THE ORGANIC SYSTEM OF

THE FRENCH NATIONAL CONSTITUENT ASSEMBLY OF 1789-1791

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Submitted to the Department of History and the Faculty of the Graduate School of the University of Kansas in partial fulfillment of the requirements for the degree of Doctor of Arts.

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10 May 1926
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INTRODUCTION

"By the right of the immense change they made in the world, by their energy and sincerity, their fidelity to reason and their resistance to custom, their superiority to the sordid craving for increase of national power, their idealism and their ambition to declare the eternal law, the States-General of 1789 are the most memorable of all political assemblies. They cleared away the history of France, and with 2500 decrees, they laid down the plan of a new world for men who were reared in the old."¹

Such is Lord Acton's historical appraisal of the famous French Assembly. Therefore, a discussion of the evolution of the various aspects of this Assembly will not be without value in helping to explain the course which the French Revolution took. For, in the beginning, when the slightest incident could easily be a deciding factor in determining the path of the Revolution the problems involved in the growth of the Assembly itself are obviously of no small importance.

Nor should a detailed description of the machinery which made possible these "2500 decrees" be lacking in interest and value; especially since, in addition to its unquestioned revolutionary role, the Assembly of 1789 was the forerunner and basis of subsequent French assemblies. It is not difficult to illustrate its persistent and powerful influence. Thus, a full century later
A. de la Berge writes, "The chamber of deputies elected 6 Oct. 1889 is scarcely united than...a half dozen deputies are suddenly smitten with the idea of returning to the system of the 'grands comités parlementaires' of the first revolution and of 1848." 2 Indeed, the present chamber of deputies follows practices indicative of its obligations to the Assembly of 1789, both in procedure and organization. When a new chamber first meets after the elections the oldest member presides and a provisional "bureau" of officials is chosen as was done in the case of the third estate in 1789. The president of the deputies still has a little bell on his desk to use on occasions of disorder. Also, just as in the first Assembly, one still hears speeches, rather than debates, spoken from the traditional "tribune" near the president's desk. The "bureaux" and committees still exist, although more or less adapted to changed conditions. But every committee still appoints a "reporter" to explain and defend the committee's action and the committees still have a free hand in dealing with bills referred to them.

Moreover, added interest is given our study by the fact that the influence of the Assembly of 1789 was not confined to French institutions. For it set precedents which were to determine the forms of the Assemblies elsewhere on the continent where conditions were not suitable for the English system. 3
INTRODUCTION

NOTES


CH. I
INCEPTION OF THE ASSEMBLY
CHAPTER I.
THE INCEPTION OF THE NATIONAL CONSTITUENT ASSEMBLY

"When Lafayette and, afterwards, the lawyers of the Parlement of Paris suggested that the old representative Assembly of France should again be summoned after a lapse of 173 years, they little suspected that its meeting would bring about a great political revolution; and when the King promised to carry out the suggestion, he never conceived that he had sealed the fate of his dynasty." ¹

This summary of Morse Stephens envisages concisely the complex revolutionary situation in 1789 in France. As soon as the Estates-General met the privileged classes and the third estate came into conflict over the fundamental question of whether the Estates-General was to retain its historic character or assume a revolutionary status. Ever since 1302 when the third estate had been admitted, the Estates-General had observed no uniformity either in its composition or its deliberation. ² But, at least during the last four meetings of the Estates-General, certain essential characteristics had become so well fixed as to become traditional. ³ It met as three separate bodies or estates, the clergy, the nobility, and
the commons, or third estate. Each estate sat in a separate room and voted as an order. The Estates-General had never had final say in levying taxes or in authorizing expenditures. In short, it had been merely an advisory body to the King-royal confreres. 4 There had never grown up in France a tradition of popular participation in government. Even the third estate had always represented the interests of the bourgeoisie and not those of the peasantry who made up the bulk of the nation. Nevertheless, the Estates-General had survived to serve, from time to time, as some sort of a check on the King, although, by 1614, it had become so weak that the queen regent summarily dismissed it before it had done anything. This was the sort of an Estates-General Louis XVI thought he was convening.

But a student of the past, who was also an observer of the existing conditions, would have seen this was not so. For there had been premonitions of the coming struggle. Class antagonisms and demands had occurred in the Estates-General before 1789 which foreshadowed something of what might happen if conditions should ever be propitious, as they were in 1788-9. So, even before the Estates-General met on 5 May, its status was already to a certain extent revolutionary, a virtual revolution in its nature having already taken
place. The third estate had been granted double representation, which was assumed to imply, as necessary corollaries, voting by head and meeting as a single body. This meant that the third estate was to play, for the first time, an effective part in the Estates-General. It meant, also, that the nation was really to participate, at last, in the government of the state, since its changed position would enable it to carry through its program of reform. This viewpoint was made plain as soon as the opening session on 5 May was over when the third estate immediately took the uncompromising stand that the three estates should meet as a single body.

This stand was an inevitable outcome of the critical situation that had developed from those accumulated ills of the Ancient regime which were responsible for undermining the position of the monarchy.

Economic, social, and governmental conditions had become intolerable. Privilege, inequality, and inefficiency were to be found everywhere. The burden of a vicious tax system fell largely on those least able to pay it—the peasantry. The arrogance and privileged position of the upper classes irritated and antagonized the lower classes who formed the bulk of the nation. All this was accentuated beyond endurance by an arbitrary government whose administration
was slow, expensive, and antiquated. It was not strange, therefore, that the government was already effectively bankrupt when industrial stoppages—aggravated by suffering due to a bad harvest in 1788 followed by a severe winter—produced the final crisis. Even in 1787 there had been as many as 200,000 idle laborers in France. By the fall of 1788 industrial, as well as political, disturbances were already developing. The inability to collect further taxes brought the state to the verge of bankruptcy.

With bankruptcy before it the government decided on a program of reform. This was the occasion for the conflict between the government and the privileged classes. For the tax reforms struck at their privileges. Turgot, Necker, Calonne, Brienne, the ministers on whom Louis XVI relied for the success of the reforms, each fell before the opposition of the nobility. After the dissolution of the Assembly of nobles in 1787, the conflict was carried on by the Parlement of Paris to which the King next turned. Parlement not only refused to register the taxes and loans of the government but called for the Estades-General. For the privileged believed they would hold their traditional preponderance in the Estades-General and, in the name of the nation, be able to protect their class interests. The King's arbitrary attempt to coerce the Paris
Parliament by "litis de justicia" and exile only resulted in sympathetic opposition and revolt from both provincial parliaments and people. The Estates-General or bankruptcy seemed to be the only alternatives and Louis XVI chose the former on 8 August 1788.

Thus, the nation was, at last, to settle its own government. The financial situation and the antagonism between the King and the privileged classes made the nation the arbiter of the situation. Indeed, as Lord Acton has expressed it, "The royal initiative was pushed so far on the way to established freedom that it was exhausted and the rest was left to the nation."  

Everything depended on how the government decided that the Estates should be composed and selected. Should the members of the Estates-General be elected and organised along traditional lines or changed to fit new conditions? By his decree of 5 July 1788, the King seemed inclined to consider the latter policy as inevitable. The pamphlets which came as a result of the controversy over this matter showed clearly that every former Estates-General had more or less differed from its predecessor and that,
certainly the changed conditions since 1614, made inevitable a change in the form of the new Estates-General. These arose, then, the problems of double representation of the third estate and of vote by head, instead of "by orders", or, in effect, of transformation of the Estates-General.

For the third estate saw that only by an adequate representation, with each member counting, could it effectively take advantage of its opportunity. So it acted accordingly and showed by the stand it took in this initial struggle with the privileged orders that the traditional Estates-General had been outgrown and that the third estate was going to assume an unprecedented role. It demanded in no uncertain language a double representation. Expression of its attitude came from various sources. From the provinces came petitions for double representation, while the cities sent deputations to the King and to Noecker to declare their opposition to the traditional form of the Estates. The cities even went so far as to organize into federations to oppose the privileged orders and advocate double representation of the third estate. When the Estates of Dauphiné met, on 10 Dec. 1788, to choose deputies for the Estates-General they declared for a double representation. The clearest expression came from the pamphleteers.
especially after the Parliament of Paris precipitated the discussion, on 25 Sept. 1788, by demanding the convocation of the Estates according to the form of 1614. 15 After this date, almost everyone of the important pamphlets of the third estate demanded double representation outright or by implication. 16

The privileged classes, of course, desired and expected to play the dominating role in the Estates-General and so demanded its convocation in the traditional way. 17 The Paris Parliament had demanded that the Estates should be convoked according to the 1614 principles. The reconvoked Notables reiterated this demand. 18 But the King showed by the Council decrees of 5 July and 5 October that he was inclined to favor the third estate. Both of these decrees express the belief that a change in the form and composition of the Estates-General must take place and imply that it would be in favor of the third estate. The 5 July decree expresses the fear that the influence of the different orders might not be sufficiently balanced and that the nation might not be properly represented. The King, it says, desires the confidence of the nation in an assembly truly national in composition. The 5 October decree expresses much the same solicitude for the nation and the third estate. Like the pamphlets, it is greatly concerned with the existing inequalities and anachronisms of representation-
"...in the 'Good Cities'" it states, "the deputies of the third estate had been elected by the municipal officers who, in 1614, held office by virtue of a popular election but who in 1789 held office by right of purchase and in consequence did not represent the will of the people." In addition, the King desired to respect old usages only so far as they were applicable to existing conditions. Also, he desired to conform to the legitimate wishes of the majority of the nation, feeling that he could not "...procure for his plans a sanction too imposing". Having failed to come to terms with the privileged classes, Louis XVI was not anxious to have them dominate the Estates-General. The pressure of the people's demand for double representation decided Louis, who seldom acted without pressure, and, on 27 Dec. 1788, a Council decree granted double representation to the third estate.

The question of adequate representation through the doubling of the third estate led logically to that of effective representation. It was apparent to everyone that double representation meant nothing unless there was voting by head which would necessitate the three estates meeting as a single body.

But the government left this question to the Estates, them- selves, to settle. The decree
of 27 Dec. 1788 made no mention of how the voting should be done. And, at the convocation on 5 May, although Barentin, Keeper of the Seals, referred to the matter of voting, he only reiterated the policy of leaving the question for the Estates-General to settle for themselves.

The nobility opposed vote by head. The reconvoked Notables of 1788 had declared for a vote by order and practically all their cahiers stipulated this. On the other hand, it was obvious that only a vote by head would satisfy the third estate. The pamphleteers had treated the two questions as inseparable. Nearly all the cahiers, also, called for vote by head. Finally, a firm stand was taken by the third estate for a vote by head in the provincial assemblies. In Franche Comté the struggle over the question was so bitter, on 8 Nov. 1788, that the estates broke up amid riots.

Thus, as the struggle with the privileged passed from the King to the third estate, so also, did the leadership. The position of the third estate became stronger. The bids which the privileged and the King made for its support indicated this. The controversy over the composition of the Estates-General, as depicted in the pamphlets of the time, brought out
clearly that everyone considered the "nation" to be supreme and that the third estate considered itself to be the nation. 22 One of the manifestations of this new consciousness of the third estate was the growth of a national party which by the end of 1788 had become completely organized. 23 The third estate seemed to be well on its way to victory.

However, when the deputies

ASSUMPTION OF REVOLUTIONARY ROLE

began to assemble in the year 1789 the third estate had no common center or cohesion and, if the court or nobility had taken the trouble to divide them their complete failure might have resulted. 24 But the court and the nobility failed to see the seriousness of the impending struggle and no attempt was made to make friends with the third estate. 25 Therefore, when the inevitable question of vote by head and of a single assembly came up, matters were allowed to drift until the third estate, gaining in confidence and solidarity by various steps finally assumed the revolutionary role of a single constituent assembly. The struggle began immediately when the third estate demanded verification of credentials in common and refused to organize until this was done. When it saw that the controversy over this would be prolonged the third estate organized temporarily. Conciliation Commissions were then organized in the attempt to bring about an under-
standing between the orders. When this failed the third estate, 11 June 1789, began verification of its powers. Six days later it adopted the title of "National Assembly". The King took no immediate measures to coerce or dissolve the Assembly. So the third estate gained confidence and when he did make a move to assert his authority in the Royal Session of 23 June by ordering separate deliberations, it only ended by his giving in and ordering the privileged orders to join the third estate.

So, by 27 June 1789, the revolutionary status of the Estates-General as a single Assembly was formally recognized by the government. The third estate had proved the strongest of the rival classes. The King might have reconciled the rivalry between the classes if his lack of will and policy had not permitted them to come to a trial of strength. The King wanted to get out of the situation with the least possible sacrifice but the revolution of which the Estates-General was the product connoted problems which could not be settled by the antiquated body of former days. The revival of the Estates-General had been considered for along time as the remedy, not only for the financial, but also for all other ills of the country. This now meant the inevitable transformation of the old Estates-General into a new body and the development of new conceptions as to its nature.
NOTES

CH. I


3. Ibid., p. 49.


10. Ibid., p. 46.


13. Ibid., IX, p. 37.


16. Ibid., v. LXXXII, (May, 1924), passim.


18. Acton, p. 47.


20. Lavisse, IX, p. 53; Acton, p. 55; Morse Stephens, I, p.55.
25. Ižüm.
CH. II

CONCEPTION OF THE NATURE OF THE ASSEMBLY
CHAPTER II
CONCEPTIONS OF THE NATURE OF THE NATIONAL CONSTITUENT ASSEMBLY

As the third estate, in reacting to the situation described in the preceding chapter, changed its status it felt the need of justifying its new position.

In attempting this its conception of itself would tend to be modified, for, as it had become a new body, it had also changed its functions. The revolutionary concepts which were to play such an important part in determining the course of French history were, of course, very vague in the beginning. What they were and how they emerged will be the subject of this chapter.

Although prevented from organizing as a separate order by its determination to make its double representation effective, the third estate soon found it necessary to make at least a temporary organization. The way in which it took this step forecast the manner in which it would deal with those problems which were to follow. It had taken the position that it could do nothing and be nothing until its credentials were verified in common. But, at the same time, seeing the necessity of a preliminary step, it was searching for a plausible justification of it.

Finally, Rewbell solved the difficulty by maintaining that a temporary organization was legitimate and constitutional, since such a procedure would have been
necessary before verification of credentials, even if the other orders had been present from the first.\textsuperscript{1} So the third estate organized temporarily.\textsuperscript{2}

After the failure of the

DEFINITIVE ORGANIZATION

conciliation commissions (10 June)

the logical development of its position resulted in the self-constituting of the third estate as the National Assembly (17-20-23 June). Conscious of the revolutionary step it was about to take, it had developed certain theories to justify its action. Even as early as 5 June an impatient member had declared that the "regeneration" of the country warranted the constituting of themselves into a national chamber.\textsuperscript{3} This was now supported by Mirabeau and S\ Sieyes (10 June). The "Assembly", they said, could no longer remain inactive without betraying its duties and the interests of its constituents.\textsuperscript{4} Moreover, the only duty of the deputies of the third estate in respect to common verification had been to invite the others and this they had done.\textsuperscript{5} Mirabeau and Sieyes went farther, however, than this and indicated their democratic tendency by declaring that since the third estate represented the greater part of the nation the absence of the other estates could not hinder its actions.\textsuperscript{6} Fortified by these arguments, having already verified its own credentials by 15 June, it adopted Sieyes's decree, formally announcing itself constituted, on 17 June. The real constituting of the National Assembly, however, was the result of the
events of the Tennis Court Oath, 20 June, and the Royal Session, 25 June, which served to bring out more forcibly the sentiments already formed on the basis of the principles just mentioned.

In justifying its various revolutionary steps the third estate was also forced to define its new position. It had taken the initial position that the King had called one Assembly and not three. This was the argument of Mirabeau as early as 29 May. Since the "commons" had defied the King, obviously, the only other authority for its acts was the will of its constituency. Accordingly, Sibyès on 10 June characterized the deputies as representatives of the nation. By 15 June this idea had become well established in the minds of the third estate for Targé declared "we are the known representatives of the nation". But a further difficulty was presented by Mirabeau and Malouet. The third estate, they claimed, could not be defined or constituted as the "sole known and verified" representatives of the nation as the other two orders also were representatives and had verified their membership. The Assembly, nevertheless, decided that its members were the only locally constituted representatives and justified this in the same way as it had the definitive organization. To be valid the credentials must be verified in common and only the third estate had fulfilled those conditions by calling
for the cooperation of the other estates. Thus, the
17 June decree, which formally embodied the ideas the
third estate had been developing, denominated the third
estate as "the National Assembly" stressing the fact
that it only could be considered legally constituted
under the circumstances and bringing out the point that
its fundamental work was "national restoration", or,
in other words, that its function was that of a
constituent body. This was the conscious expression
of what was implied in the theories which the third
estate had taken as premises when it decided on definitive
organization. To avoid giving the others an opportunity
for attacking its position, and to further strengthen it,
by the same decree the Assembly extended its definition
to include the other two orders by stating that "...the
Assembly does not ever lose the hope of uniting in its
sitting all the deputies."

At the same time that the
Assembly was defining its
position, it was also developing
the conception of its sanctions.

The attitude of the Assembly that it represented the
people naturally resulted in its first turning to this
source for the conception of its sanctions. The
mandates in the cahiers thus became the first guide.
They were also one of the first stumbling blocks in
the evolution of the third estate into a real assembly.
For, according to the traditional conception, the deputies were so restricted by the mandates that they could not be considered as representatives in the modern sense and no real deliberation was possible. Soon, the pressure of external events and the revolutionary steps taken in organization forced them to abandon the idea of the binding effect of these mandates as a whole. When the third estate decided on common verification it felt it necessary to remove the objection of the privileged that their mandates forbade this. As a result, what were called "imperative mandates", that is, instructions limiting the deputy in his opinions, were declared not binding. Thus, freed from such limitations the deputy became a real representative, not an instructed delegate. And, as Dupont de Nemours had advised, the Assembly began to observe only the spirit of the mandates and interpreted them as it thought conditions required. So, in attempting to make the position of the privileged classes untenable, the Assembly also further freed itself and prepared the way for a more extensive interpretation of its powers and functions.

There was one sanction of which the Assembly had a positive conception from the very beginning. This was the obligation to "regenerate" the nation and give it a constitution. The idea of calling the Estates-General to rehabilitate
the general condition of the country had grown since Louis XVI had come to power. By the time the King issued his letter of summons (24 Jan. 1789) he had become well acquainted with what the people wanted. It seemed that he had made up his mind to grant a constitution to the people for it is clearly stated in the letter of summons that he wished to give a "constant and invariable order" to the country. So, at least, the people had interpreted it, for, even before the letter they had taken the position that the King was willing to grant them a constitution. Jefferson wrote from Paris, on 18 March 1789, that the "...King stands engaged that all this shall be fixed by a fundamental constitution ...the public mind is so ripened on all these subjects that there seems to be now but one opinion". The pamphleteers dwelt on this and when the cahiers were drawn up the demand for a constitution was sometimes included. Mirabeau, on 15 June, pointed to the fact that the King had himself recognized "...the necessity of giving France a fixed form of government, that is to say, a constitution", and Mounier, when he made his report for the Constitutional Committee, on 9 July, said that what they understood by a constitution was a "fixed form of government". Sisye, a year before the Tennis Court Oath, had discussed in a pamphlet the matter of a constitution. It is clear that the nation wanted a constitution but not quite clear as to who was to make it. There, very likely, was some doubt in the minds
of both the people and the deputies as to who would actually give it. But the cahiers generally stressed the legislative function of the deputies and some even gave their holders full power to make a constitution. So we may conclude that the people expected the Estates-General to make a constitution which was to be put into operation after the King's sanction. This undoubtedly became the opinion of the third estate sometime before the famous Tennis Court Oath. On 28 May, M. de Comte de Crillon gave expression to the opinion in the Assembly of the Nobles that "...it is much less to maintain than to establish a constitution that we are all called...." Mirabeau, on the next day, in the Assembly of the third estate, stated that "... he (the King) has convoked... the National Assembly to occupy itself with the regeneration of the realm with him". There were repeated demands for a constitution from this time. On 5 June the demand was again made to commence on the work of "national regeneration". In the discussion of 15 June, Sisèyès in his demand for constituting the Assembly again called for the "regeneration" to commence. And Rabaut Saint-Etienne, in his proposal on the same subject, stated that "...after the Estates-General which was composed of the deputies (whose credentials had been) verified in common had made the constitution they would occupy themselves with verifying the debt...." Several other deputies, who supported his decree, in part, all demanded that the Assembly give a constitution
to the nation. These demands were given formal expression in the decree of 17 June which stated that "...the common work of national restoration...must be commenced without delay by the deputies present". By "restoration" and "regeneration" of the nation the deputies meant, for the most part the making of a constitution. This is borne out by two facts. Those terms and ideas were synonymous in the cahiers. And the deputies generally interpreted them thus, for, though they continually desired the Assembly to begin work on the "regeneration" of the state they, as a whole, opposed strenuously any actual activity on the part of the Assembly in administrative matters. On 15 June, the several members who supported Rabaut Saint Etienne's provision for a constitution but opposed his provision for a loan to the King, stated that "Our cahiers do not permit us to go so fast. Our constituents have sent us to correct the vices of the administration, to settle the debts of the state, and not to increase them by loans. Let us give a constitution to the nation; let us safeguard property; then we will talk about ways of providing taxes". The events of 20 June confirmed the Assembly's determination to make the constitution itself, being convinced by this time that the King could not be relied upon in this matter. Mounier declared that "...a hundred voices would have been raised to present this measure (the tennis court oath) if I had not". Halouet, moreover, said that when he offered an amendment "...to make
the constitution in concert with the King Daily refused to put it to a vote because it would have been rejected.34

From the beginning the Assembly was convinced that it was a true legislative body rather than merely a ratifying body. The ochiers stated that the legislative power was in the hands of the deputies but that all laws required sanctioning by the King.35 The mandate to rehabilitate the nation and give it a constitution was also interpreted to mean that the Assembly had a right to legislative activity. The Assembly, indeed, made the distinction between legislative and constituent activity, for Mounier, when reporting for the Constitutional Committee, on 9 July, stated that the committee distinguished between ordinary laws and those which concerned the constitution. Reference is again made to this differentiation on 14 and 15 Sept. 1789.36 But the distinction, evidently, was not considered of vital significance since the Assembly assumed both functions. The legislative conception seemed to have been stressed as including them both.

