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## Lafayette, the Thinker

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At exactly 4:00 in the morning on May 20th, 1834, Marie Joseph Paul Yves Roch Gilbert Du Motier De Lafayette died only four months short of his 77th birthday.<sup>1</sup> His death went mostly unnoticed, except in Paris where “... thousands gathered to pay tribute to the man many refer to as the anchor of liberty.”<sup>2</sup> In referring to Lafayette as the “anchor of liberty” this portrays the two sides of his life, one side being a military General and the other as an advocate for revolution and liberty. Most know him as the Marquis de Lafayette, a brilliant French general who helped secure American independence and played major roles in the French Revolution, as a member of the National Assembly and as Commander of the Paris National Guard. To most historians writing after 1834, Lafayette has continuously been portrayed as a military man, a brilliant general and nothing more. There is, however, much more to him than the military facade. In the span of his 76 years, Lafayette actively advocated for many causes such as the abolition of slavery, penal reforms, liberty and republican ideals. He used his intellect and political suave to

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<sup>1</sup> Marc Leepson, *Lafayette: Lessons in Leadership from the Idealist General* (New York: Palgrave MacMillan, 2011), 172.

<sup>2</sup> Serge Bokobza, “Liberty Versus Equality: the Marquis de Lafayette and France,” *The French Review* 83, no. 1 (October 2009): 122.

push for reforms in France and beyond. Lafayette was much more than a great general, he represented one of the greatest thinkers of the Revolutionary era.

Born on September 6, 1757 in southern France to Gilbert du Motier, Marquis de Lafayette and Marie-Louise -Julie de La Rivière. Lafayette's destiny as a military man was sealed before he even took his first breath. Nearly every one of his male ancestors had fought in France's wars.<sup>3</sup> History only sealed this fate further, as a great majority of the previous scholarship of Lafayette only covers his military exploits, especially his role in the American Revolution. Marc Leepson's 2011 book *Lafayette: Lessons in Leadership from the Idealist General*, is a great example of this tendency in the scholarship as he really only covers Lafayette solely as a military general. Some previous scholarship such as Sylvia Neely's article, *Lafayette and Dictatorship* (1995) and Maestro Marcello's article, "Lafayette as a Reformer of Penal Laws." (2009) speaks to Lafayette's beliefs and the reforms he pushed for. However, these articles are few and far between and frequently overshadowed by writings on Lafayette's military roles or his friendship with George Washington.

The Marquis de Lafayette was a man of liberty and republican ideals although his enemies tried to paint him as a traitor, who wanted to become a dictator. After the American Revolution ended in 1783 but before the French Revolution began in 1789, Lafayette became a very radical activist. A proponent of the abolition of slavery, he also worked to gain equal rights for French Protestants and full civil rights for French Jews.<sup>4</sup> In June of 1789, Lafayette joined with the Third Estate to form the National Assembly and started calling for a French constitution. He drafted a Declaration of Rights which would later be revised and adapted by the National

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<sup>3</sup> Marc Leepson, *Lafayette: Lessons in Leadership from the Idealist General* (New York: Palgrave MacMillan, 2011), 6.

<sup>4</sup> Serge Bokobza, "Liberty Versus Equality: the Marquis de Lafayette and France," *The French Review* 83, no. 1 (October 2009): 116.

Assembly. This paints Lafayette as the man he truly was behind the militaristic facade, he was concerned about the politics of his country and used his intellect to help gain liberty for France.

