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The Jew Who Fed an Army: Jacob Benjamin and the French Revolution

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Abstract

This article tells the story of a Jewish army supplier in the French Revolution. Jacob Benjamin literally fed an army: the Army of the South (l'Armée du Midi), a vast force that spread from the Pyrenees to the Alps. He provided meat for every one of the army's 30,000 soldiers for the second half of 1792. He sold goods to three of France's four other armies (of the North, the Centre, and the Rhine). His shoes were probably on the feet of the soldiers who won the battle of Valmy, a battle that prevented France's enemies from suppressing the Revolution. Though he profited from contracts with the army, he was a radical member of the *sans-culottes* assembly in his neighbourhood. He was arrested for allegedly gouging the army, but acquitted by the tribunal of Lyon. His story reveals the extent of Jewish provisioning and the surprising lack of antisemitism in the discourse surrounding his case. The article is based on more than 200 documents seized from Benjamin's home following his arrest, court documents from Lyon, and an extraordinary open letter by his wife to the Convention.

Keywords: antisemitism, France, Emancipation, military, commerce.

Introduction

Historians have written a great deal about the Emancipation of the Jews in France. For the most part, the discussion has been about the degree to which French politicians and intellectuals welcomed the Jews into the nation—a much-contested and politically charged term—and the effects of this transformation on Jewish communal life and identity.[1] As important as this historiographical discussion is, it only tells part of the story. What about the impact the Jews made on France, and, specifically, during the Revolution? One way of getting at this question is to examine the role of Jewish army suppliers. Historians have long known that Jews under the Old Regime supplied the armies of Louis XV and Louis XVI. The most famous among them was Cerfberr de Medelsheim, whose importance as a provisioner made him the richest Jew in Alsace and de facto leader of the Alsatian-Jewish population. It also gave him the right to live in Strasbourg at a time when Jews were otherwise banned from the city. According to Jay Berkovitz, approximately one in three Jews in Alsace was involved in trade with the

army, but in the vast majority of cases the volume of that trade was very low (Berkovitz 2020, 92-93).[2]

As for the revolutionary period, scholarship on Jewish army suppliers is scant. Michael Graetz's article, "Jewish Economic Activity between War and Peace: The Rise and Fall of Jewish Army Suppliers" (in Hebrew), examines the phenomenon more broadly in European history from the early modern period through the nineteenth century (Graetz 1991). Renée Neher-Bernheim tells us briefly about the career of Cerfberr's four sons, who either supplied the armed forces directly or had government positions as buyers and managers of supplies (Neher-Bernheim 1978, 62-67).

What follows is an attempt to build on this scholarship by focusing on a figure who has been almost entirely neglected in both French and Jewish historiography but whose impact on the Revolution was enormous and perhaps even decisive for its survival. Jacob Benjamin fed an army, literally. Between 1 July 1792 and the end of the year, this Jewish businessman was the sole supplier of meat to the entire Army of the South, a force consisting of roughly 30,000 men, and he supplied enormous quantities of rice and vegetables to the forces encamped on the border with Italy. He also sold clothing and shoes to the Army of the South, as well as the two armies (of the North and the Centre) that saved the Republic at the Battle of Valmy. He provided the armies with a great many other products as well, including horses and tents.

In addition to his role in the fate of the Revolution, Benjamin is significant for what he reveals about French-Jewish relations at the time. The debates on Jewish citizenship that took place in the Constituent Assembly in 1789-91 showed a profound ambivalence about the place of the Jews in the new nation. Though they were ultimately admitted to citizenship, they faced opposition from deputies who accused them of fraud, superstition, fanaticism and disloyalty to all 'nations' but their own. Yet, less than a year later, the highest officials in the state entrusted a Jew with feeding the men on whom the Revolution relied for its very existence.

Benjamin was not without his detractors. In the fall of 1792, the National Convention accused him of "theft of the Republic's funds" for charging what it considered excessive amounts for indispensable goods he sold the army. He was arrested and imprisoned for six weeks while awaiting trial in Lyon. But, he was acquitted. This extraordinary fact reveals the degree to which non-Jewish French citizens were willing to believe a Jew who was accused of grave crimes. On 22 January 1793, twelve Gentiles, tasked with determining his guilt or innocence, unanimously declared him not guilty. In the history of antisemitism in France, the Benjamin affair was the dog that did not bark.

I have reconstructed the story of Jacob Benjamin from numerous sources. I have examined the *Archives parlementaires*, the published record of speeches

in France's legislative assemblies. An additional published source, this one from 1792 or 1793, is an open letter from Benjamin's wife to the Convention. Finally, I have examined archival sources, including the transcript of Benjamin's interrogation, his deposition by the judge in Lyon, and contracts with the government and army in his business papers—seized by the Ministry of Justice in a vain effort to make a case against Benjamin. The Convention orations are political utterances and reflect the speakers' beliefs and alliances as much as they do facts, and an open letter by the defendant's wife obviously had an agenda. One cannot take either of these sources at face value. Similarly, Benjamin's answers to an interrogator and a judge inevitably supported his position. Yet, the contracts in his business papers corroborate many of the facts conveyed by both sides. Taken together, the sources provide as accurate an account of events as one could hope for.