Closely allied to its attitude on the matter of making a constitution was the attitude of the Assembly on the question of its "sovereign powers". The established opinion, as expressed in the pamphlets between 25 Sept.
and 6 Nov. 1789, was that the people were the source of sovereignty. The Assembly based its claim of "deputed sovereignty" on the fact that it represented the nation which was the source of all power. From the mandate to "regenerate" the nation it derived the notion that it was the guardian of the nation and when the revolutionary disorders demoralized the governmental machinery it considered itself the only legal authority capable of taking the place of the discredited and powerless authorities. Barnave, on 25 June 1789, said that the Assembly was sent by the nation and was the "organ" of its will, while Siéyès called its members "...the envoys of the people". Camus, on that day, in the same spirit, declared that a liberated nation cannot be dictated to without its own consent.

The development of an independent spirit had begun with the initial struggle for common verification. By 3 June it had gone so far that the Assembly declared it recognized no intermediary between the King and itself, feeling as Siéyès declared on 15 June—that only the Assembly could interpret and present the will of the nation. On 23 June such declarations as Mirabeau's: "who gives you imperious commands? Your mandatory (the King)—he who must receive them of us...", and Gloison's: "...it is a sovereign who talks to his master when he must consult him", show how strongly the Assembly was conscious of its sovereignty.

The
same spirit was from this time on consistently manifested whenever the occasion arose. When the clergy insisted on adhering to the reservation it had made to vote as a body Villeneuve observed that when the nation was assembled no power could submit laws to it without its consent.\textsuperscript{42} Mirabeau supported him heartily with even more striking words. "Against the Assembly", he said, "one does not protest. One does not make reservations against the nation. No one can remain a member of the National Assembly if he does not recognize its sovereignty. No power under heaven—not even the executive power—has the right to say 'I will (je veux)' to the representatives of the nation."\textsuperscript{43} In short, the Assembly, realizing, as Mirabeau phrased it, that all the ancient props of the monarchy had been destroyed, concluded with its spokesmen, Montboissier, that it had supreme power, and Martineau, that it was the only resource of the country.\textsuperscript{44}

One of the greatest obstacles to a clear conception and assertion of the Assembly's functions was the theory of the separation of powers. The Assembly had a very strict conception of this principle. The idea that it was a legislative body was firmly fixed in its mind but executive and judicial functions were regarded as foreign to it. The first event to bring this out was also the opportunity for an
attempt to reconcile this principle of the separation of powers to existing conditions and to the revolutionary status of the Assembly. The occasion was the demand of Paris, on 1 July, that the Assembly deal with the mutinous French Guards in the Abbaye. The Assembly considered this outside of its jurisdiction but Desmouliers and Chapelier took the position that there were times when the two powers drew together and blended and that when public necessity and welfare demanded it, its duty was to act. The same arguments were presented when, on 4 July, the committee of subsistence suggested a plan whereby the Assembly could take effective measures to remedy the food situation. Again, when the recall of ministers was agitated (16 July), Miraudeau took occasion to remark that separation of powers was inconceivable and that the Assembly as representative of the sovereign people combined all powers within itself. These attacks on the theory undoubtedly influenced the Assembly, especially when reinforced by the urgency of the conditions. And, in spite of the strong opposition which still used separation of powers as an argument, the Assembly resolved to demand the recall of the ministers. Later, when the mayor of Poissy asked that the disorders in his town be suppressed by the Assembly it took measures to do so in face of the same argument. Yet, the Assembly's position on this matter was ambiguous, for, on 27 July, it passed a decree declaring that it could not occupy itself with police and administration.
while on the next day, despite protests citing this very decree, it created the committee of reports to deal with just such matters.\textsuperscript{51} The, on 6 August, it passed another decree which left all matters of an administrative nature to the executive power.\textsuperscript{52} The principle of separation of powers was upheld to the last, and as late as 1 March 1791, the Committee of Reports gave it as its opinion that the denunciation and complaints of a certain M. Fournier were not within the competence of the Assembly and should be sent to the courts.\textsuperscript{53} Nevertheless, this did not prevent the Assembly from asserting claims to exercise the various functions at one time or another as it felt necessary.

Even while it was developing the theories of its functions the Assembly had begun to assert them. One of the first instances was its assertion of sovereign powers. On 17 June it had declared the existing taxes null and void, yet, at the same time continuing them until it should provide new ones. This was immediately followed by the creation of a committee on subsistences to deal with the food situation, and, two days later by the creation of three more committees to deal with the internal operations of the Assembly. On 20 June, by taking the Tennis Court Oath it formally defied existing
authority by denying the right of the King or any one else, to dissolve it. On the same day, it also provisionally admitted the deputees of Santo Domingo and allowed them to sign the Tennis Court Oath. On 23 June the Assembly confirmed by its actions all it had done on 20 June and took the additional step of declaring its members inviolable. The outcome was the submission of the King on 27 June when the other two estates were ordered by him to join the third estate. The Assembly, through the third estate, had won its first assertion of sovereignty. But its position having yet no solid ground,—being based merely on its own contentions,—was uncertain. However, while the King wished to dissolve the Estates he also wanted money. So no decisive measures were taken and the dilatory and careless tactics of the King gave the Assembly a chance to make its position impregnable. For it gave time for the Paris Revolution of 12-14 July to take place; and the Paris Revolution brought about the assertion of sovereign powers by the Assembly and the recognition of this on the part of the organs of the old regime and the rest of the nation.

The influence of the Paris disturbance was immediately felt in the question of the troops. The Assembly had begun to protest (8-9 July) against the presence of troops even before it heard of the disturbances in Paris.54 Mirabeau had even suggested, on 8 July, the formation of a citizen guard at Paris and Versailles
but the Assembly had hesitated to include this demand in its protests. However, when the first news of the Paris troubles of 13 July reached the Assembly on the next day, and Paris asked the Assembly's support in securing the establishment of a citizen militia in Paris, the protest of the Assembly grew stronger. It sent a deputation to the King demanding the withdrawal of the troops but left out the provision for a citizen guard. The refusal of the King resulted in a definite assertion of the Assembly's sovereignty in the form of a resolution which called the Assembly the "interpreter" of the nation and declared the ministers personally responsible to the Assembly. It also reiterated its demands for the recall of the ministers and the removal of the troops demanding, in addition, this time, that a citizen guard be established. Thus, the Assembly, on 14 July, declared its position, sent a deputation to announce it to the King, and waited for further developments. The decisive developments had already taken place in Paris and on the evening of 14 July a Paris deputation came to the Assembly to inform it that a citizen guard had been formed on 15 July because of disorders and that the Bastille had fallen. A permanent committee of public safety, with Melfisselles, provost of the merchants, as head, had been formed at the Hotel de la Ville and had decided on the establishment of regular correspondence with the Assembly. Thus Paris definitely recognized the primacy of the Assembly's authority from
the very first by keeping it informed of all that was happening and seeking the Assembly’s approval for its acts.

The King, on 14 July, approved the civic guard and ordered the removal of the troops from the Champs de Mars. In response to the Assembly’s second deputation on 15 July, he came in person to the Assembly and he informed it that he had ordered the troops away from Versailles and Paris, he declared he was willing to do all he could to assure the safety of the state, and he asked for the Assembly’s help. He also approved the deputation which the Assembly had sent to Paris to restore order. So the King, also, recognized the Assembly’s authority.

The Assembly further asserted its authority when it tacitly confirmed the establishment of regular revolutionary government in Paris on 16 July. Paris had made a definite demand, on 15 July, that the Assembly take it under its protection. The Assembly gave no formal recognition, at this time, of the Paris revolution. But, on 16 July, Bailly was elected mayor of Paris and Lafayette, commander of the Paris militia, in the presence of the rest of the Assembly’s deputation which had been sent, on 15 July, to restore order.
Also, on the next day, both Lafayette and Bailly, in their official capacity, put themselves under the orders of the Assembly. Although it took no formal action, the Assembly gave its tacit consent by its applause. 62

The institutions of the old regime followed in the steps of the King and Paris and made their submission to the authority of the Assembly. The Parliament of Paris, on 16 July, wrote a letter, and, on 23 July, sent its president to pay its respects and thank the Assembly for the restoration of order and the withdrawal of troops.63 The president of the grand council, on 20 July, came in and gave the respects of the Council to the Assembly. On 25 July, the Court of Accounts, through its Chancellor, also offered its homage, and even the University of Paris came to offer its submission.65 Four days later, on 27 July, the Chatelet of Paris came to express "veneration" for the Assembly and "confidence" in its wisdom.66

The Assembly by this time had become so conscious of its authority and position that, on 18 July, when de Brézé addressed it with his head "covered" it objected and he promised henceforth to speak to the Assembly "in a manner more befitting the majesty of the place". When the Assembly considered its dignity slighted because the Parliament of Paris, on 16 July, had sent it only a letter while sending a deputation to the King, Parliament did not hesitate to send its president as a
concession to the Assembly and an indication of its respect for the Assembly's position.

Finally, the nation also recognized the Assembly as the real power. On 17 July the mayor of Poissy asked the Assembly to suppress the disorders caused by the brigands in Poissy and Saint Germain. The Assembly sent a deputation to restore order. Address and petitions came in great numbers from the country all clamoring for help against the brigands, rumor of whom had spread terror throughout the land. On 20 July several other cities demanded the Assembly's help to disperse brigands in their locality.

There were other developments of the July crisis which resulted in further exercise of sovereignty by the Assembly. The disorders and conspiracies which developed brought about the establishment of the two committees of Reports and Investigation. The Assembly also defined, after a fashion, the crime of lèse-nation and assumed the right to punish those guilty of such crimes. The organization of a citizen or national militia was condoned by the National Assembly, although it formally confirmed only the Paris organization. It is significant, however, that the idea of a citizen militia and of lèse-nation had been mooted in the Assembly as early as 6 July. Mirabeau, speaking in favor of the removal of troops on that day proposed a citizen militia. But the matter was postponed. At the same time,
Abbé Grégoire, in supporting Mirabeau's proposal advocated that all who were culpable of bringing troops near the Assembly should be held on the charge of "lèse-majeste national". Up to this time it had been "lèse-majeste" only. Now it had become lèse majeste "national".

Following the Paris insurrection, with the resultant authorization of its self created militia, the troubles in Poissy and St. Germain, on 17 July, and the murder of Sauvage resulted in the proposal to make the formation of a citizen militia general. Lally-Tollendal proposed, on 30 July, a proclamation to authorize the formation of this militia and to provide for the handling of sedition cases. The Assembly postponed its adoption limiting action for the time being to sending a special deputation to Poissy. But on 20 July several other cities demanded the Assembly's help to put down disorders and the news of the murder of Foulon and Berthier, on 22 July, in Paris reached the Assembly on the next day. During the resultant debate the Assembly was informed by Barnave that Paris had ordered certain persons held in the Abbaye Saint-Germain prison on the charge of lèse-nation and that it asked the Assembly to provide a tribunal to judge them. The Assembly realized that Paris was getting beyond control and that it must assert its own authority to keep its prestige. A demand was made again to make the citizen militia a general organization and to provide for legal ways of dealing with lèse-nation crimes. Lally-Tollendal seized the opportunity to again offer his project.
The Assembly adopted it. The proclamation declared that suspected officials must be tried according to the law, that the punishment of crimes of lèse-nation belonged to the representatives of the nation, and that the Assembly would indicate in the constitution the tribunal before which such crimes would be tried. 74 Thus, the Assembly regularized what was done in Paris but at the same time asserted its sovereignty and the subordination of Paris. The original "lèse-majesté-national" of 3 July was now formally declared to be simply "lèse-nation". However, events refused to wait until the constitution was established for a tribunal to cope with the crime of lèse-nation or for an agency to deal with the disorders which existed. These two institutions the Assembly was soon forced to establish. On 24 July, the city of Rouen complained of disorders there, 75 while disturbances in Vesoul and Colmar resulted in a renewal of the demands for a citizen guard. 76 At the same time the matter of suspected officials and conspiracies was again forced on the attention of the Assembly by Paris, which sent, for its consideration, the intercepted letters of the suspected Baron Castelnaud, ambassador to Genova. 77 The Committee of Reports was created to deal with disorders and the Committee of Investigation, with conspiracies and plots, while an agency to deal with lèse-nation crimes was also finally decreed. 78 Continued troubles in Paris
on 31 July and especially the arrest of Bosouval, the commander of the Swiss Guards, on the charge of lèse-
nation made the Assembly feel that it must reaffirm its
decree of 25 July in order to keep Paris within bounds.
The decree reaffirming the stand it had taken was passed
and Bosouval's case was referred to the Committee of
Reports. 79 Finally, on 14 October, the Chtatolot of Paris
was given authority, temporarily to deal with crimes of
lèse-nation, but the Assembly reserved final decision
in such matters for itself. 80

By the end of July the Assembly's position was firmly
established and with the events of 4 August there was
no doubt about its predominant position. When, on
3 August, the Committee of Reports gave an account of
the insurrection in the provinces and proposed a decree
on the public disorders the Assembly saw that the crisis
must be met by action. 81 So the Editing Committee was
instructed to draw up a decree on the security of the
realm. When Targot presented this decree the next day,
Houelles used the occasion to start the renunciation
of privileges which ended in the overthrow of the
Ancient Regime. 82 The extent of control over affairs
by the Assembly and the submission of the court was
indicated by what followed. The newly appointed
ministers, who had been chosen from the Assembly by the
King in the morning of 4 August, informed the Assembly
in the afternoon of their adherence to its will and
its principles. The next day, 5 August, the Assembly ordered the municipalities of the nation to use their citizen militia to prevent any obstruction of grain movements.\textsuperscript{63} The climax came, when, on 7 August, all the ministers came into the Assembly, and, admitting that the old institutions had ceased to function, asked the Assembly, in the King's name, to restore order and to "...render to the public force the influence it has lost", so that the laws could be executed.\textsuperscript{64} The ministers at the same time, on their part, through champion Cicé, acknowledged their responsibility to the Assembly. The various measures which the Assembly now took to deal with the situation, such as authorizing a loan on 8 August and adopting, on 10 August, the decree providing measures for the restoration of order, were concrete expressions of its power and position.\textsuperscript{65}

That the Assembly meant to retain the position and power which it had attained became very evident as time passed. When the King delayed the sanction of the Declaration of Rights and the 4 August decrees, the Assembly declared he had no right to withhold his approval. Potion de Villenouvo went so far as to state that it would be necessary to combat his refusal.\textsuperscript{65} This was on 14 September. On 18 September the Assembly pressed the matter vigorously, several members insisting that the sanction meant not consent but merely pronouncement.\textsuperscript{67} This brought up the question as to just what
was to be understood by "sanction" and "promulgation". The decision was that the King was merely "delegated" to execute the laws and so must "accept purely and simply" all the laws that the Assembly passed. 88

On 5 October the King accepted "purely and simply". 89 Not satisfied with this, the Assembly, on 9 November, took a step which showed clearly that it considered the King merely its tool. On this day it decreed that the King must answer for the promulgation of all its decrees to the Assembly. 90

One of the measures which it took at this time marks another step in the assumption of sovereign powers. This was the development of loyalty oaths which grew out of the attempt of the Assembly to bind the officials of the government to the institutions and the principles which the revolution had produced. The oaths began with the decree of 10 August 1789 for the suppression of the disorders due to the recent insurrections in the provinces. By this the regular troops were ordered to take, beyer municipal officials, an oath to the nation and the King. Their officers, in addition to this, were to swear never to use their troops against citizens except on demand of the municipal officials. This 10 August oath became the basis of the rest of the oaths and was known as the Civic Oath. On 4 Feb. 1790 the King in an attempt to establish friendlier relations with the Assembly made it an address and ended with a fervent declaration of his attachment to the new
constituation.91 Goupil de Présoln demanded that the Assembly follow the example set by the King and take the Civic Oath. The Assembly then took the following oath: "I swear to be faithful to the nation, to the law, and to the King and to maintain with all my power the constitution decreed by the Assembly and accepted by the King."92 On 28 Feb. 1790 the new military regulations were adopted and in them was included the forgoing oath which the troops were to take individually every 14 July.93 The same oath was inserted in the Civil Constitution of the clergy which the Assembly adopted on 12 July 1790. At the festival of the National Guards which was held on 14 July 1790 the Civic Oath, by order of the Assembly, was taken by itself and the guards. The King, also, joined them in this. After the King's flight to Varennes the Assembly passed a decree, on 22 June 1791, ordering troops to take an oath to the nation but leaving out the King's name.94 The troops were to swear to protect the country from invasion and obey only orders which were given in execution of decrees of the Assembly. These were the outstanding oaths but the military and clergy were not the only ones who were to swear fidelity to the nation. All the public officials were required to take the Civic Oath, ambassadors, consuls, judges, and the electoral Assemblies of the nation.
So the Assembly replaced the old institutions and authorities and became definitely and consciously established as the supreme authority. This was recognized by everyone— the King, the old authorities, and the people. It was fortified in its position both by the strategical situation in which conditions and events placed it and by the measures it took to bring stability through new agencies. While the Assembly was evolving its position as a sovereign body it was, at the same time, under the necessity of bringing some sort of order out of chaos, taking into its own hands also legislative, judicial, and executive prerogatives.

The prudently legislative activity of the National Assembly was not very great for the first few months. It could be said, however, that it began almost at the start, for, as soon as the Assembly constituted itself (17 June), it passed a law continuing the old taxou. It was not until the 4-11 August decrees that any important legislative activity was shown. On 6 August and 19 September laws were passed against the obstruction of the free movement of grain. On 8 August a law was passed providing for a loan. Two days later, a law providing for the manner in which the municipalities were to keep order was passed. Soon laws on a variety of subjects were passed, with increasing frequency. A law on the gabelle setting the price of salt (23 Sept.), a law on money lending (5 October), a law providing for
a patriotic tax (6 October), and then, on 9 October, a law providing for the provisional reformation of the criminal procedure, were enacted. One of the most far-reaching and significant pieces of legislation was the reorganization of the municipalities of the nation. On 2 Dec. 1789 a decree had been passed which confirmed and continued all the existing town governments, provisionally, until the new organization was established. On 14 December, the law for the complete reorganization of municipal government was finished and passed. These indicate the rapidly expanding scope of the legislative activity of the Assembly.

