

*L'Exportation de la liberté:  
The Revolutionary French Policies of State-Making and Annexation in Belgium,  
1792-1793*

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## **1. Introduction**

On 20 April 1792 the Legislative Assembly of France declared war on Leopold II of Austria. Many legislators perceived the monarchs of Europe as reactionary forces, poised to suppress the French Revolution. In apprehension of this apparent threat, the Assembly voted for a war justified as a means to spread the revolution to France's neighbors, and thereby safeguard the revolutionary French state. After initial failures, the French armies deterred an Austrian and Prussian invasion at Valmy on 20 September. The following day, having deposed Louis XVI, the revolutionaries declared France a republic. The Legislative Assembly provided for its own closure and the election of a new National Convention. Immediately thereafter, the French generals moved their armies into Belgium, the Rhineland, and parts of Northern Italy. The members of the Convention (or *Conventionnels*) had before them the first real opportunity to implement the project of exporting the revolution.

This essay focuses on the French project of spreading revolution to Belgium. France's *Armée du Nord*, under the command of General Charles François Dumouriez, occupied the Belgian provinces from the expulsion of the Austrian army in mid-November 1792 until mid-March the following year. Within those four months the French pursued two seemingly different policies towards the Belgians. At first, largely under Dumouriez's direction, French policy centered on the twin goals of state-building and regime transformation—this meant uniting the Belgian provinces into a single, free, and sovereign Belgian state that would have the political form of a republic based on popular sovereignty, as the French then defined it. In February the Convention turned to a new policy of spreading revolution to Belgium by directly annexing the territory into France and making all Belgians into French citizens. Although this shift in policy

seems dramatic, the French understood both policies as potentially legitimate means of establishing liberty and the principle of popular sovereignty in Belgium.

The French understood popular sovereignty as a fundamental principle of legitimacy. Although it is often conflated with democratic institutions, direct or indirect, popular sovereignty is not precisely a form of government, but rather a principle upon which many forms of government could be legitimated, including non-democratic ones under some conditions. The revolutionaries conceived of sovereignty as the highest source of political authority—they understood it as popular in that they located this source the people as opposed to a ruler. Sovereignty was still understood, following Jean-Jacques Rousseau, as the expression of a single, unified will. However, because the many individuals making up “the people” do not literally share a will, the will of the people was considered to be the decision of the majority—following the principles of general suffrage and one person, one vote as opposed to voting and representation by social orders.<sup>1</sup> The project of liberation entailed, for the French, the propagation of this principle in place of the *Ancien regime* principles of ruler-sovereignty, rule by estates, or any combination thereof. It also entailed the establishment of a new regime that would be based upon the principle of popular-sovereignty, meaning that it would involve a popular constitutional founding and some degree of regular popular participation. The French

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<sup>1</sup> Over the course of the revolutionary period, various revolutionaries defined popular sovereignty in many different ways. Certain monarchists insisted that given a proper constitutional arrangement the king could be understood as the one true representative of the people. Siéyès believed the people could only legitimately exercise its sovereignty through representatives elected to a National Assembly, where they would decide on matters by majority. During the popular rebellions of August 1792 the *sans-culottes* insisted that popular sovereignty could only be legitimately exercised by the people directly, organized in their *sections* and permanently overseeing the work of their representatives—moreover, all constitutional legislation would have to be directly ratified by the people. All of these principles shared a basic understanding of sovereignty, and agreed that it resided in the people. They disagreed as to what “the people” meant, and what type of regime could legitimately speak for the people, i.e. exercise its sovereignty, be it king, representatives, the people directly, or some combination thereof. But the revolutionaries tended to agree on the basic principle as a standard of legitimacy, entailing some kind of general suffrage (meaning above all a lack of political privilege), one vote per person, and majority rule. Keith M. Baker, “Sovereignty,” in *A Critical Dictionary of the French Revolution*, eds. François Furet and Mona Ozouf, trans. Arthur Goldhammer (Cambridge, MA: Harvard University Press, 1989), pp. 854-855.

Convention argued that this could theoretically be accomplished either by creating a new independent state out of the Belgian provinces, with a new regime based upon popular sovereignty, or by attaching the provinces to revolutionary France, and making French citizens out of the Belgian population. To be legitimate, the annexation would have to reflect the will of *both* of the peoples to be united—e.g. through affirmative and unconstrained referenda in both polities. Practically, however, the policy was potentially a suspicious option, even to the *Conventionnels*, because it brought territorial aggrandizement into play as a possible motive for the invading power to proceed with the annexation against the wishes, and at the expense of, the supposedly liberated population.

In April 1792, the Assembly rationalized the war and occupation in two ways. In the first place, legislators depicted war and any potentially ensuing foreign occupation as security measures—a pre-emptive strike against the counter-revolutionary powers explicitly threatening the French *nation*.<sup>2</sup> At the same time, they construed the war as a new crusade—a crusade of liberation to break the hold of the European “tyrants” over their “subject” peoples. The legislators thus offered two justifications of their aggressive war and subsequent military occupation of foreign territory: they appealed to the right of the French to security within their own borders, while also invoking the principle of popular sovereignty and the basic human rights of all peoples to freedom and equality, as articulated in the *Declaration of the Rights of Man and Citizen*.<sup>3</sup> Once again, arguably, the cause of human rights could be served equally well by the establishment of an independent Belgian constitutional state and the annexation of the Belgian provinces to France, because in either case the people of Belgium would receive their rights.

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<sup>2</sup> I use the French word *nation* instead of the English nation, because the former had specific connotations of a participatory civic or political nation, similar to the American revolutionaries’ concept of “the people.”

<sup>3</sup> “Declaration of the rights of man and citizen,” 26 Aug. 1789, in Lynn Hunt, ed. and trans., *The French Revolution and Human Rights, a Brief Documentary History* (Boston: Bedford, 1996), pp. 77-79.

Thus these two arguments, from the perspectives of *raison d'état* and of human rights, were not mutually exclusive or even unrelated according to their proponents, and could go hand in hand.

Admittedly, the French policy shift from promoting republics to annexation raises a question as to the revolutionaries' convictions in justifying the war from the outset. However, it seems clear that most major proponents of the war were seriously committed to both the security of the revolutionary French state and the spread of revolutionary principles: human rights and popular sovereignty, and after 21 September 1792, republican institutions. The war was never construed as a purely altruistic crusade. It would be an exaggeration to suggest that the French did not have their own interest at heart, i.e. the security of *la patrie* (essentially the homeland of the *nation*). But it is skewed to suggest that the language of exporting liberty was essentially rhetoric that served merely to justify expansion and imperialism.<sup>4</sup> The principle proponents of the war, a group of legislators known as the Gironde, tended to articulate the interests of *la patrie* as going hand in hand with a liberated and stable Europe in which France and all other *patries* could thrive under the revolution's fundamental principles, and there is no clear and compelling reason to impute to them a unified motivation as either completely sincere, or cynical and imperialistic. However, despite revolutionary convictions, most of the experiments in state-making between 1792 and 1793—in Belgium, Nice, Savoy, and the Rhineland—turned out to look very much like French imperialist ventures, with the Belgian experience in particular culminating in a suspicious annexation that appears to have been more likely based on French coercion than the will of the Belgian people.

The thesis of this study consists of three parts. First, I will argue that considerations of *raison d'état* and the revolutionary ideology of liberation may very well have played equally important roles in France's project of "spreading the revolution to Belgium"—engaging in state-

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<sup>4</sup> For examples of this view, Cf. T. C. W. Blanning, *The French Revolution in Germany, Occupation and Resistance in the Rhineland 1792-1802* (Oxford: Oxford University Press, 1983); Florence Gauthier, "Universal Rights and National Interest in the French Revolution," in *Nationalism in the Age of the French Revolution*, ed. Otto Dann and John Dinwiddy (London: The Hambledon Press, 1988), pp. 27-39.

building by unifying the separate provinces and transforming the Belgians' inherited political and social regimes. Second, I will demonstrate that the two distinct political models of change—the formation of an independent Belgian republic based on popular sovereignty, and annexation—were portrayed by contemporaries as compatible with the motivations of state-building and regime change, though at different times and according to somewhat different interpretations of those goals. Finally, I hope to show that the self-vitiating way in which the French sought to disseminate their revolutionary ideology—specifically the increasingly coercion-based attempt to impose popular sovereignty according to a rigid, doctrinaire, and eventually openly paternalistic pattern—was a decisive factor in the transition between the two French projects and the failure of each of them.

Ultimately, I will argue that the French undermined their own revolutionary principles in their attempts to spread them. Although in theory either creating a Belgian republic or annexation could have worked, the *Conventionnels* nevertheless failed in their attempts at implementing either policy toward spreading popular sovereignty and human rights to Belgium for two important reasons. First, although the French did initially want the Belgians to freely create their own institutions, they nevertheless insisted that the results fully correspond to contemporary French models. Second, when the Belgian people did not spontaneously comply with the French revolutionaries' vision, the *Conventionnels* imagined that they could legitimately use force to achieve the “right” result on behalf of the Belgian people, who were ultimately deemed incapable of achieving the results for themselves.<sup>5</sup>

Several historians, with a wide variety of perspectives and conclusions, have examined the occupation of Belgium between 1792 and 1793. The traditional view of the occupation portrays the French policies toward the Belgian people as products of French imperial ambitions

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<sup>5</sup> Cf. Decree, National Convention, 15 Dec. 1792, in M. J. Mavidal and M. E. Laurent, eds., *Archives parlementaires de 1787 à 1860; recueil complet des débats législatifs et politiques des Chambres françaises*, 95 tomes (Paris: Société d'imprimerie et librairie administratives et des chemins de fer, 1888), tome 55, pp. 103. (Cf. Appendix 3).

spanning from the declaration of War against Leopold II to the fall of Napoleon.<sup>6</sup> Paul Verhaegen firmly established this perspective in his five-volume work, *La Belgique sous la domination française, 1792-1814* (1922-1929)<sup>7</sup>, and authors such as T.C.W. Blanning and Florence Gauthier have echoed this view more recently. As previously noted, these authors basically dismiss the French claims of spreading liberty to the territories occupied in 1792 as mere verbiage, and treat France as an occupying power like any other. To demonstrate their point they cite the replacement of serfdom with conscripted labor, the replacement of *Ancien Regime* taxes with requisitioning, and the many cases of general looting and exploitation perpetrated by French soldiers. The major problem with this view is that it points to these tragic results of the occupation without asking why and how the occupiers came to act in such a way. These authors simply assume, based on the practical failures and abuses on the ground, that the entire project in Belgium was motivated by pure *raison d'état*. This denigration of the French project between 1792 and 1793 as mere imperialism marginalizes what I take to be the more significant problems of French occupational policy: If the French were not simply cynical in their talk of spreading liberty and popular government, then why and how did they end up so flagrantly undermining the possibility of Belgian sovereignty or autonomy?

Writing against these traditional authors, R.R. Palmer takes the French claims more or less at face value in his brief but incisive examination of the Belgian occupation between 1792 and 1793 in *The Age of Democratic Revolution* (1964).<sup>8</sup> He argues for an international “Atlantic Thesis”, which proposes that the many (generally abortive) revolutions of the late eighteenth

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<sup>6</sup> This view is traditional insofar as much of the nineteenth century history of the revolutionary wars, from the nationalist to military writings, subscribes to this view. Blanning, *French Revolution in Germany*; Gauthier, “Universal Rights”; Albert Sorel, *L'Europe et la Révolution française*, vol. 2 (Paris: 1885); Paul Verhaegen, *La Belgique sous la domination française 1792-1814* (Brussels: Goemaere, 1929).

<sup>7</sup> According to R.R. Palmer, Verhaegen actually wrote his history of the occupation before the Great War. R. R. Palmer, *The Age of the Democratic Revolution*, vol. 2, *The Struggle* (Princeton, NJ: Princeton University Press, 1964), pp. 70.

<sup>8</sup> Palmer, *Age of Democratic Revolution*.

century were part of a great wave of democratic movements on both sides of the ocean that were ideologically and even politically linked to one another, but were fundamentally based on autonomous revolutions (even if also on a common revolutionary spirit). He thus attempts to portray the struggles in Belgium between the various Belgian factions, France, and Austria as essentially a continuation of the abortive Belgian revolution of 1789. His treatment of the French involvement in Belgium is limited to what he takes to be their initially positive role as liberators and facilitators of a “Second Belgian Revolution,” and their subsequent failure to broker a compromise between democratic and anti-democratic Belgian parties. According to Palmer, the French project in Belgium was not inherently problematic, because it was based on facilitating an already extant Belgian democratic movement. The problems only arose when the French failed to properly foster this largely autonomous movement.

The international “Atlantic Thesis” does not however automatically imply that the French did not play an imperialistic role in other countries. Jacques Godechot, who originally worked with Palmer to develop the thesis, has closely examined French goals and policies as an occupying power from the French Revolution of 1789 through Napoleon’s rise in his work *La grande nation: l’expansion révolutionnaire de la France dans le monde de 1789 à 1799* (1956).<sup>9</sup> He characterizes the entire project in Belgium (after the invasion) as one of annexation. Godechot simply does not take seriously the initial project of uniting the Belgian provinces into an independent republic, and because of this omission he is closer to the traditionalist perspective than to Palmer’s. However, Godechot does not only appeal to the results of the occupation to show that the French project had been an imperialistic one all along. Rather, he argues that when the Convention shifted to a policy of annexing Belgium in early 1793, it justified this new policy

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<sup>9</sup> Jacques Godechot, *La Grande Nation: l’expansion révolutionnaire de la France dans le monde de 1789 à 1799* (Paris: Aubier, 1956).

by appealing both to French *raison d'état* and to the right of all peoples to popular sovereignty and national self-determination in order to skirt the National Assembly's earlier proclamations against embarking upon any war of conquest. He claims, however, that the Convention was in fact motivated by a policy of pure *raison d'état*, based upon the notion that the French state could be best secured by attaining its "Natural Frontiers:" the Alps, the Atlantic, the Pyrenees, and the Rhine—including the Belgian provinces.<sup>10</sup> To Godechot, the appeal to precedent and popular referendum was essentially a way of making an old project of the *Ancien Regime* more consistent with the espoused revolutionary ideology. This conclusion is weakened by the lack of evidence demonstrating that annexation was an initial war aim, and his elision of the ample evidence of the concerted efforts to create an independent Belgian republic on the part of the various French actors. Furthermore, although the desirability of attaining France's Natural Frontiers was not unheard of between 1789 and 1792, the doctrine only openly emerged on the political forefront in the Assembly in late January, 1793—beginning with Danton's speeches favoring the annexation Belgium in light of the dismal failures of France's policies the previous December.<sup>11</sup> Godechot's conclusion seems to be based upon either a dismissal of this evidence, or a reading of it through the lens of the eventual annexation of Belgium or even the later, more imperialistic, projects pursued by the Directory and Bonaparte.

Two non-traditionalist authors treat the French occupation of Belgium between 1792 and 1793 more extensively than Palmer and Godechot, approaching their subject as essentially a matter of Belgian national history. Suzanne Tassier's *Histoire de la Belgique sous l'occupation française en 1792 et 1793* (1934) and Janet Polasky's *Revolution in Brussels 1787-1793* (1987) both focus on the failure of the various Belgian political parties to shelve their differences to

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<sup>10</sup> Godechot, *La Grande Nation*, pp. 72-3.

<sup>11</sup> Speech, Danton, 31 Jan. 1793, in *Archives parlementaires*, tome 58, pp. 103.

work for the greater interest of Belgium—the establishment of an independent Belgian nation-state.<sup>12</sup> Together they give an excellent in-depth account of the occupation from the Belgian perspective. Their treatment of the action in Belgium makes quite clear that, at least for some time, the French actively pursued a policy of firmly establishing human rights and popular sovereignty in an independent Belgian state. However, both authors deal with France's involvement in Belgium only insofar as it directly influenced the actions and reactions of the various Belgian political groups; they only discuss the shift in French policy insofar as it was a direct response to the factional struggle in Belgium. Neither Tassier nor Polasky sufficiently explores the reasons behind the French shift from a policy of state-making to one of annexation, and thus neither sufficiently acknowledges the broader and consistent French project of spreading the Revolution, within which the various policy shifts make more sense. In both of these works, the shift in French policy to annexation appears as little more than a hasty and ill thought-out solution to the rapidly degenerating state of affairs in occupied Belgium, with little relation to the earlier policy of state-building and regime transformation. Moreover, neither of them sufficiently pursues the question of how the French occupation itself contributed to the gulf between the Belgian factions.

There are two major problems with all of the literature on the French occupation of Belgium: first, Tassier's and Polasky's focus on national history, like Palmer's focus on the autonomy of the Belgian democratic movement, obscures the extent to which the French project itself contributed to the factional deterioration of the Belgian provinces. Although Belgian agency under the occupation is of vital importance to explaining the shift in (and failures of) French policy, it is also crucial to examine the occupation from the perspective of the French

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<sup>12</sup> Janet Polasky, *Revolution in Brussels 1787-1793* (Hanover: University Press of New England, 1987); Suzanne Tassier, *Histoire de la Belgique sous l'occupation française en 1792 et 1793* (Brussels: De Meester A Wettern, 1934).

policy-makers in the Assembly, Convention, and military. Second, Godechot, like the traditionalists, does not sufficiently explain the Convention's political choices with regard to Belgium, in part because he disregards the Gironde's serious (and apparently preferred) project of creating an independent Belgian republic. By papering over the Girondin leaders' concerted efforts to actually establish human rights and popular sovereignty in Belgium, Godechot avoids examining what I take to be the problem at the heart of the occupation and the failures of the French policies: the Girondin vision of the adoption in Belgium of those (and only those) principles of freedom and sovereignty that corresponded to contemporary French models, and the Convention's readiness to use force to achieve this particular objective. All of the above works, in diverse ways, pay inadequate attention to the scope of French involvement in Belgium, and moreover insufficiently explain that involvement and its consequences. It is this historiographical lacuna that I hope to partially fill.

## **2. Revolutionary Belgium and France's New International Law**

The justifications for the revolutionary war, occupation, state-building and creation of free institutions emerged explicitly by the end of 1791, in the Girondin deputies' speeches to the Legislative Assembly. However, the justifications were made in the confluence of several circumstances, regarding the Belgian provinces' special status as demonstrably ripe for liberation on the one side, and France's development of a doctrine of international law that privileged popular sovereignty on the other. Belgium was not the only target of this war of liberation; in 1792 the French armies invaded Nice, Savoy, and the Rhineland. Each of these occupations turned into distinct experiments in liberation and state-making, and were all ultimately aborted in favor of annexations. However, Belgium was more than one case among many. Belgium was

the largest, most densely populated, and wealthiest of the targeted territories, and had just been through an abortive revolution against its Austrian rulers. Indeed, the major proponents of the war, particularly Lebrun and Dumouriez, focused almost entirely on the Belgian provinces in advocating hostilities against Austria. At the same time, the Legislative Assembly was barred, by its constitution, from undertaking any offensive war except one on behalf of a foreign, oppressed people. The Belgian people, whose revolution had just been thwarted by Austrian troops, was the best and perhaps the only justifiable case. Thus the debate over the war took place in the context of three crucial circumstances preceding the opening of the Legislative Assembly on 1 October 1791: the abortive Belgian Revolution of 1788-1790, the formulation of a new international law through the revolutionary renunciation of territorial conquests in May 1790, and the subsequent annexation of Avignon in September 1791.

