake or substitution of the father Loiserolles for the son.⁴⁰

Fouquier was telling the truth. The denunciation that led to Loiserolles' appearance in the Tribunal noted that

Loiserolles senior never ceases to launch sarcasms against the Convention and the patriots, who he describes as men of blood.⁴¹

The precipitous advance of the Revolutionary Tribunal after the Law of 22 Prairial led to other mistakes that were later interpreted within an oedipal framework. In one of the trials of the members of the Paris Parliament⁴² one Sallier had been denounced for having supported the protests of Parliament.⁴³ The Committee of Public Safety issued a decision for the arrest of all the signatories of that protest. The wrong Sallier was put on trial.⁴⁴ This time, it was a

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Campardon, *Le Tribunal Révolutionnaire*, 1: 417. Campardon cites Charles Jaubert, Robinet, Seymaudy, spies at Saint-Lazare, A.N., W500, liasse 3, côte 6.

⁴² Parlement – Old Regime law courts that were semi-independent of the King.

⁴³ Dobsen, *Hist. Parl.*, 35: 99.

⁴⁴ Ardenne, *Ibid.*, 101.

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case of the son going to the Tribunal instead of the father.⁴⁵ After the court heard Loiserolles' testimony, Ardenne, one of the judges in the Fouquier-Tinville case, reminded the audience of previous testimony related to Sallier.

This morning we grieved to see that the Tribunal had condemned the son for the father. This evening we see that it was the father condemned for the son.⁴⁶

In the course of the trial proceedings against Fouquier and others, the Thermidorian Tribunal arrested members of the Commission responsible for tribunals and police, some police officers and prison concierges and informers, or "moutons". A total of nine other individuals were amalgamated to Fouquier's trial on 18 and 24 Germinal, Year III.⁴⁷ The charges related specifically to the prison conspiracy trials. The Thermidorian version of the "conspiracies of prisons" was that the members of a vast, Robespierriest conspiracy within the institutions of government "imagined" the original conspiracies in order to depopulate France, starting with the prisoners in Paris. "Different conspiracies imagined by the Robespierriest faction, adopted and accredited by his vile agents" served as the "juridical pretext" for guillotining the four hundred prisoners.⁴⁸

A.M.J. Herman and M.E.J. Lanne, former head of the Civil Administration for Police and Tribunals and his assistant, had been arrested in the general sweep of "Robespierrists" after 9 Thermidor. Herman and Lanne were brought to testify as witnesses in Fouquier's trial, but having nothing to say against

⁴⁵ Dobsen, *Ibid.*, 99.

⁴⁶ Ardenne, *Ibid.*

⁴⁷ *Judicius, Acte d'accusation contre Boyaval, Beausire, Benoît, Lanne, Vernet, Guyard et Dupaumier, le 18 Germinal 3^e année; Judicius, Acte de l'accusation contre Herman et Valagnos. Notifié le 24 Germinal de l'an 3^e, A.N., W499, Pièce 10.*

Boyenal, Beausire, Benoît, Lanne, Verney, Guyard, Dupaumier, Herman and Valagnos.

⁴⁸ Cambon, substitut de l'accusateur public du tribunal révolutionnaire, *Hist. Parl.*, 35: 36.

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Fouquier, and having been part of the institutional network responsible for the tribunal and prisons, they were considered part of the conspiracy the Thermidorian Tribunal claimed to have existed in the government and the Tribunal of the Terror. Herman, as head of the Commission for the Civil Administration of Police and Tribunals, was tried as one of the leaders.⁴⁹

Judicius's indictment of Herman summarizes the Thermidorian explanation for the prison conspiracy trials that took place from Prairial through to early Thermidor of the Year II. Cambon argued that Fouquier, Herman and Lanne, "brought in front of them, a class of men", like Valagnos, "already branded by the law" to denounce a plan of escape from Bicêtre Prison. That plan was then "immediately metamorphosed from an escape plan into an atrocious conspiracy".⁵⁰

[Herman] was one of the principal agents of the former Committees of Government, for the execution of the system of depopulation imagined by Robespierre in order to be more certain of attaining the dictatorship for which he yearned.... Already in his position as President of the Revolutionary Tribunal at the time of the case of Danton, Camille Désmoulins and others, Herman had shown proofs of his total devotion to these committees, since he served... their hate against the accused.⁵¹

Cambon, substituting for the Public Prosecutor, made a speech outlining the case for the new indictments.

Citizen jurors, did there exist, in the different houses

⁴⁹ Judicius, *Acte de l'accusation contre Herman et Valagnos*. Notifié le 24 Germinal de l'an 3^e, A.N., W499, Pièce 10.

⁵⁰ Cambon, *Ibid.*, 37.

⁵¹ Judicius, *Acte de l'accusation contre Herman et Valagnos*. Notifié le 24 Germinal de l'an 3^e, A.N., W 499, pièce 10.

of detention in Paris, a conspiracy... against the security of the National Convention, the lives of the Representatives of the people, the different constituted authorities and of several citizens?⁵²

The answer to Cambon's question was, of course, that there was no conspiracy. The conspiracy trials were presented as a means of emptying the prisons to eliminate opposition to the regime. They were explained as a conspiracy of rogues who, in their lust for blood and power, spilled innocent blood. The villains in this depiction were lowly, vile, contemptuous and evil, the heroes, virtuous and decent. One of the witnesses in Fouquier's trial maintained that the prisoners could not have conspired, because they did not know each other, often seeing one another for the first time "on the carts that drove them to a blood tribunal and from there, to the scaffold".⁵³ There had always been escape plans but

... ignorant or perfidious men claimed an escape was a conspiracy. They were thirsty for human blood. They spilled it in great streams.⁵⁴

Once the first step was taken, according to Cambon, "nothing could stop them. They imagined conspiracies everywhere".⁵⁵

During Fouquier's trial, one of the witnesses, Valagnos, testified that he initially denounced a planned escape at Bicêtre on 8 Floréal.⁵⁶ Valagnos, after cross-examination, was found to be an unreliable witness. He had been one of the so-called "list-makers" – inmates of the prisons who functioned as prison informants and who were used to testify in court during the Terror. Valagnos was

⁵² Cambon, substitut de l'accusateur public du tribunal révolutionnaire, *Hist. Parl.*, 35: 36.

⁵³ Brunet, *Hist. Parl.*, 34: 357.

