A Mandate for Counter-revolution: Conservative Opposition in the National Constituent Assembly

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This paper examines the origins of the Counter-Revolution in the early period of the French Revolution, particularly the way in which internal opposition to the actions of the National Constituent Assembly developed during the spring of 1790. It uses the Counter-Revolution, though, to look into the theme of conspiracy in the Revolution, particularly the idea that deputies of the left fought what Norman Hampson referred to as a “turnip ghost,” or an imaginary enemy.¹ In order to explore the way in which these two areas intersect, this paper reconstructs and explores part of a brief but important debate that took place on 19 April 1790 over whether or not there would be elections to replace deputies who absented themselves from the National Constituent Assembly. Since a handful of deputies carried mandates that limited the duration of their powers to one year, the Constitutional Committee proposed a decree declaring such limitations without effect and prohibiting any new elections to the assembly until such a time that the assembly itself requested them. In proposing the decree, Isaac-René Le Chapelier—speaking for the committee—claimed that a terrible plot was afoot to prevent the assembly from completing its main task, that of writing a constitution. He spoke with such vehemence that the abbé Jean-Sifrein Maury, deputy to the Clergy and a leading conservative figure, interrupted him to deny that there was any such plot and demanded the right to respond to Le Chapelier’s allegations.² A careful examination of Maury's speech and those of his

² Maury was called to order by the president of the assembly and allowed to respond after Le Chapelier finished his speech. *Bulletin de la correspondance de Rennes*. No. 24 (23
fellow conservative deputies found in deputy letters, diaries, mémoires, and contemporary newspapers allows us to see that what Le Chapelier denounced was hardly a figment of his imagination. What he denounced was the organization of conservative deputies into a Counter-Revolutionary block within the assembly itself that was willing to appeal to the provinces against acts taken by the assembly with which they did not agree.

Counter-Revolution and conspiracy have been the subject much research, but a very important question remains to be settled: that of whether or not there was a real threat from the political right to derail the Revolution during its first years, or if this threat was a "myth," constructed by deputies of the left in order to gather support for their own agenda. François Furet claimed that the fear of Counter-Revolutionary plots acted as an engine for the radicalization of the Revolution. Deputies' fears were not based on a real Counter-Revolution or on real plots, according to his argument, but on fictive opponents existing only in the imagination of the deputies, the mirror-twin of their own virtues. Along these same lines, Clarke Garrett has argued that despite some division of the National Assembly into factions during the winter of 1789-90, the idea that there was a well-established Counter-Revolution during the spring of 1790 is part of a "myth," by which he means an unrevised Orthodox historical account of the Revolution. Historians, he implies, found plots and threats where none existed. More recently, though, Timothy Tackett and Darrin McMahon have separately argued that the enemies of the Revolution feared by the radical deputies were very real. Both have noted that the center-left and radical deputies hardly had to invent a Counter-Revolutionary enemy. They confronted it every day in the assembly itself.\(^3\)


In spite of this new argument, few attempts have been made to describe what the deputies on the Right were doing in the spring of 1790. Examining the speeches made by conservative deputies in response to the committee’s proposal contributes to the history of the Counter-Revolution, and explores what conservative deputies sought to defend and hoped to accomplish in the spring of 1790. During the debate, the abbé Maury was the only conservative who was able to speak at length. Other conservative deputies were denied the floor by procedural votes and reduced to proposing amendments. To better understand the recalcitrant deputies’ program requires an examination of the brief remarks made by conservative deputies who sought to amend the committee’s proposal as well as a printed version of the speech prepared by Jean-Claude-Marin-Victor, marquis of Laqueuille, who was in line to speak on 19 April but was prevented from speaking by a move to cloture. When placed in the context of the debate, these speeches can be seen as part of an effort by deputies on the right of the assembly to overturn the Revolution by legislative means if possible or by appeal to the people of France if necessary. Demonstrating the existence of coherent opposition to the Revolution in the heart of the assembly lends support to historians who claim that the Revolutionary dynamic in spring 1790 was driven not by logic inherent to Revolutionary discourse, but by a very real threat from the right to overturn what the deputies had accomplished. The committee’s decision to revise the relationship between the deputies and their electors was a response to the growing coherence of a Counter-Revolutionary party. Le Chapelier’s aggressive speech was a part of this response: It was not the result of a child’s fright at a “turnip ghost.”

