

## CHAPTER 3

# THE FONDEUR

ACCORDING to Bartholdi's testimony, Laboulaye was the statue's original "arteficer," the one who gave him the three key ingredients he needed to create the colossus: the idea (Franco-American friendship), the project (a monument to be built by both French and Americans), and its supporters (French financiers and intellectuals interested in the New World). So who was this Édouard Laboulaye? And why did Bartholdi feel the need to credit him with such a prestigious role in the creation of the statue?

The story of Laboulaye's life before his dinner at Glatigny is still mostly a mystery, but what little we know reveals that his admiration for America might have had genealogical foundations. His family, the Lefebvres, hailed from Normandy, a land of seamen, sailors, and merchants who as far back as the sixteenth century, if not earlier, had traveled far across the ocean to fish and trade in the New World. Huguenots from Dieppe had founded a "compagnie d'aventuriers" in 1629 to conquer Quebec for Charles I of England and exploit the Saint Lawrence Valley.<sup>1</sup> Three years later, the region was back in French hands, but the Normans had never lost their dominance in Franco-American trade, with ships packed with merchants, merchandise, and immigrants regularly setting sail from Le Havre.

The Lefebvres too were merchants, at least since the sixteenth century, but little is known about their business until the birth of René, in 1679.<sup>2</sup> Born in Mortagne-au-Perche, an unconquerable Norman village situated on a hilltop and defended by moats—a

village whose onetime lord Geoffrey II joined forces with William the Conqueror to invade England in 1066—he married the daughter of a Parisian merchant, Marie-Anne Barpux, and later moved to Paris to become a merchant himself. It was the first step toward the family's promotion to the capital's leading class of "grand negociants," or international merchants.<sup>3</sup>

According to the celebrated eighteenth-century political philosopher Montesquieu, merchants could never truly prosper in a monarchy.<sup>4</sup> But the Lefebvres appear to have navigated that divide quite well, because in the early eighteenth century René had bought an impressive amount of land near Marcouville and had become the "seigneur de Marcouville, de la Tour Pinte, de Lucarzière, de la Courpinte et de Laboulaye." As *premier avocat* in Parliament and a member of the Académie royale des sciences of La Rochelle, René prepared his son François-Benoît's further ascent. While continuing to practice commerce, indeed, François rose to the position of France's "president treasurer" at the office of Montauban during the reign of Louis XV. But he was skilled enough to reinforce this new prestige with a mercantile alliance by marrying into the Charlier family, known as providers of sumptuous gold, silver, and silk for Louis XIV's court at Versailles.<sup>5</sup>

This would prove to be just the beginning of an incredible ascent, which eventually would be crowned by the achievements of Édouard's grandfather, Jean-Baptiste René Lefebvre, a lawyer appointed to Parliament, Louis XVI's own *notaire*, and a member of the Masonic lodge Saint Charles des Frères Unis. It was thanks to Jean-Baptiste that the Lefebvres, after decorating the king's palaces in Versailles, finally managed to enter the king's closest circle of advisers.<sup>6</sup>

But Jean-Baptiste was also a loving grandfather who entertained Édouard with stories from the time of Louis XVI and instilled in him nostalgia for the monarchy and a passion for the eighteenth century. This passion led Édouard to study law in Paris, but he soon regretted this choice, disappointed by his professors' lack of

imagination and dry interpretation of the subject. The only exception was Victor Cousin, a professor of philosophy, who introduced Édouard to the works of Descartes and Hegel, and convinced him that only a powerful and secular state could guarantee individual liberties.<sup>7</sup>

When Édouard was not studying law or discussing philosophy, he was busy casting typographic characters in his own foundry alongside his brother Charles, a graduate from the École polytechnique and the École de guerre de Metz who had left the army to serve his apprenticeship with the caster and printer Firmin Didot. At Didot's, Charles had learned a secret method for casting printing type, even cursive typefaces: increasing the proportion of copper in the compound.<sup>8</sup> Adding extra copper to the tin alloy was crucial, one would read in Charles's *Dictionnaire des arts et manufactures*, because copper not only reduced "the effects of crystallization" and made the types harder, but also gave "them a bit of tenacity, which is copper's principal quality."<sup>9</sup>

