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THE LIBERALS AND THE CRISIS OF THE FIRST RESTORATION IN FRANCE

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That throughout the Restoration there should have been serious disagreement over the interpretations of the Revolution between its detractors and its defenders does not come as a surprise. But that the Ultras and the Liberals should have clashed even more bitterly over their interpretations of the first Restoration and of its consequences, the Hundred Days, requires some explanation. The purpose of my remarks is to examine the turbulent events of those months, (April, 1814 - July, 1815), as a basis for understanding some of the conflicts that plagued France during the fifteen-year period that culminated with the triumph of liberalism in 1830.

Before examining what took place in 1814-1815 a distinction must be made between liberals, i.e. liberal-minded people, and Liberals. The latter represented the extreme Left and were also known to themselves as Independents and to their opponents as Independents, Jacobins, Revolutionaries, Bonapartists, Democrats, and Ultra-Liberals. Liberals and liberals agreed in defending the Revolution and its achievements, but it wasn't until the reaction unleashed by the murder of the Duc de Berri in February, 1820, that they made common cause against the Ultras of the Right. The liberals were the moderates who had gladly welcomed the Bourbons in 1814, who had remained loyal to them during the Hundred Days and who, between 1816-1820, were to constitute the Center group in the Chamber of Deputies.

One of the precepts of Restoration Liberalism was the belief that government should be a compact between the sovereign and the nation. Liberals took the English Revolution of 1688 as a model and saw the beginnings of Restoration Liberalism and of the Liberal party in April, 1814, when the Imperial Senate, led by its Vice-President Prince Talleyrand, sought to impose terms on the returning Bourbons. They believed that a contract, implied if not explicit, had taken place between the nation and the royal house. Their opponents decried this claim and accused the Liberals of being essentially anti-dynastic.

The decision to recall the Bourbons was made by Tsar Alexander I on March 31, 1814, when, as the first of the allied sovereigns to enter Paris, he was convinced by Talleyrand, as well as by the pro-Bourbon demonstrations in Bordeaux of March 12, that Napoleon could only be succeeded by the Bourbons. In his proclamation of the following day issued on behalf of the Allies, the Tsar promised to recognize and

uphold the constitution "which the French nation would decide upon". He then requested the Senate, whose leaders were former members of the Constituent Assembly and of the Convention, to set up a provisional government and to draft a constitution "acceptable to the people of France".[1]

On April 3, the provisional government headed by Talleyrand decreed the deposition of Napoleon who, the following day, abdicated in favour of his son. To General Lafayette, who had played a significant role in the Revolution of 1789, and who was to be the flag of Restoration Liberalism, the Senate's deposition of Napoleon had been done "in the name of liberal principles".[2] He was particularly pleased with the language of the declaration that preceded the deposition and which stated that "a monarch exists only by virtue of the constitution or of the social pact".[3] On April 6, the provisional government presented to the Senate a constitution in which the concept of government as a contract between the ruler and the subjects was set forth. The constitution stated that "the people of France freely and without restraint do call to the throne of France" Louis, Comte de Provence. Moreover, it also declared that the constitution would be "submitted to the will of the people of France", and when it was accepted by them, Louis would be proclaimed king of the French "as soon as he shall have sworn and signed an act stating, I do accept the constitution".[4]

The constitution was a liberal document. It gave formal recognition and protection to the gains made during the Revolution at the expense of the Ancien Régime. Restoration liberalism was an elusive political outlook that can best be understood in terms of the principles of 1789 and their codification in the Constitution of 1791. Liberals of all shades feared the possible changes that might be brought about by the forces surrounding the returning Bourbons. Liberalism was much more conservative in temper than the conservatism of the returning *émigrés* the satisfaction of whose claims constituted a revolutionary threat to the liberal middle class. Liberal spokesmen wanted the maintenance of the social and economic status quo. In politics they believed that things must seem to change in order for them to remain the same.

The encounter between the Ancien Régime and the Revolution took place on April 12 when Charles, Comte d'Artois, arrived in Paris with

1 *Pièces sur les grands événements arrivés en France depuis 1813 jusqu'à l'époque de l'abdication de Napoléon Bonaparte et le retour des Bourbons* (Paris : Deranges, 1814), p. 81.

2 Général Lafayette, *Mémoires, correspondance et manuscrits du général Lafayette publiés par sa famille* (6 vols. Paris : H. Fournier et Co., 1837-48), V, pp. 301-305.