In the eighteenth century, the nine Belgian provinces were Hapsburg possessions, known collectively as the Austrian Netherlands. Liège, often considered a tenth province of the Belgian Low-Countries, was distinct from the others—it was a Bishopric, formally under Papal rule.<sup>13</sup> Altogether, they had a population of approximately 2,000,000 in the 1780's, in contrast to France's 26,000,000 people.<sup>14</sup> The provinces had traditionally enjoyed a high degree of self-government, low tax burdens and proportionately high general wealth. In fact, by the 1780's the Belgian provinces were in the midst of a large-scale industrial revolution comparable only to that in Britain.<sup>15</sup> Belgium thus held great strategic importance for France, as a large, wealthy, and densely populated country sandwiched between *la patrie* and the Holy Roman Empire.

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<sup>13</sup> Liège was considered a part of the Netherlands, and was far more similar to the Catholic Belgian provinces than the Protestant, Dutch United-Provinces of the north. Polasky thus refers to Liège as one of the ten Belgian provinces, and in both revolutionary periods, 1789-90 and 1792-93, it seems to have been generally assumed that Liège would join the other provinces in a single centralized state. *Revolution in Brussels*, pp. 12.

<sup>14</sup> Polasky, *Revolution in Brussels*, pp. 28.

<sup>15</sup> Polasky, *Revolution in Brussels*, pp. 19-20.

The Austrian monarch technically ruled over each of the provinces as separate counties (like Hainaut or Flanders) or duchies (such as Brabant). None of the provinces were considered to be part of the Holy Roman Empire. The Austrian monarch's right to rule, as count or duke of each province, was based upon medieval provincial charters. Every new sovereign would traditionally swear to obey the local charter during his or her formal inauguration in each province. The charters varied slightly, but each clearly distinguished the powers of the sovereign from those of the Belgian elites. Hapsburg sovereignty was represented by a single governor-general, who ruled over all of the Austrian Netherlands through a large bureaucracy. He was responsible for the administration of justice, the police, finances, staffing offices, and the convocation of the various provincial *États* (or Estates). The elites of each Belgian province maintained the right of affording taxes to the monarch through their *États*. Each province was divided into three Estates: as in the *États-General* of *Ancien regime* France, the first two Estates were composed of Clergy and Nobles; but unlike in France, where the Third Estate was elected by "the people"—meaning all males inscribed on the tax rolls and over the age of twenty-five—in Belgium it consisted only of the guild leaders and the administrators of the particular province's major cities, (e.g. Antwerp, Brussels, and Louvain in the case of Brabant).<sup>16</sup> L'Abbé Emanuel Joseph Siéyès would have never said of Belgium that the members of the Third Estate were the only true representatives of the *nation*—the central claim of his pamphlet that electrified French public opinion in early 1789, *Qu'est-ce que le tiers état?*<sup>17</sup> However, also unlike in France, the Third Estate in Belgium was the most powerful of all of them—even though the first two deliberated before any measure was considered by the Third, only the latter had the power of veto over the decisions of other two. In France, on the contrary, the Third

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<sup>16</sup> Ron Halévi, "Estates General," in *Critical Dictionary of the French Revolution*, pp 47; Polasky, *Revolution in Brussels*, pp. 18.

<sup>17</sup> E.J. Siéyès, "What is the Third Estate?," in *Political Writings*, ed. and trans. Michael Sonenscher (Indianapolis: Hackett, 2003), pp. 97.

Estate could always be outvoted by an agreement between the First and Second.<sup>18</sup> Thus, in Belgium rule was divided between the Austrian administrators on the one side, and the Belgian privileged orders on the other—the nobles, clergy, guilds, and urban administrators, with the last two grouped in the third estate being the strongest.

During the 1780's, Emperor Joseph II tried to implement several expansive reforms in the Belgian provinces. The first reforms aimed at curbing Catholic power, particularly in terms of separating the Belgian Church from Rome and subordinating it to the Austrian state. But by 1784 Joseph began attacking what he took to be the outdated economic privileges of the guilds. Finally in 1787 he announced plans to completely reform the provincial administrative and judicial systems. The provinces would be unified into a single, rationally administered state—the traditional provincial boundaries would be translated into new administrative units of the unified state. The *États* would still meet in each provincial unit, with the sole power of voting on taxes twice a year. But the Emperor's provincial administrators could overturn the *États'* decisions. Polasky quite reasonably dubs Joseph's reforms a "virtual *coup d'état*."<sup>19</sup> A few contemporaries praised the reforms, such as the Liégeois journalist Pierre Lebrun, editor of the *Journal général de l'Europe*, and future Girondin Minister of Foreign Affairs of France. He announced that they amounted to a "Revolution" that would bring the light of reason to the backward provinces.<sup>20</sup> But the elites of the provinces adamantly opposed these plans, which they took to be transparently despotic. The Estates of Brabant met on 29 January to discuss the Emperor's reforms, and decided that they amounted to a violation of the provincial charter—the *Joyeuse Entrée*. "The fundamental laws of Brabant are as old as the history of the dukes," they declared on 29 January, and division of powers and privileges between the *États* and the dukes,

<sup>18</sup> Polasky, *Revolution in Brussels*, pp. 18-19.

<sup>19</sup> Polasky, *Revolution in Brussels*, pp. 45.

<sup>20</sup> Pierre Lebrun, *Journal général de l'Europe*, 3 Jan. 1786, 341 : 23; April 5, 1787, 352 : 251, Cited in Polasky, *Revolution in Brussels*, pp. 42, 46.

“sworn to by each sovereign, has always remained the same in substance.”<sup>21</sup> According to the Brabançon lawyer Henri Van der Noot, a leader of the mounting resistance to Austria, any implementation of the planned reforms would utterly violate the medieval charter, completely undermine the *États de Brabant*, and amount to “the most absolute despotism.”<sup>22</sup>

Joseph made a few small concessions and won the support of the first two Estates, but the Third remained obstinate—they rejected compromise and under Van der Noot’s lead sought to expand and consolidate the resistance. Denizens of Brussels erupted in violent protests and skirmishes against Austrian soldiers throughout 1788, and at the end of the year the *États d’Hainaut* joined the resistance against Joseph’s reforms. Faced with the prospect of general rebellion spreading through the provinces, the Emperor decreed the abolition of the *Joyeuse Entrée* and the *États de Brabant*—the Brabançon fears of despotic rule were proven accurate, though they may have amounted to something of a self-fulfilling prophecy.<sup>23</sup>

Over the summer of 1789, as the struggles erupted on the streets of Paris, the people of the Belgian provinces rose in a revolution of their own. Two groups organized mass resistance in the provinces. The first group, led by Van der Noot, sought the ejection of the Austrians, and the establishment of a constitution modeled on that of the Dutch republic. This entailed a federation of the provinces—they would each reinstate their provincial charters, except that they would replace the old duke or count (i.e. the Hapsburg monarch) with one and the same elected ruler (called a *stadhouder*), who would head the federal administration.<sup>24</sup> This group was called the Statists, for their goal of an independent, federal Belgian state. These revolutionaries were essentially conservative—they wanted above all to reaffirm the traditional Belgian authorities,

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<sup>21</sup> Lebrun, *Journal général de l’Europe*, 29 Jan. 1787, 13 : 56.

<sup>22</sup> Bibliothèque Royale de Belgique, Brussels, Belgium, (hereafter cited *B. R.*), *Revolution belge*, vol. 35, pam. 4 : Henri Van der Noot, “Mémoire sur les Droits du peuple brabançon,” April 24, 1787. Cited in Polasky, *Revolution in Brussels*, pp. 49.

<sup>23</sup> Polasky, *Revolution in Brussels*, pp. 88.

<sup>24</sup> Polasky, *Revolution in Brussels*, pp. 89.

which in their minds necessitated a total break from Austria.<sup>25</sup> But the movement had spread far beyond the control and designs of Van der Noot and his followers. The second group of revolutionaries shared the goal of expelling Austria, and establishing an independent Belgian state. However they also demanded the eradication of the medieval charters, feudalism, and the traditional authorities—particularly the *États*. These men, under the leadership of the lawyer J.F. Vonck and the retired General Van der Mersch proclaimed themselves Belgian “democrats.”<sup>26</sup> They were in fact relatively moderate liberals, perhaps more conservative than even the French constitutionalists of 1789—but they insisted upon, at the least, equal political rights for all Belgian citizens. The Estates system, where all three Estates were populated by privileged orders, was totally unacceptable to Vonck and his associates.<sup>27</sup>

On 18 August 1789, upon receiving news of the storming of the Bastille, denizens of the Bishopric of Liège, including the journalist Lebrun, rose in revolution against their Bishop. They were followed by an insurrection of peasants and workers demanding freedom from servitude. From the outset this Liégeois revolution was thus far more popular, and radical, than the democratic movement in the Belgian provinces. From November to December, armed Belgian democrats under Van der Mersch’s leadership managed to defeat Austrian garrisons in several major cities. Following their success, insurrection against Austria erupted all over the provinces, with Statists and democrats fighting side by side. The Austrians retreated from the Belgian provinces by the end of the year.<sup>28</sup>

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<sup>25</sup> Polasky, *Revolution in Brussels*, pp. 91.

<sup>26</sup> The term “Statist” is traditionally capitalized in the literature, while the term “democrat” is not, perhaps because the democrats of 1789-90 lose their cohesion as a group by 1792, holding a wide variety of views ranging from moderate to very radical. I follow this convention to avoid confusion.

<sup>27</sup> Polasky, *Revolution in Brussels*, pp. 141.

<sup>28</sup> Georges Lefebvre, *The French Revolution*, vol. 1, *The French Revolution, from its Origins to 1793*, trans. Elizabeth Moss Evanson (New York: Columbia University Press, 1962), pp. 185.

The province of Brabant remained clearly in the hands of the Statists—the *États de Brabant* declared the province's independence from Austria on 26 December 1789, proclaiming that “the sovereignty lately exercised by the former duke shall be henceforth exercised by the three Estates of Brabant...[and] otherwise the constitution of this province remains intact on all points.”<sup>29</sup> The declaration amounted to a near-total reaffirmation of the traditional charter and constituted bodies. The moderate Belgian democrats made a better showing in most of the other provinces, but nowhere did they enjoy overwhelming support. Only the revolution in Liège had been predominantly democratic, and even radical, from the outset. According to Lefebvre, it was the only early autonomous revolutionary movement to explicitly align itself to France.<sup>30</sup> As Palmer notes, the Belgian Revolution, like that of France, began as a conservative revolution against the reforms of an enlightened monarchy. The Belgians *États*, like the *Parlements* of France, invoked the people against the absolutist ruler, and only through the ensuing conflict did a democratic movement arise and assert itself.<sup>31</sup> Unlike France the Belgian revolutionary insurrections were the work of an alliance between conservatives supporting the provincial Estates and charters, and democrats supporting the rights of man based on the French model.

On 30 November 1789, the *États de Brabant* called for the other provincial Estates to send delegates to an *États-General* of all the provinces. The latter opened on 7 January 1790, and quickly declared Belgium a republic, in which the provincial *États* would retain all their traditional powers. They would also send delegates to a federal body with legislative and executive power, called the Congress of the United States of Belgium. The provinces, along with Liège, were turned into a federation of states. However, the new state would not survive long. The republic was torn apart by the profound disagreements between the democrats and the

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<sup>29</sup> “Declaration of Independence of Brabant,” *États de Brabant*, 30 Dec. 1789, in Palmer, *Age of Democratic Revolution*, vol. 1, *The Challenge*, pp. 514.

<sup>30</sup> Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 184.

<sup>31</sup> Palmer, *Age of Democratic Revolution*, vol. 1, *The Challenge*, pp. 347.

Statists over legitimate forms of governance—between tradition and reform, privilege and equality. Even after the expulsion of Austria, Vonck and his associates recognized the importance of taking a conciliatory stance toward the Statists. However the new government was established out of the traditional, privilege-based, constituted bodies without the democrats' consent. From the first days after the Austrian expulsion, the two parties proved unable to reconcile their differences, or even compromise in any way.

Finally, in late 1790 the Statists managed to assert full control and purge the “Vonckists.” Van der Mersch was imprisoned in Antwerp, while Vonck and many others fled to Paris. The Belgian Republic foundered, and in November 1790 the Austrian army easily restored the Bishopric of Liège, and reconquered the foundering Belgian state the following month. Many of the Belgian democrats, allowed back into Belgium by an Austrian government more sympathetic to them than the Statists, returned more radical than they had been when they revolted. “There was more willingness,” Palmer contends, “to admire and imitate France,” than to work toward a Belgian brand of moderate democracy that would be conciliatory toward the Statists. Many of these frustrated democrats would “look to revolutionary France for moral support or political intervention.”<sup>32</sup> Some of these radicals, like Lebrun, remained in Paris to lobby the French government to interfere on behalf of the disenfranchised Belgian and Liégeois people. Democrats who remained moderate and favorable to compromise and the unity of the Belgian parties, like Vonck and Van der Mersch, dwindled in number.

Meanwhile, in the first months of 1790, the National Assembly of France considered the possibility and desirability of using military means to either spread the revolution, or support autonomous foreign revolutions. The great revolutionary leader Mirabeau looked forward to the spread of the revolution. He claimed that Europe was fertile for revolutions, the success of

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<sup>32</sup> Palmer, *Age of Democratic Revolution*, vol. 1, *The Challenge*, pp. 357.

which would bolster the strength and security of revolutionary France, who would in turn help secure the newer revolutions. He pointed to the revolutionary agitation in Belgium, the United Provinces, Switzerland, and Ireland for support. However, Mirabeau argued that revolution would probably spread irrespective of the will of France, as these autonomous European movements demonstrated.<sup>33</sup> Thus, in the interest of shoring up the security of the young revolution, the representatives supported first and foremost a policy of international peace.

On 15 May, the Duc de Levis proposed the first version of a decree that would come to be called the *Déclaration de paix au monde* (Declaration of peace to the world), which he formulated in terms of the rights of peoples. He beseeched his fellow Assemblymen to decree, “that the French Nation will undertake no enterprise against the rights of any people, but will repel with all the courage of a grand nation the attacks which will be carried against its rights.”<sup>34</sup> Thus a full-scale war of defense was, in this conception, fully justified, whereas an offensive war in violation of another people’s rights would be unacceptable (perhaps meaning a war in violation of the rights enumerated in the *Declaration of the Rights of Man and Citizen*). However, this phrasing is ambiguous regarding a third possibility: an offensive war in support of another people’s rights, or on behalf of another people whose rights were being oppressed. The proposal was debated for the next seven days, over the course of which this question became more explicit. On 17 May, Levis clarified his position, suggesting that the assembly only renounce offensive wars of conquest, as opposed to offensive war in general.<sup>35</sup>

Some representatives objected that a just nation must foster peace, and never has the right to embark on any kind of offensive war.<sup>36</sup> In response, Petion delivered a monumental oration in

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<sup>33</sup> Godechot, *La Grande Nation*, pp. 65.

<sup>34</sup> Speech, Levis, 15 May 1790, in *Archives parlementaires*, tome 15, pp. 519. (All translations are my own, unless otherwise noted).

<sup>35</sup> Speech, Levis, 17 May 1790, in *Archives parlementaires*, tome 15, pp. 526.

<sup>36</sup> Cf. Speech, Sillery, 17 May 1790, in *Archives parlementaires*, tome 15, pp. 532.

support of, and expanding on, Levis' original argument. A nation must be just, he agreed, and must therefore seek peace at all costs. However this may not be possible in the context of a system of hostile monarchical states, whose kings are interested in "dominating their neighbors, and filling the world with their name."<sup>37</sup> The nation's chief interest is to be just, he admitted, but in seeking a peaceful world it may be impossible to avoid conflict with despotic states. In some cases, Petion allowed, it may even be permissible to initiate such conflicts, with the goal of freeing the oppressed people—i.e. warring against their tyrants in the name of their rights. However, he insisted that it would be far better to let nations realize for themselves that they ought to be free and emancipate themselves, than to liberate them by force of arms. Nevertheless, for Petion, either way could conceivably be consistent with the ultimate aim of establishing a peaceful system of states, based on a new, rational "public right of nations."<sup>38</sup> To this end, Petion insisted that the Assembly renounce only aggressive wars of conquests. The full implications of these assertions amounted to the articulation of the principles of a potential new system of international law, in which the legitimacy of war would be based upon the rights of peoples instead of the right of conquest.

Mirabeau threw his weight behind Petion's measure, and pushed through a slightly reworded version of the decree on 22 May 1790 with a wide margin of support. The National Assembly declared that "The French nation renounces undertaking any war with the view of making conquests and it will never employ its forces against the liberty of another people."<sup>39</sup> This same phrase was enshrined in the Constitution of 1791, which was submitted to the Assembly on 3 September.<sup>40</sup> Thus, the constitution that established the first revolutionary French state definitively proscribed all wars of *territorial* conquest.

<sup>37</sup> Speech, Petion, 17 May 1790, in *Archives parlementaires*, tome 15, pp. 538.

<sup>38</sup> Speech, Petion, 17 May 1790, in *Archives parlementaires*, tome 15, pp. 545.

<sup>39</sup> Decree, National Constituent Assembly, 22 May 1790, in *Archives parlementaires*, tome 15, pp. 662.

<sup>40</sup> "Constitution of 1791," in *Archives parlementaires*, tome 32, pp. 541.

Nevertheless, it was the same *Déclaration* that helped legitimate annexation of a different kind, based on the principle of *popular* sovereignty. Avignon and the surrounding Comtat Venaissan constituted a small papal enclave in the heart of France. The local populace—French in every respect except their political status—had formally requested to be “united with,” meaning annexed to, France on 12 June 1790. Pope Pius VI of course protested against the potential seizure of his lands. In the ensuing struggle, as Lefebvre notes, the revolution drew a “new international law” from the principles implicit in the *Déclaration de paix au monde*. In Lefebvre’s reading, hitherto “men followed the soil as it was conquered or ceded.” But on 22 May the National Assembly had formally renounced the right to conquer territory, and essentially declared that “man’s will, freely expressed, was to determine the destiny of the soil”—territory would follow the sovereign will of the people.<sup>41</sup> Avignon and the Comtat were annexed to France on 14 September 1791 according to the rationale that the sovereign people of those two locales, despite the will of their ruler, had desired union with France. The Convention decreed that the territories would from now on “form an integral part of the French state...in accordance with the wish to be incorporated in France expressed freely and solemnly by the majority of the communities and citizens.”<sup>42</sup>

The king swore his oath to the new constitution on the same day. By then, the pope had issued appeals over Avignon to all the sovereign rulers of Europe. According to Lefebvre, the “monarchs thought that this new international law was obviously calculated to benefit France, by permitting it to annex, peacefully and at no cost, any territory whose inhabitants wished to start their own revolution challenging their rulers. All treaties were torn up, all legal bonds between

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<sup>41</sup> Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 196.

<sup>42</sup> Decree, National Constituent Assembly, 14 Sept. 1791, in *Archives parlementaires*, tome 30, pp. 631-2. Cited and translated in Blanning, *The French Revolutionary Wars*, pp. 51.

France and Europe broken.”<sup>43</sup> The revolutionary state found itself in an increasingly precarious position vis-à-vis the hostile European sovereigns.

These circumstances provided the essential stage for the various justifications of the war, the occupation of Belgium in November 1792, and the eventual annexation of the Belgian provinces. On the one hand the renunciation of conquests in the *Constitution* only proscribed territorial ambitions—it involved no renunciation of an aggressive war in pursuit of non-territorial ends, like a war to liberate another people. As the original, and still legally valid, *Déclaration* of 22 May 1790 suggested, the delegates to the Assembly replaced territorial ambitions with the defense of nations as the legitimate object of a war; they rejected a system of international law based on monarchical sovereignty and the legitimacy of conquest in favor of one based on popular sovereignty and liberty. Moreover, as was made explicit in the annexation of Avignon, if a people in fact willed to be included into a larger state, and the people of the latter polity agreed, a union (i.e. annexation) would be wholly legitimate. Territory would follow the people, reversing the *Ancien regime*'s understanding of conquest in international law. The abortive Belgian and Liégeois revolutions of 1789 were evidence that the people of the Austrian Netherlands had willed the expulsion of the Hapsburgs. The liberation of the people of Belgium could, and would, be taken as an example *par excellence* of a legitimate war aim under the new constitution; the Belgians had demanded liberty, but had been unable to break their own chains.

