

69. Abbé Antoine Guenée, *Lettres de quelques Juifs portugais et allemands à M. de Voltaire: avec des réflexions critiques, &c: et un petit commentaire extrait d'un plus grand* (Paris, 1769).
70. Hertzberg, *French Enlightenment*, p. 288.
71. Hell, *Observations*, p. 11.
72. *Ibid.*, pp. 11–18. For Voltaire's denunciation of medieval anti-Jewish fanaticism and false beliefs regarding alleged ritual crimes, see *Essai sur l'histoire générale* (Geneva, 1756), 343; and "Le philosophe ignorant" in J. Van Den Heuvel, Ed., *Mélanges* (Paris, 1961), p. 929.
73. Hell, *Observations*, pp. 3–4. On Rousseau's preoccupation with "unmasking," see Jean Starobinski, *J.-J. Rousseau: la transparence et l'obstacle* (Paris, 1971), esp. pp. 84–101.
74. [Philippe-François de Latour-Foissac], *Le Cri du citoyen contre les Juifs de Metz. Par un capitaine d'infanterie* (Lausanne [Metz], 1786).
75. Grégoire, *Essai*, pp. 87, 116, 161–63.
76. Mirabeau, *Sur Moses Mendelssohn*, p. 28.
77. Hell, *Observations*, pp. 3–4.
78. *Ibid.*, p. 40.
79. Whether "susceptible to debauchery" means desiring the sex money will presumably buy or defenseless in the face of the Jew's monetary debauchery of the young man is (perhaps deliberately) ambiguous.
80. Hell, *Observations*, pp. 40–41.
81. Latour-Foissac, *Cri du citoyen*, pp. 5–24. Emphasis added.
82. Grégoire, *Essai*, pp. 87–88.
83. *Ibid.*, p. 67.
84. *Ibid.*, pp. 65–67, 80–81.
85. *Ibid.*, p. 139.
86. *Ibid.*, p. 124. Cf. Schechter, "Translating the 'Marseillaise,'" p. 121.
87. Mirabeau, *Sur Moses Mendelssohn*, p. 86.
88. *Ibid.*, p. 87.
89. Simon Schama, *Citizens: A Chronicle of the French Revolution* (New York, 1989), pp. 145–62; and Anita Brookner, *Greuze: The Rise and Fall of an Eighteenth-Century Phenomenon* (Greenwich, CT, 1972).
90. Schama, *Citizens*, p. 149.
91. David Hume, *An Enquiry Concerning the Principles of Morals* (London, 1751), esp. section 1; and Jean Le Rond d'Alembert, *Preliminary Discourse to the Encyclopedia of Diderot*, trans. and intro. Richard N. Schwab (Chicago, 1995), pp. 12–13.
92. Horkheimer and Adorno, *Dialectic*, pp. 81–119.
93. *Ibid.*, p. 7.
94. Emile Durkheim, *Montesquieu and Rousseau: Forerunners of Sociology*, trans. Ralph Manheim, foreword Henri Peyre (Ann Arbor, 1960).
95. Burke, *Reflections on the Revolution in France* (London, 1790). Cf. Montesquieu, *De l'esprit des loix*, esp. pt. 6, bk. 31, ch. 4.
96. Burke, *Reflections*, *passim*. I have found 25 variations on the term "metaphysics" and 15 on "abstract," all of them pejorative, in the *Reflections*.
97. Hegel, *Phenomenology*, §488–595. On the "gaseous" nature of Enlightenment religion see §586. Similarly, Burke referred to the "spirit of liberty" as a "wild gas." *Reflections*, ed. Conor Cruise O'Brien (Harmondsworth, 1969), p. 90.
98. Most recently, Jürgen Habermas has praised the Enlightenment as a period during which rational individuals could discuss issues dispassionately in the "political public sphere," and lamented the replacement of this golden age by a late-capitalist culture of public opinion management. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger and Frederick Lawrence (Cambridge, MA, 1991).

## WRITING THE HISTORY OF CENSORSHIP IN THE AGE OF ENLIGHTENMENT

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Censorship is not an easy topic to discuss at present. Both in the academy and in the larger American public sphere, the term is frequently and widely bandied about. But in this era of advanced capitalism, identity politics, and postmodern thought, all of the old certainties about censorship's value, meaning, and relation to its traditional opposite—freedom of expression—have come under repeated attack.<sup>1</sup> In the political realm, advocates for such diverse causes as the prohibition of "hate speech," the restriction of access to pornography, and the reform of campaign financing and broadcasting laws have opened up important questions about whether certain forms of censorship can actually serve rather than impinge upon the goals of a democratic society. Moreover, in the realm of theory, there seems no longer to be any consensus about what censorship is; both its characteristic forms and identifying markers have become subjects of dispute in courtrooms and classrooms alike, especially as a result of poststructuralist critiques of its binary relation to free speech. The only real point of agreement is that these varied efforts to rethink the established parameters of censorship and freedom of expression pose a fundamental challenge to modern liberalism and, more broadly, to the "enlightened" humanist philosophical tradition, with its emphasis on inalienable and natural rights, upon which this political ideology rests.

But how should contemporary debates about the nature of censorship affect the way we write the history of the Enlightenment itself? The purpose of this chapter is to argue that scholars of eighteenth-century

France have much to gain from taking seriously these recent challenges to the liberal conception of the ongoing contest between censorship and free speech. The pages that follow lay particular stress on the post-modern concept of “constitutive” censorship, a generic term for the kind of invisible, socially constituted thought control that has tended to flourish, some poststructuralists claim, in precisely those modern societies that have been most invested in the notion of a free market of ideas. However, the theory of “constitutive” censorship is employed in this article neither to condemn the shortsightedness of Enlightenment *philosophes* nor to expose the limitations of their nascent liberal vision. Rather, it is appropriated as a heuristic device to help bring to light the complexity of late-eighteenth-century French thinking about questions of language, liberty, and social control.

Now, some historians might well object to this endeavor from the start and respond that the intellectual formulations of our time can and should have no bearing on eighteenth-century Europe. Indeed, many scholars would posit that the primary task of the historian is precisely to distinguish our current understanding of the world from that of people who lived in eras past. Yet where the historiography of the French Enlightenment is concerned, it is especially difficult to insist upon the importance of maintaining clear-cut distinctions between past and present. The relationship between the French *philosophes* and the absolutist Old Regime state has long been explained in ways that have served the cause of modern liberalism, and modern liberal positions on individual rights and autonomy have frequently been justified by reference to their Enlightenment roots. Students of the French Enlightenment have often, in fact, worked in tandem with modern defenders of the principle of free speech to provide them with concepts, heroes, enemies, and landmarks. Thus, before we tackle the question of how postmodernist thought can or cannot help us to better understand the Enlightenment battle over censorship and free expression, we must first address the issue of how this subject has been discussed before and, especially, of how past historians’ interpretations of this fundamental eighteenth-century struggle have traditionally been implicated in a larger project: the promotion of a liberal worldview.

# I.

Let me start with an example. One book makes especially evident how twentieth-century Enlightenment historiography has worked to bolster and to give an intellectual genealogy to what might be called, in the American context, First Amendment liberalism. That book is Peter Gay’s classic *Voltaire’s Politics: The Poet as Realist*, which first appeared in

1959. Gay’s Voltaire, it must be noted, is a complex figure; he is personally difficult, self-protective, and shrewd. But Gay insists on dramatizing the life of Voltaire as, first and foremost, the story of a lone and righteous individual who deliberately and repeatedly confronted the established—and in many ways oppressive—institutions and customs of eighteenth-century Europe. In this regard, the chapter heading “Voltaire against the Censors” is emblematic of the way Gay’s narrative plays itself out.

Voltaire, according to Gay, was not simply a victim of the abusive censorship policies of Old Regime France, which were designed to control the flow of ideas both prior to publication (by weeding out manuscripts containing statements offensive to the state, church, or common decency and refusing to grant them a royal *privilege*) and after publication (by penalizing the bodies or texts of persons who had violated the law by producing unauthorized publications). The Voltaire of this account was also a long-standing champion of the highly subversive idea of freedom of thought and expression. Rather than change his ways after early experiences with imprisonment in the Bastille, forced exile, and the burning of his published work, Voltaire continued to challenge the authorities at every turn, alternately trying to co-opt, to trick, or to circumvent them. Furthermore, he made free speech one of the chief causes of his political writings, from his famous tribute to the freedom of English writers, in his *Lettres philosophiques* of 1734, to his unabashed insistence on the importance of liberty of expression in his “liberal” pamphlets and *Dictionnaire philosophique* of the mid-1760s. Gay quotes admiringly from Voltaire’s 1765 *Idées républicaines* (“In a republic worthy of its name, the liberty to publish one’s thoughts is the natural right of the citizen . . . it should no more be forbidden to write than to talk”) and from his contemporaneous *Questions sur les miracles* (“There are two important things that people never talk about in slave countries, and which all citizens should discuss in free countries: one is government, the other is religion.”).<sup>2</sup> Gay uses these examples to make the point that Voltaire’s strongly worded defenses of free speech amounted to more than a selfish quest to ensure that his own writing saw the light of day. Voltaire’s faith in freedom of opinion was, according to Gay, the centerpiece of his “platform for social reform.”<sup>3</sup> For Voltaire believed that only with the liberty to read, hear, and discuss challenging ideas (such as those of the *philosophes*) could enlightenment ever become generalized and create a foundation for the liberation of the population as a whole. Voltaire assumes a heroic profile in this book because, as the introduction makes clear, he can be seen as the prototypical *engagé* intellectual, the man who succeeded in laying the groundwork for those freedoms now widely enjoyed by modern writers in all liberal, democratic societies.