When the occasion presented the problem of participation in judicial activity to the Assembly the separation of powers theory offered itself as an obstacle. The Assembly tried to settle the matter, in the usual way, by decreeing that it could not concern itself with matters of police and administration. However, this very decree provided that Calonne, who had been arrested by the national militia of Nogent, should be set free. Thus, in the very act of denying itself this prerogative, it assumed it. And, in spite of continued opposition based on the separation of powers argument, the Assembly persisted in asserting the judicial prerogative. One of its most interesting actions in this respect was the provision.
that the Châtelet of Paris should deal temporarily with
cases of lèse-nation but that final decision should be
left to the Assembly. 96 About a month later (22 August),
it dealt with the case of the King's solicitor who was
held by the town of Palais. Quashing the proceedings,
it ordered that he be set free. 97 Likewise, on 5 September,
the Assembly ordered Paris to liberate the Marquis de
La Salle. 98 On 5 October, the Assembly continued the
functions of the Council of the King but forbade it
to issue decrees of its own. A few days later it
forbade the municipal committee of Alençon to deal with
the Vicomte de Caraman, whom the committee had arrested,
until the Assembly received more information on the
matter. 99 In December several more cases were taken up.
Abbé de Bliniere who had been arrested as a suspect was
set free and exonerated. 100 A suspected officer of Dauphiné
was dealt with and finally set free. 101 The case of
some prisoners detained in Marseilles was also
considered. 102 And such judicial activity the Assembly
continued to exercise from this time on to the end of
its session. 103

The same difficulty which the
EXECUTIVE separation of powers theory presented
to taking up judicial activity entered
into taking up of executive action. However, the
adoption of the committees of subsistence (17 June),
of Reports, and of Investigation (28 June) had started
the Assembly well on the way of asserting its executive function. When it passed a decree demanding the recall of Hooper it took a conscious step in this direction as the arguments presented in opposition were all based on the theory that it was usurping executive prerogatives. But events were fast undermining the last vestiges of ancient authority and, on 8 August, after the insurrection in the country had destroyed the old executive power completely, no one arose to challenge the statement, made by a member, that the executive power was in the hands of the people. So, as the agent and representative of the people, the Assembly saw that it was the only institution which could do anything effective to restore order and, on 10 August, it passed a decree providing measures by which order was to be restored. Certain specific cases came up for consideration in this connection. The city of Vernon, in the Province of New, had some trouble due to conflict between the revolutionary and the old governments of the town. The Assembly took care of this on 24 September. It also put the Jews and their property under the protection of the law on 28 September. But troubles and disturbances of the provinces were not the only matters with which it concerned itself. The question of the exchanges of the national domain resulted in the establishment of a Committee on Alienation. Then came a most significant move on the part of the
Assembly. The executive agents had become so lax in carrying out the decrees of the Assembly that it felt something had to be done. The result was the passage of a decree on 23 October, providing that the President of the Assembly and the King should cooperate in supervising the execution of the decrees of the Assembly. On 20 October the Keeper of the Seals was called to account for his laxity in enforcing the Assembly’s decrees. On the following day a riot act was passed modelled somewhat on the English riot act.

Its participation in foreign affairs indicated how extensive was the Assembly’s executive power. It was extremely sensitive about external dangers that might result out of antagonisms created by its revolutionary activities and policies. An early instance was the irritation between Austria and France because of the extension of the 4 August decrees to Alsace. So, when the Assembly learned, on 27 July 1790, that Austrian troops were likely to cross French territory on their way to the rebellious Netherlands it quickly investigated the affair and forbade by decree such a passage. The Nootka sound affair indicated more clearly the position of the Assembly in regard to foreign affairs. The quarrel between Spain and England over Spain’s seizure of two English vessels in Nootka Sound, off the western coast of Vancouver Island, threatened to result in war. According to the family
compact France was bound to help Spain if this occurred. The subject was taken up in the Assembly in the form of a debate on the right of making war and peace. The debate ended in the passage of a decree to the effect that the right of making peace and war belonged to the nation and that the King could propose war but only the Legislative Corps could declare it. When Spain demanded, on 16 June, that France should fulfill her obligations, it was the Assembly again which decided that only defensive measures would be taken and ordered an increase in the force of armed ships. Spain, despairing of getting any help from France, finally decided to settle the matter peaceably. The annexation of Avignon and the Venaissin, on 14 September 1791, was another important episode in the Assembly's foreign affairs activities. 115

In internal affairs, of course, the Assembly's activity was much more extensive than in foreign affairs and great changes were brought about in all directions. But only some of the important ones can be mentioned here. The 4 August resolutions had outlined an extensive program of reform and many changes resulted from it. It was not until 15 March 1790, however, that a practical law was adopted which could carry out the abolition of feudalism. The Assembly also passed a law abolishing the guilds. By August 1790 the law for reorganizing the courts was completed. One of the most radical changes was the complete overthrow
of the Church as a powerful corporation. In the
discussions of 4 August, and thereafter, it was
contended that the property of the Church belonged to
the nation. On 2 November 1789, the Assembly formally
decreed this with the provision that the property was
to be used for the expenses of running the Church
institutions, and, on 19 Dec. 1789, a law was passed
providing for the sale of Church property, as the
property of the nation, without reservations. In
February 1790 monastic orders were suppressed. Finally,
with the adoption of the Civil Constitution of the
Clergy, on 12 July 1790, the Church became simply a
department of the state and was thoroughly reorganized.

The army was another institution which received
early attention. On 28 February 1790 a new military
"constitution" was adopted and on 18 August 1790 a
decree was passed providing for the reorganization
of the army. As finally reorganized it became a
national not a royal army.

The colonies, too, became such a pressing problem
that, on 8 March 1790, the Assembly provided for the
establishment of provisional Assemblies and confirmed
those which the colonies had already set up themselves.
It ordered them to observe those parts of its decrees
which were capable of being applied to colonial
conditions. The final organization which it gave them
was similar to the local administrative system of
Franco, with the executive power in the hands of a governor.

The Assembly, naturally, continued to give a great deal of attention to the financial conditions of the country. The issue of assignats seemed to be its principal method of remedying the situation. It had begun this on 19 Dec. 1789, when it had decreed that assignats, to the amount of 400 million livres should be issued, on the basis of the sale of church property. This was considered the most effective way of assuring the sale of national property which would enable the liquidation of the national debt and relieve the financial exogencies until a new system of taxation should make it possible to return to ordinary methods.

As it had already assumed all governmental functions, in fact, the Assembly did not hesitate to do so in form, when the King's flight, on 21 June 1791, made it necessary to do so. As soon as it learned of the King's flight it took prompt measures to put itself in direct control of all government agencies. Assuming the fiction that the King had been abducted, its first act was to declare a general embargo on all things and persons coming in or leaving the country and to order the minister of the interior to send couriers to all parts of the country with orders to arrest any one leaving the country, especially any one belonging to the royal family. The Assembly placed itself first in "executive", and later,
in "permanent", session. It summoned all the
ministers and gave them instructions as to how to meet
the needs of the situation. The Minister of War was
ordered to put the nation in a state of defense, to
direct Rochambeau, general of the army of Flanders, to
go to the frontier provinces and put them in a state
of defense, and to negotiate with a Parisian banker
for money to be used in arming the National Guard. The
Minister of the Interior was instructed to arrest anyone
leaving the country and to put guards around the
foreign affairs offices. The minister of Justice,
despite the express orders of the King to the contrary,
was ordered to apply the state seal to the Assembly's
decrees without the King's sanction. The minister of
foreign affairs was ordered to cooperate with the
Diplomatic Committee and to give an account to the
Assembly of the political situation, also, to announce
to the foreign ambassadors France's desire to continue
friendly relations. To facilitate their activities the
ministers were authorized to sign the Assembly's acts
without the King's sanction. They were also given
permission to attend the sessions of the Assembly.
The Assembly decreed further that all its acts were
valid and became law without the sanction or consent
of the King. Paris was put under the Assembly's control
and instructed what to do in the emergency. The National
Guard was put in action. Finally, the Assembly issued a proclamation to the people to hold themselves ready to maintain public order and defend the country as directed by the Assembly's decrees after the King returned to Paris, on 25 June, the new arrangement was retained by the Assembly for, although, the government was still carried on in the King's name, he was practically a prisoner. 118 The decree of 25 June which provided for this in effect suspended the King for ten weeks at the end of which time the constitution was ready and presented for his acceptance.

This was the position of the Assembly by the middle of the year 1791 in respect to the assertion of its various functions—sovereign, legislative, judicial, and executive. They have been considered in detail because they show how the Assembly's conception of its position actually evolved under stress of circumstances. The functions assumed also indicate the continual enlargement of the scope of its powers and duties during the years that the National Assembly was working on the Constitution. The development of conceptions and then of functions which has been traced here implies that the Assembly must have created a correspondingly elaborate organisation in order to put them into effect.
2. Ibid., VIII, p. 35.
3. Ibid., VIII, p. 69.
4. Ibid., VIII, p. 84.
5. Idem.
7. Ibid., VIII, p. 59.
8. Ibid., VIII, p. 84.
10. Ibid., VIII, pp. 84, 113.
13. Ibid., VIII, pp. 185, 193, 221, 273, 357.
15. Arch. Parl., v. VIII, p. 200. The arguments advanced were that imperative mandates were only the particular will of the section of the nation that made them but that each of the deputies represented the whole nation. Therefore, only the national will was binding. Moreover, since a bailiage would not know its own will until deliberation had taken place, it could not determine in advance what the opinion of its deputies should be.
16. Ibid., VIII, p. 194.
21. Ibid., VIII, p. 110.
22. Ibid., VIII, p. 214.


27. Ibid.; VIII, pp. 69, 109, 113.


31. Ibid.; VIII, pp. 175-6, 198, 433.


33. Fling, pp. 56-7.

34. Ibid., p. 58.

35. Arch. Parl., VIII, pp. 175, 279; Lettres des Aristocrates, p. 10.

36. Ibid.; VIII, pp. 636-9; IX, p. 52.

37. Garrett, Studies, v. LXXXII, passim, also, pp. 37, 44, 47, 54, 55.

38. Fling, pp. 56-7.

Mounier justified his proposal of the Tennis Court Oath mainly on the ground that he feared to lose the opportunity of reforming the abuses of government. Sieyes, p. 67.


41. Ibid., VIII, 146.

42. Ibid.; VIII, 183.

43. Idem.

44. Ibid.; IX, pp. 388, 450.

45. Ibid.; VIII, p. 175.

46. Ibid.; VIII, p. 176.

47. Ibid.; VIII, pp. 190 ff.
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48. Ibid., VIII, p. 243.
49. Ibid., VIII, p. 247.
50. Ibid., VIII, p. 279.
51. Ibid., VIII, p. 292.
52. Ibid., VIII, p. 357.
53. Ibid., VIII, p. 589.
54. Ibid., VIII, pp. 209, 212.
56. Ibid., VIII, pp. 227 ff.
57. Ibid., VIII, p. 229.
58. Ibid., VIII, p. 233.
59. Ibid., VIII, p. 236.
60. Ibid., VIII, p. 237.
61. Ibid., VIII, p. 238.
62. Ibid., VIII, pp. 238, 240.
63. Ibid., VIII, pp. 244, 262.
64. Ibid., VIII, p. 251.
65. Ibid., VIII, p. 262.
66. Ibid., VIII, p. 280.
67. Ibid., VIII, p. 247.
68. Chapter, V, pp. 117, 121.
71. Ibid., VIII, p. 211.
72. Ibid., VIII, p. 253.
73. Ibid., VIII, p. 266.
74. Ibid., VIII, p. 267.
75. Ibid., VIII, p. 272.
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76. Ibid., VIII, p. 276.
77. Ibid., VIII, p. 273.
78. Ibid., VIII, p. 314; IX, p. 472.
79. Ibid., VIII, p. 314.
80. Ibid., IX, pp. 445, 472.
81. Ibid., VIII, pp. 336, 337.
82. Ibid., VIII, p. 343.
83. Ibid., VIII, p. 351.
84. Ibid., VIII, p. 360.
85. Ibid., VIII, pp. 371, 378.
86. Ibid., VIII, p. 639.
87. Ibid., VIII, pp. 31, 53, 34.
88. Ibid., VIII, pp. 343, 345, 346.
89. Ibid., VIII, p. 348.
90. Ibid., VIII, pp. 697, 721.
91. Ibid., VIII, p. 431.
92. Idem.
93. Ibid., XI, p. 741.
94. Ibid., XXVII, p. 409.
95. Ibid., VIII, p. 279.
96. Ibid., IX, p. 445.
97. Ibid., VIII, pp. 474, 481.
98. Ibid., VIII, p. 587.
99. Ibid., IX, p. 457.
100. Ibid., X, p. 407.
101. Ibid., X, p. 417.
102. Ibid., X, pp. 427.
103. Ibid., XXXI, p. 564; XXIX, p. 161.
104. Ibid., VIII, pp. 242, 243, 244.
105. Ibid., VIII, p. 372.
106. Ibid., IX, pp. 159, 168.
107. Ibid., IX, p. 201.
108. Chapter V, pp. 127.
110. Ibid., IX, p. 469.
111. Ibid., IX, pp. 474, 476.

112. H. E. Bourne, The Revolutionary Period in Europe
When France received Alsace in 1648, the treaty
of Westphalia provided that the princes of Alsace who
held fiefs under the Empire should not lose the rights
and privileges that went with them. The extension of
the Assembly's decrees to Alsace aroused the hostility
of the Empire in behalf of the princes of Alsace.


115. Avignon belonged to the Pope. The revolutionary
activities of France had communicated a revolu-
tionary spirit to Avignon and disorders and
uprisings had occurred. The Pope was unable to
control Avignon. Consequently its inhabitants, as
early as 17 June 1790, expressed the desire to
be annexed to France. But the Assembly, as yet,
refused to annex it. Finally, especially after the
trouble with the Pope over the enforcement of the
Civil Constitution of the Clergy, the Assembly,
on 14 Sept., 1791, annexed Avignon and the Venaissin,
and by 23 September it had organized them both,
provisionally.

117. By "executive" session is here meant the limitation of the Assembly's activity to a direct and full exercise of the executive functions for the duration of the emergency. By "permanent" session is meant a continuous session.

118. An exception to this was a new military oath decreed on 22 June, which left out the King's name.
CH. III

CONSTITUTING OF THE ASSEMBLY
Logically the evolution of the National Assembly's conception of its new position was paralleled by a corresponding development of organization for expressing its notions of its rights and functions. How, almost without guiding precedents, it gropingly elaborated an organization from practically nothing to a highly complex machine is an accomplishment which next merits our attention. The former Estates-General and the more recent meetings of the Notables and the few Provincial Assemblies, it is true, furnished the Assembly with precedents. But these bodies were usually of brief duration and limited in the scope of their functions, so their precedents were too few and too inadequate to meet the needs of the Revolutionary Assembly, although in a few instances they served as starting points for its procedure and organization.

The initial steps toward an organization have already been touched upon. We have seen how on 12 May the deputies overcame their own objections and organized temporarily. They divided themselves into 14 "governments", or sections, for deliberation, following the precedent established in 1614. The oldest member, whom they designated as "doyen" or dean, assisted by a representative from each one of these sections, presided over the meetings. Then, on 6 June, they provided for the
temporary division of their body into 20 major Bureaus, or sections, to replace the "governments" and three days later, these Bureaus were actually organized.

The temporary organization lasted until 17 June. On that day the third estate formally constituted itself as a "National Assembly" and a new organization was made necessary. The temporary organization was continued, however, for some time longer and, meantime, the presiding dean and his assistants retained their offices.

The adoption of rules was of great importance to the efficient working of this new Assembly. Being a new body with scarcely any precedents and with no parliamentary experience the task of drawing up and adopting rules became important both for the result it would have in directing the operation of the Assembly and for the vital precedents it would establish.

As we have already seen the third estate remained unorganized from 5 May to 12 May, and was only temporarily organized from 12 May until about 17 June. The need for rules was felt early, however. Thus, Malouet, in the very first meeting of the third estate (6 May), proposed the adoption of two or three simple rules to render discussion orderly. When M. Leroux, as the oldest member, had been recognized as dean, and charged with keeping order (7 May), he offered certain provisional
rules for the Assembly's acceptance but they were rejected, as the proposal of Malouet had been, because the third estate desired to avoid even the appearance of separate organization. This left all police regulation in the hands of the dean. However, when, on Mounier's motion (12 May), the third estate decided to organize temporarily, the question of rules came up again. On the next day it was decided that provisional rules should be drawn up. On 25 May, the dean read some simple rules which he presented for adoption. The turbulent discussion which resulted induced Mirabeau to demand the naming of a commission to draft the rules for the third estate. This commission was chosen by the dean and his assistants and on 6 June the provisional rules were presented. The third estate then adopted only that rule which provided for the division of the Assembly into twenty Bureaus. Nevertheless, the other rules presented at this time became the basis for those finally adopted.

So, from the opening of the Assembly until sometime after it had been regularly constituted, in the middle of June, the Assembly was without rules. Arthur Young under the date of 15 June 1789 stated that the Assembly had no rules and that he had suggested to Rabaut Saint-Etienne that they should use the rules of the House of Commons. Jeremy Bentham, who was in communication with such men as Morellet and Brissot, at the time, is said also to have drafted and sent a memorandum on this
subject to the Estates-General but it is doubtful if it ever reached them in time to be utilized. Romilly, also, makes the statement that he had been requested to send the book of rules of the House of Commons and that he had drawn up a summary of the rules as there was no such book at the time. These notes were sent to Count Sarsfield but later came into the hands of Mirabeau. They doubtless influenced the eventual formulation of the French rules, although Romilly says his contribution was disregarded, while Dumont recounts that when Mirabeau presented a memorandum containing a simple exposition of the forms followed by the British Parliament, it had little success, one of the deputies even declaring, "We wish nothing English, we must not imitate any one." Yet Romilly specifically states that the French did not adopt the requirement that the notions should be in writing, whereas the very opposite is true. Moreover, as much as Mirabeau published the rules which had fallen into his hands, so that they were well known at the time that the Assembly's rules were drawn up for final adoption, we may well assume that they must have had some influence.

Lord Acton in discussing this aspect of the Assembly makes the following forceful comment: "Sir Samuel Romilly, a friend of Dumont, and occasionally of Mirabeau, sent over an account of the practice of the British Parliament, with the cumbersome forms, the obstacles to
prompt action, the contrivances to favor a minority, and
to make opposition nearly equal to government. The
French required more expeditious methods. They had a
single assembly with a known and well defined commission,
and the gravest danger of the hour was obstruction and
delay. Every member obtained the right of initiative
and could submit a motion in writing. The Assembly might,
after debate, refuse to consider it; but if not arrested
on the threshold, it might be discussed and voted and
passed in twenty four hours. 9

The final adoption of Parliamentary procedure by
the National Constituent Assembly was at the instance of
Target who on 19 June brought up the matter again
indicating that as they were now definitely constituted
they needed fixed rules. A few regulations concerning
the election of a president and secretaries were
adopted on 2 July and the main body on the 29 July,
after they had been discussed and further revised in
the Buroaus. 10

The secretarial staff starting
OFFICIAL originally with a dean and several
STAFF assistants grew into a large and
elaborate institution. Bailly was the
last doyen and the first president. He had been
elected provisional president on 12 June but was
still called dean until 17 June when the first


president was to be elected. But although the Assembly had formally constituted itself it was not yet ready to organize; so Bailly was continued in his office and became the first president. When the rules were adopted on 2 July providing for the election of officers the first regular president, the duke of Orleans, was elected. He resigned immediately and the Arch-Bishop of Vienne, M. le Franc de Pompignan, was chosen in his place. The rules provided for a president and six secretaries following the custom established by the dean, but with two or three exceptions practically all the presidents had only three secretaries. The first vice-president was Lafayette, who was elected on 15 July. Up to this time when the presiding president had been forced to leave the last preceding president had taken his place.

When the Assembly moved from Versailles to Paris (19 Oct.) it named four commissioners to choose a place for its sittings. These continued to function during the later duration of the Assembly. They heard the demands of the new committees for locations, maintained the security and hygiene of the room, executed the orders of the president in regard to the entrances, distributed the tickets for admission to the Assembly, and took care of the common expenses of the Assembly. On 29 Sept. 1791, they rendered an account of their work which was approved by the Assembly. The clerks attached to these commissioners continued their work even for the next Assembly.
The Assembly also had ten ushers for which provision had been made by the Assembly at the suggestion of the President. 13

In order to increase the efficiency of the secretariat, Camus, who had been charged, along with some others, to examine the expenses of the clerical bureaus of the Assembly, proposed the election of two inspectors of the secretariat who were to supervise all the clerks employed by the Assembly. Anson and Salomon were put in charge of this work (Oct.); Menou and de Beaumetz were later added. Their function was to supervise the efficiency of the secretariat and amake the clerical appointments.

