Revolutionary Justice in Lyon 1789-93.
The case of Jean-Jacques Ampère

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DECLARATION

This thesis comprises original work except where due acknowledgment is made in the text. It does not exceed 80,000 words.

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This thesis looks at the ideological conflict between the magistrates of Lyon in 1792-3 to help explain the descent into violent civil war. An elected municipal government was removed from power on 29 May 1793 and at least five justices who identified as Jacobins were imprisoned. The focus of the case-study, Jean-Jacques Ampère, played a central role in the prosecution of these former municipal officers and judges, but this role has not been fully examined to date. Elected untrained as a juge de paix in early 1792, he was at first motivated by the highest revolutionary ideals. The challenges he faced when he took on this highly regarded position at the forefront of the new judicial changes grew rapidly as the monarchy was overthrown and a republic declared. The magistrates in Lyon became increasingly politicised. Jacobins, impatient with the legal processes they thought were protecting counter-revolutionaries, pushed for decisive action when internal and external threats escalated in early 1793. Their opponents, known as Rolandins, feared a total collapse of social order and began to strengthen bourgeois control of the quartier clubs. Ampère chose to ally with the anti-Jacobin faction in the courts when events threatened to impact the new institutions of justice. After the revolt Ampère then helped formulate the legal basis for the ‘crimes’ that would lead to the execution of Joseph Chalier and the consequent eruption of civil strife with huge loss of life.
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5. J.P. Johnson.
INTRODUCTION

The fourth anniversary of the taking of the Bastille, 14 July 1793, was celebrated in Lyon with great ceremony. A cortege of elected authorities of the Department of the Rhône-et-Loire, including all the magistrates, came from the mayoral offices and descended into an amphitheatre specially constructed on the main square of Bellecour. Representatives of the 32 neighbourhood sections of the city later recorded in their minutes the reception for the ‘defenders of their rights’, the ‘civil banquets where joy and pleasure prevailed’. They described a speech by the mayor, Jean-Jacques Coindre, full of ‘virtuous principles’ and the cries of ‘vive la République!’ that followed. There were no disputes observed, only ‘generosity’, ‘patriotism’ and everywhere ‘republican songs and dances spread throughout the day in the squares around the trees of Liberty.’ In fact, all the hallmarks were noted of a successful revolutionary festival: unity, harmony, celebration, and virtue. According to the comité de surveillance of the section, Droits-de-l’Homme, all was well for its ‘good citizens’.¹

In reality, all was far from well. A new general, Citizen (formerly Count) Perrin-Précy, was also being sworn in to lead the battalions of departmental armed forces. Although he protested his ‘devotion to the Republic and the execution of law’, the local press entertained suspicions that he was still a royalist.² The reference to the ‘law’ he pledged to observe was a little equivocal, according to historian Michel Biard, considering the laws had been rendered obsolete by the decision of the Lyonnais on 12 July not to recognise the decrees of the National Convention that came to them after 31 May.³ Then, two days after the ceremony of 14 July, a former magistrate and leading Jacobin, Joseph Chalier, was sent to the guillotine. His colleague Jean-Jacques Ampère, a prominent member of the July parade, had been tasked to commence proceedings against him and the many other Jacobins arrested

³ Ibid.
after a revolt that had shaken the city almost two months earlier on 29 May 1793. Now Lyon was in revolt against the national government.

‘The Bastille’ is a trope often evoked to represent the ideals of the French Revolution and it is one that had real meaning for the actors I will be looking at. The fall of the Bastille meant something tangible to those magistrates and sectionnaires of the local clubs and assemblies who were at the celebration in Lyon. It also meant something to those Jacobin magistrates and politicians in prison. In fact we have evidence that this trope meant a lot to Chalier and Ampère. Both had celebrated the fall of the Bastille, the symbol of the abuses of the absolutist monarchy that had ruled France. Chalier proudly kept a piece of the actual fortification as a keepsake. Ampère wrote of it in a play. A contrasting view of the celebration of Bastille day in 1793 was contained in the annotation added in 1847 by Marie-Pierre Gonon in his ‘official’ preface to the surviving sectional records. He suggested that it was a stage-managed ‘imposture which had been given reception by a partisan group’. By denying the memory of the opposition constituents, who were in gaol at the time, he warned that historians could be misled. The provisional municipality now established in Lyon was far from achieving peace and harmony despite their claim to be celebrating the ideals of Bastille Day.

My thesis goes beyond the representations and the rhetoric of the Bastille celebration of 1793 to establish how the ideological positions of the magistrates influenced their decisions. Ampère had been elected to the role of juge de paix (Justice of the Peace), which role was envisaged in 1791 as the most important interface of the new judicial institutions of the state with its citizens. In taking on this role he had deliberately chosen a job that would place him in a position of equality with others elected to

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4 *Sectionnaire* is the name given to members of the neighbourhood sections in Lyon, which were based on the historic quartiers of Lyon. These sections became the basis for the local clubs and the primary assemblies after the Revolution. See W.D. Edmonds, *Jacobinism and the Revolt of Lyon, 1789-1793* (New York: Oxford University Press, 1990), 76, 87.


6 This play has been preserved in the Fonds Ampère of the Archives de l’Académie des Sciences [Hereinafter AAS] Chemise 292. One of the stage directions in Act IV suggests that a prison should be constructed in the background ‘sur le plan de la Bastille’.

7 Gonon presents the neo-Jacobin view that Chalier was the subject of slander and false claims including the fact that he wanted a 'Tribunal révolutionnaire', which fears led to the 'deplorable division' between Lyonnais. Gonon was writing some sixty years after the events he was annotating. See Gonon, *Lyon en 1793*, 5-8, 17.
similar positions and that did not have the trappings of status that the justices of the higher court had. The ideals of equality and liberty that Ampère distilled from the *Encyclopédie* of the *philosophes* and other pre-Enlightenment writings supported him in this choice. He initially worked with Chalier, who was president of the Police Correctionnelle when Ampère was elected.

My motivation in commencing this study was to understand the actions of Ampère, who saw himself as a committed republican in 1792 but who, less than a year later, did not hesitate to take action in the courts against Chalier and other Jacobins. Ampère’s role has only ever been cursorily studied. Although recognised as ‘instrumental in instituting proceedings against the “anarchists” of 1793’, it is only his involvement in the imprisonment of Chalier that has received any analysis in the historiography. 8 He is also known as the man who fathered André-Marie Ampère, famous in the nineteenth century for his work on electro-magnetic theory. 9 Jean-Jacques’ ideological change from enthusiastic ‘patriot’ to fervent anti-Jacobin magistrate, however, has never been studied despite the fact that his work in the judicial system was extensive during the early years of the Revolution. The crucial role he undertook in commencing legal actions after May 1793 suggests he was deeply involved in defining a contrary conception of the rule of law to that which was held by the Jacobins evicted from office at that time.

The justices of Lyon were integral to the struggle between the factions: at least five of their number who identified as Jacobins were imprisoned, and one of them, Chalier, was executed. Chalier is well known as an animated orator at the local Jacobin club and a contender for the mayoral role but his role as a justice is often downplayed. 10 He was a hard-working judge who thought the laws were being subverted to protect counter-revolutionaries, and advocated that the law be used against counter-revolutionary suspects in the early months of 1793. Ultimately the fact that the

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magistrates were engaged in the struggle between the factions means that their ideological divisions also contributed to the revolt of 29 May and the ensuing civil war when national forces laid siege to the city.

So why did Ampère and Chalier, elected as they both were as justices at the time of the proclamation of the Republic, become so deeply divided that their struggle only ended with the guillotine? To understand the reason for the divergences that became so acrimonious in Lyon in early 1793 amongst the justices we must first recapitulate the well-researched area of the reception of the Revolution in Lyon. The background of social crisis, religious difference and pervasive fears that has been recognised as crucial in the historiography helps explain the background of the civil war in Lyon to which the judicial crisis then contributed.

A great deal has been written about the revolt and subsequent siege of Lyon and it tends to reflect the different concerns of historiography about the Revolution over the two centuries that have since elapsed. There has recently been renewed interest in provincial experiences of the French Revolution and, because Lyon was the second city of France in 1789, modern re-evaluations of what happened there continue to be made. Events in Lyon contributed dramatically to the national picture of Revolution because the city stood on the important route south towards Italy and Spain used by both the national army and the émigrés, those who were fleeing the changes.

The southern city was seriously out of step with politics in the national capital where the Jacobins had now gained ascendancy supported by the Parisian sans-culottes. When Lyon decided to expel its Jacobin judges and municipal officers from office on 29 May 1793, its actions were soon suspected of being ‘federalist’ and eventually labelled counter-revolutionary. They were the exact opposite of events in Paris two days later, leading to the expulsion of the leading Girondins from the National Convention. Fears of counter-revolution there were soon to cloud national responses to the Lyonnaïs republicans who remained in power after 29 May. These fears were reflected in the punishment of the city after the siege when it was stripped of its name and those Lyonnaïs found to be complicit in the rebellion subjected to summary trial.

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11 See most recently the work of Peter McPhee for the importance of this recognition in a general history of the Revolution: Liberty or Death (London: Yale University Press, 2016), 3-15.
and execution. The retaliations were undoubtedly harsh but have to be considered in the wider national and international context of the defiance of the Lyonnais at a time of great crisis.\textsuperscript{12} The terroristic policies employed by the state in response to their defiance are now also subject to re-evaluation because what happened here was an important step in the development of what has become known more generally as the Terror of 1793-94.\textsuperscript{13}

One of the earliest explanations offered for the actions of the Lyonnais was contained in a letter of October 1793 written by a national representative-on-mission sent to Lyon. Georges Couthon reported that ‘the people are stupid here by temperament and that the fogs of the Rhone and the Saône carry into the atmosphere a vapour that also thickens ideas.’\textsuperscript{14} This explanation may have been widely believed at the time. Other accounts and memoirs of the time were deeply partisan and have helped obfuscate modern interpretations. For instance, the work of the Abbé Aimé Guillon, which expressed the viewpoint of the refractory clergy, was widely used in the nineteenth century. It exaggerated the royalist component in local politics because it ignored the different experiences of the many clergy who swore allegiance to the Revolution.\textsuperscript{15} The views he presented have persisted in some later historical accounts where they are ‘often exploited without criticism … [when] the point of view is clearly counter-revolutionary’.\textsuperscript{16} This observation by the historian Paul Chopelin is also true of a number of other accounts that are in many ways self-serving and teleological.\textsuperscript{17} These memoirs are now useful precisely because of their different perspectives. For example, Paul Béraud, who became the procureur [attorney] of the municipality during the siege, had an unparalleled knowledge of events because of his participation. His account was flagrantly royalist but by his very insistence on the

\textsuperscript{12} Ibid., 186.
\textsuperscript{13} As to the connection with the state policies of terror see David Andress. ‘The course of the Terror, 1793-94’, in \textit{A Companion to the French Revolution}, ed. Peter McPhee (Chichester: Wiley Blackwell Publishing, 2015), 293-310.
\textsuperscript{15} Aimé Guillon, \textit{Histoire du siège de Lyon, des événements qui l’ont précédé et des désastres qui l’ont suivi, ainsi que de leurs causes secrètes, générales et particulières} (Paris: Le Clère, 1797), 2 vols.
\textsuperscript{17} Paul Émilien Béraud, \textit{Relation du siège de Lyon contenant le détail de ce qui s’y est passé d’après les ordres et sous les yeux des représentants du peuple français}. (Neuchâtel: sn, 1794); Alexandrine des Écherolles. \textit{Une Famille noble sous la terreur}. Vols. I & II (Paris: Librairie Plon, 1879).
justification of the attack against the ‘perfidious’ Jacobins and sans-culottes he actually allows a glimpse of another perspective.\(^{18}\)

Two local historians from the early twentieth century, Camille Riffaterre and Édouard Herriot, wrote the first comprehensive revolutionary histories of Lyon. Riffaterre wrote his history prior to the First World War while Herriot wrote during the period he was a mayor of Lyon in the 1930s. While recognizing there were royalist agitators present in the city, they both also described a struggle between the Jacobins and their republican opponents known as the modérés in the period 1792-93. They looked at the ideological divide and the conflict between the republicans in two levels of government, the departmental and the municipal.\(^{19}\) In this way a broader understanding of the different political views held in the city was achieved, rather than the one-sided perspective that Lyon was resolutely counter-revolutionary.\(^{20}\)

However they tended to downplay some crucial factors of local context, including the strong social activism among its urban population, as noted by Jean Jaurès, where the silkworkers had ‘divided along class lines’ to a degree not seen in other industrial cities.\(^{21}\) They then failed to appreciate the influence of the menu peuple on the political actions of this time.

The limitations of the histories of Lyon written in the nineteenth and early-twentieth centuries need to be addressed because they have contributed to some continuing errors, including a tendency to exaggerate the royalist control of events and to minimise the social aspects. Riffaterre’s major thesis was that if the modérés had not subdued the Jacobins and taken over power after 29 May 1793 the city would not have been then ‘led astray’ by the federalists or Girondins or descended into civil war.\(^{22}\) His conclusion is at odds with what Bill Edmonds found to be the cross-class nature of the continued anti-Jacobin stance in Lyon and the ‘active involvement of

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\(^{18}\) Béraud, Relation du siège, 10. For instance his description of the attack on the Club Central by ‘furious multitudes’ and his assessment that Nivière-Chol ‘frustrated’ what he alleged was the conspiracy of the other members of the municipality suggests that the actions on the night of 18 February 1793 were not without premeditation.


\(^{20}\) Herriot, Jacobins et Modérés, 10.


\(^{22}\) Riffaterre, Le Mouvement, 2.
large numbers of its citizens in the siege. ’23 An interrogation of the wider social aspect of political action among the Lyonnais is missing as well as an appreciation of the ‘double blindness’ in the relations between Lyon and Paris that Michel Biard has found.24

Herriot suggested that the revolt of 29 May was the first indication to Paris of the great antagonism against the Jacobins in Lyon from the moderate patriots.25 He tied ‘the first germs’ of the conflict to the divisions between the Girondins who had ‘federalist tendencies’ and the centralist Jacobins, divisions which were apparent in the newly constituted National Convention of September 1792. Herriot showed how in February 1793 the Rolandins in Lyon took up the ‘federative’ cause and the Jacobins had to battle them, the refractory priests and the royalist ‘agents of Turin’.26 This pat conclusion does not give sufficient attention to the peculiarly local tensions, events and ideologies that suggest a greater involvement of the menu peuple. However, Herriot’s multi-volume work is valuable because of the close attention he gave to what was happening in the important period before the uprising in May 1793 as well as the subsequent siege and repression exacted on Lyon. It has detailed information about the various political and judicial actors in the republican government and does not just concentrate on the extreme positions.

The local perspective has since been highlighted in the work of a number of historians who go back much further to establish the divisive social antagonisms now recognised as decisive in local history. Louis Trénard and Maurice Garden studied the social and economic hierarchies of Lyon over the longer span to show how the conflicted acceptance of revolutionary change in the city evolved from the fundamental problems of its dominant silk industry.27 Trénard noted in 1987 that Lyon merited new study ‘both because of the gravity of events that the ideological conflicts had provoked and the multiplicity of political conceptions which were

23 Edmonds, Jacobinism, 247.
24 Biard, 1793, 7.
26 Ibid., 22, 92, 270.
expressed between 1790 and 1793’. He thought an imbalance in the memory of events was caused by a focus on the assumed pervasiveness of royalist conspiracy as well as by the biased memoirs of Abbé Aimé Guillon and others.

The works of Trénard and Garden are fundamental in establishing the modern parameters of a social study of Lyon. As these authors showed, a history of the Revolution in Lyon must begin by looking at social class because the reality was that Lyonnais society was riven by social divisions. Trénard undertook a comprehensive overview of the history of the silk industry to explain why it had attracted merchants and workers to settle there and how the complex social tensions of Lyon had built up by 1793. Garden provided an in-depth analysis of how historic conditions shaped Lyon. He found that the largely merchant elite was politically conservative and the city was not actively involved in the leadership of the Revolution, despite being the second largest city in France at the time. Although 1789 saw the elite in power cut off from ‘the public intellectuals, who became enthusiastic [s’enflammer] for the reformation of the royalty’, they were also cut off from the workers who ‘overturned the tax barriers, pillaged offices, burnt the archives and registers, threw the ashes in the Rhône’. Garden noted that after the middle of 1791 social order was re-established because the workers were tied to the silk industry and ‘incidents were relatively limited’. The work of Trénard and Garden on the social organisation of the city and its dominant industry helps explain the alternating periods of divergence and connection experienced between the classes throughout the revolutionary period.

Some more general historians of the Revolution, especially those of the Marxist school, for example Albert Soboul, have suggested that the struggle in Lyon was solely one of class. Soboul says that:

The rising was essentially the work of the middle classes who dominated the departmental administrative organs and who were anxious about their property, and it received support from all those who supported the Ancien Régime.’

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30 Ibid.
However, this argument did not acknowledge that in Lyon there were many working-class sectionnaires who also participated in the anti-Jacobin uprising. Patrice Higonnet did recognise this anomaly and came to a different understanding of the significance of the class issue in Lyon in his history of Jacobinism. He found that the Jacobin ideology was essentially ‘dualistic’ in nature because it only recognised those who were for or against it and thus it could not cope with factions and class-consciousness.\(^{32}\) When the sans-culottes in the sections of Lyon transferred their allegiance from the local Jacobins to the more conservative bourgeois democrats at the time of the revolt, this caused what he saw as the terrorist instincts of the national Jacobins to come to the fore.\(^ {33}\) There is thus a broad consensus that the class question in Lyon is important in the overall context of the Revolution but it is not by itself sufficient to explain the ideological split in the city.

More recent scholarship on the situation in Lyon has proposed that the history of Lyon could be represented as a dialectic process of ‘revolution and reaction’ which best explains why social antagonisms ended in violence. Bruno Benoît, the leading proponent of this view, observed in 1994:

> To be able to speak truly of the Revolution in Lyon, it is first necessary to exorcise the violence and that can only be done through an analysis that reveals the two faces of the violence … this coupling of “violence against violence”.\(^{34}\)

His understanding of the lead-up to 1793 was that the violence of two minorities, ‘whites’ (royalists) and ‘reds’ (extremists led by Chalier), was the key to how Lyonnais themselves viewed the situation. To explain the violence between 1789 and 1793 Benoît suggested the historian had to ‘oppose the words and gestures of egalitarian violence to the repressive violence [of the traditional élites]’.

\(^{35}\) What he meant was that each episode of crowd violence or extremist language led to a corresponding reaction, the most significant one being the uprising of May 1793. This idea of reaction was evident in 1790 when two members of a revolutionary crowd were convicted of killing a Swiss guard employed to maintain the despised custom


\(^{33}\) Ibid., 265-8.


\(^{35}\) Ibid., 151.
posts. The terrible punishment of their bodies being broken on the wheel showed a repressive reaction.36 Reaction continued to be the polarising element in Benoît’s subsequent arguments. The ‘red’ and ‘white’ minorities were, he thought, responsible for all the ills of Lyon.37 When he explored the constructed memory that subsequent generations of Lyonnais have fostered of the ‘moderantism’ of their anti-Chalier revolt on 29 May he observed that they are still haunted by the question of whether it really was evidence of the triumph of the royalists (the Whites).38

While the idea of reaction is descriptive of some episodes of revolutionary events in Lyon, concentrating on the ideology of the extremists means that the reformers of 1791-3 are again eclipsed in the historical record. To understand what was happening from 1791-3 it is also necessary to look at studies that focus on the religious undercurrents, which according to Côme Simien added enormously to social divisions.39 Chopelin’s closer study of the experience of constitutional clergy (those who took an oath to the state) and the refractory (or non-juring) clergy suggests a more complex picture of fear and reaction that spilled from the religious sphere to the political and from the political to the religious. He began by looking at the particular Catholic institutions and hierarchies in the city, including the traditional benevolent societies, to understand their pervasive influence in Lyonnais society.40 His work then focused on the interactions between the refractories and the constitutional clergy and the effect this interaction had on the political situation that developed in 1793.

Simien narrowed his focus to the pivotal incident of the September massacres of eight prisoners and three clergy by some of the menu peuple in 1792. He demonstrated that this episode of popular violence was linked to fears held about counterrevolutionaries and the refractory clergy. When he looked at the primary evidence regarding the massacre he found a combination of precipitators, which he called the ‘préparation mentale collective’. They included unemployment, the particular economic

40 Chopelin, Ville patriote, 28-37.
difficulties of the silk trade and the threat to subsistence foods - all conditions that historians since Garden have known to be the immediate cause of riots in Lyon. According to Simien these basic societal problems were however superimposed on other fears, ‘linked to the revolutionary context which flared up during the summer: war, fall of the monarchy, elections, plots’.\textsuperscript{41} He found that these fears and actions helped school the \textit{menu peuple} in violent reactions.\textsuperscript{42} Simien and Chopelin both come to the conclusion that ostensibly religious questions were in fact more complex and volatile than has often been recognised and are better described as ‘politico-religious’.\textsuperscript{43}

Bill Edmonds’ study of the rise and fall of the Jacobins in Lyon is one of the most comprehensive accounts of the ideological divide in Lyon in early 1793. He found that a deep sense of class pervaded the city because of the history of the silk industry. His challenge was then to assess its effect on politics leading to the revolt and siege. Social turbulence during the first two years of the Revolution was, he suggested, severe when the Consulate still held the reins of power. Once this political situation changed, then social agitation became less. As the traditional rulers increasingly resorted to repression they inadvertently drove the reforming bourgeois, who deplored such methods, to ally with the popular cause. The politicians who followed the ideas of Jean-Marie Roland and who supported the incipient club movement based on the sections, were then elected and led the first patriot municipality.

The Rolandins consolidated their power because they worked to end the hated customs tax known as the ‘octrois’ and this meant a peaceful interregnum during the period of the constitutional monarchy. However, the \textit{menu peuple} were again provoked to action when their fundamentally ‘irreconcilable’ politics were exposed during the troubles of September 1792.\textsuperscript{44} The \textit{taxation populaire} or direct action to influence market prices together with the prison massacres of this time meant that propertied groups, until now divided, finally decided to join forces to deflect the threat of violence. Social agitation again increased when the collapse of the monarchy coincided with economic difficulties in the silk industry and this was the time that

\textsuperscript{41} Simien, \textit{Les Massacres}, 31.
\textsuperscript{42} Ibid., 27-8.
\textsuperscript{43} For the significance of the political question see the conclusion of Chopelin, \textit{Ville patriote}, 194-7.
\textsuperscript{44} Edmonds, \textit{Jacobinism}, 4-5.
Chalier made his successful overtures to the clubs.\textsuperscript{45} Chalier, and other Jacobins with whom he was associated, began to express the demands of the \textit{menu peuple} for stronger social policies including fixed prices for bread and other necessities.

Edmonds demonstrated through his intricate analysis of the \textit{sections} based in the \textit{quartiers} that sectional politics was the key to the success of both the Rolandin ‘patriots’ in 1791 and 1792 and the more radical Jacobins in the early part of 1793. He showed that after the increased popular demands of September 1792 most members of the propertied classes felt threatened by the ‘new centralism’ of the national government in place after 10 August and Rolandins like the mayor Vitet felt unable to work in the context of sectional politics.\textsuperscript{46} The Jacobins spoke to the more radical demands of the clubs at the end of this year and this explained their electoral success in obtaining judicial and municipal office. However the failure of Chalier and the Jacobins to maintain the support of the \textit{sections} and their policy of exacerbating the frictions among the \textit{sections} then explained why they were ousted in the revolt of May 1793 when the ‘people’s will’ of the neighbourhood groups was again revived.\textsuperscript{47} The \textit{quartiers}, through their sectional clubs and assemblies, now rose against the Jacobins.

Popular support for the rebellion against the local Jacobins in Lyon in May 1793 at first glance seems to contradict an analysis based on social conflict but Edmonds clearly showed through his work on the local elections, the episodes of social upheavals and the disillusionments that pitted the inhabitants of this city against each other, that class divisions were always apparent. Rolandin policies, while progressive, had core features that were not always in tune with the political aims of the \textit{menu peuple}. Edmonds quoted the crux of Roland’s philosophy:

\begin{quote}
The solution to social conflict lay in enlightened self-interest expressed through philanthropy on the part of the rich and submission to the law and economic necessity by the poor.\textsuperscript{48}
\end{quote}

When the Rolandins ignored the core needs of the poorer classes the Jacobins profited from the situation. When the Jacobins in turn failed to improve living conditions and

\textsuperscript{45} Ibid., 128-9.
\textsuperscript{46} Ibid., 130-6.
\textsuperscript{47} Ibid.,148; 153.
\textsuperscript{48} Speech to the Société Philanthropique de Lyon in the \textit{Courrier de Lyon}, 6 février 1790, quoted in Edmonds, \textit{Jacobinism}, 56.
alienated many of their supporters in the sections, they too were rejected by the menu peuple. Thus social conditions and the unique economic factors that defined the city also helped shape political events. Those who managed to harness the crucial sectional support controlled municipal politics because for the menu peuple, ‘democracy meant direct democracy based in the quartiers’.49

Edmonds’ study is the most useful text for establishing the social, economic and political milieux in which Ampère operated. However, because Edmonds concentrated most on these three major issues he did not address the clash among those elected to legal office. This is despite his recognition that the ‘rule of law’ was integral to the Rolandin philosophy as we have seen in the quote above. After establishing that an overwhelming majority of Jacobins were elected to the Tribunal de District at the end of 1792, including François-Auguste Laussel as Commissaire National, he looked at their political actions and motivations rather than their differing concepts of justice.50 He found they ‘became a stronghold of the most extreme radicals’ and thus part of the ‘social trauma of democratization’.51 The growing differences between the judges in the period after the Jacobins were elected until the revolt of 29 May is in fact an area of lacuna.

It is understandable that historians have focussed heavily on the traumatic political choices made by municipal officers after 1789 which led to the ultimately tragic denouement of 1793. But this focus leaves out a central dimension of the tragedy. Many of those most involved in the conflicts were men of law who had committed themselves with enthusiasm to the central revolutionary project of legal reform.52 They believed deeply in equitable and humanitarian legal principles. By 1793, however, many of them – Ampère most obviously – were prepared to use the law to repress political opponents for ‘crimes’ they would have thought inconceivable a few years earlier. How and why could this happen?

49 Ibid., 74.
50 Ibid., 132.
51 Ibid., 134.
52 For a good discussion of the role of the provincial magistrates generally in the changes made to the national legislature, see Philip Dawson, Provincial Magistrates and Revolutionary Politics in France: 1789-1795 (Cambridge, MA: Harvard University Press, 1972), 193-210.
My study of Jean-Jacques Ampère and the Lyon judiciary is an attempt to answer this question. A deeper understanding of the administration and imposition of justice in 1789-93 can be achieved by following Ampère’s judicial career and this may be very revealing about why political allies in 1789-91 became prepared to use the law to kill each other in 1793. Ampère had been elected during the Vitet municipality of 1792. He continued to work with the Jacobin judges until February 1793 but was after February denounced by Chalier as ‘aristocratic’. Ampère was a prominent juge de paix who sat in the Police Correctionelle with Chalier but, even so, he is not discussed in Edmond’s work at all except when he is mentioned in a footnote as the judge responsible for signing the arrest warrant of the Jacobin judge Dodieu. Edmonds recognised that some of those who became juges de paix, like François-Joseph L’Ange and Billiemas, had supported the Rolandin politicians of 1792, that for them ‘the choice between Jacobins and Rolandin was far from clear-cut’ and that they ‘shared the Rolandin’s enemies, including Laussel’. However he does not investigate the different conceptions of the rule of law held by the Rolandin juges de paix and the Jacobin judges and the way these conceptual differences influenced events. The issue is important because it helps explain why Paris felt compelled to take action against the city when the Jacobins, including the judges, remained incarcerated.

It has been noted that the election of juges de paix elsewhere in the provinces led to a ‘harmonious relationship’ with the Tribunal Révolutionnaire in Paris in 1793 and 1794, precisely because of the discontinuity that was established by these elected and untrained officers with the older and more entrenched magistracies of the ancien régime. James Godfrey showed how in most provinces the juges de paix continued to initiate actions but were happy to send their cases and files to be prosecuted by the Tribunal Révolutionnaire. This did not happen in Lyon. Here many of the juges de

53 See the ‘Tableau’ of judges in the hand of Chalier: BML (Fonds Coste) ms. 609.
54 See Edmonds, Jacobins et Modérés, 123-4. Ampère is mentioned in the footnote as the juge de paix responsible for the warrant issued in August 1792 pursuant to the decision of the Rolandin to have Dodieu imprisoned. While Edmonds also noted the ‘Tableau’ of Chalier he only did so to establish the ‘patriot’ judges. See footnote, 142.
55 Ibid., 157, 164. Edmonds stresses that L’Ange believed in ‘a kind of state socialism’ but was ‘a pronounced anti-Jacobin’.
paix, including Ampère, had been disaffected by the local Jacobin threats of terror and persecution and supported the stand of the provisional politicians and the sectionnaires. Their decision to continue to sit in defiance of the Convention had enormous ramifications once Chalier was killed and it is because of these wider implications that a study of the judicial actions is necessary.

The anti-Jacobin stance of Lyon was immediately considered by the national government to be part of the phenomenon known as ‘federalism’, as we have seen in the work of Riffatferre and Herriot. However the modern understanding of this label is more nuanced. Malcolm Crook has described Lyon’s actions of June and July 1793 as a central part of a grave challenge to the Convention posed by the major provincial cities. Although Lyon did vote to accept the new Constitution, where the other provincial cities of Marseille and Toulon refused to do so, their insurrection was also viewed in a negative light by the capital, especially when they recruited a suspected counter-revolutionary, Précy, to lead their troops. Crook emphasised that the republicanism of the city was not in doubt despite the political and social conservatism of the Lyonnais in power during this period.

Paul Hanson concluded that the events in Lyon that displaced the Jacobin municipality were local but were exacerbated by the increasing factionalism of the Jacobin and Girondin debate in the national context. Hanson looked in detail at many of the aspects of the Lyon revolt and the fact that it was not ‘reactive’ to Parisian politics so much as dealing with the ‘local’ issues that Edmonds had found. Though the slogan ‘unity and indivisibility of the republic’ was asserted by both sides, each accused the other of ‘federalism’ and ‘anarchy’ which, according to Hanson, ‘became equivalent terms, each seen as a threat to the unity of the republic’. The schisms between the factions in Paris, most importantly between the Girondins and Montagnards, became increasingly evident:

The political differences that had their seeds in the disputes over the September massacres germinated during the trial of Louis XVI and flowered into virulent personal enmity in the

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59 Ibid., 103.
winter and spring of 1793, with the riots and vandalism of March 9-10, the impeachment of Jean-Paul Marat, and the formation of the Commission of Twelve. 60

Although the particular events in the capital, which led to the proscription of leading Girondin deputies by the Paris Commune on 2 June, had not yet transpired when the Lyon revolt took place on 29 May, these schisms were reflected in what was happening in the rest of the country:

The federalist revolt was not simply a reaction to the proscription of the Girondin deputies. It grew out of the same set of ideological differences that lay at the heart of the divisions within the National Convention. There were three key issues: the legitimacy of revolutionary violence, the nature and locus of political sovereignty, and the role of Paris (and its unruly crowd) in national politics. 61

In fact, Hanson implied that the wildly exaggerated recounting of events in Lyon may have paradoxically influenced events in Paris:

News of the revolt of Lyon and the supposed slaughter of eight hundred patriots was reported on the floor of the National Convention by Joseph Cambon on June 2. At that moment the Convention was itself surrounded by armed battalions of the Paris National Guard and some 80 to 100,000 Parisians. The Paris sections had been in a state of declared insurrection since May 31, with the aim of securing the proscription of the leading Girondin deputies from the National Convention. By the end of the day that aim had been achieved. As in Lyon, a political shift had occurred, though in the opposite direction. 62

Another, later contradictory account of the events in Lyon reported that ‘not a single drop of blood was spilt.’63 But by then, however, the harsh view of Lyon had already been formed.

The provincial revolts, pejoratively called ‘federalist’ by deputies in the National Convention, actually were neither federalist or royalist, according to Hanson, although he added that, ‘in Lyon and Marseille in particular ... royalists did step in at the latter stages of the revolt to try to salvage resistance to the Montagnards’. 64 While the Lyonnais did not see their own struggle against the ‘anarchism’ of the Jacobins in counterrevolutionary terms it was inevitable that it was described in those terms at the time because of the belief in Paris of the existence of plots fomented by ‘federalists’. The Lyonnais on the other hand had become frightened of a predetermined outsider view of Lyon as counter-revolutionary. Such a view, they thought, was based unfairly on its luxury trade in silk, the transience of its artisan population and its proximity to

60 Ibid., 34.
61 Ibid.
62 Ibid., 57.
63 Ibid., 184-8.
64 Ibid., 100.
the Swiss border. They suspected an anti-Lyon conspiracy. According to Edmonds, these views encouraged them to look to the traditional structures of their society and this fostered the anti-Jacobinism of even its poorest citizens, ‘despite the months of political tension, the years of social conflict, and the great inequalities which divided Lyon’. François Furet suggests this is the greatest achievement of Edmonds’ work, proving that Lyon was actually prepared to conform to Parisian control until revolutionary rhetoric induced a negative ‘collective response’ to the Jacobins among the Lyonnais. The lack of a meaningful dialogue then meant that ‘every act of anti-Jacobinism confirmed Montagnard suspicions of counter-revolutionary conspiracy in Lyon’. Prejudice and fears of conspiracy on both sides reinforced the distance between the cities.

William Doyle offered another explanation of the social realities of Lyon which broadens the picture by embracing the modern understanding of a transnational context. He saw Lyon as belonging to a more international network of commercial expansion that positioned a small group of wealthy bourgeois above the much larger group of peasants and more modest professionals. Doyle looked at the antagonisms of provincial seigneurs who wanted to maintain their traditional rights and the foiled plot of 1791 as being the first example of counter-revolution. However it was really the decisions of the Constituent Assembly that led to the ultimate extremes in politics. In a country divided by rashly imposed religious choices and the feckless behaviour of Louis XVI and his queen, the fortunes of war dictated extreme measures of national defence as the distinction between opposition and treason became blurred.

The next crisis in Lyon, though in response to the same religious and monarchical crisis in other parts of France, nevertheless was worse because bread prices and general costs of living were higher in Lyon. When the National Convention responded to the Jacobin crisis by threatening to send troops from the Alps, this news...

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65 Ibid., 194.
67 Edmonds, Jacobinism, 278.
69 Ibid, 146.
71 Doyle, Oxford History, 231.
itself precipitated the confrontation between the city’s sections and the municipality.\textsuperscript{72}

Doyle identified many of the international aspects that distinguished the reception of the Revolution in Lyon, including the city’s connection to a wider world of trade. Most significantly he identified the baleful effect of the threat of external war from the countries close to her borders. The effect of foreign war, often under-recognised in the historiography, also needs to be considered in relation to the interaction of the city with the capital.

Most recently, Michel Biard has analysed the misunderstandings in the dialogue between Lyon and Paris which led to the confrontation on the national level. Biard, as Edmonds had earlier done, rejected the focus on Lyon as having consciously and deliberately rebelled against Paris. He agreed with the findings of Edmonds as to the spontaneous nature of the revolt against local politicians by the popular sections worried about the possibility of Dubois-Crancé leading the Army of the Alps into the city. Biard goes a little further than Edmonds in highlighting the ‘importance of the “tragic blindness” on both sides’.\textsuperscript{73} Though Biard accepted a distorted vision was held in Paris, which increasingly refused to accept the fact the rebels in Lyon were republicans, he argued that what had been overlooked was the fact that the Lyonnais had a deformed view as to what was happening in Paris. This double blindness, Paris as to Lyon and Lyon as to Paris, is considered by Biard to represent ‘a double game of deforming mirrors’.\textsuperscript{74}

There is in Biard’s work, however, a further contribution to the debate: that the Lyonnais view of conspiracy in Paris was a pragmatic distortion they accepted because it fitted in with the local complexities of political and social history.\textsuperscript{75} This is an important finding because it raises a question about how the Lyonnais framed their actions. For the Lyonnais, their view of revolutionary progress meant a ‘discourse [which] disparaged “royalism” as much as “anarchy.”’\textsuperscript{76} It in fact sometimes confused their enemies, leading to what Biard cites as the justificatory ‘gibberish’ of

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{72} Ibid.
\item \textsuperscript{73} Biard, \textit{1793}, 7.
\item \textsuperscript{74} Ibid., 5.
\item \textsuperscript{75} Ibid., 9.
\item \textsuperscript{76} Ibid., 14.
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claiming that Marat had called for a king.\textsuperscript{77} The debates of the Lyonnais \textit{sections} showed the hostility of the Lyonnais to the exaggerated threats they felt Paris was raising when they accused them of not being ‘true’ republicans.\textsuperscript{78} Biard also attempted to assess the influence that Girondins expelled from Paris had when they arrived in Lyon. However, as Edmonds had also demonstrated, he concluded that the overwhelming indication was that local politics and tensions, though influenced by repugnance at the Girondins’ dismissal from the Convention, remained essentially local. When the national government failed to realise this and continued a ‘policy of unswerving support for an unpopular Jacobin minority [this] only increased anti-Jacobin activity’.\textsuperscript{79}

Biard demonstrated that the news of the Girondin refugees from Paris did not encourage any change in the view of Parisian politics held by the Lyonnais but may have compounded the effect of exaggerations they had come to believe. This was because the Lyonnais were ‘ready to accept the even more deformed image of the situation in the capital, in as much as they had been persuaded of the immense number of departments in a state of revolt against Paris’.\textsuperscript{80} Believing as they did that the citizens of the departments (especially those of the north) were about to march to save the revolutionary gains now under threat in the capital, they were able to ‘completely ignore the mass character of the Parisian \textit{sans-culotte} movement’ and anticipate an easy defeat for the Parisian ‘tyrants’.\textsuperscript{81} With their view, after 2 June, of an ‘anarchist’ and possibly illegitimate National Convention and their resultant disinclination to accept its authority and its decrees, the Lyonnais gradually abrogated to themselves legal authority and slowly escalated the inimical position they were in.

Taken together, the most reliable, objective and wide-ranging histories of Lyon by Edmonds, Garden and Trénard, suggest that the reasons for the divide between the republican factions of early 1793 related to the unique economic, social and political stresses forged by its earlier history. The resulting atmosphere, as David Andress has suggested, affected the political events when the Jacobins’ ‘aggressive plebeian

\textsuperscript{77} Ibid., 17.
\textsuperscript{78} Ibid.,18.
\textsuperscript{79} Edmonds, \textit{Jacobinism}, 273.
\textsuperscript{80} Biard, \textit{1793}, 16.
\textsuperscript{81} Ibid.,18.
posturing’ and the Girondin municipality’s powerlessness ‘to intervene in the troubles of late 1792’ contributed to an existing atmosphere of ‘social hatred’. Biard, Crook, Hanson and Doyle then allied the local events to the national and international context and have shown the significance of studies of Lyon. Local conflicts led to dissension among committed republicans and magistrates in a city which was situated close to the external borders of the country. Fears of foreign invasion and the threat of traitors within the city were extraordinarily high as were fears that the national capital would believe false reports that counter-revolutionaries were directing events in the city. The local fears and tensions inevitably escalated leading to consequences that affected the whole country.

Despite this long and impressive body of scholarship on Lyon and the revolt of 1793, which has traversed the local fears, the social crises, the divisions over religion, the competing economic claims for popular ‘taxation’ as opposed to free trade which shaped the Revolution in Lyon during the republican period, the way tragic civil strife was enacted through the courts remains to be studied. From early 1793 the arrests of prominent Lyonnais by the Jacobin judges and the way they were handled by the courts clearly added to the increasing polarisation at the time. After the revolt of May 1793 the targeting of the Jacobin judges and juges de paix again increased the gravity of the situation. The question of how and why such decisions were made and who had the legitimate vision of how the legal institutions should operate is vital because the meaning of ‘justice’ itself was at the heart of the ideological divide.

The methodology that will be used is a study of the judicial conflict through the eyes of Jean-Jacques Ampère, supported by research in the court archives. While there are very few surviving documents which present his authentic voice over the course of his early life, there are many documents in the records which illuminate his judicial career. What evidence we have of his personal life suggests he was a self-consciously ‘enlightened’ man committed to the highest revolutionary principles but who found himself having to take sides when the stakes were ‘liberty or death’. By the time of the July celebrations of 1793, when the sectional clubs and the city’s administrators were convinced that action needed to be taken against the former Jacobin

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municipality and the former judges held in the city’s gaols, he chose to be involved in the legal processes. His revolutionary experience is perhaps not as extraordinary as that of some other leading figures of the Revolution, Louis XVI, Robespierre, Danton, Lafayette and others who have been the subject of multiple biographies. Yet, it could be just as interesting to find out how a more ordinary figure coped with events and changes during this period. While there is not enough information by or about Ampère to make a biography possible, this thesis is based on the premise that there is enough to make an analysis of his public life, especially in the law, revealing of the drama of one of the most controversial episodes of the Revolution. After all, it was hundreds of thousands of local officials like Ampère who were charged with implementing the reforms to France which were the essence of the Revolution. This then justifies a micro-historical study of Ampère in his role as juge de paix because if we can make sense of what changed him in the crucial year of 1793 so that he could contemplate such dire action against Chalier this might help make sense of the escalation of violence and civil war more generally.83 In such a study, the decisions in the criminal tribunals where Ampère, Chalier and other Jacobin judges were active from 1792 can potentially provide evidence of the growing divergence between the magistrates. Those cases ultimately brought against the Jacobin judges Chalier, Dodieu, Gaillard and other Jacobin juges de paix arrested after May 1793 show the fatal consequences of the judicial struggle.

Peter Jones has written an intriguing article about the transformative process of becoming revolutionary or its obverse, becoming a counter-revolutionary. He suggested the process was ‘highly malleable, even volatile’ because ‘stamina for change’ could be exhausted’.84 However, he also noted that the men who accepted office at the end of 1791 were well aware of the choice they were making and were ‘men with a sense of commitment … a self-selected group who had served an apprenticeship to the cause’.85 The fact that Ampère was impelled to take office in January 1792, despite being 60 years of age, by a belief in the Rousseauist principle that every citizen needed to participate in making a virtuous community shows a...
commitment to change. It would seem he was equally able to change in 1793 when he felt he had become estranged from the Jacobin judges elected with him.

This thesis consists of eight further chapters. In Chapters One and Two, I introduce Ampère and the city in which he lived and argue that the background of his pre-revolutionary position and the early reception of the Revolution in Lyon placed him with the more advanced ‘patriots’ of the time. Although a conservative local government persisted in Lyon from 1789 until 1790, the cahiers of the Third Estate reveal the strong social activism which led to an alliance of those interested in reform and this alliance led to the first ‘patriot’ government by 1791. Chapter Three looks specifically at the revolutionary changes that began to be implemented including those envisaged in the administration of justice. This chapter lays the foundation for understanding the later conflicts amongst the judicial officers. Chapter Four follows the changes into 1792 when Ampère was himself elected to the office of juge de paix. Chapters Five and Six focus on the increasingly incompatible ideologies of those who followed the Rolandin social and economic programme and those Jacobin politicians and judges who were elected at the end of 1792 and wanted immediate economic solutions and prosecution of the enemies of such change. I show the path to revolt beginning in early February 1793 when the judicial wrangling in the courts became more and more divisive. Ampère’s role in the growing incompatibilities is examined through his personal reaction to events. Chapter Seven continues to examine Ampère’s decisive actions immediately after the revolt of May 1793 in dealing with the many Jacobins who had been arrested. I look at his motivations for leading the purge of those Jacobins, including the juges de paix and judges with whom he worked and whose politics and affiliations had become dangerous in his view. The Conclusion is then followed by an Epilogue, which considers the significance of the study of Ampère and the judiciary.

The thesis relies on extensive archival research because the records help recreate the day-to-day changes in the ideology of the relevant judges and juges de paix and show the raw tensions, hatreds and fears that culminated in disaster for Lyon. There are numerous files of the handwritten statements made by Ampère and his fellow judges after their interrogation of witnesses, complainants and accused in a number of criminal matters from this time. These matters ranged from thefts and forgery to
accusations of corruption and conspiracy at the highest level of local government. There are also other primary sources I have used which give a more personal view of what was happening at the relevant time. It is important at this stage, however, to flag the limited nature of the material that was available to work with. The records that would permit a full biography of Ampère simply do not exist. We can only hear his voice through the court records which were preserved and which are of course more comprehensive in some areas than others.

Personal narratives, as Alistair Thomson observed, at their best can, ‘illuminate the lived experience and meaning of events’ for ordinary people. 86 While he is writing largely about memoirs constructed about a life, Thomson also noted that other historical sources such as legal transcripts and records could just as easily be ‘constructed narratives.’ This methodological approach is dependent on the ‘language and meanings’ of the relevant culture and the ‘complex interaction between personal meaning and public sense, and between the individual and society in historical context.’ 87 It could also be limited by the ‘element of chance, in the number and kind of documents … that have been conscientiously preserved.’ 88 In the case of Ampère there are a number of archival sources that can be used to recreate his individual experience as a judge but equally there may be many cases or decisions that may have been destroyed. However, the material that is preserved, as it weaves in and out of the chapters of this thesis gives a sense of the growing drama of 1792 and 1793 and an insight into the struggle of which Ampère was part.

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87 Ibid., 114.
CHAPTER 1: TRABOULES AND TRAVAILS. Jean-Jacques Ampère and his beginnings in Lyon.

Late-eighteenth century Lyon was a cosmopolitan city made wealthy by two centuries of participation in the European silk trade. Although little is known about the early life of Jean-Jacques Ampère, what we do know suggests he was a typical Lyonnais silk merchant. However, he chose to follow an atypical path in giving up his comfortable lifestyle to move to the country after some years in the silk industry. At Poleymieux, situated at the top of the nearby Mont d’Or, he saw the abusive demands that a feudal seigneurie made on his peasant neighbours. While at first working as a local official [procureur] he left this position when a new seigneur arrived who was apparently only interested in increasing the burdens on the local community. Ampère then turned to a life of study, contemplation and teaching. His life experience in both the city and the country areas around Lyon during the early revolutionary period explains some possible, if not completely predictable, reactions to the cataclysmic changes that would confront the inhabitants of the city as the century neared its end. A study of Ampère’s life and career thus serves as a convenient starting point for understanding the dynamics of the pre-revolutionary society of which he was part.

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Lyon was the second largest city in France with a population of some 150,000, including the outer suburbs, augmented by rural immigrants from France, Switzerland and Italy who were attracted by its trade in silk.1 ‘Thousands of workshops’ operated here to supply elaborately worked silk which was sold by the ‘hundreds of merchants’ of the city.2 The city was also characterised by the mass of monasteries and churches that rose up the hills from the remains of the ancient Roman city that had been established on the banks of the Saône river in 43 BCE. The hill of the Croix Rousse on the opposite side of the river had become the enclave of silkworkers who lived in tenement buildings with the interconnecting traboules or passageways to carry their cloth. The rich merchants with impressive mansions and the great bulk of the

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1 Edmonds, Jacobinism, 9. Most recent studies accept this figure, which included as Edmonds observed, a transient or floating population of about 20,000.
Lyonnais people, who worked and lived in more humble rooms, inhabited the various *quartiers* of the cramped peninsula, bounded by the Saône and the Rhône Rivers. The silk trade, the local Consulate of the city, originally appointed to protect its finances but whose administrators then acquired noble status, and the institutions of the church had a significant impact on how the inhabitants of the city lived, worked and interacted.

Most of the working population were reliant on the silk trade in some way and thus on a capitalist structure dominated by the *négociants* (merchants) who bought and sold silk. The richest of these merchants formed an ‘oligarchy’ who, it was widely believed at the time, would ‘prefer to die than lose their prized profits’.3 The poorest were the weavers and other workers who were at the bottom of the structure and who were less insulated against the periodic crises in the industry.4 This particular feature of Lyonnais society was superimposed on the traditional system of orders or ‘estates’ that regulated society, which was based on the obligations owed to the two higher orders, the clergy of the First Estate and the nobility of the Second Estate, by the vast majority of people who comprised the Third Estate. These traditional hierarchies depended on a ‘medieval conception of the world’, but with the new social realities of increased urban development came conflict about the system of privileges that attached to the higher orders.5 The tensions were especially noticeable in Lyon because of a particularly large proportion of privileged clergy, the very diverse Third Estate and because of the wealth and status of those at the top of the local economic and social structures.

Ampère was born in Lyon in 1733, into a family actively involved in the silk industry and part of the Third Estate. By the time of his marriage in 1771, to the much younger Jeanne-Antoinette de Sutières-Sarcey, he was described in the Church record as a *négociant*, that is, an important commercial agent or merchant. His father, who had died before this date, was listed as a *maître-ouvrier en soie* (master silkworker). Jean-François Ampère, a younger brother, and Claude Joseph de Sutières-Sarcey, his

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4 See Edmonds’ comprehensive overview of the industry and conditions in the pre-revolutionary years. Ibid., 12-17.
father-in-law, were also listed in the matrimonial record as *négociants*. Further records show he had two other brothers who were master silkworkers: Jean-Joseph and François. His wife was descended from the aristocratic Desutières-Sarcey family of Paris but her father Claude-Joseph had come to Lyon in 1720 to work as a silk merchant. This family connection with the silk industry was not unusual because silk had become the predominant trade in Lyon from its origins in 1562 and was known generically and simply as ‘La Fabrique’. Silk was by far the biggest export of the city and at the time of the Revolution the trade extended to North Russia, Germany, the Levant, and to a lesser extent to Spain and Italy. The two rivers in Lyon, which flowed around the Lyon city peninsula, provided the simplest and shortest route for French trade to the North Sea and the Mediterranean. The ports buzzed with the activity of the silk trade.

Originally the offices of the *négociants* were confined to the narrow medieval streetscape of the old town, Vieux Lyon, which extended up the hill of Fourvière and where the most important merchants still hung their *blasons* inscribed with their coat of arms. However, as the weaving enterprises gradually expanded, merchants had begun to move closer to the river and into the newer commercial centre of the peninsula. The weavers were now mostly located on the hill above the centre, known as the Croix-Rousse, in houses with tall windows that maximised light but were sufficiently far away from the humid conditions near the rivers not to damage the silk. The *négociants* were then able to deal with both ends of the export trade, the silkworkers in Lyon city and the purchasers of the worked cloth. Many merchants left from here on their journey to Italy and the Levant to source the silk thread. Others sold the raw silk, the patterns and the orders from their offices close by to the weavers. When the work was completed, they then negotiated what was paid to the small manufacturers, ensuring that the market price of the worked silk stayed

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10 Herriot, Jacobins et Modérés, 40-1.
11 Trénard, La Révolution Française, 12.
12 Nadine Noyer-Ohlmann, Rue Juiverie; rue aux blasons, rue des artisans d’art (Lyon: Broché, 1995).
competitive. A series of covered traboules were used by journeymen to ferry the cloth from the weavers and through the stone flagged buildings that led down to the port. The specially constructed route, of deep stairs and long corridors, enabled the heavy bolts of silk to be carefully manoeuvred whilst being protected from the sun and rain. The cargo was then loaded onto the ships that would take them to clients in Europe.

Lyon had grown to become the largest provincial city in France because of the silk trade. ‘Universal’ fairs were held in Lyon four times a year, when merchants from overseas and from within France congregated in the city to engage in the trade. Silk was an important commodity for the court of the French kings but also for other European courts and its manufacture demanded special skills and equipment. Many of those involved had learned the various aspects of the career over their lifetime and regarded themselves as specialised artisans. However, the ‘proto-industrial’ structures of the industry meant that by the late-eighteenth century there was a need for increased investment to ensure continued growth. A temporary decline in demand for silk in 1778 coincided with the increased costs of financing new methods of production and this led to a crisis point in 1782 when stagnation and even bankruptcies were reported. Because production of the luxury fabric was tied to consumption in the royal court, the financial difficulties experienced at Versailles before the Revolution also had an impact on Lyon. Marie-Antoinette’s decision to dress in more simple fabrics and the Eden Treaty of 1784 aggravated the poor economic situation. This treaty was the result of an agreement to reduce tariffs on imported cottons and linens, made cheaply in factories in England, which then made these fabrics more competitive against locally produced silk.

