

LECTURE

DELIVERED JULY 14, 2014

No. 1251 | AUGUST 12, 2014

The Great Divide: The Ideological Legacies of the American and French Revolutions

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Abstract

As far as the West is concerned, the principal legacy of the French Revolution is not the violence of the Terror but the social democratic welfare state and definitions of positive social and economic rights as matters of equality: ideas that are commonplace in all liberal democracies. What is the legacy of the American Revolution? Every liberal democracy respects the “negative” rights as we first envisioned them; the notion that there are certain things the government should not be permitted to do to us is nearly universal in Western democracies. So, too, is the notion of the rule of law. The French revolutionaries had no use for an independent judiciary. Today, the very idea that a republic cannot exist without restraint is a fundamental premise of modern democracy.

Let me take you back to 225 years ago to what were then the suburbs of Paris.

An angry crowd gathered outside an old fortress in search of arms and gunpowder. The Bastille was nearly empty. There were only seven inmates, old men who reportedly were annoyed by all the noise outside their cells: four forgers, two “lunatics,” and a so-called deviant aristocrat by the name of Comte Hubert de Solages. It was a pretty sordid place. Only 10 days earlier, the infamous Marquis de Sade had been removed to another location.

The Governor of the Bastille, Bernard-René de Launay, tried to negotiate with the growing crowd, but they became impatient and stormed the undefended outer courtyard, cutting the chains of the drawbridge to the inner courtyard. A man was crushed in the mayhem. Gunfire broke out. Stories vary on who started it (Thomas Jefferson, who was in Paris, claims the soldiers of the Bastille fired

KEY POINTS

- The American and French Revolutions were inspired by the same ideas—liberty, equality, and the rights of the people—but their legacies are radically different.
- The American Bill of Rights largely declared a citizen’s freedom from government. Its declarations were about what the government should not do to the citizen.
- The French Declaration of the Rights of Man was not only about what the government is supposed to deliver, but also about the necessary conditions it must impose on the citizenry to reach those ideals. Every right was coupled with a responsibility to the community.
- Today, progressive liberals are closer in spirit to the French Declaration of the Rights of Man, while American constitutional conservatives believe mainly in negative rights. The huge philosophical gap between the two represents two very different ways of looking at the world.

This paper, in its entirety, can be found at <http://report.heritage.org/hl1251>

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first), but fearing that they had been lured into a trap, people in the crowd became violent, and a full-scale battle ensued as they were joined by deserters from the French National Guard.

Hoping to stop the violence, de Launay called for a cease-fire at 5:00 p.m. and offered terms for surrender. They were refused. Seeing that his troops could hold out no longer, he opened the gates to the inner courtyard and surrendered.

What happened next came to define the French Revolution: De Launay was seized and dragged toward the Hotel de Ville in a storm of abuse. After being badly beaten and crying “Enough! Let me Die,” he was stabbed repeatedly, and his head was sawed off and put on a pike. It was then carried through the streets for all to see. All told, reports of casualties vary, but we know that three officers of the garrison were killed and two other soldiers were lynched.

For Americans, freedom had to be protected from governments or from majorities who would deny people their individual rights. The French imagined a new order in which all the bad laws and customs of the past were completely destroyed.

This is the event celebrated in France as *La Fête Nationale*—or, as we call it, Bastille Day. It was an incident sparked not by solemn speeches or parliamentary votes, but by the people of Paris violently rising up against the government. Thus began the romantic myth of the French Revolution—the one celebrated over the centuries by politicians and artists—as a great upheaval of the people against oppression.

Now reel back in time 13 years earlier to Philadelphia on July 1, 1776. A very different scene was taking place.

The Continental Congress was meeting in the Pennsylvania State House. The issue at hand was a resolution proposed by Richard Henry Lee of Virginia to sever ties with Great Britain. When a vote was taken, Pennsylvania, South Carolina, and Delaware came out against. The New York delegation, lacking instructions, abstained. But there were still nine votes in favor, which meant that the resolution was approved by the committee as a whole.