The secretariat of the Assembly consisted of two classes. One set consisted of those clerks attached to the committees and the controlling or deliberative bureaus. The other set consisted of all the clerks who did the routine work of the Assembly as a whole. This last class of clerks was subdivided into small groups each dealing with certain special work. Each of these groups of clerks was known as a "bureau". These bureaus will be designated as "clerical" bureaus as they dealt with the routine business of the Assembly, in order to distinguish them from the thirty major "deliberative" bureaus, or official steering caucuses, which were composed of members of the Assembly and in which much of the work of the Assembly was formulated.
One of the most important of these clerical bureaus was concerned with the routine work of printing the minutes of the Assembly. This bureau made three sets of copies of the minutes. It delivered copies of the minutes and copies of the correspondence and reports of the ministers to the members. In addition, as occasion demanded, this clerical bureau distributed these different documents to the proper committees. The decrees of the Assembly were registered by it and three sets of copies were made of them also. A register of all these documents was kept. An important clerical staff or bureau, also, was that which was concerned with counting the votes. This bureau also had charge of the distribution of letters and passports. Another secretarial bureau which had important routine work to do was that which took care of the various forms of appeals sent to the Assembly from the provinces. These the bureau entered into a register and distributed to the proper committees. There was also a clerical bureau to take care of the mail from the different parts of the country. All the letters received by the Assembly from the provinces were registered. Any replies that the Assembly made were also registered. This same bureau was entrusted with the task of sending to the provinces the reports containing the activities of the Assembly.
One of the first difficulties a large body such as the National Assembly would face would be the question of effective deliberation. The Assembly soon saw that it could not deal satisfactorily with such matters as were connected with making a constitution and with passing laws for the general rehabilitation of the nation if it deliberated on all of them as an Assembly. Besides, the distracting conditions under which it held its sessions made the solution of this problem even more vital. However, being a new body the Assembly had to develop and adjust its machinery as it went along. One of the first innovations was the scheme of dividing its membership into thirty major sections or regular controlling caucuses, called "Bureaus", for more efficient and secure deliberation. "This plan ensured thorough and sincere discussion, for men spoke their genuine thoughts, where there was no formality, no reporter, no stranger in the gallery", is the brilliant comment of Lord Acton who also notes that: "The Bureaus were disliked and suspected by the excluded public".

These deliberative Bureaus, however, were significant not only because they were an important device adapted to conditions without which the Assembly could not have functioned effectively but also because they were an
Institution which was to last as an unique feature of the legislative machinery of France even to the present day. F. A. Ogg makes the following comment in this connection: "At the meetings of the old Estates-General the various orders were accustomed to divide their members by lot into sections, or bureaux, which considered proposals in a preliminary way before they were submitted to general deliberation. The practice was revived by the constitution of 1814, and since that date it has been a continuous and essential feature of parliamentary procedure not only in France but to a large extent, in other continental countries-including Italy, Belgium, and Germany-whose systems of government have been deeply influenced by French usage and ideas. Under the rules which were formulated in 1876 on the model of the rules of the National Assembly of 1848, the membership of the Chamber of Deputies is divided into eleven bureaus, of about fifty-seven members each, and that of the Senate into nine bureaus of thirty-three or thirty-four members each. At the opening of a new parliament, the bureaus examine the credentials of members preparatory to a final validation by the Chamber. Aside from this, their function relates chiefly to the preliminary consideration of bills, and of other proposals submitted to the chamber." 16 He goes on to state, however, that it finally became the practice for the Bureaus to discuss briefly the general principles involved and then send the bills to committees which they (the Bureaus)
chose for more detailed scrutiny. E. M. Sait states, however, that although up to 1910 they received printed copies of all bills, made a preliminary examination of them and then appointed committees to report on them since that time only bills that do not fall within the competence of any of the standing committees are sent to the Bureaus which then elect a special committee to deal with the matter. Also, that the only other committees they elect are those on leave of absence, on petitions, on local affairs, and on initiative. But the first two of these were often chosen by lot while the last two hardly ever meet. Sait concludes that although the Bureaus may have been useful at one time the change of circumstances and present form of government has made them obsolete.

As already indicated the National Constituent Assembly of 1789, in adopting the bureau system, was not entirely without precedent, for its Bureaus were the result of an attempt to adapt an old institution to a new situation. The practice of subdividing the Estates into smaller bodies had begun as early as 1483 when the Estates-General had divided into six "nations", each "nation" holding its meetings in a separate room. The last Estates-General, in 1614, also followed the subdivisional practice and formed itself into twelve "governments". This same practice was also followed by the clergy in their meetings. In 1707, moreover, the King ordered the Notables to subdivide themselves into seven "bureaus".
So, when the third estate on the 12 May felt that the action of the other two bodies would necessitate action on its part it decided to divide itself into twelve "governments" according to the practice in 1614. This it felt would enable it to deliberate effectively and at the same time prevent any appearance of separate organization.

There were certain other activities of the three bodies at the time which helped to develop the idea of doing work through smaller bodies. The early practice of sending deputations to the King when there was need of communicating with him was one such factor. The conciliation commissions which lasted for some time also contributed greatly. The nobles too, quite early, named a commission to verify their credentials and this was known to the third estate as early as 13 May. That all these practices were not without their influence on the thinking of the deputation is shown by the fact that later when discussion arose as to whether it was practicable to adopt the division into Bureaus the argument was advanced that their meetings in the "governments" had demonstrated the usefulness of such an arrangement. This plainly indicated how their experience had influenced them in adopting, on 6 June, the division into twenty Bureaus which was the only part of the rules then presented to which they agreed. Thereafter, the number of Bureaus was finally increased to thirty by the revised rules adopted in the latter part of July.
CH. III

Each Bureau was composed of thirty members chosen in an arbitrary but systematic manner which changed or reshifted its membership every month in such a way that most of the old members were transferred to some other Bureau. The Bureaus assembled only at the request of the president or by the action of the Assembly. They met after the close of the morning session of the Assembly. Each Bureau had a president and six secretaries."

On 1 Dec. 1789, the vicomte Beaucharnais proposed the suppression of the Bureaus. This may be the basis for Lord Acton's statement: "The Bureaus did not last, and their disappearance was a disaster". But the Beaucharnais proposal was rejected and as late as 9 April 1791, we note that the Bureaus were formed to elect members of the Committee of the Treasury and still later, on 30 July 1791, to elect the president of the Assembly. It would appear, therefore, that they must have lasted to the actual close of the Assembly.

The function of the Bureaus was to deliberate upon any projects, notions, or other matters which the Assembly or the president might submit to them. They were especially concerned with the discussion of those measures which related to the constitution and the finances. The members of the committees were elected in the Bureaus, as were also, the president and his secretaries. The Bureaus also had the right to give their advice and to propose projects for the consideration of the entire Assembly.
In addition to the general agencies just mentioned which took care of the general work of the Assembly, itself, special agencies were needed to cope with such special tasks as settling the disturbances in the town of Poissy, revising the criminal procedure, bringing about the free movement of grain, suppressing the feudal system, and many other problems some of which have already been indicated in the preceding chapter. Ample reason for this practice is indicated by Volney's words on 27 July: "...for eight days we have not been occupied with the affairs of the state. It seems to me that...in order not to involve ourselves in a labyrinth it is advisable to establish a committee to which will be referred all affairs of administration and of police." 26

Undoubtedly, the measures which had already been taken, such as the division of the third estate into "governments", the formation of bureaus, and the conferences through conciliation commissions had accustomed the Assembly to the practice and idea of handling special matters through delegated smaller bodies. Nor were the deputies totally ignorant of the committee systems in America and England for Volney in advocating the committee just mentioned backed it up with the argument that the same practice
was followed in the American Congress and in the English Parliament. And so the pressure of their experiences combined with these resulted in the origin of the French Revolutionary committee system. This is plainly indicated by the nature of the first few committees which were created as well as the order in which they were created.

From what has been said it seems only natural that the Assembly should begin what was to be an elaborate committee system with the formation of certain basic or fundamental committees suitable for the care of the first needs which presented themselves.

The first committee to be created was the Committee on Grain Supply. It was, undoubtedly, the result of a food crisis which existed at the time the Assembly constituted itself (17 June). There was a great deal of trouble about the food supply. The free movement of grain, especially, became such an acute problem that one of the very first acts of the self-styled Assembly on 17 June was to name a Comité des Subsistances. This was done at the instance of Chapelier and Targot, who emphasized the critical state of the food situation. On 19 June "the Assembly" reaffirmed this decree. The object of the committee was to investigate the causes of the grain shortage, any obstacles put in the way of its free movement, and the way of remedying
the whole situation. It proved to be unable to cope with the problem and was even considered a hindrance, being charged with serving as a means by which the government agents covered their neglect to execute the Assembly's decrees. It was, therefore, suppressed on 15 Oct. 1789. This illustrates how outside conditions operated to bring about the origin of a committee organization.

Certain needs of the Assembly, itself, also manifested themselves and required to be taken care of immediately. The first of these needs was the question of rules. We have already seen that their importance was felt as early as 6 May by Malouet and that after temporary organization took place (12 May) a commission had been appointed to draw up provisional rules but that still no rules had been adopted. Together with this anomalous situation was felt the need also of making a permanent record of the Assembly's activities. The motion for a Committee on Editing to do this had been made as early as 20 May 1789. An appeal also was sent to the Assembly asking it to print its activities in the form of a journal as a supplement in the "Mercury". The propositions were rejected because the Assembly had not yet constituted itself and wished to avoid the appearance of separate organization at the time. Again after it had constituted itself, on 17 June, the further need arose of taking care of the unverified deputies of its own order and those of the other two orders whom it expected to join it, some of whom were already beginning to come in.
Consequently, on 19 June, Tarbog, who seems to have realised in a measure, the nature and extent of the tasks which confronted the Assembly, as well as the importance of having committees to deal effectively with these tasks, proposed to the Assembly the creation of several committees. As finally adopted the decree provided for four committees, as follows: Rules, Editing, and Verification, and the Committee on Grain Supply, named on 17 June, was also reaffirmed on this day.

The work of the Committee on Rules was, of course, the devising of internal regulations for the Assembly. When the final draft of those was adopted by the Assembly on 29 July 1789 the committee went out of existence. But the laxity in the observance of the rules was so great that on 23 January 1790 another committee was named to draw up penalties for breaches of the rules. Certain of the provisions it presented were adopted on 20 June 1790 and it was also dissolved.

The Editing Committee which functioned throughout the life of the Assembly was composed of twenty members elected in the Bureaus. When the Clergy and Nobles joined the commons, ten members from each of those other orders were added to the original committee. It drafted the various mémoire, addresses, and decrees which the Assembly desired to preserve.

The last of these committees, that of Verification,
was composed of thirty-two members, one from each généralité.
On 22 June 1789 when the Clergy joined the Commons,
sixteen of their number were added to this committee. On
25 June the same number of the Nobility were added. Its
function was to verify the credentials of the members
after 19 June and to settle any disputes in regard to them.
This committee also remained active during the entire
existence of the Assembly for it was perpetuated in
order to examine and report on the credentials of the
substitutes who replaced the old deputies, to report
to the Assembly demands for leave of absence, and
to attend to anything else that might come up in
connection with the credentials of the deputies.

There were two other committees which were created
at a much later date but which will be considered here
because their functions concern the Assembly as a whole.
These were the Central Committee and the Committee on
Decrees.

The Committee on Decrees was created to expedite the
dispatch of the Assembly's decrees. This was such an
essential task that the committee remained to the end
of the Assembly and a like committee was created at
once by the Legislative Assembly which followed. It
originated thus. Complaints were received in the latter
part of 1789 that the decrees of the Assembly arrived
late or not at all. Among others, Rabaut Saint-Étienne,
on 21 Nov. 1789, complained that in his province many
municipalities had not received various decrees of the Assembly, especially those of 4 August, while martial law had been published promptly.\textsuperscript{29} He presented a decree providing for the creation of a committee to look after this. The Assembly adopted the decree. The work of the committee was to communicate with the keeper of the seals and the secretaries of the state for the provinces in order to make sure of the dispatching of the decrees, keep track of the receipts indicating this dispatch, and report to the Assembly. Registers of the decrees rendered, with the date of passage, the date of sanction, and the object of the decree were kept. The Committee also supervised the copyists and compared the laws in the chancellory with those in the minutes of the Assembly.

The Central Committee was established in the effort to avoid disorder in the Assembly arising from an unregulated presentation of matters for deliberation. The occasion of its creation was the altercation, on 2 March 1790, between the reporters of the Committee of Agriculture and of Colonies as to whose report should be considered first. The general disorder resulting from this caused Camus to demand the creation of a committee to fix the order of discussion. Nothing was done, however, until 23 September when, on Chapelier's presentation of a decree on the subject a committee was established. As this first committee failed to function effectively, however, a new committee was created on 7 December. It was elected in the Bureaus on 8 Dec. 1790.
This committee was composed of six members, André, Regnaud, Folleville, Bouché, Richier, and Crillon, the younger.

Its function was to follow the order of the work of the committees, to report the state of this work to the Assembly, to indicate the order in which these matters were to come up for discussion and finally to report to the Assembly the state of the work and what remained to be done. When decreed by the Assembly the work was to be taken up in the order established by the committee. The committee made a report as late as 1 Jan. 1791 and from the nature of its work it must have functioned until the end of the Assembly.

Having taken the initial step the Assembly gradually established the practice of creating committees as they were needed.

These committees in the order of their creation are as follows:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date Created</th>
</tr>
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<tbody>
<tr>
<td>Constitution</td>
<td>6 July 1789</td>
</tr>
<tr>
<td>Finance</td>
<td>11 July &quot;</td>
</tr>
<tr>
<td>Researches</td>
<td>20 July &quot;</td>
</tr>
<tr>
<td>Reports</td>
<td>28 July &quot;</td>
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<tr>
<td>Feudal</td>
<td>12 August &quot;</td>
</tr>
<tr>
<td>Judicial</td>
<td>12 August &quot;</td>
</tr>
<tr>
<td>Ecclesiastic Affairs</td>
<td>12 August &quot;</td>
</tr>
<tr>
<td>Five</td>
<td>31 August &quot;</td>
</tr>
<tr>
<td>Twelve</td>
<td>2 September &quot;</td>
</tr>
<tr>
<td>Agriculture and Commerce</td>
<td>11 September &quot;</td>
</tr>
<tr>
<td>Criminal Legislation</td>
<td>1 October &quot;</td>
</tr>
<tr>
<td>Military</td>
<td>2 October &quot;</td>
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<tr>
<td>Domains</td>
<td>6 October &quot;</td>
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<tr>
<td>Patriotic Tax</td>
<td>23 October &quot;</td>
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<tr>
<td>Marine</td>
<td>21 November &quot;</td>
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<tr>
<td>&quot;Lettres de Cachet&quot;</td>
<td>1 December &quot;</td>
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Committee

Pensions
Taxes
Frondity
Liquidation
Colonial
Allocation of National Goods
Tithes
Assignats
Avignon
Diplomacy
Money
Rolath
Central
Revision
Extraordinary Fund
Sito
Instruction

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In addition to the standing SPECIAL AGENCIES committees which were the regular agencies there were certain exceptional agencies which were connected with the Assembly though they were not directly concerned with its main tasks. One of those was the committee appointed to make an inventory of the royal store room. It was decreed, on 22 April 1790, at the request of Camus who had suggested it when making a report as a member of the Liquidation Committee. The commissioners were elected on 18 June 1791 and they made an extremely long and thorough report on 28 September 1791.30

Another exceptional agency which is interesting because it so early foreshadowed the characteristics which were later to be displayed by the Assembly was for the treatment of the crimes of lèse-nation. The occasion which gave rise to the consideration of an
agency to handle such crimes was the arrest of an officer by the name of Desonval. The authorities in Paris held him in arrest about 31 July 1789 on a charge of lèse-nation and desired the Assembly to settle the matter in order to quiet the restlessness of Paris. The Assembly, on 31 July 1789, confirmed its declaration of 23 July as to its intended establishment of a tribunal to pronounce on such cases, and its decision for a Committee of Investigation (28 July) to receive information on such matters. The Committee on Investigation had been elected on 30 July but a permanent tribunal never materialized until the constitution was put in effect. The case of Desonval, therefore, was referred to the Committee of Investigation on 1 August 1789.

But the Châtelet of Paris was empowered on 14 October to investigate, decree, and examine, provisionally, all cases of lèse-nation according to the provisional law, without, however, the power to pass final judgment. Many of the members objected to granting this prerogative even temporarily to the Châtelet, fearing that it would use it arbitrarily. So, when the Assembly was debating that part of the constitution concerned with the establishment of courts, the Châtelet was attacked vigorously. Some of the members wished to abolish it entirely as unconstitutional. Chapelier determined the opinion of the Assembly by admitting that it was impossible to conserve the Châtelet but arguing that the abolition of all its functions at
the time would have had consequences and so advising that only its lèse-nation jurisdiction be taken away. This the Assembly did on 25 Oct. 1790. For a time the Assembly either dealt with lèse-nation cases itself or referred them to some tribunal which it designated as occasion arose. Finally on 5 March 1791 it established a provisional court at Moulon to try cases of lèse-nation. This court was to last until the national High Court provided for in the Constitution was installed.

The Commissioners or treasurers of the patriotic gifts offer another interesting sidelight on certain phases of the revolution. They were appointed on 19 Sept. 1789 to take care of the patriotic gifts which were sent to the Assembly. This was done at the request of M. Camus who had taken care of them but was not able longer to do so in his capacity as archivist. The gifts started shortly after Mirabeau, when replying to Necker's demand for a loan, had suggested that a voluntary tax be instituted. On 7 Sept. 1789, a number of Parisian women had presented their jewels as gifts and had started a practice which was followed throughout the existence of the Assembly. The treasurers of the patriotic gifts kept a register in which the gifts were entered. They made their reports through the Finance Committee.
and on 17 June 1791 their functions were taken over by the extraordinary fund commissioners.

Thus, as its work multiplied, and the Assembly created committees or other agencies to meet each new demand, it found itself building up an elaborate organization. But since these did not come all at once and were unprepared there arose the problem, which merits our consideration, of adjusting the different agencies as they were created to those already existing and to the organization of the Assembly as a whole.
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According to Lalanne, the name "doyen" is a transformation of the term deacon (decamus in Greek). It was applied during the middle ages to the titular priests, or the rural parishes. The districts under the control of these titular priests, or doyens, were called "doyenné". In the monasteries, also, there had been "doyens" or "dizainiers" (thithing-men), who were put at the head of groups of ten monks each. The "Polyptique d'Irmion" informs us, says Lalanne, that the lords (seigneurs) centralized the management of their lands into the hands of a single officer whose jurisdiction was called a "doyenné". As time passed the title of doyen came to be applied to certain of their members, ordinarily the eldest, by almost all the ecclesiastical or civil corps which were regularly organized. Also, the peerage had had its doyen who was the duc de Bourgogne. In the Parlement and in the Council of the King the precedence was accorded to the eldest. Finally, the members of the Universities had elected their "doyens", or deans. Thus, the office of doyen or dean was well known at the time of the Estates-General of 1789.


4. Ibid., VIII, p. 32.


9. Acton, p. 94.

10. Arch. Parl., VIII, p. 300; also see Appendix.

11. Ibid., p. 95.

On the social status of the officers of the Assembly Lord Acton comments significantly:
"The first presidents were prelates and men of rank. Out of six elections only one fell to a commoner until the end of September, when the leader of the Liberal Conservatives, Mounier, was chosen, at what proved a moment of danger. In the same way, the thirty chairman of the Bureaux were, with scarcely an exception,
always taken from the clergy or nobles."


15. Acton, p. 94.


18. Sait also states that there had been "bureaus" in the old States-General.


20. Ibid., VIII, p. 35.


23. Ibid., VIII, p. 35.


25. Acton, p. 95.

26. Ibid., VIII, p. 279.

27. Ibid., IX, p. 440.

28. Ibid., XXXIV, p. 203.

29. Ibid., X, p. 159.

30. Ibid., XXII, p. 115.

31. Ibid., XX, p. 37.

32. Ibid., XXIII, p. 678.
CH. IV
GENERAL OPERATIONS OF THE ASSEMBLY
CHAPTER IV

GENERAL OPERATIONS OF THE ASSEMBLY

It has been seen how the work which confronted the National Constituent Assembly forced it to develop an elaborate organization. But the actual functioning of the organization was a vital question in view of the adverse conditions under which it must work and the pressure of the many difficult tasks to be handled by it. So, in order to cope successfully with its varied problems the Assembly had to work out a method of operating this machinery effectively. It is then of special interest and significance to see how this Assembly almost without practical parliamentary experience or even a clear notion of its needs developed a procedure and mode of operations which were to be of incalculable influence in French History.