3 *Ibid.*, p. 305, n.

4 Léon Duguit et Henri Monnier, *Les constitutions et les principales lois politiques de la France depuis 1789* (2nd ed., Paris : librairie générale de droit et de jurisprudence, 1908), pp. 179-182.

the title of Lieutenant-General of the realm. This designation had been conferred upon him by his brother, the self-styled Louis XVIII; while the Senate now wished to designate Charles as Lieutenant-General, he merely wanted it to pray him to accept that position. The very nature of the monarchy was at stake. The Bourbons had only the Divine Right of Kings to sustain them, and they could not accept the imposition of terms on their return. If the Senate had succeeded, Louis would have been King by the Will of the People and not by the Grace of God. Liberals had to wait until 1830 to attain that goal. After two days of negotiations with the provisional government Charles accepted the Senate's declaration suggested by the regicide, Joseph Fouché, that it was "deferring" the provisional government to him under the title of Lieutenant-General. He, in turn, now acknowledged that he had "taken note of" the Senate's constitution; that he would head the government until his brother "called to the throne of France, has accepted the constitutional charter". [5] In his brother's name he accepted conditions that would establish a constitutional monarchy.

Louis XVIII refused, however, to accept any conditions on his return. He knew that the Senate had been convoked illegally on April 1, and that only 64 senators out of the 90 who were in Paris had been present on April 6, when the constitution had been unanimously accepted by the Senate. Also, the Senate had weakened its position in the eyes of the country by the stipulations in the constitution whereby the Senate would automatically become the hereditary upper chamber and whereby the senators and their successors would keep all the lands assigned to the Senate during the Empire. Moreover, the king could ask of the Senate where it had derived its powers, what were its credentials, and how did it know the nation's intentions. Louis XVIII felt sufficiently strong to resist even the prodding of Tsar Alexander, who urged him to accept the constitution from the nation. On May 2, 1814, the king issued at Saint-Ouen an important declaration, [6] in which he acknowledged that the "fundamental principles" of the Senate's constitution were good but, in order to reject it, emphasized the haste with which the document had been drawn up. He then promised to submit to the Senate and to the Legislative Assembly a plan of government which he would draw up "assisted by a commission chosen from these two bodies". In the meantime he sought to reassure all those who had possible reasons to suspect and fear the return of the Bourbons and promised a "liberal constitution". Madame de Staël, the patron saint of Restoration liberalism, later wrote that the king "granted what the nation wished him to

[5] *Archives parlementaires* (2nd series), hereafter called *A.P.* XII (1814), p. 17.

[6] Duguit et Monnier, p. 179.

accept".[7] But the dating of the declaration from the "nineteenth year of our reign" aroused many apprehensions.

In spite of what the Liberals were to say later, the Senate had failed to impose terms on Louis XVIII, but it had succeeded in preventing the return of the absolute monarchy. The king had maintained his Divine Right untouched, but he had promised to give a "liberal constitution" on the basis accepted by his brother Charles. The King's "liberal constitution" was presented on June 4. The Constitutional Charter,[8] "granted voluntarily and by the free exercise of our royal authority", was an adaptation of the Senate's constitution. It guaranteed the revolutionary land settlement. The lack of clarity regarding the relation between the legislature and the executive later made for variety of interpretations and for acrimonious debate between the voices of liberalism, who were determined to develop the Charter along the lines of the English representative system, and their opponents from the Right, to whom the whole parliamentary system was an unhappy legacy of the Revolution, and who were therefore anxious to limit its scope.

The Charter did not satisfy all those who during the Restoration were to be spokesmen of liberalism, but the good-will necessary for the bridging of the revolutionary and the pre-revolutionary traditions existed. General Lafayette, the man who had never compromised with Napoleon Bonaparte, wrote on April 24, 1814, to Lord Holland, the eminent English Whig peer, that if the dynasty, "recalled to a legal throne", would adopt, as it was promising, "principles essential to public liberty and the institutions that guarantee them", peace and internal stability would be ensured; if not, neither the monarch nor France would be secure.[9] Lafayette thought it possible to combine the "first principles of the Revolution and the constitutional throne of the Bourbons" and anticipated Louis XVIII's "acceptance, formulation, and direction of this constitutional order".[10] He informed Thomas Jefferson that he and his friends were striving to make the throne as "national and as liberal as possible".[11] The possibility of a constitutional monarchy under the Bourbons was also voiced by Benjamin Constant, the theoretician of Restoration liberalism. He, too, was now pleased with the Bourbons. He even claimed that the French restoration of 1814 united the advantages of the English restoration of 1660 and of the Revolution of 1688. In fact, he insisted that Great

[7] Anne Louise Germaine, baronne de Staël-Holstein, *Considérations sur les principaux événements de la Révolution française* (3 vols. London : Baldwin, Craddock, & Joy, 1818), III, p. 5.