Indeed, Gay's view of Voltaire, and of the eighteenth-century *philosophes* more generally, implicitly links the French Enlightenment to a progressive, humanist conception of modernity. And many other historians have traced the long struggle against royal or clerical monopolies on ideas and their expression forward to the "age of democratic revolutions" (to borrow R. R. Palmer's famous term), suggesting how the values specific to Voltaire's beloved Republic of Letters were gradually publicized, democratized, and finally enshrined in law. One can easily identify key markers—thinkers, texts, events—in this story. By the 1760s, the idea that the *homme de lettres* required freedom from government or church interference had already become something of an intellectual cliché in France; Antoine-Léonard Thomas's 1767 reception speech at the Académie Française made the case that independence for this "class" of men would ultimately aid in enlightening both those who governed and the abstraction he called "public opinion."<sup>4</sup> *Le Mariage de Figaro*, Beaumarchais's sensational play in which the lead character himself ridicules the censors, then helped transform the struggle against state censorship into a popular cause. The *cahiers de doléances* of the late 1780s indicate that by the time the royal system for policing ideas began to unravel on the eve of the Revolution, the desire for greater expressive liberty had already become widespread in urban France.<sup>5</sup> Finally, in the summer of 1789, in the context of the Declaration of the Rights of Man and of the Citizen, the *parti des Lumières*, following the American example, succeeded in establishing freedom of speech, along with freedom of conscience, as an inalienable right of citizenship. Article 11 of this foundational text in the battle against absolutism reads, "The free expression of thought and opinions is one of the most precious rights of man: thus every citizen may freely speak, write, and print, subject to accountability for abuse of this freedom in the cases determined by law."<sup>6</sup> Of course, Voltaire was no longer alive at the time these sentences were composed. But for Ernst Cassirer, the great German historian of the Enlightenment, not simply this statement but the whole "literature of the French Revolution" had to be seen as the inevitable outcome of the redefinition of freedom, beginning with freedom of expression, inaugurated by Voltaire more than fifty years earlier.<sup>7</sup> And in the wake of the judicial revolution of 1789, these ideas did not lose their force. Limiting or overturning official censorship policies became a priority of almost all nineteenth-century European revolutionary movements, and French-style declarations of human rights, including protections of free speech, came to be widely seen as prerequisites for the foundation of liberal states. In fact, though much has changed in the way "liberalism" is understood today, freedom of thought and expression remains what the major late-twentieth-century theorist of liberalism, John Rawls calls

a "basic liberty," a fundamental civil and political freedom that must be protected in any democratic state that aims to conduct its political affairs in a rational and just (or perhaps we can say *enlightened*) rather than arbitrary and tyrannical fashion.<sup>8</sup>

It is, however, essential to point out that our traditional understanding of the relationship between the opposing sides at the origins of this struggle—the repressive, censoring Old Regime state and its rational, liberal, and ultimately successful challengers, eager for intellectual and political freedom—has by now been considerably modified by several decades of revisionist scholarship, much of it growing out of a field known as "the history of the book." Gay, writing in the late 1950s, was already able to offer his readers a good sense of the complexity of the dealings between censorship authorities and controversial writers like Voltaire, even as he took pains to challenge "those who think of the Bastille as a kind of Guggenheim fellowship."<sup>9</sup> Then, following pioneering collaborative studies by Henri-Jean Martin and various members of the Annales school, who made the study of print culture a key component of a new kind of sociocultural history in the 1960s and 1970s,<sup>10</sup> numerous historians on both sides of the Atlantic began to interest themselves in the intricate details of composing, publishing, distributing, reading, and, especially, censoring the written word in late Old Regime France. Taken together, these more recent studies have forced us to see that the business of censorship in the eighteenth century depended above all upon collusion between two supposedly opposing sides.<sup>11</sup>

On the surface, eighteenth-century records suggest that regulatory censorship and the persecution of writers actually increased in France during the years of the Enlightenment. The number of government-appointed censors rose steadily in the course of the century, and works that passed by the royal censors still ran the risk of additional challenges from the Parlement de Paris, the French church, the Université de Paris, or other bodies with an overlapping authority to censor materials that they considered to be dangerous or offensive. At the same time, the number of authors jailed for violating the publishing laws mounted (witness, in particular, the increase in writers serving time in the Bastille between 1750 and 1780). And the severity of the penalties that subversive writers faced grew as well. Following an attempt on Louis XV's life in 1757, authors or publishers of unauthorized works were henceforth potentially punishable by death. Moreover, royal efforts to protect against the informal, verbal circulation of seditious opinions or terms led to a simultaneous crackdown on so-called *mauvais discours*.<sup>12</sup>

Nevertheless, in recent decades historians have tended to emphasize not so much the repressiveness of the Old Regime censorship sys-

tem but, rather, its extraordinary ineffectiveness and laxity in controlling the flood of novel, heterodox ideas coursing through eighteenth-century France. Furthermore, many of these scholars have convincingly demonstrated the state's complicity in making sure that the *philosophes*—despite (or perhaps as a result of) a few notorious cases to the contrary and the harsh laws on the books—generally escaped prosecution or punishment and were allowed to continue with their activities relatively unimpeded. After all, the absolutist state also actively supported the work of many controversial Enlightenment figures: from Voltaire, who ended his years as a member of that prestigious royal institution known as the Académie Française, to Beaumarchais, who found himself compensated with both a generous indemnity and a request to stage *Le Mariage de Figaro* at court soon after his well-publicized troubles with the censors. In addition, there were many royal officials, not least the chief royal censor Lamoignon de Malesherbes, who were themselves sympathetic to the message of the *philosophes* and made a point of helping them circumvent the law. During the 1750s and early 1760s, Malesherbes institutionalized the practice of issuing *permissions tacites*—assurances that neither authors nor publishers of controversial works would be prosecuted—for manuscripts that could not, because of their content, officially be given a royal endorsement. Historians have found that over the last four decades of the Old Regime, almost as many books were printed with various informal forms of permission, from verbal police permits to tacit permissions, as with the royal *privilege*.<sup>13</sup>

Indeed, a complementary area of scholarship has demonstrated the success of the *philosophes* in working within, as well as around, the royal censorship apparatus. By cultivating the right patrons and protectors and by employing clever literary techniques for cloaking their dissident opinions, enlightened *gens de lettres* often succeeded in seeing even their most heterodox works published in France. And following several decades of research by Robert Darnton, we know that when these strategies failed, eighteenth-century writers (and readers) had recourse to an extensive clandestine French-language publishing world that operated largely outside the hexagon's borders and beyond the reaches of French authorities.<sup>14</sup>

Contemporary historians have thus tended to focus their attention on a different question than that which fascinated Gay: Why did the eighteenth-century monarchical state engage in official censorship and unofficial toleration, routinely (if irregularly) permitting everyone from censors to police spies to look the other way? Traditionally, it was argued that the crown had no other choice. In the age of Enlightenment, the flow of ideas and the demand for print were simply too extensive for the state to check, and the censorship bureaucracy, which involved several

often hostile bodies with frequently conflicting goals, was ill-equipped for its task. Gay, for example, regarding the eighteenth-century trend toward the de facto relaxation of censorship, stated plainly: "It was less a policy than a symptom—a symptom of the declining authority of the Old Regime."<sup>15</sup> But recently, others have proposed that at the height of the Enlightenment, the French censorship system depended upon a careful and deliberate blend of efficiency and failure that actually served the state's purposes. Barbara de Negroni, for example, has pointed out that an unrigorous procedure for policing texts still gave both the government and the church the opportunity to articulate their official line and to affirm their power over ideas.<sup>16</sup> Roger Chartier has emphasized the way that the flexibility of the censorship apparatus ultimately protected the economic interests of the French publishing industry.<sup>17</sup> Others have noted that even the *philosophes* benefited to some extent; for if we are to believe Diderot, the texts that sold on the underground market might have been unusually costly, but their notoriety as forbidden books gave them a cachet that more than compensated for their high price.<sup>18</sup>

Yet even as they have put new emphasis upon collusion and shared interests, revisionist historians have, in the end, left undisturbed the traditional image of the Enlightenment as a critical turning point in the history of the struggle to free ideas and their exponents from the stranglehold of political and religious censorship. For these same contemporary scholars have also tended to insist (following Tocqueville's nineteenth-century lead) that the long-term effects of this only occasionally punitive censorship apparatus were "paradoxical."<sup>19</sup> The system might well have become more flexible in an effort to shore up the status quo. But, according to this argument, its unsystematic combination of repressiveness and pliancy ultimately helped to do the opposite: to stir up the resentments of *gens de lettres*, to sustain an underground publishing industry built around works critical of the government, and to publicize rather than suppress the controversial ideas—including the concept of freedom of speech—contained therein. Indeed, if anything, revisionist historians of the eighteenth century have succeeded in magnifying the significance of the *philosophes*' interactions with censorship authorities by making them central to the story of the emergence of an autonomous, rational "public sphere" during the late stages of absolutism and thus to accounts of the "cultural" origins of the Revolution.<sup>20</sup> In the final analysis, the old liberal conception of the *philosophes* as tireless, pathbreaking champions of individual self-expression and the eighteenth century as a watershed in the long story of the demise of state censorship remains well preserved in French Enlightenment historiography to this day.