The next day, on July 2, the question was put before the whole Congress. South Carolina reversed itself and voted for independence. Delaware too turned in favor. While New York abstained once again, the Pennsylvania delegation split its vote three-to-two in favor. Thus, the measure passed. Two days later, on July 4, the wording of the official declaration was approved by Congress and sent to the printers for publication.

Thus, independence from Britain was decided not by a dramatic uprising of the people, but as the culmination of a prolonged and deliberate parliamentary procedure. Two different stories. Two different national holidays. Two very different revolutions.

Two Different Revolutions Inspired by the Same Ideas

They were different. That is true. But ironically, these two revolutions were inspired by the same ideas: liberty, equality, and the rights of the people.

Thomas Jefferson no less than Maximilien Robespierre was a fierce lover of liberty. Patrick Henry no less than Abbé Sieyès believed the people were sovereign and had a right to govern themselves. George Washington believed as Saint-Just did that virtue was a republican value upon which the safety of liberty depended. But they meant very different things by these ideas.

I believe the best way to understand the difference between these two revolutions is to understand the difference between these ideas. They are like windows into the souls of the revolutions—spotlights on their hopes and dreams. They also explain why, to this day, so many of us in the West dispute and argue over what is meant by freedom, equality, and human rights.

If I had to zero in on the most fundamental philosophical difference between the revolutionaries in America and France, I would say it comes down to how they viewed the natural order—what is sometimes called the state of nature.

For Americans, the state of nature was very real. It was where individuals were endowed by the Creator with natural rights like life and liberty. Looking largely to John Locke, they believed governments should be instituted to protect those rights.

Freedom already existed naturally, but it had to be protected from potential sources of coercion, mainly from governments or from majorities who would deny people their individual rights. For some,

the state of nature was a benign place. For others, like English philosopher Thomas Hobbes, it was where life was “nasty, brutish and short.”

It was an uneasy balance of Enlightenment optimism, with its faith in Reason, mixed in with an old-fashioned Protestant distrust of human nature. Freedom was largely a negative thing, and rights existed in nature to be discovered by Reason, not to be created by philosophers or government committees.

For the French, it was completely different. They imagined a new order in which everyone naturally loved and cared for one another, but *only* if all the bad laws and customs of the past were completely destroyed.

They got this idea from the Swiss philosopher Jean-Jacques Rousseau, who believed that mankind, being good by its very nature, would exist in a state of complete social harmony were it not for the corrupting influences of civilization. The people, in this pure state of nature, were absolutely and completely sovereign. They could do no wrong. That’s why you cannot stand against them. To do so would be to stand against goodness itself. Rousseau said it plainly: “Whoever refused to obey the general will [of the people] shall be constrained to do so by the whole body; which means nothing else than that he shall be forced to be free.”

Thus, freedom was largely a positive thing to be forced on society. It’s as if the people, ruling through their tribunes, were absolute monarchs who brooked no opposition and were quick to take offense at the slightest questioning of their sovereignty. The old idea of the absolute sovereignty of the king was, in the French Revolution, transferred to the “people,” giving them, in the hands of their revolutionary vanguard, the right of dictatorship.

Now, from these two very different philosophies, all other differences in ideas between the Americans and the French largely spring.

Let’s take the idea of equality. For the Americans, it was largely a matter of equality before the law. When Jefferson wrote in the Declaration, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness,” he meant that human beings were equal in their possession of legal rights. He did *not* mean that all people were equal in talent, merit, wealth, or social status. Rather, they were equal, as human beings, in their right to pursue

their interests and their dreams without interference by the government or other people.

Writing in the *Federalist Papers* No. 10, James Madison made it clear that he had no use for the French idea of absolute equality. He wrote, “Theoretic politicians have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would at the same time be perfectly equalized and assimilated in their possessions, their opinions, and their passions.” For Madison, there was no single or general will in mankind. Rather, there was only a society of individuals with diverse interests and opinions whose natural freedoms needed to be preserved by government.