⁵⁴ *Ibid.*

⁵⁵ P.J. Brunet, chirurgien en chef de Bicêtre, *Ibid.*

⁵⁶ Fouquier, *Hist. Parl.*, 34: 414. Two police administrators, Dumontier and Duparmier, signed an interview with him.

arrested during the trial proceedings and amalgamated into the trail as one of Fouquier's accomplices. Cambon, through a process of condensation, linked all the components of the prison conspiracy trials, the spies, Valagnos' denunciation to the Committee of Public Safety, the Commission's investigation and the trials themselves, together into one phantasmagoric story. According to Cambon,

Fouquier supposed that the plotters wanted to snatch out the hearts of the members of the Committees of government, to roast and eat them; together they sacrificed a number of victims.⁵⁷

Reality and phantasy merged as the Thermidorians remembered, relived and recreated the Terror. In the same way that the impetus for revenge represented a psychological regression to early, sadistic forms of the super-ego in the trial and execution of Fouquier and his colleagues, the Thermidorians re-enacted the primitive early-oedipal phantasies that functioned to justify, not only revenge against the terrorists, but the particular character of the dream-like screen memories presented in the trial. These memories then supported and justified the reconstruction of a new social basis of the republic. Thermidorian screen memories were not just simple distortions of the recent past. Certainly, they exaggerated the horrors of the Terror, especially as it operated through the Tribunal; but the Terror had existed in reality. Memories of the Terror, as re-enacted in Fouquier's trial, combined reality with phantasy, fact with fiction.

The Bicêtre conspiracy was the first of the four prison conspiracies. The others were at Luxembourg, Carmes and Saint-Lazare prisons. In his defence, Fouquier argued that, working under orders from superior authorities, he was

⁵⁷ Cambon, *Hist. Parl.*, 35: 37.

obligated to investigate the alleged conspiracy. Furthermore, in contradiction to the charge that he had looked for all means to empty the prisons and augment the number of victims, at Bicêtre, the only prison in which he was involved, he significantly reduced the number of detained on the list, from three hundred to one hundred and fifty five.⁵⁸ Seventy-four actually ended up being tried. Nonetheless, if Fouquier had a decree from the Committee of Public Safety, demanding that certain "conspirators" be immediately put on trial, he drew up the indictment and put them on trial.

The Thermidorian tribunal accused Fouquier of deliberately working with the vilest and most desperate characters in the prison system, the list-makers. But the trajectory of a typical denunciation shows a system that, to some extent, operated like a machine, a machine in which the individuals involved had very little space for judgment or responsibility. The situation left the revolutionary justice system extremely vulnerable to manipulation and rumour. Fouquier, Herman, Lanne and members of the Tribunal had all been considered men of probity and patriotism before Thermidor. Through the course of their work in the Tribunal and in the prison system, however, they had come into contact with criminals, spies and informers. Some of them, facing a dozen or more years in a stinking, over-crowded revolutionary prison, with shackles around their necks and tied to a stake, would have been desperate men. Condemned to twelve years in shackles for having "abused his position" as Commissar of clothing and equipment in the Commission of Public Works, Jean Louis Valagnos denounced

⁵⁸ Fouquier, *Hist. Parl.*, 34: 438-439.

the Bicêtre prison conspiracy.⁵⁹ Valagnos admitted at one time that he denounced the conspiracy because he thought it would reduce the length of his sentence.⁶⁰

On 2 Prairial, Valagnos, imprisoned at Bicêtre, denounced the conspiracy to the Chalier Revolutionary Committee claiming that a prison escape plan was being hatched with people "on the outside". Some "monsters" on horseback were going to attack the prisoners' guards and then "the revolt would be complete".⁶¹ The denunciation was then passed on to the Committee of Public Safety, which sent it to the Civil Commission indicating that Valagnos knew something about a prison escape that should be investigated.⁶² On 25 Prairial Fouquier received a decree from the Committee of Public Safety indicating the names of sixteen prisoners, to be judged "with the briefest delay", for conspiring from within the Prison. The decree also authorized the Civil Commission to send all other individuals detained in the prison, "suspected of taking part in the plot", to the Tribunal.⁶³ The next day the Commission sent a number of other people to the tribunal.⁶⁴ On 26 Prairial, Fouquier wrote asking for all the evidence for the trial.⁶⁵

⁵⁹ Grand-Pré, *Ibid.*, 429.

⁶⁰ Dunoyer, *Fouquier-Tinville*, 94. He cites Guillot, défenseur près des tribunaux, A.N., W501, Dossier 2, Pièce 132.

⁶¹ Valagnos, *Letter to Le Comité Révolutionnaire de la Section de Chalier*, 2 Prairial, An II, A.N., W500, Dossier 1, Pièce 9.

⁶² Robespierre, Barère, *Comité de Salut Public au Commissaire des Administrations de Police et Tribunaux*, 19 Prairial, An II, A.N., W500, Dossier 1, Pièce 8. Valagnos himself said the letter was sent to the Committee of General Security, which then reported it to the Committee of Public Safety; J.L. Valagnos, painter, member of the revolutionary committee of the Châlier section, Buchez & Roux, *Hist. Parl.*, 34: 414.

⁶³ *Extrait du Registre des Arrêtés du Comité du Salut Public de la Convention Nationale du vingt cinq Prairial, l'An II de la République Française*, A.N. W500 and Dossier 1, Pièce 1. A.N., W501, Dossier 1, Pièce 3.

⁶⁴ Lanne, *Arrêté de la commission des administrations civile, police et tribunaux*, 26 prairial, an II.

Then he was sent to Bicêtre prison to work with Lanne on one of the lists. A total of thirty-seven people were tried on 28 Prairial.⁶⁶ All of them were executed.

Cambon, the Public Prosecutor, noted the passage of Valagnos' letter through the various bureaucracies in the revolutionary justice system and linked it to the conspiracy involving the Committee of Public Safety, Fouquier, Herman, Lanne and Valagnos.

Through... his correspondence with the popular commissions, through his intimate ties with Herman and Lanne, through his intelligence, either with the Committee of government or with Fouquier, Valagnos, one of the men already branded by the law, took the greatest part in the atrocities committed.⁶⁷

Fouquier automatically indicted anyone who was sent to the Tribunal on a decree by the Committee of Public Safety. The President asked Fouquier why, if he reduced the number of prisoners on the list at Bicêtre from three hundred to one hundred and fifty five, he had not reduced the numbers on the other lists. Fouquier responded that he was sent to Bicêtre by a decree. He was not at Carmes, Saint-Lazare or Luxembourg.⁶⁸ Fouquier's reason for automatically indicting those accused by the committees or the representatives of the Executive commission was likely that, on the one hand, he did not dare to disobey orders. On the other, the orders released him from responsibility for the accusation. "I don't [have to] justify either the plot or the judgment... I don't [have

⁶⁵ *L'accusateur public près le tribunal révolutionnaire au Citoyen Lanne adjoint de la Commission des Administrations Civiles des Police et Tribunaux*, 26 Prairial, l'An II, A.N. W500, Dossier 1, Pièce, 5.

⁶⁶ Dunoyer, *Fouquier-Tinville*, 95.

⁶⁷ Cambon, *Hist. Parl.*, 35: 37.

⁶⁸ Fouquier, *Hist. Parl.*, 34: 356.

to] answer for the actions of the superior authorities."⁶⁹

The acceleration of procedures brought about by the Law of 22 Prairial, the increased caseload that resulted from a paranoid fear that Danton and Hébert's followers were intent on retaliation, gave the judges barely enough time to verify the identities of the accused. How were they to be able to question them on the substance of the charges against as many as sixty people per trial? The Law of 22 Prairial not only eliminated defence attorneys, it stipulated that the Tribunal need only call witnesses against the accused, the assumption being that they could defend themselves in the proceedings.⁷⁰ In addition, a climate of fear permeated the system. Pépin Desgrouettes was the list maker at Saint-Lazare. One of the witnesses, Gonchon, claimed that Pépin became a list maker out of fear, demonstrating how difficult, in the context it was to resist the machinery of revolutionary justice once it had become pathological.