On April 19, 1790 Le Chapelier spoke on behalf of the Constitutional Committee. The committee wished to expose the way in which “enemies of the patrie” hoped to halt work on the constitution, “to destroy public liberty and


Kenneth Margerison argues forcefully that such noble intransigence, not ideological formation, led to the radicalization of the Paris crowds in 1789 and thus of the Revolution itself. K. Margerison, Pamphlets and Public Opinion (West Lafayette: Purdue University Press, 1998), esp. his conclusion, 177-182. See also Tackett, Becoming a Revolutionary and “Conspiracy Obsession.”
thwart the hopes of happiness that the French people have based with [good] reason on the work that the National Assembly is close to completing. The matter of such great concern was a “project conceived and publicly announced to engage the assemblies that will come together to organize the departments and districts” in the election of new deputies to the National Assembly. The pretext for these elections was to be language found in a handful of deputy mandates limiting their powers to one year in office. Le Chapelier urged the assembly to act immediately and emphasized with particular vehemence the goals of those who sought new elections: “Therefore do not let the National Assembly hesitate to warn the citizens of each department that the men who would counsel them to elect deputies to replace those who make up the current National Assembly want to try to destroy the constitution and ruin public liberty; that they would like to see reborn the Orders, distinctions, prodigality of public money, in the end all the abuses that occur as a result of despotism or anarchy; that if they do not dare speak of the destruction of the legislative body, they would at the very least organize it in such a way that it will be unable to make use of the powers which must be given it....”

According to Le Chapelier, to call for new elections, even of a few deputies, was to seek to undermine the current constitutional project and to replace the powerful legislature envisioned by the majority of the deputies with a sham body, one that would be too weak to do what it was meant to do. It was a call for a return to the Old Regime, complete with separate orders and all of the fiscal and political abuses that the Old Regime entailed.

Le Chapelier proposed that the deputies approve a decree stating, among other things, that the Assembly “declares... that given that the constituents of a few deputies could not give them the power to only work on part of the constitution; given that the oath taken on the 20th of June by the representatives of the nation, and approved by [the nation], not to separate until the moment

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5 All translations from the French are the author's. Alexandre de Lameth gives a slightly more detailed version of this alleged plot in his history of the early Revolution. Lameth, *Histoire de l'Assemblée constituante*, 2, 134. Michael Fitzsimmons notes that lists of active citizens were drawn up throughout France in the spring of 1790 as part of the run up to the creation of departments and districts. The “process... lasted well into the summer of 1790 due to different commencement dates and varying rates of progress. The operation began, however, in a climate of wariness from within the National Assembly as well as in a few locales of France.” On 29 March, in response to a letter from Troyes in which complaints were heard about the system set forth, Maximilien Robespierre worried that the enemies of the Revolution sought election at the departmental level. Moreover, Fitzsimmons notes that the deputies were only too aware that the elections at the departmental level were, in effect, a referendum on the activities of the assembly to date. Michael Fitzsimmons, *The Remaking of France* (Cambridge: Cambridge University Press, 2002), 192, 193-4.

when the constitution is completed, the assembly regards as still functioning until the constitution is finished the powers of those whose mandates carry any limiting clause whatsoever, and considers the limiting clause as having no effect." The decree made clear that the duty of the assembly, given to them by their electoral assemblies in the *cahiers de doléances* of 1789 and confirmed by the Tennis Court Oath, was to finish the constitution and that there would be no renewal of the assembly before the task was accomplished. But did Le Chapelier see a threat where none lurked?