For the Americans, people were equal, as human beings, in their right to pursue their interests and their dreams without interference by the government or other people.

The French idea of equality, or *égalité*, is one of the three national mottos of the French Republic, but it is derived from a certain view of freedom. Since freedom is collective—an expression of the general will—and it is not individually determined, then naturally its truest expression is equality of the masses. You can be truly free only if you are in sync with the general will.

But that implies that everyone’s will must be equal; otherwise, what’s the use of it being *general*? If everyone was allowed to have different interests, statuses, opinions, they would not be united in a single will, would they? As Saint-Just put it during the height of the Reign of Terror, “Private happiness and interest are a violence against the social order. You must forget yourselves.... [T]he only salvation is through the public good.”

The “public good” is just another word for collective freedom, which leads us to the third motto of the Revolution, *fraternité*, or the appeal to national unity. The first celebration of the storming of the Bastille, called the *Fête de la Fédération* and held on the Champ-de-Mars in 1790, was not a Victor Hugo-like celebration of *Les Misérables*, but a mass rally celebrating the *fraternité* of the Revolution and the unity of the French nation. It was the French ideas

of liberty and equality all wrapped up in one. Free citizens would come together as equal partners in the unified French nation.

The legacy of *fraternité* is twofold: One, it gave birth to the populist nationalisms that would roil Europe and the world for the next two centuries, and two, taken to extremes, it led to the rise of totalitarian democracy in the 20th century.

But there was, in the French Revolution, a paradox in this passion for unity. All nations celebrate national unity, even our own, but it can be taken to extremes. The fraternal desire for consensus and accord ended up in violence and discord.

Hearing the guilty verdict at his trial during the Terror, a member of the Girondin party joked that the only way for him and his compatriots to save their skins was to proclaim “the unity of their lives and the indivisibility of their heads.” Exactly! Pushing for agreement to the extreme of violence is the most divisive—and exclusionary—thing you can possibly do.

In the history of ideas and political movements, the legacy of *fraternité* is twofold: One, it gave birth to the populist nationalisms that would roil Europe and the world for the next two centuries, and two, taken to extremes, it led to the rise of totalitarian democracy in the 20th century.

All these differences in interpreting freedom, equality, and unity led the Americans and the French to very different notions of government.

Radically Different Ideas of Government

In America, the revolutionaries wanted a decentralized but federal government with checks and balances to protect against the potential tyranny of the majority. In France, they wanted a unicameral legislature that was supreme and which, in the extremes, would tolerate no opposition from the courts.

In America, rights were seen as negative things for government—to be protected by the government and in many instances *from* the government. In France, they were seen as positive—enshrined ideals really—which the government was instituted to create and enforce.

It’s worth pausing a moment over these different approaches to rights. The American Bill of Rights largely declared a citizen’s freedom *from* government. The declarations in it were about what the government should *not* do to the citizen. They were about protection against unreasonable search and seizures, double jeopardy, cruel and unusual punishment, religious persecution, and so on.

The French Declaration of the Rights of Man, on the other hand, enshrined the ideals of humanity. Its declarations were not only about what the government is supposed to deliver, but also about the necessary conditions it must impose on the citizenry to reach those ideals. Every right of the citizen was coupled with a responsibility of that citizen to the community.

One of the earliest revolutionaries who was later eclipsed by radicalism—the Comte de Mirabeau—warned of the dangers of this approach. “Restrictions, precautions, and conditions,” he wrote in 1789, “are replacing rights with duties.” In other words, the duty to the community trumped the rights of the individual. Rights were now claims the government had on the people, because the revolutionary government was the equivalent of the people.

I once heard an American claim that absolute obedience was due to the government because “the government is us.” That is precisely how the French revolutionaries saw it, but it was not how the Founders of the American republic saw it at all. To them, the government was not the people, but the servant of the people. The people were the “subject,” while the government was the “object.” Sovereignty resided in the people separately from the object of its desires, the government. For the French revolutionaries, there was no separation between the people and the government. They were united in *fraternité*, which meant that the government was, like the people, absolutely sovereign.