### **3. Justifications of War: Security and Liberation**

The representatives in the National Assembly, under Mirabeau's leadership, appeared to have prioritized peace over the spread of revolution, both for the safety of the French Revolution itself, and in the belief that revolution would spread in any event; although they allowed the

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<sup>43</sup> Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 197.

possibility of a war of liberation, they left the matter ambiguous in the final decree.<sup>44</sup> However, the great revolutionary leader passed away on 2 April 1791. Moreover, thanks to a proposal made by Robespierre on 16 May 1791, the National Assembly had declared its delegates ineligible to sit on the first Legislative Assembly.<sup>45</sup> The legislative body was thus filled with significantly less experienced, and noticeably more radical, representatives. To make matters worse for this untested Assembly, the international atmosphere was decidedly more hostile by the time of its first meeting on 1 October 1791.

Until the summer of 1791, the sovereigns of Europe had made no overt move against France, although the Holy Roman Empire sheltered the *émigré* noblemen and allowed them to conduct military drills.<sup>46</sup> True, the French had already foreshadowed the conflict through justifying their annexation of Avignon with the new international principles based on popular sovereignty, and this was clearly not lost on the pope and the sovereigns of Europe who proceeded to cut all ties with France. Still, as of yet the probability of international conflict remained implicit. The great catalyst, which finally made explicit the seemingly inevitable struggle between the Revolution and Europe, popular sovereignty and monarchical sovereignty, was the flight of the French king, Louis XVI.<sup>47</sup> His arrest at Varennes in June 1791, aborting an apparent attempt to escape across the Rhine to the Empire and the militant *émigré* nobles, electrified public opinion in France in defense of the revolution, and pushed the sovereigns of Europe into finally taking a stance on behalf of the French king. Rumors of an aristocratic plot against the revolution and imminent foreign invasion abounded within France among the educated and uneducated alike, as never before. The international response to the arrest of the king only inflamed these concerns. On 27 August King Frederick William II of Prussia and the

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<sup>44</sup> Godechot, *La Grande Nation*, pp. 64-66.

<sup>45</sup> François Furet, *Revolutionary France 1770-1880*, trans. Antonia Nevill (Oxford: Blackwell Press, 1988), pp. 541.

<sup>46</sup> Furet, *Revolutionary France*, pp. 101.

<sup>47</sup> Furet, *Revolutionary France*, pp. 102; Godechot, *La Grande Nation*, pp. 70.

Holy Roman Emperor Leopold II published the *Declaration of Pilnitz*, warning the French of their concern for the royal family. Although this declaration only half-heartedly threatened the French with use of force if anything were to happen to the king, it was closely followed by provocative invectives issued by the king's brothers, the Comte d'Artois and the Comte de Provence, who had fled from France with the *émigrés*.<sup>48</sup>

The new representatives of the Legislative Assembly took their seats just as international peace and the internal stability of the revolution seemed least secure. A new, more radical group rose to prominence among the Left, led by Brissot and Vergniaud. They were referred to as the Brissotins and later the Girondins. This group, and particularly Brissot himself, advocated embarking on war willingly, over waiting for an invasion. Already on 20 October Brissot pushed through legislation against the Comte d'Artois and the *émigrés*, which was promptly vetoed by the king. By the end of the year Brissot had already committed to an attack on Austria, which he hoped would inspire the people under Austrian rule to rebel against their "despot" and free themselves. In the early months of 1792, the Girondins tirelessly lobbied the Assembly in support of such a war, which Vergniaud predicted would be a "revolution as useful for Europe as the demolition of the Bastille was for France."<sup>49</sup> From the outset the great orators of the Gironde justified war by appealing to both internal security and external liberation.

Indeed the arguments based on *raison d'état* and human rights were linked. Although the threats articulated by the sovereigns of Europe in the *Declaration of Pilnitz* were half-hearted, it was clear that they spoke to explosive underlying tensions between revolutionary France and the sovereigns of Europe.<sup>50</sup> As historian François Furet argues, "if the Parisian clubs were mistaken

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<sup>48</sup> John Hall Stewart, trans. and ed., *A Documentary Survey of the French Revolution* (New York: Macmillan Company, 1961), pp. 223-4.

<sup>49</sup> Speech, Vergniaud to Legislative Assembly, 18 Jan. 1792, eds. Michel Lhéritier & Jacques Hérissey, *Les Grands Orateurs Républicains*, vol. 3, *Vergniaud* (Paris: Monaco, 1949), pp. 95. (Hereafter cited O. R. *Vergniaud*).

<sup>50</sup> T. C. W. Blanning, *The French Revolutionary Wars, 1787-1802* (London: Arnold, 1996), pp. 58, 62; Furet, *Revolutionary France*, pp. 102.

about the diplomatic reality...they knew instinctively what the European chancelleries had not been able to grasp: when war came, it would be a war between two ideas.”<sup>51</sup> In other words, popular sovereignty could not be secure in a milieu of hostile monarchical states, nor could the European monarchs be secure with the constant threat posed to their personal sovereignty by the standard of the French Revolution. Vergniaud raised the point in the Assembly on 18 January 1792: the “Revolution raised the most lively alarms around all the thrones: it gave the example of the destruction of despotism.”<sup>52</sup> Moreover, the Belgian and Liégeois revolutionaries had openly revolted against their rulers, the latter proclaiming the legitimacy of revolutionary French principles of rule and the rights of man. Other nascent democratic movements had agitated with less success in Holland, the Rhineland, Poland, Ireland—even England and the Italian polities. It was apparent to the European monarchs and democrats alike that revolutionaries across the continent might rally to the standard of revolution set by France, and redouble their agitation. It was clear that this threat against the sovereigns of Europe would exist as long as revolutionary France did, and it is difficult to imagine, particularly after the abortive Belgian and Liégeois revolutions, that the great powers of old Europe would have allowed the revolutionary challenge to go unmet indefinitely.

Brissot, like Vergniaud, argued that the security of the French Revolution was threatened, both from within and without, by the inherent antagonism between the principles of the French Revolution and the principles of the European *Anciens régimes*. On the one hand he evoked the external threat posed by most of France’s neighbors. “By [the emperor’s] treaty with Prussia,” Brissot exclaimed on 10 March 1792, it is clear “that there exists a concert...[between the Emperor] and diverse powers against the security of the Constitution of France, under the pretext

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<sup>51</sup> Furet, *Revolutionary France*, pp. 102.

<sup>52</sup> Speech, Vergniaud to Legislative Assembly, 18 Jan. 1792, O. R. *Vergniaud*, pp. 92.

of maintaining the honor and dignity of the crowns.”<sup>53</sup> He saw the only chance for the security of the Revolution in its spread beyond France’s borders. In Brissot’s conception this was consistent with the revolutionary principles themselves—France would secure itself as a bastion of national sovereignty and human rights by liberating the peoples of Europe from their despots, and helping the former to realize their human rights. On the other hand, Brissot raised the specter of internal counter-revolutionary plots. He argued that the war effort would serve to crystallize patriotism at home, by binding people to the constitution, and undermining domestic counter-revolutionary agitation. He contended that war would expose traitors to the revolution, and thereby unite the patriots. “We need spectacular treason cases,” he famously cried, “the people are ready!”<sup>54</sup> He hoped to channel French patriotism into missionary zeal.<sup>55</sup> He portrayed his war as a means to transform the hostile milieu of *Ancien regime* Europe into a new system of revolutionary states, among which revolutionary France could be secure. Brissot argued that for France to be free, the entire continent must be free; for the French people to be sovereign, all the nations of Europe must be too. Thus, according to Brissot, this war would also have as its aim the extension of popular sovereignty and the rights of man to all the peoples of Europe. “The time has come,” he exclaimed on 31 December, “for a new crusade, a crusade of universal freedom.”<sup>56</sup> The first objectives would be Belgium and the Rhineland.

The Belgian case appeared to particularly justify invasion, given the circumstances of the previous Belgian revolt. Moreover, the Belgian and Liégeois exiles living in Paris supported Brissot’s arguments in their tireless advocacy for the liberation of their homeland. The Belgian revolutionary Walckiers founded the *Comité des Belges et Liégeois unis* in Paris with several

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<sup>53</sup> Speech, Brissot to Legislative Assembly, 10 Mar. 1792, eds. Michel Lhéritier & Jacques Hérissay, *Les Grands Orateurs Républicains*, vol. 6, *Les Girondins* (Paris: Monaco, 1949), pp. 37. (Hereafter cited O. R. *Girondins*).

<sup>54</sup> Cited in Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 219.

<sup>55</sup> Furet, *Revolutionary France*, pp. 107.

<sup>56</sup> Cited in Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 217.

prominent, moderate Belgian democrats (though Vonck himself was confined to his sickbed), and the exiled leaders of the more radical Liégeois revolution, including Lebrun. The *Comité* first met on 10 January 1792; they began working the following week toward rekindling the revolution in Belgium and Liège, and uniting the ten provinces. The *Comité* tirelessly lobbied the Legislative Assembly in support of the war. They used language similar to Brissot's, and employed the same justifications in their appeal to the Assembly from the perspective of frustrated foreign revolutionaries. At once they implored the French to deliver them from their foreign despot, and offered the prospect of a liberated Belgium as a firm ally to the Revolution.

Already on 18 December 1791, Lebrun had approached the bar of the Legislative Assembly to request permission to form a volunteer legion of Liégeois soldiers to fight alongside the French Army in the event of an invasion of the Austrian Netherlands. By 26 February Walckiers was able to report to Vonck that the Legislative Assembly had promised him support for two legions of Belgian and Liégeois troops in anticipation of a possible invasion. Moreover, he wrote that the legislature had committed to immediately recognize a unified, revolutionary Belgian state in the event of an Austrian retreat from the provinces.<sup>57</sup> Although this promise was not in any way formal or binding upon the legislature, the *Comité* interpreted it as implying an imminent military effort. Already by February Walckiers was able to say, with confidence, that the Legislative Assembly was making arrangements for a war on behalf of the Belgian and Liégeois peoples.<sup>58</sup>

By February Lebrun completed, on behalf of the *Comité*, the *Manifeste des Belges et Liégeois unis*, with the tripartite aim of justifying a French military campaign toward the liberation of Belgium to the French government, as well as to the people of Belgium, and

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<sup>57</sup> Tassier, *La Belgique sous l'occupation française*, pp. 30.

<sup>58</sup> Tassier, *La Belgique sous l'occupation française*, pp. 30.

providing guidelines for the practical steps that would have to be taken immediately after liberation so as to attain a viable and independent Belgian Republic.<sup>59</sup> The text was tailored to the discourse employed by the Girondins, with whom Lebrun had come to align himself.<sup>60</sup> The first section constitutes an appeal to the French to invade Belgium and Liège on behalf of both peoples. It begins by evoking the universality of the revolutionary principles. “People of France,” the first page proclaims, “it is to you...that we address our complaints... Friendly nations, brotherly peoples! This is the cause of all peoples!”<sup>61</sup> More specifically, in order to justify a French invasion on behalf of the Belgian and Liégeois peoples, the author recalled the abortive revolutions of 1789. “To justify as legitimate and necessary an insurrection, of which we are going to give a new example to the world, it may suffice to say: The people no longer wanted to be enslaved and thus the people were free. The sovereign people ceased to recognize and obey its masters.”<sup>62</sup> The manifesto was only made public in April, when it was printed in the newspaper *Moniteur*, but the Legislative Assembly’s military committee possessed a copy as early as March, where it reinforced Brissot’s claim that French intervention was justified because the Belgian people willed it.<sup>63</sup> It also supported the notion that the mere sight of French troops would inspire the local peoples to revolt on their own, in support of the French army—especially in Belgium where there had already been a serious revolutionary movement a few years prior.

The two justifications for the Brissotin crusade brought most representatives into the camp of the war party. However, there was nevertheless one major voice that decried the problematic nature of the war rationale. Robespierre was the sole great critic of the war, but on

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<sup>59</sup> Although the whole Comité signed the document, Tassier contends with strong supporting evidence that the piece was clearly Lebrun’s work. Tassier, *La Belgique sous l’occupation française*, pp. 29.

<sup>60</sup> Tassier, *La Belgique sous l’occupation française*, pp. 49.

<sup>61</sup> Archives Nationales, Paris, France, (hereafter cited *A. N.*), F 1<sup>e</sup>, 12, 2 : “Manifeste des Belges et Liégeois unis,” pp. 3.

<sup>62</sup> *A. N.*, F 1<sup>e</sup>, 12, 2 : “Manifeste des Belges et Liégeois unis,” pp. 5-6.

<sup>63</sup> Tassier, *La Belgique sous l’occupation française*, pp. 29.

this issue he remained isolated and with little influence until at least July, when the war was already under way. According to Furet, his post-Varennes position (until the summer) was consistently in support of “The constitution [of 1791] and nothing but the constitution.”<sup>64</sup> This meant, of course, no war of conquest, and throughout 1792 he remained suspicious of Brissot’s territorial ambitions—regardless of Brissot’s careful phrasing of the war aims in terms of liberation. However Robespierre’s most convincing arguments, given in a speech to the Jacobin Club on 2 January 1792, concerned the possible scenarios that war would bring even if the Brissotins were completely sincere. Of course there was the very real possibility of defeat. War could easily play into the hands of the very aristocratic conspiracy between King and *émigrés* that it was supposed to squelch.<sup>65</sup> Indeed, Louis and the remaining royalists eagerly supported the war. Why, Robespierre asked, was this the case? He contended that, as the royal family surely hoped, any attack on Austria would bring powerful foreign powers into the conflict, quite likely mightier than the revolution itself. Who knew at this early point that the untrained and under-disciplined revolutionary armies could stand up to the professional armies of the Austria and Prussia, the latter of which was supposed to be the greatest army in the world? Moreover, he contended, victory could easily bring about its own set of problems—and it is on this point that Robespierre proved prophetic. On the one hand, a victorious foreign campaign could dangerously strengthen the personal power of a conquering general, especially one as charismatic as Lafayette (then in charge of the *Armée du Nord*). On the other hand, Robespierre famously questioned Brissot’s military messianism. “No one likes armed missionaries,” he exclaimed to the Jacobin club on 2 January 1792.<sup>66</sup> Regardless of how noble the revolutionary principles were—and Robespierre himself certainly stood by them—any attempt at forcing their

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<sup>64</sup> Furet, *Revolutionary France*, pp. 108.

<sup>65</sup> Maximilien Robespierre, *Oeuvres de Robespierre*, ed. A. Vermorel (Paris: F. Cournol, 1866), pp. 229.

<sup>66</sup> Robespierre, *Oeuvres*, pp. 222.

export on the point of bayonets ran a high risk of inspiring a counter-intuitive popular reaction, and this would only strengthen the claims of the counter-revolutionaries at home.

However, Robespierre did not argue that the two ideas—reinforcing internal security and embarking on a war of foreign liberation—were mutually exclusive. Rather, he seems to have believed that ideally they would be symbiotic, and a real crusade of liberation led by truly revolutionary generals, would be beneficial for both France and humanity. In other circumstances, he declared, “I would send an army to Brabant, I would secure the Liégeois and break the chains of the Dutch: these expeditions are strongly to my taste.”<sup>67</sup> It was not the idealistic project that he objected to, but embarking upon it in the current setting of internal strife, and counter-revolutionary plots. True, he argued in the same speech that no one likes armed missionaries—but he nevertheless seemed willing to endorse military messianism in certain circumstances and thus forcing the foreign peoples to accept freedom and popular sovereignty. The problem, for Robespierre, appears to have been what would happen if the military provoked a hostile reaction against the revolutionary principles while the principles were being violently contested at home as well—such a foreign debacle would surely and greatly strengthen internal enemies, at just that moment when the army was engaged in a foreign struggle. Nevertheless, the near-unanimously approved war movement drowned out Robespierre’s voice in the early months of 1792, despite his clairvoyance.

The Girondins were by no means unaware of the problematic nature of the court’s support for the war—that the king seemed to be motivated more by the prospect of defeat than the hope of victory.<sup>68</sup> Nevertheless, the Brissotins were supremely confident of success, and in the face of increased threats from Austria they finally allied with Louis on the condition that he

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<sup>67</sup> Robespierre, *Oeuvres*, pp. 218.

<sup>68</sup> Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 218.

replace his ministers with capable Girondins. Dumouriez, veteran of the Seven-Years War and an open advocate of the war of liberation, was appointed Minister of Foreign Affairs on 15 March 1792, and the cabinet was largely organized around him. He would remain the strongest force behind creating an independent Belgian republic, founded upon popular sovereignty and the rights of man, until the moment of his defection in 4 April 1793. Dumouriez gave Lebrun a subordinate position in his Foreign Ministry, as director of the department that oversaw relations with the Belgian provinces, the United-Provinces, the United States, and England—essentially all of the states with relevant democratic, and potentially revolutionary, movements.<sup>69</sup> While Brissot advocated the war of liberation in the Legislative Assembly, Dumouriez explicitly oriented the foreign activity of the executive branch towards the same end, particularly through his open support of the Brissotins and his inclusion of Lebrun. Regardless of Robespierre's scathing arguments, all circumstances seemed to favor war on behalf of Belgian liberation. The revolutionary crusade seemed necessary to the representatives of the Legislative Assembly given the increasing hostility of the European sovereigns, and legitimate given the principles of popular sovereignty and universal human rights, the nation-centered international law, the precedent of the Belgian Revolution of 1789, and the passionate advocacy of the Belgian and Liégeois exiles.

On 20 April 1792 the Assembly voted overwhelmingly in favor of war against the king of Hungary and Bohemia (i.e. Austria and not the Empire). Only seven representatives dissented. The Brissotin argument, which linked the security of the French Revolution to foreign liberation, proved decisive. As Lefebvre notes, “nothing could have been better calculated to inflame idealists already confident of offering liberty to the world, or to win over realists lured by the advantages of French expansion.”<sup>70</sup> The implications of this point are key. Brissot's policies

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<sup>69</sup> Tassier, *La Belgique sous l'occupation française*, pp. 30.

<sup>70</sup> Lefebvre, *The French Revolution*, vol. 1, *Origins to 1793*, pp. 217.

would overwhelmingly win the day, but his idealist language says nothing about the motives and interests of his supporters. The crusade of liberation, targeting a nation—in this case the people of Belgium and Liège—who had already expressly, and violently, attempted to assert their freedom from foreign occupying powers, was a legally valid war-aim, under the constitution of 1791. This apparent normative consistency says little, however, about the actual motives of those pursuing a war under these auspices. In reality the various representatives probably had many different interests in supporting the war, ranging from foreign liberation and shoring up internal security, to more tacit ones like simple expansionism—e.g. the old idea of Natural Frontiers. As the plausibility of spreading popular sovereignty to the occupied territories began to fade in December 1792, these various motives re-emerged with greater strength, and new ideological political constellations would determine the course of French policy. At this point, it is sufficient to state that Brissot's arguments won over the vast majority of the Assembly and that the language about liberty and the renunciation of territorial conquests remained highly relevant through the entire period of occupation—including the annexation itself.

#### **4. Liberation: First Attempts at Creating an Independent Belgian Republic**

The French attack began disastrously. On 19 August, 1792, General Lafayette, Commander in Chief of the *Armée du Nord*, defected to Austria, and Dumouriez was appointed to replace him. A week later Lebrun was made Minister of Foreign Affairs, as Imperial soldiers crossed French borders. The tide turned at Valmy, 20 September 1792, when French troops under the new command managed to turn back the foreign army. The next day royalty was abolished in France—the Legislative Assembly closed its doors, and provided for elections to a National Convention to reconstitute France as a republic.