On the surface, the responses of the conservative deputies do not seem to merit the preemptive vehemence of Le Chapelier's rhetoric and in many ways we can see Maury's long speech against the proposal as a response to Le Chapelier's provocative claims. But by examining Maury's words carefully and comparing his speech with the remarks of other conservative deputies we begin to see the alternative program that conservative deputies wanted to enact. When Maury spoke, he agreed with Le Chapelier that the matter of deputy mandates and replacement elections went far beyond the technical matter of a one-year limit to deputy powers. In broaching the question of the duration of deputy mandates, Maury claimed, the assembly moved improperly into the relationship between the deputies and their electors, and thus between the nation that elected individual deputies and the assembly in which the deputies sat. If Le Chapelier wanted the deputies to recognize their duty to finish the constitution, Maury wanted the deputies to recognize the limits of their powers and recognize the boundary between the powers of the assembly and those retained by the nation itself. As will be argued below, though, these limits implied a very different constitution than that which Le Chapelier sought to defend.

Maury based his comments on the fundamental assumption that the deputies were bound by what he saw as the conditions of their election. He based his defense of limited mandates and the possibility of replacement elections on two claims arising from that assumption. First, he argued that the deputies only had standing as representatives because specific constituencies had elected them.

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7 Ibid., 115.
8 The *cahiers de doléances* were the traditional means by which the grievances of the various groups represented at the Estates General were made known. Each deputation carried such a *cahier* and was expected to represent the wishes of its constituents as expressed therein. François Furet wrote eloquently about the overblown fears of the deputies and spawned a literature debating the nature of conspiracy obsession in the Revolution. See Furet, *Interpreting the French Revolution*. On conspiracy, see also Tackett, "Conspiracy Obsession"; Barry Coward and Julian Swann, eds., *Conspiracies and Conspiracy Theory in Early Modern Europe* (Aldershot and Burlington: Ashgate, 2004); Peter R. Campbell, Thomas E. Kaiser and Marisa Linton, eds., *Conspiracy in the French Revolution* (Manchester: Manchester University Press, 2007).
9 *Archives Parlementaires*, 13: 108.
According to Maury, “this august title [i.e., representative of the nation] supposes in us the radical power that we have received from our constituents; and we would be stricken by a legal incapacity to represent the nation if we had not first been the delegates of our bailliages. No citizen has the right to be admitted into a representative body without the original title that makes him himself the bearer of a mandate [mandataire]; from this it follows, Messieurs, that from the moment when we cease to be deputies of our bailliages, we cannot be representatives of the nation....” The deputies were bound by oath to obey the orders given them by their constituents: if they violated their mandates, they lost the connection to their constituents and ceased to be representatives. The existence of deputy mandates indicated both that local electoral bodies could limit deputies’ powers and that they had in fact done so.

Second, Maury argued that the assembly itself, made up entirely of mandate holders, was strictly limited in what it could accomplish by the powers granted to individual deputies by their respective electors. The assembly could not change the relationship between the deputies and their constituents, nor could it change the relationship between the nation and its assembled representatives. Maury claimed that if the assembly effaced a portion of a mandate held by a deputy it voided his status as a representative of his particular constituency. To do this was to show no respect for the men who had elected that specific deputy and by extension the nation from having new elections as it saw fit. Maury claimed that the deputies would become a species of tyrant if they did not obey the will of their constituents as expressed in the cahiers carried by its members, it could not prolong itself indefinitely, nor could it prevent the nation from having new elections as it saw fit. Maury claimed that the deputies would become a species of tyrant if they did not obey the will of their constituents as expressed in the cahiers: “We would be nothing more than dishonest men, usurpers and oath-breakers if we dared to sit in their name, in an assembly where we are no longer their organ, their mandate-holders [mandataires], or their representatives. The sacred nature of the oath and all the laws of honor repulse the vain sophisms by which they attempt to obscure these maxims and to make a travesty of the duties of probity....” To disregard one’s mandate meant that one was no longer a mandataire, and this meant that one no longer represented anyone but oneself. An assembly made up of such men was inherently illegitimate: it would be an assembly of "usurpers."

