

(No. 122 — March 21, 1849)

Paris, March 20.

TO THE CITIZEN EDITORS OF *LE POPULAIRE*

Citizens, I have read in your esteemed journal the letter you did me the honor of addressing to me, on behalf of the Icarian communists, regarding my article of March 12.

You complain, first of all, that in mentioning the leaders of the various socialist schools, I said nothing of the theory of the honorable M. Cabet, an omission you regard as being as unjust to you as it is offensive. Furthermore, citing a passage from my article in which I state that “Saint-Simonianism, *through its communist tendencies*, simultaneously jeopardized marriage, the family, inheritance and liberty; and that what it fought against within humanity was not the economic system, but humanity itself,” you conclude from my words that I accuse the Icarian communists of being the most ardent enemies of marriage, the family, inheritance, liberty and even humanity — a charge which you rightly regard as a calumny.

Citizens, it was a long time ago that I first told your illustrious master that I did not consider anyone to be a communist who claimed to incorporate into the COMMUNITY such things as those mentioned: *marriage, family, inheritance, liberty*; and that what separated me from him was not the substance of the matter, but a pure misunderstanding, a mere matter of definition. It is true that I regard this definition of socialism, namely community, which you have put forward, as inaccurate, as perpetually leading to a false interpretation of socialism and as serving only to draw down upon it formidable calumnies. It is also true that I have often criticized your leader for persisting in a hypothesis that is, in my view, incompatible with *marriage, family, inheritance and liberty*. Yet never, neither in my thoughts nor in my writings, have I accused you of opposing the very things you ceaselessly defend, and of which you provide the most edifying example; never, I say, neither in deed nor in intent have I parted ways with you. I am a socialist of your school; like you, I seek solidarity and fraternity, alongside marriage, family, inheritance and liberty. For ten years I have championed this doctrine, without ever having been able to grasp, until now, how it could be construed as communism. I did not even find community in Icaria; indeed, when I critiqued the ideas of M. Cabet, it was precisely to demonstrate that its presence there was an impossibility.

You will understand, then, citizens, why, after having recounted the systems of Saint-Simon and Fourier, and the one attributed to Louis Blanc, I made no mention of your school or your leader. From my perspective, to have done so would have been to slander you; it would have been to lump you together with those sects I consider defunct, sects that appeared but for a moment, merely to mark time, if I may use that expression, in the march of progress. Fully apprised, as I am, of the substance of your theory, I was bound to regard you — and indeed, I did regard you — as belonging as much to the party of the present as to the party of the future. In this, I was merely acting consistently with the judgment I have passed upon M. Cabet’s theory, and with

the sympathies I harbor for his disciples. Moreover, M. Cabet himself, through the conduct he has displayed since February, has granted me the right to treat him in precisely this manner. Did he not constantly declare, in his proclamations and in *Le Populaire*, that one must guard against any untimely or violent application of communism; that one must study the means, take established institutions into account, proceed through legal and peaceful channels, etc., etc.?

From that moment on, it was no longer possible for me to doubt the complete identity of views that existed, fundamentally, between M. Cabet and myself. What, then, am I doing – I ask you yourselves, citizens – other than seeking *means*? As for a *system*, I have none, I want none; I formally reject the very notion of one. The system of humanity, we shall know it only at the very end of humanity... As for the ultimate *goal*, I care little for it. Call it community, phalanstery or whatever else you please: it is all the same to me; I do not concern myself with it. I seek – I tell you again, just as M. Cabet requests – *means*. These means, in my view, must be legitimate, that is to say, they must stem from existing institutions and rely upon them; and they must be legal, meaning they must do violence to no opinion, to no individual will.

Let humanity go wherever it may – once again, I do not know where that is; I do not dispute the matter, nor am I in the least curious to find out. What interests me is discerning its path and, if I can, clearing the way for it. Now, if by not declaring myself a communist I may appear less audacious than you, at least you cannot accuse me of acting unjustly toward you: quite the contrary, even assuming that community were the ideal form of society and the ultimate terminus of progress, you would still remain indebted to me. Upon the chariot of humanity, you are the passengers, and I am the postillon.

With less touchiness or prejudice, citizens, you would have understood the reasons for my silence; and, seeing as I am doing your work so effectively, you would not have said to me, with such scant goodwill: *Citizen Proudhon, take care!*...

I am perfectly on my guard. I know – whatever you may say, both friends and adversaries – that I do not believe I have, thus far, merited the reproaches of the one group any more than the congratulations of the other through any error of tactics. Yet it was written that the deepest mistrust and the fiercest opposition would come to me from those very people whose interests I serve best! After having stirred up so many contradictions, I would know very little of men and affairs had I not foreseen this one!...

Yours always, come what may.

APPEAL

TO THE CITIZENS OF ALL PARTIES – TO THE REPRESENTATIVES OF ALL POLITICAL
SHADES – TO THE EDITORS OF NEWSPAPERS OF ALL OPINIONS.

Citizens,

The Constitution, by imposing upon all citizens the duty to secure, BY LABOR, the means of subsistence, simultaneously imposed upon the Government of the Republic the duty to ensure, THROUGH FRATERNAL ASSISTANCE, the subsistence of those citizens who might find themselves without work.

The National Assembly, faithful in this regard to the spirit of the Constitution and to the seeds of progress embedded within it, has decided that the law on public assistance shall be numbered among the *organic* laws; that is to say, those laws intended to interpret and expand upon our Constitution in a republican spirit.

As a result of forced unemployment, stemming from the stagnation of business and the cessation of work, THREE HUNDRED THOUSAND CITIZENS currently find themselves with no other resource than the subsidy of 12 and one half centimes previously granted to them by the National Assembly and the City of Paris.

This relief, by means of which these citizens, our brothers, have for four months painfully sustained their own lives and those of their families, is about to be withdrawn from them. A circular issued by Citizen Berger, Prefect of the Seine, to the mayors of the twelve arrondissements, informs them that this distribution, for reasons it is needless to assess at this moment, will cease at the public welfare bureaus effective the 25th of the current month.

