

CITIZENSHIP AND EMANCIPATION: VOTING RIGHTS DURING THE HAITIAN
REVOLUTION AFTER 1793

A Thesis

by

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ABSTRACT

This study explores the relationship between two legislative elections that took place in Saint-Domingue, the first in 1793, before the enslaved were granted the rights of French citizens, and the second in 1796, after emancipation. Taken together, these elections provide a way of more fully examining what it looked like for the enslaved in Saint-Domingue to become enfranchised in a political community from which they had previously been excluded. The 1793 election sent deputies to Paris who entered into the debates that gave way to emancipation throughout the French Republic in 1794. Because emancipation took place under the Constitution of 1793, which extended voting rights to all male citizens, those who had once been enslaved were fully enfranchised in 1794. In light of this, I argue that the election of 1793 constituted a moment during which the colonized took up and expanded the ideals of the French Revolution beyond what had been imagined by those in the metropole. By 1795, however, a new constitution had been enacted that greatly restricted the franchise and re-imposed a system of representation. Hence, when elections were announced in 1796 in Saint-Domingue, nearly all those had been enfranchised in 1794 were barred from activating their newly acquired political status through the vote. This election thus illustrated that for those who were once enslaved, the threat of betrayal remained pervasive even after citizenship was granted.

The primary aim of this project is to examine the shift that occurred between the elections of 1793 and 1796 in Saint-Domingue. I argue that this shift is integral for

understanding the political and ideological changes that took place during the same period in metropolitan France, as well as the broader impact of the colonies on the continent during the Age of Revolution. In light of this, I maintain that the Haitian Revolution, and in particular the period during which the formerly enslaved were granted the rights of French citizenship, provides a decisive historical example for opening up new questions in political theory regarding the meaning of citizenship and universal emancipation in an increasingly globalized world.

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CHAPTER I

INTRODUCTION

THE MEANING OF EMANCIPATION IN SAINT-DOMINGUE

On the eve of the French Revolution, France possessed the most profitable colony in the world. By 1789, Saint-Domingue was exporting half of the world's coffee and as much sugar as Jamaica, Cuba, and Brazil combined.¹ Occupying the western half of the Caribbean island of Hispaniola, the colony was no larger than the state of Massachusetts. Yet, Laurent Dubois says, "The livelihood of as many as a million of the twenty-five million inhabitants of France depended directly on the colonial trade. The slave colonies of the Caribbean were an engine for economic and social change in metropolitan France."²

It was in virtue of the African slave trade that this colony had such enormous profitability. In 1789, there were roughly eight thousand plantations in Saint-Domingue. Nearly half a million enslaved Africans inhabited the colony, comprising ninety percent of the overall population.³ As stipulated by the 1685 Code Noir, the enslaved lacked most forms of legal protection and had no right to political membership.⁴ Moreover,

¹ See Nancy Josephson, *Spirits in Sequins: Voodoo Flags of Haiti* (Lancaster: Schiffer Publishing, 2007), 11. See also Madison Smartt Bell, *Toussaint L'Ourverture* (New York: Random House Inc., 2009), 13.

² Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge: Harvard University Press, 2009), 21.

³ See Laurent Dubois, *Avengers of the New World*, 21 and 30.

⁴ The limited legal protection guaranteed by the Code Noir consisted in giving slaves the right to sue their masters if they used prohibited forms of brutality stipulated or violated rules concerning a slave's claim to freedom as stipulated by the Code Noir. See Malick

because this system of slavery found its justification in racial casting, no person of color in Saint-Domingue, whether enslaved or not, had any political status in 1789. Thus, as word of the French Revolution spread throughout the French Antilles, a concern for attaining citizenship and the political status it afforded emerged on the grounds that the Declaration of the Rights of Man and Citizen deemed all those within the domain of France free and equal.⁵

In 1790, Vincent Ogé, a *gens de couleur libre* from Saint-Domingue, demanded the right to vote. After being refused, he initiated a rebellion in Cap Français, the capital city of Saint-Domingue. In the end, Ogé was arrested and subjected to a brutal, public execution by the French colonial authorities in Le Cap. Yet, while this initial uprising failed, those who had been oppressed by the French colonial regime for nearly a century and a half began to stir. On August 22, 1791, one hundred thousand enslaved Africans in the northern province of the colony took up arms against their masters. In so doing, they brought about an unprecedented revolution that would give way to the first formal emancipation decree in the Western Hemisphere in 1794 and culminate in the formation of Haiti in 1804, the only independent nation to arise from slave revolution.⁶ The Haitian

Ghachem, *The Old Regime and the Haitian Revolution* (New York: Cambridge University Press, 2012) for an account of the ways in which the enslaved in Saint-Domingue utilized the Code Noir to protect against the abuses of their masters during the revolutionary period.

⁵ For a discussion of how the Declaration of the Rights of Man and Citizen impacted the French Antilles, and particularly Martinique and Guadalupe, see Laurent Dubois, *A Colony of Citizens: Revolution and Slave emancipation in the French Caribbean* (Raleigh: UNC Press, 2004).

⁶ See CLR James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York: Random House, 1963), 63-74. See also chapter IV of this text

Revolution can therefore be seen as intervening in the broader Age of Revolution by taking to task the banner of universal emancipation that was being touted throughout metropolitan France. Though it has been widely overlooked in the historiography of this period, the significance of the Haitian Revolution is unparalleled insofar as it gave new meaning to the Rights of Man and, in so doing, reshaped the Atlantic world.

The purpose of this project is to examine more fully what it looked like for the enslaved in Saint-Domingue to become enfranchised in a political community from which they had previously been excluded. To do this, I will focus on two elections that took place in Saint-Domingue, the first in 1793, before the enslaved were granted the rights of French citizens, and the second in 1796 in the wake of emancipation. During the election of 1793, several deputies, including the former slave Jean-Baptiste Belley, were chosen to represent Saint-Domingue in the National Convention. Upon arriving in France, these deputies entered the debate regarding emancipation, which ultimately led to the National Convention's decision to fully enfranchise the enslaved throughout the Republic of France in February of 1794 under the auspices of the radically democratic Constitution of Year I (1793). Hence, in the wake of the 1793 election in Saint-Domingue, the revolutionary ideal of universal emancipation became embodied by the enslaved who, after freeing themselves, were extended the rights of French citizenship and granted access to the political community from which they had previously been excluded.

for an especially rich description of the beginning of the slave insurgence in Saint-Domingue.

Yet, as I will suggest, this ideal was thrown back on itself during the election of 1796. By 1795 a new constitution had been enacted that greatly restricted the franchise and re-imposed a system of representation. As result, when elections were announced in 1796 in Saint-Domingue nearly all those had been enfranchised in 1794 were barred from activating their newly acquired political status through the vote. As I will argue, the shift from the election of 1793 to the election of 1796 in Saint-Domingue is emblematic of a tragic turn bound up with what it means to become enfranchised in the modern era. Specifically, it exposes a tension between political inclusion and the violence of assimilation that is necessitated by the universal aims of modern politics. The election of 1793 represented an initial step in a process by which the colonized took up and expanded the ideals of the French Revolution beyond what had been imagined by those in the metropole. In so doing, this election was emblematic of the promise of inclusion that is bound up with the ideals of modern politics. The election of 1796, by contrast, illustrated that for those who were once enslaved, the threat of betrayal remained pervasive even after citizenship was granted. As such, the Haitian Revolution, and specifically the attempt on the part of the formerly enslaved to enter into French political life, reveals a specter of exclusion that persists for those who become enfranchised after having been cast out.

In light of this, I maintain that the elections in Saint-Domingue are integral for raising questions regarding the price of inclusion in the modern political sphere. In drawing attention to this specter of exclusion, I argue too that the elections give rise to an impossible choice between assimilation and revolution. As I will suggest, the

impossibility of this choice is epitomized in the relationship between Toussaint L'Ouverture, who, upon endorsing the ideals of the French Revolution, was ultimately betrayed by them, and Jean-Jacques Dessalines, whose call for independence never fully superseded the values of France's colonial enterprise.

In developing the significance of the elections in Saint-Domingue, the broader aim of this project is three-fold. First, I want to draw attention to the significance of voting rights in Saint-Domingue, which have been widely overlooked by historians of the revolutionary period. Insofar as it was through the vote that citizens activated their political membership, voting rights provide a fruitful site for investigating what it might have meant to go from slave to citizen during the revolutionary period. The debates regarding suffrage in revolutionary France were enormously complex and gave way to extensive discussion regarding what it meant to bring the ideals of the Enlightenment to bear on the public sphere. In a similar fashion, taking up the question of what it meant to go from slave to citizen by way of voting rights in Saint-Domingue provides a method for exploring the scope and limits of the ideal of universal emancipation in the context of colonization. Moreover, towering illiteracy rates and general neglect of the voice of the masses in the historical record make it nearly impossible to discern the meaning of emancipation for the formerly enslaved through first hand accounts. As Carolyn Fick remarks, "For the vast majority [of the enslaved], the ability to read and write was an unknown luxury. So they left no memoirs, pamphlets, tracts, nor accounts of events."⁷ Hence, while it is exceptionally difficult to re-inscribe the voices that have been silenced

⁷ Carolyn Fick, *The Making of Haiti: The Saint-Domingue Revolution From Below* (Knoxville: University of Tennessee Press, 1990), 9.

in the historical record, I want to suggest that a thorough examination of voting rights in Saint-Domingue can help to provide a more robust narrative of what it might have meant to go from slave to citizen that extends beyond the accounts offered by revolutionary leaders.

Second, I want to suggest that a study of voting rights in Saint-Domingue is not only helpful for understanding what it meant to go from slave to citizen in the colonial context, but also integral for rethinking the impact of the colonies on the metropole during the revolutionary period. There is no doubt that the threat from below made manifest through the enactment of universal male suffrage in continental France had an influence in curbing the liberal ideals of the French Revolution. Yet, little has been done to examine how the threat from below in the colonies, made manifest through the enfranchisement of the formerly enslaved in 1794, informed the movement away from the sentiment of “the people” expressed in 1793 and towards the far more conservative Constitution of 1795. Therefore, I want to suggest that by more carefully considering the nature of voting in the colonial context, it is possible to open up new questions regarding the ways in which Saint-Domingue and the broader colonial world shaped the trajectory of revolutionary France.

Third, I aim to show that the Haitian Revolution, and in particular, the period during which the formerly enslaved were granted the rights of French citizenship, is theoretically significant for understanding political life in the modern era. While its theoretical significance has largely been overlooked in the western tradition, the Haitian Revolution and, in particular, the elections in Saint-Domingue, expose a tension between

political inclusion and the violence of assimilation that I want to suggest is endemic to what it means to become enfranchised in the modern era. In turning to the period between 1793 and 1796 in Saint-Domingue, I therefore want to draw attention to a lacuna in modern political philosophy and suggest that while it has largely been omitted from our historical memory, the Haitian Revolution and the tension it reveals should be understood as part and parcel to the birth of modern politics. Moreover, I want to suggest that upon being brought within the fold of this theoretical discourse, the Haitian Revolution can open up new questions in contemporary political philosophy regarding the politics of exclusion and the meaning of citizenship in an increasingly globalized world.

REWRITING THE HISTORY OF REVOLUTION IN SAINT-DOMINGUE

Given that history seems to favor the European voice, the revolution in Saint-Domingue is often depicted in the historical record as a barbaric deviation in the history of mankind's progression towards enlightenment. Haitian historian Michel-Rolph Trouillot has written extensively on the way in which the history of colonization and, in particular, the Haitian Revolution, became lost in the colonizer's mythical rhetoric regarding the discovery of "the new world."⁸ For this reason, the work of figures like Jean Price-Mars, CLR James, and Aimé Césaire, all of whom sought to reinvent this history in the early and mid-twentieth century, is of utmost importance. Jean Price-Mars can be credited with introducing the notion of a black consciousness through his history of the Haitian Revolution in works like *So Spoke the Uncle*. In *The Black Jacobins*, CLR

⁸ See Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995).

James drew heavily on Price-Mars's narrative to provide an account of the Haitian Revolution oriented by both Marxist and anti-colonial themes. Likewise, Aimé Césaire relied on Price-Mars's conception of black consciousness to draw the figure of Toussaint L'Ouverture into the negritude and anti-colonial movements of the 1950s and 1960s.⁹ Thus, in re-appropriating the Haitian Revolution, their efforts paved the way for contemporary historians like Trouillot to draw attention to the one-sided story that has been told in the historiography of revolutionary period. This, in turn, has given rise to a new historiography that takes seriously the seismic impact that the Haitian Revolution had on the broader Atlantic world.

For the purposes of my project, this scholarship is helpful for shedding light on debates concerning the gap between the ideals that guided the French Revolution and their application in the political sphere. It has also opened up new questions concerning the relation between metropole and colony and the ways in which notions of citizenship and national identity had to be rethought during this period. Furthermore, it draws attention to the fact that the revolution ended with a declaration of independence from France and the creation of what was supposed to be a homeland for all those who had suffered at the hand of colonial oppression. In so doing, recent scholarship on the revolutionary period in Saint-Domingue has generated important insights into the politics of race, the ethics of violence, and the role colonization played in giving birth to the modern world. Therefore, while the Haitian Revolution has been taken for granted in

⁹ See Aimé Césaire, *Toussaint-Louverture, la Révolution Française et le Problème Colonial* (Paris: Présence Africaine, 2000).

the mainstream historiography of the French Revolution, the burgeoning body of literature concerning Saint-Domingue and the broader Atlantic world is helping to uncover the vast implications that events like the Haitian Revolution have for understanding modern politics today.

Yet, voting rights have not yet been seriously considered in this new historiography. This is especially true in the case of the 1796 election. While several scholars, including Laurent Dubois, Jeremy Popkin, and John Patrick Walsh mention this election in passing, none account for it in any kind of detail.¹⁰ Robert Stein, in *Léger-Félicité Sonthonax: The Lost Sentinel of the Republic* offers the most thorough discussion of this election, but he leaves unanswered a number of questions regarding its significance for the broader population of Saint-Domingue, focusing instead on the military and political strife that he argues gave rise to this election.

Additionally, the period between 1794 and 1797 in Saint-Domingue has remained largely unexamined, particularly with respect to the kind of political status that slaves acquired upon receiving the rights of French citizenship. Much has been done to evaluate the trajectory of the Haitian Revolution leading up to emancipation. For instance, in *The Old Regime and the Haitian Revolution*, Malick Ghachem provides an integral account of the impact that the Code Noir had on the way the enslaved in Saint-Domingue conceptualized freedom on the basis of the laws of the ancien régime. In so doing, he seeks to illustrate that the legal legacy of emancipation in Saint-Domingue had

¹⁰ See Dubois, *Avengers of the New World*, Jeremy Popkin *A Concise History of the Haitian Revolution* (New York: Wiley-Blackwell, 2011), and John Patrick Walsh *Free and French: Toussaint Louverture, Aime Cesaire and Narratives of Loyal Oppression* (Bloomington: Indiana University Press, 2013).

its roots in slave law predating the Declaration of the Rights of Man and Citizen. Yet, Ghachem's narrative only considers how this played out in the years between 1789 and 1794. Similarly, Jeremy Popkin's discussion of the destruction of Cap Français in *You are All Free: The Haitian Revolution and the Abolition of Slavery* offers an important narrative of the underlying political struggle that gave rise to the decrees of 1793 and 1794. Like Ghachem, however, Popkin does not go beyond 1794 to consider what it looked like to become a citizen after emancipation. A great deal of scholarship also exists on the period from 1801 to the end of the revolution and beyond, tracing the development of Haiti's independence. For instance, both Laurent Dubois's discussion of the trajectory Haiti took in the wake of the revolution in *Haiti: The Aftershocks of History* and Sibylle Fischer's discussion in *Modernity Disavowed* offer especially intriguing analyses of what Haitian independence meant in the nineteenth century. Yet, neither consider the brief period during which those who had been slaves became French citizens. I take this period during the Age of Revolution to be particularly important, as it pushed the revolutionary proclamation that all men are born free and equal to its furthest limit. Therefore, this project contributes to the historiography of the Atlantic world by providing a more complete account of what it looked like on the other side of emancipation, after the enslaved had become free but before an independent Haitian state began taking shape.

ELECTIONS IN FRANCE AND SAINT-DOMINGUE DURING THE REVOLUTIONARY PERIOD

This project will unfold in three parts, the first dealing with the social and political sentiments underlying the legal framework for voting during the French Revolution, the second with the 1796 election in Saint-Domingue, and the third with the ramifications of this history for contemporary political theory. I will begin in Chapter II, “The Promise of Political Inclusion: Voting in France and Saint-Domingue,” with a general discussion of suffrage during the French Revolution. In this chapter, I will sketch the development of the right to vote in relation to the ideal of universal emancipation during the French Revolution by considering the Declaration of the Rights of Man and Citizen in 1789 through the Constitution of 1791, the Constitution of 1793, and the Constitution of 1795. Using the work of François Furet, Keith Baker, Malcolm Crook, and Lynn Hunt, I will focus on how the franchise and the definition of citizenship shifted toward and away from direct democracy over the course of the first five years of the French Revolution. This, in turn, will set the stage for analyzing the legal framework of the elections in Saint-Domingue.

Though I will rely on the work of these thinkers to sketch the social and political climate that under-girded the legal framework for voting in revolutionary France, I will also draw attention to a gap in Crook’s analysis of elections during the French Revolution. In particular, I will consider his discussion of the period between June 1793, when the Constitution of Year I was adopted and universal male suffrage was ratified by popular referendum, and 1795 when a new, less democratic constitution was adopted.

Crook maintains that while the Constitution of 1793 did indeed stipulate a radically broad franchise, no elections took place until after 1795. He thus argues that despite the common assumption that French election procedures gave way to a democratic consciousness based on the idea of universal male suffrage, in fact, no election took place under these auspices.

Yet, Crook's analysis overlooks one particularly important election that was held in Saint-Domingue in September of 1793 in accordance with the Constitution of Year I. I will thus develop a narrative of this election in relation to the 1793 Decree of General Liberty and the National Convention's 1794 emancipation decree, as well as the debates over the franchise that took place in the metropole during the same period. Insofar as the deputies who were elected to represent Saint-Domingue contributed to the National Convention's decision to ratify Sonthonax's Decree of General Liberty throughout the Republic of France, I argue in this chapter that it was emblematic of the way the events in Saint-Domingue pushed the ideals of the French Revolution to their furthest limits. As such, this election gave way to the promise of inclusion for the formerly enslaved.

In Chapter III, "The Specter of Exclusion: Accounting for the Election of 1796 in Cap Français," I will provide a narrative of what happened in Saint-Domingue in the wake of the promissory note of 1793 and 1794, by turning to the legislative election that took place in Cap Français in 1796. My aim in this chapter will be two-fold. First, I want to provide a more nuanced account of the 1796 election in Saint-Domingue. Second, I want to consider in broader terms what it would have meant for those who had recently been enfranchised to be barred from participating in the 1796 election. In so doing, I

maintain that this election had enormous symbolic significance to the extent that it was the first time that those who had once been enslaved had an opportunity to enter into French political life as fully enfranchised citizens. Thus, in addition to telling a more complete story of the 1796 election than has been told before, I also want to consider why this election ultimately stopped short of providing this opportunity.

The 1796 elections occurred at a particularly tumultuous moment during the Haitian Revolution. In addition to trying to ward off the British and Spanish, Toussaint L'Ouverture's troops were also faced with increasingly hostile race relations between free men of color and newly freed slaves, which ultimately came to a head during the Villatte Affair in the Spring of 1796. Beyond this, Saint-Domingue's revolutionary leaders were suspicious allies of the French during this period, and thus the call for these elections had as much to do with the struggle for power between Sonthonax, L'Ouverture, and the *gens de couleur libre* in the southern province as it did with any kind of democratic impulse.¹¹ I will therefore begin this chapter by drawing on Stein, Laurent Dubois, CLR James, Thomas Madiou, and Bernard Gainot to give contour to the political and military dynamics that provided the backdrop for electoral assembly that convened in Le Cap in September of 1796.

Relying primarily on the transcript from the electoral assembly that convened in Le Cap between September 7 and September 13, 1796, I will then provide a narrative of how this election unfolded. By using the *procès-verbaux* or official reports of the primary elections that took place in the cantons throughout Saint-Domingue along with

¹¹ See especially Chapter 10 in Robert Louis Stein, *Léger Félicité Sonthonax: The Lost Sentinel of the Republic* (Toronto: Fairleigh Dickinson University Press, 1985).

the financial requirements that were stipulated by the Constitution of Year III regarding the right to vote, I will offer an account of who would have been able to vote, as well as the process by which voting took place at both the primary and electoral levels. I will then consider the accounts provided by scholars like Madiou, who suggest that the election was heavily manipulated by Sonthonax, alongside the debates that took place in regard to the legitimacy of this election in the 1797 Legislative Corps in Paris.

In light of this, I want to suggest that even the most generous interpretation of the 1796 election reveals that while the formerly enslaved had been granted the rights of French citizens in 1794, the inclusion that this promised was never fully realized. Beyond this, I will gesture towards the idea that the restrictive voting regulations imposed in 1795 helped to ensure the French colonies remained united under the law of the French Republic. In other words, given that limiting the franchise made it possible to avoid the threat that was posed by granting political rights to hundreds of thousands of former slaves, it seems likely that this conservative turn was not just a consequence of unrest in the metropole, but also of France's desire to retain its colonial enterprise. Therefore, when considered in relation to the events that came before it, the 1796 election raises the question of the extent to which it is possible to carry out the task of politics in a world where both the threat of betrayal and the memory of exclusion remains present. Turning to the work of Mimi Sheller, I will conclude this chapter by suggesting that the implications of this election get cashed out in the unresolved conflict between L'Ouverture and Dessalines regarding the limits of assimilation and revolution for the formerly enslaved.

