

« Une Chambre démocratique ? »

Debates about the legitimacy of the Senate in the French Third Republic
(1870-1914)

In a comparative perspective with Belgium and The Netherlands

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Image on the front page: 'Une séance scandaleuse à la Chambre des députés à Paris', *Le Petit Journal*, 30 May 1909.

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Introduction

On 2 October 2015 the final report of the parliamentary working group on the future of the democratic institutions in France was published in the French National Assembly. Its title ‘refaire la démocratie’ clearly indicated the great ambition of the commission. It was co-presided by the president of the National Assembly Claude Bartolone and historian Michel Winock, a specialist in French political history. The fact that Bartolone asked a historian to share the presiding chair of this group working on the *future* of French democracy demonstrates the recognition that the historical dimension is considered to be vital in understanding the current functioning and malfunctioning of democracy in France. The commission consisted of 23 members: 11 coming from both the National Assembly and the Senate, and the other 12 were academics such as historians, political scientists, sociologists, legal experts and philosophers. This multidisciplinary approach made the composition of this commission unique and different from preceding parliamentary working groups.

The final report outlines the elements that are considered as the most urgent reforms in the organisation of French democracy. It contains seventeen concrete and rather drastic measures which are meant to ‘restore the connection between citizens and their representatives’.¹ The objective is to reform the institutions of the French Fifth Republic which, according to many opinions, have become obsolete and suffer from a serious deficit of democratic legitimacy. The main conclusion is that the current political crisis has a strong link with the architecture of the French state, and that the current institutions are not able to adequately respond to the challenges of the present day.



Historian Michel Winock (emeritus professor in contemporary history at Sciences Po) and president of the Assemblée nationale Claude Bartolone (Parti Socialiste) during the presentation of their report ‘Refaire la démocratie’, *Assemblée nationale*

¹ Claude Bartolone and Michel Winock, *Refaire la démocratie : Rapport du groupe de travail sur l’avenir des institutions*, (Paris: Assemblée nationale 2015) 1.

URL: http://www2.assembleenationale.fr/static/14/institutions/Rapport_groupe_travail_avenir_institutions_

The French Senate was one of the most important items on the commission's agenda. It was concluded that 'une modernisation du bicamérisme est aujourd'hui indispensable'.² However, of all issues, it was the one that had divided the working group the most. Some members were in favour of the complete abolition of the Senate, others only wished to revise its role.³ The commission eventually reached compromise and proposed to merge the Senate with the *Conseil économique, social et environnemental*, drastically reduce its executive powers and turn it into a consultative, controlling and evaluating institution.⁴ This conclusion was particularly to the like of President Claude Bartolone. In January 2015, Bartolone had already stated in public that he was in favour of the complete abolition of the Senate. It was a statement that led to a serious quarrel with the President of the Senate Gérard Larcher (Les Républicains), and a renewed hostility between the two palaces of the Republic.⁵

These events do not surprise. On the contrary, Bartolone joins a long tradition of Senate-critics. For a start, President Charles de Gaulle did not like the upper house. Not only because of the fact that the Senate regularly collided with the Élysée, but De Gaulle also considered it a useless and obsolete institution.⁶ De Gaulle declared a referendum for its abolition in 1969, but the vote turned out negative and led directly to the abdication of the president. In 1998 the former socialist prime minister Lionel Jospin stated: 'une chambre comme le Sénat, c'est une anomalie parmi les démocraties'.⁷ In 2005, Jospin's successor Ségolène Royal on her turn declared: 'Il faudrait supprimer le Sénat. C'est un anachronisme démocratique insupportable'.⁸ More recently *Front National*-leader Marine Le Pen asserted that 'the Senate has a more negative than a positive influence on democracy'.⁹ The peculiar fact in all these statements is that the Senate is presented by its critics as an institution that is conflicting with the principles of democracy. This raises questions about the origins of the bicameral system in France and how this area of tension between democracy and the bicameral system has emerged and evolved throughout the history of the French political system.

Michel Winock concludes in the commission's report that 'le bicamérisme a toujours été en France une évidence et un problème'.¹⁰ It has been 'une évidence', according to Winock, because the

² Bartolone and Winock, *Refaire la démocratie*, 100.

³ 'Réforme des institutions : les mesures choc du rapport Bartolone-Winock', *Libération*, 30 September 2015.

⁴ Other examples of the proposed reforms are: the re-introduction of one presidential tenure of 7 years, the number of deputies will be brought back from 557 to 400 and the senators from 348 to 200.

⁵ 'Conflit ouvert entre les palais de la République, L'Assemblée nationale et le Sénat sont durement affrontés, jeudi, par les voix de leurs présidents respectifs', *Le Monde*, 31 January 2015.

⁶ Compte-rendu Groupe de travail sur l'avenir des institutions, Séance du 17 avril 2015.

⁷ 'Interview with Lionel Jospin, Premier ministre', *Le Monde*, 21 April 1998.

⁸ 'Royal met le Sénat en émoi', *Le Nouvel Observateur*, 19 September 2005.

⁹ 'Marine Le Pen favorable à la suppression du Sénat', *L'Express*, 9 January 2014.

¹⁰ Bartolone and Winock, *Refaire la démocratie*, 100.

French upper chamber is the fruit of ‘reality and experience’, and it has been a ‘problem’ because it has never been completely sure of its stability and its future. Indeed, the Senate has constituted a central issue in the institutional reshufflings in France. This is mainly due to the fact that a second chamber seems to be in contradiction to the French tradition. The French republican doctrine strongly believed in a single assembly because the French unity was considered to be ‘une et indivisible’. This explains that the two first constitutions of France, the monarchist constitution of 1791 and the first republican constitution of 1793 assumed a one chamber system.¹¹ However, a second chamber was brought into existence for the first time in France in August 1795 with the creation of the *Conseil des Anciens*. Its creators were obsessed with the derailing of the Revolution during the bloody period of the *Terreur*; a second chamber would function as a barrier against such tyranny. This chamber ceased to exist with the coup d’état by Napoleon Bonaparte on 9 November 1799. Under the Consulate (1799-1804) and the First Empire (1804-1814) France continued to have a bicameral system, with a *Sénat conservateur* to the example of the Senate of ancient Rome, which was an important political instrument in the hands of Napoleon.

According to Michel Winock, this episode had the consequence that bicameralism was associated with conservatism and reactionary politics. The following decades have only accentuated this anti-democratic reputation with the establishment of bicameralism under the Restoration and the July Monarchy.¹² During the Restoration (1814-1830), with the experience of the French Revolution still fresh in mind, even advanced liberals such as Benjamin Constant thought that a hereditary chamber was necessary to serve as a ‘counterweight’ to the unpredictability of democracy.¹³ Besides the argument to counterweight on the popular passions of the elected chamber, most publicists and political thinkers used the doctrine of a balanced constitution to legitimize the establishment of the bicameral system in France.¹⁴ The choice for a bicameral system, with chambers of a different origin, was part of a general European trend. The French system was influenced by the prestigious British model of a mixed government, which had become the point of reference after the fall of Napoleon in 1815. The legislative power was divided between the monarch, the elected *Chambre des Députés* and the hereditary *Chambre des Pairs*: a chamber for the nobility to the example of the British House of Lords. This implied an important rupture with the revolutionary tradition; the *Conseil des Anciens* had been

¹¹ Didier Maus, ‘Libres propos sur le Sénat’, *Pouvoirs*, 64 (1993) 93.

¹² Compte-rendu du groupe de travail sur l’avenir des institutions, Séance du 17 avril 2015.

¹³ Henk te Velde, *Mixed Governments and Democracy in 19th-century Political Discourse: Great-Britain, France and The Netherlands*. (unpublished paper), 6.

¹⁴ Annelien de Dijn, ‘Balancing the Constitution: Bicameralism in Post-revolutionary France, 1814-31’, *European Review of History*, 12:2 (2005) 249-268, 253.

elected. Nevertheless, the *Chambre des Pairs* failed to live up to its model. It soon became clear that it did not behave as an independent, aristocratic chamber capable of holding the balance between the king and the popular chamber.

This explains that after the revolution of 1830, when the July Monarchy with the liberal King Louis-Philippe was put into place, the *Chambre des Pairs* was maintained in name but lost its hereditary element. From now on its members would be recruited among the liberal bourgeoisie loyal to the new citizen king. The abolition of the hereditary peers changed the aristocratic chamber into a *chambre de réflexion*. The concept of mixed government was hereby practically defeated in France.¹⁵

These negative associations with the bicameral system explain that after the Revolution of 1848 the republican tradition of a unicameral system was restored. Revolutionary Jules Grévy expressed the dominant sentiment of these days: 'Il ne reste plus en France qu'un seul élément, l'élément démocratique ; il ne peut plus y avoir qu'une seule représentation, l'Assemblée nationale.'¹⁶ But the democratic Republic with universal male suffrage did not last for long. The coup d'état by Louis-Napoléon Bonaparte on 2 December 1851 gave cause to the questioning of the single chamber system that had been in place.¹⁷ With the installation of Napoleon III's Second Empire the political system was practically copied from the First Empire, including the Imperial Senate. The defeat of the Second Empire in the Franco-Prussian War in 1870 brought a key moment for bicameralism in France.

On 4 September 1870 the Third Republic was promulgated. However, this did not mean at all that the Republic as a regime was guaranteed. Between 1870 and 1875 the political situation in France was very unpredictable. But finally, after years of uncertainty and a political tug-of-war between monarchists and republicans, the Republic was eventually accepted in January 1875. The Third Republic had no constitution. Instead, it was founded by three constitutional laws. The central role was played by Henri Wallon, a history professor at the Sorbonne. He presented an amendment with the text: 'le président de la République est élu à la pluralité des suffrages par le Sénat et la Chambre des Députés réunis en Assemblée nationale'¹⁸. The Wallon amendment and hereby the Republic was accepted with the difference of one single vote. The Third Republic became a parliamentary republic with a Chamber of Deputies and a Senate. The deputies were elected by universal male suffrage. The senators were selected differently: 225 senators were elected not directly by individual citizens but

¹⁵ Te Velde, *Mixed Governments and Democracy*, 7.

¹⁶ Compte-Rendu Annales Assemblée nationale, 6 octobre 1848, cited in: Alain Chatriot, 'Jaurès face au Sénat. La Chambre haute : problème ou solution pour les socialistes et les républicains', *Cahiers Jaurès*, 4:174 (2004) 39-52, 39.

¹⁷ Jean-Claude Caron and Jean Garrigues, 'Introduction', *Parlement[s]*, *Revue d'histoire politique*, HS 9 (2013) 9-21, 16.

¹⁸ Archives Nationales Pierrefitte-sur-Seine (AN), Manuscrit de l'amendement Wallon, Inv. Nr. AE II 2988.

indirectly, by colleges in each department composed of other elected representatives such as the deputies of the department, members of the *conseil général*, and delegates from each commune, usually the mayor. All members had to be over forty and would serve for nine years. The other 75 senators were life senators (*sénateurs inamovibles*) chosen by the National Assembly before it dissolved.¹⁹ The Senate obtained unprecedented prerogatives. Although the bills had to be presented first in the Chamber of Deputies, the Senate had the possibility to transform itself into a High Court of Justice to try the President of the Republic or ministers if they were charged with misbehaviour by the Chamber.

In 1870 the principle of universal male suffrage was pretty much uncontested in France.²⁰ Although the Second Republic had not lasted long, the principle of universal suffrage remained intact under the Second Empire; voting thus became a common experience for an increasingly large number of citizens.²¹ Even within the circles of legitimists and Orléanists, there was a large consensus around the legitimacy of universal suffrage. No French government dared to attack universal suffrage directly, and for republicans it became ‘a religion of French political life’.²²

The French Third Republic was largely ahead in this democratic movement because universal suffrage was far from institutionalized in the rest of the European continent.²³ Historian Philip Nord who described the foundation of the Third Republic as ‘the republican moment’ underlines how exceptional this French democracy was in mid-nineteenth century Europe: ‘In 1870 France, the democratic movement broke through, giving rise to a new republican order. The monarchy and all its paraphernalia were banished. The Third Republic, as aggressive as it was in the pursuit of institutional democratisation, left the old elites ample room for manoeuvre.’²⁴ If the elites were so marginalized, why then did the Third Republic obtain a Senate? Political scientist Yves Weber acknowledges that there is a profound contradiction between the processes of democratisation by the enlargement of voting rights on the one hand, and bicameralism on the other. According to Weber, the fact that a

¹⁹ See Jean-Marie Mayeur and Alain Corbin (ed.) *Les immortels du Sénat 1875-1918 Les cent seize inamovibles de la Troisième République* (Paris: Publications de la Sorbonne, 1995).

²⁰ Serge Berstein, ‘La synthèse démocrate-libérale en France 1870-1900’ in: *L’invention de la démocratie 1789-1914*, Paris, (Paris: Éditions du Seuil, 2002) 305-360, 321. Pierre Rosanvallon, *La démocratie inachevée histoire de la souveraineté du peuple en France*, (Paris, Éditions Gallimard, 2000) 244.

²¹ Sudhir Hazareesingh, *From Subject to Citizen: The Second Empire and the Emergence of Modern French democracy* (Princeton: Princeton University Press, 1998) 27. As Sudhir Hazareesingh has argued convincingly, the Second Empire was a crucial moment in the historical construction of democratic practices in France. Napoleon III used it to support his regime with nation-wide plebiscites that regularly endorsed his rule.

²² François Furet, *La Révolution Française II ; Terminer la Révolution de Louis XVIII à Jules Ferry (1814-1880)* (Paris: Hachette 1988) 405.

²³ Pierre Rosanvallon, *Le sacre du citoyen : Histoire du suffrage universel en France* (Paris: Éditions Gallimard, 1992) 410.

²⁴ Philip Nord, *The Republican moment. Struggles for Democracy in Nineteenth-Century France* (Harvard: Harvard University Press, 1995) 249.

Senate claims to assure a different representation than the Chamber denies the legitimacy of the political system.²⁵ How was it possible that a Senate -an institution that seemed to have lost its place in the French political landscape and was associated with aristocracy and conservative liberalism- obtain a place in the institutional framework of this new republic which was so progressive and democratic for its time?

In addition to this paradox, the Senate remained largely unchanged during the complete length of the Third Republic (1875-1940). This seems even more surprising when one takes into account the fact that this specific period is specially known for a broad series of political scandals that gave rise to an important antiparliamentarian wave, which was much more violent and desperate than that of the 1920s and 1930s.²⁶ This makes one wonder to what extend the Senate was a specific target in this turbulent period and how it did survive. Hasn't the Senate led to any controversies in relation to democracy? And if the Senate was contested, what arguments were used to attack it? On what ground has the institution been able to preserve its legitimacy in the democratic republic? In order to get a better picture of all this the main question that will be central in this research is to what extend was the Senate of the French Third Republic considered to be compatible with democracy?

The history of democracy in France has been extensively studied by the French historian and philosopher Pierre Rosanvallon, one of the world's leading thinkers about democracy. In his inaugural speech at the *Collège de France*, Rosanvallon famously stressed that democracy does not *have* a history, but rather *is* a history.²⁷ Rosanvallon describes democracy as a notion that is made of rubber; it shapes itself to the time. This means that if democracy has a history it lies within the consecutive forms it has adopted throughout time.²⁸ Following this philosophy it is important to look at the relation between the Senate and democracy in the *longue durée*, in order to find out to what extend a development in the thinking about their compatibility is detectable. In his works about French democracy, Rosanvallon does occasionally mention that there were 'discussions around the problem of the two chambers'²⁹, but he does not explore these discussions in more detail.

In search for an explanation why democratic institutions took root in France in the 1870s the research of Rosanvallon's mentor François Furet has been trend-setting. Furet focussed on the evolvement of the republican ideology and has famously argued that the French Revolution ended

²⁵ Yves Weber, 'la crise du bicaméralisme', *Revue des droits public*, 88 (1972) 573-602, 575.

²⁶ Rosanvallon, *La démocratie inachevée*, 378.

²⁷ Pierre Rosanvallon, *Pour une histoire conceptuelle du politique* (Paris: Éditions du Seuil, 2003) 17.

²⁸ Rosanvallon, *La démocratie inachevée*, 167.

²⁹ *Ibid.*, 258.

with the installation of the Third Republic. This moment marked the victory of the Revolution over the Restoration.³⁰ The problem of all French governments since 1789 has been how to cope with the heritage of the French Revolution, ‘how to end it’ in the words of Furet. The problem was finally solved in the Third Republic because here democracy and revolution were dissociated; ‘la Révolution française entre au port’ Furet argued.³¹ Furet described the success for the republicans as ‘la première grande victoire anti-aristocratique’ in France.³² For Furet, this victory also explains the paradoxical presence of a Senate in the Third Republic: the Senate ceased to be a chamber of the aristocracy and the republican doctrine ceased to be revolutionary; hence the Senate became a republican institution.³³ Many French political historians clearly follow the tradition of Furet and explain the existence of the Senate as a more or less logical result of what they label as the *synthèse démocrate-libérale*.³⁴ In this view the Third Republic was a negotiated compromise between the moderate republicans and the Orléanist liberals in which the Senate was the price to pay for the Republic.³⁵

While Furet has presented the Third Republic as ‘the victory of democracy’, an alternative vision is offered by the Belgian political scientist Annelien De Dijn. With an intellectual historical approach De Dijn argues that although aristocratic liberalism became more marginalized in France after 1875, it did not wholly disappear in the context of the Third Republic.³⁶ De Dijn demonstrates that the continuity between the political thought of the eighteenth century and that of the post-revolutionary period is much more important than the discontinuity, and so the persistence of aristocratic elements in the French political culture. De Dijn -who focusses on France before 1870- finds an important confirmation for her argument in the Senate of the Third Republic. According to her the creation and establishment of this institution was the consequence of the fact that both institutionally and ideologically, the French remained interested in the idea of balance. The negative experience of the French with the *Chambre des Pairs* had stimulated French political thinkers to find new ways of instituting a balance in the political system that would safeguard the liberty and stability provided by the English model.³⁷ De Dijn argues that the founders of the Third Republic agreed that

³⁰ François Furet, *La Révolution française II ; Terminer la Révolution de Louis XVIII à Jules Ferry (1814-1880)* (Paris: Hachette, 1988) 459.

³¹ Furet, *La Révolution française II*, 467.

³² *Ibid.*, 467.

³³ *Ibid.*, 470.

³⁴ Serge Berstein, ‘La synthèse démocrate-libérale en France 1870-1900’, in: Serge Berstein and Michel Winock, *l’invention de la démocratie 1789-1914*, 305-360.

³⁵ Berstein, ‘La synthèse démocrate-libérale en France 1870-1900’, 321.

³⁶ Annelien De Dijn, *French Political Thought from Montesquieu to Tocqueville: Liberty in a Levelled Society* (Cambridge: Cambridge University Press, 2008) 187.

³⁷ De Dijn, ‘Balancing the Constitution’, 264.

a bicameral system allowing for the separate representation of the conservative elements of society was necessary.³⁸ This would mean that the French political culture was more open to the English model than Furet has claimed. Moreover, De Dijn underlines that the constitution of the Third Republic clearly showed the distrust of its framers vis-à-vis democracy, and that the Senate was intended to guarantee constitutional security for the conservative forces.³⁹ To what extent does this search for a counterbalance against the democratic forces explain the establishment of a Senate in the very democratic French Third Republic? Does this mean, as Henk te Velde argues, that the values that were attached to a mixed government, such as stability and balance, were gradually transferred to ‘democracy’ at the end of the nineteenth century?⁴⁰

The existing literature about the French Senate does not provide a clear answer to these questions. As a matter of fact, the literature about the French Senate is rare. Apparently, the lack of interest in society for this silent chamber also resonates in the scientific world. The French historian Jean Garrigues has emphasized that there is still a necessity to study this ‘chambre trop méconnue’, especially during the Third Republic.⁴¹ But so far historians have shown little interest in the French Senate. The standard work for a very long time has been Jean Pierre Marichy’s *La Deuxième Chambre dans la vie politique française depuis 1875*.⁴² This book was the product of its time, published in the middle of the controversies between De Gaulle and the Senate of the Fifth Republic. The exhaustive study only briefly treats the period of the Third Republic and examines the upper house from a juridical perspective and therefore remains unsatisfactory for historians.

The first complete historical study about the French Senate of the Third Republic is the first of the two volumes written by the British historian Paul Smith. This chronologic history of the institution succeeds to combine the institutional and societal element in placing the Senate in the historical context of the Third Republic. Paul Smith’s work is very rich and well documented, but this general study does not specifically zoom in on the debates about the legitimacy of the Senate. Smith does demonstrate that the Senate eventually became an important player in the stability of the Third Republic.⁴³ For this reason the British historian Robert Gildea asserted that ‘the French Third Republic

³⁸ De Dijn, *French Political Thought*, 185.

³⁹ De Dijn, ‘Balancing the Constitution’, 264.

⁴⁰ Te Velde, *Mixed Governments and Democracy*, 12.

⁴¹ Jean Garrigues, ‘Le Sénat de la Troisième République (1875-1914) Réflexions sur une chambre méconnue’, Actes du 57^e congrès de la CIHAE 2006 : *Assemblées et parlements dans le monde, du Moyen-Age à nos jours*, 1169-1180, 1170.

⁴² Jean-Pierre Marichy, *La Deuxième Chambre dans la vie politique française depuis 1875* (Paris: Librairie générale de droit et de jurisprudence, 1969).

⁴³ Paul Smith, *A history of the French Senate : Volume I The Third Republic 1870-1940*, (Lewiston, The Edwin Mellen Press, 2005) 221.

cannot be understood without an understanding of the Senate'.⁴⁴ But Paul Smith doesn't allow himself to dig deeper into this in his very comprehensive book.⁴⁵

As Yves Weber has underlined, the theoretical incompatibility of a Senate with democracy will inevitably lead to conflicts, and he adds: 'is has varied according to country and time.'⁴⁶ However, Weber doesn't elaborate further on the importance of the historical and national context in the contestation of the democratic legitimacy of second chambers. In actual fact, this matter is often explained in theoretical and general terms, but rarely in the specific historical context of a country. Political scientists, legal experts and constitutional specialists have always been much more interested in second chambers than historians.⁴⁷

As a historian, Pierre Rosanvallon has a distrust for universalism and develops his philosophical insights by the historical way. Since Rosanvallon's work covers specifically the history of France, he has the tendency to coincide the French history with the history of the western world in general. This raises the question to what extend the approach of Rosanvallon -studying the French political history- can provide conclusions of a more general nature. In order to find this out the French case will be briefly compared to debates about the Senate in The Netherlands and Belgium around the same period. These countries are geographically close to France, but both have different political traditions and political cultures. Putting the French case in this international comparative perspective can provide an understanding to what extend the specific political context and political culture in France have shaped the debate about the relation between a Senate and democracy.

This research covers the first half of the Third Republic (1870-1914). This time frame has been chosen first of all because this research investigates the *establishment* of the Senate in French democracy, and secondly because the First World War opened a whole new episode in the history of democracy

⁴⁴ Robert Gildea, 'Preface' in: Paul Smith, *A history of the French Senate : volume I The Third Republic 1870-1940* (Lewiston, The Edwin Mellen Press, 2005).

⁴⁵ The most recent French historical research published about the Senate of the Third Republic is Gisèle Berstein, *Le Sénat sous la IIIe République 1920-1940* (Paris: CNRS Éditions, 2014). This research on the Senate is interesting because of the extensive exploration of the archives of the senatorial commissions. However, the study treats specifically the interwar period and neglects completely the existing historiography about the French Senate. Nor does it describe the debates about the legitimacy of the Senate in French society.

⁴⁶ Yves Weber, 'la crise du bicaméralisme', *Revue des droits public et de la sciences politique en France et à l'étranger*, 88 (1972), 573-602, 586.

⁴⁷ In the French case: Jean Mastias and Jean Grangé are the best examples: Jean Mastias, 'Les secondes chambres en Europe occidentale: légitimité ? Utilité ?' in *RIPC*, 6:1 (1999) 163-187. ; Jean Mastias and Jean Grangé, *Les secondes chambres du Parlement en Europe occidentale* (Paris: Economica, 1987). ; Jean Mastias and Jean Grangé 'Le Sénat français comparé aux autres deuxièmes Chambres européennes', *Pouvoirs*, 44 (1988) 131-140. For a more general perspective: Antony Mughan and Samuel Patterson, *Senates, Bicameralism in the Contemporary World* (Cleveland: Ohio State university press, 1999).

and the contestation of it which had different characteristics and different consequences.⁴⁸ In order to find pieces to the puzzle, it is first of all important to investigate how the choice for a Senate was made in the founding years of the Third Republic (1870-1875). Subsequently, it will be investigated how opinions about the Senate evolved in the first twenty-five years of the new regime (1875-1900). In the last chapter the same will be studied for the beginning of the twentieth century (1900-1914), which was a period that was characterized by the growing importance of political parties and socialism in particular.

The main sources for this research will be the parliamentary records of the Chamber of Deputies and the National Assembly for 1870-1875.⁴⁹ The debates in the Senate are less interesting in this context, first of all because of the fact that it was very unlikely that the legitimacy of the upper house was debated in the institution itself. Secondly, the primary political arena was the Chamber of Deputies. Besides, the Third Republic was a parliamentary Republic par excellence. The parliamentary debates were notorious for their ardour and violence. According to the French historian Nicolas Roussellier the Third Republic was a ‘société d’éloquence’ on all levels of the political activity.⁵⁰ This will make the parliamentary records a rich source. Nevertheless, newspaper articles and speeches of politicians will also be employed to find answers.

In each chapter a short comparison between France, Belgium and The Netherlands will be made. In the Dutch case the main academic study about the history of the *Eerste Kamer* is written by Bert van den Braak.⁵¹ For the Belgian Senate there is the book edited by Véronique Laureys and Mark van den Wijngaert.⁵² On a particular level both publications distinguish themselves from the literature about the French Senate by the fact that these works extensively do discuss the debates that have taken place about the legitimacy of the Senate in both countries. This information provides sufficient material to make a comparison possible, and therefore the situation in the Low Countries will for a large part be sketched on the basis of this literature.

⁴⁸ Jan Werner Müller, *Contesting Democracy Political Ideas in Twentieth-Century Europe* (New Haven: Yale University Press, 2011), 50-90.

⁴⁹ In the majority of the cases the source for the records of proceeding will be the *Annales parlementaires compte-rendu in extenso des séances* (consulted in the *Archives de l'Assemblée nationale*) instead of the reports in the *Journal Officiel* which are published the day after every session. The texts are basically the same, but the records of proceedings in the *Annales parlementaires* are revised and therefore more complete. It does occur that statements in both versions differ slightly, but this is rare.

⁵⁰ Nicolas Roussellier, ‘Deux formes de représentation politique : le citoyen et l’individu’, in Marc Sadoun (ed.) *La démocratie en France 1. Idéologies*, (Paris 2000) 247-331, 264. See also: Nicolas Roussellier, *Le Parlement de l’éloquence. La souveraineté de la délibération au lendemain de la Grande Guerre* (Paris: Presses de Sciences Po, 1997).

⁵¹ Bert van den Braak, *De Eerste Kamer, geschiedenis, samenstelling en betekenis 1815-1995* (The Hague: Sdu Den Haag, 1998).

⁵² Véronique Laureys and Mark van den Wijngaert (ed.) *De geschiedenis van de Belgische Senaat, 1831-1995* (Tielt: Lannoo, 1999).

Nevertheless, this research is primarily about France. The comparison's purpose is to place the French situation in an international perspective. This research does not have the pretention to give a complete and balanced picture of the history of bicameralism in three countries. The comparison is only meant to see what a quick look abroad can tell us about the importance of the specific French national context, and will also help to determine the specificities of the French political culture in this period.



President of the Senate Gérard Larcher (left) announced that he could no longer cooperate with Claude Bartolone (right), president of the Assemblée nationale, because of the latter's statements concerning the abolition of the French Senate. *'Entre les présidents du Sénat et de l'Assemblée, la guerre est déclarée', Le Figaro, 29 January 2015.*

Chapter 1 The choice for a Senate

Paul Smith emphasizes that the constitution of 1875 hinged upon the Senate: ‘without it there was no deal’.⁵³ The Senate of the Third Republic is often presented as the key in a political compromise between moderate republicans and Orléanists that resulted from the political impasse between 1870 and 1875. The first elections of 8 February 1871 had produced a monarchist majority in the National Assembly and the restoration of the monarchy did not seem impossible. The Comte de Chambord, grandson of King Charles X was the first pretender to the throne. The other candidate was the Comte de Paris, grandson of the King Louis-Philippe d’Orléans of the July Monarchy (1830-1848). The determination of the republican leader Léon Gambetta to continue the war against Prussia didn’t do any good to the popularity of the republicans. However, the monarchists were unable to take advantage of their favourable position. Paul Smith puts it as follows: ‘monarchists had control of the hand, but their cards were not unbeatable and they played them badly.’⁵⁴ One of the problems was that Chambord persisted that he would only accept to rule over France with the white Bourbon flag. Because of this intransigence the Republic was practically saved.