Thus, Louis Bonaparte and his ministers, who are bound, under the terms of the Constitution, to uphold and apply the principle of public assistance, show utter disregard for this obligation. Thanks to them, and by means of a simple administrative measure, three hundred thousand citizens are about to be thrust into the horrific dilemma of either starving to death or, in their desperation, seeking some extreme recourse in order to escape death.

When a governing power fails to fulfill the mandate prescribed to it by the fundamental compact, citizens have the right – indeed, the duty – to step in and take action where that power has failed.

We therefore appeal to all citizens, regardless of the party to which they belong; to all representatives, on whichever bench of the Assembly they sit; and to all organs of the press, whatever motto they may adopt.

In our view, there are no longer Socialists or anti-Socialists in the face of misery that must be alleviated; there is no longer a Mountain or a Plain when confronted with a nation that must be saved from the calamities of civil war; there remains only the sentiment of compassion in the face of this immense misfortune of one hundred thousand families prey to the torments of hunger.

French citizens are suffering!... To bind up this wound inflicted upon the nation, it should suffice that we are French.

Let the governing power, in its impotence and ill will, come and tell us now – as it did regarding the political clubs, as it already insinuates regarding workers' associations, and as it will surely say regarding credit institutions and countless other matters – that to organize relief efforts without its involvement is to create a society within a society, a State within a State, *imperium in imperio*. We shall let the authorities have their say; for by learning, through the organization of these relief efforts, to govern ourselves without bureaucrats or parasites, we will have done more for the Republic than could be achieved through thirty years of parliamentary debate.

Citizens, the task before us is to organize public assistance, without the governing power and outside the sphere of the governing power. The task is, in order to avert civil war, to ensure that unemployed workers continue to receive that meager pittance of twelve and a half centimes that the administration had previously allowed to fall into their hands.

We propose:

1. *That patriotic subscription drives be opened at the offices of all newspapers, without exception;*

2. *That, through the efforts of all the representatives of the National Assembly, a committee be appointed from within its ranks, charged with overseeing the collection of these subscriptions;*

3. *That committees likewise be formed, through the efforts of the representatives and the public welfare bureaus, for the purpose of regulating the use of the subscribed funds and distributing them to the needy citizens of the twelve arrondissements of Paris.*

Citizens, time is of the essence, and hunger does not wait. You witnessed – in Lyon in 1832 and 1835, and in Paris in June 1848 – the destructive power of the despair of a population left without work and without bread. Let us leave those in power to their sinister machinations. Let us act to forestall those scenes of mourning and bloodshed which would, this time, mark the fall of the Republic and the ruin of the homeland.

There must be but a single class remaining in France. We have long hoped that this ultimate union would be forged upon the altar of Labor. Since destiny has not willed it so, we resign ourselves to awaiting the promised times. Yet, in the name of humanity, let this union be forged, starting today, upon the altar of Compassion!

Greetings and Fraternity.

P.-J. PROUDHON, A. DARIMON, J.-A. LANGLOIS, PH. FAURE, L. VASBENTER, G. DUCHÊNE, ARNOULD FRÉMY, TAXILE DELORD, L. MÉNARD, A. CRÉTIN, CH. CHEVÉ, A. MADIÉ DE MONTJAU senior, attorney for *Le Peuple*.

(No. 124 – March 23, 1849)

Le Peuple was seized this morning, by virtue of the law of 1819, at the post office, on the boulevards, along the quays, in public squares and within our own offices. A swarm of agents and commissioners pursued and hunted down this incendiary sheet everywhere. Yet, despite the police's efforts, 45,000 copies – 45,000 bundles of matches! – managed to be distributed and reach their intended destinations.

To tell the truth, we fully expected this seizure. Would men who do not shrink from violating the Constitution really shrink from an arbitrary seizure? Where, pray tell, is the law that forbids one from anticipating, eight days in advance, the possibility of a constitutional violation, and from determining the means, should the need arise, to organize not a revolt, but legal resistance? Where is the moral code that authorizes the prosecution of a journalist for having merely paraphrased the declaration of three hundred and fifty-nine representatives?

But is it really a question, with M. Faucher, of legality or morality? It is the ministerial portfolio that is at stake; it is the ten-year presidency; it is the *bancocratic* and Malthusian Republic! What is the Constitution? What is the law? What is order itself, when weighed against such grave interests?..

Certainly, we can appreciate that it is difficult for these gentlemen to govern alongside a press such as ours; and yet, they are only at the beginning of their tribulations: we fully intend to teach them that it is even less pleasant to have to contend with us in court. Do they, then, take us for desperate men staking their all on the chance of a riot?... Do they believe that we act toward them in this manner without the slightest reflection, and out of sheer temperament? Poor M. Barrot!

Go ahead. You may have us fined and sent to prison; but once you have rid yourselves of us, once you have crushed *Le Peuple* beneath the weight of a hundred convictions, you yourselves will be lost. Through our defense arguments, the country will have learned the true nature of republican public right – of which you do not even know the first word: our death will mark the beginning of your torment and our vengeance!

(No. 124 – March 23, 1849)

The importance of the matters we had to address yesterday left us no time to correct the assessment made by our Bourges correspondent regarding the testimony of the Honorable M. Ledru-Rollin. We now take this opportunity to rectify whatever may have been erroneous in that judgment.

It is not accurate to state, as our correspondent does, that M. Ledru-Rollin *associated himself with the calamitous measure of the forty-five centimes*. On the contrary, it is an established fact, confirmed both by the official minutes of the Provisional Government's sessions and by the highly explicit admission made from the rostrum by M. Garnier-Pagès, that M. Ledru-Rollin opposed with all his might this increase in

direct taxation, a measure destined to rouse the entire rural population and become a source of animosity toward the Republic.

Had the correspondent who wrote to us attended the recent sessions of the National Assembly, as we did, he would have learned at the same time as we did the true origin of those unfortunate 45 centimes. Thus, the alleged role M. Ledru-Rollin played in the 45-centime tax serves as just as poor an argument for his *belief in the virtue of capital* as the magnificent speech he delivered at the Rue Martel hall might serve as an argument for his opposition to the socialist democracy.