For Maury, the willingness to recognize a limit (borne) to the powers of the assembly was the signal difference between the assembly in which the deputies sat and a constitutional convention as such. According to Maury, the current assembly could not possibly be a national constituent assembly, by which

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10 Ibid., 109.
11 Ibid.
12 See, for example, Lameth, Histoire, 2: 141 and n.1, 141.
he meant a constitutional convention. Given that the cahiers demanded that the decrees of the assembly could not be executed without the sanction of the king, he said, “We have placed the limit of our powers at the foot of the throne.” This limit guaranteed that the deputies would respect the wishes of their electors. Without this limit, they would have no obligation to respect the expressed wishes of the people who had elected them or their king and the deputies would truly have the power to make or remake the constitution as they saw fit. If the assembly recognized that France was necessarily a monarchy, as demanded in the cahiers, they had to recognize that they were a limited body and thus not a constitutional convention. If they recognized that limit, though, they had to recognize that they were further limited by the mandates the individual deputies bore—and that they had to allow for new elections if certain districts required them. If the assembly could interfere with the relationship between electors and elected, as proposed by the committee, it had to be a constitutional convention, not one limited by existing constitutional constraints. But according to Maury, to claim such status was to endanger the very thing they had been elected to rescue: the monarchy.13

After a brief interruption Maury discussed the appearance of national conventions in the context of monarchy in order to better distinguish the current assembly from a true constitution-writing body. He claimed that a real national convention sitting under a monarchy had been seen twice in England.14 Both

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13 Archives Parlementaires, 13: 110.
14 The abbé’s speech had been interrupted by loud murmurs and outraged shouts as he discussed the possibility of a constitutional convention toppling the throne. According to the Journal des débats et des décrets, “he made many suppositions about the powers that a national convention would or would not have to dethrone a king. The assembly witnessed, by murmuring, how it found this discussion of hypotheticals lacking in respect for the sacred nature of the king. The president of the assembly observed that he would have called the speaker to order had he not spoken in a purely hypothetical manner.” The account found in Le Point du jour has Maury had using stronger language, to the effect that the Assembly would claim the authority to dethrone the king, rather than that it could. Journal des débats et des décrets, no. 249 (no date, reporting events of 19 April 1790); Le Point du jour, no. 277 (20 April 1790). See also Lameth, Histoire, 2: 140. The marquis of Ferrières chronicled this uproar in his mémoires, and gave his own analysis: “These final words excited violent murmurs. The Revolutionaries did not wish to have someone clarify to the people their real designs; and although most are not considering pushing the Revolution to that extreme, they nevertheless seek to keep available every avenue that necessity may require.” Charles-Elie Ferrières-Marçay, Mémoires, 3 vols. (Paris: Badouin Fils, 1825), 2: 7. On the signal differences between writing a new constitution and repairing an old one, see Keith Michael Baker, “Fixing the French constitution,” in Inventing the French Revolution, 252-305. Note that the debate between the two positions Baker identifies in his fine essay was still quite vibrant in 1790, rather than having been resolved in 1789 as he claims.
times it had required that the convention form without being summoned by a
king. Maury's first example was that of the Scottish Parliament, assembled to
consider the matter of union with England in 1707. The second example was that
of Parliament declaring itself a national convention in 1688, after James II had
fled London. Maury declared that “these two examples prove that the assembly of
which we are members, convoked by the king and subordinated to the sanction of
the king has neither the mission nor the powers of a National Convention.” An
assembly summoned by a king and sitting in the context of an existing monarchy
simply could not form itself into a national constituent convention. Since the
deputies had been summoned by Louis XVI, they were not a constitutional
convention and they needed to adhere to the conditions of their election as
expressed in the cahiers they carried with them. He then stated that it was not
the departments that had received their powers from the deputies, but rather the
other way around. Given that it was unjust for children to rise up against the
authority of their fathers (in this case he meant that it was unjust for the deputies
to rise up against their constituents, rather than against their king), he could not
support decrees “limiting the rights of the people over their representatives and
the right that the departments have to elect new deputies to replace [the current
assembly].” Maury thus made it clear that he argued on the basis of both
national and popular sovereignty. After Maury's final words, the noble deputy
Charles-Elie Ferrières-Marçay reported, “The fulsome applause of the bishops and
the nobles made abbé Maury understand that he had perfectly understood the
real point of the [debate]. Abbé Maury thus gave them a glimpse of an infallible
means to overthrow the constitutional edifice and gave them the means to create
countless plots. The Revolutionaries were plunged into a mournful silence,
seeming to anticipate in their sad reflections a painful future.” Thus, according