It was no accident that copper, the metal covering the Statue of Liberty's iron body, had entered the life of the Laboulayses more than forty years before the statue was constructed—and the link between Charles's laboratory and the Statue of Liberty was Édouard himself. We don't know exactly when Édouard bought his foundry, but Charles must have joined him after receiving his printer's license in 1831. It was a momentous but challenging time to enter the printing industry, because rising levels of literacy and the growth of urban populations had increased popular demand for newspapers. Competition among founders and printers alike was fierce, as they vied to invent new methods of casting and printing that could meet rising demand while also supporting higher prices. Armed with Didot's harder and more resistant alloy, Charles and Édouard found a competitive edge in the industry and would make much headway.<sup>10</sup>

True enough, Édouard was more of a philosopher and thinker than his brother, but he worked hard at the machines, which stained



his hands and sinock. Perhaps it was the prospect of being a printer-philosopher like the great Benjamin Franklin that appealed to him, particularly because Charles Laboulaye's mentor was a descendant of François Ambroise Didot, who had taught the art of "engraving and founding type" to Benjamin Franklin's grandson while the Franklins lived in Paris in 1790.<sup>11</sup> Édouard was fond of Franklin to the point of wearing round-collared shirts and double-breasted jackets with thick cloth-covered buttons, like those worn by his hero in the eccentric portraits in which he posed as an old Quaker or a rustic Republican.<sup>12</sup> But Édouard might have also become a caster for the simple reason that working with metals—sewing gold and silver into the king's curtains, as Laboulayes' grandfathers had done, or casting copper into type—was part of the family tradition.

What interests us here is that, by 1837, the Laboulayes and the caster Lion were advertising type made of "a special alloy that lengthened the life of the type without increasing its price," an alloy obtained by adding a certain percentage of antimony to Didot's old formula.<sup>13</sup> Édouard helped his brothers and colleagues, but "after the foundry" was "closed for the day," he "retired to a library to read, to take notes, or to seek the company of people more educated than himself."<sup>14</sup> His earlier interest in philosophy, combined with his conversations with Cousin, drew most of his attention to politics and, in particular, to the political status of religion. For a long time, Édouard shared Cousin's idea that because all of the world's religions, from Hinduism to Christianity, had a common nucleus of truth (one that philosophy was in a better position to explain than priests or Brahmins), the state should deny the clergy the right to teach specific religions in schools. In awe of Cousin's principle, Laboulaye became a supporter of a strong state, particularly in matters of education, despite the new theories recently proposed by Tocqueville on the basis of his experiences in the United States. There, Tocqueville had ventured, there was no need for a strong, all-powerful state to keep religion within the private domain. The only requirement was a constitution promot-

ing individual enterprise and association, for—as Tocqueville put it—"the spirit of religion and the spirit of liberty" were "intimately intertwined" in America.<sup>15</sup>

It would have been difficult to find a better candidate than Édouard to voice Cousin's theories against the heterodoxy of Tocqueville and other Catholic liberals at the time. But then two things happened that would change the course of Édouard's life and gradually undermine his faith in Cousin's certainties. The first was the death of his wife, Virginie Augustine Paradis, in the summer of 1841. A year later, Édouard was still grieving her passing, dedicating himself to a study of the history of women since ancient Rome that he eventually would present to the Académie des sciences morales et politiques.<sup>16</sup> The ensuing book—a historical study of the role of women in society—was dedicated to his wife's memory, but addressed to all women alike, those "tender souls" whom Laboulaye called upon to agitate for the right to administer part of their dowries, to earn higher wages at work, and to have access to education.

It is tempting to conjecture that Laboulaye, the godfather of the female yet eminently masculine Statue of Liberty, was also a speaker for women's rights, and indeed, he believed that true knowledge was simultaneously masculine and feminine. But it is a long way from this conviction to the idea that women ought to have political rights and a career outside of the house. Enfranchisement, according to Laboulaye, was essentially needed to improve women's conditions inside the home, as holders of part of the family estate and as competent educators of children, not as a springboard for demanding votes and the right to political action. Édouard mocked the idea that women could aspire to political power and, like the sixteenth-century jurist Jean Bodin or Montesquieu, he held that "the inconveniences of the rule of women [would be] visible even to less perspicacious eyes." As for the question of suffrage, it was Édouard's view that women were wholly devoid of "the firm will that comes from conviction of spirit."<sup>17</sup>

Édouard would stick to his ideas regarding the "gentle sex" for years to come, but grieved for Virginie for barely two or three. In 1843 or 1844, still handsome with his dark eyes and full, shapely mouth, Édouard married one of the richest heiresses in all of Paris, Valérie Michelin Tronçon de Coudray, daughter of a counselor at the Court of Audit and granddaughter of Marie Antoinette's lawyer. Her dowry put the couple near the top 13 percent of Paris's wealthiest households.<sup>18</sup> This was the second time in only a few years that Laboulaye's life changed direction. Judging from the principles he had enumerated in his own *Recherches sur la condition civile et politique des femmes*, he must have allowed his wife to control at least a part of her dowry. The rest, however, was all Édouard's, and though we do not know if he invested any of his wife's money in the printing press he ran with his brother Charles, their business had great things in store.

