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Olympe de Gouges’s trial and the affective politics of denaturalization in France

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ABSTRACT
Article 25 of the French civil code grants the state the possibility to deprive French citizens of their nationality, unless denaturalization results in making them stateless. This article contends that the contemporary politics of denaturalization reactivates an affective principle of control and exclusion already at play from the French Revolution, when citizenship became, for the first time, a decisive category in the new national juridical and political system. More specifically, the article explores the case of Olympe de Gouges’s trial in 1793, where the Revolutionary Court’s interpretation of ‘love for the patrie’ distinctively shaped the limits of citizenship. Based on the idea that ‘love for the patrie and for the truth’ demarcated between friends and foes, the Court’s verdict established the meaning of ‘love for the patrie’ as the requirement of consent, and specified that affective interpretive practices were to be considered a juridical political means of inclusion and exclusion.

L’amour de la patrie fait plus que des hommes, il fait des citoyens. (Cazalès, 21 May 1790)

Introduction
The year 2015 marked the 100th anniversary of the denaturalization law in France, a law that enables the state to deprive its citizens of their French nationality. This law came to be inscribed in the French legal code on nationality during World War I in 1915; it followed a series of measures, which, as soon as war was declared, were used to exert control over foreigners, as it ‘instituted … a procedure for stripping French nationality from naturalized persons of enemy origin’ (Weil 2008, 60, 61). Denaturalization continues to be part of the French legal structure defining who may or may not be a national citizen. It belongs to juridical and political landscapes, and the political responses in the aftermath of Paris attacks on 7–9 January 2015 and 13 November 2015 are telling: after both events, no week had passed before the French government announced its plan to broaden the possibility for the state to denaturalize citizens. Presented as yet another legal device in a panoply of security measures within the ever-increasing array of counter-terrorism policies, the deprivation of nationality and citizenship has become one of the favored responses from...
European countries against citizens who have recently travelled, for instance, to Syria. Framed as an answer to (constructed) collective fear, denaturalization is a system of thought that influences seminal cultural political values, such as community, nationality, citizenship, selfhood, and otherness. Accordingly, denaturalization participates in the establishment and negotiations of nationality and citizenship as political and juridical categories. As a practice of political and juridical exclusion, it functions as a means to govern political subjectivity.

This article looks at the side effects of practices of denaturalization and takes position in the current debate on whether denaturalization is a sensible means to respond to intimidating acts of violence. While focusing on the historical and contextual formation of denaturalization practices, the article takes the following questions as its starting point: What does it mean to denaturalize somebody? How does denaturalization affect the notions of nationality, citizenship, and democracy? And how does denaturalization channel or produce specific affective principles of control and exclusion?

To answer these questions, the analysis goes back to the late eighteenth-century French Revolution and explores the historical case of Olympe de Gouges, best remembered as the author of the Declaration of the Rights of Woman (Déclaration des droits de la femme et de la citoyenne) (1793). Her Declaration intervened in the political struggles of the Revolution, when the relationship between the realms of law, nation, and nature became central to the social and political spheres. In this constellation, citizenship became, for the first time, a decisive category in the new national juridical and political system, which generated political struggles. If being a citizen came to be inscribed in a national framework and responded to a political agenda, then the new definition of political subjectivities also went along with powerful practices of exclusion.

De Gouges devoted her work to identify and challenge those seminal exclusionary practices of the new juridical order. For instance, her Declaration attempts ‘to include women and people of color in the founding charter of the French Republic’ (Vanpée 1999, 53). But her legacy extends far beyond this single text; numerous theater plays, pamphlets, posters, and letters express her passionate devotion to the political ideals of freedom and equality. Each represents different aspects of her political engagement within a multi-faceted oeuvre, which reaches out to politicians as well as to the people in the street and which characterizes de Gouges's politically and formally subversive attitude. At a time when literature and politics were arenas reserved for men, de Gouges's willingness to engage publicly flouted convention (Vanpée 1999, 47); moreover, her resistance against the dominant Revolutionary frames of exclusion makes of her work an ‘act of citizenship’ (Isin and Nielsen 2008), that is, a ‘[deed] that [ruptures] socio-historical patterns’ (2), and an ‘active and reactive [political way] of being with others’ (7). Although her critique of the Revolutionary ethics still resonates today in feminist and post-colonial theories, those in power at her time sentenced her to death after labeling her a traitor and a threat to the Revolutionary project. Reading her case, then, invites us to ponder over the contingency involved when some values of sovereignty are institutionalized while others are suppressed.