15 Archives Parlementaires, 13: 111.
16 Maury also rejected the example of the constituent assemblies that formed during the
American Revolution, noting that one could not compare “the representatives of a
republic with the representatives of a monarchy.” Ibid.
17 Ibid., 112.
18 Ibid., 113.
19 Ferrières, Mémoires, 2: 8-9. After a few center and center-left deputies had spoken in
favor of the committee’s plan, Maury responded to his critics by reiterating his main
points. First, it was wrong for a deputy to claim to represent his constituents once his
mandate had ended, and second, that one could not apply the lessons of the American
Revolution in France. France was a monarchy, not a republic. There were limits to what
the assembly could do, and it could not rightfully interfere in the relationship between
the holder of a mandate and his constituents. Le Point du jour, no. 178 (21 April 1790). A
very brief version appears in Journal des débats no.249, to the effect that Maury continued
to insist that “the bailliages may send deputies to replace those whose powers have expired.”
to Ferrières, terms such as "nation" and "rights of the people" were no longer the property of the left in the assembly. Conservatives could use ideas of popular sovereignty to support their own agenda of constitutional reform.

The debate was closed before other conservative deputies could speak. Cloture opened up the possibility of amendments and at least five conservative deputies spoke, with four seeking to amend the decree, three from the noble order and one from the clergy. André Boniface Louis Riquetti, vicomte of Mirabeau (often called “Mirabeau-Tonneau”) asked that the decree be divided so that the matter of replacement elections would not be voted on at the same time as the matter of prolongation of deputy powers. Pierre-Joseph de Lachèse and Mathieu Guiraudes de Saint-Mézard (the latter a deputy to the clergy) both stated that it was necessary for the departmental assemblies to name alternate deputies for all deputations that lacked them. This seemingly innocuous request would have vitiated the committee’s project by allowing departments to elect replacements for those who might resign in the future as well as those who had already left the assembly. Jacques-Marie Antoine de Cazalès asked to reopen the discussion of the first part of the committee’s proposed decree, that which dealt with individual mandates. He was interrupted, but asked that he be allowed to give examples and to propose an amendment. He was not heard out. Louis de Foucauld, marquis of Lardimalie then rose to remind the Assembly, quite ominously, that the provinces would judge the first part of the decree, and to note that “no human power could require from him an oath that would make him a slave.” The demand to divide the question was put to a vote and rejected, and then, after a brief speech by Third Estate deputy Dominique Garat against the amendments, a slightly revised version of the decree was put to a vote and won

20 Mirabeau-Tonneau was the younger brother of the more celebrated count Mirabeau. He poked fun at his older brother and the Assembly in his remarks. The elder Mirabeau had compared the Tennis Court Oath to Cicero’s oath upon leaving the office of consul in 63 BCE, implying that the deputies who had sworn the oath were fathers of their country. Mirabeau-Tonneau replied that men who applauded Cicero would have to applaud the Roman Senate, which welcomed Varro and thanked him for not despairing over the health of the republic after his crushing defeat at the hands of Hannibal during the Punic Wars, implying that the Tennis Court Oath had nearly been the end of France as a nation. Archives Parlementaires, 13: 115.

21 Le Point du jour, no. 178 (21 April 1790).

22 Ibid. According to the Journal des débats et des décrets, this was because the discussion had already been closed. Journal des débats et des décrets, no. 249.

23 Le Point du jour, no. 178 (21 April 1790). On the tendency of the political right to appeal to the provinces in their rhetoric once they had lost the initiative in the assembly, see Garrett “The Myth of the Counter-Revolution,” 795. According to Le Point du jour, Foucauld also spoke against the rest of the decree. But in Journal des débats, no. 249, he is recorded as only speaking against the second part.
by “a very large majority.”

Since we are unable to hear the full opinions of these deputies who opposed the decree, it is worth examining the printed version of a speech Laqueuille had planned to give on 19 April in order to gain insight into what the conservative deputies found so objectionable, especially given Foucauld’s threatening statement that the provinces would sit in judgment over the deputies’ actions. Laqueuille’s speech shares basic assumptions with the arguments made by Maury during the debate. It also offers a full-throated denunciation of the Revolution and everything the assembly had accomplished: Laqueuille echoes Foucauld’s implied threat of a popular revolt against the assembly’s decrees, noting that the nation would judge the actions of the assembly. Finally, Laqueuille offered a positive platform as well. In his speech we see what first appears as a defense of the Old Regime turn into a Counter-Revolutionary platform for a rival constitution based on the king’s proposals from the Royal Séance of 23 June 1789.