## II.

By and large, the critique of the liberal account of the gradual triumph of free speech has come in recent years from thinkers outside the history profession. These challenges have not generally been directed at the research findings of historians of print culture. Rather, they have been leveled at the very terms and ethical assumptions that have long governed this historical discussion. The key questions include: Have twentieth-century liberal historians and political theorists taken the binary and value-laden rhetoric of the eighteenth-century debate—free speech versus censorship, liberty versus prohibition or repression—too much at face value? Can we really ever make such absolute distinctions between these terms? Or are these oppositions themselves in need of destabilization? In a well-known collection of essays entitled *There's No Such Thing as Free Speech, and It's a Good Thing, Too*, the literary critic Stanley Fish rejects the very possibility of truly free speech, insisting that the force of the idea always depends upon certain exceptions or “originary exclusions” that “carve out the space in which expression can emerge.” For as he puts it, “Without restriction, without an inbuilt sense of what it would be meaningless to say or wrong to say, there could be no assertion and no reason for asserting it.”<sup>21</sup> Conversely, other theorists writing against the liberal tradition dispute what constitutes censorship, asking not only whether formal political or religious injunctions against certain kinds of expression are the only ways that the dissemination of ideas and information can be inhibited but also whether the complete absence of censorship is ever possible. At stake in this debate are not the details but the broad contours of the familiar emancipatory story generally told about the expansion of the right to free speech in the modern age.

One fundamental locus of criticism of the liberal approach has long been Marxist theory. Marx himself, despite being a vocal advocate of the deregulation of the press, laid the groundwork for a materialist counter-reading of enlightened claims for liberty of self-expression as a human right.<sup>22</sup> His argument took off from the premise that demands for press freedom, while admirable in the abstract, cannot be analyzed apart from the economic and social context in which they are formulated. For in a society in which, in practice, press access is only accorded to the wealthy, the powerful, or their spokesmen, the press—no matter how legally “free” or unregulated—will ultimately represent only moneyed or ruling-class interests. In other words, the market will exercise its own kind of “material censorship,” simply replacing the state in stifling the expression of controversial or subversive ideas. Indeed, in an unjust society (such as the bourgeois, capitalist order just taking shape in late-Old Regime France), calls for freedom of expression as a natural right belonging to all individ-

uals actually work to cover over and thus to legitimate (bourgeois) class domination rather than to liberate the citizenry from oppression. Consequently, in much subsequent Marxist writing, the standard binary opposition between censorship and freedom, the repressive state and enlightened *philosophes*, takes on a different cast. State censorship can be viewed as a potentially liberatory rather than oppressive force if it can be shown to help counteract or prevent the tyranny of the market; Herbert Marcuse, for example, in a famous essay entitled “Repressive Tolerance” (1965), endorsed the ideal of free speech in the abstract but insisted on the need in capitalist societies for the state to limit this freedom in order for unpopular and progressive voices to be heard.<sup>23</sup> Alternately, enlightened rhetoric about toleration, pluralism, liberty, and natural rights—despite its claims to universality—comes in much Marxist theory to look contingent and self-interested, in need of unmasking so that its true socioeconomic rationale and effects can be exposed.

But Marxist theory has not been the only important source of critiques of the liberal, humanist understanding of censorship or the accompanying story of historical progress. Some structuralist and post-structuralist theorists, influenced by Freudian psychoanalytic investigations of psychical censorship as well as Marxism, have further expanded the definition of censorship by emphasizing other forms of intellectual domination that are “constitutive” in nature rather than regulative and state-generated.<sup>24</sup> What interests these theorists are restrictions on thought and expression that are not exceptional (like a jail term) but constant and unavoidable, not explicit or spectacular (like a book burning) but invisible because they arise spontaneously out of ordinary social forces. But whereas Marxists look to the market, both structuralists and poststructuralist most frequently look to the constraints exercised by a different, even if often related, social structure: discourse, or language itself, insofar as language is understood to be a historical construct that determines what constitutes knowledge or truth in any given culture. In each and every society, the argument goes, there is a dominant way of speaking about any subject, and this discourse compels people to say (and mean) certain things and makes it impossible for them to say (and mean) others. Thus, discourse or language can be understood to exercise a censoring, as well as generative, function. In a 1988 book entitled *Censorship: The Knot that Binds Power and Knowledge*, Sue Curry Jansen refers to both the precondition and the effect of this kind of linguistic censorship as “socially structured silences.”<sup>25</sup>

Two key French thinkers of the post-1968 era have been especially important in fostering this innovative way of thinking about the problem of censorship. Both are fundamentally interested in the connections between language and the operations of power. Both see “the

Enlightenment project,” or modernity, as entailing inexplicit and novel forms of domination alongside guarantees of freedom. And though neither is a historian in a conventional sense, both have suggested that constitutive censorship, while a factor in all societies, has been particularly efficacious in those societies where regulative censorship has declined in force—in other words, in the liberal, post-Enlightenment nation-states of the modern West.

For historians of eighteenth-century France, the more familiar of these figures is, of course, Michel Foucault, whose work was so centrally concerned with exploring hidden forms of power and domination. During the mid-1970s, Foucault dedicated much of his intellectual energy to demonstrating that the exercise of power cannot be and has never been limited to a “juridical-political” conception of sovereignty: “the prince who formulates rights . . . the father who forbids . . . the censor who enforces silence.”<sup>26</sup> Power is also, according to Foucault, always constituted and exercised by normative discourses or “discursive formations,” Foucault’s term for the sum total of statements that define an object (such as sexuality or punishment) and supply the concepts that are used to analyze it.<sup>27</sup> For Foucault insisted that dominant discourses, while productive insofar as they generate knowledge or what appears to be “truth,” also always act in subtly coercive ways, eliminating other possibilities in terms of what can be said and by whom, in order to assure the cohesion of the social body. In particular, he emphasized the increasing “disciplinary” effect of those discourses rooted in the eighteenth century “science of man.” Indeed, as Foucault attempted to demonstrate through historical example in such key works such as *Discipline and Punish* and *History of Sexuality*, it was the universalizing, quasi-scientific, and emancipatory claims—including the idea of the liberation of the autonomous individual subject—belonging to the chief discourses and institutions of the post-Enlightenment liberal state, which also turned out to be the primary (and generally unacknowledged) mechanisms of domination in the modern world.<sup>28</sup>

Foucault, however, shied away from labeling as “censorship” those kinds of social and ideological control exercised by discourse, perhaps because of the overwhelmingly negative connotations traditionally accorded to the term. Furthermore, in advancing his counter-myth of modernity, he paid little attention to the socioeconomic or political conditions under which the discourses he studied were constituted or enacted their hegemonic, censoring function. Here the sociologist Pierre Bourdieu, a thinker less often cited by historians in the United States, offers a potentially more helpful model to those interested in rethinking the history of censorship and free speech, especially in the Age of Enlightenment.

Bourdieu directly took on the issue of constitutive or “structural” (to use his term) censorship in some of his chief works of the 1970s and early 1980s, including his *Outline of a Theory of Practice*. In this 1972 text, he maintained that “the manifest censorship imposed by orthodox discourse, the official way of speaking and thinking about the world, conceals another, more radical censorship.”<sup>29</sup> Bourdieu associated this “more radical” and yet intractable censorship with the language of the *doxa*, those ways of speaking about a subject that are taken for granted as common sense or beyond dispute—and thus act to ensure that a whole other universe of things cannot be stated and, consequently, thought. According to Bourdieu, this nonregulative form of structural censorship (rather than the obvious contest between the orthodox and the heterodox) is the more profound form of domination within modern society because it results in largely unconscious self-censorship. For as Bourdieu put it in an essay of 1982 entitled “Censorship and the Imposition of Form,” “Censorship is never quite as perfect or as invisible as when each agent has nothing to say apart from what he is objectively authorized to say.” In contrast to the individual who is subject to regulative censorship, the individual confronted with structural censorship “is, in a way, censored once and for all, through the forms of perception and expression that he has internalized and which impose their form on all his expressions.”<sup>30</sup>

Here, Bourdieu sounds very close to Roland Barthes, who memorably insisted in *Sade/Fourier/Loyola* that language exercises a form of thought control that is much more invidious than regulatory or punitive censorship precisely because it unwittingly forces every speaker to reproduce a particular version of common sense. Barthes states, “The real instrument of censorship is not the police, it is the *endoxa*. Just as a language is better defined by what it obliges to be said (its obligatory rubrics) than by what it forbids to be said (its rhetorical rules), so social censorship is not found where speech is hindered, but where it is constrained.”<sup>31</sup> But Barthes does not explain these constraints in sociological or historical terms; his concern is with the internal workings of texts alone. Bourdieu, in contrast, interests himself specifically in the question of how to identify the particular social, economic, political, and cultural conditions that make possible and then limit the production, content, and reception of texts. Drawing on Marxism as well as structuralism, Bourdieu maintains that there is always a “censorship constituted by the very structure of the field in which the discourse is produced and circulates.”<sup>32</sup> Analyzing the form and content of any text or statement depends in good part on understanding not only the rules of access within that field but also which expressions and ways of speaking are valued—both materially and symbolically—over others within the specific field to which the text or statement belongs. In other words,

he insists that “structural censorship” depends on the conjunction, within any field, of market conditions with formal norms. Moreover, he emphasizes the varied implications of this kind of censorship for different social groups within a hierarchical society; as a result of “structural censorship,” the dominated classes—those who should necessarily have an interest in “pushing back the limits of *doxa* and exposing the arbitrariness of the taken for granted”—are, in one of his more felicitous phrases, “condemned [either] to silence or shocking outspokenness.”<sup>33</sup>