It is improbable, however, that the Assembly began with a total lack of modes of procedure since it had the Clerical Assemblies, the meetings of the Notables, and the Provincial Assemblies to draw upon for guiding precedents. Moreover, Graham Wallas, declares that Dunont was a follower of Bentham, and, as Mirabeau's secretary introduced many details of Bentham's political proposals into Mirabeau's speeches. He states that in University College, London, long slips of manuscript are still to be found with the inscription, "To be shown to M. Mirabeau." But S. Raffelovich states that, although Bentham's full
intention was to present to the Estates-General this sketch of Assembly procedure (Tactique des assemblées politiques délibérantes), based on the practices of the English Parliament, which he had begun to write at the time of the convocation of the notables in 1769, it had not been finished when the Estates met. He is of the opinion that it was not used. There is no evidence of the use of any such plan but it would be interesting to compare the procedure of the Assembly with Bentham's "Procedures of Political Deliberative Assemblies", which was published in 1802 by Dumont. 2

The first of the elements in the operations of the Assembly is the procedure which it developed. The exceptional activity displayed by the members of the Assembly from the very first was most remarkable. The length of the sessions of the Assembly indicated clearly how unceasingly the deputies worked and the intense strain of the task imposed upon them. The habits of irregularity which were formed in their procedure before they were definitely organized carried over after this took place.

The custom had become fixed of

PROCEDURES: opening the sessions of the Assembly
SESSIONS at 9 A. M. and closing in the early
afternoon. But this practice was not
strictly adhered to even after the rules were adopted
and special decrees were passed naming definitely the
hour of opening the sessions. As a general rule they opened at 9 A. M. and closed at 3 or 4 in the afternoon. Evening sessions were held from 6 to 10 o'clock. On 16 Nov. 1789 the Assembly adopted Tuesdays, Thursdays, and Saturdays as the days when both evening and morning sessions were to be held. The Bureaus held their sessions at the close of the morning sittings of the Assembly. The committees, also, held their meetings in the evening after the Assembly had closed its morning work unless the demands of the Bureaus or of the Assembly interfered.

One of the problems which the Assembly had to solve was the establishment of a proper form of deliberation and the observance of this form. The Assembly at first had no regular arrangement for taking up the matters which awaited its attention. The work was taken up just as it presented itself for treatment. It was soon seen, however, that if any progress was to be made it would be necessary to establish an "order of the day". On 28 Sept. 1789 it was decreed that the morning sessions were to be given to the work of the Constitution and finances. The evening sessions were to deal with "private bills" concerning the affairs of individual provinces or municipalities and persons. Later, it was decreed that Monday, Tuesday, Wednesday, and Thursday mornings should be reserved for the Constitution, and Friday, Saturday, and Sunday mornings for the finances.\textsuperscript{3}
The rules provided that the President should have a register of the order of the day and announce at the end of each session the matters with which the next would deal. On 16 Nov. 1789, the rules were reinforced by a special decree to the effect that the matters of the evening session should be announced in the morning session. On 22 June 1790, another decree provided that the order of work for the next day should be posted on the rostrums the morning before with the names of the committee reporters. In this decree it was expressly stipulated that the affairs of the evening must follow the order in which they were written on the register of the President and that this sequence must not be changed without the consent of the Assembly. From 21 March 1790, deputations were to be received only in the evening.

There was great irregularity in the order in which the Assembly took up its work. The rules stipulated that each session should begin with the reading of the minutes and the order of the day provided for an orderly presentation of the work but these provisions were disregarded quite often. At first it was the practice to read in the beginning of each session the various communications that came in from the different sections of the country. As time passed these became so numerous that a definite time limit of half an hour was set for their reading. Later the reading was
put at two in the afternoon and finally it was relegated to the evening session. This permitted the minutes to be read first more regularly, especially in the morning sessions, but this still was not the invariable practice. The regulations concerning the exclusive treatment of financial and constitutional matters on certain days were also irregularly observed. The order of work generally followed consisted of first, the announcements of the president or the reading of addresses, then the reading of the minutes, followed by the reports of the committees with or without discussions, and finally the order of the day.5

The speakers were recognized as nearly as possible in the order in which they had asked to speak. At first, a list was made on which each one's name was put.6 Later, two lists were made, one consisting of those speaking in favor of the proposition, and another of those opposed. The people on the lists spoke alternately until the question was discussed to the satisfaction of the Assembly or the list was exhausted. The deputies spoke from notes at first and in an oratorical style without much attention to what the previous speaker had said.7 Toward the latter part of the duration of the Assembly there was more real debate and more impromptu speaking. One of the things which increased the difficulties of the deliberations was the size of the room (the manège) in which the Assembly, after 19 Oct. 1789, held its sessions in Paris, and the effect
This had on the speakers. The room was very large, long, and narrow. At one end was the President's desk and those of his secretaries (the President's "bureau"). In front of these was the "barre" where deputations and non-members stood when speaking to the Assembly. At the other end, opposite the President's desk, was the "tribune" where the members of the Assembly stood while speaking.

Speakers had to force their voices to be heard and, at first, few ventured to speak, Mirabeau's voice being one of the few that could easily fill the room. The necessity of a raised voice on the part of the speaker which resulted from this had its psychological effect on his mind. It tended to make him demagogic and lose his sense of proportion as to his own importance.

The manner of making motions was an example of the methods which characterized the work of the Assembly. According to the regulations, while a question was being debated, the Assembly could not entertain another motion except in the form of an amendment. Yet, quite often, several motions would be put one after the other for consideration before any of them was passed. This was carried to such an extent that a series of motions was presented at one time and all voted on at the same time. This practice became so annoying that complaints were made in the attempt to remedy the situation. The complexity of the motions made matters worse. Several matters were included quite often in one motion.
were discussed also without being first reduced to writing or put on the President's desk, as the rules required. Nor did the members adhere always to the rule that important matters should be discussed for three days before a vote was taken on them. Every member had the right to present motions but as time passed the motions were made mostly in the name of the various committees. Debate in the Assembly was ended by putting the "previous questions".

The rules prescribed that voting should be by "standing or sitting" or, in case of doubt, by the alphabetical roll call. This manner of voting was sometimes followed but it took so long that the Assembly too often approved measures by acclamation.

The most complex aspect of the procedure was the legislative process. The Assembly failed to establish one uniform method for the passage of bills. Legislation was begun by the introduction of a "project" or bill to be decreed by the Assembly. This was done by individual members, by deputations, by the ministers, by the Bureaus, and by the committees. Motions made in the Assembly were decreed, sometimes, before being drawn up in the form of a bill or project of a decree, and were then sent to the Committee on Editing which put them into the form of a decree. All propositions which were to be passed by the Assembly were supposed to be presented in the form of decrees (or bills), otherwise, they were sent to the
Committee on Drafting which drafted them into this form and then presented them to the Assembly for consideration. Projects and motions were sometimes printed and distributed before they were presented for discussion. This was observed very consistently with motions relating to the Constitution and the finances.

The preparation and presentation of the bill, was, of course, the first step. The next was the discussion of the bill by the Assembly. After a project was presented to the Assembly it deliberated on it and either passed it or sent it to the Bureaus or the appropriate committee for discussion. Projects and motions relative to the Constitution and important regular legislation were to be presented for discussion three times on as many different days. This rule, however, was not always observed.

The third step, in the regular process of legislation was the discussion in the Bureaus, or in the designated committee.

Then, after the Bureaus or the committee reported to the Assembly the bill which had been referred to them, further discussion might or might not take place before the Assembly dealt finally with the bill. Important bills were usually discussed at some length and voted on article by article in this last stage.
The work which the Assembly accomplished was done largely through the committees. They were an essential part of the Assembly. As its work progressed the committees gradually took over the administration of the nation into their own hands, either by controlling the existing agencies or through the creation of new ones in their stead. In connection with the legislation the committees may be divided into two classes: Those whose work was concerned entirely with the Assembly's legislative processes as a whole, which will be designated as regular legislative committees; and those whose main work was to deal with some special task outside of the Assembly which will be classed as functional committees and exceptional agencies.

In the group of regular legislative committees we will consider the Editing Committee, the Central Committee, and the Committee on the Constitution. The Editing Committee was the one which redrafted as formal decrees the bills or propositions sent to it by the Assembly. The duty of finding out the state of the work of all the committees and determining the sequence in which this should be deliberated belonged to the Central Committee. It reported to the Assembly the progress made and what was still to be done.
The Constitutional Committee was a complex one and its work was varied but its main work of forming a general and detailed plan of the Constitution necessitates our placing it with this group. It was charged also with drafting laws which were to be put into immediate effect but which fell within the proposed plan of the Constitution, such as the law on municipal reorganization.

Committees such as the Committees of Assignats, Finance, Domaine, etc., which have been classified as functional committees will be discussed fully in the next chapter. The exceptional agencies, namely, the Treasurers of the Patriotic Gifts, the Commissioners of the Royal Store Room, and the Châtelet of Paris have already been treated. There were certain activities, however, which were common to practically all these committees and which formed part of the general operations of the Assembly. These will be considered here. All the committees collected information in their special fields and presented it to the Assembly in the form of reports which were usually accompanied by projects for decrees based on the reports. The information in the reports was obtained sometimes through investigations by the committee itself but usually from communications sent either directly to them or indirectly through the Assembly which distributed what it received to the proper committees through one of its routine "bureaus"
CH. IV

The committees had access to all public documents and were at liberty to call on experts in any field for advice, a privilege of which most of them availed themselves. They were also in direct communication with the King and the ministers. The ministers cooperated actively with the committees, furnishing them information and attending their meetings. As the committees extended their jurisdiction they assumed new tasks. They published instructions to expedite the working and application of the laws which, the Assembly passed on their advice. They followed the execution of those laws and were in constant communication with the administrative authorities. As a result, the committees also gave their advice on difficulties which arose when the laws came to be applied and interpreted the decrees of the Assembly. When questions arose as to their meaning in certain cases.

The committees worked, more or less, in harmony with each other. Documents given them which were not within their jurisdiction they referred to those to whom they properly belonged. When the need was felt they asked each other's advice, and often, as the occasion demanded, two or more cooperated in the solution of matters which fell within the jurisdiction of several of them.

The membership of the committees was commonly but not invariably renewed at regular periods and
their officers and secretaries were elected monthly. Minutes of their activities were kept, as well as records of documents received by them. Regular sessions were held, usually after the morning session of the Assembly when the Assembly's demands did not interfere, but special sessions were held at the request of the President of the Assembly who had the privilege of calling them to meet at any time.

Quite in contrast with the practices of the Assembly, the procedure in the committees was quiet and orderly and work went on smoothly.

On the contrary, the conditions under which the Assembly worked were such as to exaggerate the dangers inherent in the situation and contribute to the development of latent radical tendencies. Working under new conditions, with a heavy load, and with pressure from every side, the inexperienced Assembly was not insensible to the shouts from the visitors' galleries. This uproar was not conducive to the cool deliberation which the occasion demanded. As early as 28 May 1789, the Estates-General was forced to prohibit applause and tumult from the gallery. As soon as the rules were adopted in July this prohibition was included, but it was not observed, and so the Assembly, as late as 1 June 1791, passed a special decree forbidding demonstrations of any sort from the galleries.
Another element which played an important part in influencing the conduct and attitude of the Assembly was the enormous number of addresses from all parts which were sent daily to the Assembly. With few exceptions these addresses expressed devotion and approved the decrees and actions of the Assembly in very flattering terms. They also gave a vivid description of the deplorable state of the country and expressed the constituents reliance on the power of their representatives to save them. Although the addresses became so numerous that they seriously interfered with the Assembly's business they continued to be read in the evening sessions. Deputations also became such a burden that the Assembly finally refused to receive any but those that represented the municipality of Paris. Deputations began to reappear, however, by 1791.

The influence of the Jacobin Club is notorious. Many of the popular leaders such as Mirabeau, Sieyès, Barnave, Pétion, Volney, Robespierre, Lameth, and Bouche were members of it. It was composed of the radical elements whose revolutionary tendencies were pronounced. It met every evening and most of the matters discussed in the Assembly were dealt with beforehand by the Jacobins in their club. Most of the motions and decrees presented by the discussed popular element were discussed and decided here, before being introduced into the Assembly.
So great was the Jacobin influence that most of the motions supported by the Club were passed. 17

One of the new adjustments that the Assembly had to make in its operations was its relation to the court and the King. The time was not ripe for the creation of new executive machinery and so the Assembly had to adapt what it could of the old institutions to the changed situation. The relations between the King and the Assembly were carried on directly through the President who had access to the King and brought all matters of the Assembly to the King for his sanction and promulgation. Deputations on special occasions were sent by the Assembly to the King. 18 The ministers also cooperated directly with the committees, being present at their meetings and furnishing them information. They also brought in person, or by written communications the messages of the Court or of their departments. The committees also communicated directly with the King.

One practice which gradually developed deserves special notice. This was the interpolation of the ministers. As has already been mentioned the ministers were in close touch with the committees and through written communications with the Assembly. The Assembly felt the need of greater control over the ministers from the very first. The laxity displayed in the execution of their decrees was continually complained
of by the members. Robespierre in November 1789 insisted that there must be closer cooperation between the ministers and the Assembly. The ministers had sometimes come into the Assembly to make a report or a statement and, as early as 5 November 1789, Mirabeau had asked that the ministers have a consultative voice in the Assembly. The earliest interpollation took place when Champion Cieé, Keeper of the Seals, was called, on 21 Oct. 1789, to explain why the decrees of the Assembly had not been sent on time. After 21 June 1791, when the King's attempted flight precipitated matters the practice became well established. All the ministers were called and instructed to execute the Assembly's decrees. Several of them were interpollated. Finally, a decree was passed authorizing the ministers to attend the sessions of the Assembly.

Of the many factors that influenced the trend of the Revolution not the least was the operations of the Assembly. As has already been suggested, under the existing conditions the work of the Assembly did not run smoothly and regularly. Regulations were often broken and playing to the gallery was inevitable. These conditions brought out the emotional side of the deputies and exaggerated factional jealousies as well as the conception of their own importance. The result was a great deal of disorder in the sessions of the Assembly which several times was on the point of breaking into open conflict. There was much quibbling over details
with the consequent loss of time while at other times important measures were rushed through hurriedly. However, in spite of all these obstacles the extent and variety of the Assembly's operations and the actual amount of work, both legislative and administrative, which it accomplished indicated that with all its defects the Assembly's operations made possible the passage of a mass of constructive and practical measures without which the revolution would not have succeeded.
4. Ibid., IX, pp. 239-240; XV, p. 418.
5. Ibid., XVIII, pp. 1, 37, 50, 51, 68, 511; XX, p. 657; XXVII, pp. 696, 752.
7. Young, pp. 796-7; Bourne, p. 93; Morris, I, p. 278.
11. Ibid., VIII, p. 311

The visits of the King to the Assembly also serve as an indication of the close relationship between them. They show also how sensitive the Assembly was about this relationship. The first of the visits occurred on 15 July 1789 during the troubles in Paris. The King during this visit declared he would "...never refuse to communicate with the Assembly at any time...." while the Assembly took occasion to state that "...intermediaries did not suit either the majesty of the throne nor the majesty of the nation." By the
time of the second visit which took place on 4 Feb. 1790, a special etiquette had been developed for the occasion and was put into effect. The bureau of secretaries was removed. A rug was placed in front of the President's place for the King to stand on, the President was to stand at the right of the King and was to be the spokesman for the Assembly, and so on. This was all scrupulously observed at this time and also on the third visit of the King to the Assembly, on 19 April 1791.

19. Ibid., IX, p. 440.

20. Ibid., XXVII, pp. 396, 484; XXIX, p. 661.

CH. V

ORGANIZATION AND OPERATION OF THE COMMITTEES
CHAPTER V

ORGANIZATION AND OPERATION OF THE COMMITTEE SYSTEM

In discussing the operations of the Assembly as a whole the relations of the committee system to the Assembly have been incidentally noted. In a previous chapter, also, the origin of the committee idea and its historical importance was indicated. It remains next to consider carefully the organization and workings of this system. For this study the committees may be classified in two main groups, a smaller group consisting of clerical committees which dealt with the internal routine work of the Assembly, and a larger group of functional committees concerned with special tasks outside of the Assembly itself.

The clerical committees, having been sufficiently discussed in Chapter IV, we will here devote our attention to the functional committees which were both regular "standing" committees and exceptional, temporary, agencies. For our purpose the standing committees may be subdivided also into major or general and minor or special.

As already indicated the growth of the committee system was unpremedi-
tated, the result of the pressure of changing circumstances. A great deal of delay and much argument was involved from the first proposal until the final adoption of most of the
committees. In most cases the committee was not established until the pressure of distracting outside affairs forced it upon the Assembly. The deputies, it is true, were imbued with the spirit of "regenerating" or rehabilitating the nation but few, if any of them, realized at first, that in order to do this they were to assume actual administration of affairs through an elaborate committee system. The argument most often used for creating committees was that it would contribute to the efficient operation of the Assembly by permitting it to work more freely on its main object—the making of a constitution—which would solve all their problems.

A few leaders in the Assembly may have had some premonitions of the significant part that the committees were to play but that all did not is shown by the arguments in opposition to Target's proposal, on 19 June, for creating several committees to deal with the finances and other pressing matters. The strong opposition insisted that there was too little work for such a large number of committees (about six) and that two committees would be sufficient to take care of all matters easily, to wit, one committee for handling the grain shortage crisis and another for the discussion of all financial matters, such as tax collection and debts. As late as 11 July 1789, when the question of forming a financial committee came up, Chapelier brought about its acceptance by minimizing its importance. Such a small thing, he claimed, as the forming of a
comdivte was not worth wasting time on nor even important enough to oppose. ²

Target, evidently, was the first to have some conception of the importance of the committees to the Assembly's proper functioning and their usefulness in coping with the external conditions which were pressing on the Assembly. He, it was, who proposed the committee of Subsistence, on 17 June, and, on 19 June, suggested several more to care for a variety of matters, although, of the several functional committees which he suggested only the committee of Subsistence was adopted at the time.³

The first of the major

MAJOR (GENERAL) standing committees, in
COMMITTEE: importance, as well as in time,
COMMITTEE ON THE is, of course, the Constitutional
CONSTITUTION Committee. It was Manuc who
took the initial stop, 6 July, by declaring that the Assembly should no longer delay starting on the Constitution. As this expressed the general feeling of the Assembly the Committee on Distribution of the Work of the Constitution was elected. On 9 July this Distribution Committee made its report and its work was finished.⁴ Its task had been to outline the general fields which were to be included in the Constitution and the order in which they should be discussed so that the work on the Constitution could be disposed of with greater speed and order. The committee was composed of thirty
members, one from each of the Bureaus. 5

This was the origin of what was to develop into a complex organization; for the Committee on the Constitution, in its final form, was composed of several sections or sub-committees. In all these were the two Committees on the Constitution proper, the Committee of Five, the Committee of Revision, the Committee of Division, the Committee of Instruction, and the Committee on Sites or Location. These will be taken up in the order named.

After the Distribution Committee had presented to the Assembly, on 9 July, an outline of the general fields which were to be included in the Constitution the next problem before the Assembly was to elaborate this and transform it into its final form as the Constitution. It was Mounier, again, who on 14 July, brought up the matter of a new committee to take care of the next stage in the development of the Constitution. After much discussion the Assembly finally adopted Pétion de Villeneuve's suggestion and decreed that a committee of eight members be elected, four from the commons and two from each of the other orders. This committee of eight was charged with presenting a plan of the Constitution, which would be discussed in the Bureaus and then presented to the Assembly. The members were elected 14 July 1789.
A most important problem of the Assembly was the drawing up of a declaration of rights. The bourgeois members opposed the scheme as likely to create trouble by arousing unwarranted hopes. But the insurrection of 14 July and early August ended hesitation on this score and brought the Assembly to a decision. At any rate, on 4 August, even before the abolition of the feudal system, the Assembly decreed that there should be a declaration of rights in the constitution. When, on 15 August, Desmeunier sought to present a plan of a declaration of rights a Committee of Five was created to take care of all such projects. and to present what it considered a fitting declaration to the Assembly. Mirabeau made the report of the Committee, on 17 August, which evidently completed the Committee’s work.

The Committee of Revision was created at the request of the Constitutional Committee itself to hasten its work. Chapelier presented the motion on 23 September 1790 and the Assembly decreed the same day that the committee be formed. The members were elected from the Assembly at large. The work of the committee was to examine all the decrees and separate those which were legislative and regulative from those which formed a part of the constitution. It revised the drafted constitutional articles which were decreed by the Assembly.
The increasing burden of work made necessary the creation of the Committee of Division which was created on 1 December 1789. It supervised the division of the nation into departments, districts, and cantons.