## CHAPTER 4

## AN AMERICAN ASTRAY

AT SOME POINT between 1837 and 1839, the Laboulaye brothers began working with the founder Hippolyte Biesta, the ambitious son of a small clockmaker whose Fonderie générale des caractères français et étrangers (General foundry of French and foreign characters) had gathered other French entrepreneurs into the largest casting establishment ever created in Europe. Charles Laboulaye's discovery of a new copper alloy already had important implications for the manufacture of coins (Charles suggested the possibility of using it to make new French centimes) and for the art of binding and gilding. But since their collaboration with Biesta and other casters, the Laboulayes were in the position to buy a new kind of mold, called "American," that enabled them to cast some "20,000 letters per day at least" and cut labor costs by 75 percent. In 1842 (only a year before Édouard's second marriage), the Laboulayes moved their equipment into Biesta's laboratory on 22 rue Madame and initiated an impressive corporate merger with a share capital of 1,200,000 francs, divided into 240 shares of 5,000 francs each.<sup>1</sup>

The operation should come as no surprise, for Édouard had the prospect of becoming one of Paris's richer men after his marriage, and Biesta was a friend and business associate of a new circle of bankers, who in turn were active in corporate investments across the country.<sup>2</sup> True enough, Biesta may be thought to have had only a minor and indirect role in the annals of the Statue of Liberty, but the financial and philosophical ideas with which he familiarized Laboulaye were destined to shape its meaning in a profound manner. It is



therefore worth pausing to examine Biesta's ideological background as a means of shedding light on some of the most remote and least known origins of the iconic New York monument.

Biesta's mentors were the Péreire brothers, Sephardic Jews who had grown up in the Bordeaux ghetto and spent their youth working as accountants in the local maritime enterprises before moving to Paris and starting up in banking under the protection of the Rothschilds.<sup>3</sup> In those same years, Paris was a cradle of bold new economic ideas, many of which charmed the Péreires and their publisher friends like Biesta. Among these ideas, however, few left greater marks on Laboulaye's circle than those of the eccentric philosopher Claude Henri de Rouvroy de Saint-Simon, a Frenchman who had fought with the Continentals in North America, where he had found inspiration for his own utopia.

Historians have often suspected that the Statue of Liberty somehow was indebted to Saint-Simon, but the precise nature of this connection has remained shrouded in mystery.<sup>4</sup> As we will see, publishing and editing were arguably the channels through which Saint-Simonianism first came to influence the Laboulayes—most directly through Biesta—and then the Statue of Liberty.

Appropriately, this story begins in America, where Saint-Simon, who was born into a conspicuous family of bureaucrat-aristocrats and had been the pupil of the *philosophe* d'Alambert, had sailed to help the colonials win their independence from Britain. Saint-Simon had taken an active part in battles—most notably Yorktown, in 1781—until he was taken prisoner and brought to Jamaica, where he was forced to stay until 1783.<sup>5</sup> Despite all this, he had the time to embark on his own sociological inquiry. The U.S. Constitution had not been framed yet, but Saint-Simon already saw that the founders had granted individual liberties “to all citizens alike and even to foreigners.” This, however, was not America's most striking characteristic, according to Saint-Simon, who was rather impressed by the effect that individual freedom and the abolition of privileges had on the growth of national wealth. Indeed, he suggested, free-

dom and equality reduced governmental intervention in the country's economic life, spread public recourse to credit more evenly, and encouraged productive work among all social classes. But this occurred only if productivity was channeled toward the creation of public infrastructures in the form of canals, railroads, bridges, and roads, for these alone were able to connect consumers and producers within and between countries. The role of the state was limited, but crucial: “government will no longer drive men; they will simply make sure that useful works be not disturbed.”<sup>6</sup>