Surprisingly, Bourdieu also gives a temporal dimension to his discussion of the varieties of censorship. Unlike Foucault, Bourdieu does not directly address either the Enlightenment (“classical”) origins of the modern discourse of individual rights or the transformation in the nature of power that is generally thought to have occurred in the late eighteenth century in the West. The focus of Bourdieu’s most important statement on the question of censorship (“Censorship and the Imposition of Form”) is the language of the German philosopher Heidegger, a thoroughly twentieth-century topic. Yet the decision to open this essay with a long quote from a definition of the term *louche* (skewed) written by the eighteenth-century grammarian Beauzée for the *Encyclopédie méthodique* encourages the reader to draw a connection between Bourdieu’s approach to Heidegger’s writing and Enlightenment strategies of textual analysis. Bourdieu’s evidently sees in Beauzée an early awareness of the discursive “euphemization” that the sociologist considers an unavoidable result of structural censorship. And in this same essay, Bourdieu goes on to posit a dialectical and ultimately historical relationship between structural and regulative censorship in the governing of expression; as the effectiveness of structural censorship grows, according to Bourdieu, so does “the need for censorship to manifest itself in the form of explicit prohibitions, imposed and sanctioned by an institutionalized authority” diminish. The chief implication of this statement is that our commonplace explanations for the demise of regulative censorship with the advent of modernity (read: the late eighteenth century) need to be rethought. Perhaps, Bourdieu suggests, this development should not be attributed to some extraordinary shift in the nature of governing, such as the change from absolutism to popular sovereignty predicated on the protection of the natural rights of individuals, but instead to inexplicit forms of censorship finally becoming so effective in the modern age.

### III.

Bourdieu’s remarks on the relationship between regulatory and structural censorship draw us back to our initial question: What have historians of the French Enlightenment and Revolution to gain from this

postmodernist rewriting of the story of censorship? Can—and should—these suggestions of an alternative way of seeing the eighteenth-century struggle for freedom of expression be used to generate a more rounded and accurate account of the aspirations and achievements of the French *philosophes* than that traditionally offered by historians?

I argue that postmodernist reassessments of the nature and evolution of censorship offer historians a useful set of warnings. At the very least, the writings of Bourdieu and Foucault should spur students of eighteenth-century France to work against any easy acceptance of the distinctions common to enlightened rhetoric and help prevent scholars from simply reproducing the Enlightenment’s explicit logic in an effort to explain its cause and effects. Like Marxist theorists before them, postmodernists rightly insist that historians read the universalist and emancipatory claims of the French *philosophes* (such as the idea of free speech as a natural right) in terms of what these claims ignore or even disguise (such as unequal rights to property) as well as in terms of what they make evident. But this is not the only possible gain. The history of the Enlightenment also needs a theory of “constitutive,” “social,” or “structural” censorship that will lead historians to pay greater attention to the constraints exercised by the structures of a wide variety of “fields” (to use Bourdieu’s term), from the economy to the field of literature itself, that existed alongside regulative censorship during the Old Regime and Revolution. These hidden forms of intellectual pressure shape how Enlightenment writers framed texts and contemporary readers understood them, especially as the literary world became more subject to market conditions. Foucault and Bourdieu can thus remind us that various kinds of structural censorship were developed and employed in the eighteenth century as part and parcel of the contest between the punitive regulation of expression and the principle of free speech.

However, some aspects of the postmodernist censorship paradigm pose real problems when applied to Enlightenment France. First and foremost, this model entails a danger common to all post-Foucauldian discussions of power: if domination turns out to be everywhere, then all forms of repression—from that which results in murder to that which produces social conformity—can come to seem equivalent. It remains very important in writing the history of censorship to distinguish carefully between different kinds and forms of power belonging to different political and cultural moments so as to avoid either downplaying instances of overt persecution or, in the fashion of Barthes, needlessly minimizing the dangers associated with the official censorship of the police as somehow less “real.”<sup>34</sup> One might well argue that, in general, the postmodern use of the term “censorship,” or *censure*, to cover so many different kinds of constraints on expression makes these distinctions excessively difficult to maintain.

Postmodernist theory can also be misleading in a more specific way when it comes to discussions of the conditions governing the decline in the legitimacy of state censorship in Enlightenment France. In postmodernist accounts, the French *philosophes*, in their attack on regulative censorship and their defense of freedom of expression as well as commerce, generally assume one of two possible unflattering roles. In one version they come across as naifs who believed wholeheartedly in their own utopian, emancipatory rhetoric and refused to see the need for any checks on their vision of unfettered communication. In another they turn out to be crypto-censors themselves, eager to mask their true (bourgeois or hegemonic) motives by insisting that the real battle was limited to what Bourdieu describes as the comparatively insignificant struggle between orthodoxy and heterodoxy. Yet when one looks more carefully at the full range of rhetorical pronouncements and actions common to the *philosophes* in the second half of the eighteenth century—indeed, when one considers their advocacy of freedom of expression in conjunction with their broader sense of mission—neither seems to have been precisely the case.

First of all, we must avoid the temptation (which both liberal defenders of free speech and the postmodernists who attack them often do not) to caricature the chief *philosophes* as true believers in a complete free market of ideas, eager to do away with all kinds of ideational control as a result of their absolute commitment to the principle of unregulated speech. Surely men like Voltaire and Diderot wanted to open up space for their more iconoclastic notions to acquire an audience and, consequently, legitimacy. But in fact, the members of this small coterie, like both Locke and Milton before them in the list of great advocates of freedom of speech, were always interested in qualifying the nature of the legal liberty that they demanded, and they repeatedly maintained that exceptions and limits to individual freedom of expression were essential both for public security and for the ultimate triumph of enlightened values. At the height of the French Enlightenment, calls for the police or even royal censors to intervene in literary fights were commonplace (witness, for example, the well-known stories of the *philosophes* themselves demanding that the unenlightened ideas of Elie Fréron be censored), and opponents in debate who appeared to have violated the Republic of Letters' spirit of *politesse* were regularly threatened with libel charges. As the historian Dena Goodman notes, the *philosophes* did not confuse liberty with license.<sup>35</sup> More obviously, when the framers of the Declaration of the Rights of Man, whose ranks included many of the second- and third-generation *philosophes*, came to write a constitutional protection for freedom of expression, they were almost unanimous in insisting (in marked contrast to the American framers of the Bill of Rights) on the

need to make this freedom dependent on and subordinate to the law. Only Robespierre, ironically, argued for establishing an unqualified right.<sup>36</sup> The other framers had in mind a system very similar to the English one, where prior restraint had been abolished but where subsequent prosecution—for libel, blasphemy, or obscenity—was always possible. And in practice this guarantee, with its public safety clause, did not even last through the “liberal” phase of the Revolution; royalist pamphlets were made illegal by the Commune in August 1792 and the range of acceptable opinions, both spoken and printed, was continually narrowed up through the Terror, when the Constitution's protections were suspended entirely. Indeed, partially because it was framed in a spirit of ideological compromise, the Declaration's initial guarantee has, from the Revolution to the present, been open in France to numerous reinterpretations and limitations based on the perceived importance of balancing individual liberty with public needs and security.<sup>37</sup> Clearly, total or “absolute” freedom of speech was never imagined to be desirable or possible by either the *philosophes* or their modern followers.

But to consider the other side of the coin, the French *philosophes* do not appear to have been hypocrites either, promising one thing and secretly doing or encouraging another when it came to questions of freedom of speech. They never pretended that their intentions were either democratic or populist in nature. They never sought diversity of opinion as a goal unto itself. On the contrary, what needs to be emphasized is that eighteenth-century *gens de lettres* were often explicit not only about the importance of dismantling aspects of the regulative censorship apparatus of the church and absolutist state but also about the moral necessity of substituting other constitutive or social types of censorship in their place. They even developed a neologism with a very similar ring to postmodernist terminology to make this point. Right alongside their pleas for the deregulation of the press and the importance of intellectual independence, a small number of radical writers, including Mercier, Helvétius, and the Baron d'Holbach, began in the 1770s to speak longingly of a time when “the public” or its representatives might exercise what they called *la censure publique*.<sup>38</sup>

In making sense of this neologism, it is important to keep in mind that the French noun *censure* refers both to censorship and to censure, two concepts that the English language distinguishes.<sup>39</sup> For in this case, these dual meanings clearly coexisted and overlapped. On the one hand, the term *censure publique* could suggest something potentially inquisitorial and punitive insofar as it could be taken to mean the public assumption of the power of the state or the church in the area of moral policing and punishment. In his utopian novel *L'An deux mille quatre cent quarante*, Mercier, for example, employed this expression to



refer to a future moment when representatives of “the public” would routinely force writers of immoral books to see the error of their ways and to recant.<sup>40</sup> But on the other hand, the expression *la censure publique* was also used in the 1770s in ways closely related to *l’opinion publique*, a contemporaneous concept in which historians have been very interested as of late because of its seeming connection with the rise of an independent public sphere marked by unrestricted critical debate.<sup>41</sup> In *De l’Homme*, to take a different example, Helvétius waxed nostalgic about the Roman custom of exposing potential laws to *la censure publique* for an entire year so as to make sure that they were formulated with concern for what he called *le bien publique*.<sup>42</sup> In this case, the term was intended to suggest a publicly agreed upon judgment, destined to play an important role in regulating public behavior and thought and formed as a result of individual citizens’ freedom to make decisions based on reason and consideration of the public good. Here, in other words, the principle of freedom of expression existed not in opposition to but rather as a precondition for public censure or censorship—and vice versa. And a rereading of the Enlightenment debate around these questions suggests that the French *philosophes* saw the creation of a limited “free market” of ideas only as a beginning. What these writers sought, above all, was a way to turn this abstract entity, “the public,” into an enlightened and consensual moral watchdog, a substitute for punitive state censorship, with the *philosophes* as its master and guide.