Surely, de Gouges's place in the history of citizenship is a particular one: denied citizen rights as a woman in a time when citizenship was reserved for men, she was formally excluded from the category of citizenship, but was nonetheless tried as a citizen who had put the Revolutionary project at risk. Her case, then, enters a discursive space where the meaning of citizenship failed, while at the same time being negotiated and instituted. That she was denied citizenship, that she herself claimed citizen rights by mingling into the
political quest of the Revolution, and that her death followed from her political engagement all invite consideration of her trial as an expression of the political struggles in and of the establishment of citizenship. In this sense, the analysis of her case helps come to grips with those mechanisms of inclusion and exclusion governing political subjectivity. Moreover, her case forces us to look at citizenship from those perspectives that are commonly ignored because they do not clearly belong to it. But it is precisely this border line that is of interest here: investigating citizenship from the perspective of its failure, in order to call into question the very terms of its construction (Brown 2001, 95).

Accordingly, analyzing de Gouges’s trial serves the purpose of this article to understand some of the precedents for current practices of denaturalization, and to assess the strategies of governance involved when people are labeled as a threat before being pushed out of the national community. Consequently, this article focuses on the processes according to which the Tribunal Révolutionnaire, that is the Revolutionary Court of the Terror, came to identify de Gouges as a traitor to the patrie and as a political threat. It shows how her fate was informed by the Court’s mandate to contain popular moods of fear, and argues that images of citizenship were not solely mobilized for emancipatory purposes, but also contributed to making foreign those who were perceived as a threat. More specifically, it exposes emotions and affect as seminal dimensions of those strategies of governance instituting the categories of citizenship, foreignness, and terror.

First presenting the context of de Gouge’s work in more details, the article then proceeds to discuss the core theoretical framework, focusing on the role of the symbolic discourse to shape political subjectivity, and on the role of emotions to institute the framework of the law. Third, the article offers an analysis of de Gouges’s trial based on three main elements: de Gouges’s texts upon which she was persecuted, those political discourses that informed the Court’s interpretation of her work, and the Court’s judgment. The article concludes with a reflection on what her case means for understanding politics of denaturalization today.

**Olympe de Gouges and her work**

Olympe de Gouges was born in 1748 in Montauban in the Languedoc, south of France. Her story is the story of a fascinating social rise and intellectual development of someone who was condemned for a petty bourgeois and provincial life; her story is also the story of a woman who claimed a place in arenas reserved for men (Blanc 2003). To convey her political opinions, she wrote and created. Central to her writing is her use of literary techniques as a means of engaging the French Revolution, the political event of her time. For instance, Jürgen Siess (2005) shows the extent to which her writings make use of a specific literary address that systematically subverted the genre in which she wrote. Aware of the expected discursive forms in the genre of the open letter for instance, she reappropriated them in order to open up a space of discussion through which she, as a woman, could give an account not only of herself but also of the condition of women in general.

Her willfulness explains in part the revolutionaries’ understanding of de Gouges’s writings as a disturbing voice that needed to be silenced. Based on the Revolutionary Court’s interpretation of her texts as counter-revolutionary material, de Gouges was sentenced to death and executed on 3 November 1793. Labeled and persecuted as a threat, she became the target of the Revolutionary Court’s symbolic and performative discourse that divided the community into citizenship worthy or threatening individuals.
Before proceeding to examine some primary material of her case, it is necessary to first establish a theoretical framework and provide a lens through which to read de Gouges’s texts and those texts informing de Revolutionary Court’s decision to sentence her to death. Considering the nature of her case, the analysis constructs a theoretical prism allowing us to ponder over the formation of those symbolic lines according to which some become labeled and treated as foreign and undesirable, with the aim to shed light on the effects such symbolic lines have on the constitution of political subjectivity.

Theoretical framework

Focusing on those discursive areas where the term of citizenship is negotiated and instituted, this article’s theoretical framework establishes a dialogue between Wahnich’s analysis of popular emotions informing the mandate of the Revolutionary Court during the French Revolution, Sara Ahmed’s theories of affective economies, and Bonnie Honig’s thesis on the construction of foreignness in the face of socio-political threats. The dialogue works to problematize the co-constitution of law and emotions, and the effect such affective symbolic discourse has on the governance of political subjectivity.