[8] *A.P.*, XII, p. 3.

[9] Lafayette, V, pp. 482-483.

[10] Lafayette to M. Maslet, subprefect of the Cosne district, April 23, 1814. Huntington Library (photostats in the collection of Louis Gottschalk, Chicago, Illinois).

[11] Lafayette to Jefferson, August 14, 1814, Lafayette, V, 486-489.

Britain would have been happier if the liberal concessions of 1688 had been made by James II instead of being imposed on William of Orange.

The weak and ineffective government of the first restoration could satisfy neither the claims of the *émigrés* nor could it allay the apprehension of the middle class. Liberals were especially aroused by the law of September, 1814, limiting the freedom of the press. Benjamin Constant wrote in his *Journaux* : "Good-bye to the Constitution, and to the devil with France ! What fools these rulers be, who thus kill public opinion which was on their side." [12] Later he wrote that the various acts of the government and the language of the *émigrés* had created between "the men of the Revolution and the counter-Revolution a permanent division". [13] Lafayette was certain that the spokesmen for the old France were determined not to forgive the Revolution "liberty, and equality". [14] He was convinced that the Restoration "was no longer in harmony with French ideas". [15]

The early disappointments and complaints of the Liberal group were voiced most effectively in July, 1814, by Lazare Carnot. In his *Mémoire addressé au Roi* [16] he charged that the "universal enthusiasm" that had greeted the return of the Bourbons and their promise of "oblivion" had been dampened first by the "bestowed" nature of the Charter and then by the constant attacks on everything for which the Revolution had stood.

The growing unpopularity of the Bourbon did not go unnoticed by Napoleon on the island of Elba. On March 5, 1815, news reached Paris that he had landed on the southern coast of France. Throughout the Restoration disagreement over the causes of Napoleon's return was to remain a major source of conflict between the Liberals and the Ultras, for whom it was an article of faith that the Liberals had conspired to bring about the event. Those who were to be the future leaders of the Liberal party had not conspired. Even the historian Paul Thureau-Dangin, [17] no friendly critic of Restoration Liberals, admitted that before Napoleon's return an anti-dynastic opposition did not exist among them.

Liberal leaders rallied to the Bourbons soon after they heard of Napoleon's landing. Some of them even hoped they might be called upon to form government. But as Constant had noted in his *Journaux* on February 20, the Liberals could be sure only of one thing, that they were

[12] Benjamin Constant, "Journaux Intimes", in *Oeuvres*, ed. Alfred Roulin (Paris : Bibliothèque de la Pleiade, 1957), p. 737.
[13] Benjamin Constant, *Mémoires sur les Cent-Jours* (Paris: Pichon et Didier, 1829), p. 39.
[14] Lafayette, V, p. 335.
[15] *Ibid.*, p. 350.
[16] Lazare Carnot, *Mémoire addressée au roi* (Brussels: Publisher unknown, July, 1814).
[17] Paul Thureau-Dangin, *Le parti libéral sous la Restauration* (Plon : 1876), p. 14.

not wanted by the *émigrés*, the "pure", who would "destroy themselves and us".[18] Now he felt that the many mistakes made by the government were not reasons to "disrupt France".[19] Lafayette also felt that France had actually enjoyed more liberty during the previous ten months than she had had under Napoleon; hence, it still seemed possible "to derive a better advantage from the situation of the Bourbons than from the restoration of the most capable and the most intractable enemy of liberty".[20] This advantage could best be achieved by forcing the Bourbons to turn the Charter into "a national pact" and thereby ally themselves to the principles of the Revolution. Lafayette wanted the king to call together all those now in Paris who had sat in the national assemblies since 1789, and thereby rally a great moral force against Napoleon.