As for the order issued by M. Ledru-Rollin on April 16, the call to arms, an order that has been the subject of so much recrimination, we declare today, in all conscience, having heard the various accounts of that day of dupes, that, in our opinion, M. Ledru-Rollin took the only course of action possible at the time; and that, however regrettable the outcome may have been, he fulfilled an imperative duty.

When, then, shall we judge political acts solely from the standpoint of principles, the only legitimate guides for a statesman, rather than in hindsight and from the standpoint of success, which is always uncertain and often immoral? Must we — we republicans — perpetually reason about the incidents of the Revolution just as our most ardent slanderers would?

If, on May 15th, the dissolution of the Assembly been upheld, Barbès, simply for having gone to the Hôtel de Ville, despite being opposed to the dissolution itself, would have been proclaimed the savior of order and of the nation. Faced with anarchy, Barbès believed it was his duty to throw himself into the movement, the better to guide it. Barbès acted as a magnanimous citizen. And yet, Barbès is in prison; he stands accused of having conspired against universal suffrage, violated the National Assembly and attempted to alter the form of government. It is not the morality of his action that condemns Barbès: it is the outcome!

If, on February 24th, the insurrection been defeated, M. Guizot, triumphant, could have had Messrs. Barrot, Crémieux, Lamartine and Ledru-Rollin — indeed, all those who had instigated the banquet of February 22nd or who had attended it — sentenced to penal transportation. Yet Messrs. Barrot and his associates were merely exercising a right and fulfilling a duty, a fact acknowledged by everyone from February 24th until March 20th, 1849. Must we, then, be forced to say once again that what rendered the opposition of Messrs. Barrot and Ledru-Rollin morally justifiable was not the violation of the law, but rather the triumph of the insurrection?..

On April 16th, we were in constant attendance at the Club of the Revolution. There, from the early morning hours until four in the afternoon, the most confused and contradictory rumors circulated ceaselessly. On one side, it was said that the Legitimists were conspiring; on the other, that a club — I know not which one — was marching on the Hôtel de Ville. Meanwhile, the workers' guilds were gathering at the Champ de Mars, and accusations were being leveled — for accusations are always being leveled — accusing Albert and Louis Blanc of plotting a purge of the Provisional Government. A delegation from the Club of the Revolution went to offer the club's

assistance at the Hôtel de Ville. Barbès himself stood ready to march with his legion against the enemies of the government, whoever they might be.

Confusion reigned everywhere: in the city, in the clubs, within the police force, and at the seat of power. The actual peril, of which we have since acquired the firm conviction, arising from specific parties or individuals, was nil. What lent gravity to the situation was a general state of agitation, which, mounting minute by minute, threatened to escalate into a genuine panic and set the entire city ablaze. We have since witnessed, during the June Days, a stark illustration of the power that the mere perception of an imaginary danger can wield within a great capital: the notion that insurgents were looting, killing, raping, and putting everything to fire and sword was, in itself, the sole cause of the nocturnal fusillades and the mass executions of prisoners. The panic of June provided us with the key to understanding the infamous September massacres.

It was to a danger of precisely this nature that Paris stood exposed on April 16th; this was the sole peril that required averting. And — we do not hesitate to assert this — unless one contends that the proper conduct of a statesman should mirror that of a conspirator, M. Ledru-Rollin, by making the call to arms, did the only thing that prudence then dictated. To save a people from panic, from something even more horrific than civil war, the only recourse is to issue a general call for aid, summoning everyone to the rescue. When every citizen stands on one side, there can be no one left to stand on the other; calm is then reborn from this universal convergence, and order is restored without conflict and without violence.

Thus, on April 16th, Paris was saved, not from the Legitimists, who were careful not to show their faces just yet; nor from Blanqui, nor from Louis Blanc, nor from anyone else in the world. Paris was saved, by the beat of a drum, from its own anxiety; and for this, the entire credit belongs to M. Ledru-Rollin. The honest moderates, who ceaselessly accuse this powerful revolutionary, ought not to have forgotten him so soon.

We know — alas! — and we were among the first to deplore it, that on April 16th, the first blow was struck against the Revolution. It was to the cry of “*Down with the communists!*” — suddenly raised amidst the general anxiety and soon propagated by malice — that the National Guard rallied and the legions issued their challenge. Was it not inevitable that someone had to personify the danger, a danger that no one could actually see, and that, since men were gathering under arms, an enemy had to be found somewhere? Thus, they fell upon the communists!... The communists! That was the name given to the *brigands* of 1848. It was in communism that the Revolution suffered its first injury, and that the era of persecution began for the democratic and social Republic. But who, at that moment, could possibly have foreseen it? And what could the Minister of the Interior have done to prevent it? I put this question to any man of good faith.

Democrats, let us for once learn to discipline ourselves, to undertake nothing without one another, and never to take any initiative without prior consultation and full transparency. April, May and June stand as monuments to our defeats, for they

were the periods of our indiscipline. Must we, for the sake of sterile regrets and fleeting impressions gathered in the courtroom, remain suspicious of one another, always ready to denounce and proscribe our own kind? The circumstances are graver than ever; more than ever, we stand in need of order and unity. Let us finally learn to stifle our grudges and to exercise vigilance over our judgments. If not out of a spirit of fraternity, then let it be, at the very least, out of prudence.

In this regard, allow us to express here our desire to see — soon, and face to face with the enemy — all shades of the Republican party unite and labor, in common accord, toward the defense of the Constitution and the fulfillment of our homeland's destiny. If, through our humble labors, our persevering efforts, and our untiring devotion, we have rendered any service to the cause of liberty, the sweetest reward we could hope to receive would be to see the sincere and selfless wish we express at this moment taken into consideration.

(No. 125 — March 24, 1849.)

Paris, March 23.

APOSTATES AND JESUITS

An immense yellow poster, bearing the title: CANDIDACY OF THE CITIZEN PROUDHON, and addressed to *Catholic voters*, covered the walls of the capital this morning. The day before, it had already been distributed to all the newspapers.

It was, in the form of a profession of faith, a politico-theological dissertation on *Apostasy*, its various forms and the penalties pronounced against it by the Church and, in certain cases, by civil laws.

The whole thing was signed: J.-P. PROUDHON.