Chapter IV, “Conclusion: Arendt, Price-Mars, and Glissant on Enfranchisement and Exclusion,” will address the broader implications of the Haitian Revolution, and especially the period between 1793 and 1797, for contemporary concerns in social and political philosophy. Specifically, I will argue that the Haitian Revolution ought to be brought within the fold of this discourse, so as to open up new questions concerning the politics of exclusion in relation to the meaning of citizenship and universal rights. I will begin in this chapter by tracing the impact of the French Revolution on political philosophy through the work of Immanuel Kant, G.W.F. Hegel, and Karl Marx. In failing to fulfill the rational principles set forth by the Enlightenment, the French Revolution opened up a set of new problems for these thinkers that came to be understood as distinctive of political life in the modern era. Their reflections on the French Revolution thus resituated the lines of the debate regarding the political sphere. Moreover, they came to shape the critiques of modernity that emerged in the twentieth century in response to the unprecedented destruction of the first and second world wars, the rapid ascendance of totalitarianism, and the horrors of the concentration camps. Consequently, those in the twentieth century attempting to come to terms with these events took their point of departure for diagnosing the problems of modern political life almost exclusively from the French Revolution.

As I will argue, however, the birth of modern politics and the problems contained therein cannot be understood solely in terms of the French Revolution. In this chapter, I will attempt to show that insofar as the Haitian Revolution and the colonial context more generally reveals the specter of exclusion that persists for those who become

enfranchised, it can and should be used to deepen European social and political thought, particularly with regard to questions of citizenship. To illustrate this, I will focus on the German Jewish scholar, Hannah Arendt, whose work in the field of social and political philosophy concerns the problem of political exclusion and the importance of citizenship after the Holocaust. Through her analysis of statelessness, Arendt offers a rich and prescient critique of modern politics that demands we rethink the meaning of political life in an age scarred by totalitarianism. In particular, she suggests it is necessary to twist free from the Enlightenment ideal of liberty and turn instead to a notion freedom that is rooted in political community. A lived and embodied conception of citizenship thus comes to occupy a central position in Arendt's overall political theory.

Yet, her suggestion that citizenship alone can remedy the effects of political exclusion does not go far enough. In diagnosing the problem of statelessness, Arendt rightly attaches great value to citizenship and political community, which she believes has gotten lost in the abstract idea of inalienable rights that were brought to bear on the political sphere during the Age of Revolution. However, she does not consider what it means to become enfranchised in a community from which one had previously been excluded. Insofar as Arendt's notion of political action consists in preserving a space in which freedom can appear, freedom for her requires that individuals act for the sake of carrying the community to which they belong from the past into the future. This, it seems, complicates political life for those who acquire citizenship after having been excluded, as it renders their legitimacy within the political sphere contingent upon

recognizing and being recognized within a set of institutions, traditions, and values that were never meant for them.¹²

It is possible to bring this problem into focus by considering Arendt's conception of citizenship in light of the elections that took place during the Haitian Revolution. The election of 1793 and the subsequent enfranchisement of the formerly enslaved in 1794 seems to be emblematic of what Arendt believes politics in the modern era should do; namely, reach out to those who have been excluded. Yet, as the election of 1796 demonstrated, becoming enfranchised was not enough to guarantee the rights that Arendt takes to be constitutive of political freedom. This historical moment illustrates that for those who become enfranchised, the specter of exclusion remains present.

In light of this, I will consider how the Haitian Revolution has been taken up within the African Diaspora for the sake of generating a political tradition that engages directly with this specter of exclusion. In particular, I will focus on the work of Jean Price-Mars who reinterprets Haitian Voodoo and Creole through Haiti's revolutionary past. In so doing, he suggests that Haitian culture is neither European nor African, but rather a creative appropriation that expresses an inability to be fully assimilated either way. I will then consider the work of Edouard Glissant, whose poetics of relation and conception of "creolization" suggest a way of affirming this tension by living within it,

¹² See Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought* (New York: Penguin Books, 1993). Here she clarifies the terms "political action," "freedom," and "tradition." Thus, I will be relying heavily on this text, as well as *The Origins of Totalitarianism* (New York: Harcourt, Brace, and Co., 1951) to clarify her analysis of political life in Chapter IV.

rather than trying to overcome it by turning to another community for the sake of adopting a less dislocated sense of self.

Taken together with Price-Mars and Glissant, I will argue that Arendt's conception of citizenship is too narrow to distinguish sufficiently between political inclusion and the violence of assimilation. Moreover, in taking her point of departure from the French Revolution alone, she is unable to see that it is constitutive of modern political life that becoming enfranchised is accompanied by this violence. By contrast, Price-Mars and Glissant, in turning to the Haitian Revolution, are able to not only illustrate the significance of the event itself, but also the way in which the problems it poses remain present for those who were once cast out. By rethinking Arendt and figures like her from out of the Haitian Revolution, it is possible to expand their analyses so that they can more adequately address what it means for those who were once excluded to become enfranchised. Moreover, I will argue that insofar as the Haitian Revolution cannot be understood apart from the birth of modern politics, it ought to be brought within the fold of the west's historical memory for the sake of complicating and advancing the question of political exclusion that has occupied European political theorists for the last century.

CHAPTER II

THE PROMISE OF POLITICAL INCLUSION: VOTING IN FRANCE AND SAINT-DOMINGUE

INTRODUCTION

The purpose of this chapter is to examine the legal and political discourse that framed the debate concerning suffrage during the French Revolution and how this was then taken up in the context of emancipation in Saint-Domingue. In what follows, I will take the work of François Furet, Lynn Hunt, and Keith Baker together to develop an account of how the language contained in the 1789 Declaration of the Rights of Man and Citizen both oriented the revolution towards the ideal of universal rights while also preventing it from fully coming to terms with this ideal. The debates that arose regarding suffrage during the revolutionary decade provide a decisive illustration of this.

Therefore, I will also consider how the language of citizenship shifted in relation to the franchise in the constitutions of 1791, 1793, and 1795. Relying heavily on the work of Malcolm Crook, this chapter will provide a broad sketch of the political ideologies that influenced the legal parameters for elections and voting rights in revolutionary France. In so doing, I argue, like Crook, that these elections establish a link for the historian between the notion of “the people” that formed the backbone of the political rhetoric in revolutionary France and its practical application.

Yet, I also want to draw attention to a gap in Crook’s analysis. Specifically, I will turn to his discussion of the period between June 1793, when the Constitution of Year I

was accepted and universal male suffrage was ratified by popular referendum, and 1795 when a new, less democratic constitution was adopted. Crook suggests that while the Constitution of 1793 did indeed stipulate a radically broad franchise, no elections took place until after 1795. Consequently, he contends that despite the common assumption that French election procedures gave way to a democratic consciousness based on the idea of universal male suffrage, in fact, no election took place under these auspices.

In Saint-Domingue, however, one election was held in September of 1793. During this election, which came on the heels of Léger Félicité Sonthonax's "Decree of General Liberty" in August 1793, several deputies, including the former slave Jean-Baptiste Belley, were chosen to represent Saint-Domingue in the National Convention. Upon arriving in France, these deputies entered the debate regarding emancipation, which ultimately gave way in February of 1794 to the National Convention's ratification of Sonthonax's decree and the abolition of slavery throughout the Republic of France. I will thus provide a discussion in this chapter of the process by which the abolition of slavery became codified in French law. In so doing, I argue that by neglecting the 1793 election in Saint-Domingue, Crook and others overlook a particularly fruitful site for examining the radically democratic sentiment expressed in the election procedures and extended franchise that was stipulated by the Constitution of 1793. This election, in giving way to the abolition of slavery throughout the French Republic in 1794, took up and expanded the ideals of the French Revolution by pushing the notion of universal emancipation to its furthest limits. Therefore, as I will argue, it was an especially

significant moment in what Crook describes as France's "apprenticeship in democracy," insofar as it pointed to the promise of the inclusive aims of the revolutionary period.

THE 1789 DECLARATION OF THE RIGHTS OF MAN AND CITIZEN

The 1789 Declaration of the Rights of Man and Citizen, in espousing a universal conception of rights, ushered in a notion of "the people" that set revolutionary France on an irreversible course. As François Furet says:

What the French brought into being at the end of the eighteenth century was not politics as a laicized and distinct area of critical reflection but democratic politics as a national ideology. The secret of the success of 1789, its message and its lasting influence lie in that invention, which was unprecedented and whose legacy was to be so widespread.¹³

Yet, reconciling the democratic sentiment expressed in the Declaration of the Rights of Man and Citizen with the space of politics created a dilemma for revolutionary leaders.

¹³ François Furet, *Interpreting the French Revolution* (New York: Cambridge University Press, 1981), 26. Furet's claim here is imbedded within a broader rejection of the Marxist paradigm for interpreting the French Revolution. Drawing from the work of Alfred Cobban, Furet argues that social analyses of the revolutionary period not only depict the social character of revolutionary France in overly simplistic ways, but also cover over what made the French Revolution revolutionary. On Furet's account, the events of 1789 were revolutionary because a new kind of political language was created to frame them as such. This language, he argues, provided a foundation for a new kind of society oriented by democratic ideals. In turning to political culture rather than class structure to interpret the French Revolution, Furet's work thus marked a shift in the historiography of the French Revolution that called on historians to rethink 1789 as a pioneering moment rather than an inevitable consequence of class conflict. For more on this, see Furet, *Interpreting the French Revolution*, 27 and Lynn Avery Hunt, *Politics Culture and Class in the French Revolution* (Los Angeles: University of California Press, 2004), 23.

As I will suggest in what follows, this dilemma was brought into relief during the constitutional debates of 1791, 1793, and 1795 regarding the right to vote.

Lynn Hunt explains that the use of the term “declaration” in both the French and American context at the end of the eighteenth century unambiguously indicated an attempt to “seize sovereignty.”¹⁴ In so doing, it also signified a decisive break from the regime of the past. Unlike the Americans, the French had not committed to breaking from the monarch in 1789. Even so, rather than merely giving speeches or drafting laws, Hunt says that the French National Assembly felt compelled “to put in writing for posterity that rights flowed not from a compact between ruler and citizens, less still from a petition to him or a charter granted to him, but rather from the nature of human beings themselves.”¹⁵ Though at first there was widespread disagreement among the Assembly members about whether or not a “declaration” was necessary, since it implied an intent to rebuild the old government from scratch, a desire eventually emerged among the majority of the Assembly to do just this. Consequently, an official declaration of rights came to be understood as essential, and the Assembly voted on August 4, 1789 to draft the document.¹⁶

While the idea of the rights of man had been accepted prior to the storming of the Bastille on July 14, Furet says that the debates leading up to the final formulation of the Declaration of the Rights of Man and Citizen were “long, complex, contradictory, and

¹⁴ Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton and Company, 2008), 115.

¹⁵ Hunt, *Inventing Human Rights*, 115.

¹⁶ Hunt explains that while there was a changing tide of opinion in favor of drafting a declaration of rights, no one has successfully been able to provide an account of how this shift happened. See Hunt, *Inventing Human Rights*, 130.

passed through the filter of numerous preparatory drafts.”¹⁷ Amid growing anxiety about the future and widespread disagreement regarding the underlying aims of the revolution, the Assembly compromised on a temporary document drafted by a subcommittee composed of forty members. The subcommittee debated the proposed twenty-four articles of the declaration over the course of six days and ultimately agreed to adopt seventeen of them.¹⁸ Though the assembly had planned to revisit the document after drafting a new constitution, Hunt explains that the question was never reopened.¹⁹ Consequently, the Declaration of the Rights of Man and Citizen was adopted in its complete form on August 26, 1789.

Furet explains that the document sought to enumerate a social contract according to natural law that would guarantee equal rights to those who entered into it. In declaring first and foremost that “men are born and remain free and equal in rights” it boldly asserted that rights were to be understood as universal.²⁰ Drawing inspiration from the American Declaration of Independence, this appeal to universality in the Declaration of the Rights of Man and Citizen first set forth the notion that all people, without appeal to external authority, are endowed with certain inalienable rights.²¹ These rights included life, liberty, property and freedom from oppression, which further implied the right to

¹⁷ François Furet, *The French Revolution 1770-1814* (Cambridge: Blackwell Publishers Inc., 1996), 73.

¹⁸ See Hunt, *Inventing Human Rights*, 131.

¹⁹ *Ibid.*, 131.

²⁰ See Declaration of the Rights of Man and Citizen, Article 1, August 26 1789. All English translations of the constitutions and declarations of France come from Colin Jones, *The Longman Companion to the French Revolution* (New York: Longman Inc., 1988).

²¹ See Hunt, *Inventing Human Rights*, 126.

civil and fiscal equality, individual liberty, the admissibility of everyone for employment, *habeas corpus*, non-retroactive laws, and guarantee of property.²²

In maintaining that these rights were deducible through reason and required no appeal to an external authority, Hunt says, “The challenge to the old order of Europe could not have been more forthright.”²³ Furthermore, the document implied that in being inalienable, these rights were constitutive of what it meant to be human. Nowhere in the 1789 Declaration are these rights specified according to particular groups. There is no explicit reference to class, religion, or sex, and instead, terms like “all citizens,” “no citizens,” “all men,” “no man,” “all society,” and “any society” are used throughout.²⁴ As such, it proclaimed that all of humanity, regardless of religion, class, sex, or race had an indelible claim to the rights of man.²⁵

Hunt explains that the original intention of the Committee on the Constitution had been to prepare several documents that clarified the rights of man, the rights of the nation, the rights of the king and the rights of citizens. Yet, the document that was ultimately adopted only clarified the first two, and while the declaration mentions citizenship, the final version does not delineate the qualifications for it.²⁶

The declaration’s lack of specificity, while aimed at providing a ground for the legitimacy of all political association, subsequently gave rise to serious difficulty concerning those who had historically been denied such rights. That is, Hunt says, “If

²² See Furet, *The French Revolution 1770-1814*, 74.

²³ Hunt, *Inventing Human Rights*, 132.

²⁴ *Ibid*, 132.

²⁵ Hunt maintains that the use of the term “men” was not meant to point to members of the male sex alone, but rather was synonymous with the term “people.”

²⁶ Hunt, *Inventing Human Rights*, 132.

rights serve as a foundation of legitimacy, what justified their limitation to people of certain ages, sexes, races, religions, or wealth?”²⁷ As I will discuss, this difficulty becomes especially pronounced in the debates regarding suffrage, as it is here that the ideals of the 1789 Declaration are brought to bear on the political sphere through popular practice.

Furthermore, the 1789 Declaration of the Rights of Man was drafted in response to what Furet describes as a violent break from a national past that was fundamentally antithetical to this kind of contract. The declaration itself did not specify the role of the king in relation to the sovereignty of the nation. Hence, Furet explains that its writers, unlike their American counterparts, were faced with the challenge of synchronizing a new idea of inalienable rights with a social order that was not amenable to the notion of natural equality.²⁸ Furet says:

The idea that the affirmation of subjective rights of individuals as a foundation of the contract carried the risk of social breakdown has haunted European political thought ever since Burke, from conservatives to socialists; it was already fully present in the July and August debates of 1789.²⁹

In contrast to the Declaration of Independence, the Declaration of the Rights of Man and Citizen combined the notion of natural rights with positive law, thereby placing the responsibility to ensure the Rights of Man on society as a whole.³⁰ In being predicated on the notion that the people are sovereign, the Declaration was therefore designed to be

²⁷ Ibid, 133.

²⁸ See Furet, *The French Revolution 1770-1814*, 73.

²⁹ Ibid, 73-4.

³⁰ Ibid, 74. See also Hunt, *Inventing Human Rights*, 132.

an expression of the general will. Defining and organizing “the people” or nation as sovereign by means of a constitution, however, gave way to innumerable difficulties. In particular, this constitution would have to contend with the fact that the inhabitants of the French kingdom had only been subjects of a king and never citizens of a nation. Therefore, Furet says, “This could not be a shaky monument made up of ancient customs and haphazard revisions, like the *ancien régime* monarchy, but an ensemble of institutions based on new principles, which were those of reason.”³¹

According to Keith Baker, three routes were proposed for formulating a new constitution. The first consisted in introducing a complex system of checks and balances that retained a monarchy but only insofar as this monarchy was linked to national representation whereby each branch of power was limited by the other. This option, proposed by Gérard de Lally-Tollendal and Jean Joseph Mounier, was modeled after the English constitutional monarchy and offered the most conservative path in giving the king the power of absolute veto.³² The second was based on the Rousseauian notion of the general will and consisted in taking up a radically new constitution that was oriented most fundamentally by popular sovereignty. On this model, sovereignty resided in the people and was inalienable and indivisible. Further, the people would hold legislative power so as to ensure positive law was an expression of the general will. These laws would then be enforced by means of a subordinate executive power.³³ The third and final option, based on the proposal of Abbé Sieyès, involved implementing a constitution that

³¹ See Furet, *The French Revolution 1770-1814*, 76.

³² See Keith Baker, *Inventing the French Revolution: Essays on French Political Culture in the Eighteenth Century* (New York: Cambridge University Press, 1990), 301.

³³ See Baker, *Inventing the French Revolution*, 301.

appealed to a unitary representative body, rather than the people in primary assemblies, for the expression of the general will.³⁴ This model, like the Rousseauian one, consisted of a constitution brought about through an act of national sovereignty. Further, it abandoned the notion of a royal veto and thus offered a radical alternative to constitutional monarchy. Yet, the underlying sentiment of this proposal was that direct democracy was impossible in France. If constituted by “the people,” Sieyès argued, France could not be one and united. Therefore, this proposal also offered a critique of the Rousseauian notion of the general will in suggesting that the people can only speak and act effectively through representation.³⁵

Though the National Assembly pressed Louis XVI to endorse the Declaration of the Rights of Man, the king merely gave his assent rather than his acceptance on October 5, 1789.³⁶ Baker explains that the ambiguous nature of this response prompted fear among the Assembly’s deputies because it indicated that the king might refuse the constitution and, in so doing, “Subvert liberty, restore despotism, and annihilate the very principle of national sovereignty.”³⁷ As this was unsatisfactory, the Assembly voted to require the King’s pure acceptance, whereby the constitution would not be a pact between the King and the nation. Rather, while a constitutional monarchy would be retained, it would be “instituted and organized on the basis of the principle of national

³⁴ Ibid, 301.

³⁵ See Baker, *Inventing the French Revolution*, 285-301 for a detailed discussion of the debates that emerged regarding the tension between the general will and the practice of representation.

³⁶ See Baker, *Inventing the French Revolution*, 301-2.

³⁷ Ibid, 302.

sovereignty.”³⁸ Yet, placing the right to change the constitution in the hands of the people, raised concerns regarding the fact that popular action could force the revision or repudiation of the founding principles of the constitution. The Constitution of 1791 thus placed limitations on national sovereignty by establishing an electoral process based on representation. Additionally, in an effort to protect national sovereignty from the dangers of representation, the Assembly also permitted the monarch to veto legislative decrees.³⁹ Baker explains, however, that rather than protecting the sovereignty of the general will, this ultimately frustrated it. Consequently, he says, “Popular demands for action against the king were followed by demands for immediate action to change the constitution, demands that also required repudiation of the restrictive provisions regarding constitutional revision established under the Constitution of 1791.”⁴⁰ According to Baker, the chaos that followed can be blamed on the tension between the unrestricted power of national sovereignty and the constraints of the constitution. This can perhaps best be seen by examining the conflict between representation and direct democracy as it was made manifest in the electoral process that took shape in the first five years of the French Revolution.

VOTING AND REPRESENTATION IN THE CONSTITUTIONS OF 1791, 1793, AND 1795

In what follows, I will trace the concern in France regarding representation through the debates over the franchise and its relation to citizenship through the

³⁸ Baker, *Inventing the French Revolution*, 302.

³⁹ *Ibid*, 303.

⁴⁰ *Ibid*, 304.

Constitutions of 1791, 1793 (Year I), and 1795 (Year III). In so doing, I want to sketch the transition towards and away from direct democracy and universal male suffrage during this period. This will help set the stage for evaluating voting rights in Saint-Domingue and give contour to both the promise of inclusion that was made during the 1793 election in Saint-Domingue and the subsequent failure of the French to make good on this promise in 1796.

Crook explains that while it is often overlooked, a long tradition of voting existed in France prior to the revolution. Further, though many focus only on the *cahiers de doléances* or lists of grievances that were drawn up throughout France in 1789, few have considered the significance of the elections to the Estates General that took place at the same time.⁴¹ Given the tumultuous conditions under which the 1789 Estates General was called and the fact that the Estates General had not convened since 1614, Crook says that measures had to be taken both to preserve custom and tradition while also accommodating unprecedented circumstance. Though these measures did little to clarify the procedures of the Estates General, several modifications were adopted that not only framed voting practices throughout the revolutionary decade, but also set the stage for the debates that would arise regarding universal male suffrage during this period.⁴²

Crook explains that traditionally, the clergy and nobles were directly elected, but by 1789 the Third Estate was much too large for this. Consequently, it was decided that

⁴¹ Malcolm Crook, *Elections in the French Revolution: An Apprenticeship in Democracy 1789-1799* (Cambridge: Cambridge University Press, 1996), 8.