The debates in the National Assembly about the future state structure started in November 1872. At the opening session the provisional President of the Republic Adolphe Thiers declared: ‘La République sera conservatrice, ou elle ne sera pas’⁵⁵ The Republic had to reassure those who feared it if it wished to have a future. The Senate turned out to be a reassuring element. The article of the Wallon amendment about the organisation of the Senate was accepted on 24 February 1875 by 435 votes against 234. The vote happened in a colourless atmosphere, with no enthusiasm but with a certain relief, because finally, after all these years, the provisional status was over. The Republic was accepted by the Orléanists on the precondition that its conservative character was guaranteed by a Senate.⁵⁶ For this reason the conservative deputy De Belcastel exclaimed: ‘la constitution de 1875, c’est avant tout un Sénat’.⁵⁷ This course of events has made historians to emphasize the idea that the Senate was the ‘price to pay’ for the republicans.⁵⁸

⁵³ Smith, *A history of the French Senate*, 46.

⁵⁴ *Ibid.*, 18.

⁵⁵ Berstein, ‘La synthèse démocrate-libérale’, 315.

⁵⁶ Marichy, *La deuxième chambre*, 131.

⁵⁷ Joseph Barthélémy, ‘les résistances du Sénat’, *Revue du droit public et de la science politique en France et à l’étranger* (1913) 371-410, 373.

⁵⁸ Michel Winock, *La France politique: XIXe-XX siècle* (Paris, Éditions du Seuil, 2003) 85.

Recently, this way of presenting the origins of the Senate of the Third Republic has been nuanced by historians. Paul Smith emphasized that the Senate was a key to the compromise on the one hand, but on the other it was also an original improvisation built on France's emerging liberal and democratic political culture.⁵⁹ The French constitutional historian Karen Fiorentino convincingly elaborates on this point in her doctoral thesis, and demonstrates that the 'Senate as a compromise' was just the top of the iceberg. It was not about a compromise between two opposite political movements in the strict sense of the word, but they were relayed together by a moderate and realistic movement for which a republic based on a two chamber system was the only valid alternative. Fiorentino underlines that 1870 was a point of evaluation in French institutional history. After three monarchies, four republican regimes and two empires the time had come to reflect carefully about the causes of this instability. Fiorentino argues that, after 1852, amongst republicans the revolutionary doctrinal belief in monocameralism was questioned because it had led to dictatorships.⁶⁰ Rosanvallon adds that the defeat of 1870 against Prussia had led to a spirit of pessimism, perplexity, moderation and self-evaluation in France.⁶¹ As a consequence this period was characterised by the search for the perfect institutions.

Whereas in 1789 priority was given to the simplicity of the institutional framework, in the France after the disaster of Sedan the Republicans were looking much less doctrinal for the institutions which suited best. This meant that the *unité révolutionnaire* of 1789 and 1848 had to make place for a finer analysis of the state structure. The fact that the Third Republic rejected the vision of the French Revolution demonstrates the victory of the liberal and parliamentary school over the radical school inherited by Rousseau. The republic would not be Jacobin anymore.⁶² Fiorentino's analysis elaborates on the work of François Furet⁶³ and of the British historian Sudhir Hazareesingh, and connects them to the Senate. Both historians have argued that the ideological and sociological alliances between republicans and liberals were already bearing fruit by the late 1860s. Hazareesingh points at the

⁵⁹ Smith, *A history of the French Senate*, 436.

⁶⁰ Karen Fiorentino, *La seconde Chambre en France dans l'histoire des institutions et des idées politiques (1789-1940)* (Paris: Dalloz, 2008) 380.

⁶¹ Rosanvallon, *Le sacre du citoyen*, 404.

⁶² Fiorentino, *La seconde Chambre en France*, 420.

⁶³ See François Furet, *La gauche et la révolution au milieu du XIXe siècle: Edgar Quinet et la question du Jacobinisme 1865-1870* (Paris: Hachette, 1986). In his research Furet has fastened attention on the figure of Edgar Quinet who wrote a forceful critique on the Revolution of 1789. His message to fellow republicans was clear: repudiate violent revolutionism or be forever condemned to the self-destructing failures of Jacobinism. A new generation -young lawyers like Jules Ferry and Léon Gambetta- took Quinet's counsel to heart, and adopted a more practical approach to politics. It was this positivist generation that brought the Third Republic into existence.

emergence of a vibrant democratic political culture in France under the Second Empire.⁶⁴ Analysing to what extent the republicans perceived the Senate as compatible with democracy, will support the analysis made by these historians. However, I will argue that the moderation of the republican doctrine alone does not explain why the republicans agreed with a Senate.

Pierre Rosanvallon has underlined that two big issues which had been part of French political culture since 1789, came together in the 1870s: the place of the elites in society and the functioning of democracy.⁶⁵ The Senate played a central role in this encounter. Bicameralism was an important part of the doctrine of the Orléanists. In the years preceding the birth of the Third Republic, the public debate about the legitimacy of a Senate in a new political structure was already alive. A handful of prominent publicists, mostly liberal aristocrats, had a considerable influence on the politicians who would create the constitution of the Third Republic. Lucien-Anatole Prévost-Paradol, author of *La France Nouvelle* (1868), and Duc Victor de Broglie author of *Vues sur le Gouvernement de la France* (1861) have been described as the spiritual fathers of the constitutional laws of the Third Republic.⁶⁶ These publications all argued for a Senate in the new state-structure, but in their argumentation it becomes clear that the upper house was not legitimized as part of a mixed-government anymore. The idea that aristocracy and democracy had to be represented separately to balance the constitution was abandoned. A Senate was needed, following the Orléanist argument, to crude the representation of the number. The liberal aristocrats did not want a chamber which was against democracy, it only had to be moderated, balanced and organised.

Prevost-Paradol was a member of the *Académie française* and his book, which has been described as the 'Bible of Orléanism', was an important reference for liberalism in France.⁶⁷ His writings extensively discuss the advantages of a bicameral system. The first argument that is put forwards was the maturity of the legislative deliberations: bills which would be submitted to a double discussion would simply be better. Furthermore, the experience and competences of a certain number of distinguished civil servants and eminent men who would not be eligible for the other chamber, would not be lost for the public good. Finally, a Senate was considered as a very useful *contre-pouvoir* against

⁶⁴ See Sudhir Hazareesingh, 'La fondation de la République : histoire, mythe et contre-histoire', in: Christophe Prochasson, Marion Fontaine, Frédéric Monier (ed.) *Une contre-histoire de la IIIe République* (Paris: La découverte, 2013) 243-257. ; Sudhir Hazareesingh, *From Subject to Citizen: The Second Empire and the Emergence of Modern French democracy* (Princeton: Princeton University Press, 1998).

⁶⁵ Rosanvallon, *Le sacre du citoyen*, 407.

⁶⁶ Dominique Barjot and Michel Figeac, *Citoyenneté, république et démocratie en France 1789 à 1899* (Paris: Armand Colin, 2014) 147.

⁶⁷ Gabriel de Broglie, *L'Orléanisme, la ressource libérale de la France* (Paris: Perrin, 1981) 328.

the Chamber of Deputies and as a point of support for the government, in the case the Chamber would ‘abuse’ its powers.⁶⁸ Prevost-Paradol concluded that experience had demonstrated that a system of two chambers sharing the executive power was highly recommendable to nations that wished to govern in ‘order and stability’.⁶⁹

For Prevost-Paradol it was out of the question that this chamber would be hereditary because this was simply not compatible with the French democratic society: ‘l’esprit démocratique qui tend à détruire cette hérédité de la première Chambre, partout où elle existe encore, la détruirait à coup sûr si on l’imposait de nouveau.’⁷⁰ A system in which the senators would be appointed was not an option since this would only be possible in a monarchy, and Prevost-Paradol was looking for a system that fitted both a monarchy and a republic, and would guarantee a democratic process. The best option left was election, but this process ought to be different from the elections for of the Chamber of Deputies.⁷¹ The *Conseils régionales* would form the most competent electoral corps for the election of the Senate because they were ‘naturellement conservateur’.⁷² Another proposal by Prevost-Paradol was the idea to elect members of the *Institut de France* in the Senate. This system had the advantage that French politics would profit from the knowledge of these people.⁷³

A second work that had a particular strong influence on many members of the National Assembly was written by Duc Victor de Broglie. In the year 1861 he had published *Vues sur le Gouvernement de la France*, which was later re-edited by his son Duc Albert de Broglie in 1871. Victor and Albert were both leading actors of the conservative liberal opposition to the Second Empire. Albert de Broglie had monarchist sympathies, but he was willing to accept a republic only if it was surrounded by conservative institutions. A Senate, referred to in his work as a *Grand Conseil des Notables*, was the most important precondition. For Broglie the Republic was ‘the reign of ill-educated men’⁷⁴, and his wish was to go back to the limited suffrage of the July Monarchy. But since universal suffrage had become so inviolable Broglie demanded a largely appointed second chamber as the ‘representation of intelligence and interests’ full of civil servants, magistrates, generals and admirals.⁷⁵

A third influential author was the liberal republican Édouard de Laboulaye, a close friend of Adolphe Thiers and a disciple of Benjamin Constant and Alexis de Tocqueville. Laboulaye was a so

⁶⁸ Lucien-Anatole Prévost-Paradol, *La France Nouvelle* (Paris 1868) 106.

⁶⁹ Prévost-Paradol, *La France Nouvelle*, 105.

⁷⁰ Ibid., 106.

⁷¹ Ibid., 108.

⁷² Ibid., 110.

⁷³ Ibid., 112.

⁷⁴ Robert Gildea, *Children of the Revolution The French 1799-1914* (London: Penguin books, 2009) 247.

⁷⁵ Albert de Broglie, *Vues sur le gouvernement de la France* (Paris 1872), 182.

called ‘républicain du lendemain’; a former Orléanists who rallied to the Republic after 1848. This group still believed in bicameralism by doctrine.⁷⁶ Laboulaye was an authority on political philosophy. After Louis-Napoleon’s coup d’état and the installation of the Second Empire, Laboulaye remained a tireless critic of the new regime’s authoritarianism and became active within the liberal opposition alongside Prévost-Paradol and Broglie. Laboulaye was looking for an element of continuity and stability because universal suffrage would cause a change in policy with every election. In order to find a conservative element which would guarantee such a continuity, the Senate appeared to be a suitable solution. For Laboulaye, the Senate was not at all in contradiction to democracy, but rather described it as a guarantee for a stable democracy that would last: ‘Le Sénat est la pierre angulaire de la démocratie, le seul fondement sur lequel on puisse asseoir un État populaire avec quelque chance de durée.’⁷⁷

Pierre Rosanvallon notes that conservative liberals like Broglie, Prévost-Paradol and Laboulaye had one main question on their mind: how could a ‘force brutale’ be turned into a ‘force réglée’. This generation of liberals remained very careful in allowing the popular will to take full command. They were obsessed with ‘controlling democracy’.⁷⁸ Prévost-Paradol committed suicide when he heard the news of the outbreak of the Franco-Prussian War, but Laboulaye and Broglie would both play a major role in the constituent assembly between 1871 and 1875.

Shortly after the opening session of the Assemblée nationale in November 1872, a commission of thirty members was elected with the primary task to prepare a constitution; the *Commission des Trente*. The commission was dominated by legitimist and Orléanist members, and consequently very conservative. Albert de Broglie became their *rapporteur*. Pierre Rosanvallon has extensively studied the deliberations of this commission, and demonstrated that the first sessions of the commission were characterised by a flood of criticism against universal suffrage. The masses of electors, the commission members argued, were still too ignorant, incapable of making good decisions. However, nobody dared to propose to go back to a limited suffrage. It was estimated too risky to deprive the people the right it had acquired in 1848.⁷⁹

Moreover, despite their discomforts with ‘the power of the masses’, the conservative commission members regarded universal suffrage as a necessary guarantee for order and stability. Victor Hugo had already said in 1850 that in giving those who suffered a voting ticket, they would

⁷⁶ Smith, *A history of the French Senate*, 21.

⁷⁷ Édouard de Laboulaye, *Esquisse d’une constitution républicaine* (Paris 1872) 60.

⁷⁸ Rosanvallon, *La démocratie inachevée*, 245.

⁷⁹ Rosanvallon, *Le Sacre du Citoyen*, 417.

throw away their rifles.⁸⁰ Because universal suffrage was so undisputable, all sorts of possibilities to canalise it were discussed in the *Commission des Trente*. One member argued that: 'Il faut donc conserver le suffrage universel, mais il faut le corriger, le tempérer et lui donner un contrepoids.'⁸¹ The most obvious 'counterweight' was a second chamber.⁸² Two successive projects arguing in favour of a conservative Senate were presented in name of the *Commission des Trente* by *rapporteurs* Broglie and Lefèvre-Pontalis in the National Assembly.

The commission's first project for a constitution was presented by Broglie, in which he insisted that the Second Chamber was a precondition for any future state. Despite some resistance from Jacobin republicans as Louis Blanc and Léon Gambetta, the *Constitution Broglie* was rather fluently approved by the majority of the National Assembly on 13 March 1873. For the Senate this was a rather important moment in the constitutional process of the Third Republic which often tends to escape the attention. Paul Smith has underlined with good reason that 'from March 1873, two years before the passage of the constitutional laws, a majority of republicans accepted that the National Assembly was constituent and that the future regime would have a second chamber.'⁸³ However, nothing was certain yet. It was still unclear if the monarchists would succeed in the restoration. In the meantime new projects were presented for the organisation of the future regime. On 4 December 1873 a second *Commission des Trente* was elected. The commission's new *rapporteur* was the conservative liberal Antonin Lefèvre-Pontalis. He presented his report in de National Assembly on 3 August 1874. But the debates about this project would only take place in January and February of 1875.



A meeting of the Commission des Trente, *Archives de l'Assemblée nationale*

⁸⁰ Ibid., 444.

⁸¹ Ibid., 418.

⁸² In 1871, Émile Boutmy referred in his motivations for the foundation of the *École Libre des Sciences Politiques* to the fact that the upper hereditary chamber had been abandoned in France. This meant that the electoral property 'qualification' had disappeared completely. Therefore it was necessary, Boutmy wrote, 'that behind the barrier of upper-class prerogatives and traditions the democratic flood runs into a second rampart made of striking and useful merits, of superiorities whose prestige impose themselves, of capacities which could not be bypassed without madness.' Cited in: Robert Elliot Kaplan, *Forgotten Crisis The Fin-de-Siècle Crisis of Democracy in France* (Oxford: Berg publishers, 1995), 108

⁸³ Smith, *A history of the French Senate*, 29.

The main argument of the commission in favour of a Senate was that democracy could not rest on universal suffrage alone because there were simply differences between people. Therefore a second chamber was necessary to guarantee the representation of all elements, groups and interests in society. Broglie argued that the power of the number could not be the only identification of national sovereignty. He asked the assembly ‘mais le nombre est-il tout dans la société?’⁸⁴ The fact that all votes counted the same, would not take into account merit, capital, intelligence and ‘tout ce qui s’élève en un mot au-dessus du niveau commun de la foule.’⁸⁵ Universal suffrage should therefore be counterbalanced by the legitimate superiority of the elite, consisting of ‘tous les parvenus de l’intelligence et du travail.’⁸⁶ Only then would the full sovereignty of the nation be represented. Étienne Vacherot, who represented together with Laboulaye the least conservative wing of the *Commission des Trente*, also remarked: ‘Nous voulons tous la constitution d’une deuxième chambre. C’est là qu’il faut placer le correctif du suffrage universel et la représentation des intérêts et des éléments conservateurs de la société.’⁸⁷

Levêfre-Pontalis explicitly acknowledged that France was a democratic society.⁸⁸ Furthermore, in the commission’s projects ‘democracy’ is clearly distinguished from ‘universal suffrage’. Their Senate was not formulated against democracy, but against a democracy that would be dominated by universal suffrage. In the session of 28 January 1875 Levêfre-Pontalis argued that a second chamber was necessary as ‘un contrepoids à la toute-puissance de la démocratie française, telle que le suffrage universel l’organise’.⁸⁹ He added that without a Senate he feared that universal suffrage would become ‘un maître absolu, un despote’⁹⁰. Universal suffrage could easily make mistakes, especially in a country like France: ‘La France, cette nation aimable et spirituelle comme celle d’Athènes, se trompe comme les autres pays. Elles se trompe peut-être davantage, parce qu’elle est plus que tous les autres pays sous le coup de ses impressions du moment, qui lui donnent tour à tour les volontés les plus contraires.’⁹¹ The *rapporteur* considered it therefore of vital importance that democracy would be controlled by a Senate: ‘Eh bien voilà cette barrière, voilà cette digue; il faut qu’elle empêche la démocratie d’être une

⁸⁴ Annales de l’Assemblée nationale (AN), Impressions parlementaires (IP), Séance du 15 mai 1874, annexe nr. 2369, 37.

⁸⁵ AN, IP, Séance du 15 mai 1874, annexe nr. 2369, 37.

⁸⁶ Ibid.

⁸⁷ ‘Compte-rendu du quatrième séance de la Commission des Trente, 12 décembre 1873’. cited in: Pierre Rosanvallon, *Le sacre du citoyen*, 425.

⁸⁸ ‘Telle est dans une société démocratique comme la nôtre l’importance: telle est la nécessité d’un Sénat: c’est à ce rôle qu’il doit être destiné.’ In: AN, IP, Séance du lundi 3 Aout 1874, Annexe nr. 2680 Rapport de la commission des lois constitutionnelles présenté par M. Antonin Lefèvre-Pontalis, 474.

⁸⁹ AN, Séance du 25 janvier 1875, 273

⁹⁰ Ibid.

⁹¹ Ibid.

grande force dérégulée, qui enlève toute sur son passage, comme un torrent.⁹² In the words of Lefèvre-Pontalis, a Senate would constitute ‘un instrument régulier de gouvernement’.⁹³

For Broglie, a second chamber would guarantee a ‘save democracy’: ‘Une seconde chambre, c’est-à-dire la réflexion dans la délibération et le partage dans la souveraineté, (...) est parfaitement compatible avec toute démocratie loyale et saine’.⁹⁴ However, Broglie continued, the convictions of the Radical republicans about democracy were indeed not compatible with a Senate: ‘c’est avec la théorie du nivellement absolu de toutes les supériorités (...) c’est avec cela qu’une seconde Chambre est incompatible.’⁹⁵ Broglie tried to reassure the republicans that their objective was not to ravish universal suffrage, but only to undo it from its sharp edges: ‘Nous n’avons nulle envie de porter atteinte au suffrage universel (interruptions à l’extrême gauche), nous voulons garantir sa sincérité et sa moralité parfait; nous voulons une garantie quelconque de la moralité de l’électeur.’⁹⁶

Although the Senate was not legitimized as a protection against democracy, it was specifically presented as a protection against the menace of a new revolution: ‘nous ne nous sentons pas embarrassées pour le dire : c’est pour opposer au parti révolutionnaire une barrière suffisante pour qu’il ne puisse pas s’emparer légalement du pouvoir.’⁹⁷ Where did this fear for a revolutionary situation come from? The French political scientist Julien Feydie has emphasised the important role the Paris Commune has played in giving the Senate of the Third Republic its legitimacy. Despite their differences, all members of the National Assembly had experienced the torments of the *Semaine Sanglante* which had left a constant fear for *l’ennemi de l’intérieur*. Feydie argues that because of this, it was for politicians in the 1870s just as promotional to present oneself as ‘conservateur’ as it was to be a ‘républicain’ in 1848.⁹⁸ Feydie asserts that in all political groups, with the exception of the Radical republicans, there was a sincere desire to protect France durably against a new revolution. Feydie’s argument seems very plausible and must without doubt have played a role. However, in the projects and parliamentarian debates about the Senate, the Paris Commune itself is not specifically mentioned as an argument in legitimizing the Senate. Conservatives were more likely to make references to the revolution of 1789 and of 1848. Lefèvre-Pontalis, for instance, who described a single chamber as ‘un

⁹² AN, Séance du 25 janvier 1875, 274.

⁹³ Ibid., 273.

⁹⁴ AN, Séance du 28 février 1873, 235.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Compte-rendu du quatrième séance de la Commission des Trente, 12 décembre 1873. cited in: Pierre Rosanvallon, *Le sacre du citoyen*, 425.

⁹⁸ Julien Feydy, ‘Les commissions des trente et la loi constitutionnelle du 24 février 1875’, *Politique*, May (1966) 5-69, 19.

instrument de révolution’,⁹⁹ evoked the authority of Gérard de Lally-Tollendal. This deputy to the Estates-General of 1789 had in his time repeatedly submitted proposals in the constitutional committee for a bicameral system, however without any success. The consequences of this ignorance were common knowledge according to Lefèvre-Pontalis: the horrors of the bloody period of the *Terreur*. This was a history one sure shouldn’t want to repeat.¹⁰⁰

In legitimizing the Senate foreign examples were also gladly used. Broglie argued that all free and civilised countries had two assemblies.¹⁰¹ In the report presented by Lefèvre-Pontalis, foreign examples were investigated elaborately. The success of the Upper Houses of Great Britain, Portugal, Prussia, Austria, Hungary, Bavaria, Württemberg, Italy, Brazil, Belgium, The Netherlands, Denmark, Sweden, Norway, Switzerland, and above all the United States, were extensively discussed. Lefèvre-Pontalis especially underlined that the United States had only reformed their federal constitution once, and this was for the special occasion to add a Senate to the institutional framework: ‘le Sénat, auquel les Etats-Unis doivent leur grandeur, est devenu la clef de voute d’un gouvernement qui a survécu et qui survit à tous les nôtres.’¹⁰²

The projects of the *Commission des Trente* endured the most vigorous attacks from politicians on the republican left. These republicans were labelled as ‘Radicals’ and joined the *Union Républicaine* led by Léon Gambetta. They remained true to the Revolutionary Jacobin ideal of a centralized political system with a single assembly. For them a Senate constituted a permanent contradiction to all principles of democracy. The most important argument against the Senate was that it constituted a violation of the national sovereignty. The Radical Alfred Naquet wrote in his book *La République radicale*: ‘Il n’y a pas besoin de bascule et d’équilibre dans une vraie République, alors que la souveraineté réside dans la nation seule, qui n’a aucune raison à se faire contrepoids à elle-même.’¹⁰³ The Radicals refused the idea that a Senate would have any particular representativeness since France was ‘une et indivisible’. A Senate would only split up the national unity. Secondly, Naquet considered the Senate to be an obstacle on the road to progress which had started in 1789: ‘Le Sénat que vous voulez constituer, c’est une pierre d’achoppement sur la marche du progrès, c’est une barrière placée en travers du chemin par lequel doit passer la nation française pour résoudre cette grande question qui est pendante depuis 1789 et qu’on a appelé la question sociale.’¹⁰⁴

⁹⁹ AN, Séance du 25 janvier 1875, 271.

¹⁰⁰ Ibid., 274.

¹⁰¹ AN, IP, Séance du 15 mai 1874, annexe nr. 2369, 37.

¹⁰² AN, Séance du 25 janvier 1875, 271.

¹⁰³ Alfred Naquet, *La République radicale* (Paris 1873) 128.

¹⁰⁴ AN, Séance du 28 Janvier 1875, 335.

The socialist Louis Blanc, an old veteran from 1848, had come back to France from exile in 1870 and was elected to the National Assembly.¹⁰⁵ While the conservative advocates of a Senate predicted a revolution in a political system with one chamber, Blanc on his turn feared for revolutionary unrest in a France with two chambers. He believed that a Senate was destined to become a place where the enemies of the republic could, in all comfort, organise their opposition to the government.¹⁰⁶ Such a situation would inevitably lead to conflicts and ultimately to a revolution. Blanc considered it his duty to save France from this type of hostilities.¹⁰⁷

During his exile, Louis Blanc had completed his 15-volume work *Histoire de la Révolution française*. Therefore it was not surprising that in the National Assembly he borrowed a famous metaphor used by the revolutionary key-figure Emmanuel Joseph Sieyès to describe the uselessness of a second chamber: 'le système des deux Chambres ressemble assez à je ne sais quelle voiture fantastique qui aurait deux roues dont l'une irait dans un sens et l'autre dans un sens différent ou opposé.'¹⁰⁸

In line with his socialist colleague, the republican leader Léon Gambetta described the proposition for the creation of a Senate as 'tout à fait inacceptable.'¹⁰⁹ He asked the Assembly how the republicans could possibly agree with the creation of this chamber which he depicted as 'l'horreur de la démocratie'¹¹⁰? How could a Senate resist against the will of the people? Gambetta detested 'tous ces gros mots de grands seigneurs à l'adresse du suffrage universel'.¹¹¹ The creation of such a 'Chambre de résistance' could only be interpreted as a 'très-mauvais dessein contre le suffrage universel'.¹¹² Taking precautions against universal suffrage meant taking measures against the will of the French people: 'Contre qui prenez-vous vos précautions ? Contre la France ! Contre la démocratie ! Contre le suffrage universel ! (Assentiment à gauche).'¹¹³ Universal suffrage, Gambetta continued, was a sacred good and should be at all cost defended against any form of mutilation: 'parce qu'on ne comprend pas la République sans le suffrage universel; ce sont deux termes indivisiblement liés l'un à l'autre, et livrer le suffrage universel, c'est livrer la République!'¹¹⁴

¹⁰⁵ Gisèle Berstein and Serge Berstein, *Dictionnaire historique de la France contemporaine tome 1 1870-1945* (Paris: Éditions Complexe, 1995) 75.

¹⁰⁶ AN, Séance du 11 mars 1873, 406.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ AN, Séance du 28 février 1873, 227.

¹¹⁰ AN, Séance du 28 janvier 1875, 228.

¹¹¹ AN, Séance du 28 février 1873, 231.

¹¹² Ibid., 228.

¹¹³ Ibid.

¹¹⁴ Ibid.

For these reasons, Gambetta argued, it was simply impossible for republicans to accept this chamber that was designed against democracy: ‘Aujourd’hui on vient nous demander, à nous républicains, (...) à porter atteinte nous-mêmes au dépôt sacré de l’intégrité du suffrage universel et de préparer des armes pour une oligarchie et contre la démocratie, nous disons en toute sécurité de conscience, convaincus que nous sommes les véritables amis de l’ordre et du Gouvernement, nous disons : Non ! (Vive approbation et applaudissements sur divers bancs à gauche. – L’orateur reçoit en reprenant sa place les félicitations de ses amis).’¹¹⁵

Gambetta was a left wing Jacobin republican, but less radical than Louis Blanc and Alfred Naquet. This is also tangible in their arguments against the Senate during this debate. Gambetta explicitly stated that he was not against a conservative republic. Moreover, he claimed that he had great respect for the republicans who defended this idea. However, a republic with a Senate that violated universal suffrage, was not the conservative republic he wanted. Moderation was needed, yes, but not at the price of universal suffrage: ‘Je ne comprendrais pas un régime qui se ferait sans conservateurs ; mais il ne faut pas qu’il se fasse exclusivement avec des conservateurs.’¹¹⁶ Gambetta expressed his fear for ‘une république qui n’a d’autre programme que de refouler la démocratie, qui ne comprends d’autres institutions que des institutions monarchiques.’¹¹⁷ It was universal suffrage ‘dans son universalité’ which should be the basis for a democracy in France.¹¹⁸

Just like Louis Blanc, Gambetta predicted that popular protest would break out against this violation of national sovereignty: ‘Une telle Chambre ne peut être le produit que de la combinaison la plus artificielle. Sous prétexte de résister à la loi du nombre, c’est-à-dire à la souveraineté nationale, on cherche à organiser un frein, un moyen de résistance : en réalité, on organiserait une cause perpétuelle de conflit, on créerait une cause d’excitation constante, et vous donneriez carrière à ces violences de langage contre les inégalités ou contre les conditions supérieures que vous voulez éviter dans la politique. C’est en créant une seconde Chambre, que vous donnez pour ainsi dire une cible et un but aux passions populaires.’¹¹⁹

¹¹⁵ AN, Séance du 28 février 1873, 233.

¹¹⁶ Ibid., 231.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid., 228.



Édouard Lefebvre de Laboulaye, *Archives de l'Assemblée nationale*



Duc Victor de Broglie, *Archives de l'Assemblée nationale*



Léon Gambetta, *Archives de l'Assemblée nationale*

Alfred Naquet argued that the foreign examples given by Broglie and Lefèvre-Pontalis were completely out of place. The situation in the United States or Switzerland was totally incomparable with France mainly because of the fact that these two countries were federalist states and France a centralized country.¹²⁰ Naquet argued that the United States and Switzerland were more or less obliged to have a Senate in order to keep the influence of each state balanced. He further quoted Gambetta who had asserted that instead of speaking about ‘Senate’, the American upper house should rather be labelled as ‘un congrès d’ambassadeurs des différentes fractions de la fédération.’¹²¹ Louis Blanc also referred to England and the United States. The reform bills, the emancipation of Catholics, the abolition of slave trade, the reform of criminal laws, all these measures had met the ‘passionate and sometimes furious resistance’ of the House of Lords. Moreover, Blanc asserted, the permanent and systematic involvement of the American Senate with slavery was undeniable.¹²²

The moderate republicans, often *républicains du lendemain*, did not see any incompatibility of the Senate with democracy. Édouard de Laboulaye, a specialist in American history and known as the initiator of the French gift of the Statue of Liberty to the United States, countered the arguments of the Radicals about the United States. He believed that the Senate of the American Republic was the outstanding example of the fact that a second Chamber was perfectly compatible with democracy. He explicitly urged France to look at the example of the United States of America: ‘J’avoue que j’ai été étonné quand j’ai entendu dire qu’une seconde Chambre et la République étaient incompatibles. Il me

¹²⁰ AN, Séance du 28 janvier 1875, 334.