What did this poster signify? What, then, is there in common between Citizen Proudhon and apostasy — of whatever kind, be it political or Catholic? To what end, and with what purpose, was this strange rhapsody produced, in which mention is made of Pliny, Hobbes, Saint Augustine, the Revocation of the Edict of Nantes, the American republics and lying to the Holy Spirit? No one understood a thing; no one, unless I were to explain it myself, would know what it meant.

The one thing that seemed clear to everyone was that the signatory — the presumed publisher of the piece — was mad; or else that an enemy had uncovered this sin of youth committed by the all-too-famous socialist, and was hurling it in his face like a shovelful of filth, daring him to respond. The editors of *Le Peuple*, unable, in my absence, to see anything in all this but a malicious slander, immediately declared *that I was entirely unconnected to the poster in question, and that I would take legal action against its author and publisher.*

I thank my excellent colleagues for the high opinion they held of me. Fortunately, I have no more to defend than to disavow, as will soon become apparent:

In 1839, I contributed a series of articles to the *Encyclopédie catholique*, published by M. Parent-Desbarres — articles for which, incidentally, I was never paid — including

Apostasie, *Apocalypse* and several others beginning with the letter A. The celebrated Abbé Bergier — my compatriot, author of the *Traité de la vraie religion* and the *Dictionnaire de théologie*, and the most learned Christian apologist of the eighteenth century — did not disdain, in the interest of religion, to contribute to the famous *Encyclopédie* in collaboration with Diderot, d'Alembert, Voltaire, Helvétius and J.-J. Rousseau. Surely I, a humble figure, could, in the interest of philosophy, contribute to M. Parent-Desbarres's *Encyclopédie catholique* in collaboration with the Abbé Glaire, Professor of Hebrew at the Sorbonne. Having been assigned the article on *Apostasie*, I penned—addressing certain highly prominent figures of the day, most of whom are still living—the short pamphlet that follows:

Excerpt from the ENCYCLOPÉDIE CATHOLIQUE:

APOSTASY. This term is ordinarily understood to mean the crime committed by one who abandons the true religion to embrace a false one.

From the very inception of Christianity, there were apostates: Pliny interrogated several of them; and he declares, in his letter to Trajan, that all he discovered through their confessions was that Christianity is merely an excess of superstition. This testimony from Pliny, so unequivocal and so impartial, serves as proof, in favor of the early Christians and the martyrs, that they were never accused of any crime other than their religion itself; and since Roman policy admitted all gods and all forms of worship, this testimony further strips the emperors of the sole pretext they might have used to justify their edicts of persecution, namely, the necessity of defending the State religion. Finally, what further attests to the purity of early Christianity is the eagerness with which apostates came forward to seek penance as soon as the storm had passed, and to be reconciled with the Church — conduct demonstrating that it was solely the fear of death, of torture or of the loss of property that had driven these cowardly and carnal souls to act and speak against their own consciences!

It is not uncommon today to hear the label *apostate* applied to those who switch from one political party to another: this breed far surpasses in malice the one of which we have just spoken; consequently, one sees it provoking general indignation against itself. In times past, Christians who had fallen sought to redeem the shame of their weakness through the care they lavished upon their more courageous brethren; they visited them in prison, tended to their wounds, and took charge of their families. The political apostate, however, will, if need be, call for the very death of those he once called his brothers. The Church, while forgiving its frail children, imposed upon them a long and severe penance; what punishment, then, would the treachery of these new Julians deserve? Let us refrain from passing judgment: their crime is so great in the eyes of men that vengeance for it belongs to God alone.

Hobbes, who placed the authority of the sovereign above that of religion, and who derived morality from the mere pleasure of the legislator; Hobbes, who

drafted the code of despotism, maintained that a Christian is bound in conscience to obey the laws of an infidel monarch, even in matters of religion, and consequently to deny Jesus Christ with his words, provided that he preserves the faith within his heart. In that case, he argued, it is not the subject who denies Jesus Christ, but the king and the government. A subtle distinction which, by separating, within the same individual, the Christian from the citizen, furnishes the coward and the ambitious man with an easy justification against the branding reproach of apostasy.

This sophistical doctrine, profound as it may be in its execrable perversity, has been far surpassed by the theories of the nineteenth century. Hobbes's argument would appear pitiful today, and we doubt that anyone would be ill-advised enough to employ it. The genius of the apostates has doubled their means of defense.

"I am reproached," says Serapius, "with no fewer than six acts of apostasy: what does this signify? Different and hostile factions have, in turn, wrested power from one another; under each of them, I have served my country as a good and worthy citizen. The head of the government has changed, yet I have remained faithful to my country. Men and things, everything has revolved around me; I, however, have remained motionless. Was I to desert my post simply because ephemeral systems swept past like a storm? And was I to place men above the State?"

"As for me," said Protagoras, swept up by the ardor of youth, "I had the misfortune to associate myself with desolate doctrines: the son of Monica, too, was once a Manichaeon! I may well have erred in the past during my fervent search for truth; but, thank Heaven, I embraced it the moment it revealed itself to me. I surrendered my life and my reputation to the fury of slanderers in order to obey my conscience, preferring peace with myself to the adulation of a blind and fanatical faction. And since when has it been a crime for an honest, sincere and candid man to abandon a pernicious error simply because he once publicly professed it? Is a momentary adherence to false systems to forever bar the way back to sound doctrines? Who are these men who forbid the sinner from repenting, or the fallen from rising again?"

Thus it is that the informer, the ingrate and the turncoat, having received the price of their infamy, still attempt to cloak it in the noble names of patriotism and good faith; or, to borrow the language of the Church, they seek to lie to the Holy Spirit after having deceived men through perjury. As a sufficient response, one need only demonstrate that they are shifting the ground of the argument, and prove to them that their lofty maxims do not, in fact, apply to them. As for Hobbes's argument, let us simply say that it stands in direct opposition to the words of the Gospel: "*Whoever is ashamed of me before men, I will be ashamed of him before my father.*"¹ The love of God, fidelity to the law, respect for justice and the practice of the fundamental virtues cannot compromise with human respect or the fear of the world's potentates.