I believe that Pépin Desgrouettes fell mechanically into the affair of the lists. He looked to flatter me. They came to search for him to testify at the Tribunal. He then believed himself lost.⁷¹

If it were true, as Fouquier claimed, that Robespierre had accused him of being "an aristocrat" because of his opposition to the Law of 22 Prairial, Fouquier may have had reason to be afraid for his life.⁷² Fouquier did say that he feared that Benoît, one of the Committee of Public Safety's spies and a witness in the

⁶⁹ Ibid.

⁷⁰ Couthon, *Loi de 22 Prairial*, Article 14.

⁷¹ G. Gonchon, dessinateur, *Hist. Parl.*, 35: 133.

⁷² Fouquier, *Mém. Impr. Rép.*, 278. He opposed the reduction in the number of jurors from nine to seven.

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Luxembourg batch trial, would denounce him.⁷³ The same constraints may have operated on Herman and Lanne in the Civil Administration for Police and Tribunals, Fouquier's co-accused.

The same processes that unfolded in the Bicêtre conspiracy trials occurred at Luxembourg, Carmes and Saint-Lazare. Each prison had its list-makers, spies and denouncers. During the entire period of the Revolutionary Tribunal's existence the ratio of accused to executed was slightly above fifty percent.⁷⁴ For the prison conspiracy cases, ninety six percent were condemned to death. As one of the witnesses said, two hundred men were sent to the guillotine like "two hundred sheep for the slaughterhouse."⁷⁵ The main instrument used to "drag innocent victims" to the scaffold, as Cambon put it, were "the "fatal lists of proscription".⁷⁶

What odious plots, what atrocious means, what perfidious machinations, did they conceive, [and] use to justify these black assaults?⁷⁷

The Thermidorian Tribunal presented ordinary procedures as part of a plot to reward accomplices. Cambon presented the operations of the Commission as if the prison conspiracy theories were the product of a conscious plan to eliminate the prisoners. Herman and Lanne, working together, ensured that certain prisoners wrote up lists of proscription. In return those prisoners were "treated with partiality". They were given better food than the other prisoners.⁷⁸ The

⁷³ Fouquier, *Hist. Parl.*, 34: 350.

⁷⁴ Godfrey, *Revolutionary Justice*, 147-159.

⁷⁵ Pierre-François Réal, *Hist. Parl.*, 34: 396.

⁷⁶ Cambon, *Hist. Parl.*, 35: 36.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*, 36-37.

witnesses heard in the Luxembourg batches, for example

... were a species of bureaucrat. The ones allowed the honour of testifying enjoyed... a very high level of consideration. The prisoners regarded them like a kind of constituted authority, the members of which had the right of life and death over their unlucky comrades of misfortune.⁷⁹

The list-markers supposedly had privileges the other prisoners did not have. Their doors were open day and night, they spoke with the concierge and police administrators and they ate separately, often enjoying "frequent feasts that insulted the destitution of the other prisoners."⁸⁰ Maligny, one of the denouncers of the Saint-Lazare conspiracy, said he thought there was a conspiracy. He bragged that he had "drank some good wine" with Fouquier.⁸¹

The ordinary occupation of these witnesses was spying. The favourites among them were entrusted with the preparation of lists, and then went to the Tribunal to confirm that the unfortunates put on the lists were aristocrats or accomplices of the Grammont conspiracy.⁸²

In fact, witnesses were given food at the canteen as a matter of course, as Fouquier pointed out during the trial.⁸³ Witnesses were brought, under guard, to the canteen to eat, yet testimony against Fouquier posited the theory that the witnesses were Fouquier's personal guests, brought there as a reward for their services to the conspiratorial network. The daughter of the canteen owner confirmed Fouquier's defence. She said she saw prisoners at the canteen,

⁷⁹ Pierre-François Réal, *Hist. Parl.*, 34: 392.

⁸⁰ *Ibid.*

⁸¹ Langeat, *Ibid.*, 367.

⁸² Pierre-François Réal, *Ibid.*, 392. The Grammont conspiracy was psychologically connected with the Dillon, Danton and Hébert conspiracies.

⁸³ Fouquier, *Hist. Parl.*, 34: 370.

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accompanied by guards; she never saw Fouquier eat with them and the tribunal paid the bill.⁸⁴

The testimonies of former prisoners represented events as the result of conscious conspiratorial collusion between the police, the Tribunal, the Commission, the spies, denouncers and list makers. As with Fouquier, Herman was held responsible for Danton's death. Furthermore, he and others in the case were, phantasmagorically charged with conspiring with the government for the purpose of overthrowing the Republic. Herman, who before he was Head of the Executive Commission had been a judge at the Revolutionary Tribunal

... was one of the principle agents of the Government Committees, for the execution of the system of depopulation imagined by Robespierre in order to more surely attain the dictatorship for which he yearned. Already in his position as president of the Revolutionary Tribunal and at the time of the trial of Danton, Camille Désmoulins and others, Herman had given proof of his entire devotion to these Committees... [serving] their hatred against the accused.⁸⁵

Herman, Fouquier and their co-accused were charged with conspiring with the government at the time. The absurdity of the idea that the members working in government agencies were conspiring with the government they worked for was never questioned, except by the accused. The charges were a means for the members of Thermidorian National Convention to deny responsibility for Danton's death, by claiming that when Danton was sent to the Tribunal, they were either too afraid for their lives to resist, or that Saint-Just, acting in concert with the

⁸⁴ A.M.N.S. Morizan fille, *Hist. Parl.*, 35: 20.

⁸⁵ *Judicius, Acte de l'accusation contre Herman.*

members of the Tribunal, had deliberately deceived the National Convention with his report on the case.⁸⁶

The prison conspiracy trials that the Thermidorians claimed were a Robespierriest conspiracy to depopulate France were symptomatic of serious dysfunction in the institutional network of the Terror, and in the group psychic apparatus. Alpha-function failure at the leadership level, the execution of the Dantonists and Hébertists that broke linkages within the revolutionary movement and the laws and decrees that smashed the Tribunal's containment function caused the Great Terror. The whole revolutionary network experienced a paranoid regression to early oedipal ways of relating and thinking. The institutions of revolutionary justice then became a fear-driven "man-eating" machine.

Although it represented a rationale for consolidating the Republic, the centralization of the Terror ultimately led to the Republic's downfall. In advocating and implementing "more terror" based on a smaller cadre of more reliable bureaucrats and followers, the Ventôse decrees closed off the space for compromise, dialogue and movement, within the revolutionary movement. Legislation that gave the Committee of Public Safety an increasing role over Tribunal and Police operations and the institution of the Bureau of Police under the Committee of Public's Safety's authority⁸⁷, although it did not, in fact,

⁸⁶ Convention Nationale, Saint-Just, *Rapport sur la Conjuration Ourdie*, passim.