Different Concepts of Political Morality

What we are witnessing here are two very different concepts of political morality. Both the Americans and the French were struggling to create a just society, but because they had different visions of what that was, they ended up with nearly opposite definitions of democracy and freedom.

Nowhere are these moral differences more pronounced than in how the Americans and the French viewed the idea of virtue.

For the Americans, virtue was on the one level a matter of personal manners and beliefs. It was largely how a gentleman should behave in polite society. But it was also a great deal more than that. As George Washington put it, “Virtue or morality is a necessary spring of popular government.” It was, quite simply, the idea that political freedom required social and moral restraints. You can’t have a free society where every man is out for himself. There has to be personal responsibility.

The French revolutionaries could not have seen matters more differently. For the more radical ones like Robespierre, the private virtues of the gentleman were associated with the decadent manners of the corrupt aristocracy. To them, the only thing that mattered was *public* virtues. Virtue was ardor for the Revolution. It was equated with energy, drive, and fanaticism. Robespierre once said, “He who does not pursue crime [in the name of revolution] cannot love virtue.”

For the Americans, virtue was, quite simply, the idea that political freedom required social and moral restraints. To the French revolutionaries, the only thing that mattered was *public* virtues. Virtue was equated with energy, drive, and fanaticism.

Once again, the source is Rousseau. There was a highly sentimental side to this man’s writing. He talked about the noble savage. His novel *Julie, ou la nouvelle Héloïse*, celebrated inner authenticity and proclaimed how society had no right to impose its artificial ways on the natural human soul. Thus was born the romantic notion of sentiment, which ironically the French revolutionaries adopted as a passion for the Republic’s “cult of Reason.”

How so? By celebrating and mythologizing the natural virtues of the poor. Rousseau actually believed the highest virtue of all—the super virtue and thus the source of all other virtues—was pity. “In fact, what is generosity, what clemency, what humanity,” he asked, “but pity applied to the weak, to the guilty, or to the human species in general?” (Victor Hugo would immortalize this sentiment many years later in his novel, *Les Misérables*.)

However, in the hands of some of the French revolutionaries, pity took a dark spin. To them, it demanded inflexible justice in the name of the poor—the blade of the guillotine in some cases. The very goodness of the cause justified the horrible means to pursue it. Vengeance against the enemies of the poor was not only a patriotic duty, but the highest expression of political morality.

Once again, a paradox raised its ugly head. A radical pity for some meant a radical pitilessness for others. Robespierre had little pity for the Girondin. And later, his enemies had little pity for him. Like them, he ended up on the guillotine.

Revolutionary justice during the Terror had come full circle. Because of exaggerated claims of pity—and because absolute unity was pursued in the name of absolute equality—liberty and justice were sacrificed to the point where even trying to offer a defense in court would result in an immediate death sentence.

Like all tragedies, the seeds of the Terror were contained in the original idea “gone mad” of the French Revolution itself—namely, that justice could be achieved only when all the people were one and united in the service of humanity. Out of this utopian dream arose all the excuses to commit inhumane acts in the name of humanity and injustices in the name of justice.

Why Such Different Paths?

So far I’ve dealt with ideas—how different they were—but this discussion begs the question as to why the French and Americans took such different paths. The short answer is they were very different people. They had different histories, cultures, and historical experiences, and because of these, they chose to interpret liberty and equality in different ways.

The majority of the American people were farmers, many of whom owned their own land. By the standards of the day, America was a “middle class” society. Except for slaves, there were not large swaths of society steeped in poverty. The American revolutionaries were the landed and professional elites, many of them lawyers. No starry-eyed radicals here. They were not interested in overturning the old social order, but in preserving it. Their beef was with the laws of Parliament and the arbitrary prerogatives of the King that they believed violated their rights as Englishmen.