God demands more than mere interior adoration. He also desires public praise and proclamation, without which religious instruction would soon cease and religion itself would perish. Now, every Christian preaches and teaches whenever he makes a public profession of the Gospel.

The ancients distinguished three types of apostasy:

1. *A supererogatione*: that of the priest or religious who reverts to the lay state. It is termed *supererogation* because it adds the sin of sacrilege to the other two categories;

2. *A mandatis Dei*: that committed by anyone who violates the Law of God, to which he otherwise adheres, while nonetheless retaining his faith;

3. *A fide*: this constitutes a total defection from Christianity; in times past, it was subject to the punitive force of the civil laws. Several edicts and declarations promulgated during the reign of Louis XIV prescribed specific penalties for any Catholic who embraced the Reformed faith: namely, the *amende honorable* (a public act of atonement), perpetual banishment and the confiscation of all property. Without claiming to fully justify the utility and appropriateness of these laws, we shall merely observe that they fell within the State's prerogative, just as did those laws by which the ancients expelled the impious and the sacrilegious from their territory and punished them with death. Even today, a man who openly professed atheism would not be admitted into any of the republics that constitute the United States of America."

This is what the gentlemen of the police, acting in concert with the Jesuits, have contrived to place, in the form of a colossal poster, right before the eyes of the voters during my candidacy!

Indeed, if there is any page I dare boast of having written, it is, without a doubt, the very passage I have just cited, a passage of which I had entirely lost all memory. You Tartuffes, I thank you! More than once, especially since the events of February, I have found myself playing the prophet; yet I was unaware that the exercise of this marvelous faculty within me dated back as far as 1839: you have served to remind me of it. However, you are much like foxes, creatures whom poets have adopted as the symbol of cunning, yet whom every hunter knows to be the most foolish of all animals.

Can you conceive of such imbeciles? They go and unearth, as if it were damning evidence against me, this very article from the *Encyclopédie catholique* in which, while discussing the early Christians, I prophetically depict the persecuted socialists; in which I establish their innocence; in which I expose those apostates of the Republic, men who, the better to conceal their own crimes, clamor for *the death of their brethren*; in which, under the names of *Serapius* and *Protagoras*, I consign to utter contempt both the politician, a traitor to every government, and the philosopher, a traitor to every doctrine! SERAPIUS and PROTGORAS! They actually mistook these two characters for two Greek authors!...

And when, adhering to the requirements of my subject, — do not forget, I beg you, that I was writing for the *Catholic Encyclopedia* — after having defined, in accordance

with the theologians, the three principal types of apostasy, and having noted that the last of these was formerly subject to the vindication of the civil laws, I terminated without further conclusion, “Without claiming to fully justify the utility and appropriateness of these laws, we shall merely observe that they fell within the State’s prerogative, just as did those laws by which the ancients expelled the impious and the sacrilegious from their territory and punished them with death;” — who cannot see that I am thereby drawing a complete distinction between ancient society, where atheism was deemed a political crime, and modern society, where the liberty and equality of religious faiths preclude the very idea of a law of proscription against religious indifference; where, to borrow the phrase of M. Odilon Barrot, the law itself is atheistic?..

And this is what the Basils of the reaction have trumpeted to all of France! This is what threw Paris into an uproar last May, as if it was a question of a call to arms! Behold the great apostasy of the citizen PROUDHON!...

Ah, you petty theologians of slander! It is of you that the Scripture truly speaks: Slander always ends by accusing itself — *mentita est iniquitas sibi!*

(No. 127 — March 26, 1849)

REPUBLICAN RIGHT

In presenting a bill against political clubs, M. Léon Faucher unwittingly raised one of the gravest questions of republican right: the question of legal resistance.

Legal resistance: this phrase was a lie under the monarchy; it becomes a truth with the Republic.

Under the monarchy, any violation of the constitutional compact inevitably led to armed insurrection, to citizens slaughtering one another. Under the monarchy, even a representative one, the people did not possess sovereignty; they always found themselves facing and, in some sense, beneath a sovereign by divine right, whose name was *the king*. The people could resist this sovereign only by breaking him — and that is precisely what they were invariably compelled to do, sooner or later.

Under the Republic, conversely, since all authority emanates from the people, the people alone are the masters. If, by the very nature of things, a government still exists, that government, by virtue of its elective origin and the nature of its mandate, remains perpetually subordinate to the people. It is nothing more than their servant, charged with safeguarding their liberties. If the people are ill-served, they simply replace their servants. To accomplish this, there is no need for gunfire; legal resistance suffices.

Under the Republic, the legislative branch acts as the natural overseer and auditor of the executive branch. Should the latter violate the Constitution, it falls to the former to outlaw it and to suppress its acts of treason.

Such must be the nature of democracy. If it fails to be this, it is nothing at all. It is not a reality; it is a mere word, a lie.

Thus, the Constituent Assembly was not at liberty to infringe upon the liberty of the citizens, that is to say, among other liberties, the right of assembly, the right of association and the right of free discussion. Had the Constitution not formally recognized these rights, it would not have been valid.

Today, when the Constitution has been voted upon, and accepted by the citizens on the condition that it be open to revision after three years, the National Assembly is bound not only to itself but also to the people. For the current Assembly, just as for the next, to violate the Constitution is to abdicate its authority. To violate the Constitution is to return the full and complete governance of France to the people. Article 5 of the Constitution is explicit in this regard: *The National Assembly*, states this article, *entrusts the safekeeping of the present Constitution AND OF THE RIGHTS IT CONSECRATES to the guardianship and patriotism of ALL French citizens.*

Under the monarchy, a similar article inserted into the Charter would have enshrined the right of insurrection; under the Republic, it enshrines the right of legal resistance.

Legal resistance, that is to say, the maintenance, defense, and preservation of the Constitution and *of the rights it enshrines*. Three days ago, we explained how we understood this resistance; we reiterated this two days ago. If we did not repeat it yesterday, it was because, at that moment, the National Assembly appeared to us to have returned to a more constitutional frame of mind. But should it revert tomorrow to a violation of right, then tomorrow we shall raise the issue once again.