Louis XVIII made frantic, last-minute efforts to identify the monarchy with constitutionalism. He also sought to appease the army on which he depended to crush Napoleon. In a declaration made on March 12, he stated : "I used to associate myself with the glory of your triumphs at a time when they were not on behalf of my cause."[21] When the Chamber met, its president, Vicomte de Lainé, said that this was not the moment "to probe all the causes of this unexpected agitation", but he promised laws guaranteeing freedom of the press and right of petition.[22] The king himself came to the Chamber and made a profession of faith in constitutionalism. He spoke of the Charter as a "sacred standard" and as his "most beautiful claim in the eyes of posterity".[23] Even the Comte d'Artois now seized the occasion to swear loyalty to the Charter. On March 18, the Chamber paid homage to the principles of 1789. It declared that the natural rights which the nation had recovered in 1789 had been guaranteed "by the constitution which it freely accepted in 1791, in the year 3 and in the year 8 [of the revolutionary calendar]; ... the constitutional Charter of 1814 is only the development of the principles on which these constitutions were based".[24]

On March 19, Benjamin Constant published in the *Journal des Débats* an unequivocal attack on Napoleon and a spirited defence of the Bourbons :

> Louis XVIII has taken the moment of peril to render the constitution of France still more liberal... The man who threatens us had usurped all rights... On the side of the king is constitutional liberty, safety, peace: on the side of Bonaparte is slavery, anarchy, and war.[25]

18 Constant, *Journaux*, p. 173.
19 Constant, *Cent Jours*, p. 63.
20 Lafayette, V, p. 371.
21 *A.P.*, XIV (1815), p. 327.
22 *Ibid.*, p. 340.
23 *Ibid.*, p. 338.
24 Constant, *Cent-Jours*, pp. 70-77.
25 *Journal des Débats*, March 19, 1815.

Professions of liberal principles did not prevent Napoleon's triumphal march towards Paris. The king left the city on March 20, and Napoleon entered it two days later. The Liberals, who in 1814 had reluctantly accepted the return of the Bourbons and had rallied to them in the last few days, were now face to face with Napoleon, their former antagonist. The role the Liberals played during the Hundred Days was to be one of the most basic factors to determine liberalism's orientation during the Restoration. The Ultras saw the substantiation of their accusation of disloyalty and conspiracy against the Liberals and their equating of Liberals with Bonapartists.

If in April 1814, Restoration liberalism had had its birth in the Senate's futile effort to impose constitutional limitations on the Bourbons, during the first restoration liberalism had consisted of opposition to the Bourbon government's actions that could be interpreted as an attack on the principles or on the gains of the Revolution. With the return of Napoleon liberalism can be seen in the endeavour during the Hundred Days to establish a liberal regime under the emperor.

On his way to Paris, as if to counteract Louis' XVIII's recent show of liberal intentions, Napoleon had voiced the language of constitutional monarchy and of liberalism. In his various proclamations especially those of Lyons, he became again, as Lafayette put it "the man of the army and even the man of the Revolution". [26] As evidence of his newly-acquired liberalism he decreed the freedom of the press on March 24. To identify himself completely with liberalism he went so far as to persuade Benjamin Constant, his opponent since 1800 and his recent detractor, to draw up a constitution. His sudden change of heart in March 1815, Constant later defended by saying that on March 20 "I raised my eyes, I saw that the throne had disappeared, and that France was still there". [27] Moreover, France was under attack; the renewal of the war by the Allies gave him justification for his support of Napoleon. But his basic conviction was that the way was now clear to prevent a return to despotism; this could be done by surrounding Napoleon's power with "constitutional barriers". [28]

Napoleon seemed willing to accept a constitution, and the attributes of a liberal government. He admitted to Constant that he had not always wanted this, but "today everything is changed". Still, he was certain that only a minority wanted constitutionalism, because "the multitude wants only me". Napoleon foresaw a long war and to sustain it, "the nation must sustain me; but in return, I believe, it demands liberty". "It shall have it." [29]

[26] Lafayette, V, p. 356.
[27] Constant, *Cent-Jours*, p. 117.
[28] *Ibid.*, Part II, p. 4.
[29] *Ibid.*, pp. 2-5.