The victorious General Dumouriez returned to Paris to advocate the Brissotin cause of foreign liberation to the new Convention. Once again, he called for the initiation of the project in the Belgian provinces. Now, according to Tassier, Dumouriez personally linked all parties in support of renewing the military offensive. He met with Brissot and Danton, and easily gained their approval. He even appears to have convinced Robespierre, whom he embraced in front of the Jacobin club.<sup>71</sup> Now that France was already at war, and the king was overthrown, even Robespierre proved to be sympathetic to redoubling offensive efforts; given the new circumstances, he would not now deny the apparent unity of the project of liberation and the security of the French state. The new Convention gave its full support to General Dumouriez and the old Brissotin project of exporting liberty, which was now understood to also include spreading republican institutions. According to the delegates, monarchy could no longer survive in harmony with the principles of the French Revolution, at home or abroad.

When French soldiers entered Belgium on 1 November 1792, there was a clear consensus among French leaders (executive, legislative, and military) that Belgium should become an independent republic, founded on the sovereignty of the people.<sup>72</sup> However there was no clear and generally accepted plan to bring this result about. If the French Army was victorious, and the Belgian and Liégeois people rose up in revolt to support their liberators, how would the revolutionary situation then be consolidated into a democratic-republican regime in a way consistent with Belgian popular sovereignty? Though the Belgians of all factions—democrat and Statist alike—welcomed liberation from Austria, it was no secret that they had utterly failed to compromise in 1790.<sup>73</sup> How could the people of Belgium be brought to compromise with one

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<sup>71</sup> Tassier, *La Belgique sous l'occupation française*, pp. 52.

<sup>72</sup> Tassier, *La Belgique sous l'occupation française*, pp. 104.

<sup>73</sup> *A. N.*, F 1<sup>e</sup>, 12, 2 : “Manifeste des Belges et Liégeois unis,” pp. 3; *A. N.*, D§3, 20<sup>bis</sup>, 1, 1 : Letter, Magistrates of Antwerp to La Marliere, 18 Nov. 1792; Archives Générales du Royaume, Brussels, Belgium, (hereafter cited *A. G. R.*), *Archives des États Belges Unis*, 186 : Memoire, Henri Van der Noot, *n.d.*

another, to found a viable, sustainable state? There was little public discussion about such practical concerns before Valmy, and in the end only two plans proved to be significant candidates. Lebrun drafted the first one before the war, while Dumouriez formulated the second on the field. Both plans sought to provide means toward establishing a Belgian republic, based on popular sovereignty and the rights of man. However neither plan could successfully reconcile its proposed means with the ultimate goal of an independent, sovereign Belgian nation.

Dumouriez' and Lebrun's plans shared several important premises that can be traced back to the theories of constitution-making and popular sovereignty articulated by Jean-Jacques Rousseau, in *Du Contrat social*, and reformulated by the Abbé Emanuel Joseph Siéyès between 1789 and 1791. These men all took for granted that an entire people cannot create a constitution for itself. For a constitution to respect popular sovereignty it is not necessary that it literally be written by the whole people—indeed it is unclear what such a condition could mean in practice. Rather, the two plans assume that the people undertakes its first sovereign act in constituting itself as a political entity, i.e. by ratifying a constitution or by writing and enacting one via its representatives. (Later, in 1793, the Convention would insist on both popular representation and ratification regarding its own duty of constituting France). Rousseau analytically separates the constitution of a people into two separate steps—the social contract, meaning the agreement of a mass of individuals (the multitude) to form a cohesive people, and the adoption of a constitution.<sup>74</sup> He writes that the latter step, the act of constitution must be democratic if it is to truly count as the will of a sovereign people. The draft of the constitution may be the product of an assembly of representatives, or even the work of a foreign law-giver (like Solon and Lycurgus); what is essential is that the people see the proposed constitution as consistent with the

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<sup>74</sup> Jean-Jacques Rousseau, "The Social Contract," in *The Social Contract and Other Late Political Writings*, ed. Victor Gourevitch (Cambridge: Cambridge University Press, 1997), bk. 3, ch. 16.

general will, and vote to enact it.<sup>75</sup> Rousseau insisted that democracy here must mean *direct* democracy, but Siéyès reformulated the idea to work within the context of a large territorial state—in the eighteenth century, Rousseauian direct democracy would clearly be infeasible in states as big as France or Belgium. In his 1789 pamphlet, *Qu'est-ce que le tiers état?* Siéyès famously argues that in such a large state as France, the will of the *nation* must be represented in a Constituent Assembly or National Convention—the people can only grant itself a constitution through a Convention elected for that purpose. It would be the delegates who write the drafts, debate the provisions, and vote to implement the constitution on behalf of their constituencies. For Siéyès, there could be no popular ratification—the will of the people is expressed through, and only through, its representatives elected for the purpose of making a constitution.<sup>76</sup>

Both Lebrun and Dumouriez combined the above models, perhaps under the influence of contemporary French Republicans like Condorcet, or even the models of some of the American States, (like Pennsylvania's constitution of 1776). They agreed that the process of debating, and ultimately writing a constitution would have to take place in a Convention elected for that purpose. Drafts could be submitted from outside the Convention, but the finalization would have to be the work of the delegates. But both Lebrun and Dumouriez insisted upon the necessity of including the people in the end, by requiring the Convention to submit its final draft to a popular ratification. The general and the minister agreed on the final stages of the process—a Convention would debate and finalize a constitution, and the people of the various Belgian provinces would vote upon it (as one electorate, with each person having one vote, as in France, rather than separately as provinces, as in America). The people of Belgium would form

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<sup>75</sup> Rousseau, "The Social Contract," bk. 2, ch. 7; bk. 3, ch. 17.

<sup>76</sup> E.J. Siéyès, "What is the Third Estate?," pp. 97; E.J. Siéyès, "Dire sur la question du veto royale," *Écrits Politiques*, vol. 1, ed. Roberto Zapperi (Paris: Editions des archives contemporaines, 1985), pp. 236.

themselves into a single, permanent, and independent nation-state at the end of the process—through the sovereign, democratic moment of popular ratification.

However, the two plans differed with respect to who would be authorized to organize and govern the provinces provisionally until this ratification. This authority entailed organizing electoral procedures, even for provisional governance, and for electing representatives to the National Convention, as well as voting procedures for the ratification itself. The legitimacy of any Convention and its work would depend in large part on the legitimacy of these crucial procedures, especially in a country as hotly divided into factions as Belgium. Both Dumouriez and Lebrun were, after all, most afraid of a repeat of the failures of 1789—that the various provinces would end up divided between supporters of the Statists, moderate democrats, and now the even more radical democrats returning from exile.

Lebrun completed his plan for the unification of the Belgian and Liégeois peoples in February 1792, and appended it to the *Manifeste des Belges et Liégeois unis*. It was already circulating in the *Comité militaire* in March, and printed in *Moniteur* on 29 April; at the outset of the war, it was the only serious plan of organizing Belgium after unification.<sup>77</sup> The *Manifeste* called for the immediate organization of a provisional central government, which would coordinate the organization of the various provinces one by one, as the French soldiers liberated them. The idea was to set up a *Pouvoir révolutionnaire* (revolutionary power), meaning essentially a provisional governing organization consisting of members of the *Comité*, with the double function of temporarily governing the Belgian provinces from a single center, and paving the way for the convocation of a legitimate Belgian National Convention. Of course it would be problematic that the unelected members of the *Comité* take over the crucial organizational process, and all provisional administration. However, the provisional governors would clearly

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<sup>77</sup> Tassier, *La Belgique sous l'occupation française*, pp. 29.

have to be men experienced in political organization, which left relatively few options in a country so long under foreign rule. The great moderate democratic leaders Van der Mersch and Vonck were in ill-health (both died later in 1792) and the Statist leaders had resoundingly rejected compromise and inclusion altogether in 1789-90 by purging the democrats from the first Belgian Republic.<sup>78</sup> Rather than put the provisional government in the hands of the French army, the *Manifeste* recommended that the Belgian and Liégeois exiles of the *Comité* fill the role temporarily. The plan in the *Manifeste* committed the provisional government to highly inclusive electoral procedures in the hope that in the end, none of the antagonistic Belgian factions would feel completely and systematically excluded from the constitutional process and all would at least accept the result as legitimate.

Lebrun's masterstroke was to guarantee the withdrawal of the members of the *Comité* and the *Pouvoir révolutionnaire* upon the transition to the National Convention (also called the Constituent Assembly). He understood that they could not legitimately participate alongside elected delegates in the work of the Convention. The revolutionary power would have the task of organizing the Belgian provinces as soon as they were liberated, and coordinating the provincial assemblies until the entire territory was sufficiently organized that the provisional powers could pass over their responsibility to a Belgian National Convention.<sup>79</sup> The *Pouvoir révolutionnaire* would not have an indefinite duration however—every commune (the smallest regional organization) would, upon being organized, vote for representatives to join the central authority—one representative for every 10,000 individuals living in the region.<sup>80</sup> As soon as the number of such representatives reached 150, the members of the *Comité* would be required to

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<sup>78</sup> Polasky, *Revolution in Brussels*, pp. 245.

<sup>79</sup> *A. N.*, F 1<sup>e</sup>, 12, 2 : "Manifeste des Belges et Liégeois unis," pp. 25. (Cf. Appendix 2).

<sup>80</sup> It is unclear whether this figure refers to males above the voting age, twenty-one, or just resident people in general, regardless of age or sex. The exact phrase is "un représentant pour dix mille *ames*," or "a representative for ten thousand *souls*," which seems to imply any living person in general as opposed to the more common term, "*hommes*" or "*men*." (My italics). *A. N.*, F 1<sup>e</sup>, 12, 2 : "Manifeste des Belges et Liégeois unis," pp. 26.

withdraw from government and the elected representatives would form a Constituent Assembly whose task would be to draft a republican constitution and submit it back to the primary assemblies for popular ratification. The role of the un-elected provisional governors would thus be limited to organizing the provinces, coordinating the popular election of the future delegates to the National Constituent Assembly, and governing in the meantime.<sup>81</sup>

Lebrun believed, furthermore, that the provinces should be united as soon as possible, i.e. provisionally, before the convocation of the Constituent Assembly, so that foreign powers and the people of the various provinces alike would recognize the concrete existence of a single Belgian people, and its intention to constitute itself as a republic, “one and indivisible.” He hoped that giving all Belgians a common stake in the new republic as soon as possible would help ease factional tensions, giving the *Pouvoir revolutionnaire* time to organize the country in a maximally inclusive fashion.

Finally, Lebrun appended a constitutional draft to the *Manifeste*, which would be submitted to the Belgian Constituent Assembly for consideration. For the same reason that Lebrun proposed members of the *Comité* play the role of *Pouvoir revolutionnaire*, he deemed it vital that the experienced democrats submit a draft to the Assembly—these exiles were among the most politically experienced Belgians, and it was thus incumbent upon them to share their thoughts on the technical matter of constitution-making. However, the Belgian Assembly would be in no way bound to accept Lebrun’s “*Essai sur une constitution*.”<sup>82</sup> Following Rousseau’s logic, it was not problematic that the constitutional draft was written by a small group of radical exiles, and not the elected delegates of the people. It might only be one among many drafts, potentially including Statist proposals. The people’s representatives would be responsible for

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<sup>81</sup> *A. N.*, F 1<sup>e</sup>, 12, 2 : “*Manifeste des Belges et Liégeois unis*,” pp. 26-7.

<sup>82</sup> *A. N.*, F 1<sup>e</sup>, 12, 2 : “*Manifeste des Belges et Liégeois unis*,” pp. 37.

synthesizing a final draft, and it would ultimately be up to the people itself to ratify the constitution.

Polasky contends that Lebrun's draft was essentially modeled on the contemporary French constitution of 1791, but this is anachronistic and misleading.<sup>83</sup> The opening Declaration of the Rights of Man basically mirrors the French document, but the rest of Lebrun's draft, written in February 1792, was significantly more radical and democratic than France's contemporary monarchical constitution of 1791. In fact, Lebrun's highly original republican constitution, anticipates elements of both of the major constitutional projects for France in 1793: the Girondin republican draft, written by Condorcet, and the Montagnard constitution, which was written by Hérault de Séchelles and was ratified by a popular referendum.<sup>84</sup> If anything, Lebrun's draft bears similarities to some of the earlier republican state constitutions of America, notably that of Pennsylvania. However, many Statists considered even the French constitution of 1791 to be too radical for Belgium because of its fundamental recognition of popular sovereignty.<sup>85</sup> As in Condorcet's famous draft of 1793, Lebrun conceived of popular sovereignty as much more than a passive principle, but rather a concrete political right to be exercised by the broadest, most inclusive spectrum of individual people. Even the great democrat Vonck believed

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<sup>83</sup> Polasky, *Revolution in Brussels*, pp. 204.

<sup>84</sup> Lebrun's draft granted active citizenry to all males over twenty-one years of age either born in Belgium or domiciled there for two consecutive years. It provided for an elected executive branch (a *senat* consisting of fifteen ministers), as opposed to France's hereditary monarchy of 1791. Most importantly, it understood the sovereignty of the people in a much more democratic way than the French constitution. The two elected, but separate, powers would be mutually independent but both totally dependent on the people. The executive would have the power of veto to keep the legislature in check, but the legislature would be able to resist a veto by submitting the proposed law to a popular referendum. And likewise, any proposed constitutional amendment would necessitate an election of a new Constituent Assembly, and finally a popular ratification. Finally, the people would be required to elect a Constituent Assembly at fixed intervals (to be determined later) so that each generation would be forced to re-evaluate the constitution of their state. All this was opposed to the French Constitution of 1791, which had an inviolable hereditary monarch, granted active citizenship to only wealthy males of at least twenty-five years of age, and contained restrictive veto laws by which the King could delay a measure for up to three successive legislatures (up to eight years). It also contained a restrictive (nearly impracticable) amendment rule, which, like the veto, totally bypassed the people. *A. N.*, F 1<sup>e</sup>, 12, 2 : "Manifeste des Belges et Liégeois unis," pp. 27-38; "Constitution of 1791," in *Archives parlementaires*, tome 32, pp. 525-542.

<sup>85</sup> Polasky, *Revolution in Brussels*, pp. 204-5.

that Lebrun's draft was too extreme for the divided Belgian people, and refused to endorse it from his sickbed out of fear that its mere publication would be polarizing.<sup>86</sup> Even though the draft, like the proposal for a central revolutionary power, was meant to facilitate the inclusion, participation, and reconciliation of Belgian groups, it proved to be divisive. It placed the *Comité* firmly and openly in the radical camp, and risked threatening, in the eyes of the Statists, the legitimacy of any political procedures and organization initiated by the prescribed *Pouvoir révolutionnaire*.

On 26 October, mere days before invading Belgium, Dumouriez published a manifesto to the "brave Belgian Nation," proclaiming France's intention to drive out the Austrians and establish an independent Belgium. "We will enter your territory very shortly," he wrote, "to help you plant the tree of liberty, without meddling at all in what constitution you will to adopt." His intention was to insist that the French army was only there to liberate the Belgians so they could freely constitute themselves without fear of foreign oppression. However, he noted, there was one condition to this liberation: it would have to amount to a liberation of the people, not merely a transfer of rule from the Hapsburg dynasty to a Belgian aristocracy. "Provided that you establish the sovereignty of the people, and that you renounce life under any despots, we will be your brothers, your friends, and your supporters... We will respect your property and your laws."<sup>87</sup> Besides making this condition more explicit than Lebrun had, Dumouriez also proclaimed the interest of the French military in seeing it satisfied. Six days later, on 1 November, 1792, both the National Convention and the French minister of war Pache approved the general's manifesto. Dumouriez crossed the Belgian border the same day, in command of the *Armée du Nord*, with the Belgian and Liégeois legions and several members of the *Comité*

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<sup>86</sup> Tassier, *La Belgique sous l'occupation française*, pp. 31.

<sup>87</sup> Charles François Dumouriez, *Moniteur*, 3 Nov. 1792. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 102.

*des Belges et Liégeois unis*. Five days later, at Jemappes (In the province of Hainaut), Dumouriez completely routed the Austrian army, thereby handing revolutionary France its first great offensive victory.

As soon as the French army crossed the border members of the *Comité*, under Dumouriez' authority, began organizing provisional governments in the provinces in accordance with the plan of the *Manifeste des Belges et Liégeois unis*.<sup>88</sup> Over the next few days, however, Dumouriez grew increasingly worried that Lebrun's plan would alienate the Statists. Two days after Jemappes, even as the *Comité* continued its organizational work, the general made a new proclamation to the Belgian people. He assured them that they would be free to organize themselves into a polity as they saw fit, still bearing in mind the original conditions of respecting popular sovereignty and rejecting despotism. But he added a new condition: the ultimate political unification and constitution of Belgium would have to be the work of representatives chosen by the whole nation in a general election.<sup>89</sup> Dumouriez insisted that provisional government for maintaining taxes, managing public funds, and raising troops would be entirely local, based at the highest level in each of the provinces. Belgium would only be organized into a single republican nation-state through the convocation of the Constituent Assembly, and the popular ratification of a constitution. Moreover, in his subsequent instructions to the army, he authorized his officers to organize the provisional administrations of all unorganized Belgian territories, "without however innovating in any way on the forms of taxation or government." He reiterated that, "this right resides in the universality of the [Belgian] nation which can only decide on the constitution in a National Assembly which will take place when Belgium is entirely delivered from imperial troops."<sup>90</sup>

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<sup>88</sup> Tassier, *La Belgique sous l'occupation française*, pp. 99.

<sup>89</sup> Cited in Tassier, *La Belgique sous l'occupation française*, pp. 103.

<sup>90</sup> Cited in Tassier, *La Belgique sous l'occupation française*, pp. 103.

A week later, Dumouriez finally and explicitly rejected Lebrun's plan, and forbade any further independent political activity on the part of the *Comité* in Belgium. He believed, with reason, that the *Comité's* activity only exacerbated tensions between democrats and Statists. Thus, although he shared the ultimate goals of Lebrun's proposal, he worried that its provisional plans would spell the systematic exclusion of the Statists from the processes of organizing the provinces and electing national delegates. At the very least, their exclusion from central provisional authority would severely undermine the legitimacy of any political procedures recommended by the center. On 17 November, he wrote to Lebrun that the *Comité* could not exist separately from the provincial administrations as a central revolutionary authority, because "it would be a body external to government; it would be a tyranny." He added that members of the *Comité* should partake in government in precisely the same way as any other hopeful officials, democrat or otherwise—through election in the primary assemblies. "Each member of the *Comité* will either enter the number of magistrates and administrators of his province or not, according to the more or less confidence which he will have inspired in his fellow citizens."<sup>91</sup>

Dumouriez felt that if the radical *Comité* were left to organize the country on their own, the balance of forces in the Constituent Assembly would be, or at least seem, unacceptably skewed. But, with Vonck and Van der Mersch dead, and a provisional Statist authority out of the question, he rejected any provisional central government altogether. He left to the French military, and later civilian agents, the organization of the various provinces into democratic primary, regional, and provincial assemblies to all of which the populace could elect whomever they deemed fit—even members of the old privileged classes. Dumouriez appears to have believed that only the moderate democrats could hold the country together, but with the deaths of

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<sup>91</sup> Letter, Dumouriez to Lebrun, 17 Nov. 1792, *A. N.*, C 359, 1905 II. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 108.

their greatest leaders he preferred to temporarily keep control over provisional organization and central governance in French hands. He hoped that a significant number of the local provisional representatives would be moderates, who could contain the more extreme Statists and radicals.