In June 1789, Lafayette sent his draft of a Declaration of Rights to Thomas Jefferson to get his opinions on it.<sup>5</sup> Lafayette's draft mirrors the United States' Bill of Rights written by Thomas Jefferson and James Madison, with some differences more specific to France. After his time fighting in the American Revolution, Lafayette heartily believed in the ideals of a republic but at the beginning of the French Revolution he was more similar to a constitutional monarchist. However, it is evident in his Declaration of Rights that he wanted the French people's rights to be protected. He states in his declaration, "Tout homme naît avec des droits inaliénables," which loosely translates to "all men are born with inalienable rights."<sup>6</sup> Lafayette lived in a time where the idea of inalienable rights was a relatively new thing that many monarchies did not support. He goes on to name these inalienable rights that we all possess, such as "la résistance à l'oppression," or the resistance to oppression.<sup>7</sup> This sums up Lafayette's love for liberty more than anything else. You cannot experience liberty without resisting oppression first, if you are oppressed you are not experiencing liberty. A prime example of Lafayette resisting oppression is his ordering of the razing of the Bastille when he was the commander of the National Guard.<sup>8</sup> The Bastille symbolized the monarchy that the citizens hated and their lack of liberty. Lafayette purposely put this in his draft because he had seen the difference between oppression, the resistance, and then liberty through the American Revolution.

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<sup>5</sup> Marquis de Lafayette, Draft of a Declaration of Rights, June 1789. *Founders Online*, National Archives <https://founders.archives.gov/documents/Jefferson/01-15-02-0223>.

<sup>6</sup> Lafayette, Draft of a Declaration of Rights.

<sup>7</sup> Marquis de Lafayette, Draft of a Declaration of Rights.

<sup>8</sup> Marc Leepson, *Lafayette*, 133.

Lafayette appeared before the National Assembly in the summer of 1792, urging them to preserve the government and the constitution in the time of crisis France was experiencing. He wrote the Assembly weeks before from the front saying that France “is threatened from abroad and agitated from within.”<sup>9</sup> He was speaking about France’s war with Austria and the influence of radicals such as the Jacobins in France at this time. He came to rally the assembly instead; his enemies such as Maximilien Robespierre saw this as Lafayette’s attempt at a coup d’etat, although he came to Paris with no army.<sup>10</sup> Lafayette would have not seized power illegally as he was a man of liberty and republican values. This event and the accusations against Lafayette lend themselves as more evidence to the fact that Lafayette was a man of liberty, not an oppressive dictator. Sylvia Neely argues that Lafayette “...would not overthrow the power of the civil authorities no matter how serious the crisis or how weak the authorities.”<sup>11</sup> Looking back at Lafayette’s draft of a Declaration of the Rights of Man, he makes sure to include the words “Le Principe de toute souveraineté réside imprescriptiblement dans la nation.”<sup>12</sup> This loosely translates to “The Principle of all sovereignty resides imprescriptibly in the nation,” which essentially means that sovereignty is derived from the nation, not the people as in the U.S. Constitution but the nation as a whole. In turn, this shows that Lafayette did not even believe in the illegal seizing of power, such as a violent overthrow of the Government, as it would not be legitimate to the nation according to his belief of sovereignty.

The Marquis de Lafayette, no matter how stained his reputation may be due to accusations from his enemies such as Robisberre’s claim that he was establishing himself as

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<sup>9</sup> Sylvia Neely, “Lafayette and Dictatorship,” *Proceedings of the Western Society for French History* 22 (October 1995): 120.

<sup>10</sup> Neely, “Lafayette and Dictatorship,” 120

<sup>11</sup> Neely, “Lafayette and Dictatorship,” 124

<sup>12</sup> Lafayette, Draft of a Declaration of Rights.

dictator, was a man who felt that everyone should experience liberty and believed in republics not dictatorships. Lafayette held great influence in France, because of this and his views on liberty, he was deemed a threat by Robespierre, a leader of the Jacobin party and the executor of the Reign of Terror that was shortly approaching among other political enemies. This led his enemies to attempt and ruin Lafayette's reputation, however He never stopped fighting for liberty. He used his intellect to convince the French public to subscribe to his idea of liberty and the republican ideals he believed in, he worked his entire life so that as many people as possible could experience liberty. He was involved not only in the French and American revolutions but also in multiple other European revolutions. He also worked towards the abolition of slavery, so that enslaved African Americans could experience liberty as well.