Deals and denunciations

On 11 June 1792, Benjamin made a deal with War Minister Joseph Marie Servan de Gerbey for the provision of the Army of the South, an enormous force of roughly 30,000 covering the whole of the South of France from the Pyrenees to the Alps. He was to provide one half pound of meat every day for each of the army's approximately 30,000 soldiers. The price of the meat was 10 sous per pound. Benjamin was to be provided with guards 'for the security of the livestock' (an indication of just how valuable this commodity was), as well as a designated area at every camp for butchering the animals and distributing the meat. He was to provide the butchers, who along with other 'employees' were to be lodged at the camp or nearby at no cost. The hides and tallow were to remain in Benjamin's possession—useful products for someone who also produced shoes and candles. All told, the contract was worth 1,372,500 livres ("Conditions sous les quelles", 11 June 1792).

Benjamin was selling more than meat during the summer of 1792. On 5 August, he agreed to sell the Army of the South 25,000 shirts at seven livres, five sous a piece. That deal was worth 206,250 livres ("Armée du Midy", 5 August 1792). Even larger deals were for the supply of cloth out of which uniforms would be made. In one agreement, dated 25 August 1792, Benjamin sold 30,000 ells (or roughly 45,000 yards) of cloth. In return, he received 627,500 livres ("Armée du Midi", 25 August 1792). Just two weeks later, he signed an agreement to sell 32,000 ells of cloth for 708,000 livres ("Conditions aux quelles", 10 September 1792). Benjamin also sold tents, one thousand to be precise, for which the army was to pay him 224,000 livres ("Soumission", 15 September 1792).

Two of Benjamin's contracts caught the attention of the Convention. The first one, signed on 3 September, was for 500 cavalry horses, each of which would cost the army 720 livres. For each horse, Benjamin also supplied a saddle, harness, blanket, and a pistol holster bearing his seal. The second contract, signed on 23 September, was even larger. It was 'for the

provisioning of Briançon [a fortressed Alpine city constructed by Louis XIV's military engineer, Vauban, in the seventeenth century] and the forts that depend on it'. In this deal, Benjamin sold 8,000 pounds of salt beef and 3,600 pounds of salt pork. He also sold 300 sheep, 24,600 pounds of rice, 48,000 pounds of dried vegetables, 30,000 pounds of potatoes, 192,000 pints of wine, 1,200 pounds of tobacco, 6,000 pipes, 12,800 pairs of linen stockings, and the same number of shoes. The agreement was worth approximately 400,000 livres.

On 8 November 1792, Pierre-Joseph Cambon informed the Convention that it was his duty 'to denounce … fraudulent deals made by Vincent, chief paymaster of the Army of the South'. Cambon was incensed that Vincent had agreed to pay 'almost twice the ordinary price' for the products provided by '*le juif Benjamin* [the Jew Benjamin]'. He read the contracts mentioned above, including a phrase that implicated several members of the Convention. Article three of the second contract noted that the prices agreed upon were 'in conformity with the rate decreed by the commissioners of the National Assembly.' These commissioners—Lacombe-Saint-Michel, Gasparin, and Rouyer—were deputies who had been sent to observe the military situation in the south. Lacombe-Saint-Michel denied that he, Gasparin, or Rouyer approved of any specific rate. He acknowledged 'that we authorised General Montesquiou [commander of the Army of the South] to make deals for the pressing needs of his army'. '[W]e could not refuse,' he added, insisting that 'we were sent there to speed up and not hinder [his] operations.' But, the general 'told us neither the quantity of the things he needed nor the price'. To prove this, Lacombe-Saint-Michel read a letter from the general in which he begged the commissioners to purchase provisions from '*le sieur Benjamin* [Sir Benjamin]', who 'is offering to do business at a rate that would have seemed excessive last year but which is below the going rate today'. Essentially, then, Montesquiou was telling the commissioners to pay whatever Benjamin asked. Gasparin and Rouyer confirmed Lacombe-Saint-Michel's account.

Interestingly, at this point, Benjamin was largely peripheral to the matter the deputies were discussing. The people being accused were Vincent, the three commissioners, and General Montesquiou. Deputy Barbaroux added to this list the entire Convention, which had too quickly 'absolved the general of the crimes with which he was accused'. He was referring to the general's unauthorised treaty with Geneva that preserved its independence when Montesquiou was in a position to invade the rich city-state. Cambon was not as quick to blame Montesquiou for the objectionable contracts, suggesting that Vincent may have used the general's name as cover for his own graft. He therefore asked 'that he [Vincent] be brought to the bar to explain himself'. The fellow lawmakers agreed, canceled the contracts between the merchant and the paymaster 'as fraudulent', and ordered 'that Commissioner Vincent

and Citizen Benjamin' be summoned to the Convention (Mavidal et al. 1867-2005, vol. 53, 309-311).

