

The Trial of Olympe de Gouges

The case against Olympe de Gouges is worth reading in detail because it is typical of the attacks on those who criticized the authority of the central government that gathered force in the fall of 1793 and continued up to July 1794, when Robespierre fell from power. Gouges, an advocate of increased popular consultation, criticized the National Convention, calling its members ambitious men. This criticism was a far greater factor in the decision to sentence her to death than was her public support of women's rights.

Audience of 12 Brumaire, Year II of the Republic. Case of Olympe de Gouges.

Questioned concerning her name, surname, age, occupation, place of birth, and residence. Replied that her name was Marie Olympe de Gouges, age thirty-eight, *femme de lettres*, a native of Montauban, living in Paris, rue du Harlay, Section Pont-Neuf.

The clerk read the act of accusation, the tenor of which follows.

Antoine-Quentin Fouquier-Tinville, public prosecutor before the Revolutionary Tribunal, etc. States that, by an order of the administrators of police, dated last July 25th, signed Louvet and Baudrais, it was ordered that Marie Olympe de Gouges, widow of Aubry, charged with having composed a work contrary to the expressed desire of the entire nation, and directed against whoever might propose a form of government other than that of a republic, one and indivisible, be brought to the prison called l'Abbaye, and that the documents be sent to the public prosecutor of the Revolutionary Tribunal. Consequently, the accused was brought to the designated prison and the documents delivered to the public prosecutor on July 26th. The following August 6th, one of the judges of the Revolutionary Tribunal proceeded with the interrogation of the above-mentioned de Gouges woman.

From the examination of the documents deposited, together with the interrogation of the accused, it follows that against the desire manifested by the majority of Frenchmen for republican government, and in contempt of laws directed against whoever might propose another form of government, Olympe de Gouges composed and had printed works which can only be considered as an attack on the sovereignty of the people because they tend to call into question that concerning which it [the people] formally expressed its desire; that in her writing, entitled *Les Trois urnes, ou le Salut de la patrie*, there can be found the project of the liberty-killing faction which wanted to place before the people the approbation of the judgment of the tyrant condemned by the people itself; that the author of this work openly provoked civil war and sought to arm citizens against one another by proposing the meeting of primary assemblies to deliberate and express their desire concerning either monarchical government, which the national sovereignty had abolished and proscribed; concerning the one and indivisible republican [form], which it had chosen and established by the organ of its representatives; or, finally, concerning the federative [form], which would be the source of incalculable evils and which would destroy liberty infallibly.

. . . The public prosecutor stated next that it is with the most violent indignation that one hears the de Gouges woman say to men who for the past four years have not stopped making the greatest sacrifices for liberty; who on 10 August 1792, overturned both the throne and the tyrant; who knew how to bravely face the arms and frustrate the plots of the despot, his slaves, and the traitors who had abused the public confidence, to men who have submitted tyranny to the avenging blade of the law that Louis Capet still reigns among them.

There can be no mistaking the perfidious intentions of this criminal woman, and her hidden motives, when one observes her in all the works to which, at the very least, she lends her name, calumniating and spewing out bile in large doses against the warmest friends of the people, their most intrepid defender.

In a manuscript seized in her home, on which she placed a patriotic title only in order to get her poisons circulated more freely, she places in the mouth of the monster who surpasses the Messalinas and the Medicis these impious expressions: "the placard-makers, these paper scribblings, are not worth a Marat, a Robespierre; in the specious language of patriotism, they overturn everything in the name of the people; they appear to be serving propaganda and never have heads of factions better served the cause of kings; at one and the same time they serve two parties moving at a rapid pace towards the same goal. I love these enterprising men; they have a thorough knowledge of the difficult art of imposing on human weaknesses; they have sensed from the beginning that in order to serve me it was necessary to blaze a trail in the opposite direction; applaud yourself, Calonne, this is your work."

Lastly, in the work in question one sees only provocation to the reestablishment of royalty on the part of a woman who, in one of her writings, admits that monarchy seems to her to be the government most suited to the French spirit; who in [the writing] in question points out that the desire for the republic was not freely pronounced; who, lastly, in another [writing] is not afraid to parody the traitor Isnard and to apply to all of France what the former restricted to the city of Paris alone, so calumniated by the partisans of royalty and by those of federalism.

On the basis of the foregoing expose the public prosecutor drew up this accusation against Marie Olympe de Gouges, widow Aubry, for having maliciously and purposefully composed writings attacking the sovereignty of the people (whose desire, when these were written, had been pronounced for republican government, one and indivisible) and tending towards the reestablishment of the monarchical government (which it [the people] had formally proscribed) as well as the federative [form] (against which it [the people] had forcefully protested); for having had printed up and distributed several copies of one of the cited works tending towards these ends, entitled, *Les Trois urnes, ou le Salut de la patrie*; for having been stopped in her distribution of a greater number of copies as well as in her posting of the cited work only by the refusal of the bill-poster and by her prompt arrest; for having sent this work to her son, employed in the army of the Vendée as *officier de l'état major*; for having, in other manuscripts and printed works, notably, in the manuscript entitled *La France sauvée, ou le Tyran détrôné* as well as in the poster entitled *Olympe de Gouges au Tribunal Révolutionnaire*, sought to degrade the constituted authorities, calumniate the friends and defenders of the people and of liberty, and spread defiance among the representatives and the represented, which is contrary to the laws, and notably to that of last December 4th.

Consequently, the public prosecutor asks that he be given official notice by the assembled Tribunal of this indictment, etc., etc.