Although workers and small merchants were especially vulnerable to the successive crises of fluctuation in demand for silk from 1782, still the silk industry continued to be attractive to people who saw in it the promise of wealth and status. Trénard has

13 Trénard, La Révolution Française, 71.
14 Ibid., 20.
15 Ibid., 106-7.
16 Ibid.
17 Ibid., 109.
shown how the unique hierarchies of Lyon were a result of the historical interdependence of the silk-workers and the merchant elite. Workers accepted La Fabrique as their protector and were encouraged by the possibility of advancement in the hierarchies even when there were downturns in the economy. The banquiers and négociants accepted their ‘benevolent’ role when there was unemployment, which Trénard suggests was motivated by prudence but also by philanthropic and religious sentiment.19 Many rich merchants had also experienced the insecurity of the fluctuating sales and remembered their own more humble origins. They dreaded the social agitation that resulted from unemployment and want. This logic led to some initiatives on the part of the industry and the educated bourgeois to help those who were suffering in the city from 1782 to 1789. Two hospitals based on charity were established, the supply of wheat to the needy was facilitated at times of shortage and there were programmes developed to encourage breast-feeding among working mothers and thus prevent the high infant mortality rate when their children were sent to wet-nurses.20 However conditions had worsened so much by 1786 that the usually compliant silkworkers did take action with the hatmakers of Lyon and managed to achieve some recognition of their difficulties by strike action. Edmonds suggests that the intense and extensive ‘discontent amongst the labouring population’ from this time began to threaten the previous equilibrium of the silk trade. The reliance on a ‘single industry’, he observed, had fundamentally affected both the poorer workers and the wealthy merchants.21

Traditional solutions continued to be relied on to keep the industry viable but gradually economic conditions became so extreme that the unquestioning commitment to La Fabrique that had been felt by the workers began to falter. The problems of the less well off throughout France were amplified by the severe winter of 1788 when harvests were destroyed and rivers froze over.22 The hard winter, exacerbated by the freezing of the Rhône and the interruption to supplies brought in by boat, meant shortages of food and associated misery in Lyon. Silk workers, still suffering from declining demand for silk, were especially affected. They were

19 Ibid., 35.
21 Edmonds, Jacobinism, 17.
22 According to Tackett, this ‘harrowing’ winter was ‘the coldest that century’: Tackett, The Coming of the Terror in the French Revolution (Cambridge: Belknap Press, 2015), 52.
reduced to large-scale begging in the streets and outside the theatres. The consequences of the reliance on the silk trade had became more evident in Lyonnais society as economic conditions declined more generally.

Figure 1: The Hôtel-Dieu hospital on the bank of the Rhône, as extended by Jacques-Germain Soufflot in the eighteenth-century.

As the experience of Ampère’s family indicates, the silk industry shaped the lives and aspirations of many Lyonnais, and could result in some upward mobility. But the industry also dictated where and how people lived. For the first ten years of their marriage, while Ampère worked as a négociant, the family lived in an apartment situated on the Quai Saint-Antoine. They were close to the administrative and commercial centre of Lyon but also to the noisy port area. Their apartment may actually have belonged to Ampère’s sister-in-law, Antoinette, but the family appear to have been able to live there while paying some form of rent. They were around the corner from the church and square of Saint-Nizier, the church in which he had been married. Soon after their marriage Jean-Jacques and his wife had two children who were also baptised in the same church. The only property they owned was a house and farm at Poleymieux, which was purchased the month before their marriage by means of the matrimonial dowry. While some négociants at the highest level accrued

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24 Jean-Jacques Ampère mentioned this debt in his, ‘Instructions pour ma femme’, Lettre, 17 octobre 1793, Archives Départementales du Rhône [Hereafter ADR], 42 L 62.
25 Ibid. The apartment is listed as his address in 1771 when he purchased the Poleymieux property. See the contract among the family papers. AAS, Fonds Ampère.
wealth which they used to invest in property others, like Ampère, did not accumulate enough to participate more actively in the property market.26

While profits for the merchant élite were somewhat variable, the maîtres-ouvriers who actually produced the worked silk in their small ateliers were the most affected by the successive crises. These operators worked with a team that rarely exceeded five workers. Most of the work was actually done by members of their own family. The long period of apprenticeship of these workers, of five years plus a further five years as a compagnon, and their ownership of the tools of the trade meant they were personally invested in the industry.27 Known as canuts, after the tool they used in the weaving process, the workers felt proud of their status and worked long hours to get ahead. They aspired to become a maître-ouvrier and then possibly a marchand and finally a négociant. This trajectory was realised in Ampère’s own family, with himself and one brother achieving the highest status of négociant within one generation. However, this sort of outcome was becoming less and less achievable as Jean-Jacques neared the end of his career in the industry and the hierarchies became much more rigid.

There were other important occupational groupings in Lyon, including silk-stocking makers, hat-makers and printers.28 These professions provided work for the various journeymen, carters, labourers and maîtres-ouvriers who employed small groups of workers and were themselves employed by small businesses. Maurice Garden has suggested that, although there was the possibility of mobility into the ranks of the merchants, there was also a growing gap between the rich and the workers by the end of the eighteenth century. This happened because of the tendency towards the ‘monopoly of the bourgeois’ who had made their wealth with the silk trade but could diversify their risk.29 The rich merchants became more and more divided from those who were overwhelmed by subsistence problems and the vagaries of employment that

26 According to Trénard barely a quarter of Lyonnais merchants who called themselves négociants could buy their own homes in the city whereas those with noble status owned a whole hôtel or buildings that they rented to further augment their wealth and power. La Révolution Française, 65.
28 Trénard notes the printers made Lyon the capital of the ‘commerce of the book’. Ibid., 96.
29 Garden, Lyon et les Lyonnais, 353-4.
would later unite them as *sans-culottes*. Yet the picture was also more complicated, as Garden shows. There were in fact many competing groups with which a citizen could identify. While identifications with artisanal groupings like silkworker, printmaker, hatter or stocking-maker were strong, identification as a class of *ouvrier* or worker was not. As well as the identification with different levels of career within the silk or other industries, there could also be an identification with where one lived: the different *quartiers* of the city. There were religious and intellectual affiliations that also developed a ‘collective mentality’. Finally, there was a political dimension to success in industry, which led to a greater status for that group who had achieved the high office of consul.

At the administrative level the city was run by Intendants of the king and by a Consulate which protected the city and its finances through local consuls (échevins). Admission to the political position of consul was only granted to those who had progressed through the merchant class. These consuls were elected from a small hierarchy of notables in the three provinces of Lyon, Forez and Beaujolais. They could become ennobled after serving two years in the office. This meant that, although originally gaining influence from their engagement in the commercial enterprises of the city rather than from the hereditary nobility as in other parts of France, the ruling elite gradually became removed from the mercantile interests of the city. The leaders seem to have become increasingly more worried about their own advancement than the general improvement of the industry and soon came to resent any criticism or agitation from the silk workers themselves. They bought larger and better houses with their fortunes, keen to increase their ‘social prosperity’. As Manon Roland lamented to an acquaintance in Lyon just prior to the Revolution: ‘The gains of commerce have meant the proliferation, in our walls, of the ennobled, the privileged, the rich or those who hope to become rich’. Jacones Imbert-Colomès, the leading consul in 1789, a notable of modest means who had married into wealth, represented this new social hierarchy. Alienation within the social hierarchies was

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30 This tendency was noted by George Rudé in the Parisian context but is also also observable in Lyon. *The Crowd*, 22.
32 Ibid., 275-8.
34 Quoted in Trénard. Ibid., 64.
increased by this tendency of merchants who had profited from their successes in the industry and become ennobled as a result to disguise their commercial origins.

The Catholic Church was another significant entity impacting everyday life in Lyon and attitudes to its predominant position were also beginning to change during the 1780s. Lyon had long been one of the most important dioceses in France with many monasteries, convents and churches dotting the city and the banks of the river. Close to the Ampère residence in Lyon was the imposing Saint-Nizier church with its tall spires and buttresses. Also nearby was the Church of the Cordeliers, which had seven chapels attached to it. The cathedral of Saint-Jean towered over Vieux Lyon. Every canton – the administrative divisions within the district of the Ville de Lyon - had a number of local churches and monasteries. The priests that lived here were not the simple curés found in smaller cities or villages but were strong and powerful leaders with economic and social stakes to protect. The chanoines-comtes who led the institutions often identified more as nobles than simple men of the church and had the comfortable lifestyle in keeping with one of the most important ‘chapters’ of the kingdom. They continued to represent themselves as ‘fathers of the people’ in the struggle of the poor and oppressed against La Fabrique leading up to 1789. However, the great number of monasteries and churches in the city itself encouraged discontent because of the amount of land they owned and occupied. In 1790, for example, there were 833 religious personnel housed in 33 convents spread across the city. Because of the geographical situation of Lyon there was little space to expand and these holdings meant the city grew more overcrowded. So although the church supported charitable ventures to help the poor and indigent, these were of varying degrees of effectiveness. Many of the monasteries and other organisations had no obvious utilitarian function and this suggested how unresponsive the church was to social needs. The institution itself was becoming increasingly irrelevant to many Lyonnais. Workers had become disengaged from religious observances and were more likely to attend the taverns of the Brotteaux or those along the banks of the Saône on a Sunday rather than church.

35 Chopelin, Ville patriote, 17-18.
36 Ibid., 22.
37 Ibid., 47.
38 Ibid., 68.
Church involvement in education was also becoming less accepted. At this time the school system in Lyon was run by the church and based on the limited programme offered by the colleges of six or eight years of study for boys from the age of eleven or twelve. It was less usual for girls to have the opportunity of secondary schooling. Up until 1762 Jesuit priests had been the teachers in such schools and were responsible for the strict curriculum, which included Latin and rhetoric. Although the Jesuits had since been replaced by secular teachers of the Oratorian and Dominican orders and the French language was now emphasised, still the curriculum was criticised for being limited, rigid and slow to adopt the natural sciences. The appropriateness of religious instructors in schools became one of the many debates in Lyon as to the place of religion in society more generally.

Ampère chose to retire from his role of négociant at age 50 in 1782 when the economic problems were beginning to be manifest in the silk trade. Contrary to the more expected path of the successful silk négociant, he did not buy his own large city home. Instead, at age 49, he moved to his country home in Poleymieux and used his accumulated wealth to set up the family in the healthier environment of the country. Their rural existence was to be far different from their urban life; again it is useful to study what we know of Ampère’s life there because a micro-historical perspective can give a glimpse of the ‘fabric of the society and culture’ that would otherwise be difficult to access. From this time he became personally involved in the education of his children. His son, André-Marie Ampère, recalled in a series of autobiographical notes that his father began to teach him and encouraged him to learn only when and what he had a desire to know. This description of his early education by Ampère’s son suggests that the father was attempting to facilitate the more ‘natural’ education suggested by Rousseau in his popular treatise Émile. The collected works of Rousseau were indeed a core part of Ampère’s library, which then augmented the children’s education. The rhythm of life of the Ampère family, even when they moved to the countryside, was still cushioned by profits made in the commerce of the city and the

40 Magnússon and Szijártó, What Is Microhistory?, 76.
42 Michel Dûrr, ‘Essai de reconstitution de la bibliothèque que le juge Ampère avait mise à la disposition de son fils à Poleymieux’. AAS, Chemise 292 [Cahier 20].
silk industry. It was the wealth Jean-Jacques had earned from his work in the silk industry which enabled him to fund his move and also build up the library that was used to educate his children.

Ampère made these significant changes in his family life because he had become convinced that such personal change could make a difference in society. Rousseau believed fathers were in fact the best first tutors and should educate by guiding their children.\textsuperscript{43} Providing an education, which allowed the growth of reason to occur in a natural context, was the ‘duty’ Rousseau believed a father owed to the state and humanity.\textsuperscript{44} This could be achieved by ‘guidance rather than instruction’ if the student was allowed to ‘find out for himself’.\textsuperscript{45} Rousseau thought the essential condition was that children should be brought up in the country, ‘far from the vile morals of the town’, where they could ‘receive every kind of impression’ and not merely ‘the names and date of kings’.\textsuperscript{46} Moving to the country prioritised an education which would be more ‘realistic’ with the child, ‘taught geography by walks, natural history by object lessons, the ideas of violence, of justice, and of prudence, by being subjected to violence, injustice and imprudence and so on’.\textsuperscript{47}

As in his political work, \textit{On the Social Contract}, Rousseau began \textit{Émile} with the observation that man is made good but becomes full of vice because of bad practices and rules in society that are antithetical to nature. In the case of bringing up a child this bad practice began when children were swaddled and farmed out to wet-nurses. They should instead, according to Rousseau, be fostered from the first within the loving family unit. Neither should they be shielded from the world but allowed to become strong in their interaction with it:

\begin{quote}
We are born sensitive and from our birth onwards we are affected in various ways by our environment ... These tendencies gain strength and permanence with the growth of reason, but hindered by our habits they are more or less warped by our prejudices. Before this change they are what I call Nature within us.\textsuperscript{48}
\end{quote}

\textsuperscript{44} Ibid.
\textsuperscript{45} Ibid., 19.
\textsuperscript{46} Ibid., 59, 76.
\textsuperscript{48} Rousseau, \textit{Émile}, 7.
This natural education, which minimised the likelihood of the child accepting the prejudices of his teachers, was the most appropriate education for children who would become part of the enlightened world that philosophers like Rousseau suggested was possible.

That Ampère should make such a life-changing decision based on the precepts of Rousseau was an unusual decision for a successful merchant at this time. However, according to Daniel Mornet, the sensibilité evoked from the works of Rousseau was a ‘significant trait’ among its readers after 1760. Rousseau’s works ‘had a profound effect upon life and it transformed practical habits quite as much as it did ideas’. Of the hierarchies at the heart of the silk trade, the one in which Ampère was situated was the most insulated against the declining incomes being derived from silk. Yet, despite the possibilities of great wealth that a career as a négociant in the silk industry had at one time entailed, it would appear that Ampère had no desire to continue in it. Ampère was able to fund his move to the country by buying a position in the judicial administration of the seigneurie of Poleymieux. This position did not promise a better economic outcome, because it was in a small jurisdiction which only dealt with cases of ‘middle justice’ such as hunting rights and harvest dues, rather than one of ‘high justice’ which dealt with other civil and criminal matters.

The village of Poleymieux is situated on Mont d’Or, thirteen kilometres north of the city of Lyon. In 1782 it was a part of the sénéchaussée of Lyon in the canton of Chasselay and linked to the parish of Neuville-sur-Saône. (see fig.7) Chasselay was then, as it is now, one of a number of small villages clustered at the foot of the mountain. It was close to the small city of Neuville, which straddled the banks of the Saône river and could be easily reached from Lyon. From here one could walk up the mountain or take a smaller postillion coach to finish the journey to Poleymieux. The road wound up the mountain past the small farmhouses like the Ampère home, the

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49 Mornet, French thought, 240.
50 Ampère mentions a sum of 3000 livres from his capital that he had paid for a position of two years duration upon his retirement from commerce. Letter to his wife of 23 November 1793. AAS, Chemise 292 [Cahier 20].
51 For the distinction between different feudal systems of justice see Anthony Crubaugh, Balancing the Scales of Justice: Local courts and rural society in southwest France, 1750-1800 (University Park, PA: The Pennsylvania State University Press, 2001), 90-1.
52 J. A. Varnet, Géographie du Rhône (Lyon, s.n. 1897).
Http://gallica.bnf.fr/ark:/12148/bpt6k582.
mayoral building and the judicial offices known as the Gruerie, where the local seigneurial justice was delivered. These buildings were typically made of sandstone quarried from nearby and their golden colour gave the mountain its name. The road continued past these buildings to reach the more imposing buildings higher up. Toward the top of the mountain was the castle of the local seigneur. Next to it, almost at the summit of the mountain, stood the former church, dominating the community.

The Ampère house is today preserved as a museum. Although it looks substantial, it was considered in 1782 to be a small country holding. It was surrounded by just one hectare of land. Stone walls and a wrought iron gate enclosed the potager gardens of the home, barns, an old chapel and the house itself. The stables, barns and storage rooms were made of unfaced stone. This space was used for animals and pigeons, for grain and the straw necessary to fill beds and cover the floors for warmth in winter. The outhouse buildings led to the main house on a slightly higher level. The rooms used in the eighteenth century were quite small and were dominated by one major living space, which also functioned as the dining room. Long casement windows and a small balcony let the sunlight in. Small bedrooms, including a loft style room perhaps used for the children, were positioned either side. The small chapel building to the side of the house was disused, preserved from a time when a religious order of monks had lived here. Beyond the walls, at the back of the property, a path disappeared into fruit trees and the woods beyond. Poleymieux thus promised a natural, almost self-sufficient lifestyle choice for the whole family.
Extant written records of the municipal assembly of Poleymieux are available from 25 May 1788. Prominent members of the village met on this particular Sunday, after church, to describe the extent of the community and its economic and fiscal statistics. The statistics were required by the authorities in Lyon. The Polymoriots advised that there were 80 modest farmhouses in the area. There were five bourgeois families, including that of Ampère. There were 20 poor households receiving alms. The only privilégiés were the curé and the seigneur, whose château and church abutted each other at the top of the mountain. The problems facing the village were also well identified: the rigours of winter, the poor soil and difficult terrain that meant a very mediocre production of wheat and wine, the roads that became impassable in bad weather. There were neither doctors nor schoolmasters, neither markets nor mills in the village. This chronicle obviously had the purpose of signalling to the king the penury of the area and the thin living that could be extracted from its fields. It was also noted that the dîme was exacted from the inhabitants at a higher value than was required in neighbouring villages. This document thus tried to concentrate on the factors that would spare the village from any excessive demands made by the royal purse. It was noted that there had never been any registering (cadastre) of the value of the land here and that any agriculture was severely impeded by the stoney ground and the bad state of the roads.

53 ADR (Poleymieux),153/1.
Other descriptions of the pre-revolutionary years have come down to us that are focused on the more bucolic aspects of the area. A different vista of picturesque hayfields, fruit trees, including limes, and the forest of the Garenne with its incomparable view leading to the valley of the Thoux river is suggested by Varnet in his *Géographie*. Another local writer says the peasants made the ‘famous goat’s cheese of the Mont d’Or’ and sold it in Neuville or Lyon. Varnet confirms that the village produced wine, lots of hay and wood. The fifteenth-century castle was prominent in this landscape, with its vineyards, its gently sloping orchard, its immense pigeon house, its cellars and stables and its towers. It had high stone walls, again in the golden sandstone of the mountain, and a tall conical tower which rose up from the middle of the wall. This tower was complete with the long, thin holes known as *meurtriers*, used by archers to sling arrows at besiegers in a more ancient feudal era. Behind the walls there was, at the time, a small farmyard, gardens with lime trees, a round fountain basin with a jet of water. Only one tower now remains of the ancient castle and part of its thick curved wall. The gateway to the church, over which the tower still leans, led through a cemetery that in effect spread out from the side of the castle. The castle was an imposing building and it literally and metaphorically towered over the villagers who would wend their way up to the summit every Sunday for church services.

When Ampère moved the family permanently to their house and farm in 1782 they were thus among the better-off members of the largely peasant community. The seigneurial post he purchased was as *procureur fiscal* (tax official). This meant he helped deal with disputes between forest wardens and the local peasantry. The cases he heard mainly concerned taxes and dues owed. As the records of the commune show, the collection of the *dîme* was considered most unfair by the local population because it was a tax that was sent away from the community to the ecclesiastical institutions in Lyon. The peasants and small landholders could not see the

54 Varnet, *Géographie*, 35.
58 ADR (Poleymieux), 153/1.
justification in contributing a large proportion of their harvests to the church headquarters in the city as well as having to meet the exactions of the feudal seigneur. Their economic viability was threatened by these taxes as well as their ability to feed their own families. The seigneur in 1782 was Servan L’Ainé, Trésorier de France. Ampère worked under the Châtelain, Brunet, and the chief local magistrate, the judge Garin from nearby Neuville.59 Until a new seigneur purchased the castle and its lands in 1785, Ampère’s position was undemanding and the work required him to walk only a few hundred metres from his house to the feudal court.

Figure 3: The Gruerie at Poleymieux.

Things changed abruptly when the new incumbent, Guillin de Montet, purchased the seigneurié in 1785, after a career as a colonial administrator in Sénégal. This position had seen him engage in some questionable practices in the rubber trade, including illegal use of the King’s navy.60 According to the nineteenth-century historian, Audin, he brought to the position in Poleymieux ‘the behaviour of a man used to slave trafficking and to the tyrannical governing of a colony far from all controls’.61 Rather than expressing a benevolent attitude to the people under his care, Guillin was more

59 Extracts of ‘Almanach astronomique de la ville de Lyon et des provinces de Lyonnais, Forez et Beaujolais pour 1782’. AAS, Chemise 292 [Cahier 20].
60 Audin, La Conspiration Lyonnaise, 58-63.
61 Ibid., 141.
concerned with reviving and enforcing dues and privileges that were traditionally due to him. Such actions of seigneurs, although criticised, were common. The more grasping of seigneurs could allow dues to accumulate and then claim arrears for up to 29 years in a lump sum. Guillin demanded some arrears of taxes but was especially notorious locally for his actions of digging up the bones of the dead buried in the church cemetery and his annexing of this land. Claims were made that he actually used the dug up bones as fertiliser for his gardens.

Anthony Crubaugh has looked at how such positions worked in provincial areas and found that seigneurs sometimes only engaged procureurs who ‘ensured that inhabitants paid their seigneurial dues and generally respected the rights and honors to which the lord laid claim’. To do this they avoided the sale (or venality) of the position, preferring to hire or fire procureurs as they wished. While at first Ampère visited the castle and interacted with the new seigneur in his function as procureur, it would appear from the Almanach records that his position was not extended. Indeed he became one of those impacted by the harshness of the new seigneur. His own property was subject to the terrier passif by the seigneur in 1786.

After giving up his work at the Gruerie, Ampère now had a full-time job guiding the increasingly obvious genius of his son, André-Marie, who was at the age many boys went to formal school. Since there was no school in Poleymieux, his father had to augment the family library to cater for the boy’s special interest in calculus. He also taught him to read Latin at the age of 13 and sought advice from the Abbé Daburon in Lyon to further his mathematical interests. He facilitated his son’s correspondence with another, slightly older, friend in Lyon about problem solving. Finally he helped him present a solution to a complex theoretical problem to the Académie des Sciences.

63 Lettre I, ADR (Poleymieux), 153/3.
64 Crubaugh, *Balancing the Scales*, 12.
65 Ampère’s name is not mentioned in the 1787 Almanach records and it would appear he had retired or been dismissed by the seigneur before that year. Extracts of ‘Almanach astronomique de la ville de Lyon et des provinces de Lyonnais, Forez et Beaujolais pour 1786’. AAS, Chemise 292 [Cahier 20].
66 Audin, *La Conspiration Lyonnaise*, 64-5.
67 AAS, Chemise 292 [Cahier 20].
69 AAS, Chemise 323-372. Correspondence with Mr Jean-Stanislas Couppier.
in Lyon. In 1788, André-Marie presented a thesis for examination to Claude Roux in Lyon. 70

Jean-Jacques Ampère, according to his son, also ‘never ceased to be interested in publications of French and Latin literature as well as several branches of science’ and inspired in him a ‘love of learning’. 71 The titles in the family library have been preserved and catalogued because of the subsequent fame of his descendants. 72 This has meant we can find in the intellectual life of the much less famous Ampère, Jean-Jacques, important clues about his ideology and the learning he wanted to pass to his children. Pride of place in the library was given to seventeen volumes of the Encyclopédie of Diderot and D’Alembert. André-Marie recalled in his autobiography the familiarity and comfort he found in these volumes even before he was temporarily diverted from them by his inability to understand the articles on calculus. 73 In volume 17 (POM-REGG) is to be found the following definition with which both the father and son may have been familiar and which may have reflected the tenor of this and other works collected in their library:

Révolution: Signifies a political term, a momentous change which happens to the government of a state. The word comes from the Latin for revolvere - turn. There are no states which have not been subject to a greater or lesser extent to révolutions. The Abbé de Vertot has given us two or three excellent histories of ‘révolutions’ of different countries; See further, révolutions of Sweden, those of the Roman Republic, etc.

There was actually a copy of the Abbé’s study of the revolutions in Sweden and Portugal in the family library. Works on the nervous system and on vegetarianism by the local doctor, Pressavin, who was later to become involved in revolutionary politics on the local municipality and in the National Assembly were also there. Many of the works of authors considered significant by contemporary society, including the complete works of the popular poet Jean-Baptiste Rousseau were included in addition to the more celebrated Rousseau. Other popular novelists, such as Bernardin de Saint Pierre, were also represented. Voltaire’s Enfant Prodigue was in the library cabinet as well as works by Pascal, Poussin, Mme d’Épinay and Massenet. Translations of ancient Roman writers and of Homer sat next to classical works in Latin. Folios of

70 Trénard, La Révolution Française, 88.
71 A.-M. Ampère, Autobiographie.
72 Here I acknowledge the cataloguing work of Michel Dürr ‘Essai de reconstitution de la bibliothèque’ for the Ampère museum, Poleymieux Mont d’Or, undertaken with the assistance of papers conserved: AAS, Chemise 292 [Cahier 20].
73 A. M. Ampère, Autobiographie.
plays including those of Crébillon and Marivaux jostled the more classic standards of Corneille, Racine and Molière. 74

Many of the contemporary works included in the family library echo the ‘spirit of the eighteenth century’ that Daniel Mornet found to be typical in the French libraries he studied. 75 Mornet argued that the dominant strands of French thought in this century were threefold: the classical writings privileged by the rhetorical mode of teaching of the Jesuits; the reasoned philosophy of Voltaire and Montesquieu; and the “natural” philosophy of Rousseau and Mably. 76 All these works were present in Ampère’s library and suggest he had the classical education, including instruction in Latin, rhetoric and philosophy, which Palmer shows was considered useful for students who went on to Law. 77

The library also contained the religious texts that a well-read family could accumulate. These texts included the Bible and prayer books used by the family in their weekly church-going. There were the famous funeral orations of Bossuet and the Pensées of Pascal but also later deist works that became pivotal to a humanistic way of thinking, including those of the Abbé Gregoire and the complete works of Rousseau, Fénelon and Mably. The latter were part of the ‘Ars Historica’ practice of the eighteenth century identified by Nathan Uglow. He suggests that such works represented at this time ‘a canon of classical knowledge’ attempting to establish historical but ‘simple truths’ that went beyond a religious idea of morality. 78 André-Marie’s biographer suggested that the family valued regular church-going and devotional reading and the mother at least impressed the importance of religious values on their children. 79 It is equally clear that the father also encouraged a more questioning humanistic perspective that valued the innovative scientific ideas expressed by authors like Antoine Thomas, whose eulogy of Descartes was included in his library and was reportedly influential in André-Marie’s early reading. 80

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74 Dûrr, ‘Essaié’, AAS, Chemise 292.
75 Mornet, French thought, 5-7. This work, though dating from 1933 is still useful because of this unique focus on private libraries.
76 Ibid., 91-6.
77 Palmer, The Improvement of Humanity, 23.
80 Ibid., 14-15.
The most important of the foundational eighteenth-century texts, in the sense used by Mornet, included the works of Montesquieu. These were well represented in the Ampère library and included the popular *Lettres Persanes* and the more rigorous *Esprit des Lois*, on which the author worked for many years, both of which opened up knowledge of a wider world to the French reader of the eighteenth century. Montesquieu wrote about different political and cultural choices and traced the particular governmental systems and laws that pertained in democratic republics, monarchies or despotisms. His work would come to have a profound influence on Jean-Jacques Ampère, when he began his own writing. The work of Jean-Jacques Rousseau was also well represented. It would appear the sentimental novels as well as the more philosophic works may have had a direct influence on how Ampère and through him, his family, lived. Thus, if Mornet’s rather prescriptive categorisation of books can be seen as a guide to the French thinking of the eighteenth century, Ampère was a typical eighteenth-century reader.

Mornet’s work can of course only be a guide as to what individuals may have read and understood from their libraries. Yet the evidence of Ampère’s diverse interests, and the recollections of his son as to how the family treasured the books he had acquired, suggest a man who personified the values of ‘enlightened’ learning. While one cannot definitively say whether members of the family read all the works in the library, the type of education and influences they valued is clear. The range of works, including the variety of Latin texts, prompts the assumption that the father had been taught by the Jesuit order in Lyon. The fact that he did not choose such an education for his son meant that he favoured the more modern ideas of Rousseau and Voltaire, which were critical of the limitations of this type of learning. André-Marie recalled the fun he had in his youth memorizing and declaiming famous scenes of the classical playwrights.81 We thus know that the family appreciated and used their library.

The Ampère family spent some time during the colder months in the city of Lyon, but they also relied on newspapers to stay in touch with events in Paris. The local press noted the day-to-day problems that were being faced by the Lyonnais, including the

81 A.- M. Ampère, *Autobiographie*. 
economic and social crises, as well as revolutionary ideas and political changes as they happened. From 1750 the *Affiches de Lyon* printed announcements of events and was published weekly. In 1784 the *Journal de Lyon* took over much of this operation. Both could be read in libraries and in reading rooms in Lyon or were available by subscription.82 In September 1789, the *Courrier de Lyon*, a more radical journal, began to be printed.83 Through such publications Ampère and others could listen to new voices. Ampère is known to have frequented the bookshop of Antoine Périsse Duluc in the rue Mercière in Lyon, where those interested in scientific progress and the latest philosophical ideas congregated to read and discuss ideas.84 It would seem that he embraced the emerging ‘bourgeois public sphere’ by his participation in such reading groups and through the local newspapers.85

Other forums were also open to the intellectual bourgeois at the time. The Académie des Sciences was the main forum where new ideas were discussed. Members embraced the ideas of Voltaire and other philosophes of the Enlightenment who questioned the arbitrary practices of the *ancien régime*.86 They debated slavery and the works of the Abbé Raynal. Many future municipal and national leaders, such as Palerme de Savy, Vitet, Gilibert and Roland de la Platière, were members. Another forum for the *bourgeois libéral* was the group known as the *cercle des Terreaux* who met regularly and discussed the news from Paris.87 It is not unlikely Ampère had some interactions in these venues. Those who participated joined what Joan Landes has called the ‘rather messy interaction between the concerns of literary men … and merchants’ which was predicated on ‘one’s having a certain position in the property order’.88

82 Trénard considers these papers the first examples of a local press and notes subscriptions were held by the public libraries, *La Révolution Française*, 98-9.
84 Marion, *Le Génial bonhomme Ampère*, 25. This book is a quasi-fictional account of the life of the Ampère’s but does provide some material of local provenance.
87 Trénard, *La Révolution Française*, 265.
88 Landes, *Women and the Public Sphere*, 43.
The education he provided his children shows the practical application of the ideas Ampère had gained from the lessons of both classical and contemporary history, but his own idiosyncrasies can also be gleaned in the great number of theatrical works owned. The works of Jean-François Ducis, which included his translations of Shakespeare, were used to good effect in his own writing. There were also translations of the British writers Alexander Pope, Hume and Locke on the human condition and society, the work of the Italian Cesare Beccaria, on more enlightened thinking about punishment in a criminal law context, and the Polish Stanislas Leczinski’s *Philosophe Bienfaisant*. These inclusions suggest the cosmopolitan nature of Jean-Jacques’ thinking and a receptiveness by him to a wider European world of ideas.

Ampère’s life, while displaying a somewhat privileged and unusual course, had nevertheless intersected with the lives of some more typical Lyonnais during the eighteenth century. He was able to identify with the problems inherent in the dominant Lyonnais industry because of his family involvement in the silk trade. Although he did not accumulate enough wealth to invest in property and reach the highest level of merchant, Ampère did become a *négociant*. This work enabled Ampère to purchase a quasi-judicial position in a smaller rural area of Lyon, thereby giving himself and his family a certain standing in the local community as well as an insight into the problems of the feudal system. He had a shared experience with the local community of a particularly grasping seigneur. Upon his retirement from this post Ampère continued to indulge his interest in Enlightenment literature and in the education of his children. His story then deviated from the typical *négociant* and intersected with other educated Lyonnais bourgeois who experienced the upheavals of the late 1780s. He became intimately aware of the crises that had impacted the urban workers of Lyon as well as those that affected the peasant members of a smaller rural community in the pre-revolutionary years.
CHAPTER 2: REVOLUTION AND REFORM. The view from Lyon 1789 to 1790.

In March 1789 the cahiers de doléances of the Third Estate of the city of Lyon were presented to the Estates-General as part of the ‘call for advice’ that the king made to his citizens to help in the fiscal crisis facing France. This document was only one of many thousands that were sent by regional deputies to the meeting of the Estates General in Versailles, taking advantage of the unprecedented opportunity to participate in a great debate. The August decrees and the Declaration of the Rights of Man promulgated by the new National Assembly in 1789 began the process of dismantling the institutions of the ancien régime. Even these decrees, however, did not mean the end of debate about how lasting reforms would be achieved in Lyon.

Local grievances continued to mount through 1789-90. With the alliance of bourgeois reformers and sectional clubs in early 1791 a ‘patriot’ municipal government finally came to power. Although Ampère was largely out of view in this period, remaining for most of this time in his country home in Poleymieux, the reformers led by Jean-Marie Roland came from the same milieu and expressed similar hopes for revolutionary change in Lyon as he had. This political transformation established the precondition for the recruitment of committed reformers in the judicial sphere.

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Financial crisis beset the French monarchy from 1783 and various efforts at reform by Louis XVI, in consultation with his financial advisors, were unable to effect change in the system of privileges and exemptions that characterised what was soon to be known as the ancien régime. The fiscal crisis of the 1780s facing the monarchical government then became the catalyst for the French Revolution. Peter Campbell has observed that: the ‘explosive revolutionary change from an absolute monarchy to a constitutional monarchy’ of 1789 was in fact the result of a chaotic series of events
that grew out of a ‘crisis of the state’.¹ This crisis was hastened by French involvement in foreign and colonial wars, including the American Revolution. Financial problems were also complicated by the tax system in place in the country.² There was a period of ‘pre-revolution’ from 1787 in response to the crisis which continued through 1789 until the Third Estate spectacularly succeeded in forming a National Assembly and proposing a new constitution. These unprecedented events followed directly upon the calling of the Assembly of Notables, which had been expected to merely ratify the tax implications of expenditure in 1787 and 1788.³ When the notables did not unquestioningly support the king’s attempts to increase taxes, the king was then forced to call the meeting of the representatives of the three orders in May 1789.

A meeting of the Estates-General was seen as the only means of resolving the crisis after negotiations with the higher orders were unsuccessful in raising the necessary finances and when popular turbulence also threatened.⁴ Because this gathering had not been held for 175 years, there were many preparations required. Elections were triggered within the three estates to appoint deputies to represent the views of the groups they represented. The guilds and corporations of the city of Lyon also met to elect an assembly which then met with the bailliage (regional) assemblies to determine those deputies who would be sent to the Estates-General.⁵ What was interpreted as a request from the king to debate fiscal problems actually then led to a wider debate about the exemption from taxes and the privileges of the First and Second Estates. The necessity for society to be organised by estates itself was challenged and the idea of equality of taxation and rights was raised. Peter McPhee suggests that, as well as there being a self-conscious intellectual movement called the ‘Enlightenment’ which contributed to the new discourse about rights and equalities, a ‘shift in behaviour and belief’ had also come about subconsciously, although not ‘voiced in a revolutionary way’.⁶ In Paris and the provinces people began to question

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² Timothy Tackett, The Coming of the Terror, 40.
³ Ibid., 42. Initially discussing fiscal reform the Assembly was reconvened in 1788 to discuss the organisation of a meeting of the Estates-General in 1789.
⁵ Ibid., 111.
the privileges and injustices that they knew were no longer supportable – whether or not they had read Rousseau or Voltaire – and they widely believed the king would accept the necessary changes.

In Lyon there was great enthusiasm for the assemblies and the task of writing up *cahiers de doléances* but there were also ‘violent oppositions’ expressed in numerous pamphlets also written at the time.\(^7\) From the time of the convocation of the Estates General the urban populations of Lyon were especially active in discussing the political issues raised, circulating pamphlets and helping prepare the *cahiers* they were required to present.\(^8\) The *cahiers* expressed many of the fundamental concerns of those who wanted reform. As Markoff and Shapiro have shown in their comprehensive study of this great debate, the most significant thing about the various *cahiers* was the variety of solutions they offered and this can be seen particularly within those of the Third Estate of Lyon.\(^9\)

At the *sénéchaussée* level of Lyon – which comprised the wider provincial administration of the city and surrounding country – there were separate *cahiers* for the three estates, as everywhere else in France. Across the estates there was support for constitutional reform and regular future meetings of the Estates-General but regional differences were evident. Rural parish and urban collective groupings were also permitted to produce their own documents. These included additional *cahiers* from the ‘Third Estate’ Lyon (Ville) and of *Des bourgeois de la ville de Lyon* in March 1789. Separate *cahiers* of the Beaujolais and Forez area were also prepared.\(^10\) Most of the various local *cahiers*, however, addressed a common concern that all abusive practices, including taxes, should be remedied and that financial privileges and exemptions should be limited. The various documents of the Third Estate went further and suggested they be suppressed.

The *sénéchaussée* document of the Third Estate was written up immediately [*sur-le-champ*] after it was discussed because of the insistence of the excited country

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\(^7\) Garden, ‘La Révolution et l’Empire’, 288.

\(^8\) Tackett observed a widespread ‘political awakening’ of the population. *The Coming of the Terror*, 44.


inhabitants and thus contained ‘errors’ according to a note added to the record. This document was the longest and most comprehensive of the documents of the Third Estate in Lyon. It presented a vision of a constitutional government with oversight by the Estates General, judicial and taxation reforms and the abolition of the octrois or internal tax barriers. Suggested reforms were set out under seven chapter headings. The first was the establishment of a national constitution which was to be the ‘expression of the general will of the nation, sanctioned by the king, as approved and consented to by the general will of the nation’. The second began with a recognition of the dominion of the Catholic religion but called for the suppression of the dîme.

There were further religious reforms proposed: that no sacred vows were to be taken before a novitiate was 25 years old; that smaller religious organisations were to be suppressed and that larger organisations were to be taxed themselves. The third and fourth chapters concerned the justice system and proposed prescient changes: a code for civil and criminal laws to make them uniform throughout the kingdom; the abolition of venal office; the establishment of one or more juges de paix to provide mediation services; and a declaration that seigneurial justice and feudal rights were ‘abusive and against the common good’. As to general police matters it was proposed that ‘useful citizens’ should be encouraged by the provision of public education. Respect for curés in country areas, freedom of the press, and fixed and fair prices on subsistence foods were also recommended. Chapter 5 related to measures to make agriculture and commerce fairer and included the proposal that the manufacturers of Lyon should be ‘protected from total ruin’ by national policy. Chapters 6 and 7 addressed other local rights and imposts that should be reformed. The earlier chapters however encapsulated the most significant concerns.

In the document of the ‘Third Estate of Lyon (Ville)’ a general proposal was again made as to the establishment of a ‘constitutional law’ to which ‘all the subjects of the king and the courts and tribunals’ would be subject ‘without distinction’. It suggested numerous reforms to feudal rights that had become ‘abusive’ and called for the ‘extinction of all onerous privileges’. As to the mercantile interests of the city it advocated the suppression of all internal taxes, including those on salt, and the octrois imposed on grains and wine. It also proposed the abolition of militias and their

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replacement by troops who would not threaten the liberty of the people. At the end of their document the deputies noted their wish that a statue be elevated to Louis XVI, which would celebrate their recognition of his desire to ‘restore the liberty and the rights of the nation’.  

The document of the bourgeois of the city had very specific recommendations. They wanted all taxes and impositions, demanded by the kingdom, the nobles and clergy, which impeded commerce and ‘entirely ruined the country areas’ suppressed (Articles 1 and 2). They argued there was duplication of taxes paid because of the multiplicity of different charges that were imposed. The establishment of tax collection on the frontiers of the country was thought necessary but ‘only to balance the merchandise being imported’ (Article 2). Extensive changes were suggested to the judicial system, including the suppression of seigneurial justice and the creation of a court of appeal in Lyon so matters did not have to go to the Paris Parlement (Articles 5 and 6). The suppression of duties on subsistence foods was called for (Article 7.) As a whole the terms of these documents were hyperbolic, talking of the ‘ruination’ of citizens and workers by ‘voracious men of justice’ and by the imposts on necessities and subsistence goods.

The cahiers of the Third Estate of Lyon showed a consistent and strong desire for reform and an early expression of disquiet around certain tension points, including strong feelings about the ‘ruinous taxes’ believed to be impeding the commerce of the city. These documents were at once a catalogue of the difficulties faced by the poorer workers in the city and an indication of the serious dissensions that would later divide the Lyonnais in their attempts to achieve a fairer social and economic balance. In this respect they are in line with the findings of Shapiro and Markoff that those cahiers with larger and more general grievances were often from areas in which there were later found to be popular uprisings. These authors compared and analysed the various cahiers to determine the pronouncements they contained and what that revealed about later revolutionary action in the various provinces of the country, Shapiro and Markoff, Revolutionary demands, 419.

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12 AP, Cahier des doléances [Ville de Lyon].
13 These authors compared and analysed the various cahiers to determine the pronouncements they contained and what that revealed about later revolutionary action in the various provinces of the country, Shapiro and Markoff, Revolutionary demands, 419.
The debate amongst the Third Estate for reform moved from the theoretical sphere to the physical with increased rioting and attacks on the symbols of the ancien régime through 1789 and 1790. David Longfellow, who studied the silk industry in Lyon, observed that the city was unusual because of the number of weavers who still operated in the urban area. They had historically had a long series of grievances against the merchant élite, as well as the consuls who supported them politically, and appear to have used the assemblies to register their protest against unfair practices that had led to their continuing difficulties in making a living from the silk trade. Despite this early strong presence of social activists of the weaving industry in the primary assemblies of 1789, including Denis Monnet who had been campaigning for reforms in the industry since the strikes of 1786, Edmonds noted their otherwise limited focus. The target of the militant silk workers and hatters in political changes was largely confined to the octroi, the tax on goods coming into the city. Many artisanal workers in the city remained somewhat conservative because they were tied to the systems of production of La Fabrique and still aspired to become part of the hierarchy of merchants. Trénard also found that the particular local idiosyncracies of, ‘pride, solidarity in finding an economic solution’ persisted. Longfellow agreed that there was a willingness to find a solution within the industrial structures in place despite the complaints by the weavers. The reason for social disruption was thus understood by many of the Third Estate but not by the officials of the Consulate and their supporters.

Trénard, Longfellow and Edmonds all found that despite the activism at the early stages of the Revolution in Lyon, the mentality of even the most socially active revolutionaries ultimately connected them with the familiar administration. Antonino de Francesco also came to the conclusion that there was an ‘irregular dynamic’ peculiar to Lyon ‘where the role of resistance to changes in the relations between administrators and the administered … marked, clearly, the dimensions of local politics’. The activists had at this stage no desire to topple the traditional

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15 Ibid., 14.
16 Edmonds, Jacobinism, 13-16.
17 Trénard, ‘La Crise sociale’, 45.
equilibriums in 1789 and 1790 because ‘there was no correspondence between
popular protests and a need to overturn the social or political order’.20 Even as the
poor and the workers at the lower levels of the industry rioted in June 1789, their
primary aim was to gain relief from oppressive taxes and achieve a recognition of
their economic difficulties rather than call for a more inclusive government.

Despite the quite radical nature of the Third Estate cahiers consular officials initially
remained firmly in control of Lyon. Slowly but surely, however, the discussion about
reform escalated to actual physical action against the internal tax barriers, which were
overturned in a week of protest from 3 July 1789. There were also attacks on the
offices of the tax collectors when records were burnt and thrown into the river. This
popular action served to reinforce the fear amongst the propertied classes of the threat
to property. Edmonds has shown that this fear was a powerful disincentive to being
known as a ‘patriot’.21 Appeals were then made to the Consulate for protection, which
only led to the cycle of social agitation continuing because of an increased use of
militias drawn from local aristocratic families or from abroad.22 The ruthless response
by the authorities meant a great gulf had been opened up in Lyonnais society.23 It also
meant the Consulate was consolidated in its local leadership because many of the
bourgeois of Lyon supported their use of troops from Switzerland against the threat
‘from below’.

Strike action effectively isolated the militant silk workers and although there was a
growing recognition of the difficulties for smaller businesses within the industry the
only solutions proposed were traditional ones. The Consulate and the upper echelons
of the Church worked together to encourage the belief that economic recovery was
possible but also demonstrated that recourse to riots would not be tolerated. Although
the Church also continued in its efforts to help the less fortunate, tensions in society
continued to grow as the ‘search for economic remedies’ and the ‘pride of belonging
to La Fabrique’ began to fail.24 The conservative leadership of the Catholic Church
was called into question because of its active role in criticising any acts of popular

20 Ibid., 221.
21 Edmonds, Jacobinism, 47-9.
Rylands Library (1984), 411.
23 Ibid.
agitation. Monsignor Marbeuf had been appointed head of the diocese in 1788 and was resolutely counter-revolutionary.\textsuperscript{25} He posted an order in the city, condemning social activism after the first riots in 1789.\textsuperscript{26} What was seen as an insensitive dismissal of the problems of the poor helped harden opinion against him and other Church leaders and ultimately against the role of the Church in society.

The dissatisfactions of the poorer classes with the high cost of living and the slow progress of promised reforms, especially as they related to tax changes, were becoming more widespread. When their demands continued to be ignored by the traditional elites, the \textit{menu peuple} resorted to more riots. The weaver’s position reinforced the dangers felt by the bourgeois because of their known propensity for activism and their numbers. Those potentially supportive bourgeois who were, like the Rolands, sympathetic to the problems of the poorer classes and contemptuous of the mercantile class could not at first risk taking the lead because of the strong social antagonisms.\textsuperscript{27} However, social activists and concerned reformers then joined in protest against the increasing repression by 1790.

In January of this year Imbert-Colomès was still refusing to disband the militia responsible for repressing protests and it was at this point that confrontation erupted.\textsuperscript{28} The Consulate wanted to keep using the Swiss regiments rather than support the election of the new National Guard being proposed. To this end a large contingent of foreigners were rumoured to be reinforcing the security of the Arsenal on the hills above the Saône. On 7 February 1790 a revolutionary crowd invaded the Arsenal, took weapons and gunpowder from its stores and managed to rout the ‘Muscadins’ sent to disperse them.\textsuperscript{29} Reinforcements of Swiss guards were unable to prevent the attack from spreading to the Hôtel de Ville.\textsuperscript{30} Edmonds called this Lyon’s ‘municipal revolution’.\textsuperscript{31} Those who infiltrated the Arsenal were never called to account and their

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\item[25] Chopelin, \textit{Ville patriote}, 15; 74.
\item[27] Edmonds, \textit{Jacobinism}, 68-9.
\item[28] Trénard, \textit{La Révolution Française}, 199.
\item[29] Ibid.
\item[31] Ibid.
\end{itemize}
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weapons remained dispersed. This action spelt the beginning of the end of consular dominance and the last session of the Consulate took place on 12 April 1790.

Things did not change immediately. With the new administrative laws in place during this year Lyon became the capital of the Département du Rhône-et-Loire and its governing functions were then shared with an elected municipality. The first municipality of March 1790 elected Fleury-Zacharie-Simon Palerne de Savy as mayor. He was a high-ranking magistrate from the ancien régime commercial court. Other municipal officers were négociants, bankers, ex-consuls and bourgeois. There was just one baker and one draper elected with the lowest rent assessment of 100 and 200 livres respectively. The municipal officers were thus still largely composed of former consuls, négociants and magistrates from the commercial sector.

By July 1790 the workers were bolder in their discontent and were not impressed by the celebrations the Church and consuls had planned to celebrate the anniversary of the storming of the Bastille. They wanted the immediate concerns of flood relief, shortages of bread and coal to be addressed. According to Sophie Wahnich they would rather ‘fête Necker, the victory of the Third Estate and be finished with the various taxes [les octrois, les aides et la gabelle] synonymous with the growing costs of living and misery [vie chère et de misère]’. She showed that the attempt to foreground the ceremony of giving the Pierre-Scize prison, known as the ‘Bastille Lyonnaise’, to the people as part of the celebrations did not appease the situation and ‘the people recognised that they were only spectators’. They saw a marked disjuncture between the appearance of support for the Revolution by the traditional elite and their actual comprehension of the needs of the poor and disaffected in Lyon. As a result riots broke out again at the octrois customs barriers in July 1790, which had now become a symbol of oppression. Many property owners, on the other hand, were worried about the increasing violence in the city and the elected municipality in power reflected these fears. The political events of this first year of the Revolution

32 Ibid.
33 Ibid., 312.
34 Sophie Wahnich, Des Objets qui racontent l’histoire: Collections du Musée Gadagne (Lyon: ÉMCC, 2003), 18.
35 This prompted the inked inscription on an aquatint held in the Musée Gadagne of the château Pierre-Scize, describing the event ironically as, the ‘ridiculous image of the château de Pierre-Scize. Wahnich, Des Objets, 24.
were met with continuing repression and, as Wahnich suggests, the militias of the élite perhaps even ‘orchestrated’ events.

The decision to use foreign troops continued to escalate violent confrontations. Some members of the Swiss regiment who had been brought in to guard the customs barriers from attacks could not even speak French and had no sympathy with popular concerns. An incident in August 1790 led to a Swiss soldier, Antoine Lager, being knifed and killed. His body was strung up on a lamp-post and mutilated by a group of rioters. His attackers were later convicted and subjected to a correspondingly horrible reprisal following their conviction:

Denis Saulnier had his arms, thighs and waist broken, his body exposed on the wheel to there finish his days and the said Dalou had been hung and strangled, both with a sign before and behind them proclaiming: séditieux and assassins.36

The punishment of those involved in the assassination of the Swiss guard was, as Bruno Benoît has shown, the last episode of aristocratic reaction.37 Rather than the disturbances themselves, it was the high-handed attitude of the ruling élite that changed the political consciousness of the menu peuple, and opposition to such tactics was growing.

While there were many bourgeois in Lyon who still aspired to the commercial success of the consuls and négociants and the maintenance of stability, others like Ampère chose to work for change. Ampère’s personal experience of the first revolutionary events was in both the city and country areas around Lyon. At this time, the family lived mainly in Poleymieux but still close enough to Lyon to visit and remain in touch with revolutionary events. According to the recollections of a descendant, the day on which news reached the commune of Poleymieux that the Bastille had been overthrown in 1789 was memorable for all the family, especially for the young André-Marie who remembered it as an ‘explosion of liberty’.38 Jean-Jacques shared with them his excitement at the possibilities of change that the fall of the Bastille heralded. He was an early chooser, one of those who Peter Jones has suggested had a less than common ‘Rousseauvian’ enthusiasm for change at this point.39

36 Bruno Benôit, 'Analyse des violences urbaines', 149.
37 Ibid.
38 Recollection quoted in Hoffman, André-Marie Ampère, 14.
Another ‘patriot’ bourgeois who made a similar choice was one François Billiemas. He helped to move the menu peuple away from violent riots and into a more structured club movement from August 1790. This led to the unprecedented flowering of democratic clubs in each of the quartiers of Lyon. Other Lyonais intellectuals involved in the club scene also welcomed the challenge to the increasingly out of touch local consular authority. One of the most prominent reformers was Jean-Marie Roland and his much younger wife, ‘Manon’. They were both impassioned by the unfolding of revolutionary events and of being present at a pivotal moment in human history. Manon especially had the feeling that she was participating in the re-creation of democratic impulse that had begun in antiquity. They were open to a more egalitarian way of living, even considering a radical communal life with like-minded friends for a short period. Both were disdainful of the Consulate and the mercantile élite of Lyon. They regarded this group as parasites, estranged from the realities of life as experienced by the majority of people in Lyon.