¹²¹ Ibid.

¹²² AN, Séance du 11 mars 1873, 405.

semblait que nous avions un exemple suffisant dans la grande république des États-Unis qui, apparemment, est démocratique.¹²³

Laboulaye was a republican of the *Centre Gauche*, conservative republicans who supported Adolphe Thiers. They believed in a second chamber because experience had taught that a single assembly, either in a republic or a monarchy, would inevitably lead to a revolution. Laboulaye reminded the National Assembly that the one-chamber experiments in 1789, 1793 and 1848 had not been terribly successful. Again, Laboulaye pointed at the terrible consequences of the French Revolution: ‘Mais prétendre que l’on peut gouverner un pays, et un grand pays, avec une Assemblée de sept cents membres, c’est retomber dans les doctrines de la Convention, c’est vouloir en arriver au régime des comités, au comité de salut public, et finir par le césarisme! (Très bien très bien! Sur plusieurs bancs – Rumeurs sur d’autres bancs) (...) devant les leçons de l’histoire, il faut reconnaître que la République ne peut vivre qu’avec deux Chambres.’¹²⁴ These mistakes of the past could not be made again and therefore a second chamber in the new state structure would be indispensable.

It is worth mentioning that Laboulaye’s claim that in a political system with one chamber the danger of caesarism would lure, was countered effectively by Louis Blanc. He pointed at the fact that during the coup d’état of *18 Brumaire* it was in the *Conseil des Anciens* where Napoleon Bonaparte had found the support he needed to overthrow the *Conseil des Cinq-Cents*: ‘de sorte que c’est au système des deux chambres que remonte en France le césarisme.’¹²⁵ Also Naquet repeated this argument in February 1875 in a most eloquent way: ‘Et, si je ne me trompe, l’une de ces Assemblées a singulièrement aidé Bonaparte à exécuter son coup d’État contre l’autre. Ainsi, l’argument historique tiré des constitutions de la France ne me paraît apporter aucun enseignement’.¹²⁶

In his arguments for the Senate, Laboulaye presented himself as a defender of democracy and national sovereignty: ‘ainsi donc, c’est au nom de la souveraineté populaire, c’est au nom de la démocratie même que je défends le système des deux Chambres.’¹²⁷ Laboulaye argued that a democracy would only have a future with a Senate: ‘Pour les républicains : si vous voulez que la République dure, que la démocratie puisse se développer, c’est à l’abri des deux Chambres ; c’est sous ce système que se développement peut se produire et pas autrement.’¹²⁸

¹²³ AN, Séance du 28 février 1873, 241.

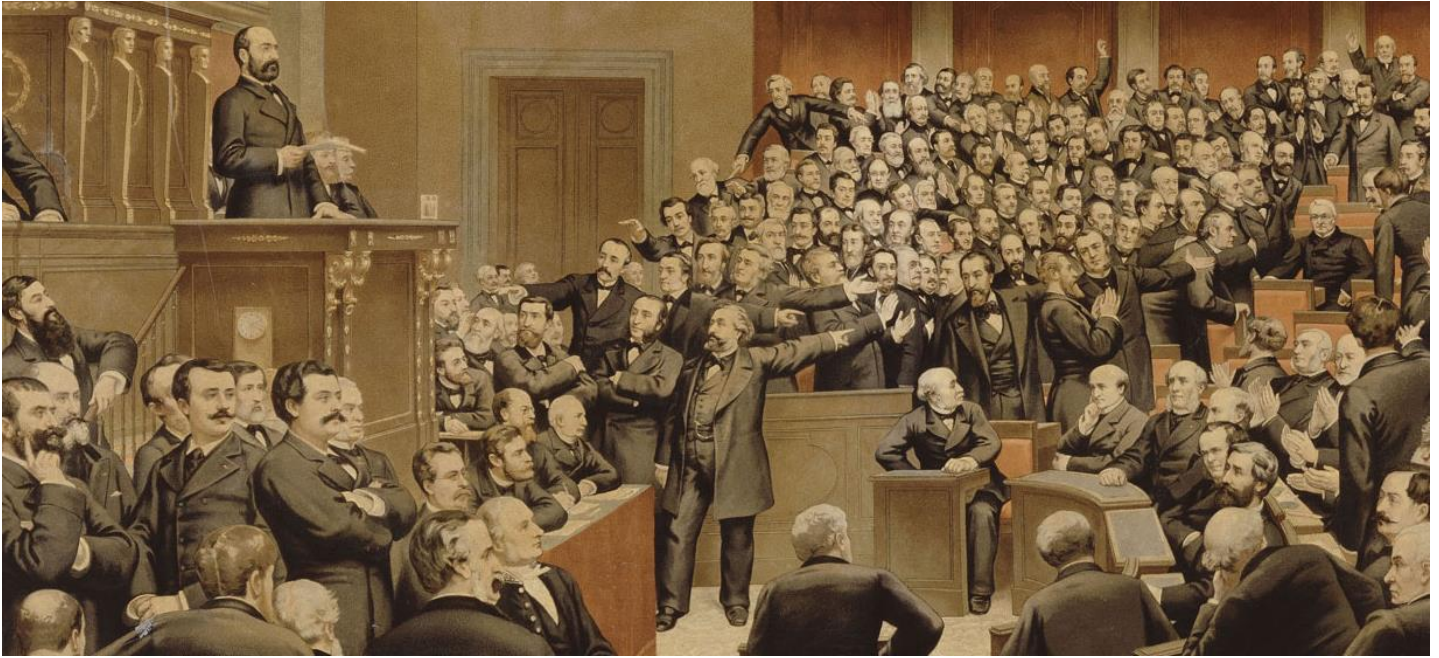
¹²⁴ Ibid., 240.

¹²⁵ AN, Séance du 11 mars 1873, 408.

¹²⁶ AN, Séance du 28 janvier 1875, 334.

¹²⁷ AN, Séance du 25 janvier 1875, 271.

¹²⁸ AN, Séance du 28 février 1873, 241.



Jules Garnier, 'Thiers proclamé « Libérateur du Territoire » lors de la séance de l'Assemblée nationale', 1877, *Archives de l'Assemblée nationale*. In the centre of the painting are the deputies Jules Ferry, Georges Clemenceau and Léon Gambetta.

Several developments paved the way towards the acceptance of the Republic. First of all, the Bonapartists suddenly won more support. On 16 March 1874 the *prince impérial*, the only son of Napoleon III, turned 18 and declared that he was willing to 'accept responsibility'. The Bonapartists consequently won a string of by-elections. This sudden threat for a new caesar drove the Orleanists and the moderate republicans closer together. Secondly, the Comte de Chambord would live until 1883, which made an Orléanist monarchy practically impossible. Therefore Broglie was willing to accept a republic with a constitution that guaranteed the conservative character of the regime, and which held the option open for a future restoration of the monarchy.

The road to the Republic was also facilitated by another factor; the sudden moderation of Léon Gambetta. The leader of the *Union Républicaine* realised that the Republic only stood a chance if it would reassure the whole of French society, and consequently moved closer towards the moderate republican ideology of Thiers.¹²⁹ With the Republic secured, a solution for the Senate had to be found. Many republicans started to realise that a Senate had become inevitable. This was noticeable in Gambetta's newspaper *La République française*. On 8 February 1875 an article still fiercely condemned the Senate, but suddenly, on 10 February the Senate was described in the same newspaper as 'plus ou moins

¹²⁹ Berstein, 'La synthèse démocrate-libérale', 321.

utile¹³⁰. The question now was what kind of Senate this would be, how it would be elected and what powers it would get.

On 11 February the deliberations about the Senate continued. Jean Pierre Marichy described this session as ‘assez dramatique’¹³¹. This was due to the fact that the centre-right -which had accepted the Republic- demanded that the Senate would maintain its conservative character. The republicans on the other hand, now that they had coerced the guarantee of a Republic, tried to make the Senate as democratic as possible in electing it by universal suffrage. The debate got an interesting twist when the republican Pascal Duprat proposed an amendment that senators and deputies should have the same electorate residing from universal suffrage. To the general surprise Duprat’s amendment passed with a small majority thanks to the unexpected support of the Bonapartists and the abstention of the legitimists. As a result the delicate alliance that had supported the Wallon amendment seemed to disintegrate. But the conservative provisional government did not accept the vote and the amendment was rejected in the third reading.

After the vote on the Duprat-proposal the whole situation got even more complicated. The open discussion about the recruitment of the Senate appeared to get blocked. In order to get to a solution, the negotiations between the *Centre Droit* and the *Centre Gauche* were continued in secret. According to the classic version of the story this happened between the Orléanist spokesman Duc Gaston Audiffret-Pasquier and the centre-left spokesperson Auguste Casimir-Périer. Their political differences were attenuated by the fact that they were brothers-in-law and lived in adjoining *hôtels particuliers*. During the negotiations messages were communicated by runners through the common garden.¹³² However, Paul Smith has pointed out that in reality this was only the culmination of a long process begun in May 1873.¹³³ The negotiations resulted in a compromise determining that the Senate would partly be elected by indirect universal suffrage and the remaining 75 *sénateurs inamovibles* were appointed by the National Assembly. On 24 February 1875, this Senate was accepted by a majority of 435 against 234. Only 13 republicans abstained, among them was Louis Blanc.

Paul Smith is surprised how willing the left was in accepting the compromise. There were ‘curiously little objections’, only against the life-senators.¹³⁴ Gambetta also accepted the Senate and became its most prominent defender. However, there is some smoke around Gambetta’s changing

¹³⁰ Jérôme Grévy, *La République des opportunistes 1870-1885* (Paris: Perrin, 1998) 58.

¹³¹ Marichy, *La Deuxième Chambre*, 125.

¹³² Gildea, *Children of the Revolution*, 251.

¹³³ Smith, *A history of the French Senate*, 43.

¹³⁴ *Ibid.*, 44.

position vis-à-vis the Senate. Why did he change his mind? In analysing the role Gambetta has played in the legitimisation of the Senate as a democratic and republican institution, it becomes clearer why most republicans had so little objections to the upper house.

Gambetta accepted the negotiated compromise, but according to Gambetta's friend Auguste Scheurer-Kestner he did not so willingly. Scheurer-Kestner's account claims that he spent the whole afternoon and evening to persuade Gambetta to accept the deal.¹³⁵ He eventually succeeded and the next morning *La République française* published an article in favour of the project and Gambetta convinced the large majority of the Union Républicaine to approve it.¹³⁶ Historian Jérôme Grévy has already made a small side note that it is possible that Scheurer-Kestner's account gives himself more credit than he actually deserves in Gambetta's acceptance of the Senate.¹³⁷ Nevertheless, this depiction of events implies that Gambetta was more or less forced to accept the Senate as a 'price to pay' to save the Republic. On the basis of this information Jean Garrigues draws the conclusion: 'reconnaissons d'abord que le Sénat est issu d'une transaction constitutionnelle (...) le duc de Broglie a vendu au Centre gauche la reconnaissance de la République au prix d'un Sénat vraiment conservateur.'¹³⁸ However, the question remains how sudden Gambetta's conversion to the Senate actually was.

One element that indicates this question is worth asking is the fact that during the debate of 28 February 1873 -when Gambetta expressed his fierce objections against the Senate- Laboulaye replied that he did not believe that Gambetta expressed his personal convictions, but the doctrines of the political group to which he belonged; the Radical party: 'Je n'aurai donc pas pris la parole si l'honorable M. Gambetta n'était venu apporter à cette tribune des doctrines connues depuis longtemps, qui ne lui sont pas personnelles, qui sont celles de son parti, et que j'ai toujours considérées comme des doctrines qui doivent amener fatalement la ruine de la République et du pays (Approbation sur un grand nombre de bancs.)'¹³⁹ This allegation -made in plenary session- suggests that Gambetta had already much longer accepted the idea that a Senate would be compatible with the democratic Republic. I will argue that there are sufficient clues that point in this direction. First of all because Gambetta would play a tremendously important role in providing the Senate with a unique republican and democratic legitimacy.

¹³⁵ Grévy, *La République des opportunistes*, 59.

¹³⁶ *Ibid.*, 58.

¹³⁷ *Ibid.*, 59.

¹³⁸ Garrigues, 'Le Sénat de la Troisième République', 1170.

¹³⁹ AN, Séance du 28 février 1873, 240.

Gambetta knew that he had to explain his voters that the Republican Party had accepted the constitutional settlement of 1875, which included the institution he had condemned so vigorously only two years earlier. This was the primary objective of his speech at Rue de Ménilmontant in Belleville, a hill in Paris with a large workers population, often referred to as ‘the Avantine Hill of the Republic’. It was even more symbolical because of the fact that it was at this place where in 1869 Gambetta had manifested himself as the leader of the republican left during the presentation of the Belleville manifesto; the programme of the Republican Party. On 23 April 1875, in front of an audience of two thousand suspicious ears, Gambetta succeeded in presenting the Senate as a victory for democracy. Gambetta was an extremely talented orator. His speeches were powerful, harmonious and often improvised; ‘Jamais l’éloquence humaine n’a atteint une pareille véhémence et de tels sommets’ a contemporary observed.¹⁴⁰ At Belleville, and other places in France, Gambetta used this eloquence to convince his followers that the Senate did not mean the establishment of a republican monarchy, but rather the creation of a valuable instrument for the promotion of democracy, the Republic and the nation.

Gambetta found a new legitimacy in the communes of France by which the Senate was elected. Gambetta deliberately avoided to speak of a ‘Senate’ because this brought bad memories: ‘Non, ce n’est pas un sénat à l’usage des monarchies, un sénat à l’ancienne mode, nous avons bien d’autres prétentions!’¹⁴¹ Instead Gambetta gave the second chamber a new label: *le Grand Conseil des Communes françaises*. The communes, Gambetta argued, represented what was ‘le plus démocratique en France’, they constituted the very heart of democracy itself.¹⁴² This was not a newly invented argument. Gambetta had already preached the virtues of local democracy in his Belleville manifesto in 1869.¹⁴³ The Senate would be the representation of the small towns, the villages and the hamlets of the vast French agricultural territory. Gambetta explained to his audience that two parts of France had been living apart. *Les villes* and *les campagnes* had always regarded each other with great suspicion: ‘On disait alors (...) à l’électeur des campagnes (...) ton ennemi ; c’est l’ouvrier des villes, c’est lui qui empêche que tout marche, que les affaires aillent bien que les impôts se réduisent.’¹⁴⁴ Gambetta added that this

¹⁴⁰ Winock, *La France Politique*, 83.

¹⁴¹ Bibliothèque Nationale de France François Mitterrand (BnF Paris), Léon Gambetta, Discours sur les lois constitutionnelles prononcé le vendredi 23 avril 1875 dans une réunion privée à Belleville. (Gambetta discours à Belleville), Inv. Nr. 8-LB57-5257, 32.

¹⁴² BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 33.

¹⁴³ Gildea, *Children of the Revolution*, 290.

¹⁴⁴ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 31.

was a shameful situation with very harmful consequences for the unity of French democracy and the French nation: 'la démocratie républicaine est une, comme la France elle-même.'¹⁴⁵

Gambetta rightfully admitted that the Republic had always had its basis in the cities, and not in the provinces. The French peasants tended to be monarchist or Bonapartist, since these regimes were more likely to guarantee peace and stability than the revolutionary Republic. This explains why the rural voters constituted the most important support for Napoleon III, who had taken advantage of this by reshaping the electoral system in such a way that it artificially increased the support of the rural areas for the imperial government.¹⁴⁶ Prévost-Paradol had described these Bonapartist politics as 'campagnocratie' and denounced the oppression of the urban voters by a regime that was exclusively founded on the rural electorate.¹⁴⁷ The elections of 8 February 1871 for the National Assembly had revealed an unmistakable separation between towns on the one hand, which had elected republicans, and the countryside on the other that had voted for the monarchists who profited from the enormously discredited Bonapartists. Historians agree that this vote should not be interpreted as an attachment to the monarchy, but as a rejection of the continuation of the war which was defended by the republicans.¹⁴⁸

In any case, this rural conservatism was a very worrying issue for the republicans since they believed so vigorously in universal suffrage. According to Rosanvallon, the scepticism and the reproaches of the republicans versus the peasants were strongly connected with the tension between the legitimacy of universal suffrage and the political capacity of rural people.¹⁴⁹ The opinion of the French philosopher Ernest Renan is a perfect illustration of the feelings many urban republicans had about this: 'J'aime mieux les paysans à qui l'on donne des coups de pied dans le cul que des paysans comme les nôtres dont le suffrage universel a fait nos maîtres. Des paysans quoi ? L'élément inférieure de la civilisation qui nous ont imposé, nous ont fait subir vingt ans ce gouvernement.'¹⁵⁰ Rosanvallon explains that republicans, liberals and conservatives found each other in giving the French peasant the full blame for the Second Empire. The central question for the republicans in the 1870s was how to rally the peasants -who's vote had clearly demonstrated their political incapacity- to the Republic?¹⁵¹

¹⁴⁵ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 31.

¹⁴⁶ Chloé Gaboriaux, *La République en quête de citoyens. Les républicains français face au bonapartisme rural (1848-1880)* (Paris: Presses de Sciences Po, 2010), 13.

¹⁴⁷ Gaboriaux, *La République en quête de citoyens*, 244.

¹⁴⁸ *Ibid.*, 251.

¹⁴⁹ Rosanvallon, *Le sacre du citoyen*, 464.

¹⁵⁰ *Ibid.*, 465.

¹⁵¹ *Ibid.*, 467.

The answer was education. As François Furet has emphasized, many republicans realized that universal suffrage had been installed too rapidly in 1848. To take away the fear for the ignorant masses, universal suffrage presupposed education, and more in particular ‘political education’ which was far from being realised in mid-nineteenth century France.¹⁵² Since Gambetta believed so strongly in universal suffrage, he refused any limiting conditions imposed on it. Instead, Gambetta and other republicans like Jules Ferry, preferred to reduce the differences in the French electorate by means of education and hereby ‘enlighten’ the universal suffrage.¹⁵³ Philip Nord explains that in the second half of the nineteenth century the republicans had a very strong pedagogical commitment to promote democracy: ‘republicans invited the nation to participate in a range of activities that encouraged beliefs and habits supportive of a democratic public life. The idea was to shape a particular kind of citizen: a conscientious human being who revered the philosophes and the revolutionaries of 1789. With such citizens, elections might be won and democratic institutions made to work.’¹⁵⁴ These convictions were essential in Gambetta’s political programme of 1871: ‘Il faut se retourner vers les ignorants et les déshérités, et faire du suffrage universel, qui est la force par le nombre, le pouvoir éclairé par la raison. Il faut achever la révolution.’¹⁵⁵

Gambetta argued that despite the fact that the French rural population stood intellectually several centuries behind on the enlightened inhabitants of the cities, the rural territories could be conquered for the Republic.¹⁵⁶ Gambetta believed that the Senate would be an excellent instrument to realise this republicanisation of the French countryside; the *Grand Conseil des Communes de France* would bring the ideas of republican democracy to every last corner of France. And as a consequence, the French peasant would be rallied to the republican regime: ‘le paysan sera arrivé à la véritable conception de sa souveraineté, ce jour-là, la République sera indestructiblement fondée. (Bravo ! bravo ! – Vives acclamations.)’¹⁵⁷

In this context Gambetta emphasized the complementarity between both chambers. The direct universal male suffrage that elected the Chamber of Deputies would, to a large extent, express the choice of the towns, while the indirect suffrage of the Senate permitted the rural areas to express more

¹⁵² Furet, *La Révolution Française*, 403.

¹⁵³ Pierre Barral, *Léon Gambetta. Tribun et stratège de la République 1838-1882* (Toulouse: Privat, 2008), 171.

¹⁵⁴ Nord, *The Republican moment*, 250.

¹⁵⁵ BnF Paris, Léon Gambetta, Discours du 26 juin 1871 à Bordeaux (Gambetta discours à Bordeaux) Inv. Nr. 8-LB57-2380(A), 21.

¹⁵⁶ BnF Paris, Gambetta discours à Bordeaux, Inv. Nr. 8-LB57-2380(A), 29.

¹⁵⁷ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 46.

authentically their political opinions. Experience had demonstrated that the candidates for the Chamber of Deputies were too exclusively urban and could not represent the interests of the peasants in a proper way. With the Senate, the French peasant would finally be represented: 'Les villes feront des choix prépondérant pour la Chambre des Députés, mais c'est l'influence des campagnes qui se fera mieux sentir dans le Sénat pour la plus grande stabilité de la République et sans esprit de réaction.'¹⁵⁸

Gambetta was obsessed with the growth of the Republican party at the local level.¹⁵⁹ He continuously insisted on the necessity to rally the rural masses to the Republic, without them one could not govern.¹⁶⁰ Gambetta argued that now the electoral basis of the Senate lay in the communes, it brought politics to a new social class which in practice up until then had been excluded from it. In January 1876 Gambetta emphasised this advantage: 'Ce qui se passe, c'est le transport de la politique dans des mains nouvelles. Jusqu'à ce jour, la politique avait été réservée à une élite plus ou moins éclairée, plus ou moins capable, (...) à une oligarchie jalouse.'¹⁶¹ Now politics would come within reach of every hard working Frenchmen, who consequently would acquire the same rights and responsibilities.¹⁶² Because of the Senate, the rural population would be forced to fully participate in politics in order to represent their interests. Consequently, the Senate became the realisation of one of the fundamental objectives of the new Republic: involve the French peasants in the political discussion and issues of a national scale. The educational element of the senatorial elections was an important factor in the 'la politisation des paysans',¹⁶³ and therefore Gambetta described the Senate as 'un école de gouvernement'.¹⁶⁴ The practice of municipal democracy was a central point in the republican strategy for capturing power after 1871. Loyal participation in communal politics would, in Gambetta's formula, enable urban and rural populations to connect themselves with the Republican party.¹⁶⁵ The Senate was not only compatible with democracy, but it was presented by Gambetta as an essential tool to promote this republican virtue throughout France.

The educational element was also important as a reassuring argument. Democracy no longer needed to be feared because people from the rural parts of France would not make the same mistake

¹⁵⁸ BnF Paris, Léon Gambetta, Appel aux délégués des communes pour l'élection des sénateurs. Discours prononcé à Aix le 18 janvier 1876. (Gambetta discours à Aix), Inv. Nr. 8-LB57-5846.

¹⁵⁹ Hazareesingh, *From Subject to Citizen*, 316.

¹⁶⁰ BnF Paris, Gambetta discours à Aix, Inv. Nr. 8-LB57-5846.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ Gaboriaux, *La République en quête de citoyens*, 288.

¹⁶⁴ BnF Paris, Léon Gambetta, Élections Sénatoriales. Discours prononcés par M. Léon Gambetta, à Romans et à Grenoble. (Gambetta discours à Roman et Grenoble), Inv. Nr. 8-LB57-6901, 47.

¹⁶⁵ Hazareesingh, *From Subject to Citizen*, 316.

as they had made in the past to vote for a caesar like Bonaparte: 'le jour approche où la démocratie par excellence, la démocratie rurale, ne se trompera plus sur le choix des hommes.'¹⁶⁶ Because of their involvement in national politics, peasants would stop believing the terrifying false stories -spread by the church- that the Republic would only cause disorder.¹⁶⁷

The Senate thus became the 'rural chamber' of France. Historian Chloé Gaboriaux demonstrated in her doctoral thesis that the republican perception of the rural world changed during the Second Empire and was reworked at the eve of the Third Republic so it could be incorporated in a new social and political ideal. Following this mentality, Jules Ferry had already in the 1860s pleaded for 'la République des paysans'.¹⁶⁸

According to the French specialist of agricultural history Alain Chatriot, republicans like Ferry and Gambetta found in the French peasant a new model. The 'paysannerie', Chatriot argues, appeared to be a remedy in the age of expansion of democracy and as a means to settle the Republic in France.¹⁶⁹ Chatriot points at two elements here. The first one is often used to explain the choice for election of the senators by the communes, since this would guarantee the conservative character of the second chamber and hence the moderation of the Republican regime; the conservative countryside would work as a check on the 'revolutionary towns'. This vision supports Furet's thesis of the republican search for moderation and De Dijn's thesis of the conservative search for balance. However, this argument does not appear in the speeches of Gambetta. The idea to moderate democracy with a rural chamber only reflects the arguments that convinced the Orléanists to accept the election of their conservative Senate by indirect universal suffrage. It was Prévost-Paradol who had already proposed to elect the Senate by the provincial councils because they were 'naturellement conservateur'¹⁷⁰.

A close analysis of Gambetta's speeches reveals that the second element Chatriot points at - settling the Republic in France- was considered as a much greater priority for the Republican Party for which the Senate was needed. Gambetta completely turned around the conservative argument: the Republican leader wanted a rural chamber in order to create a harmony between Paris and the provinces because it was urgent for the republicans to construct a unified democracy in France: 'fondée sur la concorde et l'étroite solidarité de toutes les classes de la nation.'¹⁷¹ He did not want a centralist

¹⁶⁶ BnF Paris, Gambetta discours à Roman et Grenoble, Inv. Nr. 8-LB57-6901, 43.

¹⁶⁷ Ibid.,

¹⁶⁸ Alain Chatriot, 'Les paysans au cœur de la République', in: Marion Fontaine, Frédéric Monier, Christophe Prochasson, (ed.), *Une contre-histoire de la IIIe République* (Paris: La découverte, 2013) 353-363, 354.

¹⁶⁹ Chatriot, 'Les paysans au cœur de la République', 354.

¹⁷⁰ Prévost-Paradol, *La France Nouvelle*, 110.

¹⁷¹ Barral, *Léon Gambetta*, 184.

Republic, but on the contrary that the communes of France would be integrated in the framework of the *République une et indivisible*: ‘je suis un défenseur de la centralité nationale. (...) Je suis pour l’unité, pour la centralité française.’¹⁷²

Gambetta’s defence of the Senate is completely in line with the republican doctrine of ‘municipalism’, a notion which has been extensively studied by Sudhir Hazareesingh. This principle argued for the democratic self-government of the commune within the framework of a politically centralized state.¹⁷³ Hazareesingh has demonstrated that the doctrine of municipalism had a great influence on the republicans in the years preceding the foundation of the Third Republic. In 1856 Alexis de Tocqueville explained in his work *L’Ancien Régime et la Révolution* the isolation of rural areas from politics as a consequence of Jacobin centralisation. In the 1860s and 1870s many republicans - among them was Gambetta- had become aware of this, and decentralisation became one of the most important issues for the French political and intellectual elites.¹⁷⁴ Federalists like Pierre-Joseph Proudhon argued that the Republic should be a collection of autonomous but interacting communities. However, the Paris Commune in 1871 had enormously discredited the federalist-autonomists. As a consequence, Hazareesingh argues, ‘a moderate municipal republicanism came in command of the field’.¹⁷⁵ Municipalism not only embraced the core ideals of the republican movement but presented itself as an important instrument in achieving its broad objectives: civil and political equality, individual freedom and education, secularism, democracy and universal suffrage.¹⁷⁶ It was a creative and innovative attempt to modernize the doctrines that were inherited by the First and Second Republics. According to Hazareesingh, ‘the attractiveness of this municipalist approach lay in its reasonable nature and its ability to combine elements of moderation with an ideological self-representation as the legitimate heir of the French revolutionary tradition.’¹⁷⁷ It was strongly committed to the preservation of ‘order’, and the reconciliation with liberty. With nuances of style and presentation, municipalism was espoused by most of the republican party’s parliamentary and intellectual elites, as well as the majority of its elected local councillors.¹⁷⁸ Paul Smith has briefly pointed at municipalism in explaining the republican acceptance of the Senate,¹⁷⁹ but I would like to emphasize much more explicitly how

¹⁷² Barral, *Léon Gambetta*, 171.

¹⁷³ Hazareesingh, *From Subject to Citizen*, 288.

¹⁷⁴ Sudhir Hazareesingh, ‘Defining the Good life : Second Empire municipalism and the emergence of the Third Republic’, *French History*, 11:3 (1997) 310-337, 318.

¹⁷⁵ Ibid.

¹⁷⁶ Hazareesingh, *From Subject to Citizen*, 300.

¹⁷⁷ Hazareesingh, ‘Defining the Good life’, 333.

¹⁷⁸ Hazareesingh, *From Subject to Citizen*, 300.

¹⁷⁹ Smith, *A history of the French Senate*, 23.

important the principle of municipalism was for the legitimisation of the Senate by the republicans as a democratic institution.

First of all, by looking at Gambetta's defence of the Senate from the municipalist perspective, Gambetta's 'sudden conversion' does not seem that improvised as is often claimed. Although Sudhir Hazareesingh himself makes no mention at all of the Senate to support his claims, Gambetta's legitimisation of the Senate fits perfectly in the municipalist doctrine he elucidates. Municipalism expressed the principles of republican citizenship which comprised values that all come back in Gambetta's justification of the Senate: political participation, education, rationalism, public-spirititedness, and patriotism. Moreover, the municipalist republicans rejected the age-old division between an urban and a rural France. In the late Second Empire the Republican Party already had developed a well-defined notion of the state and a clearly formulated doctrine concerning its relations with the communes. For this reason, Hazareesingh underlines that the debate on the local liberties in the 1860s and 1870s is absolutely fundamental to understand the conceptions and mentality of the founders of the Third Republic.¹⁸⁰ Rosanvallon also confirms that the idea of decentralisation was riding high at the beginning of the 1870s. Decentralisation would permit to create communities, organise the nation in an organic way and henceforth escape the masses of unconnected voters.¹⁸¹

Municipalism also emphasized the promotion of a national feeling. Participation in the national political life was an essential ideological objective in the republican project. Hazareesingh argues: 'the republican doctrine in the 1870s believed in fostering a sense of common identity of a democratic France that transcended class boundaries.'¹⁸² The municipalist notion of citizenship highlighted the unity of France. Active municipal life would generate a healthy public spirit and would make individual citizens reason not only in terms of their own selfish interests but also with regard to the needs of others.¹⁸³ The promotion of this spirit of fraternity would result in an attachment to the *patrie*.