Benjamin defends himself

Benjamin came first, on 13 November. Hérault de Séchelles, President of the Convention, read the arraignment decree and asked the army supplier to justify the prices he charged the army. Benjamin was not shy. He explained that he had made the contracts with the understanding that the soldiers would be encamped, but that when it was time to deliver the goods, the army 'was dispersed in a radius of 120 leagues (414 miles)'. The transportation costs were prohibitive. He also described losses he had taken when the price of pork and horses rose from the time he made the deals to the time he purchased the supplies. He said he had certificates proving that the merchandise he supplied was of good quality, and declared, 'I await with confidence and without fear the verdict of the Convention.' Cambon was not convinced. He had just heard from the Minister of War that the going rate for salt pork was 10 sous, whereas Benjamin had sold it for 37. He added that the certificates to which Benjamin had referred could have been bought. Soon, deputies were calling for Benjamin's arrest. Benjamin responded, 'Citizens, I am not responsible for the peculation committed by General Montesquiou. It does not much matter to me if he strayed from moral principles.' This statement provoked 'murmurs' from deputies. Benjamin continued, 'I am a supplier; the general either had the right to deal with me, or he did not; if he had the right, it is up to me to fulfil my engagements, but once the deal has been made, too bad for him [*tant-pis pour lui*]; if he did not have the right, why did he deal with me?' He concluded, '[T]he nation has nothing more to ask of me.' These bold statements prompted Deputy Manuel to retort, 'Let Benjamin go to the Committee of Surveillance, [and] he will say what bribes he dispensed'. This comment reveals that Manuel was not content to inculpate Benjamin, but was also, if not primarily, going after corrupt military men. Billaud-Varenne gave the same impression, when he promised, 'I have facts to expose between the suppliers and the generals; I will produce them….' Deputy Tallien also had his sights on Montesquiou and perhaps other commanders. He announced that Benjamin's papers had just been confiscated and that 'we will discover later whether he was not the front for some generals' (Mavidal et al. 1867-2005, vol. 53, 384-385).

Benjamin was placed under arrest and interrogated that same day by Deputy Musset, who represented a joint committee made up of members of the committees on finance, war and general security. Musset asked him about his contracts with war ministers. Benjamin had made three. The first was with the Comte de Narbonne, Minister of War from 7 December 1791 until 10 March 1792. According to this agreement, Benjamin sold shoes and socks—he did not tell Musset how many—to the Army of the Rhine and the Army of the Centre. The second was with Pierre Marie de Grave, Minister of War from

10 March 1792 until 9 May 1792, for 'twenty and some thousand shirts'. The third was with Joseph Servan, in June 1792, for an unspecified amount of meat. We know from the contract discussed above that Benjamin agreed to supply about 2.75 million pounds ("Conditions sous les quelles", 11 June 1792). Musset asked Benjamin three times whether his father-in-law had lent Narbonne 150,000 livres between 1786 and 1792, implying that the latter had had a conflict of interest when making his contract. Benjamin denied it ("Interrogatoire", 13 November 1792).

The Convention expands its investigation

Soon, the Convention expanded its investigation by looking into contracts for shoes, socks, leggings, and shirts. On 20 November, it received a letter from three of its deputies who had been sent as observers to Lyon. Alquier, Boissy d'Anglas, and Vitet had visited the army's storage facility there and examined samples of 200,000 pairs of shoes and 200,000 shirts that Benjamin's representatives had allegedly deposited. The deputies declared them shoddy. They denounced 'the enormity of the theft committed by Benjamin and his accomplices'. Worse still, they claimed, there was a vast conspiracy of army officials and suppliers to defraud the Republic. Outraged, members of the Convention called for severe measures. Jean-Bon-Saint-André thundered, 'It is only the scaffold that will dispense justice to those men who show the barbarity of enriching themselves at the expense of the unhappy soldiers of the Republic.' He called for an indictment against Benjamin and Vincent and for wide powers of arrest for the deputies observing the situation in Lyon. The Convention approved his proposal and voted to create a commission of 24 investigators to scrutinise contracts between suppliers and army officials.

Meanwhile, Deputy Grégoire—the celebrated *abbé* who had defended the Jews during the debates on Emancipation—revealed that he had just received a letter from Jean-Nicolas Pache, Minister of War. It was accompanied by a package containing a shirt, a pair of shoes, and some socks, all of poor quality, that Pache said Benjamin's workshops had produced. The minister had written that the shoes were 'of the worst quality', the shirts 'as coarse as packing-cloth', and the socks unacceptably thin. He concluded, 'It is my duty to denounce this new form of peculation' and order the Convention 'to advise on the means it will take to punish the faithless suppliers' (Mavidal et al. 1867-2005, vol. 53, 490-491).