Laqueuille noted that the committee’s proposal frankly astonished him, and he wished to remind everyone—the deputies and the people of France alike—of his opinion, that “we are only the deputies of bailliages, [that] we have been convoked by the king, [and that] we are responsible to him and to our constituents for the use we make of our powers.” Why had the deputies been

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24 *Journal des débats*, no. 249. This might imply acceptance by the center right, as other votes during this period indicated by Tackett had had closer margins. However, Tackett also claims that deputies engaged in a passive boycott of the assembly during this same time period. The debate over mandates happened in the aftermath of the 13 April vote on Dom Gerle’s motion to declare Catholicism as the state religion. According to Tackett, the vote was fairly close, leading the conservative deputies to believe that they could campaign to overturn the declaration. A part of this campaign was a statement of protest, signed by 292 deputies. On 19 April, after the debate over the mandates had taken place, Tackett notes, “the conservatives and their sympathizers met in the chapel of the Capuchins, adjoining the hall of the National assembly” and “drew up a formal protest against the declaration of the Assembly majority [about religion]…” they intended to have the document printed and distributed throughout the country. Tackett, *Becoming a Revolutionary*, 266-270. Tackett later notes that the protest was in broad circulation by early May of 1790, and that it had been specifically intended as an appeal to the people over the heads of their representatives. Ibid., 271. Indeed, if this is the atmosphere in which out debate over mandates took place, it was much more conciliatory than one might expect! Ferrières dated the decision by the right to set up a club truly able to organize a struggle against the Revolution from the defeat of 19 April. Ferrières, *Mémoires*, 2: 10. He also notes that the later motion by Bouche to require all deputies to reswear the oath sworn on 4 February 1790 was directly caused by the debate over deputy mandates. Ibid., 11-14.

25 Laqueuille published the speech he had intended to give. It appears in *Archives Parlementaires*, 13: 116-117.
called in the first place, he asked? “To reform abuses, to reaffirm the authority of the king in setting aside the arbitrary [will] of the ministers, to improve finances, to ease the burden of taxes that weighs on the indigent class of people, to guarantee the state debt after having set aside usurious interests....”

This list hardly seems controversial and matches neatly with the abuses Le Chapelier had associated with the Old Regime in his own remarks.

Rather than praising the reforming deputies for attacking these abuses, Laqueuille argued that what they had done violated the will of the people they represented, of the king and of the nation. Supporters of the Constitutional Committee’s proposed decree had claimed the Tennis Court Oath sworn on 20 June 1789 had confirmed the faithfulness of the deputies to the demand found in their cahiers that they reform the constitution. But Laqueuille had a remarkably different take on that event: “The deputies of the Commons, illegally assembled at the tennis court, declared themselves the National Assembly: who had given them permission to take this title? Had they not been convoked to form an Estates General? How could they declare themselves, in violation of their oaths, the Constituent Assembly?” He argued that the deputies had gone too far, defying their constituents as well as the king: “they had believed it necessary to bind themselves with an incredible oath, as destructive of the nation’s authority as of that of the king. And we were just told that we are all bound by this oath; the committee has therefore forgotten that at that time, half of those who today compose the National Assembly were not gathered in the union that appeared on the tennis court,” and he noted that he would never have sworn such an oath, given that doing so was a crime against the king, the law and the nation.

Laqueuille did not see himself or any of his fellow privileged deputies as bound by the Tennis Court Oath. They had not been there and had not sworn it. Moreover, they saw this key moment in the creation of an independent National Assembly as an affront to king, to the law, and to the nation. Laqueuille deftly turned the importance of oath-taking against the reformers. How could the Third Estate by swearing an oath become a constituent assembly when they were a constituted one, called for a different purpose? How could they violate the oath they had sworn to their electors and then declare a self-imposed oath sacred? How could the reforming deputies declare half the assembly bound by an oath they had not sworn and require them to break an oath that they had?