Michael Kennedy has described the evolving forms of the political clubs in the regions of France and in Paris during the Revolution, which eventually provided a choice between two political views, the Girondin (moderate) or Montagnard (radical). This basic duality was reflected in Lyon. Of the various clubs begun here in August 1790 there were two distinct groups and the bourgeois club was at first the Jacobin affiliate. This group called the Société des Amis de la Constitution was also known as the Club du Concert. It was associated with Roland and grew slowly. It had about 40 bourgeois members to begin with and a high subscription fee to join. The more egalitarian Société Populaire des Amis de la Constitution based on the political organisation of the sections, grew more quickly. It was characterised by a much less

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41 Ibid. Edmonds here argues that although clubs had begun in Paris in April 1790, they were insignificant compared to those of Lyon.
42 She was described as the ‘Roman woman’ when writing in the Patriote of Brissot: Siân Reynolds, Marriage and Revolution: Monsieur and Madame Roland (Oxford: Oxford University Press, 2012), 114.
43 Ibid., 126-33.
onerous property qualification and a wider representation across the working professions. Sectional club members soon numbered 3,000 and each section was able to send three delegates to meet as the Club Central.47

Roland was in fact supportive of both clubs, as his biographer Siân Reynolds found, and he worked with his ‘allies among the notables’ to bring ‘the popular classes into an alliance with middle-class reformers, thus heading off uncontrolled violence.’48 He thought hope for the future lay in the formation of the quartier clubs with their ‘educating mission’ and it was this benefit rather than greater social or political participation that he wanted to encourage among the poorer groups of society.49 When the octrois were abolished in early 1791 the alliance of bourgeois reformers like Roland and those elected from the quartiers or sectional clubs did then become strong and stable. There were fewer riots because the artisans, especially the silk-weavers, had influence through those they supported and elected through the sectional clubs and the Club Central. In fact the burgeoning club movement would go much further than those who helped start it anticipated. It would soon encourage its members to become even more political and it introduced them to the electors of Lyon. This politicisation of the artisanal class, according to Edmonds, ‘placed new weapons in the hands of the menu peuple … the section, the concept of citizenship, and the even more subversive concept of equality of rights’.50

The clubs only gradually became involved in politics. At first they were a predominantly bourgeois movement because of their connection to the Masonic lodges and circles of the former regime.51 Even though we know little of his ideas and involvement in the events of 1789-91 it is likely that Ampère caught up with the latest views of his fellow bourgeois in such lodges, circles and clubs during the family’s winter sojourn in the city. We know that he was in the milieu of the bourgeois libéral at least to the extent of his frequent visits to his friend, the bookseller Antoine Périsse Duluc, whose brother Jean-André was one of the Third Estate deputies to the Estates-

47 Trénard, La Révolution Française, 265.
48 Reynolds, Marriage and Revolution, 124.
49 Ibid., 123-4.
50 Edmonds, Jacobinism, 66.
General. There were a number of libraries in Lyon, both public and private, which operated as intellectual communities, including the library of the Collège de la Trinité, which was open to the public for two days a week. Many intellectuals like Jean-André Périsse Duluc were also involved in freemasonry. Jean-Baptiste Willermoz, a doctor who would work in the prisons with Ampère in early 1793, was one of the leading exponents of this movement, which had a number of adherents in Lyon and provided a preliminary forum for exploring cosmopolitan ideas of the Enlightenment. Although this was a movement marked by elitism, it was also a creation which helped to spread radical ideas before the Revolution. According to Alice Joly who wrote a biography of one of the leading freemasons, Willermoz, he along with Périsse Duluc and another deputy to the Third Estate, Jacques Millanois, had views which tended to align them with the ‘camp of the Jacobins, as much as their tastes and their relations classed them with those of the moderates [modérés]’. Ampère made connections at this time that he would later be able to use when he chose to return to the city.

The Rolands soon rallied around themselves a group of intellectuals and professionals, including the journalist Luc-Antoine Champagneux, whose work they admired and who also hated the abuses and privileges of the court life associated with the monarchy of the ancien régime. They demanded greater help for the poor than many other ‘respectable’ reformers. Formerly a lawyer, Champagneux became disillusioned with the local reactions to the Revolution and began to write his patriotic paper, the Courrier de Lyon, in September 1789. He explained in the September of the following year why he had done so:

I was full of admiration for the decrees of the legislative body …I regarded as the most deplorable of men those who, putting on a mask of their attachment to the new constitution, and thus attracting the confidence of electors, then brought into the posts they thus obtained, all the ideas of the Ancien Régime.

52 Marion, Le Génial bonhomme, 25. The political involvement of Jean-André Périsse Duluc is noted in Edna Hindie Lemay, Dictionnaire des constituant 1789-1791 (Paris: Universitas, 1991), 743. The Ampère and Périsse families appear to have been friendly and Ampère’s son would later tutor one of the Périsse children in maths from 1796 and he would marry Julie Carron who was related by marriage to the Périsse family. See André-Marié’s journal in Louis de Launay. Correspondance du Grand Ampère (Paris: Librairie Gauthier-Villars, 1936), 11.
56 Reynolds, Marriage and Revolution, 111.
57 Courrier de Lyon, 27 septembre 1790.
Champagneux’s aim was to bring the local community closer to the ‘incredible
happenings’ in the National Assembly in Paris and, in addition, to provide a forum for
the debates that challenged the traditional hierarchies of Lyon. Again, it is likely that
Ampère read the Lyonnais papers and followed the debate about revolutionary
developments in the Courseur de Lyon. It was one of the longest running papers of the
revolutionary period in Lyon and hailed the important events of the Revolution,
including the partial dismantling of the feudal system on 4 August 1789. While the
changes of 1789-90 that the paper described were considered transformational by the
urban professional classes, they were not so dramatic for the Polymoriot peasants,
who continued to owe harvest dues. Nevertheless, the venal roles of the justices were
now gone, and this would surely have excited Ampère’s attention.

Throughout 1790, Champagneux’s paper continued its educative function, reassuring
readers of the benefits of revolutionary change.58 There were articles about the octrois
tax and riots, commentaries about the new system of revolutionary justice that had
been promulgated, and opinion pieces about the state of the prisons, which
Champagneux felt also needed to be reformed. A number of issues were devoted to
explaining the crucial role of the juge de paix in the fair administration of justice.
There was a discussion about the laws concerning the new justices, about their
proposed payment, about their election, about the sharing of judicial power with the
government and society and, finally, about what made a good judge.59 Other issues
debated generally in this year were the financial concerns of the city and the rising
incidence of forgeries as a consequence of the new paper money (assignats) in
circulation.

Lyon was slow to adapt to actual political change but the newspaper helped in the
process. Champagneux usually began with an editorial piece but he often included
anonymous letters about revolutionary issues. Some of these letters were written by
Jean-Marie Roland and others by his wife.60 One anonymous letter, typical of the

58 Champagneux noted in his issue of 15 septembre 1790 the attempted suicide of a woman of 50 years
old, ‘poussée par la misére’ who threw herself into the Rhône on the morning of 8 septembre 1790 and
a man who on the same day suicided in his rooms. Ibid.
59 Courseur de Lyon, 4 septembre 1790; 1 septembre 1790; 15 septembre 1790.
60 Reynolds, Marriage and Revolution, 113-14.
newspaper’s stance, was published in the third issue of September 1790 and concerned the recent abolition of noble titles in August of that year. The leading letter of this issue was published by a man of 60 years of age, who had renounced ‘with pleasure’ his position as secrétaire du roi, a venal title he had bought under the previous regime. The letter expressed a whole-hearted recognition of the wisdom and the justice of the decree and the author’s welcoming of his new title of ‘citoyen François’. During 1790 the Courrier de Lyon chronicled similarly happy reactions of its readers, people like its principal author, Champagneux, who were passionate about revolutionary change, but also included debates from those worried about some of its less positive implications. Until he retired from writing in September 1790 Champagneux dealt serially with such important issues and their reception in the local society. Matters of concern, such as the number of poor driven to suicide and the devastation caused by the flooding of the local rivers, were included with very little comment. Notices were given about what was happening in the local theatre. All these topics show the preoccupations of a reforming bourgeois like Ampère: the need for change, the promise of new ideas of justice, and optimism about how it could be achieved and, of course, the important question to many Lyonnais of what was showing at the theatre.

Roland, as well as being instrumental in establishing the clubs in Lyon, soon became a leading revolutionary figure in Lyon. He was of a moderate persuasion in that he was opposed to social disorder and was unable to understand the propensity to violence of the menu peuple. Although not at first aspiring to political office, he gave some radical directions to would be reformers in a pamphlet in January of 1790, which clearly stated what steps were most necessary. These were ‘a total regeneration of … [les moeurs]’ of the city to address the inequalities between the social classes and the abolition of some of the most hated taxes, including the octroi. He supported the production of cheap bread. These suggestions may well have been the reason Roland was only elected a Municipal notable or supplementary officer in the elections of February to March 1790, but his ardeur démocratique continued to

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61 Courrier de Lyon, 3 septembre 1790.
62 Reynolds, Marriage and Revolution, 124.
63 Ibid., 122.
64 Ibid., 117.
He and his wife became popular when on 8 July 1790 they presented a petition to the council, in the presence of a huge crowd of spectators, demanding the suppression of taxes on foodstuffs.

By the end of 1790 the most significant political discussions in Lyon centred around the growing alarm among ‘patriots’ that many political leaders were becoming overtly counter-revolutionary. High-ranking nobles and aristocrats, including Imbert-Colomès, were actually planning a royalist plot which would see the king brought to Lyon and then ‘liberated’ to the court of Turin across the border in Italy. According to Amable Audin this plot was a barely disguised secret. The ‘aristocratic’ conspiracy had in fact become increasingly unlikely to eventuate when the king himself refused to come to Lyon, yet the plotting continued. These machinations were uncovered in December 1790 and the leaders were indicted. The unrepentent royalist leaders were imprisoned and many others who were implicated, including Imbert-Colomès and Monseigneur Marbeuf, were finally expelled from the city.

One aristocrat heavily involved in the conspiracy was Guillin de Pougelon. He was imprisoned in Paris and charged with counter-revolution. He was in fact the brother of the seigneur of Poleymieux, Guillin de Montet. This connection only encouraged suspicion of the seigneur and his activities in the area where he lived, a suspicion Ampère shared with his poorer neighbours. During his time as procureur in Poleymieux, Ampère no doubt heard many of the complaints of his poorer neighbours who grappled with seigneurial abuses. He would have been concerned with the interconnecting news of the political developments both in Poleymieux and Lyon. The seigneur had by now effectively turned most of the inhabitants of Poleymieux against himself. He had long been seen to be acting against the interests of the local Polymoriots, and only concerned about his own aggrandisement as a letter he sent to the municipality of Lyon at the beginning of 1790 showed. In the letter the seigneur

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66 AML 1 CM 1. 8 juillet 1790.
67 Audin, La Conspiration Lyonnaise, 29.
68 Unfortunately records of the Gruerie in which he worked are no longer available.
had complained about ‘the beasts that roamed unchecked over his land’, up to his very windows where their noise prevented his wife getting any sleep.\textsuperscript{69}

The deliberations of the Poleymieux commune frequently discussed the problems the seigneur caused the locals, including the unprovoked firing of a gun at a peasant on 1 February 1790. On 23 April 1790, Brunet, the former châtelain and now procureur syndic in Poleymieux, was ‘forced’ to denounce the seigneur to the National Assembly because of the latter’s ‘unheard of treatment’ of his subjects and demands of excessive feudal dues, which ‘could not be checked by the poor inhabitants’.\textsuperscript{70} Brunet complained in his letter that those affected by the demands of Montet were however too poor to pay to verify his claims, with the result that he alone profited. Brunet asked for ‘prompt justice’ to the ‘prayers of the poor’.\textsuperscript{71}

This situation in Poleymieux showed how complicated the reception of the Revolution was amongst different groups. The peasants remained subject to their seigneur and the feudal rights he claimed, despite the purported dismantling of the feudal regime. Rather than a lessening of feudal dues owed to him, Montet insisted upon increased compensation for the loss of his rights, which effectively meant his constituents had no relief at all from feudal dues.\textsuperscript{72} Montet claimed the National Assembly had authorised him to ‘insist that the Commune verify his demands as seigneur according to the compensation provisions of the August decree’.\textsuperscript{73} The peasantry thus had a parallel experience of the Revolution to the nobles and the bourgeois, as Anatoli Ado showed was common in the country. They got little benefit from the sale of biens nationaux because they could not afford to purchase confiscated land but they were more than ever affected by the redeemable dues that seigneurs claimed and that the ‘bourgeois’ lawyers assessed and ratified.\textsuperscript{74} The peasants of Poleymieux were also worried about the sale of the land that they had

\textsuperscript{69} ADR Archives Communale (Poleymieux) EDEPOT 153/3, Lettre IV.
\textsuperscript{70} Archives Nationale [Hereafter AN], D/XXIX/65.
\textsuperscript{71} Ibid.
\textsuperscript{72} Article 1 of the August decree on feudalism, while it abolished those dues based on ‘real or personal servitude’, allowed others to be redeemable, and stated ‘the price and the manner of the redemption will be set by the National Assembly.’ See ‘The August 1789 decrees on feudalism’ in Philip Dwyer and Peter McPhee(eds), \textit{The French Revolution and Napoleon: A Sourcebook} (Hoboken: Taylor and Francis, 2002) e-book, 24-8.
\textsuperscript{73} Montet’s claim was mentioned in the Brunet letter, AN D/XXIX/65.
used as ‘common land’ and began an action against a Swiss citizen, Maritz-de-la-Barollière, who had been able to acquire them.\textsuperscript{75} Ampère no longer worked in seigneurial justice but he may have been compromised in the eyes of his neighbours because he had helped ‘transform the country in the bourgeois sense’, by validating the triumph of ‘agrarian individualism’ that Montet represented.\textsuperscript{76} Given the worsening relations between the villagers and the grasping seigneur any alliance with him, no matter how short lived, would likely be considered negatively.

Active citizens of Poleymieux, including Ampère, did have a voice in local politics. They could attend and vote at commune meetings, held every Sunday after church in the mayoral offices. Ampère was listed as one of the five bourgeois families of means in the area, paying his taxes as required. Although nominated for a position on the local assembly in 1790, he was however not elected to any significant role.\textsuperscript{77} Perhaps this was because of his work for the seigneur in the local Gruerie or perhaps because he was seen as something of a newcomer by his fellow villagers or out of touch with their problems because of his higher socio-economic status.\textsuperscript{78} He had a slightly higher property assessment than Brunet, who was elected as \textit{procureur} and Antoine Royet, who was elected mayor. After the disappointment of not being chosen for a local role Ampère appears to have attended fewer of the local meetings and this withdrawal could be expected to further heighten suspicion of his status.

In nearby Chasselay, the members of the revolutionary clubs were particularly keen to make sure that the homes of the so-called aristocrats, including the châteaux of the seigneur, were kept under observation for any counter-revolutionary activity. On 14 December 1790 Ampère’s home and the castle of Poleymieux were both subjected to searches following rumours that arms and counter-revolutionaries were suspected of being hidden in the village. In an account of the events by the commissars, it appears Ampère consented to the search of his home. He even encouraged a more assiduous checking of his ‘heaps of hemp’ and the straw the household used to stuff their bed mattresses. Ampère opened his cellars, granaries and stables with such good will that the search was cut short and the searchers were ‘overcome with the clearest honesty

\textsuperscript{75} Marion, \textit{Le Génial bonhomme}, 20.  
\textsuperscript{76} Ado, \textit{Les Paysans}, 254.  
\textsuperscript{77} ADR (Poleymieux), EDEPOT 153, 31 janvier 1790.  
\textsuperscript{78} According to the archival records he was only one of five bourgeois families in the area.
on his [Ampère’s] part, who went so far as to accompany us, candle in hand, far from the boundaries of his yards’.\textsuperscript{79} This episode suggests the open attitude of Ampère to the tumultuous events taking place in his larger environment, and his separation from the viewpoint of the seigneur, even when they impacted upon his own family and property. While the seigneur also consented to a search at this time he only did so grudgingly, all the while asserting his rights.\textsuperscript{80} In another six month’s time, another search would lead to a spectacular eruption of violence.

From late 1790, when many of the old élite were banished or imprisoned, the municipality of Lyon became the focus of real change. With the removal of Imbèrt-Colomes, more committed revolutionaries gradually came to the fore. At the municipal elections in November and December 1790, Roland and like-minded others who had been elected earlier as notables moved into the role of municipal officers. Roland became the chair of the finance committee.\textsuperscript{81} Changes to the revolutionary judicial order were as high on the agenda for these Lyonnais politicians as they were for Parisians and Ampère would soon also be attracted to help implement them. These changes were to be based on ‘clear and coherent principles, the first of which was an assertion that justice was a public power with the sovereign Nation as its source’.\textsuperscript{82} The aims to be achieved in the new institutions were signalled by Adrien Duport, a deputy in the National Assembly. Talking of the jury system, Duport connected this initiative to the ideals of 1789:

This blessed institution of juries, alone, can banish from the heart of the citizen the fear and the numerous vices that this bred and gives to him that confidence …. [that] he is not alone on the earth; that there exists for him a protection against injustice and that this protection he will find amidst those who surround him, amongst the neighbours who only ask, in return, the same dispensations on his part. There is the true way to give to moral men, a deep humanity, the love of equality and fraternity.\textsuperscript{83}

Given his experience of the social problems caused by seigneurial justice, the ideals expressed by Duport would have resonated strongly with Ampère. He was familiar with recent writings about justice, including the work of Cesare Beccaria, who wrote persuasively about the need to confront the horrible nature of punishment as it was meted out in the eighteenth century. Ampère had a definite interest in more

\textsuperscript{79} Report of Commissaire Ryard, AAS, Fonds Ampère [Cahier 20].
\textsuperscript{80} Audin, \textit{La Conspiration Lyonnaise}, 74-5.
\textsuperscript{81} Ibid., 124-5.
\textsuperscript{82} Crubaugh, \textit{Balancing the Scales}, 131.
enlightened ideas, as his library shows. He was the very personification of the liberal bourgeois who by the second anniversary of the Revolution was thinking about how far reforms to the French state should go. Revolution was inherently violent and events were escalating around him even in the quiet village of Poleymieux. Ampère, as did many others who supported the new constitutional monarchy, was to be challenged by yet more violence and change, yet there was cause for hope.
CHAPTER 3: CONFLICT AND CHANGE. The early ‘patriots’ of 1791.

The deputies of the National Assembly continued to articulate the changes that the August decrees and the Declaration of the Rights of Man had promised until they were superseded by the Legislative Assembly, which met in October 1791, supported by a new constitution. The municipal officers of 1791 in Lyon worked steadily to apply the decrees made by these national bodies. Many of the reformers with whom Ampère would soon work took on the new political opportunities with enthusiasm. Throughout the country however, there were anxieties about changes to the religious, seigneurial and monarchical institutions of the state which were not noticeable until they had reached a ‘critical mass’ and led to explosive conflicts.¹ In the small commune of Poleymieux, where Ampère was residing, conflicts around seigneurial and religious changes were to have particularly dramatic results. This chapter looks at the early ‘patriots’ and their championing of reform especially in the judicial sphere. It also looks at the challenges they faced.

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The municipality of 1791 began the slow work of regenerating local politics. Amongst those elected in Lyon at the end of 1790 were the former notables, Louis Vitet, Champagneux and Roland. Vitet was a doctor of anatomy, who had undertaken ecclesiastical and then medical studies and wrote about veterinary science. In 1789 he had been president of the Société des Amis de la Constitution.² Jean-Baptiste Pressavin, also a former notable, was elected to a judicial post as juge de paix and operated as the substitute procureur while Vitet was mayor. He was a surgeon who had written about nervous and venereal diseases and a theory about the deleterious effects of meat eating on health.³ Pressavin was enthusiastic in his new political role and took on various projects as required by the municipality. Both Vitet and Pressavin were close in age to Ampère and both, like him, had left their former careers to

³ Ibid., 506-7.
embrace revolutionary politics. They joined with the ‘patriots’ Roland and Champagneux who were not happy about the tepid reception of revolutionary change by the old elites in Lyon and their group became known as ‘the Rolandins’ because of this connection. The group stood in opposition to the previous consular elite and the resistant Church and they engaged with the major concerns of the poorer classes. They listened to the complaints about ruinous taxes affecting the manufacturers of Lyon, most notably the octrois, complaints which had loomed large in the cahiers of the ‘Bourgeois’ and the ‘Third Estate’ of Lyon. However, their policies were those of economic liberalism and, although they promised to abolish the tax, they also reminded the people that it had to be paid until another fiscal solution could be found.

The elected officers were genuinely concerned about improving social and economic conditions in the city, despite the fact that their commercial and property interests meant they were also supportive of the liberal policy of free trade. Those Lyonnais who were more resolutely oriented towards commerce alone did not have an active role in local politics because they did not have the support of the bourgeois or the popular classes, as the Rolandins did at this time. The mercantile elite appeared to be happy to let the new political institutions operate as long as tranquility and public order was maintained. Vitet became mayor. Others elected included Antoine Vingtrinier, Joseph Chalier, and Antoine Nivière-Chol. Chalier would come to have differences with this group but was at this time content to work with them.

One of the issues the officers addressed early on was the administration of justice. Of the radical changes the Revolution brought to France, the reorganisation of the judicial system was one of the most significant. The National Assembly on 16-24 August 1790 set out the operations of the new judicial order. The decrees of 20 January to 25 February 1791 then proceeded to give citizens the new legal rights envisaged, beginning with the right to have civil demands dealt with expeditiously by a juge de paix (Justice of the Peace) elected in each canton, and a series of new

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4 AP, Cahiers de Lyon.
6 See Edmonds, Jacobinism, 95.
7 Ibid., 313. Edmonds lists those elected as municipal officers each of the years from 1790 to 1793 as appendices.
criminal courts in each district.\(^8\) The decrees of 19-22 July 1791 extended the powers of the elected *juge de paix* to the criminal jurisdiction. This role again relied on the right of the citizen to begin actions and thereby operated to invert the social values that the *ancien régime* magistrate had represented. The function could no longer be purchased or passed down within families. The written statements required previously were discontinued. On 19 July 1791 the *juges de paix* were given a penal role as members of the Tribunal de Police Correctionnelle (hereafter this body will be called the Tribunal Correctionnel).\(^9\) The laws of 16 and 29 September 1791 promulgated the Code Pénal. Instructions, which accompanied the new code, in effect established the new system of criminal justice in France.\(^10\) While those experienced in judicial practice from the *ancien régime* were often disaffected by the loss of the prestige and status that had evolved alongside the complicated processes of that time, the new functionaries came with no such expectations.\(^11\) The decrees of July 1791 established the jurisdiction of the *juge de paix* in their general police function. Those of 16-19 September 1791 proclaimed the establishment of the Tribunaux Criminels.\(^12\)

The most important role of the *juges de paix* in the criminal jurisdiction was their quasi-police function of arrest and interrogation of suspects and witnesses who could be remanded to either the Tribunal Correctionnel or the Tribunal de District and then before the jury of the Tribunal Criminel in the most serious of cases. The justices were empowered to issue warrants for accused to appear and to conduct the preliminary interviewing of complainants and witnesses. They sent the evidence to the director of the *jury d’accusation* to determine if there was a criminal case to pursue. Their obligation to test the evidence often meant conducting searches of relevant premises and seizing evidence. All appropriate matters had to be investigated by them and warrants needed to be issued within 24 hours of an arrest. The *juge de paix* was also able to sit in judgment with at least three other *juges de paix* in the Tribunal Correctionnel and decide on cases that attracted fines of up to 3,000 *livres* or two years imprisonment. Appeals could be sent to the Tribunal de District.\(^13\)

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\(^11\) There were bitter resentment felt amongst former justices: McPhee, *Liberty or Death*, 139.  
\(^12\) Crubaugh, *Balancing the Scales*, 135-40.  
\(^13\) Ibid., 203-5.
testimonies of witnesses to be heard by the judges and juries of the higher district courts. By 19 December 1791 the Conseil Municipal had voted for the refurbishment of various rooms in the Hôtel des Flêchères, procured for the Tribunal Correctionnel, and funds were allocated to outfit it with a fire, lights, interiors and a concierge to the sum of 500 livres. Pay was allocated for its incumbents. Ampère would later sit here, with Billiemas as Greffier, and Chalier, president of its judges.

The more serious crimes, those involving ‘major challenges to the social and political order’ like homicide, rape and rebellion, would be heard first by the Tribunal de District and its jury and then judgment would be given by three judges, sitting in the Tribunal Criminel with the jury de jugement. Less serious cases, ones which could be dealt with by sentences of under two years of imprisonment or by a fine were scheduled for a shorter hearing before the Tribunal Correctionnel which was also staffed by the juges de paix. The Code Pénal which governed the process contained a clear hierarchy of offences to be dealt with by the relevant institutions, based on their actual nature, and not, as previously, according to the status of the accused.

14 Allen, Les Tribunaux, 18.
The judicial changes were extensive and took most of the year to establish. They were well received by the populace because the criminal justice administered in the cities during the ancien régime had been subject to extensive criticism in the cahiers for the repressive punishments and arbitrary decisions that characterised it. These powers of repression were widely used in Lyon, as we have seen in the judgments meted out to those who attacked the customs barriers. They were criticised in the cahiers of the
Third Estate and also of the Second Estate of Lyon as barbaric and in need of reform. Pressavin was a particularly hard-working officer and from 1791 began working on a project to establish a local National Guard which slowly superseded the foreign militia groups previously thought necessary to control outbreaks of popular violence – another target of the Third Estate cahiers.

Another of the popular objectives supported by the Rolandins was met in May 1791 when the octrois were abolished. Because of this move, as Antonino de Francesco has observed, the years 1791 and early 1792 achieved a greater understanding between the elected and the electors and a corresponding lessening of social agitation. From February 1791 Roland had been appointed a special deputy to the Assembly to advocate fiscal reform and he continued trying to work out a viable means of resolving the indebtedness of Lyon, which he achieved by 5 August. While living in Paris, Roland joined forces with Brissot, who edited the newspaper the Patriote français and who would lead the radical faction in the Legislative Assembly when many other members became ‘Feuillants’ or staunch constitutional monarchists later in the year. Another prominent Lyonnais in the national venue at this time with whom Ampère may have felt a connection was Adrien Lamourette, the new constitutional bishop to Lyon. On July 7, 1792 Lamourette caused a sensation by suggesting that all the members of the Assembly should put aside factionalism and practice fraternity. As everyone embraced they experienced a sense of the wider possibilities of the Revolution for a short time. According to Robert Darnton there was a renewed enthusiasm and ‘conviction that the human condition is malleable, not fixed, and that ordinary people can make history instead of suffering it’.

At Poleymieux Ampère remained in touch with national events through a newspaper, the Feuille villageoise, distributed specifically to inform and educate the rural populations of France about the changes taking place. He paid for an ongoing

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15 See the cahiers of the sénéchaussée of Lyon. AP Cahiers.
16 AML 1 CM 1, 26 février 1791. Pressavin introduced his project on this day to the council.
17 Longfellow, ‘Silk Weavers’, 18. Longfellow noted that suffering continued amongst the silk-workers despite the lifting of the octrois as the assignat continued to depreciate.
19 Bernardin, Jean-Marie Roland, 13-14.
subscription to obtain weekly editions from the capital where it was published. Copies of the paper, from its launch in September 1790 until after Jean-Jacques’ death, were preserved amongst packets of his effects in the library of his descendants. According to Melvin Edelstein, it was one of the most popular papers in the period and claimed to be apolitical.  

But it helped to disseminate an interpretation of Christianity that emphasised the ‘close alliance of a reformed Catholic Church and the larger project of national regeneration’ as another historian, Anthony Crubaugh has noted.

The *Feuille villageoise* was written by the Abbé Joachim Cerruti until his death in 1792. This abbé had in fact been a professor at the Jesuit Collège de la Trinité in Lyon and may have been personally known to Jean-Jacques. A Latin primer, which Cerruti authored, was also on the shelves of the Ampère library. The weekly newspaper kept the family, and perhaps even some of the neighbouring villagers, abreast of the latest news. Its aim was to speak to villagers, educating them about the revolutionary changes and laws while also providing a forum for rural problems. In reality it was less concerned with giving these villagers a political voice and more concerned with emphasising the duties of the local administrators to undertake an educative function. It was addressed to the elites of these communities, whether *curés* or *notables*, who were expected to read the news to the villagers. The paper offered a radical interpretation of the more general changes needed in society, especially when they concerned the traditional institutions of the church. It would seem that Ampère, maintaining his subscription for the length of time he did, was thus supportive of the idea of a revolutionary education for those in the provinces, especially about a reformed Church committed to reducing the abuses and returning to the more fundamental principles that the paper advocated. It is quite likely that he helped disseminate these ideas amongst his neighbours.

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23 Edelstein, ‘*La Feuille villageoise*’, 176, 178.
The most divisive changes in Lyon and elsewhere in France were religious.²⁴ By October 1789 the ‘tentative’ decision to sell church lands was taken and was followed within months by the ending of religious vows and the ejection of monks from monasteries of the ‘contemplative and mendicant orders’.²⁵ The sale of ecclesiastical properties began in November 1790 and continued through to April 1792 in Lyon. Churches, homes and gardens were sold at auction and some properties became biens nationaux when their religious occupants were turned out of them.²⁶ This was the case, for example, with the former Cordeliers monstery in the heart of Lyon city, which in 1792 was assigned to the canton Halle au Blé.

²⁴ Timothy Tackett shows the profound trauma these reforms exerted on both rural populations and the king himself. They went beyond the reforms that had been suggested in many cahiers de doléances which had criticised the First Estate. See Tackett, The Flight of the King, 220-2.
²⁶ Trénard, La Rédolution Française, 300-1.

Figure 5: Plaque indicating the 1792 use of the Church
The number of bishops was reduced and many nuns and monks were discharged. These changes led to profound anxieties especially in the country areas about amalgamations of parishes and the loss of benefits attaching to former church properties.\(^\text{27}\) Despite these anxieties the reforms continued and on 27 November 1790 the decree that all priests needed to swear an oath to the Civil Constitution became law.\(^\text{28}\) The impact of these measures had a predictably divisive effect in Lyon. While many members of the Church wanted to be seen as supporting the reforming initiatives that attacked outmoded privileges, there were also many leaders resistant to real change. The new regulations allowed the clergy a fairer salary but the most controversial requirement was that they must now be elected. Those clergy who had actively sought reform were quite happy with these conditions and prepared to swear the oath. Some found the decrees impossible to accept, especially after the Papal edict of 13 April 1791 observed that the reforms would lead to a ‘schism’ in the church by the attempt to impose this ‘baser form’ of governance.\(^\text{29}\)

To begin with, the *curés* of all fourteen parishes in Lyon took the oath in 1790. Although many withdrew their oaths when the implications of the Pope’s warnings were understood, according to Chopelin the number of constitutional clergy in Lyon was relatively high.\(^\text{30}\) Yet the point of view of the ‘refractory’ clergy, those who refused to take the oath, created tensions by their opposition (and the opposition of their parishioners) to those ‘constitutional’ clergy who swore the oath to the revolutionary state. Refractories were seen to be quite prepared to take political action, as did Archbishop Marbeuf who joined in the royalist conspiracy of December 1790. After this date Marbeuf was dismissed and Lamourette, who represented the constitutional priesthood, was elected archbishop. Still, the refractory clergy continued to encourage defiance, especially among the women in the congregations of the non-conforming churches.\(^\text{31}\) Chopelin found evidence of some provocative refractories, notably the ecclesiastic Linsolas, of the Saint-Nizier church.\(^\text{32}\) He was

\(^{27}\) Woell, ‘Religion and Revolution’, 256-7.

\(^{28}\) According to McManners this decree marked ‘the end of national unity and the beginning of civil war.’ *The French Revolution*, 38.


\(^{30}\) Chopelin, *Ville patriote*, 139.


\(^{32}\) Chopelin, *Ville patriote*, 189.
rumoured to have ripped his own surplice to create an incident. On 17 March 1791 Linsolas and two other refractory priests were imprisoned by order of the municipal council including the Rolandins Maisonneuve, Vingtrinier and Nivière-Chol. However, on 25 March the Minister of the Interior countered this order and ordered their immediate liberty because there was no pretext for the municipality to have had them arrested.

The king himself was disaffected by the attacks against the Catholic Church and regretted having approved the decrees establishing the ‘Constitutional’ Church in light of the opposition of the Pope. Although he had refused to take part in the Turin conspiracy uncovered in December, he decided in June 1791 to attempt an escape. This unsuccessful action by the king would change politics irrevocably. His position as a ‘good father’ to the new state was questioned and the possibility of having no king at all was even suggested by some provinces. The king was now widely seen as a ‘parjure’: someone who could not be trusted because he so easily abandoned his solemn oath to the constitution. There was also now an ‘extreme mistrust’ of nobles and refractories, many of whom were inspired to emigrate.

News of the king’s flight was received in Poleymieux soon after his capture and a particularly violent reaction took place in the region of Mont d’Or. From 24 June 1791 the ‘young and hot-headed clubists’ of Chasselay began calling again for searches of the homes of ‘the propertied’ in the environs of Poleymieux because they feared ‘a political danger’. There was anger against both the king and the seigneur and a ‘violent desire to finish with feudal constraints’. Action was taken by municipal officers and the National Guard on 27 June 1791, motivated by the need to show decisive leadership after news of the king’s flight, in a canton still affected by seigneurial abuses. As Ado showed, the reaction of peasants to the news was similar to that in other departments in country France. They acted out a traditional method of

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33 ADR I L 1095.
34 Ibid.
35 Tackett, The Flight of the king, 222.
36 Ibid.
37 Audin, La Conspiration Lyonnaise, 82. See also the letter sent to the National Assembly in April 1791, signed by the mayor Chomel and other municipal officers including Botton (secretary), complaining of the seigneur’s limiting citizen access to common lands and other abuses. AN D/XXIX/65.
struggle: ‘they attacked the castle ... the punitive reaction, inseparable from the popular Revolution.’

At a meeting of 25 June the clubists proposed a search of the château the next day, a Sunday, after mass. National Guard members were recruited from the nearby villages and steps were taken to inform the Commune of Poleymieux and its mayor, Royet, of the intention to surround the castle and to visit the seigneur and check for arms. On the night of 26 June the National Guard began to gather for the march scheduled to arrive at the castle at 11 the next day. Their numbers were swelled the next morning as they proceeded up the mountain. The seigneur predictably refused access to the menacing crowd. Even worse, he put on his former military uniform and had his servants armed in response. These reactions escalated the potentially dangerous situation of the hundreds of angry citizens supporting the National Guard.

While eventually a small delegation was allowed into the castle, the provocative action of the seigneur appearing at the window and firing on the crowd escalated the incident. The potential for violence can be imagined as the overexcited crowd, looking for counter-revolutionaries, met the self-styled hero of Sénégal surrounded by his negroes and his pistols. The fact that the curé, Jean-Baptiste Buisson, ran away as the tension mounted and that Guillin’s wife misguidedly opening the doors of the cellar to the crowd also contributed to the horrific outcome. Raverat recounted that after ‘many peasants’ were wounded, a murderous crowd became determined to break in. They heaped straw in front of the castle and set fire to it to gain access, while crying out for vengeance. Then the cellars were pillaged, casks of wine breached and ‘disorder was at its height’. The seigneur was attacked with axes and swords inside his own stronghold. His body was dismembered and some of his limbs were thrown into the fires still burning in front of the castle. Some hours later a spectacular act of ritual cannibalism was enacted when some young men attempted to eat the charred

40 Baron Raverat in 1883 wrote a lively account of the events that transpired on this day. Usually a writer of travel tales, this author aimed to capture the history of the Revolution in Lyon by retelling some of the local stories. _Lyon sous la Révolution, suivi de la liste des condamnés à mort_ (Lyon: La Découverance, 2006).
remains of his right hand and heart, an account supported in the court records by three witnesses. 41

During the search of the castle, several municipal officers tried to protect the wounded seigneur from the crowd but they were unable to prevent his being killed or dismembered. An inquiry was instituted the day after the assault and voluminous documentation about the massacre was gathered. 42 The promised new system of criminal justice was yet to be implemented, and, according to Raverat: ‘the crime could not be punished by powerless justice in the presence of the clubs, who only found strong evidence of excusable popular vengeance’. 43 Even those caught in the act of eating the seigneur’s flesh, back in Chasselay that night, were according to him, later given their freedom by ‘agents of the Club Central’. 44 The events as described by Raverat highlighted local belief that the Jacobin club of Lyon was inclined to validate popular action even when it involved the cannibalistic element it did. In reality reactions were more complex. The Société des Amis de la Constitution de Neuville on the day after the massacre recorded ‘sobs and indignation’ at the violence perpetrated. 45 Two days after, the mayor of Saint-Germain, Claude Grande, was commended by the municipal council of Lyon for his valiant effort to save the doomed man. 46

The Tribunal de District nevertheless decided not to prosecute the accused because of the evidence of patriotism of those involved. 47 Madame Guillin went to Paris in July to urge the prosecution and she was followed by another delegation led by local magistrates who also went to the National Assembly to present their arguments. The justices who had undertaken the investigations stressed the innocence of the National Guard and the municipal officers involved and raised the culpability of the victim himself by bringing up all ‘the old grievances, true or false, that the Polymoriots had against him’. 48 Before a decision in the case was made the events in Paris known as

42 See AN, D/XXIX/65 for documents relating to Poleymieux and the massacre of the seigneur.
43 Raverat, Lyon Sous la Révolution, 39.
44 Ibid.
45 ADR 34 L 23.
46 AML ICM 2
47 Audin, La Conspiration Lyonnaise, 126.
48 Ibid., 129-30.
the September massacres took place and after this time it was decided the accused would be part of a general amnesty. They were however not immediately amnestied but had to wait until November.49

Tackett has explained that the violence against the seigneur of Poleymieux was a relatively rare phenomena, one of only four such murders after the flight of the king, and was linked to the retribution of the locals who Guillin de Montet had treated abusively.50 The incidents of popular vengeance were however, strongly debated here and in Paris. In 1791 the Journal de la Société populaire appeared in Lyon for a short run of two months. The first issue insisted that the function of the clubs was to provide ‘discussion and education for le peuple, le petit bourgeois, le simple artisan.51 By December 1791, the more radical sectional clubs strengthened their ties with the Jacobin club of Paris and were not only supporting popular action but urging yet more action against ‘aristocrats’. They called for vigorous searches of aristocratic homes. The tensions between what would become moderate and extreme revolutionaries were beginning to manifest in Lyon and the collision between popular violence and the ‘rule of law’ was one of the points of diversion.

As far as we know, Ampère was silent on the local episode of popular violence but it could well have been a motivator for his taking on a judicial role soon after. Although testimony was later given by witnesses who had attended mass and heard the drama escalate close by, Ampère was not one of them.52 As it was summer, when he would have normally been resident in Poleymieux, and a Sunday, when the family usually attended mass, he almost certainly would have been there. The events aroused conflicted feelings for many, coming so close upon the betrayal of the king and involving such an unpopular seigneur, and Ampère may have been so affected. The violence itself increased fears of vengeance amongst the propertied. Although he had never refused a search of his own house, and was himself subject to the seigneur’s unreasonable demands of compensation for feudal dues, yet he must have been devastated at the turn of events so close to his own home. He was surely aware of the heightened tensions between the peasants and the seigneur, as well as the rumours

49 Ibid., 132.
50 Tackett, The Flight of the King, 174.
51 Feyel, Dictionnaire de la presse, 341.
52 There were witness statements taken from Antoine Perret and André Goyard: ADR 37 L 35.
sparked by the news of the betrayal of the king. These feelings exacerbated the
revenge taken on the seigneur by the villagers. It is likely Ampère himself felt some
of the same conflicts but equally likely that he would have been unsettled by the
reality of the violence that rent his quiet village. But he would also have been fortified
in his belief that changes to the legal structures of the country, which were imminent,
might well obviate such violent actions in the future.

While reactions to the king’s flight were strong locally, as the Poleymieux events
indicate, there was still optimism about a new iteration of monarchy regulated by the
long-awaited constitution. After the king’s suspension he swore to uphold the
constitution in September 1791. The flight of the king had disturbed many of those
who had supported a constitutional monarchy, as Ampère did, because it cast doubt
on the reliability and commitment of the king. It was not immediately clear what
would happen as a result of the king’s actions and this uncertainty continued into
1792. When the Constitution was promulgated on 14 September 1791 it was regarded
initially as a workable solution. It gave the monarchy limited powers, shared with a
newly elected Legislative Assembly. Deputies elected from Lyon included the
‘constitutional’ bishop, Lamourette, as well as a number of men of law, including
Jean-Baptiste Dupuis, a conservative judge of the Tribunal de District in Montbrison
and Pierre Colomb-de-Gast, a juge de paix. Many of the interests of the mercantile
elite of Lyon were furthered by some of these delegates who sat to the right or in the
middle area of the delegates in Paris but they were roundly criticised by the
Rolands.53 Some of them had joined with the Feuillants who wanted to consolidate
the constitutional monarchy. Others allied with Brissot and Condorcet who were part
of the much smaller group of Jacobins.54 Roland himself had now joined the Jacobin
club in Paris and he sent a warning in July 1791 to Lyon that patriots should be
careful of those who had split from the Jacobins. In Lyon the Club de Concert had
become allied to the Feuillants but their members at this stage were mostly the ‘idle
rich.’ Patriots withdrew their support from this club and those who had political
aspirations severed their ties with them.55

53 According to Edmond’s research the deputies were mostly men of ‘wealth and conservative views’
who supported the Departmental Directory. Edmonds, Jacobinsim, 105.
54 McPhee, Liberty or Death, 148.
It was around this period that Ampère became personally engaged in a debate about a constitutional monarchy. He produced a text that dealt with the more modern form of monarchy that he believed would stop the abuses inherent in absolutist monarchy. His play entitled *Artaxerce ou Le Roi Constitutionel* was a translation of a classic opera libretto by Pietro Metastasio. Ampère worked on his own version of the story which he subtitled *Tragédie en vers et en cinq actes imitée de la tragédie opera de Metastasio.* What Ampère recognised in the Italian libretto were the core values that characterised a constitutional monarchy and he saw in it a lesson that would lend itself to a dramatic exposition in the French language. His play celebrated the modern monarch he hoped Louis XVI could become.

The piece is dated 1789 yet intriguingly was signed ‘Montagnard devenu juge de paix’ (‘a man from the mountains, now a Justice of the Peace’), which would suggest it was finished after he moved from the mountain of Poleymieux into this judicial position at the end of 1791. An examination of the title page of the play, Fig. 5, adds to the confusion because it can be seen that the numbers ‘1789’ are in a different hand and appear to have been added later to the title. Perhaps this was a purposeful addition to deflect criticism of the author for his support of the king in the later republican period of the Revolution. Indeed, the project must have taken up a considerable amount of Ampère’s time in Poleymieux during his retirement although finishing touches may have been added after the time of his judicial appointment in December 1791 but before the republic was proclaimed in 1792. It is very unlikely (although not impossible) that he would have meant this title to reflect his support for the left or radical side of Parisian politics, as the higher benches or the ‘Montagnards’ became known from September 1792. By late 1792 the fact that he took on greater responsibility in the court system and that he was part of the now republican government would militate against any assumption the work was written in this later period when politics had changed so dramatically. But in 1791, these changes were barely contemplated.

Ampère’s work was not original, but was in fact a scholarly translation of an opera libretto by an Italian writer, Pietro Metastasio, called *Artaxerxes*, adapted to the

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French tragic style. To make the Italian text accessible to a French audience he recast it in the Alexandrine style used by tragedians such as Corneille and Racine.

![Frontispiece of Ampère's play](image)

**Figure 6: Frontispiece of Ampère’s play.**

The libretto by Metastasio, dealt with a monarch who was responsive to his people. It was the tale of a despotic king (Xerxes) who was contrasted to a more virtuous monarch (Artaxerxes). Although the original libretto, Artaxerxes, written in Italian in 1729, had become widely recognised as a classic in Europe its acceptance in France was at first limited. The translation made in 1749 by Bonnet de Chemilin was written in a prose style rather than the rhyming couplets of the classical canon and for this reason was not popular. The new idea of conveying a moral tale with song in the operatic style was slow to take on in France. Ampère decided to translate it into the traditional French style of tragedy because he believed that a superior style to the new form of opera. He wanted to convey his idea of what the modern monarch Louis XVI could become rather than pioneer a new form of musical opera. The cast of characters and subplots were reduced so the play could reflect the proportions of the familiar plays of Racine and Corneille. The background of events also changed subtly. As well

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57 In his preface to this first translation, the translator warns of his preparedness to use new poetic forms based on the original: ‘One must not expect however to see in his (Metastasio’s) pieces that regularity so exact, nor that simplicity so rich, which is the particular merit of the Tragédies Françaises’.
as the exoticism of the Persian ‘satraps’, there were members of the ‘National Guard’ on stage. The dialogue of the characters self-consciously revolved around the issues of abuse of power of the Persian king Xerxes. Clearly Ampère’s audience would assume this to be just like kings of the ancien régime.

The opera libretto was itself a retelling of the story of the Persian king Artaxerxes by Plutarch. This character was considered the ultimate ‘King of kings’ because of his superior qualities as a ruler. By using the Artaxerxes story, Metastasio’s opera libretto was translating into a different form a story that explored the essential character of this king that Plutarch had first noted. Metastasio’s purpose was to consider the compassionate actions by a leader in a larger human story. The further translation of the story by Ampère into another form, a play, was similarly universalist in scope. Ampère wanted to show the benefits to his contemporary society of a modern king, one who had rejected the older models of kingship.

The story of Artaxerxes began at the point he becomes king after his father, the tyrant Xerxes, was murdered. The moral consequences that flowed from this action, which had already happened, formed the basis of the opera. The main character, Arbace, was seen as a rebel by the former king, whereas Artaxerxes recognised his true nature defined by, ‘the most pure candour, this virtuous impulse (élan vertueux).’

Artaxerxes continues to hold this opinion despite the fact that all the overt circumstances tended to suggest Arbace had committed the murder of Xerxes. The murderer was in fact his father, Artaban, who was motivated, as the son comes to recognize, by ambition. Ampère has his character, Arbace, reject this ‘error’ of his father in favour of the truth. Rather than go along with his revolutionary plot he chose to return to gaol. This is because of the son’s recognition of:

This moral compass, this flame of our soul,
which judges our motives, which approves them or blames them.
Alas, too hidden by your ambition,
can it be your excess makes you see an illusion?

Arbace could not betray his father, because of his own virtue, even though that meant he fell out of favour with his lover. Misunderstandings swelled until finally

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58 Act 3, Scene 1.
59 Act 3, Scene 2: Ce guide intérieur, ce flambeau de notre âme, qui juge nos motifs. Les approuve ou les blâme. Hélas! Trop méconnue dans votre ambition, peut-il sur vos excès vous faire illusion?
Artaxerxes allows compassion to affect his decision on how to deal with the killer of his own father (Xerxes) when the truth is finally revealed. The king decided to break the cycle of violence and order the punishment of exile for the true murderer. Thus honour was preserved, and the story ended happily with the various lovers reunited.

Choosing this story, with its emphasis on a monarch who listened to his people and was wise and forgiving, allowed Ampère to make allusions to the French philosophic tradition, which would resonate with his audience. He was proposing a more modern role of monarch that would sit comfortably with the thinking of the Enlightenment. Xerxes was what Montesquieu derided as a bad ruler, one who considered himself above the law and thus ruled with caprice. Ampère in fact in the first act of the play described him as a ‘capricious tyrant, enemy of the virtues’. He had less need of virtue than the monarch Montesquieu described who ruled by fixed laws.\(^6^0\) Artaxerxes felt the weight of law and moral responsibility and so fell into the category of a monarch who respected fundamental laws.\(^6^1\) Virtue in the sense understood by Jean-Jacques Rousseau was also a perceptible sub-theme explored in the play. Ampère endowed the king in his play with Rousseauean virtue, which he believed should be the template for Louis XVI and those who followed him in a French style constitutional monarchy. If Louis XVI was truly virtuous he should transition to the Artaxerxes model.

Ampère used some devices to make explicit reference to the French Revolution. In Act IV, he noted the stage direction that a prison should be constructed in the background ‘in the style of the Bastille.’ He discussed revolution in the text in the following passage, which was a reflection on the rule of Xerxes by Artaban who was trying to convince his son of the need to revolt against the monarchy and replace it:

The nation has already shuddered for a long time
because of the yoke that weighs down on it,
from the pride of Xerxes, the insolent brutality.
To all his family it has become fatal.
The chief warriors have given me their confidence.
For us to have a successful revolt, we only await you.\(^6^2\)

\(^6^1\) Ibid., 71.
\(^6^2\) Act 3, Scene 2: La nation frémit. Déjà depuis longtemps du joug qu’appesantit, De l’orgueilleux Xerxes, l’insolence brutale, A toute sa famille, elle devient fatale; Les chefs de nos guerriers m’ont engagé leur foi. Pour se révolter tous, ils n’attendent que toi.
By this discussion Ampère appears to be developing the theme that one abusive monarch need not doom the whole monarchical line. Rather, a more enlightened member of a monarchical family may in fact be able to implement a more workable government. Thus Artaban is wrong when he tries to convince his son to overthrow the more enlightened rule of Artaxerxes and the good son refused his father’s offer. Ampère also commented on the rule of justice through a debate between Mandane, daughter of Xerxes and lover of Arbace, and Sémire, sister of Arbace and lover of Artaxerxes. Sémira asks: ‘What judge ever pronounces only on appearances? ... Mandane: ‘Laws without rigour do not have any authority. Sémira: The authority of the law is nothing without fairness.’ The virtuous king is allowed the final stanza in the play. This last reflection of Artaxerces also suffices to show Ampère’s skill in his translation endeavour.

Stand, dear friend, I feel your alarm,
It is for me to dry your generous tears.
Who could resist the heavenly inspiration
That establishes virtue in pure sentiment?
If Artaban lives, will he escape punishment?
Not if he goes into exile. That will satisfy justice!
The virtue of his son merits this consideration.
From crime and error let us avert our gaze.

There is no evidence to suggest Ampère’s play was professionally published or even performed in the local venues. Although Ampère was clearly absorbing the changing moeurs that were being championed in contemporary works, by including his tale full of sensibilité, he was perhaps a little behind the times in attempting such a translation within the classical tradition of tragedy.

More significantly, while Ampère was still editing the work, the role of the French monarch began to be again questioned. Where in July 1791 a majority of the members of the National Assembly had voted against a Republic and broken away from the Jacobins to form the more moderate Feuillants club, supporting a constitutional

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monarchy, by the end of the year the Feuillants were a failed group and the number of Jacobins had increased again. This development was due in large part to an increasing awareness of the danger of the émigrés allying with a coalition of European powers and making war against the Revolution.\textsuperscript{66} It was also due to the problematic actions of the king himself. In November 1791 when crucial decrees against refractory priests and émigrés were vetoed by the king, his commitment to the constitutional oath was again put into question. Fears that he was suspect were exacerbated by an underlying fear of foreign conspiracies being organised by the émigrés. The vetoes also reignited fears of the counter-revolutionary intention of those priests who would not take the constitutional oath. It was time to make a commitment to the Revolution.

Ampère was the very personification of a liberal bourgeois who, by the second anniversary of the Revolution in 1791, was thinking about how far reforms to the French state should go. While he experienced the popular violence against the local seigneur at the end of June he could well have believed that was explicable by local tensions and remained supportive of a constitutional monarch. Towards the end of the year, however, he was preparing to take on a more concrete role by moving back to the city to help establish the rule of law within the new systems of justice that cahiers de doléances of Lyon had called for. The Third Estate of the sénéchaussée of Lyon had actually suggested in March 1789 that there should be established ‘one or more juges de paix, elected by the parish, to conciliate the disputes of inhabitants’ as well as a charitable council in each arrondissement to help the poor ‘in the exercise of their rights’.\textsuperscript{67} The decrees of 1791 allowed the juge de paix in the cantons to undertake both these roles.