Just like other European political leaders in the late nineteenth century, Gambetta hoped to tighten the rural populations to the nation in using national institutions and administration.¹⁸⁴ In France this necessity was even more compelling because France was a pre-eminently agrarian country. In Gambetta's plan, the Senate would help to shape a unified, patriotic and republican France. When he underlined the educational function of the Senate, it was not only meant to republicanise the peasants,

¹⁸⁰ Hazareesingh, *From Subject to Citizen*, 315

¹⁸¹ Rosanvallon, *Le Sacre du citoyen*, 422.

¹⁸² Hazareesingh, *From subject to citizen*, 262.

¹⁸³ *Ibid.*, 318.

¹⁸⁴ Timothy Baycroft, *Nationalism in Europe 1789-1945* (Cambridge: Cambridge University Press, 1998) 36.

but also to integrate them into the French nation. The election of the Senate in the communes, Gambetta argued, would bring national politics to the remote French countryside.¹⁸⁵ The fact that the elections in the communes would from now on also make a difference in national politics would give the French provincials a feeling of responsibility, and at the same time teach them about national politics: 'L'examen de ces intérêts, le choix des hommes initient les conseillers municipaux à la politique et leur font sentir la dignité, la responsabilité dont ils sont investis, le poids dont ils pèsent dans les destinées de la patrie. Cette mission leur apprend, en même temps, à connaître les hommes qui sollicitent leurs suffrages et à comprendre la valeur de leur bulletin au jour du vote.'¹⁸⁶ The word 'nation' had a prominent place in Gambetta's speeches about the Senate: 'Oui, je le dis avec joie, les paysans de France tiennent leurs destinées entre leurs mains, ils sont les premiers arbitres des progrès de la nation.'¹⁸⁷ Gambetta's defence of the Senate demonstrates how the republicans tried to fuse 'republic' and 'nation' into a single entity.

The process of turning 'peasants into Frenchmen' between 1870 and 1914 has been famously described by historian Eugen Weber.¹⁸⁸ Weber argued that the French countryside was for a very large part disconnected from the outside world, and until the late nineteenth century not integrated in the French nation.¹⁸⁹ In many regions people felt little identity with 'France' or with people from other provinces. For many peasants around the middle of the nineteenth century, the nation represented taxes and conscription, but did not live in the hearts and minds.¹⁹⁰ The defeat of 1870 -which precipitated France into the lower rank of the great powers- did not only result in an atmosphere of pessimism and uncertainty about France's political institutions. It also confronted France with the urgent challenge to rebuild national unity, spirit and consciousness.¹⁹¹ In this context the Senate served a very urgent matter for French politicians. Gambetta's defence of the Senate is therefore a perfect expression of the 1870s zeitgeist when nationalism truly became a mass phenomenon, and should therefore be seen in the light of French nation building.

Gambetta believed that the Senate would stimulate a national coherent identity by interlinking the French communes. He regretted to see that the rural villages were separated by 'impenetrable

¹⁸⁵ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 40.

¹⁸⁶ BnF Paris, Gambetta discours à Roman et Grenoble, Inv. Nr. 8-LB57-6901, 42.

¹⁸⁷ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 30.

¹⁸⁸ Eugen Weber, *Peasants into Frenchmen. The Modernization of Rural France 1870-1914*, (Stanford: Stanford University Press, 1976).

¹⁸⁹ Weber, *Peasants into Frenchmen*, 486.

¹⁹⁰ *Ibid.*, 486.

¹⁹¹ Gildea, *Children of the Revolution*, 410.

trenches' and consequently had ignored each other for ages. The Senate would change this because now the *conseillers municipaux* had to debate the choice of their senator with the delegates from the other communes in the *chef-lieu du département*, and this would stimulate an exchange of views on national politics.¹⁹² For Gambetta, this was the very essence of democracy. To describe these separated communes, Gambetta used the metaphor of 'dust particles' that were spread out on the floor. The Senate would glue these molecules back together again into a coherent unity: 'cette poussière, voilà qu'on la prend, qu'on la pétrit, qu'on va l'agréger, la cimenter, lui donner cohésion, la force, la vie en faire une véritable personne morale, parlant, agissant au nom de toutes communes françaises ! (Profonde sensation).'¹⁹³

In this way Gambetta presented the Senate as the greatest victory for democracy. The second chambers in the history of France should not deter because they had nothing in common with the new Senate. Their political enemies had not succeeded in obtaining their conservative chamber they desired so much.¹⁹⁴ Gambetta urged his audience to understand that this Republican Senate should be regarded as an admirable instrument of order, peace, and democratic progress; more comparable to the Senate of ancient Rome and that of the Republic of Venice.¹⁹⁵ Gambetta even asserted that the *Grand Conseil des Communes de France* was a necessary component in French democracy, and added: 'et surtout dans une démocratie qui veut être progressive.'¹⁹⁶ He instilled his audience that this Senate had democratic powers which would give France a new political spirit. Gambetta identified democracy as the very principle of the Senate, its source and origin: 'Par cette institution du Sénat bien comprise, bien appliquée, la démocratie est souveraine maîtresse de la France. (Très bien ! Très bien ! – Salve d'applaudissement.)'¹⁹⁷

Gambetta urged his audience not to think lightly about this important pillar of the Republic, but instead take it very seriously and prepare to defend the upper house against those who wanted to get rid of it.¹⁹⁸ In his speech in Grenoble in the running to the first senatorial elections, Gambetta announced that it was only a matter of time before the Senate would be completely penetrated by 'l'esprit démocratique' -there still were 75 *sénateurs inamovibles* resulting from the compromise with the Orléanists- so it could turn itself into 'la véritable citadelle de la République'. In doing so, Gambetta

¹⁹² Gaboriaux, *La République en quête de citoyens*, 289.

¹⁹³ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 26.

¹⁹⁴ Ibid., 22.

¹⁹⁵ Ibid.

¹⁹⁶ BnF Paris, Gambetta discours à Roman et Grenoble, Inv. Nr. 8-LB57-6901, 48.

¹⁹⁷ BnF Paris, Gambetta discours à Belleville, Inv. Nr. 8-LB57-5257, 45.

¹⁹⁸ Ibid., 57.

predicted that everyone would kneel before the Senate of the French Republic as people had once kneeled before the Senate of the Republic of Rome.¹⁹⁹ The Senate was no longer an obstacle for democracy. Instead, Gambetta presented it as ‘un guide sympathique’ on which France could always count with confidence.²⁰⁰ The Senate would not be the enemy of the Chamber of Deputies, but it would be its friend, support and control.²⁰¹

On the occasion of the communal elections Gambetta made a ‘tour de France’ to convince the electorate to vote for the republican candidates. Gambetta realised that the Republic could only be established in a definitive way if the Senate would completely turn republican as he had envisaged. These elections were vital for the immediate stability of the Republic, its security in the future and to create a ‘fixed point in the Republic’.²⁰² In his speeches he once more underlined the fact that the Senate was a democratic institution. Gambetta spoke about the senatorial delegates of the communes as ‘les mandataires des partisans avérés de la démocratie républicaine.’²⁰³

Most republicans agreed with Gambetta. Jules Ferry believed that if the Republic would remain hostile to the French peasant, it would surely be swept aside by universal suffrage.²⁰⁴ However, despite his impressive speeches held in every corner of France, Gambetta was not able to convince all his fellow republicans about the legitimacy of the *Grand Conseil des Communes de France*. Chloé Gaboriaux describes how the creation of the Senate revived the defiance of the extreme left republicans versus the French peasant in phrases that very much resembled those from the 1860s: hate for the ‘campagnocratie’ and the hostility of the *national* against the *rural*.²⁰⁵ Louis Blanc described Gambetta’s legitimisation as the domination of the big towns by the small villages as ‘the defeat of day by night’. Blanc could not accept that the smallest village, with a handful of inhabitants, often backward, hostile to progress and political life itself, would weigh just as heavy as the greatest centres of light and life. As a consequence, ignorance would prevail civilisation.²⁰⁶ He spoke scandal of the enormous influence the Senate would have in the legislative framework: ‘La Chambre ultra-rurale pourrait dissoudre l’Assemblée de toute la France!’²⁰⁷ Radical politicians accused Gambetta of betraying the principles of the Revolution.

¹⁹⁹ BnF Paris, Gambetta discours à Roman et Grenoble, Inv. Nr. 8-LB57-6901, 48.

²⁰⁰ Ibid., 50.

²⁰¹ Ibid., 47.

²⁰² BnF Paris, Gambetta discours à Aix, Inv. Nr. 8-LB57-5846, 56.

²⁰³ Ibid.,

²⁰⁴ Gaboriaux, *La République en quête de citoyens*, 294.

²⁰⁵ Ibid., 276.

²⁰⁶ John Bury, *Gambetta and the making of the Third Republic* (London: Longman, 1973), 237.

²⁰⁷ Louis Blanc, *Histoire de la Constitution du 25 février 1875* (Paris 1882) 154.

Historians often explain Gambetta's sudden defence of the Senate as the moment when Gambetta 'converted' himself to the moderate republican current referred to as 'opportunism'.²⁰⁸ Because Gambetta initially manifested himself as a Radical Jacobin republican, his sincerity is very easily called into question when he eventually defended the Senate. It is presented as if Gambetta, against his will, had to make the republicans accept this conservative chamber in order to save the Republic.²⁰⁹ This line of thoughts ignores the fact that Gambetta found in the Senate an ingenious solution to solve burning problems that the republicans were facing. The actual concession Gambetta and the republicans had to make to the Orléanists were the 75 *sénateurs inamovibles*, not the creation of a Senate itself, which had already been voted in March 1873 anyway. The life-senators of Broglie threw a spanner in the republican *Grand Conseil des Communes de France*. Historians have neglected to emphasize this nuance sufficiently.

When in February 1873 Gambetta expressed his objections against Broglie's conservative Senate, this was first of all motivated by the fact that Broglie legitimized his *Grand Conseil des Notables* as a barrier against universal suffrage, which was perceived by the republican leader as a sacred good. Léon Gambetta must have realised in 1873 that he had to accept the reality that the future regime would have a second chamber. The best thing to do was not resist against it, but to look for a way that could make the Senate compatible with democracy and undo it from its image as a barrier against the will of the people. Gambetta's pragmatic character must have led him to realise that, when elected indirectly by universal suffrage in the communes, the Senate would be democratic and constitute a useful tool for the republicanisation and nationalization of the French provinces, which was the top-priority of the republicans in the 1870s.

However, the Republican Party heavily relied on the support of the left-wing electorate in the cities. If Gambetta would agree too quickly and openly with a Senate, not only the republican's position of negotiation would be weakened, Gambetta would also risk his position as the leader of the Republican Party in seeking compromise too quickly. It can therefore be argued that in order to please his urban republican electorate, the very pragmatic Gambetta initially resisted to the Senate, as Laboulaye had claimed in the plenary session of the National Assembly in 1873. Historians have often pointed at Gambetta's flexible and pragmatic political behaviour and his exceptional feeling for tactics. Gambetta's biographer Pierre Barral stated that Gambetta, with his very social character, succeeded in

²⁰⁸ Berstein, 'La synthèse démocrate-libérale en France', 334.

²⁰⁹ Jean Garrigues, for example, explains: 'Il a fallu toute l'habileté de Gambetta, chef politique des républicains, pour faire accepter à la gauche ce grand conseil des notables si éloigné de la culture républicaine'. In: Jean Garrigues, 'Le Sénat de la Troisième République', 1170.

mobilising people around him, and accordingly was able to convince the majority of the republicans to accept the Senate.²¹⁰ His character is described by Furet as ‘flamboyant’, ‘intuitive’ ‘eclectic’, and not at all ‘dogmatic or philosophic’.²¹¹ Gambetta leaned to the tradition of 1789 when he wanted to please the left, and to a positivist conservatism to reassure the rural population: ‘il partage à gauche la rhétorique des souvenirs, à droite le réalisme institutionnel.’²¹² Perfectly illustrating for his opportunism are Gambetta’s words: ‘In order to govern France, we need violent words and moderate actions’.²¹³ For Furet, Gambetta was the hero of the Republic because he, as the Jacobin of the government of national defence, became the founder of an administrative republicanism: ‘La grandeur de Gambetta est d’avoir su incarner une République fidèle à la Révolution, et capable pourtant d’en offrir une image qui en exorcise enfin la fantôme de guerre civile’.²¹⁴ All these elements make it very plausible that Gambetta had developed his legitimisation for the Senate in a much earlier stage, but waited to play his card until the very last moment. This means that Gambetta’s legitimisation of the Senate in Belleville was not just a quick improvised selling pitch, but the expression of a firm belief in the democratic capacities of the upper house.

Eugen Weber confirmed that the election of senators in the communes had indeed boosted the politicization of the villages, especially in combination with the election of the local mayor, who had been an appointed official during the Second Empire. Weber asserted that because of this development ‘even in remote places modern competitive politics replaced the tensions and alignments of the traditional world’.²¹⁵ Weber cited an account of a rural doctor in 1879 who stated that ‘politics have been everywhere for the last few years’.²¹⁶ Gambetta’s Senate did what it was designed for and turned out to be an indispensable vector of the republicanisation of the countryside. It was an essential element in what Weber has defined as the process of ‘acculturation’; referring to the civilization of rural France by urban France, the disintegration of local cultures by modernity and their absorption into the dominant civilisation of Paris.²¹⁷ However, how solid was this legitimisation? As we have seen, the Radical republicans did not buy Gambetta’s Senate and remained loyal to the Jacobin principles of the French Revolution and a single chamber system. To what extent was the Senate still perceived as

²¹⁰ Barral, *Léon Gambetta*, 96.

²¹¹ Furet, *La Révolution Française II*, 449.

²¹² *Ibid.*, 454.

²¹³ Hazareesingh, *From Subject to Citizen*, 300.

²¹⁴ Furet, *La Révolution Française II*, 451.

²¹⁵ Weber, *Peasants into Frenchmen*, 274.

²¹⁶ *Ibid.*,

²¹⁷ *Ibid.*, 486.

a ‘republican’ and ‘democratic’ institution in the last decades of the nineteenth century which were characterised by anti-parliamentarism and a several crises of democracy?

France compared to Belgium and The Netherlands

The debates in France between 1870 and 1875 are not fully comparable with the Dutch and the Belgian cases because of the fact that the ‘choice for a Senate’ was made at different moments in the nineteenth century. However, analysing the position of the bicameral system in an international comparative perspective can shine some new light on the particularities of the French situation in the 1870s. For the origin of the Senate in both countries one has to go back to the year 1815, when the Southern Netherlands, and the territory of the former Dutch Republic were united in The United Kingdom of the Netherlands.

In 1813, in the power vacuum the French had left behind in the Netherlands, the Dutch constitutional commission made a draft that included a single chamber parliament, following the tradition of the Dutch Republic and the Batavian Republic.²¹⁸ However, when it was decided that the Northern and Southern Netherlands would be united, the constitution had to be modified in order to match the new state structure. A new constitutional commission opted for a political system with two chambers in parliament and historians often argue that the Senate of the United Kingdom of the Netherlands was primarily the consequence of the Belgian desires.²¹⁹ But the reality is more complex. Although the Belgian delegates indeed proposed a Senate, they met very little resistance from the Dutch delegates. Moreover, King Willem I quite liked the idea of a nobility chamber that would be filled with his supporters and protected him against the House of Representatives.

Belgium separated from The Netherlands after the Revolution of 1830. The new independent state had to reinvent its political organisation. The question about the monarchy and the Senate were the two main controversial points of the constitutional assembly called the National Congress. The heavy debates about the Senate lasted three days. But in the end a large majority voted in favour of a second chamber.²²⁰ The discussions were of an extraordinary high theoretical level. Famous politicians

²¹⁸ Van den Braak, *De Eerste Kamer*, 30.

²¹⁹ Remieg Aerts e.a. *Land van kleine gebaren een politieke geschiedenis van Nederland 1780-1990* (Amsterdam: Boom, 1999) 66. The Dutch political historian Ernst Kossmann speaks about ‘a belgian initiative’ in: E. H. Kossmann, *De lage landen 1780-1980 twee eeuwen Nederland en België deel 1: 1780-1914* (Amsterdam: Olympus, 1978) 102. The Belgian historian Jean-Pierre Nandrin ascribes the existence of the senate to ‘the strains of the Belgian delegates of the commission’. In: J-P. Nandrin, ‘Het Belgische tweekamerstelsel in 1830-1831’ ; theoretische grondslagen’ in: Laureys, *De geschiedenis van de Belgische Senaat*, 19.

²²⁰ Of the 190 members present, 128 voted in favour and 62 against.

and philosophes were quoted. Although the time period is different from the French case in 1870, the situation is comparable because of the fact that the question if there would be a Senate was debated in a constituent assembly. However, regardless of the difference in time, a striking difference is that in the Belgian *Constituyente* of 1830 the discussion was much more open and very fraternal, despite the differences of opinion. Belgium was a new state in the making after a victory against the Dutch, which strongly stimulated the atmosphere of nationalism and unity. France in the 1870s was a defeated and divided country with a turbulent history of many regime changes behind itself. The atmosphere in the French debates about the Senate was hostile, and dominated by a game for influence between the different parties.

During the discussions in the National Congress everybody agreed that democracy was the direct representation of the people in the *chambre populaire*. The protagonists of the Senate in Belgium perceived ‘democracy’ as a natural part of the concept of a mixed government. The liberal Jean-Baptiste Notomb underlined that it should be possible for democracy to express itself ‘avec turbulence, toute sa passion [et] toute sa spontanéité’, but there should be a Senate to stop the possible abuse of this freedom.²²¹ Hence, the Senate was considered as a necessary ‘pouvoir modérateur’, in order to restrain the excesses of the popular representation. A Senate would form a brake to stop the inconsiderate proposals that were approved by the House of Representatives. Felix de Mérode said it would be a very useful tool to deal with what he named ‘tentatives prématurées’.²²² Many underlined the distinction between a ‘democratic element’ and an ‘aristocratic element’ in society that had to be rightly balanced. The vice-president of the Congress Etienne De Gerlache formulated the main challenge of the constitutional assembly as follows: ‘Il s’agit d’organiser cette aristocratie et cette démocratie de la manière la plus naturelle et la plus régulière possible.’²²³ The Catholic conservative Hubert Masbourg was convinced that a mixed government was ‘le principe fondamental de la nécessité d’une balance politique (...) fondé sur la nature et la raison.’²²⁴ The conservative Etienne De Gerlache observed that ‘la démocratie a sa place marquée dans la chambre populaire’. In this chamber the aristocracy would always be ‘en minorité et mal à l’aise’.²²⁵

This quest for a political balance fitted perfectly in the *aire du temps* of the restoration period. Simultaneously, the French *Chambre des Pairs* was designed from the same ideal of a mixed government.

²²¹ E. Huyttens, *Discussions du Congrès National de Belgique 1830-1831, tome I* (Brussels 1884) 426.

²²² Huyttens, *Discussions du Congrès*, 419.

²²³ Huyttens, *Discussions du Congrès*, 473.

²²⁴ *Ibid.*,

²²⁵ *Ibid.*,

As we have seen, in the 1870s the idea of a mixed government was not mentioned anymore by the conservative-liberals. Instead they presented a Senate as a necessary part of democracy, not as an instrument which was opposed to it.

However, not everybody in the Belgian constituent assembly agreed with the idea of a mixed government. Because the discussion took place during a revolution, the composition of the Congress counted amongst its members young, left-wing pro-French democrats. They believed that the Senate would inevitably lead to inequality in society. The arguments used by the Belgian democrats against a Senate were very similar to the ones used by the French Radical republicans in the founding years of the Third Republic. For instance, the democrat Alexandre Rodenbach feared that a second chamber would endanger the sovereignty of the Belgian people: ‘en établissant en Belgique un sénat, vous détruisez la souveraineté du peuple.’²²⁶ Fransman, a pro-French republican, went even further and saw in the Senate the establishment of despotism.²²⁷ The argument put forward by the conservatives that the Senate was a necessary ‘pouvoir modérateur’ was countered by the democrats in arguing that the Belgians were by nature a calm people, very different from the French, and would therefore not need a break. One of them was Jean-Baptiste Claes from Antwerp: ‘Je crois que nous n’avons pas besoin d’un pouvoir modérateur, parce que la modération est innée en Belgique.’²²⁸ Belgium was not to be confused with the chaos of the French Revolution: ‘Ils croient que les Belges vont ressembler à ces Français de 1790 qu’un long esclavage, un long abrutissement, une ignorance absolue des notions du juste et de l’injuste, avaient rendus barbares, cruels, avides de vengeances, impatients enfin de meurtrir des bouts de leurs chaînes ceux qui avaient été si longtemps leurs geôliers.’²²⁹

In spite of this resistance, the ideal of a mixed government eventually won from a single chamber system which was considered as too radical by the majority. Foreign examples were also important in the choice for a Senate. References to the French *Chambre des Pairs* and the British *House of Lords* were dominant in the debate. But it also seems that the Belgian revolutionaries were afraid that the surrounding European powers would not approve a single chamber in a country that already had a very liberal and progressive constitution for its time. This was clearly expressed by the conservative Theux de Meylandt: ‘Il est certain qu’elle serait fortement désapprouvée par nos voisins, et considérée par eux comme constituant notre gouvernement dans un état précaire, sans garantie de stabilité.’²³⁰

²²⁶ Huyttens, *Discussions du Congrès*, 459.

²²⁷ *Ibid.*, 460.

²²⁸ *Ibid.*

²²⁹ *Ibid.*, 404.

²³⁰ *Ibid.*, 433.

The Belgian constitution of 1830 was a drop of democracy and the confirmation of the liberal principle of institutional balance and the guarantee of privileges.²³¹

The situation in Belgium was very different from The Netherlands. After the Belgian Revolution the Dutch government did not change the state-structure. According to Bert van den Braak, the fact that the Dutch Senate survived after 1830 was rather remarkable if one takes into account the experience of 1815-1830.²³² In 1910 a legal-expert Gerardus van Baren came to the same conclusion in his dissertation on the Dutch Senate. One of his theses he formulated was that ‘a natural consequence of the separation of Belgium would be the abolition of the Senate’.²³³ But the period between 1830 and 1840 was a very inactive period in Dutch politics and with regard to the Senate nothing really changed until the constitutional amendment in 1848. Under immense pressure King Willem II accepted to appoint a commission of constitutional revision under the leadership of the liberal politician Johan Rudolf Thorbecke. It was only then that the Dutch Senate became a point of discussion.

Thorbecke had initially been for the preservation of the Senate, but in 1848 he had changed his mind and described the Senate as ‘without basis and without any purpose’²³⁴. Thorbecke argued that the Senate was unable to enrich the bills that were proposed. The Senate had no productive use, and was therefore a waste of money. Thorbecke was a ‘doctinary liberal’. This current of progressive liberals believed that progress should not be obstructed by too much state-interference. This meant that the state should be as minimalistic as possible characterised by decentralisation and cheap government.²³⁵ Democracy was far from being accepted in the Netherlands in 1848. This was mainly because ‘democracy’ was interpreted in a much more literary sense than in Belgium and was associated with universal suffrage. Therefore, the wish of Thorbecke to abolish the Senate was not based on democratic motivations. He explicitly declared not to be a ‘democrat’, and considered people who were in favour of the ‘sovereignty of the people’ as ‘radicals’.²³⁶

In 1848, the Dutch constitution was amended and it was decided to keep the Senate. There was only a little resistance. The liberal Van Dam van Isselt, considered the Senate as ‘a useless complicating factor’. Another liberal Anemaet called it ‘a dangerous institution’, because it could with

²³¹ Nandrin, ‘Het Belgische tweekamerstelsel in 1830-1831’, 28.

²³² Van den Braak, *De Eerste Kamer*, 76.

²³³ Gregorius van Baren, *De plannen tot grondwetsherziening in het jaar 1831* (Amersfoort 1910) Stellingen.

²³⁴ Johan Rudolph Thorbecke, *Bijdrage tot herziening van de Grondwet* (The Hague 1848).

²³⁵ E. H. Kossmann, ‘Eender en Anders, de evenwijdigheid van de Belgische en Nederlandse geschiedenis na 1830’ in: *Politieke Theorie en Geschiedenis* (1987) 381.

²³⁶ Van de Giessen, *De opkomst van het woord democratie als leuze in Nederland* (The Hague 1948) 87.

a very small majority reject bills that were accepted by the House of Representatives. Instead of regarding the Senate as a necessary brake on the passions of democracy, the Dutch liberals in 1848 feared that the Senate would slow down the legislative process.²³⁷ This stood in contrast to France, where the liberal Orléanists in 1870, regarded the Senate as essential to counter revolutionary dangers and represent their interests. Nevertheless, for the majority of Dutch politicians the abolition of the Senate was too radical. When in 1848 the power of the King had disappeared, the Senate could play a useful role in the new state structure as a conservative counterweight against the progressive liberals in the Chamber.

The comparison demonstrates that the choice for a second chamber was strongly related to time and national context. In Belgium the ideal of a mixed government was dominant, legitimising a Senate against democracy. In the Dutch case, where democracy did not yet appear in the politician's dictionary, the heritage from the United Kingdom of the Netherlands was maintained simply out of conservatism. The French Senate in 1870 was legitimised by all its protagonists as 'democratic' and criticised by its critics as 'undemocratic'.

²³⁷ Van den Braak, *De Eerste Kamer*, 106.

Chapter 2 1875-1900: La Belle Époque du Sénat

The majority of the Radical republicans had been persuaded to vote for the constitutional laws with the argument that after a while, when the republicans would have gained the confidence of the whole country, the constitution could be amended and a real republican regime could be installed. This is precisely what happened. Between 1875 and 1900, the Third Republic became even more democratic. The elections for the Chamber of Deputies in February 1876 produced a republican triumph of 340 seats against 155 conservative deputies. This success was for a large part due to the way the Republican Party was presented by Léon Gambetta; as a party true to the principles of the French Revolution, yet standing not for social revolution but for the hard working ‘new social strata’ of smallholders, industrialists, shopkeepers and white-collar workers who together increased the economic and intellectual capacity of the country.²³⁸ However, the very conservative President of the Republic Mac-Mahon did not acknowledge the republican victory and kept them out of the government. On 16 May 1877 he dissolved the Chamber, but new elections brought again a large republican majority. As a consequence Mac-Mahon was forced to resign on 30 January 1879. The new president was the old *quarante-huitard* Jules Grévy. This event, known as the crisis of *Seize Mai*, had on the one hand cleared the way for the republican parliamentary democracy in the following decades. However, on the other hand, it would only be the prelude to a period of even heavier political crises.

The following years put in place a very different regime than the one designed in 1875. Serge Berstein described it as ‘the second foundation of the Third Republic’.²³⁹ The municipal elections of January 1878 marked a clear victory for the republicans. The majority of the small villages was reassured by the moderation of the Republic and elected a majority of republican mayors. This success had consequences for the first one-third renewal of the Senate one year later in January 1879. The municipal councils elected a majority of republican senatorial delegates, who on their turn elected 66 republican senators against 16 conservatives. The monarchist majority strongly weakened to 154 on a total of 300. Jean Garrigues speaks of a ‘républicanisation sénatoriale’.²⁴⁰ As Gambetta had promised, the assembly very quickly turned republican and truly became his *Grand Conseil des Communes de France*. However, this did not mean that its legitimacy was uncontested.

²³⁸ Gildea, *Children of the Revolution*, 252.

²³⁹ Berstein, ‘La synthèse démocrate-libérale’, 327.

²⁴⁰ Jean Garrigues, *La république des hommes d'affaires 1870-1900* (Paris: le grand livre du mois, 1998) 165.

As has been demonstrated in the previous chapter, many Radical republicans did not buy Gambetta's *Grand Conseil des Communes de France*. Nicolas Roussellier points to the fact that there should be absolutely no illusion about the unity among the republicans in the late 1870s and 1880s. The aspirations for a more direct form of democracy -which occupied an important place in the tradition of the 'old' Republican Party- had not suddenly disappeared.²⁴¹ Although the Senate had become republican, the attacks on the upper house continued. This was also connected with the fact that the republican senators remained more conservative than their counterparts in the Chamber of Deputies, and would systematically reject a certain number of progressive bills. For this reason, the Senate remained an eyesore in the republican democracy for the Radicals until the end of the century.