A thought-provoking departure point is Wahnich’s reading of the Revolutionary event beyond the immediately visible political struggles. Particularly focusing on the time of the Terror and its Revolutionary Court (the period between 1793 and 1794 during which the Committee of Public Safety, led by Robespierre, exercised a quasi-totalitarian control over the French government and its citizens), Wahnich observes a discursive space that is not simply repressive, but that is, instead, especially representative of an affective economy with a specific mandate. As she explains it, the Committee of Public Safety and the Revolutionary Court functioned at the intersection of popular emotions and symbolic discourse (2002, 892). More precisely, the role of the Court was to guarantee the essential unity of the social structure by digesting and translating popular emotions into symbolic discourse (892). Such a mandate implied that the Terror and its Committee of Public Safety had to be aware of the risks of violence and the subsequent dislocation of society related to the rapid flow of emotions, while at the same time controlling them precisely by the symbolic activity in which discourses participate – the discourse of the law in particular (891). Standing in for the collective body, the Revolutionary Court then provided the citizenry with an appeasing normative framework: individuals were categorized and the degree of people’s emotional attachment to the symbolic language was established (892). As a result, the Court affirmed distinctions between social groups and constructed their respective political identities: that of the sovereign people against those who denied its sovereignty or did not respect it (900–1001).

Wahnich’s reading of the Revolutionary event highlights the extent to which the law became a means to contain the violence instigated by popular emotions, while it at the same time became a means to exclude – and even to execute – those who were deemed not to belong to the collective emotional union. If the law’s function was to channel collective fear and appease the collective body (Wahnich 2002, 898), then the social need to contain the circulation of fear made of the law the discursive space par excellence through which friends and foes came to be identified.

Complementing the theorization of how symbolic discourses and emotions participate in the creation of political subjectivities, Ahmed’s theory of affective economies (2004a, 2004b)
offers a vocabulary that further helps identify what is at stake when categories of political subjectivity are entangled in the performativity of emotions. In her terms, ‘emotions work to shape the “surfaces” of individual and collective bodies’ (2004b, 1). She understands affect as the contact layer between a subject and an object of feeling (6, 7), that is, the space of sensation and emotion in which impressions are formed (6). Her theory demonstrates that those impressions are not only relevant for personal experiences, but are also constitutive of social–political spaces and identities.

Ahmed specifically developed her thesis in reference to the racialization of criminality in contemporary debates on immigration, but her observations help understand the Revolutionary Court’s interpretative practices and their affective effect on the constitution of political identities. Referring to the vocabulary of threat and violence employed by politicians when discussing issues of immigration, Ahmed notices that, ‘[through] the circulation of signs of fear, the … other “becomes” fearsome’ (2004a, 127). Accordingly, a displacement of meaning (which Ahmed identifies as a ‘metonymic slide’ [2004a, 119]) induces a process through which some are transformed from a status of inclusion to a status of exclusion. One no longer belongs, but exists instead as a fearsome ‘other,’ whose presence is seen as disturbing and must therefore be pushed out.

Crucially, Ahmed further notes that ‘[fear] does not reside in a particular object or sign’ (2004a, 127). To the contrary, ‘it is this lack of residence that allows fear to slide across signs, and between bodies’ (127). This lack of a specific referent is not innocent: it functions as a space that allows emotions to circulate in a metonymic slide. Such a metonymic slide associates the fearsome body with the sign of threat, and positions the individual against the collective (127). Trapped in the repetitive pattern of language, institutional language in particular, the repetitive displacement of meaning and the accompanying metonymic associations shape the surface of the collective bodies (128); they form identities and define criteria of inclusion and exclusion.

Accordingly, the definition of a social and political threat accompanies the construction of foreignness through a discourse of exclusion. Honig confirms this theory through a reflection on liberty, security, and xenophobia in the context of a discussion shortly after the terrorist attacks on 11 September 2001. Reflecting on the constitution of foreignness, she declares: ‘Although we may sometimes persecute people because they are foreign, the deeper truth is that we almost always make foreign those whom we persecute’ (Honig 2002). Her claim sheds light on the relationship between that which has been labeled as undesirable and threatening and that which becomes labeled as foreign. ‘Foreignness,’ she continues, ‘is a symbolic marker that the nation attaches to the people we want to disavow, deport, or detain because we experience them as a threat’ (Honig 2002). In other words, the distinction between who is part of a community and who is an outsider is not finally defined by empirical criteria. Instead, the distinction is ‘a symbolic one, used for political purposes’ (Honig 2002).