In France, the majority of people were either dirt-poor peasants, impoverished by the hundreds of petty encumbrances of the old feudal system, or the equally poor *san-culottes* in the grimy streets of Paris. The revolutionaries were either liberal aristocrats or, increasingly as the revolution became more radical, middle-class lawyers who were social and political outcasts in the *ancien régime*. The peasant, the Parisian laborer, and the middle-class lawyer had no real stake in the old society. Traumatized by centuries of brutal inequality, what they cared most about was overthrowing the old social order and creating equality.

Thus, France was ripe for social revolution.

Not so in America. Yes, there were social clashes in our revolution. There always are in any revolt. But by and large, the American Revolution was a political revolt of independence—a war of secession, if you will—and not social revolution at all.

The American revolutionaries were not interested in overturning the old social order, but in preserving it. Traumatized by centuries of brutal inequality, the French revolutionaries cared most about overthrowing the old social order and creating equality.

In America, there was a long tradition of rights existing independently of the monarchy. It's a tradition that goes all the way back to the Magna Carta, the "Glorious Revolution" of 1688, and the general primacy of Parliament over the "divine right" of kings. But Americans understood their rights not as abstract ideas invented by Jean-Jacques Rousseau and the *philosophes*, but as legal rights *already existing*, to be guaranteed by the law.

There was another difference. In America, religion was seen by the revolutionaries as a positive thing. It is true that Jefferson may have been a Deist, and the famous pamphleteer Thomas Paine was certainly no traditional Christian, but most of the revolutionaries were actually religious, and even the less than devout among them saw the social utility of religion as a moral provider of order. And that order, they believed, was necessary for a people to govern themselves freely.

Not so in France. There, not only was Catholicism the official state religion, but the church was actually

an official order of the realm. It had its own official place in the Estates General, the parliament of the old regime. The church was like a state within a state, and priests were like privileged aristocrats. It had its own source of revenue, its own property, and was seen by many as a source of oppression.

No wonder that what we today call anti-clericalism—hostility to the power of churches—was, and still is, a burning creed of the French Republic. French secularism (or *laïcité*), with its tough restrictions on religion, makes our separation of church and state look like a picnic, and that's because, unlike us, they see little or no value of religion operating inside civil society as a guarantor of freedom.

So there you have it: the story of two revolutions, two different peoples, two different dreams.

The question is, what does it all mean for us today? What are the legacies of these two revolutions in our lives and in the lives of others around the globe today? What lives on? What has faded with time?

Legacy of the French Revolution: The Loss of Restraint

I would be remiss not to start with the darkest legacy of the French Revolution—namely, the Terror. It reverberates to this day through every violent act done by revolutionaries and terrorists, from the Bolsheviks to bin Laden, in the name of the people.

The historian J. L. Talmon argues that the legacy of Jacobinism—the most radical part of the Revolution—is totalitarian democracy. The Messianic ideal born in the French Revolution inspired the totalitarian movements of the 20th century, especially Communism.

But I would argue its influence is not limited to Communism. It is present as well in all illiberal movements that restrict liberty in the name of equality and justice. Such illiberalism exists today in Russia, Venezuela, and Iran where a façade of democracy masks oppression and a corrupt rule. You see it in the populist nationalisms of the world that end up in dictatorship, as the French Revolution did with Napoleon. Plebiscitary "democracy," where the people are allowed to speak only once and forever hold their peace, is also a legacy of the French Revolution.

The fundamental error in this legacy was the loss of restraint. In their fervor to create a new humanity, the Jacobins in particular committed the cardinal sin of losing their humanity.

To illustrate this point, it is well worth remembering that even Niccolò Machiavelli, who served in a

diplomatic mission at the court of one of the cruelest tyrants in European history, Cesare Borgia, saw the necessity of restraint. In writing *The Prince*, which was modeled on Borgia, Machiavelli believed that sometimes evil had to be done to create the good, but he always understood that it was, after all, still intrinsically evil—it was an exception to the rule, if you will.

That changed with the French Revolution. Now evil acts committed in the name of the good became, in and of themselves, good.