⁸⁷ Couthon, *Loi de 22 Prairial*; Convention Nationale, *Loi de 27 Germinal*; Saint-Just, "Sur Les Factions De L'Étranger" in Soboul (ed), *Saint Just: Discours*, 152-176.

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encroach on the Committee of General Security's authority and control⁸⁸, created the suspicion that it intended to, and thus alienated the members of the Committee of General Security. In short, the whole social-psychological defence system based on a Jacobin alliance of patriots became subject to divisions, suspicions and narcissistic grievances.

The Thermidorian representation of the events of the Terror, were part-truths. They identified some of the problems – the injustice of Danton's execution, problems with the Law of 22 Prairial and the insanity of the Prison Conspiracy trials. They did not, however, address the extent to which the problems of the Great Terror were systemic, not individual offenses. To have done so, would have broadened responsibility – the members of the Committee of General Security had much to do with the excesses of the Great Terror. The National Convention itself was to blame for Danton's trial and for the laws and decrees that destroyed the Revolutionary Tribunal's ability to distinguish guilt from innocence. The Thermidorians said much about the Terror, but they were silent on some of these more important questions.

⁸⁸ Ording, *Le Bureau de Police de Comité de Salut Public*, passim.

Chapter 10: Conclusion

How does the concept of a group psychic apparatus reconcile the two major streams in the historiography of the Terror? One of the issues for revisionist historians has been to explain the apparent discrepancy between the enlightenment origins of revolutionary thought and the Terror. The discrepancy becomes comprehensible if the course of the revolution is seen as a process involving the decomposition and re-composition of a group psychic apparatus. A group psychic apparatus operates as the unconscious structure lying beneath any group. The group psychic apparatus of the state organizes different social groups to form a nation. Ideology and public debate critical of the monarchy, church and nobility undermined the Old Regime, as revisionist historians have argued. But social structure, psychology, institutions and ideology are all inherently linked. Consequently, it is no surprise that the dissolution of any one of the links in the system affected other, linked components, leading to a general process of decomposition that resulted in the revolution. On the other hand, the decomposition of one group psychic apparatus is a necessary, but not sufficient, condition for the creation of a new one. Consequently, it is important to consider, as Marxist historians have, the relationships between social groups and the role of the Terror in the construction of the republic.

This thesis has attempted to present a case for the use of psychoanalytic theory as a means of drawing out the relationship between social and ideological factors in the construction of the republican state during the Terror and the Thermidorian period. It has been argued that constructing the republic involved

the intersection of social and psychological realities. Representation, including ideology and culture, can be seen as mediating between social-material realities and psychological phantasy. The revolutionary state and its institutions had to be painstakingly built up by attracting psychic investments to a revolutionary system while dismantling the remaining links in the psychic structure that had supported the Old Regime. The process involved conflict between social groups with different interests. Wealthy landowners, former courtiers, sans-culottes and peasants were not attracted by the same ideas because they had different social interests. Terrorist ideology functioned to create links between groups committed to the republic and it smashed the links that had structured the Old Regime.

The function of representation, in any group, is to attract psychic investment or energy in the form of a commitment to a link, a relationship, in the group psychic apparatus. One of the most serious problems the revolutionary republicans had to face, starting in the spring of 1793, was how to reconcile the differences between propertied, middle class revolutionaries and those without property. The ideology of the Terror was partly an attempt to unify revolutionary forces, despite the differences between bourgeois and sans-culottes. Robespierre's ideology of terror reflected and contributed to the construction of the new framework of the group psychic apparatus because it articulated a renunciation contract and it reflected and gave form to psychological splitting processes that are inevitable in the construction of any group. When a group psychic apparatus collapses and must be reconstructed, the group experiences a general regression to Melanie Klein's paranoid-schizoid position and projective

mechanisms for dealing with anxiety became paramount. Like the individual psychic apparatus, the group psychic apparatus is structured through a process of projection and introjection.

Throughout the republican period, a specific unconscious thought (phantasy) lay under virtually all the work of the National Convention. The phantasy was rooted in early, primitive oedipal conflicts, as Melanie Klein has identified them. These representations of the early oedipal conflict took on standard forms, as Kaës has discovered in his work with modern groups. Those standard forms included the representation of the group as a body, especially during the discussion on revolutionary government. Throughout the revolution, the most prevalent phantasy was of a cannibalistic, pillaging horde or monster. Counter-revolutionary forces were represented as blood-sucking monsters, the Girondins represented the sans-culottes and the Paris Commune as a pillaging horde and Fouquier-Tinville and the other "great criminals" of Thermidorian imagination were also represented as blood-thirsty cannibals.

From a social-psychoanalytic perspective, the revolutionary process required the revolutionary leadership to face three problems. First, it was necessary to construct a stable republican or revolutionary group psychic apparatus, an enduring network of links organized around revolutionary republican principles, ideas and institutions. Second, it was necessary to fight the counter-revolutionary wars and sever the links associated with the institutions and ideas of the Old Regime – the monarchy, church and noble (juridical) privilege. Third, it was necessary to contain both popular and state violence to

those that posed a real threat to the regime, to ensure that revolutionary violence against counter-revolutionary forces did not spread beyond the counter-revolution.

Revolutionary state construction manifested a tension between two of the unconscious contracts that Kaës discovered. The renunciation and narcissistic contracts – unconscious understandings – defined the relationship between the revolutionary state and the groups and individuals that composed revolutionary society. The Terror attempted to enforce adherence to a renunciation contract as a means to divert individuals' psychic energy from narcissistic pursuits and into the construction of the links that made up the group psychic apparatus of the republic. Thus, revolutionary government and the Terror, the institutional and the ideological basis of the revolutionary republic, represented a particular form and process of group construction.

Robespierre's ideology of virtue was a means to attract psychic investment to the construction of the republic, for the public good – the institutions, practices and people that made up revolutionary society. Robespierre's renunciation contract through terror was a variation on themes that the National Convention had already tried to deal with during the Constitutional discussions in the spring of 1793. Chapter 3 has tried to demonstrate how the process broke down when the Girondins refused to participate without a prior commitment to protect private property as an absolute, natural right. The Girondin program represented a class-based narcissistic contract that did not resonate with the politically engaged popular movement in Paris. Furthermore,

the narcissistic contract would not have been sufficient to construct the republic. Some sort of unifying renunciation contract was necessary to construct and connect revolutionary society. Robespierre's ideology represented the articulation of an ideal designed to attract psychic investment to revolutionary links, a mechanism for constructing the preconditions for the institutionalization of the republic – through the creation of a revolutionary culture of patriotic virtue – and a means of organizing the war against counter-revolution, of mobilizing people in defence of “the country in danger”.