The role of juge de paix, as envisaged by the reformers of 1790, was a comprehensive one and it had all the elements of the ‘practical and the idealistic’ that were typical of the National Assembly, according to Crubaugh.\textsuperscript{68} The new magistrate was to be ‘a mediating amateur whose paramount qualifications … [included] a sense of fairness


\textsuperscript{67} AP, \textit{Cahier du tiers-état de la sénéchaussée de Lyon}, Chap. 3, Section 1(4).

\textsuperscript{68} Crubaugh, \textit{Balancing the Scales}, 133.
instead of familiarity with a body of legal knowledge’. Ampère’s knowledge of legal processes in the seigneurial courts in fact meant he was better equipped than most of the new juges de paix to handle the diverse functions that had been legislated. His success as tutor to his children, and also as mentor to the villagers in Poleymieux, meant he must have felt himself uniquely placed to deliver the wise and considered advice that would ensure a smooth transition to the new systems by taking on the crucial role of juge de paix in the reorganisation of justice.

Ampère was one of the ‘self-selected’ men of 1791 who showed a capacity to commit and accept an ‘apprenticeship to the cause’. However, soon after he arrived in Lyon to take up his position other changes would happen that would challenge even a ‘self selected’ reformer. Ampère’s position as procureur in a small village was quite different from what he would have to deal with in the city. Then he was concerned with the forest and woodland disputes of the few families of the village and collecting taxes at harvest time. In the new judicial sphere he would be tasked with hearing or preparing matters that could potentially encompass the full gamut of civil and criminal offences and was required to be almost constantly available to his electors. Nevertheless he took on the task readily. His passion for reform of the monarchy, so evident in the writing of his play Artaxerxe, now shifted to a more active participation in the project of the regeneration of justice.

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69 Ibid., 135. Crubaugh looked at a number of provincial départements to come to these conclusions about the crucial work of the juge de paix.
70 Jones, ‘Choosing Revolution and Counter-Revolution’, 286.
The new incumbents of municipal and judicial office in Lyon began 1792 with great reforming zeal. The juge de paix was an especially important role and Ampère undertook the work with no less enthusiasm than the politicians. However, the year would bring many challenges. Locally there were new rebellious voices seeking to be heard. Nationally the Brissotins were becoming convinced that a war against the decadent empires of Europe would be successful and was in fact necessary to halt the threats posed by the émigrés who had left France. This chapter focuses on how growing fears on the national and international level intertwined with local political events.

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Ampère agreed to stand for election as a judicial officer in Lyon when Jean-Antoine Périsse Duluc decided not to accept the position after the first round of elections in the canton of Halle aux Blés. Périsse Duluc had been instead elected a deputy to the Legislative Assembly. It is possible that Ampère found out about the position or was encouraged to consider it by the Périsse family or by the previous incumbent, Servan l’Ainé, whose family also lived in Poleymieux. The most important requirement of the role was that the officer be physically available to the citizens who wanted justice. Ampère was thus obliged to move permanently back to the municipal district where the family had previously lived. He moved again to the apartment situated at the end of the Quai Saint-Antoine. One can only imagine the difficulty Ampère had in deciding to become available for such a post with this condition attached. It would mean he had to leave his family, including André-Marie, for long periods of time. His daughter Antoinette was ill and in fact died soon after.

However, it would seem that his motivation to contribute to the new system of

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1 ADR 35 L 19.
2 Périsse Duluc sat on the right in national politics. Edmonds, Jacobinism, 105.
3 Servan L’Ainé may have been related to the popular Servan, former seigneur of Poleymieux, who died in 1785 and was replaced by the notorious Guillin du Montet. Marion, Le Genial bonhomme, 40.
4 She died on 3 March 1792: ‘Généalogies’ in Louis de Launay, Correspondance, x.
revolutionary justice was great and he immediately returned to Lyon upon his election on 12 January 1792.\(^5\)

On 20 January 1792 Ampère was officially introduced to the mayor, Vitet, in the Conseil Municipal and took his oath to be faithful to the nation, to the law and the King and to maintain the laws of the revolutionary government.\(^6\) Vitet continued to lead the Rolandins but was also acceptable to the social activists of the popular clubs because of his modest life-style.\(^7\) He had been active in the Academy of Sciences and had written a *mémoire* on the ‘malady’ that he called ‘aristocracy’.\(^8\) Champagneux, the Rolandin journalist, was appointed *procureur* and Roland himself was also elected. While the Rolandins thus retained the top positions in politics in Lyon they worked with the many artisan and activist clubists of the *quartiers* who were also elected. These included two silk weavers, Claude Carron and Jean-François Chalon; a furrier; one mercantile broker; a commission agent; and the *négociant*, Joseph Chalier. There were also shoemakers, mercers and master-stocking weavers elected.\(^9\)

The mixture of professional men of talent and clubists who were elected at the end of 1791 meant the municipality was more representative of the breadth of Lyonnais society than at any earlier period. Vitet spoke of his grand vision for the community as a result: ‘Love of the *patrie* which has always led us … with which all citizens are filled, has only one desire, that you will be guided by men who are as enlightened as they are virtuous’. He called on those elected to:

> Abandon the biases of the *ancien régime* … the formulaic praises (*formules louangeuses*) which are meant to flatter the passions, to blind men … Slaves need to flatter their masters … [but] liberty is another language, the only thinking it finds worthy is truth … it only judges on actions.\(^10\)

As the Rolandins had hoped, the *quartier* clubs had become enormously influential in educating people in their civic duties. They had grown to over 30 in number in Lyon and helped members achieve their political ambitions.\(^11\) Kennedy observed that ‘by

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\(^5\) ADR 35 L 19.
\(^6\) AML 1 CM 3.
\(^7\) Edmonds, ‘Popular Democracy’, 421.
\(^9\) Edmonds, *Jacobinism*, 313.
\(^10\) AML 1 CM 1, 23 décembre 1790.
1791 and 1792 club members, held ecclesiastical, judicial, or public office ... the clubs monitored goings-on in Paris’. 12 They ‘deplored religious intolerance’. 13 In them a ‘cosmopolitan spirit pervaded’. 14 Vitet still hoped that these more active citizens would be ‘guided’ by the ‘enlightened’ bourgeois he represented. Some speakers in the clubs however wanted to go much further. They were early proponents of a republic after the flight of the king to Varennes. 15 The poorer clubs argued that liberty would only be achieved in society when there was also equality and they supported the election of the sans-culotte Julliard as National Guard commandant in March. 16 These arguments were unsettling to the propertied class but those elected remained optimistic about achieving change whether in their political role or in the new judicial roles they were elected to.

François L’Ange, ‘artiste’ of the silk industry, was typical of those elected, and was driven by a concern for social justice. While holding office he published a 16-page treatise detailing a simple and effective way to stabilise the abundance of crops and the ‘just’ price of bread which he thought could be easily achieved by ‘a people of citizens’. He thought all that was required was the acknowledgment of the general good that would be achieved by stabilising the cost of such an essential commodity and avoiding famine and then merchants, cultivators and consumers would all help. They would realise the need to prevent speculators from hoarding and abusing their power. The necessary change would not happen by merely banning exports and allowing free trade within the country. He wrote: ‘the most alarming and pernicious effect of the present free circulation of foodstuffs, is that it furnishes the aristocracy with the infallible and cruel means of tormenting the people and keeping them shackled’. 17 Stating the problem and presenting the solution was to him a simple task in the climate of cooperation within the municipality, despite the fact that most of the Rolandins followed Roland in advocating internal free trade and the law of the market.

13 Ibid., 150.
14 Ibid., 230.
16 Ibid., 427.
17 François L’Ange, Adresse à mille Français de Lyon (Lyon: Louis Cutty, 1792).
While there were largely unresolved differences among those elected as to political, economic and social policies, the year began with a united and optimistic patriot municipal government under the leadership of Vitet with a consistent program of reform. There was a high degree of unanimity about making subsistence foods cheaper and more available. The affordability of bread and basic food was still the biggest issue facing the unemployed and the poorer classes. The municipal session of 1 February 1792 decided to support the initiative of the construction of a wheat storage facility in what had been church property, the Cordeliers Saint-Bonaventure church, which had been assigned to Ampère’s canton. The same session, however, also showed the tendency of the more conservative departmental directory to stall initiatives that showed too much reforming zeal. A letter was read out in the Conseil Municipal which was to be sent to Paris, complaining of the attempts of the department to overwhelm the municipality with decrees ‘as odious as they are unjust’. These included an order preventing the arrest of a number of departmental members shown to be involved in the conspiracy of 1791 and others that censured the municipality’s attempts to put seals on the residences of ‘religious fanatics’. Nevertheless the municipality was not diverted from its primary task of applying the national decrees despite the pressures from the departmental authorities.

The juges de paix initially began work in the civil jurisdiction. Here the various economic crises and adjustment to revolutionary changes in the city meant there was an enormous demand for their services. They were called on to determine the validity of commercial contracts and hear requests for time to pay bills and transactions. Litigants made voluntary appearances before the court, and Ampère and other juges de paix in their own cantons dealt with these matters every day in their offices (bureaux de paix) from 3 February 1792 and continued to do so throughout the year. They were able to give immediate decisions in matters concerning disputed property where the value did not exceed one hundred livres. A citizen also had the right to have more complicated civil matters mediated by the juge de paix before they went to a higher court.

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18 See the deliberations: AML 1 CM 3, 1 février 1792.
19 ADR 44 L 110.
20 Crubaugh, *Balancing the Scales*, 139-40.
Ampère’s apartment was located across the Sâone river from the prison of Roanne and a short walk from the former Cordelier monastery, on the bank of the Rhône river, where he was allocated his official rooms. The monastery complex had been entirely assigned for canton business. The foyer of the former Chapel Saint-Antoine, part of the Saint-Bonaventure church, became the bureau de paix where Ampère made himself available to hear civil cases. The furnishings he provided for this space included, as he later described to his wife, the purchase of ‘15 chairs, two bench seats, a used carpet and some coal’. Some judicial function would also be undertaken in the newly refurbished court complex attached to the prison of Roanne that was finished in 1793. However, at first, many warrants ordered litigants to appear at Ampère’s own residence on the Quai Saint-Antoine.

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21 ‘Instructions pour ma femme’, Lettre 17 octobre 1793, ADL 42 L 62.
22 ADR 44 L 110.
The canton of Halle aux Blés was close to the wheat granary, which hugged the port along the Quai Pêcherie close to where Ampère’s apartment was situated. It was the third canton of the city of Lyon, located in the first arrondissement, and stretched from the Rhône River to the highest point in the city, the Croix Rousse, where the silk-weavers lived and worked. It extended across the stone bridge of La Change and curved around the side of the Church of Saint-Nizier and the middle of the place du Grand-College and back across the next bridge, the Port-Charlet. It included part of the former Cordelier Monastery and the chapel Saint-Antoine, where the active citizens of the canton met to vote. It also included the Place Terreaux and the Hôtel de Ville itself within its boundaries. The canton in fact spread across a large part of the peninsula between the two rivers, the Saône and the Rhône.

Within weeks of being elected, on 3 February 1792, Ampère was sitting with two assessors, selected from the pool of local notables, hearing and determining the validity of demands for payment made by the city’s merchants. These debts were often not disputed and terms of payment were mediated by the judge and resolutions quickly made. Ampère’s experience in the previous seigneurial jurisdiction of Poleymieux was enough to ensure that he had the required capacity to effect ‘equity’ in this work. There was no requirement that he should have the legal training or skill in making complicated written arguments that had been required for the position of magistrate in the ancien régime. Ampère heard a case of this type almost every day throughout the months from February to August 1792 and sometimes there would be two or more on a single day. An unusual case was that of a woman who claimed civil damages for a ‘blow to her right breast’ occasioning an injury of ‘contusion and swelling’ after a riot (rixe). This case required evidence from a surgeon and within two days Ampère delivered judgment in the matter, granting the woman her costs of medical treatment. Although he was the only juge de paix in his large canton, Ampère was thus immediately and effectively working to address the inadequacies of the former civil jurisdiction but also having a practical effect in ensuring that justice was available to different groups in society, not just those able to afford it.

23 ADR 35 L 18. This decree of 8 January 1791 described the cantons in Lyon to which the proposed role of juge de paix would attach, including the third canton to which Ampère was eventually elected.
24 Crubaugh, Balancing the Scales, 13.
25 ADR 44 L 110.
26 Ibid., Case of Rigoter: 7-9 mai 1792.
The new courts continued to expand their operations in the spirit of the legislative changes. Billiemas had been involved from the earliest stages of the crucial reorganisation of justice and for him the role of juge de paix was the most significant achievement of the judicial reforms. He was from a commoner background and had also been a founding member of the popular club of August 1790. He wanted the new role to be completely different from that held by the venal magistrates of the ancien régime who were ‘used to selling [their office]’, because of ‘a taste acquired from their previous work’. This satirical comment was meant to indict those former judges who were only interested in the status of the position but had purchased their office through commercial success. Because the newly elected juges de paix were paid by the state and not according to how long the matter could be kept going, they were motivated by different ideals than the former magistrates. The differences became more noticeable as they took on a greater variety of judicial work. Their only insignia of office at this level of justice was a red and blue badge stating: ‘La Loi et la Paix’.

The Tribunaux Criminels began to operate from early 1792 with some of the newly elected Rolandins also acting as justices, juges de paix or assessors, including L’Ange and Pressavin. Pressavin wrote a report to the Conseil Municipal setting out the importance of the new judicial arm of government and highlighting the establishment of the Police Correctionnelle which would make known to all the ‘laws decreed for the maintenance of public order, security and tranquillity of all citizens’. However he soon moved onto other matters of administration. He believed that the duplication of functions between the municipality and the departmental authorities should be suppressed in favour of the smooth running of ‘public life (chose publique)’. There were many tensions amongst departmental administrators who were cautious about changes, especially those regarding the militias that the former consuls had in place. These contested changes took longer to put in place.

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27 Edmonds, ‘Popular Democracy’, 419.
28 As quoted in Edmonds, Jacobinism, 23.
29 Crubaugh, Balancing the Scales, 132.
30 Ibid., fn., 141.
32 Ibid., 16.
The areas of conflict in Lyon between the department and the municipality also played out in the new courts, some of which were staffed by the more conservative magistrates, who had held office in the ancien régime. They had little connection with the elected juges de paix who initiated actions brought to them by citizens. When matters reached the higher courts they were sometimes dismissed on legalistic grounds. According to the nineteenth-century historian, Maurice Wahl, ‘an ardent struggle’ was enjoined here, ‘which would only end on 10 August’. The first manifestation of this struggle was the suspension of two municipal officers, Chalier and Champagneux, early in 1792. Chalier was now one of the judges of the Tribunal de District. He had, with the knowledge of Champagneux and another officer by the name of Bonnard, written up the procès-verbaux of citizen Meynis, charging him with the crime of procuring a knife. Despite the fact that the accused claimed it was only a domestic knife, Chalier went on to pursue the man based on a belief that he had ordered other such weapons be procured for his friends. Chalier and Champagneux were ordered to appear before the Tribunal Criminel when the accused complained of this further action. Although Champagneux, on the recommendation of Roland, was soon after appointed a procureur by the municipal council, Chalier was removed from his position. The illuminating municipal session of 1 February showed the conflict between the department and the municipality on the suspension of these two municipal officers. A petition was read out which had been signed by 150 citizens and called for the reinstatement of Chalier and Champagneux. Also read out were the letters sent to the Assembly and the king, accusing the department of spreading ‘the poison of discord’ by their actions in this case and more generally. Again the municipal officers were supportive of the role of the juges de paix but they left the question of Chalier’s overzealousness for the Legislative Assembly to decide.

Ampère’s work in the civil jurisdiction of the bureaux de paix soon expanded to encompass the promised judicial change to the criminal institutions of the city that continued to be implemented in early 1792. Criminal justice was to be a right that the juge de paix could deliver to any citizen who approached him, whether or not they had sufficient assets to pursue any such rights. The juge de paix was enabled to begin

33 Wahl, Les Premières années, 474.
34 AML 1 CM 3.
35 AML 1 CM 3, 1 février 1792.
proceedings either on his own initiative or by the complaint of a citizen. Despite his wide powers, however, even in his criminal role the juge de paix had none of the trappings of the former ancien régime judicial officers, with their robes and medals and ceremonial swords.\textsuperscript{36} He was to be ‘the symbol of the Revolution’s commitment to a new type of justice’ which was the ‘antithesis of the seigneurial judge’.\textsuperscript{37} The fundamental difference was that the juges de paix in both the provincial and the city cantons were now elected and paid officials. They were thus servants of the citizens of the state, who were squarely in control of the pursuit of criminal justice as well as civil justice.

Citizens were able to present complaints of criminal actions against their person or property to the juge de paix and were even able to present denunciations against those they considered responsible for criminal action against the nation. These two types of criminal action were called, respectively, a plainte or a dénunciation civique. The former action was a personal complaint and the latter was the right of every citizen to notify attacks on persons or against the more general concept of ‘public safety’.\textsuperscript{38} The rationale embedded in the decree of the National Assembly was that ‘each citizen [was] a direct adversary of all infractions of the social laws’.\textsuperscript{39} Eligible citizens could also be part of the system of juries with the power to decide whether the accused were to be tried for crimes and ultimately whether they should be judged guilty of them. This was one of the most significant changes of the ‘regenerated’ system of justice in Lyon and Pressavin drew up the first list of 30 jurors who would be available to sit in judgment with three judges of the Tribunal Criminel on 31 January 1792.\textsuperscript{40}

The strong connection of the municipal officers and the new judicial officers with Roland continued even though he was mostly absent from Lyon. On 11 January 1792 he was sent to the Assembly, this time with a proposal as to the establishment of a commercial tribunal in Lyon, which would deal with the specific economic problems of the city.\textsuperscript{41} From this time he was informed of events in Lyon by letter and he, in

\textsuperscript{36} Crubaugh, \textit{Balancing the Scales}, 127-8.
\textsuperscript{37} Ibid., 135-6.
\textsuperscript{38} Allen, \textit{Les Tribunaux}, 26.
\textsuperscript{39} Ibid., 29.
\textsuperscript{40} ADR 39 L 12.
\textsuperscript{41} AML 1 CM 3.
turn, made recommendations to municipal officers by letter. His letters were regularly read out in the council sessions and in the clubs. By March he had entered the Brissotin ministry and took on the key role of Minister of the Interior. As Minister, Roland was also working to help implement the new changes to the judicial system. He received many communications from the provinces requesting information about how the juries and other court staff should be selected. One of the important issues raised was whether juges de paix who resigned could be replaced by supplementary officials without a new election. He acted as an intermediary in a number of such queries between local administrators and justices of the new courts. Édith Bernardin suggests he at times interfered in the role of the Minister for Justice in providing his clarifications to both minor and significant questions. Some of the concerns he addressed were about tribunals who did not take prompt action against refractories and local volunteer militia and also the ‘illegal’ requisitions and abusive arrests that were being undertaken by others. This caused a ‘gulf’ which separated him from the Jacobin Montagnards and established his reputation as a ‘man of order’.

Ampère’s hopes for the revolutionary judicial changes were high as his commitment to the new role shows and he also identified with the Rolandin perspective as expressed locally by Billiemas, L’Ange and Pressavin. They were the face of a more egalitarian and open system of justice and ready to serve the citizens who brought actions in the civil jurisdiction, the criminal jurisdiction or even the preliminary reporting of corruption or treasonous activity against the state. Ampère took on all the tasks required of him in a dedicated way. The role promised to be transformative for one who had long championed revolutionary ideals and it signalled a public recognition of his commitment to advance the new ideas and approaches. Ampère was strengthened in his vision that he could make a difference at the level at which he was working but he could not ignore the local, national and international crises that were taking place at the same time.

42 See the letter of Roland thanking the municipality for the expression of sentiments on his appointment as Minister of the Interior. Here he expressed the hope that the ‘administrative corps and all the municipal officers, would deploy the patriotism and the character that distinguished them’ and this knowledge would help him in his work: AML 1 CM 3, 14 avril 1792.
44 Ibid., 456-7.
45 Ibid.
In the Legislative Assembly those deputies who supported Brissot began to urge revolutionary war against Austria. They convinced other moderate deputies that the Pillnitz Declaration of 27 August 1791 by Prussia and Austria, pledging support for the monarch of France, needed to be challenged preemptively.46 Brissot began his campaign by his speech about foreign affairs on 20 October 1791 and by 20 April 1792 he had enough of a following that a declaration for war was voted.47 The Austrians had traditionally been a target of suspicion for the French and these feelings had not been allayed by the royal marriage of the king to Marie-Antoinette. According to Tim Blanning, there was ‘sustained and vocal’ opposition to the Austrian alliance and deputies were convinced that war would be swift and decisive. He thought the final decision was made because of the mistaken assessment that Austria was preparing an attack and that Prussia was unlikely to actually join in.48 This decision also helped propel national deputies ‘well down the republican road’, according to Blanning.49

The workers and unemployed of Lyon, repressed as they had been by the consular and religious leaders at the beginning of the Revolution, were generally supportive of the Rolandins and the implementation of the national decrees. This meant an immediate abatement of food riots. Yet anxieties continued to rise about employment and the basic requirements of food provision and these were added to by religious controversies. By April 1792 disturbances around non-conforming churches frequently led to riots as fears of counter-revolutionary activity were imputed to the refractory clergy. The cessation of employment of domestics in aristocratic households and the monasteries and church institutions impacted the already low employment rates caused by the crisis in the silk industry. The charitable initiatives of the religious institutions were also now curtailed. The religious changes thus became a source of conflict precisely because they had so many ramifications.

48 Ibid., 43.
49 Blanning, The French Revolutionary Wars, 64.
Problems had been encountered from the implementation of the Civil Constitution of the Clergy in 1791 and there were now concerns expressed by the municipality that the directory was failing to implement the laws against those priests who refused to swear the oath. Increasingly strict anti-religious laws were promulgated in 1792 and the growing intolerance of revolutionaries towards refractory priests meant tensions were high between them and the constitutional congregations. Protests about religious changes, or about the lack of prosecution of the refractories, took place and the new National Guard was used to defuse situations in front of the churches used by the refractory priests.

Early in 1792 violence flared. On 29 March, a letter informed the Conseil Municipal of incidents taking place outside the church of Saint-Joseph during Sunday mass. The church hierarchy requested that the National Guard should be brought in to quell disturbances here and at other churches. The municipal officers resolved to have guards stationed at the door of the churches. This only increased tensions at the refractory churches and events came to a head on Easter Sunday, 8 April, when a gathering was formed in the Rue Sala in front of the convent of the Claristes. Women were seized and whipped as they emerged from mass. The intervention of the municipality was again necessary to end the violence. One of the women later died. The next day similar disturbances took place at L’Antiquaille. This violence necessitated the closing of the targeted churches and chapels by the municipality. Throughout the summer there were more episodes of anti-clerical violence and the municipality was subjected to accusations that they had not reacted quickly enough to forestall them.

Pressavin also reported to the Conseil Municipal on the work he was undertaking regarding the sale of church property. This involved the estimation and inventory of all the property that needed to be dealt with, working out the true state of indebtedness of the relevant churches and monasteries, recovering the titles and relevant papers and finally calculating the actual sales. He reported that the first

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50 Edmonds, Jacobinism, 92.
51 Chopelin, Ville patriote, 193.
52 AML 1 CM 3, 29 mars 1792.
53 Chopelin, Ville patriote, 190.
54 Wahl, Les Premières années, 468.
series of sales in April 1792 had realised 6.5 million livres in assignats to the ‘wise administrators’ of the nation, which would ‘reassure all citizens on the fate of the paper money which had been put into circulation’. The value of the church property that remained to be sold was estimated at 3.5 million livres. However the assignats failed to allay the fears of the populace because they contributed to growing inflation and few of the poorer Lyonnais were able to benefit from the sale of church property anyway.

In May 1792 a new national decree was enacted against the refractories, which followed the decision in April to put the country on a war footing against Austria. These laws and decrees led to increased anxieties about the counterrevolutionary danger of those priests and émigrés who would not take the oath. By this time, according to Paul Chopelin, conflict that was often initiated in the Lyonnais congregations by the refractory priests was allied to the activity of royalists and was seen to be more political than religious. A fear of what was happening on the borders thus became linked to the religious conflict and began to have ramifications for the local administration. The Lyonnais historian, Côme Simien, also found the religious issues became pivotal to the differences that were apparent in 1792 in the dual administration of Lyon between the department of the Rhône-et-Loire and the municipality. The department practised tolerance towards the refractory clergy and the municipality wanted repression. As a result Simien observed that the general population felt increasingly emboldened to attack the administrators, both municipal and departmental, for the lack of action against the priests who ignored the law. The growing conflict about the refractories led into a new tendency among the menu peuple to protect revolutionary advances themselves.

Part of the reason for the increased protest action by the menu peuple was the fact that they were becoming more informed and confident about expressing their own revolutionary views. The popular press and the theatre were growing sources of radicalisation. In 1792 there were a number of competing journals that reported on the issues that continued to affect society. The Courrier de Lyon of Champagneux had by

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56 Chopelin, Ville patriote, 194-7.
57 Simien, Les Massacres, 97.
April 1791 merged with the *Journal de Lyon* and this paper now expressed a more moderate perspective. More radical and short-lived journals were also available and even some which expressed a contrary royalist perspective, like the *Surveillant*. At the Conseil Municipal meetings of 5 and 6 August 1792, following discussion of the recent national decree of ‘the country in danger’, a number of journals regarded as counter-revolutionary were suspended, including the *Surveillant*. The *Journal de Lyon* continued with its editor, Carrier, but from September had new editorial staff, including the journalist Fain. The paper continued to provide revolutionary news but with the more moderate Rolandin line. The various papers and brochures available in Lyon were read aloud in cafés and political discussion was engendered across society, as in the rest of France.

Political opinion was also being offered in the popular theatre. The theatre was a less obvious political forum than the newspapers but it also functioned as a place where egalitarian ideas were gaining a foothold, especially through popular songs. The Assembly at the end of 1791 had legislated for freedom of the theatres and this law meant a much less regulated venue than during the *ancien régime*. The theatre had always been an important amusement for wealthy Lyonnais, the ‘daily rendezvous of all businessmen’. It was now also becoming more accessible to less elitist audiences with the new forms of opéra-comique pioneered by the composer André Grétry. Grétry composed sentimental songs that appealed to a wider audience. The plays he wrote were not usually of a radical or patriotic format, but they did inspire passion and sentimentality among the popular classes.

Marie-Joseph Chénier, a radical playwright of the time, anticipated a new *tragédie patriotique* tradition which would speak to the more egalitarian audience of virtuous citizens, but this did not happen quite as he envisaged. A recent study by Cecelia Feilla of the plays put on in the revolutionary decade in France found that although Chenier’s ambitions for a pure revolutionary tradition were not achieved, there was a larger audience for the mixture of high and low culture that was available. Feilla

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58 AML 1295 WP 4.
60 This observation was made by a prominent Lyonnais and quoted by Hemmings, *Theatre*, 142.
61 Cecelia Feilla quotes his patriotic objectives in the preface to his play, Charles IX, in her book *The Sentimental Theater of the French Revolution*, (Farnham, Surrey: Ashgate, 2013), 1.
found ‘sentimental and civic notions of virtue blended on stage’, and that these productions had ‘sometimes competing and contradictory prescriptions’.\(^62\) It was becoming common for playwrights to make allusions to current political thinking, and for audiences to react with boos and cheers. The dictates of taste that had previously defined French theatre and that had led to a rejection of the opera form (which Ampère tried to address in his translation of Artaxerxes) were thus changing. Audiences were becoming more democratic and were embracing the ‘culture of sympathy’ that opéra-comique represented.\(^63\)

This finding is confirmed by the diversity of plays that were presented in Lyon. A number of plays with differing political messages were presented in the two theatres: the more aristocratic Célestins and the Grand Théâtre, which put on the newer forms of opéra-comique and operas.\(^64\) There were didactic plays about being a good revolutionary family, such as La famille patriote by Collot d’Herbois, but there was also the opéra-comique production of Richard Coeur de Lion by Sedaine and Grétry, which had popular songs and was intended to heighten the sensibilité of the audience.\(^65\)

The variety of themes dealt with in the theatres and the revolutionary broadsheets meant that audiences could be part of the political debate. At first this freedom was linked with the acceptance of new ideas that the Revolution signified. However, some patriots were uneasy with the freedom to express unpatriotic views in the theatre and called for a ban on unpatriotic themes. The municipal sessions of 23 February, 6 March and 19 April 1792 dealt with this when they discussed the spectacle called the ‘Club de Bonnes’ which came to Lyon in February 1792 after being shown in Paris in September of the previous year.\(^66\) The play was meant to be a comedy; however, it was increasingly seen by many Lyonnais as a thinly veiled satire against the Jacobins who were portrayed as bumbling and zealots. The issue came to be seen as more and more serious as the discussions continued and the departmental authorities ordered it

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\(^{62}\) Feilla, Sentimental Theater, 16.  
\(^{64}\) Hemnings, Theatre, 145.  
\(^{65}\) Chantal Kradraoui, Au Théâtre à Lyon de 1789 à 1799 (Lyon: Editions lyonnaises d'art et d'histoire, 1988), 17-21.  
\(^{66}\) Kradraoui, Au Théâtre, 22.
be declared illegal because of the possibility it could lead ‘to a tumult with the most serious consequences’. The municipal officers thought there should be more discussion about the issue. The concerns about the play and whether it should be halted also reflected the divided feelings of the city about the influence of the clubs at this time. For the patriots, the play was believed to be responsible for corrupting the morals of young audiences by its denigration of the partisans of the clubs but for the conservatives on the other hand it was seen as a foil for the ‘pernicious influence of the clubs on the masses’. On 13 March the play was banned. Such issues within society meant there were more pressures on the municipal government and the courts to deal with the changing expectations of their electors.

As the war went on in 1792, there were growing fears that the refractory clergy and émigrés would support foreign powers, hostile to the political developments in France. The sweeping law of 9 November 1791, declaring émigrés to be outlaws if they had not returned by 1 January 1792, defined those who were seen to be enemies of the Revolution, whether or not their initial motives meant they had ‘chosen’ counter-revolution. However, the king vetoed this decree, prompting the Assembly then to outlaw non-juring clergy. Again the king vetoed the decree.

The magistrates in Lyon, including Ampère, had been working since March 1792 in the police function of the juge de paix as well as the civil function. Ampère was first involved in a number of investigations of theft following denunciations that came to him from citizens in his canton. In the matter of Maynard, Berthet, Muguet and others he had to make a number of inquiries and a search of the premises of one of the suspects, Berthet, where he found some of the 30 wine bottles stolen on the night of 31 March. His investigations were collated with that of other juges de paix charged with investigating the other members of the gang. Ampère then also participated in the final hearing against all the accused with Billiemas sitting as President of the Tribunal Correctionnel and another juge de paix. In the matter of Roussillon against Pascal, the charcutier Roussillon brought a complaint to Ampère that his shop was

67 ADR 1 L 1080.
68 See Kradraoui, Au Théâtre, 23. On 13 March the production was stopped and a demand made that the ban be lifted on 12 June 1793 was also refused.
70 McPhee, Liberty or Death, 150.
robbed of about 40 sausages and two pieces of lard as well as a leather wallet during the night of 4-5 May. Ampère caused an arrest warrant to be effected against the alleged perpetrator and again participated in the judgment when the case was heard by the Tribunal Correctionnel on 28 June 1792. Another important case heard at this time by the Tribunal Correctionnel was one against a refractory priest, the Abbé Berthier, who had on 4 July 1792 persisted in his refusal to take the constitutional oath of the clergy and had in addition ‘distributed seditious works’. Billiemas condemned the Abbé to a period of detention and a fine of 500 livres on 22 July 1792.71

From the perspective of the notable Billiemas much had been achieved by the municipal government by August 1792 and he noted: ‘by our union we have prevailed over the aristocracy, and we have had a patriot municipality … [which is] why Lyon has enjoyed a constant peace and tranquillity.’72 This period marked the high point of revolutionary government in Lyon and was for a time, indeed, relatively peaceful. The court proceedings at the level of the juge de paix ran efficiently and smoothly.

At the municipal session of 21 August 1792, Ampère, with eight other juges de paix, officially took the oath to enable him to serve on the Tribunal Correctionnel.73 This judicial function was in addition to the duties already outlined of receiving the complaints laid by the citizen, and the various tasks required of the juge de paix in order to initiate the processes of justice. Ampère would sit as one of the three judges required to hear cases in the Tribunal Correctionnel. In this jurisdiction the judges sat together to hear and decide misdemeanors without a jury. Matters heard included complaints brought by citizens who had been the subject of minor assaults or crimes. As the procedure against Jean-Claude de Pierre later in this year shows, even an assault could have up to eight juges de paix (including Ampère) sitting. The case of de Pierre involved an injury to the person of one Coguard. The accused was found guilty and ordered to pay a fine and the costs of the surgeon.74

71 ADR 41 L 7.
72 This comment was made in August 1792 and quoted in Edmonds, Jacobinism, 118.
73 Edmonds says there were six juges de paix who composed this bench and that they used their position to stall Jacobin projects. He failed to realise the composition of this bench was not always ‘six’ anti-Jacobin juges de paix but could be less or more of the eligible magistrates according to the cases heard and at times it included Jacobin juges de paix as well. Edmonds, Jacobinism, 160.
74 ADR 41 L 7.
The juge de paix, as a representative of the state, was not only responsible for criminal and civil matters at the lower level of police justice but also participated in the preliminary investigations at the higher levels of justice as the flow chart, (fig. 4) demonstrates. If a serious complaint was brought before the juge de paix the prisoner was the subject of an initial investigation and then could be sent before a preliminary jury charged with establishing the validity of the indictment. Following this, the action could either be dismissed or a warrant drawn up which meant the accused was presented for trial before the Tribunal Criminel and another jury for judgment. This final jury was to be composed of eligible citizens possessing the requisite level of education, who made judgments of guilt. The conviction of the accused was based on the crucial concept of the ‘intention’ of the accused. This had to be found by the relevant juries. The traditional prosecuting role of the criminal courts was not effected until after the juge de paix had made preliminary reports and the juré d’accusation had determined there was a case. The Tribunal Criminel, which conducted trials at this next level, was composed during most of this period by the president, Judge Cozon, and two other judges. These judges of the higher courts were elected for six years whereas the juge de paix had to be reelected after two years. While some of the first judges elected in the criminal courts were chosen because of their previous work as provincial magistrates or notaries in the ancien régime many more who hoped to take on the positions were rejected, which led to a lessening of the reliance on ‘professional judges’.

The generation of the preliminary questions and answers of the witnesses and the drafting of the charges for cases heard before the juré d’accusation became the most significant part of the duty of a juge de paix. These documents needed to be unambiguous and establish equality and certainty in proceedings. The case against the curé of Saint-Nizier, Jolyclerc, heard before a jury on 10 April 1792 demonstrates this. The case was begun with a denunciation by a citizen who alleged that the constitutional cleric had written a letter that caused a disturbance in his parish. The juge de paix had to first find whether there was a law in the Code Pénal prohibiting the publication of such matter. Then he had to find any evidence of witnesses who could say the person in question was the author of the publication. These two

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75 Allen, Les Tribunaux, 53.
76 Dawson, Provincial Magistrates, 245-7.
questions were investigated and put to the first jury of citizens, who had to decide if there was enough evidence to put the accused to trial. When the jury ratified the finding of the juge de paix, Billiemas, that there was no article in the Code Pénal under which the curé could be charged and further found that there was no evidence he was the author of the printed document, the jury of citizens quickly brought the denunciation to an end. This case illustrates the power of the citizen at both initiating and determining the case presented. It is even more significant for our purposes because it shows how pivotal the role of the juge de paix was in this process. He had the task of pursuing the witnesses required, often visiting them in situ, taking statements from them and the complainant, and determining if there was enough evidence to bring the accused before the jury of accusation or in lesser cases to the Tribunal Correctionnel. If there was insufficient evidence he could dismiss the proceedings at this preliminary stage. However, whatever the citizen-accuser brought before him the juge de paix was constrained to hear.77

Ampère was called on regularly to issue arrest warrants, interrogate witnesses and collect evidence for the higher Tribunal Criminel. He was invariably scrupulous in ensuring the requirements of the law were adhered to. One of the first criminal cases he dealt with which shows the various steps Ampère was responsible for was that of Jean-Baptiste Poquillon, a gardener, accused of stealing copper chandeliers from a house on the night of 17-18 February 1792. The very day of 18 February Ampère drew up the arrest mandate and interrogated the accused preparatory to the question of his guilt going before the juré d’accusation. He was most concerned that the aggravating circumstances of the robbery were proven. Once the jury pronounced a ‘yes’ decision as to the accusation, the matter was sent for final judgment to the higher court and jury who were presented with the evidence. On 16 March Cozon, President of the Tribunal Criminel sentenced the unfortunate housebreaker to be placed in a stock on a scaffold for six hours.78

Court cases that the juges de paix conducted reflected the tensions that came with revolutionary changes, particularly the religious changes as we saw in the cases of the Abbé Berthier and the constitutional curé Jolyclerc. Economic challenges were also

77 Allen, Les Tribunaux, 27.
78 ADR 39 L 33.
reflected in the many crimes involving the declining value of the paper money called the *assignat*, in circulation since the fiscal reforms of 1790, and the difficulty for many people in procuring the most basic commodities. There were numerous cases of theft, fraudulent importations and forgery (*faussières*) of *assignats* brought before the Police Correctionnelle which had the jurisdiction of hearing minor cases.\(^7\) Such cases spoke of the economic crises in the silk industry and also the dislocations of the Revolution, which contributed to the lack of employment and declining incomes for those lower down the social scale in Lyon. A more complex type of problem dealt with by Ampère was the case of Bonnet, a silk worker, heard on 8 June 1792. Ampère ordered Bonnet’s arrest on suspicion of complicity in a theft of silk fabric. However in his later questioning of the witnesses, Ampère came to the conclusion that the accused was actually a man of ‘irreproachable’ character and may well have been a victim of a false complaint by competitors in the silk industry. The case was nevertheless sent to the higher court, but the accused was in fact found to be innocent.\(^8\)

This case again shows the importance of the *juge de paix* in the criminal jurisdiction. It was he who first received the complaint and judged its suitability to be passed on to a higher court. As Crubaugh suggested, his role was more than that of a mere functionary used ‘to plug the gaps in jurisdiction left by higher and more important courts’.\(^9\) His was a crucial mediating function between the trained judicial staff in the higher courts and the citizen who first brought a complaint to the notice of the state. By August 1792 François Joseph L’Ange, in his ‘address to a thousand Frenchmen of Lyon’, reiterated that the new judicial institutions put in place as a result of the changes of 1791 were still relevant because they were created by the ‘general will’ of the electorate. By this investiture, the *juges de paix* as well as the municipal officers, had now ‘become especially responsible to the entire nation’ and did not need to be reconstituted.\(^10\)

Later elections in Lyon, however, saw many new officials chosen who were even more open to revolutionary changes. The courthouse itself was being reconstructed

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\(^7\) ADR 44 L 110.
\(^8\) ADR 29 L 23.
\(^9\) Crubaugh, *Balancing the Scales*, 135.
according to the new revolutionary design based on the principle of the more
democratic and accessible justice that had been suggested for the provincial courts in
January 1791. Although not finished until 1793, the newer courthouse in Lyon was
added to the side of the older prison complex of the Palais de Roanne on the banks of
the Saône River. This prison remained as small and unhygienic as ever, with its ‘high
small windows fronting the narrow cells and sombre vaults, through which the winds
blew in winter and the air was trapped in summer’. 83 The more significant changes
were in the physical layout of the courts, the accessibility of the judges, the need for
transparency and thus for an audience. The judges were seated behind a semi-circular
desk and down a flight of stairs was a correspondingly curved bench facing the judges
for the barrister and his client. Such architectural changes, according to Katherine
Fischer, were the embodiment of the new legislation designed to limit judicial
function to applying laws and to making the judges accountable to the public who
elected them and to excluding the king who had previously been seen as the ultimate
arbiter. 84

The juges de paix were working ceaselessly to achieve the positive results hoped for
by the citizens who elected them. They were interviewing complainants and
witnesses, writing up arrest warrants and actes d’accusation for the jury and
providing all the necessary work to enable the new institutions of justice to function.
Investigations took them regularly to places of alleged crimes and involved them
performing an efficient police function. Accused persons and witnesses were
summoned by warrant to appear and answer for the infractions of justice, both civil
and criminal. The juges de paix were in effect regenerating justice and bringing
transparency, equality and fairness to the courts. Along with the judicial certainty that
they provided to the state and the citizen, the status of the role did grow.

Being an incumbent of such a position meant he represented the ‘man of virtue’ who
devoted himself to public office. This was a typical conception of the role of the
public man in the revolutionary era as described by historian Marisa Linton:

83 Antoine François Delandine, Tableau des prisons de Lyon, pour server à l’histoire de la tyrannie, de
1792 et 1793 (Lyon: Daval, 1797), 19.
84 Katherine Fischer Taylor, ‘Geometries of Power. Royal, Revolutionary and Postrevolutionary French
The new men who came to the fore of political life were obliged to negotiate this changed political landscape in which their own ambition was considered as inherently suspicious, their true identity subject to public scrutiny. They sought to establish their power bases through appropriating the identity of ‘men of virtue’, selflessly dedicated to the public good.85

The *juge de paix* was one of those new men expected to adapt to a new practice, whether he was entirely new to the law or had previously practised it. However, by taking on such a position he gained an external validation of his virtuous and revolutionary intentions. All the elected *juges de paix* and lower court judges, though drawn from a wide cross-section of society, had similar tensions between their motivations and their duties. Ampère’s interaction with the other magistrates was to uncover more subjective difficulties in the tasks ahead. Yet at this stage he could not know the challenges that lay ahead of him nor the changes that would happen when the constitutional monarchy, that looked to be the stable government, became more and more unstable and was overthrown in August of this year.

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CHAPTER 5: FEARS AND FRACTURES: July 1792 to January 1793.

The autumn of 1792 was an intense time for French revolutionaries. Fear of invasion was followed by great optimism with the declaration of a Republic and a stunning victory of the revolutionary army at Valmy. This chapter will look at those elected to political and judicial positions in Lyon at the end of 1792, including Ampère, who stood for reelection, and how they were influenced by the wider sweep of events that took place around them. As the potential dangers increased so too did radical demands for change. How would the judicial system itself deal with the trial of the king, several months after he was dethroned on 10 August 1792?

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The German prince helping lead the Prussian and Austrian forces, the Duke of Brunswick, put his name to a manifesto of 28 July 1792, which is credited with triggering the unprecedented events in France in the autumn of that year.¹ Fear that his troops and the armed émigrés that supported them would act on the threat by the Duke to destroy Paris militarily led to a violent challenge to Louis XVI by the sans-culottes. On 10 August 1792 the king and his family were driven from the Tuileries palace. After his Swiss guards continued to fire at the insurgents, they were killed and mutilated by the crowd, which included members of the National Guard and fédérés from the provinces. Soon after, General Lafayette defected to the enemy when the troops he was leading refused to march on Paris. On 24 August Brunswick laid siege to the French town of Longwy en route to Paris. Fears of counter-revolution and invasion were also growing in Lyon. The army of the Midi, under General Montesquiou, was moving to the borders south-east of the city.

The rapid growth of popular activism in Paris, impelled by the reality of war, was also experienced in Lyon. The Club Central began to support the *sans-culottes* campaign to combat inflation, famine and unemployment. They also called for action against refractory priests and ‘aristocrats’. Speakers highlighted the great difference in outlook of the Rolandins in municipal office and the common people. Edmonds has shown that social division in Lyon was always a feature of the city but the incompatible political and social aspirations of Rolandins had mostly been masked.
until the fall of the constitutional monarchy.\textsuperscript{2} Dissident voices began to grow louder from August 1792 when Joseph Chalier returned to Lyon, absolved by the National Assembly of any wrong-doing in the way he had pursued his office. Chalier reclaimed his position on the Tribunal de District. According to his biographer, George Eynard, the charge against him, which had led to his suspension by departmental officers, had been based on his alleged ‘vexatious and corrupt practice’. This perception, now shown to be wrong, then increased his notoriety and flattered his pride. Eynard says ‘he exulted with joy at the idea of playing the role of the honest man persecuted for a just cause’.\textsuperscript{3}

During the months he was suspended from his position in 1792, Chalier had lobbied in Paris for his reinstatement. He was resident in the capital at the pivotal time when anxieties were high about counter-revolution and he became convinced of the many dangers to the Revolution. While he was waiting for news about his case he met Robespierre, Marat and Desmoulins and attended Assembly meetings.\textsuperscript{4} He also addressed a petition to the Assembly in which he denounced the departmental authorities of the Rhône-et-Loire, describing the sorry history of the Lyonnais consuls and the failed aristocratic plot of 1791. He catalogued the continued failings of the department, including its alleged support for foreign troops against its own people and the suspension of two municipal officers from their function (including himself).\textsuperscript{5} His experiences in Paris had radicalised him further.

Chalier had initially had a similar trajectory to Ampère. The two probably knew each other from their previous careers, as négociants in silkworking enterprises before the Revolution. Born of a family of notaries, Chalier had had a good education and a successful career before the Revolution. Elected as a notable (a supplementary municipal officer) in 1790 he was then appointed as a judge to various tribunals, including the Tribunal Correctionnel in 1791. He was the president of this court when Ampère was first elected to it in January 1792.\textsuperscript{6} Thus they would have sat together on this bench to decide matters had Chalier not been suspended from office. Their work

\textsuperscript{2} Edmonds, Jacobinism, 128.
\textsuperscript{3} Eynard, Joseph Chalier, 54.
\textsuperscript{4} Herriot, Jacobins et modérés, 130.
\textsuperscript{6} Eynard, Joseph Chalier, 10-13.
in the silk industry of Lyon, their career change and their elevation in judicial office meant they had many similar experiences. However, their trajectories soon became very different as Lyonnais politics became more factional. They came to opposing views about what should happen to the king after August. Ampère, like many others who had been invested emotionally in the monarchy of Louis XVI, now had to adjust to the new state of affairs.7

Chalier’s first speeches on returning to the city supported the anti-monarchical campaign.8 Impassioned by the fall of the king, he became a favoured orator and immediately urged a petition calling for the death of the king. He thought it was time that ‘citizens rejected lethargy; that the popular societies rose with energy’ and took action.9 Already well known for his tendency to become overwrought, he now adopted the radical rhetoric he had encountered in Paris in his own inimitable style.10 He told the club he wanted to ‘surround the municipality … and [encourage the people to] cut off the heads of refractory priests and all aristocrats. It is only when one sees the impure blood streaming from all sides that we will achieve tranquillity, safety and happiness’.11 These and similar rousing words ensured he made enemies who were ready to blame him for inciting violent action, even when he was not present at moments of popular protest.

Yet Chalier was only one of the judges and administrators who advocated such radical policies. On the very day of his return from Paris the equestrian statue of Louis XIV in the central square of Bellecour was ritually destroyed. This action was meant to signify the obliteration of any trace of the abusive monarchy of the ancien régime.12 The pieces were to be melted down to make bullets and cannon for the national army. The ceremony had been suggested while Chalier had been away by the most vocal of the Jacobins, Antoine-Marie Dodieu (later known as Manlius).

7 See Barry Shapiro for a well argued case that despite ‘a growing intellectual skepticism’ there was a centuries old investment in feelings of love for the king which ‘still carried an emotional charge’, ‘The Case Against the King’ in A Companion to the French Revolution, ed. by Peter McPhee (Chichester: Wiley Blackwell, 2013), 108.
8 Alexandrine des Écherolles, a young aristocratic girl remembers hearing him exhort people on the coach bringing him from Paris to hail the benefits of August 10. She said: ‘His mouth vomited imprecations and blasphemies’. Une Famille noble sous la Terreur (Paris: Elibron Classics, 2006), 37.
9 As he wrote to Delorme in Lyon in May 1792. Quoted in Edmonds, Jacobinism, 117.
10 Eynard, Joseph Chalier, 13. From his school years this ‘volcanic’ temperament was observed by his acquaintance Chassagnon who later wrote a plea for him.
11 Ibid., 67.
12 Ibid., 66.
Dodieu was a printer by trade and president of the radical section based around the quartier of Rue Juiverie. On 26 August, two days before the return of Chalier, he printed and distributed a circular letter proposing a mass protest. His suggestions included a programme of price fixing and also the replacement of judges by new elections through the popular assemblies. Dodieu’s letter ended with the warning that, ‘if [taking] the life of a single individual could save the country we have the right to kill him’. Vitet, as mayor, sought legal action against Dodieu for these pronouncements and it was Ampère who issued Dodieu’s arrest warrant on 31 August 1792 for ‘writing and signing the circular in quantity’. This case of Dodieu signalled the emergence of a competing revolutionary vision in Lyon that was held in some of the sectional clubs and had at first little to do with Chalier.

Dodieu temporarily disappeared. However he was back in October, urging the lower paid workers and the unemployed to express their own views rather than accept the paternalistic pronouncements of the Rolandins. As he warned his section about the hoarders who were making the price of grain rise and the ‘aristocratic’ judges who were complicit in a conspiracy to make basic foods like bread unaffordable, he also proposed practical methods on how to take action. The most important was a ‘taxation’ that would impose the Parisian price of bread on the bakers. He advised the silk-workers to pursue ‘a gradual increase in compensation proportional to the cost of living’. The silk-workers then demanded ‘a salary which would be commensurate with the growing costs of essentials’ and the ‘fixation’ of a mode coactive between the two. They wanted an end to ‘humiliating assistance’, and the provision of ‘true justice (justice exacte)’.

When Chalier joined the Jacobins in calling for increased agitation this had an almost immediate negative effect on many conservative listeners in the courts and the
municipality. It appalled the Rolandins.19 According to Edmonds the fundamental differences between the Rolandins and the menu peuple were only now exposed:

In Lyon the entente between the clubs and the Municipalité had protected [the patriots] from the challenge of social realities. By acting as intermediaries and channels of communication between the people and ‘its’ magistrates – a relationship whose nature was conveniently obscured by the ambiguous possessive – the clubs had enabled two ideas of sovereignty to coexist, one based on the concept of representation, the other on direct democracy, the direct exercise of its authority by the sovereign people.20

The reaction to the taxations populaires highlighted the differences that had always existed between the Rolandins and popular economics. Fixed prices were anathema to the Rolandins who wanted to ensure the ‘free circulation’ of goods such as wheat.21 With the increasingly divisive dialogue of the ‘agitators’, Vitet and Roland became convinced of the necessity of coming up with other ways of making bread more affordable and allaying the panic in the markets. Roland, dismissed by the king as minister in June 1792, had been reinstated as Minister of the Interior in the provisional government in Paris after 10 August. He was busy re-establishing his position there as well as making the executive actions required of his position.22 He had also summoned Champagneux to the capital to help him deal with all the correspondence that came from the provinces where he was especially besieged with letters from his friends in Lyon.23 The Rolandins remaining in Lyon implored the minister for help in dealing with ‘agitators’.24 They refused to countersign the petitions of those who advocated fixing of prices.25

Tensions were growing as Chalier took his place again on the Tribunal de District. He moved into an apartment in the richer commercial area, near the Bourse, but still close to the new courts being refurbished next to the prison of Roanne. Perhaps the period of February to August when Chalier was out of his position on the bench had increased his fervour for vengeance against those other judges who had not supported him but neither did they appreciate his return. The negative perception held of him and his allies by the Rolandins curbed his effectiveness in the courts. Roland was

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19 Eynard, Joseph Chalier, 63.
20 Edmonds, Jacobinism, 128.
21 Vitet in October, when he was in Paris, wrote to the municipality that they should encourage the ‘free circulation of wheat.’ Roland suggested in September an inquiry was necessary in Lyon because of the ‘taxations arbitraire’. See Herriot, Jacobins et modérés, 84 and 91.
22 Reynolds, Marriage and Revolution, 183-90, 206.
23 Ibid., 191, 208.
24 Ibid., 209.
25 Riffaterre, Le Mouvement, 11.
inundated with letters describing how Chalier had become a ‘débauché’ who allied himself with men and women of unsavoury character. 26 Pressavin, now the procureur of Lyon, added that the worst of these characters was Dodieu, ‘a dishonorable (mauvais) man of the law’. 27 Roland reminded the Lyonnais judiciary that they needed to ensure that suspect priests and bad citizens were arrested and punished because ‘the most cruel civil war would ensue if individuals were allowed to use violence and put their own will in place of the law’. 28

Ampère kept working during this period in the bureau de paix, commencing criminal actions and hearing matters on the Tribunal Correctionnel. No doubt he was concerned at the growing political divisions around him but he was also still impassioned by his new career and he rose to the challenges he encountered. Although it can be imagined that Ampère shared some of the disillusionment of Rolandins like Vitet and Pressavin and their conviction that the sans-culottes were being led astray by the Jacobins, the only evidence we have of any political alignment is contained in a statement of the Jacobin Commissaire National, Hidins. Hidins would be imprisoned after his interrogation by Ampère in 1793 and in his papers he claimed that Ampère was a ‘Rolandin-Feuillantin’ who had been ‘unmasked’ and had ‘blushed’ when it was pointed out to him that he had refused to sign a petition for the death of the king. 29 This was perhaps a retrospective accusation to impugn the judge who had helped implicate Hidins in allegations of impropriety in his office. In 1792 it would appear Ampère considered himself more a man of the law than a politician.

