

Civilized Slavery in France: 1755-1820

Claiming that people have inalienable rights, and that those rights should be insured by the governing body of their society, was one of the key focuses of intellectual discussion during the Enlightenment era. The idea that people are all entitled to liberty, justice and other natural rights has been thoroughly analyzed by Jean-Jacques Rousseau. After the Enlightenment period in France, Revolutionaries who were seizing power and nation found themselves having to carefully consider the idea of liberty, power, the individual and the nation as well. These debates carried into the Napoleonic era and into post-Napoleonic France as Honoré De Balzac illustrates in his historic fiction account starkly contrasting justice and the law enforced during the Napoleonic era, and the unfamiliarly litigious and calculating justice system of the post-Napoleonic era. Questions of liberty, slavery, the individual and power have been central to these periods in French history, and have ultimately shaped the development of its societies.

During the Enlightenment era of French history, Rousseau wrote an intellectually reasoned understanding of the origins of inequality, Discourse on the Origin of Inequality. In this text, Rousseau discusses how slavery, subjugation and liberty can apply to the human condition far beyond literally owning another human being as his property. Rousseau would claim that inequality, and by extension subjugation and slavery, are “at least authorized, by the consent of man” (16). This is to say that people in civilized society subject themselves to this kind of dynamic between people who are more politically and morally endowed. This inequality would also in a sense require people to accept the discrepancy between people throughout the spectrum of inequality. “This latter type of inequality [political/moral] consists in the different privileges

enjoyed by some at the expense of others, such as being richer, more honored, more powerful than they, or even causing themselves to be obeyed by them” (Rousseau, 16). Being a member of a nation like France obliges you to conform to a system that will strip you of certain natural rights in exchange for promised security and order. Rousseau then goes on to reason about the origin of justice systems. Essentially, Rousseau claims that the first person to claim a plot of land as his own was the originator of civil society. This person, in order to develop a justice system out of self-interest, divided his land amongst other people so that they would all be willing to consent a system of justice as well. “From the cultivation of land, there necessarily followed the division of land; and from property once recognized, the first rules of justice” (Rousseau, 52). Once property has been distributed, people were easily coaxed into consenting to this proposed system of justice which inevitably subjugated mankind:

With this end in mind, after having shown his neighbors the horror of a situation which armed them all against each other and made their possessions as burdensome as their needs, and in which no one could find safety in either poverty or wealth, he easily invented specious reasons to lead them to his goal. ‘Let us untie,’ he says to them, ‘in order to protect the weak from oppression, restrain the ambitious, and assure everyone of possessing what belongs to him. Let us institute rules of justice and peace to which all will be obliged to conform... (Rousseau, 56).

This paragraph is basically Rousseaus rendition of the con, sold to people who were simple enough to buy it, in which they were fooled into authorizing the restriction of their own liberty and freedoms.

French revolution in the late 1780s and 1790s brought about a new debate on human rights and slavery. Abbé Raynal parallels Rousseau in believing that the people of Europe and

France were slaves – “in Europe, as well as in America, the people are slaves. The only advantage we have over the Negroes is, that we can break one chain to put on another” (Hunt, 53). Raynal believed that slaves should be feared for being enslaved, and that, given the right kind of assimilation, could become a more viable demographic of the French peoples. He believed that assimilating the slaves of the Carib was the only way to avoid a violent and ruthless revolution. There is a connection between Raynal and Rousseau here as well; Raynal claims that the best way to avoid revolution is to assimilate the slaves by giving “them a country, give them interests to study, productions to cultivate, and articles of consumption to agreeable to their respective tastes” (Hunt, 54) – similar to how Rousseau explained the origin of inequality and justice. So in a way, Raynal is not an advocate for freeing the slaves, only changing their condition enough so that they could choose their chains as the other French citizens do. This is similar to the stance taken by Count De Clermont Tonnerre on page 88 of Hunts text when talking about how to deal with the Jewish population. “It is repugnant to have in the state an association of non-citizens, and a nation within the nation...” (Hunt, 88). Being that the Jewish people had their own separate laws and judges, largely considered a different people than the French, they were not given rights concurrent with citizenship. Tornnerre claims that “we must refuse everything to the Jews as a nation and accord everything to Jews as individuals” (Hunt, 88) – assimilate as individuals, not as a nation or a people; sacrifice liberty and autonomy for French citizenship. It seems that there is a tendency to consider assimilation to be the easiest transition for a people to go from more sever subjugation to the common condition of slavery that most European and French citizens are accustomed to.

Honoré De Balzacs novel contrasts the justice system, and the way people are treated when subjected to it, of the post-Napoleonic era with a man who is a product of the Napoleonic

era. In this text, justice is portrayed in a way that highlights the pragmatism of the justice system Rousseau described during the Enlightenment era. That is, a calculating system which people are subjected to.

When a man falls into the hands of Justice, he is nothing but a moral creature – a matter of law or fact – just to a statistician he becomes a number... Not a single place unoccupied by some man driven to despair by the stigma of heedless justice has stamped on him for a minor offense – and who has started down the inevitable road to the guillotine or the suicide's pistol shot (Balzac, 93).

In this justice system, men are subjugated by the law, and those who created it and enforce it. It is also possible and accepted to manipulate this system as well. In his novel, Balzac's character Derville explains a brutal truth about how this justice system can and should be cheated and manipulated to produce the most desired outcomes. This is all possible of course if the person is either a lawyer, or wealthy enough to hire a good enough lawyer – not something that is available to all people of France. Again, the glaring connection to Rousseau's assessment of the origin of inequality as being there for the benefit of a few at the expense of a great many others, not necessarily to uphold liberty and justice, only liberty, power and justice for a few. "I will shoot her!" "Madness! You will be caught and executed like any poor wretch. Besides, you might miss. If you are going to shoot your wife, you mustn't, under any circumstances, miss her" (Balzac, 75). In this world, justice isn't about right or wrong or true or false, only about one's ability to navigate the law and protect his personal aims, while forsaking the disadvantaged to the relentless, calculating system of law and justice.

One could observe that ideas about slavery, bondage, liberty, the individual, and the nation remain significantly connected and debatably consistent from the writings of Rousseau

during the Enlightenment, to Raynal or Tonnerre during Revolutionary period, into Balzac during the Napoleonic and post-Napoleonic periods. Rousseau established that people living in civil society are subjugated to the governing system because they have consented to giving up their liberty for certain supposed benefits. People during the Revolutionary period understood this and believed they had to set a precedent for the future of French law and government by trying to assimilate peoples that were more subjugated than the average French citizen – non-Catholic Christians, Jews and Slaves. However, as illustrated by Balzacs text, whether slaves or disadvantaged people are assimilated into society, they will all still be slaves subject to the justice system.