On 28 November, the Convention read a letter from its representatives in Lyon. They had returned to the military storage facility and found more poor-quality supplies. Out of 2,150 pairs of shoes they examined, only 250 were acceptable. Only 2,000 of the 5,000 shirts were acceptable. All the leggings—the number was not indicated—were worthless (Mavidal et al. 1867-2005, vol. 53, 629).

On 7 December, the Convention's Committee on Legislation proposed sending Benjamin and Vincent to face trial at the criminal tribunal of the

Department of Rhône-et-Loire in Lyon. The Convention accepted this recommendation (Mavidal et al. 1867-2005, vol. 54, 405).

Madame Benjamin appeals to the Convention

The two suspects arrived on 19 December and were imprisoned in the *Palais de Justice*. Their trial would take place on 22 January 1793. At some point in the intervening period, an extraordinary publication appeared: *La femme de Jacob Benjamin à la Convention Nationale*. This undated 22-page pamphlet reveals the close involvement of Benjamin's wife, who did not give her first name, in her husband's affairs, and thereby gives a tantalising glimpse into the place of Jewish women in their families' businesses. Indeed, it is almost certainly the first publication in France ever written by a Jewish woman.

The open letter to the Convention begins by protesting the treatment of Monsieur Benjamin, who was in solitary confinement and unable to communicate with his wife or any of his business associates. Meanwhile, a business crucial to the Republic's survival was paralysed. Benjamin could not supervise any of his 200 'subaltern agents' or correspond with government ministers, generals, or officials acting in their name. Benjamin had left 500,000 livres worth of merchandise at the fort of Briançon alone, and neither he nor his wife was receiving payment from the government. Subcontractors were demanding their payments. Madame Benjamin attributed the treatment of her husband to 'terrible prejudices' against the Jews. She was not asking for the Convention to release her husband, only to reinstate the Briançon deal and allow him to have his day in court without further delay. She went into detail about prior transactions, noting that her husband had always delivered high-quality goods quickly and at a fair price. He had hired an inspection team to examine 110,000 pairs of shoes made in his own home and neighbouring workshops in the Marais. Increased prices, for the shoes and other goods, were the result of the unexpected transportation costs when the army spread across a space of 120 leagues, as Jacob himself had said, from Lyon to Perpignan.

When Benjamin was asked to supply Briançon, as well as the even more remote outposts of Embrun and Mont-Dauphin, his wife observed, he was only given a few days to prepare. Briançon was inaccessible to carriages, the road was 'extremely bad', and only mules could carry the merchandise up the mountain. Transportation costs were accordingly high, and they increased further during the late fall when the mountain was already covered with snow. There were other risks as well. Nothing in the contract protected Benjamin's business from bandits, and livestock were subject to 'epizootic diseases', which were 'frequent, principally among sheep assembled in great quantities'. The hazards were such that no other supplier 'entered into competition' for the contract. Benjamin 'had great means, an acquired fortune, rather extensive credit', but 'he did not hesitate to expose it all to political uncertainty'.

Femme Benjamin left no objection unanswered. To the deputies who complained about the price of salt beef, she reminded them that one had to remove the large bones before salting could begin, and this was a delicate and time-consuming process. Why was the pork so expensive? The pigs had to be purchased two months before slaughtering time, when scarcity drove up the costs. Why was Benjamin selling horses for 720 livres a head? 'One knows that it is now impossible to procure horses in France, above all in the south. These can only be purchased abroad.' Madame Benjamin went on to justify her husband's pricing of potatoes, dried vegetables, rice, lentils, peas, green beans, and wine. She denied that her husband had sold or tried to sell the unacceptable shoes, socks, and shirts delivered to the Convention. But all this could be proved only if he was given a trial.

Following the argument on behalf of Jacob Benjamin, his wife appended four petitions indicating widespread support for him among the officers and soldiers. The first was signed on 16 October 1792 by the 'Commandants, Quartermasters, Adjutants, Sergeants, [and] Soldiers of the Line Regiments and National Guard Battalions of the Army of the Alps'. (The Army of the South had split into the Army of the Pyrenees and the Army of the Alps on 1 October.) Deposited with the *comité de guerre* at the Convention, it expressed 'true pain' at the news that Benjamin was at risk of being removed from his position by 'by envy and jealousy'. The signatories confirmed that Benjamin provided the 'only service of meat supplies that could truly deserve the praise and satisfaction of the troops'. They added that meat was 'one of the substantial and principal foods' that 'restrain the soldier's agitation and discontent', hinting that they might rebel if they were denied good meat.