⁴² Crook, *Elections in the French Revolution*, 8-9.

members of the Third Estate would be elected through preliminary assemblies to ensure rural communities along with artisans and guilds could participate. On January 24, 1789, the Estates General issued an electoral statute that established a system of numerical representation. This statute made it so that the *pays d'etats* would be subjected to an electoral system composed of *bailliages* and *sénéchaussées* or administrative districts. Inhabitants of a *bailliage* would elect representatives to participate in a second set of elections to choose a representative for the Third Estate. Crook says:

In this sense, the consultation was organic rather than democratic; as one historian puts it, 'the electoral system was intended to represent groups rather than individuals.' On the other hand, in the interests of 'reason and equity,' it was decided to award deputies to the *baililages* and *sénéchaussées* 'according to their population and resources.'⁴³

Though this was an innovation compared to the previous electoral system, Crook explains that it initially presented a problem. According to the January 24 statute, it was stipulated that each district could have two representatives for up to 200 voters and a maximum of four deputies in any district. At this point, electors had to be property owners. Consequently, a small rural community might have several representatives even though its property owning electors made up an infinitesimal portion of the population. Larger towns, by contrast, might have a single deputy for 400 electors. Hence, the small

⁴³ Crook, *Elections in the French Revolution*, 10.

towns would be grossly overrepresented at the secondary or *bailliage* level of elections.⁴⁴

In order to fix this, the Assembly of Notables imposed an additional decree that greatly increased the franchise throughout France. Crook says:

Having secured their own position by preserving separate orders, the Notables were able to sponsor the subsequent decree that, in rural areas and towns alike, ‘all inhabitants from the third estate, born in France or naturalized, aged twenty-five years old and listed on the tax rolls’ would be given the opportunity to both vote and be elected.⁴⁵

This move on the part of the Assembly of Notables to enfranchise so many does signify a kind of transformation. The king's subjects were becoming citizens and active participants in a body politic.⁴⁶ Nevertheless, Crook explains that it would be hasty to read these new election procedures as radically democratic.⁴⁷ Enormous inequity persisted in spite of these changes. Elections that took place in villages were principally more democratic than those in urban areas. The electoral regulations for urban areas favored the bourgeoisie, permitting middle-class professionals like lawyers, doctors and ship owners (members of the *corporations d'arts libéraux*) twice as much representation as artisan guilds (*corporations d'arts et métiers*). Yet, access to village assemblies depended on the local structure of taxation, which was predicated on the structure of

⁴⁴ Ibid, 11.

⁴⁵ Ibid, 11.

⁴⁶ Ibid, 12

⁴⁷ Crook is especially critical of Furet for doing this. See Crook, *Elections in the French Revolution*, 12.

landownership. If being included on the tax-roll meant paying a land tax (as was the case in Provence, for instance), then those who owned no land were denied access to the assemblies. Hence, wage-laborers, beggars, transients and other landless individuals were often excluded from participating in elections. In Paris, a *cens* or fiscal requirement was established for members of the Third Estate.⁴⁸ Crook explains that although the *cens* in Paris far exceed the tax requirement elsewhere, it nevertheless “accurately reflected current intellectual opinion on the franchise.”⁴⁹ Throughout France, the educated elite maintained that those whose occupation condemned them to poverty and lack of education were unfit for full participation in public affairs.⁵⁰

The 1789 Estates General election is significant because it set several precedents for the elections that would take place during the revolution. In establishing primary assemblies, the January 24 electoral statute set the stage for a representative rather than a direct democracy. Crook explains, however, that it also invited voters to express their collective will through a deputy. That is, deputies were no longer elected to represent their own will, but rather became responsible for acting as messengers who spoke on behalf of the community they represented.⁵¹ This, in turn, meant that secondary elections were to be a function of the will of local communities. Yet, the representative model for elections also enabled those who believed elected officials should be of an elite status to

⁴⁸ For a more detailed discussion of the inequalities that existed with regard to the franchise in spite of the decree of January 24, 1789, see Crook, *Elections in the French Revolution*, 10-15.

⁴⁹ Crook, *Elections in the French Revolution*, 13.

⁵⁰ *Ibid*, 13.

⁵¹ *Ibid*, 20. See also François Furet, *La Révolution Française: De Turgot à Jules Ferry, 1770–1880* (Paris: Hachette, 1988), 66.

impose this standard from above. Because local communities wanted the best representation, they tended to elect the best and most educated to represent them. The government stipulated that these deputies should be the most exceptional individuals of their community.⁵² Consequently, Crook says, “The elections of 1789 effectively served as a seed bed for the early revolutionary elite as well as social terms, all over the country.”⁵³ Many of those who were elected to the Third Estate in 1789 eventually became members of the National Assembly and remained in political power for decades after the revolution. Restricting access to secondary assemblies through indirect elections thus worked to preserve the interests of elites, which calls into question the modern quality that is often attributed to elections during the French Revolution. In spite of this, however, the 1789 Estates General also established a uniquely broad franchise at the primary level. This would ultimately be retained throughout the revolutionary period, giving rise to debates regarding the extent to which limited and indirect suffrage were consistent with the broader aims of the revolution.⁵⁴

In late July of 1789, Sieyès introduced the terms “active citizenship” and “passive citizenship” to the National Assembly’s constitutional committee as a means of distinguishing between those who could vote and those who could not vote.⁵⁵ Though Sieyès language was new, it clearly had its origin in the previous regimes’ electoral

⁵² See Crook, *Elections in the French Revolution*, 22. See also Monique Cubells, *Les Horizons de la Liberté: Naissance de la Révolution en Provence* (Saint Rémy de Provence: Edisud, 1987), 144.

⁵³ See Crook, *Elections in the French Revolution*, 25.

⁵⁴ Ibid, 28.

⁵⁵ See Abbé Sieyès, *Préliminaire de la constitution: reconnaissance et exposition raisonnée des droits de l’homme et du citoyen* (Baudouin, 1789), 21.

system which separated voters and non-voters according to taxation and land-ownership.⁵⁶ Hence, the distinction was based on the same presupposition that those who could contribute financially to society were capable of fully participating in public life, while those who lacked such resources were not.

These requirements are clearly expressed in the constitution that was ultimately adopted on September 3, 1791. This constitution stipulated an electoral process based on primary and electoral assemblies for the selection of representatives to the National Assembly. The National Assembly would be a permanent, single legislative body that could not be dissolved by the king and would be composed of representatives elected every two years.⁵⁷ In all, the Assembly would have 745 representatives who were distributed across the kingdom's 83 departments in proportion to the size of the departments' territory, population, and direct tax.⁵⁸ These representatives would be selected by electors chosen through primary assemblies.

While the constitution defined citizenship in broad terms, only those who met the requirements for "active" citizenship were eligible to vote in primary assemblies within the cantons or various subdivisions of the departments of France. Active citizens had to satisfy the basic criteria for being French citizens.⁵⁹ This alone, however, did not render individuals eligible to vote. To be an active citizen, it was necessary to be twenty-five years of age or older and a resident of the city or canton in which one intended to vote. Further, to qualify as an active citizen one had to pay a direct tax equal to a minimum of

⁵⁶ See Crook, *Elections in the French Revolution*, 14, 30-1.

⁵⁷ Constitution of 1791 (3 September 1791), AE/I/10, part 2a, Title III, Chapter I.2-5.

⁵⁸ *Ibid*, Title III, Chapter I, Section I.1-2.

⁵⁹ *Ibid*, Title II.2.

three days labor not including domestic labor, enlist in that municipality's National Guard and take a civic oath.⁶⁰ Only those who could prove that they met all of these requirements were allowed to vote in the primary assemblies.

These primary assemblies would choose one elector for every 100 enfranchised people in a canton, two for every 151-200 people, and so on, to participate in electoral assemblies. In addition to being active citizens, electors had to meet certain property requirements that varied depending on the size of the canton in which they resided.⁶¹ These electors were charged with the task of electing representatives from their department to serve in the National Assembly. Any active citizen, regardless of position, profession, or tax could be a national representative.⁶²

Limited franchise seemed to be in conflict with the idea of the people that was driving revolutionary action. Yet, Crook argues that there was little resistance to it early on, even by the most radical factions.⁶³ Though many assume that the distinction between active and passive citizenship was politically explosive from the outset, he explains that the electoral practices of the Old Regime appear to have been too engrained for this to be the case in the early stages of the revolution. Consequently, there was little difficulty involved at first in allowing the past regime to determine voting eligibility. By 1791, however, the requirements for voting had become so complicated that mass numbers of eligible voters opted to abstain rather than take the time to demonstrate their credentials. Consequently, Crook suggests that frustrations regarding voting emerged in

⁶⁰ Ibid, Title III, Chapter II, Section II.2.

⁶¹ Ibid, Title III, Chapter II, Section II.7.

⁶² Ibid, Title III, Chapter II, Section III.1-3.

⁶³ See Crook, *Elections in the French Revolution*, 31-2.

revolutionary France not because the franchise was limited but rather because of the overly demanding electoral system and a deteriorating political climate.⁶⁴ He says, “In 1791, electoral participation had become a test of loyalty to the regime which many voters, in rural areas in particular, were unwilling to take.”⁶⁵ Thus, voter turnout plummeted in 1791.

While this failed electoral process would ultimately lead to a republican constitution, Crook explains that the people were allowed to have a direct voice in the case of two referenda, the first concerning the Constitution of Year I (1793) and the second concerning the Constitution of Year III (1795). In both cases, and especially the 1793 referendum, voter turnout was much higher than it had been. The Constitution of 1793 was drafted in the aftermath of the king’s deposition and ultimate execution, along with the dissolution of the National Assembly in 1792. Consequently, the recently formed National Convention decided that a new constitution could only be adopted after being submitted to a popular vote.⁶⁶ Hence, a constitutional referendum was sent to the primary assemblies. After extensive public debate, the first constitution of the Republic of France was accepted in 1793. In being based on the model of direct democracy, it provided a radical alternative to the Constitution of 1791.

The constitution included a revised Declaration of the Rights of Man, which, in addition to declaring that the people were sovereign and had a fundamental right to insurrection, also established that all male citizens had an inalienable right to vote,

⁶⁴ Ibid, 32.

⁶⁵ Ibid, 78.

⁶⁶ Ibid, 101-2.

participate in legislation, and be elected to public office.⁶⁷ Universal male suffrage had already been enacted in 1792 when all men age twenty-five or older were able to vote regardless of their social class in the National Convention elections.⁶⁸ The Constitution of 1793 endorsed and further extended this practice of universal male suffrage. In addition to omitting the distinction between active and passive citizenship and suspending all fiscal requirements, it also reduced the voting age to twenty-one.⁶⁹ Further, it stipulated that both those born and living in France, as well as any alien who had lived and worked in France for a year, would be granted the rights of citizens. This, in turn, made it the case that even domestic servants, who had previously been excluded, were enfranchised.

According to this constitution, the people were sovereign and would now choose their deputies directly, while electors would be responsible for choosing administrators and judges. Unlike the Constitution of 1791, the Constitution of 1793 stipulated no requirements for voting beyond living in one's canton for at least six months. In asserting that "population is the only basis of national representation" the constitution thereby removed the electoral college that had previously been in place.⁷⁰ In establishing popular sovereignty, it also determined that anyone who enjoyed the rights of French citizenship was eligible for election and those elected would represent the nation as a

⁶⁷ See Declaration of the Rights of Man and Citizen (26 August 1789), AE/II/1129, Articles 1 and 25 (the people's sovereignty), Article 35 (the right to insurrection), and Articles 5, 28, and 29 (the right to vote, legislate, and be elected to public office).

⁶⁸ See Crook, *Elections in the French Revolution*, 100.

⁶⁹ Constitution of 1793 or Year I (24 June 1793), AE/I/29, part 3, Article 4, 7-11.

⁷⁰ *Ibid*, Article 21.

whole.⁷¹ One deputy would be elected for every 40,000 citizens to serve on the National Assembly and the selection of these deputies would be determined by an absolute majority vote.⁷² Electoral assemblies, though absent from the process of selecting national representatives, were responsible for appointing candidates from their respective departments to serve on the executive council (the new executive branch of the government). This list of candidates would then be given to members of the Convention who would elect twenty four individuals to serve on the executive council.⁷³

The constitution was accepted on August 10, 1793, but Crook says that it was never fully implemented. By October of the same year, he explains that the Terror had become the order of the day and elections were indefinitely postponed.⁷⁴ It was not until 1795 that a new constitution was drafted. As a result of the Terror, there was widespread agreement among the deputies that the direct democracy established by the Constitution of 1793 should be replaced with a government that could preserve a just social order. This constitution was significant for several reasons. First, in an effort to prevent a single person or party from possessing too much executive power, the constitution established a “Directory” made up of five members who shared executive power. Further, it dissolved the National Convention and established a bicameral legislature composed of the Council of Five Hundred and the Council of Elders in an effort to slow down the process by which laws were passed. In addition to constituting the lower legislative house, the

⁷¹ Ibid, Article 28 and 29 (respectively).

⁷² Ibid, Article 22 and 24 (respectively).

⁷³ Ibid, Article 63, 1793.

⁷⁴ Crook, *Elections in the French Revolution*, 115.

Council of Five Hundred was responsible for proposing a list of candidates for the Directory to the Council of Elders who would then elect the five members.⁷⁵

Given the civil strife and violence gripping the nation, Crook says, “Visions of equality were cast aside by the constitutional commission.”⁷⁶ The Declaration of the Rights of Man and Citizen was yet again revised. Unlike the previous Declaration, which emphasized the liberties of the people, this version divided the Declaration into rights and duties. While it asserted that men in society have the right to freedom, equality, liberty and property, it also obligated citizens to “do not unto others what you wish they should not do unto you [and] do unto others all the good you wish they should do unto you.”⁷⁷ The constitutional commission was especially concerned by this point to put the property owning bourgeoisie back in power. Though the voting age remained at twenty-one, the liberal naturalization policy of 1793 was reversed.⁷⁸ Additionally, participation in primary assemblies required individuals to live in their canton for a year rather than six months, and, for the first time, only those who were able to read and write were allowed to participate in primary assemblies (though this would not be imposed until Year XII).⁷⁹ While the language of “active” and “passive” citizenship was not used in the 1795 constitution, it nevertheless imposed fiscal requirements that implied as

⁷⁵ Ibid, 116.

⁷⁶ Ibid.

⁷⁷ , Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Rights, Article 1 and Duties, Article 2 (respectively).

⁷⁸ Crook, *Elections in the French Revolution*, 117.

⁷⁹ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title II.16. See also Crook, *Elections in the French Revolution*, 117.

much.⁸⁰ The franchise was determined by what the constitution defined as “citizenship,” but citizenship required that individuals pay either a personal or a property tax.⁸¹ Consequently, domestic servants, who had temporarily been allowed to vote, lost their ability to do so in 1795.⁸²

Insofar as it reinstated a representative electoral process, the Constitution of 1795 looked very similar to the Constitution of 1791. The primary assemblies would elect one elector to for every 200 citizens, two electors for 201 to 500 citizens, three electors for 501 to 700 citizens and four for 701 to 900 citizens to serve on their respective departmental electoral assemblies.⁸³ These electors were then responsible for choosing the members of the Council of Five-Hundred and the Council of Elders, the members of the court, grand jury men, departmental administrators, the presidents, public attorneys and clerks of the criminal courts, and the judges of the civil courts.⁸⁴ In effect, therefore, very little was left up to the people.

In addition to undoing the power that had been granted to primary assemblies in 1793, the Constitution of 1795 stipulated that members of the electoral assembly had to meet property requirements in addition to paying the tax all voters paid. Specifically, in communes with populations over 6,000 inhabitants, the constitution required that electors were the owners or the proprietors of an estate worth at least 100 days labor. In communes with fewer than 6,000 inhabitants, the constitution required that electors

⁸⁰ See Crook, *Elections in the French Revolution*, 117.

⁸¹ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title II, Article 8.

⁸² *Ibid*, Title III, Article 13.1.

⁸³ *Ibid*, Title IV, Article 33.

⁸⁴ *Ibid*, Title IV, Article 41.

owned or were the proprietors of estates that were equal in value to at least 150 days labor. For electors from the country, it was necessary that they either be the beneficiary or owner of an estate that was equal in value to wages of 150 days labor or that they were farmers or tenants of estates equal in value to 200 days labor.⁸⁵

This constitution, like the one before it, was submitted to the people. Yet, while the referendum passed upon being submitted to popular vote and the results of the election were made public, it is not clear how legitimate these results were. Crook explains that the *procès-verbaux* from many departments had not yet arrived when the results of the election were announced.⁸⁶ Furthermore, it was declared that support had been given for all of the members of the Convention remain in power without being re-elected, which prompted substantial resistance. Crook explains that those who revolted in response to the choice of the electorate on October 5, 1795 were easily put down and their sections abolished. Consequently, he says, “At best, the choice of the electorate had been unduly circumscribed. At worst, voters had been cheated in what ultimately amounted to a *coup d’état*.”⁸⁷ Though Crook argues that the Directory ultimately made important contributions to France’s “electoral apprenticeship,” it was nevertheless one of several occasions during the revolutionary period when the regime succeeded in frustrating the will of the people.⁸⁸

The question of enfranchisement clearly played a decisive role in determining how these constitutions were formulated. Further, the debates over the meaning of

⁸⁵ Ibid, Title IV, Article 35.

⁸⁶ Crook, *Elections in the French Revolution*, 121 and 127.

⁸⁷ Ibid, 129.

⁸⁸ Ibid, 130.

citizenship and its relation to voting rights brings into relief the difficulty inherent in applying the ideal of universal rights to the political sphere. Yet, in remaining confined to the continent, Crook overlooks the events that were unfolding in Saint-Domingue alongside these debates. In particular, he fails to consider that in fact an election was held in accordance with the Constitution of Year I in Saint-Domingue. This election, which took place in September of 1793 sent representatives from Saint-Domingue to push for emancipation in the National Convention. In so doing, it set off a chain of events that would, for a brief period, bring the ideals of the French Revolution to bear on the political sphere.

In what follows, I will consider this election in relation to the events leading up to Sonthonax's Decree of General Liberty and the National Convention's subsequent call for abolition throughout the Republic of France in 1794. In so doing, I will show that upon being emancipated, the enslaved men of Saint-Domingue were fully enfranchised under the radically democratic Constitution of Year I. Though Crook overlooks these events, I will argue that they not only shaped the trajectory of the revolution in Saint-Domingue, but also made what can perhaps be understood as the most authentic contribution to France's "apprenticeship in democracy" of the revolutionary period. Moreover, given that enfranchising the former slaves vastly extended the concept of universal emancipation beyond what had previously been imaged, I want to suggest that the radical impact of these events, though widely neglected, must be taken into account when evaluating the conservative turn of 1795 that took place in metropolitan France.

EMANCIPATION: 1793 AND 1794 IN SAINT-DOMINGUE

As these changes unfolded in France, Saint-Domingue was undergoing its own tumultuous transformation on the other side of the Atlantic. The slave revolt that had begun there in 1791 was turning towards abolition by 1793. In 1792, the National Assembly had granted the rights of citizens to free people of color in an effort to unite them with the French commissioners against the slave insurrection. Though they remained outnumbered and overpowered by the strength of the insurgents, things began to change in May of 1793 when François-Thomas Galbaud, a decorated French revolutionary general and plantation owner, arrived in Cap Français.⁸⁹ Galbaud had been sent to command the French troops in Le Cap, and given Galbaud's sympathy for white plantation owners, Sonthonax and Polverel ordered him not to take any action once he arrived. Regardless of these orders, Galbaud began implementing his own agenda upon arriving, which threatened the position of the free people of color in the city and undermined the alliance that the commissioners had established with them.⁹⁰ In light of this, the commissioners ordered Galbaud to return to France, and while he initially obeyed, the British and Spanish sailors of Le Cap convinced him to stay and lead an assault on the city.⁹¹

Sonthonax and Polverel realized that even when united with the free people of color, their forces were no match for the attack Galbaud was mounting. Hence, on the evening of June 20, 1793, the commissioners sought the help of the thousands of black

⁸⁹ See Jeremy Popkin, *A Concise History of the Haitian Revolution* (New York: Wiley-Blackwell, 2011), 56.

⁹⁰ See Popkin, *A Concise History of the Haitian Revolution*, 56.

⁹¹ *Ibid*, 57.

slaves in the city, promising their freedom in return.⁹² As Jeremy Popkin explains, this subsequently set off what would be the bloodiest urban conflict that took place in either metropolitan France or the Americas during the entire revolutionary period.⁹³ At the end of three days of fighting Le Cap had been reduced to ashes, leaving between 3,000 and 10,000 dead.⁹⁴

Though Sonthonax had originally proposed limited freedom to the slaves who fought against Galbaud, he realized that he could only gain support from the insurgents in the northern province, many of whom were aligned with the Spanish, by means of a complete emancipation proclamation.⁹⁵ On August 29, 1793 Sonthonax thus issued his “Decree of General Liberty,” stating that “all *nègres* and mixed blood people currently in slavery are declared free to enjoy all the rights of French citizens.”⁹⁶ In addition to this, the decree stipulated that the Declaration of the Rights of Man and Citizen was to be put into effect throughout Saint-Domingue.⁹⁷ Though some insurgents joined the French immediately after it was issued, many refused. Popkin says that initially, Toussaint and the other insurgent leaders “saw the proclamation of June 20 as a

⁹² Ibid, 57.

⁹³ See Jeremy Popkin, *You Are All Free: The Haitian Revolution and the Abolition of Slavery* (New York: Cambridge University Press, 2010), 3.

⁹⁴ See Popkin, *A Concise History of the Haitian Revolution*, 57.

