

Trial and error? – the trial of Louis XVI

I. Sources for the prosecution:

a) The Indictment of Louis XVI (December, 1792):

- In 1789 Louis attacked the power of the people by trying to close the National Assembly.
- For a long time he was only thinking about leaving the country; but on 21st June 1791 he tried to cross the border.
- He said that he accepted the new constitution ... but in reality he tried to overthrow it.
- His brothers, who are enemies of the state, have built up an army across the borders.

b) An extract from a speech by the Jacobin Louis de Saint-Just:

“[...] to be king is a crime. [...] The monarchy is an eternal crime against which every man has the right to rebel and to take up arms.”

c) An extract from a speech by the Jacobin Maximilien de Robespierre:

“In this trial you [the jury, that is the members of the Convention] do not have to judge a man, in fact you have to fulfil the nation’s destiny. Louis has called the weapons of his tyrant brothers to his help. [...] If we say that Louis is not guilty, what then is going to happen to the Revolution? Will then the Revolution not be something that is not safe? If the king is not guilty, it will be all the defenders of liberty who will be guilty. In the middle of the revolution it is not good putting him in prison or sending him into exile. [...] Louis’s death is necessary to avoid the death of 100,000 good citizens: Louis must die, because our France must live.”

II. Sources for the king’s defence:

a) Think about if in the constitution of 1791 the National Assembly had the right to judge the king – or if it just had the right to control him and work together with him.

b) The king always said that he was “King by the Grace of God”. So would he have thought that the French people had a right to judge him?

b) The king’s lawyer Romain de Sèze mentioned the following points in his speeches:

- If Louis is no longer king, then he should at least be given the rights of a citizen.
- If Louis is a citizen, then he has the right to be given a fair trial and not one before the Convention with judges who are politicians and who are not neutral.
- All the judges have decided that Louis is guilty already before the trial has started.

accuse (v.)	to blame sb. in court	overthrow, overthrew, overthrown (v.)	to get rid of sth., to abolish sth. with force
extract (n.)	small piece of sth.	prosecution (n.)	<i>Anklage</i>
destiny (n.)	<i>Schicksal</i>	rebel (v.)	rebellieren, sich erheben, Widerstand leisten
high treason	<i>Hochverrat</i>	tyranny (n.)	rule against the will of the people
indictment (n.)	a list of what somebody is said to have done wrong	tyrant (n.)	somebody who rules against the will of the people
justify (v.)	<i>rechtfertigen</i>	verdict	the result of a trial

Source: P. M. Rogers (ed.), *Aspects of Western Civilization, vol. II*, Upper Saddle River, N.J., Prentice Hall, 1997, 3rd ed.: pp. 88-89. (adapted); I. & P. Hartig (eds.), *Die Französische Revolution*, Stuttgart: Klett, 2001: pp. 80-82. (transl. & adapted)