A second petition was signed by the members of the administrative council of the third battalion of the Gironde department. It affirmed that Benjamin's meat service was 'absolutely superior, in quality as well as in zeal and exactitude, to [that of] all other suppliers'. A third petition, signed by 74 soldiers and officers, confirmed that Benjamin's meat supplies were 'the only ones to have remained good to this day'. Finally, a fourth petition, signed by 31 soldiers and officers from the first battalion of Lizère, attested to the efficiency with which Benjamin supplied their meat. (*La femme de Jacob Benjamin* [1792], 15-21).

Benjamin in Lyon

On Christmas Day, the Convention completed its indictment, which charged Benjamin with

> having concluded with Commissioner Vincent agreements that were fraudulent and prejudicial to the interests of the Republic; having delivered shoes and shirts of the worst quality and having in this way stolen the funds of the Republic and compromised the external security of the State. (Mavidal et al. 1867-2005, vol. 55, 425)

On 7 January, he was questioned by Jean-Bernard-François Cozon, president of the Criminal Tribunal, in the presence of Broches, the public prosecutor. When asked about the contracts of 3 and 23 September, he repeated what he had said at the Convention: that Vincent had accepted his terms and General Montesquiou agreed.

Cozon noted that there was a stark increase in the price Benjamin charged for meat in his deal with Servan on 11 June and the price he charged Vincent on 3 September. Benjamin gave five reasons for the discrepancy. First, in June, the meat delivered was fresh. It was relatively cheap to pay drovers to lead the livestock to camp, where it would be butchered. By contrast, the September contract was for salt meat. This could only be delivered by carts, and carters charged '4 sous per pound from Lyon to Briançon, and often more when the roads are bad'. Second, in the process of preparing salt meat, the water that comprised one third of the meat's weight evaporated, and the removal of the bones lowered the weight even further. The supplier had to make up for the loss by increasing the price per pound. Third, for the 11 June deal, Benjamin was paid in specie. The 3 September deal allowed the army to pay half the price in assignats, the much-distrusted paper currency that was rapidly dwindling in value. Fourth, on 11 June, Servan agreed to pay Benjamin 290 livres for every ox that died of epidemic disease or was raided by bandits. The 3 September contract contained no such provisions. Finally, Benjamin admitted that on 11 June there were no stipulations for the quality of the animals, whereas the 3 September contract had strict standards.

Cozon questioned Benjamin about other questionable contracts. As for the unsatisfactory shoes, socks, and shirts that had provoked the Convention's ire, Benjamin said he never made any contracts for shoes and socks in Lyon and left the provisioning of shirts to his agents, who showed him favourable reception reports. Throughout the questioning, Benjamin returned to the fact that state or army officials signed off on his contracts: Servan, Vincent, Montesquiou, and ultimately the legislators who represented the French nation ("L'an deux de la Republique et le sept Janvier", 7 January 1793).

The trial

Meanwhile, the joint committee was working with Broches to establish a case against Benjamin. It raided his house and seized his business records, and, on 11 January 1793, Deputy Chateauneuf-Randon, the reporter of the *comités réunis*, sent 224 documents to Dominique-Joseph Garat, the Minister of Justice ("Nombre des pieces", 11 January 1793). The next day, Garat sent it on the *diligence* to Broches in Lyon, asking him to move quickly and have the case tried 'at this month's session' (Garat to Broches, 12 January 1793). On 18 January, Broches wrote to Cozon asking him to schedule the trial for 22 January (Broches to Cozon, 18 January 1793). On 19 January, he wrote

again to Cozon to say that he had just received a box of documents from the Minister of Justice relating to Benjamin and Vincent (Broches to Cozon, 19 January 1793). I have used some of these documents, now in the Archives Départementales du Rhône, to recount the story I have just told. There was nothing incriminating in them. Garat and Broches must have been disappointed.

The trial took place on 22 January 1793. According to a printed record, it began with Cozon calling both Benjamin and Vincent to the bench, 'free and without irons'. The twelve jurors stood, while Cozon administered 'the oath prescribed by the Law' to them, then returned to their seats (*L'an second*, 1793). Vincent's defense attorney Reyre and Benjamin's barrister Bret took 'the required oath'. Cozon asked each defendant his name, age, profession, and place of residence, which the clerk recorded before reading the indictment.

Shirts had been removed from the military storage facility, and the accused and witnesses were asked if they recognised them. Unfortunately, the record does not say how they responded. The public prosecutor and the defense attorneys addressed the court, though again the record does not reveal what they said. Finally, Cozon 'summarised the case' and gave the jury 'written questions and all the documents of the case, with the exception of declarations written by the witnesses'. It is unrealistic to think that the jurors could have read the more than 200 pages of documentation in the file. No doubt, they were relying on Cozon's summary.