In the republican atmosphere of the 1880s it was the perfect moment to demand the revision of the constitution of 1875. In 1881, almost all Radicals in the Chamber of Deputies explicitly did so. Radical Georges Clemenceau presented his *cahier des électeurs* at Montmartre in which the first article demanded the revision of the constitution, abolition of the function of President of the Republic and abolition of the Senate.²⁴² On 31 May 1881 Clemenceau presented with other colleagues a plan for this in the Chamber of Deputies. Clemenceau held an elaborate speech in which he firmly condemned the constitution as 'une machine de guerre contre la République' and the Senate as 'un obstacle contre la volonté de la nation.'²⁴³ He denounced the fact that the Senate had already blocked some important reform bills proposed by the government: 'Eh bien! Ces réformes que vous jugez nécessaires, comment les ferez-vous?'²⁴⁴ Clemenceau further added that the parliamentary procedure took far too much time. He criticized the continuous *navette*, bills that went back and forth from the Bourbon palace to the Luxembourg palace, without ever making it to *Bulletin des lois*.²⁴⁵ Although Clemenceau also picked his own formulations, for a large part of his presentation he served himself by listing long citations of the arguments that Léon Gambetta had produced against the Senate in 1873, because according to Clemenceau: 'nobody had ever said it better'²⁴⁶. By sheer coincidence Léon Gambetta was at the time the President of the Chamber of Deputies and thus chaired the very same session. This caused a rather awkward situation where the President had to keep order in the tumultuous Chamber, so Clemenceau could proceed in confronting him with his inconsistent attitude about the Senate a few years earlier.

²⁴¹ Nicolas Roussellier, 'Le système politique : représentation et délibération', in: Serge Berstein and Michel Winock (ed.), *L'invention de la démocratie 1789-1914* (Paris: Éditions du Seuil, 2002) 425-454, 426.

²⁴² Roussellier, 'Le système politique', 448.

²⁴³ *Annales de la Chambre des Députés* (CD), Séance du 31 mai 1881, 233.

²⁴⁴ CD, Séance du 31 mai 1881, 231.

²⁴⁵ *Ibid.*

²⁴⁶ *Ibid.*

M. Clemenceau: (...) Et ceci a été démontré en termes excellents à la tribune de l'Assemblée nationale, par M. le président actuel de la Chambre. Je veux vous lire un fragment de son discours...(Bruit)

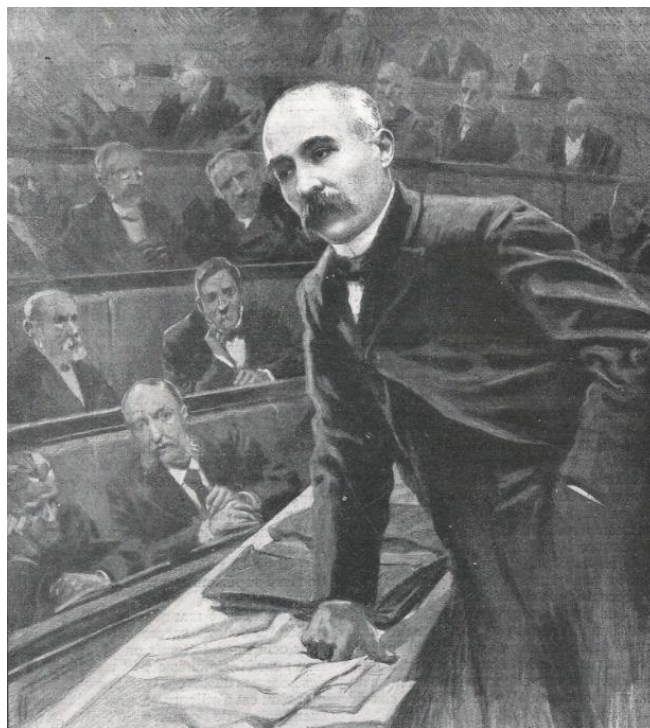
M. Georges Perin: Attendez le silence!

M. Clemenceau: Oh ! On écouterait M. le Président, si on ne m'écoute pas !

M. le Président : Vous avez vu que j'ai réclaté plusieurs fois le silence, mais sans succès.

M. Clemenceau : Je crois que je discute avec beaucoup de modération. (...) Vous voyez que ce n'est pas l'avis de M. le président !²⁴⁷

Clemenceau asked his colleagues to imagine for one moment that there was no Senate in France. Wasn't it ridiculous, he argued, to believe that suddenly, the Chamber of Deputies would start behaving irresponsibly?: 'Il n'y a plus de Sénat, vous êtes libres, maîtres de votre action, et le suffrage universel que vous représentez est délivré de toute entrave. Interrogez vos consciences; vous sentez-vous enclins à essayer quelque nouveauté dangereuse? À bouleverser l'État? À vous jeter dans les aventures? On ne peut pas même poser la question sans quelque ridicule. (Très-bien ! très-bien! sur plusieurs bancs à gauche.)'²⁴⁸ Eventually Clemenceau's proposition was rejected. The majority of the republicans refused to even to think about the abolition of the upper house which was now filled with men of their colour.



The young deputy Georges Clemenceau speaks in the Chamber of Deputies, *Archives de l'Assemblée nationale*

²⁴⁷ CD, Séance du 31 Mai 1881, 232.

²⁴⁸ *Ibid.*, 237.

Nevertheless, the Senate did become more democratic. On 25 May 1884, against all expectations, the Senate accepted the plan for a constitutional revision and the National Assembly came together in August of the same year. The revision of 1884 abolished Broglie's *sénateurs inamovibles*, but did not threaten the existence of the upper house itself. From now on all the senators would be elected by indirect universal suffrage in the provinces. Moreover, the possibility was created to change the electoral system of the Senate by simply passing a bill, without the necessity of changing the constitution. This meant that it would become easier to reform the Senate in the future again. The revision of 1884 was famously described as 'le gouvernement définitif de la France' because, according to Rosanvallon, the revision of 1884 completed the sovereignty of the people and ended the sociology of elitism that lay at the foundations of the institutions of the Third Republic.²⁴⁹ Now that all 'aristocratic' elements of the upper house were completely polished away, one would perhaps expect that the Senate was fully accepted as a democratic institution. It still wasn't.

Although the reform of 1884 satisfied most of the republicans, it did not meet the expectations of the extreme left Radicals. They continued to demand a general debate about the institutions of the Republic. Instead of calming the spirits, for many Radicals the reform of 1884 was taken up as an encouragement to multiply their attacks on the Senate. On 2 December 1884, Charles Floquet argued in the Chamber of Deputies that the Radicals weren't convinced of 'le Sénat républicain' because it was still undemocratic. They considered universal suffrage as the precondition for a good functioning democracy, hence the election of the Senate by indirect suffrage was intolerable. For Floquet this election system could only be characterised in one way: 'c'est purement et simplement le régime aristocratique, ou si vous voulez mieux, le régime oligarchique. (Voix à l'extrême gauche: c'est cela ! très bien!)²⁵⁰ As a result, Floquet argued that the very principle of national sovereignty was damaged, which mutilated the legitimacy of all bills because the legislative power belonged only to the nation.²⁵¹

Floquet urged his colleagues not to believe in the myth of the *Grand Conseil des Communes de France* because Gambetta's speech at Belleville had merely been one big charade. The impact of political words had never been more powerful he stated.²⁵² According to Floquet, Gambetta knew exactly what to say to caress the ears of the popular classes that he addressed: 'Sur ce mot on a bâti un historique qui est faux ou inexact, permettez-moi de vous le dire, et une doctrine qui est en contradiction avec tous les principes de la Révolution française. (Très bien ! Très bien !). Oui, on a bâti un historique sur

²⁴⁹ Rosanvallon, *La démocratie inachevée*, 257.

²⁵⁰ CD, Séance du 2 décembre 1884, 599.

²⁵¹ Ibid., 600.

²⁵² Ibid.

ce mot, et on a dit que c'est de ce jour-là que s'est développé dans le pays le sentiment politique dans les communes. Ah messieurs, non il ne faut pas de telles erreurs historiques. Non ! Non ! Il ne faut pas dire cela!²⁵³

Although Gambetta had defended the Senate because it would stimulate the integration of the peasants into the nation, Floquet accused the republican leader of abandoning the republican pursuit for political and national unity. The Senate, in representing the rural population, had caused a disintegration of this national political unity in the opinion of Floquet. France was unified by the French Revolution and it was therefore completely absurd to look for the political legitimacy in the small communes. Floquet argued that these backward places very often did not have any experience with an independent press, free reunions or any legislative power: 'C'est dans ces centres minimes, où la vie politique ne circule qu'à peine, qu'on a imaginé de mettre la source de la souveraineté nationale du pouvoir législatif ! (...) et c'est du vote de ces communes que l'on avait médité de faire sortir d'une assemblée éternellement destinée à entraver les efforts de l'assemblée populaire. (Double salve d'applaudissement sur divers bancs à gauche).²⁵⁴ It was a sound summary of the Jacobin objections against any form of decentralisation in combination with the old suspicion and disdain vis-à-vis the French peasant. Floquet accused Waldeck-Rousseau, the Minister of Interior who defended the project of reform in the Chamber, of supporting the idea of a federalist France : 'Vous êtes un fédéraliste (...) un fédéraliste de la pire espèce!'.²⁵⁵

What Floquet and his Radical colleagues proposed was to elect the Senate by direct universal suffrage: 'cette doctrine est la vraie doctrine démocratique, et, si vous adoptez le principe contraire, vous êtes condamnés par toutes les déclarations que nos pères ont mises en tête de leurs constitutions. (Vifs applaudissement à l'extrême gauche et à gauche).²⁵⁶ Surprisingly enough, the project was accepted by a small majority of the Chamber. Consequently, the discussion on the bill was continued in the Senate. But a lot less surprisingly was the fact that the government did not support it and the Senate rejected it.²⁵⁷

In the Senate, Floquet's project was defended by the Radical Alfred Naquet. Senator Jules Ferry warned his senatorial colleagues for the political strategy behind this proposal. In demanding that both chambers would be elected by the same suffrage, they would become identical, hence endangering the

²⁵³ CD, Séance du 2 décembre 1884, 600.

²⁵⁴ Ibid., 601.

²⁵⁵ Ibid., 605.

²⁵⁶ Ibid., 600.

²⁵⁷ Annales du Sénat (Sénat), Séance du 7 décembre 1884, 416.

legitimacy of the Senate: ‘Eh bien, le suffrage universel appliqué aux deux Chambres conduit droit à l’unité, et c’est parce que l’amendement de monsieur Naquet ouvrirait la porte à la constitution d’une Chambre unique, que le gouvernement l’a repoussé devant la Chambre des députés et qu’il le repousse encore ici.’²⁵⁸ Jules Ferry probably made a correct observation. The 1884 revision had led the Radicals to focus all their energy on changing the electoral law of the Senate because the path of constitutional revision seemed impenetrable without a political majority in both chambers. Demanding a reform of the senatorial recruitment was regarded as the best way to change the status quo as quickly as possible and, indeed, crumble the legitimacy of the Senate.

In June 1887 the Radical Jean Labordère presented another project for the election of senators by universal suffrage. Labordère made no secret of the fact that his actual objective was to abolish the Senate, but he admitted that this was not realistic for the time being: ‘Nous sommes et nous resterons partisans résolus d’une chambre unique ; mais puisque le Sénat existe, il faut au moins l’organiser tel qu’il doit être dans un pays républicain et démocratique, lui donner comme origine le suffrage universel.’²⁵⁹ According to Labordère, this change in the senatorial electoral corps was needed in order to make reforms possible, but the text was rejected by the Chamber.

In the next years, the scenario would be more or less the same. In the year before a one-third renewal of the Senate, a project would be presented for the election of the senators by universal suffrage. But in reality the revision of 1884 did not increase the chances for the Radicals. On the contrary. A project that envisaged to change the election system of the Senate always needed to be approved by the Senate itself, which was an improbable scenario without a Radical majority in the Luxembourg palace. Jean Bécarud, a former director of the Senate’s library, explains that if a large majority in the Chamber of Deputies demanded a revision of the constitution, it would politically be very difficult for the Senate to turn down such an initiative. But a simple bill was rejected with much less inconvenience. Thus, according to Bécarud, 1884 gave the Senate an extra shield against attacks from its critics.²⁶⁰ Karen Fiorentino on her turn describes the reform of 1884 as a ‘long-life insurance for the Senate’.²⁶¹

Between 1886 and 1889 the life-insurance of the Senate would be prolonged by an event that would be known as the Boulanger crisis; the first major political crisis in the Third Republic after *Seize*

²⁵⁸ Sénat, Séance du 7 décembre 1884, 416.

²⁵⁹ CD, Séance du 27 juin 1887, 523.

²⁶⁰ Archives du Centre d’histoire de Sciences Po Paris (Archives Sciences Po), ‘Jean Bécarud, le mode d’élection du Sénat sous la Troisième République 1884-1940 : Travaux politiques de François Goguel sur le Sénat., Inv. Nr. FG4.

²⁶¹ Fiorentino, *La seconde Chambre en France*, 427.

Mai 1877. This episode would have huge consequences for how many republicans would perceive the Senate. In the 1880s, France went through an economic, moral, social and a democratic crisis. In this context it was possible that during two years France would be captivated by general Georges Boulanger. As a soldier Boulanger had proven his bravery on the battlefield and quickly climbed up the ranks. The ambitious Boulanger got in touch with politicians like Léon Gambetta and his old friend Georges Clemenceau, and with their help made it to Minister of War. As a minister, Boulanger conducted a vigorous reform policy and became tremendously popular. Too popular for many, and the government started to see Boulanger as a threat for peace and stability. In the formation of a new government Boulanger was removed from his ministerial post. In popular public opinion Boulanger was seen as a victim of the corrupt parliamentary elite and his popularity increased even more. To regain his post at the ministry, Boulanger left the barracks and threw himself into a bold political adventure that lasted until the beginning of the year 1889. Boulanger won victory after victory in several local elections and Boulanger's political movement reached an unprecedented scale.

The Boulanger crisis is known as the first great moment when parliamentary democracy in France was in danger.²⁶² Although there were different nuances, the Boulangists can roughly be divided according to the distinction made by historian René Rémond between the antiparliamentarism of the left and of the right in France. The left version despised the oligarchy of the parliamentarian elite which had been unfaithful to the sovereignty of the people and wished a more direct form of democracy. The right-wing conservatives, consisting mainly of monarchists and Bonapartists were against the downfall of principles as authority, efficiency, unity, and the place of the catholic church.²⁶³ However, the Boulanger affair is full of paradoxes. The political current of 'Boulangism' was characterised by a large ambiguity and many contradictions. In the words of Jean Garrigues, there were as many versions of Boulangism as there were Boulangists.²⁶⁴ The very colourful electorate had one thing in common; the discontent with the parliamentary regime. Although the general received most of his votes from the left, his campaigns were almost completely financed by the right. Boulanger manifested himself as a convinced Jacobin republican, and practically expressed the programme of the Radical Party.²⁶⁵

²⁶² Winock, *La France politique*, 210.

²⁶³ *Ibid.*, 207.

²⁶⁴ Jean Garrigues, *Le Boulangisme* (Paris: Presses universitaires de France, 1992) 16.

²⁶⁵ BnF Paris, Déclaration du général Boulanger. Son opinion. Ses idées. Son but 1887 (Déclaration du général Boulanger), Inv. Nr. LB57-9298. Also see: BnF Paris, Les discours du général Boulanger, depuis le 5 août 1881 jusqu'au 4 septembre 1887, Inv. Nr. Z BARRES-16780.

Nevertheless, he held a secret alliance with monarchists and Bonapartists who saw in the general their last desperate chance for the restoration of the Monarchy or the Empire.²⁶⁶

Among historians there is no consensus about the political convictions of Boulanger, if he had any. Wasn't the whole adventure meant to regain his post at the ministry? There are mainly two dominating views: the traditional -but still very dominant- version depicts Boulanger as the origin of extreme right movements in France of the twentieth century. His antiparliamentarian rhetoric is used as the main piece of evidence for the undemocratic and right-wing character of the movement. From the 1960s onwards, historians have come up with a revisionist view. According to this version, the antiparliamentarian criticism should be regarded in the tradition of the Jacobin revolutionary hostility towards a parliamentary system.²⁶⁷ In investigating the statements of Boulanger and the Boulangists about democracy and the Senate, the revisionist perspective is reinforced. Moreover, this focus will also provide a little more clarity about what Boulanger was actually against; it was above all the Senate.

About one thing Boulanger was very clear, he was a democrat: 'En votant pour moi, vous voterez pour la République démocratique'.²⁶⁸ Michel Morphy, author of the bestselling Boulanger pamphlet *l'Histoire patriotique du général Boulanger*, depicted Boulanger as the 'délégué du peuple' in the antidemocratic parliamentary dictatorship.²⁶⁹ Boulanger's campaign programme 'Dissolution, Révision, Constituante' called for the organisation of the democratic Republic by dissolving parliament, revise the constitution and clean the Republic of its corrupt leaders.²⁷⁰ This perspective for democratic reform explains why the majority of Boulangists were Radical 'dissidents' who had left their party, the *Parti Radical* led by Clemenceau.²⁷¹ Clemenceau himself broke all relations with his old friend because he believed that 'popularity had come too quick for someone who loves noise so much'.²⁷²

Boulanger attacked the parliamentarian elite and was the first to introduce the use of the word 'referendum'.²⁷³ Although Boulanger contested the representativeness of the parliamentary system that had that had been installed in 1875, the general has never declared that his objective was to abolish the whole system and replace it by something else. Nevertheless, the general was very clear about the Senate. On 4 June 1888, Boulanger defended his project to revise the constitution in the Chamber of

²⁶⁶ Philippe Levillain, *Boulanger : Fossoyeur de la monarchie* (Paris: Flammarion, 1982) 165.

²⁶⁷ Paul Mazgaj, 'The origins of the French radical right: a historiographical essay', *French Historical Studies*, 15:2 (1987) 313.

²⁶⁸ BnF Paris, Déclaration du général Boulanger, Inv. Nr. LB57-9298.

²⁶⁹ BnF Paris, *L'Étoile du général Boulanger*, nr. 17, 2., Inv. Nr. 8-LC2-4928(BIS).

²⁷⁰ BnF Paris, République française, Message du général Boulanger 1888, Inv. Nr. FOL-LB57-9707.

²⁷¹ Frederic Seager, *The Boulanger Affair: Political Crossroad of France 1886-1889* (New York: Cornell university press, 1969) 168.

²⁷² M. M. Van Praag, 'Georges Boulanger, een politieke meteor', *Socialisme en democratie*, 1, (1951), 683-696, 683.

²⁷³ Rosanvallon, *La démocratie inachevée*, 305.

Deputies. It was a very chaotic debate, where Boulanger -who was not a gifted speaker- was intimidated by the constant interruptions of the deputies. Boulanger declared that in 1875 France had lacked the power to erect the real democratic Republic, a republic that had neither a Senate, nor a president, a Republic that would be ‘une et indivisible’, a republic that rested on ‘le peuple souverain’. Instead, a monarchist constitution had been established with only the label of the Republic. Boulanger declared that especially the Senate was in contradiction to all democratic principles and demanded the disappearance of this useless and undemocratic institution: ‘Il y a dans cette institution une dérogation crainte aux principes du droit démocratique qui est notre droit commun. Cette dérogation ne peut être maintenue. (...) Je verrais sans inconvénients et sans regrets... (Exclamations et rires à gauche) Je verrais sans inconvénients et sans regrets disparaître le Sénat, qui ne représente rien et ne sert à rien. (Rires au centre).’²⁷⁴ The anti-senatorial discourse of Boulanger also resonated in the Boulangist press. Michel Morphy for instance described the idea that the undemocratic Senate could block all bills that had been passed by the democratic Chamber of Deputies as ‘absurde, impossible et monarchique... mais il paraît que c’est bel et bien la République.’²⁷⁵

Thus, Boulanger and his followers resisted against two elements in particular: the parliamentary elite and the Senate. The anti-parliamentarian programme of the left-wing Boulangists was primarily motivated by the wish for more democracy. They did not disagree with the parliamentary system as such, but specifically with the one created by the constitution of 1875. Boulangists did not plea for the total abolition of the parliamentary system, but for the democratic revision of it. The Senate was considered to be one of the greatest undemocratic obstacles and was the first thing that had to be moved out of the way. Left-wing republicans saw in Boulanger a charismatic and honest republican who had the power and popularity to realise this. This means that one could even ask if the label ‘anti-parliamentary’ is actually correct for Boulanger and his movement; it was in any case ‘anti-senatorial’.

Although Boulanger preached the virtues of democracy, Boulanger’s political enemies considered the general as a threat to the parliamentary democracy they defended. Joseph Reinach, director of the newspaper *La République française* and protégé of Gambetta, started a fierce anti-Boulangist campaign in 1888. He expressed his concerns about the deep crisis France was going through and the danger that the masses would follow this new Napoleon. According to Reinach, it was therefore of the utmost importance to reinforce the state and form a stable government: ‘faire un

²⁷⁴ CD, Séance du 4 juin 1888, 448.

²⁷⁵ BnF Paris, *L’Étoile du général Boulanger*, nr. 4, 2., Inv. Nr. 8-LC2-4928(BIS).

gouvernement qui sauve la liberté (...) qui sauve la démocratie républicaine.²⁷⁶ Republicans considered Boulanger as a danger for democracy. Not because his political ideas were against democracy, but mainly because of the fact that he aroused the memories of a new Bonaparte.

The Senate -which had been condemned so vigorously by Boulanger and his followers- turned out to be the key in the protection of parliamentary democracy in France against the popular general. From the beginning, the upper house manifested a constant and firm opposition against the Boulangist menace.²⁷⁷ After the fall of the Goblet government the republican senators made clear that a government that would include Boulanger, could not count on the support of the senatorial majority.²⁷⁸ Whether the Senate would support ministers or not, would completely depend on the question if they were with or against Boulanger. The Goblet government, of which Boulanger was part, was brought down by the common efforts of the Senate and the opportunist republicans in the Chamber of Deputies. Thereafter, the Senate completely supported the anti-Boulangist Rouvier government. And finally, it gave its full support to the Tirard-Constans cabinet that in the end succeeded in bringing down Boulanger and destroy his movement. Furthermore, the Senate played a very active role in the decline of Boulangism by voting all sorts of measures that put obstacles on the general's way to the Élysée Palace. While in the Chamber of Deputies pro-Boulangist sounds were often heard, the Senate was unanimous in condemning the general whom they considered as a dangerous political adventurer. The Senate would also vote by a large majority the persecution of Alfred Naquet, who had defended the bill for democratisation of the upper house and the only senator who was directly linked to Boulanger.²⁷⁹

On top of all this, the Senate would play a vital role in the final episode of the crisis, between March and August 1889. The Senate, for the first time, transformed itself into a High Court of Justice to sentence Boulanger for high treason. But at this stage Boulanger had already fled to Belgium. He was a broken man, mostly because of the fact that his girlfriend, to whom he was very devoted, had died of tuberculosis. On 30 September 1891, Boulanger went to her grave in Brussels where he committed suicide.

Jean-Pierre Marichy argued that the senatorial opposition to Boulanger is easy to explain, because it seems clear that 'l'esprit sénatorial est par principe opposé à toute aventure plébicitaire.'²⁸⁰

²⁷⁶ Joseph Reinach, *Le Cheval noir* (Paris 1889) 318.

²⁷⁷ Marichy, *La deuxième Chambre*, 546.

²⁷⁸ *Ibid.*, 548.

²⁷⁹ *Ibid.*, 549.

²⁸⁰ *Ibid.*, 546.

In this explanation the Senate simply opposed Boulanger because of the fact that the majority of the senators were liberal, conservative and pacifist republicans: quite the opposite of what the Boulangist movement represented. Karen Fiorentino underlines that the Boulanger crisis was the only case in which the Senate, from the very beginning, took position against what it considered as ‘a danger for the republic’.²⁸¹ However, what has been neglected in these explanations is that the hostility of the Senate towards Boulanger was in the first place an act of self-defence. Paul Smith quite rightly states that ‘for the majority of senators Boulangism was a direct attack on them and their world.’²⁸² In a close analysis of Boulanger’s statements, it becomes clear that he was certainly not against the Republic, nor anti-democratic, and only antiparliamentarian in the sense that he denounced the corrupt parliamentary elite, and in a much more concrete way the Senate. The Senators may have acted to protect the Republic against what they perceived as a demagogue, but they also must have felt particularly threatened by his anti-senatorial discourse. Instead of merely protecting the Republic against Boulanger, the senators were above all protecting themselves.

Paul Smith emphasises the importance of the Boulanger crisis for the legitimacy of the Senate in the republican regime. He explains that ‘in truth the trial need not have taken place before the Senate at all, but the government was determined to liquidate the affair before the highest political court in the land. The decision to do so established the Senate in the republican landscape.’²⁸³ Furthermore Smith adds that ‘it was only with the trial of Georges Boulanger before the *cour the justice* that the Senate cemented its place in republican hearts and minds (...) the resistance to the general was the making of the upper chamber.’²⁸⁴ Karen Fiorentino also maintains that the Senate’s firm position during the Boulanger affair gave a legitimation of its influence.²⁸⁵

²⁸¹ Fiorentino, *La seconde chambre en France*, 500.

²⁸² Smith, *A history of the French Senate*, 222.

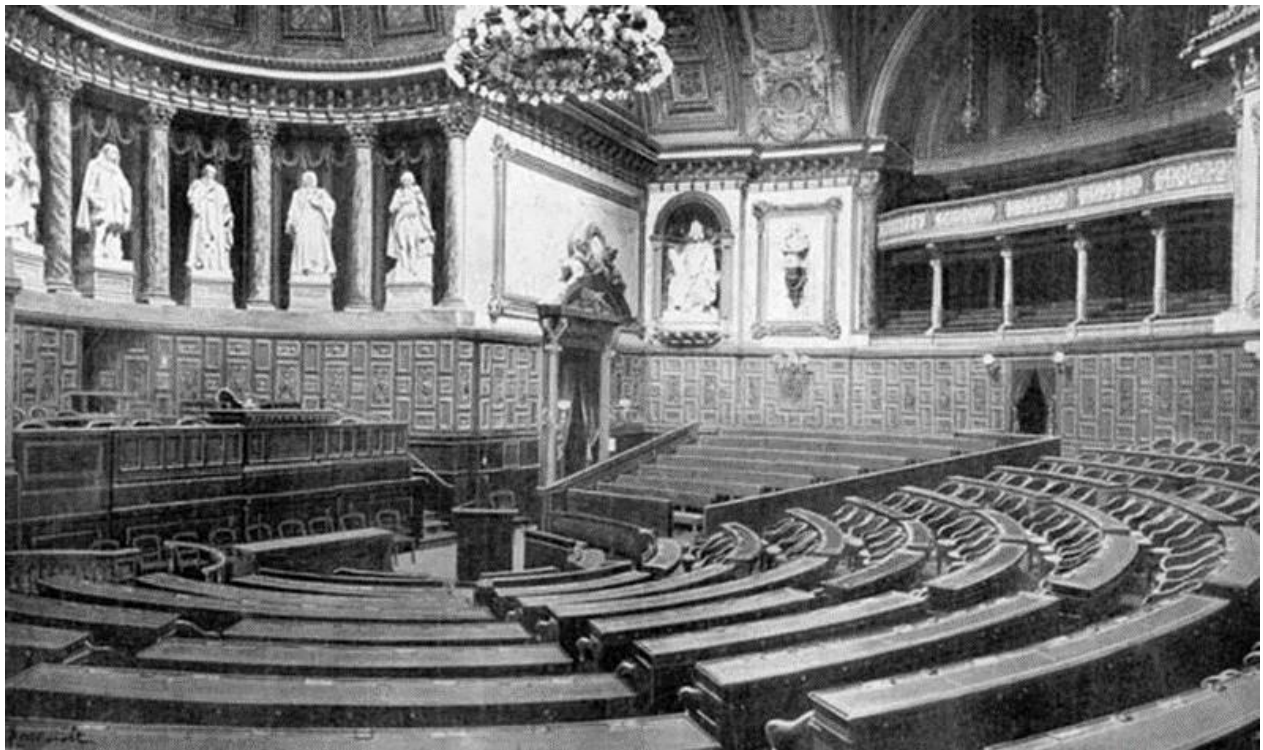
²⁸³ *Ibid.*, 221.

²⁸⁴ *Ibid.*, 222.

²⁸⁵ Fiorentino, *La seconde chambre en France*, 499.



Portrait of General Boulanger, *Bibliothèque Nationale de France*.



The Senate in 1889 transformed into a High Court of Justice for the Boulanger trial. *Archives du Sénat*.

The Boulanger crisis had a profound impact on French society. The British historian David Watson explains that after this tremendous shock France entered a period of ‘profound conservatism’.²⁸⁶ The crisis also had a huge impact on the Radicals. Their position had become extremely delicate because they stood for a large part at the origins of the Boulangist movement. The aftermath of the affair dealt an enormous blow to the urban working-class radicalism, especially that of Paris. The consequence was that the bases of radicalism moved to the rural parts of France, especially the southern regions.²⁸⁷ Simultaneously the doctrine of the Radical Party was evolving towards the centre. Most of the Radical programme of the 1880s was abandoned, including the demand for the abolition of the Senate.²⁸⁸ This change had enormous consequences. The politicians belonging to the Radical current had always regarded themselves as the guardians of the integrity of the republican tradition. But because of the Boulanger menace, Radicals and opportunist Republicans now realised that they had to overcome their differences.²⁸⁹ Paradoxically enough, Boulanger, the general who had become the popular trumpet of the Radical programme that stood for democratic revision and the abolition of the Senate, would ultimately be an important reason for the fact that the Radicals had to abandon this very same programme. The young republican deputy Jean Jaurès observed the changing opinion of many Radicals vis-à-vis the Senate and concluded in *La Dépêche*: ‘le parti radical a fait du Sénat, transformé en haute Cour, la citadelle de la République.’²⁹⁰

However, there was another reason for the Radicals to weaken their opposition against the Senate. Because their influence in the provinces kept on growing, it was easy to predict that their primary place of influence in French politics in the near future would lie in the Senate. The Radical leaders started to realise that the Luxembourg palace would provide a comfortable safety zone when popular suffrage would eliminate them from the Bourbon palace, especially in the cities where socialist support was growing.²⁹¹ The result was that the Senate’s most fanatic critics entered the upper house one after another: Alfred Naquet in 1883, René Goblet in 1891, Charles Floquet in 1894, Désiré Barodet in 1896 and the heavyweights Georges Clemenceau in 1902, Léon Bourgeois in 1905 and Camille Pelletan in 1912.