Having identified the main goals a nation needed to pursue in order to realize freedom and prosperity for all, Saint-Simon was ready to export the formula to the poor and illiberal countries of the world. He started in Mexico, a country he visited after the end of his captivity in 1783. It did not take long for Saint-Simon to realize the possibility of using public subscriptions (such as those he had seen in action in the North during the war) to cut a canal through the Isthmus of Panama and join the Pacific and Atlantic oceans—the most ambitious global infrastructure project to that date. Four years later, in 1787, he similarly looked at the possibility of building a canal linking Madrid to the Atlantic in Spain. Like his Panama scheme, this project, too, would go nowhere. But Saint-Simon was a persuasive man and, after his return to Paris, he put his charm to good use by convincing a rising generation of new French entrepreneurs that infrastructure truly was the key to national and colonial growth. Its potential, however, could only be unlocked by a new and improved financial system in which capital was not accumulated in the hands of idle rentiers and usurers, or concentrated among a small number of administrators of the Banque de France, but left free to circulate through a number of competing banks at low interest rates.<sup>7</sup>

Saint-Simon himself had become a wealthy man after speculating in the public sale of the church's feudal proprieties in 1789. With these funds, he opened his own business, and eventually emerged as one of the boldest and most charismatic entrepreneurs



in all of France, one whom it became fashionable to quote and discuss. Eventually, however, the dashing Saint-Simon grew tired of this life, while his success encouraged him to rebrand himself as a philosopher and visionary. In his famous 1803 *Lettre d'un habitant de Genève à ses contemporains*, Saint-Simon planned nothing less than the construction of an entirely new order, one ruled by scientists and devoted to the cult of Isaac Newton. But this was only the beginning. As he came to think less about the theoretical foundations of his social plan and more about its implementation, Saint-Simon found it necessary to trust producers and industrialists with the executive power in his scheme, and artists and thinkers with the role of clerics of a new civic religion of creativity and imagination.<sup>8</sup>

By the time Saint-Simon met the Péréire brothers, in 1824, he was an old man believing that businessmen should be tasked with planning the country's economic development through a public works program of bridges, roads, canals, railways, and dams, assisted by intellectuals who would interpret the course of history and artists who would imagine possible new futures. By this time, Saint-Simon's mysticism had grown to the point of becoming a veritable religion for its initiates, a "New Christianity." Like other businessmen, the Péréire brothers were inspired not only by the central role assigned to them in Saint-Simon's grand plan of associating finance and social engineering, but also by the idea of using an easily accessible system of credit to counteract aristocratic privileges.<sup>9</sup> This second project fell on even more fertile ground among entrepreneurs like Biesta and the Laboulayses, for publishers had always been troubled by slow financial returns, subsequent cash-flow problems, and the need for cheaper and longer-term credit.<sup>10</sup>

The situation of publishers was particularly fraught in France, where credit traditionally was afforded to affluent individuals of conspicuous means at the exclusion of small and medium enterprises, and always on a short-term basis. These impediments became even more serious in the late 1840s, when the rise of investments in infra-

structure, coupled with a series of poor harvests, marked the onset of an economic crisis that, in 1848, the enemies of the Orléans government used to accelerate the fall of the regime. While the old bankers behind the Banque de France were struggling with the crisis and subsequent revolution (the famous Rothschilds included), Laboulaye's printer friends began sketching the blueprint of an alternative financial system based on collaboration between private and public banks and aimed at building a sort of "capitalism without capitalists," as the historian Nicolas Stoskopf has called it.<sup>11</sup>

As for Laboulaye, the revolution "destroyed" all of his "projects" and "shattered all [of his] ideas." No matter how much he disliked the privileges of the Orléanist republic and looked forward to a more democratic settlement in politics and finance, he rejected the republican alternative for fear that the state might fall in the hands of "socialists" who knew nothing about "executive and legislative power." As a corollary of his rejection of socialism and communism, Laboulaye also dismissed the need for a strong "STATE, this impious Saturn to whom the socialists sacrifice human nature."<sup>12</sup>

But whatever Laboulaye's caveats regarding the state, he was not afraid of a strong executive, having learned from Cousin to appreciate the importance of administrative centralization. What concerned him most was rather the legislative assembly's presumption that it was the ultimate interpreter of the people's will and, therefore, the only source of national laws. So while his printer friends were planning a way to resurrect the republic's credit by combining private competition and state investments, Laboulaye looked toward America. With the notable exception of the Saint-Simonians, Tocqueville, and a few others, deep interest in the United States was not widespread in France at the time, and, as Laboulaye later would confess to his friend the New York agent John Bigelow, he had often felt like "an American astray in old Europe."<sup>13</sup> Not unlike Saint-Simon, Laboulaye was struck by America's wealth; and, like Tocqueville, he was intrigued by the way in which the American Constitution combined respect for individual liberties with a



strong central administration. But he was, in this context, alone in thinking that the central government of the United States almost could be considered a monarchy, or, as he put it, "a republic that was too monarchic for our modern Sparta."<sup>14</sup>