Honig’s reflection on the constitution of foreignness resonates with the time of the French Revolution, when the notion of citizenship became entangled in the constitution of the nation as a subjective and objective space of identity. As a social and political organ, the nation essentially emerged in relation to a broader social protest that raised questions of identity in the process of defining whose sovereign power the nation would – or should – represent (Noiriel 2005, 135–136). Further, the emergence of the nation involved a discursive construction of the nation’s identity according to which the nation itself became
increasingly personified, causing its identity to be defined on a double basis (136). On the one hand, it expressed its uniqueness by displaying its objective identity in opposition to others (136). On the other, it also developed a subjective identity, that is, an identity based on a supposed development through time, characterized by memory or by the presence of its own past in its present (136). The nation became a complex organ that played a major role in the development of new political ideas, while its form and agency still needed to be socially, politically, and juridically defined.

Along with the development of the nation and its identity, a new form of political subjectivity was born: the citizen. Primarily narrated through the 1789 Declaration of the Rights of Man and of the Citizen the citizen was installed as the new omnipresent political subject. This is not to say that the concept of the citizen itself was invented during the French Revolution. Engin Isin (2002) has shown in meticulous detail that the notion of citizenship long preceded the French Revolution; he explains that, ‘every age since the ancient Greeks fashioned an image of being political based upon citizenship’ (1). Accordingly, instead of having invented the notion of the citizen, French revolutionaries appropriated specific images of citizenship from earlier societies, such as the Greek polis and the Roman civitas (121).

Although they did not invent citizenship, revolutionary narratives did claim a specific image of the Revolutionary event according to which the new democratic government – made by and for citizens – was differentiated from cities as governing bodies. Specifically, they created a new, dominant image of the citizen around which the whole social, political, and juridical structure of the emerging nation was to be constructed. Modern historians have tended to reproduce those narratives without critically assessing for what purposes those specific images of citizenship were mobilized at that specific time (Isin 2002, 121). However, such dominant narratives must be questioned, ‘not because they give us false or implausible images, but because we must understand for what purposes or uses these images were mobilized’ (121). In other words, to what extent did those images of citizenship contribute to making foreign those who were perceived as a threat and persecuted? Along which lines and which criteria did the symbolic discourse of the law affect the construction of political subjectivity? And to what extent did emotions shape those symbolic lines?

The political and affective value of de Gouges’s work

Denied citizenship from the start, de Gouges’s political presence in the Revolutionary event is directly ensnared in processes of making and unmaking citizenship. Persecuting and positioning her as a threat to the Revolutionary project, her trial is an expression of the affective economy circulating through the juridical framework. In this time of social and political revolution, the concept of the citizen was at stake. It was the citizen who was meant to save the patrie from colonial, aristocratic, and imperial powers; it was the citizen who was meant to carry the universal ideal of the Revolutionary project; it was the citizen who was meant to embody a new and emancipated form of political subjectivity.

De Gouges’s imprisonment and subsequent execution followed the publication of ‘Les Trois Urnes’ (‘The Three Ballot Boxes’), a text meant for posting along the streets of Paris. In this poster, de Gouges called upon the people to speak up about the political situation instituted by the Terror. She denounced the tyrannical attitude of the Revolutionary regime
and demanded an election to enable the people to choose the form of government they deemed should suit them best. She proposed that each citizen should be able to choose between the three following forms: (1) Republican government, (2) Federative government, or (3) Monarchic government (de Gouges, ‘Les Trois Urnes,’ [1793] 1993c, 247). Polemical in its content, the pamphlet is also characteristic of de Gouges’s use of literary techniques as a means of engaging in the political struggles of her time. At the crossroads between fiction, theatrical language, and realism, its narratological characteristics make the text particularly suitable for the circulation of affective economies.