Further differentiation took place through division of work. One of the results was the formation of a Section or Sub-committee on Instruction. All matters relating to public education were taken care of by this committee. Another sub-committee was the committee on Site or Location. It was created after the establishment of the administrative corps and the courts to house the new bodies. The committee also rendered an account of all the buildings used by the old administrative regime and the disposition made of them.

The most complex and the largest of the major standing or regular committees was the Financial Committee. It was the result of the attempt made to ameliorate the financial condition of the nation. The financial crisis had been the occasion for the calling of the Assembly, and it was only natural that the first thing to be mentioned after the Assembly was formally instituted on 17 June should be taxes and debts. On this day the
Assembly adopted the decree of Chapelier and Target by which it declared existing taxes illegal but to be continued until new ones could be passed by the Assembly. This was immediately followed by efforts to bring about actual administration of finances by the Assembly. On 19 June Target proposed three committees for this purpose. On 10 July Bouche renewed the proposal but asked only for two committees. In spite of the opposition on the basis that the Constitution must be finished before the financial situation could be touched the committee was established 11 July 1789. But this was only after Chapelier’s argument that the committee would only prepare matters for discussion and that it was not important enough to waste time discussing it. It was a committee of 62 members, 30 elected by the Bureaux and 32 by the généralités.

From its origin the Committee of Finances was divided into different sections in accordance with the different aspects of the financial administration. Its sections finally consisted of the Committees of Twelve, of Patriotic Taxes, of Public Taxes, of Assignats, of Liquidation, and of the Extraordinary Fund.

The main Committee on Finances, after its several sections were detached from it, dealt only with what properly concerned the public and national treasury and the ordinary public expenses.
The creation of the subsidiary Financial Committee of Twelve and the Patriotic Tax Committee came about in this manner. On 7 August Necker asked for a loan, accompanying his demand with the usual dismal account of the finances. Mirabeau insisted that a voluntary patriotic tax was the only thing possible since the mandates of the members forbade consideration of finances until the Constitution was done. Before the end of August a voluntary patriotic tax was decreed for which each citizen assessed himself. This logically called for a Committee on Patriotic Taxes but the Assembly, as usual, put off making a decision.

Instead, when Necker's report of the discussion which followed ended in the passage, on 31 August 1789, of Talleyrand's proposal for a Committee of Twelve, its members to be chosen by the Finance Committee. In cooperation with the Minister of Finances, the committee of Twelve was to examine the financial transactions and propositions submitted to the Assembly and to establish a balance between the expenses and receipts. An account was to be rendered of this to the Assembly and also an account of the memoir of the Finance Minister concerning the loan.
It soon became necessary to establish also the deferred Committee on Patriotic Taxes. On 29 August, shortly after the voluntary tax had been passed, Comte de Crillon proposed the creation of a committee on taxes which should provide new taxes to replace the odious old ones. By this time patriotic gifts were coming in and the Province of Touraine had already, on 27 August, sent in a voluntary tax. The Finance Committee proposed, on 6 Oct. 1789, that the Assembly institute a voluntary tax to the amount of one fourth of the income of each individual and that a committee be created to concern itself with the operations incident to this tax. So, in place of Crillon’s committee, the Assembly adopted this Patriotic Tax Commission. The commission was composed of the Finance Minister and commissioners appointed by the Assembly from its members.

Its work was to supervise all operations necessary to put the decree into execution, to write letters, and to take care of the funds. On 4 June 1790, the Finance Committee was given charge of the work of the Patriotic Tax Commission and its place was taken by the Committee of Public Taxes\(^9\) which will be taken up next.

The patriotic tax was not effective enough immediately to remedy conditions and this forced the Assembly to consider again Crillon’s proposal of 29 August for the establishment
of a committee on taxes. The Assembly was brought to it by the complaint of the comptroller general, on 26 December, who declared that many towns refused to pay the old taxes despite the Assembly's continuance of them. The Assembly wished to postpone the matter but soon the extremely miserable condition of the people forced a decision and, on 18 January 1790, the motion carried deeming a committee on taxes.

In the meantime the question of the debt of the nation was pressing for immediate attention. The Assembly decided to try more rapid measures and the result was the Committee on Assignats. The public debt in 1790 was four billion, two hundred forty two millions. The Assembly decided that it was only by issuing assignats on the basis of national property that it could liquidate the debt.

On 2 November 1789, the property of the clergy had been expropriated and put at the disposal of the state, seeming to offer a fertile source of revenue for the new order. and the Assembly was not long in taking advantage of its opportunity for on 17 April 1790 it decreed the sale of certain of the national property which was to liquidate the debt. Believing that only by the issuance of assignats would it be able to put through this sale it also decreed the issuance of 400 millions in assignats. Thus, at the end of 1790 there were in circulation 1200 millions of assignats, requiring to be burned up as the national property was sold. 10 The importance of assuring the
public that all which concerned the manufacture of assignats was scrupulously supervised resulted in the election of a Committee of Assignats. It was done on 17 April 1790, at the request of the Committee of Finance which had the task of printing the Assignats. The assembly first decreed that the Financial Committee should name four commissioners but additional members were added on 15 Oct. 1790, 9 January 1791, and 22 May 1791 which brought the total membership to twenty four, of which number four were chosen by the King. The committee cooperated with the Finance Minister in supervising the manufacture of assignats, the delivery and manufacture of paper, and the putting of the assignats into circulation after the bills were stamped, signed, and numbered by the treasurers of the Extraordinary Fund.

In order to deal more effectively

LIQUIDATION COMMITTEE

with the matter of internal debts and expenses another agency was decided upon by the Finance Committee. Lebrun, in its name, proposed the creation, on 22 January 1790, of a committee on liquidation of arrears to be composed of twelve members. The Assembly passed his proposal. By 7 Nov. 1790 the number of members on the committee had become twenty one. The committee was formed in sections, divided according to the various departments in which arrears of state payments and expenses existed.

Its work consisted of finding out the amount and
status of the state debts and proposing decrees for their liquidation. The committee existed until the end of the Assembly but practically all of its work was taken over by the Central Committee of Liquidation sometime after the latter was created on 7 November 1790.13

Another plan which was proposed to cure the financial ills was the establishment of a national bank but the proposal led only to the formation of what became known as the Extraordinary Fund and the creation of a committee to care for it. As early as 22 Sept. 1789 Castine had suggested the establishment of a national bank because of the impossibility of continuing the loans. He proposed therefore a committee of eight to make a plan for a national fund. However, on 14 November, Necker proposed, instead, to transform the caisse d'escompte into a national bank. Many plans were submitted. Labordé de Mériville's was one of the prominent ones. To examine these plans the Assembly appointed a Committee of Ten on 8 Dec. 1789. The plans of Necker and de Mériville were to be especially considered. The work of the Committee of Ten was completed with the report they made on 17 Dec. 1789. In the plan included in this report was the proposal for creating an extraordinary fund from money derived from the patriotic taxes, the
sales of national property and domains, and any other extraordinary receipts of the state. This extraordinary fund was decreed by the Assembly. The Committee of Finance was charged with the work but it evidently did not do much in this connection consequently on 18 Nov. 1790 Camus asked that it should make its report, and then three days later, when the Committee of Alienation rendered an account of a sale of the national domains, Camus asked for four commissioners to supervise the extraordinary fund since sales of the domain were coming in. This the Assembly decreed.

In general the Extraordinary Fund Committee supervised the fund which went under this name. It proposed decrees which controlled its administration, supervised the burning and manufacture of assignats, stamped, signed, and numbered the new assignats, and was present at the monthly verification of state funds.

The Extraordinary Fund Committee is the last of the sub-committees of the Finance Committee. There were, however, certain other committees which were closely allied in function with the Finance Committee and have been grouped with it. These are the committees of Central Liquidation (in which is included the Direction General of Liquidation), Judicial Liquidation, Committee of Ten, and the Committee on Money. The Committee of Ten has just been discussed in connection with the Extraordinary Committee.\textsuperscript{14} The other committees will now be taken up.
The creation of the Extraordinary Fund was an attempt to systematize and centralize financial operations. As a further effort in this direction there resulted the General Direction of Liquidation composed of the Central Committee of Liquidation and the Director General of Liquidation. On 29 September Perisse Dulne had proposed, in order to facilitate the sale of national property and relieve the national debt, the issuance of assignats on the basis of this property to two thirds of its value. These assignats were to be given to the national creditors to cancel the national debt. Camus, also, advocated this method. Finally the Assembly passed a decree to the effect that the debt of the state not yet settled and that of the clergy would be paid in assignats without interest. All assignats returned to the extraordinary Fund were to be burned. The Finance and Alienation committees which had been ordered to present the arrangements for the execution of this decree made their report on 7 Nov. 1790. In this report the committees advised the centralization of the liquidation of all debts in the interest of efficiency and uniformity. For this purpose they proposed a committee to validate charges or securities. Nothing was done at this time but the idea of a central committee and centralization of liquidation was firmly established. The subject
dragged on for a month until 7 Dec. 1790 when the Committee of Liquidation asked for an extension of jurisdiction. Then a new committee was elected, composed of two commissioners from each of the committees of Judicature, Finance, Alienation, and of the Constitution. It made its report on 13 December. Three days later its report was adopted. The purpose of the plan was to bring about uniformity and centralization of all liquidation operations. In the report of the commissioners was included a decree which the Assembly adopted, establishing the General Direction of Liquidation. This was composed of a Central Committee of Liquidation named by the Assembly, under the orders of a Director General of Liquidation who was appointed by the King.

The committee of 7 December 1790 which had been created only to present this plan to the Assembly was continued by the Assembly and became the Central Committee of Liquidation mentioned in its own plan. The decree also provided that the Director General of Liquidation was to be the head of this committee and was to make his reports to the several other individual committees which dealt with some phase or other of the liquidation problem as part of their functions. But on 3 March, at the request of the Central Committee itself, the Director General was ordered to make his reports to the Central Committee only, not to the others. So the Central Committee of Liquidation became the real center of all liquidation operations.
The work of the Central Committee was to find out the actual arrears in domestic payments or debts of each department and to deal with all measures connected with the liquidation of arrears. The Director General was to verify all facts necessary to arrive at this liquidation. All the committees, such as those of Liquidation, Domains, Finances, Pensions, and so on, which dealt with any phase of liquidation handed their work over to liquidation "bureaus" created by the Central Committee and controlled by it. The various committees just mentioned had a right to inspect the work done in their respective fields and, until 3 March 1790, the Director General made weekly reports to them. After that date he made his reports to the Central Committee which reported to the Assembly.

The Judicial Committee was joined to the Central Committee of Liquidation sometime after the Central Committee was established. The Judicial Committee had been created several months before, on 15 August 1789, to concern itself with laws in regard to the settlement of the former judicial offices of the old regime. It came about as a result of the decree of 11 August 1789 which abolished manorial justices whereupon Chasset moved on 12 August 1789 that a committee be created to make laws for the final disposition of matters connected with the abolished judicial offices. The next day the Assembly passed a decree establishing this committee. It was composed of 30 members elected
in the Bureaus. Later 6 more were added.

The Committee on Money is the last of the group dealing with finances. The great amounts of paper money issued made it necessary to establish a committee to deal with the administration of its manufacture. On 28 August 1790 Virieu asked for such a committee. The Assembly adjourned the matter until the demand for the issuance of small money forced it, 11 September 1790, to create Virieu's committee of seven. On 1 August 1791, six more members were added. This committee occupied itself especially with details of monetary legislation: the buying, refining, melting of bullion, the designs and weight of coins, and like matters.

The next of the major standing committees, the Committee of Reports, ranks with the most important committees of the Assembly. Aulard emphasizes its historic importance when he says that the Assembly formed "...a Committee of Inquiry and a Committee of Reports which are, as it were, rough drafts of the Committees of Public Welfare and of General Security." Ferrières makes a much stronger statement. He claims that the Committee of Reports, itself, assumed extraordinary
prerogatives and controlled internal affairs usurping the jurisdiction of the ministers. 16

These statements are perhaps too strong. But the two committees were certainly instituted when conditions were favorable for the development of extraordinary powers, especially since the Assembly had no other means to deal effectively with the national detective and police problems. The Paris disturbance in July 1789 had placed the Assembly in a critical as well as strategical position. Paris had recognized the authority of the Assembly as primary but Paris had to be kept within bounds and the disorders both therein and elsewhere had to be attended to. Then the relation of the Assembly to the King had become extremely delicate. The Paris insurrection and the Assembly's fear of the royal troops were bringing the controversy of the withdrawal of the troops to a climax. In order to deal adequately with the disorders and conspiracies and to protect itself from all sides, the Assembly found it necessary to create the two Committees of Investigation and of Reports.

Also, the disturbances and troubles in the provinces had resulted in a tremendous increase of the addresses and petitions presented to the Assembly, thus interfering with its more important activities. Ostensibly as a relief expedient, Fréreau voiced the demand for the Committee of Reports on 10 July 1789. According to Ferrières, however, this ostensible motive, was only a pretense.
the real object being to get the general administration of police into the hands of the Assembly.17 Probably the committee was created for a double purpose. For, when Volney, on 28 July, renewed his motion for a Committee on police administration, the Assembly elected thirty members in its Bureaus to form the Committee of Reports. And yet, its primary function was to receive all communications such as memoirs, addresses, and petitions, of which it was to make a concise summarized report to the Assembly. Also, after 8 August 1789, all communications except those from the Commune of Paris, communicated with the Assembly through its Committee of Reports. Moreover, to the Committee fell other tasks. One of these was to look after the free movement of grain. It assumed, also, a certain police and judicial jurisdiction. Thus was referred to it, on 1 August 1789, the case of Bezenval, commander of the Swiss Guards, who had been arrested on 31 July 1789 by Paris authorities on the charge of lèse-nation, and by Paris turned over to the Assembly for judgement. Likewise, such cases as the accusation of Cardinal de la Rochefoucauld for writing seditious letters (18 June 1791) and the trial of counterfeiters at Dunkirk (7 Sept. 1791) were considered by it. So, also, was the general issue of interference with the secrecy of the mail.18 Somewhat allied to this was another of its important functions,—that of acting as a clearing house for the miscellaneous
difficulties that arose out of the general disorder of the time. This gave it a wide range of activity for it dealt not only with disturbances arising out of such affairs as the refusal of certain sections to pay taxes, the conflicts between revolutionary committees and the old regime officials, insurrections, and so on, but also with such matters as the regulation of the price of salt, the right of soldiers to attend political societies, and the export of gold and silver.

It is quite apparent that the committee had great power but the accusation by Ferrières that it abused this power in order to further the revolution in every way, seems exaggerated. There is no doubt that it was more or less inspired by a revolutionary bias. As it depended largely on communications sent in by others for its information it probably was misled in making some of its decisions. On the other hand, it often advised postponement of decisions until adequate information was obtained. Nor are its decisions all easily reconciled with the indictment of Ferrières. Certainly there are plenty of notable exceptions. For instance, when the Bishop of Noyon was arrested as a suspect by the city of Dole, the committee reported (3 August 1789) that the arrest was illegal and advised that the matter be sent to the minister of the King as coming under his jurisdiction. Similarly, on 1 March 1791, it requested that the complaint of a certain M. Fournier be sent to the Court of Cassation, as it did not come within the jurisdiction of the
Assembly. Again, on 16 August 1790, the committee recommended that the rebels of Nancy be punished. The same attitude was taken by it towards the disorders in the department of Aude (5 October 1790), in Chinon (25 Jan. 1791), and in Morbihan (16 Feb. 1791). The work of the Committee of Reports was in many respects similar to that of the Committee of Investigation with which it united in July 1792. 20

The Committee of Investigation or Information (Recherches) as its name implies was instituted to get all information possible in regard to plots and troubles. These had increased so much after the July revolution in Paris as to force the Assembly to act. By 20 July several cities, among them Poissy and Saint-Germain, had sent to the Assembly demands for help to suppress disorders caused by brigands. An important issue that developed out of these troubles which the Assembly was forced to face was how to handle the lèse-nation cases. Mirabeau had broached the subject as early as 8 July. When Paris informed the Assembly on 23 July that it held a number of lèse-nation prisoners the Assembly realized that Paris was going too far and that the Assembly must assert its own authority. So it passed Lally-Tollendal's motion for a proclamation that punishment of lèse-nation crimes belonged to the Assembly.
Three days later, the matter of the intercepted letters of the suspected Baron de Castelnau, ambassador at Genoa, led to a demand for the institution of a committee to receive information of conspiracies. Objection was raised on the ground that violation of the secrecy of letters was condemned by the cahiers. The Assembly disposed of the matter, for the time being, by decreeing ambiguously that all papers concerning conspiracies be placed in deposit and communicated to the Assembly as occasion arose. But the subject was too important to disregard and Duport, on 28 July 1789, immediately after Volney's decree for a Committee of Reports had been passed, took the floor. Emphasizing the disturbed conditions which surrounded the Assembly he declared that further inactivity would be criminal since France expected assured safety of them. He then demanded that a committee be named to occupy itself with such matters and report to the Assembly. After much discussion, both for and against the proposal, in which a secret committee and a tribunal also were suggested, the Assembly finally decreed the establishment of a committee. It consisted of twelve members taken from the Assembly at large. It was to be renewable every month but after about nine months the committee perpetuated itself.
In the main, the work of the "Committee of Researches" was the investigation of treasonable conspiracies, while the Committee of Reports busied itself with the general disorder of the time, yet their work sometimes overlapped and, on many occasions, they cooperated. The Committee of Investigation was also accused of having grossly misused its authority. It was said to have formed a monstrous system of inquisition whose espionage was so arbitrary that even a frivolous declaration led to investigation. As in the case of the Committee of Reports, there is a certain degree of truth in such assertions. Undoubtedly, when conditions paralyzed the activity of the regular agencies a great deal of authority was assumed by the Committee of Investigation. Even as late as 15 Jan. 1791, the Assembly ordered that the proceedings of certain cases of lèse-nation should be sent to the Committee of Investigation. However, as in the case of the Committee of Reports, the Committee of Investigation received most of its information from sources outside of itself. To such an extent was this true that, on 15 April 1790, a member of the Assembly declared that if the committee did not do better the Assembly would have to call it the committee without investigation. Later, the committee became much more active but, at that, it is doubtful whether the extreme statements that it was a tribunal of inquisition and that its surveillance was despotic are justified. Relative to
this surely worthy of notice is Mme. de Stael's statement: "When the Assembly transferred itself to Paris (19 Oct. 1789)...One of its committees began to call itself the Committee of Investigation...It had no force. It did not have recourse to any espionage since it did not have any agents under its orders, and since, moreover, the liberty of speech was complete. But the name of "Committee of Investigation", alone, analogous to that of inquisitorial institutions...inspired an universal aversion. And poor man Voyodal who presided over this committee (and) who was not at all bad was not received by any one."26

The three major standing Committees, the Judicial, Feudal Rights, and Ecclesiastical Affairs Committees were the outcome of the events of 4 August. One of the results of the revolution in the provinces was the change from the old historic social and economic system to the new revolutionary one. The resolutions of 4 August 1789 to abolish feudalism were embodied in final form in a decree on 11 August. Feudal dues were extinguished through purchase. The venality of judicial offices was abolished. Church dues were annulled. Provision was made to suppress or cut down pensions and gratuities. On the following day, 12 August, M. Chassé proposed three of the committees necessitated by the action of the preceding day. They were adopted by the Assembly.
The first of these committees, the Committee on Judicial Liquidation, has been discussed in connection with the Financial Committee. 27

The Committee on Feudal Rights consisted of thirty members elected by généralités. Its task was to carry out the provisions of the 11 August decree in regard to the abolition of the feudal regime and to regulate the indemnities pronounced by the same decree.

The Committee on Ecclesiastical Affairs was originally composed of fifteen members chosen in the Bureaus. On 5 February 1790 fifteen more were added. It took care of all matters regarding the clergy, such as those connected with the alienation of moveables, the abolition of clerical privileges, the Civil Constitution, and so on.

A section of the Ecclesiastical Committee came to be known as the Committee on Tithes. The decree on 11 August had abolished the tithes but had included a provision that in some way those that were used to support the various activities of the church such as relief for the poor, public instruction, support of the priests, and so on, should be replaced. As part of its work, the Ecclesiastical Committee made a report on
23 Sept. 1789 in regard to this. The outcome was that by 27 March 1790 the Assembly finally decided that to some members of the Ecclesiastical Committee certain members of the Committees of Taxes, Finance, and Agriculture should be added to form a Committee on Tithes for more effective treatment of this subject. There were thirteen members on the committee.

The committee was engaged in devising plans for doing away with the tithes and substituting other measures to support the Church's activities. It presented decrees regulating the order in which the various tithes were to be abolished. It advised the Assembly also as to questions arising out of the application of its decrees in this connection.