One approach was to rely upon the regulatory effects of postpublication criticism based on the community standards operative in the Republic of Letters. The *philosophes*, after all, had reason to view criticism as an alternative form of censorship in which they could potentially play a large role; Robert Darnton has pointed out that Old Regime censors often acted like literary critics, commenting on matters of style and quality as well as content, and Ann Goldgar has drawn our attention to the self-conscious assumption of a censoring function on the part of many eighteenth-century literary journalists, whose ranks often overlapped with those of royal censors.<sup>43</sup> The idea was that inferior or unenlightened works, once condemned by enlightened judges, would simply languish on the shelf. But this solution never seemed to be entirely satisfactory by itself. A second and more far-reaching idea was to find a means by which to make all subsequent forms of explicit *censure* largely unnecessary. In other words, the *philosophes* also sought to establish a new version of popular opinion or *doxa* that would require “the public” to act and think in an enlightened fashion as a matter of course. They attempted to satisfy this ambition first and foremost by seizing control of the French language and replanning it in reason’s (which is also to say their own) interest.

Here, in fact, is where Bourdieu can help the historian—and the historian can offer a corrective to the postmodernist understanding of the Enlightenment. Bourdieu and Barthes both urge us to look at the maintenance of the language of the existing *doxa* as “the ultimate censorship,” and to view the invention of a truly new language—“a paradoxical (pure of any *doxa*) discourse,” in Barthes’s terms—as “the ultimate subversion (contra-censorship).”<sup>44</sup> But what neither acknowledges is that the eighteenth-century French *philosophes* (and not just the Marquis de Sade, to cite Barthes’s exceptional case) already thought about and acted upon language in a similar way. Enlightenment thinkers were, as a rule, acutely aware of the need not only to challenge prevailing opinion on specific subjects but to create new discourses that would change the very terms in which public discussion took place. They also understood that the success of their project would depend upon their ability to remake and control everyday language so as to render what they took to be obsolete, distasteful, subversive, or contrary ideas outside the acceptable realm of debate. Eighteenth-century French *philosophes*, in other words, commonly treated language as an instrument of both liberation and social control. Revealing the importance of efforts to institute new kinds of constitutive censorship in eighteenth-century France does not make the *philosophes* into hypocrites or expose their “doublespeak”; it brings into focus an important—and comparatively neglected—part of the Enlightenment story. The final purpose of this essay is to suggest how a historian of the late eighteenth century, working both within and against the postmodernist paradigm, might integrate the well-known tale of the rise of the right to individual self-expression with the lesser-known story of the rise of constitutive or social censorship, especially in relation to language politics and planning.

#### IV.

One way to illustrate the relationship between the two halves of this complicated story is to start at its conclusion: the few short years between 9 Thermidor Year II and the triumph of Napoleon, or the last moments of the French Enlightenment. The trajectory of anticensorship agitation has, as we have seen, its established eighteenth-century landmarks, from Voltaire to the Declaration of Rights. But the contours and markers of this tale’s other side, the part concentrated on alternative modes of constitutive censorship, have still to be uncovered and integrated into the larger narrative of the Enlightenment. In this pursuit, the Ideologues, those moderate republican intellectuals who tried so hard in the late 1790s both to uphold the basic tenets of the liberal, sensationalist Enlightenment and to compensate for what had gone

wrong with these ideas in practice in the course of the revolutionary struggle, provide us with an especially good beginning.

For 9 Thermidor left the last of the Enlightenment-style *philosophes* with a dilemma. On the one hand, the chief Ideologues, including Cabanis and Destutt de Tracy, rejected the idea that the liberation of speech in 1789 had been an error. On the contrary, most of them viewed the gradual erosion of civil liberties and the return of punitive censorship to have been one of the key disappointments of the Revolution, a reversal and betrayal of the values of the Enlightenment and especially its beloved Republic of Letters. And now that they finally found themselves at the center of power, they remained committed to the idea that the state needed to protect the basic “rights” of citizenship.

But on the other hand, even as they endorsed that key Enlightenment idea of a free market of ideas, these same moderate republican thinkers who congregated in the new Institut National and the post-Thermidorean government still felt threatened by the extraordinary ideological diversity that the Revolution’s initial deregulation and democratization of speech had unleashed. Indeed, they continued to believe in another fundamental Revolutionary idea: that a single, individual sovereign nation required a single general will and a way to curtail truly dissident or erroneous points of view for the sake of social and political stability. Thus the Ideologues, along with the various political figures who supported them, found themselves in the difficult position of seeking simultaneously to dismantle what Mercier memorably called the revolutionary “logomachy” or “tower of Babel” and to impose their own moral and social values on the nation—without compromising their liberal principles.<sup>45</sup>

As a solution, late-eighteenth-century republican intellectuals looked in two directions. Almost immediately, they challenged the punitive censorship laws of the recent as well as distant past by writing a broad protection for free speech. The new Constitution of Year III (1795) explicitly preserved most of the “liberal” principles of 1789, including the idea that “no one can be prevented from speaking, writing, printing and publishing his thoughts” (though the ominous new clause “except when circumstances make it necessary” was added).<sup>46</sup> In this sense, the early Ideologues picked up where Voltaire left off, hoping that freedom of speech would ultimately lead to general enlightenment. But at the same time, these same men also began exploring the possibility of expanding what poststructuralists would label “constitutive” or “structural” censorship. More specifically, based on the common idea that it was not freedom of speech per se but the explosion of multiple and variable meanings attached to political concepts that had helped push the Revolution off its course, the Thermidorean and then Directorial intellectual elite became convinced that it needed to

develop more effective control over the language of politics and morality. In order to establish its own moderate republican belief system in the public consciousness as a stable, incontestable *doxa* (to return to Bourdieu’s term), this new elite needed to “fix” its own conceptions of the significance of words as the common sense of the day.

Some might see this dual emphasis on liberty and language control as an intellectual contradiction. To others, it might appear as a form of hypocrisy on the part of those who professed to be “liberals.” But I argue that the Ideologues’ preoccupation with linguistic *planification* or *dirigisme* belonged to a long, enlightened intellectual tradition that cannot be dissociated from the *philosophes*’ emancipatory claims.<sup>47</sup> After all, during the last half-century of the Old Regime, an idea derived from Locke—that the imprecise use of ambiguous and multivalent expressions, or what was known as the “abuse of words,” constituted the chief source of most intellectual disagreements—had permeated Enlightenment culture.<sup>48</sup> And at the same time the *philosophes* had proclaimed the need for greater freedom of expression, they had also become obsessed with efforts to seize control of quotidian language and hence meaning, usually with the justification that they were clearing up past “abuses.” Indeed, it is no exaggeration to say that much of the French Enlightenment was directed toward changing the way that the public understood the words it used on a daily basis. Consider the emphasis that key eighteenth-century intellectuals placed on grammatical reform and standardization, on the analytic method, on questions of language origins and development, on new forms of pedagogy, all designed to change the manner in which words were comprehended and conveyed. Consider, too, the constant attention to semantics or redefinitions of the meaning of controversial terms. From this vantage point, it is no coincidence that many of the great books of the Enlightenment were written in the form of dictionaries. The creation of the Académie Française in the seventeenth century had already made manifest the importance of linguistic *dirigisme* to the expansion of power. In the next century, the *philosophes* tried to appropriate this authority over language from within the state apparatus by taking over the membership of the Académie. They also tried to accomplish the same thing from outside royal institutions; Voltaire’s *Dictionnaire philosophique* (1764) and Diderot and D’Alembert’s *Encyclopédie, ou Dictionnaire raisonné des sciences, des arts et des métiers* (1751–65) are only two of the best-known examples.

Both dictionaries can, of course, be seen as monuments in a liberatory struggle against censors, in part because of their boldly unorthodox contents, in part because both ran into serious trouble (not surprisingly, given their totalizing ambitions) with authorities. But from another perspective, these two dictionaries can also be understood as signifying their authors’ efforts to replace the existing censors, to do their job in

a different manner with a different agenda—in short, to redefine the language of the *doxa* on their authors' own terms. Sensationalism, with its insistence on the symbiotic relationship among social developments, ideas, and language, fostered the notion that the precise meaning of words can never be sure, that unfixability and mutability are built into the very nature of language. However, this epistemological theory also suggested to its adherents that any linguistic system could be altered deliberately in order to modify ideas. Indeed, language could become a tool through which the members of the Republic of Letters might liberate the public from older prejudices and superstitions embedded in traditional usage and then determine and limit what these same people could convey, mean, or even think in the future. All that was required for the establishment of this new normativity, with its justifications based on reason and nature, was the freedom to spread the message.