⁹⁵ Ibid, 59.

⁹⁶ Léger Félicité Sonthonax, “Decree of General Liberty, August 29, 1793,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, ed. Laurent Dubois and John Garrigus (New York, Bedford/St. Martin’s, 2006), 123.

⁹⁷ Léger Félicité Sonthonax, “Decree of General Liberty, August 29, 1793,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, ed. Laurent Dubois and John Garrigus (New York, Bedford/St. Martin’s, 2006), 123. See also Dubois, *A Colony of Citizens*, 157.

desperate gamble by a defeated faction.”⁹⁸ Further, these leaders were aligned with the Spanish at the time of the destruction of Le Cap, who had “persuaded them that promises made in the name of the revolutionary French government were of little value.”⁹⁹ It was not until a year after this initial emancipation decree that Toussaint broke with the other insurgents and joined the side of the French. Laurent Dubois explains that upon learning in June of 1794 that the Sonthonax’s emancipation decree had been ratified by the National Convention, Toussaint turned against the Spanish and “began his rise toward the leadership of the new, emancipated, but still colonial Saint-Domingue.”¹⁰⁰

Popkin argues that the events of June 20 along with Sonthonax’s 1793 Decree changed the course of the Haitian Revolution. While the insurrection might have succeeded regardless, it was in virtue of these events that the French Republican tradition ultimately intersected with it in 1794.¹⁰¹ The ideals of the French Revolution had all but been ignored by the French in Saint-Domingue who, to this point, had remained invested in preserving the plantation society that had proven so profitable for metropolitan France. Though Toussaint eventually came to take seriously Sonthonax’s promise of emancipation, endorsing the ideals of the French Revolution for the sake of creating a “colony of citizens,” this outcome was by no means obvious or consistent with the original aims of the leaders of either revolution.¹⁰²

⁹⁸ See Popkin *You Are All Free*, 3.

⁹⁹ Popkin, *A Concise History of the Haitian Revolution* (New York: Wiley-Blackwell, 2011), 60.

¹⁰⁰ Dubois, *A Colony of Citizens*, 159.

¹⁰¹ Popkin, *You Are All Free*, 7.

¹⁰² See Popkin, *You Are All Free*, 3. Popkin takes this term from Laurent Dubois who uses it in his discussion of the meaning of emancipation its relation to the ideals of the

It may be true, as Crook suggests, that no elections took place in France after the 1793 constitution was accepted. Yet, the election that was held in Saint-Domingue on September 23, 1793, as well as the events that followed it, seem to provide a consummate expression of the ideals that the people in France were unable to fully enact through the vote.¹⁰³ Sonthonax presided over this election with the intention of sending several representatives to serve in the National Convention as representatives of Saint-Domingue. Some claim that the newly freed slaves participated in this election, and while Dubois explains that there is no proof of this, he says, “There were...among the electors as well as among the candidates, a number of *gens de couleur*.”¹⁰⁴ This unique election resulted in the appointment of three whites, three men of color, and three blacks to represent Saint-Domingue in France. Of these nine, only three made it to France. Among them was Jean-Baptiste Belley, who had been born in Africa and enslaved as a child. Though he had been freed before 1789, his election to the Assembly was both unprecedented and evoked outrage among many who, in spite of their revolutionary zeal, did not believe former slaves were fit to wear a deputy’s uniform.¹⁰⁵ Regardless of these hostilities, however, Belley and his fellow representatives, French official Louis Dufay and free man of color Jean-Baptiste Mills, were admitted to the National Convention on February 15, 1793.¹⁰⁶

French Revolution in *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean* (Chapel Hill: University of North Carolina Press, 2004).

¹⁰³ Dubois, *A Colony of Citizens*, 159

¹⁰⁴ Ibid, n159. Dubois refers here to the “Procès verbal de l’assemblée électorale des députés du nord de St. Domingue,” Sept. 23, 1793, AN C 181, 84.

¹⁰⁵ Ibid, 160.

¹⁰⁶ Ibid.

Dufay gave a speech to the convention in which he said that in response to Galbauld, who had attempted to overthrow the commissioners by giving his support to the royalist mulattos, the slaves rose up and defended the Republic. Dufay thus explained that “the courage of the *nègres* armed for the French cause foiled these treacherous projects. In exchange for their services, they demanded liberty, which was granted to them.”¹⁰⁷ Dufay thus called on the Convention to “create new citizens for the Republic in order to oppose our enemies.”¹⁰⁸ Though the Convention was persuaded in large part by the strategic benefit of this decision, a motion was made “not by temporary enthusiasm but by the principles of justice, faithful to the Declaration of the Rights of Man,” to abolish slavery throughout the French republic and allow those who fought for France to enjoy the full benefits of French liberty and equality.”¹⁰⁹ A further motion was made to grant all free people of color throughout the French republic the same liberty and equality. In response to this, the transcript of these proceedings colorfully depicts the Convention breaking into tears and applause. It is also included in the transcript that Jeanne Odo, a women of African descent who often attended debates in the Convention, fainted upon hearing the law pronounced.¹¹⁰ One member asserts “until now our decrees of liberty have been selfish, and only for ourselves. But today we proclaim it to the

¹⁰⁷ The National Convention, “Abolition of Slavery, February 4, 1794,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, 130.

¹⁰⁸ Dubois, *A Colony of Citizens*, 160. Dubois does not cite Dufay’s speech, though he quotes it directly, which is what I have quoted here.

¹⁰⁹ The National Convention, “Abolition of Slavery, February 4, 1794,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, 130.

¹¹⁰ See Dubois, *A Colony of Citizens*, 162. See also The National Convention, “Abolition of Slavery, February 4, 1794,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, 131.

universe, and generations to come will glory in this decree; we are proclaiming universal liberty.”¹¹¹ A final proposal was thus drawn up in the presence of several people of color including Belley and Mills that both ratified Sonthonax’s initial 1793 decree and extended this decree to the entire French Republic.

In its final formulation, the proposal read, “The National Convention declares that slavery of the *nègres* is abolished in all the colonies; consequently, it decrees that all men living in the colonies, without distinction of color, are French citizens and enjoy all the rights guaranteed by the constitution.”¹¹² Despite the enthusiasm with which this decree was ratified, the new law was accompanied by instructions from the Committee of the Colonies that the republican commissioners were to implement emancipation however they saw fit. Dubois explains that with this, Sonthonax, Polverel, and eventually L’Ouverture set up a legal order to implement a new free society which both declared the slaves free while forcing them to keep working. Dubois says:

New forms of racial exclusion became interwoven with the language of rights, forming a Republican racism that initiated a long French engagement with the problem of organizing colonial relationships within a colonial framework. The struggle for emancipation was, ultimately, only the first step in a broader struggle for freedom and full citizenship.¹¹³

Dubois and Popkin are at odds with respect to the impact the insurgents had in bringing about emancipation. Popkin emphasizes the political and military benefits

¹¹¹ The National Convention, “Abolition of Slavery, February 4, 1794,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, 131.

¹¹² *Ibid*, 132.

¹¹³ Dubois, *A Colony of Citizens*, 167.

emancipation had for the French, suggesting that it began as a fight between white factions and ended when French republicans realized that they could not remain in control of the colony without freeing the slaves. Dubois, by contrast, suggests that through their direct action, the insurgents of Saint-Domingue and the French Antilles more broadly played a direct role in reshaping the idea of citizenship and, in so doing, radicalized the Declaration of the Rights of Man and Citizen.¹¹⁴ Yet, both agree that regardless of the underlying causes of abolition, the decrees of 1793 and 1794 and the events that followed brought the tension between France's colonial enterprise and its revolutionary mission to the forefront.

While much has been done to show how the threat from below on the continent motivated the conservatism of the Constitution of Year III, the threat from below that emerged in 1794 in Saint-Domingue, and the impact this had on the conservative swing of 1795, has been widely overlooked. Hence, in Chapter III, I will consider the ways in which the events of 1793 and 1794, though triumphant for the inclusive ideals set forth in the 1789 Declaration of the Rights of Man and Citizen, were nevertheless fleeting. Specifically, I will consider how these triumphs brought the danger of universal emancipation into relief for those in metropolitan France, so as to provoke the conservative turn of 1795. I then want to show how this ultimately barred the formerly enslaved from enacting their newly acquired political status through the vote in the 1796. When the elections of 1793 and 1796 in Saint-Domingue are taken together, the promise of inclusion that was expressed in the former can be understood as culminating in an act

¹¹⁴ Ibid.

of exclusion made manifest through the latter. As I will argue, this transition reveals that despite becoming enfranchised, a specter of exclusion persists for those who enter into political life after having been cast out.

CHAPTER III

THE SPECTER OF EXCLUSION: ACCOUNTING FOR THE 1796 ELECTION IN CAP FRANÇAIS

INTRODUCTION

In August of 1793, Léger Félicité Sonthonax issued a “Decree of General Liberty” in the colony of Saint-Domingue, granting all those who had been enslaved the rights of French citizens.¹¹⁵ Immediately thereafter, legislative elections were held in the colony to choose several deputies to represent Saint-Domingue in the French National Convention. Upon arriving in France, the deputies were admitted to the Convention and, on February 4, 1794, participated in the decision to ratify Sonthonax’s decree and abolish slavery throughout the Republic of France. Furthermore, it appears to be the only election that took place under the radical Constitution of Year I, which enacted a system of direct democracy and extended universal male suffrage throughout the Republic. Hence, while the election of 1793 might have been a political tactic on the part of Sonthonax, it nevertheless appears to have both participated in and opened up new possibilities for the ideal of the people that had come to captivate revolutionary France during this period.

While many make mention of the 1793 election, few have considered the one that followed it in 1796. In this chapter, I will draw attention to it to show that it was as

¹¹⁵ See Léger Félicité Sonthonax, “Decree of General Liberty, August 29, 1793,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, eds. Laurent Dubois and John Garrigus (New York: Bedford/St. Martin’s, 2006), 123.

significant as the 1793 election, insofar as it culminated in the betrayal of the ideals that had so virulently been endorsed several years before. The 1796 election provided the first opportunity for those who had been enfranchised in 1794 to fully activate their newly acquired French citizenship through the vote. Yet, the Constitution of 1795 (Year III), which re-imposed a system of representation and a fiscal requirement for both voting and participating in electoral assemblies, summarily barred the vast majority of those who had been enfranchised from participating in this election.

I will begin by considering the political and military dynamics in Saint-Domingue that set the stage for this election. Though the republican forces in Saint-Domingue had been surprisingly successful in regaining control of the island by 1796, the colony was nearly torn asunder by racial conflict between the newly freed slaves in the north and the *gens de couleur* in the south. These tensions were only exacerbated by the arrival of Sonthonax and his new commission in May of 1796 meaning that the election of 1796 took place under particularly tense circumstances. I will then turn to the assembly transcript, both to outline how this election was portrayed in the official record and to provide a pivot point for examining several interpretations of it including those offered during the 1797 debates in Paris. This, in turn, will help illustrate how the debates between those who both supported and rejected emancipation shaped the way in which the story of this election was told.

My broader aim in this chapter is to suggest by way of the 1796 election that the ideological story of the French Revolution can be understood more fully by examining the tension between the ideals of the French Republic and its colonial enterprise. The

Constitution of 1795 not only imposed a limited franchise, but also united the metropole and colonies under one law. Given this, it seems that the desire to remain invested in the colonies while mitigating the threat that hundreds of thousands of former slaves with political rights posed to this enterprise could have easily played a role in the turn away from universal suffrage in 1795. Yet, because the colonial narrative so frequently gets left out, its impact on the continent and the broader implications of this for understanding the Age of Revolution gets covered over.

I therefore want to de-center the European story by turning to the 1796 election in Saint-Domingue. In so doing, I will argue that this election can be understood as an unprecedented moment in the history of emancipation, but not because it was a triumph for democracy, the people, or the ideals of the revolutionary period. Rather, it revealed that upon entering into political community, the threat of betrayal remained present for those who had once been excluded. In the final portion of my discussion, I will turn to the work of Mimi Sheller to provide an account of the effect of this specter of exclusion. In suggesting that complete assimilation to the French ideals was impossible, L'Ourverture's fall in 1802 led to Dessalines' call for a violent break from the colonial past. What became apparent in the nineteenth century, however, was that this past could not be overcome in its entirety. That is, the period after independence revealed that the tension the 1796 election exposed for those who became enfranchised was, to a certain extent, irresolute. While complete assimilation proved to be impossible, so too did complete revolution.

THE POLITICAL AND MILITARY DYNAMICS IN SAINT-DOMINGUE
BETWEEN 1794 AND 1796

In 1794, Sonthonax was arrested and recalled to France. The arrest came in response to a campaign made by angry colonists who had been deported from the colony and sent to Paris.¹¹⁶ Though the colonists in Paris had begun waging this campaign before 1792, they eventually gained enough strength in the National Convention to issue a decree for the commissioners' recall on the grounds that they were "tyrannizing the citizens of Saint-Domingue."¹¹⁷

Upon leaving the colony in 1794, the commissioners feared that Spanish and British forces would succeed in expelling the French from the colony. In addition to this, the National Convention had shown little interest in preserving their stake in Saint-Domingue. As Robert Stein explains:

No replacements were sent for Sonthonax and Poulverel, nor was any aid offered to the hard-pressed republican armies in the colony. The French were apparently too busy digesting the implications of the fall of Robespierre to concern themselves with Saint-Domingue and from 1794 when Sonthonax returned to Saint-Domingue, the colony was almost in total isolation.¹¹⁸

When they left Saint-Domingue, the colony had been divided in three among the French, Spanish, and British, each of which depended heavily on the support of nonwhite forces

¹¹⁶ Robert Stein, *Léger Félicité Sonthonax: The Lost Sentinel of the Republic* (Toronto: Associated University Presses Inc., 1984), 104.

¹¹⁷ Stein, *Léger Félicité Sonthonax*, 108.

¹¹⁸ *Ibid*, 124.

whose leaders had been inclined to switch sides without warning.¹¹⁹ Though this, along with disease and treachery from slave owners who would show loyalty to anyone willing to protect their plantations, hurt the British and Spanish troops, both were being supported by their respective governments. The French, by contrast, were not.¹²⁰

Yet, by this point Toussaint L'Ouverture had abandoned the Spanish and British for the sake of "liberty and equality," effectively using the slogan of republicanism to rally the new French citizens.¹²¹ When the commissioners left, L'Ouverture was the commander of the republican troops in the northern province, while his fellow general, André Rigaud led republic troops in the south. Though both were required to report to the interim governor of the colony, Etienne Laveaux, they were, for all intents and purposes, under their own jurisdiction. By November of 1795, Rigaud had expelled the British from large portions of the south and west and had re-established the production of colonial commodities.¹²² The Spanish in the north and west were unable to hold their position against L'Ouverture's forces. Matters were only made worse for the Spanish when Jean-François, an insurgent leader who had sided with the Spanish, retired and withdrew his troops from the north. In so doing, he left L'Ouverture and his French forces to gain control of the north, and thus, Stein says, "By the time Sonthonax and the third civil commission arrived in Floréal IV (May 1796), the Spanish seemed to offer

¹¹⁹ See C. Royer-Barbault, *Ou Gouvernement de Saint-Domingue, De Laveaux, De Villatte des Agens du Directoire*, (Paris: Debray, 1797), 8.

¹²⁰ James, *The Black Jacobins*, 161.

¹²¹ *Ibid*, 154.

¹²² See Stein, *Léger Félicité Sonthonax*, 125.

little danger to the Republic.”¹²³ 1795 can therefore be characterized as a year of enormous military success for France in Saint-Domingue, despite metropolitan France’s apathy towards this endeavor and thanks to the efforts of the Rigaud and L’Ouverture.¹²⁴

As these events unfolded in Saint-Domingue, France decided to renew its interest in their colonial territories. In late January, 1796 the newly formed Directory decided to send eleven agents to the colonies with the task of restoring confidence in the Republic and ensuring that France would profit from abolition by returning the former slaves to work. The Directory appointed Sonthonax to the third commission of the Saint-Domingue, as he appeared to be the only Frenchman who could cultivate loyalty to the Republic among the former slaves. The Directory acknowledged that white colonists were opposed to Sonthonax for emancipating the slaves and deporting them from Saint-Domingue. Yet, the executives in Paris also understood that they could not succeed in Saint-Domingue without the support of the former slaves. Nonwhites vastly outnumbered whites, and now, under the control of L’Ouverture and Rigaud, they had proven to be the most successful and powerful force in the colony.¹²⁵ Therefore, despite the bitter feelings between white colonists and Sonthonax, the Directory made him the center of the commission for the sake of stabilizing the colony and enhancing its profitability under the banner of French republicanism.

¹²³ Ibid,126.

¹²⁴ For more on Sonthonax’s time in Paris during this period and the debates that took place in the wake of emancipation, see Jennifer J. Pierce, “Colonial Politics in Post-Thermadorian France,” in “Discourses of the Dispossessed: Saint-Domingue Colonists on Race, Revolution and Empire, 1789-1825,” Ph.D. dissertation (Binghamton: State University of New York, 2005), 211-270.

¹²⁵ Stein, *Léger Félicité Sonthonax*, 128.

Meanwhile, however, things were not going as well in Saint-Domingue as those in metropolitan France believed. In contrast to 1795, 1796 was characterized by racial strife between the ex-slaves and the free men of color.¹²⁶ Needless to say, the extraordinary brutality that white plantation owners exercised against enslaved Africans had given rise to severe racial tension between these two groups. Beyond this, however, there was also tension between free men of color and enslaved Africans. The term “free men of color” or “*gens de couleur libres*” referred specifically to those of mixed heritage. By contrast, freed African slaves, like L’Ouverture and Belley, were called *affranchis*.¹²⁷ The former had been disenfranchised and racially oppressed by the French. Yet, in being the kin of their masters, they were often freed and thus came to form a racial caste that was distinct from and taken to be superior to the caste that the enslaved occupied. For this reason, the *gens de couleur* in Saint-Domingue took themselves, and not the formerly enslaved, to be rightful heirs to the island.¹²⁸ Hence, having been granted the full rights of French citizenship on August 4, 1792, they were uneasy about the position they found themselves in after 1794. Despite having once been regarded as key to the Republic’s success in Saint-Domingue, the *gens de couleur* were now being blamed for each set back it faced. This, of course, generated deep mistrust and animosity, as they took themselves to be staunch defender’s of liberty and unwavering supporters of the metropole.¹²⁹

¹²⁶ Ibid, 126.

¹²⁷ Dubois, *Avengers of the New World*, 61.

¹²⁸ See James, *The Black Jacobins*, 182.

¹²⁹ See, Royer-Barbault, *Ou Gouvernement de Saint-Domingue*, 11.

In particular, the old freemen felt threatened by L'Ouverture's close relationship with Governor Laveaux, who "sided with the new freedmen for humanitarian and political reasons."¹³⁰ Those who had been freed in 1794, by contrast, worried that the old freemen would attempt to reinstate slavery. Thus, while the nonwhite forces of Saint-Domingue had triumphed rather momentarily over the British and Spanish, they now faced an internal power struggle between the citizens of April 4, 1792 and the citizens of April 29, 1793. In taking control of the south, Rigaud effectively established a secure territory for the *gens de couleur* and was particularly hostile towards both blacks and whites throughout the region. According to CLR James, "No black held rank above that of captain, and, unlike L'Ouverture, Rigaud kept whites in rigid subjection, excluding them from every position of importance."¹³¹ Though at first, this sentiment was confined to the south, it ultimately came to a head in March of 1796 when Jean-Louis Villatte, a free man of color, attempted a coup in Le Cap.

Villatte was the commandant of Cap Français, having played an integral role in restoring order after Galbaud had tried to seize Le Cap.¹³² He, like many of his fellow free men of color, were suspicious of the French and L'Ouverture for taking the side of the newly freed slaves, particularly as they believed this was having a negative impact on colonial commerce.¹³³ Like L'Ouverture and Rigaud, Villatte was technically under the jurisdiction of Governor Laveaux. However, Laveaux had effectively been prohibited from leaving Port-au-Paix, meaning Villatte was able to govern Le Cap

¹³⁰ Stein, *Léger Félicité Sonthonax*, 126.

¹³¹ James, *The Black Jacobins*, 181.

¹³² Dubois, *Avengers of the New World*, 159.

¹³³ See James, *The Black Jacobins*, 167.

without Laveaux's interference.¹³⁴ James says, "Laveaux loved the blacks for their own sake, and he loved L'Ouverture for the services he had rendered and because he was L'Ouverture."¹³⁵ Stein explains, by contrast, that "Villatte's rule openly favored the free men of color, and as early as Germinal III (March 1795), Laveaux complained to the *commission des colonies* of his 'insubordination.'"¹³⁶ Upon recognizing the threat that L'Ouverture posed to the old freemen's desire to declare independence, Villatte attempted a coup d'état on March 26, 1796.¹³⁷ Laveaux was arrested and detained for two days, during which Villatte was appointed Governor of Saint-Domingue.

This plot, however, lost ground quickly. L'Ouverture was keenly aware that the leaders of the free men of color desired to take control in the north and declare independence from France at the expense of the newly freed slaves.¹³⁸ Moreover, he and Laveaux seemed to share a deep affection for one another that was oriented by their mutual effort to ensure the formerly enslaved remained both free and French.¹³⁹ Hence, L'Ouverture had men ready to intercept Villatte when he decided to attack. After Laveaux was released by republican troops, Villatte fled and L'Ouverture arrived soon after. Laveaux named L'Ouverture lieutenant governor for his loyalty to the Republic, a decision that was popular among whites and blacks in Le Cap and despised by those who

¹³⁴ Stein, *Léger Félicité Sonthonax*, 126.