First of all, its title introduces a fictive narrator as it reads in full ‘Les Trois Urnes, ou le salut de la patrie, par un voyageur aérien’ (‘The three ballot boxes, or the salvation of the patrie, by an aerial traveller’). In all of de Gouges’s political writings, the tone of address is direct and to the point. For those making use of a fictive narrator, however, the tone is more fiercely critical of the prominent leaders of the Revolution and the general revolutionary strand of social and political change. Following that logic, ‘Les Trois Urnes’ opens with the fictional space of the narrator:

My name is Toxicodindron; I come from the land of the mad people; I have just arrived from Monomotapa; I have covered the four parts of the World, more in dream than in reality; for our life is no more than a dream: Everywhere did I find the same men, mad and mean, duped and rogoush; that is, everywhere did I find crimes and errors. But as extremes touch ends, and as the good always comes of the excess of evil, it seems that the essence of revolutions is to regenerate governments through the very excess of their perversions. French people, stop and read, I have many things to tell you. (De Gouges, “Les Trois Urnes,” [1793] 1993c, 243)

Characteristically this opening deploys the theatrical language de Gouges made her own, for, as Vanpée notes, ‘[i]f de Gouges’s theatre was political, her political pamphlets were increasingly theatrical’ (1999, 56). Theatrical techniques provided de Gouges with access to her target audience; despite her continuous efforts and ongoing textual production, she was still denied entry to the podium of the Assembly (to whom she addresses the majority of her texts) (56). Such denial did not prevent her from reaching her goal. As Vanpée points out, ‘if she herself could not declaim her speech directly to her audience, she would have a third person [usually the current presiding secretary] play her role and recite her lines’ (57). In a similar vein, de Gouges’s street posters functioned as a vital link between her and her audience: ‘Affixed to the walls of the city as posters, the pamphlets re-presented the scene of Olympe de Gouges addressing her interlocutors in front of the Assembly as a virtual street theatre for the broadest public possible’ (Vanpée 1999, 57). Likewise, the aerial traveler in the opening scene of ‘Les Trois Urnes’ enables the text to reach out to the people in the street. As the narrator provides a theatrical voice to the text, it also makes use of a direct address to the reader (‘French people, stop and read, I have many things to tell you’), which adds to the theatrical and fictive description of its character.

Further, the fictional genre mixes with a realist and topical content: the Revolution and its role in regenerating governments and fighting corruption. According to Vanpée (1999), such a combination of reality and fiction served a clear purpose: the assumed distance of the text enabled the author to act out her opinion and criticism on the Revolution by re-appropriating the historical events to her own hands (63). Recalling the opening scene, the last two paragraphs of ‘Les Trois Urnes’ explicitly comment on the combination of realism and fiction, as they read:
Indeed, citizens, it is a god who spoke to me for you; it is now the author who will speak by himself; think that I am an aerial spirit, a newcomer from the land of the madmen, which enables me to communicate with you. (De Gouges, “Les Trois Urnes,” [1793] 1993c, 248)

Although de Gouges explicitly uses the aerial character as if it were a medium to deliver her message, she also hints at the actual author (“it is now the author who will speak by himself”), yet indefinitely postponing the moment in which she would reveal her name, as the last sentence of the pamphlet confirms:

I do not disclose my name yet; but if I can rescue my patrie from the abyss into which it is about to collapse, I shall reveal my name, and hurl myself into the abyss with her. (De Gouges, “Les Trois Urnes,” [1793] 1993c, 248)

Here, the fictive narrator is clearly replaced by de Gouges as the author. If the effect of combining fiction and reality is theatrical in the first place, the blend of genres also influences the reading of the text insofar as it allows it to fluctuate between metaphorical spaces and explicit language.

Such literary movement between fiction and realism typically enhances the circulation of emotions, as it broadens the heterogeneous space of language according to which the meaning of words must necessarily remain plural. This is not to say, however, that only literature has the ability to let emotions circulate. On the contrary, as next section discusses, judicial interpretative practices are informed by a symbolic discourse that incorporates and depends on an affective economy while giving the law both its legibility and its performative force.

**The discursive context framing the court’s interpretation of de Gouges’s work**

In the context of the Court’s verdict to sentence de Gouges to death in 1793, two main discursive events prompt this article’s analysis and reveal the extent to which the symbolic construction of enmity and otherness was indeed sustained by the circulation of emotions: the law of 29 March 1793 and Robespierre’s speech to the parliamentary assembly on 25 December 1793. Both events clarify the nature of the symbolic and affective line according to which people were persecuted.