²⁸⁶ David Robin Watson, *Clemenceau. A political Biography* (Plymouth: E. Methuen, 1974) 111.

²⁸⁷ Watson, *Clemenceau*, 110.

²⁸⁸ *Ibid.*, 113.

²⁸⁹ *Ibid.*

²⁹⁰ Alain Chatriot, ‘Jaurès face au Sénat. La Chambre haute : problème ou solution pour les socialistes et les républicains’, *Cahiers Jaurès*, 4:174 (2004) 39-52, 45.

²⁹¹ Gérard Nafilyan, ‘Les campagnes antisénatoriales’, *Politique, revue internationale des idées, des institutions et des événements politiques*, 7 (1969) 123-134, 128.

Just like Clemenceau had changed his mind about Boulanger, he also radically changed position about the Senate. Later in his life he would admit: ‘At one stage in my life, when I was closer to theory than reality, I had faith in a single chamber, the direct representation of popular feeling. I thought the people were always sensible. I have changed my mind. Events have taught me that the people must be given time to reflect: the time for reflection is provided by the Senate.’²⁹² Whether Clemenceau’s explanation was really sincere seems questionable when one takes into account the status of the Radical Party at the aftermath of the Boulanger crisis. The same goes for Radical René Goblet -who was the leader of the government in which Boulanger was War Minister- when he declared in 1894 : ‘Je ne discute pas de l’existence du Sénat (...) Le Sénat existe et je ne crois pas qu’il soit possible de le supprimer sans son consentement que je n’espère pas obtenir.’²⁹³

Nevertheless, many Radical deputies would continue in presenting projects that aimed at changing the election system of the French senators. But according to contemporary observer Joseph Barthélémy it was easy to see that these ‘platonic declarations’ of the Radicals were only meant to keep up their appearances.²⁹⁴ On 20 October 1890 the Radical Gustave-Adolphe Hubbard submitted a project with the proposal to elect the Senate by universal suffrage. For the socialist and former Boulangist Ernest Granger this project did not go far enough:

M. Hubbard : Nous ne pouvons pas poser les questions constitutionnelles à cette heure, mais nous pouvons examiner la loi électorale du Sénat.

M. Granger: C’est la suppression du Sénat qu’il faut voter !

M. le Président : Monsieur Granger, je vous rappelle à l’ordre.’²⁹⁵

This is one of the first indications that, at the moment when the Radical deputies were lowering their voices about the Senate, the socialists would gradually take over this role and become the most important Senate-critics.

On 16 March 1894 it was the Radical-socialist deputy Maurice Faure who presented a project to elect the Senate by universal suffrage. His main argument was that the Senate had slowed down many social reforms: ‘Des réformes politiques et sociales sont nécessaires, urgentes, ardemment réclamées par le pays. Nous ne pouvons les accomplir tant que le suffrage universel n’aura pas recouvré

²⁹² Cited in Watson, *Clemenceau*, 239.

²⁹³ Nafilyan, ‘Les campagnes antisénatoriales’, 128.

²⁹⁴ Joseph Barthélémy, ‘les résistances du Sénat’, *Revue du droit public et de la science politique en France et à l’étranger* (1913) 371-410, 375.

²⁹⁵ CD, Séance du 20 octobre 1890, 23.

la plénitude de ses droits, tant que le suffrage restreint fera prédominer dans le Sénat des influences conservatrices hostiles à tout progrès radical (Marques d'approbation à l'extrême gauche).'²⁹⁶ In the same debate an amendment was presented by Gaston Guillemet, member of the left-wing *Union Progressiste* that envisaged to elect, not the senators themselves, but the senatorial delegates by universal suffrage. The Chamber decided to send both projects to the *Commission du suffrage universel* for further examination. In parliamentary commissions projects were carefully discussed and prepared for a final discussion in the hemicycle of the Chamber of Deputies. Following this parliamentary procedure the bills would stand a better chance to get accepted.

From this moment onwards, a new episode began in which the projects for the democratic reform of the Senate became part of the game of political power and interests. On 8 May 1894 a commission to examine the project was constituted and the Radical Georges Trouillot named *rapporteur*. However, the members of the commission were not very eager to pick up their task. For more than a year nothing happened. In September 1895, political commentator of the *Revue politique et parlementaire* Léon Duguit wrote impatiently that there had been no news so far from the commission's progress, and that *rapporteur* Trouillot had not yet presented his report.²⁹⁷ In reality the commission had not yet even come together as testifies the notebook of the commission.²⁹⁸ To all likelihood, the reason for this inaction was strongly related to the political situation of that very moment.

In November 1895, Léon Bourgeois, the first Radical *président du conseil* (prime minister) with the first exclusively Radical government, took office. The members of the *Commission du suffrage universel* were in majority Radicals. They probably realised that it would be dangerous to trouble the first government that was completely of their colour with such a delicate matter as the reform of the Senate, especially right after the Boulanger affair. Léon Bourgeois would have been forced take position in this matter and, if voted by the Chamber of Deputies, would be forced to defend it in the Senate. The chances were slim that the Senate would vote in favour of such a project, especially from a Radical government, and this would bring Bourgeois in a difficult position. He would then risk that his fragile government would be dismissed.

But new developments suddenly brought new life to the matter. On 23 April 1896 the Bourgeois government was brought down by the Senate after all. The Senate had rejected Bourgeois'

²⁹⁶ CD, Séance du 16 mars 1894, 704.

²⁹⁷ Léon Duguit, 'L'élection des sénateurs à propos des propositions de MM. Maurice Faure et Guillemet', *Revue politique et parlementaire*, August and September (1895) 300-323, 301.

²⁹⁸ Archives Nationales Pierrefitte-sur-Seine (Archives Nationales), Procès-verbaux de la commission du suffrage universel Réforme Sénat, Inv. Nr. C//5612.

plans to introduce the *impôt sur le revenu* (income tax) which was intended to reform the French fiscal system, to raise the necessary revenue for future social reforms. It had been endorsed by a tight majority in the Chamber of Deputies, but perished in the Luxembourg palace. Consequently, Bourgeois attempted to govern without the Senate, but was eventually forced to resign because the Senate now turned down his budget for the expedition to Madagascar. This was in fact, as Paul Smith demonstrates, a show of force of the Senate in which it established that the upper house enjoyed the same prerogatives in censuring the government as the Chamber of Deputies.²⁹⁹

In an atmosphere of Radical bitterness vis-à-vis the Senate, the inactive *rapporteur* Trouillot decided the moment had come to counterattack, and he suddenly deposed an elaborate report with a proposal to democratise the election of the Senate, three weeks after the fall of Bourgeois.³⁰⁰ Without consulting the other commission members, Trouillot had done himself the work the commission had never come around to do. Only a few days before the report was up for discussion in the Chamber of Deputies, the commission came together for the first time.³⁰¹ In the meantime the commission had been reduced from 11 to 8 members. The secretary of the commission, Joseph Reinach, protested that Trouillot had deposed the report without informing the rest of the commission.³⁰² But the other five members, probably Trouillot's political friends, declared collectively that Trouillot had received a blanco check to write a report on behalf of the commission. Reinach stood alone and immediately resigned from the commission.³⁰³ It seems that, in order to cover his obscure moves, Trouillot wrote down in a last minute stage some improvised records of proceeding.³⁰⁴

The *Journal des débats* also got wind of this and wrote a front page article in which it spoke scandal of the whole matter: 'dans cette affaire, tout est de façade et de parade, et prend un air de mystification.'³⁰⁵ According to the journalist, this affair was very informative about the way urgent reforms, like that of the Senate were handled with. The article asserted that when Trouillot deposed his project, the notebook of the commission only included white pages: 'Un titre sur la couverture, le mot « réforme » décrit en gros caractères, et, si l'on tourne le feuillet, des pages d'une blancheur

²⁹⁹ Smith, *A history of the French Senate*, 245.

³⁰⁰ CD, Séance du 30 mai 1896, IP, Annexe 1907, 625-628.

³⁰¹ Both the information in *Le Journal des débats* and the notebook of the *commission du suffrage universel* point in this direction.

³⁰² Archives Nationales, Procès-verbaux de la commission du suffrage universel Réforme Sénat, Inv. Nr. C//5612.

³⁰³ Ibid.

³⁰⁴ The dates of reunion are unclear, and the notes incoherent, brief and deliberately made unreadable. I would like to thank Marc Bécclère, archivist at the archives of the *Assemblée nationale*, for his kind help with finding this notebook at the *Archives Nationales* and his assistance with the decryption of the nearly unreadable handwriting.

³⁰⁵ *Le Journal des débats*, 13 November 1896, 1.

immaculée. Telles sont les réformes de la plupart de nos réformateurs !³⁰⁶ As the article in the *Journal des Débats* quite rightly insinuated, the project to reform the Senate suddenly appeared to be a very convenient weapon to counterattack the senators as a retaliation for bringing down the Bourgeois government.³⁰⁷ *Le Temps* also drew the conclusion that other motives than the democratic reform of the Senate itself were behind it and described the whole matter as ‘une improvisation dangereuse’.³⁰⁸

Although Trouillot’s project was heavily criticized for its inaccuracies and opportunistic timing,³⁰⁹ the majority of the Chamber adopted it with 291 against 234.³¹⁰ A few days later the text was examined in the Senate. Here it became perfectly clear that for the Radical majority in the chamber the priority was not the highly hypothetical acceptance of the Trouillot-project, but above all to put the new conservative *président du conseil* Jules Méline to the test. The adoption of a bill in the Senate would often depend on the willingness of the government to defend it in the Luxembourg palace. The Radical deputies Jourdan and Millerand demanded the government by interpellation to do so. But Jules Méline, did not yield; the government would not appeal the Senate to accept the bill because it knew that it could still count on the support of the majority in the Chamber. Radical Alexandre Millerand reacted furiously to the arrogance of the government. But this was simply how the parliamentary game was played.

A few days later the Senate rejected the bill with 206 votes against 28.³¹¹ The newspaper *Le Temps* concluded that the project had been transformed into a war machine against the Senate and the government. The actual intention behind it had been far too obvious. The newspaper cited the socialist Édouard Vaillant who had accidentally revealed the underlying reason of this project: ‘Nous voterons le projet parce qu’à nos yeux cette loi est destinée à atteindre le gouvernement et le Sénat.’³¹² The conservative newspaper *Le Figaro* ironically wrote that Trouillot had perfectly shown that ‘there was no better ‘opportunist’ than a Radical.’³¹³ The whole matter indeed demonstrates that the demand for

³⁰⁶ *Le Journal des débats*, 13 November 1896, 1.

³⁰⁷ This was also the observation of deputy François-Henri Jumel: ‘Ce sont des mesures que vous voulez bien proposer à vos adversaires, mais pas à vos amis. Voilà la vérité! La révision de l’élection du Sénat, vous n’en chargez pas vos mains, c’est trop délicat ; vous aimez mieux en charger un ministère composé de ceux que vous ne voulez pas voir au pouvoir (Rires approbatifs au centre et sur divers bancs à gauche.) CD, Séance du 17 novembre 1896, 345.

³⁰⁸ *Le Temps*, 12 November 1896.

³⁰⁹ Deputy Henry Cochin concluded : ‘Il y a dans votre texte, je le répète, des obscurités, énigmes, qui donneraient lieu à des difficultés inextricables’. CD, Séance du 16 novembre 1896, 315.

³¹⁰ CD, Séance du 17 novembre 1896, 358.

³¹¹ Archives Sciences Po, Travaux politiques de François Goguel sur le Sénat, Inv. Nr. FG4, p. 17.

³¹² *Le Temps*, 19 November 1896.

³¹³ *Le Figaro*, 17 November 1896.

democratic reform of the Senate ceased to be a matter of principle, and instead became a weapon which could be used when it suited best.

Despite the fact that the Senate had not adopted the Trouillot-project, the upper house named, according to the parliamentary procedure, a special commission of nine senators which was obliged to examine the text voted by the Chamber of Deputies, so the Senate could then come up with a *contre-projet*. But this was only another façade. The commission only came together once in December 1899 to take the decision to let the whole matter adjourn.³¹⁴ They did not even bother to name a *rapporteur*. The majority of the commission members were not re-elected as senator, and the others passed away during their mandate. According to the Senate's regulations, these members had to be replaced. But instead of replacing all of the nine members, it was decided to put the 86-year-old senator Émile de Marcère, the last living life-senator alone on the commission. When he passed away in 1918 the commission, twenty-two years after its creation, literally died a silent death.³¹⁵ This course of events perfectly demonstrates how the Senate protected itself against possible reforms that were intended for its democratisation or abolition.



Léon Bourgeois, *Archives de l'Assemblée nationale*



Georges Trouillot, *rapporteur* of the Commission du suffrage universel, *Archives de l'Assemblée nationale*.

The fall of the Bourgeois government was a major political crisis. Because the Senate had played such a hard game, it provoked a wave of anti-Senate reactions. The evening after Bourgeois' resignation a massive protest meeting was organised in a music-hall near the Place de la République. According to a police report, the announced purpose of the meeting was to protest against the Senate and demonstrate in favour of universal suffrage and the democratic Republic.³¹⁶ It had been a long time

³¹⁴ Archives Sciences Po, Travaux politiques de François Goguel sur le Sénat, Inv. Nr. FG4, 17.

³¹⁵ Ibid.

³¹⁶ Report cited in Robert Elliot Kaplan, *Forgotten Crisis : The Fin-de-Siècle Crisis of Democracy in France* (Oxford: Berg Publishers, 1995) 83.

since Paris had seen a protest meeting of this scale. According to newspaper reports around 8.000 people were packed into the hall and a total of 20.000 people gathered at Place de la République and the surrounding boulevards. The crowd shouted without interruption: ‘A bas le Sénat!’, and other rallying-cries as ‘Vive la révision! Vive la République sociale! Vive la Révolution!’³¹⁷ The horses of the police charged the huge crowd that continued to shout ‘À bas le Sénat! Vive le suffrage universel!’³¹⁸ Also the square of the Sorbonne university was packed with hundreds of students shouting ‘A bas le Sénat!’ Only a police intervention could prevent the student-crowd to move to the Luxembourg palace, only a few blocks away.³¹⁹

Jean Jaurès, who had returned in the Chamber as a socialist deputy, and the Radical Camille Pelletan were among the crowd that evening and tried to address the cheering people. Jaurès used revolutionary rhetoric in condemning the Senate. The socialist stated that this was not an empty demonstration, but the beginning of a fight. Dramatically, he asked the crowd to swear an oath to the social republic. The crowd responded massively to do so.³²⁰ Jaurès continued ironically that everyone should be grateful to the senators, because with their actions they had brought the revolution only closer: ‘Nous devons les remercier, tous ces réacteurs et tous ces corrompus. Ils ont, par leur attitude, fait un grand pas à la Révolution.’³²¹ Camille Pelletan described the situation as a fight between limited and universal suffrage. According to the Radical deputy, the Senate was ‘une maison de retraite (...) où tous sont des malades, d’anciens hommes politiques qui désirent avoir du repos’³²² It was this retirement home that had stopped the progress which was set in motion.

In this revolutionary atmosphere, moderate republican and right-wing newspapers defended the Senate. *Le Figaro* declared Camille Pelletan to be a hypocrite because his father Eugène Pelletan had been a life-senator until 1884. In defence of the Senate it was argued that the upper house was elected by universal suffrage (although indirectly) and therefore just as democratic as the Chamber of Deputies.³²³ In *Le Temps* of 27 April 1896 Jules Ferry kept defending the Senate as ‘le pilier fondamental de notre organisation républicaine.’³²⁴

³¹⁷ *L’Intransigeant*, 26 April 1896.

³¹⁸ *La Justice*, 26 April 1896.

³¹⁹ Surprisingly enough Paul Smith downplays the whole event in merely stating that ‘the newspaper *La Petite République* urged the people of Paris to march to the Palais Luxembourg, a call taken up only by a handfuls of students’. in Smith, *A history of the French Senate*, 253.

³²⁰ *La Lanterne*, 26 April 1896.

³²¹ *Ibid.*

³²² *Ibid.*

³²³ *Le Figaro*, 26 April 1896.

³²⁴ *Le Temps*, 27 April 1896.



The Radical newspaper *l'Intransigeant* of 26 April 1896. Gallica.fr

The event caused a revival of the debate about the Senate. The sessions of 16 and 17 November 1896 constituted the most important and profound debates about the legitimacy of the Senate during the Third Republic. To a large extent the argumentation was familiar and was focussed on the claim that the elections of the Senate were not democratic enough. Nationalist deputy Gauthier de Clagny declared that the Senate was against all instincts of democracy, its electoral system was a scandal and this could no longer continue.³²⁵ Maurice Faure regretted the fact that a democratic reform had been systematically refused under the pretext that it would endanger the republican order.³²⁶ Maurice Faure asked his colleagues, in the name of national sovereignty, to vote for a further democratisation of the Senate.³²⁷

Gaston Guillemet put forward that the elections of the Senate were full of corruption and therefore undemocratic. In January 1876, Gambetta had already expressed his preoccupations about the sensitivity of corruption of the senatorial delegates.³²⁸ Now Guillemet argued that according to his information in some communes the *conseillers municipaux* had worked out a system of selection by rotation or by lottery: ‘Après les dernières élections sénatoriales je demandais à un maire républicain

³²⁵ CD, Séance du 16 novembre 1896, 317.

³²⁶ *Ibid.*, 312.

³²⁷ *Ibid.*, 313.

³²⁸ BnF Paris, Gambetta Discours Aix, Inv. Nr. 8-LB57-6901, 56.

pourquoi il n'avait pas été nommé délégué ; il me répondit : Ce n'était pas mon tour !³²⁹ There was much hilarity in the Chamber when Gauthier de Glagny compared this system to the Conférence Molé-Tocqueville, a well-known French debating society where the role of president was played in turns. But Guillemet was serious and stated that this undemocratic scandal had to be stopped.³³⁰

However, there were other, more original sounds in this debate. Some deputies began to wonder how the Senate could play a role in the improvement of the representativeness of the parliamentary democracy. The most remarkable proposal was a project presented by Abbé Lemire, a Christian-democrat deputy and a priest from Hazebrouck in French Flanders. Lemire agreed with the argument of his colleagues that the only thing the Senate had done was causing delay in important legislation. In March 1894 he had already demanded the abolition of the Senate: 'A mes yeux, le point le plus important est la suppression du Sénat tel qu'il est aujourd'hui (applaudissement à l'extrême gauche).³³¹ This did not mean that he was a partisan of a political system with a single assembly. His plan was to construct a new Senate in which different professional groups in society were represented, a system known in French as *la représentation des intérêts*. Lemire told his colleagues: 'Cette Assemblée mettrait à côté de la représentation numérique que nous avons la représentation professionnelle que nous n'avons point et qu'on demande de toutes parts. L'une contrôlerait l'autre ; et nous aurions de la sorte une constitution vraiment démocratique.'³³²

Lemire envisaged a system in which the senatorial delegates were to be nominated by three professional groups: the agricultural sector, the industry, commerce, transports, and liberal professions. Such a Senate would make French society more democratic: 'l'idée de faire nommer le Sénat par les représentants de toutes corporations, des corps constitués, des syndicats, des associations de toute sorte, repose précisément sur une doctrine et représente une réforme vraiment démocratique.'³³³ Lemire tried to convince his colleagues that this was a much more democratic idea than to elect the Senate by universal suffrage, which would make the Senate a useless copy of the Chamber. Lemire was convinced that universal suffrage could only be the basis of one chamber. Two chambers which were both elected by universal suffrage would tear apart the national representation. Probably in order to satisfy the conservatives, Lemire stated that the representation of interests would also function as a

³²⁹ CD, Séance du 16 novembre 1896, 314.

³³⁰ Ibid., 317.

³³¹ CD, Séance du 16 mars 1894, 704.

³³² Ibid.

³³³ CD, Séance du 16 novembre 1896, 334.

brake on the passions of the Chamber of Deputies: ‘ce qu’il faut, ce n’est pas une locomotive, c’est un frein. Et ce frein je le trouve dans la représentation professionnelle.’³³⁴

The main idea behind Abbé Lemire’s project was to ameliorate the representation of French society. Lemire accepted the principle of universal suffrage, but had difficulties with the individualist and liberal character of it. In his speech in Lyon in 1896 the priest condemned universal suffrage that put on the same level ‘le célibataire égoïste isolé’ and the ‘chef de famille’.³³⁵ Pierre Rosanvallon underlines that the project by Abbé Lemire marked the first moment when in France the individualist perception of representation was technically disputed in an institution of the Republic.³³⁶

Rapporteur Trouillot refused to take Lemire’s project into consideration and there was no majority for it in the Chamber. Nevertheless, there are several indications that suggest that the ideas about professional representation were not only the individual expressions of nostalgic corporatist feelings of a priest from French Flanders. Quite the opposite, the idea to give the Senate a new legitimacy as the house where the interests of societal groups were represented was widely spread in the 1890s. The republican deputy Paul Deschanel -who defended the status quo- remarked: ‘Peut-être y-a-t-il une vue juste, une vue d’avenir, dans cette conception qui consiste à donner une part dans la représentation nationale, non seulement aux individus, aux personnes éphémères, mais aussi aux personnes morales, à ces corps organisés, à ces groupes sociaux intermédiaires entre l’individu et l’État, qui sont la meilleure garantie de la liberté politique.’³³⁷ Lemire also referred to the authority of Henri Maret, a Radical who had defended the idea of representation of interests because he did not believe that a Chamber exclusively filled with ambitious solicitors could represent the nation adequately.³³⁸

Jean Jaurès had also been attracted to the idea, already in the 1880s. But contrary to Lemire, Jaurès initially remained loyal to the revolutionary ideal of a single chamber. He proposed a system of double deliberation in the Chamber of Deputies. In the interval between the two sessions, different organs of the political and social life in France were to be consulted. Hereby he meant the chambers of commerce, agriculture, the organisations of the workers and that of the employers: ‘toutes les associations politiques fonctionnant en pleine liberté seraient consultés.’³³⁹

³³⁴ CD, Séance du 16 novembre 1896, 345.

³³⁵ Jean-Marie Mayeur, *L’Abbé Lemire 1853-1928 un prêtre démocrate* (sine loco, 1968) 190.

³³⁶ Pierre Rosanvallon *Le peuple introuvable : Histoire de la représentation démocratique en France* (Paris: Éditions Gallimard, 1998) 151.

³³⁷ CD, Séance du 17 novembre 1896, 355.

³³⁸ CD, Séance du 16 novembre 1896, 335.

³³⁹ Chatriot, ‘Jaurès face au Sénat’, 45.

However, in January 1889 Jaurès changed his mind and believed that there was a future for bicameralism in France: ‘Beaucoup d’esprits croient à la nécessité de deux chambres, et j’arrive à penser qu’à condition de leur régler leurs attributions respectives et de dénouer rapidement les conflits, elles sont utiles.’³⁴⁰ Jaurès’ changing position vis-à-vis the Senate in 1889 was most probably related to the Boulanger crisis. But it should also be noted that Jaurès was the protégé of Jules Ferry who was a fierce defender of the Republican Senate. Between January 1889 and October 1890 Jaurès worked out his ideas about professional representation in a series of articles in *La Dépêche* with the revealing title ‘La Chambre du travail’.³⁴¹ This concept was very close to Abbé Lemire’s project. Jaurès proposed to elect this second chamber by *suffrage professionnel*, with a subdivision of the working world in agricultural, industrial and commercial categories. In *La Dépêche* of 13 January 1889 Jaurès argued: ‘Admettez un moment que cette Chambre du travail se substitue au Sénat actuel oligarchique et sans racines profondes dans le pays, et voyez quelle solide base vous donnez à la République, quelle impulsion décisive vous donnez à la démocratie, à l’égalité, à la justice, à la raison populaire.’³⁴² In creating a *Chambre du travail* the Senate would obtain a new legitimacy in preparing the socialist solution for *la question sociale*. For Jaurès, the organisation of democratic society in associations and political groups was a new development that was of the same scale as the advent of universal suffrage. He believed it marked a revolution in French democracy and should therefore not be neglected.³⁴³

These proposals for a new representation in the Senate should be seen in the context of the fin-de-siècle crisis of democracy in France.³⁴⁴ In the 1890s the debate about the deficit of representation was the topic of the day in France. In the words of Rosanvallon, there was a common feeling of a ‘déception démocratique’.³⁴⁵ One publication that attracted the most attention was Charles Benoist’s *La crise de l’État Moderne* in the *Revue des Deux Mondes*.³⁴⁶ According to Benoist, the crisis of democracy was about the very engine of the modern state; universal suffrage. One of the main problems was that universal suffrage existed in an unorganised way, making it anarchistic. As a consequence, the organisation of the modern state had remained unorganised with a fortuitous, spontaneous and improvised character. Universal suffrage was designed as an expression of the sovereignty of the people, scattered in 10 million isolated electoral atoms.³⁴⁷

³⁴⁰ Chatriot, ‘Jaurès face au Sénat’, 45.

³⁴¹ Ibid.

³⁴² *La Dépêche*, 13 January 1889.

³⁴³ Rosanvallon, *Le Peuple introuvable*, 242.

³⁴⁴ See Kaplan, *Forgotten Crisis*.

³⁴⁵ Rosanvallon, *Le Peuple introuvable*, 136.

³⁴⁶ Rosanvallon, *La démocratie inachevée*, 265.

³⁴⁷ Charles Benoît, ‘De l’organisation du suffrage universel VIII’, *Revue des deux mondes*, 6 (1896) 514-527, 516.

Benoist also found the solution for this problem in a new organisation of the Senate. One of the advantages would be that the Senate regained authority, credit and initiative without becoming a complete copy of the Chamber of Deputies. While the Chamber of Deputies reflected the votes of individuals, the Senate should represent the other side of ‘la vie nationale’ which was ‘la vie collective’.³⁴⁸ Local unions of all genres and categories would constitute this part of society: universities, tribunals, chambers of commerce, notaries, solicitors, etc.³⁴⁹ Benoist argued that profession was a form of identity in an anonymous society: ‘parce que la profession est ce qu’il y a de plus réel, de plus positif, de plus constant et de plus présent, de plus spécifique dans la vie sociale de l’homme.’³⁵⁰ Benoist believed that the only remedy for the decline of democracy was the representation of interests expressed in the Senate. Rosanvallon argues that Benoist’s ideas should not be qualified as a means to restrain the power of the number, but as a quest for a ‘superior democracy’.³⁵¹ In addition, Rosanvallon remarks that the fact that such a moderate professor of constitutional history at Sciences Po became one of the foremost supporters of an organic system of representation clearly demonstrates how much the political culture had changed in France since the 1870s.³⁵²

The debate was joined by even more eminent university professors like Léon Duguit and Émile Durkheim.³⁵³ As a matter of fact, Émile Durkheim had a great influence on Jaurès.³⁵⁴ Léon Duguit agreed that the representation of professional groups in the Senate would be the solution to the crisis of representation. What Duguit borrowed specifically from Durkheim was the idea that individuals were subjected to laws because they were part of an integrated community whose rules derived their obligatory force from social interdependence. The Senate had a future making this idea concrete.³⁵⁵

Léon Duguit argued that it was impossible not to see the immense reaction that had been brought about in the last twenty years against the individualist doctrines of the French Revolution.³⁵⁶ He observed what he called a ‘gigantesque mouvement associationniste’ that manifested itself in unions of workers, industrials and farmers. Politicians and legislators could simply not remain indifferent to this development that was everywhere: ‘Les choses marchent vite en ce pays de France; et le temps

³⁴⁸ Charles Benoît, ‘De l’organisation du suffrage universel VII’, *Revue des deux mondes*, 5 (1896) 535-555, 540.

³⁴⁹ Benoît, ‘De l’organisation du suffrage universel VII’, 522.

³⁵⁰ *Ibid.*

³⁵¹ Rosanvallon, *Le peuple introuvable*, 154.

³⁵² *Ibid.*

³⁵³ Claude Didry, ‘De l’État aux groupes professionnels. Les itinéraires croisés de L. Duguit et É. Durkheim au tournant de siècle (1880-1900)’, *Genèses sciences sociales et histoire*, 2 (1990) 5-28.

³⁵⁴ Rosanvallon, *Le Peuple introuvable*, 186.

³⁵⁵ Cécile Laborde, ‘Pluralism, syndicalism and corporatism: Léon Duguit and the crisis of the state (1900-25)’, *History of European Ideas*, 22:3 (1996) 227-224, 230.