In France, Lebrun accepted Dumouriez' admonitions with no resistance. The Foreign minister renounced his plan, convinced by the general's wariness of leaving provisional governance in the hands of the *Comité* (i.e. the radical democratic faction).<sup>92</sup> The *Comité* closed its Brussels headquarters and withdrew from politics; its former members spread out through the provinces, and set about establishing radical-democratic clubs in the cities, towns, and villages, called *Sociétés des Amis de la Liberté et de l'Égalité*. The drawback of Dumouriez's plan, however, was that it delayed the Belgian assumption of sovereignty until the convocation of a Constituent Assembly. Worse, it meant that French agents would be responsible for overseeing the organization of the remainder of the various provinces. This amounted to *de facto* provisional central rule by foreign agents from France, and by this time the Convention appeared to be at least as radical as the *Comité*. The essential problem was that insisting upon introducing popular sovereignty and the democratic election of a Constituent Assembly was bound, from the start, to alienate the Statists. After all, the latter explicitly rejected the sovereignty of the people and the rights of man, and insisted that the Estates was the sole legitimate body where constitutional issues such as forms of regime could be discussed.<sup>93</sup> The Statists clearly enjoyed significant popular support, so how could the French formally proscribe their goals in advance of all political procedure, while maintaining that Belgian government would be founded on popular sovereignty and democracy?

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<sup>92</sup> Tassier, *La Belgique sous l'occupation française*, pp. 108-109.

<sup>93</sup> "Declaration of Independence of Brabant," *États de Brabant*, 30 Dec. 1789, in Palmer, *Age of Democratic Revolution*, vol. 1, *The Challenge*, pp. 514.

The two plans shared a major drawback, which they may have inherited from Rousseau's theory of popular sovereignty and democracy. The theory depends upon a homogenous popular will—that is to say that the people can agree on at least a core of fundamental governmental principles. If the populace were divided into factions expressing mutually exclusive world-views or principles of governance then one of two serious problems might easily arise: In the first scenario, one faction would be strong enough to win a popular ratification of their constitution, which risked the total alienation and perhaps even oppression of the insular minority; in the other case, neither faction would be able to prevail, but each would be strong enough to prevent the popular ratification of their opponent's draft—ideally this would force the groups to compromise in a new convention, but it would also run the risk of a political breakdown, anarchy, and insurrection. Both groups enjoyed significant support in the population and it was clear to both Dumouriez and Lebrun that they would both have to be included. But fundamentally, whether implicitly or explicitly, both plans favored the former party over the latter—they favored a particular result that was only desirable to one of the parties: a Belgian republic founded upon popular sovereignty and human rights. Both Lebrun and Dumouriez recognized this enormous practical concern, but neither of their plans could sufficiently mitigate the problem. Perhaps the reason was that they both believed that their fundamental principles of government were the only correct ones, and were thus unwilling to address the problem. In any case, the Belgian people was afforded no opportunity to affirm or reject this conclusion. Lebrun and Dumouriez were both willing to impose on the Belgian people the condition most certain to alienate the Statists and their numerous adherents: the recognition of popular sovereignty as the French authorities understood it and the rights of man. Ultimately, they were willing to use force to insist on these revolutionary principles.

Whether either plan, or any other, may have been better in the abstract, it is clear that the implementation of Dumouriez' project proved disastrous for the creation of a united Belgian nation-state. According to this plan, there would be no organ for the Belgian people to pronounce its will until the meeting of the Belgian Convention. However, Dumouriez had no interest in simply putting off the ultimate assumption of Belgian sovereignty. He realized that an indefinite occupation could be just as dangerous for polarizing the various factions as granting central provisional authority to just one of them. He thus worked vigorously to convoke the Convention as soon as possible, which he took to be the only legitimate means for the Belgian people to unite and finally assume sovereignty. In mid-November Dumouriez requested that Lebrun send him several civilian agents to form a central French Agency in Brussels, with the express purpose of administering the organization of the remaining territory, (including the provinces farthest away from the French border, which were most conservative—particularly Brabant). However, the two leaders assigned the Agency the parallel task of spreading the doctrine of popular sovereignty and the rights of man as they organized the provinces, in preparation for the Belgian people's ultimate assumption of sovereignty. The Agency, which was staffed by four young revolutionaries, Pierre Chépy, Charles Metman, Alexandre Courtois, and Dumouriez's *aide-de-camp* Lt. Cln. Bourdois, was aligned from the outset with the French republic and the most radical Belgian revolutionaries.<sup>94</sup> They worked explicitly and uniquely with the *Sociétés* to organize and occasionally provisionally administer the provinces. These four zealous republicans were not equally radical, but in the eyes of the Statists these distinctions were meaningless. No matter how carefully the agents padded their organizational work with the language of inclusion and participation, it was clear to everyone that the Statists would be generally excluded from all political organization before the calling of the Convention.

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<sup>94</sup> Tassier, *La Belgique sous l'occupation française*, pp. 121-122.

## **5. The Implementation and Failure of Dumouriez' Plan**

The implementation of Dumouriez' plan proved to be even worse than it may have been in the abstract. Even given the plan's fundamental commitment to popular sovereignty and the rights of man, the actual organizational work was remarkably divisive. The Statists were, in the end, totally alienated, and what's more, they appeared to be gaining a greater and greater popular following. The more popular they seemed to become, the more the French proved willing to explicitly support the moderate and radical democrats, even by means of force. This in turn only strengthened the Statists position in fact as well as in appearance. What's worse, as Belgium deteriorated into factional struggle, the Convention rapidly withdrew support from Dumouriez and his relatively conciliatory plan, and increasingly turned to coercion. They rejected the original understanding of liberation, held by Dumouriez and Lebrun, in which the emancipated people were assumed to understand, desire, and be prepared for liberty and sovereignty, and would be encouraged from the outset to take control of their own affairs as soon as possible. The Convention's new attitude was increasingly paternalistic. By paternalism I mean the attitude of an actor whereby he assumes that another does not sufficiently understand the means required to reach a certain goal, or even the goal itself, and thus considers it justified to substitute his will and agency for those of the supposedly deficient actor, on the latter's behalf. Over the course of the occupation, the French more and more assumed exactly such attitude toward the Belgians. They tended, with increasing frequency, to assume that the Belgian people did not understand political liberty, did not sufficiently desire it, and most importantly were utterly unprepared for free self-governance. Instead of encouraging the Belgians to take over their own affairs as soon as possible, the Convention gradually substituted its will for that of the Belgian people.

At first the French hoped to basically leave the Belgians to organize and govern themselves, with minimal supervision and direction from Dumouriez and the Ministry of Foreign Affairs, under the assumption that they would embrace liberty as soon as the impediment of the Austrian army was removed. Soon the French administrators in Belgium grew convinced that the people of Belgium basically understood and desired what was best for them, the establishment of a free democratic republic, but that the Belgians did not understand the best means to bring this result about—the French thus began to try to persuade the populace, through increasingly vigorous propaganda campaigns, of the merits of affirming equal human rights and establishing republican institutions through a democratically elected National Convention.<sup>95</sup> Finally, in mid December, the Convention decided that the people of Belgium, in general, did not even understand what was best for them—they decreed that all occupied peoples, including the Belgians, would simply be forced to accept the revolutionary principles and institutions.<sup>96</sup> Liberation would no longer be a simple matter of breaking the chains of a subject people, but now potentially meant an indefinite period of paternalistic French government and political tutelage over, and on behalf of, the “emancipated” people.

The French Agency first met on 20 November 1792, in Brussels.<sup>97</sup> While it is certain that the agents were subordinates of both Lebrun and Dumouriez, the chain of command was never quite clear. Chépy, the most radical among them, frequently complained of Dumouriez’ moderacy to Lebrun (who must have thus at least appeared more sympathetic to the radical side), while the moderate Metman explicitly obeyed Dumouriez even when the general finally broke with official French policy in late December. Courtois, on the other hand, was as moderate as Metman, but ultimately obeyed the Convention over Dumouriez. Nevertheless, at first they were

<sup>95</sup> *A. N.*, F1<sup>e</sup>, 21, 1 : Letter, Courtois to Lebrun, *n.d.* Dec. 1792. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 125.

<sup>96</sup> Decree, National Convention, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 72-73;

<sup>97</sup> Tassier, *La Belgique sous l'occupation française*, pp. 121.

under the *de facto* command of both Lebrun and Dumouriez, who tended to agree on most points until mid-December. Both the general and the foreign minister authorized the Agency's mission in Belgium, which entailed both the spread of revolutionary propaganda and the provisional organization of the provinces. The agents' work with respect to both of these tasks would significantly escalate tensions between the Statists and radicals.

The spread of propaganda was problematic enough. It only emphasized the fact that French were not a neutral party assisting in the organization of an independent Belgium to be ruled according to the will of the Belgian people. The fact that the agents in charge of organizing the provinces were themselves outspoken propagandists made explicit to the Belgian populace that the French were committed to certain outcomes, i.e. the establishment of a republican government founded on the sovereignty of the people, and the propagation of the rights of man. The propaganda made clear that the French government would not accept the Statist goal of reaffirming the old Belgian institutions, and thus ultimately rejecting the French notion of popular sovereignty, even if only by means of democratic institutions. However, no matter how this propaganda was perceived by the Belgians, it is significant that at this point it only amounted to recommendations and advice to the Belgian people—not explicit *conditions* for the French guarantee of their liberty.

Each of the agents took the task of spreading propaganda very seriously. At first Chépy went to the highly democratic Flanders, where he was followed by Courtois two weeks later. Meanwhile Metman remained in Brussels to organize the rest of the highly conservative province of Brabant—the city of Brussels was in the south of the province, and though its own assembly, which was full of democrats, was considered to have special central status in Belgium, it could not organize a provincial assembly without at least the cooperation of the rest of the

major cities of the province). Chépy and Courtois, for example, spoke at local *Sociétés*, and founded new ones in towns where there were none already.<sup>98</sup> The latter spread, through speech and print, Dumouriez' addresses (including his manifestos), the declaration of the rights of man, and even the lectures of Thomas Paine.<sup>99</sup> He was, however, more warmly received than Metman whose efforts at propaganda in Brabant consistently foundered. But, according to the diligent Metman this province was the part of Belgium where propagating the doctrine of the rights of man was most urgently required.<sup>100</sup>

The agents appear to have acted more or less uniformly in spreading such propaganda, and it seems likely that the mere act of spreading such documents? and principles contributed to the alienation of the more conservative Belgians. However, Metman, Bourdois, and Courtois appear to have understood their roles in starkly different terms than Chépy, and their different perspectives help explain the inconsistencies in their organizational approaches. Courtois clearly valued democratic procedures, and he emphasized empowering the Belgians from the outset. “I will speak, here, of the necessity of working to form the National Convention,” he wrote to Lebrun at the beginning of December, “and I will give [the Belgian people] the means to do it.”<sup>101</sup> Here, the means seems to refer to both practical means, like procedural forms, and ideal means, like the propagation of democratic ideas, i.e. propaganda. On the other hand, Chépy insists that, “It will be of incalculable utility for the Convention to declare that it will never abandon the Belgian Nation.” However, he argues, this is because “Malicious spirits fill up the ignorant [Belgians] with terrors that hinder the propagation of our saintly principles”—referring, by “malicious spirits,” to restless nobles and clergymen, and by “terrors” to such fears as

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<sup>98</sup> *A. N.*, F1<sup>e</sup>, 11, 2, 1, 1 : Letter, Chépy to Lebrun, 18 Nov. 1792.

<sup>99</sup> *A. N.*, F1<sup>e</sup>, 11, 5 and 21 : Correspondence, Courtois and Lebrun, Dec. 1792. Cited in Tassier, pp. 127.

<sup>100</sup> Archives du Ministère des Affaires Étrangères, Paris, France, (hereafter cited *A. E.*), P. B., 183, p. 398. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 122.

<sup>101</sup> *A. N.*, F1<sup>e</sup>, 21, 1 : Letter, Courtois to Lebrun, *n.d.* Dec. 1792. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 125.

Austrian resurgence and the wrath of God himself. Moreover, according to Chépy, the Belgians “have no political notion whatsoever.” Finally he adds, making clear the extent of his paternalistic attitude, that “we have many obstacles to overcome and it will be necessary to deploy a bit of force.”<sup>102</sup>

By mid November, the *Comité* had already organized the provisional provincial assemblies of the southern provinces, Flanders, Hainaut, Namur, and Tournai.<sup>103</sup> Thus, on 20 November, the agents divided organizational duties for the rest of the territories between them. Chépy and Courtois went to different parts of Flanders to organize the local primary assemblies in the many townships and villages through which all referenda and elections to higher bodies, (provincial and national), would henceforth take place. Likewise, Bourdois went to Hainaut with the same goal. Meanwhile, Metman remained in Brussels to organize both the primary assemblies and the higher provincial assembly of Brabant. Dumouriez himself went to Liège, which was clearly the most radically democratic of all the provinces.

According to Tassier, at the outset of the invasion a great democratic spirit already reigned in Flanders and Hainaut, which bordered France.<sup>104</sup> The provisional representatives to the provincial assemblies there were for the most part relatively moderate, even though the apparently radical *Comité* had organized the bodies. Courtois' work was undeniably impressive, and in conformity with the goals espoused by Dumouriez. He assured the locals that the revolutionaries would respect religion, and only combat fanaticism.<sup>105</sup> He organized a large number of towns and villages, and moreover employed egalitarian, and inclusive principles of organization. In the town of Furnes, for example, he provided for elections of provisional

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<sup>102</sup> *A. N.*, F1<sup>e</sup>, 11, 2, 1, 1 : Letter, Chépy to Lebrun, 18 Nov. 1792.

<sup>103</sup> Tassier, *La Belgique sous l'occupation française*, pp. 105-106.

<sup>104</sup> Tassier, *La Belgique sous l'occupation française*, pp. 126.

<sup>105</sup> Tassier, *La Belgique sous l'occupation française*, pp. 126.

administrators by secret ballot.<sup>106</sup> Chépy also organized several major cities in Flanders, but he was far less concerned with including the broadest spectrum of Belgians in the provisional political process. He organized elections in Gand and Bruges, with the help of Balza, a former member of the *Comité* and a provisional representative of Brussels. However, he counseled the democrats there to hold their election by acclamation, from a prepared list. This tactic assured to the more radical democrats an important, and disproportionate role in the new assemblies, and thus marginalized both the Statists and the more moderate, conciliatory democrats in the two major cities of a generally moderate province.<sup>107</sup>

In contrast, it was clear from the outset that the Statists dominated the northern province of Brabant. The magistrates of Antwerp, for example, when greeting the French Field Marshall La Marliere with the keys to the city, entreated him that “we, [the people of Antwerp,] have a religion and a constitution which are dear to us... Permit us to conserve them, and thus the prerogatives, privileges, laws and immunities, ecclesiastic and civil, of this city.” Their argument, typical to Statists across Belgium, was that the traditional Constitution and Catholicism “have assured the happiness of our ancestors as well as our own, as long as they have been respected.”<sup>108</sup> Thus, they essentially asked the French for a guarantee of their religion, the old *Joyeuse Entrée*, and thus the old Brabançon Estates, and the maintenance of privileges of the nobility and guilds. To make matters worse, La Marliere granted this promise, which would clearly have to be revoked if the province was to participate in any kind of popular elections to a National Convention in accordance with Dumouriez’ plan.<sup>109</sup> The magistrate’s request can be compared to the proclamation of the Municipal Council of Liège, which renounced the old

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<sup>106</sup> Cited in Tassier, *La Belgique sous l’occupation française*, pp. 126.

<sup>107</sup> *A. N.*, F7, 4690, 4. Cited in Tassier, *La Belgique sous l’occupation française*, pp. 124; Cf. *A. N.*, F1<sup>e</sup>, 11, 2, 1, 2 : Letter, Chépy to Lebrun, 18 Nov. 1792.

<sup>108</sup> *A. N.*, D§3, 20<sup>bis</sup>, 1, 1 : Letter, Magistrates of Antwerp to La Marliere, 18 Nov. 1792.

<sup>109</sup> *A. N.*, D§3, 20<sup>bis</sup>, 1, 1 : Letter, La Marliere to Magistrates of Antwerp, *n.d.* Nov. 1792.

bodies (including itself), and privileges of any sort. It called upon the people of the province, “in whom alone resides the sovereign power, to pronounce...[against] the vices inherent in the organization of the commune of Liège,” referring to the constituted administration left over from the Papal regime. “The council believes that its first duty is to invite, by this address, the sovereign people to pronounce the abolition of these vices,” meaning the abolition of the entire institutional structure of the *Ancien regime*.<sup>110</sup> True, Liège and Brabant were the extremes—the former the most radical province and the latter the most conservative. But it would take the cooperation of all of the provinces to legitimately unite Belgium into a republic based upon the sovereignty of the people. The provinces were still considered to be separate polities, and the French believed that making a single state out of them would only be legitimate if each province consented to unification by sending delegates to the Convention—ratification, then, would take place across provincial boundaries by the principle of one person, one vote. While the organization of Liège was successful to this end, that of Brabant was a disaster.

Indeed, there was little question that the Statists dominated Brabant, and Metman’s task of organizing the province into democratic primary assemblies, and a provincial assembly, was thus incredibly difficult at best. Nevertheless, Metman remained open to empowering the people, even if they were more conservative. He insisted to the provisional representatives of Brussels that it was in the urgent interest of both the French Republic and the future Belgian Republic that the towns of Brabant hold popular elections to elect representatives to a provisional assembly of Brabant, and prepare for the elections to a National Convention.<sup>111</sup> In the major cities, where Tassier claims the elections only took place under the insistence of French officers, most of those elected were conservative. Many towns and villages simply refused to participate

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<sup>110</sup> *A. N.*, D§3, 20<sup>bis</sup>, 1, 3 : Proclamation, Municipal Council of Liège, 5 Dec. 1792.

<sup>111</sup> *Collection complete des procès-verbaux des représentants provisoires de la ville de Bruxelles et des journaux de la société titrée des Amis de la Liberté et de l'Égalité établie à Bruxelles*, tome 1 (Brussels: Chez A. J. D. De Braeckenier, 1793), pp. 95. (Hereafter cited as *P. V. Repr. B.*).

at all, and of those that did most organized primary assemblies and promptly voted to retain the Estates. Moreover, the cities refused to join the representatives of Brussels in electing a provincial assembly, and instead reaffirmed their commitment to the Estates.<sup>112</sup> On 30 November, Dumouriez wrote to Pache, the French Minister of War, that he could do little in Brabant. Instead, he would have to accelerate the organization of the surrounding provinces, and thus the convocation of the Convention. “The revolution is far from done in Brabant,” he wrote, “the cabal of the prince of Orange, Van der Noot, the priests and the Estates reign over three quarters of the country; it is at least necessary that I organize the country of Liège to serve me in containing Brabant.”<sup>113</sup> Hopefully, he thought that this would force the Brabançons to participate or risk exclusion from the new Republic.

By early December, the Belgian provinces were for the most part organized, with the notable exception of Brabant, which posed a continual and significant problem for the French, and the possibility of a future Belgian Republic. However, even in the most democratic, successfully organized provinces, like Flanders, many cities, towns, and villages were disproportionately represented by radicals due in part to the active participation of the *Sociétés*, and particularly the prejudicial electoral forms like those used by Chépy. Moreover, the propaganda firmly placed the French agents in opposition to the Statists. It must have been difficult to believe that forms organized by such biased agents would really be neutral and inclusive, (and indeed in many cases they weren't). Chépy's evidently disastrous conduct in the organization of the provinces would have only confirmed such concerns, by empowering radicals to a disproportionate degree in provinces already sympathetic to democracy and inclusive participation. On the other hand Metman, who, like Courtois, emphasized empowering the

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<sup>112</sup> Tassier, *La Belgique sous l'occupation française*, pp. 133.

<sup>113</sup> *A. N.*, C 359, 1905, III : Letter, Dumouriez to Pache, 30 Nov. 1792. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 133.