Another of the committees in this group is the Committee on Pensions. It formed a part of the machinery created for financial retrenchment and reorganization. A demand for its creation had been made long before the 4 August decrees. Bouche, as early as 10 July 1789, had proposed its formation together with a general committee on finances. His motion was referred to the Bureaus. On 4 August the suppression of pensions was provided for. Mirabeau kept the subject alive and brought it to the attention of the Assembly in a dramatic fashion just at the right time. On 8 August he declared that one of the ways of economy which the cahiers had pointed out was to
remedy the abuse of special favors such as pensions and
gratuities. The, he capped his remarks with a renunciation
of his pension of two million livres and asked for a
committee to receive other voluntary renunciations of
favors or pensions. But the Assembly was busy with the
question of Necker's demand for a loan and the nationaliza-
tion of the clergy's property so his proposal was
ignored. However, when the decree of 11 August was passed
provision was made for the suppression of excessive pensions
and the Financial Committee was to present a feasible
plan. The Assembly also ordered that a statement of the
status of the pension list be drawn up. Several months
later, on 26 Dec. 1789, Camus revived the subject by
calling for the scheduled report. The report was made
on 51 Dec. 1789 but action was deferred because of other
affairs. Finally, on 4 Jan. 1790, after more discussion
Camus's motion for a committee of twelve was passed. The
committee was to present a plan for reducing or suppressing
pensions and gratuities and to draft the laws which
should govern future payment and granting of pensions.

The last of the committees which
were concerned with the destruction
of the feudal system was the committee
on alienation of the national property.
The clergy on 4 August had admitted that the nation had
a right to use church property. It had been declared in
The discussion following the passage of the 4 August decrees that the property of the clergy belonged to the nation. The nation was not slow in taking advantage of this opening and on 7 August when Necker asked for a loan the demand arose that it be based on the property of the clergy. On 2 Nov. 1789 the Assembly decreed that all ecclesiastical property was at the disposal of the state to be used for church activities. The next step was not long in coming. On 19 Dec. 1789 on the basis of a plan presented by the Committee of Ten, the Assembly adopted a decree which placed on sale the domains of the crown and the clergy, up to the sum of 400 millions, as a basis for the issuance of assignats. On 17 March 1790 the Assembly reaffirmed this decree and named a committee of twelve to dispose of this property. On 10 October 1790 eight more members were added.

The committee, with the help of experts, was to make an estimate of the church property and to sell it to the highest bidder. What was to be one of the most potent of the major standing committees, the Committee of Agriculture and Commerce came as the successor of the Committee on Grain Supply. The establishment of this, its first committee, showed how early the demoralized economic condition dictated the action of the Assembly. The Committee on Grain Supply failed to function effectively and complaints began to be made. The city
of Rouen even sent a deputation on 24 July 1789 to give an account of the disorganization which prevailed there and of the attack made on the grain wagons destined for Paris. There was an immediate demand for a committee to deal with commercial conditions but no move was made. Matters became worse and on 6 August 1789 Malouet pointed in realistic colors the deplorable state of affairs which was coming from the transition from the old to the new regime. His suggestion was to form a central bureau with branch bureaus throughout the nation. While the matter was being discussed in the Bureaus of the Assembly the grain situation became so acute that a demand was made to break the grain monopoly of certain French merchants and allow the right of purchase from foreign merchants for six months. The merchants called on the Assembly to form a committee on commerce to investigate such matters. Finally, on 2 Sept. 1789, the Assembly created the committee. Its members were elected by généralités.

The committee was to occupy itself with all affairs relating to commerce and agriculture. It was to get information on these matters and report to the Assembly. Lastly, it was to supervise the administration of matters connected with agriculture and commerce.

MILITARY COMMITTEE

The military organization was affected by the demoralization which was in evidence in the other departments of the State. The soldiers shared
the ferment and "spontaneous anarchy" which was to be observed throughout the country and among all classes. As the old machinery and officials were swept away the last chance of collecting revenue to pay and feed the royal troops went also. Discipline was replaced by insubordination, for the officers could no longer hold or control their men. The Paris disorders in July revealed the disloyalty of the French Guards, indicating that the regular troops could not be relied on by the government. The formation of National Guards in Paris and elsewhere brought in an army reflecting the spirit of the times. Problems of discipline and centralization demanded immediate attention. As time passed the Assembly found it necessary to remedy this condition. The first step was to weld the units into a single organization and bind them to the Assembly as the recognized center of authority. So, on 10 August 1789, the Assembly issued its famous decree requiring of all soldiers an oath of fidelity to the nation. But this was not sufficient and the Vicomte Noailles demanded, 13 August 1789, the formulation of new military regulations. As usual, the Assembly did nothing but discuss until, finally, the state of the army forced it to act. On 1 October Baron Wimpfen revived his motion of September for new regulations and the Assembly approved his proposal feeling that further delay would not be wise. A committee, first of twelve, and later, of seventeen, was formed.
In its hands was placed the preparation of regulations and laws which related to the organization of the army. It, also, was in charge of all matters connected with the administration of the army.

It was only natural that a Committee on Marine Affairs should follow closely the institution of a Military Committee. The Assembly evidently recognized the need of it for when the Comte de la Touche proposed its creation, on 6 October 1789, the Assembly approved his motion readily. It acted in cooperation with the minister of marine and dealt generally with all that concerned naval matters and the protection of maritime commerce.

Another of the major standing committees was the Committee on Colonies. The colonial situation was one of the pressing problems with which the Assembly had to deal both from the political and the economic standpoints. Santo Domingo was the first to call for attention from the Assembly. M. de Cochorel, deputy of this island, on 4 Sept. 1789, read a memoir asking that the Assembly prolong the ordinances regarding the importation of foreign flour in order to save Santo Domingo from famine. The Assembly decreed that a committee be created to attend to this matter. The Committee of Agriculture was to name six of its
members to form this committee. This they did on 10 September but this committee proved ineffective and complaints were made not only by the deputies from Santo Domingo but also by the rest of the colonies and by the representatives of French manufacturing and commercial interests. M. De Curt, deputy of Guadeloupe, in the name of the united colonies, made a motion, on 26 Nov. 1789, to establish a committee on colonies. On 1 Dec. 1789, the commercial interests again asked that something be done to better colonial conditions and trade. The attempt of the free negroes and slaves to gain equality and freedom also played its part in drawing the attention of the Assembly to the colonies. Petitions and even deputations were sent by the negroes to the Assembly. 31 Still, the Assembly delayed. At Martinique the colonists, tired of waiting on the Assembly, took control of the island and threatened the interests of the French merchants. M. Goupilleau, of the Committee of Reports, gave an account of this and of the conditions in Santo Domingo. It was no longer possible to postpone action and on the same day, 2 March 1790, on Alexander Lameth’s motion, the Assembly decreed the formation of a Colonial Committee to consist of twelve members taken from the Assembly at large. On 20 Jan. 1791 the deputy from India was added and on 22 August 1791 six more members were appointed to the committee.
The Committee on Colonies gathered information on the colonial situation and reported to the Assembly. It also looked after the administration and commerce of the colonies and took charge of all documents relating to colonial affairs.

The last of the major standing committees was the Diplomatic Committee. The final committee on diplomatic affairs was created about the middle of 1790 and was the outcome of what certain members of the Assembly considered a threatening foreign situation. According to Camus it was brought about by the inactivity of the ministers, who at the time appeared to doubt that the Constitution would be established. The attitude of the Assembly when it established the temporary committee which preceded the final Diplomatic Committee plainly indicated this. The Directory of the Department of Ardennes complained to the Assembly, on 27 July 1790, of the fact that Bouillé, the commander of troops, was on the point of permitting Austrian troops to pass over French territory into the Belgian provinces where a revolution against Austria was going on. Bouillé also guarded the frontier very poorly was the claim. There was great danger of coming into conflict with Austria as the peasants, greatly irritated, had armed themselves for action. Fréteau immediately demanded that commissioners should be appointed to communicate with the Minister of
CH. V

Foreign Affairs about this. The foreign situation in general made the outlook more threatening. M. d'Audrè claimed France was menaced from all sides: England was always armed, the Belgian provinces also, and the King of Sardinia had sent several regiments to Nice. He ended by demanding a committee of eight to get information as to the foreign treaties of France and report to the Assembly so that it would be in a position to act when occasion demanded. This was to be called the Committee on Foreign Affairs. D'Audrè's demand was disregarded but the Assembly passed Frêteau's motion for six commissioners after its attention was called to the fact that by its decree of 28 Feb. 1790 forbidding the passage of troops through French territory without the Assembly's consent it, alone, could settle the affair. These six commissioners were to investigate the matter and find out what measures had been taken to safeguard the nation from external dangers. The commissioners were Frêteau, Dubois, Menou d'Elberg, d'Audre, and Emery. They fulfilled their mission and reported to the Assembly. They advised that the permission granted the Austrian troops to cross French territory be declared void in view of the decree of 28 Feb. 1790 and that proper measures should be taken to protect the frontiers through the proper distribution of arms and troops. This was decreed by the Assembly. These same commissioners kept themselves informed as to the execution of these measures and, on 29 July 1790, reported that the troops had not been satisfactorily distributed. On their
demand the Assembly finally provided for a new committee of six to examine all foreign treaties of France and the obligations resulting from these and to make a report thereon to the Assembly. The importance of the committee was recognized and it was entrusted with the foreign affairs with which the Assembly dealt.

The major or general committees discussed thus far were those whose functions were of fundamental importance in the Assembly's varied activities. In addition to these were those committees which we have called the minor or special committees. These last were of shorter duration and more limited in their fields of action.

The first of the minor committees was the Committee on Criminal Legislation. When the Committee of Reports submitted a demand from Paris on 11 September 1789 for the reform of criminal procedure the Assembly's attention was turned to this subject. The Assembly realized that the reform must be for the whole nation and not for Paris alone, so it established a committee for this work. The committee was charged with reforming the criminal procedure so as to admit defensive proofs, a counsel, and a jury. It was, also, to draft a penal code.
The next of these committees was the Committee on Domains. It was created on the demand of the deputies from Blois, Valenciennes, and Bar-le-Duc, on 2 October 1789. These deputies insisted that since the Assembly was the guardian of the national domain it should order a revision of all the irregular and fraudulent exchanges of lands and especially of the exchange of Sancerre, illegally transferred by Calonne, when he was Controller General, to his friend, the Count D'Espagnac, for their mutual benefit. The petitioners desired to have a committee established to investigate all transfers of national domain made since the time of Louis XV and verify their deeds. The Assembly decreed that a committee of thirty five, elected by généralités be established to do this.

Perhaps the most interesting of this group of committees is the Committee on "Lettres de Cachet". The abuse resulting from this peculiar instrument was one of the complaints of the nation. Practically all the cahiers demanded the suppression of this abuse. It was inevitable, then, that the Assembly should eventually undertake to do away with "lettres de cachet". The sanction of the liberation of prisoners during the July uprising in Paris and the abolition of feudal privileges in general on 4 August were preliminary steps to the specific abolition of "lettres de cachet". This occurred
on 22 August 1789 when article 7 of the Declaration of
Rights was adopted. According to this no individual
could be accused, arrested, or detained except by due
process of the law. However, nothing was done for the
actual release of those already held under "lettres de
cachet" until 9 October 1789 when a cleric petitioned
for the revocation of a lettre de cachet which had
detained him. The Assembly was desirous of confining
its action to this specific case by asking the King to
revoke this letter but the nobility, whose special
grievance this was, refused to let the opportunity go by.
So, on 12 October, M. de Castellane moved that all
exiled or detained by such letters should be freed at
once. M. Descomps thought the matter needed more careful
treatment and declared that a committee was necessary
to take care of it. The Assembly, burdened, with a great
deal of work at the time, was slow in coming to a definite
decision. So, on 23 October 1789, the Comte de Dortan
revived Castellane's motion and proposed a committee of
four. The motion was passed. The committee was to make
a list of the people detained by lettres de cachet and
report to the Assembly, after investigation, the reasons
for their detention.

Another of the minor committees
COMMITTEE ON
MENDICITY
is the Committee on Mendicity.
Malouet had stressed the need of
looking after the indigent, on 3 August 1789, in his
plan for the establishment of bureaus of commerce and
agriculture. His description of the deplorable condition of the poor was not overdrawn and pressure was soon brought to bear on the Assembly in this direction. Two months later, 3 October, M. Fromont, a surgeon sent a project for a decree whose object was to secure state aid for the sick and poor in the provinces. The project, however, was not read to the Assembly and no action was taken. Indeed, it was not until 21 Jan. 1790 that anything was done. The mayor of Paris had sent a letter to Barnave asking that something be done to relieve the distress of the poor of the capital. Influenced by this, Barnave, on this day, moved that a committee of mendicity of twelve members be established and the Assembly approved his proposal.

The committee was charged with receiving aid for the poor and distributing it. It, also, was to prepare a plan to remedy poverty stricken conditions and in other ways do whatever it could to help the indigent.

The Avignon Committee which also belongs to this group was one of the unique committees of the Assembly. It was connected with one of the interesting episodes of the Revolution—the annexation of Avignon to France. Disorder and bloodshed were present in Avignon from the early part of 1790. The result was the expulsion of the Papal legate and the petition, on 17 June 1790, to be united to France. The people were in sympathy with the revolution
and believed union with France the most effective remedy for their disorders. There was great delay and the Assembly was reluctant to act in spite of the periodic requests and deputations from Avignon. Mirabeau's influence seemed to be largely responsible for keeping the Assembly inactive. The question of the Civil Constitution of the clergy may have entered into this matter also, as the Assembly did not want to irritate the Pope unnecessarily until the King had approved this measure. At last, on 17 July 1790, definite action was taken after Boucho brought the matter before the Assembly by making a strong speech which emphasized the danger of the rising reactionary and aristocratic sentiment in Avignon. He asked for a committee of six. The Assembly approved his proposal and a committee was created. On 7 August four additional members were added.

The relations of France to Avignon were placed in the hands of this committee. On 14 Sept. 1791 Avignon and Venaisain were formally annexed by the Assembly. The Avignon Committee was charged, in conjunction with the Constitutional and Diplomatic Committees, to present a plan of the measures for the actual annexation. On 25 September 1791, with the report of the provisional organization of Avignon and the Comtat of Venaisain the Committee's work was finished.
The last of the minor or special committees is the Committee on Health. It was established through the efforts of Dr. Guillotin who proposed the committee on 12 Sept. 1790. He called the attention of the Assembly to the vital relation which the preserving of the health of the nation bore to the general restoration the Assembly had at heart. Thus persuaded, the Assembly gave its consent for another committee. It was composed of eight doctors and eight laymen.

The work of this committee was to supervise generally all things of interest to the public health such as the establishment of hospitals, sanitariums, schools for instruction in these matters, and so on. Its functions were distinct from those of the Committee of Mendicity.

The temporary and exceptional agencies which are also included with the functional committees have already been discussed in Chapter III. They were the commissioners of the Royal Store Room, the Chatelet of Paris, and the Treasurers of the Patriotic Gifts.
Many of the committees which have been considered in this chapter were only temporary and as soon as their work was completed they were dissolved. This has been indicated in the discussion of these committees. The rest of the committees, however, functioned until the end of the Assembly and most of them served as the precedents for the creation of like committees by the Legislative Assembly.

It is clear, then, from the foregoing description, that an elaborate committee system was created rather reluctantly and gradually by the Assembly under the pressure of conditions. Nevertheless, it is the concrete expression of the theoretical revolutionary conceptions which the Assembly held as to its own nature.
During the time of the King's flight it had been deemed advisable to inspect all correspondence. The municipal officers and administrative corps had formed the habit during this period and were carrying it to an excess after the necessity had passed. So the Committee of Reports handed in a decree which was passed by the Assembly on 10 July 1791, forbidding the violation of secrecy of the mail by administrative bodies and municipal officials.


22. Ibid., Fèrrières, I, pp. 112-113.


24. Ibid., XXII, p. 247.


On 1 Sept., 1789, comte de Montboisier read a long memoir. It proposed the abolition of the exclusive trade in grain which certain French merchants held and demanded provisional permission to trade in grains directly with foreigners for six months. The subject had already been called to the attention of the Assembly, 28 August 1789, by the deputies from Santo Domingo who wanted to have free access to the neighboring countries, especially New England.


Animated by the revolutionary spirit the mulattoes and free negroes wanted to be put on an equality with the whites and the slaves desired freedom. On 22 Oct., 1789, a deputation of colored people, proprietors in the colonies, through their spokesman, M. de Joly, asked for freedom for the colored people. A month later they sent in a petition reiterating their demands and asking that they be granted the right of representation. The slaves outnumbered the whites in the colonies eight to one and the prospect of their gaining freedom and representation
was undoubtedly irritating to the whites in the colonies who probably took the possibility seriously. At least, they took occasion, in a memorandum of 29 Dec. 1789 to complain of the fact that the Assembly was inclined to adopt the idea of enfranchising the negroes.

32. Ibid., XXXIV, p. 208.

33. Ibid., IX, p. 240.

The exchange of Sancerre was typical of Calonne's spendthrift and unprincipled administration as Controller General. The property, worth about eight million, had been illegally transferred by Calonne to the Count D'Espagnac to be exploited for their own profit. The transfer had been made on the pretense that it was a gift of the King to D'Espagnac for valuable services rendered but there was no legal evidence of such an arrangement and D'Espagnac's energetic evasion of all attempts to investigate the transfer seemed to show beyond a doubt that the transfer was fraudulent.

34. Bourne, p. 135.

The inhabitants of the Comtat of Venaissin also desired to enjoy the reforms brought about by the revolution in France but at the same time they wanted to live under the Pope's authority.
CH. VI

SUMMARY AND CONCLUSION
In the foregoing discussion an attempt has been made to present an adequate description of the nature and organization of the French Assembly of 1789 showing the inevitability of its evolution along the lines described. The critical situation of France in 1789 doomed the antiquated institutions of the Old Regime. Since the Monarchy had failed the only resort left was the Estates-General, that is to say, the nation. The unprecedented responsibilities placed upon the old Estates-General by the existing conditions meant its inevitable transformation from the historical advisory body of three separate estates, dominated by the privileged, into the new single representative Assembly, with the third estate playing the dominant role. This revolutionary status of the Assembly, of course, involved the development of new conceptions as to its nature. Naturally, in a new body these conceptions were very vague at first. But, as the pressure of conditions forced the Assembly to act, its conceptions of its nature slowly became clearer and more definite until it consciously recognized itself as the constituted National Assembly, having sovereign, constituent, legislative, judicial, and executive functions. With the development of these conceptions came the corresponding growth of an organization to give effect to them. Despite the lack of precedents an elaborate system of bureaus, committees, and special agencies was evolved slowly under
the pressure of circumstances. The detailed treatment of the organization and operation of the committee system in Chapter V illustrates the elaborateness of the system and the manner of its development. Finally, the unpremeditated and gradual establishment of this organization made necessary, for its successful functioning, an adjustment of the various agencies to each other and to the Assembly as a whole. The mass of constructive legislation which the Assembly passed shows that the operation and procedure which the Assembly developed for this purpose were really effective.

The effectiveness of the Assembly's procedure, operation, and organization is evidenced by the fact that it set the precedents for the future assemblies in these matters. One of the first things the Legislative Assembly of 1791 did was to call for a report on the work of the committees of the Constituent Assembly on the basis of which it readopted most of the committees. The influence of the Constituent Assembly did not stop, of course, with the Legislative Assembly. Aulard gives a striking illustration of the importance of the agencies of the Constituent Assembly in the later stages of the Revolution when he describes the Committees of Investigation and of Reports as the rough drafts of the Committees of Public Welfare and of General Security. The deliberative "bureaus" are a good example of this historical influence. Not only were they immediately reinstituted by the Legislative Assembly but also are heard
of in 1814, 1848, 1889 and are to be found in the French Senate and Chamber of Deputies today. The influence of the Constituent Assembly was even Continental, as F. A. Ogg has pointed out, since it fitted Continental conditions better than the English system. As for procedure and operation, even a cursory comparison of the two bodies shows clearly that the present day Chamber of Deputies is extensively indebted in these matters to the Assembly of 1789. The origin of numerous practices, from the drawing up of an "order of the day" to the interpolation of a minister, is to be traced back to the Assembly of 1789.