By July, Laboulaye had gathered materials enough to write his "first political pamphlet," the *Considérations sur la constitution*. Taking a close look at such an obscure pamphlet might seem like an unnecessary detour given our purposes. But not if, like the international lawyer Coudert did at the inauguration dinner of 1886, you consider the Statue of Liberty as a "doctrine" or a "poem" in metal form.<sup>15</sup> Indeed, given Laboulaye's later involvement with the making of the statue, his *Considérations* (as well as his later works on American economics and politics) provide a crucial and underappreciated context for understanding the doctrinal content of the iconic colossus.

Laboulaye addressed his pamphlet to General Cavaignac, "the chief of the executive power," in the hope that he might convince his colleagues to model the new French republican constitution after the American one, at least in two crucial ways: first, by including a "declaration of rights" enunciated not as "absolute maxims," but as "legal rules, which the ordinary legislator is required to respect, and the judge to apply"; and second, by ensuring the "maintenance of the legislative power inside its limits," which the United States had accomplished by subjecting its legislative assemblies to the written word of the Constitution and by leaving a wide range of "independent action" to the executive.<sup>16</sup>

The marvelous result of this system, Laboulaye explained, was that the United States had been able to build simultaneously a strong executive and a legislative respectful of individual rights, a sort of chimera from the point of view of European socialists and liberals alike. What was their secret? Laboulaye did not give a definitive answer to the question, but offered some suggestions. One was that Americans had grounded their civil rights on a broad conception of the individual, seen not only as a rational being, but also as a

social agent (that is, an owner or member of a family, a religious sect, a community).<sup>17</sup> Laboulaye started then to elaborate an idea that would emerge more clearly from his university courses on the history of the law, namely that any legal system devoted to realizing "the general happiness of all members of the association" (like the Declaration of Independence) through "the balanced, regular, pacific development of all forces of human nature" (rational, social, and spiritual) was an instrument of liberty.<sup>18</sup>

Still years before the construction of the Statue of Liberty, it is evident that Laboulaye imbued the American Declaration of Independence with a special meaning, one that he wished could transcend the French division between state centralizers and champions of individual rights. But would Laboulaye stick to this interpretation in the years to come? If so, it is doubtful that any of the people present at the statue's unveiling forty years later, in faraway 1886, immediately would have grasped his philosophical reading of the Declaration of Independence embraced by Bartholdi's colossus. Indeed, many of the misunderstandings that would arise that day resulted from the statue's long and tumultuous germination. At this earlier stage, however, Laboulaye also had another, less philosophical way to explain America's greatness—one that, eventually, also would contribute to the statue's complex meaning. Laboulaye's theory was namely that, by bringing "treaties of commerce, customs, taxes, loans, finances, all those things from which national prosperity depends" under a unified and stable authority, the federal government had contributed to economic growth more than almost anything else in American history.<sup>19</sup> He must have found this idea directly in the Federalist writings from the 1780s, where centralization often was justified as a tool for increasing international trust and therefore financial stability and economic development in the young United States.<sup>20</sup> Alternatively, Laboulaye might have relied on the ever-popular publications of the Saint-Simonians, such as Michel Chevalier's 1836 *Lettres sur l'Amérique du Nord*, a popular book that had praised the American system for its unexpected combination of military



strength and economic liberalism. Would it be possible—Chevalier wondered—to transform the American army into “a huge industrial school”?<sup>21</sup> Laboulaye was not interested in this project; he was more fascinated by the consequences of the American system on social laws and behavior. His personal impression was that, given the social (or communal) nature of American liberty (as interpreted in the Declaration) and the increased wealth produced by such liberty and applicable to the care of the poor, assistance would never transform itself into “society’s charitable obligation” or, for that matter, ever “ruin the rich.”<sup>22</sup>

Laboulaye was being overly optimistic regarding America’s structural penchant for social harmony. Yet it is not hard to see why he might have felt drawn to emphasizing the composite nature of American liberty. Indeed, his and his brother’s Saint-Simonian friends all believed that the government could help promote the general economy and face the crisis of 1848 not by appropriating private wealth, but by investing state capital in individual initiatives. This project became particularly popular when the provisional government was formed, in 1849, and the Laboulays’ publisher colleagues—Louis Hachette, Louis Gosselin, Antoine Laurent Pagnerre, and Biesta—were called on to guide the process of financial reconstruction. Their solution was to establish a national system of banks, the *Comptoirs d’escompte*, that invested private and public savings (in the form of state and municipal obligations) in infrastructure projects, while financially backing large and medium-sized businesses and entrepreneurs through long-term loans.