Politics did however begin to impinge on the law as the case of Benoîte Troncey in August 1792 showed. The case was brought before Ampère by a woman called Grandmaison. 30 She alleged that Troncey had come to her with the sheriff (huissier) Jacques Laurent and they both proceeded to terrorise her, threatening to pillage and bomb her home. It is possible that she may have been the wife or relative of the Jacobin commandant of the National Guard of this name and thus the victim of a

26 Eynard, Joseph Chalier, 60-1.
27 Letter of 27 August 1792 from Pressavin to Roland quoted in Herriot, Jacobins et modérés, 52.
28 See his letter of August 1792 as quoted in Edmonds, Jacobinism, 121.
29 See Hidins statement in a letter to the representatives on mission in Lyon in février 1793. He was appealing against his interrogation by Ampère and by what he called the ‘royalist’ Tribunal Criminel: BML Fonds Cost, Ms 558.
30 ADR 39 L 23.
political crime against a person known to be sympathetic to the Jacobins. 31 Ampère
duly wrote up the witness statement in the case, as he was required to do, and the case
was sent on appeal to the Tribunal Criminel. Here the officials were exonerated
because the crimes they were charged with did not appear in the Code Pénal. Ampère
had also found this to be the case, and the prisoners were released. The menacing of
this woman was certainly taken up by Ampère but the officials were subsequently not
held liable for any crime. Little more can be elicited from the facts as to what Ampère
may have thought about the circumstances. The case however does give an indication
of the environment of fear and violence attaching to political action around this time
in Lyon.

After the fall of Verdun on 2 September 1792 there was an outbreak of panic among
the *menu peuple* of Paris who were afraid of counterrevolution at a time of what
seemed to be a likely foreign invasion. Nineteen priests were seized and killed by a
mob as they were being taken to the Abbaye prison and over the next few days further
massacres of some 1,200 prisoners held in prisons in Paris were carried out. 32 Lyon’s
version of the ‘Septembrisade’ prison massacres happened soon after and involved the
killing of eight officers of a regiment of Polish mercenaries held in the Pierre-Scize
prison and three refractory priests encountered in the streets. 33 On 9 September a
ceremony had been organised to burn effigies of previous consuls and some of the
archives of the previous consular administration, presided over by the magistrates of
the city. However, those who attended then moved to the taverns in the surrounding
area of Les Brotteaux. Later a spontaneous decision was made by an inebriated crowd
to go the Pierre-Scize prison, break in and seize the prisoners held there. Vitet and
Nivière-Chol attempted to intervene but were unable to stop the violence. 34

The prisoners were attacked as they were taken from the prison while being forced
down the steep stone stairs leading to the river. Most were killed during the episode
and their heads were then paraded on sticks as the crowd surged across the bridge and
into the city square. The threatening group terrorised audiences at the Théâtre des

31 In November 1793 a certain Grandmaison accused the military commission of not being harsh
33 A lively account of the event is given in Baron Achille Raverat, *Lyon sous la Révolution* (Bouhet: La
Découverance, 2006), 50-3.
Célestins on the way. Three refractory priests encountered by the crowds in the streets were also massacred. By this time the conduct of many refractory priests was allied to the counter-revolutionary activity of royalists and was, as Chopelin suggests, ultimately more political than religious. The anger against them had been brewing for some time.

The massacres were a major challenge to the continuing leadership of the Rolandins because of the popular radicalism which they encouraged. The violence against the Polish officers thus requires more explanation. Nine members of the Royal Pologne regiment had been incarcerated while their credentials were being checked before they could transit through the city. The secretive way in which this was managed led to a great deal of fear and rumour. The officers were awaiting corroboration of their right to resign from their regiment and had been kept not in the usual gaol, but in the former castle of Pierre-Scize. Even the mayor, Vitet, held fears that they were a potential counter-revolutionary danger if they were allowed to leave the country. In these circumstances the belief of the crowd that the prisoners should be escorted to a secure prison to prevent them becoming allied to a plot of émigrés and refractories Simien suggests seems reasonable. It was the veteran national guards who took the leading part in the events. They and the sans-culottes had a political motive in pursuing the prisoners because they believed they were going to become émigrés, and a possible future threat to the French nation. The general uncertainty about the status of the prisoners contributed to the subsequent massacre. They formed part of a combination of precipitators, a ‘collective mental preparation’ in the decision to massacre the prisoners.

Other relevant factors behind the violence were the continuing problems experienced by the sans-culottes with unemployment, the particular economic difficulties of the silk trade and their belief that subsistence foods were being denied to them, all fears that Dodieu and Chalier had been calling attention to. These basic societal problems were however superimposed on the fears of war, émigré plots and the fall of the

35 Chopelin, Ville patriote, 194-7.
36 Edmonds, Jacobinism, 129.
37 Ibid., 29-39.
38 Simien, Les Massacres, 39.
monarchy. The rushed recruiting of National Guards from the department by General Montesquiou following the law of 25 August authorising local recruitment drives was a significant circumstance leading to the massacres, according to Côme Simien, the most recent historian looking at this event. The tensions exploded as the battalions were almost ready to depart Lyon. Families were worried by the loss of income from the recruits, the reduction in numbers of workers now being available to work the fields and workshops, and also the vulnerability of the remaining family members to aristocratic or malicious action in their absence. Simien credits the hasty recruitment of troops as contributing to the anguish that led to the massacre if not the actual ‘paroxysm of feeling of abandon of the Lyonnais’ who participated.

Ultimately the violence of the September episode was, he suggests, not the unthinking terror of a revolutionary crowd, but rather it expressed the betrayal and fears of a section of the community when confronted by deception, prejudice and danger.

Those arrested for the massacres were put under the protection of Chalier, who described them as modern incarnations of the ‘Brutus’ who had killed Caesar and thus saviours of the revolution and worthy of being crowned by Robespierre. This created the worrying situation, according to Simien, when violent attacks of the refractory clergy did not lead to significant retributive action, and the sans-culottes developed an ‘habituation’ to violence:

Blood had already flowed, sometimes very savagely .. these violent moments created a habituation, a passivity to physical violence in the population … The Lyonnais had integrated, via this passivity the right … of delivering justice themselves.

Their violent reaction was then itself validated because of the situation of political uncertainty at the time. Further, Simien observed that the episodes of violence against the refractory priests added together contributed to a ‘violent memory’ that meant such action could be undertaken again by the sans-culottes. Protest had become violent and was difficult to stop.

39 Ibid., 31.
40 Ibid., 108.
41 Ibid., 119.
42 Simien, Les Massacres, 142.
43 Raverat, Lyon sous la Révolution, 57.
44 Simien, Les Massacres, 142.
45 Ibid., 143.
A corresponding memory was also etched in the minds of others who were terrified by the events themselves. The noblewoman Alexandrine des Écherolles, in her memoir written sometime after the events, remembered the terror of those living nearby. She recalled that 10,000 people fled immediately after the September massacres and hid where they could, some ‘in a wood with a host of others’. She observed that many more emigrated after this point. The ‘traceable threads’ of fear and disillusionment that Simien suggested led to the growing resort to crowd violence also seemed to have another effect - the increasing intolerance of a great number of Lyonnais, including the Rolandins, towards the more radical politicians like Chalier who were threatening death to the king and to refractories.

Affected by the fall of the monarchy, the collapse of republican armies on the external fronts and the horrible violence of the September massacres in Paris and Lyon, the Rolandin municipal officers were now anxious about their declining support in local politics. In early September 1792, elections were being organised to the National Convention and this signalled new changes in local leadership. Among those elected to represent Lyon in the Convention were the mayor Vitet and three other municipal officers Antoine Chasset, Pressavin and Lanthenas. Chasset would vote with the Girondins on many issues. Noel Pointe, a munitions worker, and Cusset, a small-scale silkworker, spoke for the extremely underrepresented viewpoint of the sans-culottes nationally. They became part of the very small number - no more than half a dozen according to Alison Patrick - who were elected from the ‘genuinely lower class elements, [and] the sans-culotterie’. Adrien Lamourette, the constitutional bishop of Lyon who had been elected to the Legislative Assembly and was thus spending most of his time in Paris, remained absent from Lyon, as did Roland. The speeches of the Jacobins in August and September awakened new anxieties for those who feared social agitation and these anxieties turned into real fears as can be seen in the correspondence directed to Roland from officers like Vitet and Billiemas.

46 Écherolles, Une Famille noble, 57-8.
47 Kucinski, Dictionnaire, 130.
49 Chopelin, Ville patriote, 206.
50 Reynolds, Marriage and Revolution, 209.
Market troubles began to worsen in Lyon, not only because of the Jacobin exhortations to action but because grain supplies were often intercepted before they could reach the urban areas of Lyon. Fluctuating prices in bread and other staples was the impetus to action by sans-culottes women. Their desperation when grain, employment and money were scarce caused a particularly intransigent outbreak of rioting which lasted some days from 14 September. These troubles affected the poorer inhabitants of the city, particularly women who had to manage their households and feed their children as best they could in a time of increasing shortages and unemployment.

The female Jacobin club, known as the ‘Citoyennes de Lyon dévouées à la patrie’, which had formed on 1 August 1791, encouraged the mothers, daughters and sisters of Lyon who were members to go beyond the acts of ‘benevolence’ that had until then been proposed to more active protest. This was a largely bourgeois club but more popular women’s clubs were also established. On 15 September 1792 a deputation of club women presented a petition to the municipality demanding that certain subsistence foods should be made available at fixed prices because ‘thousands were dying’ and mothers were unable to provide basic needs for their children. Without waiting for a reply the women made up notices themselves, fixing maximum prices on a number of goods which they distributed throughout the city. From 16 to 19 September they armed themselves with pikes and raided grocery stores to then sell goods at the new low price or taxation populaire they had fixed. The women called themselves the ‘Female Commissioners of Police’ and warned that anyone who opposed them would be regarded as traitors while those who helped them need have no fear because the women would be ‘loyal guardians of their property’.

51 Maurice Wahl says it reached the point of the ‘spontaneous anarchy’ on 14 September, Les Premières années, 613.
52 See ‘Institution’ and ‘Règlements’ of the club, BML, Fonds Coste 110945.
53 Louis de Combes, Clubs révolutionnaires des Lyonnaises (Trévoux: s.n.,1908), 5.
54 Wahl, Les Premières années, 604.
55 See Affiche ‘Les Citoyennes de Lyon’ (reproduced as Figure 2) and also the ‘pike des Citoyennes de Lyon 1792’ in Room 18, Musée Gadagne, Lyon.
56 Wahl, Les Premières années, 606.
Both the municipality and local towns did try to ameliorate the causes of the agitation, with the former fixing the price of bread on 23 September and surrounding towns
helping to provide more wheat to the city. Calm was re-established especially when the republican army led by Montesquiou sent news of their success in stopping a threatened Piedmontese invasion on 24 September. However, the local agitation intensified political pressures. Edmonds suggests this was a crucial point where the menu peuple and the Rolandins diverged. Roland, apparently ‘irritated by the fixing of food prices’, threatened to cut finances to Lyon if the agitators were not apprehended and dealt with. Yet the action of the women in taking control of the price of goods was essentially apolitical and the Jacobins themselves would have problems with the sans-culottes women taking further steps to ensure fair prices in May 1793.

We have no direct evidence of Ampère’s political views at this time, but the indirect evidence suggests that he was closely in accord with his Brissotin or Rolandin milieu. The cases Ampère heard from the beginning of September reflect some of the types of crime that the Rolandin politicians wanted to curtail and the law and order they were hoping to reassert. Filiot and Chavand, for example, were arrested for looting a church. The two accused had been seen kneeling in a church and then caught with sacred items, including a chalice. They were found to have used a key to gain access to the sacristy. They were put under arrest by Ampère in his juge de paix function. The case went before the Police Correctionnelle court and the accused were put in detention. The Tribunal Criminel, to whom they appealed, ratified the decision and ordered they were to remain in detention until they served six hours in the stocks on the Place Terreaux as punishment. The case shows the different perspective of the officers upholding the law and that of the accused who may well have been able to justify their actions by thinking that the riches of the Church now belonged to all.

The case of the ‘conspirators’ Gauzard, Pape, Aimé, Jacquemot, Chin and Coste, was also dealt with by Ampère as juge de paix around this time. It concerned a crime that happened soon after the September massacres and so also highlighted the deteriorating social conditions the Rolandins were afraid of. Justice for the citizenship

57 Ibid., 611.
58 Edmonds, Jacobinism, 128-9.
59 Bertrand, the Jacobin mayor harangued the women for hours in an attempt to make them capitulate but they continued in their actions according to Edmonds: Ibid., 126.
60 ADR 39 L 59.
61 ADR 39 L 58.
targeted was however both quick and inexpensive. This case was commenced by the complaint of the widow Delhorme, who had inherited her former husband’s liquour business. She alleged a crime had been committed on the night of 11 and 12 September 1792 when thieves stole 134 bottles of wine from her cellar. From the 13th of that month Ampère began to personally investigate the scene. He found there was evidence of a theft with house breaking. A door lock had been levered open by a tool commonly found among tradesmen.

The complainant alleged that the wine had been stolen and taken to a nearby residence and consumed. It was confirmed that six people had been found drinking the wine. This fact was disputed by the various accused. Each of them declared their innocence. Ampère took evidence from the relevant witnesses over a number of days and ordered that an action be commenced against all the accused. After he found that the sections of the Code Pénal had been breached, he then wrote up the mandates of arrest and ordered they be issued on 15 September. The case was then heard before the first jury (of accusation) who established there was a case to be heard. Ampère then remitted the case and the evidence to the Tribunal Criminel, under the presidency of Cozon and a jury (of judgment). Ultimately the first three accused were sentenced to be attached to the stocks set up on a public scaffold. They were in addition ordered to make a payment of compensation. The last three accused, two of whom were women and who were not found to have actually consumed the wine, were only subjected to a small fine. The law and order were being re-established in accordance with the Code Pénal and Ampère as juge de paix was instrumental in this result.

Towards the end of September, the Lyonnais representatives to the National Convention left for Paris. The first meeting of the National Convention on 20 September coincided with the great French victory at Valmy. The monarchy was officially abolished and the proclamation of the ‘one and indivisible’ Republic was made on 22 September 1792. Vitet and Pressavin began to sit on the left side of the Convention with the Montagnards. The removal of these officers from political life in Lyon meant there were new vacancies on the municipal council. Nivière-Chol, who had become a judge in the Tribunal Correctionnel after Chalier was stood down, had

62 Ibid.
to vacate this seat in the reshuffle and he took on the premier *procureur* position in the municipality. On 28 September Nivière-Chol observed in a private letter describing the reception of the news that ‘the decree which abolished royalty has been received by the municipality and the people with joy’. The department of the Rhône–et-Loire signalled its adherence to the proclamation on 6 October and expressed its whole-hearted support for liberty and equality. This optimism reflected the widespread feeling that some of the anxieties felt throughout France had been resolved. National government could now be based on the freedoms and equalities that had become so fundamental a part of the language of change across society. Decrees would no longer be subject to the power of the king to suspend or veto. The war against Austria and Prussia had turned around, and the army of the Midi had successfully invaded Savoy and Sardinia-Piedmont.

Yet there were new challenges. The spectre of popular violence and the conflicting feelings expressed in the Convention about the fate of the king were to overshadow debates in the new national body. In Lyon agitation was increasing locally among the *sans-culottes* towards those Dodieu had identified as enemies and especially towards the refractory priests, who were organising protests against the constitutional priests. The Jacobins in the Club Central proposed increased domiciliary visits to those suspected of being aristocrats, the inauguration of a revolutionary tribunal and the installation of a guillotine, ordered from Paris by the Club Central. Chalier at first rejected the need for a revolutionary tribunal but he came around to these demands of the more radical Jacobins. After October he became convinced of the intractability of the courts and the possibility of conspiracy. He thought the time was ripe for the guillotine to ‘be exposed to the eyes of the public to hold back the enemies of the country, to frighten off the aristocrats and to make tremble those of the commercial sector’. But the municipality refused to put it up. The provisional mayor Arnaud-

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64 AML [online] 1217 WP 4, 13-19 Sept.
66 Ibid., 83.
68 The first debates in the National Convention were about what was to be done with the king but given the proof of his intentions offered at trial the king was ‘almost unanimously’ found guilty of ‘conspiracy against liberty and the security of state’. Tackett, *When the King took flight*, 216.
69 Chopelin, *Ville patriote*, 206
70 Riffaterre, *Le Mouvement*, 12.
71 As quoted by Eynard, *Chalier*, 73.
Tison thought the decision about its use should be for the ‘Tribunal Criminel and not for the commune, still less the Club Central whose members were noted for their dangerous intolerance’. 72

A rather gruesome demonstration of the guillotine was attempted by a gathering of protestors on the night of 25-26 October. The machine was stolen from the Hôtel de Ville and erected on a scaffold in the nearby square. Seven prisoners were later taken from the prison of Roanne to be summarily executed by the machine. The operation was intercepted by the National Guard. In the resulting confusion two prisoners were killed by sabre and thrown into the river. 73 The next day the machine was again removed and transported to Bellecour and placed on the pedestal of the destroyed statue of Louis XIV. 74 Again the National Guard were called out but they responded tardily and were unable to restore order. 75 The municipal authorities felt threatened and feared a reprise of September. Indignant citizens made sure it returned to the prison of Roanne. 76 Two days later it was decided by the National Convention that Vitet and two other deputies should be sent back to Lyon in November to help calm the situation. On 10 November, Vitet wrote to Roland of his lack of success:

The Chaliers, the Dodieux, the Laussels and a multitude of other associates keep quiet well enough while we stay in Lyon. But hardly have we left that they provoke disorder, violation of properties, and even individual safety. 77

Fear had operated to focus attention on difference in the city rather than unity. These fears meant there was less cooperation with the municipality and other local bodies of administration at the departmental level, including the higher courts, where more moderate views were held. The expanding theatres of war to the east and south and of counter-revolution in the west and north-west of France also increased fears in this city, so close to the borders. The Jacobins now began to focus on perceived local counter-revolutionary threats. With Chalier at their head, they framed their demands for repression and societal change as the true position of the sans-culottes against those who advocated ‘aristocratic’ – to them, counter-revolutionary – attitudes.

72 Ibid.
73 Herriot, Jacobins et modérés, 93-4.
74 Riffaterre, Le Mouvement, 7.
75 Edmonds, Jacobinism, 128.
76 Chopelin, Ville Patriotte, 73.
77 Eynard, Chalier, 735.
Though individual Rolandins were working for the good of the people they were also, as a group, dismissive of those not sufficiently talented or educated to take on municipal and judicial roles.\(^{78}\) These differences soon cemented into increased agitation on one hand and intolerance on the other.

While Jacobins like Dodieu advised silk-workers to aim for a betterment of the conditions in which they worked in October 1792, those more moderate politicians who feverishly wrote to Roland at the same time were more concerned about order in society and anticipating the solutions that would make protest less inevitable. They were becoming less tolerant of the agitation even as they ascribed to the view that problems would resolve if, as the journalist Louis-Nicolas Carrier lectured the rich merchants, they would only ‘open their coffers’ and ‘give to the poor’.\(^{79}\) As the social demands became more violent they were increasingly ignored. The poorer social classes, the women of the markets, the ill-paid silk-workers, had tried protest. When these avenues did not make a difference they took action. They were encouraged by the new voices of those like Dodieu, Hidins and the returned Chalier.

Municipal and judicial roles were due to be renewed by elections at the end of the year but the wider franchise legislated in August 1792 meant the possibility of a more socially inclusive representation. The elections were held in Lyon in October 1792, because of the troubles that had erupted after the September massacres and the new political voices that were clamouring to be heard in the city at the time.\(^{80}\) The change to voting eligibility meant previously passive male citizens could now vote and they were likely to be disconnected from the Rolandin municipality but attracted to those speakers and politicians who they believed shared their own views. According to Trénard, the poorer workers and unemployed were now using the taverns and artisanal organisations to discuss revolutionary events as enthusiastically as the bourgeois had used the Académie des Sciences, the Freemasonry movement and the cercle social in earlier years.\(^{81}\) Even so there was not a clear divide. Roland was remembered for his positive contribution to changes in Lyon, particularly the abolition of the octrois.

\(^{78}\) Edmonds, Jacobinism, 133.
\(^{79}\) See quote from the Journal de Lyon in Herriot, Jacobins et modérés, 98.
\(^{80}\) Edmonds, Jacobinism, 123.
\(^{81}\) Trénard, La Révolution Française, 264-6.
On 28 October a number of Jacobins, endorsed by the Club Central, were voted into municipal office. As the Club took delegates from each of the quartier clubs, including those of the poorer sections of the city who could not hold office, this popular influence was thus more pronounced in the Club Central. The Rolandins and the representatives from the quartier clubs more generally, those who had been politically active since the end of 1791, were now in a minority. Vitet lamented that the inclusion of the Club Central nominees in the municipality elected in late October presaged the end of ‘tranquillity’. However, the records of the Conseil Municipal immediately after the elections exhibit a confident expectation that order and stability would be soon achieved in the agitated city. Although there was a Jacobin majority there was an initial consensus that all officers should continue the efforts of the previous administration, which had been characterised by bi-partisan support and less social unrest than had been evident in the first years of the Revolution.

The municipal sessions of November and December show numerous attempts to find common ground among those elected to office. However, the fundamental differences in preferred economic and social solutions soon led to like-minded politicians supporting each other in the unprecedented revolutionary climate that confronted them. The Jacobins emphasised the growing threats posed by counter-revolutionary priests and those loosely described as ‘aristocrats’ who wanted to overturn the changes that the Revolution had promised. On the conservative side, there was a fear of the violence of the sans-culottes who had traditionally resorted to revolts when food and jobs were scarce but who were now more confident in their demands and more inclined to use violence if their demands were not met. Fear of external threats like war and counterrevolutionary activity outside the borders had exacerbated differences in social policies.

The political divisions that were solidifying in the National Convention between Girondins and Jacobins were now also becoming apparent in the municipality of Lyon. Positions taken in debates in the National Convention about the fate of the king

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82 Ibid., 87.
83 See his letter to Roland of 15 November 1792, quoted in Edmonds, Jacobinism, 136.
84 AML 1 CM 3, especially the session of 6 décembre 1792.
were an early indicator of how these divisions would be manifest because, according to Alison Patrick, they ‘sliced right through the politics of the Republic’. The nucleus of the Jacobins as the faction to the left in the Convention and of the Girondins or Brissotins as the faction to the right formed on six critical votes during the king’s trial as the debates continued in this forum. The political division that would become apparent also matched the particular memories held by the two factions of the violent protests of September 1792. The Girondins were appalled by the violence and the Jacobins, while not condoning it, were ultimately ready to support the actions taken. Because factional groups in Lyon called for help from their counterparts in Paris the same tensions began to appear in Lyon. The Rolandins, who did not want to see the death of the king, reflected the Girondin concerns of Roland and Vitet. Those like Chalier, who believed in the guilt of the king and were impatient for changes, reflected the views of the national Jacobins.

The actual formation of party alliances in Lyon, as elsewhere in France, was not seen as a positive development in revolutionary politics. The lack of transparency of private deals and connections was considered indicative of the negative effects of political ambition that had characterised the ancien régime. The sole virtue thought necessary in a Republic was a commitment to the patrie and this meant that the primary identification of politicians was expected to be with the public good and not as a group. Factional identifications amongst those on the republican spectrum in Lyon, however, grew gradually stronger as did the criticisms and denunciations of each others’ politics until clearly partisan groups were formed by the end of 1792. Although social problems amongst the population had been recognised by both political radicals and by conservatives, as we have seen earlier when looking at the projects of the Rolandins and the Jacobins, the way to deal with them began to be starkly divergent.

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85 Patrick shows how the vote taken on the issue of the death of the king presaged in many ways the Girondin and Jacobin stance on other issues that continued after this time. The Men of the First French Republic, 303.
86 Ibid.
87 Marisa Linton, Choosing Terror, 40-1 and 78-9.
Chalier continued to consolidate his position as a leading speaker in the Club Central at the same time as undertaking his judicial role. The Jacobins in Lyon have often been described as having a cohesive identity from this point, centred around Chalier, but they were actually a much more diverse group than has often been recognised. Many articulated their own version of social programmes as we have seen was the case with Dodieu. Riffaterre suggests he was the most outspoken of the group. Dodieu had long been critical of the négociants and the maîtres-ouvriers in the silk industry, accusing them of depriving their own employees of work in times of calamity and crisis. Dodieu continued to propose that bread should be sold at the stable **prix parisiens** after October. He was elected to the Tribunal de District because of his promise to take action against speculators who hoarded grain. Robert Achard, the son of a poor surgeon, represented a similar style of committed social activism but he deliberately identified as a **sans-culotte** to highlight his concern for the disadvantaged. He became prominent in the security and surveillance initiatives that the Jacobins proposed. The young Rousseau Hidins, who also identified as a **sans-culotte**, became the Commissaire National. In this position he assisted at council meetings and in judicial decisions. He joined Chalier as speaker in the Club Central, pursuing a radical platform of reform in the form of a ‘project’ about agrarian reform, borrowing from the **Social Contract** of his adopted name-sake Rousseau.

A clear majority of Jacobins, including Chalier, were elected as judges in the Tribunal de District and others were elected as cantonal **juges de paix**. Dodieu, Fernex and Gaillard became judges on 27 November. Laussel also took on the key judicial role as

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88 Jean Jaurès claimed the Lyonnais Jacobins formed an advanced and cohesive social grouping that a more recent scholar, Takashi Koi, has dubbed ‘les Chaliers’ and which anticipated later social revolutionary theorists. However, Edmonds found this was not the case and such social solutions they proposed were not unique to them. They followed in practice the national Jacobin programme. Moreover, others who advocated radical agrarian reforms, such as L’Ange did not align with them. Edmonds, *Jacobinism*, 162-3.
89 See Takashi Koi, *Les “Chaliers” et les sans-culottes Lyonnais*, Doctoral Thesis, Bibliothèque Diderot de Lyon, 1974KOI. This work has often been quoted as establishing the similarities of those who identified as Jacobins as Lyon in 1793. Koi proposes the Lyonnais group were in fact less like the Jacobins in Paris and more like the group known as the ‘Enragés’.
91 Ibid., 7.
92 Hidins gave his age as 25 in 1793. See *procès-verbal* in the denunciations; ADR 42 L 56.
Ampère was re-elected as juge de paix with 194 out of a possible 361 voters as were other Rolandins including L’Ange and Billiemas. Cozon remained President of the Tribunal Criminel. Very soon Jacobin judges, like Dodieu, were working alongside the Rolandin juges de paix, including Ampère. They joined Chalier who had more experience in the judicial role but now aspired to a more political role. His dissatisfaction with politics in Lyon increased when he did not get enough votes to become mayor - which position went to the Rolandin Antoine Nivière-Chol, who was previously procureur.

Initially the Jacobin judges and juges de paix who were elected attempted to work within the established rule of law of the judicial institutions of which they were part. Despite the fact that he had ordered the arrest of Dodieu for his ‘public agitation’ just three months before, Ampère and Dodieu were prepared to work together. Dodieu at first took his role seriously, as did those already working as juges de paix, because it was evident that the benefits of the new access to criminal justice were appreciated widely and most of all by the poorer complainants who had previously had no access to criminal justice. Dodieu supported the work of the juges de paix in his role as director of the jury in the Tribunal de District from December of 1792 until at least the early months of the following year. Ampère and other juges de paix continued to make preliminary investigations and produce arrest warrants that Dodieu had to then present to the jury. The case of Jean Tabard, Antoine Richard and Pierrette Dureux (his wife) was one such case. The originating complaint was brought by a citizen to the canton Halle aux Blés, Ampère’s jurisdiction. The case concerned a domestic servant and his wife who had stolen linen, including twenty towels, from their master, and then sold them. The records show that Dodieu presented the case to the jury as he was required to do in December 1792 and the jury found there was a crime to be judged.

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94 Edmonds, Jacobinism, 131, 314. Laussel, an ex-priest, had been an appointee of Roland, then a radical journalist who denounced those in the Concert Club for being Feuillants and had now joined with the Jacobins.  
95 ADR 35 L 19.  
96 Crubaugh suggests that there was ‘lavish praise’ for the JP and even after 1794 it was considered ‘the greatest institution of the Revolution’. Balancing the Scales, 119-20.  
97 ADR 39 L 58.
The most important clashes between the Jacobins and their opponents came with the controversy over their comités. In December 1792 the Jacobins, by virtue of their increased electoral base, had set up local comités de surveillance. When these comités began to make arrests there was a general outcry about their activities. The Club Central had first established a comité de surveillance in July 1792 but little is known of this particular group. The decision to form comités in each of the sections of the city in December was one of the core changes that the Jacobins proposed. They wanted to be vigilant about foreigners and any possible counter-revolutionary threat. The operation of the comités was from its inception, according to Chopelin, a continuing motivation for the divergent paths the Jacobins were taking.

Another divergent path was soon being taken in the courts. While Ampère, L’Ange, and Billiemas continued to form part of the bench of the Tribunal Correctionnel, to which they had been sworn in August 1792, they were now often joined by Jacobin juges de paix like Fillion and Jacob who were also then eligible to sit on the Tribunal Correctionnel. The role of the juge de paix, in the front line of the judicial system as we have seen, was not meant to be restricted to officers who were legally trained and the Jacobins who had no previous experience of such work saw the roles as little different to other state-paid functions. They were not prepared to take a subordinate role to the more experienced judges of the higher courts.

Ampère continued to devote his energies to the necessary work but he was quite soon troubled by the behaviour of the Jacobin judges and juges de paix, as were the more established judges of the Tribunal Criminel. Ampère was relied on more and more to commence matters rather than the more ‘democratic’ new judges. Gradually he took on more important cases, not limited to his cantonal area, possibly because of the experience and talent he had displayed in his first year of office. An example is the case heard by the Tribunal Criminel in November 1792 against the Sherrif (huissier) of Vienne (a city from the district of Lyon Campagne). The judicial officer Benoît Bonnard and his accomplice, Antoine Poison, were accused of administrative

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98 Some of the quartier clubs objected to its secrecy and its threats to ‘exterminate traitors’; Edmonds, Jacobinism 120.
corruption. Ampère helped unravel the facts when in October he summoned witnesses and questioned them about the delivery of counterfeit notes to Bonnard. He took evidence from a certain Jean Michel who claimed to have been falsely arrested by Bonnard. Michel complained of his arbitrary detention after a search of his premises and the seizure of his belongings, including a sabre, silver, earrings, and three *louis* of gold, by the person he described as the ‘great thief’ and ‘rogue’ Bonnard. Ampère drew up the arrest warrant on 5 November 1792 against Bonnard. In the Tribunal Criminel Bonnard was found guilty by a jury of having arrested and imprisoned Michel and another unfortunate on false facts and thus without authorisation. He had done this, it was found, for personal gain from the falsely accused man’s property.

The case is significant because it concerned an official who was alleged to be corrupt. The accused would later attempt to portray his actions as being politically justified because he had taken action against a perceived ‘aristocrat’.100 This case thus had a political element even while it suggested a serious dereliction of duty. Ampère dealt with the case by addressing the criminality without reference to the underlying motives, which shows a commitment to the rule of law. It could provide a hint that he was prepared to validate the view of the more established magistrates and the Rolandin politicians against someone, like Bonnard, who argued a more radical view. This result would have concerned the new Jacobin judges like Dodieu who had proclaimed even before their election the need to replace ‘the aristocratic and corrupt tribunals’ where ‘sordid interest’ prevailed among complicit judges.101

Another case which illustrates the changing judicial and municipal roles in Lyon during 1792 was that of Casati. This case was commenced in August when Vitet was still mayor and was becoming unnerved by the violence of the *sans-culottes*. He was present on the day set for the destruction of the equestrian statue of Louis XIV in the square of Bellecour. Vitet had hoped that only the figure of the king would be destroyed and that the sculpture of the horse he had been mounted on would be preserved. However, as events continued Vitet was unable to prevent the total

100 Bonnard later claimed to be in fact the only ‘patriote’ in Vienne when he applied to the Military Tribunal for his case to be reconsidered after the capitulation of Lyon 3 frimaire An II (3 December 1793). His original case is recorded ADR 39 L 35. His appeal is discussed in Saloman de la Chapelle, *Documents sur la Révolution*, 43.

destruction of the statue. He was himself challenged by an Italian artist by the name of Casati for allowing the desecration to take place.

In December of 1792 Ampère drew up the mandate for arrest of Casati when he was believed some time later to be conspiring to murder the mayor. The evidence was contained in the letter the accused had written addressed to the Archbishop of Lyon, Lamourette. Ampère collected the evidence, including the complaint from the mayor himself, which enclosed the threatening letter, and testimony from Lamourette. The questions for the jury were then prepared by Judge Dodieu. This was the same man who had been responsible for the destruction of the statue but who was now the Director of the jury of the Tribunal de District. Early in the next year Dodieu would acquit the accused on the grounds of mental instability. Ampère’s growing status with the Rolandin politicians would appear to be the reason for his preparation of the case. Being entrusted with such important local matters, concerning the deputy and former mayor Vitet and Lamourette, the deputy to the Legislative Assembly, it would seem that Ampère had became more and more part of the decision-making administration even though the Jacobin judge Dodieu would ultimately have to pursue the matter.

Despite the growing friction and alarm in the courts, a feeling of common cause persisted among those elected to municipal office. Once the administrative tasks related to the election and appointment of officers to various positions had been completed, council meetings and court hearings returned to general business. It was noted at the municipal meeting of 6 December 1792 that a rumour about the ‘taxation’ of subsistence foods had caused agitation in the market place. All members agreed that the municipal officers should deal with the underlying problems but that there was also a need to address the issue of misinformation, which had the potential to destabilise society. This was addressed by the decision to erect a notice at the markets warning people of attempts to sow discord in society which were intended solely to ‘upset (bouleverser) the city’ at the very moment the newly elected municipality took

102 Journal de Lyon, 29 janvier 1793.
103 AML 1217 WP 4.
power. The notice also stated that the new municipality had been occupied with the problem of subsistence foods from their first session.

The next day, 7 December, a letter from the administration of L’Hôpital de la Charité was read to members. It asked that help be given to the infants and women whose husbands had been sent to the frontier as volunteer soldiers. This request was followed up in the council session of 26 January 1793, when the municipal officer Sautemouche read out a decree authorising the distribution of money to affected families. A petition was also read on 7 December from the widow of a baker, whose three infant children were suffering after his death at the hands of an angry crowd in October of that year. The baker, by the name of Boeuf, had been charged with making inferior quality bread, but before he could be dealt with for this alleged crime was wounded and died of the wounds inflicted by ‘the violence of the people’. The municipal council recommended that the woman and her infants should be compensated if possible or an indemnity sought for her from the Minister of the Interior. Unanimous decisions were also made about more general matters. On 23 December it was decided to order more bronze for the fabrication of cannon, and on 25 December to order that residents sweep the streets on which their apartments fronted to keep the city clean.

Those elected to various judicial positions were welcomed by the mayor on 13 December 1792 at the Conseil Municipal. Some who were already acting as juges de paix were nominated for reelection in January 1793. Although ideological differences were causing frictions amongst the new judges, they did in fact work together to ensure revolutionary progress. An example of their cooperation was the case of Lescot, which Ampère initiated in February 1793. This case concerned an alleged émigré with false papers. Ampère gathered the evidence and sent the papers to Dodieu who heard the case and presented it to a jury for determination. Ampère, like the other juges de paix, regularly heard and made orders in cases concerning false assignats. According to the Journal de Lyon the juges de paix were dealing

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104 Ibid.
105 Herriot, Jacobins et modérés, 117.
106 Ampère’s nomination was noted in the Journal de Lyon, 16 janvier 1793 and also at ADR 35 L 18.
107 ADR 39 L 23.
108 ADR 41 L 8 (1793).
zealously with cases of forged assignats and with the incivisme of refractory priests. Carrier, editor of the paper, argued that while they deserved eulogies for their work in the former cases which prevented incalculable harm to the Republic by forgers, they were in fact somewhat overzealous against the refractories. He asked, ‘why do such priests need to be arrested in church in the middle of their functions?’ Carrier claimed to be far from biased, following neither a Rolandin platform nor ingratiating himself with the clubs. In fact he convinced the municipal officers that he should be rewarded for bringing education about the Revolution to the city through his editorial work. The municipal session of 20 November 1792 decided to give financial aid to his endeavour because it was recognised that he was ‘devoted to enlightening citizens on the principles that men of freedom should profess’. However, by February Carrier had adopted a tone of irony when he praised Hidins’ humanity and respect for the rights of prisoners. He criticised Hidins’ diatribes and thought the burden of office was too much for him.

By early 1793 a new mood of anger and incomprehension was evident in the many letters sent to Vitet and Roland from the Rolandins, and others from Jacobins in Lyon to the National Convention appealing for help in the different struggles they described. These communications show that local municipal and judicial officers were engaging with national politics but also demanding support for the specific problems that had been surfacing locally. Anxieties about food shortages and unemployment held by the sans-culottes protestors and their fears of the ‘crypto-royalists’ and refractory priests and food hoarders were the main concern of the Jacobin letter writers. The Rolandins, in contrast, were worried about threats to their liberal economic policies and the resort to violence of the menu peuple. Contrary economic positions - taxation and price fixing as opposed to the free circulation of grains – continued to emerge as the major difference between those Rolandins who continued in their positions and the newer Jacobin officers.

109 Journal de Lyon, 5 février 1793.
110 The council donated 3,000 livres to help in his important work: AML 1 CM 3.
111 Journal de Lyon, 5 février 1793.
112 Edmonds, Jacobinism, 165-7.
113 Ibid., 136.
The Jacobins found their initiatives of fixing the price of grain too difficult to put in place by early 1793 because of the differences. Nivière-Chol complained to Roland in a letter of 13 January of the multiplicity of the Jacobin demands as he saw them. They were demanding with ‘equal ardour’ that a petition be sent to Paris supporting the ‘judgment of Louis Capet’ and the fixing [taxation] of the price of grain. By conflating their demands about the execution of the king and price fixing, the Jacobin politicians only increased the suspicion of the Rolandin politicians and administrators that they were not willing to continue cooperating in the achievement of social order. The Jacobins then suspected the Rolandin politicians of conspiring to prevent their programme of change. They failed to see that their own policies, by strictly following national perspectives were contributing to the alienation of the sections. According to Edmonds:

> [they also] responded like puppets to Parisian impulses. Publishing the Paris Jacobins’ denunciation of Roland in December, organizing a petition for the immediate execution of Louis le Dernier in January and demanding the expulsion from the clubs de quartier of all those who failed to sign or otherwise gave evidence of sympathy for the appellants. The result was more friction between the clubs de quartier and the Central Club. Roland … still had a following as a critic of the octrois, a democrat, and an early defender of the popular societies.¹¹⁵

While the Jacobins did support popular calls for action against the alleged hoarders and speculators in the city they were no more successful in action against these popular culprits because the accused seemed to be continually evading prosecution in the courts. The Jacobins were suggesting stronger measures but were unable to punish those they thought culpable through the courts. Their only available action was to send the judges Fillion and Gravier to Paris to report on the effectiveness of the guillotine there.¹¹⁶ In January 1793 the Jacobin judge Gaillard was also sent to Paris to put these complaints to the Convention. He was a good speaker, according to Riffaterre, and it was unfortunate he was not available to lead the Jacobins as the Lyon struggle worsened.¹¹⁷

Amongst the Jacobin magistrates, the biggest dilemma facing the city was how to accomplish the new political order and it was tied to the question of what should be done with the king in the national sphere. The trial of the king took place from 10

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¹¹⁴ Riffaterre, Le Mouvement, 9.
¹¹⁵ Edmonds, Jacobinism, 148.
¹¹⁶ Riffaterre, Le Mouvement, 16.
¹¹⁷ Ibid., 63.
December. On 21 January 1793 he was sent to the guillotine after a majority vote by the delegates to the National Convention. Here, too, the Montagnard deputies from Lyon, Pointe and Cusset, with their artisanal background, expressed more radical opinions than others of those elected from Lyon. While all fifteen of the Lyonnais delegates voted for his guilt, only six (Pressavin, Dupuy, Pointe, Du Bouchet, Cusset and Javogues) voted for his death. 118 Lanthenas thought the king should be killed only if his relatives refused to leave France in peace. Others, including Vitet, thought he should be confined or exiled. These divisions only increased the desperate local situation. The trial and the execution of the king has been seen as the first moment of ‘transitional justice’ in the French Revolution when the king was found to be just like any other citizen in terms of his accountability to the law. 119 Transitional justice is a descriptive term used to account for the harsh punishments handed out to the leaders of former regimes and this model I would suggest also helps explain the emotional responses of judges in Lyon to this and later events. 120

In Lyon, now actively transitioning to a more democratic system of justice, the Jacobin magistrates argued for harsher legal action against enemies of the new regime. The Jacobins feared they would be pursued because of their role in petitioning for the death of the king and began to pre-empt any retribution. 121 At the session of the Conseil Municipal of Lyon on 26 January Chalier came with a deputation from the Club Central to invite the municipality to attend a civic ceremony to celebrate the death of the king, or the ‘tyrant Capet’. He asked that piques be given to him to bundle around the Liberty tree for the ceremony. 122 On 5 February a celebration of the death of the Parisian revolutionary hero Lepeletier de Saint-Fargeau, killed because of his vote to put the ‘tyrant Capet’ to death, was also held in Lyon. It took place at the pedestal which had previously held the equestrian statue of the king in Bellecour and was attended by the judges of the tribunal and the juges de

120 See Jon Elster, Retribution and Reparation in the Transition to Democracy (Cambridge University Press, 2006), 34. Obviously Elster’s work is most useful when looking at the later Terror of 1793-4 but it is I would argue also pertinent to understand some of the brewing emotions at this point in Lyon.
121 This fear was articulated in another letter from the Fonds Coste, Ms 582 and quoted by Edmonds, Jacobinism, 160-1. Riffaterre also writes about the fear of a conspiracy that Hidins claimed was planned at the Hôtel d’Artois with the specific aim of eliminating those who had voted for the death of the king. Riffaterre, Le Mouvement, 13.
122 AML 1 CM 3.
paix. Carrier highlighted the melodrama of Chalier’s energetic speech at the ceremony when he quoted his imploring of the ‘brave sans-culottes to swear to exterminate all the tyrants, to purge from the earth of liberty, all those who have given no signs of their civisme’. The Rolandins and sectionnaires were becoming exasperated about the Jacobin calls for more repression. Hidins claimed in February 1793 that there was ‘a price on his head’, as he thought there was for Chalier and Gaillard, because of their support for this action against the king. The Jacobins decided to be proactive by suggesting the need for a revolutionary tribunal in their city, a temporary expedient which would achieve the proscription of those with ‘aristocratic’ tendencies who were threatening the true ‘patriots’.

It was from this point that the bi-partisan municipality and judiciary collapsed. The Jacobins soon realised they did not have the necessary resources to implement their programmes because they were confronted with hostility of the departmental authorities in their attempts to impose fixed prices on grain or punishments on hoarders and speculators. Although they managed to establish thirteen ovens to bake bread at a fixed price in some cantons of the city from 14 March until 16 April 1793, they were ultimately unable to extend the programme any further and it was bedevilled by allegations that the wheat was of poor quality. The quartier clubs which represented the neighbourhood sections of the city, had at first much less direct influence than the Club Central but they operated as a space to express the more conservative fears of disorder and violence and had gradually became an oppositional voice. Speakers in many of these clubs, especially in some of the conservative areas of the city like La Croisette, expressed their concerns about the Jacobin policies and also about the potential of social disorder and violence which would negate the gains and the tranquillity that the municipality had thus far achieved.

Once the sense of common purpose between republicans was lost, suspicions of the motives of each other grew among the politicians and the judges. Where there had been a commitment to act together for the advancement of the republic, as expressed by the ‘sovereign will’ of the people, there was now a confusion as to who best

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123 Journal de Lyon, 5 février 1793.
125 Edmonds, Jacobinism, 180.
expressed this ineffable idea. Fear of the violence of the sans-culottes had been growing since the religious and prison attacks of the previous year. This fear was rekindled by the inflammatory statements of Chalier and others reported to be issuing from the Club Central about the need for increased repression. While those who valued order and legality were sure that ‘anarchism’ was not the way, those who saw hesitation in accepting change thought ‘complicity’ with ‘aristocrats’ was equally not the answer.

Despite the strong feelings of making a difference to society the juges de paix shared at this time, they also began to act according to the differences that separated them. What Ampère would have appreciated during his year in office was that there were many positive changes in the way that justice was to be delivered and that these ideas melded with his own thinking. However, the incipient tensions that were evident after the election of the Jacobins to the judiciary with the continuing juges de paix and departmental judges continued to grow. Ampère was in many ways caught in the middle because of his commitment to the new order, which vaunted the equality of citizens before the law. However, his increasingly influential role at the end of 1792 meant his judicial functions began to blur into the political as can be seen in the Casati case, where he was given a free rein to undertake all necessary investigations. The Lyon judiciary had become politicised.
CHAPTER 6: FEUDING JUDGES AND ‘CLUBISTES’.

The courthouse became one of the major sites of conflict amongst the republicans in Lyon in 1793. Serious fractures began to appear here from February of 1793 when some controversial arrests were made by the Jacobin judges and objections to the legality of such arrests were upheld by the Rolandins. Although the republicans in Lyon expressed support for a ‘united and indivisible republic’, fundamentally different approaches to the rule of law continued to divide the magistrates. The impatience and frustration with the slow pace of change felt by the more recently elected Jacobin judges soon also became evident amongst the Jacobin municipal officers and their allies in the Club Central. Frictions grew as an anti-Jacobin movement began to grow stronger in the quartier clubs. This chapter looks at how the magistrates, including Ampère, became more involved in political conflicts and helped reinforce the factionalism that threatened the safety and the lives of everyone involved.

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The case of Etienne Launay, decided initially on 18 January 1793, presaged the tensions that judges of different political persuasions would begin to experience. Launay was acquitted of being involved in a crime involving an alleged assault in the process of stealing the sum of 250 livres. Despite his innocence being declared unanimously by a jury he was then immediately rearrested by Dodieu for a crime based on the same charges. Cozon, president of the Tribunal Criminel ordered the accused’s immediate release some days later. In his judgment he spelt out the legal ramifications of this action by Dodieu. He stated that the decision of the jury was final and, once all the witnesses had been heard, the facts could not then be revisited.¹

This case suggests a fundamental difference between those judges who wanted to see a society based on the rule of law and those who thought the law should be the means

¹ ADR 39 L 60.
by which the new state was protected from its enemies. While Dodieu failed to specify any new facts that would show Launay was such an ‘enemy’, the main objection of the Tribunal Criminel was that the formal requirements of the law had not been followed. Many of the Jacobin judges however appear to have been convinced that the formalities of law were sometimes being used to hide wrongdoing.

On 4 February 1793 a case was brought before Chalier and Dubessey against Jean-François Morand, the former gaoler of the prison of Roanne, which seemed to vindicate this view of what was happening. It was alleged that Morand had let four prisoners escape from the prison while he was operating as the concierge there.\(^2\) The case of Morand had been initiated by the arrest warrant of 26 January issued by Ampère, in his role of juge de paix. After a preliminary investigation the papers were then sent to Dodieu who ordered that the accused be gaolied. Dodieu also sent the papers to the Tribunal de District to check that the complicity of Morand’s wife, the citoyenne Besson, and two guards had been adequately dealt with. Ampère had indicated that the crime imputed to all the accused was not to be found in the Code Pénal.

In the extract of the minutes of the Tribunal de District meeting held on 4 February, the judges Chalier, Fernex, Dodieu and Dubessey noted that the crimes displayed a ‘fatal negligence’ that merited the censure of the court and punishment despite the fact that it was not explicitly covered by the code. The matter against the wife of Morand and the guards was then sent back to the Police Correctionnel for hearing. On 5 February the Journal de Lyon noted that Morand was still held at the prison and that ‘it appeared his wife had received money to ensure that the prisoners were allowed to escape’.\(^3\) However, on 17 February an appeal to the Tribunal Criminel led to the judgment of Cozon, Gaillard (Jacobin) and Lassan by which Morand was acquitted.\(^4\) A document submitted in evidence by Morand claimed he was not responsible for the escapes because they had happened when he was no longer living at the prison and when his successor had taken over control.

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2 ADR 36 L 57 and 39 L 27.  
3 ADR 1 L 460 (Presse)  
4 ADR 39 L 60
The Jacobin judges continued to interpret their inability to prosecute cases effectively against perceived enemies of the Revolution as the result of incompatible political priorities within the magistracy. The slow progress of cases through the official court system was becoming increasingly evident to many of them. Hidins complained about the difficulty of getting juries organised to hear the many important cases brought to the _juges de paix_. While the beginning of the process was expedited before these judges, the trial itself was delayed until the _jury de jugement_ met. This was usually done on the 15th day of each month but only if this had been organised by the 5th. Hidins suggested that this law regarding the juries was ‘a vice’ and meant in practice that people were held longer in gaol while the necessary time elapsed for the jury to be appointed before their case could be heard.\(^5\) Dodieu expressed concern about the starkly different conditions in gaol between those who had money and those who did not – those who still lived the high life and the poor who only had a straw bed.\(^6\) These and other issues meant that equality before the law was completely illusory and the Jacobin judges were determined to make changes.

From 4 February the Jacobins decided on an initiative to search private homes to find those guilty of counter-revolutionary crimes. A deputation was sent from the Club Central on this day to invite the municipal council to make domiciliary visits during the night to ‘purge the city of rogues’. The arrests were to begin after 10 pm that very night.\(^7\) When there was questioning of this initiative, despite the gravity of the situation as they saw it, the Jacobins then considered the idea of a revolutionary or popular tribunal that could act immediately. A secret meeting was held on the night of 5 to 6 February in the Club Central. Chalier proposed a vote on Laussel’s suggestion of the creation of a revolutionary tribunal.\(^8\) Laussel was now active in the Jacobin _comité de surveillance_. He wanted a commitment to the repression and proscription of those he described as ‘aristocrats’. A number of municipal officers and notables, including Carteron, Montfalcon, Revol, Roulot, and Judge Fernex, were present at the meeting. They also presented their views about the need for increased repressive action on this night.\(^9\) Suggestions were made that the guillotine should be installed

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\(^5\) Lettre Hidins, Commissaires, février 1793. BML Fonds Coste Ms 558.
\(^6\) BML, Fonds Coste, Ms 559.
\(^7\) AML 1 CM 3.
\(^8\) Herriot, _Jacobins et modérés_, 154.
\(^9\) Ibid., 155.
and activated immediately on the Pont Morand – perhaps this location was deliberately chosen because the recently built bridge had itself been funded by the ‘aristocratic’ family of Morand.  