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26 Ibid., 116.
27 Ibid.
28 In the matter of oaths, one might quibble that here Laqueuille conveniently forgot his oath of 4 February 1790, which implicitly recognized the National Assembly and explicitly recognized its work. One could interpret the oath taken by the deputies on 4 February in the wake of the king’s visit to the National Assembly as a vindication of the Tennis Court Oath. The deputies swore, “I swear to be faithful to the nation, to the law,
Next, Laqueuille disputed the assertion that the deputies had reclaimed for France its liberty and its rights on 20 June by invoking a rival date. Far from the deputies reclaiming the liberty and rights of France for the French, Laqueuille noted that “it is the nation itself that has reclaimed them in our cahiers, and the king who accorded them to [the French] in his declaration of 23 June.” Laqueuille was willing to accept that the cahiers had demanded political reform and that it was the deputies’ duty to ensure it, but he refused to accept that the assembly had been commanded to fix the constitution, as the committee had stated. Instead, he demanded recognition of reforms initiated by the crown. Laqueuille demanded that the deputies return the Revolution to 23 June 1789 and start again on the basis of the king’s offer to the nation. This would have entailed, among other things, a return to a modified version of the Old Regime, complete with the division of society by orders and the restoration of the church’s property.

Laqueuille then noted what the assembly had accomplished since 23 June, 1789. It was an impressive list of negative accomplishments. The assembly had broken “the chain that united the French,” it had armed “one million men in the kingdom,” had excited “everywhere sedition against legitimate authority.” It had refused to declare Catholicism the state religion, despoiled the priests and the Church of its goods (“which they do not hold for the nation…”), it had destroyed the relationship between the peasants and their lords, destroyed the parlements in violation of the rights of property, and more. In short, he denounced as a disaster everything the assembly had done to date. And he saw for the future no benefit to France should the committee’s proposed decree be adopted, only “the most virtuous and best of monarchs steeped in bitterness, the French people troubled and ruined, trade destroyed, hard cash driven out of circulation, confidence lost, and all classes of citizens fearing the dissolution of this brilliant monarchy.”

His fears were a mirror-twin of Le Chapelier’s. If Le Chapelier feared the consequences of a defeat of the committee’s proposal, Laqueuille argued that such consequences would be the result of its passage.

After briefly attacking the speeches made by specific deputies, Laqueuille moved on to the general considerations that motivated his opposition. Laqueuille stated that he did not consider himself to be a representative of the nation at

—and to the king, and to maintain with all my strength the Constitution decreed by the National Assembly and accepted by the king.” Each deputy swore individually after the president had read the oath aloud. Tackett, Becoming a Revolutionary, 277. Tackett cites Archives Parlementaires, 11: 432-35.

29 On the adoption of the 23 June program by the Counter-Revolution, see Godechot, Counter-Revolution, 17-31; Roberts, Counter-Revolution, 10-11; Price, Road from Versailles, 66-69.

30 Archives Parlementaires, 13: 116-117.
large. By refusing to act as one, he argued that he honored the real wishes of the nation as expressed in the cahiers: “As for me, Messieurs, persuaded that it is only to my bailliage that I owe the honor of being one of the representatives of the nation, that the constitution I was charged to reclaim is the same in all of the cahiers, that it is the same that was established by our ancestors, that the National Assembly has made a constitution diametrically opposed [to it], I declare that I have protested against all of your decrees that are contrary to it.” Laqueuille declared that the cahiers were unanimous in the kind of constitution they espoused (implicitly, one that harmonized with the king’s 23 June platform) and that the assembly had written one “diametrically opposed” to it. He wished to remain faithful to the wishes of his constituents and he denounced those who strayed from the will of the nation as expressed in the cahiers. In this way he invoked both national and popular sovereignty to protest against the actions of the assembly, as had Maury and Foucauld (at least implicitly) during the debate itself.