In this case only three witnesses were heard, one of whom was the citizen bill-poster, who stated that, having been asked to post a certain number of copies of printed material with the title *Les Trois urnes*, he refused when he found out about the principles contained in this writing.

When the accused was questioned sharply about when she composed this writing, she replied that it was some time last May, adding that what motivated her was that seeing the storms arising in a large number of *départements*, and notably in Bordeaux, Lyons, Marseilles, etc., she had the idea of bringing all parties together by leaving them all free in the choice of the kind of government which would be most suitable for them; that furthermore, her intentions had proven that she had in view only the happiness of her country.

Questioned about how it was that she, the accused, who believed herself to be such a good patriot, had been able to develop, in the month of June, means which she called conciliatory concerning a fact which could no longer be in question because the people, at that period, had formally pronounced for republican government, one and indivisible, she replied that this was also the [form of government] she had voted for as the preferable one; that for a

long while she had professed only republican sentiments, as the jurors would be able to convince themselves from her work entitled *De l'esclavage des noirs*.

A reading was provided by Naulin, the public prosecutor's substitute, of a letter written by the accused to Herault-Sechelles in which principles of federalism are found.

The accused replied to this fact that her intention had been, as she had said already, pure and that she wanted to be able to show her heart to the citizen jurors so that they might judge her love of liberty and her hatred of every kind of tyranny.

Asked to declare whether she acknowledged authorship of a manuscript work found among her papers entitled *La France sauvée ou le Tyran détrôné*, she replied yes.

Asked why she had placed injurious and perfidious declamations against the most ardent defenders of the rights of the people in the mouth of the person who in this work was supposed to represent the Capet woman, she replied that she had the Capet woman speaking the language appropriate for her; that besides, the handbill for which she was brought before the Tribunal had never been posted; that to avoid compromising herself she had decided to send twenty-four copies to the Committee of Public Safety, which, two days later, had her arrested.

The public prosecutor pointed out to the accused, concerning this matter, that if her placard entitled *Les Trois urnes* had not been made public, this was because the bill-poster had not been willing to take it upon himself. The accused was in agreement with this fact.

Questioned about whether, since her detention, she had not sent a copy to her son along with a letter, she said that the fact was exact and that her intention concerning this matter had been to apprise him of the cause of her arrest; that besides, she did not know whether her son had received it, not having heard from him in a long while and not knowing at all what could have become of him.

Asked to speak concerning various phrases in the placard entitled *Olympe de Gouges, defendeur de Louis Capet*, a work written by her at the time of the former's trial, and concerning the placard entitled *Olympe de Gouges au Tribunal Révolutionnaire* as well, she responded only with oratorical phrases and persisted in saying that she was and always had been a good *citoyenne*, that she had never intrigued.

Asked to express herself and to reply precisely concerning her sentiments with respect to the faithful representatives of the people whom she had insulted and calumniated in her writings, the accused replied that she had not changed, that she still held to her same opinion concerning them, and that she had looked upon them as ambitious persons.

In her defense the accused said that she had ruined herself in order to propagate the principles of the Revolution and that she was the founder of popular societies of her sex, etc.

During the resume of the charge brought by the public prosecutor, the accused, with respect to the facts she was hearing articulated against her, never stopped her smirking. Sometimes she shrugged her shoulders; then she clasped her hands and raised her eyes towards the ceiling of the room; then, suddenly, she moved on to an expressive gesture, showing astonishment; then gazing next at the court, she smiled at the spectators, etc.

Here is the judgment rendered against her.

The Tribunal, based on the unanimous declaration of the jury, stating that: (1) it is a fact that there exist in the case writings tending towards the reestablishment of a power attacking

the sovereignty of the people; [and] (2) that Marie Olympe de Gouges, calling herself widow Aubry, is proven guilty of being the author of these writings, and admitting the conclusions of the public prosecutor, condemns the aforementioned Marie Olympe de Gouges, widow Aubry, to the punishment of death in conformity with Article One of the law of last March 29th, which was read, which is conceived as follows: "Whoever is convicted of having composed or printed works or writings which provoke the dissolution of the national representation, the reestablishment of royalty, or of any other power attacking the sovereignty of the people, will be brought before the Revolutionary Tribunal and punished by death," and declares the goods of the aforementioned Marie Olympe de Gouges seized for the benefit of the republic. . . .

Orders that by the diligence of the public prosecutor this judgment will be executed on the place de la Revolution of this city [and] printed, published, and posted throughout the realm; and given the public declaration made by the aforementioned Marie Olympe de Gouges that she was pregnant, the Tribunal, following the indictment of the public prosecutor, orders that the aforementioned Marie Olympe de Gouges will be seen and visited by the sworn surgeons and doctors and matrons of the Tribunal in order to determine the sincerity of her declaration so that on the basis of their sworn and filed report the Tribunal can pronounce according to the law.

Before pronouncing his judgment, the prosecutor summoned the accused to declare whether she had some observations to make concerning the application of the law, and she replied: "My enemies will not have the glory of seeing my blood flow. I am pregnant and will bear a citizen or *citoyenne* for the Republic."

The same day [12 Brumaire], the health officer, having visited the condemned, recognized that her declaration was false.

. . . The execution took place the next day [13 Brumaire] towards 4 P.M.; while mounting the scaffold, the condemned, looking at the people, cried out: "Children of the Fatherland, you will avenge my death." Universal cries of "Vive la République" were heard among the spectators waving hats in the air.

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