¹³⁵ See James, *The Black Jacobins*, 166.

¹³⁶ Stein, *Léger Félicité Sonthonax*, 126.

¹³⁷ See Stein, *Léger Félicité Sonthonax*, 126. See also James, *The Black Jacobins*, 166.

¹³⁸ See James, *The Black Jacobins*, 168.

¹³⁹ For more on the relationship between L'Ouverture and Laveaux and the way their cordial disposition towards one another impacted the Villatte Affair, see Bernard Gainot, "Le Général Laveaux: Gouverneur de Saint-Domingue Deputé Neo-Jacobin," *Annales historiques de la Révolution française*, 278 (1989): 442-3.

supported Villatte.¹⁴⁰ As Bernard Gainot says, “This central episode in the evolution of the colony would be followed by the election of Laveaux as deputy of Saint-Domingue to the Metropolitan assemblies, and then his departure to France on October, 19 1796.”¹⁴¹ Laveaux, in his loyalty to L’Ouverture, ultimately played a key role in shaping the 1797 debates in Paris through his defense of emancipation against the planters who, by this time, had aligned themselves with the *gens de couleur* for the sake of reinstating slavery.¹⁴²

Despite the animosity that the Villatte Affair generated, there was potential for amelioration between the revolutionary leaders in Saint-Domingue. Commissioner Roume, who had been appointed by the Directory to oversee the former Spanish territory of the colony, recognized this tension when he arrived in April of 1796. He wrote a letter to all of the generals on the island in the wake of the Villatte Affair, requesting that they put the past behind them and behave like good republicans.¹⁴³ Thomas Madiou says that this letter seemed to have convinced the leaders that it was in their best interest to reconcile, and for a brief moment in 1796 there was peace among them. With the arrival

¹⁴⁰ Stein, *Léger Félicité Sonthonax*, 127. As I will discuss later on, Laveaux’s decision was strange given that L’Ouverture did not play a direct role in Villatte’s interception. Unsurprisingly, it suggests that there were a number of underlying political motivations for L’Ouverture’s promotion.

¹⁴¹ Gainot, “Le Général Laveaux,” 443. [Cet episode central dans l’évolution de la colonie va être suivi de la election de Laveaux comme député de Saint-Domingue aux assemblées métropolitaines, puis de son départ vers la France le 19 October 1796.]

¹⁴² For more on the alignment of the planters with the *gens de couleur* in 1796-7, see Bernard Gainot, “The Constitutionalization of Freedom under the Directory,” in *The Abolition of Slavery From Léger Félicité Sonthonax to Victor Schoelcher, 1793, 1794 and 1848*, ed. Marcel Dorigny (New York: Berghahn Books, 2003).

¹⁴³ See Thomas Madiou, “Livre Treizieme (1796),” *Histoire d’Haïti: Tome I, de 1492 a 1799* (Port-au-Prince: Editions Henri Deschamps, 1846), 314.

of Sonthonax, however, it was quickly lost. As Madiou explains, “[The republican leaders] perhaps could have maintained this for a long time if the arrival of Sonthonax, who was less conciliatory than Roume and more severe in his principles, had not reignited all of these passions.”¹⁴⁴ Sonthonax was not a friend of the *gens de couleur*. Having clearly expressed this during his previous stay, he arrived in Saint-Domingue harboring similar feelings towards those in the south.

Sonthonax and the rest of the commission arrived in Cap Français on May 11, 1796, two months after Villatte had attempted to seize power. Stein explains that upon leaving France, Sonthonax and his fellow commissioners had been charged with the task of “[proclaiming] in all languages spoken on the island the abolition of slavery and the institution of liberty and equality.”¹⁴⁵ Along with this, the commission was required to reform the administration of the island by dividing it into departments, taking a census and conducting surveys to improve communication between the west and east portions of the island. Finally, they were ordered to prevent racial tension as far as possible and eradicate “British tyranny” throughout the West Indies by invading Jamaica.¹⁴⁶ Yet, the delicate political and racial climate that the Villatte affair had produced would ultimately make accomplishing these tasks exceptionally difficult. Furthermore, while France had promised to deliver troops and weapons to Saint-Domingue to help the commission carry out its tasks, these resources never arrived.

¹⁴⁴ Madiou, “Livre Treizieme (1796),” 315. [Elle se fut peut-être maintenue quelque temps, si l’arrivée de Sonthonax, moins concilant que Roume, de principes plus sévères, n’avait de nouveau agité toutes les passions.]

¹⁴⁵ Stein, *Léger Félicité Sonthonax*, 131.

¹⁴⁶ *Ibid*, 131.

Upon landing in Le Cap, Sonthonax learned of the Villatte affair and, despite the reconciliatory efforts of Roume, swiftly intervened by having Villatte and his major supporters captured and deported to France. Aware of the dynamic between the *gens de couleur libres* and the *affranchis*, his intention seemed to be ensure that Saint-Domingue remained French. Moreover, Sonthonax took it to be of utmost importance to punish Villatte for expressing hostility towards the *affranchis*. Any attack on the *affranchis*, Sonthonax believed, was a deliberate attack on the principles of liberty and equality that guided the Republic.¹⁴⁷ The swift and severe manner in which Sonthonax intervened in the Villatte Affair, however, only amplified the animosity of the free men of color and was considered by some to be a catalyst for a new era of racial strife in Saint-Domingue.¹⁴⁸ The danger of Sonthonax's actions consisted not so much in Villatte's ability to retaliate, but rather in the fact that so many *gen de couleur* throughout Saint-Domingue had similar aspirations.¹⁴⁹ If Sonthonax was to retain the colony for the Republic, he needed Rigaud and the free men of color to remain loyal to France, which they had done to this point.

Sonthonax sent three agents to the south to encourage Rigaud to continue serving the Republic, but the delegation failed by making too many administrative changes, arresting Rigaud's supporters, and relentlessly criticizing Rigaud himself for failing to endorse the principles of liberty and equality. In late July of 1796, the delegates' actions prompted Rigaud to refuse to support either the French or the British, instead setting out

¹⁴⁷ See Pierce, "Discourses on the Dispossessed," 279.

¹⁴⁸ Stein, *Léger Félicité Sonthonax*, 133.

¹⁴⁹ *Ibid*, 134.

on his own path towards independence. By the end of the summer Rigaud no longer wanted anything to do with the French and the south became a place where the April 4 citizens reigned supreme. As a result, the agents had to abandon their efforts to secure the south for the Republic.¹⁵⁰

Meanwhile in the north, Sonthonax was working hard to ensure that L'Ouverture remained loyal to the French.¹⁵¹ In addition to sending L'Ouverture's two sons to France to be educated, which L'Ouverture had requested, Sonthonax helped raise his rank in the army, rewarding him for his conduct in the Villatte affair despite having arrived after the flame was put out.¹⁵² L'Ouverture became the successor to Laveaux as commander-in-chief of Saint-Domingue and the commander of the west. With this, however, Sonthonax gave L'Ouverture orders to reclaim the town of Mirebalais from the British. This town was strategically important because whoever controlled it also controlled communication between the north and the south and between Port-au-Prince and Spanish Santo Domingo.¹⁵³ In addition to this, sending L'Ouverture to Mirebalais meant keeping him away from Cap Français long enough for Sonthonax to hold an election in Cap Français. These tumultuous conditions set the stage for the election that took place in 1796.

If these elections had been conducted according to the letter of the law, then primary assemblies would have been held in each canton of Saint-Domingue on Germinal 1 (March 21). These assemblies would have chosen electors to serve in the electoral assembly for their department. They also would have appointed a justice of the

¹⁵⁰ Ibid, 141.

¹⁵¹ Ibid, 159.

¹⁵² Ibid.

¹⁵³ Ibid, 161.

peace, and a president or municipal officers for their municipality.¹⁵⁴ All men over the age of twenty-one who had been inscribed on a civic register in their canton and had paid a direct or personal property tax would have counted as a French citizen and been able to vote at the primary level.¹⁵⁵ Anyone who had fought for the French Republic would have also qualified as a French citizen and been able to vote in the primary assemblies.¹⁵⁶

These primary assemblies would have named one elector for cantons with two hundred to three hundred eligible voters, two for cantons with three hundred to five hundred eligible voters, three for every five hundred to seven hundred eligible voters, and four for every seven hundred to nine hundred eligible voters.¹⁵⁷

Had the election procedures of the Constitution of 1795 been followed, these electors would have been at least twenty-five years old and would have met a property or income requirement that varied according to the size of their canton. Electoral assemblies would have then convened on Germinal 20 (April 9) to appoint deputies to

¹⁵⁴ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title III, Art. 27.

¹⁵⁵ Ibid, Title II, Art. 8 and Title II, Art. 11. The constitution does not specify the tax that voters would have paid. Hence, it is difficult to determine from the legal framework alone whether all ex-slaves in Saint-Domingue would have been unable to vote.

¹⁵⁶ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title II, Art. 9 and Title II, Art. 11. Given the vague language that is used in Article 9, it is not clear if L'Ouverture and his troops would have been included in this group of citizens. While they certainly campaigned for the Republic after 1794, they were its enemies prior to that.

¹⁵⁷ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title IV, Art. 33.

the Legislative Corps in Paris, department directors, high-jurors, and several other high-ranking positions.¹⁵⁸

Thus, in theory those who were eligible to vote at the primary level should have been recorded in the civic registers. Moreover, there should have been *procès verbaux* for the primary assemblies, a list of the electors who were chosen, and the *procès verbal* for the electoral assembly. Given that Saint-Domingue was in the throes of civil war, it is unlikely that things unfolded in such an orderly way. However, there is no way to be certain, as the primary source base is extremely limited. In light of these limitations, I will consider the orderly picture that was painted in the surviving transcript of the electoral assembly, alongside the more chaotic account Madiou offers. I will then consider the debates that took place in regard to the legitimacy of this election in the 1797 Legislative Corps. In so doing, my aim will be to give contour to this story for the sake of opening up broader questions later on regarding the meaning of citizenship and the ideal of universal emancipation.

THE 1796 ELECTION IN CAP FRANÇAIS

Before elections were held in Le Cap in September of 1796, Madiou suggests that another set of elections had already been conducted on the island earlier that year. He explains that in April of 1796, after Rigaud's forces successfully defeated the British in Léogâne, a city in the west of Saint-Domingue, he and Bauvais, his fellow general from the south who had helped secure this victory, decided to call primary assemblies to appoint electors to electoral assemblies that would then appoint deputies to the

¹⁵⁸ Ibid, Title IV, Art. 36 and Title IV, Art. 41.

Legislative Corps in Paris. According to Madiou, Rigaud had not yet officially received the Constitution of 1795, but decided to proceed anyway as a means of expressing his disregard for Laveaux's position as governor of Saint-Domingue.¹⁵⁹ Two electoral assemblies convened, one in Léogâne to appoint representatives from the west and one in Les Cayes to appoint representatives from the south. The assemblies appointed a diverse slate of deputies that included a handful of *gens de couleur*, several whites, and one black to serve in the Legislative Corps.¹⁶⁰ Though this election took place in April, the newly named deputies from the south and west did not plan to depart for Paris until September, 1796 at the same time that the electoral assembly was taking place in Le Cap.¹⁶¹

Madiou says that holding this election in April was a clear act of resistance on the part of Rigaud, and if things had gone as Rigaud had planned, the Haitian Revolution would have unfolded very differently after 1796. In addition to holding these elections independent of Laveaux's orders, Rigaud sent his aide-de-camp, Bonnet, with the deputies elect to justify the charge that Sonthonax was attempting to secure Saint-Domingue's independence for the citizens of August 29.¹⁶² Rigaud was eager to take

¹⁵⁹ See Madiou, "Livre Treizieme (1796)," 313.

¹⁶⁰ The electoral assembly in Léogâne nominated Rey Delmas and Fontaine. The electoral assembly in Les Cayes nominated Sala and Decand, both of whom were white, George Pierre, who was black, and Daniel Gélec who was a *gens de couleur*, along with Pinchinat and Raimond. By September when Madiou says they were scheduled to depart, Sala had been killed and the others were unable to leave, so Pinchinat was the only representative from the south to embark on the journey. He was joined by Rey Delmas and Fontaine from the west and as well as Garigou and Rénéum, who had been appointed commissioners of the commune. See Madiou, "Livre Treizieme (1796)," 313.

¹⁶¹ See Madiou, "Livre Treizieme (1796), 337.

¹⁶² Ibid.

advantage of the conservative swing in Paris and seemed to have his sights set on reinstating slavery for the sake of returning the island to its previous state of profitability. Colonists in Paris who were angry with Sonthonax for emancipating the slaves and deporting them, had gained power in the Legislative Corps.¹⁶³ Hence, Madiou suggests that the political climate in the metropole was ideal for Rigaud to take control. Unfortunately for Rigaud, however, his deputies were captured by the British while en route, which prevented them from finishing their trip to Paris.¹⁶⁴

It seems, then, that Rigaud and Sonthonax were in a race to send representatives to Paris to defend their respective causes, which helps to illustrate the underlying motivation for the September election, as well as the importance of this election for shaping the trajectory of the Haitian Revolution. According to the transcript, the electoral assembly convened in Le Cap on September 7, 1796 (21 Fructidor of Year IV). When the first session began, Citizen Duval, the most senior member of the electorate, presided over the assembly as president, and Citizen Vergniaud, the youngest member, performed the duties of secretary.¹⁶⁵ A vote would be cast by the end first session to

¹⁶³ For more on the nature of these debates and the colonial factions that arose in Paris between 1795 and 1797, see Jennifer J. Pierce, “Colonial Politics in Post-Thermadorian France,” 211-270.

¹⁶⁴ See Madiou, “Livre Treizieme (1796),” 338.

¹⁶⁵ Sonthonax Papers (19 Thermidor an IV), AN Paris D/XXV 424, “Copie du procès verbal.” These age requirements are stipulated in Title 3, Article 20 of the Constitution of Year III, which states, “The primary assemblies will be held provisionally under the presidency of the oldest citizen; the youngest will provisionally fill the position of secretary” [Les assemblées primaires se constituent provisoirement sous la présidence du plus ancien d’âge; le plus jeune replit provisoirement les fonctions de secrétaire]. Title IV, Article 40 stipulates that this applies to electoral assemblies as well as primary assemblies.

reassign Vergniaud to the role of President and Duval to Secretary, and the sessions would be led by Vergniaud for the duration of the assembly.¹⁶⁶

As would be the case with each session that was recorded in the transcript, this day began with a reading of the French law of 1794 and 1795 regarding electoral procedures.¹⁶⁷ The President cited a decree given on September 22, 1794 (1 Vendémiaire Year III), which called for the convocation of an electoral assembly in the departments of France. He then gave a reading of the laws stipulated by the Constitution of 1795 regarding election procedures.¹⁶⁸

The election procedures outlined in the Constitution of 1795 (Year III) re-imposed a limited franchise, as well as a system of representation for voting. The Constitution of 1793 (Year I), which was in place when the National Convention ratified Sonthonax's Decree of General Liberty, had removed the financial requirements for suffrage that had been in place in 1789, thereby giving all French citizens age 21 or older the right to vote.¹⁶⁹ It had further stipulated that the people would elect their national representatives directly rather than through a system of primary and electoral assemblies.¹⁷⁰ In addition to enacting universal suffrage and a direct democracy the Constitution of 1793 stipulated that any French citizen could be elected as a national representative.¹⁷¹ While this had been true of the Constitution of 1791, the system of

¹⁶⁶ Sonthonax Papers (21 Fructidor an IV) AN Paris D/XXV 424, "trois electeurs."

¹⁶⁷ Electoral assembly transcript, BNF, ms 8696, 44.

¹⁶⁸ Sonthonax Papers, AN Paris D/XXV 424, "Copie du procès verbal."

¹⁶⁹ Constitution of 1793 or Year I (24 June 1793), AE/I/29, part 3, Article 4, 7-11.

¹⁷⁰ Ibid, Article 22 and 24 (respectively).

¹⁷¹ Ibid, Article 28 and 29 (respectively).

representation had ensured that only the most elite were elected to the National Assembly.¹⁷²

By contrast, the Constitution of 1795 sought to drastically curb the power of the people. This constitution reinstated a system of representation and indirect elections, whereby the citizens with the right to vote would choose electors in primary assemblies to represent their canton at the departmental level in electoral assemblies.¹⁷³

Furthermore, it imposed a tax-based franchise on citizens at the primary level of elections and established a property requirement for all electors at the secondary level.¹⁷⁴

The Constitution of 1795 also had powerful implications for the colonies, as it declared that they were to be treated as a part of metropolitan France, each one constituting a department of the nation rather than a satellite entity under its own jurisdiction.¹⁷⁵ In so doing, it fully integrated the colonies into the legal and political structure of France.

On the one hand, this was beneficial for the formerly enslaved as it solidified emancipation throughout the colonies, preventing any colonial administrator from reinstating slavery. On the other, the limited definition of citizenship that was established by this constitution prohibited the vast majority of former slaves from participating in the election.¹⁷⁶ This is significant as it suggests that there could have been a relationship between departmentalization and the voting restrictions of 1795.

¹⁷² See Crook, *Elections in the French Revolution*, 22.

¹⁷³ Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title IV, Article 41.

¹⁷⁴ *Ibid*, Title II, Article 8.

¹⁷⁵ See Dubois, *A Colony of Citizens*. 279.

¹⁷⁶ *Ibid*.

Considering these restrictions alongside the fact that the Constitution of Year III united the metropole and colonies under the law of the French republic, this limited franchise appears not only to be a response to the threat from below on the continent, but also from the threat posed by granting political rights to hundreds of thousands of former slaves in the colonies. Given previous events, it seems likely that the Convention would have recognized that they could only retain their colonial possessions if they kept the rabble out of politics. Furthermore, as there was sustained debate in Paris regarding the uprising in Saint-Domingue and the fate of the colonies from 1792 through 1797, it in fact seems unlikely that the colonies would not have had an impact on the framing of the Constitution of 1795. Hence, the newly enfranchised citizens of Saint-Domingue would have been subject in 1796 to the voting restrictions imposed by the Constitution of Year III that could very well have been a consequence of their effort to adhere to the principles of universal emancipation from 1794 on.

A small number of those who had been emancipated in 1794, including soldiers fighting for the Republic and former slaves who might have been able to make the necessary fiscal contribution, were legally allowed to vote.¹⁷⁷ In fact, Victor Hugues, the colonial commissioner of Guadalupe, suggested in 1796 that some *affranchis* participated in the election at the primary level, though he argues that they were manipulated by local officials to cast ballots for certain candidates.¹⁷⁸ In spite of this, the

¹⁷⁷ See Mimi Sheller, *Sword-Bearing Citizens: Militarism and Manhood in Nineteenth-Century Haiti, Plantation Society in the Americas* 4.2&3 (1997): 233-78.

¹⁷⁸ See Dubois, *A Colony of Citizens*, 282. As Dubois explains, Hugues was interested in making a case for why those who had been enslaved were incapable of democratic

plantation policies that had been imposed by Polverel in 1794 and further extended by L'Ouverture over the next several years greatly limited the ability of former slaves to participate in politics by 1796. Polverel's policies established that all abandoned plantations were to be sequestered by the state, meaning the formerly enslaved were prevented from laying claim to them.¹⁷⁹ In 1795, L'Ouverture prohibited former slaves from choosing not to work. After L'Ouverture issued this decree in 1795, Dubois says, "The propertyless ex-slaves... were order to return to their plantations within twenty-four hours. They would be paid a salary for their work, but they did not have the freedom to say no."¹⁸⁰ Hence, those who had been granted the rights of French citizens in 1794 were not only confined to low-wage plantation work but also prohibited from becoming property owners and, by implication, electors in the electoral assemblies.¹⁸¹ As these limitations were constitutive of a broader belief that the formerly enslaved were unfit for politics, it comes as no surprise that few overall, and even fewer ex-slaves, likely voted in the election of 1796.¹⁸²

participation, so it is possible that he told this story to advance his own agenda in Guadeloupe.

¹⁷⁹ See Etinne Polverel, "The Plantation Policies of Etinne Polverel 1794," *Slave Revolution in the Caribbean 1789-1804: A Brief History with Documents*, 138-144.

¹⁸⁰ According to Dubois, only five to ten percent of residents in Saint-Domingue took part in the primary assemblies for the 1796 election. It is not clear, however, where these numbers come from and they could be misleading. Given the events taking place in the South, the vast majority of the 29 cantons that participated in the election were located in the North and Northwest. Thus, it may be that only five to ten percent of the overall population of French Saint-Domingue participated in the election, but it is not clear that this number accurately reflects who would have voted given that such a sizable portion of the island did not participate in the election. See Dubois, *Avengers of the New World*, 188.

¹⁸¹ Dubois, *Avengers of the New World*, 187.

¹⁸² *Ibid*, 205.

In spite of this, however, the historical record does indicate that primary assemblies began convening after Sonthonax's commission decreed on August 6, 1796 (19 Thermidor Year IV) that elections would take place in the north.¹⁸³ Between August 18 and September 1, primary assemblies were held in twenty-nine cantons throughout Saint-Domingue. According to the assembly transcript, for every two hundred citizens in a canton who had the right to vote, one elector was chosen by absolute majority to serve in the electoral assembly.¹⁸⁴ Within these twenty-nine cantons, 24,200 citizens were eligible to vote. It is worth noting that the *procès verbaux* only reflect the number of eligible voters and not the number of citizens who did vote. Hence, the number of voters was likely far lower than this. Nevertheless, those who did vote named a total of 118 electors to the electoral assembly (see table 1).