The purpose of revolutionary government was to facilitate the war effort and enable repression of counter-revolutionary activity within France. However, the Law of 14 Frimaire also facilitated the institutional and political centralization and unification of the country in the interests of consolidating the republic, providing a uniform system of administration throughout the territory and ensuring compliance to the laws and decrees of the National Convention. Those who refused to comply with revolutionary law were to be punished as counter-revolutionaries. The Ventôse decrees, as a logical extension of the law of revolutionary government (the Law of 14 Frimaire) also set out to affirm and consolidate the republic.

The revolutionary government manifested projective and introjective identifications, representative of a regression to paranoid-schizoid defence mechanisms. Paranoid-schizoid processes, being symptomatic of a general fragmentation or collapse of the former group psychic apparatus, the ideas, institutions, political and cultural processes that sustained the Old Regime, were

an inevitable part of the process of revolutionary state construction. Like the construction of an individual's personality through introjective and projective identification, the paranoid-schizoid defences functioned to modify the links in the group psychic apparatus. That is, they operated to transform and build the relational links between the individuals in the group and the group psychic apparatus.

The splitting of the world into good and bad – good revolutionaries and bad counter-revolutionaries – was also part of the process of constructing the republic. During development, individuals within a group project their “good” internal objects, or parts of themselves, into the group psychic apparatus. The projection is a way of protecting the good objects from an individual's own destructiveness. But the group psychic apparatus also receives intolerable, bad or destructive content (objects, emotions and thoughts). In the group psychic apparatus, the external objects are cast into roles that reflect parts of the internal psychic apparatus (id, ego, and superego), an internal object (good, bad, ideal) or an early imago (an unconscious representation of an early object-relation with mother, father, nurse or sibling).¹ It has been argued that Robespierre's ideology of virtue and his own role, as the “incorruptible” super-ego of the group, was part of the process of constructing the revolutionary republic around an ideal of virtue.

For the process to have succeeded, Robespierre and the Committee of Public Safety would have had to be able to fulfil what the Kleinian psychoanalyst Wilfred Bion termed the “alpha function”, the ability, usually of the mother, to

¹ Kaës, *L'appareil psychique groupale*, 205.

tolerate destructive projections in order to contain and “metabolise” them (process them psychologically into thought or representation) for re-introjection in a more tolerable form than originally projected. With the 23 Ventôse decree related to the conspiracy of the foreign faction, the Committee manifested alpha function failure. In destroying revolutionary opposition to the revolutionary government, and in psychologically equating revolutionaries with counter-revolutionaries, the Committee lost its ability to distinguish a real from an imaginary threat to the republic and severed some of the most important links that had been formed between the National Convention and revolutionary society – in the clubs and the Commune of Paris and between the Committee of Public Safety and the Dantonists in the National Convention.

In severing significant links within the revolutionary movement the revolutionary government set the stage for the Great Terror and for Robespierre's fall. The Ventôse decrees, as a logical extension of the logic of revolutionary government, set out to tie revolutionary practices and institutions to those who supported the revolution while introducing more repressive legislation against those who did not. The Law of 22 Prairial was an extension of the same logic. Neither the Ventôse decrees nor the Law of 22 Prairial, in and of themselves, created the Great Terror, since, at one level, they merely continued the process of centralization and institutionalisation that began with the Law of 14 Frimaire which was designed to create the linkages necessary to construct the republic. However, the elimination of Hébertist and Dantonist opposition to the revolutionary government destroyed the links necessary to continue the process

of republican state construction. Representing alpha function failure at the highest level of the revolutionary leadership, the foreign faction conspiracy theory introduced a level of violence and distrust within the links of the revolutionary group psychic apparatus when, prior to Ventôse, violence had confined itself to counter-revolutionary opposition, or to marginalized, uninstitutionalized segments of the popular movement, such as the Enragés.

The foreign faction theory introduced a pathology in revolutionary links that, in actuality, strengthened Dantonist opposition to the revolutionary government. The Law of 22 Prairial, because it was established without the cooperation of the Committee of General Security, further corrupted the integrity of the links, leading to the Committee of General Security's cynical application of the law. The law compromised the ability of the Revolutionary Tribunal to function as an institution capable of assessing the counter-revolutionary threat as a real threat. The Great Terror, then, was symptomatic of alpha function failure in Ventôse, of legislative and political pressures that broke the Revolutionary Tribunal's containing function and of a corruption of the link between revolutionary government and the Committee of General Security. Robespierre's speech on 8 Thermidor, castigating his colleagues for misapplying the Law of 22 Prairial, of manoeuvring against him and of corrupting the Terror, represented the end of a chain of events that began in Ventôse. The increasingly paranoid regression, the closure of psychic space and the severing of links that led to the Great Terror culminated in Robespierre's fall.

The events of 9 Thermidor began a process that completed the

decomposition of the group psychic apparatus of the Terror. After Robespierre's fall, the Thermidorians set out to construct a new group psychic apparatus that, in denying and renouncing responsibility for the Terror, facilitated the creation of a society that was modelled on the class-based narcissistic contract the Girondins had articulated in the spring of 1793. The purpose of the ideology of a Robespierriest conspiracy, as with the charges and procedures against Fouquier, were to displace blame for the Terror onto a few, highly stereotyped, vilified "great criminals", monsters or terrorists. Fouquier-Tinville's trial and execution enabled the Thermidorians to create the new group psychic apparatus that, instead of reconciling different sectors of society under one general, revolutionary renunciation contract, denied the sans-culottes and the popular movement participation in the political arena by portraying them as a hydra-headed, anarchistic monster bent on violence and destruction. Fouquier and his colleagues, by processes of psychological association and condensation, came to represent the hydra-headed monster. Their destruction, aided by the phantasmagoric representation of the Terror as the epitome of mindless destructiveness, rationalized and justified the exclusion of the popular movement from revolutionary society. It also served to deny the real sources and real reasons for revolutionary violence, which are to be found in the process of group construction and the human failure of the revolutionary leadership itself.

This thesis has attempted to sketch out a framework for looking at revolutionary state construction as a psychological process that involved both material and ideological factors. The process cannot be reduced to one exclusive

cause. The historiography of the last fifty years has tended to reduce the debate to understanding the revolution as being either social or cultural. In fact, its origins, processes and outcome are to be found in the interaction of factors. However, as this work has tried to demonstrate, the interaction of factors can be deconstructed systematically and structurally as part of a general and comprehensible process of psychosocial group formation.

Glossary of Terms

Alpha function: A process in which a leader transforms raw projections into a form that is tolerable for reintroduction, effecting change in the process.¹ The function of the primary caretaker (mother) in the psychological development of the infant, alpha function consists of being able to absorb unconscious thought and to transform it, through thinking, into a form that the infant can tolerate and reintroduce. Alpha function, as a cycle of introjection and projection builds up an infant's ego. The same process operates, at the social level, to construct a group psychic apparatus.

Basic Assumption: Bion's basic assumptions are shared phantasies that characterize and organize the group around a specific phantasy. Bion identified three basic assumptions, fight-flight, dependency and pairing.² The basic assumptions all revolve around the *oedipal complex*.