As already indicated, the minds of the members of the Assembly were largely absorbed in the beginning with what they considered the all important objective—the making of a constitution. But the Revolution could not wait for the end of such a prolonged task. Its impatience demanded actual change immediately. As a result, instead of only the four committees of 19 June 1789 which the Assembly thought more than sufficient for its purposes there were, by the end of November 1790, over forty committees. And, while the Assembly as a whole was writing its theories into a constitution which was to "regenerate" the nation the actual reconstruction along essential lines was taking place through its numerous committees which, using the King and the ministers as their tools, gradually assumed the
SUMMARY AND CONCLUSION

administration of government. So, when the Assembly dissolved on 30 September 1791, there was not only a constitution but also a new social, economic, and political order in existence, paving the way for the further development of the revolution.
CH. VI
NOTES

4. Ogg, 430.
5. Sait, Ch. VII.
For appendix A and B see the envelope attached to back cover.
RULES OF PROCEDURE OF THE ASSEMBLY

CHAPTER I

The President and the Secretaries

1. There shall be one president and six secretaries.

2. The president may be elected only for fifteen days; he shall not be immediately reeligible but may be reelected after an interval of fifteen days.

3. The president will be elected as follows:
   The voting will take place in the Bureaus. A list of the votes taken will be signed by the president and secretary of each Bureau. Representatives from each of the Bureaus will then meet in the common room of the Assembly and, with two of the secretaries of the Assembly make up a list of the total votes.

   If no one of the candidates has a majority of the votes, the vote will be taken a second time. If no one gets a majority in the second vote, only the two highest candidates will be voted on the third time. If this third vote results in a tie, the oldest will be named president.

4. The duties of the president shall be to maintain order in the Assembly, to see that rules are observed, to give permission to speak, to announce the questions which the Assembly is to discuss, to give the result of the elections, and to announce the decisions of the Assembly.

   The letters and packages sent to the Assembly and addressed to the president shall be opened in the Assembly.

   The president will announce the days and the hours of the sessions; he will open and close the sessions, in each case following the will of the Assembly.

5. In the absence of the president his predecessor will take his place.

6. The president will announce at the end of each session the matters to be taken up in the next session, conforming to the order of the day.

7. The order of the day will be entered in a register which will be kept by the president.
RULES OF PROCEDURE

9. The Bureaus will select secretaries with a single election; each Bureau will have six candidates; a simple plurality of votes is sufficient for election.

9. The secretaries shall divide among themselves the work of taking notes, the drawing up of the minutes of which there will be two copies, collated between them, and, generally all that comes within the jurisdiction of the secretariat.

10. Half of the secretaries shall be changed every fifteen days.

11. The secretaries cannot be elected to any committee or to any deputation while serving in this capacity.

16.

CHAPTER II

Sessions

1. The sessions shall open at 8 o'clock. Nevertheless, the sessions will not commence unless there are two hundred members present.

2. Sessions shall begin with the reading of the minutes of the day before.

3. Everyone shall remain seated when the session is opened.

4. Silence must be observed at all times.

5. The bell shall be the signal for silence; and whoever continues to talk despite this signal shall be reprimanded by the president in the name of the Assembly.

6. Any member may call for silence and order but must address himself to the president.

7. All signs of approval or disapproval are forbidden.

8. No person (not a member) may enter the room, nor leave except by the corridors.

9. No one may approach the bureau to talk to the president or to the secretaries.

10. Those of the substitutes who wish to sit in the sessions of the National Assembly will have a separate place.

11. The bar of the chamber will be reserved for the
strangers who have petitions to present or for those who are called or admitted before the National Assembly.

12. It is forbidden to all who are not deputees to come into the enclosed part of the room; anyone found there shall be ejected by the usher.

CHAPTER III
Discussion

1. No member may speak until he has asked permission of the president; and when he has obtained it he must stand while speaking.

2. If several members stand up the president will give permission to whoever stood up first.

3. In case of doubt as to this the Assembly shall decide.

4. No one must be interrupted while speaking. If a member departs from the question before the house the president shall call him back to it, in case of disrespect to the Assembly or to individuals the president shall call the speaker to order.

5. If the president fails to call the speaker to order any member has the right to do so.

6. The president does not have the right to talk in a debate unless it is to explain the rules of procedure or to recall to the question those who depart from it.

CHAPTER IV
Motions

1. Any member has the right to propose a motion.

2. A member who desires to put a motion before the Assembly must inscribe himself at the bureau.

3. All motions shall be written and deposited on the bureau after which they shall be put before the Assembly for discussion.
4. Every motion presented must be approved by two persons, otherwise it cannot be discussed.

5. No motion may be discussed the same day on which it is proposed unless it is on an urgent matter in which case the Assembly shall decide that the motion may be discussed immediately.

6. The Assembly shall decide whether a motion shall be discussed or not.

7. Once admitted to discussion a motion may not be corrected or altered except through amendments deliberated on by the Assembly.

8. Every motion on legislation, the Constitution, and the finances which the Assembly decides to discuss shall be sent to be printed immediately so that each member may have a copy.

9. The Assembly shall decide whether the motion must be carried to the Bureaus or whether it shall be discussed in the Assembly without previous discussion in the Bureaus.

10. When several members desire to speak on a motion the president shall write down their names, as nearly as possible in the order in which they have expressed their desire.

11. The motion shall be discussed according to the form prescribed in Chapter III.

12. No member, not excepting the author of the motion, may speak more than two times on one motion, without the express permission of the Assembly, and no one may demand to speak a second time until all who so desire have spoken once.

13. While a motion is being discussed no other motion may be received except as an amendment, or to send the motion to a committee, or to demand an adjournment.

14. Each amendment shall be put to discussion before the motion; sub-amendments shall be treated in like manner.

15. The discussion being finished, the author, together with the secretaries shall reduce his motion to the form of a question, to be discussed, yes or no.

16. Any member shall have the right to demand that a motion be divided whenever the meaning requires it.
17. Any member shall have the right to declare that the motion is badly put, and, in explaining why, to state how it should be put.

18. Every motion shall be decided by a majority vote.

19. Every motion which has been decided, every law which has been carried in a session of the National Assembly, cannot be brought up again.

Order of discussion of a motion relative to the Constitution or to legislation.

Every motion relative to the Constitution or to legislation shall be carried three times to discussion on three separate days, in the following manner:

The motion shall be read and moved by its author; and, after being approved by at least two members, it shall be admitted to discussion.

The Assembly shall determine then whether it must be rejected or sent to the Bureaus for discussion. In the latter case it shall be reported to the Assembly by the Bureaus for the last discussion.

Every motion of this kind shall be rejected or adopted by a majority, namely, one more than half the votes; the motion cannot be voted on thereafter.

The votes shall be taken by sitting or standing; and, in case of doubt, voting shall be by roll call from an alphabetical list of the billiages, complete, verified, and signed by the members of the bureau.

CHAPTER V
Petitions

1. Petitions, demands, letters, requests, or addresses shall be ordinarily presented to the Assembly by those of its members who shall be charged with them.

2. If non-members who have petitions to present wish to come directly to the Assembly, they shall go to one of the ushers who shall bring them to the bar of the Assembly, or present their petitions to one of the secretaries through one of the ushers.
RULES OF PROCEDURE

Deputations

The deputations shall be arranged in an alphabetical list and each shall take its turn, each one choosing its spokesman.

Committees

The committees shall be composed of members chosen by "scrutin de liste" and in the Bureaus, as has already been said of the secretaries.

No one may be a member of two committees at the same time.

CHAPTER VI

Bureaus

1. The Assembly shall be divided into Bureaus, where motions shall be discussed without coming to any decision.

These Bureaus shall be composed not by selection but by taking the 1st, 31st, the 61st, &c., name from an alphabetical list to form the first Bureau, the 2nd, 62nd, &c., for the second Bureau, &c.

They shall be renewed each month, and in a manner such that the same deputees shall not be found together in the same Bureau.

This work shall be done by the secretaries.

2. Every morning, except Sunday morning, there shall be a general session of the Assembly, and every evening sessions of the Bureaus.

3. When five Bureaus shall demand a general session of the Assembly, there shall be one.

CHAPTER VII

Distribution of the Minutes

1. The minutes of each session shall be printed the same day on which they are approved and shall be sent immediately to the residences of the deputees. The copy sent to the printer shall be signed by the president and by one of the secretaries.
2. The printer of the National Assembly shall communicate directly with the president and the secretaries; he shall receive orders from them only.

3. The printer shall deliver, at the end of each month, to each deputy, at his residence, a complete copy of all the minutes of the month.

4. If the Assembly orders the printing of pieces other than the minutes, the same regulations as to printing and distribution apply to them as to the foregoing.

CHAPTER VIII

Archives and Secretariat

1. There shall be chosen, during the course of the present session of the Assembly, a safe deposit for all original pieces relating to the operations of the Assembly. There shall be only three keys to this place of deposit, of which one shall be in the hands of the president, the second, in the hands of one of the secretaries, the third, in the hands of the archivist, who shall be chosen in the regular manner by the Assembly.

2. Every original document which shall be submitted to the Assembly shall first be copied by one of the clerks of the bureau; and the copy, collated by one of the secretaries and signed by him, shall remain with the secretariat. The original shall be soon after deposited in the archives and registered in the register put in for this purpose.

3. One of the two original minutes shall be also deposited in the archives; the other copy shall remain in the hands of the secretaries, for their use and that of the Assembly.

4. The despatches, documents, and other records which shall be deposited with the secretariat, shall be classified according to subject matter, and date, in bundles and cartons; one of the clerks of the bureau shall be charged as their special guard, and shall not communicate them to anyone except to the president or the secretaries or on their written order.

5. Each month, during the renewal of the secretaries, and before the newly elected have entered their functions,
there shall be made, between the old and the new secretaries, a verification and inventory of the documents which are in deposit with the secretariat.

6. The Assembly shall name, before the end of the session, the depot for the safekeeping of the titles and papers of the nation.
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Agriculture and Commerce
Successor to Committee on Grain Supply
City of Honen requests on 24 July 1789
that grain situation be remedied. Merchants call for committee to deal
with disorder in commerce. M. le baron
de Marguerites proposes creation of a
committee on 2 Sept. 1789. Deceased.

Alienation of
Dominion
Resulted from the appropriation of the
land of the clergy by the state, as well
as the Crown lands. On 17 March 1790
the Assembly decrees sale of such
property and names twelve commissioners
to form a committee.

Assignats
Issue of assignats decreed on
17 April 1790. Finance Committee
authorized to name four commissioners
as a committee on Assignats.

Avignon
Bouche proposes to suppress reactionary
disturbances in Avignon. Committee
deemed on 17 July 1790.

Bureaus (General
Deliberative)
Origin may be traced to precedents going
as far back as the division of Estates-
General of 1685 into six "Nations" for
better deliberation and in the need of the
Assembly of 1789 for effective
deliberation. On 6 June the Committee on
Delegation presented its project. Article II,
providing for the Bureau was adopted.

Central
Chappelier proposes it to hasten work
of making the Constitution. Assembly
decrees it on 26 Sept. 1790.

Central
Liquidation
This committee was decided on after the
establishment of the Direction General of
Liquidation so as to facilitate reports and
establish uniformity in liquidation
operations. On Dec. 7, 1790 André
proposed it. Decreed on 7 Nov. 1790. (See also the
Director General of Liquidation.)

Colonies
Troubles over in the colonies resulted in
its creation. The Minister of Marine
precipitated discussion by sending a
letter on the subject. Compitieu in the
name of the Committee of Reports also
asks for consideration of this problem.
Devised proposed the committee. Deemed on
March 2, 1790.

Commissioners of
the Assembly Room
In October 1789 on the transfer of the
Assembly from Versailles to Paris it
named those to select a place for its
sittings.

Commissioners of
the Royal Store Room
Deemed at the request of Camus on
22 April 1790 to make an inventory of the
valuables in the Royal Store Room.

Constitutional
Committee
It soon developed that the Assembly’s
main object was to make a constitution
so its work long before a Committee
for this was asked for. Monnier, on
6 July, demanded that the Assembly begin
on the Constitution. On this day the
Committee on Distribution was decreed.
This was followed by the Constitution
Committee of 16 July.

Election by generalities
One member from each generality
in charge of all work relative to commerce and agriculture.

Twelve commissioners to
consult with experts, the highest bidder. To estimate
a commissioner placed in and consult with experts on
each 5 or 6 departments, the value of such property.

Four members and Finance
Manufacture Assignats and
Minister, later to put them into circulation.
more by the King, and six more by the Assembly
were added.

Began with six members.
Four more elected on
7 August 1780.

Thirty Bureaus with 30
members each. Members
so named as not to
include too many from one
province in any one
Bureau. Reorganized
monthly.

This committee was to make
a program of what remained to
be done to finish the
Constitution and the order of
passing on these matters.

All committees interested
in liquidation were repre-
tative reports, establish
sent. Chiefly composed of 2 from each of the
Constitutional, Judicial, Executive,
Finance, and Alienation
Committees.

Degen members taken at
large from the Assembly.
Six more added in
August 1791.

Its function was to esullili-
rate the colonies and put
down insurrections to keep
colonies from breaking away.

Four members.

To choose place for the sessions Camus says functioned
of the Assembly. Later to find to the end. Rendered
places by new committees and account on 29 Sept.
Maintain health of Assembly. Clerk's continued
room-guard entrances-and rega-activity,
late memoranda of common
expressions.

Three members
Make an inventory of store room Lusted until the
date of the crown jewels and an
end of September 1791.

One member from each
Bureau-5 July 1789;
Dec. 1789, 2 additional
members added.

Main Constitution Com. last to the end
of the Assembly. Committee of Fire lasted only 4
days. Com. of Revision dropped out.
Made a report on 29 Sept. 1791.

Continued by the Legislative Assembly.

Four members

To see that decree went out on To the end of the time and were copied correctly.

Report to the Assembly.

To the end of the Assembly.

To investigate and examine all passing, exchanges, etc., of property and land of the foreign situation.

On 14 Dec. 1789 there was an addition from the Finance, Exc., and Agriculture Committees.

Maloneau says it lasted to the end of the Assembly.

To make a report on 29 Sept. 1791.

Domino

Ancestral and foreign affairs.

It was the nature of the work it indicates that lasted to the end of the Assembly.

One from each parlement

Eighty to investigate and examine all passing, exchanges, etc., of property and land of the foreign situation.

On 14 Dec. 1789 there was an addition from the Finance, Exc., and Agriculture Committees.

Cut off the Finance Committee.

The twelve members chosen by dealing with all objects presented in honor's memorandum are transactions submitted to the Assembly to establish a balance between expenses and results; render a report twice weekly.

To study and render a report made on 29 Sept. 1791.

Torallemes and Bar-le-Duc deputies. For a committee. Robespierre supported it.

On 2 Oct. 1789 decree passed for the institution of the committee.

The nature of the work it indicates that lasted to the end of the Assembly.

Six members

To see that decree went out on To the end of the time and were copied correctly.

Report to the Assembly.

To make a report on 29 Sept. 1791.

Camerbon made a report on 12 Sept. 1789. On 23 Oct. 1789, recalled the motion it is deceased.

To the end of the Assembly.

Four members

To see that decree went out on To the end of the time and were copied correctly.

Report to the Assembly.

To make a report on 29 Sept. 1791.

Maneuvering

A committee to have care of this.

Made a report on 29 Sept. 1791.

Continued by the Legislative Assembly.

A committee to have care of this.

No decree on 29 Sept. 1791.

Continued by the Legislative Assembly.

Camerbon wrote a report on 29 Sept. 1791.

Continued by the Legislative Assembly.

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Continued by the Legislative Assembly.

Camerbon wrote a report on 29 Sept. 1791.
Liquidation

M. Lebrun of the Committee of Finance presented the decree to the Assembly for the liquidation of debts. Decreed on 22 Jan. 1790.

Maritime

Necoche proposed it on 6 Oct. 1789. Adopted.

Military

Nouille asked for it on 12 Aug. 1789.


Money

Lebrun, of the Finance Committee objects to liquidation of debts by issuing assignats. M. Virens asks that a committee of seven be named on these questions; 28 Aug. 1789. Cuny brings up again, on 11 Sept. 1789, the matter of manufacture of assignats. Decree is passed for creation of committee to look into this.

Patriotic Tax

Origin of this committee may be traced to Necker's demand for loan on 9 Aug. and Mirabeau's proposal of voluntary tax to substitute for loan. By the end of Aug. the voluntary tax was decreed. Grillon suggested, on 20 Aug., that a committee be formed. When Finance Committee also supports the committee, the Assembly decreed it 8 Oct. 1789.

Pensions

One of the committees instituted to bring about financial order, first demanded its creation as early as 10 July 1789. After the 4 Aug. decree which suppressed pensions, Mirabeau kept up the demand for the creation of such a committee. Finally Grillon made a motion for its creation and on 6 Jan. 1790 the Assembly provided for a committee on Pensions.

Poor

When Barrere received a letter from the mayor of Paris in the interests of the poor hours, he asked a decree to create a committee to take care of this matter. Decreed on 11 Jan. 1790.

Reports

Arose out of the necessity for the Assembly to deal with administration and police problems. Created on 20 July after the insistence of Valmy again praised it for the consideration of the Assembly.

Races

Lecomte de Gozon, on 8 May 1789, first presented regulations for the Assembly. On 28 May the disorder is such as to cause Mirabeau to demand a committee for devising up regulations. Decreed on 4 June proposal of the committee is read. On 19 June Turgot's motion for a committee is passed. One of these is a Committee on Rules. On 30 Jan. 1790 another Committee on Rules is named.

Subsistence

M. Target, on 19 June, brings up a proposal to name this committee as one of the 4 to help expedite business. Decreed.

Taxes

Grillon, on 7 June 1789, proposed a committee to suppress illegal imports and put others. This issue was one of the 4 to help expedite business. Decreed.

Ten

Custine considered it necessary to create a national bank to continue loans. Necker presented a memoir to convert this treasury into a national bank. Plans are presented by Necker and Moreville. Grillon asks that Assembly name 10 commissioners to examine LABORDES MERTAILLE'S plan. Decreed on 5 Dec. 1789.

Tithes

Deport à Nercors proposed to discuss the replacement of the tithes on 17 March 1789. The Assembly decides to form a committee.

Treasurers of Patriotic Gifts

On 7 Sept. 1789 a number of Parisian women present their appeal to the Assembly as patriotic gifts. To facilitate other gifts a single is created and then further gifts are in to come in future sessions that treasurers be chosen to relieve him of this burden. On 12 Sept. 1789 the Assembly elects these treasurers.

Verification

The Committee of Verification was created along with the other committees in Turgot's decree of 19 June 1789.

ORGANIZATION

Three members chosen from members of Finance Committee from which it split off. Divided into sections according to the debts and accuracy.

On 7 Nov. 1790 twelve additional members.

Twelve members. Acted with the Marine Council and Minister of Marine. Later 13 more with forces to protect it, so.

Twelve members. Later several additions.

Seven members. Six more added on 1 Aug. 1791. Acted in concert with Committee of Agr. & Commerce on certain matters.

Minister of Finance and commissioners appointed by the Assembly.

Twelve members. To prevent a plan by which actually existing pensions, gifts, gratuities can be reduced, suppressed, or augmented.

Four members. Six new members added by 17 March 1790.

Thirty members. Half renewable monthly.

Forty four members

Objet was to draw up rules for the assembly. Decreed.

Twelve members to work with a representative from each department.

Two members-one from each department.

Ten members

To examine Laborde de Moreville's plan and compare it with Necker's. The committee regarding a national bank.

Thirteen-composed of members of the Senat, Acad. and ecclesiastic.

To suppress the tithes (Dimes)-especially and ecclesiastic.

To care for the patriotic gifts.

To examine and report on the credentials of the members and the substitutes. Also look after demands for leave of absence.

To examine and report on the credentials of the members and the substitutes. Also look after demands for leave of absence.

To examine the report of the Finance Committee on its charges.

Seems to have been discussed after Decree of 1789 by establishment of direction gen'l of liquidation and of Central Com. Liquid. on 7 Nov. 1790.

Ten members added.

To consider a plan of military constitution and report to the Legislative.

Concerned itself with the legislation of money in respect to none, weight, proportion, refining, &c., as well as purchase on certain matters.

To prevent a plan by which actually existing pensions, gifts, gratuities can be reduced suppressed, or augmented.

To present a plan by which actually existing pensions, gifts, gratuities can be reduced suppressed, or augmented. Director Genl. Liquid. verified its reports.

To help indigent and plan a way to do away with poverty.

Distribute gifts to the poor.

To report on all cases of police and administrative troubles to the Assembly. Report on demands made to the Assembly by the people.

To secure the plan for the abolition of old taxes and substitute more satisfactory ones.

To discover the causes and remedies for lack of grain in the provinces.

Rearmed troops. Last report of the last Committee on Rules was on 20 June 1790.

Report made on 30 Sept. 1791. Continued by the Legislative.

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