

THE GREAT CAUSES: FROM VOLTAIRE TO JUDICIAL CASES

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Part 1 – Archaeology of the media-friendly man

In many ways, the world of Enlightenment is worlds away from our time. We're not yet in the democratic age. Freedom of expression does not yet exist, especially in religious and political matters. There is no separation of power. However, there is something which seems to very clearly herald our media era and the possibility it gives us to advance causes, even if the press is not as widely circulated as it will be in the 19th century and barely reaches the working class.

Even if propaganda tools are not as sophisticated as they will be in the post-communication era, nonetheless, there is a way of dealing with the question of a national, even European impact. To do this, one would have to find themselves at the centre of a concise and far-reaching network. One would also have to know to relay an event by giving it a general dimension beyond the anecdote. Finally, one would have to have levers at their disposal, notably in the political world, so that debate leads to real action.

All these conditions are not easy to appropriate in the modern age but they apply themselves well in Voltaire's case. In the 1760s, he had acquired immense literary glory, albeit tainted by scandal. He had the ear of those in power, not without difficulty in France, but had more success in Berlin despite the humiliation he suffered during a stay with Frederick II. He finally settled down near Switzerland in a superb house, far from Paris and on the outskirts of the kingdom. He had nothing left to prove and the whole of Europe regarded him as the greatest living writer. However, and this is where his strength of character lies, he was far from happy with this glory. He would go on to use it to help serve the causes which would make him a celebrity and which would highlight a fundamental notion to stupefy any political reflection, and that's justice.

Part 2 – The Calas affair

The most well-known of these affairs is the Calas affair, named after a poor Protestant father unjustly accused of having killed his son, who was found dead, because he wanted to convert to Catholicism, the only official religion in France. The case took place at Toulouse in 1762. The widow and her daughter, crushed, implored Voltaire's action at Ferney. Voltaire would not be hurried. If he was moved, he also wanted to base his judgement and verify the facts. He asked for complimentary information regarding the acquaintances on the premises. Very quickly, he was convinced of a miscarriage of justice. The inquiry led only to a sentence. Here, Voltaire saw the result as a popular fanaticism passed on by local magistrates. And it was this old man of 68 who would launch himself into a long action in favour of the rehabilitation of the memory of Jean Calas.

This fight was fought through an intermediary of barristers, of a whole network of magistrates who didn't want to see the judicial institution ridiculed by a dereliction of duty. And it would begin with the official pardon in the memory of the condemned by the king's council in 1775. But the public and literary face of this official action, which sort of prepared and favoured this outcome, was a scathing

work entitled *Treatise on Tolerance*, published in 1762, which recently knew a resurgence in popularity in France with the terrorist attacks of 2015 in Paris. Let's talk about this in more detail.

Part 3 – Work in the service of a cause

It's a work of confrontation, written in urgency, which does not mean rushed. Voltaire paid particular attention to his work, he multiplied the angles of attack and the types of discourse. He presented himself in turn as a historian, jurist and hot-headed or moved witness. The work was not unified, but a succession of different discourses with variations of register and form. Here, one might find historical developments but also a famous "prayer to God" and then also a dialogue, but everything came together to highlight the value in the cause for tolerance; that's to say the call for peaceful coexistence of different religions when, for one reason or another, they find themselves in the same territory, like is the case in the South West of France, despite the official blindness of authorities.

The strength of the text lies in the collection of discourse to serve the common cause. Moreover, the circulation of Voltaire's work was impressive. This text found itself in the four corners of Europe, inciting an immense curiosity and a general wave in favour of the Calas'. It was truly one of the first judicial, media-friendly cases in the actual sense of the term. Voltaire is undeniably a man with an innate sense of communication.

Part 4 – Judicial cases and the crisis of justice

Voltaire was writing at a time where justice was discredited and was made the subject of incessant debate. It meant that the judicial system relied on the venality of sentences. Inquiry and judgement were made in secret in the chambers. In short, there was a lack of transparency in these institutions who applied the laws of the kingdom without uniformity and quite possibly with corruption. The more we advance through the century, the more justice will be criticised; and even more so with the unsuccessful attempts of radical reform, like that of chancellor Maupeou in 1770 until the death of Louis XV.

The end of the Ancient Regime was, therefore, a worrying time for justice, which would result in an increase in judicial cases, in line with Voltaire's treaty denouncing patent injustices. These texts exposed ongoing cases to risk, by attempting to circumvent the secretiveness which traditionally presided over such cases. Big-named lawyers distinguished themselves in this vein which became more and more literary in its way of expression. They were as much defence speeches as short novels about characters before fighting adversaries in a corrupt world. The real enthusiasm for these stories will be beneficial to judicial eloquence which will be brought to the fore during the Revolution.

Part 5 – Beaumarchais' justice

The most famous example is that of a man known above all for his theatre. Beaumarchais made a name for himself, before his Spanish comedies centring on Figaro, thanks to his memoirs, notably the *Mémoires contre M. Goëzman*, about the lawyer of the financier Pâris Duverney's nephew who argued with him over the conditions of his wealthy mentor's legacy. The *Mémoires contre M. Goëzman* is the crown jewel of the genre, which knew to please the master of the discipline, Voltaire. Voltaire suggested that it should be shown in the theatre, since the picture painted by Beaumarchais of the workings of justice presents itself with theatricality, like a great satire. With his *Mémoires*,

Beaumarchais drew an audience that's hard to imagine and which contributed much to the discrediting of justice at the end of Louis XV's reign.

But Beaumarchais believed it couldn't be achieved otherwise. Faced with the deafness of the institution, he played, like Voltaire before him, the public against institutional powers, exposing secrecy, and like Voltaire before him, he won his cause in the end.