The judge instructed the jury to answer the following questions:
1) Were the deals subscribed to by Jacob Benjamin fraudulent?
2) Is Jacob Benjamin convicted of fraud for concluding these deals?
3) Did Jacob Benjamin, who is accused of having delivered shirts and shoes of poor quality to the military magazines of Lyon, deliver shoes?
4) Did he deliver shirts?
5) Were the shirts, that were taken out of said magazines and shown in the audience as exhibits, of poor quality?
6) Did these shirts come from deliveries made by Benjamin or by his agents?
7) In all of these cases, is Jacob Benjamin convicted of the crime of theft of the Republic's funds, or was he on the basis of his [illegible] deals subject to a civil action for their execution or annulment?

Cozon 'ordered the jurors to retire to the chamber that was reserved for them to deliberate without being able to communicate with anyone'. According to an annotation on the printed court record, 'The shirts were brought into said chamber'. We do not know how long it took the jury to deliberate, but it voted to acquit both Vincent and Benjamin.

The jury asserted 'that Jacob Benjamin did not deliver shoes to the military magazines of Lyon, that his agents made deliveries of shirts, that the shirts taken from the magazines and exhibited in the audience are of poor

quality, but that it is not certain whether they come from deliveries made by Jacob Benjamin's agents'. The jury was 'not convicted of the crime of theft of the Republic's funds by reason of [Benjamin's] deals.' Benjamin was 'only subject to civil actions resulting from these deals and their execution' (*L'an second*, 1793).

Conclusions

Revealingly, none of Cozon's questions referred to prices, whereas this was the matter on which most of the Convention's attention was focused. Obviously, Garat and Broches knew they did not have a case. Charging high prices—whatever that meant—was not tantamount to fraud. Benjamin's contracts were an opportunity for some deputies and the Minister of Justice to show their patriotism and blame others for the nation's difficulties and therefore score political points. There was nothing illegal about them.

Still, there have been other times in French history when not having a case against a Jew was not a problem for prosecutors. It is hard not to think of Dreyfus when reflecting on Benjamin. In the Dreyfus Affair, a man who was unquestionably innocent was convicted, simply because he was Jewish. In the Benjamin case, a lack of evidence against an accused Jew led to his acquittal. Nor was there any backlash. No antisemitic riots or even demonstrations. No fallout for the deputies who failed to punish Benjamin. The contrast is even more striking when one recalls that the Benjamin case took place against the backdrop of a war that threatened the Republic's survival. Nothing even approaching that was taking place in the 1890s. Moreover, public opinion in 1792 and 1793 was notoriously susceptible to conspiracy fears. Aristocrats were believed to be lurking everywhere (Campbell, Kaiser & Linton 2007). Even proclaimed patriots were allegedly hiding something. But, the Jews? They did not seem very threatening.

Even the language used against Benjamin rarely indicated his Jewish origins. It is true that Cambon introduced the army supplier as '*le juif Benjamin*', but he was unusual in doing so. Almost every other reference to Benjamin in the *Archives Parlementaires* identifies him as '*le citoyen Benjamin*', '*le sieur Benjamin*', or simply '*Jacob Benjamin*'. Nor is the word 'Jew' present in the court records.

More importantly still, no one in the Convention claimed that Benjamin was unpatriotic because he was Jewish. Little more than a year prior to Benjamin's appearance at the bar of the Convention, deputies had argued about whether Jews were capable of citizenship. Now, they were equal under the law, but no one said or even hinted that this was a mistake. Deputy Jean-François Rewbell, who had argued vociferously against Jewish political equality while serving in the Constituent Assembly from 1789-91, was present in the Convention during the discussion of Benjamin. He even spoke on 20 November 1792, following the reading of the letter from Deputies Alquier, Boissy d'Anglas, and Vitet accusing Benjamin of depredation. But,

he said nothing about the Jews or even Benjamin. Rather, he said that the war ministers were ultimately responsible for any peculation in army contracts and should be indicted (Mavidal et al. 1867-2005, vol. 53, 492).

There are some possible explanations for the surprising acquittal of Benjamin. There may have been political reasons. Lyon and Paris were at odds during the Revolution. Lyon would rise in the summer of 1793 over what its citizens saw as the dominance of the Parisian Jacobins over France. Cozon would even execute a Jacobin during that ill-fated uprising. (Lyon was largely destroyed, and 1800 of its prominent citizens executed.) That tension was already evident in January 1793, when the radical Montagnard faction in the Convention successfully called for the king's execution, a move that was as unpopular in Lyon as it was in the rest of France outside Paris. In fact, Benjamin was acquitted one day after the regicide, and though the Lyonnais would not have received the news before the trial on 22 January, they knew the execution was imminent. The acquittal may therefore have been motivated by a desire to express independence vis-à-vis Paris.