³⁵⁶ Duguit, ‘L’élection des sénateurs’, 463.

n'est peut-être pas loin de nous, où l'individualisme à outrance né de la Révolution ne sera plus qu'un souvenir.³⁵⁷ According to Rosanvallon the article of Léon Duguit is symptomatic for the radical political and intellectual change in French society at the end of the nineteenth century. The intellectual and political world in France was submerged by a curiosity for constitutional issues.³⁵⁸

Although universal suffrage was not directly contested, it is clear that more people began to see its limits. This idea that universal suffrage could not sufficiently represent all elements in society and that democracy had to be organised had been expressed before. It was Duc de Broglie who in 1873 had asked the National Assembly 'mais le nombre est-il tout dans la société?'³⁵⁹. Twenty years later the same question was asked. And again, the Senate was perceived as a tool to achieve a certain organisation of democracy. Thus, in the late nineteenth century crisis of democracy the Senate was not only seen as the problem, but also as a possible solution.

However, from October 1897 onwards the debate about the Senate was completely overshadowed by the Dreyfus affair. In 1898 anti-parliamentary leagues manifested themselves, putting the parliamentary Republic in danger. The moderate republican Waldeck-Rousseau formed a 'government of republican defence' which also included Radicals and socialists. The renewed threat to the parliamentary Republic provoked a throwback to a republican concentration in defence of the regime.³⁶⁰

Historian Robert Elliot Kaplan has pointed at the fact that in this coalition the Radicals and socialists were now forced to drop their demand for the income tax, and also diminish their discontent with the Senate. Kaplan has argued that the Dreyfus affair was not the real crisis that menaced the Republic; it was the crisis provoked by the fall over the Bourgeois government. Kaplan's argument is that politics in the 1890s were dominated by the haute bourgeoisie's fear for democracy. The wealthy, who lived from their incomes, were terrified by this fiscal reform and mobilised every possible measure to protect themselves against the revolutionary situation.³⁶¹ Kaplan portrays Waldeck-Rousseau's objective as the transformation of the Third Republic into a regime in 'which the wealthy few would not be overwhelmed by the many of democracy'.³⁶² Kaplan proposes a very significant revision of the portrait of French politics in the 1890s, but reduces the complexity of this period to a successful conspiracy of Waldeck-Rousseau and the haute bourgeoisie. Nevertheless, his argument does offer a

³⁵⁷ Duguit, 'L'élection des sénateurs', 463.

³⁵⁸ Rosanvallon, *Le peuple introuvable*, 150.

³⁵⁹ AN, Séance du 15 mai 1874, IP, annexe nr. 2369, 37

³⁶⁰ Gildea, *Children of the Revolution*, 279.

³⁶¹ Kaplan, *Forgotten crisis*, 102.

³⁶² *Ibid.*, 170.

rather convincing explanation for the fact that the Radical-socialist call to reform the Senate -which had been cried for so loudly at the Place de la République in 1896- was abandoned.

What is certain is that the episode of the Dreyfus affair brought an end to fundamental debates about the role of the Senate in French democracy. First of all because they had no priority anymore, but also because the Senate was, once again, cherished as an effective protection of the Republic. On 4 September 1899, on demand of the President of the Republic, the Senate was for the second time after the Boulanger trial constituted as a High Court of Justice. This time it was to sentence Paul Déroulède, president of the *Ligue des Patriotes*, an important anti-dreyfusard organization. Déroulède had attempted a coup d'état with other plotters. Most of them were found guilty by the Senate and exiled for five years. Paul Smith concludes that 'the Senate had once more performed its duty with determination'³⁶³ and that 'between the trials of Boulanger and Déroulède the Senate had found its place. Abolition was pushed to the political margins and even reform of the upper chamber became a non-starter.'³⁶⁴

In this context one should see the proposal to elect the senators by universal suffrage submitted by the vice-president of the *Ligue des Patriotes* Albert Gauthier de Clagny on 2 December 1898. The nationalist deputy indicated that every time when this proposition had been made in the past years by the Radicals, it had not succeeded because of the long parliamentary procedures. This was only to the benefit of the politicians who wished to remain the status quo. He added that every time when the delicate matter of the Senate was discussed, the government placed itself in between and forced the Chamber in the position to vote in support of or against the government. According to Clagny, this situation made it difficult to express one's real opinion and discuss the reform of the Senate and the principles of the republican democracy.³⁶⁵ Clagny's proposal might have been opportunistic and meant to damage the citadel of the republican regime he opposed, his frustrated argument nevertheless exposed the truth. His exposé perfectly illustrated that the debate about the Senate was not only highly influenced by national political developments, but also by the complicated parliamentary procedures and power games. These factors prevented an open discussion about the utility of a Senate in French democracy. Ironically, the Chamber did not adopt Clagny's bill and sent it to the *commission du suffrage universel*, and again, the commission never examined the proposal and a report was never presented.³⁶⁶

³⁶³ Smith, *A history of the French Senate*, 272

³⁶⁴ *Ibid.*, 275.

³⁶⁵ CD, Séance du 2 décembre 1898, 288.

³⁶⁶ Tables Analytiques des Annales de la Chambre des Députés, nr. 17, 7ième Législature 1898-1902, 875.

The socialist deputy René Viviani announced to vote in favour of Clagny's proposition because it was a beginning of the realisation of the reforms that were demanded by democracy. But the deputy from the Seine -who defended the working class- made clear that their real objective was the complete abolition of the obstacle that stood in the way on the road of reforms that were demanded by democracy.³⁶⁷ The Radical-socialist deputy Émile Morinaud also declared: 'Nous avons un commencement de satisfaction ; notre but c'est la suppression du Sénat. (bruit)³⁶⁸ These statements once more confirm that in the last years of the nineteenth century, socialists definitively took over the Radical role as main criticizer of the Senate. In the twentieth century this trend would continue.

France compared to Belgium and The Netherlands

Contrary to France, the debate about the Senate in late nineteenth century-Belgium took place at one fixed moment. In 1893 the Belgian constitution was revised for the first time. Because of the pressure of the labour organisations a hybrid form of universal male suffrage was implemented; the so called plural vote system.³⁶⁹ This change of the electoral system also had consequences for the Senate, which therefore constituted the second main issue on the agenda for reform.³⁷⁰ There was quite some debate about the question what kind of role the Senate should have in the new constitutional framework, but the Senate itself wasn't contested anymore. The in 1830 heavily debated Senate had found solid ground in 1893.³⁷¹

This was mainly because of the fact that limited suffrage brought about a conservative ruling elite who saw no reason for change. This becomes clear from the fact that the legitimacy of the Belgian upper house in 1893 was found in a slightly different reason than in 1830. Whereas in 1830 the arguments for the Senate were meant to balance the constitution, in 1893 the government was confronted with the upcoming democratic movement that needed to be controlled. According to Jean-Pierre Nandrin the fear for democracy was very strong among politicians.³⁷²

Despite the fact that nobody asked for the abolition of the Senate, the deliberations about the reform of the Senate were long, complicated and very confusing. Nandrin explains this longevity of

³⁶⁷ CD, Séance du 2 décembre 1898, 288.

³⁶⁸ Ibid., 287.

³⁶⁹ This system gave the right to vote to all men of 25 years and older. An extra vote went to heads of family who were 35 years and paid a certain amount of taxes for their housing. Two extra votes were reserved for those men who had obtained a degree in higher- or secondary education. The maximum possible amount of votes was limited at three.

³⁷⁰ Michèle Libon and Jean-Pierre Nandrin, 'De Senaat 1893-1918' in: Laureys, *Geschiedenis van de Belgische Senaat*, 89.

³⁷¹ Libon and Nandrin, 'De Senaat 1893-1918', 89.

³⁷² Ibid., 96.

the discussion on the basis of the fact that a two-third majority was a strict juridical condition for every article of the revision.³⁷³ The result was a compromise. It was decided to introduce a new category of senators who were indirectly elected by the provincial councils, a system comparable to the French system. The second element of change was that the tribute conditions for the directly elected senators changed slightly, and the minimum voting age went from 25 to the age of 30. But according to Nandrin, these measures had no real impact whatsoever.³⁷⁴ It was estimated necessary to differentiate the Senate in order to make it an efficient compensation versus the chamber that became more democratic. With much regret Professor Herbert Speyer concluded that despite the endless discussions, the Senate had changed only slightly; 1893 was just a repetition of what the National Congress had done in 1830.³⁷⁵

The system of professional representation, which was debated in France, found its origins in Belgium. In 1893 propositions were made to introduce this system for the Belgian Senate. Especially liberals and Catholics defended the idea to elect the senators directly by groups of science, agriculture, industry and commerce. The motivation behind the idea was to fill the Senate with men of experience who were capable of solving economic problems and introduce social bills. But every time when this idea was presented, it was rejected by both the Chamber and the Senate.³⁷⁶ The legal expert Adolphe Prins, an important pioneer of the theory of representation of interests, argued that it was urgent to find the right formula for a peaceful democracy which was able to resist the tyranny of the number.³⁷⁷ The reasons for the popularity of this system were slightly different compared to France. In France the system was presented as a solution for a democratic crisis which was the result of a disenchantment of the firm believe in universal suffrage. In Belgium, where universal suffrage was not yet established, politicians were looking for a way to find a new legitimization for the Senate which would make it function as an efficient barrier against the ongoing democratisation of society.

Despite this difference, the whole of Europe looked at what happened in Belgium. The reform of 1893 speeded up and crystallised a combination of ideas and positions that were in the zeitgeist.³⁷⁸ The French political commentator Joseph Barthélemy described Belgium as ‘the political laboratory of Europe’.³⁷⁹ Abbé Lemire, the priest from French Flanders, made no secret of the fact that he took Belgium as an example: ‘Je suis flamand et je confluence à la Belgique et au système belge’.³⁸⁰ Charles

³⁷³ Ibid., 92.

³⁷⁴ Ibid., 89.

³⁷⁵ Herbert Speyer, *La réforme du Sénat* (Brussels 1914) 35.

³⁷⁶ Libon and Nandrin, ‘De Senaat 1893-1918’, 100.

³⁷⁷ Adolphe Prins, *La démocratie et le régime parlementaire* (Brussels 1884) 15.

³⁷⁸ Rosanvallon, *Le peuple introuvable*, 146.

³⁷⁹ Joseph Barthélemy, *l’Organisation du suffrage et l’expérience Belge* (Paris 1912) 6.

³⁸⁰ Mayeur, *L’Abbé Lemire*, 191.

Benoist also admitted that he had borrowed the idea from Adolphe Prins.³⁸¹ This indicates that there clearly was an exchange of ideas about this particular system between France and Belgium. It confirms the development sketched by Rosanvallon that in the last decade of the nineteenth century French politicians became less reluctant to look over their border for foreign examples, and no longer considered themselves as the carriers of modern democracy; pride made place for modesty and uncertainty.³⁸² Although the idea of representation of interests was not endorsed in 1893, the idea to elect the Senate with this suffrage remained very popular in Belgium and was one of the main elements that would pop up again during the debates of the second revision of the Belgian constitution in 1921.

The Dutch constitution was also subjected to a reform in 1887. Just like in Belgium nobody was for the abolition of the Senate.³⁸³ The Dutch liberals had been sceptical about the usefulness of the upper house, but in 1887 they concluded that the *Eerste Kamer* had not resisted that much as they had feared it would and that it had actually done a rather good job. However, there was also an opportunistic reason for the liberals to moderate their language about the Senate. From 1870 onwards, the number of liberals in the Senate increased strongly, to the detriment of the royalist-conservative members.³⁸⁴ So one could argue that the Dutch liberal attitude had some similarities with the French Radicals. The liberals had only occasionally expressed some criticism on the Senate when a finance bill was rejected or when it brought down liberal ministers or cabinets, but they did not withstand the role the Senate played.³⁸⁵

Another reason for the liberals to suddenly cherish the Senate had to do with the fact that the revision of the constitution in 1887 expanded the suffrage conditions for elections of the Dutch House of Representatives. According to Bert van den Braak this had the consequence that many Dutch liberals regarded the Senate as a useful counterweight against this democratic reform. Suddenly, some liberals even honoured the useful work of the Senate.³⁸⁶ This demonstrates that the impact of the extension of the suffrage in both Belgium and The Netherlands had the effect that the elites held on the Senate as a bastion of their influence. In the Low Countries, the upcoming movement of democratisation confirmed the legitimacy of the Senate. In France this was different. Because of the fact that the process of democratisation had taken such a huge lead in France, the political relations were completely different from other European countries. This had made it possible that while the

³⁸¹ Michel Dendias, *Le problème de la chambre haute et la représentation des intérêts* (Paris 1929).

³⁸² Rosanvallon, *Le peuple introuvable*, 150.

³⁸³ Van den Braak, *De Eerste Kamer*, 132.

³⁸⁴ *Ibid.*, 111.

³⁸⁵ *Ibid.*, 110.

³⁸⁶ *Ibid.*, 110.

conservative liberals were defending a Senate in Belgium and The Netherlands against the upcoming democratic wave, at the same time in France democrats who had attacked the Senate, now defended it for their own political interest.

A similarity between the French and the Dutch case is that the electoral system of the Dutch Senate was a debated topic in the second half of the nineteenth century. Especially liberals like Thorbecke and Van Houten, but also members of the Calvinist *Anti-revolutionaire Partij* De Savornin-Lohman and Kuyper, expressed their discontent with the senatorial elections. They criticised the fact that because of the severe conditions for eligibility only the conservative ‘money-aristocracy’ seated in the Senate. Because of the fact that the Dutch House of Representatives was not elected by universal suffrage but by limited suffrage, the critics stated that the financially strong already had enough influence in politics and that the Senate gave them a superfluous privilege.³⁸⁷ Besides, some politicians regarded the election of the Senate via the provinces far from logical.³⁸⁸

Now that the braking function of the Senate was revalued by the Dutch liberals, other politicians protested against it, mainly from the *Anti-Revolutionaire Partij*. It was De Savornin Lohman who argued that he did not believe that the House of Representatives ever took overhasty decisions.³⁸⁹ This is rather remarkable since the name of his party ‘anti-revolutionair’ meant ‘against the principles of the French Revolution’. This demonstrates that the fear for a revolutionary Chamber was much less embedded in the Dutch political culture than in France or in Belgium.

Just as in those countries, the system of representation of interest had supporters in The Netherlands. The initiative came from the anti-revolutionaries Kuyper and De Savornin Lohman. De Savornin Lohman wished the Senate to be elected by chambers of commerce, universities, churches and labour unions.³⁹⁰ But these proposals did not make it through. In The Netherlands though, there was no such thing as a crisis of democracy like in France. So the reasons for the fact that politicians in The Netherlands and Belgium were interested in the system of representation of interests, were different from France. But apparently, they all felt the same urge to find a new -more logical or more democratic- way to elect the upper house and reinforce its legitimacy.

³⁸⁷ Ibid., 111.

³⁸⁸ Ibid.

³⁸⁹ Ibid., 112.

³⁹⁰ Ibid.

Chapter 3 1900-1914: between principles and pragmatism

At the end of the nineteenth century France witnessed the emergence of the organisation of politics in political groups. The law of 1901 on the freedom of association finalized this development and provided a framework for the creation of political parties. The emergence of political parties caused the end of parliamentary democracy in its original form. Besides, according to Bernard Manin at the beginning of the twentieth century, reflexions on ‘the crisis of parliamentarism’ multiplied in France.³⁹¹ Representative government had experienced a change. This change was also noticeable in the debates about the Senate.

In 1898, the Radicals had obtained a majority in the Senate. However, for some time Radical deputies continued to present very modest projects in favour of the reform of the Senate. In the period between 1900-1904, two texts were presented, but without any result.³⁹² From 1906 onwards, without any official or explicit statement, the Radical politicians began to abstain from presenting propositions for changing the electoral system of the Senate. For over more than twenty years these proposals had been the expression of their fundamental anti-senatorial position. The reasons for this ‘Radical silence’ had already become noticeable in the 1890s, as we have seen in the previous chapter. But now, it became even more obvious.

The attitude of the outspoken Radical Camille Pelletan perfectly demonstrates the evolution in Radical thought. Pelletan -who had who shouted ‘A bas le Sénat’ in the in the crowd at Place de la République in 1896- explained in 1909 that because of the fact that democracy had entered the Senate, there was no reason to attack it anymore: ‘Le Sénat, ayant été, malgré les obstacles accumulés par les monarchistes de l’Assemblée nationale, pénétré par l’esprit républicain, il n’y a pas de raison de le combattre.’³⁹³ For the Radicals, the Senate was not a question of fundamental principle anymore. The upper house had become compatible with democracy because they had conquered the majority in it, even though the Senate still blocked progressive reforms.

Now that the Radicals had obtained a majority in the Senate, the abolition of the institution had finally become within reach, in theory. But their political strategic interests restrained them from taking action. When Pelletan was asked the question why the Radicals had dropped their age-old

³⁹¹ Bernard Manin, *Principes du gouvernement représentatif* (Paris: Flammarion, 1995) 249.

³⁹² Louis-Martin, a Radical deputy from the Var, presented on 14 December 1905 two proposals in the Chamber of Deputies. These projects were not accepted and had no consequences.

³⁹³ Barthélémy, ‘les résistances du Sénat’, 376.

demand for the electoral reform of the Senate, he answered that France should look at the example of Great Britain. For Pelletan, the British had demonstrated perfectly how to accommodate institutions that are theoretically unacceptable. They had succeeded in transforming one of the most aristocratic countries into a democracy. This country had also institutions that were undeniably in contradiction with modern principles, but it reformed them when movements of progress demanded to. Now that the French Senate was penetrated by the democratic spirit it was not anymore the roadblock against reforms it used to be, Pelletan asserted. Therefore there was no need to reform the constitution anymore either: ‘Tant que nous conserverons l’espoir de trouver en lui un collaborateur, nous n’embarrasserons pas la politique d’une question constitutionnelle.’³⁹⁴

There was another reason why the discussion about the Senate receded into the background. In the first ten years of the twentieth century, the attention was drawn away from the Senate because all eyes were focussed on the debate about the election of the Chamber of Deputies by proportional representation. The idea of representation of interests was overshadowed by the popularity of this new concept. The position of Charles Benoist is symbolic for this shift. In 1895 he had imposed himself as the champion of the organisation of democracy by the representation of interests. Ten years later, in 1905, he would be the president of the *Commission du suffrage universel*, and presented in the Chamber of Deputies a report pleading for the proportional representation. This would be the start of a long debate on this issue.³⁹⁵

While in the eyes of the Radicals the Senate had become ‘democratic’, for the socialists it was not yet democratic enough. In July 1906 a project was presented by a group of socialist and Radical-socialist deputies to elect the senators by universal suffrage. The enclosed *exposé des motifs* asserted that because the political debate was so much focussed on the proportional representation, the reform of the Senate had simply been forgotten, although the latter was considered to be a much more important reform. It was explicitly specified that the abolition of the Senate would be the ultimate solution. However, this was seen as practically impossible: ‘La suppression de la Haute Assemblée serait évidemment la solution radicale par excellence; mais elle nécessiterait une révision de la constitution qu’il semble difficile d’obtenir en ce moment.’³⁹⁶ The election of the senators by universal suffrage was considered to be indeed far more modest but just as efficient and would very rapidly change the spirit of the majority in the Senate.³⁹⁷

³⁹⁴ Barthélémy, ‘les résistances du Sénat’, 377.

³⁹⁵ Rosanvallon, *Le peuple introuvable*, 170.

³⁹⁶ CD, Séance du 2 juillet 1906, IP, Annexe Nr 176, 736.

³⁹⁷ Ibid.

But there was a positive comment on the Senate too. The socialists stated that the upper house had ‘given much satisfaction to democracy’ in voting very rapidly and without any problems the bill on the separation of churches and state in 1905. However there was still a lot of improvement needed on the level of social reforms for the working classes: ‘En repoussant systématiquement la plupart des lois ouvrières, en ajournant tout au moins indéfiniment leur mise en vigueur, il a clairement montré qu’il s’opposerait de tout son pouvoir à l’évolution normale de notre société. Il est donc indispensable, si nous ne voulons pas faire œuvre vaine, de rechercher dès maintenant le remède à apporter à ce déplorable état de choses.’³⁹⁸ For the socialists, the Senate was above all a conservative obstacle for the realisation of their political programme.

The Senate, and especially the Radical fraction in the Senate, protested vigorously against the system of proportional representation. On 18 March 1913 it was no surprise that the ‘Radical’ Senate rejected the proposal for this system that had gained a majority in the Chamber of Deputies. The result was that the government of the socialist Aristide Briand was forced to resign. This incident was the reason for political commentator Joseph Barthélémy to write an article about ‘les résistances du Sénat’. The article is a clear and critical analysis about the behaviour and history of the Senate of the Third Republic. Barthélémy believed that the Senate had been spared in comparison to the Chamber of Deputies: ‘L’attention publique est concentrée sur la Chambre des députés, et, quoi que fasse le Parlement, c’est la Chambre des députés que l’on s’en prend.’³⁹⁹ According to Barthélémy, the public was simply not interested in the Senate; this silent chamber of wisdom. However, the Senate’s vote of 18 March had made the Luxembourg palace the talk of the day again and caused a resurgence of the debate about the legitimacy of the Senate and its election mode.⁴⁰⁰ The *Journal des débats* quite aptly described it as ‘logical’ that when the Senate was imposing its will on the Chamber concerning the election mode of the latter, the deputies would in return bring up the old debate about the election mode of the Senate.⁴⁰¹

Ironically the Radicals now owed a large part of their influence in politics to the indirect electoral system of the Senate they had always disputed. The reaction of Radical politicians to the fall of the Briand government was, perhaps not so surprisingly anymore, very loyal to the Senate’s authority. *Le Radical* wrote: ‘Nous espérons, pour l’avenir du grand parti réformateur, que tous les républicains...sauront incliner leurs préférences personnelles devant l’arbitrage de la Haute

³⁹⁸ Ibid., (On 10 June 1910 the same text was again presented, without any result.)

³⁹⁹ Barthélémy, ‘les résistances du Sénat’, 372.

⁴⁰⁰ Ibid.

⁴⁰¹ Cited in Barthélémy, ‘les résistances du Sénat’, 380.

Assemblée...Son rôle constitutionnel et les services éminents qu'elle a rendu à la République lui donnent toute l'autorité nécessaire pour être écoutée...L'arbitrage du Sénat républicain devra être le ralliement de toutes les gauches.⁴⁰² The Senate's arbitrary role in the Boulanger crisis and the Dreyfus affair were now explicitly used by the Radicals as a legitimization for their changing position vis-à-vis the Senate. This idea was more than confirmed in *Le Radical* of the next day: 'Le Sénat tient dans ses mains les destinées de la république... Jamais son rôle de gardien de nos institutions n'est apparu plus fort.'⁴⁰³ Gambetta's defence of the Senate as a *Grand Conseil des Communes de France* -which the Radicals had never accepted- was now opportunistically used as an extra argument by themselves: 'Il est le grand Conseil des Communes de France. En lui, les assemblées provinciales, les conseils municipaux, les conseils généraux ont mis leur confiance. Nous nous inclinons tous devant l'arbitrage du Sénat républicain.'⁴⁰⁴ In Georges Clemenceau's *L'Aurore* it was now stated very clearly that the abolition of the Senate was no part anymore of the Radical programme: 'Parler de la suppression du Sénat, de bouleversement dans le mode d'élection de ses membres, c'est là une campagne dangereuse et tout à fait inutile.'⁴⁰⁵

Joseph Barthélémy witnessed this process and concluded that it was because of their resistance against the electoral reform of proportional representation that the Radicals suddenly defended the Senate with so much energy. Barthélémy made a sharp analysis: 'Les radicaux ont crié : sus au Sénat ! Tant que le Sénat leur a fermé ses portes ou a résisté à leurs exigences ; ils crient aujourd'hui : Vive le Sénat ! Parce que le Sénat est comme eux hostile à la réforme électorale. Et l'attitude des modérés est strictement correspondante : ils défendent le Sénat contre les attaques radicales au sujet de sa politique de résistance aux réformes démocratique ; ils attaquent le Sénat, défendu par les radicaux lorsqu'il s'agit de la réforme électorale.'⁴⁰⁶

Léon Bourgeois, in his conflict with the Senate, had provoked a last wave of Radical Senate contestation. But this was now over. Barthélémy listed some examples of this Radical opportunism. He gave the example of the Radical politician Antonin Dubost, who had published a book in which he had explicitly attacked the Senate, but he eventually became the president of the Luxembourg palace in 1906. Barthélémy cited Camille Pelletan who asserted that it was much more urgent to work on social reforms than to waste energy on constitutional issues. Pelletan argued that the Senate could have

⁴⁰² *Le Radical*, 12 March 1913.

⁴⁰³ *Le Radical*, 14 March 1913.

⁴⁰⁴ *Ibid.*

⁴⁰⁵ *L'Aurore*, 2 August 1912.

⁴⁰⁶ Barthélémy, 'les résistances du Sénat', 381.

a future in the Republic, but only on the precondition that the institution would not make the social reforms impossible.⁴⁰⁷ The Radicals thus became very pragmatic in their resistance vis-à-vis the Senate.

According to Barthélémy, the socialists had the most constant attitude. They were loyal to their principles because they had never ceased to demand the abolition of the Senate.⁴⁰⁸ The rise of socialism was an important development in French politics in the first two decades of the nineteenth century. At the eve of the First World War, the French socialist party, SFIO (Section Française de l'Internationale Ouvrière), had nearly doubled in size since 1906. In their party programme the SFIO was in favour of the revision of the constitution and the creation of new political institutions because they were not suited to improve the conditions of the working class. They wanted a single assembly elected by proportional representation.⁴⁰⁹

The socialists believed that the election of the Senate was in contradiction to the very principles of democracy, because it had excessive powers which it used against universal suffrage. Because a modification of the constitution -which meant the reunion of the Congress- did not belong to the realistic possibilities, the socialists would also aim at making its recruitment more democratic simply by passing a bill, just as the Radicals had done.⁴¹⁰ The constitutional reform of 1884 was still working as an effective life-insurance for the Senate.

In reaction to the Senate's refusal of proportional representation, Jaurès' newspaper *L'Humanité* published an article with the original title 'À bas le Sénat!' written by Adéodat Compère-Morel, a socialist deputy from the Gard. Morel pointed at a very important element in the survival of the Senate. He stated that the Senate's fortune was that the existence of the institution was often forgotten: 'Personne ne pensait plus à cette Assemblée, dont le principal rôle consiste à ne rien faire.'⁴¹¹ He attacked the senators as lazy politicians who were paid for doing nothing, and that was precisely the reason why nobody ever heard anything from the Luxembourg palace. However, the recent vote of the Senate against proportional representation had changed the situation because it remembered everyone that the Senate existed: 'il nous oblige à demander au pays si cette existence est bien utile, bien nécessaire!'⁴¹² Morel described the Senate's election system as corrupt, because the majority of the senators were not elected for their ideas and principles, but as the result of an old boys network. Morel believed that the election of senators was a business of wheeling and dealing that had nothing

⁴⁰⁷ Barthélémy, 'les résistances du Sénat', 377.

⁴⁰⁸ Ibid., 380.

⁴⁰⁹ Winock, *La France politique*, 316.

⁴¹⁰ Nafilyan, 'Les campagnes antisénatoriales', 129.

⁴¹¹ *L'Humanité*, 22 March 1913.

⁴¹² *L'Humanité*, 22 March 1913.

to do with democracy. The candidates who were running for the senatorial election would bribe the local administrators by paying the renovation of public buildings, such as schools and churches. Herewith their (re)election would be assured and they would sleep safe and sound in their *fautouils* for the next 9 years: ‘Tout le monde sait d’ici la valeur de cette Assemblée, où l’éternelle consigne est de ronfler.’⁴¹³ From now on, the socialists should see it as their duty to signal the uselessness and the danger of the Senate: ‘Inutilité, puisqu’il ne siège pas, puisqu’il ne discute pas, puisqu’il ne travaille pas. Danger, d’abord parce qu’il se dresse contre le suffrage universel, et ensuite parce que sa haine contre le monde du travail, haine sans borne, sans limite, se manifeste dans son hostilité aux lois sociales.’⁴¹⁴ Morel called to re-ignite the spirit the Radical politicians had demonstrated in the past; ‘ces honnêtes républicains, de ces bons démocrates’. He condemned the lazy spirit of the Radicals of today who had been corrupted by power.⁴¹⁵

Maurice Alard, the famous socialist deputy from the Var, was a frequent contributor to *l’Humanité*. In March 1913 Alard was clearly furious about the audacity of the Senate to sweep aside the opinion of the Chamber. This insurrection of ‘les vieillards sans mandat du Luxembourg’ was an unprecedented absurdity of the ‘constitution monarchique de 1875’.⁴¹⁶ Therefore the moment had come to revise the constitution. This revision had to be republican and democratic, like the ‘former republicans’ Clemenceau, Rivet and Maurice Faure had demanded. According to Alard, these Radicals had -in forgetting the fundamentals of their programme- given the Senate the force it now used.⁴¹⁷

The French historian Gilles Le Béguec stated that one can hardly observe otherwise than that the socialists took over the heritage the Radicals had left behind in the 1880s.⁴¹⁸ Nevertheless, Le Béguec noticed an interesting difference between them. The desire to revise the constitution of 1875, and in particular the attacks on the Senate was a very important factor in the Radical identity. This was not the case with the socialists. The Socialist Party, which first of all defended the working class, was only in a second place interested in matters of constitutional order. Besides, since its creation in 1905, the SFIO adopted a ‘vigilance républicaine’ in order to prevent to give too much ammunition to their adversaries which would help to discredit them.⁴¹⁹ In other words, for the socialists, attacking the

⁴¹³ Ibid.