¹⁸³ Sonthonax Papers (19 Thermidor an IV), AN Paris D/XXV 424, "Copie du procès verbal."

¹⁸⁴ Electoral assembly transcript, BNF, ms 8696, 44 and Constitution of 1795 or Year III (22 August 1795/5 fructidor III), AE/I/10, part 12, Title III.

Table 1 *Procès verbaux* of the primary assemblies in Saint-Domingue (1796)¹⁸⁵

Canton of Saint-Domingue	Number of citizens with the right to vote	Number of electors named	Date of primary assembly
1. Cap Français	3000	12	18, 19 Aug. 1796
2. Petite-Anse	1200	6	19 Aug. 1796
3. Haut du Cap	1200	6	18 Aug. 1796
4. Trou	200	1	29 Aug. 1796
5. Fort-liberté	800	4	28 Aug. 1796
6. Terrier-Rouge	200	1	26 Aug. 1796
7. Limbé	1000	5	30 Aug. 1796
8. Port-Margot	600	3	27 Aug. 1796
9. St. Louis du Nord	600	3	18 Aug. 1796
10. Port-au-Paix	1000	5	21, 23 Aug. 1796
11. Port Vincent	400	2	22 Aug. 1796
12. Gros-Morne	800	4	26 Aug. 1796
13. Gonaïves	1600	8	18 Aug. 1796
14. Petite Rivière	2400	12	18 Aug. 1796
15. Verrettes	200	1	21 Aug. 1796
16. Grand-Rivière	200	1	19 Aug. 1796
17. Plaisance	600	3	27 Aug. 1796
18. Marmelade	1000	5	24 Aug. 1796
19. Dondon	600	3	2 Sept. 1796

¹⁸⁵ Electoral assembly transcript, BNF, ms 8696, 44-6.

Table 1 Continued

Canton of Saint-Domingue	Number of citizens with the right to vote	Number of electors named	Date of primary assembly
20. Jacquemel	800	4	28 Aug. 1796
21. Beynet	600	3	28 Aug. 1796
22. Léogâne	600	3	28 Aug. 1796
23. Grand-Goâve	400	2	28 Aug. 1796
24. Acquin	600	3	28 Aug. 1796
25. Cayes-Jacquemel	800	4	29 Aug. 1796
26. Jean-Rabel	600	3	27 Aug. 1796
27. Petit-Goâve	800	4	27 Aug. 1796
28. Borgne	1000	5	18, 19 Aug. 1796
29. St. Michel	400	2	1 Sept. 1796
Total	24,200	118	Adopted 7-13 Sept. 1796

Proceeding in accordance with the new law of 1795, the president of the assembly spent the first day of the assembly adopting the *procès verbaux* from various cantons of Saint-Domingue, which, in turn, gave the electors the right to vote in the assembly.¹⁸⁶ Electors from twenty-three of the twenty-nine cantons, ninety-seven electors in all, were admitted to the assembly as voting members on September 7. The twenty-one electors from the

¹⁸⁶ Sonthonax Papers (21 Fructidor an IV), AN Paris D/XXV 424, “Copie du procès verbal” through “trois electeurs.”

additional six cantons, who arrived late to the assembly, were eventually admitted as voting members in subsequent sessions.¹⁸⁷

The session of the electoral assembly reopened on the morning of September 8 (22 Fructidor). With Vergniaud now acting as president, the assembly proceeded to vote on the thirteen deputies who had previously served as national representatives. During this session, Belley, Dufay and Mills were re-elected to represent Saint-Domingue in Paris.¹⁸⁸ On September 9 (23 Fructidor), the third day of the assembly, thirty nine more deputies who had been nominated to represent departments in metropolitan France were confirmed. The fourth and fifth days of the assembly were thus devoted to electing six new deputies to serve on the Legislative Corps in Paris as representatives of Saint-Domingue.

The assembly transcript indicates that on September 10 (24 Fructidor), two new citizens were nominated for the deputy positions in the Legislative Corps. The first was Citizen Chaunany, an elector for Le Cap.¹⁸⁹ The second was Sonthonax. According to the transcript, Sonthonax had sent a letter to the assembly in which he both accepted his nomination and offered a defense for why he desired to leave Saint-Domingue. In this letter, he explained that the people of Saint-Domingue had proven capable of defending liberty without his help. However, he said:

In France, on the contrary, the colonial faction...rallied for my absence; already, your old tyrant has gotten around several influential members of the legislature.

¹⁸⁷ Sonthonax Papers, AN Paris D/XXV 424, "Copie du procès verbal" through "trois electors," "majorité absolute," and "les loix."

¹⁸⁸ Sonthonax Papers (22 Fructidor an IV), AN Paris D/XXV 424, "Mars Belley."

¹⁸⁹ Sonthonax Papers (23 Fructidor an IV), AN Paris D/XXV 424, "du matin."

It is finally time for the banner of this error to be torn down and I swear...that I will not spare my struggle, my sacrifice, to ensure these principles triumph and their enemies are brought down.¹⁹⁰

With this, Sonthonax declared that in an effort to preserve the freedom that had been achieved in Saint-Domingue, he felt it was his duty to return to France as a deputy.¹⁹¹

Having nominated two of the six deputies, the assembly reconvened the following morning, September 11 (25 Fructidor), to nominate four more deputies. During this session, Laveaux was chosen, along with Citizen Petigniaud an elector for Beynet, Citizen Brottier, elector for Petite Rivière, and Citizen Boiron Jeune, elector of Acquin.¹⁹² On September 12 (26 Fructidor), the sixth session, the assembly elected Citizen Barbaut to be the high juror of Saint-Domingue. Finally, on the seventh day, the assembly completed its deliberations when Barbaut accepted his nomination.¹⁹³

THE LEGISLATIVE DEBATES OF 1797

Despite his impassioned letter to the electoral assembly, Sonthonax did not set sail for Paris until 1797 when L'Ouverture forced him to leave Saint-Domingue. Furthermore, those who had been elected, including Laveaux, were unable to take up

¹⁹⁰ [En France, au contraire, la cabale colonial dispensée par mes soins, se rallie depuis; déjà vous anciens tyrans ont circonvenu quelques membres influents de la législature, il est temps enfin que le bandeau de l'erreur soit totalement déchiré, et je jure... que je n'épargnerai ni peines, ni sacrifices, pour que les principes triomphent et que leurs ennemis soient terrassés.] Sonthonax Papers (24 Fructidor an IV), AN Paris D/XXV 424.

¹⁹¹ Sonthonax Papers (24 Fructidor an IV), AN Paris D/XXV 424.

¹⁹² Sonthonax Papers (25 Fructidor an IV), AN Paris D/XXV 424, "16. Etienne Laveaux."

¹⁹³ Sonthonax Papers (26 Fructidor an IV), AN Paris D/XXV 424, "un expédition."

their posts in the Legislative Corps because the election in Le Cap had been annulled.¹⁹⁴ The disgruntled colonists, led by Viénot Vaublanc, a planter living in Paris, had gained a considerable amount of strength in the French legislature by the end of 1796. Vaublanc painted the revolution in Saint-Domingue as having “arrived at the most extreme degree of misery.”¹⁹⁵ He succeeded for some time in convincing the Legislative Corps that the formerly enslaved could not distinguish between liberty and “unrestrained license.”¹⁹⁶

Vaublanc adamantly opposed admitting the deputies from the north to their respective positions in the Legislative Corps, arguing that these elections had not been conducted in accordance with the electoral procedures of the Constitution of Year III. Instead, he claimed, they had been rigged by Laveaux, Sonthonax, and L’Ouverture.¹⁹⁷ As Bernard Gainot says, “The Clichyens thus argued that the elections that took place in North of Saint-Domingue [had been] the pure product of military despotism.”¹⁹⁸ Vaublanc was intent upon discrediting the civil commission for favoring the black officers in the north at the expense of the *gens de couleur* in the south. He sought to illustrate that Sonthonax’s emancipation decree had been an enormous failure, leading to

¹⁹⁴ See Dubois, *Avengers of the New World*, 213.

¹⁹⁵ L’Ouverture, “A Refutation of Some Assertaions in a Speech Pronounced in the Corps Législatif...by Viénot Vaublanc,” in *Slave Revolution in the Caribbean: A Brief History With Documents*, 148. See also Ghachem “The Colonial Vendée”, *The World of the Haitian Revolution*, ed. David Patrick Geggus and Norman Fiering (Bloomington, Indiana University Press, 2009), 166.

¹⁹⁶ See Dubois, *Avengers of the New World*, 209.

¹⁹⁷ See Bernard Gainot, “La Deputation de Saint-Domingue au corps legislative du Directory,” *Léger Félicite Sonthonax* (1987), 96-7.

¹⁹⁸ Bernard Gainot, “La Deputation de Saint-Domingue au corps legislative du Directory,” *Léger Félicite Sonthonax* (1987), 97. [Les clichyens font ainsi valoir que les elections qui se sont déroulées dans le nord de Saint-Domingue sont le pur produit du despotisme militaire.] “Clichyens” were members of the Club de Clichey, a right-wing political organization with which the planters and *gens de couleur* aligned.

and justifying unprecedented violence against whites in Saint-Domingue. This violence, he argued, kept the colony from achieving its previous profitability, and thus, emancipation was doing more harm than good for the Republic.¹⁹⁹ Upon offering this account of the events in Saint-Domingue, Vaublanc was thus able to convince the Legislative Corps for a time that the elections in Saint-Domingue were unconstitutional.

Despite this, L'Ouverture, along with Julian Raimond and Laveaux, succeeded in discrediting Vaublanc's depiction of Saint-Domingue, arguing that the violence there was no worse than in France. Further, in addition to rewarding the ex-slaves' loyalty to the Republic, they argued that reversing the emancipation decree would have far worse consequences for the planters than allowing freedom to reign in Saint-Domingue.²⁰⁰ As a result, the tides turned in Paris, and the decision to annul the 1796 election in Le Cap was overturned. Laveaux and several other African descended representatives who had been elected in Saint-Domingue were reinstated to their posts as deputies and initiated a campaign to preserve emancipation in the colonies, which enabled them to fight for the preservation of emancipation in the Legislative Corps.²⁰¹

While Laveaux and his fellow representatives had great success in the Council of Five Hundred, the 1797 debates were nevertheless emblematic of a longstanding anxiety that Saint-Domingue seems to have prompted concerning the ideal of universal emancipation. The planters, whose economic well being depended on disavowing the

¹⁹⁹ See Malick Ghachem "The Colonial Vendée" in *The World of the Haitian Revolution*, eds. David Patrick Geggus and Norman Fiering (Bloomington, Indiana University Press, 2009), 166.

²⁰⁰ See Dubois, *Avengers of the New World*, 210-11.

²⁰¹ *Ibid*, 213.

benefits of freedom, undoubtedly fueled this anxiety in Paris in 1797. Yet, as Malick Ghachem explains, the events in Saint-Domingue had informed the political climate of Paris as early as 1793. Ghachem argues that a strategic analogy had been drawn early on between the Vendée and the violence in Saint-Domingue. In an effort to play on the fears that the Vendée had brought about in metropolitan France, the planters developed a vocabulary that identified the slave revolts with the French peasant revolts. This, in turn, operated to convince the ruling elite that the liberation of the lower echelons of society would harm the Republic.²⁰² According to Ghachem, this analogy had a powerful effect on the direction of political life in France. In the early years of the Saint-Domingue Revolution, it was purported by the planters that Sonthonax and Polverel were acting as tyrants and using the slaves' unenlightened propensity towards violence to gain control of the colony. By 1797, this rhetoric had become so entrenched and the religious dimension of the Vendée was so closely associated with Saint-Domingue, that some came to believe "evildoing" forces were not only controlling the black masses across the Atlantic but were also responsible for violence from below in metropolitan France.²⁰³ Therefore, in propagating this analogy, the planters were able to cultivate a kind of political rhetoric that suggested the African slave could not be brought within the fold of the revolutionary ideals of the Republic.

CONCLUSION: INTERPRETING THE 1796 ELECTION

While the official transcript suggests that the election unfolded in a fairly straightforward manner, the debates of 1797 help to illustrate why the interpretations of

²⁰² See Malick Ghachem "The Colonial Vendée," 159.

²⁰³ Ibid, 167.

the election are so varied. Based on these debates, it seems there was a great deal at stake in these elections. According to Stein, two interpretations are often given of the election, one that accuses L'Ouverture of ensuring Sonthonax's election and the other accusing Sonthonax himself of rigging the election.²⁰⁴ Madiou offers an especially theatrical account of the electoral assembly in Le Cap, portraying Sonthonax as a tyrant who encouraged his supporters to hold the electors hostage as they voted. Madiou says that many who had been elected to serve in the assembly in Le Cap were opposed to Sonthonax. However, on the day voting took place, Gignoux, one of Sonthonax's supporters who had been wandering the streets armed with a sword, entered the assembly and threatened to cut down anyone who opposed Sonthonax's appointment.²⁰⁵ Soon after, Madiou says, General Pierre Michel entered the assembly with an entourage of soldiers:

[Michel Pierre] had one hand on a loaded pistol and the other on a sword. He sat down on the desk and declared with fury that he would bring all to fire and blood if Sonthonax and these candidates were not appointed. The terrified electors hastened to proceed to the election. The names of Sonthonax, Mentor, Annecy, Thomany and Laveaux were brought out of the ballot box. They were proclaimed deputies of St. Domingue.²⁰⁶

²⁰⁴ See Stein, *Léger Félicité Sonthonax*, 162-3.

²⁰⁵ See Madiou, "Livre Treizieme (1796)," 336.

²⁰⁶ Madiou, "Livre Treizieme (1796)," 336. [Il tenait d'une main un pistolet armé, l'autre un sabre. Il s'assit le bureau et déclara avec fureur qu'il mettrait tout à feu et à sang, si Sonthonax et ses candidates n'étaient pas nommés. Les électeurs terrifiés se hâtèrent de procéder à l'élection: les noms de Sonthonax, de Mento, d'Annecy, de Thomany et de Laveaux sortirent de l'urne. Ils furent proclamés députes de St-Domingue.]

Madiou says that soon after, Sonthonax's followers roamed the city chanting insults at those sympathetic with the South. Sonthonax's letter was then read to the assembly, thanking them for his election, and soon after, it was announced throughout the North that Sonthonax, along with the other representatives had been named as a deputy.²⁰⁷

This account, colorful as it is, lacks evidential support. Given that Sonthonax did not immediately return to Paris, it is not clear why Sonthonax would have gone to such great lengths to have himself elected.²⁰⁸ Madiou's depiction seems far more consistent with his mistrust for Sonthonax and the Republic than the record provided by the assembly transcript itself. Nevertheless, Madiou's account is intriguing and reveals something significant about the tumultuous conditions under which this election took place, as well as the effort that was made to write this out of the official record. It is perhaps especially beneficial because it, unlike most accounts of the revolution, suggests that it was not the "barbaric" masses that caused the democratic process in Saint-Domingue to fail, but rather the French and especially Sonthonax.

Though both James and Stein, along with more recent scholars like Dubois offer far more tempered accounts of the election, all three depict it as providing a strategic opportunity for L'Ouverture to seize control of the island and for Sonthonax to return to France as a deputy to ensure abolition remained in force in the colony. James says that L'Ouverture wanted Laveaux to be elected to serve as a deputy in the Directory to secure his position as commander-in-chief of the colony.²⁰⁹ James suggests too that Sonthonax

²⁰⁷ Ibid, 335-6.

²⁰⁸ See Stein, *Léger Félicité Sonthonax*, 163.

²⁰⁹ See James, *The Black Jacobins*, 175-6.

would ultimately have himself elected because he worried that the tides were changing with respect to the question of emancipation in Paris by 1796. The radical politics of the people that had been pervasive throughout metropolitan France no longer held sway. Though the bourgeoisie remained enemies of the monarch, they wanted to keep the masses in their place.²¹⁰ James remarks on the birth of the Directory and the restricted franchise this gave way to so as to illustrate that those who were now in power were more concerned with preserving order than preserving emancipation.²¹¹ Consequently, James says,

Sonthonax reached San Domingo in May 1796, but by the time preparations were being made for the San Domingo elections in August, the colonial reaction was making such headway in France that he felt, both in his own defense and for the sake of the blacks that it would be better if he went back to France.²¹²

While emancipation was achieved in 1793 and 1794, the legislative debates of 1797 reflect a broader sentiment in the metropole regarding the possibility of fully enfranchising those who had previously been excluded from French political life. As I have tried to show, I take the movement from 1793 to 1796 to constitute a shift whereby the promise of political inclusion was transformed into a specter of exclusion. This specter of exclusion was made manifest in the 1796 election, which showed that becoming citizen was neither sufficient for guaranteeing political inclusion nor capable of opening up a space of freedom, though it was certainly necessary for both. A dilemma

²¹⁰ Ibid, 177.

²¹¹ Ibid, 178-9.

²¹² Ibid, 179.

thus emerges from these elections regarding the stakes involved in becoming enfranchised. Is it possible to take up the task of politics in a community from which one was once excluded if a threat of betrayal remains present? If so, is the harm this inflicts too high a price to pay to become enfranchised? This dilemma both continues playing out and remains unresolved by the end of the Haitian Revolution.

L'Ouverture's faith in the French Republic was ultimately turned against him during the Leclerc expedition in 1802. This monumental betrayal gave way to Dessalines' cry for independence on the grounds that being French and being free were mutually exclusive ends. Yet, as Mimi Sheller explains, the leaders of Haiti struggled throughout the nineteenth century to build a new nation from the ashes of French Saint-Domingue that was both founded on the principles of liberty and equality and devoid of all traces of the colonizer. She develops this in terms of the citizen soldier, and says, "A fundamental aspect of the Haitian nation-building project was the elevation of the black man out of the depths of slavery into his rightful place as father, leader, and protector of his own people."²¹³ Given the protective position that Haiti had to assume in the wake of revolution, Sheller explains that this image of the patriarch and the soldier became a symbol of freedom. Yet, from this, a duality emerged whereby the very militarism that had been emancipatory became self-destructive. This, she argues, led to a patriarchal, hierarchical, and elitist structure of citizenship and civic duty that ultimately reinstated the structures that revolution sought to undo. Becoming Haitian thus gave way to a paradox whereby "the egalitarian and democratic values of republicanism were

²¹³ Sheller, "Sword-bearing Citizens," 241.

constantly undercut by the hierarchical and elitist values of militarism.”²¹⁴ By the early twentieth century, figures like Jean Price-Mars began working out what it would mean to open up possibilities from out of the paradox that the colonial and post-colonial situation presents. As I will discuss in the following chapter, the reflections that this leads to not only reveal the significance of the Haitian Revolution for understanding the age of revolution as a whole, but also complicates and enlarges questions in contemporary political philosophy regarding citizenship, the politics of exclusion, and the meaning of universal rights.

²¹⁴ Ibid, 233.

CHAPTER IV

CONCLUSION: ARENDT, PRICE-MARS, AND GLISSANT ON

ENFRANCHISEMENT AND EXCLUSION

INTRODUCTION

As I have tried to demonstrate in previous chapters, the elections of 1793 and 1796 in Saint-Domingue had an unprecedented, albeit often overlooked, significance during the revolutionary period. The first of these elections represented an initial step in a process by which the colonized took up and expanded the ideals of the French Revolution beyond what had been imagined by those in the metropole. Indeed, we find in the wake of this election that the revolutionary ideal of universal emancipation became embodied by the enslaved who, after freeing themselves, were extended the rights of French citizenship and granted access to the political community that had previously relegated them to the status of livestock. Undoubtedly a triumphant moment, it was nevertheless followed by the conservative Constitution of 1795. While many scholars have attributed this constitutional shift to the threat from below on the continent, the National Convention also faced a another threat from below in the colonies. Thus, having just granted political rights to the formerly enslaved in 1794, the Convention swiftly restricted the franchise in 1795, keeping those who had become citizens in Saint-Domingue from activating their newly acquired political status through the vote in 1796.

In this chapter, I will explore the implications of this tragic turn for broader questions in social and political theory, particularly with regard to the question of political exclusion. This question has both occupied European political theorists since the beginning of the twentieth century and remained prescient for more recent problems regarding the meaning of citizenship, the possibility of political community, and the limits of human rights in a modern and globalized world. Yet, examining the meaning of this turn, along with the underlying significance of the Haitian Revolution as a whole, cannot be done by merely distilling a theory from the events that unfolded in Saint-Domingue between 1793 and 1796. Rather, given that the Haitian Revolution has been written out of the history that these political philosophers have relied on to develop theoretical approaches to modern political life, it is necessary to start from this omission.

Hence, I will begin this discussion by turning to Kant, Hegel, and Marx to show why the French Revolution made the idea of revolution philosophically interesting in the nineteenth century. In failing to fulfill the rational principles set forth by Enlightenment thinkers, the French Revolution opened up a set of new problems that came to be understood by European philosophers as distinctive of political life in the modern era. These problems resituated the lines of the debate regarding the political sphere and came to shape the critiques of modernity that emerged in the twentieth century in response to the unprecedented destruction of the first and second world wars, the rapid ascendance of totalitarianism, and the horrors of the concentration camps. Consequently, those in the twentieth century attempting to come to terms with these events took their point of

departure for diagnosing the problems of modern political life almost exclusively from the French Revolution.