In the late-eighteenth century and nineteenth centuries, the heated debate over the institution of slavery was just gaining traction in terms of actual political change. Many notable people started to speak out against slavery in Europe and the Americas. Abolitionist clubs such as the la Société des Amis des Noirs in France or the Society for the Purpose of Effecting the Abolition of the Slave Trade in London, started to be founded in the late 1700s. Lafayette believed in abolition as gradual emancipation.<sup>13</sup> Lafayette was an active abolitionist despite his close friendships with many American slaveholders such as Jefferson. He used his intellect and political suave to push for abolition.

In 1785, Lafayette acquired a clove and cinnamon plantation in what is now present day French Guiana.<sup>14</sup> Here he exercised his successful gradual emancipation experiment. Gradual emancipation was the abolishing of slavery over a period of time, in Lafayette's case it was the

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<sup>13</sup> De L. Geneste, List of Slaves Selected by Lescallier to work on Lafayette's experiemental plantation, March 1, 1789. Introduction and description of the document.

<sup>14</sup> Geneste, List of Slaves Selected by Lescallier to work on Lafayette's experiemental plantation.

freeing of his own slaves over time. The intendant of Guiana, Daniel Lescalliar picked around seventy enslaved people to come work on and eventually be emancipated from Lafayette's plantation. His list of those people chosen included their families, names, ages, and any observations he made about them<sup>15</sup>. Included in this list were seven families and their ages ranged from newborn to 59-years old.<sup>16</sup> Lafayette's version of slavery was more "humane" and had a strong resemblance to indentured servitude. Those who worked on Lafayette's plantation were paid for their work, given an education, and their punishments were the same as the white people employed there.<sup>17</sup> Lafayette was a big proponent of gradual emancipation, especially after the success he had with his Guiana plantation.

A good example of this approach appears in an 1805 letter to James Madison. In it, Lafayette describes his attempt to purchase in Louisiana. Lafayette is told by one of the men involved with the sale of the land, that he should enter the manufacturing business and purchase thirty slaves to work on the land.<sup>18</sup> Lafayette tells James Madison that he would not do that, instead he would lease the land to others given that it was the "first Condition to Employ None But Free Hands Upon that Land, or if Negroes of New Orleans Be admitted, to Stipulate their Liberty in a short time."<sup>19</sup> Both of this letter and the records from his Guyana plantation make it clear that Lafayette did not agree with the institution of slavery, however he was smart enough to understand that no one would agree to flat out abolishing it at that point in time especially his American counterparts.

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<sup>15</sup> Geneste, List of Slaves Selected by Lescallier to work on Lafayette's experiemental plantation.

<sup>16</sup> Geneste, List of Slaves Selected by Lescallier to work on Lafayette's experiemental plantation.

<sup>17</sup> Geneste, List of Slaves Selected by Lescallier to work on Lafayette's experiemental plantation.

<sup>18</sup> Marquis de Lafayette, Letter to James Madison from Lafayette, 22 April 1805

<https://founders.archives.gov/documents/Madison/02-09-02-0301>

<sup>19</sup> Lafayette, Letter to James Madison from Lafayette, 22 April 1805.

La Société des Amis des Noirs or the Society of the Friends of Blacks was founded in 1788 by Jacques Brissot.<sup>20</sup> The group was made of many notable people who were all leading intellectuals, politicians, and aristocrats during the time. As seen on the roster of membership, many dukes, viscounts, marquises, and even the man who would become the First Secretary of the Embassy of the United States were all members.<sup>21</sup> One very notable name sticks out the most on the roster and that would be Lafayette who is listed as “The Marquis of La Fayette, rue de Bourbon, n°. 81”, the 81 meaning that he was the 81st member of the society.<sup>22</sup> It makes sense that Lafayette would be a member of such a society as he despised slavery, which he clearly states in his letter to James Madison by saying, “Upon a purchase... of thirty slaves a thing I detest and shall Never do.”<sup>23</sup> This society aimed to eliminate the slave trade and agitate against slavery itself, they were careful about how they advanced their proposals as all the members knew slaveholders held great power.<sup>24</sup> This appealed greatly to Lafayette and he was never scared to air his beliefs even to his American friends who were mostly slaveholders.