It was a challenging project. To pursue it, Biesta left the *Fondrie* to Charles Laboulaye, who in turn became a prominent advocate for the creation of “a credit institution for booksellers” and was appointed administrator of the *Sous-Comptoirs de garantie* for the publishing industry (an agency created at the advice of the Péréires to set up a system of intermediaries through which publishers could deposit merchandise as security on loans, with the principal reimbursed by the *Banque de France*).<sup>23</sup>

In contrast to Biesta, the Laboulays did not abandon the printing business, but plausibly took advantage of their friendly relations with the financial establishment. These friendships became more and more important after Louis-Napoléon Bonaparte, the nephew of the former emperor and one of the most active enemies of the Orléans monarchy, returned to France after years abroad to build his own political movement. Louis-Napoléon—a cretin according to the statesman and historian Adolphe Thiers, but wily enough to exploit his uncle’s name and keep his distance from the repression of the June uprisings—ran for office and easily won the election of December 10, 1848. Even if he had not taken part in the popular revolution (or maybe precisely because of his non-involvement), Napoléon won with five million votes, which was more than the candidates of the Left and Right had received. And yet, because he did not have an ideological allegiance and his program was a contradictory mixture of populism and conservatism framed inside a patriotic scheme, the Right and Left found the new government quite fitting to their agendas.<sup>24</sup> The new class of bankers led by the Péréires and Biesta, for example, managed to impress on him the necessity of deregulating credit and authorizing the creation of joint stock companies throughout France. In February 1852, Napoléon III subsequently promulgated a law that authorized the creation of mortgages throughout the country, legalized joint stock companies, and deregulated the market for loans. Backed by the new regime, the Péréire brothers were now in a position to build a real business empire. Their first move would be to establish the famous *Crédit mobilier*, an investment bank with a share capital of 60 million francs, divided into shares of just five hundred francs each, designed to channel people’s savings into massive infrastructure investments like the railroad sector.<sup>25</sup>

Thanks to his friendship with Napoléon III, Biesta kept his position at the *Comptoir* and developed important connections with the *Crédit mobilier*, but he would never abandon his dream of establishing an “eminently democratic” capitalist system, one



promoting "the principle of the association with the State, the commune, and the citizens."<sup>26</sup> At the same time, however, he started looking outward, aiming to extend his network beyond France, particularly to the Middle East and Asia. After 1860, the Comptoir would open branches in Bombay, Hong Kong, and Saigon (now Ho Chi Minh City).<sup>27</sup> But though it would succeed in becoming colonial, the Comptoir was never democratic; small entrepreneurs could not even afford to open an account there. For all his talk of spreading "credit to the people," Napoléon III supported the Péreire brothers' projects only when they were aimed at large and medium-sized enterprises. He turned his back on those designed for small businessmen, that is, those based on the establishment of credit cooperatives (*sociétés de crédit mutuel*).<sup>28</sup>

LABOULAYE fleshed out most of his theories on America while animated by a sort of magical excitement, which—if you look carefully—left its mark in his statue. It is often said, but never demonstrated, that Laboulaye was a Freemason. The late Walter D. Gray, who worked on Laboulaye's personal papers under the permission of his heirs, once told me of having learned that, upon Édouard's death, Masonic papers had been found on his writing desk and immediately destroyed. This family memory is, by itself, not enough to prove Laboulaye's Masonic affiliation, but it reinforces the widespread suspicions regarding his closeness to Masonic circles, particularly if combined with evidence of his interest in mystical traditions, and the Masonic affiliation of his grandfather.<sup>29</sup>