Another, more practical reason may have been that the Republic needed Benjamin. His wife had argued that no one else was coming forward to provision Briançon or the Army of the South as a whole. No one else had the capital, the networks, or the courage. This vulnerability would have been more keenly felt in Lyon, which needed a strong Army of the South to protect it. Still, these are only conjectures, attempts to explain rationally the absence of an irrational prejudice.

Jacob Benjamin was briefly the subject of another discussion in the National Convention, but not as the target of any accusations of fraud. Quite the contrary. On 20 September 1793, a little less than nine months after he walked out of the *Maison de Justice* in Lyon a free man, a letter from Minister of War Bouchotte was read, informing the Convention of a contribution that Benjamin had made to the war effort. Bouchotte wrote that Benjamin, a member of the Section of the Réunion—a militant sans-culotte ward—had given volunteer soldiers from his Section thirty tents 'in good condition, with their stakes and cords'. He forwarded a letter Benjamin had written to him that ended, 'I desire that my brothers in arms return soon victorious to their homes after having defeated our enemies'.

The contribution was given 'honourable mention' by the Convention and reported in its official bulletin (Mavidal et al. 1867-2005, vol. 74, 513-514). It was a considerable gift. According to the contract for tents that Benjamin had signed with Vincent on 15 September 1792, the price of tents ranged from 136 to 410 livres, depending on their size. Even if the tents in the subsequent patriotic gift had been the smallest size, thirty of them would have been worth 4,080 livres, more than half the average annual income of a deputy (Tackett 1996, 40).

But, this was not the last of Benjamin's gifts. On 7 Frimaire Year II (27 November 1793), he announced to his fellow *sans-culottes* that he was

contributing an additional 50 tents. He also gave coal, wood and wine to the poor-relief fund (Colin Jones, personal communication, 20 March 2014).[3]

Why did Jacob Benjamin disappear from French and Jewish memory? For the French historiography, the answer lies perhaps in the density of dramatic events during the fall of 1792 and winter of 1793. The monarchy fell on 10 August and the Royal Family was arrested. The Prussians and Austrians captured Verdun on 2 September and appeared ready to march to Paris. The horrific September Massacres ensued, lasting until the 6th and costing well over 1,000 lives. The first ever elections with universal male suffrage produced the Convention, which declared a Republic on 21 September, and debates immediately took place on the fate of the king. In fact, on 13 November, the day Benjamin was summoned to the bar, the Convention followed its discussion of his alleged depredations with debates about the king.

Benjamin faded from Jewish collective memory because his case did not fit the narrative by which the French Revolution has been framed. Emancipation has been primarily remembered as a bargain in which Jews had to give up something (communal autonomy, identity, tradition) in return for the elusive promises of liberty and acceptance. Yet, it is not clear what Benjamin had to give up. He was from Paris. He did not belong to a *kehilla* [autonomous community] that was in the process of being disbanded or that was burdened with debts from the Old Regime. He called the *sans-culottes* his 'brothers in arms', and he sold many thousands of pounds of pork to the army. The Revolution made him a citizen and also made him very rich. It is true that he suffered the misfortune of imprisonment, but then he was acquitted and soon in the favour of the highest authorities.

'An army marches on its stomach'. This adage has been attributed to Napoleon and Frederick the Great. Whoever said it was uttering a truism. It is equally obvious that armies march in shoes, that they wear shirts and hats and, whenever possible, sleep in tents. Jacob Benjamin provided these things in large numbers to four of France's five armies and may have been an influential factor in the victory at Valmy. Nor was he in it for the money alone. He belonged to the most radical wing of French society, so radical that it made Robespierre and the Committee of Public Safety look conservative. The *sans-culottes* were more likely to be victims of the Terror than former nobles were. He did not play it safe, either in his business dealings or his politics. He deserves to be remembered. We see Jewish and French history in a different light by remembering him.

Reference list

Secondary Sources

Badinter, Robert. 1989. *Libres et égaux: L'émancipation des Juifs (1789-1791)*. Paris: Fayard.

Berkovitz, Jay. 2020. *Law's Dominion: Jewish Community, Religion, and Family in Early Modern Metz*. Leiden and Boston: Brill.

Campbell, Peter R., Thomas E. Kaiser, and Marisa Linton, eds. 2007. *Conspiracy in the French Revolution*. Manchester and New York: Manchester University Press.

Clément, Roger. 1903. *La condition des Juifs de Metz dans l'Ancien Régime*. Paris: Imprimerie Henri Joure.

Girard, Patrick. 1989. *La Révolution française et les Juifs*. Paris: Robert Laffont.

Graetz, Michael. 1991. "Jewish Economic Activity between War and Peace: The Rise and Fall of Jewish Army Suppliers." *Zion* 56: 255-273. (Hebrew)

Hertzberg, Arthur. 1968. *The French Enlightenment and the Jews*. New York: Columbia University Press.