Rumours of the Jacobin plans circulated among the propertied classes who feared that the Jacobins had vowed to initiate a ‘bloody era’. Herriot described the anxiety this meeting caused the mayor and the departmental authorities, which then ‘increased hour by hour’. It meant that the Jacobin campaign for action had started in earnest. Chalier led his comité de surveillance on the night of 5 February in the arrest of hundreds of suspected émigrés or aristocrats. Those arrested filled the prisons of the Hôtel de Ville. They included the former mayors Tolozan and Palerne de Savy. Nivière-Chol had managed to forewarn some refractory priests of the pending arrests and many went into hiding. However five to six were sent to the Pierre-Scize prison and kept there. The next day departmental authorities ordered that most of those arrested on the night of 5 to 6 February be released because of lack of evidence.

The Jacobin comités were in fact operating well in advance of the national decree of 21 March 1793 authorising comités de surveillance. The publication of this national decree was delayed even further in Lyon - until April - by local authorities who thought the Jacobins were already exceeding their authority. The Jacobin comités continued to make arrests of suspected émigrés, refractory priests and ‘aristocrats’ and to establish the presence and intention of foreigners being housed in Lyon. On 21 February the department demanded that the municipality explain their actions and came to the conclusion that ‘a simple comité de surveillance could not make arrests of citizens on its own authority’. However, thirty-two comités were organised by this time and by March had begun to implement a system of certificates of civisme and then certificates to authorise the purchase of arms and small weapons. The collision

10 The bridge was built in 1774 by Jean-Antoine Morand: Edmonds, Jacobinism, 10.
11 See Alexandrine des Écherolles memoire as a young girl, 11 years of age at the time, who describes the terror of the increasingly frequent night visits, the secret meetings of the Jacobins and the threat to eliminate a great number of the inhabitants of the city by guillotine and cannon placed on the bridge. Écherolles, Une Famille noble, 62-3.
12 Herriot, Jacobins et modérés, 155-160.
13 Chopelin, Ville patriote, 211.
14 Ibid.
16 Ibid., 172.
over the legality of *comités de surveillance* had thus been recognised by Chopelin as playing an important role in the development of rival political strategies between the Jacobins and the Rolandins. He suggests that the departmental authorities delayed the formal implementation of the *comités* because of the already heightened fear that the Jacobins were using these groups to ensure that only they could have access to arms. This delay then made the Jacobin activity retrospectively illegal, a situation which would eventually be seized on by their enemies.\(^7\)

The next session of the council after the arrests of 5 February was held on 8 February and Nivière-Chol did not appear. He was clearly unwilling to validate the Jacobin programme for action. On 9 February a petition of Jacobins with up to 6,000 signatures declared that the mayor had lost the confidence of ‘the people’. The *Journal de Lyon* (whose editor at this time was Fain) suggested there was both growing alarm and disquiet in the city about the new policies of increased domiciliary visits and the setting up of the guillotine, but also about the failing consensus:

> Without reading too much into it, we can only tremble at this disastrous split which is dividing both our magistrates and all the city’s residents. United, we risk nothing; divided, we have everything to fear.\(^8\)

Fain was drawing attention to the discord amongst the judges, which paralleled the difficulties the Jacobin municipal officers were having in implementing their economic and social reforms, and which did not augur well for the future.

There was widespread support for the mayor when he resigned from his municipal office in protest at the growing impasse. The Jacobins suspected Nivière-Chol was intent on destabilising local politics even further by his resignation but few of the sectional clubs of Lyon were now favouring the Jacobins. Many clubs had split and though the poorer *sections* still supported Chalier, most were now supporting Nivière-Chol.\(^9\) He and other Lyonnais politicians - who had until recently expressed a common cause in protecting the gains of the Revolution against the reactionary elements in Lyon - were objecting to the social and economic initiatives of the Jacobins because they were going much further than the propertied republicans were

\(^{17}\) Ibid.
\(^{18}\) ADR I L 460 (Presse).
\(^{19}\) Edmonds, ‘Popular Democracy’, 438.
comfortable with. They began to support the various quartier clubs of the sections against the Club Central.

The sectional clubs had enjoyed a political voice and workable alliances with the bourgeois leaders throughout 1792 and they retained those loyalties.\textsuperscript{20} They were now worried about how politics was being conducted and becoming more vocal as a result. In some quartiers the Jacobin municipality was accused of failing to deal with the demands of the people. François Wartelle notes that the unintended consequence of the Jacobin concentration on repression rather than their reform programme was that, from this time, ‘the Chaliers isolated themselves even more from their popular base so that they didn’t achieve any better results in the social terrain than their Girondin predecessors’. They had made an ‘under-estimation of the social structures strongly marked by the inter-dependence of silk-workers and merchants’.\textsuperscript{21} Edmonds also suggests that the Jacobins were losing their already fragile support because ‘rumours of confiscatory taxes and the partage des biens spread fear amongst artisans and boutiquiers’.\textsuperscript{22} Further he suggested that the Jacobins had unwittingly contributed to their own growing unpopularity because:

\begin{quote}
The long-standing tension between the Central Club and the clubs particuliers had been increased to breaking-point by the elitism and ideological rigidity of the Robespierrist Jacobins, and their disregard for the independence which the quartiers had guarded jealously since 1790.\textsuperscript{23}
\end{quote}

The violent language the Jacobins used was believed to be inflaming the sans-culottes and threatening the lives and property of citizens. In the sectional clubs there were many who wanted to challenge the views expressed in the Club Central and they proposed doing so by sitting en permanence. This action, however, then served to escalate divisions because the Jacobins suspected the sections were becoming ‘foyers of intrigue’, dominated by bourgeois or ‘commercial’ concerns.\textsuperscript{24} The ‘parallel powers’ of the Jacobin dominated Club Central and the more moderate sectional clubs were creating a situation of ‘suspicion and mistrust’ that Tackett suggests was characteristic of a time of uncertainty when ‘breakdown of authority’ was imminent.\textsuperscript{25}

\textsuperscript{20} Edmonds, Jacobinism, 154. See Edmond’s map of the sections of Lyon, which I have added as appendix 4 of this thesis.
\textsuperscript{21} Wartelle, ‘Chalier, Joseph/les ‘Chaliers’, 200-1.
\textsuperscript{22} Edmonds, Jacobinism, 155.
\textsuperscript{23} Ibid., 153.
\textsuperscript{24} Riffaterre, Le Mouvement, 42.
\textsuperscript{25} Tackett, The Coming of the Terror, 344.
As the power play between the clubs increased, so too did mutual suspicion. Jacobin resistance to sectional independence after this time fed into the growing gulf in local viewpoints.

On 13 February the *Journal de Lyon* reported that Nivière-Chol had resigned, ostensibly because of his health but in reality so the political situation might calm down. New elections were then required in a city that according to Fain was ‘agitated by so many contrary passions’.26 Divisions reached their climax on 18 February 1793 when Nivière-Chol was re-elected to the position of mayor. He received 8,097 votes of the 10,746 cast and defeated the Jacobin candidate, the judge Fillon.27 At the close of the day of the election crowds gathered in the square and went to the home of Nivière-Chol to inform him of the election result. His wife advised that he would not be home until the next day. The crowd continued to grow and some called for Chalier to be held to account. A young man who shouted ‘down with Chalier’ was arrested by municipal officers.28 His was not the only arrest of the night. Others were arrested for making threats against the wives of Jacobins.

At some stage looters broke into the Club Central and desecrated the Jacobin meeting place. Property, including books and registers, was destroyed. Popular agitation continued the next day and night in the Place des Terreaux, in front of the Hôtel de Ville, when the sections declared themselves ‘in permanence’. News of the pillage led to an immediate reaction by the Jacobin magistrates. Chalier, Dodieu, and the Commissaire National Hidins were in the Hôtel de Ville, fronting onto the Place Terreaux on the evening of the night of 18 to 19 February as events raged around them. They issued and signed a decree.29 Popular gatherings were forbidden and the Jacobins declared themselves to be sitting ‘in permanence’ until the disorder was stopped. They wrote of the ‘seditious gatherings’ that were taking place in the square all through the night and how they had been the subject of the ‘greatest dangers’. They accused Nivière-Chol of being a ‘criminal intriguer’ with ‘incendiary aristocratic agents’, who by his resignation and re-election had purposely engineered

26 *Journal de Lyon*, 13 février 1793.
28 This version of events was detailed in a special edition of the *Journal de Lyon*, written by Fain, 19 février.
29 See the Lettre Chalier and Dodieu, 19 février 1793. BML Fonds Coste Ms 549. This letter is reproduced in Appendix 1.
a situation of ‘counter-revolution.’ Edmonds shows that the sectional resistance was based on the commercial centre of Lyon and the instigators were ‘prominent bourgeois’ from the propertied classes. The Jacobins denounced their opponents’ claims of popular support despite the presence of some artisans in the movement. The Jacobin response to the events of the night was thus at first a legal one, using their authority as elected judges and officers to take action against illegal actions. They proposed suspending judicial functions, including hearing all criminal cases, until such time as ‘public order and calm’ were re-established. It was also decreed that citizens should henceforth carry a carte de civisme. The judges signalled that dangers existed even ‘amongst those who were closest to them in the exercise of their functions.’ This could only be a reference to the other judges and juges de paix in the administration of justice. This letter was copied and sent to the representatives of the National Convention in Lyon and also to the Comité de Sûreté Générale of the Convention in Paris. It was signed by the authors Chalier, Dodieu and Hidins and also by the judges Dubessey, Fernex and Bussay. The decree of the night of 19 February was an attempt to use the power they had as legal representatives of ‘the people’ and they subsequently also posted it throughout the city.

The Jacobins used the comités de surveillance to arrest twelve rioters over the next two days. These prisoners were kept in the cells of the Hôtel de Ville beyond the 24 hours that had been legislated. Most of the prisoners were however soon released for want of evidence by the Jacobin Bertholon, who was at this time the substitute procureur of the Commune, but who had in fact been a former Club Central

30 Although Nivière-Chol protested his republicanism there is a persisting question over his possible royalism but according to Herriot it seems clear he was not opposed to the death of the king. Herriot, Jacobins et modérés, 148.
31 Forty grenadiers remained at the Arsenal, declaring they would not leave until prisoners taken the previous night were released. Edmonds, Jacobinism, 176.
32 Letter Chalier, Ms 549.
33 Edmonds, Jacobinism, 180-1.
34 BML Fonds Coste Ms 551.
35 Letter Chalier, Ms 549.
These actions of Bertholon were to become yet another point of fracture among the magistrates as can be seen from the court archives. A Jacobin witness, whose signature is indecipherable, declared on the night of 19 February that he had gone to the offices of the Tribunal Correctionnel in the prison of Roanne at eight o’clock in the evening with the purpose of seeing how the perpetrators of the attack on the Club Central were being dealt with. He was able to enter the audience chamber without seeing anyone and then happened upon a room in which a discussion was being held between those who were accused of the ‘serious (grave)’ crimes committed the night before and two juges de paix. The group was engaged in a blatant abuse of the law according to the onlooker where no procès-verbaux had been taken from the accused but instead their answers were ‘furnished’ by the officers who then cautioned them and let them go. One of the accused had the audacity, the witness claimed, to ‘dictate the interrogation’ to the court clerk (greffier) while the substitute procureur Bertholon himself was present. Although Bertholon had earlier promised to apply the ‘rigours of the law’ according to the Jacobin witness he in fact helped ‘foster the plot of our enemies’.

Despite the implausibility of his story, the witness attested to the veracity of his report that very night and the document was used as the basis for a prosecution initiated by Dodieu against Bertholon. The contentions of the report were put to the substitute procureur in his questioning before Judge Dodieu on 5 March. He did not flatly deny the report. Bertholon claimed in his signed statement taken that day that ‘the guilty were interrogated and the innocent given their liberty’. He also asserted that despite the order that was given that night by the corps constitué - which must refer to the group of Jacobins in the Hôtel de Ville led by Dodieu himself, Hidins and Chalier - article 7 of the Rights of Man and Citizen required that no citizen should be arrested or detained without due process of law. Because there was no complaint or procès-verbal establishing a case for their detention, the law required that those arrested on the night of 19 February be released. Bertholon admitted he was in the Police Correctionnelle at the time alleged but claimed he warned the juges de paix who were also there in the following terms: ‘You have the habit of simply letting detainees go

36 Edmonds, Jacobinism, 132. Bertholon was elected as deputy to Laussel in October 1792.
37 This denunciation was officially presented as evidence in the hearing against Bertholon on 16 April 1793; ADR 36 L 57.
but if you are considering letting them go the only thing you must do is give a very strong warning’. ³⁸ Bertholon remained in gaol.

Some others kept in gaol at this time included one Baille, the commandant of a battalion of the National Guard who had accolades for his military service. He was imprisoned for eight days for his actions on the night of 18-19 February. The Jacobins denounced him for having taken no action on the night against those who had attacked the club. ³⁹ Baille denied giving any orders on that night but admitted to having suggested a battalion be placed in front of the door of the club when two days later, on 21 February, two young men had been beaten up by the Jacobins after trying to gain access. Baille claimed to be ‘one of the victims that those with a peculiar hate were prepared to sacrifice for vengeance’ and begged the National Convention to intervene and ‘re-establish order, justice and the execution of law’. ⁴⁰ His angry wife published an affiche which set out the injustice to him. Another of those so kept was Jolyclerc, the constitutional priest of Ampère’s canton, who was suspected of holding sectional meetings ‘in permanence’ in his church. ⁴¹ Jolyclerc was also kept in prison for a number of days and also published his outrage at his treatment, denying his involvement in the inflammatory discussions of those who participated in the section meetings held in his church.

The actions of the Jacobin judges in publishing their document of 19 February and in commencing the denunciation of Bertholon – their own substitute procureur – for releasing those arrested after the pillage of the Club Central was the signal for Ampère to declare his distance from those who identified as Jacobins in the judicial arena. In response to the decree of Chalier and Dodieu and the group of Jacobin administrators who had suspended all court actions Ampère found himself unable to refrain from getting involved in the political and judicial crisis. He wrote a letter to Judge Dodieu – expressing his shock and dismay at the disintegration of law and order in the city that he claimed was caused by the Jacobin action. ⁴² The letter was

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³⁸ Ibid. The interrogation of 5 March, signed on each page by Dodieu and Bertholon, also became part of the court record of 16 April.
³⁹ Edmonds, Jacobinism, 176.
⁴⁰ Baille, Letter, BML Fonds Coste, Ms 602.
⁴¹ Ibid.
⁴² This letter appears as part of the scant records of the Tribunal Correctionnel preserved from 1793: ADR 41 L 8.
dated 20 February and was thus an immediate and strong reaction to the events and a challenge to the Jacobin judges.

This document, unlike the Jacobin document, was not widely published. It was addressed to Dodieu, in his function as Director of the Jury.43 The letter interpreted the cascading events and highlighted the dangers to the new system of justice that Ampère had devoted his time to. Ampère first expressed his disquiet to Dodieu about the suspension of the courts of justice and the impugning of an officer of the court (who would appear to have been Bertholon). Ampère professed himself shocked by the turn of events that threatened the continuing functioning of the legal system. Yet the overall tone of the letter and the observation that he had ‘reason to believe in the enlightenment and the ‘honesty (droiture)’ of Dodieu hints at a possible tutelary role he may have had with Dodieu or at least an understanding between colleagues engaged in similar tasks. This connection made him believe Dodieu could disassociate himself from the proposed actions. His next point was to stress the harm

43 See the full text in appendix 2.
that could come from the judges’ unilateral action. According to Ampère any move to
implicate the *juges de paix* and officers of police who had instituted the procedures
against those accused on 18 February, would reflect badly on all the magistrates.
Ampère thus concentrated on the legality of the arrests occasioned on this night and
the fact that those accused had provided sufficient ‘clarification’ as to the facts to the
arresting officer who was then justified in releasing them. Ampère pointed out that the
law stipulated if there was not enough evidence, and there was only the ‘suspicion’ of
a crime having been committed, no accused should be kept under arrest but simply
given a warning. This was in fact what Bertholon had sought to do on the night in
question.

Just as the appeal court judge, Cozon, had lectured Dodieu in the case of Launay in
January, Ampère a month later was reiterating what the requirements of the law were
in the situation. He stated that the action by the relevant officer of the Tribunal
Correctionnel was the only possible one because it ‘conformed to the requirements of
the law.’ He took the opportunity to remind Dodieu that ‘the diverse tribunals’ of law
were established to maintain justice and its ‘august empire’. He thus made his
personal appeal to Dodieu to reconsider the divisive action of the Jacobins in putting
Bertholon in gaol, which action could only lead to the ‘paralysing’ of justice and
police functions. Ampère’s sentiments expressed a widely-held view that the actions
of Dodieu and other Jacobin magistrates were damaging to the operation of the
system of justice in the city and were setting the judges apart. From February
Ampère thus quickly came to a decision about where he stood in these fractious times.
It was not with those fellow judges who intended to pursue the path that threatened
the institutions of justice. Once the decision was made he relentlessly pursued those
he felt were destabilising society in the job in which he was becoming more and more
proficient.

While there has been no mention of this particular letter in histories of the period -
perhaps because it was in the files of the Tribunal Correctionnel and not the Fonds
Coste where the other letters pertaining to the events of February and March 1793
have been found - it is part of the conversation between the magistrates at the time. It

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44 Edmonds notes that at this time the judges of the Tribunal de District, including Chalier, Dodieu,
Dubessey, Gaillard, Bussat and the Commissaire National Hidins were considered to be a ‘stronghold
of the most extreme radicals’ Edmonds, *Jacobinism*, 132.
predated and could have precipitated the outpouring of justification and recriminations that followed. The Jacobin judges soon countered with a document which listed the *juges de paix* who were ‘patriots’ as opposed to those who were ‘aristocrats’. Called the *tableaux de réforme* 1793, it was unsigned but is believed to be in the hand of Chalier.\(^4^5\) Ampère, Revol and L’Ange were ranged on the ‘aristocratic’ side of the equation as regards *juges de paix* according to Chalier, with Fillon on the patriot side. Cozon was listed as an ‘aristocratic’ higher judge and Gaillard, a patriot.

After the pillage of the Club Central and the issuing of the decree by the Jacobin magistrates, the already high passions felt in Lyon were intensified. The Jacobins felt increasingly threatened by the possibility of armed resistance to the elected municipality and justified in taking preemptive action. Because of the gravity of the threat they saw their only recourse was to use the law in a way that would minimise the threat to themselves and ultimately the Revolution itself. Their comités had imprisoned those rioters they thought guilty of illegal action but the court processes in place had meant many of the agitators the Jacobins believed responsible for the attack on the Club Central were allowed to go free. The Jacobins saw this as a deliberate counter-attack in the courts and continued to use the comités de surveillance to arrest the sectional leaders they thought responsible. On 25 February they ordered that the next elected mayor, Jean-Emmanuel Gilibert, be arrested on the grounds of his involvement in the pillage of the Club Central. He was from the club of La Croisette, which had been opposed to the efforts of the Jacobins to dominate the quartier clubs and had become one of the leading anti-Jacobin sections.46 However Jacobin action against political dissenters like Gilibert in fact encouraged even more comment and reaction in the quartier clubs, because public opinion was becoming critical of the Jacobins of the Club Central.47

Riffaterre’s study of the Jacobins went beyond the many more biased accounts in its attempt at a fair depiction of the legacy of their municipality. This is shown by the way he tried to balance the picture of Chalier presented at his trial. Riffaterre found he was not the ‘vulgar demagogue who flattered the appetites and the vices of the multitudes’ as he was represented, but rather a man ‘more agitated than dangerous’.48 He did not always talk of ‘beheadings’. On the contrary in a warning given to ‘aristocrats’ on 12 February 1793 at the Central Club he was noted to have said:

Do not tremble, do not be scared … The aristocrats are only incorrigible because we have neglected them too much: it is a matter of re-educating them. One talks of hanging them, of guillotining them; that is soon done; it is a horror. Is there any humanity or good sense in that; throwing a sick person out the window to save you worrying about healing them?49

46 Edmonds, Jacobinism, 101-2 and 151. This club had also been vociferous against the first comité de surveillance in June 1792, 120. It was atypical in its bourgeois and sans-culottes mix according to Edmonds (at 88).
47 Riffaterre, Le Mouvement, 37.
48 Ibid., 304-5.
49 Ibid., 305.
Although Chalier was often compared to Jean-Paul Marat, Riffaterre finds little proof that he in fact demanded, like Marat, great blood lettings (effusions de sang) as his enemies alleged.\footnote{Riffaterre, \textit{Le Mouvement}, 306.} It was only at points of great agitation, for instance after the pillage of the Club Central, when he felt himself to be in mortal danger, that Riffaterre found that his language tended to be extreme. This club had become by the end of 1792 the major locus for radical ideas. Riffaterre proposed instead that the ‘hate which (Chalier) attracted as a hot-head of the clubs’ was because of his egalitarian theories and his criticism of the great merchants who only offered charity to the poor.\footnote{Ibid., 309.} For Riffaterre, Chalier was the most noticeable of the Lyonnais Jacobins (le plus en vue) and thus the most demonised.

The antagonism against Chalier was part of what could be called the anticipation of terror that led to a resurgence of support for the Rolandins. While Chalier was at first the subject of derision in the \textit{Journal de Lyon} he soon became feared because of his uncompromising speeches in the Club Central.\footnote{See the commentary on Chalier’s speech on the occasion of the memorial to Le Peletier de Saint-Fargeau \textit{Journal de Lyon}, 5 février 1793.} He was blamed for the murderous September events and other episodes of violence committed at times and places when he was not even present.\footnote{He was not in Lyon at the time of the prison massacres and was in his bed at home at the time of the revolt of 29 May.} Fear united his opponents against him and meant he was not elected as mayor at the end of 1792, even when a preponderance of Jacobins were elected to the municipality. His lack of success in attaining the mayoral position meant that Nivière-Chol who was elected to represent the Rolandin forces (and by implication the continuation of the idea of free trade in commerce) helped thwart Jacobin efforts to put in place their economic programmes. With mounting difficulties put in the way of achieving their reforms, the Jacobins came to the view that only by proposing terror would they ‘overcome the contrary forces ranged against them’.\footnote{Riffaterre, \textit{Le Mouvement}, 12.} This uncompromising position, however, which included their reliance on the national representatives to bolster their powers, meant there was greater local support for the anti-Jacobins.
The *Journal de Lyon* called for the municipal officers, those who had scrutinised the elections, to acknowledge the result that Nivière-Chol had in fact been fairly elected and should not be impeded in his function as mayor. The editor, Carrier, demanded that Chalier be interrogated for his attempts to silence the will of the people by not working with Nivière-Chol. He described the unwillingness to listen to the mayor and the people who had elected him as a form of ‘liberticide’. Upon the refusal of Nivière-Chol to take up the mayoral role again, and the imprisonment of Gilibert, the decision about who should be mayor was handed over to representatives from the National Convention who had been summoned to help negotiate in the charged atmosphere of Lyon. 

Amongst the anti-Jacobin supporters were many magistrates, including Ampère, who feared that the rule of law was being subverted. Other concerned bourgeois took leadership in the clubs and were supported by those Lyonnais who were afraid of the political uncertainty in the capital and afraid of the Jacobins of Paris becoming involved in local affairs. The fear of terror and chaos then helped ensure that the quartier clubs became divided. One side (led by the Rolandins) felt threatened by the projected terror and the other side (led by the Jacobins) was forced to a conclusion that terror was the only way forward.

The struggle had become Manichean and appeals were made to Paris by both sides. The first *commissaires* sent from Paris, Rovère, Basire and Legendre, arrived with the mission to ‘restore order’ on 25 February. They were not as supportive of Chalier as he hoped but neither were they very helpful to Gilibert who was advised to resign. The *commissaires* held and scrutinised new elections, which returned the Jacobin Bertrand as mayor. By early 1793 a religious flashpoint had also been reached in the city and his election had an immediate effect on calming tensions. Constitutional priests had become more worried about their position and the refractory priests were becoming bolder. According to Linsolas, an outspoken refractory and memoirist of the period, Nivière-Chol had turned a blind eye to their activities. When Bertrand become mayor they were still in Lyon but then had to become ‘more discreet’. The

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55 *Journal de Lyon*, 19 février.
58 Ibid., 168.
59 Ibid., 169.
60 Ibid., 169.
61 Ibid.
62 Quoted in Chopelin, *Ville patriote*, 211.
63 Ibid.
64 Quoted in Chopelin, *Ville patriote*, 211.
attempts by the national *commissaires* to restore order meant they addressed both Jacobin and anti-Jacobin concerns but ultimately satisfied neither. The most predominant concern for the Rolandins was the question of the legality of the Jacobin arrests that had taken place on the night of 4-5 February and the greatest concern of the Jacobins was that those believed guilty of the events of 18-19 February had not been incarcerated.

Again it was the campaign in the *Journal de Lyon* that squarely put the Rolandin case. In the issue of 2 March 1793 the journalists published the rumours that the Jacobins were letting some cases related to the domiciliary visits of 5 February collapse in the courts on the payment of bribes. Dodieu and Hidins were both alleged to be involved as well as the mother of Hidins, who would later be charged with swindles and bribery. It was suggested that Laussel had purposely arrested people of means on this night from whom he believed he could extract money. The *commissaires* acted immediately to cease the operation of the implicated *comités de surveillance* but they also imprisoned the anti-Jacobin editor of the *Journal de Lyon*, Fain. A new *comité de sûreté et de surveillance général* was set up to direct the work of the sectional *comités*. It was given the legal power to ensure that potential counter-revolutionaries were found if they were hiding in the city and to arrest those who did not hold the correct certificates of *civisme* or permissions to hold arms. The *commissaires* also called for new elections to staff the *comités*, which would take place on 19 May. One of their last actions was to imprison Laussel for exceeding his duties and for a charge of embezzlement.

Hidins was arrested and interrogated by Judge Ampère, with Judge Rivolet, on 1 March for his actions at this time and for embezzling funds. In response Hidins tried to impugn these *juges de paix* and other judges in the system. Hidins wrote a number

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62 *Journal de Lyon*, 2 mars 1793. Herriot suggested Fain’s campaign showed the strong feelings engaged in the city and he suggested that ‘one cannot contest [the journalist’s] talent nor his courage’ in his reporting of events. Herriot, *Jacobins et modérés*, 290.
63 Fain was detained for two weeks at this time and was freed after interrogation by the *comité de salut public*. He claimed he only ever wanted the law to punish culprits. He was arrested again after the siege and was brought before the Tribunal Révolutionnaire on 25 October 1793: Enamond Fayard, *Histoire des tribunaux révolutionnaires de Lyon et de Feurs* (Lyon: H. George, 1888), 93-4.
65 Edmonds, *Jacobinism*, 171. Edmonds notes that Laussel’s crimes were seen as more serious because he had been involved in denouncing the *procureur* Bertholon for releasing prisoners but without the impropriety that was suggested in his own actions.
of letters to encourage the *commissaires* to pursue instead those who had let the guilty of 18 and 19 February escape. He exhaustively outlined his revolutionary zeal. He claimed that the President Brochet of the Tribunal Criminel was a ‘royalist’, known to favour ‘conspirators’ and his tribunal was full of ‘men of 1788’ who did not recognise the new demands of 1793. He positioned Ampère in a less favourable light vis-à-vis himself by claiming the latter did not sign the petition for the death of the King. He also attacked L’Ange for releasing known friends of *émigrés* with only a warning. It is obvious by this time that he was repackaging an interpretation to put his own actions in the best light. However, this letter also attempted to set out the situation from the Jacobin viewpoint. Hidin’s long explanation of the legal and political crisis began with his assertion that:

> The law must never be a game for fair and upright men in a Republic…One cannot abuse it without also compromising public well-being … [but] in our unfortunate city … the law is being used in a way that kills its spirit and protects those men who continue to display anti-civic qualities.  

In a further letter Hidins insisted that he had only worked within the law and against those whose *civisme* was suspect. He said he had not ‘confused the innocent and guilty’- presumably a response to an implicit criticism of Ampère because these were the actual terms also used in Ampère’s letter of February. Hidins next tried to deflect the criticism of his fellow Jacobins, Chalier and Gaillard. He thought they were trying to blacken his name by falsely accusing him of an excess of ambition in aiming to become mayor. In the end Hidins did not go to trial. He hanged himself in his cell in early July.

Dodieu was also interrogated on 2 March about his involvement in the arrests and incarcerations of 18 and 19 February and in addition, a charge of corruption related to the activities of the *veuve* Hidins. Dodieu claimed his innocence here and in a letter to the *commissaires* after his hearing despite the insinuation by Fain in the *Journal de*...

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68 Hidins, ‘Aux commissaires députés de la Convention Nacionale (sic), hotel de Milan, Place de Terreaux à Lyon’, s.d. BML, Fonds Coste, Ms 558.  
70 ADR 41 L 7. This case before the Tribunal Correctionnel appears to have been misfiled with the 1792 cases rather than those of 1793.
Lyon that he was the very judge who was taking the bribes from the widow.\textsuperscript{71} Dodieu stated in his letter to the commissaires that he had been willing to have his case heard in open court because he had nothing to hide. He assured them that no-one had worked for the cause of liberty as he did and that he was ‘burning with patriotism.’\textsuperscript{72} Dodieu also distanced himself from Laussel, who had been imprisoned on 13 March for similar activities. In his letter Dodieu tried to emphasise his patriotism and the fact that he had ‘never been friends with Laussel’. He said he was ‘far from having any interest in saving him from the sword of the law’.\textsuperscript{73} In his interrogation before Ampère, Dodieu claimed he had only acted in relation to the duties assigned to him as director of the jury on 19 February. Although he admitted helping the procureur and his friends on the municipality in composing the document made that evening, his function had only been as ‘a scribe with knowledge that he could bring of law and procedure’. He claimed that he had only helped provide members of the comités with information as to the law and thus could not be held accountable for the municipal officers who did not do their duty. This is why he had not instituted any proceedings in his name.\textsuperscript{74} He was released.

Marisa Linton has written recently about the public man and the cult of virtue as it was understood by politicians of the revolutionary era.\textsuperscript{75} This perspective helps us to understand the experience of the judges in Lyon in 1793 when estrangement became apparent and denunciations of each other began to spiral. She observed that: ‘For the Jacobins the patrie was the heart of the moral republic, more important even than democracy or equality’.\textsuperscript{76} This analysis is as useful in the Lyonnais context as it is in the national context. The question that was important to representatives of the public at the time was whether a man could be said to be truly dedicated to the patrie or only appear to conform to the codes of behaviour. Covert activity suggested a lack of virtue or the possible crime of conspiracy. Using such a concept to measure authenticity meant the political and private lives of those who aspired to political office were ruthlessly scrutinised and their interactions as part of an exclusive group

\textsuperscript{71} Courrier de Lyon, 2 mars 1793.
\textsuperscript{72} See Lettre, 2 avril 1793 [Also wrongly dated as 1792] BML Fonds Coste 615.
\textsuperscript{73} ADR 41 L 7. In fact on 3 April the affair of Laussel came before Dodieu and he made sure he went before a jury for his crime: ADR 36 L 57.
\textsuperscript{74} ADR 41 L 7.
\textsuperscript{75} Linton, Choosing Terror, 32-8.
\textsuperscript{76} Ibid., 38.
could be used against them. Linton deals mostly with the role of Robespierre and the Parisian militants in their conflict with the Girondins, and later the Dantonists. However, in Lyon there were similar struggles between revolutionary political and judicial leaders who claimed their own motives were determined by virtue and their opponents’ determined by ambition and dissimulation.

In late March, Ampère pursued the related complaint of corruption against veuve Hidins, for a fraud which involved promises to release prisoners arrested by the Jacobin comités and the payment of bribes to various judges of the Tribunal de District.\(^7\) On 26 March he sat as president in the Tribunal Correctionnel with Revol and Corte Jordan and delivered judgement against her and an accomplice, citoyenne Barry.\(^7\) The judges found the mother of Hidins had participated in swindles and had compromised certain magistrates but no particular magistrate was identified. She was fined the 200 livres she had extorted and sentenced to eight days in gaol. In this same month, Ampère had an arrest warrant drawn up against Robert Achard (a leading member of the Jacobin comités) who, with Charles Sourd (perruquier), was alleged to be involved with false certificates of civisme.\(^7\) Sourd gave testimony against Achard and was himself acquitted. Dodieu also took this case to the jury but Achard went into hiding before it could be heard.

Despite such denunciations within their ranks, the Jacobins persisted with the direction they had taken and which they saw had a wider imperative. From March to April 1793 they continued to agitate for a popular tribunal to prosecute their perceived enemies, those who had threatened them on 18 February, as well as the hoarders of grain and the bakers who made poor quality bread and the refractories who were rumoured to be planning an invasion through Switzerland or the Savoy.\(^8\) Although Dodieu appears to have come back to work with the other magistrates and juges de paix, a growing gulf continued to be apparent. Chalier as president of the Tribunal de District wrote a letter to the Minister of Justice on 11 March 1793 calling for recognition of the rights of a sans-culotte by the name of Arcis. His judgment, supporting the worker, had been overturned by the Tribunal Criminel. Chalier

\(^7\) ADR 41 L 8.
\(^7\) Ibid.
\(^7\) ADR 39 L 23.
\(^8\) See Riffaterre, *Le Mouvement*, 14-16.
complained that the iniquitous judgment of the higher court should be ‘promptly destroyed’, and that ‘truth, virtue and justice be allowed to prevail’. Judge Gaillard and Achard wrote to the Commissaires on 14 March 1793 warning of the need for a new ‘Société de Jacobins with the character of true sans-culottes or republicans’. They went to Paris to advocate for their new tribunal.

New international and national threats convinced the Jacobins that timely action needed to be taken against their enemies locally. The commercial focus of the city and its proximity to the borders meant that there were continuing fears of the plots of royalists and of invasion from German and Italian cities who supported émigrés from revolutionary France despite French successes in the war at the end of 1792. With the confidence brought by the successes of Valmy and Savoy in September, by the resounding defeat of the Duke of Brunswick and the victory of General Dumouriez over the Austrians at Jemmapes in October 1792, the National Convention voted to extend the war. On 1 February 1793, in an almost unanimous decision, war was declared against the Dutch Republic and Great Britain. In March, Spain and the Holy Roman Empire were included in a coalition against France. After the retreat from Neerwinden and the defection of Dumouriez on 6 April the international situation had again become dire. The French general had been negotiating with the Austrian enemies and had threatened to turn his army against Paris. The Jacobins in Lyon felt they were making important decisions about life and death in this international context. They endorsed the national campaign for a purge of counter-revolutionaries. Royalist-led counterrevolution had begun in the Vendée in March. ‘Liberty or death’ was now a key revolutionary catch-cry and the focus for ‘patriots’ was to continue to regenerate the nation and eliminate any potential external interference.

The intervention of the commissaires from Paris had convinced neither side of local politics that they should back down. Rolandins and Jacobins remained firmly convinced of the illegality of the actions of each other and continued to take further

81 ADR 39 L 59.
82 Riffaterre, Le Mouvement, 48.
83 Blanning, The Origins of the French Revolutionary Wars, 60.
84 Edmonds, Jacobinism, 175.
85 McPhee, Liberty or Death, 204.
divisive actions. From 18 April the Jacobin proposal to adopt *cartes de civisme* began to be put in operation as the *quartier* clubs continued to prepare for the new elections of the *comités*. The divergent legal perspectives meant that civil war was becoming increasingly more likely in Lyon, although its parameters were also defined by the social relationships that were evident even before 1793, as Edmonds, Trénard and Garden have shown. Edmonds, in an article on the career of Denis Monnet, shows how the social issues intertwined with the political.\(^{86}\) He chose this social activist as a focus because his name appeared frequently in the history of the period. In fact the affiliations of this particularly popular leader famously fluctuated: from leading silk-worker agitation in 1787; to being seduced by royalists in 1790; to then seeing through this plot and informing on the participants; to supporting Chalier and then finally siding with the Rolandins and moderates in the insurrection of 1793. Edmonds concluded that Monnet and the working class believed Chalier did not understand their particular viewpoint because attention ‘was fixed on the machinations of the counterrevolutionary rich, and while they [the Chalier-Jacobins] had no doubt that the virtuous poor could benefit from the eventual triumph of the Republic, economic problems were generally given second place in the meantime’.\(^{87}\) The Jacobin obsession with taxing and decrying the rich was thus the reason their elected officials ultimately ignored the demands of the *sections* and persisted in pursuing repressive solutions.

This analysis has been taken further by Antonino de Francesco who argued that the opposition to the Jacobins locally was explicable because of a traditional understanding of politics dating from the *ancien régime* which had a trans-class nature and for which he found evidence in the worker’s strike of 1786 as well as the riots in July 1790 and the popular insurrection of 1793. De Francesco argued that the leaders of the most active worker insurrectionists and later the *sectionnaires* accepted the reality of the paternalistic interdependence of the ‘administrators and administered’ in Lyon. This meant that the traditional municipal ideology was still in place and because of ‘the legitimacy of authority’ the municipality could be expected

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\(^{87}\) Ibid., 240.
to do their duty and ‘assure the maintenance of social and political order’.88 Thus the Rolandin mayors Vitet and Nivière-Chol and the more politically astute sectionnaires who exploited this belief were ultimately able to mobilise the people against Chalier and the Jacobin mayor Bertrand who were unsuccessful in the new idea of politics that de Francesco called ‘ultra-democratic’.89 This analysis goes some way to explaining the revolutionary ideology of those who were opposed to the local Jacobins but belonged to different social and economic groups. However, it does tend to downplay the international dangers that the Jacobin policies were attempting to deal with and their support from many of the sans-culottes in the poorer sections.

There had now developed an unbridgeable gap between republicans with one group claiming to speak for the people against the ‘anarchists’ or ‘extremists’ and the other claiming to speak for the people against the ‘aristocrats’ or the ‘counter-revolutionaries’ in their midst. This local perspective had evolved into something completely different from the royalist-led eruption that had occurred in March in the Vendée, now a prolonged guerrilla style war pitted against the republican state. Royalists and émigrés were not leading the dissident sections in Lyon. However some royalists and refractories were actively causing troubles and while this was recognised it did not halt the rapid deterioration in relations between republicans, even as the successes of the counter-revolutionaries in the north-west and outside the borders of France made the royalists bolder in the local sphere. The commissaires still in Lyon were made aware of the danger and tried to find royalist agitators. According to Eynard they thought they had found the meeting place of a ‘nest of royalist conspirators’. When on 8 April they raided the suspected meeting place where a plot was reportedly being ‘brewed’, they instead only found a gathering of Lyonnais who went regularly to a tavern to drink a special brew of beer.90 The commissaires returned to Paris at the end of the month, again with little achieved.

The local differences continued to find expression in the legal sphere. In May the Lyonnais Jacobins were informed that the creation of a revolutionary tribunal in Lyon was not allowed.91 In response to that devastating news, on 9 May a number of the

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89 Ibid., 218.
90 Eynard, Joseph Chalier, 105-6.
91 The Lyonnais Deputy from Lyon, Chasset, had objected to it. Riffaterre, Le Mouvement, 50-5.
still loyal sections decided to elect new judges. This action was precipitated by the sans-culottes of the Le Peletier club who argued that the laws as they stood were insufficient and there was a real need for such a tribunal. A group of candidates for the position assembled on the Place Bellecour for a ‘patriotic feast’ when they drank wine and demolished a feudal obelisk; however, they did not meet again.92

The next four commissaires, Nioche, Gauthier, Albitte and Dubois-Crancé, who were sent on 10 May to the city, were more certain that they needed to curb anti-Jacobin tendencies because of the effects of internal dissension while there were military threats on the borders. They imposed measures, which according to Edmonds only exacerbated the opposition of locals to the Montagnards in Paris as well as the Jacobins locally.93 These measures included increasing the conscripts to the revolutionary army and sending them to the Vendée, removing arms from those not conscripted and increasing levies on the rich of the city to fund the army, which had to be paid within 24 hours. Jacobins remained convinced that the hoarders and aristocrats were not being punished in the courts and their inability to address this issue led them to suspect conspirators in the sections. On the same day on which the commissaires arrived, the Jacobin Comité de Salut Public raided the club of La Croisette and arrested its president and secretary.94

The sectional clubs were revivified by the impending votes for new comités and they were again agitating that they be allowed to sit longer hours. They became bolder in challenging the Jacobin actions, as a retaliatory incident on 18 May against the comité of Le Peletier (formerly Croisette) indicates. A hasty letter was sent on this day by the members of the comité to the municipality indicating that they were fearful of the approach of a menacing crowd towards their headquarters.95 Popular action was being brought to bear on both sides of local politics. In February Achard and a number of other Jacobin administrative officials and judges began to add the appellation sans-culottes when they signed official documents.96 Although they were mostly professional men themselves, they wanted to draw attention to the inequality of

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92 Edmonds, Jacobinism, 116; Herriot, Jacobins et modérés, 326.
93 Edmonds, Jacobinism, 173.
94 Ibid., 175. This comité was headed by Achard and appears to have been the active arm of the Jacobin sections.
95 Lettre, Bertelet and others, 18 mai 1793, AML 1 (2) 3.
96 See the letters of Hidins and Dodieu: BML Fonds Coste, Ms 558.
opportunity between citizens of Lyon, a city where there continued to be a great gulf between the poorer workers or unemployed and the rich merchants and ecclesiastics. Achard in a letter to the National Convention on 11 February had expressed his desperation in these terms:

We sans-culottes of Lyon struggle without ceasing against the successor of Vitet – Nivière-Chol - a mass of ecclesiastics and of émigrés supported by the counter-revolutionary mercantile élite ... [there will soon be insurrection] if we do not concern ourselves … with the subsistence of the unfortunate.97

Along with similarly minded Jacobins Achard had actively encouraged the sans-culotte movement from this time as the only genuine revolutionary agenda. They were afraid by May that the royalists were only becoming stronger and they needed to strengthen their popular support against such threats.

Another letter was received by the municipality alerting them of the dangers being faced by Jacobins in the community. It was sent by Barthélemi Candy who had been walking with a friend on the day of 16 May and recognised Achard at the centre of a disturbance. He knew Achard was a member of the Jacobin Comité de Salut Public and heard him order a man dressed in red to follow him. It would appear the man was mocking a sans-culotte. On the refusal of the man to follow this order, Achard appealed to Candy and his companion that they help arrest him. As Candy went to put his hand out towards the man in red, a large group of young men – allegedly royalist agitators - suddenly appeared and fell on them, releasing the man in red. Candy was knocked to the ground and punched in the face. In his letter he appealed for justice and complained that, but for his intervention, Achard would have been the victim of the incident.98

On 19 May, when the elections were held for the new comités de surveillance based in the sections, the actions of the Jacobin comités then became illegal because they were not authorised. The two overlapping seats of authority in Lyon clashed over the new comités and the control of the Arsenal. The departmental authorities of Lyon wanted to ensure that the Jacobin control of comités and indirectly of the supply of arms and small weapons was broken. The Jacobin municipal officers wanted to continue conducting surveillance activities so they could monitor their enemies. The

97 Letter of Achard and Gaillard, 19 février, BML Fonds Coste, Ms 545.
98 Lettre, Candy, 16 mai 1793. AML 1 (2) 3.
history of the comités was thus, as Chopelin has observed, the history of the ‘political stakes’ of the factions in Lyon. The Departmental authorities ordered that the newly elected comités de surveillance replace the Jacobin groups and also denied them the gunpowder and cannon they requested. The power the Jacobins had been exercising was considered to be shrinking the involvement of the moderate sections and increasing tensions between the republicans, which then allowed royalist agitators to emerge. The majority of the sections validated the department’s attempts to curb Jacobin initiatives and gradually became more active in expressing their views. From this date many sectional clubs sat in emergency session. The Jacobins objected to the sections operating in this way, despite the claims that they had a democratic right to do so, because this meant too great an influence of the department and the conservatives in local politics.

Edmonds in his incisive account of the growth of the anti-Jacobin movement showed the widespread support for action before the end of May across different classes and ideologies that united the very diverse sections. Some clubs had split from the Jacobins including the club of La Croisette which had demanded stricter controls over the operations of the Club Central from early February when they were known to have engaged in secret meetings. By 17 February there were schisms in several clubs and although it is sometimes not clear whether the cause was a disagreement amongst the old clubistes or an influx of new members, the result was a strengthening of the sectional claims to be the new democratic leaders. Edmonds concluded that

Jacbinism was a disastrous failure [in Lyon]… and one of the most important reasons for this was the existence of a well-established popular movement with its own claims, unchallenged by the patriots before 1793, to express the people’s will.

Many clubs retained Rolandin sympathies from the partnership with Vitet in 1791 and 1792 and although several clubs did accept the Jacobin view of quick and decisive action they were mostly those situated in the poorer parts of Lyon like Belle-Cordière

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100 Herriot suggested that this decision led to the ‘grave dissentiment’ between the Municipal officers and their opponents and thus ultimately to the insurrection of 29 May. Jacobins et modérés, 296.
101 Ibid., 176-7.
103 Edmonds, Jacobinism, 153.
and Croix-Rousse. The Jacobins had in fact managed to antagonize many of the *clubs de quartier*.\(^{104}\)

While some *sections* were clearly supported by activists from among the silkworkers, others had royalist perspectives, and yet others still had some sympathy with broader Jacobin initiatives.\(^{105}\) Yet the Jacobin focus on a more punitive revolutionary tribunal and repression of ‘aristocrats’ was increasingly seen to be estranged from the most basic demands of the populace. On 24 May a group of women broke into a warehouse and sold off butter and were not deflected by the mayor Bertrand who was trying to dissuade them.\(^{106}\) Not all *sans-culottes* thus accepted that the Jacobins still spoke for them. By 26 May 1793 the municipality had lost control of the majority of *sections* in the city and was relying on the deputies from Paris to support them locally. The deputies were by now viewed suspiciously by the many of the *sections* because of their connection with the nearby Armée des Alpes. Dubois-Crancé was stationed in Grenoble and his arrival back in Lyon with some of the troops was believed to be imminent. A report by Nioche later confirmed that this suspected danger had united some of the Lyonnais *sections* who then approached Nioche and Gauthier to countermand this order.\(^{107}\) The departmental administrators were expressing concern about threats to the city and they called out the National Guard, providing the necessary precondition for action against the municipality.\(^{108}\)

The Jacobins in both judicial and municipal roles were being challenged by the end of May when they had been the challengers at the beginning of February. The stage was being set for a reassertion of control by the anti-Jacobin faction. Herriot, Edmonds and Chopelin all highlighted the renewed political power of the *sections* after the Jacobin *comités* were declared illegal and connected the Jacobin loss of power to the transference of control of surveillance activities to the departmental and Rolandin politicians. The events of February were, for Edmonds particularly, fundamental in the development of the polarised views which enabled this political change. They began with the series of political crises leading to Nivière-Chol’s resignation. These crises enabled the propertied classes to recognise the need to unite and regain the

\(^{104}\) Ibid., 154.  
\(^{105}\) Ibid., 190.  
\(^{106}\) Ibid., 156.  
\(^{107}\) Ibid., 156.  
\(^{108}\) Ibid., 188.  
Ibid.
support of the *quartier* clubs.\(^\text{109}\) The rapid deterioration of the municipal government of 1793 was thus partly blamed on the Jacobin reliance for support from the national representatives and their inability to retain control of the sectional movement by providing viable social reforms. Despite the social divisions of the city it was the anti-Jacobins who managed to harness the popular support of the sectional clubs and gain ascendancy in the new political climate. However, Edmond’s conclusion that the Jacobins were responsible for their own unpopularity in Lyon does not fully address the legal crises that also hastened the growing factional differences.

Looking more closely at the divergences between the magistrates in 1793 in this chapter has revealed that their decisions were at least as important a factor in changing the balance of power as those of the politicians. The differences between the newly elected Jacobins and the more established departmental and judicial officers were most obvious in the courts. The Jacobin magistrates suspected delays and a general unwillingness to pursue opponents of the Revolution and even corruption as the Morand case seemed to suggest. The magistrates and judges who had been working since the inception of the judicial laws in 1791 did not share these views. Their fundamentally different attitudes to the law and legal processes soon became decisive. The attempts of the Jacobins to change attitudes by legal means, as we have seen, only increased the tensions because they did not ultimately have credibility in the legal sphere. The decisions of the Jacobins were questioned repeatedly until finally their conception of the rule of law was discredited as many of the judges themselves were arrested and interrogated. The devastating loss of moral leadership amongst the Jacobins in the legal sphere led to an unstoppable flood of recrimination and denunciation amongst themselves by mid year. While the Jacobins began with feelings of impatience about the legal processes, their failure to observe the rules of law meant they became increasingly marginalised. Ampère voiced the concern of that group of men who thought the law had to be observed to ensure a stable and orderly society and to do that was to ascribe to the dominant Rolandin view.

\(^{109}\) Ibid., 181-2.
CHAPTER 7: ACCUSATIONS AND PROSECUTIONS.

The revolt of 29 May 1793 ousted the elected municipality. This chapter focuses on the provisional municipality and the depleted judicial team which then stepped in to the spaces that had been occupied by the Jacobins and now had to worry about the wider implications of what had taken place. The elected Jacobin municipal officers and their judges were imprisoned. How was the successful challenge to the municipal leadership which proposed such radical change now to proceed - especially when events in the capital took a totally different turn? Ampère was one of the magistrates who felt impelled to take decisive action at this crucial time. Rather than make fears in Lyon recede, re-establishing the institutions of politics and of justice meant there was an even greater emphasis on the dangers that were believed to have been so narrowly averted and those new ones that now threatened.

While many historians, like Hanson, have suggested Lyon was taking the lead in a ‘federalist’ challenge to Paris, others like Biard and Edmonds are more inclined to see events as a bourgeois reaction to the local threat of social activism that then escalated to resistance to a perceived national threat. They emphasise the interactions between the local and the national. What I argue, however, is that the reaction against the Jacobins locally that continued after the revolt of May was also reinforced by different views of what the ‘rule of law’ meant. Judges like Ampère claimed to represent a commitment to law and order that was not felt by the Jacobin judges. But were they only expressing an ideology dictated by the bourgeois group of Rolandin politicians which was incompatible with more radically democratic ideas pursued by the Jacobins?