Laboulaye's mysticism, still hidden in the *Considérations*, became evident in the spring of 1848, when he was appointed to teach legal history at the Collège de France. Not surprisingly, one of his first courses was about the Constitution of the United States, but he decided to introduce his students to the topic not through the likes of John Locke or the writings of the Founding Fathers, but through the ideas of mystics and theosophists, as if America had a

mystical, almost miraculous aspect to it that escaped the rigid categories of European philosophy. In this, Laboulaye was hardly alone, for even if the American system remained relatively obscure to most people in the world, it was common to treat it as a sort of "miracle." The French were particularly fond of this approach, having experienced what has been called "an orgasm of vicarious self-fulfillment" in the New World ever since the onset of the American Revolution.<sup>30</sup>

Take, for example, the Saint-Simonian Michel Chevalier, who had returned from his American journey in 1834. "Study the population of our [European] countrysides, probe the brains of our peasants," he observed, and one would find nothing but "a shapeless mass of biblical parables and old legends of a crass superstition." But "do the same thing with the American farmer and, in his head, the great traditions of the Bible are joined harmoniously together with the precepts of the new science put forth by Bacon and Descartes, with the principles of moral and religious independence proclaimed by Luther, and with the most modern ideas of political independence. He is an initiate."<sup>31</sup>

It is still premature to claim that, with her torch raised high in the dark sky, the Statue of Liberty symbolizes an initiator of such mysteries waiting to impart her knowledge on immigrants and exiles passing through the gates of the New World. Laboulaye might well have taken the idea from Chevalier directly, but would undoubtedly have encountered similar notions elsewhere as well, including in Tocqueville, who famously saw the curves traced by God's finger point to America. Indeed, Laboulaye's most immediate source might have been American historian and statesman George Bancroft's history of the American colonies, which he used to prepare his courses at the Collège. For Bancroft had described the growth of American colonies as the culmination of a dialogical and religious initiation that had begun in the Protestant communities of Europe but only come to fruition in the New World, where the light of God's intuitive wisdom had entered "into the houses of the common people."<sup>32</sup> In each and all of these cases, the leading metaphor



of American exceptionalism was "light," as Coudert would suggest at Delmonico's on the night of the statue's inauguration. It was the light of God. Fittingly, "God and Liberty" was the epigraph of Laboulaye's 1855-1866 *Histoire des États-Unis*.

Two further mystical sources of Laboulaye's thought are worth highlighting here, sources that rarely, if ever, are mentioned in histories of the Statue of Liberty, but that counted dramatically in its making. One was Pierre-Simon Ballanche, a theosophist from Lyon who was credited with helping Madame de Récamier to release Coudert's father from prison.<sup>33</sup> Laboulaye never met Ballanche, but he knew his writings by heart, for they provided him with nothing less than a spiritual history of humanity, in which America's moral experiment could be framed in ways that suited Laboulaye's approach quite well. Ballanche's story began with the mythical Orpheus, the lyricist who enchanted the world with his music and poetry. According to Ballanche, Orpheus was a patrician born in the barbarian regions of ancient Thrace, where he initiated the plebs, or commoners, to the mysteries of Bacchus, or Liber, the god of wine who liberated men and women from temporal and material constraints through intoxication. But Orpheus's most important work for civilization happened only after he married the patrician Eurydice, for true knowledge, as Ballanche claimed, was masculine and feminine at the same time. After their marriage, Orpheus and Eurydice moved to Samothrace, a "shining lighthouse that will light up islands and seas from afar," where they gave barbarians laws to distinguish between the just and the unjust, to ensure the right to property and marriage, to establish burial rites, and to regulate marriages and births.<sup>34</sup>

The key fact here, Laboulaye explained to his students, was that Orpheus's laws of property had little to do with man's rational exploitation of the land, as a long tradition focused on Locke had argued. Rather, they resulted from man being one and the same with property, for—as Laboulaye quoted Ballanche—"man made the earth; the soil is him."<sup>35</sup> Ballanche had used the language of

Orphic initiations, but Laboulaye explained to his students that the quotation meant something relatively simple: because "property was a divine institution" and each man needed it to become fully realized according to God's designs, it should be equally distributed among the largest number of people in order to make a nation "happy and satisfied."<sup>36</sup> Ballanche had called this law the "law of solidarity" or "law of Gospel" and had explained that, as a consequence of their corrupt natures, men could no longer aim to enjoy it in society. But he was talking about Europe, not America. The United States was a completely different matter, because Americans (despite their acceptance of slavery) had acknowledged the importance of spreading knowledge, property, and solidarity among the people at large. As a result, Ballanche had once argued, America had "put itself under the protection of the God of liberty, the God of the Christians," by leaving individuals free to associate and pursue their religion.<sup>37</sup>