The people, moreover, have grasped this issue with admirable instinct, and by the people we mean not only those who desire the upholding of right, but also those senseless and blind individuals who seek its violation without giving a thought to the future. Even the ministers themselves have fully grasped the power of the measures we have proposed.

Yes, the people have understood us; and if, for the past two days, Paris has not been covered in barricades, if the precious blood of citizens has not been spilled, if shops remain open and if commerce fares no worse than it did a week ago, it is to the possibility of legal resistance that we owe it all.

Yes, the authorities have understood us. Faced with the prospect of a dearly bought victory and trusting in the brute force of cannons and bayonets, they could have risked a battle against citizens armed in defense of their rights. Yet, their bellicose impulses vanish in the face of the threat of a refusal to pay taxes. The authorities are compelled to respect the Constitution.

Let us assume that only 500,000 citizens engage in this legal resistance. What power do the authorities hold against them? To keep them imprisoned, they would require more than 500,000 gendarmes. And with what funds would they pay them?

We speak of 500,000 citizens, but that is an *exaggerated* figure: the true number is 2, 3, 4 or 5 million. The peasant, who knows the government only through taxation, would be the first to resist; he, who rose up in revolt against the 45 centimes.

Thus, the power is disarmed whenever it violates the Constitution; the power is forced to yield. — No more blood shed in defense of right! Such are the blessings of the Democratic Republic!

Such is republican right, which guarantees the liberty of minorities just as it does that of majorities.

The so-called conservatives of the National Assembly, by the manner in which they interpret the democratic principle, are leading us toward the most monstrous and dangerous consequences. They understand universal suffrage just as our forefathers of 1789 and 1793 understood it. For them, there is but one principle: the omnipotence of majorities; for them, once the elections are concluded, the minority is placed outside the law, outside the Constitution, outside of democracy itself!

Such is the system expounded just yesterday by *Le Constitutionnel*. Sovereignty, according to this supposedly conservative newspaper, resides entirely within the majority, whether it be a majority of citizens or a majority of representatives.

If this is indeed the case, then what is the use of a Constitution? Is not the representative majority always present, with all its omnipotence?

If majorities are omnipotent, then they are at liberty, whenever they so choose, to violate the Constitution; they are at liberty, whenever they so choose, to abolish the rights of minorities; they are at liberty, whenever they so choose, to suspend the liberty of minorities; they are at liberty—whenever they so choose—to deny minorities the right to a jury trial; they are at liberty, whenever they so choose, to deport minorities *en masse*. It is open to them, whenever they wish, to eliminate minorities by means of the guillotine.

Le Constitutionnel has said it: Sovereignty, omnipotence, resides solely in the majority.

Why, then, do *Le Constitutionnel* and all newspapers of its ilk rail daily against the Convention? Was the Convention not the product of universal suffrage? Was the Convention not the body elected by the majority of French citizens? Was the Convention not omnipotent? Did the Convention not possess the right to imprison, to mow down with grapeshot, to guillotine?

Ah! Indeed, when we thus demonstrate the monstrous consequences of the system advocated by *Le Constitutionnel*, we are far from disavowing the tradition of the men of '93; yet, while we are their successors, we are not their copyists.

Eighteen centuries ago, the Revolution was called Christianity; as successors to the Revolution, we are not Christians in the manner of Minister Falloux.

Four hundred years ago, the Revolution was called Protestantism; as successors to the Revolution, we are not Protestants in the manner of Pastor Coquerel.

A century ago, the Revolution was called democracy, and it signified the rule of majorities over minorities; as successors to the Revolution, we are not democrats in the manner of Minister Barrot.

We are not copyists; we are successors, that is to say, men of progress. We embrace tradition, but we do not merely reenact it! In 1793, it was in the very nature of things that democracy should be misunderstood. The despotism of commoners and plebeians

was required to vanquish the tyranny of kings and nobles. Yet this system, an instrument of progress, could not endure. And that is why the Republic of '92 was followed by the Empire of 1804 and the Restoration of 1815.

Today, different times, a different system. The Republic means liberty: liberty for minorities just as much as for majorities. And that is why we, republicans heart and soul; we who do not wish to return, through bloodshed, to a fourth Restoration only to arrive, once again through bloodshed, at a third Republic; we who seek to spare France another century of civil wars; we cry out with all the energy of our conviction: No, it is not true that the majority is omnipotent; yes, the Constitution is a sacred pact, not merely between the National Assembly and the French people, but also, and above all, between the majority and the minority.

What we assert here is not true solely under the Republic; it holds true under all forms of government.

The day when majority and minority no longer exist, the day when there are no longer any parties, the day when there is a unity of wills, a unanimity of citizens — on that day, one might decree: The Constitution being useless, the Constitution is cast into the fire. — But, alas! We are not there yet. And that is why we still protest in advance against any violation of the social pact; why, in such a case, we were right to say: Legal resistance is the right and duty of minorities; why we reject with horror that appalling principle of *Le Constitutionnel*: the omnipotence of majorities.

The omnipotence of majorities! — This is not merely something horrible; it is also something absurd and impossible. Who, then, would dare claim today that there exists a compact, indissoluble majority? Who would dare say that, were the minority to be eliminated tomorrow, the majority would not itself splinter? Who would dare give the lie to history?

The omnipotence of majorities! — Yet it is through this very system that the Girondins killed the Royalists, the Dantonists killed the Girondins, the Montagnards killed the Dantonists, and the Thermidorians killed the Montagnards.

The omnipotence of majorities! — It is the decimation of the citizens. With this system, one goes far, very far indeed! With this system, one begins with the imprisonment of citizens and ends with the guillotine in permanent session. Let no one object by citing the mildness of modern mores: the most peaceful of peoples, once hatred has taken root in its heart, becomes a people of cannibals.

Will the bourgeoisie, so liberal in its leanings, finally grasp that it is being led toward the worst of all monarchies: the monarchy of the executioner? Will they wait until then to align themselves with the movement for a democratic and social republic, which ALONE, both politically and economically, safeguards the liberty of all, without sacrificing anything to order, which is, after all, merely the preservation of all liberties?

SPEECH OF PROUDHON BEFORE THE COURT OF ASSIZES (1).