Belgian people as much as possible, was utterly frustrated in Brabant for the opposite reasons—his interest in maintaining a degree of broad inclusion, albeit a noble one, allowed the Statists to use the provisional democratic organs to reaffirm the Brabançon Estates. Of course, he was in a difficult bind, because he would have had to follow methods like those of Chépy in order to succeed in forming a provincial assembly in Brabant, sufficiently full of democrats. This would have been so obviously illegitimate in such a conservative province, that it would have risked outright rebellion. As a result of the provisional organization, despite many great successes in the southern provinces, Belgium's factional schisms were left wider than ever. In the north, institutions of popular sovereignty were used by the Statists to reject popular sovereignty, while in the south radicals enjoyed disproportionate power, and would prove utterly unconciliatory toward conservatives there. Both the radicals and Statists would use their positions of power to bully their local opponents, which frequently led to *de facto* disenfranchisement.<sup>114</sup> Moderates, finally, were in disproportionately short supply all over, save (ironically enough) in the assemblies organized by the *Comité* in the first days of the invasion, like that of Brussels.

By mid December 1792, it was clear that the so-called “people” of Belgium was utterly divided. On the 12<sup>th</sup>, Dumouriez finally despaired of the situation, particularly in light of the electoral debacles in Brabant, and publicly turned against the Statists. He derided the former Estates as “a feudal authority which shames the plurality of citizens. You believe, Belgian people,” he continued, “that all is done because you no longer have the Austrians on your territory. You are mistaken, you have done nothing yet for your freedom; you have not yet begun your revolution.”<sup>115</sup> Although he had from the outset insisted on establishing a government founded on popular sovereignty, he now insisted that this must absolutely preclude

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<sup>114</sup> On the Statists' abuses, Cf. Tassier, *La Belgique sous l'occupation française*, pp. 170; on the abuses of the *Sociétés* Cf. Polasky, *Revolution in Brussels*, pp. 254-258.

<sup>115</sup> Dumouriez, *Moniteur*, 12 Dec. 1792. Cited in Polasky, pp. 237.

the existence of the old society of orders and privileges. He chastised the Belgians for failing, particularly in Brabant, to rid themselves of these institutions and reorganize along revolutionary principles. However, it is important that he only turned on the Statists through words, not by actions. He did not presume to *force* the Belgians to see things his way. As Polasky notes, “Dumouriez had not abandoned his ideal of a moderate republic governed by representatives freely chosen by the people.”<sup>116</sup>

The difficulties of party confronting Dumouriez’ plan were compounded by severe financial problems. The *Armée du Nord* was chronically under-funded, and the Agency’s purse was in even worse shape.<sup>117</sup> Some Frenchmen were of the mind that the Belgian people should be the ones to support the French army—why should France pay out of its own pocket to risk the lives of its own citizens on behalf of another people? General La Bourdonaye, one of Dumouriez’s subordinates, took this idea to an extreme in the first weeks of November, by ordering mass requisitioning from the local churches, abbeys, and even the populace itself. However, most of the French leaders rejected this kind of living off the land. Dumouriez complained vociferously to the Agency in Belgium, and to the French Executive Council.<sup>118</sup> Even Chépy, the most radical and paternalistic of the agents, advised Lebrun on 18 November to “Stay on watch or [La Bourdonaye and his requisitions] will ruin everything.”<sup>119</sup>

The Executive Council withdrew La Bourdonaye from service days later, but the affair had at least two clear repercussions. On the one hand, it did obvious damage to the image of the French—making it look more like a typical occupation than any kind of fraternal crusade. On the other hand La Bourdonaye’s flagrant insubordination prompted Dumouriez to demand from the Convention personal control over financing the Belgian operation and any future campaigns.

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<sup>116</sup> Polasky, *Revolution in Brussels*, pp. 237.

<sup>117</sup> Cf. *A. N.*, F1<sup>e</sup>, 11, 2, 1 and 2 : Chépy’s complaints to Lebrun in two letters of 18 Nov. 1792.

<sup>118</sup> Tassier, *La Belgique sous l’occupation française*, pp. 111.

<sup>119</sup> *A. N.*, 1<sup>e</sup>, 11, 2, 1, 2 : Letter, Chépy to Lebrun, 18 Nov. 1792.

Cambon, the head of the Convention's committee on Finance, joined Pache in sharply rebuking Dumouriez. "The more a general has success," he entreated the Convention, "the more he has the preponderance of opinion behind him, and the more it is important that he not have management of finances, that he be subjected to strict rules."<sup>120</sup> Even though these two would not support the La Bourdonaye's rampant requisitioning, they were willing to force Dumouriez into deriving a large portion of his funds from the Belgian provinces. They did not argue, like La Bourdonaye, that the Belgian people should pay for their own liberation, but rather that the privileged classes should pay—seeing as how they had derived their wealth through tyranny in the first place.

By the end of November, Dumouriez was in such a great need of funds, and saw so little prospect of support from the Convention (Pache would not even return his letters), that he decided to impose a massive "forced loan" upon the Belgian clergy.<sup>121</sup> This was both seen as an attack on the privileged classes, and portrayed by the latter as essentially an attack on the Catholic religion. Thus, through these unfortunate circumstances, the divide between the Belgian parties was deeply polarized, and the Statists were able to don the mantle of defenders of the faith, in contrast to the anti-clerical French and their radical supporters. In Belgium, this was no small matter, for although the populace was divided with respect to political outlook, the vast majority appear to have been ardent Catholics. Moreover, this loan was announced just a few days before most of the provisional elections in Brabant, and only served to confirm the conservative candidates claims of French anti-clericism. Dumouriez realized that this enforced loan was anathema to his plan of organizing Belgium in an inclusive, democratic way, because of its likely drastic divisive effects. But he was, as usual, in the last resort willing to further

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<sup>120</sup> Dumouriez, *Moniteur*, 24 Nov. 1792. Cited by Tassier, *La Belgique sous l'occupation française*, pp. 155.

<sup>121</sup> Polasky, *Revolution in Brussels*, pp. 234.

alienate the Statists in order to achieve an independent Belgian republic based on popular sovereignty, which he saw as possible only with a fully functional, provisioned French army to oversee the organization of the country in the interim.

On 30 November, the Convention finally resolved to settle the dispute between Dumouriez and Pache. They sent four of their members—Camus, Danton, Delacroix, and Gossuin—as “*Commissaires*” of the Convention, to investigate the general’s claims against the minister of war, and the general status of the *Armée du Nord*. These men arrived in Liège on 3 December, and within a mere two days were able to verify the destitute situation of the Army’s funds.<sup>122</sup> (Dumouriez’ loan had not yet accomplished anything, and by the end of the year he had acquired, even by the most favorable estimates, only a tenth of what he hoped). While pursuing their investigation, they strayed far beyond their mandate to examine the general state of affairs in Belgium, just in time to witness the unfortunate state of affairs in Brabant after the provisional elections. Although the problem of funding brought their mission about, it was as much the sectarian schisms that drove them to decry the situation as an emergency. On 7 December, the *commissaires* wrote to the Convention that the army was in a state of destitution: its purse was totally empty, and it was completely lacking in supplies, from animal feed, to equipment and clothing.<sup>123</sup> On 8 December, before finishing their full report, the *commissaires* sent Camus back to Paris to convey the urgency of the situation to the Convention.<sup>124</sup> He only arrived the night of 11 December, and the next day he reiterated to the Convention the total denouement of the army. Moreover, he explained that the Belgians would not cooperate with furnishing the armies,

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<sup>122</sup> Decree, National Convention, 30 Nov. 1792, in *Archives parlementaires*, tome 53, pp. 685. Cf. Tassier, *La Belgique sous l’occupation française*, pp. 161. Polasky contends that the *commissaires* arrived on 20 November, but this is incorrect. It seems as though she is confusing them with the agents sent by Lebrun. Polasky, *Revolution in Brussels*, pp. 235.

<sup>123</sup> Letter, Camus *et al.* to Convention, 7 Dec. 1792, in *Archives parlementaires*, tome 54, pp. 732.

<sup>124</sup> Tassier, *La Belgique sous l’occupation française*, pp. 162, 164.

particularly in their refusal to accept French notes of credit, (called *assignats*) from the cash-deficient army.<sup>125</sup>

Camus' report, compounded with Dumouriez' own public derision of the Belgian factional schism and several letters written by the agents to Lebrun on the same subject, conveyed to the Convention that the political situation in Belgium amounted to a total crisis, even if this was not quite the case. Revolution had clearly not yet spread to the Belgian provinces, and the army was rapidly deteriorating. If the Austrians waged a counter-campaign in such circumstances, everything could be lost—including Belgium, the *Armée du Nord*, and indeed the French Revolution itself. The Convention thus immediately decreed that the committees of war, finance, and diplomacy should meet together with the executive council to come up with a firm set of regulations by which the armies on campaign would be funded.<sup>126</sup> The product of this conference, four days later, was a draft of the infamous decree of 15 December, which would mark the final rejection of Dumouriez' relatively inclusive plan in favor of creating a Belgian Republic through systematic paternalism and force.

On 15 December Cambon approached the bar of the Convention, on behalf of the combined committees, to present a prospective decree on both the question of regulating the conduct of the French generals in the occupied countries, and the question of military funding. He began with a wholesale reinterpretation of the France's objects in embarking on war. "It is without doubt the annihilation of all privileges," he declared. "War to the castles, peace to the cottages. Here are the principles you have posed in declaring that: All that is privilege, all that is tyrannical, ought thus be treated as an enemy in the countries that we enter." At this statement, the assembly burst into applause for the first of several occasions during the speech.

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<sup>125</sup> Speech, Camus, 11 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 19.

<sup>126</sup> Decree, National Convention, 11 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 19-20.

“But what, on the contrary, has been our conduct until now?” he asked. “Dumouriez, in entering Belgium, had announced great principles of philosophy; but he has limited himself to making addresses to peoples. He has until now respected nobles, privileges, *corvées*, feudalism, etc...the people is nothing there.” It was admirable, suggests Cambon, that Dumouriez was so concerned with fostering the great principle of popular sovereignty, but the latter’s insistence on maximum inclusion was completely misguided and would only maintain the power of the old ruling classes. “The people, serving sacerdotal and noble aristocracies, has not the force, on its own, to break its chains; and we have done nothing to aid them in freeing themselves...It is necessary that we declare ourselves the revolutionary power and that we destroy the *Ancien régime* that holds them in subjugation.”<sup>127</sup>

If this was not an outright revision, it was without doubt a one-sided reinterpretation of the original justification for war. Brissot’s crusade, drawing from the principles of international law espoused in the *Déclaration de paix au monde*, was founded on the notion of fostering popular sovereignty, meaning empowering foreign peoples. Cambon’s interpretation espoused the same goal, but gave the project a deeply paternalistic reading. Whereas Dumouriez and Lebrun insisted upon broadly inclusive popular participation (even if they disagreed at first on the best means) as the only means of founding a Belgian republic upon the sovereignty of the Belgian people, Cambon insisted on the duty of the French to make sure that a republic be founded that would foster popular sovereignty. In the first schemes, the Belgians would be integral participatory agents in the process of constitution, whereas in the last they would only receive a republic ready made by force of French arms.

Cambon’s rationale was pure paternalism: if the occupied foreigners required French arms to liberate them, they may not yet be *ready* for their liberty, and must thus submit to French

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<sup>127</sup> Speech, Cambon, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 70-71.

tutelage. And what would be the sign of their readiness? It would be the destruction of the *Ancien regime* and the establishment of institutions on the model of the French republic of 1792. Even in 1789, the Assembly destroyed nobility, feudalism, and the old taxes. “Such ought be the conduct of a people who want to be free and make a revolution: if it has not the means to do it by itself, it is necessary that its liberator supplies the means and acts in [the people’s] interest, in exercising momentarily the revolutionary power. (*Applause*)”<sup>128</sup>

What, according to the committees, would wielding such a revolutionary power mean? The power’s extent was in theory no different than the model proposed by Lebrun in the *Manifeste*, but Cambon insisted that it would be necessary to put it to a far more extensive and paternalistic use than the former had. “It will be necessary to destroy all the existing authorities...you cannot want to liberate a country, you cannot rest there in security, if the old magistrates conserve their powers; it is absolutely necessary that the *sans-cullotes* participate in the Administration. (*Vigorous applause*).”<sup>129</sup> This meant that it was crucial that those who had heretofore enjoyed no privileges, and no great wealth, participate. Whatever Dumouriez may have thought about the implications of Lebrun’s revolutionary power for potentially excluding one side, Cambon’s version purposefully embraced such paternalism. Finally, the proposal would proscribe any possibility of a repeat of the Brabant debacle. Cambon exclaimed that if a people “reconcile itself with the privileged castes, you [the Convention] ought not suffer this shameful transaction with tyrants. It is thus necessary to say to peoples who want to conserve the privileged castes: ‘you are our enemies’; thus we will treat them as such, since they will neither want liberty nor equality.”<sup>130</sup> Applied to the Belgian case, this would mean the formal, systematic proscription of all of the Statists’ goals—even if privilege and the old Estates could

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<sup>128</sup> Speech, Cambon, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 71.

<sup>129</sup> Speech, Cambon, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 71.

<sup>130</sup> Speech, Cambon, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 72.

have been reaffirmed by an overwhelming proportion of the populace through democratic primary assemblies, the French army would not allow their reemergence. Whereas Dumouriez, on 12 December, chastised the people for following the Statists, and entreated them to free themselves, the Convention informed the people that, by force of French arms, they would no longer be allowed to support the Statists. France would force the people of Belgium to be free.

On top of it all, Cambon's proposal insisted that the occupied peoples would have to pay for their liberty. The French would have to spend so much in man power and provisions in liberating them and occupying them until they were ready to maintain their own freedom, that it was only just that the foreign nation contribute to making their liberty possible. Without funds, the French army could fall prey to counter-revolutionary forces—the *Armée du Nord* was, for example, already rapidly deteriorating. Cambon did not go so far as La Bourdonaye, and indeed insisted that funds and foodstuffs could not simply be taken from the people. But rather, the new provisional governments should seized the movable and immovable goods heretofore “usurped” by the privileged classes, and accept French *assignats* for this newly nationalized wealth, that the army may be maintained and thus the security of the French and the occupied peoples be conserved.<sup>131</sup>

The decree was met with vehement approbation, and calls for an immediate vote. Most of the twelve articles were passed without amendment, but the first three were the subject of some debate, (the contents of Articles four through twelve have already been expounded above, but the translated, final text can be found in the appendix).<sup>132</sup> Mailhe requested that Article One, declaring the sovereignty of the people and the suppression of all established authorities, taxes, or existing contributions...feudalism, seigniorial rights...and generally all privileges,” be

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<sup>131</sup> Proposed Decree, Cambon, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 71-72.

<sup>132</sup> Decree, National Convention, 17 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 103. (Cf. Appendix 3).

amended to require that “nobility itself be declared annihilated.”<sup>133</sup> Article Two was ultimately left un-amended, requiring that the occupied people immediately “be convoked in primary or communal assemblies, to create or organize an administration and a provisional justice.”

However, the related Article Three proved much more problematic. It proclaimed, “no one can be admitted to vote in the assemblies...or can be nominated an administrator or provisional judge, without having taken the oath to liberty and equality, and without having renounced by writing, all privileges and prerogatives.” Buzot declared that this seemed insufficient, for as the first revolution of 1789 had demonstrated, enemies of revolution could easily masquerade as friends of liberty. “I ask that all those persons who had filled places in the old administrations not be able to obtain [positions] in the new ones. I would even like that this exclusion be extended to all the individuals heretofore nobles or members of some corporations heretofore privileged.”<sup>134</sup> His words received the applause of a great number of deputies, but the murmurs of some others.

A few deputies immediately recognized the potential risks of such a measure. Réal exclaimed that “Buzot’s proposition would tend to create in the home of peoples two parties, and spark a civil war.” Merlin de Thionville hastened to add, “In wanting to go too far, one [risks] rendering the law illusory.” Moreover, “It was the nobles who made the Belgian Revolution, and you want to exclude them?” demanded Camille Desmoulins, who had chronicled the first Belgian revolution in his journal *Révolutions de France et de Brabant*. Finally, Basire furiously exclaimed, “I oppose myself, with all my strength, against this article,” in its entirety—not just in amended form. “It is neither revolutionary nor in [conformity with our] principles. It tends to deprive the people of a part of its sovereignty.”<sup>135</sup> These few deputies articulated, together, the

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<sup>133</sup> Speech, Mailhe, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 73.

<sup>134</sup> Speech, Buzot, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 74.

<sup>135</sup> Speech, Merlin de Thionville, Desmoulins, Basire, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 75.

full extent of the problem of this article: the French professed to liberate and ensovereign foreign peoples, but by dictating how they should govern themselves, as Dumouriez and Lebrun had recognized from the outset, they would only undermine their own efforts. A nation could not at once declare another people sovereign, and declare who among the latter are eligible to partake in this sovereignty. This would be especially unwise in a country divided into factions of relatively equal strength, of which one would be systematically excluded—the formal exclusion of such a portion of the population could easily lead to civil war. Indeed, this was the fundamental problem of the entire decree, and it was only most evident in this Article. However, these deputies only fought against Article III and either failed to notice these problems pervading the whole policy, or held their tongues on the final vote.

The deputy Rewbell successfully countered these critics by citing the Belgian case. “I support Buzot’s proposition, at least for the first election,” he contended. “The executive council teaches us that, in the elections which have been made in Belgium, the priests, the nobles, the rich aristocrats...have been elected in great proportion.” This of course, was simply not the case, as had been clearly conveyed to Lebrun, and through him the whole executive council, even by the most radical, vitriolic agent Chépy.<sup>136</sup> Rather, this only accurately depicts the problematic electoral results in a single province, Brabant, which had been lamented by Dumouriez just three days earlier, and seized upon by the *commissaires* as evidence of crisis. The problem in the other provinces, insofar as there were any, was that the elected administrations were disproportionately *radical*, and thus perhaps contributed to the Statists’ popular support as defenders of religion and tradition. In any case, this point was obviously unclear for the *Conventionels*. Rewbell blamed this supposed disastrous preponderance of elected priests upon “the torpor of the people; if one seriously wants the Revolution, this exclusion is necessary, at

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<sup>136</sup> Cf. *A. N.*, F1<sup>e</sup>, 11, 2, 1, 2: Letter, Chépy to Lebrun, 18 Nov. 1792.

least for the first time.”<sup>137</sup> Amid shouts of approbation, Cambon easily pushed the decree of 15 December through the Convention with Mailhe and Buzot’s amendments, (though the final vote was delayed until 17 December).<sup>138</sup>

The decree of 15 December was the decisive shift in French policy toward Belgium, not the annexation itself. It was, on the one hand, the beginning of the end of Dumouriez’ plan. Dumouriez had only ever gone so far as to insist that the Belgian Republic be founded upon popular sovereignty, and deny the Statists an organizational role, which together were already taken by the latter as a drastic betrayal. But the Convention now formally and systematically proscribed the Statists’ goals of reaffirming the Estates, and barred them from any organizational work, and even voting and running for office in the first elections. Just to be safe, the Convention forbade anyone who had enjoyed any privilege or office in the *Ancien régime* from participating the first time. Finally, the Convention decreed that all such privileges and offices were from now on non-existent, and anyone advocating them would be treated as an enemy of France in the midst of a French military occupation. Dumouriez’ relatively inclusive plan gave way to the Convention’s policy of systematic exclusion. The Statists would now have nothing to lose by withdrawing all support from the French project, and everything to lose through acquiescence or active support—their privileges, property, and even the bare right to participate at all, as equal citizens. The Convention left them nothing to lose through rebellion but their lives. Moreover, as Polasky has admirably demonstrated, the decree emboldened the most radical democrats to harass and intimidate Statists, conservatives, priests, and even the merely religious.<sup>139</sup> The decree quite simply threatened to tear the country apart, and this was

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<sup>137</sup> Speech, Rewbell, 15 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 74.