Laboulaye probably had Ballanche in mind when, in his seventh lesson on American history, he told his students that the first colonists had sailed to Massachusetts "to bring there the torch of Gospel, to pray there God in liberty." It is easy to imagine Laboulaye here starting to imagine the future Statue of Liberty, with a masculine face and a feminine body, an iconic fusion of Orpheus and Eurydice with the torch of Christian liberty raised to redeem humanity from its original sin. True enough, America was no Samothrace, but, like the mythical Greek island, it—and a symbolic statue—could well be imagined as a "shining lighthouse" that would "light up islands and seas from afar."<sup>38</sup>

However evident the Samothracian origins of the Statue of Liberty may seem, Laboulaye had in effect only applied the first, tentative brushstrokes to the virtual canvas of his future project, and many more would follow before Bartholdi even entered the scene. For after dealing with Ballanche, Laboulaye introduced his students to his second source, the German Freemason and philosopher Karl Christian Friedrich Krause.<sup>39</sup> A friend of Cousin who believed



in unconscious communication with other "spheres of life," in magnetism, and in the magical character of dreams, Krause was a Neoplatonist who maintained that God was "present" in his own creation and that it reflected his light like mirrors reflect the rays of the sun. But these reflections, he explained, could be misleading, for they gave the illusion of two "hemispheres" — *Natura*, or nature, and the *Liberum*, "the set of distinct rational beings" — coming together to form a "complete organism." Krause thought he recognized the highest example of metaphysical integration between the *Natura* and *Liberum* in the American Constitution, which he saw as a *Gemeindeverfassung* — or "municipality constitution" — that defended men in their private possessions by virtue of a strong government while simultaneously giving them the freedom to associate, encouraging solidarity and "sociability."<sup>40</sup>

Laboulaye was seduced by Krause's vision. It was, he told his students, "a system of universal harmony," one in which it was impossible to reduce "all explanations to a unique principle"; instead "the various existences" — of "man as individual" and as a "member of society" — were ordered according to a system of "coordination" or "unoppressive hierarchy." The students had better use this theorem as their "point of departure for [their] studies," Laboulaye lectured peremptorily. The implication was radical: his students had to forget the old idea that societies were born from social contracts and justice based on human agency, and accept the alternative point of view that justice was "grounded on human nature, a nature that was free, reasonable, and sociable as part of the universal order established by God."<sup>41</sup>

If not for his students, the idea certainly became the starting point for Laboulaye himself, and the scheme offers a new framework for considering central aspects of the Statue of Liberty, including her judge's toga and the book of laws (recorded in the Declaration, and also, metaphorically, God's laws) that she carries. But there were other aspects of Krause's thought that, though Laboulaye did not discuss them in class, seem to have inspired his later design to

build a French statue in America. In particular, Krause thought that the occult mysteries of the world would one day cease to be a hermetic tradition and instead be revealed, apocalyptically, to all of humanity. Krause foresaw a future in which mystical wisdom would leave the secret lodges of the elected to educate and enlighten the whole world; a future in which Masonic symbols and art (especially sculpture and music) would appear in public squares and allow everyone to behold the symmetry and unity of being, and thus God himself, in whose idea humankind would be recognized as a unified whole. It was, in many ways, a continuation of what Balanche identified as Orpheus's and Eurydice's civilizing mission, but this time the revelation included music, statues, and specific forms of architecture, which would create a more agreeable and conducive space for human sociality. Krause declared in a visionary passage with which Laboulaye was certainly familiar: "I see in spirit the most beautiful churches and freest squares in the capitals of this land . . . transformed into mankind's sacred places. Just as the sacred places of heretics were turned into Christian pilgrimage sites."<sup>42</sup>

The Statue of Liberty would eventually be conceptualized precisely as such a monument: a colossal statue with Masonic symbols (the flame, the book, and the star on her head), half man and half woman, or at least androgynous, that would reveal its truth not just to members of the secret lodges but also to the masses, as a sort of monumental incarnation of Orpheus and Eurydice. What kind of truth would be revealed, one may ask? Perhaps that already discovered by the Founding Fathers of the American Republic, who had known how to create a government strong enough to defend individual rights and social commitments, liberty and order, property and charity. Bartholdi's participation in the building of the statue, however, would add ever new layers of meaning to the monument, layers that would interact in unpredictable ways with Laboulaye's original vision.