The law of 29 March 1793 came about in a context of crisis during which the Revolutionary Court was instituted as a means to appease popular fear and popular violence caused by historical clashes between parties (Wahnich 2002). It followed the belief that the safety of the community could only be guaranteed by exceptional judiciary measures that would terrify the enemy, while being controlled by the symbolic order of the law (905). Its message reads as follows:

Anyone convicted of having composed or printed works or writings that induce the dissolution of the national representation, the restoration of the royalty or any other detrimental power to the sovereignty of the people, will be brought before the Revolutionary Tribunal and sentenced to death. (as quoted in Blanc 1993, 32)

Without doubt, de Gouges’s ‘Les Trois Urnes’ rebuts the law’s qualification of ultimate enmity. After all, the text denounces the tyrannical attitude of the Revolutionary regime and demands an election to enable the people to choose the form of government they deemed should suit them best, including the possibility of a Monarchic government. De Gouges’s text thereby resists the Revolutionary Court’s will to repress dissenting voices, and goes
against the law’s enunciation of a discursive hierarchy. Such a hierarchy lent the judiciary power over life and death while establishing a certain definition of the Revolution that could only be challenged at the cost of one’s own life. The superimposition of the judiciary order’s persecuting criteria and the dissenting nature of de Gouges’s work arguably qualified her as an enemy.

Robespierre’s speech to the parliamentary assembly on 25 December 1793, however, raises new questions about the process of persecution and the accompanying constitution of threat and foreignness. Speaking to the Assembly about the need to further identify adversaries in order to protect the people, the Revolution and its constitution, he declared:

The government needs to be extremely careful, for all the enemies of liberty are seeking to use the government’s faults, as well as its most sensible measures, against itself. … Who will draw the demarcation line between all opposite excesses? Love for the patrie and for the truth. (as quoted in Amic and Mouttet 1812, 433)

Positioning love as central to the Revolutionary affective principle of control and exclusion, the excerpt clarifies the affective economy informing and establishing the symbolic line constitutive of collective bodies and political subjectivities, and engages a wide philosophical discussion about the political relation between love and truth. It is beyond this article to review this philosophical discussion in detail, but it is safe to state that Robespierre’s statement exemplifies the normative effect of love when this emotion becomes ensnared in the political juridical discourse. Reminiscent of Ahmed’s observation that the circulation and accumulation of emotions shape the surface of collective bodies, the position of love in Robespierre’s speech becomes a prescriptive criterion; it becomes a norm according to which the Court may select the good from the bad citizens.

What Robespierre’s speech leaves unanswered, however, is the question of how to recognize and interpret love in one’s behavior or writing. If love for the patrie and for the truth established the boundary between friends and foes of the Revolution, and thereby assisted the Revolutionary Court in classifying those worthy of citizenship and those worthy of persecution, then de Gouges’s trial becomes a challenging case. The challenge is apparent because, based on her writing, she would certainly qualify as a loving patriot. Her case therefore stages a decisive politics of interpretation and offers new material to ponder over the affective domain of the political juridical order. First, the Court affirmed that:

There is no possibility of mistaking the perfidious intentions of this criminal woman and her hidden motives, when one sees her, in all the works to which she at least lends her name, slandering and pouring large drafts of her gall onto the warmest friends of the people and its most intrepid defenders. (as quoted in Blanc 1993, 27)

Yet, de Gouges wrote the following:

Each paper that fell into their hands was new evidence of my patriotism and my love for the greatest of all causes. (“O. de Gouges au tribunal révolutionnaire,” [1793] 1993a, 259)

My detractors in vain provide a mean-spirited interpretation of the work that attracts me such cruel persecutions. It is the nature of this work that confuses them. (“Une patriote persécutée à la convention nationale,” [1793] 1993b, 249)