Laqueuille then returned to the matter of the mandates. Supporters of the committee’s proposal had put particular emphasis on the Tennis Court Oath as a continuation of and confirmation of the oaths they had sworn to their constituents. Laqueuille instead put emphasis only on the individual oath that he had sworn to his electors. Given the extraordinary way in which he blended faithfulness to a binding mandate with submission to the will of the nation, it is worth quoting him at length:

> Faithful, up until the end of my mission, to the oath that I pronounced between the hands of my constituents, I will never believe that you have the power to lift my obligation, and the opinions of the majority of this assembly on this sacred bond that unites us with our constituents, far from convincing me, appear to contradict that [oath] you required for a constitution contrary to the known will of our constituents. Do you respect oaths or do you despise them? If you respect them, the only one that binds us is that which we have taken to those who gave us their powers. As they ordered me to return at the end of one year, I will do well to obey them. They also sought the authorization of the Estates General to assemble the Nobles of the sénéchaussée of Aubergne, so I could justify my conduct to them. However strange this request may seem to you, I will never reproach myself for failing to make it. In leaving behind the honorable title of representative of the nation, I return into the class of your judges,

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31 Ibid., 117.
32 On the adoption of national sovereignty on the part of the Right, see Godechot, *The Counter-Revolution*, 22-31.
33 See for example the comments of Dominique Garat, known as “Garat l’ainé,” *Archives Parlementaires*, 13: 113-14.
where I will wait silently and with respect, the decision that the French nation will render on your work; if [the nation] adopts your constitution, I will be one of its most zealous defenders and my last breath will be for my king and my country.\textsuperscript{34}

Here Laqueuille defended the idea of a binding mandate in its strongest form. He had sworn an oath and he wished to keep it. The oath required that he leave the assembly—and no version of majority rule could compel him to do otherwise. But then, in a fascinating end to a fierce speech, Laqueuille again invoked the ideas of national and popular sovereignty by promising that he would become a defender of whatever constitution the assembly would write, should the French people endorse it!

Laqueuille’s speech contains qualified support for constitutional reform disguised as the demand to respect and return to a previous constitution. Laqueuille, like Maury, refused to accept any limit on the authority of his mandate. Nevertheless, conservatives such as Maury and Laqueuille combined the idea that the will of the people and of the nation was the supreme law to be obeyed with the notion that there were inherent limits to the ability of the deputies to fulfill that expressed will. They assumed, as did the members of the Constitutional Committee, that the \textit{cahiers} spoke with only one voice and that it was easy to understand from the \textit{cahiers} what the deputies ought to do. But for the conservatives, the \textit{cahiers} limited the assembly’s freedom to act and required its submission to the king’s authority. According to Laqueuille, the legitimate Revolution had ended when the king confirmed and approved the wishes of the nation as expressed in the \textit{cahiers} and offered up his plan of 23 June 1789.\textsuperscript{35} Everything that had taken place after that was repudiated on behalf of his constituents and the French people.

As these speeches by conservative deputies show, opposition to the committee’s proposed decree was not a matter of the mandates \textit{per se} or the need for new elections. It represented, as Le Chapelier had claimed in his opening speech, a recalcitrance that meant to destroy everything that the Revolution had accomplished. Almost a full year into the Revolution, we see the recalcitrance of the ever-more organized conservatives driving the Constitutional Committee to modify the way in which the assembly related to the nation at large. The important decision to restrict the influence of the people on their deputies by restricting their ability to elect replacement deputies was not the result of a simple split within the left, an internal struggle to see who could represent the

\textsuperscript{34} Ibid., 117.
\textsuperscript{35} As Garat stated in his speech supporting the committee’s proposal, what some defined and defended as liberty appeared to him to require a return to previous abuses. \textit{Journal des débats}, no. 249; \textit{Archives Parlementaires}, 13: 114.

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wishes of an abstract “people.” It was part of a struggle to keep recalcitrant deputies from scuttling the entire Revolutionary enterprise in the name of that same "people." One need not resort to the theory of overheated imaginations or a “turnip ghost” to explain the actions of the Constitutional Committee to thwart a conspiracy—deputies who had sat through the debates of 1789 and 1790 knew that there was an organized, aristocratic plot to overturn everything the patriots had accomplished. They faced it every day in the assembly and it spoke aloud its desires.