The citizen Proudhon. — Citizen jurors, you have heard the accusation; you will evaluate the defense. You will judge the good faith of the first; allow me to begin by expressing gratitude for the devotion of the second. The Advocate General made a mistake just now when he believed that if I was not speaking after him, it was because I had in reserve a few arguments that I wanted to present to you in all their freshness, without allowing him to answer them. I repeat, the Citizen Advocate-General was mistaken; I have nothing to say to you regarding the accusation and I have nothing to add to the defense; I have only to tell you about the origin of this lawsuit.

Either I am very mistaken, or you have already understood, listening to these long developments, that I sought this trial. I desired it, in order to establish a great principle of our new republican right.

I am charged today with four crimes; because I am myself more severe than the public prosecutor, than the Penal code: the acts for which I am reproached are in my eyes as many crimes.

I am accused, they say, of having incited hatred and contempt for the government of the Republic. Now, I ask you, is this possible for a republican like me, a republican, as you know, of the most pronounced hue? (Prolonged movement.)

I am accused of attacking the Constitution; here, the same observation occurs; I wanted to demonstrate the rights of the president, to show, in all its truth, the mechanism of the republican Constitution. But, because it happens that the Constitution, in its mechanism, is not as favorable to the claims of the first magistrate of the Republic as several of the authors of this Constitution had believed at first, as the ministers currently in charge of the government of the Republic had hoped, I am, as a result, accused of having attacked the Constitution. However, I only interpreted it differently from them.

As you have seen, the accusation was nothing more than a refutation of my opinion; but it could not establish that my opinion was in any way incriminable, much less that it was false.

I come to the third offense, that of attacking the right and the authority that the President of the Republic derives from the Constitution.

Again, what have I done? I stated the limit of the rights of the president; I will presently show you that this limit has not been well understood.

I wanted, on the occasion of a solemn debate, to establish the limit of the right of the president. From this limit flows first the responsibility of the President, and from this responsibility his subordination to the orders, to the will of the National Assembly.

As for the fourth offense—incitement to hatred and contempt of citizens against each other—in what sense am I guilty? I have spoken of the royalists, absolutists, imperialists, Jesuits, bankocrats, Malthusians; since when do the Jesuits, the imperialists, the royalists form recognized classes of citizens! Do they have a legal existence!

It would seem, if you will allow me this comparison, that I am the most skillful of hunters. Thus I would have lured the government, the public prosecutor into a trap; I would have caused the latter to bring against me charges that are not only unjust, but also ridiculous and absurd, which I would deplore if they did not to serve the strengthening of the Republic. No, I wasn't that clever; I did not want to lure either the President of the Republic or the public prosecutor into any trap; I just wanted to see how vulnerable and attackable they were, and I am glad that I did; and you will see that there is a long premeditation on my part.

I am accused here, not of an attack on the Constitution – such an attack would not be understood – but of having infringed on the rights of the president, these rights that we find too restricted and that we would like to make sovereign.

I am then accused of inciting the citizens to hatred of one another. If I wanted to recriminate, I would refer that accusation to the ministry. In fact, read the *Moniteur*: there is not a day when I am not singled out for the hatred of the citizens; there is not a day when I am not named there as the most dangerous of men. No, gentlemen, I am not such a dangerous man; what is pursued in me is socialism, it is the man who said: Property is theft; the man who blasphemed the divinity, who knows? Well, that man, here he is at last! Here we have him. (Movement.)

How will he extricate himself from this quadruple accusation with which he is hemmed in! But these four crimes, I did not commit them. You have been told, it has been proven to you just now. It is only socialism that is on trial, so I must tell you what socialism is.

The citizen President. – But it is not about socialism; socialism is not in question. You are not accused as a socialist; confine yourself to the facts of the case.

The citizen Proudhon. – Thank you, Citizen President, for your kind observation. But I wanted to say, without the troublesome celebrity that has been made for me, I would not be here; and since people have been asking for so long what socialism is, I will tell them.

Socialism is the doctrine of synthesis, of universal conciliation; what socialism attacks is universal antagonism. Socialism claims that peace can only be established by identifying the contrary terms; workers and capitalists, producers and consumers must be identified as the electors and those eligible were identified by the February revolution; we claim, I repeat, that the contrary terms must be identified; this is socialism.

To get closer to the question, allow me to talk to you about the Constitution.

We said that in the Constitution one should not pronounce the incompatibility between the mandate of representative and the quality of civil servant; it has been claimed that, in the present state of things, this incompatibility was necessary, in order to establish a profound distinction between the executive power and the legislative power.

According to socialism, the executive power and the legislative power should not be separated: the principles, according to us, are not separable into two parts; rightly or wrongly, we regard this distinction as the infallible cause of a near or distant

catastrophe. Convinced of these principles, we believe that the Assembly took a wrong turn when it created the distinction that we were combating.

I wanted to demonstrate to the country that this distinction, this mutual independence of the two powers would lead to a catastrophe, to an inevitable collision. The government itself gives me the opportunity; I must have struck hard, but it was through dialectical force that I struck. — I succeeded; I have awakened the attention of the National Assembly; the articles of January 26 and 27, which the prosecution deems criminal, are not the only ones in which I have dealt with this question; on January 29, I published another one that was not prosecuted.

After I had thus posed the question, after I had pointed out the germ of conflicts in government, if the public prosecutor had been as skillful in exonerating as he was in accusing, he would have read the article of January 29.

I ask permission to read it, it will be my whole defense; you will see there that the Assembly, after having established the distinction between the two powers, was led to destroy the coexistence and the equality of these powers; what it has made on one side, it has destroyed on the other. Here is that article:

“I am accused by the public prosecutor:

“1. Of excitation of contempt and hatred for the government of the Republic;

“2. Of attack against the Constitution;

“3. Of attack against the rights and authority that the President of the Republic derives from the Constitution;

“Of having sought to disturb the public peace by arousing the contempt and hatred of the citizens against one another.

“All this because, in the trial currently pending before the National Assembly between the Revolution and the counter-revolution, I have taken it into my head to call into question the current President of the Republic, in whose name and for whose benefit, in my opinion, the reactionary web is woven.