While de Gouges protested that her trial was based on a false reading of her intentions, the Court was convinced of its accusation against her. Based on the law of 29 March 1793, it sentenced her to death for attempting to challenge the established political order of the republic.
Crucially, the Court’s judgment was not solely made on the basis of de Gouges’s language. Beyond the reference to her text as a challenge to the Republican parliament, the excerpt of the indictment shows that the negative interpretation of de Gouges’s writings was caught in the circulating forces of an affective economy. Recalling Ahmed’s theoretical point that ‘fear does not reside in a specific object,’ and that ‘it is the lack of residence that allows fear slide across signs and between bodies’ (Ahmed 2004a, 127), de Gouges’s persecution reveals an expression of the affective grounds underlying the constitution of citizenship’s boundaries. In fact, the lack of a specific referent is not only present in the identification of the lack of love for the patrie in the Court’s reading, but it also occurs in the Court’s arguments if one closely reads the semantic field. For instance, the object of the court’s claim is expressed in terms of de Gouges’s ‘perfidious intentions’ and ‘hidden motives.’ Now, while ‘intention’ has a strong relative value (meaning that its definition depends on a contextual and subjective interpretation), the French ‘perfide’ (‘perfidious’) means ‘qui est funeste, dangereux, sous des apparences favorables’ (‘that which is disastrous, dangerous, behind favorable appearances’) (Larousse dictionary, my emphasis). Hence, the Court’s conviction was factually based on something that was hidden behind a first appearance. In this sense, the Court’s holding conveys that the appearance of de Gouges’s text did not necessarily look suspicious; it was rather what the Court recognized as its underlying, hidden messages (as the use of the nominal phrase ‘hidden motives’ further illustrates) that warranted the conviction of treason.

The Court’s reliance on hidden motives clarifies the stakes of citizenship when bestowed through a political-juridical atmosphere of fear: an interpretive gap, where circulating emotions are stopped and acquire meaning. While emotions acquire semantic values, the ‘affective economy’ (Ahmed 2004a) involved shapes a differential framework according to which the sovereign people come to be positioned against the woman who was believed to have betrayed the Republic’s interest. Ensnared in the circulation and accumulation of emotions, de Gouges’s work procured an interpretation as fearsome and became the expression of emotions needing containment by the law of the Revolutionary Court. Being persecuted, she herself had to bear the effects of the symbolic discourse constituting her as foreign to the Revolutionary event. In that respect, de Gouges’s trial becomes the expression of the difficulty to negotiate with emotions on a political and juridical level, and reveals a major paradox tied to processes of making and unmaking citizenship. On the one hand, love for the patrie was seen as the guarantee of one’s agreement with the revolutionary political project, which was made clear by Robespierre in his 25 December 1793 speech to the Assemblée. Yet, prior to loving the patrie, one had to publicly agree to the political project or one was put at risk of being made foreign by means of persecution. For as de Gouges’s fate made clear, even when it was formulated in terms of love for the patrie, political dissent was not accepted as an expression of love.

Caught in the affective economy of the dominant revolutionary discourse, her work was denied access to the realm of a citizen’s rights while at the same time demonstrated their limits. After all, she was striving for the abolition of colonial and imperial power, she fully embraced the universal ideal of the Revolutionary project, and her writings bear witness to her attempt to claim political subjectivity as a citizen. But her work was stopped in the circulation of emotions: new meanings were imposed on her words, she became the token of a threat, and the concept of citizenship failed to rescue her.

Hence embedded in the political struggles pertaining to the establishment of citizenship, de Gouges’s trial is not only a source of fascinating empirical material, but also sustains an
overall theoretical point. As the analysis demonstrates, the labeling categories of socio-political threat and enmity are not so much expressions of objective truths, but are instead the manifestation of an affective symbolic language that serves political purposes.

**Conclusion: from de Gouges’s case to contemporary politics of denaturalization**

The close reading of de Gouges’s case invites us to scrutinize the circulation and accumulation of emotions in both historical and contemporary strategies of governance according to which some persons are labeled as a threat before being pushed out of the national community. At the heart of major political struggles, the dynamic of de Gouges’s case offers a new starting point from which to look at those contemporary processes governing political subjectivity. Her case took place at a time when the nation and citizenship became the discursive locations where questions of identity and political subjectivity were negotiated and instituted. Today, nation states and citizenship are the backbones of international political juridical infrastructures – but the negotiation and institution of political subjectivities remains in flux.