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On the morning of 29 May, 6,000 protestors led by the dissenting sectional clubs gathered in the city centre calling for the municipality to resign.¹ Some sections had

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¹ According to the patriot Gonchon, Letter of Varlet Gonchon, 14 juin. Quoted in Riffatterre, Le Mouvement, 84.
already taken the preemptive action of seizing the Arsenal earlier that morning. By
the afternoon two cannon positioned outside the headquarters of the municipality by
the Jacobins were fired into the crowd, which included the battalion of National
Guard ordered to congregate there by the departmental authorities. Few of the
battalions on the day were supporting the Jacobins, possibly because the battalions in
the richer areas of the city were closer to hand. After this a coalition of armed
\textit{sectionnaires} suddenly decided to act. The \textit{sectionnaires}, with the support of the
National Guard, overcame a Jacobin counter-offensive from the Hôtel de Ville within
two hours and surrounded them. The deputies Nioche and Gauthier were trapped in
the Arsenal where they had tried to regain control of the situation. The next day they
ruled that the troops of the Armée des Alpes should be returned to Grenoble and that
the municipality should be suspended.\textsuperscript{2} Although figures are uncertain, the most
reliable sources agree that up to 115 people were wounded and 43 died, mostly
amongst the \textit{sectionnaires}.\textsuperscript{3} This figure would encompass the 26 corroborated deaths
found by the Surgeon-General of the Lyon military hospital to have been occasioned
by shots fired from the Hôtel de Ville, further injuries caused by cannon shot, and also
the deaths of a number of fleeing insurgents (anti-Jacobins) who were attacked by the
menu peuple of the poorer quartiers. Some Jacobin women of these poorer
neighbourhoods were helping distribute gunpowder and urging their menfolk to take
action against the insurgents.\textsuperscript{4}

Notices soon began to appear in the city, printed by various of the \textit{sections}. On 31
May the new \textit{section} of Fraternité (previously Rue Neuve) declared its support for the
actions taken against the ‘tyrants’.\textsuperscript{5} The \textit{section Terraille} called for subscriptions to
help the wounded and those left widowed by the events.\textsuperscript{6} By 6 June two \textit{sections},
Vaise and Croix-Rousse, joined forces to print an account giving an opposing view of
what had transpired on 29 May and warning of false rumours.\textsuperscript{7} Also on this day, the
Jacobin Comité de Salut Public printed a notice accusing the insurgents of having
ignited a civil war. This notice was signed by Mallan (president) and Achard

\textsuperscript{2} Edmonds, \textit{Jacobinism}, 188-9.
\textsuperscript{3} Riffaterre, \textit{Le Mouvement}, 89.
\textsuperscript{4} See the testimony of Fillion quoted in his judgment: ADR 35 L 18.
\textsuperscript{5} AML 936 W 60.
\textsuperscript{6} AML 936 W 61.
\textsuperscript{7} AML 936 W 56.
(secretary). However, the Jacobins were in an invidious position, their *comités* ruled illegal and the authority of their defensive actions on 29 May now being questioned.

Ampère assumed a leading role in the accusations and prosecutions of the Jacobin municipal officers and judges who had pushed for more radical changes and in so doing were believed to have circumvented the legal processes of the courts. The breadth of this role has not been clearly recognised before now. The anti-Jacobin understanding of the ‘rule of law’ began to be spelled out in the cases against the Jacobins. The arrests began of the former municipal and judicial officers who were associated with the Jacobins, of whom 83 were charged to stand trial on 15 July. The *juges de paix* and magistrates who remained in office needed to legitimate proceedings by connecting the Jacobins to the various crimes related to the crisis and especially the firing on the *sectionnaires* on 29 May. Ampère gradually became a key figure in this process.

The situation he and others faced in deciding what should be done with the prisoners was made all the more uncertain because the National Convention did not immediately rule on what was to be done with them, despite requests to do so. The deputies, Nioche and Gauthier, were still in Lyon and helped calm the turbulence immediately after the revolt. They recognised, according to Edmonds, that the municipality had few defenders and the majority of *sections* were indifferent to the fate of the Jacobin leaders. The workers were not engaged with the Jacobins as they had been in earlier revolts and had declined to take part on their side as the revolt had proceeded. Gauthier observed on the morning of 29 May that ‘the bulk of the population’ were unmoved by the ‘rhetoric’ of the Jacobins and had remained fairly passive when the *sections* gained control of the Arsenal. They cautioned the Convention against precipitate action in a letter of 3 June because they believed there was no reason to fear counter-revolution in Lyon. The Armée des Alpes was, however, still watching from its position on the border near Grenoble and the deputy

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8 AML 936 W 64.
9 Ibid., 182.
10 It was more than a week after the events that the image of the city as ‘counter-revolutionary’ began to form even amongst the Montagnards but a decree ordering a report of the status of counter-revolution in Lyon was not voted until 3 July: Biard, *1793*, 11.
12 Ibid., 205.
who had gone to join the troops there, Dubois-Crancé, was urging Paris to take
decisive action to support the arrested Jacobins. The Convention, after hearing from
Nioche and Gauthier, now ordered Dubois-Crancé to only act with ‘extreme
prudence’ in dealing with Lyon. They also sent Robert Lindet to find out what was
going on in the city. After his return he also advised against armed intervention,
instead supporting a policy of negotiation. Although he tried to participate in official
discussions from 8 to 15 June while he was in Lyon, his overtures were rejected by
the departmental authorities because there were suspicions that he was influenced by
the Jacobin judge, Gaillard, who had travelled from Paris with him.

The sectional clubs of Lyon acted quickly to normalise the political situation as best
they could. However, the provisional municipality was hindered in its operation by its
lack of legal status, not having being elected directly but only from amongst the
presidents and secretaries of the sections. The sectionnaire Bémani took on the role of
mayor in the first hours after the insurrection when, according to Riffaterre, only half
of the sections had appeared. He was from a royalist section. By the time the rest of
the sections began to participate in June, a more representative provisional mayor by
the name of Coindre was elected and he stayed in this role for the next few months.
Again, however, he was not elected through the primary assemblies but from amongst
the sections. The municipality remained fairly indecisive because it relied so heavily
on ratification and discussion of actions and decrees with the sections. The sectional
comités de surveillance elected in May continued in operation and also encouraged
the reliance on the power base of the sections to which they were attached.

Three of the 32 sections in the city were composed of worker members and were still
Jacobin oriented: Saint-Georges, La Grande-Côte and Saint-Vincent. In some others
there were rumoured to be royalist affiliations. Most of the sections had now changed
their names after the insurrection. The new names they took on included La Paix,
Fraternité, La Bonnefoi and L’Unité. The citizens of Bon-Rencontre preceded their

13 Ibid., 206-7.
14 According to Hanson, Lindet countermanded an order for armed intervention made by Dubois-
Crancé; Hanson, Jacobin Republic under Fire, 27, 73.
15 Ibid., 72. On this question, Edmonds suggested the authorities were playing for time, by questioning
Lindet’s credentials and refusing to share with him crucial documents. Edmonds, Jacobinism, 206.
16 Riffaterre, Le Mouvement, 174-5.
17 Ibid., 229.
name with ‘d’Amis des Lois [Friends of the law]’. Many professional and educated Lyonnais were ready to take leadership of the various sections. They included the constitutional priest of Saint-Nizier, Jolyclerc, and the surgeon and eventually president of the Commission Populaire of the sections, Gilibert. Fain, who wrote for Carrier’s Journal de Lyon, continued to support the motives of such leaders. He had been instrumental in calling for the sectional committees to take action as they did on 29 May against those who supposedly used the name of sans-culotte as ‘a licence to kill [brevet de massacreur]’. He did this at the same time as warning the rich négociants of the danger of their ignoring the needs of the poor by their égoïsme. Gilibert and Jolyclerc, because they had been imprisoned by the Jacobins after the events of February, were highly motivated to act after the revolt in support of the protection of the rule of law and the stability of the republic in Lyon.

Given Ampère’s age (now 60 years) and the comforts that his successful life had delivered, he no doubt had much in common with these leaders, who saw economic solutions differently from the Jacobins with whom he had worked until now. He would have encountered others in his local church of Saint-Nizier, inspired by their constitutional cleric Jolyclerc who was involved with the sectional meetings held in the church and thus associated with the new views. Ampère was also possibly influenced by the editorials of Carrier and Fain, who had been critical of the language of Chalier and the Jacobins since 1792, as we have seen in earlier chapters.

While those Rolandins who had been active in the previous year now had influence again, they were wary about taking control in a way that would make them appear to be as ignorant of the protocols and the rule of law as the Jacobins had been. They were also more concerned about how the actions of the sections would be viewed in Paris. These tensions helped create a climate of indecision following the uprising that was exacerbated by the proximity of the Armée des Alpes. Called upon to make decisions, such as disarming suspects, the provisional municipality did not act decisively but only used delaying tactics. The sections supported the need to send a delegation to the Convention to present the facts of what had happened to the

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18 Ibid., 179-180.
19 Hanson, Jacobin Republic under Fire, 181-2.
20 Herriot, Jacobins et moderés, 290.
21 Riffatserre, Le Mouvement, 235.
previous municipality, but in fact only funded a small delegation. The journalist, Fain, also went to attempt to present the actions of the Lyonnais in the best possible way. However the Lyonnais had little opportunity to talk to the Convention. When they returned they brought news that the Girondins had been expelled from the Convention by the sans-culottes in Paris on 2 June and the Montagnards were in the ascendant.

As a result of this development the provisional administrators of Lyon were increasingly anxious about having to appeal to the National Convention for their right to contest the radical policies of the Jacobin municipal officers because there was still so much uncertainty about what would happen in the national sphere. Without waiting for official sanction, the sections voted for continued rebellion. They affirmed their:

> Horror of anarchy, royalism, feudalism, despotism. … [and continued their pledge] to defend to the death the unity, the indivisibility of the republic, respect for persons and their property, their acquiescence to the law and to the constituted authority.

The sectional leaders by this pledge wanted to reiterate their innocence of counter-revolutionary intention by showing their continuing support for the ‘indivisible republic’. Yet their actions were still dictated by the need to accommodate the views of the different sections and those leaders who were now also worried about what was happening in Paris. Many of them suspected that chaos had been unleashed in the capital and that the Parisian sans-culottes had gained inordinate power. The sectionnaires in Lyon and the other rebellious provincial cities argued that the sections, which had been created in 1789, were still the most basic and thus legitimate forums for discussion. They decided to wait on developments. In Marseille the sections, which had been dominated by Jacobins since the time the Popular Tribunal was created in 1792, were determined to manage the city’s affairs and never sought permission from the Convention for their initiatives.

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22 Fain said he left on 2 June with three others to take the news of what had happened in Lyon on 29 May to the National Convention. Fayard, Histoire des tribunaux, 94.
23 Biard, 1793, 20-5.
24 Hanson, The Jacobin Republic under Fire, 14.
The local historian Riffaterre believed it important to highlight the anti-Jacobin nature of the revolt in Lyon at this stage and also that it was not in opposition to the National Convention. This understanding of the particular local trajectory, which was different to the national context, is an understanding that has been ignored in the many characterisations of the Lyon action as simply an example of counter-revolution but it does downplay the anxieties about what was happening in the capital which fed into the local events. Riffaterre proposed that it was the local Jacobins who convinced Paris of the royalist nature of the revolt and that this led to the intervention of the republican troops. However he shows in reality that this reaction was disproportionate to the initial revolt by the Lyonnais. He thought that ‘the frightening prospect of terrible reprisal explained the resistance of the insurgents’.27 Printed notices continued to be posted in Lyon, including those from the National Convention, and they show the intense feelings gripping the city. Gilibert was president of the anti-Jacobin Comité de Salut Public. His notice of July warned of the ‘anarchists’ in Paris who were ‘arming the poor against the rich’ and ‘crime against virtue’. He hastened to assure citizens that tranquillity would be restored in Lyon and civil war averted.28

Events escalated in the provinces as the Girondin deputies were ejected from the National Convention. After the defection of General Dumouriez in March 1793 and the attempted impeachment of Marat in April, suspicion of the Girondins had been increasing in Paris. The Paris Commune with a militia of 20,000 sans-culottes surrounded the Convention in May and precipitated the crisis by calling for the arrest of the Girondin deputies.29 Lyon was now seen to be part of the more general revolt known as ‘Federalism’ because of its ongoing rebellion and protest against the repressive action in the capital against the Girondins. Paul Hanson has identified a ‘federalist program … [though] not a truly “federalist” vision’ amongst four principal cities, including Lyon, in reaction to the ‘anarchists’ in Paris who threatened terroristic policies. However, Hanson hastened to add that these federalists: ‘did not advocate a federated republic’.30 The real question for him was not whether a provincial city advocated taking the directional lead of the Revolution but rather

27 Riffaterre, *Le Mouvement*, 4-5.
28 AML 936 W 83.
29 McPhee, *Liberty or Death*, 184-5.
30 Hanson, *The Jacobin Republic under Fire*, 11, 34.
whether the so-called federalist cities were part of a more general questioning of where political sovereignty in the country actually lay.

Reactions to events in Paris had become increasingly negative as the southern cities heard more from the Girondin politicians who had fled. They increased fears about the alleged anarchy and terror that the Jacobins appeared to be unleashing. Notices were printed and posted in Lyon by Chasset, the Lyonnais Girondin delegate and also by Birotteau. The cities of Lyon and Marseille, where actions had been taken against local Jacobin municipalities, became even more worried about how their own experiences would be viewed. Their respective insurrections, as Hanson observed, thus ‘fed on each other – each gathered force and confidence from reports of the other, and they fed into the federalist revolt in each city as well’. The cities of Caen, Bordeaux and Toulon had also experienced similar anxieties about what was happening in the capital. They were also conscious of the need to distinguish themselves from the insurgents of the Vendée. However, the rebels of Marseille and Toulon went further than the other provincial cities in actually refusing to vote on the decree relating to the Constitution of June 1793 on the grounds that they regarded any legislation emanating from the Convention after the purge of 2 June as illegal. Toulon’s intransigence in fact led to their collaboration with the external enemy, when the English invested the port in August. From Caen, in Normandy, an army of volunteers, incensed by the plight of the Girondins, set off towards Paris. They were soon dispersed when they encountered resistance from the national army. Despite the planning by the Marseillais of a combined departmental force with the mission of marching to Paris, their armed resistance was also short lived. They only got as far as Avignon and so did not even reach Lyon. The insurrections thus remained local but were nevertheless regarded as serious internal threats by the National Convention.

31 AML 936 W 86 and 936 W 87.
32 Hanson, The Jacobin Republic under Fire, 87.
33 Ibid., 15.
34 Malcolm Crook, Toulon in War and Revolution (Manchester: Manchester University Press, 1991), 129-139.
36 Hanson, The Jacobin Republic under Fire, 90.
In Lyon, delegates were elected to a new Commission Populaire on 24 June, which debated whether the departments in the region should recognise any action taken by the Convention after 31 May. After the speech on 4 July of the Girondin Birrotteau claiming the new regime in Paris was itself illegitimate, the Lyonnais decided they would not recognise decrees made after this date. This meant the city disregarded an order made in July to send the imprisoned Jacobins to Paris for the cases to be heard by the Revolutionary Tribunal despite their expressions of loyalty to the new constitution. They were unwilling to let the national government pronounce on the fate of the local Jacobins they had imprisoned and used an older law which stated that the accused should be tried where the crimes had taken place to support their position. Once the Commission was installed, they ordered that trials would commence against the Jacobins on 15 July before the Tribunal de District.

The judges in the higher courts in Lyon were well aware of the problem of acting without authorisation from the National Convention and of being seen to be acting in the illegal way that the Jacobins were alleged to have done. Though they had sent messages of appreciation to the sections for the action they had taken against ‘oppression’ soon after the revolt, they were equally anxious to ensure that there were legal parameters under which they could act. The operation of the courts had been severely disrupted by the arrest or threatened arrest of the director of the jury, Dodieu, various of the juges de paix and some judges of the Tribunal de District, including the former president Chalier and judge Gaillard who had been arrested when he returned to Lyon on 8 June. Those not in gaol were in hiding. Cozon, now president of the Tribunal de District, was at first unwilling to undertake any prosecutions against those arrested because of the risk this action could be considered unauthorised, even though there was some pressure to do so from the sections. He warned that prosecutions could only be done in a ‘legal manner’ and not attempted in the absence of a director of the jury. He was clearly worried that Dodieu’s position would have to be filled before any prosecutions could commence. In fact Cozon was so concerned that he offered to resign his position on 30 June so this principle would not be compromised.

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37 This commission replaced the previous provisional municipality.
39 This assessment of the situation was published in the *Journal de Lyon* of 2 July. See Fayard, *Histoire des Tribunaux*, 30-1.
The departmental authorities hastened to encourage him and the remaining judges not to resign and to help bring the judicial administration back into operation.40

Those *juges de paix* who had opposed the Jacobin initiatives of February to establish a revolutionary tribunal and other emergency measures of justice were the only magistrates available to validate the imprisonments. These officials were still operating in their offices and in the Police Correctionnelle and had been ever since the Jacobin magistrates had fled. Ampère was thus one of the working judges called on to support the sectional leaders. He seems to have been convinced that judicial operations should soon be re-established. Ampère would in fact come to have a major role in how this would be done. While before February 1793 there is nothing in the records to suggest Ampère had seen the radical judges who worked with him as enemies, the tension he felt about their commitment to the judicial role was expressed in his strong letter of 20 February to Dodieu. Ampère’s alienation from the Jacobin judges grew from that date. Until then he had been open to the quite radical ideas proposed by the municipal officer Pressavin (whose books were in his library) and the fellow *juges de paix* like L’Ange and Billiemaz who came from quite different social backgrounds but were equally hard-working in the service of the new courts.41 He certainly cooperated in an official manner throughout 1792 with Dodieu and Hidins, who identified as *sans-culottes*. It was not until the threat to paralyse the institutions of justice by Dodieu that Ampère saw the danger in the Jacobin programme and the different vision they had. His decision was no doubt reinforced by the proven corrupt dealings of Hidins and Laussel in February and March. Now other influences and visions seem to have supported Ampère in his work.

We have seen from Ampère’s letter to Dodieu of 20 February that he had come to a negative view about the motives of the Jacobin judges and *juges de paix*. He had been working at the same level as the Jacobins, dealing directly with the newly empowered citizens allowing them to initiate actions before him as *juge de paix*. After the revolt of May, Ampère made himself available to help challenge those same judges he now believed were threatening to compromise the judicial apparatus in place since 1791.

41 Both these *juges de paix* were to be executed in the aftermath of the siege because of their proscription of the Jacobins. Edmonds, *Jacobinism*, 164, 302.
His former connection with the Jacobin magistrates made Ampère particularly conscious of how the policies they came to support could in fact put the judicial apparatus in peril. He had sat with the *juges de paix* on the Police Correctionnelle and worked with them gathering evidence and sending the more complex matters before the juries of the higher courts. Ampère appreciated the importance of the position in bringing stability and predictability to the city and was prepared to commence proceedings against those who were capable of compromising the effectiveness of the courts. His skills were needed and he continued in all the various aspects of his work to ensure stability was maintained. By 30 June – the same day that Cozon was expressing his concerns - Ampère was signing documents as president of the Police Correctionnelle, taking on the premier role that had been held by Chalier a year earlier.42

Chalier was the first Jacobin to be dealt with after 29 May. Although Ampère did not live in the canton in which Chalier resided, and so was technically not supposed to pursue the action against him, as Chalier pointed out, Ampère thought the larger issues were too great to be compromised by minor technicalities.43 He was the only *juge de paix* able immediately to commence the task of gathering evidence against Chalier. Chalier complained about his treatment in a letter from prison. He alleged that he was treated ‘like a prisoner of war’ and asked how there could be another judge ‘so barbarous and so dismissive of his oath to uphold the unity and indivisibility of the Republic as to pronounce upon him … a veteran (*cheval de bataille*).’44

Ampère continued to gather evidence against him. On 1 June 1793, Ampère was delivered a ‘packet of papers concerning Citizen Chalier’ found in his house at 3am that morning by a member of the Comité de Sûreté et de Surveillance Général.45 Ampère prepared the documentation to begin the prosecution.46 On 7 June his mandate of arrest ordered Chalier to be taken into custody and taken before the jury

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42 Amongst the documents gathered for his trial subsequent to the siege there is a signed letter of 30 June 1793 where he advises of the risk to health of a contagion spreading to the community first noted among the prisoners by the resident doctor. ADL 42 L 62.
43 Ampère’s canton of Halle aux Blés did adjoin the canton of Chalier and was in fact in 1795 renamed as the Canton Chalier. The fact that he did not technically operate in the same canton meant he should not have been the relevant *juge de paix* as Chalier noted in his complaint from prison of 16 June. This letter is included in the archives with the papers used to establish the crime of Ampère: ADL 42 L 56.
44 Ibid.
45 ADL 42 L 56.
46 See Chalier’s allegation that he had prepared the *acte d’accusation* also contained in the letter of 16 June.
d’accusation. Louis Renard had now been appointed director of the jury by a vote of the sections on 8 June. Renard was to protest later that he was not fully responsible for the work that this position usually entailed. As a ‘simple silk worker’ he did not know how to draw up the necessary documents. He only admitted to signing the documents given to him by the Commissaire National in this case.

In reality Ampère dealt with much of the evidence which would be presented on 13 July against Chalier to the final jury, as Chalier himself attested. Chalier warned of the ‘biased nature’ of Ampère’s reporting in what he labelled the ‘extravagant’ allegations drawn up. Chalier suggested if Ampère was truly acting with probity, with the ‘least ability to look him in the eye [blanc d’oeil], the least principles of justice’, he would have straight away recused himself from the case against his fellow judge. The acte d’accusation presented the critical actions taken at the secret meeting of 6 February of the Club Central as founding the action. Chalier was alleged to have proposed the establishment of the Tribunal Révolutionnaire, and participated in the formulation of a plot to ‘slit the throats of many citizens’. Ampère was also sent a letter collected from the distribution centre of the postal service which suggested Chalier had engaged in a counter-revolutionary plot with a noblewoman across the border. This letter never appeared in the evidence against Chalier and it would appear to have been lost or recognised as a forgery by Ampère and thus not included. By the time the case reached the Tribunal de District there was no mention of ‘treason’ in regard to Chalier; only the question of whether he had ‘provoked murder’ on 29 May by his ‘writings and discourse’.

In his long letter of 16 June Chalier presented his response to the case against him. He began: ‘Of all the prisoners who moan about the frightful weight of their irons, there is perhaps none more unfortunate, more innocent, none who has more to complain of the oppression of their horrible captivity’ than himself. He expressed his concern

47 Riffaterre, Le Mouvement, 275-6.
48 Fayard, Histoire des tribunaux, 112.
49 Chalier, Lettre 16 juin. ADR 42 L 56.
50 Ibid.
51 Fayard, Histoire des tribunaux, 31.
52 Commissaire Gonchon wrote an inexact copy of the letter and sent it to the Minister of the Interior. He claimed the original had gone to Ampère. See Riffaterre, Le Mouvement, 196.
53 Ibid., 201-2.
about false testimony, the letter which was rumoured to be used against him, and his
torment that the ‘real conspirators’, the ‘real traitors’, the ‘real enemies of liberty’
were free while he was brought before the courts. In this latter complaint Chalier was
continuing to express the impatience and suspicion that the Jacobin judges had felt
while they were in power and their conviction that counter-revolutionaries were being
allowed to evade justice and continue to threaten the state by means of the so-called
‘legal processes’ in place. Whilst in gaol Chalier wrote to Gaillard, the former judge,
expressing his concern that the gaols were still ‘more like taverns than prisons’,
‘favouring those who had money’.54 Judge Gaillard, also in gaol from 8 June,
appealed to Ampère for recognition of his plight in the spirit of fraternity between
former co-workers.55

The beliefs of the judges who remained in power about the former Jacobin judges and
their illegality were equally unchanging. In fact they grew more rigid and legalistic in
their expression of how the law should be applied to those Jacobins arrested. Their
legal views were reinforced by the commitment of the provisional municipality to the
continued holding of the Jacobins to account for the troubles identified in the city by
29 May.56 The departmental records of 29 and 30 May summed up the situation.
These claimed that there had been evidence of a Jacobin plot from February, of the
formation of a ‘Tribunal of blood’ ‘which the Convention had prohibited ‘with
horror’, and finally of ‘the most intolerable despotism ever to exist in Lyon’.57 The
legal stance of the Lyonnais actually then became a little ambiguous when they
persevered with this agenda because, as Edmonds and Biard show, they refused to
acknowledge the ‘rule of law’ as regards the decrees of the Convention after 31
May.58 From this time their concerns became more about justifying their refusal to
observe the national decrees.

54 Ibid., 258.
55 Gaillard managed to escape to Paris again where he described his terrible experiences in gaol after he
was arrested on 8 June. He then returned to Lyon after the siege with Collot d’Herbois when he was
appointed to the comité de surveillance. In 1795 he resigned from this position and killed himself while
in a depressed state. See A. Salomon de la Chapelle, Documents sur la Révolution; Lyon et ses
environs sous la Terreur 1793-1794 (Lyon: Librairie Générale Henri Georg, 1885), vii-viii.
56 ADR 1 L 375.
57 Ibid.
58 Edmonds, Jacobinism, 202-3.
The previous Jacobin municipality had been replaced initially by a provisional coalition of section leaders. The new leaders needed to navigate internal social and political differences in the atmosphere of fear and distrust that had been growing all year in the city. By June decisions were made to convene the primary assemblies and hold elections, to re-establish municipal and judicial structures, to abolish the popular clubs and to highlight a commitment to representative democracy legitimised by the sectional assemblies of the quartiers.59 This was a difficult balancing act for the bourgeois politicians who took up the reins of power but who had enemies on both the left side of politics (there were still sections with Jacobin affiliations) and the right side (the royalists were attempting to gain from the situation). Fear and distrust of the national situation also had to be navigated. Different representatives from the National Convention had widely divergent views of the intentions of the city. Dubois-Crancé had the most negative viewpoint and he was the one who was waiting in nearby Grenoble with the battalions of the national army, ready to attack if orders came from Paris to do so.

Ampère continued to be involved in many cases against the imprisoned Jacobins. He ordered that the Jacobin Carteron be detained on 6 June because of his attendance at the secret meeting of the Jacobins at the Club Central on 6 February.60 On 26 June 1793 Ampère then interrogated this accused man as to the death threats he had made to those who had attended the secret meeting of 6 February and who might be tempted to divulge anything that had been discussed there.61 Carteron denied being in attendance himself but a packet of papers found on him was opened in front of him and revealed political notices and instructions made on 14 May discussing the issue of the sections sitting ‘in permanence’. He was further accused of presenting himself as a judge in an illegal ‘Tribunal Populaire’.

More mundane crimes were also pursued by Ampère as actively and expeditiously as ever during this period. Amongst other cases, he interrogated Martin Maume on 20 June for the theft of lead from the roof of a house which had occurred some time between the 15th and the 17th. The prosecution began on 18 June by petition of the

59 Ibid., 219-230. Edmonds recognised that the sections even in the poorer areas where popular democracy was stronger supported the decision to close down the clubs.
60 ADR 42 L 62.
61 Ibid.
citizen Benoît who claimed to have seen the accused with trowel in his hand and a sheet on his back on his roof. Ampère questioned the accused and elicited the fact that he was working on the prison of Roanne, which roof adjoined the roof of the complainant at the time. He claimed not to recognise the objects, including a hammer, found on the roof. On 23 June Ampère searched the house of Maume and drew up the mandate of arrest which was put before the jury d’accusation by Renard.\textsuperscript{62}

However, Ampère’s main concern was prosecuting the Jacobins. By the end of the month of June Ampère delivered to the director of the jury, Renard, the accusations against 15 Jacobins including the former mayor, Bertrand, held in gaol after the popular uprising of 29 May. Although the task of writing up the accusations was usually completed by the director himself before going to the jury it would appear the work was largely undertaken by Ampère. The document was produced in the form of a printed notice, which made it easier to inform the populace of the proceedings against the accused and to help establish the legality of what the city had done. It is thus difficult to be absolutely confident about who was responsible for its contents but Ampère’s name was clearly appended and he did not try later to deny his involvement in its production as Renard did. In view of the work Ampère had done up to this point in the case of Chalier and Carteron, and in view of Renard’s claim that he did not have the education to draw up such accusations, it is more than likely that the setting out of all the cases against the Jacobins, as well as the warrants, were prepared by Ampère. Ampère agreed at his later trial that he was responsible for ‘many instructions against the municipal officers from 21 June and in dealing with those matters required to go before the director of the jury he had done so ‘according to the law in the case of all accused’.\textsuperscript{63} The facts written up in Ampère’s own hand in the case of Carteron include two interrogations, one on the accused man’s initial detention on 6 June and a further one on 26 June when a packet of papers was found containing material that incriminated him in the secret meeting of 6 February. The original documents both appear only in the file of Ampère as evidence against the juge de paix in his own appearance before the Tribunal Révolutionnaire in November 1793, which leads to the conclusion that many of the other original documents were also not retained in the relevant Tribunal records.

\textsuperscript{62} This less controversial case is still filed at ADR 41 L 8.
\textsuperscript{63} Interrogatoire de J-J. Ampère, AAS. Fonds Ampère.
The primary action against the 15 Jacobins, which commenced on 30 June, was based on the allegation that they had been planning an attack ‘against the sovereignty and the liberty of the people’ which was put into action on the day the *sectionnaires* had decided to protest.\(^6^4\) This allegation was contained in a composite document against the accused, designed to draw attention away from the fact that the Jacobins were responding to an uprising by the *sectionnaires* calling for the dismissal of the elected municipality on the day of 29 May. As well as the mayor, the other accused were Jean Roullot (*dessinateur*), Jean Richard, Gilbert Roch, Louis Dubois, Charles Turin, Pierre Chazot, Jean-Baptiste Carteron, Vincent Noël (*comédien*), Pierre Bourchenu, Didier Fillon (*perruquier*), Jacques Montfalcon, Jean-Claude-Etienne Jacob (*tailleur*), Jean-Baptiste Foret and Jean-Pierre Revoux (both silk workers).\(^6^5\) The document described a conspiracy involving these ‘former municipal officers and notables’, the ‘former judges of the district court’ of the city and other ‘anarchists’ who allegedly commenced the violence on the day. The facts outlined an attempted seizure of power by the Jacobins from 6 February, including the publishing of ‘incendiary placards’ which had ‘provoked murder and pillage’.

Far from being a neutral document the accusation was intended to mediate the events to the public of Lyon, and ultimately to the nation. The document identified those members of the Jacobin municipality who were alleged to have been involved in events on the day of the uprising. Although their presence in the Hôtel de Ville was legitimate, they were nevertheless held responsible for the deaths and woundings of *sectionnaires* who had gathered outside to protest on that day because of a conspiracy commenced months earlier. A comprehensive catalogue of the crimes the Jacobin officials were alleged to have committed before and during the uprising were set out as evidence. As such the document had an important bridging function. The overall culpability of the Jacobins lay in the alleged conspiracy to attack the ‘liberty, the lives and fortune of citizens’, which was accomplished when the insurrectionists were

\(^{64}\) This *acte d’accusation* is presented as Appendix 3. This document is held in the Gadagne museum, which museum is an important resource for the history of Lyon, with many rooms of objects, documents and engravings situated in an old hotel once owned by the Gadagne family. Two rooms are dedicated to the revolutionary period.

\(^{65}\) On 10 October Couthon declared that all these officers who had been ‘thrown into cells by the aristocracy’ were to be established in their previous municipal functions. See Fayard, *Histoire des tribunaux*, 52-3.
wounded or killed on the day of the uprising but had been put into action in the months before the revolt. The cases were then remitted to the higher courts for judgment. Whether he wrote all the accusations or only contributed to the individual mandates of arrest, Ampère already subscribed to the conspiracy theory that the printed document set out, as can be seen in the documents that we do know he was personally responsible for. The actions of the Jacobins who were under siege were not seen as a legitimate defence of the elected municipality but as a conspiracy against the citizens of Lyon, an extraordinary argument.

The document, by its description of events and characterisation of the crimes that allegedly occurred, supported the narrative that readers of the *Journal de Lyon* would have easily recognised: the supposed Jacobin attempt to retain power by violent rather than democratic means. The narrative began with the ‘secret’ meeting of the Jacobins in the Club Central and the proposals about a Tribunal Révolutionnaire and the use of the guillotine on aristocrats. The numerous allegations of ‘pillage’ and ‘incitement to pillage’ were basically the same for most of the Jacobins. Those who were in charge of the defence of the Hôtel de Ville and had ordered the use of the cannon against the rebels were charged with murder. While there were no prosecutions for the *sectionnaires* who had broken into the Arsenal to obtain arms used against the municipality, those Jacobins who had distributed gunpowder to their supporters were to be judged. So too were those National Guard battalions who responded to the calls of the municipality for military support. They were accused of firing on the insurgents and of murder. By casting the various imputations against the Jacobins in this way the document also helped legitimise the opposing actions of the rebels. Framing as crimes what had been until then contested interpretations of events leading up to and following the pillage of the Club Central, it presented an interpretation which accorded with the law. The facts could then be inserted into the evolving plot or conspiracy by the Jacobins who were accused and therefore validated retrospectively the reactions of the opposing faction. In this way what the Jacobins had seen as the precipitator of disorder, the pillage of the club on the night of 18-19 February, was given less causal significance. By using the confrontational language of ‘murder’ and

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‘pillage’ in this different context the Jacobin actions were accorded greater criminality.

This interpretation then supported the claim that the new municipality made, and continued to make following the events: they were still part of the republican nation and not its enemy as the Jacobins had alleged. It did this by setting out the justification for the attack on the former municipality in a seemingly legalistic and unemotional way, while actually presenting a reformulation by the victorious faction of the meaning of their actions. The legitimacy of the actions taken by the rebels on 29 May was clearly assumed in the accusation. The rebels were the victims. Though they had attacked an elected government, they did so only because it had become illegitimate. By blaming the Jacobins for the ‘murder’ of the citizens who had in fact been amongst the original attackers, a new interpretation could be made. By portraying the whole of the previous administration as criminals, the new administration could then claim to be saving the revolution. The document in this way sought to demonstrate the lack of counter-revolutionary motive to anyone who was likely to be sceptical of such a claim.

This repackaging of the events also had the effect of emboldening the new administration in the actions that they would take from that point onwards. This document had set out a firm framework for continued action. The fact that Ampère was associated with its production meant he had come to a decision that the Jacobins were enemies, despite knowing them personally from the professional interaction he had with them in the lower level of the courts, and so he was motivated to take the necessary actions against them. Where previously Ampère had accepted some of the different perspectives of his fellow judicial officers including Dodieu and Hidins, and their vision which included a recognition of the difficulties experienced by the disadvantaged, Ampère now saw their actions in a different light. While he remained concerned about the Jacobins in prison and never wavered from his duties to them, Ampère was one of their most relentless adversaries. As the register of the Saint-Joseph prison indicates, Ampère continued to visit and advocate for the needs of the prisoners.67 However the court documents show he was the most engaged of the

67 Register of St Joseph prison, ADR 1 L 1202.
remaining *juges de paix* in the process of having the suspect judges unseated and the power of their *comités* broken.

Yet Ampère was still careful to protect the rights of individuals. Ampère interviewed one of the municipal officers known as ‘Sautemouche’ on 27 June to determine if he was guilty of any crime recognised in the Code Pénal. The complaint against Sautemouche was that he had so frightened a woman when he arrived at her house brandishing a sabre and demanding the payment of a tax levy that she later died.68 The result of this questioning was that Ampère refused to remit the case against this former municipal officer to the higher court because he could not find sufficient facts to keep him in prison. The *Journal de Lyon* of 30 June described the sequelae of this decision:

> The *Police Correctionnelle*, by an excess of indulgence that one can hardly believe, absolved ... Sautemouche ... Someone recognised him [at a café and] in a moment numerous citizens gathered; he was arrested, some wanted to take him to prison, others to throw him in the Saône; the crowd grew ... cries of *à la lanterne* were heard...[preparations were made to string him up] when a blow from a sabre hit him on the left side, and he was killed; he was then thrown straight into the Saône.69

In this particular instance Ampère patently held more concerns about the requirements of the law and the functioning of justice than the journalist appeared to have. Ampère stresses that he had found Sautemouche innocent of the charge and it was his haste to get out of his ‘irons’ that led to his demise.70 In his discussion of this case at his trial in November 1793, Ampère pointed out that as a result of his decision, ‘most of the *sections* loudly demanded my own arrest, because I had obeyed my conscience and my opinion in freeing an innocent’.71 The murder showed a continuing popular recourse to violence that persuaded the authorities to in fact hasten the action against the rest of the Jacobins in gaol.72 Sautemouche had appealed for refuge to the *section* of Porte-Froc, which was sitting as an assembly at the time of his release, but he had been promptly ejected into the anti-Jacobin crowd.73 It was the violence of the *sans-culottes* visited on Sautemouche and the refusal of the *sections* to stop this violence that helped strengthen the resolve of the municipality to curb the increasing threat of

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popular violence in Lyon. Coindre arranged for a notice to be printed and exhibited on 29 June which said that only the authorities should be ‘the sword of the law’ and warned that uncontrolled vengeance would not be tolerated.74

From this point a more active response of the provisional municipality of Lyon ensued. On 2 July the municipality made the decision to disarm the troublesome Jacobin-influenced sections in Lyon. This followed a riot at the Saint-Georges section where 2000 women invaded an evening meeting and demanded that Chalier be released. They continued their demonstration outside his prison cell on the evening of 2 July. In response the municipality took action the next day against Saint-Georges and another worker-dominated section called Gourguillon. The sectional gatherings in these two areas were confronted by troops and cannon and ordered to deliver up their guns. The leaders of the suspected insurrection were taken to the Police Correctionnelle.75 The next day, 3 July, a more strictly worded decree came from the National Convention warning the Lyonnais to ensure the ‘safety’ of those arrested who had been placed ‘in the hands of constituted authorities’.

Misunderstandings escalated between Lyon and representatives of the National Convention because neither side could see the viewpoint of the other.76 On 4 July the general council of the provisional municipality in Lyon discussed why action had needed to be taken against the Jacobin politicians. They elucidated what they thought was Chalier’s involvement in the secret meeting of 6 February and his complicity in the threatened use of the guillotine and ultimately blamed him for those who had fired on the crowd of rebels in May 1793. They also noted ironically that the administrator Achard had ‘alone escaped the rage against rogues’ felt by the city despite him being the ‘principal agent of the Committee of Public “Disorder”’.77 On the other hand, a decree was sent to the city on 12 July from the National Convention stating that the city was in active revolt. This was followed by another decree calling for the suspension of the legal proceedings against the former municipality.

74 AML 1 CM 3.
75 Eynard, Joseph Chalier, 145.
76 See the thesis of Michel Biard that there was a double blindness in Lyon as to what was happening in Paris and in Paris as to what was happening in Lyon and that these misconceptions grew over the course of the crisis. Biard, 1793, 7.
77 Extract of the register of the Conseil Général de la commune provisoire de Lyon, BML Fonds Coste, Ms 110960.
Despite this clear message from the Convention, popular local opinion, expressed by the sectional committees, continued to push for action against those seen as the ‘criminals of the 29th’.\(^{78}\) From 15 July the higher courts were in action again, with new supplementary judges called to replace those Jacobins who had fled or were imprisoned.\(^{79}\) Chalier was the first to come to trial and was duly found guilty by the jury. He was condemned to death on 16 July after being found guilty by the Tribunal Criminel. The first official use of the guillotine was then necessitated but it did not run smoothly and it took three drops of the blade to kill Chalier. The trial of Joseph Julliard, who had been elected to the position of commandant-général of the National Guard, was also held on the 15\(^{\text{th}}\) and led to his acquittal. Several days later, on 22 July, Riard-Beauvernais, a battalion commander involved in the shooting on 29 May was the second Jacobin to be convicted and executed by guillotine.

The judgments in the major cases were heard by the juries and judges of the Tribunal Criminel and the much depleted Tribunal de District, whose judges were augmented from other districts of the Rhône-et-Loire. But the juges de paix, as had been the case since the decrees of 1791, still had the initiating function of arrest and interrogation. Another example of this complementary function was the case of Duperret, which was decided by the Tribunal Criminel but had been commenced by Ampère.\(^{80}\) Duperret was a member of the National Guard who had been arrested at the Hôtel de Ville on 29 May but who claimed that he was not involved in the armed resistance. He said he had sheltered there for eight hours but had done nothing. This evidence was taken by Ampère in June of 1793 but was not tested until July. The Tribunal Correctionnel was also still in operation but only in cases where a maximum fine of 500 livres or under two years imprisonment was the penalty prescribed in the Code Pénal. The case against the juge de paix Pierre Fillion of the canton of L’Hôtel-Dieu was one such case. It came before the Tribunal de District on 18 July, on appeal, to establish whether the magistrate’s actions actually constituted a crime based on the Code Pénal.\(^{81}\) He was accused of being complicit in the assassinations of 29 May by not helping a wounded person and being heard to encourage the Jacobin actions. He


\(^{79}\) Riffaterre, *Le Mouvement*, 256.

\(^{80}\) ADR 36 L 57.

\(^{81}\) ADR 1 L 375.
was initially investigated by the *juge de paix* Boivin and the Tribunal de District; it was decided that his case was covered by the Code Pénal and should be remitted to be heard by the Tribunal Correctionnel. Fillion was later found by the deputy Couthon to be the only *juge de paix* in Lyon who ‘did not share the crimes of the administrators in enslaving the patrie’.  

Ampère continued to be busy issuing warrants and interrogating those who were allegedly involved in the Jacobin resistance. He began investigating Robert Achard because of his intention (as suspected by the provisional municipality) ‘to arm the *sans-culottes* (the *canaille*), complete the formation of the revolutionary army, seize the arsenal and the store of gunpowder, to form a revolutionary tribunal and establish the guillotine in permanence’.  

Achard – previously a surgeon – was a member of the Jacobin Comité de Salut Public and alleged to have called the Armée des Alpes to Lyon. Ampère gathered evidence on 17 and 18 July from neighbours and on 19 July searched the premises of Achard with his assistants and an armed force. Inside the premises Ampère came across Achard’s domestic servant, Françoise Perris (aged 26 years), who agreed to open his desk and cupboards. Ampère extracted some letters including one he kept as evidence of Achard’s association with Chalier, Gaillard, Fillon and Gravier where the ‘friends’ were reminded to never mention to any outside themselves their ‘stormy’ and ‘scandalous’ gatherings. He also searched the cellars and interrogated the servant about her master’s absence. Although Achard was not found, Perris, despite her help in the search of the premises, was arrested for disturbing the peace in a neighbourhood of law abiding citizens and their families. She was taken into custody.

The fact that the Jacobin girl was arrested when the intended subject of the warrant was not found offers a further comment on the escalation of events. The case against her shows how the Rolandin or anti-Jacobin concept of law and order was becoming entrenched. Various witnesses said that she was regularly exposing her ‘derrière’ to them and conducting herself shamelessly before women and children of the

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82 ADR 35 L 18.
83 Extract of the register of the Conseil Général, Fonds Coste, Ms 110960.
84 ADR 42 L 56.
neighbourhood on an ‘infinity of occasions’. Such actions, according to the pharmacist Deliaire, were made without any provocation from the neighbours. He thought the girl and her master were angry about the former mayor Nivière-Chol and were protesting against his re-election. Her alleged immorality loomed large in the reports but this political agenda was significant as well. When interviewed by Ampère, Perris was asked about secret correspondence with her master and about her knowledge of the ‘massacres’ of citizens that had taken place on 29 May and the arrests Achard had made as a member of the Jacobin Comité de Salut Public. The most damning evidence against her was the testimony of the neighbours who claimed she was, with her master, ‘organising gatherings of men and women to protest about the events of 29 May’. Her ‘grimaces’, ‘threats’ and ‘obscene remarks’ and shrieking like a ‘fury’ had been observed since that date.

This case is important because it shows the influence of a particular, ‘bourgeois’ conception of law and order that Joan Landes has shown led to the ‘silencing of [the] public woman’ that Ampère was instrumental in effecting. Perris, by exposing herself to her neighbours, was showing her contempt for those in the bourgeois world who had forgotten or were indifferent to the plight of the struggling workers, the poor, the women actively trying to procure bread for their families – in short to the sans-culottes who were becoming less sure that the promised gains of the Revolution would ever come to make their lives easier. Hers was a non-violent but nevertheless challenging demonstration of her feelings at this time. To those in her neighbourhood Perris and her angry shrieks and bare ‘derrière’ were seen as a sign of deteriorating law and order and ultimately of criminality. The Perris case shows how the high ideals of liberty and equality that Ampère had himself prized at the beginning of the Revolution were slowly being eroded. Though he had shared many of the Jacobin convictions to begin with, Ampère now sided with those who did not want the fundamental economic and social certainties of Lyon to change. As David Andress wrote in seeking to understand the causes of the Terror that would later be unleashed in France, many of the ‘aristocratic enemies of the Revolution, present and active in

85 Interrogatoire conducted by Ampère of Perris, 19 July 1793: ADR 42 L 62.
86 Testimony of Deliaire, also testimony of Ponçon, ADR 42 L 62.
87 Testimony of Sebastien Cochet, ADR, 42 L 62.
88 Interrogatoire, ADR 42 L 62.
89 Landes, Women and the Public Sphere, 38.
politics, made little distinction between occasional violence with local and factional causes and a general subversion of all order’. The choices Ampère and his fellow republicans made when confronted by the sort of social unrest that Perris represented were at best a triumph of conservatism and at worst a validation of reactionary politics which would eventually lead to the real rather than imagined use of the guillotine for their Jacobin opponent, Chalier.

The Lyonnais now in leadership roles, however, continued to proclaim their innocence of counter-revolutionary intention. The municipality continued to try to convince the National Convention to withdraw its decrees. They also sent news that the majority of sections had voted for the acceptance of the new republican Constitution on 28 July. On 30 July they addressed a proclamation to neighbouring departments. In this proclamation Lyon denied they were rebels and royalists. In reality, they advised, they had examined and accepted the new constitution, the tricolore flag flew above them and they offered the ‘olive branch of peace’. Their arms would only be used against those who wanted to ‘enslave them’. But events had gone too far. An armed force was ordered to march against Lyon.

The siege of Lyon began on 10 August 1793 when Republican troops began to encircle the city. From 22 August bombardment on the city commenced. During September waves of bombardment continued, largely to the peninsula area between the Saône and Rhône rivers, which was held by the rebel Lyonnais. Official statistics were that 27,691 cannon balls were loosed on the city in the two month siege, 11,674 bombs, as well as gunpowder and 826,196 bullets fired by guns. The siege ended on 9 October when Lyon capitulated. During this time Ampère remained in his rented apartment close to the court house, unable to get to his home outside the city where his family, he hoped, was safe from the bombardment. He was still busy in his judicial role. Despite the fact the city was under siege, citizens continued to present complaints of criminal actions against their person or property to their local juge de paix and denunciations against those they considered responsible for criminal action against the nation. Ampère considered it his duty to continue receiving such complaints.

91 Quoted in Fayard, Histoire des tribunaux, 36.
complaints and making decisions on the spot in smaller cases, or assessing their suitability to be passed on to a higher court when required. One such case involved the Citizeness Claudine Henriette Archimbaud.

The case of Archimbaud was heard before Ampère on 10 September 1793. The case showed how the administration, both municipal and judicial, continued to try to normalise its actions. Archimbaud had been arrested in a nearby village with the young girl she had care of, and both were forced to return to the city under seige. Archimbaud had been the ‘première’ or head seamstress of a clothing business in Lyon and accused of passing on three forged assignats. The accused woman claimed to have absconded from her place of domicile, not because she was guilty of the crime, but because she had been ‘bombarded for the first time and was seized with fright’. When asked how she came by the false money, she responded that she had sold a collection of sewn materials she had made in her previous business to various people and that she had received the money from them in payment, believing the money to be ‘good’. Ampère realised there was not enough evidence to commit her for the crime and quickly brought the case to its conclusion.

However, for many Lyonnais, death and devastation did come when the bombs fell. A few days later, on 19 September 1793, Ampère was informed of such a death impacting the life of one of the prisoners under his responsibility. The former home of Citizen Binard, an inmate of the Roanne prison, had been hit by a bomb on the previous evening. His wife had been killed and their furniture was left unprotected and arrangements urgently needed to be made for the care of their very young children. When these facts were made known to him, Ampère ordered the man be taken immediately by two National Guard members to his former domicile to make the necessary arrangements. Binard, according to the Register of Denunciations made after the siege of Lyon, was one of the ‘patriots incarcerated’ before the siege had commenced. Ampère must have felt some horror at the fact that the man was unable to protect his family because of his imprisonment on a political charge.

92 ADR 41 L 8 (1793).
93 ADR 1 L 982.
94 ADR 42 L 62.
Ampère, however, continued in his role until the capitulation of the city in October. As the encirclement by national forces became more complete, food supplies dwindled and the commander of the rebels, Précy, managed to escape. Still Ampère continued to sit and hear the cases that were brought before him. He had time to ponder his position as the political realities of the failed insurrection grew clearer but the question remains unclear whether he knew about or wilfully ignored the evidence of the participation of counter-revolutionaries and émigrés in the closing weeks of the siege.

The last piece of evidence we have about Ampère in his role of juge de paix, is his written testimony (exposé) to the Revolutionary Tribunal that was set up when the city capitulated. Because of his active involvement in the administration of the city during the siege it was inevitable that Ampère would be identified and arrested as a key rebel. He was then called upon to explain his decision to indict the Jacobins. He accepted that he had commenced many proceedings against the Jacobins but denied that he had sentenced them. He claimed to have only dealt with those citizens who had tried to ‘inflame’ the population on the day of 29 May 1793. He stated that he did no more than he was required to do by the law. Part of his function was ‘comforting many of those who were in prison who were unable to be interrogated because of the multitude of cases waiting to be heard’. Though he hastened to set the patriot Sautemouche free when he found there was no evidence to hold him, he pointed out that this action itself led to the death of the former municipal officer who ‘succumbed to the blows of those intent on malicious action (malveillants)’. It was for this reason he counselled the other patriots in gaol not to take the same risk. He said that he ‘preferred that they stay in prison’ rather than their lives be similarly put in danger. Ampère also stated that he was constantly trying to deal equally with the agitation of counter-revolutionaries in his work. His exposé obviously had the function of justifying his actions when the siege ended and it cannot give us any clearer picture of the real motivation of Ampère as juge de paix.

The historiography thus far does not help either, despite Ampère’s importance. Edmonds, who made the closest study of the anti-Jacobins to date, only once

95 Ibid.
mentioned Ampère, in a footnote, as the magistrate who signed the arrest warrant of Dodieu.⁹⁶ While he did briefly touch on a struggle within the Tribunal de District and the Police Correctionnelle, which encouraged Chalier to accede to the radical calls for a revolutionary tribunal in Lyon, and he also mentioned that the Jacobins were elected to important judicial positions, he was more concerned about the political context of events.⁹⁷ He made no further analysis of the important struggle between the Jacobin and anti-Jacobin judges. Edmonds went little further in this crucial area than Riffaterrre, who established much of the framework of the events leading to the revolt and siege of 1793 in Lyon on which later studies, including my own, depend. Riffaterrre did highlight the arrest of the six Jacobin judges demanded by the sections between 29 and 30 May and the resulting legal impasse when they were in gaol. He then made some mention of Ampère and his actions in the case of Chalier.⁹⁸ Although Riffaterrre hinted at the lack of real evidence to support the detention of the judges, he really only concentrated on the case of Chalier.⁹⁹ While he outlined the archival sources in regard to judicial cases that may have had wider ramifications, neither he nor subsequent historians have gone any further in interrogating the arrests of these judges. Herriot also looked at the actions of Jacobin judges and the criticism of them by the Rolandin press but like Riffaterrre he did not look at Ampère’s role beyond his preliminary work in bringing the action against Chalier.

The cases Ampère initiated and conducted clearly show he was a crucial gate-keeper of the judicial system in place at the beginning of 1793. He was a committed man of the law and thought it was his duty to prosecute anyone who tried to overturn the rule of law and who had taken part in the illegal killings of citizens on 29 May, as he himself had helped interpret the sequence of events that occurred on that day. Ampère’s characterisation of the events of February to May in the various accusations which he prepared against the Jacobins in fact seems to follow the version of events presented by the journalists Carrier and Fain, who from September 1792 until May 1793 presented the Rolandin perspective of this time. These writers spoke for the many republicans who were becoming worried about the allegedly destabilising actions of the Jacobins. However, the actions of the Rolandin judges were equally

⁹⁶ Edmonds, Jacobinism, 124.
⁹⁷ Ibid., 160-1.
⁹⁸ Riffaterrre, Le Mouvement, 95-8.
⁹⁹ Ibid., 198-201
destabilising by July 1793, even though they were motivated initially by the need to apply the ‘rule of law’ in a fair and neutral fashion. After July this could not be said to be the case. By articulating how the law should be applied in the various actes d’accusation that he was involved with, Ampère must have experienced the profound tension of judging his colleagues who had adopted more radical ideologies in the course of the Revolution than he was able to accept. Yet he was ultimately driven by this understanding of his duty to protect the citizens with whom he had the most in common. His identification with the Rolandin viewpoint meant that he then helped categorise other citizens as criminals and indirectly ensured that the local society became fatally divided.
CONCLUSION

Overshadowing the earlier events of the tumultuous year 1793, the terrible repression unleashed on Lyon after the siege has tended to focus memoirists and historians teleologically. Because of the enormous cost in Lyonnais lives, generally accepted to be in excess of two thousand executions by guillotine, by shooting and even by cannon-shot, many histories written about the events followed the same strong ideological divides that lay at the heart of the events. Such a powerful retrospective approach now makes it difficult to develop a clear idea of how and why the politicians and judges, who even at the beginning of 1793 were prepared to work together, so quickly became mortal enemies.