But if the Ideologues were determined to follow a decidedly enlightened course in attempting to use language as an instrument of social control, they also confronted the problem that they would have to succeed where their revolutionary predecessors—men such as Condorcet and Sieyès, who had continued to uphold the Enlightenment tradition of lexicography as political practice after 1789—had not. And in this context, an old question often associated with the philosophy of the previous century, though this time inflected with the mid-eighteenth-century sensationalism of Condillac and the political concerns of the late 1790s, was broached anew. Might it be possible not simply to redefine but actually to remake the language of politics and of daily affairs so that the *abus des mots* became a thing of the past? In other words, could a radical change in the material form of written language provide the means by which to overcome political discord stemming from linguistic ambiguity and variability and to cement the ideas of the postrevolutionary ruling class as incontestable truths?

It is from this perspective that we must consider the efforts of the Ideologues to promote and encourage a whole range of extraordinarily strange forms of communication during the very last years of the eighteenth century. The half-decade immediately following the end of the Terror saw a wave of interest not only in language teaching and reform but in the construction of novel and specifically nonverbal sign systems: gestural languages for communicating with the deaf and mute, telegraphic and marine signals, stenographies, shorthands, and pasigraphies, as universal written languages were then known.<sup>49</sup> Indeed, anyone who reads newspapers from the era of the Directory will quickly notice the considerable attention paid to experiments with visual and often ideographic languages, especially in republican intellectual and political circles. Inventors trumpeted plans for iconic forms of notation with names

like vigigraphies and polygraphies, insisting that they could function as substitutes or supplements for equivocal and cumbersome words. Crowds flocked to see such unusual spectacles as a new form of telegraphy at the Lycée Républicain or an improved stenography at the Société Philotechnique, as demonstrated by the deaf and mute.<sup>50</sup> Most conspicuously, new systems for notating and transmitting ideas were discussed in all three classes of the Institut National<sup>51</sup> and lauded in the councils of the Directory government,<sup>52</sup> where some prominent commentators even brashly declared these projects to be the hallmark of the new enlightened age ushered in by the demise of Robespierre. In 1797 the political economist Pierre-Louis Roederer, speaking at the Institut, characterized his present moment as one “when all minds are turned towards the perfecting of means of communication among men . . . when men vie with one another in order to form a universal language or mode of writing . . . when the signs of writing have, as a consequence, become a special object of zealous interest for the sciences.”<sup>53</sup> Two years later, an anonymous writer in the *Magasin encyclopédique* asked rhetorically what Cicero might have said had he lived to witness such developments as “our telegraphy at the point where it is a perfected pasigraphy [and] finally the new stenography, which must take its place among the admirable inventions of the human mind.”<sup>54</sup>

What should we make of these numerous tributes and claims regarding such seemingly marginal systems of communication? Moreover, what do they have to do with the politics of censorship and free speech in the immediate aftermath of the Terror? The answer is not immediately obvious. For late-twentieth-century historians of eighteenth-century France, these linguistic experiments and the commentary that they generated have generally registered only as curiosities, odd by-products of an age enamored of science and its myriad applications. However, in the context of this chapter, I aim to emphasize a different aspect of these plans to construct novel semiotic systems: their status as deliberate responses to the language politics of the Revolution. I propose, in short, that the support given to these projects by the intellectuals who dominated the government and its key pedagogical institutions during the Directory and early Consulate makes sense only in light of the significance that these men attached to two distinct principles in their efforts to craft a stable, moderate republic: the enlightened ideal of freedom of expression *and* the perceived need to stem the war of words or “logomachy” of the recent past. For what these experiments offered the new intellectual establishment of the late 1790s was the possibility of a new way of controlling language and, hence, of controlling meaning so as finally to create a new, incontestable *doxa* based upon their own enlightened revolutionary values. In effect, the Ideologues' advocacy of these experiments can be said

to have constituted the Enlightenment's most ambitious and explicit effort to institute the type of constitutive censorship that eventually became a common characteristic of all modern liberal societies, even (or especially) as these societies continued officially to employ an enlightened anticensorship rhetoric.

Now, it goes without saying that the men who designed these new sign systems never talked about their projects as mechanisms of constitutive censorship or, for that matter, as in any way related to the promotion of a particular political perspective or social cohort. On the contrary, capitalizing on the mood of linguistic caution and restraint that followed the end of the Terror, almost all of these language theorists, from the Abbé Sicard to Zalkind Hourwitz, touted their inventions as ways of freeing the French nation from the thrall of equivocal and easily manipulable words associated with partisan declarations. They sold their plans as antidotes to dangerous "verbiage" (as Hourwitz put it) and as means to thwart the nefarious effects of "shameful and maliciously shallow rhetoricians" (in the words of an inventor named Joseph De Maimieux).<sup>55</sup> And each of them promised that his visual sign system—because it separated *la langue* from *la parole*—would convey only fixed, objective, univocal meanings, indeed, that his system would be impossible to employ without understanding exactly what one wished to say and impossible to misconstrue. If the whole world were to adopt his pasigraphy, de Maimieux claimed, "alphabetic chaos" would disappear, the exact signification of all ideas would become clear, and writing would once again become "the image of thought itself."<sup>56</sup>

Yet the celebration of an inviolable science of signs at a moment of great unhappiness about the variable use and misuse of ordinary language should not be taken to mean that these projects constituted a postrevolutionary attempt to decouple language and power. Of course, statements such as that of De Maimieux might appear to be merely the residue of an earlier Enlightenment fascination with transparency or the restoration of a lost isomorphism between representative signs and ideas. Or such boasts might seem simply to indicate the popularity of the idea of scientific objectivity after the perceived irrationality of the previous few years. But there was a second, related claim that was essential to the promotion of all of these plans. Their authors also insisted that ideographic signs could be used not only to "fix" but first to clarify how abstract moral or metaphysical ideas were understood. "The rectification of ideas through the perfecting of language" was how the historian of the Institut's Second Class described this goal.<sup>57</sup> Indirectly, in other words, the creators of these pasigraphies, okygraphies, and the like promised the members of the new class of late Enlightenment *philosophe*-legislators, who now found themselves part of the establish-

ment rather than outside agitators, that language could be used to satisfy their chief political ambitions. And in many cases, the Ideologues and their sympathizers were persuaded of the possibility.

First, late-eighteenth-century advocates of extreme experiments in linguistic *dirigisme* hoped that by adopting a nominalist approach to language, they might be able to institute a new *doxa* that was actually reflective of their own values. Second, by coding this *doxa* in ways that made its contents appear universal, objective, and thus incontestable, these same men thought that they might be able to stem all dissent or subsequent challenges to this new status quo and in this manner bring the logomachy characteristic of the Revolution to a permanent close—without having to resort to explicitly coercive measures another time. Here, Roederer again provides us with an example. In holding up these experiments as potentially effective means of social control for the postrevolutionary French, Roederer even went so far as to evoke the precedent of Chinese characters. Contrary to the long-standing European prejudice that held this form of notation as a major cause of the intellectual backwardness of that nation's population, Roederer insisted that the ancient institution of fixed, ideographic characters was a principal reason why China had existed "strong, peaceful, happy and always the same for 4,000 years."<sup>58</sup> The ultimate promise of the language planning efforts of the Directory and the first years of the Consulate was that they would function not only as antidotes to past abuses of words but as a means of staving off the threat of a truly contestatory democracy and securing a new form of hegemony within an ostensibly liberal, rights-oriented order.

Of course, from the perspective of successes and failures, historians are justified in paying little attention to these efforts or the support that they generated at the close of the eighteenth century. None of these new semiotic systems ever became widely used outside of highly specialized domains, and both the political and the philosophical positions implied by these experiments always had their outspoken opponents, even among supporters of the Directory. Mercier, for example, despite his insistence on the Revolution as logomachy, repeatedly argued, both in the Institut and in the Directory's Council of 500, for the preservation of individual choice in the employment of words and against any kind of linguistic *dirigisme*.<sup>59</sup> Furthermore, the moment of enthusiasm for these pasigraphies was extremely short lived. By the turn of the new century, it had already become clear that not only had these projects garnered little support outside of Paris, but even many of the Ideologues had lost their faith in the efficacy or desirability of such effort to control ideas. Both Joseph-Marie Degérando's prize-winning *Des Signes et l'art de pensée considérés dans leurs rapports mutuels* of 1800 and Destutt de Tracy's *Elémens d'Idéologie*, the summation of the Ideologue movement published shortly after, con-



tained sustained challenges to these language-planning experiments. Both men believed that visual ideograms stirred the passions in ways inimical to clear thought, promoted the development of scientific elites instead of fostering universality and in the end were powerless against inevitable changes in ideas.<sup>50</sup> Degérando argued further that the moral and social sciences could never be the equivalent of the physical or natural ones because truths were constituted in distinct ways in different domains. In the political realm, it was the prerogative of the strongest, not philosophers, to determine the form and content of the language. But after the turn of the new century, such arguments were already well on their way to becoming moot. For after power was once again concentrated in the hands of one ruler—in this case, Napoleon Bonaparte—there was no longer any need to think of the French language as a mechanism for solidifying or maintaining the current sociopolitical order. Napoleon, even while paying lip service to the liberal idea of the freedom of ideas, quickly curtailed this revolutionary right. By 1810, France's censorship policies recalled those of the monarchy during the Old Regime, and all talk of controlling ideas by controlling the signs for them appeared to be the residue of another era.