The constitution drawn up by Benjamin Constant was published in the *Moniteur* of April 23. Between the return of Napoleon and the appearance of this Additional Act, [30] as the constitution was known, a host of liberal pamphlets had appeared. One writer recommended to Napoleon that the English constitution be taken as an example to follow. [31] Most critics questioned Napoleon's sincerity. On April 9, Lafayette had written to Benjamin Constant that the emperor's whole career made him inimical to guarantees of liberty. Lafayette could express only incredulity at the prospect of Napoleon ever resigning himself to playing the role of constitutional monarch. On April 19, four days before the appearance of the constitution, Lafayette emphasized to Joseph Bonaparte that Napoleon and liberty were irreconcilable but that, in comparison with the men of Pillnitz and Coblentz — the émigrés — and in the face of the obvious threat of a new invasion, the emperor's government represented "the lesser of the two evils". [32]

The appearance of the Additional Act did not allay the fears of all the Liberals and gain the confidence of the nation. Some writers did not consider it a liberal constitution. [33] Others claimed that it was being "imposed" on the country, because no debates had accompanied its formulation. [34] One critic reiterated what was to be the Liberal dogma, that only a constitution that represented a bilateral contract between the ruler and the people could survive. [35]

Many of Lafayette's reservations were partially overcome by the appearance of the Additional Act and especially by the announcement that a plebiscite would be held to ratify it, and even more by a decree of May 1 convoking the electoral colleges after the plebiscite. Lafayette was now satisfied. He wrote to Constant: "Yes, I am happy and glad to tell you so." The Act he now considered superior to the "bestowal of a Charter emanating from a power without limits and of divine right". To him the Bourbon court now exiled at Ghent was "more removed" from liberal principles than Napoleon at the Tuileries. [36] Constant felt, too, that Napoleon's conversion to constitutionalism seemed incredible. On March 31 he had noted: "the intentions are liberal, the practice will be despotic", [37] and while he was drawing up the constitution he became

[30] Duguit et Monnier, pp. 190-197.

[31] Bertrand Barère de Vieuzac, *Théorie de la constitution de la Grande-Bretagne et un examen rapide des constitutions qui se sont succédé en France depuis 1791 jusqu'en 1814* (Paris: Louis Colas, April, 1815).

[32] Lafayette, V, p. 416.

[33] Jean Pons Guillaume Viennet, *Lettre d'un français à l'empereur* (Paris: Delaunay, May 25, 1815).

[34] Narcisse - Achille de Salvandy, *Mémoire à l'empereur* (Paris: May 25, 1815).

[35] Anon., *Vices et défectuosités de l'acte additionnel aux constitutions de l'Empire* (Paris : Marchands de nouveautés, avril, 1815).

[36] Lafayette to Madame d'Henin, May 15, 1815, Lafayette, V, p. 498.

[37] Constant, *Journaux*, p. 778.

convinced that Napoleon was "an amazing man", but that it wasn't exactly liberty that he wanted.[38] Yet, when the constitution was finally drawn up he was certain that the changes undergone by Napoleon were incontestable. By May 13 he wrote: "He understands liberty very well." [39]

The Additional Act was more liberal than the Bourbon Charter. The greater freedom granted to the press was vigorously used to attack Napoleon for not being sufficiently liberal. Because he did not wish to encourage the radicalism that had emerged after his revolutionary proclamations at Lyons, Napoleon did not institute direct universal male suffrage, the one weapon that would have rallied the masses but would have terrified middle class liberals.

The plebiscite on the Additional Act followed the pattern of three earlier efforts of Napoleon to appear to ascertain the popular will. The total vote cast (1,532,357 in the affirmative as against 4,802 in the negative) was, however, considerably smaller than on other occasions.[40] If this apparent indifference could be considered an ill omen for Napoleon, he was to find a greater cause for annoyance in the results of the elections for the new Chamber of Representatives. As a result of manipulations by Fouché, who was again minister of police, out of the 629 new members, only about 80 could be called Bonapartists. The Jacobins had from 30 to 40 seats, while all the others came under the general classification of liberals.[41]

On June 7, Napoleon addressed the new Chambers on the opening day of the session and told them: "I have come to begin constitutional monarchy." [42] But even before his appearance the Chamber of Representatives had already opposed his wishes, when it selected as its president, Comte Lanjuinais, who the previous year had helped to draw up the act of deposition. The four vice-presidents, of whom one was Lafayette, were also unfavourably disposed towards Napoleon.