Condensation: A mental process for dealing with unconscious material. With condensation the emotional content associated with a multitude of images, thoughts or objects is amalgamated into one to form a composite symbol, image or thought and thus represented but disguised to the conscious mind. Condensation and *displacement* are typical dream processes.

Beta elements: Beta elements are terrifying, fragmented, dangerous or damaged objects or impulses. Beta elements are rejections that occur when the mother fails in her alpha function. They take the form of acting out – acting out the terrible thoughts, instead of feeling and thinking about them. Acting out then is a product of the failure to think or contain (to contain the feeling in the thought).³

Counter-transference: The analyst's reaction to an analysand. Originally counter-transference in the consulting room was considered to be something to be avoided, because it represented the analyst's imposition of his own issues onto the analysand. However, Wilfred Bion argued that sometimes the counter-transference represented the analysand's projective identifications and could be used by the analyst to gain insight into the analysand's most primitive psychological issues.

Death drive: For Freud, one of the innate instincts, the opposition of the life instinct or libido. Klein attributed much significance to the death drive. For her, it

¹ Bion, "A Theory of Thinking" in *International Journal of Psychoanalysis*, 43 (July-October, 1962): 309.

² Bion, *Experiences in Groups*, 146-155.

³ Kaës, *L'idéologie*, 112.

was the motive for destroying life and the objects of the life instincts.⁴ As such she considered envy to be the phantasied representation of the death drive. Envy, by definition, destroys what is good *because* it is good. In the earliest periods of development, the immature ego, experiences the death drive as fragmentation or “falling to bits”.

Decomposition: A process in which an individual’s identifications are deprived of emotional energy or commitment, or “decathected”.⁵ I have used the term to refer to the dismantling of links within the *group psychic apparatus*.

Denial: The act of obliterating awareness, usually awareness of an internal mental state, from consciousness.

Displacement: A mental process for dealing with unconscious material. With displacement the emotional content of one image, thought or object is transferred or displaced onto another and thus represented in disguised form to the conscious mind. Displacement and *condensation* are typical dream processes.

Depressive position: Klein’s developmental model revolved around her concept of *positions*, the *paranoid-schizoid position* and the *depressive position*. The depressive position is the second stage. In it, the six-month old infant, emerging from the paranoid-schizoid position, begins to recognize the external object (mother) as a *whole object* composed of both good (gratifying) and bad/persecutory (depriving) aspects. The depressive position sees an integration of *part objects* that had formerly been *split* into all-good and all-bad during the earlier paranoid-schizoid position. The recognition of the mother as a whole object is accompanied by feelings of ambivalence – intermingled love and hate – fear for the object’s safety from the child’s destructiveness and desire to repair the damage already done during phantasied attacks launched during the paranoid-schizoid position.⁶

With the move, in the depressive position, towards concern for the good object (the integrated mother-object) combined with the recognition of imperfection, comes a new capacity for love – a genuine concern for the object despite imperfection rather than concern and love rooted mainly in the awareness of need and gratification.⁷ The depressive position is accompanied by phantasies that the object has been irreparably damaged by the infant’s own destructiveness, leading to a desire to effect *reparation*. It is accompanied by a sense of the object’s real separateness. Thus the depressive position involves

⁴ *Dict. Klein.*, 268-269.

⁵ Freud, *Sigmund Freud: Case Histories*, 185, 138-220.

⁶ *Dict. Klein.*, 138-141.

⁷ *Ibid.*, 141.

the renunciation of omnipotence and perception of reality becomes more accurate.⁸

For Klein, the depressive position was the root of all genuine love and morality. For her follower, Hanna Segal, it was also the root of genuine *symbol formation*.

Ego: In the Freudian model of the mind, the part that exists between the id and super-ego. For Freud, the ego's function was to protect the subject from anxiety generated, on the one hand, from the moral demands of the *super-ego* and, on the other, from instinctual pressures coming from the *id*. For Klein, the ego is the location of identity, the subject's "I". Klein sees the ego as being composed of objects that relate to each other and to the ego.

External Object: a person or symbol that a subject relates to emotionally and that exists separately from the subject.

Group psychic apparatus: A group psychic apparatus is an *unconscious* social psychological structure composed of networks of *links*, unconscious intermediary formations that tie individuals with society, institutions or groups with other institutions or groups, and ideas or representations with social structures. René Kaës argues that a group psychic apparatus structures psychic life.

Id: the part of the structure of the mind in which the impulses and the unconscious are located. The id is to be distinguished from the other structures of the mind, the *ego* and *super-ego*, in Freud's model.

Ideal Object: For Freud, the ideal object was the idealized object of love. For Klein, it represented a split-off counterpart to the bad or persecutory object. With the ideal object, all bad aspects have been split-off, projected and denied, giving the illusion of perfection. The ideal object exists in the *paranoid-schizoid position*.⁹ With the onset of the depressive position, its perfection becomes modified and it can become the basis of a good object.

Imago: The representation in the mind of significant *external objects* that have been internalized.

Identification: the process of relating to an object through similarities perceived to be consistent with the subject's ego.¹⁰ Identification differs in the *paranoid-schizoid* and *depressive positions*. In the paranoid-schizoid position, identification tends to be concrete, omnipotent and violent, based for the most part on

⁸ Ibid, 144.

⁹ Ibid., 318-319.

¹⁰ Ibid, 319.

projective identification that fosters confusion between self and object. At this stage phantasy is reality.¹¹

In the *depressive position* identification tends to be more introjective – with the ego “taking in” qualities of the external world and objects. Introjection in the depressive position facilitates transformation of the ego and its objects and involves a more realistic, non-controlling, non-omnipotent form of identification, manifested as empathy and concern.

Intermediary Formation: A psychological formation (link, object) whose function is to mediate between the psychic and the social, between phantasy and reality.¹²

Internal Object: “the unconscious experience or phantasy of a concrete object physically located internal to the ego (body) which has its own motives and intentions towards the ego and to other objects”.¹³ An individual tends to experience her internal objects much as she experiences her external objects. Internal objects are thus “mirrors of reality”, although projective processes significantly alter the reality that is mirrored. In *projective identification*, for example, external objects are perceived to contain the attributes projected into them.¹⁴

Internal objects *are not* representations. They are experienced as being concrete parts of the body and mind. Internal objects, according to Kleinian psychoanalysts, belong to the ego and compose part of the subject’s identity, even though they have an identity of their own and separate from that of the ego.¹⁵

Introjection: The phantasied process of taking in something – quality, emotion, thought or characteristic – from the outside.

Link: A link is any common psychological object that is invested with “psychic” (psychological) energy that is projected, introjected or otherwise unconsciously communicated or exchanged. Links are necessary to the coherence of a social system (or organization, institution, group) because they enable commitment and adherence to a common group, person, idea, institution, leader or process. A link is by definition an intermediary formation between individual and society, internal and external reality. The ego is a link, as are institutions, leaders and ideas. A link is a psychic space to contain projections or to foster the creation of phantasy-

¹¹ Ibid, 320.

¹² Kaës, *L'appareil psychique groupal*, 185.