<sup>138</sup> Decree, National Convention, 17 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 103.

<sup>139</sup> Polasky, *Revolution in Brussels*, pp. 254-258.

immediately apparent to everyone in Belgium but the most zealous radicals. It was 15 December more than the annexation itself that precipitated an outright rebellion against the French army.

## **6. Deterioration and Annexation**

The situation finally deteriorated before the eyes of the helpless Belgian moderate democrats. The radical democrats embarked upon what has been varyingly described as a campaign of terror against the quiet religious and conservative Belgian people, and a desperate drive to enlist the support of the Belgian populace behind founding a national republic.<sup>140</sup> Though elements of both descriptions probably pertain in different cases, Polasky is right to demonstrate that these overzealous radicals opened themselves up to a blizzard of accusations of being atheists, French puppets, and so forth. Meanwhile, the Statists had not participated in two revolutions against Austria just to take lying down their total disenfranchisement and humiliation at the hands of the French, and they seized upon the blatant anti-clericism of the decree of 15 December. They began a populist campaign to drive a wedge between the religious and frequently conservative Belgian townsmen and villagers, and the radicals whose main basis of support seemed more and more to be the French military. The rapidly deteriorating factional divide was only catalyzed by the gradual implementation of the decree—confiscations from the clergy and nobility began in late December, and by February the implementation was in full swing. In the last two weeks of the year, Dumouriez made a final, last ditch effort to enact his plan and save Belgium from the provisions of the decree. His approach had two prongs: He tried to accelerate the convocation of the Belgian Convention, and thus the unification and constitution of a Belgian republic, and at the same time he actively sought the repeal of the decree of 15 December.

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<sup>140</sup>Tassier, *La Belgique sous l'occupation française*, pp. 167-8.

Unfortunately, Dumouriez had hardly any basis of support left in the French administration. Lebrun, though sluggish in doing any work to implement the decree, basically acquiesced and followed the rest of the Executive Council and the Convention's Committees of war, diplomacy, and finance. Most of the French agents supported the Convention over the desperate general. The usually moderate Courtois broke with the general. "The decree goes a bit too far," he admitted on 24 December, "but it is necessary to follow it."<sup>141</sup> He recognized that the decree would be divisive and problematic in Belgium, but he felt it necessary to close ranks behind the Convention's policy. Chépy went even farther, and indeed the decree seemed perfectly in line with his way of thinking. He was no stranger to this kind of paternalism, in the service of spreading liberty, and indeed he had never liked Dumouriez' or even Courtois' attitudes toward inclusion. According to Chépy, in a letter to Lebrun on 24 December, "Courtois showed himself to be weak," in allowing the elections in his townships and villages to produce such moderate and occasionally conservative representatives. "For Belgium, it is necessary to have men of iron." Chépy even went so far as to totally denounce Dumouriez, to Lebrun of all people. "General Dumouriez does not want to implement the decree of 15 December." He wrote, "You are going to have complaints from many Provisional administrators. Hold firm: There is a lot of error, and a profound maliciousness in this affair." He added, somewhat incredibly and without any explicit basis for accusation, that "The money of England and Holland is very influential." He wrote, in the full spirit of the decree, "It will be necessary to conquer Belgium for six years, to accomplish their political education and to return their independence and liberty afterwards."<sup>142</sup>

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<sup>141</sup> *A. N.*, F1<sup>e</sup>, 21, 1, 1 : Letter, Courtois to Lebrun, 24 Dec. 1792. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 168.

<sup>142</sup> *A. N.*, F1<sup>e</sup>, 11, 2, 1, 3 : Letter, Chépy to Lebrun, 24 Dec. 1792.

Metman alone still saw the rationale behind Dumouriez' orders. On 17 December, in a speech to the Provisional Representatives of Belgium, he reiterated the General's promise, "to assure [the Belgian people's] independence and to establish it in the exercise of its sovereignty."<sup>143</sup> As Dumouriez worked toward the repeal of the decree, he put the loyal Metman in charge of organizing the elections to the Convention. The latter seemed happy to oblige, and wrote to Lebrun on 19 December that he was honored to have been entrusted "by the General Dumouriez with the work of...convoking the Belgian National Convention."<sup>144</sup> At the same time, Dumouriez hoped that the decree might be repealed if the Convention could be brought to understand the catastrophe its implementation would precipitate in Belgium.

The complaints to the Convention fell upon deaf ears. First, a deputation from the provisional representatives of the province of Hainaut pleaded with the *Conventionnels* to reconsider, on 23 December. "We insist, in the name of the sovereign people of Hainaut, on the prompt revocation of this decree." Before the decree, the province was successfully organized along democratic principles, thanks to the work and "the generosity of the French nation, developed in the manifesto[s] of General Dumouriez." Moreover, "The people of Belgium are mature for liberty; the General Dumouriez and the French agent Bourdois have given you solemn evidence of that." But, they insisted, the decree would mean the total subversion of such ends. By its provisions, the free French Nation, "which professes its respect for the liberty of peoples, takes away from the Belgian's its precious exercise; it usurps it by the right of conquest; for what else should we call this revolutionary power which [France] has announced to us? It will be in our eyes a usurped power, a power of force." The decree, they insisted, would either tear the country apart along factional lines, or unite the people against the French who would be

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<sup>143</sup> P. V. *Repr.* B., tome 1, pp. 264. (17 Dec. 1792).

<sup>144</sup> A. N., F1<sup>c</sup>, 11, 10 : Letter, Metman to Lebrun, 19 Dec. 1792.

occupiers as illegitimate as the Austrians had been.<sup>145</sup> However, the presiding deputy dismissed their complaints with a condescending air. “Citizens of Hainaut, Belgium has lost the fruits of her first revolution by her intestine divisions, by her theocratic habits and her prejudices of nobility. The massacres of Gand and Antwerp ought to have taught her to enjoy the advantages of the new revolution that the French arms have produced.”<sup>146</sup>

In the wake of the failure of the Hainaut deputation, as Metman organized the elections to the Convention, Dumouriez himself hastened to Paris to denounce the decree. Chépy sent a letter warning Lebrun against being seduced by the General. “I repeat to you, hold firm,” he entreated of the minister in a letter of 26 December that anticipated the general’s arrival by two days. “Dare to believe that something public does not depend on one man, and all will go well. In effect, the Belgian people is stupid...it will begin by crying out against the nation that will force it to be free, but by clarity and by experience it will...become for us an ally; useful and faithful.” That the minister tolerated the agent’s increasing boldness speaks volumes to his growing ambivalence. “The decree of 15 December is a law of violence dictated by conquerors,” Dumouriez proclaimed to the Foreign Ministry on 1 January, “and we have not conquered Belgium.”<sup>147</sup> But neither the executive council nor the Convention would heed the discredited general’s advice. The decree would not be revoked.

Meanwhile, as Dumouriez was traveling to Paris, Metman and the provisional representatives finally readied the elections to the National Convention. The elections in Brussels were to take place first, on 29 December.<sup>148</sup> However, there would be no further elections. Statist partisans swarmed the polls, and prevented any semblance of a fair election

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<sup>145</sup> Speech, Deputation from Provisional Representatives of Hainaut, 23 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 364.

<sup>146</sup> Speech, President of the Convention, 23 Dec. 1792, in *Archives parlementaires*, tome 55, pp. 364.

<sup>147</sup> Cited by Polasky, *Revolution in Brussels*, pp. 239.

<sup>148</sup> Tassier, *La Belgique sous l'occupation française*, pp. 168.

through voter intimidation and outright violence. According to Tassier, in the entire city of Brussels no more than 3,000 votes were cast on that brutal day. And the result was overwhelmingly in favor of maintaining the Estates, and the old Brabançon charter, the *Joyeuse-Entrée*. As Tassier writes, “The event threw the clairvoyant *Patriots* into a profound consternation; they immediately made out its terrible significance: it was the refusal to constitute this Belgian Republic based on the popular sovereignty that Dumouriez had tried to create.” Worse still, “it was an undeniable confirmation of the opinion which had begun to impose itself in France, that an independent Belgium would never be a sincere friend of the French revolution.” This final electoral disaster, compounded by the Convention’s obstinate refusal to repeal the decree, doomed the project of creating a free Belgian republic, founded upon the sovereignty of the people.<sup>149</sup>

The Provisional Representatives of Brussels proclaimed the election annulled, sadly aware that this course of action would most likely mean the end of the project.<sup>150</sup> But what choice did they have? If the elections stood, then the death of the project would only be more certain. Even Metman despaired of Dumouriez plan, and requested that the *commissaires*, who were now authorized by the Convention to wield revolutionary power in Belgium, also declare the elections of Brussels annulled. He wrote to Lebrun that he believed that the disaster in Brussels authorized the French to take, with regard to Belgium, “such political measures as it seems convenient,” and that France should immediately order the suspension of all the previously organized primary assemblies in Belgium. France would have to start again in the New Year, in accordance with the decree of 15 December.<sup>151</sup>

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<sup>149</sup> Tassier, *La Belgique sous l'occupation française*, pp. 171.

<sup>150</sup> Polasky, *Revolution in Brussels*, pp. 243.

<sup>151</sup> *A. E.*, P. B. 184, p.3, 1 : Letter, Metman to Lebrun, 6 Jan. 1793. Cited in Tassier, *La Belgique sous l'occupation française*, pp. 172.

Starting in January the *commissaires* of the Convention made active use of the revolutionary power. They accelerated the implementation of the decree of 15 December, and embarked upon the systematic seizure of the movable and immovable goods of the former privileged classes, particularly from the Abbeys and Churches. As can be expected, the Statists erupted in outright rebellion, and as French soldiers consistently violated Abbeys and Churches in their “nationalization” of goods, the Statist claims that the revolutionaries were godless and against religion and tradition rang true amidst the population.<sup>152</sup> At first the moderates tried to compromise with the radical Jacobins who now populated the all-powerful *Sociétés* (seen as Belgian counterparts of the *commissaires*). But the radicals only stepped up their harassment of monks, priests, and anyone deemed conservative including many moderate representatives. Metman wrote to Lebrun that Belgian society had degenerated into “An anarchy truly without precedent.”<sup>153</sup>

On 12 January the French declared, in a new series of decrees, that they would “hold Belgian sovereignty in trust for the Belgian people until the Belgians were ready to exercise it responsibly.”<sup>154</sup> The executive council sent thirty of its own *commissaires-nationaux* to Belgium to enforce the decree of 15 December. Anyone suspected of not supporting French principles would be arrested. Finally, with Chépy’s guidance, the *Société* explicitly turned on religion itself. This final radical campaign in the countryside, on the part of the *Société* proved predictably counterproductive, and crowds expressed their extreme dissatisfaction by jeering at radicals and the French in countless towns. As Palmer notes, “Priests said that anyone shooting a Frenchman would go to heaven. There were murders on both sides.”<sup>155</sup> The country seemed on the brink of civil war.

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<sup>152</sup> Polasky, *Revolution in Brussels*, pp. 254.

<sup>153</sup> Cited by Polasky, *Revolution in Brussels*, pp. 254.

<sup>154</sup> Polasky, *Revolution in Brussels*, pp. 255; *Moniteur*, 12 Jan. 1792.

<sup>155</sup> Palmer, *Age of Democratic Revolution*, vol. 2, pp. 84.

On 31 January, the French Convention finally committed to a new plan for Belgium.<sup>156</sup> The Convention threw its support behind uniting the provinces with the Republic, and Lebrun informed the Agency that Belgium could be more easily controlled if annexed to France.<sup>157</sup> France had avoided factional violence in Avignon by annexing the territory, and had enjoyed similar success annexing Savoy, on 27 November.<sup>158</sup> These annexations were supposedly consistent with the *Déclaration de paix au monde*, because they were based upon referenda in both the occupied territory and France itself. They were considered to be legitimate because they were not territorial conquests, but unions of two peoples who had expressed a common will to live perpetually under a single constitution.

Belgium was, by January 1793, in a state of near-anarchy—if this situation continued, the provinces would be totally susceptible to re-conquest. Another possibility is that a civil war would erupt, and distract French troops while counter-revolutionary sovereigns attacked from other sides, perhaps as soon as the spring. Either way, the security of both the Belgian and French peoples was increasingly exposed, and thus the liberty of both nations was endangered in like proportion. On the other hand, if the Belgians could be persuaded that it was in their rational self-interest to join the revolutionary French state, as it would help guarantee them from Austrian invasion.

However, from the outset of the occupation it was clear that the Belgian people wanted independence. At first, everyone agreed on this point, at least publicly—Dumouriez, Lebrun, the *Conventionnels*, and the leaders of each Belgian faction each shared at least one common hope: that Belgium would become an independent state. Already on 5 December, the provisional representatives of Brussels expressed discomfort upon hearing the news of the annexation of

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<sup>156</sup> Tassier, *La Belgique sous l'occupation française*, pp. 302.

<sup>157</sup> Polasky, *Revolution in Brussels*, pp. 258.

<sup>158</sup> Blanning, *French Revolution in Germany*, pp. 69.

Savoy, and sent a delegation to bring Dumouriez to accelerate the convocation of the Convention.<sup>159</sup> Throughout December, Tassier claims that there was a noteworthy movement in support of annexation to France in Liège—the most radical Belgian city. But even that was small, and such movements appear to have been entirely lacking in the other provinces.<sup>160</sup> It would be a wild stretch by any estimate to claim that there was any broad popular support for union with France before the total political breakdown in January—in 1792 the bottom line of each of the three major parties, Statists, moderate democrats, and radicals, quite clearly involved Belgian independence in some form or another. Thus annexing the provinces would have been blatantly illegitimate, unlike the more plausible cases like Avignon. But by late January 1793 Belgian society seemed on the verge of falling apart, and annexation appeared more justifiable to the French, on the basis of the security and liberty of both Belgium and France.

On 31 January the Convention received letters from Nice and Liège requesting union with France. General Miranda's letter from Liège claimed that the Liégeois had voted on a union in the affirmative, 9,660 to 40.<sup>161</sup> In response to the letter, Cambon exclaimed that all the Belgian provinces should be similarly annexed. "Union would have two advantages," he declared, "first, we will remain masters of own homeland. Second the Belgians are susceptible to invasion as things are." If the provinces were joined to France, they would be secure and in turn bolster the Republic's security. He insisted, in the face of murmurs of indignation, that "It is necessary to make clear to the Belgians the advantages of this decree."<sup>162</sup> The delegate Ducos expressed concern about overextending the Republic's borders, but Danton vigorously took Cambon's side. Citing his inspection of the provinces, he insisted that the Belgians also "will

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<sup>159</sup> P. V. *Repr. B.*, tome 1, pp. 148-149. (5 Dec. 1792). Cited in Tassier, *La Belgique sous l'occupation française*, pp. 145.

<sup>160</sup> Tassier, *La Belgique sous l'occupation française*, pp. 161.

<sup>161</sup> Letter, Miranda to the Convention, 28 Jan. 1793, in *Archives parlementaires*, tome 58, pp. 101.

<sup>162</sup> Speech, Cambon, 31 Jan. 1793, in *Archives parlementaires*, tome 58, pp. 102.

propose union to [the Convention], after having examined what they have to fear and what they have to hope from it.” However, he added, such an annexation would be even more in France’s interest than Cambon had realized. “It is in vain,” he chided Ducos, “that you worry about overextending the Republic. The limits of France are marked by nature...the side of the Rhine, the coast of the Ocean, and the side of the Alps.”<sup>163</sup> Thus the doctrine of Natural Frontiers resurfaced in French parliamentary politics. His argument was not based purely on *raison d’état*, however. In the next breath Danton exclaimed, “The triumph of liberty [in Belgium] depends above all on this immediate union...which will subdue the priests and aristocrats.” Danton and Cambon continued to blend the arguments from liberty and from *raison d’état*, but in quite different proportions than Dumouriez had in 1792. Now the paternalistic stamp of 15 December was evident—their argument amounted to the claim that whether the Belgians know it yet or not, they are best off as part of France. Danton’s proclamation of the doctrine of Natural Frontiers amounted to the other half of the argument, in response to skeptics of annexation: that France was better off including Belgium.

Moments later a letter arrived by the *commissaire* Gossuin from Louvain, concerning the total resistance of the denizens and provisional administrators of that city to the decree of 15 December. He had heard from Miranda of the Liégeois desire to be annexed, and insisted that “if this example is followed by the Belgian people, and both are made integral parts of the French Republic, then the triumph of liberty over the conspiring tyrants will appear pronounced.” Otherwise, he insisted that the Convention should annul the elections of Louvain as “an attack on the sovereignty of the people.”<sup>164</sup> The *Conventionnels* were convinced. One deputy expressed surprise at the numbers of affirmative Liégeois votes, and insisted that the

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<sup>163</sup> Speech, Danton, 31 Jan. 1792, in *Archives parlementaires*, tome 58, pp. 102.

<sup>164</sup> Letter, Gossuin *et. al.* to the Convention, 25 Jan. 1792, in *Archives parlementaires*, tome 58, pp. 108-9.

Convention examine the minutes of the primary assemblies in Liège. But pending the outcome of that examination, the Convention decreed the annexations of Nice and Liège, and gave its support to a union with the Belgian provinces.<sup>165</sup>

Thus, Lebrun ordered the *commissaires* to organize a Belgian referendum on a union of Belgium and France. A successful vote would mean that annexation was legitimate. The will of the French people was already considered to be expressed through its representatives in the Convention (through the decrees of 31 January), and a referendum in Belgium would make clear the will of the Belgian people. The foreign minister instructed the *commissaires* “that it is not necessary that zeal mislead you and that a misguided haste makes us depart from the fundamental principles which ought alone guide our work; that is, the liberty that we have declared to carry to the Belgian people ought not be a vain word.”<sup>166</sup> Lebrun insisted that the *commissaires* should not, and indeed could not, force the Belgians into such a vote. This would be more than forcing a people to be free, which was already so problematic. It would be imposing a form of government upon them, which would amount to usurpation and tyranny.

Of course Lebrun’s reasoning, like that of the *Conventionnels*, was flawed. The only reason that the Belgians would have for supporting annexation in February was the total anarchy that had arisen since the implementation of the decree of 15 December. One cannot reasonably claim that the annexation amounted to union based on the will of two equally sovereign people, because the one nation had made it impossible for the other to enjoy any other form of government. It did not matter anymore that the annexation would conform, nominally, to the principles established back in May of 1790. The decree of 15 December had already amounted to a complete subversion of those principles, and this annexation could never be legitimate. It

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<sup>165</sup> Decree, 31 Jan. 1792, in *Archives parlementaires*, tome 58, pp. 103-4, 108.

<sup>166</sup> *A. N.*, F 1<sup>e</sup>, 16, 1 : Report, Lebrun to Commissaire Gadolle, 13 Feb. 1792. Cited by Tassier, *La Belgique sous l’occupation française*, pp. 303.

only made matters worse that when it came down to it, the process was carried out in churches in the large cities, surrounded by armed French soldiers and supervised by French officials. As Polasky dryly notes, “Given this elaborate supervision, it is not surprising that the results were [near] unanimous in favor of annexation to France.”<sup>167</sup> Even Lebrun’s final grasps at legitimacy amounted to nothing in practice.