Madame de Staël, to whom the effort to mask Napoleon under the guise of a constitutional monarch by means of the Additional Act was "nonsense" itself,[43] admitted that Napoleon's position during the Hundred Days caused the liberals consternation and perplexity. They may have wanted to convince themselves that he had been converted to liberal ideas, but the most they could have hoped for was his resignation to them out of sheer necessity. Napoleon had little choice. He did not

38 April 14, *Ibid.*, p. 779.

39 *Ibid.*, p. 783.

40 *Mémoires de Fleury de Chaboulon, ex secrétaire de l'empereur Napoléon et de son cabinet publiés par Lucien Cornet* (2 vols., Paris: Ed. Rouveyre, 1901) II, p. 81.

41 Henry Houssaye, *1815* (3 vols., Paris: Perrin & Co., 1898-1905), I, p. 560.

42 *A.P.*, XIV, p. 403.

43 Madame de Staël, III, p. 155.

want to be Emperor of the Jacobins and the times were not propitious for a re-establishment of absolutism. Yet if successful, he would put an end to liberalism and, if defeated, France would suffer humiliation. But whether an experiment in constitutional monarchy under Napoleon would in fact take place was determined neither by Napoleon nor by the liberals. It was determined by Napoleon's defeat at Waterloo on June 20, 1815.

This defeat ended the tenuous and uncertain mutual toleration of Napoleon and the Liberals. The defeated emperor arrived in Paris on the morning of June 21, anxious, as he told the council of ministers, to assume a "temporary dictatorship" in order to carry on the war. He wished to receive these extraordinary powers from the Chambers, whose leaders, however, were hostile to him. Liberals who had sought to make Napoleon a constitutional monarch were now responsible for engineering his second abdication. Among these men were those who became the most important leaders of liberalism. Perhaps the man most responsible for the second abdication of Napoleon was Fouché. Although in April, 1814, he had also worked with the Senate to impose liberal safeguards on the Bourbons, Fouché was such a scheming opportunist as to make it difficult to attribute to him any principles other than those designed to ensure his own political survival. The basic difference between Napoleon and the liberals was that, whereas they saw the necessity of disassociating the country from the fortunes of a man whose return had caused the renewal of the war, he maintained that the Allies were fighting France. He told Benjamin Constant on the evening of June 21: "I am now part of that which the foreigners are attacking, I am hence a part of that which France ought to defend." [44]

The views expressed by Napoleon at the council of ministers soon became known to Lafayette and other leading members of the Chamber of Representatives. Joseph Fouché, who was already working for a second restoration of Louis XVIII, led the Chamber to believe that Napoleon had already decided to dissolve it. Lafayette decided to act. He urged everyone to rally around "the old tricolor flag", and convinced the Chamber to pass five resolutions, one of which declared that the present Chamber was in permanent session and any effort to dissolve it constituted a crime of high treason. [45] Although they were unconstitutional the resolutions were not opposed by anyone in the Chamber. Napoleon could make no headway with the Chambers and on the afternoon of June 22, Fouché read to them the Emperor's second abdication in favour of his son.

France was now freed of Bonaparte but not of Bonapartism. The question of Napoleon II had to be resolved. Fouché engineered the

[44] Benjamin Constant, *Cent Jours*, p. 138.
[45] *A.P.*, XIV, p. 464.

recognition of Napoleon II in an innocuous manner. He knew that the Chambers were more anti-Bourbon than anti-Bonapartist, but he could profit from the fact that their members were united in rejecting Louis XVIII but not in choosing anyone else. The ineptness of Lafayette and other liberals enabled Fouché, who was now the head of the provisional government, to neutralize the Chambers. He prevented the election of Lafayette to the provisional government and also kept him from being named commander of the National Guard. He did, however, approve the politically-naive general's participation in the commission of six sent on June 24 on a fruitless mission to treat for peace with the Allies. Lafayette was convinced that with Napoleon's abdication "the avowed object of the war no longer existed", because the Allies "had solemly declared that they were taking up arms against Bonaparte, and that if the nation ceased to recognize him, they would cease to be its enemies".[46]

What this mission and the Chambers were doing mattered very little. Paris capitulated on July 3, and five days later the Chambers were dissolved. But on July 7, when he was already a member of Louis XVIII's government, perhaps to pacify his betrayed and angry colleagues in the commission of government, Fouché joined them in sending a message to the Chambers, to the Army and to the National Guard in which they declared that the commission was submitting to the armed strength of the Allies who wanted to reimpose the Bourbons on France. An eminent historian of the Restoration calls this act Fouché's "last betrayal" which was to mark the restored Bourbons with "an original stain" that they could never wash away:[47] throughout the Restoration Liberals insisted that in 1814 terms had been imposed on Artois and that both in 1814 and in 1815 the Bourbons were imposed on France by the Allies.