As this article has shown, de Gouges was tried because she was labeled a threat to the nation. Further, this article contends that the logic behind her execution was informed by an affective economy which gave meaning to the symbolic and juridical division between good citizens and threatening subjects. For instance, the analysis revealed how a politics of love shaped the institution of citizenship during the Revolutionary event, and inversely, how citizenship, as a technology of governance, shaped the definition of love. According to those interpretative practices establishing the political means of inclusion and exclusion, ‘love for the patrie’ became synonymous with one’s consent with the dominant political power. While affective values came to permeate the notion of citizenship, citizenship’s affective dimension also became the discursive space where divisions between the threatening people and those being worthy of citizenship occurred.

In the current counter-terrorism discussion, much like in those discussions concerned with existential threats during the late eighteenth-century Revolution, the construction and expression of political subjectivity is at stake. The most recent political responses to the terrorist attacks in Paris in January and in November 2015 make it undeniably clear that denaturalization belongs to a securitizing framework according to which some bodies become aligned against the national community. As the French government proposes to broaden their politics of denaturalization and to make of denaturalization a constitutional norm (Elysée 2015), the deprivation of citizens’ rights is a response to a mood of collective fear, yet controlled by the symbolic discourse of the law in a context of emergency. While citizens are expected to demonstrate patriotic feelings and attachments (Elysée 2015), the realm of national citizenship becomes an affective space of categorization that produces a certain politics of truth. In this nexus of knowledge-power (Foucault [1997] 2007), the categories of terror, the terrorist, and terrorism enfold with the category of the stranger. Indeed, denaturalizing somebody means turning those who are prosecuted in the name of the state’s security into foreigners. Practices of denaturalization literally make foreign those being prosecuted through empirically defined administrative categories (e.g. national citizenship). But most importantly, they make foreign those who are constructed as a threat beyond
any empirical line: denaturalization is used for political purposes, enabling governments to review, adapt, and rework the definition of a ‘threatening’ subject (Beauchamps 2015).

Now, although the affective economy of the Revolutionary Court might well have supported a need to appease popular violence by means of controlling it, it still resulted in an emotional, normative, and categorizing juridical organ that did not solely take revenge on those who were against Enlightenment ideals, avenging the larger populous. Instead, it also exterminated those who, in an attempt to avoid the tyrannical effects of the Revolutionary event, dared to speak out about the weaknesses of those ideals. It is then highly questionable whether the Court really succeeded in appeasing the violence of the people. Instead, the Court installed a new sort of violence, which primarily worked through the symbolic and controlling mechanisms of the juridical apparatus.

This new violence raises important questions concerning the production and negotiation of citizenship, since the need to contain collective fear proves to impact more than negatively on those performing ‘acts of citizenship’ (Isin and Nielsen 2008). In other words, substantive citizenship – such as de Gouges’s endeavor to critique the limits of the Revolutionary politics – was threatened by the affective economies of fear informing the symbolic power of the law. Considering the establishment, in France, of a three months state of exception as a response to the terrorist attacks in Paris on 13 November 2015 (Elysée 2015), alertness is needed if we, as citizens, want to truly contain those affective principles of governance through which citizenship remains formed, contested, and revised.

Notes

1. Denaturalization is not strictly a European concept; it is also part, for instance, of US-American, Canadian, and Australian governance.
2. Ahmed constructs her analysis around the case study of those speeches on asylum seekers given by the previous leader of the British Conservative Party, William Hague.
3. Established in 1789 and from 1791 on, the Declaration of the Rights of Man and of the Citizen was recognized as primary reference for each French constitution.
4. Unless otherwise indicated, translations are by the author.
5. Such use of a fictive narrator (here, present in the form of an aerial traveler) is a recurring feature in de Gouges’s last political writings, which include Pronostic sur Maximilien Robespierre, par un animal amphibie. Portrait exact de cet animal (1792) (Prediction about Maximilien Robespierre, by an amphibian animal: Exact portrait of this animal) and Combat à mort des trois gouvernements, par un voyageur aérien (1793) (Battle to the death of the three governments, by an aerial traveler).
6. Next to theatrical language, de Gouges’s writing also strikingly echoes Voltaire’s genre of the philosophical tale, which, as Frederick M. Keener (1983) defines it, constantly brings to mind realities of thought, feeling, and motivation alongside unrealistic and even anti-realistic narrative elements (12).
7. This proposition remains the object of heated political debates. At the time of writing, the government just announced that the Minister of Justice, Christiane Taubira, has resigned following her fundamental disagreement with the government on the topic (Le Monde 2016).

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References