The Marquis de Lafayette was an abolitionist, although not as world renowned as other abolitionists, he did his part to promote abolition. He never wavered in his beliefs even when facing slaveholders. He used his intellect to find a solution that could be acceptable to everyone and even went as far as proving that gradual emancipation would work. He became part of an international network of abolitionists through his membership in the Society of the Friends of Blacks and his plantation in Guiana. His abolitionism goes back to his strong belief in liberty, when he said every man had inalienable rights in his draft of a declaration of rights he really did

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<sup>20</sup> Jacques-Pierre Brissot. Roster of Membership in the Society of Friends of Blacks, *Tableau des Membres de la Société des Amis des Noirs* (Paris: 1789), 1–8. 339.

<sup>21</sup> Brissot. Roster of Membership in the Society of Friends of Blacks, 1–8. 339.

<sup>22</sup> Brissot, Roster of Membership in the Society of Friends of Blacks, 1–8. 339.

<sup>23</sup> Lafayette, Letter to James Madison from Lafayette, 22 April 1805.

<sup>24</sup> Brissot, Roster of Membership in the Society of Friends of Blacks, 1–8. 339.



mean it.<sup>25</sup> Lafayette was very politically active especially within the realms of liberty, abolition, and penal reforms which will provide even more evidence to the fact that he was much more than just a great general.

The Enlightenment period gave rise to many new ideas which in turn led to many changes such as revolutions, legal, and social reforms. Starting in the late-seventeenth century and continuing through the eighteenth century, Enlightenment thinkers such as John Locke, Cesare Beccaria, and Baron de Montesquieu among others, were questioning traditional authority.<sup>26</sup> Baron de Montesquieu and Cesare Beccaria especially placed an emphasis on the much needed reform of the penal legislation at the time.<sup>27</sup> The Marquis de Lafayette, although only seen as the great revolutionary general, was actually a big promoter of penal reforms until his last days. Through his positions in both the National Assembly and later the Chamber of Deputies, He pushed for the reform of the French penal code at many different points in his life, his first push being at the Assembly of Notables in 1787 and his last at the Chamber of Deputies in 1831.

In 1787, Lafayette went before the Assembly of Notables and proposed that they examine the criminal laws of the time in order to reform them. Lafayette's excitement about proposing this really comes through in a letter written to John Jay in June of 1787, in which he states "The last day of our Session I Had the Happiness to Carry two Motions in My Bureau Which Were, I May almost Say, Unanimously Agreed... the other for an Examination of the Laws, particularly the Criminal ones."<sup>28</sup> Although, to Lafayette's likely dismay, no penal reform action was taken

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<sup>25</sup> Lafayette, Letter to James Madison from Lafayette, 22 April 1805.

<sup>26</sup> History Channel, "Enlightenment."

<sup>27</sup> Marcello Maestro, "Lafayette as a Reformer of Penal Laws." *Journal of the History of Ideas* 39, no. 3 (July 1978): 505.

<sup>28</sup> Marquis de Lafayette. Letter to John Jay from Lafayette, 30 May 1787.

<https://founders.archives.gov/documents/Jay/01-04-02-0238>

at the time and none would be taken until the formation of the National Assembly. In May and June of 1791, the National Assembly began their discussion of penal reform with Lafayette at the forefront. He pushed for the adoption of a jury system in France such as the ones already in place in both England and the United States.<sup>29</sup> The National Assembly did adopt a jury system, however it was less rigorous than the ones in England and the United States. In the jury system France adopted decisions could be made by a 10 to 2 margin in lieu of a 12 person unanimous vote.<sup>30</sup> In 1804, when Napoleon became the emperor of France he enacted a legal code that was very much derived from the laws made by the National Assembly. Although, Napoleon did change some of the laws, one of these changes being to the jury system. Napoleon changed the jury vote proportion from a 10 to 2 margin to an 8 to 4 proportion for a verdict.<sup>31</sup> This change was clearly disapproved of by Lafayette, as he was a supporter of the unanimous vote jury system. In 1831, the Chamber of Deputies voted to uphold Napoleon's 8 to 4 proportion as sufficient for a conviction, over Lafayette's objections.<sup>32</sup>