Still, these late-eighteenth-century semiotic experiments, undertaken at a vital moment of transition for the first self-consciously postrevolutionary and "enlightened" European republic, can also be said to have set an important precedent. For the enthusiasm with which these plans were met within key late-eighteenth-century republican institutions was based upon an idea that subsequently became characteristic of postrevolutionary "enlightened" states in general. This idea is that liberal societies, whose key principles supposedly guarantee and are guaranteed by freedom of expression, must also actively respond to the threat of linguistic anarchy that this same freedom generates in order to preserve their status as liberal societies. And this has meant that modern, liberal democracies have commonly replicated the rhetoric of free speech while also attempting, through constitutive means, to make regulative censorship superfluous. Ultimately, in other words, the French Revolution of the 1790s marked the conscious intensification of an Enlightenment dualism—the search for means both to liberate the individual and to foster social cohesion and conformity—that has continued into the modern era. Pasigraphies and the like are admittedly extreme examples of this latter pursuit; certainly, we no longer look to sign language or telegraphy for models for the normative discourse of politics. But recognizing these experiments as early examples of efforts to develop a form of sign-based constitutive or social censorship does more than complicate our understanding of the values held by those late-Enlightenment thinkers known as the Ideologues. It forces us to see

the eighteenth-century obsession with language politics and planning as an essential, if often neglected, part of the larger and much better-known story of the modern struggle to free ideas and their expression.

## NOTES

1. I use the terms "freedom of expression" and "free speech" interchangeably in this chapter. Both are umbrella terms generally taken to include a number of different freedoms, including freedom of thought or opinion, freedom of discussion, freedom of the press or publication, artistic freedom, and freedom to participate in political meetings or demonstrations. See Alan Haworth, *Free Speech* (New York, 1998), p. 8. Most eighteenth-century debate concentrated on the first three freedoms listed above and, consequently, this chapter will as well.
2. Peter Gay, *Voltaire's Politics: The Poet as Realist* (New Haven, 1988; first published in 1959), pp. 215 and 217n, respectively.
3. Gay, *Voltaire's Politics*, p. 32.
4. Antoine-Léonard Thomas, *Discours prononcé, dans l'Académie française, le jeudi, 22 janvier 1767, à la réception de M. Thomas* (Paris, 1767).
5. Georges Minois, *Censure et culture sous l'Ancien Régime* (Paris, 1995), pp. 276–77.
6. "Declaration of the Rights of Man and of the Citizen," reproduced in translation in *Readings in Western Civilization*, vol. 7, *The Old Regime and the French Revolution*, ed. Keith Michael Baker (Chicago, 1987), pp. 237–239.
7. Ernst Cassirer, *The Philosophy of the Enlightenment*, trans. Fritz C. A. Koelln and James P. Pettegrove (Princeton, 1951; first published in 1932), pp. 251–52.
8. John Rawls, *A Theory of Justice* (Cambridge MA, 1971), pp. 201–205, 225.
9. Gay, *Voltaire's Politics*, p. 374. See also Gay's comments on eighteenth-century European censorship in his subsequent *The Enlightenment: An Interpretation*, vol. 2, *The Science of Freedom* (New York, 1969), pp. 69–79.
10. For the eighteenth century, see François Furet et al., eds., *Livre et société, dans la France du XVIII<sup>e</sup> siècle* (Paris, 1965–70) and, more recently, Henri-Jean Martin, Roger Chartier, and Jean-Pierre Vivet, eds., *Histoire de l'édition française*, vol. 2, *Le Livre triomphant, 1660–1830* (Paris, 1983).
11. See especially, William Hanley, "The Policing of Thought: Censorship in Eighteenth-Century France," *Studies on Voltaire and the Eighteenth Century* 183 (1980) 265–295; Nicole Hermann-Mascard, *La Censure des livres à la fin de l'Ancien Régime, 1750–1789* (Paris, 1986); Daniel Roche, "Censorship and the Publishing Industry," in *Revolution in Print: The Press in France, 1775–1800*, eds. Daniel Roche and Robert Darnton (Berkeley, 1989), pp. 3–26; Christiane Schroeder-Angermund, *Von der Zensur zur Pressefreiheit: das absolutistische Zensursystem in der 2. Hälfte des 18. Jahrhunderts: eine Innensicht* (Pfaffenweiler, 1993); Georges Minois, *Censure et culture sous l'Ancien Régime* (1995); and Barbara de Negroni, *Lectures interdites: le travail des censeurs au XVIII<sup>e</sup> siècle, 1723–1774* (Paris, 1995).
12. Lisa Jane Graham, "Crimes of Opinion: Policing the Public in Eighteenth-Century Paris," in *Visions and Revisions of Eighteenth-Century France*, eds. Christine Adams, Jack Censer and Lisa Jane Graham (University Park, PA, 1997), especially pp. 84–88.
13. Raymond Birn, "Religious Toleration and Freedom of Expression," in *The French Idea of Freedom: The Old Regime and the Declaration of Rights of 1789*, ed. Dale Van Kley (Stanford, 1994), p. 275.
14. See Robert Darnton, *The Literary Underground of the Old Regime* (Cambridge, 1982); *Edition et sédition: l'univers de la littérature clandestine au XVIII<sup>e</sup> siècle* (Paris, 1991); and *The Forbidden Best-Sellers of Pre-Revolutionary France* (New York, 1995).

15. Gay, *Voltaire's Politics*, p. 87.
16. Barbara de Negroni, *Lectures interdites*, especially chapter 1.
17. Roger Chartier, *The Cultural Origins of the French Revolution*, trans. Lydia G. Cochrane (Durham, 1991), chapter 3.
18. Diderot, "Lettre sur le commerce de la librairie" (1763), published as *Sur la liberté de la presse*, ed. Jacques Proust (Paris, 1964), pp. 81–83.
19. Tocqueville is quoted by Gay in *Voltaire's Politics* to the effect: "Authors were [in the reign of Louis XV] harried to an extent that won them sympathy, but not enough to inspire them with any real fear. They were, in fact, subjected to the petty persecutions that spur men to revolt, but not the steady pressure that breaks their spirit" (77). A similar and explicit emphasis on the "paradoxical" nature and effects of the eighteenth-century censorship system can be found in the more recent accounts of Roger Chartier, Robert Darnton, Isser Woloch, Barbara de Negroni, and Georges Minois.
20. See, for example, how Roger Chartier in chapters 2–4 of *The Cultural Origins of the French Revolution* uses the findings of French historians of the book to bolster a Habermasian account of the rise of a "bourgeois public sphere" all in service of a "cultural" explanation for the origins of the French Revolution.
21. Stanley Fish, *There's No Such Thing as Free Speech, and It's a Good Thing, Too* (Oxford, 1994), p. 103.
22. See the *Karl Marx Library*, vol. 4, *On Freedom of the Press and Censorship*, ed. Saul K. Padover (New York, 1974), especially "Debates on the Freedom of the Press and Publication" (1842).
23. Herbert Marcuse, "Repressive Tolerance," in Robert Paul Wolff, Barrington Moore Jr., and Herbert Marcuse, *A Critique of Pure Tolerance* (Boston, 1965), pp. 81–117.
24. It is important to note that the Freudian notion of psychical censorship or repression, while outside the scope of this paper as a subject of discussion, has played an important role along with Marxism in encouraging poststructuralist thinkers to turn their attention toward invisible and omnipresent forms of thought control and, especially, mechanisms of self-censorship. Freud uses the term "censorship" in *The Interpretation of Dreams* (1900), "The Unconscious" (1915), and *Introductory Lectures on Psycho-Analysis* (1916–17) to refer to that permanent function which acts as a barrier or guardian and prohibits unconscious wishes and the formations deriving from them from gaining access to the preconscious-conscious system. See the entry "Censorship" in J. Laplanche and J.-B. Pontalis, *The Language of Psycho-Analysis*, trans. Donald Nicholson-Smith (London, 1973; first published in 1967), pp. 65–66.
25. Sue Curry Jansen, *Censorship: The Knot that Binds Power and Knowledge* (Oxford, 1988), p. 9.
26. Michel Foucault, *History of Sexuality, Vol. I: An Introduction*, trans. Robert Hurley (New York, 1978; first published in 1976), p. 85.
27. Foucault uses the term "discursive formations" in *The Archeology of Knowledge*, trans. Alan Sheridan (New York, 1972; first published in 1969). On the relations between discourse and power, see also Foucault, *Discipline and Punish: Birth of the Prison*, trans. Alan Sheridan (New York, 1977; first published in 1975).
28. Foucault summarized his thoughts on the modern state in "Two lectures," in *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*, ed. C. Gordon, trans. C. Gordon, L. Marshall, J. Mepham, and K. Soper (New York, 1980), especially pp. 103–108.
29. Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge, 1977; first published in 1972), p. 169.
30. Pierre Bourdieu, "Censorship and the Imposition of Form" (1982), in *Language and Symbolic Power*, ed. John B. Thompson, trans. Gino Raymond and Matthew Adamson (Cambridge MA, 1991), pp. 137–59 (see especially p. 138).
31. Roland Barthes, "Censorship, Invention" in *Sade/Fourier/Loyola*, trans. Richard Miller (New York, 1976; first published in 1971), p. 126.
32. Bourdieu, "Censorship and the Imposition of Form," p. 137.
33. Bourdieu, *Outline of a Theory of Practice*, p. 169; and "Censorship and the Imposition of Form," p. 138, respectively.
34. This point is clearly articulated in Robert Post, "Censorship and Silencing" in *Censorship and Silencing: Practices of Cultural Regulation*, ed. Robert Post (Los Angeles, 1998), pp. 1–12.
35. Dena Goodman, *The Republic of Letters: A Cultural History of the French Enlightenment* (Ithaca, 1994), especially pp. 201–203, 217.
36. On this debate and, specifically, Robespierre's unpopular contention that "Il faut bien distinguer le droit en lui-même de l'abus . . . La Déclaration des droits de l'homme doit être franche, décisive et sans aucune modification" see Marcel Gauchet, *La Révolution des droits de l'homme* (Paris, 1989), pp. 174–78.
37. See Richard Mowery Andrews, "Boundaries of Citizenship: The Penal Regulation of Speech in Revolutionary France," *French Politics and Society* 7, no. 3 (summer 1989): 90–109; Nicholas Harrison, *Circles of Censorship: Censorship and its Metaphors in French History, Literature, and Theory* (Oxford, 1995); and Pascal Ory, ed., *La Censure en France à l'ère démocratique* (Bruxelles, 1997).
38. See, as examples, Louis-Sébastien Mercier, *L'An deux mille quatre cent quarante, rêve s'il en fût jamais* (London, 1774); Claude-Adrien Helvétius, *De l'Homme* (London, 1773); and Baron d'Holbach, *La Morale universelle* (Amsterdam, 1776). Note that all of the above works, each of which also openly advocated greater freedom for the press, were printed anonymously and outside of France so as to avoid official pre-publication censorship.
39. In the *Dictionnaire de l'Académie française* of both 1694 and 1798, the first meaning of *censure* is given as "correction, répréhension" (as in "soumettre ses écrits à la censure de quelqu'un" or "subir la censure de quelqu'un"). The second meaning in both cases is "le jugement et la condamnation d'un livre" (as in "la censure que la Sorbonne a faite d'un tel livre"). The later edition of the *Dictionnaire* adds that in speaking of the ancient Romans, one also uses the term *censure* to refer to "la dignité, et la fonction de Censeur," meaning the official (censor) who both drew up a census of citizens and oversaw public morality.
40. Mercier, *L'An deux mille quatre cent quarante*, p. 51. The passage in question is briefly discussed and reproduced in translation in Darnton, *The Forbidden Bestsellers*, pp. 135–36, 311–13.
41. See especially Mona Ozouf, "'Public Opinion' at the End of the Old Regime," *Journal of Modern History* 60 (September 1988): S1–21; and Keith Michael Baker, "Public Opinion as Political Invention," in *Inventing the French Revolution: Essays on French Political Culture in the Eighteenth Century* (Cambridge, 1990), pp. 167–99.
42. Helvétius, *De l'Homme*, p. 191.
43. Robert Darnton, "A Police Inspector Sorts His Files: The Anatomy of the Republic of Letters," in *The Great Cat Massacre and Other Episodes in French Cultural History* (New York, 1984), pp. 144–89; and Anne Goldgar, "The Absolutism of Taste: Journalists as Censors in Eighteenth-Century Paris," in *Censorship and the Control of Print in England and France, 1600–1910*, ed. Robin Myers and Michael Harris (Winchester, 1992), pp. 87–110. On the theoretical connections between criticism and censorship, see also Michael Holquist, "Corrupt Originals: The Paradox of Censorship," *PMLA* 109, no. 1 (January 1994): 14–25, which argues that censorship involves a form of prepublication editing; and Richard Burt, "Introduction: The 'New' Censorship," in *The Administration of Aesthetics: Censorship, Political Criticism, and the Public Sphere*, ed. Richard Burt (Minneapolis, 1994), pp. xi–xxix, which argues that censorship and criticism are related ways of regulating aesthetic consumption.

