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**Pierre Rosanvallon**, *The Demands of Liberty: Civil Society in France Since the Revolution*. Translated by Arthur Goldhammer. Cambridge, Mass. and London: Harvard University Press, 2007. viii + 354 pp. Notes and index. \$35.00 (cl). ISBN 13: 978-0-674-02496-0.

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Readers of Pierre Rosanvallon's earlier monographs will not be surprised to learn that France developed something of a civil society in the nineteenth century after all. For two decades, he has explored that development in various ways, but never so forthrightly as in this book, which appeals eloquently for further work on the precise nature of the French political model and the forces that made it possible.

The original title of his book reveals more of its argument and historiographical implications: *La société civile contre le jacobinisme de 1789 à nos jours*. The uneven struggle between liberalism and republicanism has endured since the Revolution and it is not yet finished. But contrary to early observers like Alexis de Tocqueville and later scholars like Mark Hulliung [1], the ideology of the all-powerful centralized state in France, impelled in large part by the Jacobin spirit, have not prevailed for reasons Rosanvallon explores here. The tensions inherent to political centralization, even during the Revolution, developed a life of their own right in the first decades of the Third Republic, culminating with the 1901 law of associations, which, as Rosanvallon remarks, defined an approximation of civil society in France (p. 8). Consequently, anyone seeking to understand recent French politics, including the wearing of foulards in the public schools, is well advised to begin with his book.

In this account, whose prescriptions are balanced by careful analysis, Rosanvallon contends that the republican-liberal dichotomy in the history of modern French politics is simplistic and misleading. Histories of the Jacobin tradition's hostility to associations independent of the state nearly always trace the intellectual assertions of and resistances to state centralization. From Le Chapelier and Allarde onward, the debate is followed in parliamentary records, pamphlets, journals, and books to create something of a scholarly consensus: centralizing forces won. But more recent trends in social history considerably complicate this notion. Maurice Agulhon's work on French associational life, especially, shows how very lively social groups have been since the eighteenth century.[2] Not everyone was affected by, much less listening to the prevailing political discourse. Social reality belied political ideology. These two trends in historical work, Rosanvallon believes, must be brought together to nuance future histories of the French model. His most recent work attempts this delicate synthesis.

Rosanvallon's book is divided into three parts. The first explores the ill-defined political foundations of the centralized state before 1800. Instead of "Jacobinism," which is overly vague and unduly narrow, the author offers another, more precise and useful term, "the political culture of generality." This alternative descriptor applies much better to the phenomenon as "a social form," "a political quality," and "a regulatory procedure" (p. 4), whose utopian generality in the wake of the Revolution Rosanvallon characterizes in some detail. He seeks to clarify the unspoken assumptions about the need to dismantle the corporate state, which were made during the earliest moments of the sovereign nation.

Everyone seemed to be of one mind and did not bother to explore the reasons for proscribing *ancien régime* society. "The new egalitarian imagination reflected a profound change of sensibility, a change of almost anthropological proportions" in the revolutionary rejection of the old society of orders and corporations and with them of all intermediary bodies (p. 13). "One must take hold of man's imagination

and govern it,” Rosanvallon quotes Fabre d’Eglantine’s passionate formulation of the great whole (p. 21). Nothing must stand in the way of communal aspiration, according to members of the Constituent Assembly. The democratic quality of state institutions obviated the need for other associations. Accordingly, political commentary critiqued popular societies for their interference in the immediacy of the revolutionary order and its adequate representation of everyone’s interest. In recognition of the right to associate included in the Declaration of the Rights of Man and Citizen, faint efforts were made to distinguish between “freedom-societies” authorized by the edict of 19 November 1790 and “institution-societies” banned by the Le Chapelier law of 14 June 1791. The celebratory cult of law was invoked to protect the interests of individuals whether or not these distinctions meant anything. “This totalizing vision of generality,” Rosanvallon writes, “encourages thinking of the law as absolutely adequate to reality in all its diversity...to encompass the plurality of possibilities, the infinite range of particularities” (p. 57).