Throughout the National Assembly meetings in May and June of 1791, in addition to the discussion of a potential jury system, the assembly members were also debating the death penalty. Although, they were enemies it's important to note that both Maximilian Robespierre and the Marquis de Lafayette advocated for the abolition of the death penalty.<sup>33</sup> It is a bit ironic that Robespierre was opposed to the death penalty especially considering the Reign of Terror, which occurred only two years later. Nevertheless, in 1791 the National Assembly voted to preserve the death penalty for those guilty of murder over both Lafayette and Robespierre's

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<sup>29</sup> Marcello Maestro, "Lafayette as a Reformer of Penal Laws." *Journal of the History of Ideas* 39, no. 3 (July 1978): 506

<sup>30</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 506.

<sup>31</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 508.

<sup>32</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 509.

<sup>33</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 506.

objections. In the summer of 1830, at 73 years old Lafayette was once again given command of the National Guard and after the fall of the Bourbon monarchy he continued as a member of the Chamber of Deputies.<sup>34</sup> When one of Lafayette's friends Victor de Tracey raised the question of the death penalty, even as an old man Lafayette strongly advocated for its abolition.<sup>35</sup> The debate lasted for many months and when Lafayette realized that the deputies were going towards adjourning the question for a later time, Lafayette intervened in his speech on October 8, 1830 he stated, "Gentlemen, I confirm my support for my friend's proposal to abolish the death penalty; I feel very strongly that it should be adopted as soon as possible, especially in regard to political crimes."<sup>36</sup> He spoke forcefully on this issue, as Lafayette having lived through the Reign of Terror knew the horrors of the death penalty especially when it was used for political offenses. Unfortunately, neither the Chamber of Deputies or the king enacted any strong legislation abolishing it, although both parties were in favor of abolishing capital punishment.<sup>37</sup>

The Marquis de Lafayette was a champion of penal reform during the majority of his lifetime. Although he didn't come up with any groundbreaking new ideas regarding this penal reform, he never missed a chance to promote the reform of criminal legislation.<sup>38</sup> He adopted the ideas of Enlightenment thinkers and did his best to get these ideas enacted into law, something he succeeded at despite facing many setbacks. At his core, Lafayette is really a man of reform whether it be social, legal, or political.

In conclusion, Lafayette, although born into a noble and militaristic family, became one of the greatest revolutionary thinkers. He truly believed that everyone should experience liberty.

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<sup>34</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 508.

<sup>35</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 508.

<sup>36</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 509.

<sup>37</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 509.

<sup>38</sup> Maestro, "Lafayette as a Reformer of Penal Laws," 510.

He championed human rights through his work for the abolition of slavery. He pushed France to adopt republican ideals during the revolution, and he even convinced the National Assembly to adapt parts of his draft of the Declaration of Rights of Man. In addition to all of this, he was a proponent of penal reform. He worked to bring criminal laws out of the dark ages and align them more with the beliefs of the Enlightenment period. He was a great general, and he used the influence he gained through that, to push forward his beliefs and reforms in both social and political realms. The Marquis de Lafayette should be remembered in history as a brilliant thinker in all aspects of the Revolutionary period, not just a military one.

#### *About the author*

Anna Trull is finishing up her junior year at Georgia Southern. She is working to receive a degree in history with a minor in philosophy. She is very involved on campus serving as the president of Phi Alpha Theta, an active member of the Chi Omega Sorority, a Fraternity and Sorority Life Ambassador as well as a job at the Georgia Southern Museum.

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