The Belgian vote for union with France is difficult to make sense of. What is clear is that of the votes reported by French authorities, almost everyone voted affirmatively. However, Palmer and Tassier disagree as to the turnout of adult males. Tassier claims that the proportion was remarkably low, but Palmer insists that she has measured the number of adult males voting against the total population rather than against the total number of adult males.<sup>168</sup> According to Palmer the turnout was thus surprisingly high. If Tassier is correct then it would seem as though the referendum was basically boycotted by a large proportion of the population. If Palmer is right then as he suggests, “the real elements of doubt are in the accuracy of the figures as reported, and in what voters had in mind in declaring their votes in the assemblies.”<sup>169</sup> Explanations could include tabulation fraud on the part of the French agents, voter intimidation due to the enormous presence of French troops, or even the literal coercion of eligible voters to choose union. Either way it is clear that something was very wrong with the reports, insofar as they were supposed to represent the will of the Belgian people to unite with the French Nation— After all, mere days later, the moderate democrats and Statists alike erupted in mass rebellion against the French all over the provinces.<sup>170</sup>

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<sup>167</sup> Polasky, *Revolution in Brussels*, pp. 258.

<sup>168</sup> Palmer, *Age of Democratic Revolution*, vol. 2, *The Struggle*, pp. 81; Tassier, *Belgique sous l'occupation française*, pp. 305-308.

<sup>169</sup> Palmer, *Age of Democratic Revolution*, vol. 2, *The Struggle*, pp. 81.

<sup>170</sup> Polasky, *Revolution in Brussels*, pp. 259.

The decree of 15 December was the real milestone in the shift in French policy from empowerment and inclusion to paternalism and exclusion. The annexation was at best a solution to the anarchy precipitated by the implementation of that decree. Ultimately, the supposed union amounted to little more than one state denying an occupied people of all other options, and finally persuading them to accept an annexation under threat of force. As Rousseau points out in *Du Contrat social*, a social contract made under force is no contract at all, and holds no validity.<sup>171</sup> It should have come as no surprise that it would appear totally illegitimate to the mass of systematically excluded and patronized Belgians, and engender outright resistance.

## **7. Conclusion**

General Dumouriez had been waging a new campaign in Holland when he received news of the annexation and the skirmishes between Statists and radicals across Belgium. He returned to find total chaos in Brussels, and immediately blamed the Convention. “The French Revolution,” he proclaimed, “under the pretext of equalizing all, has debased all.”<sup>172</sup> He commanded the French government to change course, and in outright defiance of the Convention, imprisoned Chépy and the radical leaders of the *Société*.<sup>173</sup> The moderate democrats hailed Dumouriez as the hero of Belgium, in contrast to the French Convention and its *commissaires* who they now decried as illegitimate occupiers. Once again, as in 1789 and 1792, they joined the Statists in open revolt against an occupying power that they saw as tyrannical.<sup>174</sup>

Austrians troops re-entered their former provinces on 1 March, and the French armies fled in their path. Dumouriez finally accepted battle at Neerwinden on 18 March, and was handily defeated. Amid the total failure of all of his policies the General defected to the enemy,

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<sup>171</sup> Rousseau, “The Social Contract,” bk. 1, ch. 3.

<sup>172</sup> Cited in Polasky, pp. 259.

<sup>173</sup> *A. N.*, F1<sup>e</sup>, 18, 1 : Report, *n.d.*, 1793.

<sup>174</sup> Polasky, *Revolution in Brussels*, pp. 259.

frustrated and alone. Meanwhile, Lebrun was hauled before the Committee of General Security, where he had the courage to proclaim that Dumouriez, who was already hopelessly compromised, was his friend and moreover that he qualified as a hero. In light of such proclamations, along with his recalcitrance to implement the decree of 15 December, the Revolutionary Tribunal condemned him to the guillotine.<sup>175</sup>

Tassier and Polasky both attribute explanatory primacy for the disastrous outcome of the five month occupation to the struggle between the Belgian factions. Polasky emphasizes the actions of bigoted radical democrats. According to her, it was the radicals' obstinate refusal to compromise and reconcile with the Statists and the clergy that barred any sort of Belgian unity. It was unfortunate that the French army supported one group over the others, but it is difficult to see how they could not have—the radicals espoused the same principles of governance that the French were trying to spread, while the Statists adamantly denied them. But according to Polasky the radicals themselves failed to rise to the occasion and try to include the alienated conservatives. Instead, they continually harassed conservatives and priests, and tried to exclude the Statists from the outset—far before the fateful decree of December 15.

In contrast, Tassier highlights the Brabançon Statists as central to the failure of the French project. “Three times,” she writes, “the privileges of the Belgian provinces and above all the privileges of Brabant had opposed themselves to all attempts of reforming the Ancien Régime; with the same incomprehension of the social necessities, they positioned themselves against the reforms of Joseph II, against the Vonckists in 1789, and against the provisional representatives in 1792.” She insisted that their egoism and lack of foresight prevented, at least in part, the “constitution of a moderate-democratic Belgian Republic.” Certainly Dumouriez and Lebrun made mistakes and the Convention's decree of 15 December was inexcusable. Yet, she

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<sup>175</sup> Tassier, *La Belgique sous l'occupation française*, pp. 50.

argues, it was ultimately the Statists who debased the elections to the Convention—the only hope remaining to the Belgians to unite and escape the provisions of the paternalistic decree.

Both Polasky and Tassier raise convincing points. However, one must not forget that the occupation in Belgium was from the outset a French project. A very large part of the problem lies with the occupying power. Let us grant, for a moment, that their words were honest from the outset—that Brissot truly wanted a revolutionary crusade to liberate the oppressed peoples of Europe, that Dumouriez wanted above all the foundation of a Belgian republic founded on popular sovereignty, and that Lebrun really thought it possible to annex Belgium in accordance with the principle of popular sovereignty and the international law proclaimed in the *Déclaration de paix au monde*. Even if we assume that all of these revolutionaries were completely sincere, the entire project was inherently problematic due to the tensions between liberty and popular sovereignty on the one hand, and the insistence upon the propagation of those principles through occupation, in the face of serious social division and outright opposition on the other.

The simple fact is that Belgium was a deeply divided society by 1792. This was sufficiently clear to every observer, after the abortive revolution of 1789. The partisan massacres in Gand and Antwerp were by no means unknown. But the French model of popular sovereignty, drawn from Rousseau and the Abbé Siéyès, was based upon a unitary will: the will of the majority, determined by representation based on general suffrage and the principle of one person, one vote. In Belgium there was no clear majority—each faction had the power to stymie the designs of the others, and the various groups proved utterly irreconcilable, as Tassier and Polasky have so well demonstrated. Moreover, one of those factions, the Statists, supported rule by estates and representation by order, and was thus explicitly against the French version of popular sovereignty *in principle*. By 1792, the Statists and radicals were already quite unwilling

to compromise on the basic principles of legitimate rule. The French occupation polarized this factional conflict beyond any hope of reconciliation by supporting one side and excluding the other, in increasingly explicit and systematic ways.

Considering that one of the two factions shared the original French goal of a Belgian republic founded on popular sovereignty, and the other explicitly and completely denied this end, it should come as no surprise that the French occupiers favored the democratic factions over the Statists from the outset of the occupation. In fact, Dumouriez' and Lebrun's plans were remarkably inclusive, relative to the later alternatives. However even these first projects took as given the basic condition that Belgium would have to reconstitute itself on the basis of popular sovereignty, through a democratically elected National Convention and a popular referendum on a constitution. Indeed, the entire purpose of the war necessitated that this be so, for the French conception of liberation entailed breaking the power of the *Anciens regimes* of Europe, meaning Monarchs, Estates, and all privileges alike, and establishing the sovereignty of the people and basic human rights. The entire French project, no matter how gracefully executed, would have necessarily involved the eventual alienation of a large section of the Belgian population, provided that the latter could not be brought to reconsider their principles over time, as had many ex-nobles in France. In attempting to spread their majoritarian model of popular sovereignty to a country as divided as Belgium, the French had no choice but to undermine their own principles by excluding part of the populace, and imposing conditions on what kinds of results would be acceptable. Needless to say, as these conditions became increasingly strict, and the exclusion became increasingly systematic, any possibility of compromise became more and more remote.

However, it is not clear that the Belgian factions could not have come to some kind of compromise under any circumstances. The total failure of 1790 and the polarized division

evident under the French occupation do not together suffice to show that the two sides could not have come to some kind of agreement on their own. The Statists and democrats had been able to work together in 1789 to drive out the Austrians, and even after the bitter experience of division in the 1790 republic the Statists and democrats rallied behind the common cause of expelling the Austrians in 1792. The two factions obviously had some common ground, including at least the goals of independence and unifying the provinces, and given the right circumstances they might have been able to reach some kind of compromise.

If, for example, the Belgian factions had somehow agreed on the legitimacy of debating constitutional forms in a common forum, like a National Assembly, negotiation may have been possible. This is basically what happened in the French Constituent Assembly of 1789. During the debates on the new constitution, some parties insisted that France already had a traditional constitution, meaning the historical system of government dividing power between the Estates and the monarch. Many among these, like Jean-Joseph Mounier, were not counter-revolutionaries, but advocated a new written constitution that would make clear once and for all the division of powers in the French state without weakening the powers of the Estates.<sup>176</sup> On the other hand there were many who advocated popular sovereignty and a new liberal constitution. Ultimately the groups compromised rather than let their revolution founder, and although the constitution of 1791 was clearly not perfect it was a far better result than the situation of Belgium in 1792. Moreover the Belgians had already witnessed the failures of the French constitution of 1791, and might have avoided some of those errors, e.g. the bizarre solution to the problem of the chief executive.<sup>177</sup>

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<sup>176</sup> Keith M. Baker, "Fixing the French Constitution," in *Inventing the French Revolution* (Cambridge: Cambridge University Press, 1990), pp. 258-9.

<sup>177</sup> The King was not granted the absolute veto over legislations that the monarchists desired, but rather a suspensive veto whereby he could delay the promulgation of a law for up to three legislatures, and if each one passed the law the King would be forced to acquiesce. Keith M. Baker, "Fixing the French Constitution," pp. 295.

However there was no obvious way to bring such an Assembly about in Belgium. In France the Third Estate simply turned itself into a National Assembly and invited the members of the other Estates to join them. But if this happened in Belgium, as it basically did in 1790, most of the population would be excluded. The Third Estate in Belgium, after all, was only the representative body of the guilds and urban administrations—the delegates were in no way responsible to the population at large. Moreover, the Third Estate had no great grievances against the First and Second, because it had the power of veto over them. Moreover, any sort of democratically elected National Convention would risk a serious decline in the power of all of the Estates, because popular elections might easily mean a large proportion of democrats would be chosen by denouncing the traditional Estates for chronically excluding “the people,” as appeared likely in several of the southern provinces by December 1792.

The complete failure of any attempt at compromise in Belgium was thus perhaps overdetermined. The heart of the problem in Belgium was that the two sides could not even agree on the form of a forum wherein principles of legitimate rule could be debated—the Statists insisted that all constitutional change must take place in the estates, while the democrats would not budge from their basic demand of a National Convention. Perhaps there was no chance that the factions would negotiate with one another over these apparent bottom-lines. After all, the Statists and moderate democrats had proven unable to compromise in 1790, and the radicals of 1792 were even less willing to negotiate. But perhaps the factions could have eventually come to some kind of agreement, if for example they had managed to expel the Austrians without French assistance and managed to learn from their mistakes in the first revolution. However the French occupation made any such compromise utterly impossible. Even before the paternalistic turn of 15 December, the French articulated their expectations in direct opposition to privilege

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and socio-political orders. Given such explicit expectations, the presence of the French army clearly polarized the two factions by emboldening the most radical democrats and alienating the Statists. After 15 December, when the French moved to systematically exclude the Statists, the possibility of compromise became completely illusory. The French could neither bolster the security of their own revolutionary state, nor successfully export their conception of liberty.

## Appendix

### **Appendix**

#### 1.

#### The Declaration of Independence of Brabant, 1789:

The three Estates representing the people of the Duchy of Brabant, having decreed on December 26 and 26, and also on December 29 and 30, 1789, the following points...:

- I. that the sovereignty lately exercised by the former duke shall be henceforth exercised by the three Estates of Brabant
- II. That otherwise the constitution of this province remains intact on all points
- III. And in particular that the Council of Brabant will preserve all its preeminencies, rights and prerogatives. ...

In consequence, on December 31, 1789...at the Town Hall of Brussels, in the great hall prepared for the occasion (a crucifix and a copy of the Holy scripture having been placed in the room), there assembled the above mentioned three Estates of Brabant, to wit:

Of the First Estate, His eminence the Cardinal Archbishop of Malines, His Illustrious Greatness the Bishop of Antwerp, etc., etc. ...

Of the Second Estate, the Prince of Grimbergue, the Marquis of Wemmel, etc., etc. ...

And of the Third Estate, from the chief-town of Louvain M. Henri Tielens, acting burgomaster...from the town of Brussels...from the town of Antwerp. ...

The ceremony opened with prayer. ...

The three estates then took an oath...[to uphold] the rights, privileges, statutes, usages, properties and exemptions of the churches...[and swearing] faith and homage to the three Estates representing the people of Brabant...and...to support the constitution in all points on the basis of the Joyous Entry, and of the above resolutions.

F.X. Feller, *Recueil des representations...des Pays-bas autrichiens*, vol. 15 (n.d. 1787-1790), pp. 123-28. Translated by Palmer, *Age of Democratic Revolution*, vol. 1, *The Challenge*, pp. 514

#### 2.

#### *Manifeste des Belges et Liégeois Unis*, February 1792

#### On Revolutionary Power:

- I. The revolutionary power will reside in a central committee, which will be composed of fifty people taken from those who form the *Comité réuni des Belges et Liégeois*, who have prepared the revolution, and those who have been chosen by the *Comité* itself.
- II. To this committee will come the correspondences of the particular committees established in the different places of the Netherlands and of Liège.
- III. The particular committees will not be able to convoke the people to elect new provisional magistrates, before asking the central committee of commissaires to preside over this election.

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- IV. All committee, all provisional administration, established in each commune... will be subordinated to the central committee and ought sign individually a declaration modeled on that signed by the members of the *Comité reuni*.
- V. Everywhere that there will not be provisional administration, the central committee will have power there, and will send commissaires there to establish [provisional administrations], either by free election of the people or by any other manner agreeable to the people.
- VI. The number of members that compose the provisional administrations will be proportionate to those of the inhabitants of the commune, and the smallest possible number; the commissaires will be charged to determine their number.
- VII. The provisional administrations will be especially charged with maintaining public order and tranquility in their respective communes; to prevent pillages, violence, and excess, even against those whose patriotism will be suspect; to make the perception of the public goods in their communes, and render account to the central committee.
- VIII. The provisional administrators will be on watch again that the public properties are respected...
- IX. The central committee will watch the general tranquility of all the country, empowered for the common defense...
- X. The revolutionary power will hold public meetings for all concerned with administration, except for the council of war...
- XI. To the measure that the Revolution will be effected in a province... [or any smaller unity], the central committee will hold the convocation of the citizens according to the indicated forms; they will chose the number of representatives that they ought to have by taking the population as its base... a representative for ten thousand souls; and these representatives, thus elected, will join the central committee, to exercise in common the functions of revolutionary power.
- XII. At the moment that they will find themselves one hundred and fifty representatives thus elected, that which forms a decisive majority, they will form themselves into a Constituent Assembly, and the revolutionary power will cease to be.

*A. N.*, F 1<sup>e</sup>, 12, 2. *Manifeste des Belges et Liégeois unis*, pp. 15-16

### 3.

#### Decree of 15 December, 1792:

The National Convention, after having heard the report of the united committees of finance, of war, and of diplomacy, faithful to the principles of the sovereignty of the people, which do not permit it to recognize any institutions which carry an attack on [the principles]; and wants to fix rules to be followed by the generals of the armies of the Republic in the countries where they carry their arms, decrees:

- I. in the countries which are or will be occupied by the armies of the Republic, the generals will proclaim on the field, in the name of the French Nation, the sovereignty of the people, the suppression of all established authorities, of taxes or existing contributions, of the *dime*, of feudalism, of seigniorial rights... service real or personal, of privileges of the hunt and of fishing, of *corvées*, and generally of all privileges.

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- II. They will announce to the people that they bring peace, health, fraternity, liberty, and equality, and they will convoke them at once in primary or communal assemblies, to create or organize an administration and a provisional justice; they will watch for the security of persons and property; they will print in the language or idiom of the countries, print and execute in each commune, the present decree and annexed proclamation.
- III. All the agents and civil or military officers of the old government, and those individuals heretofore reputed to be nobles or members of some corporation heretofore privileged will be, for the first election only, inadmissible to vote in the primary or communal assemblies, and will not be able to be elected to places of administration or of the provisional judicial power.
- IV. The Generals will at once put under the safeguard and protection of the French republic all goods, movable and immovable, belonging to the tax authorities, to the prince...to his adherents and voluntary satellites, to the public establishments, to the secular and ecclesiastic bodies and communities; they will be examined without delay, and sent to the executive council, and they will take all the measures in their power such that the properties are respected.
- V. The provisional administration, nominated by the people, will be charged with the surveillance and rule of objects put under the safeguard and protection of the French Republic. It will watch the security of persons and of properties. It will execute the laws vigorously, relative to the judgments of the civil and criminal processes, to the police, and to the public security. It will be charged with ruling and paying the local expenses, and those that will be necessary for the common defense. It will be able to establish contributions, although they will not be able to be supported by the indigent and laborious part of the people.
- VI. When the provisional administration will be organized, the National Convention will nominate commissaires, taken from its womb, to fraternize with them.
- VII. The executive council will nominate these *commissaires nationaux*, who will go at once to the places to put their heads together with the generals and the provisional administration nominated by the people, on the measures to take for the common defense and on the means to employ for procuring supplies and subsistences necessary for the armies, and for quitting the expenses which have been made and will be during the stay on the territory.
- VIII. The *commissaires nationaux* nominated by the executive council will render the latter account every fifteen days of their operations. The executive council will approve these, modify them, or reject them, and it will render account immediately to the Convention.
- IX. The provisional administration nominated by the people, and the functions of the *commissaires nationaux* will cease as soon as the inhabitants, after having declared the sovereignty and the independence of the people, liberty, and equality, will have organized a free and popular form of government.
- X. It will make a state of expenses that the French Republic will have made for the common defense and the sums which will be have been received, and the French Nation will make with the government that will be established the arrangements such as it will ought to; in a case that the common interest will require that the troops of the Republic remain for the time on the foreign territory, they will take measures convenient for them to subsist.
- XI. The French Nation declares that it will treat as an enemy the people who, refusing liberty and equality, or renouncing them, will want to conserve, recall, or treat with the prince

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and the privileged castes; she promises to engage herself in subscribing to no treaty, and of only resting her arms after the affirmation of the sovereignty and independence of the people on the territory of which the troops of the Republic have entered, which will have adopted the principles of equality and established a government free and popular.

- XII. The executive council will send the present decree, by extraordinary couriers, to all the generals, and will take the necessary measures to assure its execution.

*Archives Parlementaires*, tome 55, pp. 104-105.

**List of Abbreviations**

- A. N.* = Archives Nationales, Paris, France.
- A. E.* = Archives du Ministère des Affaires Étrangères, Paris, France.
- A. G. R.* = Archives Générales du Royaume, Brussels, Belgium.
- B. R.* = Bibliothèque Royale de Belgique, Brussels, Belgium.
- O. R. Girondins* = Les grands orateurs républicains, vol. 6, *Les Girondins*
- O. R. Vergniaud* = Les grands orateurs républicains, vol. 3, *Vergniaud*
- P. V. Repr. B.* = Procès-verbaux des représentants provisoires de Bruxelles.
- P. V. Repr. H.* = Procès-verbaux de l'assemblée générale des représentants du peuple souverain du Hainaut Belgique.

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See “Works Cited” below for full bibliographical information.

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- \_\_\_\_. Fond D§3, “Missions en Belgique.”
- \_\_\_\_. Fond D<sup>xxiii</sup>, “Illégalité des assemblées primaires de Bruxelles.”
- \_\_\_\_. Fond F<sup>1e</sup>, “Correspondance des commissaries nationaux et agents envoyès en Belgique.”

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