Neher-Bernheim, Renée. 1978. "Cerfberr de Medelsheim: Le destin d'une famille durant la Révolution." *Revue des études juives* 137 (January-June): 61-75.

Schechter, Ronald. 2003. *Obstinate Hebrews: Representations of Jews in France, 1715-1815*. Berkeley: University of California Press.

Tackett, Timothy. 1996. *Becoming a Revolutionary: The Deputies of the French National Assembly and the Emergence of a Revolutionary Culture (1789-1790)*. Princeton: Princeton University Press.

Trigano, Shmuel. 1981. *La République et les Juifs après Copernic*. Paris: Presses D'Aujourd'hui.

Primary Sources (published)

Adresse présentée à l'Assemblée nationale, le 26 août 1789, par les JUIFS résidans à Paris. 1789.

La femme de Jacob Benjamin a la Convention Nationale. [1792]. [Paris].

L'an second de la République, le vingt deux janvier mil sept cent quatre-vingt treize les Juges du tribunal criminel, l'Accusateur public, étant dans l'auditoire du palais de Justice, chacun à leur place. [1793]. [Lyon].

Mavidal, Jérôme, et al., eds. 1867-2005. *Archives parlementaires de 1787 à 1860, première série (1787-1799*), 101 vols, Paris, vols. 53-54.

Pétition des juifs établis en France, addressée à l'Assemblée Nationale, le 28 janvier 1790, sur l'ajournement du 24 décembre 1789. 1790. Paris.

Primary Sources (manuscript)
Archives Départementales du Rhône, Lyon, France. 39 L 21.
"Armée du Midy. 5. Août 1792. Soumission." 5 August 1792.
"Armée du midi. Habillem[en]ts. 25 Août 1792. Soumission." 25 August 1792.
Broches, public prosecutor, to Jean-Bernard-François Cozon, presiding judge of the Criminal Tribunal of the Rhône-et-Loire Department, 18 January 1793.
Broches to Cozon, 19 January 1793.
"Conditions aux quelles le sieur Jacob Benjamin s'oblige à fournir trente deux mille aulnes de drap, pour l'habillement de ce bataillon de Volontaire et Nationaux." 10 September 1792.
"Conditions sous les quelles Jacob Benjamin demeurant à Paris rue Ste Avoye s'oblige comme pour les progrès deniers et affaires de l'État envers M Joseph Servan ministre et secrétaire d'état ayant le département de la guerre de fournir la viande aux troupes de la nation françoise qui pourroient être rassemblées soit sur les frontières soit en pays étranger soit enfin dans les places et ce jusqu'au 1er janvier 1793." 11 June 1792.
Dominique-Joseph Garat, Minister of Justice, to Broches, public prosecutor, 12 January 1793.
"Interrogatoire de Jacob Benjamin au 13 9bre l'an Ier." 13 November 1792.
"L'an deux de la Republique et le sept Janvier mil sept cent quatre vingt treize, nous Jean Bernard François Cozon président du tribunal criminel du département du Rone et Loire d'apres l'envoy fait par le ministre de la justice de l'acte d'accusation porté par la Convention N[ationa]lle contre Jacob Benjamin et Vincent Comm[issai]re ordonnateur avons fait amener en l'auditoire du palais de justice le prevenu cy apres nommé et l'avons interrogé en presence de l'accusateur public sur les faits enoncés audit acte d'accusation, et sur les preuves qu'il peut judiquer pour la justification ainsy qu'il suit." 7 January 1793.
"Nombre des pièces inventoriés et dans le grand et petit Portefeuille du Citoyen Jacob Benjamin mandé à la Barre de la Convention Nationale par Décret du Décembre 1792", 11 January 1793.
Archives Départementales du Rhône, Lyon, France. 39 L 60.

Endnotes

[1] I contributed to this conversation in a book that addressed the reasons for French interest in the Jews, who after all were a tiny and powerless minority in 1789 (Schechter 2003). See also Arthur Hertzberg, *The French Enlightenment and the Jews*; Shmuel Trigano, *La République et les Juifs*

après Copernic, 36-83; Patrick Girard, *La Révolution française et les Juifs*; and Robert Badinter, *Libres et égaux:L'émancipation des Juifs (1789-1791)*.

[2] The presence of Jewish army supply—including the supply of cash—in France goes back to the seventeenth century. In 1603, Henri IV accorded Jews the right to live in Metz in Eastern France, due to their 'service in the garrison'. Louis XIII confirmed this right by recalling the Jews who 'lent many of their resources … to the soldiers of … [the] garrison during the civil wars when they could not be repaid and when most of them were ruined as a consequence'. Louis XIV likewise referred to the Jews' contributions to the army (Clément 1903, 241, 260, 268).

[3] Professor Jones found the relevant documentation in: Minutes of the Réunion section, box F7* 2595, Archives Nationales.