“While waiting for me to provide further explanations before whom it may concern, I beg my honorable colleagues of the National Assembly to weigh in their wisdom and to appreciate in the secrecy of their conscience what I am about to say to them:

“It is not socialism that I am engaged in at the moment, it is politics, the oldest and most trivial politics. Must it be me, a man of yesterday, who shows a thing or two to the masters?..

“We said it on the rostrum, the minister admits it, everyone repeats it:

“The principle of the Râteau proposal is that the majority, if not almost all of the representatives, having declared themselves against the candidacy of Louis Bonaparte, the National Assembly is necessarily hostile to the president; that thus the progress of the government is impeded, policy uncertain, the return to confidence impossible; that consequently, before the magnificent gift that universal suffrage has given it, the duty of the Assembly is to dissolve itself.

“In a word, it is on the real or presumed existence of a conflict or discord between the Assembly and the President of the Republic that the request presented by the Honorable M. Rateau and by the Ministry is based.

“It is therefore a question, in order to appreciate Citizen Rateau's proposal, of knowing whether, constitutionally, the question of the possibility of a conflict between the National Assembly and the President of the Republic can be posed. Because it is clear that the Rateau proposal was, in principle, its motives and its object, unconstitutional; if by itself it involved a violation of the Constitution, it would not be necessary to examine it, it should be dismissed by the previous question.

“To solve this problem, the only course to follow is to examine the respective role and the reciprocal relations of the Assembly and the President; in other words, it is to analyze, from the point of view of the Rateau proposition, the Constitution.

“Let the reader grant me five minutes of patience; I will be categorical and brief.

“However, it results from Articles 33, 35, 36, 45, 47, 48, 49, 50, 51, 53, 54, 55, 59, 65, 68, 72, 74, 75 of the Constitution, that the President of the Republic, inferior in dignity to the National Assembly, is still only the organ of the Assembly, the subordinate of the Assembly, the justiciable of the Assembly.

“From which it follows that the National Assembly and the President of the Republic do not form, as has been believed, and as some claim, two equal powers, but a single power, of which the Assembly is the head and the president the arm; that the privilege of popular election, conferred on the president by article 43 of the Constitution, constitutes for him only a purely honorary distinction, and that thus the hypothesis of a conflict between the Legislative Body and the head of the executive power, contradictory in its terms, could not constitutionally be admitted.

“There may be disobedience by the President of the Republic with regard to the National Assembly; it is repugnant to the text and the spirit of the Constitution that there be no conflict between them in any case. To claim the contrary is already to misunderstand, I almost said it is to violate the Constitution.

“I say first that the President of the Republic is inferior to the National Assembly. In effect :

“The Assembly can never be elected except by the people. — The President may, in certain cases, be appointed by the Assembly (Art. 47).

“The National Assembly verifies its powers itself. — It is the Assembly that decides on the validity of the election of the president. (Ibid.)

“The representatives of the people cannot receive an imperative mandate; they legislate in the fullness of their spontaneity and their initiative. — The president can only obey the decrees of the Assembly, which he is enjoined to promulgate within one month, and, if there is urgency, within three days (Art. 57).

“The representatives of the people are inviolable. They cannot be investigated, accused, nor judged, at any time, for the opinions that they have expressed in the bosom of the National Assembly. (Art. 36). That is to say that for all the opinions they may express, for all the acts they may produce in the exercise of their mandate, they

are absolutely, and by right, irresponsible. — "The President of the Republic is responsible for all his acts as well as for all his speeches." (Art. 68.)

The Citizen President. — Citizen Proudhon, I am obliged to interrupt this reading; please, I repeat, confine yourself to the facts of the case; the January 29 article is irrelevant to the trial.

The Citizen Proudhon. — I will stop at the observation of the citizen president; my observations will be very short. I have been criticized for attacking the principle of the presidency; it is to this objection of the public prosecutor that I wanted to respond by reading this article.

What I wanted to establish is that the president, according to MM. Barrot, Faucher, Falloux, etc., is not the president according to the Constitution. Now I end with one word.

I desired this trial in a great republican interest. (Movement.) Ah! it is a singular thing to seek a trial at the end of which there may be from three months to five years' imprisonment, but you will appreciate, I hope, the true aim and utility of my conduct: what I wanted to bring is the discussion, it is the establishment, in practice, of the limit of the rights of the president.

"Tell your cousin," I said a few days after December 10 to one of the close relatives of the President of the Republic, "to take good care of one thing, which is the responsibility that weighs on him." What I said then, a month later I was called to put into action. Departmental policy, government protests forced the Republicans to protest; it was urgent to show what an unfortunate slope we were being led down.

Sworn citizens, I stand before you as guilty; but I am aware that I have done a good deed. I maintained right, I will always maintain it. There are men to whom it is enough to be born to in order become kings or presidents of Republic; I have worked for twelve years, and I come here to seek my reward. (Prolonged stir.)

(1) Hearing of March 28, 1849. Two articles by Proudhon were incriminated, one entitled "The War," the other "The President of the Republic is Responsible." Both were condemned, and Proudhon had, consequently, to undergo three years of prison and a fine of 3,000 francs.

(No. 196. — April 4, 1849.)

Citizen Proudhon has just addressed the following letter to the President of the National Assembly:

“Monsieur President,

“As a result of the legal proceedings instituted against me with the authorization of the National Assembly, the Court of Assizes of the Department of the Seine has just sentenced me to three years of imprisonment and a fine of 3,000 francs.

"I have just filed an appeal in cassation against this judgment.

“I know that every moment of my time belongs to the National Assembly. Being at liberty until the day the final judgment is rendered, I ought to devote the time remaining to me, pending the outcome of my appeal, to legislative duties.

“However, by authorizing proceedings against me, the National Assembly implicitly authorized me to take, from the time owed to my duties as a Representative, the leave necessary to prepare my defense as an accused man.

“I therefore request, M. President, that you kindly, in consideration of the considerable work required for the legal brief supporting my defense, request on my behalf a leave of absence of one month from the National Assembly.

“Greetings and Fraternity.

“PROUDHON.”

Working translations by Shawn P. Wilbur, last revised June 4, 2026.