¹³ *Dict. Klein.*, 68.

¹⁴ Ibid.

¹⁵ Ibid., 71-72.

based representations or connections between the real and the phantasmagoric.¹⁶

Manic reparation: An omnipotent form of reparation in which the separateness of the object is denied. It represents a flight from the pain and anguish of the depressive position in which the subject perceives the object to be irreparably damaged. In manic reparation, the magnitude of the situation is denied, and attempts to effect reparation are done by "magic", without regard to the real object or the real situation. With manic reparation, as with the manic defences in general, the object's importance is denied and it is regarded with contempt.¹⁷

Narcissism: For Freud, narcissism represented the love of the self, the investment of the libido in the ego rather than in an object. For Klein, narcissism represented a particular kind of object-relation. Narcissistic object relationships are psychologically violent, the separateness and wholeness of the object is denied and the subject uses it mercilessly – usually through the extreme use of projective and introjective processes in which the objects good aspects are greedily introjected into the subject while the subject's bad aspects are massively projected into the object in a process of omnipotent identification.¹⁸ Omnipotent identification involves a violence and massive use of projective identification that involves total control over the object.

Narcissistic contract: One of Kaës's unconscious contracts. It defines the terms demanded by the individual within the relationship between the individual and the collective. In it "the individual... pursues his own ends and he is a member of a chain to which he is subjugated without the intervention of his will."¹⁹ The narcissistic contract defines how the group will compensate the individual for her renunciation.

Negatory pact: One of Kaës's unconscious contracts. The negatory pact functions to deny, for the sake of the individual's self-esteem or self-interest, that any renunciation has been made for the sake of society. Thus it is tied to the narcissistic and renunciation contracts.

Object: An object is a person, idea or institution in the external world or it is an internal structure within the mind. Technically, an object is the structural manifestation of an instinctual impulse. Klein developed the concept to refer to parts of the mind, arguing that the personality was significantly composed of objects.²⁰ Objects can be whole, part, good, bad, internal or external.

¹⁶ Kaës, *L'appareil psychique groupal*, 185.

¹⁷ *Dict. Klein.*, 346.

¹⁸ *Ibid.*, 354-357.

¹⁹ Kaës, "Réalité psychique et souffrance dans les institutions" in *L'institution et les institutions*, 11-12, 29.

²⁰ *Dict. Klein.*, 362.

Object relations: A school of thought within psychoanalytic theory and practice. Object relations theory is a theory of mental structure, construction and process in which objects— internal and external – relate and become modified through the psychological processes of introjection and projection.

Oedipus complex: In the Freudian view, the Oedipus complex resulted from the child's attempt to discharge bodily sensations onto its parents, leading to typical prohibitions and anxieties.²¹ Oedipal prohibitions include the incest taboo, law and government. Castration anxiety, according to Freud, was a typical oedipal response to fear of the father's retaliation for the male child's desire for its mother. The prohibitions – both individual and social – are defences against both castration anxiety and oedipal desire. The girl's oedipal conflict is more complicated than the boy's, a turning away from the mother, the primary love object, to the father and then transferred onto other men.

Klein's revision of the oedipal complex involves a much earlier stage of development (around six months of age) and is centred in both girls and boys around phantasies associated with the mother's body. These phantasies, the most significant of which is the *primal scene*, are constructed on the basis of, and change in accordance with, the infant's physical development and concurrent psychological preoccupations. Hence they manifest developmentally significant oral, anal and genital contents as infants develop increasing control, with development, over their bodily sensations – oral, anal and genital. Hence, according to Klein, the early oedipal conflict has oral and anal manifestations, in addition to the genital ones that Freud saw as the most significant.

Paranoid schizoid position: The initial developmental position and earliest state of mind, occurring in the first six months of life. The paranoid-schizoid position is characterized by persecutory anxiety, as opposed to the depressive anxiety that marks the *depressive position*. *Splitting* and *projection* are the predominant defensive mechanisms used at this stage as the infant, in order to deal with anxiety related to frustration or deprivation expels the phantasied persecutory object that is felt to be the source of it, projects the persecutory object into the external object. This, although necessary because the immature ego cannot tolerate anxiety, has significant repercussions, including the loss of parts of the ego that get projected outwards, the awareness of danger being external and potentially retaliatory and fear of annihilation as a consequence.²² Bion argued that alternating cycles of projection and introjection operated to structure the infant's internal world and, through the mother's *alpha-function*, strengthen the ego. The cycle also contributes to the construction of a good object, and a capacity of thinking and thus tolerance of anxiety.

²¹ Ibid, 57.

²² Ibid, 158-160.

Part object: Part objects are objects that represent emotions. Rather than having a material existence, a part object serves a function – the internalized objects associated with gratification or persecution. For example, the first, and most important part-object is the mother's breast; a source of gratification (goodness) when available and of frustration (badness) when unavailable.²³ It is only at a later stage that the breast is considered to be part of the mother. Part-object relationships are particularly significant in pathological narcissism, in which the subject sees others in functional terms – for what they can do for the subject, rather than for what they are or represent. Part-object relating is omnipotent; the subject controls, manipulates and uses the object without regard for its separateness. Part objects are to be distinguished from *whole objects*, the result of depressive functioning.

Phantasy: A phantasy is an unconscious thought. At its most primitive, it is a mental representation of a body sensation (drive). During the process of development, phantasies are transformed in two ways. First, they become more realistic as a consequence of physical and cognitive developments that improve the individual's perception of reality (by enabling judgments that are more or less close to the actual reality). Second, they are transformed into symbols and become cultural representations, moving out of the world of the body and into that of culture.²⁴

When phantasies combine with secondary processes (thinking, relating to reality in some way) they can become linked together and linked with representations from the external world. These less primitive fantasies/phantasies can form, like a dream, a little story that follows some form of logical progression. That logic is a form of censorship, a disguise to hide the real motivation for the dream – to obtain satisfaction for some desire. So the unconscious phantasies projected can contain secondary content, can be linked together into a "story" or interpretation but their real aim is to obtain satisfaction and that aim is hidden or distorted. Any given part of the phantasy that is projected into social-psychological space can be picked up, used, developed, understood or misunderstood and distorted, depending on how it combines with factors in the environment (others, institutions), the social "climate" (as hostile, dangerous, giving, safe) and established representations (justifications, ideologies, myths and histories).

Positions: Among the most significant of Klein's theoretical innovations. The positions represent Klein's developmental model. A position is a constellation of anxieties, defences, object relations and impulses.²⁵ The concept of position refers to the ego's relationship to its objects, including the phantasies and anxieties typical of a specific type of object relationship – part or whole.²⁶ By the

²³ Ibid, 378.

²⁴ Ibid, 32.

²⁵ Ibid, 393.

²⁶ Ibid, 394.

end of her life, Klein had settled on two developmental positions, the paranoid-schizoid and depressive. Both positions represent very early, primitive, even psychotic, psychological processes. However, normal adults typically regress to these positions in stressful, difficult or dangerous situations.²⁷

Preconscious: In Freud's mental topography, the preconscious exists between the unconscious and the conscious. Its function is related to censorship in dreams.