⁴¹⁴ Ibid.

⁴¹⁵ Ibid.

⁴¹⁶ *L’Humanité*, 20 March 1913.

⁴¹⁷ Ibid.

⁴¹⁸ Gilles Le Béguec, ‘Les socialistes et le Sénat’, *Parlement[s]*, *Revue d’histoire politique*, 2:6 (2006) 57-72, 60.

⁴¹⁹ Le Béguec, ‘Les socialistes et le Sénat’, 65.

Senate was just not worth the effort and would derive from their primary objective: settle *la question sociale*.

This partly explains Jaurès' paradoxical position about the Senate. In theory Jaurès expressed himself for abolition of the Senate, but in practice there was something that held him back. In his work *l'Armée Nouvelle* (1910) Jaurès addressed the question of the undemocratic nature of the Senate. Jaurès described that in all countries the Senate was an obstacle for democracy that needed to be removed: 'Aussi, quand dans tous les pays du monde le prolétariat lutte pour réaliser la démocratie politique absolue ; quand en France, il demande la suppression du Sénat rural et bourgeois (...) ; quand, en Angleterre, il exige l'abolition de la Chambre des Lords, forteresse de l'aristocratie terrienne et du conservatisme ; quand en Allemagne, il combat pour la démocratisation des Landtags et de municipalités et pour l'avènement du régime parlementaire et de la souveraineté du peuple. (...) C'est une œuvre révolutionnaire, car le prolétariat supprimera par-là les obstacles artificiels qui s'opposent à son mouvement et au progrès de la force socialiste qui tend à révolutionner le système social.'⁴²⁰ In his work *Histoire socialiste de la Révolution française*, Jaurès made an analysis of the debates about bicameralism during the French Revolution. Jaurès denounced the combination of a Second chamber and the royal veto as 'la négation même de la démocratie'.⁴²¹

Nevertheless, Jaurès had acknowledged in 1903 that the Senate rested on democracy, although it did not represent the complete democracy. The fact that the peasants were represented by the Senate was a good thing, but it excluded the parts of society for which Jaurès stood up for; the working classes: 'Le Sénat tient, par ses racines, à la démocratie mais il ne tient pas à toute la démocratie. Les communes rurales agissent fortement sur lui, et certes, c'est un grand bonheur que la démocratie paysanne puisse formuler ses revendications. Mais l'influence des forces industrielles et ouvrières sur le Sénat n'est pas proportionnée à leur valeur réelle.'⁴²² Senators did not pay enough attention to the interests of the working class and the great problems that were created by industrial growth and the development of the proletariat.⁴²³ This explains why Jaurès was looking for another way to organise the Senate in the last decade of the nineteenth century.

It also seems that Jaurès -a prominent defender of Dreyfus' innocence- was impressed by the Senate's actions against the republican patriots Boulanger and Déroulède: 'Il y a vingt-cinq ans la forteresse de la réaction, il est devenu, contre la réaction, contre le boulangisme, contre le nationalisme,

⁴²⁰ Jean Jaurès, *l'Armée Nouvelle* (Paris 1910) 383.

⁴²¹ Cited in Chatriot, 'Jaurès face au Sénat', 52.

⁴²² Chatriot, 'Jaurès face au Sénat', 49.

⁴²³ Ibid.

contre le cléricalisme, et aussi contre le mélinisme, une forteresse de la République.⁴²⁴ Although the Senate blocked the road for social reforms, Jaurès was glad to see the transformation of the Senate into a protector of the Republic. Jaurès believed that this positive development of the Senate had not been achieved by force but by legal actions, by the continuous influence of the infiltration of democracy in the upper house. The challenge now, Jaurès asserted, was to equally infiltrate the Senate with questions of an economic and social order.⁴²⁵ The fact that Jaurès personally was mild vis-à-vis the Senate provides another explanation for the fact that the French socialists in general were relatively moderate in their attacks on the Senate.

Joseph Barthélémy was very sceptical about what the socialists would eventually undertake in order to get the Senate out of their way towards social reforms. Why would the socialists behave differently than the Radicals when they would conquer the majority in the Luxembourg palace?: 'Je crains cependant qu'il se laisse, lui aussi, aller à la loi jusqu'ici inéluctable qui veut qu'un parti proclame que la Révolution est accomplie, aussitôt qu'il triomphe!'⁴²⁶ Barthélémy concluded that none of the political parties have been sincerely loyal to their principles with regard to the Senate. Barthélémy here touched lightly on an important element that explains for a large part the Senate's survival in the first half of the Third Republic.

This opportunism was also very well tangible in the debate about proportional representation, which brought about a peculiar development described by Barthélémy: the moderate republicans took sides with the socialists against the Radicals. The moderates would never go as far as demanding the abolition of the Senate, but they did not hide their disaffection. They even began to demand the moderate reform of the Senate.⁴²⁷ In December 1912 for example, Henry Fleury-Ravarin, deputy of the *Union Républicaine* and a convinced proportionalist, presented a bill proposing to replace the senatorial delegates by the *conseillers municipaux*.⁴²⁸ Barthélémy eloquently described how the moderates had always defended the Senate against the attacks of the Radicals who had demanded democratic reforms. But now they attacked the Senate themselves, this time defended by the Radicals, because of the issue of electoral reform in the Chamber of Deputies. In this irony Barthélémy concluded that every time when the 'counterbalance-element' of the Senate was causing trouble for any party-

⁴²⁴ Ibid.

⁴²⁵ Ibid.

⁴²⁶ Barthélémy, 'les résistances du Sénat', 381.

⁴²⁷ Ibid., 380.

⁴²⁸ CD, Séance du 29 novembre 1910, IP, Annexe 532.

programme of any political group; the upper house was attacked. Barthélémy added that this was nothing new, and not at all special for France.

France compared to Belgium and The Netherlands

During this period there were some similar developments in Belgium, the Netherlands and France. This had mainly to do with the rise of socialist parties which all encountered the opposition of the conservative upper house on the road to social reforms. The Belgian case is peculiar, and once more demonstrated how open minded one reflected about the position of the Senate. In Belgium the introduction of universal male suffrage formed the basis of the national reconciliation politics after the war. In the elections of November 1919 the Catholic Party had lost its majority and stood against a coalition of socialists and liberals who were determined to realise the democratisation of the electoral system and the Senate. This was realised with the revision of the constitution in 1921. The introduction of universal male suffrage and the system of proportional representation fundamentally changed the Belgian political landscape. The main question, at this moment of democratic evaluation, was what should become of the Senate. Just like in France, in Belgium many socialists preferred to abolish the Senate.⁴²⁹ The government of Charles De Broqueville was convinced that if the bicameral system was to be maintained, the reform of the Senate would be of vital importance. All parties agreed that, now universal men suffrage had been realised, the limited suffrage for the Senate was totally unacceptable. One question stood central: How should the Senate present itself in a democratic society? For Broqueville the key issue to investigate was to know ‘if the Senate, because of its origin and the way it was elected, would be able to maintain the same influence in the future.’⁴³⁰

The main striking difference with the situation in France was that the Belgian Senate took initiative to prepare its own reform. This was partly in order to prevent the scenario of 1893 where senators were forced to accept last moment solutions. But more importantly, it was because of what had happened with the House of Lords in Great Britain. The Parliament Act in 1911 which settled the equality between the two chambers had stimulated the liberal senator Goblet d’Alviella to take the initiative to form a special working group to discuss the reform of the Belgian Senate. This commission offered a unique setting where all ideas were openly discussed; it had the character of a real think tank. Among its members were politicians of all colour, but also eminent men from outside the political

⁴²⁹ Jean-Pierre Nandin, ‘Gebruikt, beheerst of getemd? De democratie en de constitutionele hervorming van de Senaat in 1921’ in: Laureys, *De Geschiedenis van de Belgische Senaat*, 135.

⁴³⁰ Jean-Pierre Nandin, ‘Gebruikt, beheerst of getemd?’, 127.

arena. They included well-known names of the time: professor Speyer, Errera and Smets from the *Université Libre de Bruxelles*. Adolphe Prins, president of the *Permanente raad van Wetgeving*. Professor van der Smissen of the *Université de Liège* and Professor Dupriez of the *Katholieke Universiteit Leuven*.

The first session started with the question if the Senate should be preserved. There were some commission members who preferred the abolition of the Senate, but the majority believed a reform to be sufficient.⁴³¹ The Senate did not have many enemies⁴³², and it was considered to be a useful instrument, mostly for the reason summarised by Emile de Laveleye: 'l'observation montre qu'avec deux Chambres on fait meilleures lois qu'avec une seule'.⁴³³ However, the commission unanimously agreed that the Senate could not be regarded anymore as an aristocratic or conservative institution which functioned as a brake or body of resistance: 'cette conception ne s'accorde plus avec la structure actuelle de la société'.⁴³⁴ While in 1893 the Senate had gained in legitimacy as a brake on democracy, in 1921 the Senate was looking for a new function. The main question was how to give the Senate 'authority' and 'intellectual superiority', but at the same time elect it in a democratic way. In any case it had to be prevented to make the upper house a replica of the lower house. In that case it would become 'un rouage inutile' and have no legitimacy at all.⁴³⁵

The Belgian commission admired the French Senate because of the authority it enjoyed in the legislative process, and the intellectual quality of the senators. Van der Smissen stated: 'Nul ne le conteste, le Sénat de la République est la première assemblée politique de la France par l'intellectualité de ses membres, par l'autorité de raison de ses délibérations. Le niveau de l'assemblée est plus élevé que celui de la Chambre, précisément parce que le corps électoral est plus sélectionné'.⁴³⁶ Nevertheless, it was concluded that the French system, despite its success, would not be applicable in Belgium. It would mean the preponderance of the rural vote on the urban vote. The commission realised that public opinion in such an urban industrialised country as Belgium would simply not accept this.⁴³⁷ The Belgians went on to look for other possibilities to give the Senate a legitimate voice in the legislative process.

⁴³¹ Archief van de Belgische Senaat (ABS), Séance du mardi 8 juillet 1919, Commission d'Étude des Réformes à introduire dans l'Organisation du Sénat (Commission d'Études) 7.

⁴³² Georges Smets wrote that the existence of the Senate was not at stake: 'Le sénat n'a pas d'ennemis' in : Georges Smets, *La réforme du Sénat* (Brussels 1919) 10.

⁴³³ ABS, Commission d'Étude, Réunion du 26 novembre 1919, 1.

⁴³⁴ ABS, Rapport, 1.

⁴³⁵ ABS, Commission d'Études, Réunion du 26 novembre 1919, 4.

⁴³⁶ ABS, Commission d'Études, Réunion du 29 juillet 1920, 5.

⁴³⁷ ABS, Commission d'Études, Réunion du mercredi 6 août 1919, 4.

Just like in 1893 the system of professional representation was again extensively discussed. The idea was qualified by the commission as ‘très séduisant’.⁴³⁸ George Smets was without doubt one of Belgium’s most prominent defenders of the system. His arguments were very similar to the ones used by the French protagonists of the system. Smets argued that the advantages of this system lay first of all in the fact that it ended the domination of the number; quality votes would substitute for quantity votes.⁴³⁹ The professional groups were considered to be the components that constructed society. Therefore the *représentation des intérêts* would constitute a much more realistic reflection of society. The professional groups would substitute for the political parties; organisations that were regarded with much suspicion and whose abstract ideas sacrificed the real interests of the people who composed them.⁴⁴⁰ But Smets was criticized that he was not able to provide specifications about how to bring this project -which was terrific in theory- into practice.⁴⁴¹ The practical applicability was the stumbling-block and the commission concluded that the inconveniences predominated the advantages.⁴⁴² There was also a fear that public opinion would not accept this system: ‘L’opinion publique ne tolérerait pas que la représentation des intérêts introduisit dans notre système électoral, avec plus de complication, un inégalité plus grande encore que le vote plural.’⁴⁴³

There had to be found another way to recruit ‘des hommes de talent, de science et d’expérience’ which would give the Senate the necessary prestige. Speyer remarked that Senators did not necessarily have to be politicians. There were enough valuable men who, by their lack of eloquence or time, had not become a politician. One had to find a way to attract these ‘hommes de valeur étrangers à nos lutes de parti’ into the Senate.⁴⁴⁴ It was eventually found in the system of co-optation.

After the commission had published its report, the propositions by the commission had to survive the democratic reality of the parliament.⁴⁴⁵ The Senate was prepared to take over the conclusions made by its own commission, however the Chamber was not. The result was an endless back and forth of proposals between the two chambers. A compromise was finally reached in October 1921. The Senate would be composed of three different Senators: senators elected directly by universal

⁴³⁸ ABS, Commission d’Études, Réunion du 26 novembre 1919, 1.

⁴³⁹ Ibid., 1.

⁴⁴⁰ Ibid., 2.

⁴⁴¹ ABS, Commission d’Études, Réunion du 29 juillet 1920, 2.

⁴⁴² ABS, Commission d’Études, Réunion du 26 novembre 1919, 3. Goblet d’Aviella : ‘Mais la difficulté c’est (...) de trouver la formule pratique; je crains qu’on ne la trouve pas (...) je ne vois rien de pratique...’

⁴⁴³ Ibid., 3.

⁴⁴⁴ ABS, ‘Procès-verbaux de la Commission de Révision’, 5.

⁴⁴⁵ Nandin, ‘Gebruikt, beheerst of getemd?’, 132.

male suffrage, the provincial senators and the co-optated senators. Just like in France, the Belgian Senate had become democratic.

Although the Belgian socialists were hostile vis-à-vis the Senate, they had to accept the democratic revision. They realised that their call for abolition did not find enough support. Besides, like in France, matters of constitutional order did not have the priority of the socialists. Jean-Pierre Nandrin indicates that they were so much preoccupied in obtaining universal suffrage that they were prepared to nearly every concession. Moreover, in 1921 some important social and economic reforms were also at stake which made the issue about the Senate much less important for the socialists.⁴⁴⁶ The reform of 1921 changed the Senate from a necessary balance into the seat of competence and specialists. This gave the Belgian Senate a new representativeness and legitimacy.⁴⁴⁷

In The Netherlands, at the turn of the century, the Senate suddenly became contested by many political parties. In 1894 the Dutch social-democratic party, the *Sociaal Democratische Arbeiders Partij* SDAP included in its programme the abolition of the Senate. It was their charismatic leader Pieter Jelles Troelstra, who proposed to introduce universal male suffrage, abolish the Senate and replace it by a referendum. But these propositions were not discussed in a plenary session.⁴⁴⁸ Besides the socialists, the Dutch liberals too made propositions to reform the Senate. In 1903, the *Liberale Unie* proposed to make the requirements for eligibility for the Senate equal to those of the House of Representatives. The progressive liberal party *Vrijzinning Democratische Bond (VDB)* also aimed to reform its election mode.⁴⁴⁹ The VDB presented an initiative to create a Chamber of Notables with City Council members, people who had held honorary office in the arts, sciences, and society life. But the proposition was much criticised for the fact that it would make the *Eerste Kamer* a copy of the *Tweede Kamer*. The bill was never treated in a plenary session and withdrawn in 1917.

Like in Belgium, new propositions were made to organise the Senate in an organic way. In 1908, the VDB deputy Willem Treub proposed the idea for a professional organisation of the Senate, where several sectors in society would get a fixed number of representatives, such as the workers sector, the agricultural sector, the trade sector and the sector of free professions.⁴⁵⁰ The idea for a professional Chamber became even more popular between 1913 and 1917 when the reform for universal suffrage was the main point on the Dutch political agenda. With the constitutional reform of

⁴⁴⁶ Nandin, 'Gebruikt, beheerst of getemd?', 137.

⁴⁴⁷ Ibid.

⁴⁴⁸ Van den Braak, *De Eerste Kamer*, 159.

⁴⁴⁹ Ibid., 158.

⁴⁵⁰ Ibid.,

1917 the eligibility conditions of both chambers were synchronized. Just like in Belgium this caused some worries that the Senate would become a copy of the House of Representatives. A liberal amendment to elect the Senate by communal councils, bodies of surveyors of dikes and polders, and the trade councils did not get a majority in the House of Representatives though.⁴⁵¹

In 1918 the position of the Senate was on the political agenda again. The socialist leader Pieter Jelles Troelstra made an attempt to create a revolutionary situation in the Netherlands. For a moment, reforms like the abolition of the Senate appeared to be within reach. However, a revolution did not come, and the government proposals for the revision of the constitution did not include the reform of the Senate. After this revolutionary menace, the government stated that it believed that a single chamber system would be a threat for a 'reliable state-structure'.⁴⁵²

For the first time in The Netherlands, there were objections about the Senate's contradiction to democracy. During the debates about the constitutional revision the social-democrats and VDB deputies demanded the abolition of the Senate because it was 'in contradiction to the idea of the influence of the people in the legislative process'⁴⁵³. The conservative parties and the government could only answer in defence that there simply wasn't anything better. The Catholic Party and the ARP feared for a revolutionary Chamber now universal suffrage was realised and preferred to maintain the Senate.⁴⁵⁴ Practically the Senate was maintained as a barrier against universal suffrage; an argument conservatives in France hadn't dared to use so explicitly in the 1870s.

In the Netherlands, it became clear that being in favour or against the Senate was also connected to political interests. The liberals stated that they wanted to maintain the Senate because this would allow other people than politicians to join the legislative work. However, they eventually voted for the abolition of the Senate because they feared that their plans to introduce proportional representation would not get a majority in the Senate, and therefore because of tactical motives preferred to remove this barrier.⁴⁵⁵ The SDAP and the VDB would until the Second World War continue to propose projects for a single chamber. But Bert van den Braak concludes that the difficult constitutional procedure made such a reform of the Senate very unlikely.⁴⁵⁶

When comparing the Dutch and the Belgian situation to the French in the first two decades of the nineteenth century one can conclude that apart from the growing role of the socialists in contesting

⁴⁵¹ Ibid., 161.

⁴⁵² Ibid., 162.

⁴⁵³ Ibid., 163.

⁴⁵⁴ Ibid.

⁴⁵⁵ Ibid.

⁴⁵⁶ Ibid., 220.

the legitimacy of the Senate, the debate about the Senate was very different. Whereas in France the discussions about the Senate got locked up because of political interests and the fact that the Senate had become nearly untouchable, in the Low Countries the discussion gained a momentum. The most important reason for this was the instauration of universal suffrage in The Netherlands and Belgium. Discussions which had already taken place in France in the second half of the nineteenth century, now began to emerge in Belgium and the Netherlands.

Conclusion

When Pierre Rosanvallon stated in his inaugural speech at the *Collège de France* that democracy is a permanent work in progress, and that the concrete forms it assumes are always the work of the historical circumstances,⁴⁵⁷ he could easily have pointed at the history of the French Senate to illustrate his statement. When investigating to what extent the Senate of the French Third Republic was considered to be compatible with democracy, the first thing to conclude is that the majority of politicians believed it was, and this was unique for the French situation where democracy was much more developed and accepted than in The Netherlands and Belgium. However, the fact that many French politicians did believe in the Senate's democratic capabilities was highly dependent of the political circumstances. Specific national events and political opportunism were of decisive importance in the legitimation and contestation of the institution. The Senate was first of all the product of its time. Robert Gildea was right in arguing that one cannot understand the Third Republic without an understanding of the Senate. On the other hand one can equally not understand the Senate without looking at the history of the Third Republic.

In the founding years of the Third Republic it was confirmed that legitimizing a second chamber as part of a mixed government had become a non-starter, hence this theory was completely abandoned by all political groups. Because of the fact that universal male suffrage had become inviolable, conservative liberals did not deny democracy and went out to look for possibilities to organise it. Orléanists like Broglie had a critical judgement on the 'tyranny of the number' and wanted a Senate in order to represent their own interests. Liberal republicans such as Édouard de Laboulaye were in favour of a democratically elected Senate in order to guarantee the conservative character of the Republic. Such a Senate, to the model of the United States, would provide stability and security because it worked as an insurance, not against democracy, but against revolutionary situations or a new Bonaparte.

Following the republican tradition, the Radicals remained very hostile to the Senate because it was in contradiction to the Jacobin principles of democracy. They argued that a Senate would split the national sovereignty, and violate the will of the people. Léon Gambetta agreed that universal suffrage should not be opposed and was therefore hostile to Broglie's Orléanist Senate. But there are manifold indications that Gambetta's ideas were more modest than his words and that the leader of the

⁴⁵⁷ Rosanvallon, *Pour une histoire conceptuelle du politique*, 31.

Republicans was not against bicameralism by principle. Therefore his initial hostility vis-à-vis the institution should be taken with a pinch.

Since it was already clear in 1873 that there would be a Senate, the republicans tried to make the upper house as democratic as possible and mould it according to their wishes. The result was a very inventive chamber which was, according to the republicans, not only compatible with democracy, but also constituted an instrument for the promotion of democratic values in the whole of France. The Senate that was created served republican interests because the democratization, political education and activation of the backward French countryside were of their primary concern in order to make universal suffrage actually work in favour of them. The activation of communal politics, rallying the French peasants to the Republic and incorporate them into the nation, all went hand in hand. For this reason, the creation of the Republican Senate fits neatly in the context of the republican doctrine of municipalism, and therefore this research provides an argument in support of Sudhir Hazareesingh's work.

The fact that the Senate would be compatible with democracy for many republicans is partly clarified when one takes into consideration that the republican doctrine had become much less dogmatic under the Second Empire. However, the fact that after the disaster of *l'année terrible* the Republic became Furet's prudent, conservative 'republic of the centre' does not provide a sufficient explanation for the adoption of a bicameral system. The defeat against the Prussians also led to an understanding among republicans of the necessity to unify France -reconcile Paris with the provinces- and stimulate the building of a national spirit. The Senate played a very important role in this nation building project. This leads to the conclusion that the Senate itself was not the price to pay in order to save the Republic, but it were the *sénateurs inamovibles* who formed the ugly spot on Gambetta's *Grand Conseil des Communes de France*, and was therefore the only real concession the republicans had to make.

Annelien De Dijn is correct in pointing at the fact that the Senate of the Third Republic was legitimised as a representation of the elite, as an alternative for the power of the number, as a necessary balance. However, this legitimation only reflects the arguments used by the conservative liberals, and it would be incorrect to claim that these considerations explain that the Third Republic eventually obtained the Senate it got. The republicans -who were certainly not looking for a balance in a second chamber- would never accept such an institution formulated against universal suffrage; they succeeded in creating their own Senate which served their specific interests.

Those who were still not convinced about the democratic capabilities of the Senate were the Radicals. Since they considered universal suffrage as the precondition for a good functioning

democracy, the election of the Senate by indirect suffrage was simply intolerable. Because the Senate was still associated with aristocracy and oligarchy -and because it blocked reforms- the abolition of the Senate was a central element in the programme of the Radical Party in the 1880s. However, there was a difference between wish and reality. Without a majority in the Senate the Radicals stood very little chance to realise abolition, especially after the reform of 1884.

The great turning point was the Boulanger crisis. General Boulanger became the popular mouthpiece of the Radical discontent with the Senate; the very symbol of the constitution of 1875. Because of the fact that the abolition of the upper house was a very specific demand of the Boulangist movement, it was in actual fact more 'anti-senatorial' than 'anti-parliamentarian'. It should also get more emphasis that as a consequence of this senators were directly threatened, and it was therefore no surprise that the Senate resisted and dealt the final blow to the Boulangist menace. This turned out to be an enormous strategical success for the survival of the Senate in the republican regime. When the *Grand Conseil des Communes de France* risked to lose its glory, the Senate became cherished as the *Citadelle de la République*. For the republicans, the Senate did not so much provide a balance, but rather a security in the parliamentary regime.

When the Radicals gained more influence in the French political landscape, and especially in the Luxembourg palace, their democratic objections vis-à-vis the Senate came to stand in the way. They gained an interest in maintaining the status quo and therefore diminished their fundamental principle for abolition or reform. Although in their ideology the Senate was still not compatible with democracy, it now protected their political interests. As a consequence, the Radicals became opportunist republicans themselves.

The crisis of democracy that wandered through France in the last decade of the nineteenth century led to an important debate about the Senate's place in French democracy. The Senate was not only considered to be the problem, but for some it became a possible solution to escape the individualist representation which universal suffrage had brought about. As a consequence, the idea to construct a chamber in which 'all elements of democracy' were represented had more similarities with Broglie's *Grand Conseil des Notables* than Gambetta's *Grand Conseil des Communes*. The idea of representation of interests in the Senate was copied from Belgium, where the system was not seen as a remedy for the deficit of representation but as a protection against the upcoming democratic movement. But again, discussions about the democratic legitimacy of the French upper house were disrupted by the political circumstances and political interests connected to the Dreyfus affair.

At the beginning of the twentieth century the French socialists took over the Radical role as the main Senate-critics. Just like their colleagues in Belgium and The Netherlands, the French socialist criticism did not rest on democratic or institutional principles, but rather on the fact that the second chamber was an obstacle for the realisation of their political programme that asked for social reforms. The order of the day in politics made the discussions about the Senate move to the background. The resistance against the 'silent chamber' only flared up when the Senate resisted and blocked important reforms that were endorsed by the Chamber, such as the *impôt sur le revenu* in 1896 and the proportional representation in 1913. However, asking for the abolition of the institution that had protected the Republic seemed to be something a decreasing number of politicians were willing to burn their fingers on.

The comparison of the French situation with the Belgian and the Dutch case has taught us that the circumstances under which the debates about the Senate took place differed strongly in each of these countries. The different nature of the debates was mainly caused by the unsynchronised speed of the process of democratisation. The strong establishment of universal suffrage made France unique and had brought much more progressive politicians into power than in Belgium and the Netherlands. The unique composition of the National Congress in Belgium of 1830 had made it possible that democratic anti-senatorial voices could be heard too. But these faded away when the limited suffrage brought back an elite that was interested in opposing the democratic movement. However, the openness with which the Belgians have evaluated the use of a Senate is striking in comparison to France. In Belgium a think tank such as the Bartolone-Winock-commission already existed in 1919.

In the Netherlands politicians seemed much more indifferent to the question if the Senate was compatible with democracy and this was because democracy was associated with universal suffrage and this would only be realised in 1917. When the Dutch politicians put the Senate up for discussion, it was because they did not see the use of this extra chamber and considered it to be too expensive. The fear for a revolutionary lower house was almost non-existent, and only appeared with the growing influence of the socialists who contested the Senate for the same reason as their colleagues in France and in Belgium. The comparison has also emphasized that in France the position of politicians vis-à-vis the Senate has been much more determined by the political circumstances, political interests and the fact that the strong position of the Senate in the French political landscape locked-up the debate.

The reasons for the peculiarity of the French situation stand in relation with two typical aspects of the French political culture: the distrust for revolutions and the fear for caesarism. The Boulanger crisis and the Dreyfus affair demonstrated that France had not yet been cured from these dangers. The

fact that the Senate eliminated the menace of caesarism gave the Senate an extra legitimacy as the protector of the parliamentary democracy. It is perhaps no wonder that Charles de Gaulle, who has often been placed in the Bonapartist tradition by historians⁴⁵⁸, was frequently in conflict with the Senate.⁴⁵⁹ He wanted to abolish the upper house because he saw it as nothing more than the representation of rural France of the nineteenth century.⁴⁶⁰ One can hardly deny that De Gaulle was wrong in his conclusion.

Political theory and constitutional law are often used to study the legitimacy of a second chamber in a democratic society. However, both in The Netherlands, in Belgium -but above all in France- politicians have very frequently changed their opinion about the Senate because of the historical circumstances. Gambetta, Clemenceau, and finally Jaurès have learned to accommodate the Senate with democracy because changes in the political landscape forced them to do so. The comparative method, although rather modestly applied in this research, has made the French political culture much less self-evident. It has demonstrated that in order to get a complete picture of the reasons behind the historical evolution of democracy it is not enough to merely study political theory, one should also look at the political practice.

A telling illustration of this political practice is the position of the French socialists vis-à-vis the Senate. Since the beginning of the twentieth century this political group has delivered the most important Senate-critics. However, this criticism suddenly stopped between 2011 and 2014 when the *Parti Socialiste* -for the first time in its history- won the majority of seats in the Senate.⁴⁶¹ Their fundamental criticism vis-à-vis this intolerable democratic anachronism suddenly fell silent. Having finally obtained a majority in the *Assemblée nationale*, the Senate and a socialist President of the Republic, the left did not use this opportunity to finish once and forever with this ‘*anomalie démocratique*’. This is precisely what Joseph Bartélémy had already sceptically predicted in 1913. Just like the Radicals in his time, the socialists of the twenty-first century had a political interest in using their majority in the Senate and put their democratic principles aside. Opportunism is of all times. The Senate may often be legitimized as a ‘*chambre de réflexion*’, but it is above all an instrument of political power. But this is an element the commission of Claude Bartolone -a high-ranked socialist- and Michel Winock has forgotten to indicate.

⁴⁵⁸ Winock, *La France politique*, 497.

⁴⁵⁹ Jean Garrigues, *Les hommes providentiels: Histoire d'une fascination française* (Paris: Éditions du Seuil, 2012).

⁴⁶⁰ Compte-rendu Groupe de travail sur l'avenir des institutions, Séance du 17 avril 2015.

⁴⁶¹ ‘Pour la première fois de son histoire, le Sénat bascule à gauche’, *Le Monde*, 25 September 2011.

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