There are few ideas unleashed on the world that have caused more misery. While totalitarianism on the Left and the Right has had different philosophical roots and different aspirations, they were united in this one goal: Nothing could be allowed to stand in their way of totally transforming mankind and societies. This was true equally for Stalin as well as Hitler—for Pol Pot as well as Osama bin Laden.

The direct ideological heirs of the French Revolution—socialism and Communism—of course have had a varied history. Gracchus Babeuf (*The Conspiracy of the Equals*, 1796) was one of the last of the revolutionaries and the first to envision an absolute leveling of society. Marx and others turned socialism into Communism as a critique of the capitalist system. Lenin and others transformed socialism into Communism as a totalitarian movement. But today in the West, the “socialist” idea has been tamed. Socialist ideals have made their peace with elections and the capitalist system, becoming social democracies in Europe and the welfare state in the United States.

Now, lest you think I’m being too hard on the French, let me quickly add that over the centuries, they have redeemed themselves and their Revolution. Yes, they romanticize it and overlook the Terror (much as we sometimes overlook some of the blots on our legacy like slavery); but the French Republic today is a liberal democracy. As far as the West is concerned, its main legacy is not the violence of the Terror but the social democratic welfare state and definitions of positive social and economic rights as matters of equality—ideas we debate but which nonetheless are commonplace in all liberal democracies (including our own).

Legacy of the American Revolution: Ordered Liberty and Rule of Law

What is the legacy of our revolution? Every liberal democracy respects the “negative” rights as we first envisioned them. Today, they are largely called civil

rights, but the notion that there are certain things the government should not be permitted to do to us is nearly universal in Western democracies.

So, too, is the notion of the rule of law. The French revolutionaries had no use for an independent judiciary. The Americans made a fetish of it. Today, the American view is gospel in every human rights organization in the world.

The very idea that a republic cannot exist without restraint is today a fundamental premise of modern democracy. No democrat today argues that power must be centralized completely in the hands of the few or that there must be an all-powerful unitary government. That claim is left to dictators and illiberal regimes like Russia.

Today, every liberal democracy respects the “negative” rights as we first envisioned them. The notion that there are certain things the government should not be permitted to do to us is nearly universal in Western democracies. So, too, is the notion of the rule of law.

Truth be told, liberal democracies today are hybrid legacies of both revolutions. From the French we got the welfare state and the propensity to centralization found in social democracy; and in America, we got our progressive (communitarian) style of liberalism. From the Americans we get all the protections of liberties I mentioned earlier. The purest form of the Founders’ belief in negative freedoms today can be found in the ranks of constitutional conservatives.

This American–French hybrid exists even at the United Nations. The first 20 or so articles of the U.N.’s Universal Declaration of Human Rights are like our Bill of Rights. They are largely negative rights—things we want to protect people *from*, like slavery and torture. Nevertheless, at about article number 22 and beyond, the U.N. Declaration slips over into positive rights that could be, in spirit at least, taken directly from the French Declaration of the Rights of Man. They include things like the right to work and the right to just remuneration.

The first half, American; the second half, French. Now, despite all this, I must say that there is

instability in this hybrid model. It is pervasive and successful, but it represents more a political compromise than a philosophical one.

You see the instability in our own debates. On one side are progressive liberals who believe in positive rights and the public good that are closer in spirit to the French Declaration of the Rights of Man than to the American Bill of Rights. On the other are American constitutional conservatives who are true believers mainly in negative rights. Between the two is a huge philosophical gap that may be papered over by political compromise, but which actually represents two very different ways of looking at the world.

Conclusion

Thus do the two legacies of the American and French revolutions live on to this very day. Thus do

the different dreams inspired by these revolutions shape the hopes and dreams of the entire world.

These were among the most important events in human history. Every time we grapple with a public issue, whether it's how far the NSA should go in spying or whether the welfare state should be larger or smaller, we are still debating the fundamental concepts that first exploded on the world scene over 200 years ago.

So let's remember in commemoration of these two revolutions the cheers of their national holidays: *Vive la France* and God Bless America!

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