44. Barthes, *Sade/Fourier/Loyola*, p. 126. On Barthes's conception of the relationship between doxa and paradox, see also *Roland Barthes par Roland Barthes* (Paris, 1975), p. 75.
45. Louis-Sébastien Mercier, *Le Nouveau Paris*, ed. J.-C. Bonnet (Paris, 1994; first published in 1798), vol. 2, p. 3.
46. On the Constitution of Year III's protection of speech, as well as the exceptional clause that led to the law of 27 Germinal Year IV imposing the death penalty for advocacy of changes in the Constitution itself, see Jeremy Popkin, *Revolutionary News: The Press in France, 1789–1799* (Durham, 1998), pp. 38, 173–95.
47. For a more expansive discussion of the sources, effects, and nature of Enlightenment and revolutionary language-planning efforts, including those of the Ideologues, see my forthcoming book, *A Revolution in Language: The Problem of Signs in Late Eighteenth-Century France*.
48. See the following important article: Ulrich Ricken, "Réflexions du XVIII<sup>e</sup> siècle sur 'l'abus des mots'," *Mots* 4 (1982): 29–84.
49. As far as I am aware, no comprehensive listing of these projects exists. Numerous references to both manuscript and published plans can be found in Rosenfeld, *A Revolution in Language*, as well as the pages of *La Décade philosophique*, the *Magasin encyclopédique*, and other contemporary journals.
50. See the Lycée Républicain's register (ms. 920, Bibliothèque Historique de la Ville de Paris) and correspondence (American Philosophical Society, Papers of the Athenée de Paris, 506.44/At4) for February 1800, and the Société Philotechnique's minutes for February 1801 (ms. 1938, Papers of the Société Philotechnique, Archives of the Sorbonne).
51. Plans for new sign systems sent to the Institut National in the late 1790s, and well as the reports of commissions established to review these projects and related discussion can be found today in the Archives of the Institut de France. See especially the Archives of l'Institut National, Classe des Sciences morales et Politiques (AI-SMP): AI–A10 (registers, reports, etc.) and B1–2 (responses to the prize contest on "the influence of signs on the formation of ideas").
52. Tributes in the Directory include: Guillaume-François Charles Goupil de Préfelne, *Corps législatif. Conseil des Anciens. Discours prononcé dans la séance du Conseil des Anciens, le 18 pluviôse de l'an VI de la République française . . . en présentant au Conseil l'hommage de la Pasigraphie, nouvel art littéraire inventé, par le citoyen Jean [sic] de Maimieux* (Paris: Imprimerie nationale, Year VI); and Dominique-Joseph Garat, *Corps législatif. Conseil des Anciens. Discours de Garat sur l'hommage fait au Conseil des Anciens des premières strophes du 'Chant du Départ' écrites avec les caractères pasigraphiques. Séance du 13 nivôse an VII* (Paris, Year VII).
53. P. L. Roederer, "Mémoires sur le gouvernement de la Chine, sur la langue des chinois et particulièrement sur leur écriture," in *Oeuvres du Comte P. L. Roederer*, ed. Baron A. M. Roederer (Paris, 1856), vol. 8, p. 129.
54. An anonymous review of Adrien Pront's *Elémens d'une Typographie qui réduit au tiers celle dont on se sert, et d'une Ecriture qui gagne près de trois quarts sur l'Ecriture française* (1797) in the *Magasin encyclopédique*, no. 10 (Year VIII), quoted in Charles-Claude Montigny, *Alphabet universel, ou Sténographie méthodique* (Paris: Ballard, 1799), p. 50.
55. Zalkind Hourwitz, *Polygraphie, ou l'art de correspondre à l'aide d'un dictionnaire, dans toutes les langues* (Paris, Year IX), 33; and Joseph de Maimieux, *Epître familière au sens-commun, sur la pasigraphie et la pasilalie* (Paris, Year X), 9.
56. [J. de Maimieux], *Pasigraphie* (Paris, 1797), pp. 5 and 1 respectively.
57. See the "Histoire abrégée des travaux de la Classe des Sciences Morales et Politiques," in *Mémoires de l'Institut National des Sciences et Arts*, vol. 3 (Paris, Year IX), p. 4.
58. Roederer, "Mémoires sur le gouvernement de la Chine," p. 98.
59. See, for example, the following works by Mercier: *Corps législatif. Conseil des Cinq-Cents. Rapport fait par L. S. Mercier au nom d'une commission spéciale, sur l'enseignement des langues vivantes. Séance du 22 messidor an IV* (Paris, Year IV); *Néologie, ou Vocabulaire de mots nouveaux, à renouveler ou pris dans des acceptions nouvelles* (Paris, Year IX); and "De la Supériorité du langage sur la langue" (memoir read at the Institut in Year X) in Bibliothèque de l'Arsenal, Papiers of Mercier, ms. 15081 (1d), ff. 262–67.
60. See Joseph-Marie Degérando, *Des Signes et l'art de la pensée considérés dans leurs rapports mutuels* (Paris, 1800), especially vol. 4, chap. 11; Antoine Louis Claude Destutt de Tracy, *Elémens d'Idéologie. Seconde Partie. Grammaire* (Paris, 1803), especially chap. 6; Destutt de Tracy, "Réflexions sur les projets de pasigraphie" (Year VIII), in *Mémoires des l'Institut*, vol. 3, pp. 535–51; and the ms. summary of Degérando's report on De Maimieux's pasigraphy in "Travaux de la classe des sciences morales et politiques de l'Institut National, pendant l'an VIII de la République" (AI-SMP, A7).

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