This chapter looks briefly at the repression to bring together the different strands of the thesis and recapitulate the ways in which it has come to findings about the larger ideological dilemmas that the lives and deaths of Chalier and Ampère reveal. The final reckoning between the two judges encapsulates many of the key issues that my thesis has explored. Their growing ideological differences were signalled by important events and cases in the two crucial years that preceded the siege, especially as they related to this conflicted idea of the ‘rule of law’. By contrasting the ideas of these two actors we can come to an understanding of the development of the irreconcilable positions amongst the magistrates that had much wider and ultimately fatal consequences for the citizens of the city.

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Just as Ampère had called the Jacobin judges to account in May and June 1793 for the ‘conspiracy’ of February - May of that year, so by November he was called to account for his own actions. At his trial he was accused of being involved in a ‘conspiracy’, this time against the Jacobins. In gaol he wrote of his ignominious arrest by a young citizen and gunner of the republican army who held two fingers to his temple like a mock pistol and pointed him out to the rest of the army as if he were a ‘chief of the Vendée’.\(^1\) While imprisoned he was given the regulation diet of bread and water and

slept on the regulation amount of straw in his cell. Ampère’s written defence and his answers to his interrogation at trial expressed his disbelief that he could be charged when he had only exercised his duty. His concern, as articulated in this document, had been to ensure that those arrested should be dealt with according to law and that those agitators who wanted to disturb the tranquillity of the city were not able to do so.

Collot d’Herbois and Joseph Fouché were appointed by the Jacobin-dominated Convention as représentants en mission to address the issues in Lyon after the siege. They were not inclined to be lenient on those who had taken such drastic action against local Jacobins. They were expected to punish and stabilise the city now to be called Ville Affranchie (or Liberated City).² They set up a temporary comité de surveillance républicaine to punish those guilty of insurgency and on 16 November published a notice setting out the crimes of the rebel Lyonnais and the changes that would now take place. This document articulated five main goals. The first was to revitalise the esprit révolutionnaire: the well-being of the sans-culottes was to be reinstated as the purpose of the revolution which was founded on the concept of ‘free men’. The second was the arrest of suspects: those who had shown contempt for the sans-culottes. A ‘total revolution’ was required to be directed against the infamous rich who had subverted the values of the revolution. All good republicans were exhorted to rise up against the rich oppressors, to help arrest suspects, traitors (les Dumouriez). The third goal was a revolutionary tax to cover the expenses of war. The fourth goal was the provisioning of the markets and making food available for the people. The final goal was that all priests and fanatics needed to be extirpated and the crimes of the rebels dealt with.³ The Jacobins who had been languishing in gaol were put back into their administrative positions and manned new comités de surveillance in charge of deciding which goods would be confiscated from the rebels.⁴

At his trial on 22 November Ampère was permitted only to answer the points that were put to him to support his prosecution. They were, first, that he had stayed in Lyon during the period of the siege, which he admitted; and that he had set up the

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² See Paul Mansfield for a discussion of the centralist Montagnard control behind the policies of repression. ‘The Management of Terror in Montagnard Lyon, Year II’ in European History Quarterly, 20 (1990), 465-96.
⁴ Chopelin, Un Cancer politique? ,197.
preliminary inquiries of patriots, including the ‘virtuous Chalier’, as president of the Tribunal Correctionnel. Ampère agreed he had set up the preliminary inquiries, as he was required to do, but added that he had played no part in the judgments made against the accused in the higher courts – a clear statement of justification. He reminded the questioners that he had let Sautemouche free because he ‘obeyed his conscience and his opinion in not detaining an innocent’. Ampère was asked whether he had had any correspondence with the provisional authorities during the siege, which he denied. As to whether he had sent a retraction of his actions, as required by the National Convention, he said he had no retraction to give. He presented a clear statement of his view of the situation. When he was asked whether he had prepared the mandate of arrest against Chalier, he agreed that he had done so on 7 June. This crime was considered one of the most serious because Chalier was now regarded as a martyr and his acknowledgment of his involvement was more than enough to justify his indictment. At this stage the interrogation ceased. A further witness was called for the prosecution. He was Gilbert Roch, one of the municipal officers arrested by Ampère by the 31 May acte d’accusation. Roch confirmed that Ampère had interrogated and commenced proceedings against patriots. In a final ironic twist he alleged that Ampère had forced those Jacobins who he had accused to confess and had truncated their questioning once they did so.

Ampère was then taken before the Tribunal Révolutionnaire where he was found guilty of having begun vexatious proceedings against patriots (especially those who were ‘clubistes’); of enabling the projects of the counter-revolutionaries and participating in the revolt; of sitting as President of the Tribunal Correctionnel during the siege; of not having made a retraction; and, finally of having prepared the arrest warrant against Chalier. He was condemned to death and his belongings were ordered confiscated. Ampère was again humiliated with a placard on his back calling attention to his role as ‘juge de paix responsible for the arrest warrant against Chalier’ as he was led to the guillotine the next day.

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5 See the trial transcript in Fayard, Histoire des tribunaux, 114-15.
6 Ibid.
7 Ibid., 116.
8 Eynard, Joseph Chalier, 181.
Looking back to the early stages of the Revolution, neither Ampère nor Chalier could have envisaged the situation they found themselves in as they faced the guillotine in 1793. As they contemplated the end of their lives they were also forced to contemplate how their actions would be perceived in historical terms. Both had come from similar careers in the silk industry and were elected as magistrates in the new institutions of justice set up by the Revolution after 1791. However, despite their championing of the progressive reforms in revolutionary justice, they came to represent the different sides of the republican debate in this jurisdiction. By February 1793 they had become implacable enemies and were expressing incompatible ideas of how revolutionary justice should be exercised and to what ends. Both also died before the full tragic consequences of their schism were unleashed on the general population. Their last letters prior to execution mirror similar sentiments and show how they both still felt themselves to be at the centre of the drama. Chalier’s declaration to his loved ones ran as follows:

I have loved all humanity and liberty, and my enemies, my executioners who are my judges have sent me to my death. I am going to return to the bosom of eternity … if the sacrifice of my life could suffice for all my enemies, who are those of liberty, I die innocent of all the crimes that are alleged against me.

His last words to the Abbé La Sausse who accompanied him to the guillotine were the following: ‘I have only one favour to ask of the people of Lyon, it is that I be the only victim and that they will pardon all the others’.

Ampère in his instructions for his wife also expressed his love of his country and said:

I regret nothing but the misfortune of being misunderstood [by my country], for to be condemned by my enemies or those who are envious of me affects me less than my astonishment. I have never had anything other than the aptitude for and the passion of my duty. I have neither repented nor expressed remorse and am always worthy of your esteem.

Before going to the guillotine Ampère wrote these last words to his wife:

I hope that my death will be the seal of a general reconciliation between all our people [frères]. I pardon those who rejoice at it, those who have caused it, and those who ordered it. I have reason to believe that the national vengeance, of which I am one of the most innocent victims, will not extend to our meagre belongings.

Both men were genuinely amazed at how their motives were misconstrued, how the value of what they were doing was lost in the recriminations brought against them.

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9 Ibid., 167.
10 Ibid., 168-9.
12 Ampère, Lettre, 23 novembre 1793. AAS, Fonds Ampère.
My main focus in this thesis has been on the history of revolutionary justice as experienced by these two former magistrates in the period from late 1792 until the siege of 1793. Understanding their divergence is important because the divisions between the magistrates then contributed to the growing factionalism among Lyonnais republicans at a time of internal and external threat and war. Ampère’s role is central and compelling because he consciously expressed the anti-Jacobin legal view that would be used not only in the prosecution of Chalier but in the many other prosecutions against Jacobins in 1793. This viewpoint is spelled out in the letter outlining the dangers of the Jacobin legal perspective written by Ampère to Dodieu on 20 February 1793. Once the Jacobin magistrates were expelled from office after 29 May Ampère was one of the few magistrates in a position to help formulate the provisional expression of the rule of law when the judges in the Tribunal Criminel were unwilling to do so. The different interpretations of law held by the Jacobin judges and those who followed an anti-Jacobin or Rolandin viewpoint, like Ampère, have been relatively unexplored. While much has been written about Chalier, little has been written about Ampère, despite the wealth of source material connecting him to decisive cases in early 1793. I found the competing visions of revolutionary justice held by these two men to be deeply significant in the overall context of the history of the Revolution in Lyon.

Of the numerous studies of the events in Lyon leading up to the revolt of 29 May and the tragic repression there are really only a small number that can be relied on to give a balanced portrayal of the conflict between the republicans during 1792 and 1793 and of these few, even fewer address the issues between the republican magistrates. Some earlier historians like Riffaterre and Herriot provided much local context but even where they flagged the different agendas of the magistrates elected in 1793 they provided little analysis of any struggle in the context of the courts, except in so far as it concerned Chalier. Edmonds and Koi also analysed the ideological viewpoints of the Jacobins, including those elected as magistrates, but again, made no attempt to contrast their perspectives with those of other magistrates with whom they worked. Edmonds, whose work on the anti-Jacobin revolt is the most comprehensive, suggested that written law may have been more important than pursuit of revolutionary principles among some of the Rolandins yet even he did not look at the
role of Ampère as an anti-Jacobin magistrate. He noted that in 1793, when the Jacobins gained power, the Rolandins were unnerved by the ‘doubtful’ respect for the law of the Jacobins and reacted by using ‘rigid constitutionalism’ to counter the Jacobin claim for legitimacy. The issue of legality, he said, was already evident at the time of the execution of the king and associated with Roland, and increased when the latter became minister in the national government. He noted that this attention to legalism also surfaced on the question of the leadership of the National Guard and even more significantly upon the inauguration of the Jacobin comités. Edmond’s ultimate conclusion was that social conflict was always latent in Lyon and had the most significant impact on events. Although the period when the Rolandins were in the ascendancy (which he calls the early ‘municipal revolution’ of 1791) was a period of relative ‘calm and tranquillity’, this was never going to last because of the fundamentally different ways of seeing social and economic priorities among the republicans.

Chopelin also raised the important question of the legality of the Jacobin comités and concluded that the lack of prosecutions of those arrested by them in early 1793 was a direct consequence of the intense emotions aroused by the different ideologies of the Jacobins and the anti-Jacobins. While he looked at the impact these arrests had on some of the prominent political figures, he did not investigate the magistrates involved. Riffaterre looked briefly at the legal actions taken against Dodieu and Gaillard, the Commissaire National Hidins as well as Chalier and the disunity that was unleashed amongst them when the Jacobin judges used strong invective to denounce each other but he also failed to address the differences between the Jacobin and anti-Jacobin judges. Ampère was again mentioned in the case of Chalier, but not the crucial role he played in other prosecutions. Riffaterre thus did establish some of the visions of the Jacobin judges but did not show those of the anti-Jacobin judges. Herriot noted that Chalier had ‘grouped around him a formidable team’ in the Tribunal de District, but neither did he analyse their judicial impact. He too concentrated mostly on the trial of Chalier. Both Edmonds and Chopelin thus made

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14 Ibid., 168.
17 Ibid., 125, 283 (f.n.).
important findings about the Rolandin conception of the law but the significance of this different ideology for the anti-Jacobin judges, including Ampère, has not been appreciated. This has meant that Ampère’s vital role in the legal context has not been recognised in any of the significant histories of the period.

My archival research on the legal cases of 1792 to 1793 not only validates the somewhat limited assessments of Edmonds, Herriot and Riffaterre about the incompatible understanding of the rule of law amongst the republican magistrates but has found new evidence that is potentially valuable for understanding the growing factionalism in Lyon. The struggle in the judicial institutions was one of the significant expressions of this factionalism. There were a number of cases where the Jacobin judges were called to account for decisions they made and also for allegations of bribery. These cases suggest the anti-Jacobin judges believed the Jacobins were guilty of disregard for the written law. They argued by legalistic means that the Jacobins were wrong to use the law in the way they did, even if they were motivated to expose counter-revolutionaries. The Jacobin magistrates on the other hand asserted that many legal processes were used to hinder and stall prosecutions. They were critical of the rigidity of the conservative judges. Chalier, Dodieu and Gaillard, the Jacobins who held high judicial office and others who were appointed juges de paix in fact seemed to be proposing a transitional period of justice by using a revolutionary tribunal with extraordinary powers to lead into a truly democratic society. The fact that these magistrates could bolster their decisions by relying on legal differences adds more complexity to the situation.

This thesis has largely concentrated on the role of the one juge de paix, Ampère, to understand some of the complexities. He came to a conviction that the arrests and other actions of the Jacobins after February 1793 were not supported by law, and this realisation galvanised him in turn to help commence the prosecutions of the Jacobin judges and to use the law to reassert his idea of order. The thesis then had to consider whether the high principles Ampère brought to the newly reorganised justice system from 1791 were compromised by his actions in 1793. While there was not the scope in this study to look at the ideological stance of the many other magistrates who may have stood with either the Jacobin or the anti-Jacobin factions, this could well be the subject of some future study.
What I did find is that by applying the law against the Jacobins, as he did in the cases he documented, Ampère took the ideological differences between the factions that had emerged to the highest level. His work involved preparing the prosecutions against some of the most important personalities in the city, including Dodieu, the director of the jury with whom he had worked consistently until this time. Ampère responded almost immediately after the events in May, issuing the necessary warrant against Chalier for ‘having provoked murder, pillage by his written and oral words’ leading to the ‘massacres on the day of 29 May’. 19 He was trusted as a dependable man of law by those who had taken on political power after the elections of June 24 and by 30 June had encapsulated their view of the May 29 insurrection in the warrants against fifteen of the imprisoned Jacobin municipal officers. 20 As a juge de paix, he was not inhibited by the more rigid views of the judges of the higher courts trained in law, who were worried about legalistic principles being contravened. While the judges of the higher courts were unwilling to begin prosecutions of the Jacobins in gaol until they were sure of their power to do so, despite the pressure of the sections, Ampère identified with many of the bourgeois leaders of the sections who wanted action, such as Jolyclerc the constitutional curé of his church. His immediate actions of June in commencing prosecutions against many Jacobin judges and officials show a willingness to take to task those who were perceived by the Rolandins as threatening public order.

Ampère was also at first trusted by the Jacobins with whom he had worked, because of his previous commitment to applying the revolutionary laws. 21 He was no more qualified than those untrained Jacobins elected to office in 1792 to quote arcane rules of law. He was, like them, participating in a social experiment through his elevation to a role that in fact meant he had to interpret the law without the training that had been required in the ancien régime. However, unlike those Jacobins who claimed to represent the viewpoint of the sans-culottes despite coming from a position of greater education and affluence, like Achard and Gaillard, Ampère began to fear that violence and illegality were threatening social order. In this way he was very similar to the

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19 See the mandate of arrest of Chalier of 1 June, 1793 in his trial papers: ADR 42 L 62.
20 Acte d’accusation, 30 juin 1793.
21 Gaillard wrote from gaol after his arrest on 8 June that he was one of some 300 prisoners held and that Ampère should be approached by the deputy Lindet to let him out. Lettre, Pilot: ADR 1 L 375.
‘Girondins’ and ‘federalists’ studied elsewhere by, for example, Forrest, Crook and Hanson. Even so his legal scruples meant that the Jacobins Gaillard and Sautemouche felt they could appeal to him to let them out of gaol. He did in fact release Sautemouche with tragic results.

In the last resort it was the Rolandins who relied on Ampère to help legitimise the new regime. Although he released Sautemouche because of lack of evidence, ultimately he was instrumental in putting most of the Jacobin officials in prison in the first place. The anti-Jacobin sections were not happy about the release of Sautemouche by Ampère and their clamouring for the Jacobins to be dealt with rigorously in fact then led to the judges of the Tribunal de District finally beginning the prosecutions of July. Ampère was the crucial player in preparing the legal proceedings to this point and was working tirelessly to bring law and order to the city again, as president of the Tribunal Correctionnel. In his exposé he admitted he had presided over that tribunal for ‘almost a year without interruption’ before his arrest in November. There is no doubt that Ampère led the tribunal in the work that would ensure that its Jacobin judges as well as the Jacobins in municipal office were incarcerated, as I have shown by looking at the various arrests that were undertaken after the revolt of 29 May. Of course the fact that his name was appended to the arrest warrant of Chalier was all that was needed to ensure Ampère’s punishment for counter-revolutionary activity when Lyon was subdued and the Jacobins restored to office there. Yet this quick and devastating assessment of his significance does not address the work he pursued in his judicial career with such vigour during 1792 and 1793. Nor does it help us understand how such polarisation developed between himself and Chalier: two men who once had similar visions.

My research has shown some of the critical steps in the transformation of Ampère’s perception of what was happening in the legal context. The development of his thinking in this regard is especially useful because he was not part of the legal elite of the ancien régime, as were many of the judges in the higher courts who were strenuously opposed to the Jacobins. In fact he had been supportive of the early

22 Forrest shows the case of Bordeaux: Society and Politics, Crook, that of Toulon: Toulon in War, and Hanson that of Limoges and Caen Jacobins under Fire.
23 Edmonds, Jacobinsim, 200.
24 Exposé, AAS, Fonds Ampère.
democratisation of access to the law that had been part of the 1791 changes to justice in his role of juge de paix. It was the articulation of the Jacobin vision for a revolutionary tribunal from early in February of 1793, which threatened to suspend legal rights in its fight against counter-revolutionaries, that caused him to become more political. In one of his few personal letters that have been preserved he actually wrote to the Jacobin judge Dodieu asking him to reconsider the Jacobin actions after the events of early February which he suggested would have the effect of paralysing the system of justice. His ire was raised particularly by the decision of the Jacobins to arrest the substitute procureur Bertholon on the night of the 19th. This letter is important because it shows the transition in his thinking from a belief that he should work with the Jacobins to a belief that their own prosecution on criminal charges was necessary. The allegations of venality, of corruption and of operating outside the parameters of the Code Pénal, which he dealt with in subsequent cases against many of the Jacobin magistrates and judges, sullied them further in his eyes and drove him closer to other conservatives.

Ampère reacted decisively to the actions of the Jacobin magistrates and it was his interpretation of the rule of law that prevailed after this time, despite the protest of the Jacobins. His letter to Dodieu on 20 February indicates the precise timing of his decision to block the Jacobin manoeuvres and to pursue the municipal officers and the judicial officers who had a contrary view. In March the Commissaire National, Hidins, and the judge who was director of the jury, Dodieu, wrote to the representatives who came from Paris to deal with the turbulence in the city at the end of February 1793 about their arrest and interrogation by Ampère. Hidins urged the view that the law should never be used as a ‘game’ nor should it be abused. 25 Although Dodieu was released and went on to work with Ampère in his previous role, Hidins was later to hang himself in his gaol cell as the proceedings against the former judges and various Jacobin officials were prepared to go before the Tribunal de District in July. 26 Ampère’s duties increased after the insurrection of May 1793 and through the siege period.

25 BML Fonds Cost, Ms 558.
26 Fayard, Histoire des tribunaux, 31-2.
Ampère commenced actions against the Jacobin judicial officers deposed from office after the municipal revolt. Chalier, who had been president of the Police Correctionnelle at the beginning of 1792 when Ampère had joined the bench, was undoubtedly the most important of these prosecutions. Ampère, himself now president of the Tribunal Correctionnel, became responsible for preparing arrest mandates and accusations against other former judges, including Dodieu and Gaillard. He formulated the documents against these judges at the beginning of June and was then tasked with developing the arrest warrants against twelve Jacobin municipal officers at the end of the month. He interrogated the National Guard leader Duperrez in July for his alleged involvement in the distribution of gunpowder to the Jacobin defenders of the Hôtel de Ville and shooting of sectionnaires on the day of 29 May. Simultaneously he was responsible for upholding the legal rights of those in gaol and there is evidence he took that role seriously. From his cases and correspondence it appears that he remained convinced that he was protecting the advances of the Revolution, rather than as his opponents believed, thwarting them. However, even Gaillard, a judge of the higher Tribunal de District who returned to Paris with Lindet after the insurrection of May 1793, was arrested on 8 June. Ampère was later to suggest, at his own trial, that prison in fact kept the Jacobins safe from the murderous passions expressed in the various sections.

Lyon and the Lyonnais in administrative and judicial roles were in a highly dangerous position in June and July of 1793 and had to be careful to ensure that they were not themselves seen to be misusing the law against their enemies. The provisional municipality claimed to operate by virtue of the ‘direct democracy’ of the sections yet the legal basis for the action against the Jacobins was not immediately clear. In this grave situation Ampère emerged as the spokesman of the rule of law that needed to be diplomatically expressed by the new municipality. He had been a strong exponent of ‘Enlightened’ and humanistic thought, who regarded his judicial role as a crucial one in the new French Republic. Yet he was soon able to justify the imprisonment of the Jacobins and commence actions that led to the ultimate punishment of death against

27 Many of the documents and cases are contained in the archival records of the Police Correctionnelle ADR 41 L 6 (1791); 41 L 7 (1792); 41 L 8 (1793) but some are also in found in the records of his own trial; ADR 42 L 62 or in the originating documents in the various files of the Tribunal de District.
28 ADR 36 L 57.
29 The register of the prison of Saint-Joseph details the many actions he took in relation to the welfare of prisoners: 1 L 1202.
those who had been elected to office on the basis of the rule of law. His actions show his strong identification with the Rolandin viewpoint at the time.

The Rolandin viewpoint can be seen clearly in the writings of Fain in the *Journal de Lyon* which appear to have had a strong influence in shaping the anti-Jacobin perspective of the Lyonnais before and after the May uprising as the questioning of the journalist at his post-siege trial would seem to indicate. Fain was accused of being ‘the principal provocateur of the murder of patriots of Lyon, and notably the members of the municipality of 29 May’. He responded that he had only been motivated by ‘respect for the law, for property, for persons ... in denouncing abuses of authority and attacks on the law’.30

Ampère attempted to put a similarly positive spin on his actions of that time by pointing out in his defence that the national representatives, Nioche and Gauthier, had ‘praised the republican sentiments’ displayed by those who had taken action on the ‘fatal day’ of 29 May (thus legitimising the actions of the rebels). He then claimed that his police function was triggered by the ‘information’ and the many ‘facts’ gathered by the sectional comités (thus absolving himself of any personal culpability in finding the culprits). He asserted that he had himself only undertaken his ‘duty’ to make sure that those arrested were ‘protected by the law’ from those who wanted to ‘massacre the former municipality and its partisans’ and the prisoners would only be held until ‘the heightened feelings (*l’effervescence des esprits*)’ had died down.31 However, other documents show Ampère was much less conciliatory towards those he claimed had been responsible for the bloodshed and trauma of the day of the revolt (including Jacobins who had not even been there, like Chalier) and much more willing to take an ideological stand against them.32 The warrants and interrogations he prepared against the former municipal officers and judges in fact paint a harsh and partisan picture of the crimes of the Jacobins while his own actions were framed in a way that would minimise his personal culpability.

32 See the *Actes d’accusation*, 31 mai 1793, Appendix 3.
The original aspect of my thesis lies in providing this unique perspective on the interpretation of law as seen through the lens of Ampère and, though a small area, it is of vital concern to the outcome of the revolt in 1793 and the subsequent siege and repression of Lyon and deserving of more in-depth study. However, it was first necessary to look at the background of Ampère and the history of how the Revolution manifested in Lyon to understand how he came to make his final choices.

Chapter One began with Ampère’s experience as a silk négociant and later as a member of the feudal community of Poleymieux and provided an introduction to the pre-revolutionary history of Lyon. This was intended to show where the man who was to play his part in events came from and what had the biggest influence on him. The next chapter concentrated on the radical nature of the demand for change in the early stages of the Revolution in Lyon but the slow acceptance of actual change in a society riven by social tensions and kept in control by a Consulate ruled by the mercantile élites. The third chapter then dealt with Ampère’s personal experience of the first revolutionary events, in both the city and country areas of Lyon and the changes that were wrought, including those in the system of justice. Ampère’s engagement with the debate about a constitutional monarchy can be seen in his political translation of a text in the form of a play. This play mirrored the views of the bourgeois in Lyon, with whom he had an intellectual connection and who would take municipal office when the former consular authority was finally expelled. The wide-ranging interests of his early life indicated little objective sign that he was working to promote only the narrow interests of the bourgeois class to which he undoubtedly belonged.

The crucial role of the juge de paix as experienced by Ampère was introduced in Chapter Four. At the end of 1792, Ampère was working on such prosecutions as that against the Jacobin Bonnard of Vienne for corruption in his official duties as well as the high profile case of Casati, accused of attempting to murder the mayor, Vitet. Ampère’s duty to be available to all citizens in his canton was clear and his work shows his initial willingness to meet the high expectations of the new system of justice held by both the lower classes as well as the ‘enlightened’ bourgeois. Ampère was strengthened in his vision that change was possible and needed as he took on this mediating role. Ampère’s perspective demonstrated how a ‘self selected’ reformer
coped with the enormous changes and with the obstacles to revolutionary progress at the beginning of 1792.

The challenges encountered by the enlightened bourgeois in power in municipal and judicial offices towards the end of the year of 1792 after the overthrow of the king and the proclamation of the Republic were explored in the fifth chapter. It looked at the events of 10 August and the September massacres which exposed the differences between those in administrative office. As agitation increased in the social and political arenas, the climate of suspicion and fear also increased. While at first open to the new ideas of 1789 Ampère ultimately faltered, as did many others of similar background, on the question of the prosecution of the king.

Chapter Six began with the increasingly incompatible ideologies of the more socially democratic politicians and judges who were elected at the end of 1792. The Jacobins wanted immediate economic solutions and prosecution of the enemies of such change and the Rolandins preferred social change to be instituted within the dominant paradigm of economic progression. The new Jacobin judges agitated for increased repression and investigation of suspects but without the recourse to legal protections that the more conservative magistrates prioritised. Hidins, Dodieu and other Jacobins active in the Jacobin comitès, including Achard, now argued that the legal mechanisms in place only prolonged and made prosecutions against counter-revolutionaries slow and uncertain. Ampère became more involved politically in the widening local schisms. Early in 1793 Ampère was involved in cases concerning leading local political figures like Bertholon and Morand, both of whom were high profile officials put in gaol by the Jacobins. After the revolt of 29 May he was called on to help frame the accusations against many of the Jacobin municipal officers who were deposed from office. Ampère’s contribution thus extended to many significant political cases. The concerns in the neighbourhood sections were in line with a campaign in the local press which had gradually become more strident about the activities of the Jacobins. The revolt of the sections against the Jacobins then happened on 29 May 1793.

Chapter Seven dealt with the period after the revolt when Ampère began identifying the crimes that the Jacobins were said to have committed. He was involved in most
prosecutions through June issuing arrest warrants, collecting evidence, conducting interrogations and finally writing up some of the most important accusations against those imprisoned. Although he did not actually preside over Chalier’s trial he was, at the time, President of the Tribunal Correctionnel and undoubtedly strategically placed to appreciate the politics of the situation. His involvement in the proceedings against the Jacobins from June and July of 1793 are especially important because they show when Ampère took decisive action and how he justified such action.

This concluding chapter commenced with Ampère’s imprisonment for remaining at his post during the siege and charged with instituting proceedings against ‘patriots’. At this time his first reaction was to justify what he had done. In his written testimony (exposé) from prison Ampère offered his explanation of his actions after 29 May 1793 and his belief that he was innocent of any crime to the representatives of the people in the city. Ampère denied that he had sentenced Jacobins. He claimed to have only dealt with those citizens who had tried to ‘inflame’ the population on the day of 29 May. He had then only ‘exercised his function’ with the passion and the courage required of someone doing his duty which included ‘seeking to comfort many of those who were in prison who were unable to be interrogated because of the multitude of cases waiting to be heard’. Though he hastened to let the ‘patriot’ Sautemouche free, when he found there was no evidence to hold him, this had meant the former municipal officer ‘succumbed to the blows of those intent on malicious action (malveillants)’. It was for this reason he counselled the other patriots in gaol not to take the same risk. He said that he ‘preferred they stay in prison’ rather than their lives be similarly put in danger. He also stated that he was constantly trying to balance the agitation of counter-revolutionaries in his work.33

This exposé obviously had the function of justifying Ampere’s actions when the siege ended and was as limited as to his real motivations as the truncated questioning of Ampère at his trial on 22 November 1793. Ampère’s self-perception, as reiterated in his letters from prison and in his replies to the interrogation at his trial, show his belief that his actions had been taken with motivations that were not incompatible with the goals of the Revolution. The perception of Ampère’s actions formed by his

33 ADR 42 L 62.
questioners, however, was that he had been complicit in the counter-revolutionary decision to oppose the decrees from Paris. This was held to be proven by his action in beginning the judicial processes against numerous Jacobins and especially against Chalier. The Lyonnais Jacobins, in identifying with the sans-culottes, were retrospectively held to be in line with the goals of the revolution as expressed by Collot d’Herbois and Fouché at the end of the siege.

My thesis has shown that there were a number of factors at play at the end of 1792 that caused a committed official like Ampère to doubt the direction that the Jacobin judges had begun to take when they proposed the radical changes to the tribunals they did and undertook the arrests they did in early 1793. Underpinning their behaviour were the deep fears and anxiety caused by invasion and war, civil war and political uncertainty, and economic crisis. The fears and anxieties, but also the elation of events meant that both Rolandins and the Jacobins reacted strongly to each other’s policies in the political sphere and also in the legal sphere when the elections at the end of 1792 installed many Jacobins in the Tribunal de District and as juges de paix. The ideal of revolutionary virtue and ‘authenticity’ in public office that Linton has identified appears to have contributed to the conflict between the magistrates.34 The Jacobins thought the moderates did not attain this ideal because they were motivated to protect ‘aristocratic’ privilege. The moderates thought the Jacobins also failed in this respect because they were making secret deals and were corrupted by power. Both tried to counter criticism by proclaiming their superior virtues in political office. The cohesion of the Jacobins began to break down under the suspicion of their practices and the pressure of their own arrests and looming prosecutions. When actual corruption was alleged against Hidins and Dodieu by other Jacobins they then began to distance themselves from each other and also from Chalier. Although the anti-Jacobin judges expressed dedication to their judicial work, we can also clearly see that they made choices that reflected their core beliefs about social order. And it is in some of these choices that we see a willingness to make the law suit political ends.

Ampère’s role had evolved significantly from that of two years earlier when he took his oath to sit as an official in the administration of justice. He was then welcomed by

34 Linton, Choosing Terror, 40.
a municipality as committed to revolutionary change as he was. At this point Ampère’s life-long ideals seem to have merged with his acceptance of civic office. After the revolt of 1793 he was the only magistrate willing and able to issue arrest warrants and articulate the anti-Jacobin case that led inexorably to Chalier’s death and the siege of the city by national troops. Though he claimed his decisions were made according to the law, it is the way he framed the law which had the greatest impact.
EPILOGUE

André-Marie Ampère, aged 18 years at the time of the siege, later gave some additional perspective on his father’s life and death. He remained with his mother and sister in the country home at Poleymieux during the period of the siege. Jean-Jacques continued to purchase books and materials for him. A letter to André-Marie of 2 May 1793 indicates that Ampère was still ferrying correspondence about mathematical problems between his son in Poleymieux and his friend Jean-Stanislas Couppier who lived in Lyon.35 In this letter Couppier thanked his friend for the frequent correspondence about calculus problems that he was trying hard to resolve. The new question André-Marie was engaging him with was the problem of a kite and the theories that dictated the heights it could reach, with or without resistant forces. Couppier acknowledged in this letter the part that André-Marie’s father played in taking the ‘pains’ to personally deliver the letters and even going so far as to ensure that Couppier also provided his son with an example of the type of string that he used in his calculation for the tail of the hypothetical kite. Jean-Jacques was proud of his son and thought that great things could be expected from him. In his letter to his wife on the eve of his death he asked her not to tell their young daughter Joséphine of the misfortune of her father and, as to his son’s future, he expressed the view that ‘nothing would surprise me’.36 Despite Jean-Jacques’ attempt to keep his children unaware of the dangers he had faced during the siege and after, his son was so crippled by the news of his father’s death that he entered a period of profound grief that lasted for about a year. All his certainties were shaken.

The widow Ampère and her two children were temporarily evicted from their home after the death of Jean-Jacques. Official seals were put on the Poleymieux residence while authorities considered whether his goods should devolve to the state. Ampère had advised his wife that she in fact would have a legitimate claim on the property because it was part of her dowry settlement.37 She then successfully challenged the initial decision and the family was able to move back home. However, the family was

35 Lettre L, AAS, Chemise 323-372. Correspondence with Jean-Stanislas Couppier.
37 Ibid.
shocked by and ill-prepared emotionally for his death. Only a year earlier everything had seemed so secure. In fact, right up to the time of the siege at the end of May, the father shielded his family from the dramatic events taking place in Lyon. Confident that he had set his son up for success, Ampère had no inkling in fact of the difficulties and the change of focus his own death would have on him. He felt that his son had no further need of him and was convinced that great things could be expected of him.

In an autobiographical sketch, written some years after the event and only published in 1828, André-Marie recalled the impact of events ‘as disastrous as they were unexpected’ on his state of mind. He went on in the third-person style he had adopted for this piece of writing to say:

M. Ampère left his family in the country and took upon himself the duty of not abandoning his fellow citizens. He refused to leave the besieged city and when it fell, he was one of the first victims of the Tribunal Révolutionnaire. Following his orders, the younger Ampère stayed in the country where he had been left. He was lulled by the vain hope that his father would be returned to him, and the study of mathematics occupied him more than ever, because [his father] had managed to procure for him, just before the siege, the Mécanique Analytique [of Joseph-Louis Lagrange, published in Paris in 1788], the reading of which had animated him with a new ardour. He was able to redo his calculus problems and give himself over to this task up to the instant that the fate of his father was revealed to him. For more than a year he was given over to the pain [livré à une douleur]; which consumed him to the point there was no longer a possibility for him of any study. The taste for botany was awakened in him for the first time, when he came alive again, in the country where he had so often collected plants; the plants he now became determined to name. Soon he found again the charms that he had found at another time in reciting these [names] during his long walks. 38

In another version of this document he says it was the Lettres de J.J. Rousseau sur la botanique which at this time: ‘renewed in him the desire to know, the need of study and gave him back his ardour.’

From the beginning of his autobiography André-Marie detailed the debt he owed to the father who never ceased to encourage in him the love of ‘literature, in Latin and French, as well as many branches of the sciences’ and had brought him up in the country, which remained an inspiration for his life. However, the perfunctory description of his father’s role in the events of 1793 itself shows how painful it was for the son to address his loss.

38 A-M. Ampère, Autobiographie, 6-7.
It is of course unsurprising that there was such a narrow perspective in an adolescent like André-Marie, driven by the possibilities of his own journey in life, which was beginning to take shape. André-Marie, unable to go on with his studies, was also unable to pursue the true story of his father's activities. In the vast compendium of letters of André-Marie kept in various collections after he became one of the foremost sons of Lyon, there is hardly any further mention of this singularly supportive father. It would appear that after the terrible period following his father’s death when he was instantly cut off from the solace of his studies and for a year sunk in the pain of depression, he was unable to address the reason for the loss of his father, a man who had committed himself with the same optimism and energy to the revolutionary cause as he had to his son’s education.

Beginning and ending with the context of the Ampère family, as this thesis does, illuminates the potentially powerful choices that individuals were called on to make in the revolutionary period. For Jean-Jacques Ampère, as for so many other French people in 1793, these choices were ultimately of ‘liberty or death’.
APPENDICES

APPENDIX 1: Letter by Chalier and Dodieu, 19 février 1793.
(NOTE: The following transcriptions follow the orthography of the original documents.)
Aujourd’hui dix-neuf février 1793, l’An 2 de la République française, nous juges du tribunal du District de la cité de Lyon, nous sommes retirés à la maison Commune pour y demeurer en permanence avec Les Corps administratifs. Sur l’heure de Sept du matin, attendu les atroupements, sédinations, excès et voyes des faits qui ont eu lieu pendant toute la nuit - Dernier, et notamment contre quelques uns de nous dont les jour ont couru les plus grands dangers, a l’occasion de la démission donnée par Niviere-Chol a la place de maire le courant de ce mois et des intrigues criminelles pratiques par lui et ses agens aristocrates incendiaries à l’effet d’être réclu malgré et contre le vœu des vrais amis de la liberté et de l’ordre. Lequelle projet de contre Revolution n’a éclat qu’a la suite et a l’instant meme de la réélection que des conspirateurs Royalistes qu’il protégeoit, ont attendu pour violer impunément la sûreté des personnes et des propriétés.

Pour miez réussit les aristocrates se sont emparé et sont encore les maitres des postes de L’Arsenal et de la poudrière. Ce qui annonce des intentions bien criminelles et a jetté la consternation parmi tous les bons citoyens.

En conséquence nous avions arrêté de suspendre nos audiences et nos fonctions, jusqu’ au moment ou l’ordre public et le calme seront retablés et que les dangers que nous courons meme parmi ceux qui nous entourent de plus prés dans l’exercice de nos fonctions, auront cessé.

Donc et du tout nous avons redige le present process verbal lequel sera poste par un deputation aux citoyens Commissaires députés de la National Convention de sejour en cette ville comme aussi que copie sera envoyée au Comité de Sureté general de la Convention et au minister de la justice.

Fait et clos les jours and surdits. Signe Chalier, Dodieu juge, Dubessey juge.
APPENDIX 2: Letter Ampère 20 février 1793.

À Lyon le 20 février 1793.

Citoyen Directeur du Juri et Magistrate
Du District de la Ville et d'Eyson

Permettez que je vous marquer mon hommage
de ce que vous avez fait signifié un acte

Tendue à introduire les juges de paix
officier de police qui ont instruit les procès,
contre les prétendues complots des dévastateurs
commis la nuit précédente, les culs-ours
fournis par les prisonniers dans leurs interrogs
ayant pour but d'enfreindre l'officier instructeur,
pour ceux jusqu'au soupçon du délit, et il
n'a pres du voisin des coupables dans des
innocents, si il est ou quelque incrimination
sans justification, il a eu ordonné comme
l'acte fait que les preuves notoires sur
arrestation, si mieux il n'aima quel dommage
Puis la commission de Lyon.
...autant, et sous l'officier de police collab... 

pour sa convocation à la disposition de la loi et à la requête du gouvernement de la Commune, dans laquelle il exprime son vœu que les prêtres soient relâchés sous caution au désir de la loi. Je vous prie de vous souvenir, Citoyen, que les Divers Tribunaux sont établis pour communiquer au maintien de la justice et de son Empire auguste, connaissant vos lumières et l'exactitude de vos intentions, j'ai lieu de croire que vous ordonnerez, par de renvoi sur l'impôt de vos guerres, un acte qui paraîtrait n'être subtil, l'exécution de la police de sûreté déport à l'intégrité duquel notre famille nous fait un devoir rigoureux de saluer, que l'aménagement public tend à la droite d'inspirer...
A Lyon le 20 février 1793  
L’An 2 de la République.

Citoyen Directeur du juré et magistrat du district de la Ville de Lyon

Permettez que je vous marque mon étonnement de ce que vous avez fait signifier un acte tendant à inculper les juges de paix officiers de police qui ont instruit les procedures contre les prétendus complices des devastation commises la nuit précédente.

Les éclaircissements fournis par les prévenus dans leurs interrogatoires ayant paru suffisants à l’officier instructeur pour écarter jusqu’au soupçon du delict, il n’a pu ni du voir des coupables dans des innocents, et s’il a eu quelque scrupule sur leur justification, il a du ordonné comme il l’a fait que les prevenus resteraient en arrestation si mieux ils n’aimaient donner caution ; [if they prefer] en cela les officiers de Police Collet et Fillon se sont conformes a la disposition de la loi et a la requisition du procureur de la commune, dans laquelle il exprime son voeu que les prevenus fussent relachés sous caution, au desir de la loi.

Je ne saurais que vous observer, Citoyen, que les divers tribunaux sont établis pour concourir tous au maintien de la justice et de son empire auguste ; Connaissant vos lumieres et la droiture de vos intentions j’ai lieu de croire que vous ne craindrez pas de revenir sur vos pas et de revoquer un acte qui paralyserait, s’il subsistait, l’exercice de la police de Sureté ; dépôt a l’intégrité du quel notre serment nous fait un devoir rigoureux de veiller, que l’accusateur public seul a la droit d’inspecter les officiers de police, et qu’ils n’ont a rendre compte de leur conduite à aucun autre magistrat.
Agréez les assurances de mes sentiments fraternels.

Le citoyen qui preside le tribunal de la police correctionnelle.

J.J. Ampère.
APPENDIX 3: First four pages containing the general summary of the crimes alleged. (There are further pages dealing with each of the accused which are not included due to the size of the file.)
l'examen desdites pièces, et notamment du procès-verbal du conseil général du District, de
ce qui s'est passé dans les journées des 29 et 30 mai dernier, ainsi que de celui
dressé par le conseil général du Département, et des Districts de la ville et de la
campagne de Lyon, sur les événements desdites journées, lesquels procès-verbaux sont
annexés à la minute du présent acte d'accusation, des charges et déclarations des témoins,
des pièces servant de corps de délit, et qui ont été trouvées sur les personnes des pré-
venus ou dans leur domicile, et des interrogatoires et réponses desdits prévenus, le
tout joint au présent acte d'accusation.

Masse des crimes commis à tous les Municipaux.

Qu'il y a eu à Lyon une conspiration formée par les ci-devant municipaux et notables,
les ci-devant Juges du Tribunal du District de la ville et autres désorganisateurs et
anarchistes, pour attenter par des attouchements à la souveraineté du peuple et à sa
liberté; s'opposer à l'exécution des lois, en attentant à la propriété et même à la vie
des Citoyens, tant de cette ville que des environs : le tout en contravention à la loi
du 20 août 1792 :

Qu'on des premiers moyens par eux employés, pour parvenir à leur but criminel,
'a été d'éloigner et de chasser des places tous les Citoyens hommés, pour ne mettre
l'autorité qu'entre leurs mains et celles de leurs complices ; qu'ils ont ensuite échauffé
les âmes du peuple qu'ils maitrisaient, tenu publiquement des discours, comploté
et publié des placards incendiaires ; qui provoquai au meurtre et au pillage :

Que, le 6 février dernier, les municipaux et leurs complices tinrent une séance au
club central, où ne furent admis que leurs affidés, auxquels on dit prêter le
serment de garder, sous peine de mort, le secret sur tout ce qui se passerait que
dans cette séance ténébreuse l'on essaie de cacher à l'instant un tribunal popu-
laire qui devoir être composé de trois membres de chaque club, que les membres de
de ce tribunal sanglant furent nommés ; que l'on devait, au moyen de ce, faire
courir dans la nuit une foule innombrable des Citoyens les plus recommandables de
la cité ; que la guillotine devoir être placée sur le pont Morand, pour que les cadavres
et les têtes tombassent de suite dans le Rhône, et qu'il ne restât plus, le lendemain, de
vestiges du crime; que ces assassins devoir être exécutés par des attouchements
fomentés par les complices ; que, pour protéger ces attouchements et parvenir à l'impu-
niété des auteurs, des pièces de canons devaient être placées aux deux extrémités du
pont Morand ; que ce projet affreux eût reçu son exécution sans la vigilance du maire
Nivière-Chol :

Que les municipaux et leurs complices n'ont jamais perdu de vue ce projet, qu'ils
ont au contraire cherché à le mettre à exécution ; que pour y réussir plus sûrement
et éviter toute résistance, ils avaient pris la précaution de faire, par des attouchements,
désarmer les Citoyens hommés, pour n'armé que les malheureux et les anarchistes ; que
ce désarmement a été exécuté dans la fin du mois de février :

Que les municipaux de Lyon et leurs complices, toujours dans la même intention,
ont entretenu une correspondance soutenue avec tous les désorganisateurs et les anar-
chistes, correspondance qui ne respire que le meurtre et le pillage :

Que toujours dans la même intention, ils ont imaginé de former un comité de salut
public, qu'ils ont composé de tout ce que les corps administratifs avaient de plus gangréné, comité auquel ils ont illégalement et monstrueusement attribué tous les pouvoirs.

Que le 14 mai dernier, dans une séance, où ils étaient tous, ils ont arrêté le levée d'une armée révolutionnaire, qui ne devait être employée qu'à servir leurs projets libérateurs et païsiciens, et une contribution forcée de 6,000,000 livres; qu'ils ont donné pour prétexte, à un abus d'autorité aussi criminel, de pretendus dangers de la chose publique, de pretendus projets de contre-révolution qui n'existèrent jamais dans cette ville et dont il leur a toujours été impossible de nominer un seul agent.

Que, sous le prétexte de faire les enrôlements pour cette armée révolutionnaire, les officiers municipaux et leurs complices, par eux et par leurs agents, provoquaient, publiquement dans les rues et au son de la casse, au meurtre et au pillage contre les Citoyens honnêtes, et qu'ils désignaient sous les noms de Brissotin, Feuillamin, Rolandins, Aristocrates, Royalistes, Modérés, Égoïstes, Égarés, Riches, Usuriers et Agionième.

Que cette autorité arbitraire et monstrueuse commise sous le nom de comité de salut public, donnait des mandats impératifs contre les Citoyens, pour les forcer à payer, dans le fatal délai de vingt-quatre heures, des sommes énormes, ce qui est un véritable pillage.

Que les municipaux et leurs complices avaient dressé et fait dresser des listes des Citoyens qu'ils voulaient faire égorger, pour les piller ensuite, avec des qualifications atroces, et la demeure des Citoyens, listes de proscription qui existent au procès.

Que les ont fait de nouveaux efforts pour tenir d'établir à Lyon, en contravention aux Décrets, un tribunal révolutionnaire; qu'ils ont, à cet effet, député à Paris Gavriot et Gaillard; qu'à cette occasion Gavriot leur écrivit de la capitale: le 30 mai dernier:

Le peuple est las, l'instant de ses vengeances n'est pas éloigné, agissez donc vigoureusement et sans crainte, n'attendez pas le sort effroyable des Passivate de Marsillais; vous n'avez que faire d'adhesion; tandis que Fillon et Achat écrivirent de leur côté à Gaillard: nous crions de commencer à répandre du sang avant que l'injustice soit complète, et que vous renoncez à ces complots qui nous sont imposés dans les cachots.

Que, le 22 mai, le prétexte comité de salut public a fait distribuer, à la requisition de Challier, une demi-livre de poudre à chaque clubiste, et ce sous le prétexte criminel que les assemblées de section se mettaient en permanence.

Que les municipaux et leurs complices se sont constamment opposés à la permanence des sections; qu'ils ont formé des atrociements de gens à eux affidés pour allier à main armée dissoudre plusieurs assemblées, notamment celles de Saint-Georges, Lacrouzette et Rue Neuve.

Que, le 26 mai dernier, ils ont paralysé un Arrêté du département qui mettait sa réquisition permanente sur leurs places d'armes respectives. Arrêté dont l'exécution aurait prévenu tous les massacres arrivés le 29; qu'au lieu de ce, ils ont affirmé de ne commander que les quartiers qu'ils avaient sollicités, tels que Bonnemar, Place d'Argent, Gourguière, etc.; que c'étaient ces quartiers qu'ils conservaient la garde des postes les plus importants, l'arsenal et la poudrière.

Que'ils avaient tellement prouvé et médités les assassins du 29, qu'ils avaient écrit
pour avoir un renfort de l'armée du Mont-Blanc pour ce jour-là même ; qu'il est effectivement arrivé, dans la soirée du 29, un bataillon du Mont-Blanc, qu'ils ont introduit dans l'Hôtel-Commun, trompé, énervé avec du vin dans lequel ils avaient délai de la poudre à canon, suivant la déclaration qu'en ont publiquement fait les soldats du Mont-Blanc, et qu'ils les ont ensuite forcer à tirer sur les Citoyens :

Qu'ils ont assisté à une séance des jacobins, le 29 mai dernier, dans laquelle Challier, proposa de couper la tête à tous les présidents et secrétaires de sections et aux membres du Département, de faire des faisceaux de leurs corps, et de se laver les mains dans leur sang :

Que le 29 mai dernier, dès le matin, les municipaux et leurs complices avaient appelle à l'Hôtel-Commun les bataillons de Bon-rencontre, Plat-d'Argent, Gourguillon, l'Hôtel-Dieu, etc. ; que lorsque ces bataillons arrivaient, les municipaux leur distribuaient eux-mêmes du pain, du vin, des saucissons, des munitions, des cartouches, en criant avec eux : vive les sans-culottes, à bas les muscadins et les permanents:

Que, dans la nuit du 28 au 29 mai, le maire ayant lui-même fait disposer des pièces de canon au tour de l'hôtel commun et à l'embarcadère des rues qui y conduisaient, et les a fait charger :

Que dans la même nuit ils ont fait entourer un piquet de la section de S. Vincent qui veillait à sa propre sûreté, l'ont désarmer par trahison, l'ont conduit prisonnier à l'hôtel-commun en annonçant hautement que les arrêtés seraient guillotinés dans le jour ; qu'ils les ont gardés prisonniers dans la salle de Henry IV toute la journée du 29 sans vouloir les interroger, et les faisant au contraire menacer à chaque instant d'être exécutés :

Qu'ils ont, dans la matinée du 29, répondu à deux Citoyens qui étaient allés en députation auprès d'eux pour les engager à prendre des mesures sages, à l'effet de prévenir le meurtre et l'effusion du sang, et empêcher que les Citoyens s'armassent les uns contre les autres : pour de paix, nos mesures sont prises, ceux qui se rendent à la place de la Fédération seront pris entre quatre feu : nous avons entre nous les Députés de la Convention qui donneront toutes les réquisitions nécessaires :

Que les Municipaux, et notamment le Maire, disoient hautement : l'on veut du sang ; nous en répondrons :

Que, pendant toute la journée du 29, ils ont fait garder à vue Julliard, commandant général, dont ils se défiaient :

Que dans la même journée et vers les midis et demi, une heure, ils ont fait introduire sur la place de la Liberté le bataillon de Brutus, qu'ils savoient parfaitement avoir demandé avec tous les bons Citoyens la destitution de la Municipalité ; et qu'après avoir interpellé ce bataillon, rendu sur la place, de les reconnaître, et en avoir étuié le refus prévu, ils ont donné le signal de faire feu sur lui ; qu'effectivement l'on a de tous côtés fait feu sur ce bataillon, qu'on lui a fait une décharge de canons chargés à mitraille ; que c'est l'un des officiers municipaux ( Roullet ) qui a mis le feu au canon : que plusieurs soldats de ce bataillon ont été tués, un grand nombre blessés ; que le bataillon de Brutus n'a pas tiré un seul coup de fusil, qu'il n'avait point de munition :

Qu'après ces assassinats, les officiers municipaux se promenaient froidement sur la

Sections

1. Le Gourgulion
2. Saint-Georges
3. Porte-Freie
4. Place Neuve
5. La Jonvte
6. Le Change
7. Port Saint-Paul
8. Pierre-Sceze
9. Bellecour I
10. Bellecour II
11. Port du Temple
12. Place Confort
13. Rue Belle-Cerreire
14. L'Hôtel-Dieu
15. Rue Thomassin
16. Plat-d'Argent
17. Bon-Rencontre
18. Rue Tupin
19. La Croisette
20. Rue Bauvon
21. Saint-Nizier
22. Rue Neuve
23. La Fêchere
24. Place Saint-Pierre
25. Le Filâtre
26. Les Terroeurs
27. Le Griffon I
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