The problem historians have had in making sense of these tendencies is to presume their coherence. There never was any. According to Rosanvallon, the critical discussions of the French exception, first by Edmund Burke then by Tocqueville, became the leading interpretations of a much more complex historical phenomenon. Their notions of a “speculative republic” and “absolutist tradition,” labels that allegedly explain the despotism of the French state at the expense of all intermediary bodies, elides the more accurate account provided by Hegel of a comparative perspective on the French and English experiences. According to Rosanvallon, the German philosopher saw more clearly than French observers did the dialectic between generality and particularity at work in both historical paths to modernity. Yet his views were ignored by nineteenth-century liberals and conservatives alike, from Benjamin Constant to Hippolyte Taine.

The complications with the Jacobin tradition as political reality, however, became immediately apparent in the first half of the nineteenth century. The second section of Rosanvallon’s book attempts to show how “the three imperatives of governability, socialization, and liberty led to a relegitimation of the very intermediary bodies that had previously been condemned” (p. 6). The free marketplace for goods and labor was simply untenable and familiar regulations of commerce and trades soon appeared after 1800. Public safety and social control necessitated some reinvention of corporate life. The fear of unbridled individualism overcame many of the strictures against associations. Laissez-faire was fine in theory, but dangerous in practice. “The chief concern was now postrevolutionary society,” Rosanvallon writes (p. 94). There had to be some check on social dissolution, argued a variety of nineteenth-century observers from Restoration Ultras to Saint-Simonian socialists. Decentralization and association received new valences, not just to restructure society but to maintain liberty itself. Across the political spectrum came calls for effective antidotes to the political and social problems posed an all-powerful state.

Whence changes in the Jacobin tradition so soon after the Revolution? How did it persist? Explains Rosanvallon, “The French model was able to overcome the resistance it faced throughout its history by reconfiguring itself in the face of challenge” (p. 119). It did so by reworking administrative imperatives, by redefining political generality, by rethinking Jacobinism itself, and by critiquing the undemocratic quality of intermediary bodies, all under new historical circumstances, which gave renewed life to centralizing impulses. Ultimately, the critiques of centralization’s threat to liberty failed to restrain those critics who finally came to power. Intermediary bodies were rejected by the reigning bourgeois ideology, resulting in the limitations in Article 291 of the Penal Code in 1810, but even more in the complementary legislation in 1834. Rosanvallon points out, however, that more than the historical context changed. So did Jacobinism: “it underwent a *liberal recomposition*” (p. 131, Rosanvallon’s emphasis) exemplified by Charles Dupont-White’s thought in the 1860s; he expressed well the pervasive loss of confidence in civil society in lieu a “*democratic illiberalism*” (p. 138, his emphasis). Especially in the wake of 1848, associations became partial, special interests at odds with “a greater association” (p. 143, Rosanvallon’s emphasis) now represented by the state.

The third and longest part of the book is dedicated to exploring Jacobinism's rapprochement with liberalism leading to the 1901 law on associations and that rapprochement's persistence to the present. Here French civil society effectively develops. The great turning point began with the growing fears of socialism and the welfare state during the Second Republic and Second Empire—precisely when Phil Nord's work also locates the change.<sup>[3]</sup> A significant shift in intellectual climate led to another critique of revolutionary individualism and a new appreciation of intermediary bodies. All of this justified the 1864 toleration of workers' associations, a step towards the institutionalization of labor unions in 1884 with profound ramifications for the trade union exception in the French politics. With the work of Alfred Espinas, Alfred Fouillée, and Emile Durkheim, the new discipline of sociology provided another theory of society as a complex organism, in which associations were regarded as useful parts of the whole.

Such were the mechanisms for the effective repeal of Le Chapelier by 1901, with labor unions leading the way for reasons that Rosanvallon discusses at length because they are an illustrative exception. (pp. 168-185) The recognition and authorization of "syndicalism"—a revealing term—marked the introduction of key elements of civil society in France without developing it fully for other intermediary bodies or associations. The distinction between the social and the political, the generalization of workers' interests as representative of the whole, the new form of collective convention in the law—all for unions—laid the groundwork for other professional groups. The influence on subsequent legislation and its enforcement was enormous. Although the 1901 law did not create civil society overnight, because much had preceded it, it capped off the emergence of substantial toleration for associational life made possible by 1884.