As I will argue, however, the birth of modern politics and the problems contained therein cannot be understood without also turning to the Haitian Revolution. After considering the problems that the French Revolution posed for European philosophers, I will consider how German Jewish thinker, Hannah Arendt, attempts to rethink the political in the wake of the Holocaust by drawing attention to the problem of statelessness and the importance of the political for engendering freedom. While Arendt seems right to return to the political and rethink the meaning of freedom within the public sphere, her suggestion that citizenship alone is enough to remedy the problem of statelessness fails to consider the relationship between political inclusion and the violence of assimilation. I thus want to expose this lacuna in Arendt's analysis by developing it in relation to the Haitian Revolution, which reveals a tension constituted by the impossible choice between assimilation and revolution that is epitomized in the relationship between L'Ouverture and Dessalines. As this tension is broadly representative of the specter of exclusion that persists for those who become enfranchised after having been cast out, considering Arendt in the context of the Haitian Revolution will be helpful for complicating and deepening her conception of citizenship.

To do this, I will consider how the Haitian Revolution has been taken up by thinkers in the African Diaspora for the sake of generating a kind of political theory that engages directly with the history of colonization and slavery that paved the way for the modern world. In particular, I will focus on the work of Jean Price-Mars whose re-

appropriation of the history of Saint-Domingue laid the groundwork for the Negritude movement, pan-Africanism, and anti-colonialism. Price-Mars' work focuses on reinterpreting Haitian Voodoo and Creole through Haiti's revolutionary past. In so doing, he suggests that Haitian culture is neither European nor African, but rather a unique culture of resistance that refuses to be assimilated either way. I will then consider the work of Edouard Glissant, whose poetics of relation and conception of "Creolization" suggest a way of affirming the tension this creates by living within it, rather than trying to overcome it by turning to another community for the sake of adopting a less dislocated sense of self.

Taken together with Price-Mars and Glissant, I will argue that Arendt's conception of citizenship is too narrow to distinguish sufficiently between political inclusion and the violence of assimilation. Moreover, in taking her point of departure from the French Revolution alone, she is unable to see that it is constitutive of modern political life that becoming enfranchised is accompanied by this violence. By contrast, Price-Mars and Glissant, in turning to the Haitian Revolution, are able to not only illustrate the significance of the event itself, but also the way in which the problems it poses remain present for those who were once cast out. By rethinking Arendt and figures like her from out of the Haitian Revolution, it is possible to expand their analyses so that they can more adequately address what it means for those who were once excluded to become enfranchised.

KANT, HEGEL, AND MARX: PHILOSOPHY AND THE FRENCH REVOLUTION

In calling forth the ideals of the Enlightenment for the sake of political uprising, the French Revolution had a confounding effect on philosophers. On the one hand, it revealed the possibility of reinventing political life on the basis of rational principles. On the other hand, it suggested to its onlookers that in the context of the political, the rational state could only be born out of irrational revolution. This question of the conflict between the rational state and the revolutionary means required for its formation came to occupy a central position in the political philosophy of Kant as well as Hegel. This, in turn, produced an anxiety over revolution and the problems it posed for modern political life that persisted through the work of those who followed them from Marx to Foucault. In one way or another, Kant, Hegel and Marx are all dealing with the problem that “the people” posed for establishing an enlightened political sphere within the context of the European continent. Hence, those who take up this tradition in the twentieth century remain oriented by the continental experience in their attempts to address the problems posed by the notion of universal emancipation.

For Kant, the French Revolution was an event in which reason threatened to lose itself in an abyss, which he believed first became apparent in 1792 during the trial and beheading of King Louis XVI.²¹⁵ Kant locates the true Terror in this moment, suggesting that it made visible something impossible. As Rebecca Comay explains, for Kant, the trial revealed “an illegality...both internal to the law and key to its foundational

²¹⁵ Rebecca Comay, *Mourning Sickness: Hegel and the French Revolution* (Stanford: Stanford University Press, 2011), 26-7.

authority.”²¹⁶ As Kant watched this event unfold, he discovered that the very idea of the French Revolution contradicted itself insofar as it undid the notion of right that provided its ultimate ground. The people, upon murdering the head of state in the name of justice, broke both the moral and public law, placing it at odds with “the transcendental formula for public right.”²¹⁷ In effect, then, the French revolutionaries, in using this act as a symbol to inaugurate their effort to bring about a new political order founded on law and right, had committed the ultimate crime. That is, in killing the king, Kant believed that the people of France had plunged themselves back into a state of nature, calling into question the possibility of a body politic founded on the moral law, the very law that provided the condition for the possibility of freedom and the fulfillment of the supreme human vocation. Therefore, the French Revolution created a rupture for Kant, whereby humanity’s progressive march towards the realization of its freedom appeared to be stalled.²¹⁸ As Ferenc Fehér argues, Kant’s attempt in his later works to come to terms with the problems that the French Revolution posed for the primacy of practical reason

²¹⁶ Comay, *Mourning Sickness*, 41.

²¹⁷ *Ibid*, 37.

²¹⁸ Kant’s essays “Idea for a Universal History with a Cosmopolitan Intent,” (1784) and “Conjectural Beginning of Human History” (1786) illustrate his interest in demonstrating that despite its violent history, nature is guiding human history towards its ultimate end of realizing its freedom through its progressive moral development. While the French Revolution calls into question the idea of this progressive conception of human history, Kant nevertheless continues advancing a plan for humanity’s moral progress in later legal writings such as “Perpetual Peace,” (1795) and *The Metaphysics of Morals* (1797), where he outlines the grounds for a political sphere grounded on the notion of right.

marked the birth of modern political thought.²¹⁹ While Kant condemned the beheading of Louis XVI as something worse than radical evil, he nevertheless continued to praise the principles underlying the Revolution.²²⁰ Thus, in reinventing the idea of revolution in the context of the political as an undoing of the past, the French Revolution both troubled and mystified thinkers of universal freedom.

Hegel's confrontation with the violence of the Terror, along with his abiding interest in Kant's critical project set the stage for his broader attempt to account for the unfulfilled prophecy of the French Revolution.²²¹ Hegel, unlike his contemporaries, neither wanted to claim that the Revolution was an unprecedented event, nor absorb it entirely within a broader, structural interpretation of history.²²² Instead, as Steven B. Smith says, "Hegel wanted to celebrate the Revolution but only after it had been firmly located within his own philosophy of history...Henceforth, the French Revolution like other great turning points of modern European history...could be regarded not as isolated or discrete happenings but as part of a worldwide struggle aimed at the realization of freedom."²²³ Hegel conceived of human history as a dialectical process whereby humanity slowly and painfully comes to consciousness of its freedom. He thus

²¹⁹ Ferenc Fehér, "Practical Reason in the Revolution: Kant's dialogue with the French Revolution" in *The French Revolution and the Birth of Modernity*, ed. Ferenc Fehér (Los Angeles, University of California Press, 1990), 204.

²²⁰ Steven B. Smith, "Hegel and the French Revolution: An Epitaph for Republicanism," in *The French Revolution and the Birth of Modernity*, ed. Ferenc Fehér (Los Angeles, University of California Press, 1990), 223.

²²¹ See Theodore George, *Tragedies of Spirit: Tracing Finitude in Hegel's Phenomenology* (Albany: SUNY Press, 2006), 10.

²²² Steven B. Smith, "Hegel and the French Revolution: An Epitaph for Republicanism," 220.

²²³ *Ibid*, 220.

understood the French Revolution as a monumental moment in the unfolding of European modernity, as well as an astonishing tragedy.²²⁴ In the spirit of idealism, Hegel located both its momentousness and its tragic character in the Enlightenment itself, which rightly called for freedom but did so by promulgating a notion of human rights predicated on the rational desires of private individuals. On Hegel's account, this idea of natural rights, in presupposing a given, self-contained subject, failed to recognize that the human being is "a being in the making," constituted by the communal relations in which she finds herself.²²⁵ Moreover, for Hegel, it overlooked the fact that the idea of "rights" is not static, but rather bound up with the dynamic unfolding of history.²²⁶

Given how deeply wedded eighteenth century philosophers had been to the idea of natural rights for legitimizing the state, Hegel's analysis of the French Revolution gave way to a radical intervention in European political thought. He suggested, in contrast to those before him, that freedom was not bound up with natural rights, but instead could only be realized within the context of communities.²²⁷ Moreover, unlike Kant, Hegel took the French Revolution to reveal the destructive emptiness of the Enlightenment in its adherence to abstract ideals and autonomous agents entirely divorced from the particularity of people in their communal context. The Terror, for Hegel, was a symptom of this emptiness, a function of the principle of utility, whereby reason, in longing for significance, sought to consume or overcome the world. Comay says, "Having defined itself as negative, reason [was] set to embark on an annihilating

²²⁴ Ibid, 224.

²²⁵ Ibid, 226.

²²⁶ Ibid, 227.

²²⁷ Ibid, 227.

mission that [would] culminate in a ‘fury of destruction.’”²²⁸ The French Revolution indicated to Hegel that “modernity takes ruination...as its foundation.”²²⁹ That is, for Hegel, modernity was born out of the tragedy of the political order, and the Terror served as a “permanent reminder of what remains unburied and unmourned in every struggle for legitimacy.”²³⁰ Hegel therefore shifted the lines of the debate regarding modern politics, leaving behind the question of natural rights for a discourse concerning the alienation and violence produced by the tragic contradictions bound up with the politics of modernity.

Marx appropriates Hegel’s dialectical conception of history, though he, of course, inverts Hegel’s idealism and rethinks history in terms of materialism. That is, whereas Hegel took ideas to shape human history and social conditions, Marx claimed that material conditions give rise to civil society and the “theoretical productions and forms of consciousness, religion, philosophy, ethics etc. etc.” contained therein.²³¹ Yet, in rejecting Hegel’s idealism, François Furet explains that Marx nevertheless remained tethered to the French Revolution and, in particular, the gulf that Hegel identifies between the public and private sphere.²³² According to Furet, modernity, for Marx, was most fundamentally constituted by market society, of which the French Revolution was

²²⁸ Comay, *Mourning Sickness*, 67.

²²⁹ *Ibid*, 67.

²³⁰ *Ibid*, 59.

²³¹ Karl Marx, “The German Ideology: Law and the Materialist Conception of History,” *The Portable Karl Marx*, ed. Eugene Kamenka (New York: Penguin Books, 1983), 181.

²³² Furet, “Transformations in the Historiography of the Revolution,” in *The French Revolution and the Birth of Modernity*, ed. Ferenc Fehér (Los Angeles, University of California Press, 1990), 266.

an inevitable product.²³³ As Furet says, “The bourgeoisie, which had already mastered society, crowned its domination by seizing political power.”²³⁴ The state had established what appeared to be an independent public realm predicated on an abstract notion of equality. Yet, for Marx, this public realm, in remaining separate from the private, material conditions of individuals, merely created a façade for a society in which the proletariat remained dependent on the bourgeoisie for its subsistence and the bourgeoisie on the proletariat for the exploitation of its labor.

For Marx, the French Revolution revealed that the modern state, in being driven by capital, was inherently violent. That is, the law, which had supposedly been handed down by reason, was in fact an instrument of oppression that enable the bourgeoisie to sustain its domination and perpetuate the alienation of the proletariat. Marx suggests as much in *The German Ideology* when he says:

Since the State is the form in which the individuals of a ruling class assert their common interests...it follows that in the formation of all communal institutions the State acts as intermediary, that these institutions receive a political form.

Hence the illusion that law is based on the will, and indeed on the will divorced from real basis – on free will. Similarly, the theory of law is in its turn reduced to the actual laws. Civil law develops simultaneously with private property out of the disintegration of the natural community.²³⁵

²³³Ibid, 267.

²³⁴ Ibid.

²³⁵ Marx, “The German Ideology: Law and the Materialist Conception of History,” 184-5.

In this, Marx echoes Hegel, but goes further by suggesting that in the modern political realm, the law itself is inherently violent to the extent that it is not only predicated on a notion of the individual, but is also an instrument that the ruling class uses to maintain their domination. Therefore, Marx argues that the modern state does not produce autonomous individuals, but is instead rooted above all else in the alienation of the proletariat.

The French Revolution thus reoriented the meaning of modern political life for these European philosophers. No longer did the question of the political center on providing rational justification for the legitimacy of the state through a social contract. Rather, the formation of the modern state seemed instead to be predicated on an act of exclusion. Kant's initial recognition of the philosophical problems of the French Revolution and Hegel's dramatic development of these problems ultimately culminated with Marx in a new discourse concerned with critiquing the modern state and its alienating effect. Therefore, by the end of the nineteenth century, the possibility of founding a state on the basis of the rights of individuals or the "general will" had lost ground among many European thinkers.

Marx's class based analysis of the French Revolution has undoubtedly fallen out of favor with historians.²³⁶ Yet, the idea of alienation and the notion that the law is inherently violent remained central for twentieth century European political theorists. The French Revolution, in outlining the limitations of an enlightened political order,

²³⁶ Alfred Cobban initiated this movement away from Marxist interpretations of the French Revolution in his work *The Social Interpretation of the French Revolution* (New York: Cambridge University Press, 1999), which is then further developed by figures like Furet, Hunt, and Baker.

gave rise to an anxiety about revolution that took shape for philosophers in the twentieth century around questions of the legitimacy of violence, the inauthenticity of the crowd, and the problem of political exclusion. These themes are taken up and developed in the context of the events of the twentieth century by figures like Walter Benjamin, Theodor Adorno, Max Horkheimer, Martin Heidegger, Hannah Arendt, Jacques Derrida and Michel Foucault. For these thinkers, modern politics and the problems contained therein have their origin in the French Revolution.

In what follows, I will turn to the work of Arendt, to show how the problem of political exclusion, in particular, is taken up in the twentieth century. In so doing, I wish to show first that in taking her point of departure from the French Revolution, her critique of modern politics remains too narrow to capture the problem of statelessness that she rightly associates with the atrocities of the twentieth century. I then want to argue that the Haitian Revolution, in being bound up with the birth of modern politics, provides an integral way into this problem that can both complicate and more fully develop the way she conceives of citizenship.

HANNAH ARENDT AND THE PROBLEM OF ENFRANCHISEMENT

Through her analysis of statelessness, Arendt offers a rich and prescient critique of modern politics that demands we rethink the meaning of political life in an age scarred by totalitarianism. On Arendt's account, the condition of statelessness, in being constituted by "the deprivation of a place in the world which makes opinions significant and actions effective," introduced an unprecedented form of dehumanization in the

twentieth century.²³⁷ Consequently, in the wake of the Holocaust, she suggests that it is necessary to twist free from the Enlightenment ideal of liberty, which had proven far too abstract to protect humanity from itself, and turn instead to a notion freedom rooted in political community. In this, she both draws on and critically appropriates the insights that Kant, Hegel and Marx generated in response to the French Revolution. She thus maintains that citizenship is a lived and embodied phenomenon, meaning our understanding of freedom in the modern age must be rethought as distinctly political and attached to a place in which one's rights are guaranteed.

Arendt rightly identifies the problem of statelessness and makes a compelling case for why freedom must be re-inscribed within the political sphere. Yet, taking her remarks on statelessness and citizenship together with her conception of freedom and courage in the political sphere, it seems that the notion of citizenship she arrives at is inadequate for dealing with what it means to become enfranchised, particularly in a community from which one had previously been excluded. In *Between Past and Future*, Arendt argues that by the modern era, freedom had become disconnected from our experience in the world. In taking up the question of freedom in terms of the will, modern figures like Kant presuppose a contradiction between the inner self, which tells us we are free and responsible, and our experience in the world as it is constituted by causal and unwilled relations.²³⁸ Freedom thus became a metaphysical problem in the modern period, rather than a fact of everyday life, and, in being constituted as an “inner”

²³⁷ Hannah Arendt, *Origins of Totalitarianism* (New York: Harcourt, Brace, and Co., 1951), 293.

²³⁸ See Arendt, *Between Past and Future*, 144-6.

phenomenon, is severed from the political realm. This, she suggests, is dangerous because when freedom is equated with the will, and the will is positioned against inclination and worldly desire, she says the I-will paralyzes the I-can. The impotence of the will thus makes it the case that the will-to-power does not issue in freedom, but rather in the will-to-oppression.

On Arendt's account, freedom has come to be understood in the context of politics precisely this way; namely, as self-evident, inalienable, and only ascertainable through a retreat to the private sphere.²³⁹ She argues that the danger involved in understanding freedom like this was no more apparent than when the Rights of Man failed to protect stateless individuals from the concentration camps. Such rights, she argues, cannot simply be asserted in the abstract. Rather, they can only be guaranteed within political community.

For this reason, she believes it is of utmost importance to separate freedom from the will and reattach it to the world of experience through politics. For Arendt, freedom arises not in the private realm, as is suggested by the tenets of modern liberalism, but rather through experience and association with others. Hence, political membership or citizenship is integral for Arendt, though she takes its significance to be overshadowed by modern liberalism.²⁴⁰ As she suggests in the *Origins of Totalitarianism*, citizenship grants individuals access to a space in which their right to speak and act is protected, and suggests that it is impossible to enact one's freedom without first being recognized within a political community. She explains that the calamity of statelessness that had

²³⁹ Ibid, 144.

²⁴⁰ Ibid, 153.

befallen so many by the middle of the twentieth century was due “not [to] the loss of specific rights...but rather the loss of a community willing and able to guarantee any specific rights.”²⁴¹ For Arendt, it is only in virtue of the loss of political membership that one can lose their humanity. Citizenship is therefore the condition for the possibility of freedom to the extent that it guarantees one’s place within political life.

Arendt’s discussion effectively demonstrates the danger involved in conceiving of freedom outside the realm of politics. Yet, the way in which she suggests freedom is enacted once one has become a citizen reveals a problem for those who enter into political life after having been denied the rights of citizenship in the very same community. Arendt argues that freedom is only possible through what she calls “political action.” For her, action and action alone, initiates something anew. Thus, freedom always presupposes the human capacity to act.²⁴² Moreover, she says, “The reason for the existence of politics is freedom, and its field of experience is action.”²⁴³ Such action requires community, and in particular, political community.²⁴⁴ In other words, freedom for Arendt consists not in the preservation of oneself in the private or social sphere. Though both are necessary for freedom, freedom itself only appears when one carries out the task of politics for the sake of the community to which one belongs.

For this reason, Arendt maintains that courage is the chief political virtue.²⁴⁵ Courage in political life is vital to the extent that the public realm constitutes a world

²⁴¹ Arendt, *Origins of Totalitarianism*, 291.

²⁴² Arendt, *Between Past and Future*, 149

²⁴³ *Ibid*, 146.

²⁴⁴ *Ibid*, 153

²⁴⁵ *Ibid*, 156.

that existed before us and is meant to outlast us. Insofar as the enactment of freedom is predicated on leaving the protective security of the private realm for the sake of preserving this world, courage is necessary for political life. That is, Arendt says, “Courage liberates men from their worry about life for the freedom of the world. Courage is indispensable because in politics not life but the world is at stake.”²⁴⁶ To have courage, for Arendt, means to act beyond oneself for the sake of the community and the institutions, traditions and values that sustain it. She locates the failure of the French Revolution, from which she takes her point of departure for critiquing modern political life, precisely in this; in being driven by the hungry masses, it became a movement governed by necessity rather than freedom.²⁴⁷ She says:

It was under the rule of this necessity that the multitude rushed to the assistance of the French Revolution, inspired it, drove it onward, and eventually sent it to its doom, and the result was...that the new republic was stillborn; freedom had to be surrendered to necessity, to the urgency of the life process itself.²⁴⁸

In light of this, Arendt argues that acting beyond oneself is a requirement of freedom insofar our own lives, in being bound up with satisfaction of our individual desires, remain ruled by necessity. Freedom thus depends on a public space wherein individuals come together for the sake of creating and sustaining something bigger than themselves; namely, a world in which freedom can appear. Citizenship gains its fullest meaning when freedom is enacted through political action that has as its aim the preservation of

²⁴⁶ Ibid, 156.

²⁴⁷ See Hannah Arendt, *On Revolution*, (New York: Penguin Books, 1965), 50.

²⁴⁸ Arendt, *On Revolution*, 50.

the political community rather than the desires of the individual. Therefore, Arendt's conception of courage together with her discussion of citizenship implies that the ideal citizen is one who has the courage to exceed herself in taking up this project.

While Arendt's diagnosis of the problem of statelessness seems right, her discussion of citizenship and freedom presents a problem for those who become enfranchised after having been excluded. Insofar as Arendt's notion of political action consists in preserving a space in which freedom can appear, freedom requires that individuals act for the sake of carrying the community to which they belong from the past into the future.²⁴⁹ This, it seems, complicates political life for those who acquire citizenship after having been excluded, as it renders their legitimacy within the political sphere contingent upon recognizing and being recognized within a set of institutions, traditions, and values that were never meant for them.

It is possible to bring this problem into focus by extending Arendt's analysis beyond the French Revolution to the events that unfolded in Saint-Domingue. The Haitian Revolution, though overlooked by Arendt, seemed to be driven first and foremost by a conception of freedom rooted in the political. While it was guided in part by securing the private rights of individuals, L'Ouverture and the revolutionary masses sought to bring the ideals of the French Revolution to bear on the political sphere in Saint-Domingue. Insofar as those ideals were formulated in the same political community that housed their colonial masters, the Haitian Revolution was emblematic of the way Arendt believes revolutions ought to go. Rather than merely throwing off the

²⁴⁹ Arendt, *Between Past and Future*, 14.

yoke of the oppressor, L'Ouverture called on the inhabitants of Saint-Domingue to act for the sake of something bigger than themselves. That is, he called on the formerly enslaved to carry out the project of freedom that the French Revolution had begun.²⁵⁰

Beyond this, the election of 1793 and the subsequent enfranchisement of the formerly enslaved in 1794, seem to achieve precisely what Arendt believes politics in the modern era should do; namely, reach out to those who have been excluded. Yet, as the election of 1796 demonstrated, becoming enfranchised was not enough to guarantee the rights that Arendt takes to be constitutive of political freedom. This historical moment illustrates that for those who become enfranchised, the specter of exclusion remains present.