Primal Scene: The child's understanding of the sexual relationship between parents. In Kleinian theory it is the combined parent figure – a terrifying object that represents the parents in coitus.

Projection: The phantasied operation of expelling something (object, motive, emotion) into the external world. Projection is a defence mechanism.

Projective identification: A phantasy related to the expulsion of a part of the self, an object, motive or emotion, into an external object and then relating to that external object "as if" the parts of the self expelled actually belonged to the external object, rather than the subject.

Psychic organizer: An unconscious and primitive phantasy shared between individuals and forming the basis of the unconscious organization of a group. A primitive (unconscious) phantasy is archaic, rooted in infantile mental structures and images in the unconscious. Most of the psychic organizers are expressed as ideology, myths or some other kind of dramatic scenario. Bion's basic assumptions are among the psychic organizers as is the primal scene and various oedipal scenarios. The significance of psychic organizers is that, originating in early development, they are not unique to any individual or culture but are rooted in the mother-infant relationship.

Psychic space: the space through and into which mental processes, such as projection and introjection, are exchanged. Also the space of doubt and uncertainty related to tolerance of ambivalence in the depressive position.

Renunciation contract: One of Kaës's unconscious contracts. The renunciation contract identifies what each individual will give up for the sake of the group. It operates in conjunction with the negatory pact and the narcissistic contract.

Reparation: Reparation is an important Kleinian concept that belongs to functioning in the *depressive position*. It emerges as a means to repair mainly the inner-world, but also the outer world, in the wake of the violence of the paranoid-schizoid position.²⁸ True reparation, as opposed to *manic reparation*, is simply the

²⁷ Ibid, 395.

²⁸ Ibid, 415.

tolerance of the loss of the *ideal object*, which occurs when ideal and persecutory objects become integrated in the *depressive position*. Reparation involves acceptance of responsibility for the loss. Both the senses of guilt and of responsibility are accompanied by a sense that despite the disaster, there is some goodness left, and thus, hope.²⁹

Splitting: Splitting is a defence mechanism used as a means to separate good from bad (objects, emotions, thoughts) in order to expel the bad and intolerable parts of the ego/self. Splitting is one of the primary mechanisms of defence in the paranoid-schizoid position.

Super-ego: The super-ego is a fundamentally important concept for group psychology. Freud posited that the super-ego, the internalized parents, was the part of the mental structure that represented social standards, a capacity for self-evaluation and morality. He also considered the super-ego to be the source of guilt, worthlessness and self-esteem. Freud argued that the super-ego was a relatively late development, the "heir to the *Oedipal complex*", that emerged around the ages of three to five.³⁰

Klein's view of the super-ego was radically different. She argued that the super-ego was composed of objects, including those based on the parents. These objects related to each other (in phantasy) as well as to the ego.³¹ For Klein, the super-ego *predated* any resolution to the oedipal conflict. In fact, her clinical work with children convinced her that guilt and remorse were most intense with the youngest children, rather than with the older ones that would have, according to Freudian theory, been more likely to be experiencing Oedipal conflicts. For Klein, the super-ego was present at birth and, being particularly harsh and relentless in the youngest of children, became modified and softened in the course of development.³²

According to Klein, the super-ego, forming in the context of oral and anal impulses, reflected the sadism of the child's own early phantasies. The guilt associated with the early super-ego was, consequently, extremely powerful. The early super-ego's demands for punishment were correspondingly harsh and sadistic.³³

The Kleinian revision of the concept of the super-ego has far-reaching implications for social-psychological analysis. It opens up the field to include the operation of much more primitive and varied manifestations of sadism at the level of social life. It is particularly relevant when considering punitive forms of justice,

²⁹ Ibid, 148.

³⁰ Ibid, 94.

³¹ Ibid, 94.

³² Ibid, 98-99.

³³ Ibid, 99.

terror and state repression. With Klein, it can no longer be assumed that the social functions generally associated with the super-ego – religion, justice and government – always operate at a relatively mature (Oedipal) stage of development.

Symbol formation: According to Hanna Segal, symbol formation proper occurs in conjunction with the depressive position and is associated with reparation; in this case the formation of a symbol helps people deal with depressive anxieties – fear of loss and guilt over having harmed a loved one either in reality or in phantasy. In genuine symbol formation there is a capacity to distinguish the symbol from the real person or thing it symbolizes. The symbol exists separately and distinctly from that on which it was modelled. Consequently, the symbol represents the thing but is not the thing.³⁴ The symbol's role is to contain and transform primitive psychic material, making it engage with the reality of the object symbolized. Thus symbols facilitate an alpha function.

Symbolic equation: In symbolic equation, as opposed to symbol formation proper, "the symbol and the phantasy object become almost or completely equated" consequently the anxieties associated with the phantasy object are also aroused "in full intensity" by the symbolic object. The symbol then fails to contain anxiety.³⁵

Transference: the attribution of qualities and characteristics actually belonging to an internal object or a significant early external object, to a more recent external object. Transference is the tendency of analysands to relate to the analyst as if he/she was a parent.

Transitional object: A child uses a transitional object –teddy bear, doll or sucky blanket – at the stage of emerging awareness of the mother's separateness. The function of the transitional object is to represent the mother-child relationship. It enables the child to manipulate the object in play, as a separate object, while at the same time representing the self. It provides a sense of security and empowerment during the transition from dependence to autonomy.

Transitional space: the space of illusion, symbolism, cultural experience and the management and creation of new relationships between internal structures and the external social world.³⁶ Transitional space, as Winnicott described it, exists somewhere between reality and phantasy, in which creative, free play can take place.³⁷ Transitional space emerges in conjunction with the child's emerging awareness that the mother is a separate and independent being.

³⁴ Segal, *The Work of Hanna Segal*, 49-65.

³⁵ Ibid, 49-65; Lyth, *Containing Anxiety in Institutions*, 49-50.

³⁶ Kaës, *L'idéologie*, 64.

³⁷ Winnicott, *Playing and Reality*, 95-103, 100.

Unconscious: The concept of the unconscious is one of the most important in psychoanalytic theory. Arguably it is *the* most important. Since Freud, it is a psychoanalytic axiom that most of mental life occurs at an unconscious level. Freud argued that the unconscious consistently handled symbols through *condensation* and *displacement*, as in dream thoughts and images. For Kleinians, the unconscious is peopled with objects that are constructed from sensations, often associated with external objects.³⁸

Unconscious pacts/contracts: Kaës's *renunciation contract*, *narcissistic contract* and *negatory pact*. These provide the means through which the group psychic apparatus is formed and maintained.

Whole object: A whole object must be distinguished from a part object. A whole object is perceived in all its aspects – good and bad. Whole objects emerge with the integration of the ego in the depressive position, when the external object (mother) is perceived to be the source of both gratification and frustration and is recognized to be a separate being with thoughts, feelings and a will of her own.

³⁸ *Dict. Klein.*, 467-468.

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