In the midst of the confusion of its last days Fouché encouraged the Chamber of Representatives to spend many futile hours discussing the principles of a liberal constitution.[48] This document was passed on July 5, 1815, and represented the distillation of the principles of 1789 as understood in 1815. It stressed both liberty and equality and demanded the abolition of the nobility, of privilege and of the tithe. It guaranteed the acquisition of the national domains. Its formulators insisted that if the ruling dynasty should die out, a new one should be elected. The last article (XIII) unequivocally declared that no prince could rule until he had taken the oath to observe the present declaration.

[46] Lafayette, V, p. 464.

[47] G. de Berthier de Sauvigny, *La Restauration* (Paris: Flammarion, 1955), p. 151.

[48] Duguit et Monnier, *Déclaration des droits des français et des principes fondamentaux de leurs institutions, votés par la chambre des représentants le 5 juillet, 1815*, pp. 198-199.

The assertion of the compact theory begins and ends the period under discussion. The emergence of the Liberals who espoused this concept, whose corollary implied an anti-Bourbon opposition, was made possible by Louis XVIII's dissolution, in September, 1816, of the reactionary *Chambre Introuvable.* This act inaugurated a period of liberalism by princely grace that was to last until the beginning of the reaction in February, 1820. It was during this four-year period, and by virtue of the 1817 Election Law that limited the Franchise to about 90,000 large property owners in a nation of 30 million, that the Liberals became a significant political force. Fourteen of them were elected in the general elections of 1816, and seven in the partial renewal of the Chamber of Deputies in 1817, 20 in that of 1818, and 39 in 1819 when many Bonapartists joined the ranks of the Liberal party. By the beginning of the reaction, of the 258 seats in the Chamber of Deputies, the Liberal party could count on about 75 members among whom could be found eloquent defenders of the bourgeois Revolution of 1789-91, champions of the totality of the Revolution, and former senior army officers who mingled Liberalism with Bonapartism.

It was not until the change of the election law in 1820 that the Liberals' fortunes began to decline reaching their nadir in the 1824 general elections. It was during those four years of acrimonious opposition that the Liberals reinterpreted the first restoration and its consequences. In the press and in the Chamber they became the avid defenders of the Charter which they saw, not as a grant, but as a concession wrung from the king as a price he had to pay for his return.

The Charter became for the Liberals the "embodiment", the "acceptance" of the Revolution,[49] the "social pact" [50] that could not be broken without threatening the dynasty itself.[51] Lafayette called it the safeguard "of all the gains of the Revolution" that contained "reciprocal promises" which, he felt, were now being rejected.[52] Government spokesmen described his speech "a call to rebellion and a manifesto to justify it".[53] The wealthy industrialist, Voyer d'Argenson, Lafayette's aide-de-camp in 1789 and later a prefect under Napoleon, saw in the Comte d'Artois' action in April, 1814 the acceptance of a contract with the nation, hence "the rights of the crown were based on the Charter and were inseparable from it".[54]

Manuel, the most eloquent opponent of the Ultras, insisted that Louis XVIII had received his authority not through Divine Right but

49 *Constitutionnel,* September 18, 1819.
50 *Ibid.,* February 19, 1820.
51 Benjamin Constant, *A.P.,* XXVIII (1820), pp. 57-61.
52 *Ibid.,* pp. 152-155.
53 *Ibid.,* p. 155.
54 *Ibid.,* XXVI (1820), p. 426.

from the Empire, hence from the Revolution. The declaration of Saint-Ouen "was the condition under whose terms France placed itself under the rule of the Bourbons", whose arrival had been seen with "repugnance" by the people.[55] Because the Liberals feared the action of Ultra government supported by a willing majority in the Chamber, they insisted that only a constitutional convention representing the nation could revise it.