On Arendt's account, political action – the very condition for the possibility of freedom – requires pushing one's own heritage and history to the side for the sake of a common world. In the case of the formerly enslaved in Saint-Domingue, the common world that they entered into in 1794 was founded upon the very institutions, traditions, and structures that had once legitimated their exclusion. Hence, if we take seriously the Haitian Revolution for understanding the dilemmas of modern political life, it seems that the stakes involved in becoming enfranchised and entering into political life from out of a condition of state-sanctioned exclusion are far greater than Arendt suggests. While L'Ouverture was willing to enter into French political life, Dessalines's impassioned

²⁵⁰ Arendt argues that any revolution founded only on hatred of the oppressor will fail because such upheavals must, by their nature, overlook the foundation of freedom, which consists in the establishment of a body politic or space in which freedom can appear. See Arendt, *Between Past and Future*, 116.

remarks in the 1804 Haitian Declaration of Independence indicate that the stakes were simply too high for the formerly enslaved to become French citizens.

PRICE-MARS AND GLISSANT: RETHINKING PHILOSOPHY THROUGH THE HAITIAN REVOLUTION

The tragic turn that I suggest is revealed through the elections of 1793 and 1796 is emblematic of a broader concern regarding what it means to move forward in modern political life in light of the historical memory of slavery and colonization. While figures like Arendt overlook the significance of the Haitian Revolution, it nevertheless inspired a vast network of intellectual traditions throughout the African Diaspora that engaged directly with the question of political exclusion. As Kersuze Simeon-Jones argues, the 1791 ceremony of Bois Caïman laid the foundation for a tradition of black nationalism that permeated black thought in the western hemisphere throughout nineteenth and twentieth centuries. Likewise, the emancipation decree of 1794 gave way to the formation of a notion of black consciousness, that provided a platform for the colonized to reinvent the history that had been written of them by their colonizers.²⁵¹ L'Ouverture came to be understood as the founding father of this tradition of black political thought, which inspired a number of rebellions and revolutions throughout the nineteenth

²⁵¹ Simeon-Jones refers specifically to Denmark Vesey's attempted rebellion in South Carolina in 1822. This rebellion was unique in that it not only sought freedom from slavery, but also re-contextualized the struggle as one amongst all African descended people whether in the United States, the Caribbean or Africa. Specifically, Vesey called on blacks to "unite together as the people of San-Domingue did," rising above ethnic divisions for the sake of delivering all colonized people from bondage. See Kersuze Simeon-Jones, *Literary and Sociopolitical Writings of the Black Diaspora in the Nineteenth and Twentieth Centuries* (New York: Lexington Books, 2010), 39.

century.²⁵² He also provided inspiration for figures like David Walker, Martin Delany, Sojourner Truth, Fredrick Douglass and others to establish a political agenda oriented by the conception of a unified African Diaspora working to emancipate the enslaved throughout the nineteenth century.²⁵³ By the beginning of the twentieth century, the idea of black nationalism and black unity had been transformed into a complex network of traditions led at first by figures like W.E.B. duBois, Marcus Garvey, Zora Neale Hurston, and then by thinkers like Frantz Fanon, Aimé Césaire, Léon Damas, and Malcolm X. And while L'Ouverture and the Haitian Revolution stand at the beginning of this heritage of political thought, black nationalism's original manifestation broke into an array of diverse political programs including Indigenismo, Pan-Africanism, Garveyism, the New Negro Renaissance, *Négritude*, Anti-colonialism, and Africology.²⁵⁴

Jean Price-Mars argues that the importance of the Haitian Revolution consisted in the complex and unique culture of resistance that motivated it. Through his analysis of Haitian Voodoo and Creole, Price-Mars provided an integral pivot point at the beginning of the twentieth century for furnishing a conception of black consciousness. Though he was a Haitian “man of letters,” he was deeply critical of the black elite in Haiti for its insistence upon “[donning] the old frock of western civilization” in the wake of the Haitian Revolution.²⁵⁵ Rather than taking Haitian independence as an opportunity to nurture and cultivate the unique culture that the Haitian people had created through their

²⁵² Simeon-Jones, *Literary and Sociopolitical Writings*, 33.

²⁵² *Ibid*, 44.

²⁵³ *Ibid*, 42.

²⁵⁴ *Ibid*, 33-4.

²⁵⁵ Jean Price-Mars, *So Spoke the Uncle*, trans. Magdalene W. Shannon (Washington DC: Three Continents Press, 1983), 7-8.

own revolutionary efforts, he argues that the elite re-imposed a hierarchal system that mimicked the French, praising all things European while degrading and suppressing any trace of an African past.

In his renowned 1920 text *Ainsi parla l'oncle (So Spoke the Uncle)*, Price-Mars explains that the enslaved engaged in a monumental undertaking during the Haitian Revolution, reclaiming their freedom against all odds. Yet, upon recognizing the enormity of the task involved in establishing national cohesion in the face of a radically new situation in 1804, he argues that the revolutionaries “inserted the new grouping into a dislocated framework of dispersed white society.”²⁵⁶ The Haitian people were trapped between an African ancestry that lacked a single origin and a system of French colonial values that were inherently alienating, and, as such, incapable of being copied by the former colonial subjects. Consequently, by the beginning of the twentieth century, Price-Mars says that the Haitian elite had become infected with what he calls a “collective bovaryism” or, “The faculty of a society of seeing itself as other than it is...by an implacable logic, we gradually forced ourselves to believe we were ‘colored’ Frenchmen, we forgot we were simply Haitians.”²⁵⁷ In light of this critique, Price-Mars set out in his work to accomplish two goals. First, he was especially interested in challenging both black elites and white scientists who endorsed and sought to legitimate the belief that those of African descent were culturally and biologically inferior to those of European descent. Second, he wanted to vindicate not just African traditions, but also the unique way in which these traditions had been appropriated by the Haitian masses

²⁵⁶ Price-Mars, *So Spoke the Uncle*, 7-8

²⁵⁷ *Ibid*, 8.

through their resistance to the colonial situation.²⁵⁸ In so doing, he argues that this unique appropriation on the part of the enslaved masses provided the foundation for their revolutionary movements in 1791.

Price-Mars reappropriates Haiti's revolutionary past through an analysis of Voodoo by first demonstrating its validity as a religion in response to those who take Voodoo to be a kind of primitive magic, lacking in any kind of moral framework.²⁵⁹ He says that if Voodoo is judged according to the moral principles of Christianity, it does indeed appear to lack a framework for ethics. Yet, upon overcoming this prejudice, one finds that Voodoo contains within it a rich ethical code that both demands private discipline and punishes transgressions against the community.²⁶⁰ Price-Mars develops his account of the African origins of Voodoo by tracing it to the regions associated with the African languages that were most predominantly spoken by slaves in Haiti. In so doing, however, he does not want to reduce Haitian religion to African religion. Rather, he explains that while Voodoo clearly derives from a number of different religious practices in Africa, Voodoo itself cannot be found anywhere on the continent. This, he says, is because:

²⁵⁸ See Pedro Luis San Miguel, *The Imagined Island: History, Identity and Utopia in Hispaniola* (Chapel Hill: University of North Carolina Press, 2005), 70.

²⁵⁹ Specifically, he maintains that like all other religions, Voodoo presupposes the existence of spiritual beings, depends on a hierarchical priestly body, and has a theology or system of representation rooted in the inherited African practice of accounting for natural phenomena, "which lies dormant at the base of the anarchical beliefs upon which the hybrid Catholicism of our popular masses rests." See Price-Mars, *So Spoke the Uncle*, 39.

²⁶⁰ Price-Mars, *So Spoke the Uncle*, 41.

Negroes – whatever their beliefs, or aptitudes, - were forced to receive instruction in order to be baptized in the Catholic religion within the week after their debarkation at San Domingue. We are even able to affirm that one of the first surprises which greeted the African on the threshold of entering the New World was the demonstration of violence by which he was forced to acknowledge other Gods than he had known.²⁶¹

Prices-Mars suggests that Haitian Voodoo must be understood as a creation unique unto itself, predicated on the colonial situation out of which it was born. Both a response to the violent imposition of Christianity and an expression of the inability on the part of the colonizer to erase completely the memory of the enslaved, he argues that Voodoo is a religion of resistance. It is for this reason that the beginning of the Haitian Revolution is marked by the Voodoo ceremony at Bois Caïman. An explosion of “accumulation of such rancor and resentment,” Price-Mars claims that the sacramental words of the Voodoo Priest Boukman, which prompted the enslaved to action, make clear Voodoo’s uniqueness in being bound up with the desire for freedom.²⁶² Price-Mars makes a

²⁶¹ Ibid, 47.

²⁶² Ibid, 47.

The second half of what was supposedly said at the Bois Caïman Voodoo ceremony reads as follows:

The God of white men commands crime,
Ours solicits good deeds,
But this God who is so good (ours),
Will guide our hand.
And will give us assistance.
Break the image of the God of white men
Who has thirst for our tears
Hear in our hearts the call for liberty!

similar case for the birth of Haitian Creole, saying, “We will agree without any difficulty that our Creole is a collective creation arising from the need of masters and slaves to communicate their thoughts with one another. As a consequence, it bears the imprint of the vices and qualities of the human milieu and the circumstances which developed it.”²⁶³ Creole, he argues, is a compromise between Spanish, English and French and the idioms of Africa that the enslaved brought with them. As a result, spoken Creole has an “unsuspected depth,” riddled with ambiguity that gives the language great subtlety.²⁶⁴ This subtlety, however, can only be expressed through inflections in the voice, and hence, Price-Mars suggests that it is thanks to the richness of spoken Creole that Haiti has maintained such a robust oral tradition. He draws attention to both the stories and the songs that are bound up with this oral tradition, so as to illustrate the way in which Creole, when spoken or sung, expresses a deeper, common history that is unique to the Haitian. Yet, it is a common history that is constituted by an irreducible tension that the Haitian people cannot help but express. In his discussion of song he says that the people of Haiti are:

A people who sing and who suffer, who grieve and who laugh, who dance and are resigned. ‘From birth to death, song is associated with his whole life.’ He sings when he has joy in his heart or tears in his eyes. He sings in the furor of combat, under the hail of machine-gun fire, or in the fray of bayonets. He sings of the apotheosis of victories and the horror of defeats. He sings of the muscular

For the full text in English and Creole, see Jean Price-Mars, *So Spoke the Uncle*, trans. Magdalene W. Shannon (Washington DC: Three Continents Press, 1983), 48.

²⁶³ Ibid, 24.

²⁶⁴ Ibid, 25.

effort and the rest after the task, of the ineradicable optimism and humble intuition that neither injustice nor suffering are eternal and that, moreover, nothing is hopeless since ‘bon Dieu bon’ [God is Good].²⁶⁵

With this, Price-Mars seeks to invert the colonial values that the Haitian elite so readily endorsed. He appropriates both Voodoo and Creole so as to clarify to the world the uniqueness of the culture that had been created by the enslaved African in the Atlantic world. Yet, he wants to emphasize that this culture is neither African nor European, but rather unique to the colonized. His suggestion seems to be that by taking this kind of culture to something distinctive in itself, rather than a bastardized version of European culture, as the black bourgeoisie in Haiti were wont to assume, we find that it laid the groundwork for the unprecedented events that took place in Saint-Domingue. Price-Mars thus reinserts the forgotten masses into the story of the revolutionary period, not by merely suggesting that the enslaved took part in a European project, but rather, by means of a culture of resistance that they built through their own creative efforts.

The impact of Price-Mars’ work was two-fold. First, it transformed the idea of Haitian culture into a culture produced by the colonized subject, thereby endorsing a notion of black consciousness that could be upheld throughout the African Diaspora. That is, Simeon-Jones says, “If *Ainsi parla l’oncle* was a defense of Haitian culture, it was equally a defense of black identity as well as a valorization of black Africa and its heritage.”²⁶⁶ Price-Mars transforms and reinvents the idea of “blackness” in a way that

²⁶⁵ Ibid, 26

²⁶⁶ Kersuze Simeon-Jones, *Literary and Sociopolitical Writings of the Black Diaspora in the Nineteenth and Twentieth Centuries* (New York: Lexington Books, 2010), 128.

both acknowledged and remained critical of the oppressive racial hierarchy that had been used to sustain the colonial enterprise, while rendering impotent its dehumanizing effect by upholding blackness. In short, his work gave rise to the idea that it is necessary, especially for the black elite, to become conscious of being black. Second, in drawing on the Haitian Revolution, and suggesting that the culture of the colonized in Haiti is tethered to a notion of resistance and emancipation, Price-Mars makes the idea of race a political question rather than a scientific one.²⁶⁷ In so doing, his work paved the way for the Negritude movement, the New Negro Renaissance, and pan-Africanism, all of which yielded a rich body of political thought in the mid-twentieth century oriented by the notion of black consciousness that he cultivated through his re-appropriation of Haiti's revolutionary past.

By the 1930's, the work of Price-Mars and others like him began moving beyond national borders as it became clear that Price-Mars analysis of the Haitian peasantry addressed the problems facing the formerly enslaved throughout the world.²⁶⁸ For this reason, figures of the Negritude movement like Aimé Césaire took up the idea of a revolutionary black consciousness, but unlike Price-Mars, explicitly keyed this discussion to the Diaspora as a whole. Simeon-Jones explains that the Negritude

²⁶⁷ It is important to note that Price-Mars is doing this work at the same time that W.E.B. Dubois is finishing his research for the Atlanta Sociological Laboratory on black urban communities throughout the United States. The effect of Dubois's work is similar to that of Price-Mars, in that it showed that poverty, lack of education, and poor health among black people in these areas are not a function of biology, but rather an effect of racial casting and social inequality. Further, like Price-Mars, Dubois tries to show the unique and remarkable culture that black urban communities had cultivated in spite of these conditions.

²⁶⁸ See Simeon-Jones, *Literary and Sociopolitical Writings*, 129.

movement was guided by four principles. First, drawing from figures like Price-Mars, it called for the valorization of Africa and the African past that informed black culture throughout the Diaspora. Second, it offered a critique of the devaluation of this African heritage on the grounds that becoming alienated from it generated a sense inferiority that tended to destroy black communities. Third, it called for the affirmation of a black identity on the grounds that such affirmation could undo the centuries of racial oppression that African descended peoples had suffered. Fourth, it kept a critical distance from western education and neo-colonialism and called into question black intellectuals who ascribed to the principles contained therein.²⁶⁹

Though the principles of Negritude get developed in a number of ways, Edouard Glissant's work perhaps best exemplifies the tension that I argue is revealed through the Haitian Revolution and bound up with the birth of modern politics. Glissant, like his more famous contemporary, Frantz Fanon, is a descendent of the Negritude movement, though he believes it is necessary to challenge some of Negritude's assumptions. Rather than turning to Africa's history, he, like Fanon, makes a similar appeal to the psychological condition that colonization produces in the colonized individual.²⁷⁰ Unlike Fanon, however, Glissant believes that this dislocated and decentralized consciousness should be creatively appropriated in a way that both calls into question the European notion of individual agency and opens up new discursive possibilities. According to J. Michael Dash, "In the post-colonial Caribbean situation, the artist, intellectual, leader

²⁶⁹ Ibid, 138

²⁷⁰ See J. Michael Dash, "Introduction," in *Caribbean Discourse: Selected Essays*, by Edouard Glissant, trans. J. Michael Dash. (Charlottesville: University Press of Virginia, 1989), xi.

attempts to give definition to an existential void to impose a total, transcendental meaning on the surrounding flux.”²⁷¹ This “existential void,” Glissant argues, is a function of the fact that those brought to the Antilles in chains were, in the most literal sense, robbed of a history and origin that might have enabled this unified notion of a self. Furthermore, Glissant suggests that the rigid concept of a self-contained individual emerged in Europe as a means of justifying the idea of private property.²⁷² An idea antithetical to what it meant to be enslaved, it is no wonder, he suggests, that the psyche of the French Caribbean had become so disoriented.

In *Caribbean Discourse*, Glissant explains that while the Haitian Revolution engendered a sense of solidarity among the colonized in the Antilles, the events that followed in the nineteenth century shattered this sense of unity. When the struggle ended, Haiti was isolated from the world and Martinique and Guadeloupe were sucked back into the structures of French colonialism. With the law of departmentalization in 1948, he says, “The French Caribbean people [were] thus encouraged to deny themselves as a collectivity in order to achieve an illusory individual equality. Assimilation made balkanization complete.”²⁷³

Yet, according to Glissant, the tendency among black intellectuals to impose order on this flux suggests that those who have sought to overcome this problem have done so by looking outside their own communities.²⁷⁴ Glissant draws on Toussaint

²⁷¹ Dash, “Introduction,” xvii.

²⁷² See Edouard Glissant, *Caribbean Discourse: Selected Essays*, trans. J. Michael Dash (Charlottesville: University Press of Virginia, 1989), 137.

²⁷³ Glissant, *Caribbean Discourse*, 7.

²⁷⁴ *Ibid.*, xvii.

L'Ouverture in his play, *Monsieur Toussaint*, to illustrate this, by providing an account of how L'Ouverture's fascination with France and his unwillingness to turn towards his own community ultimately led to his demise.²⁷⁵ In light of this, Glissant argues that rather than trying to suppress the cacophonous identity of the French Antilles, it is necessary to uphold it. He calls for a study of the drama of creolization," or the discourse of marginalized communities in their obscure and impossible engagement with the "ideal of transparent universality, imposed by the West, with secretive multiple manifestations of Diversity."²⁷⁶ His aim, he explains, is to pull together all levels of experience so as to expose the scattered reality of creolization and the fact that what is most definitive of these communities is the impulse to find their footing in a reality that continually slips away.²⁷⁷

Given this, he argues that the people of the Caribbean are most at home in this obscurity, and through it he believes that liberation is possible. That is, he says, "We need those stubborn shadows where repetition leads to perpetual concealment, which is our form of resistance."²⁷⁸ The tension that Price-Mars identifies through his history of the Haitian Revolution is thus invoked by Glissant. Neither African nor European, those in the Caribbean are displaced. He explains that the process of assimilation that goes hand-in-hand with the colonial order ensures an unstable relation with one's own reality for those in the French Antilles. The French Caribbean individual's alienation arises from the impossible choice between being French and being African. For this reason,

²⁷⁵ Ibid, xvii.

²⁷⁶ Glissant, *Caribbean Discourse*, 2.

²⁷⁷ Ibid, 4.

²⁷⁸ Ibid, 4.

Glissant argues, he can only subvert this alienation by recognizing himself within the absurdity of this tension. Upon doing this, Glissant says, “[the French Caribbean individual] can conceive that synthesis is not a process of bastardization as he used to be told, but a productive activity through which each element is enriched. He has *become* Caribbean.”²⁷⁹

With this, Glissant calls for a poetics of the Antilles oriented by the idea of movement and excess. He argues that while European poetics is focused on the unsayable, this poetics, in being delivered from within the unreasoned ambiguity of Creole identity, can say everything. Moreover, he argues that because Caribbean consciousness is always tormented by contradictory possibilities, its poetics must be oriented by relation rather than rejection. He says:

Caribbeanness, an intellectual dream, lived at the same time in an unconscious way by our peoples, tears us free from the intolerable alternative of the need for nationalism and introduces us to the cross-cultural process that modifies but does not undermine the latter. What is the Caribbean in fact? A multiple series of relationships. We all feel it, we express it in all kinds of hidden or twisted ways, or we fiercely deny it. But we sense that this sea exists within us.²⁸⁰

This notion of a poetics of movement and relation gives rise to the image of the carnival. Glissant uses this image to describe being Caribbean as a kind of creative excess, and in so doing, suggests that the poetics of the Antilles is not a void, but rather a permanent

²⁷⁹ Ibid, 8.

²⁸⁰ Ibid, 139.

revolution. Therefore, through the poetics of movement and relation, Glissant provides one way out of the dilemma that is created by the specter of exclusion.

CONCLUSION

Taken together with Price-Mars and Glissant, it becomes apparent that Arendt's conception of citizenship is too narrow to distinguish sufficiently between political inclusion and the violence of assimilation. Moreover, in taking her point of departure from the French Revolution alone, she is unable to see that it is constitutive of modern political life that becoming enfranchised is accompanied by this violence. By contrast, Price-Mars and Glissant, in turning to the Haitian Revolution, are able to not only illustrate the significance of the event itself, but also the way in which the problems it poses remain present for those who were once cast out. As such they can provide a way of reinventing Arendt's conception of citizenship such that better addresses what it means to become enfranchised.

As I have suggested, the Haitian Revolution cannot not be thought apart from the birth of modern politics and must therefore be brought within the fold of the west's historical memory. However, in attempting to appropriate this event in such a way that it opens up questions regarding twentieth century political theory, it is also necessary to preserve the silent presence of the enslaved masses who brought about this revolution. While the Haitian Revolution is emblematic of what the French ideals were meant to do, there nevertheless remains an untranslatable aspect of it, a limit that is both exposed in the event itself and relevant for rethinking what it means for those who were once excluded to take up the task of politics.

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