Rosanvallon recognizes the new law's limitations. Article 291 of the Penal Code was repealed for all social associations, cooperatives, and special collectivities, except of course for political parties and the Congregations. Again the slip between theory and practice appears. "The French model has always exhibited a sort of split personality," writes Rosanvallon, "operating more pragmatically than its stated principles would lead one to assume" (p. 186). Well before the law there was a rapid growth in associational life, it just took thirty years for this fact to be reflected in the law. That it took so long from the first legislative proposal in 1871 is indicative of long-term historical forces at work. For this reason Rosanvallon spends time to explain the other factors in excluding the Congregations: it was not just anti-clericalism. "The refusal to characterize associations as substantial institutions extending beyond the act of inception accounts for the failure of the law of 1901 to serve as a legal framework broad enough to encompass the many ways in which individuals form groups and act cooperatively" (p. 206). Anti-clericalism was a convenient, simplistic justification for a much more complex process.

Rosanvallon is surprised by what happened next: "the law survived the twentieth century virtually intact" (p. 208), including the restrictions on associations' ownership of property stipulated by Article 6. Associations could only function on membership dues and handouts from the state. Yet the legal status of labor unions continued to evolve. This contradiction, Rosanvallon argues, is owed principally to an internal tension in the republican model. Edmond About, the confidant to Napoleon III, first articulated the "liberalism in the social and economic spheres but not at all in the political realm" (p. 217), a sentiment that prevailed in a polarized democracy for more than a hundred years. The failure to make the communes little more than administrative agencies of the state illustrates this persistent tendency. Repeatedly, quips the author, "The republicans [after 1901] sounded like Tocqueville but continued to think like Robespierre" (p. 230).

For many Radicals, the initial impulse behind decentralization was little more than an effort to reduce costs. In the next hundred years, however, other developments accorded associations and intermediary bodies more legitimacy: they became political agents in a monist conception of the republic; they came to function as auxiliaries of the state; and they witnessed the state reorganize and create for itself the *grand corps* to train elites. As Jules Ferry suggested, associations must become partners, even props of

the state to ensure a well-informed citizenry and shore up democratic generality. The result was what Rosanvallon calls “a balanced democracy” (p. 247), which resolved some of the tensions between Jacobin polarization in a “stalled society” and the network of intermediary bodies in a corporatist state, beginning with the health care, teaching, and engineering professions.

What the twentieth century contributed was a deepening of the French model. After 1945, a much revised Jacobinism, as it had developed before 1914, stabilized; its essential features remained constant, despite the continued institutionalization of labor unions. “Even more significant, perhaps, was the narrowing of both the legal and the sociological gap between unions and associations” (p. 254), especially after 1960. The family became a *corps*; associations became both auxiliary and directly administrative bodies. And the May 1968 events contributed to, not initiated, a resurgence of interest in social groups of all kinds, such that political scientists could actually talk about “the third sector” leading to its participation in ministerial decision-making. Of course, the Jacobin state continued in political rhetoric, but “a far more complex ‘rationalizing corporatist state’ was actually at work” (p. 263). Rosanvallon concludes how “a certain illiberal tendency remains despite the undeniable advent of a more pluralist society” (p. 264).

The author is correct, I think, to call for more comparative research on the French model of a liberal Jacobinism despite itself. Until then this book’s assessment remains incomplete. The French are certainly no more exceptional than are the German or Italian examples in the historical development of civil society. I am not sure what the French model means until it is set up against what evolved, or erupted, in other Western states in the modern period. In my work on women in Freemasonry, for instance, I have found a remarkable tolerance for different forms of associational life in France than existed in the Anglo-American context, where civil society made its earliest and fullest appearance.[4] Why should French lodges be more open to women than English ones? Is not the problem of civil society in France therefore more a cultural than a political or sociological one? The social historian still has more of a role to play in answering such a question than this monograph suggests. To be fair, Rosanvallon recognizes this contribution and welcomes it. His book still deserves a broad and attentive audience in the profession on both sides of the Atlantic.

## NOTES

[1] Mark Hulliung, *Citizens and Citoyens: Republicans and Liberals in America and France* (Cambridge, Mass.: Harvard University Press, 2002), most recently.

[2] Note the bibliography of Agulhon’s work: *La France démocratique (combats, mentalités, symboles). Mélanges offerts à Maurice Agulhon* (Paris: Publications de la Sorbonne, 1998).

[3] Philip Nord, *The Republican Moment: Struggles for Democracy in Nineteenth-Century France* (Cambridge, Mass.: Harvard University Press, 1995).

[4] James Smith Allen, “Sisters of Another Sort: Freemason Women in Modern France, 1725-1940,” *Journal of Modern History* 75 (December 2003): 783-835.

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