The veiled public accusations of incompatibility of the Bourbons with the Revolution came into the open in the futile efforts at conspiracy in 1820, and even more in 1821 and 1822, when a number of leading Liberals, especially Lafayette, were actively involved in the plan to overthrow the dynasty. In fact, after 1820 references to the fate of the Stuarts in 1688, and the comparison between events in England at that time with those of contemporary France became increasingly ominous. Baron Bignon spoke of the "distressing analogy" [56] as did Constant who reminded the Bourbons that the Stuarts sealed their doom when they introduced a counter-revolution. With the arrival of Charles X to the throne in 1824 and especially in the months preceding the Revolution of 1830, the advocacy of a French equivalent of 1688 became overt.

While the Liberals blamed the Ultras for breaking the alleged "compact" of 1814, the latter with more justification identified Liberalism with Bonapartism. They did so, not merely on the basis of the events of the Hundred Days, but also on that of the Liberals' behaviour during the first decade of the Restoration. Throughout the parliamentary sessions of 1818 and 1819, the Liberals refused their support to the moderate liberal Center government of Dessoles-Decazes. They preferred to make a common cause with the Ultras against the government, because it resisted their demand to allow the return of all the army officers banished after Waterloo as well as that of the regicides.

The Liberal press[57] gave eloquent praise to the memories of the great Napoleonic military achievements, and it carried Beranger's very popular songs about old Sergeants, old flags, heroic deeds and, above all, the sorrow of the exiles. Most significantly, when Madame de Stael's *Considérations* appeared in 1818, a year after her death, the Liberal press received that eloquent defense of the Revolution by a known liberal with a remarkable show of guarded acceptance.[58] The

[55] *Ibid.*, XXXIV (1822), p. 296.

[56] *Ibid.*, p. 163.

[57] *Constitutionnel*, especially March 6, April 18, May 8, July 9, 1816, January 17, 1817, January 26, October 30, 1818. *Indépendant*, June 26, 1819, June 23, 1819. *Minerve Française*, I, pp. 497-498, III, p. 578, V, pp. 521-523, VI, p. 3, VII, p. 5, p. 289, VIII, 97-98.

[58] E. Cappadocia, "The Liberals and Madame de Staël in 1818", in R. Herr & H. Parker (eds.) *Ideas in History* (Duke University, Press, 1965), pp. 182-198.

Liberals' reluctance stemmed from her warning in the *Considérations* they should separate rigorously their cause from that of the Bonapartists and admonished them "not to confound the principles of the Revolution with those of the Imperial government".[59]

The appearance of Liberal Bonapartists in 1819 aroused apprehensions among some Liberals. Their fears were dissipated, however, with the death of Napoleon in 1821. The "martyr" of St. Helena became even more popular among the students and with the mass of the people. Now that Napoleon no longer had to be feared, even Lafayette expected the party to recruit more followers.[60] But with the failure of the Liberal-Bonapartist military conspiracies, when some but not all leading Liberals were involved, and even more with the success in 1823 of the French army in the invasion of Spain to crush the military-led liberal constitutionalists, Bonapartism ceased to be a significant force in the Liberal party. After their defeat in 1824, Liberals and liberals were to re-emerge as a vital parliamentary opposition in 1827. They again joined forces to compel Charles X to become a "constitutional" monarch who would follow the wishes of the liberal majority in the Chamber of Deputies — the very constitutional theory they had opposed in 1815, when that majority had been controlled by the Ultras.

Napoleon's return in 1815 was caused neither by the conspiracy of those who were later to be Liberals nor merely by the ineffectiveness of his successors at reconciling the representatives of the old and of the new France. His ambition, the gambler's instinct forced him on. As a result of his gamble, the Liberals became anti-dynastic and the Ultras even more resentful than they had been the previous year. The gap between the two groups was tragically widened and the mutual distrust solidified. The Liberals, as representatives of the Bourgeoisie, could also rally the peasants and the workers to their side if these could be led to believe that any of the gains of the Revolution were being threatened by the Aristocracy and/or by the Church. But, although in 1830 the spokesmen for liberalism won their equivalent of the Glorious Revolution of 1688, liberty in France did not evolve from precedent to precedent. Unlike England, France was not spared a number of subsequent violent changes of regimes. The Hundred Days were perhaps Napoleon's greatest disservice to France.

[59] Madame de Staël, III, p. 169.
[60] Lafayette, II, pp. 6-7.