

Trial of Maximilien Robespierre: Mr. Davey's Class

OBJECTIVE: To determine whether or not Maximilien Robespierre was primarily responsible for the evils of the *Reign of Terror* in France. The trial will be held in the courtroom of the new French government (the Directory) in 1797.

Court Officials:

Defense Lawyers - Will be composed of a Lead Attorney, the second attorney, and a paralegal who must help the lawyers research the case and conduct *cross examination* of one witness. This group is responsible for articulating arguments for the innocence of the defendant. You must define arguments in opposition to the initial charge against the defendant, and introduce witnesses who can give evidence in support of these arguments. You will also need to predict arguments the prosecution might use against the defendant and other witnesses in order to prepare them to testify, and in order to prepare questions for the witnesses of the prosecution. (It will help your case if you can show that *either* the Reign of Terror was not bad for France or that Robespierre was not responsible for its excesses. But remember that he is innocent until proven guilty.)

Prosecution Attorneys - Will be composed of a Lead Attorney, the second attorney, and the paralegal who must help the lawyers research the case and conduct cross examination of one witness. This group is responsible for **articulating the charges** against the defendant. You must define the arguments that form the basis of the (legal/moral/criminal?) charge and introduce witnesses to provide evidence in support of these arguments. You will also need to predict the counter-arguments of the defense in order to prepare witnesses to testify against the defendant, and to prepare questions for the witnesses of the defense. (Must prove that the *Reign of Terror* was destructive to France and Robespierre was responsible for its great excesses)

TRIAL OF MAXIMILIEN ROBESPIERRE



Accused:

Maximilien Robespierre: The primary figure of the Committee of Public Safety. He wanted to destroy the weak and traitorous within France so the nation could win the war and build a perfect society that represented the people.

Witnesses

- 1.) Georges Danton - helped create the Revolutionary Tribunal but abandoned the government when he felt it had gone too far
- 2.) Robert Lindet - a moderate member of the Committee of Public Safety who increasingly worried about the bloodshed and lawlessness shown by its leaders
- 3.) Camille Desmoulins - famous revolutionary writer, followed Danton to his death
- 4.) Louis St. Just - radical member of the Committee of Public Safety
- 5.) Louis XVI - Absolutist king of France beheaded during the revolution
- 6.) Marie Antoinette - wife of Louis XVI also beheaded later in life
- 7.) Jean-Paul Marat - Radical who agreed with Robespierre on many issues

Revolutionary Tribunal

You will dress as the tribunal did in 1797 and take notes on the trial

Preparation For The Trial

Attorneys are responsible for collecting all the evidence that supports the side of the case they are representing and for deciding how to use that evidence at the trial. The Prosecution must also write the exact charges against Robespierre in advance and read them to the class a week before the trial.

Evidence may take several forms including:

***Testimony:** a person, called a **witness**, tells the court what he/she saw, heard, did, or experienced in relation to the incident in question

***Documents:** letters, notes, deeds, bills, receipts, etc. that provide information about the case

***Physical Evidence:** articles such as weapons, drugs, clothing, etc. that can provide clues to the facts

***Expert Testimony:** a professional person, someone not involved in the incident, who can give medical, scientific, or other instruction to the judge or jury to help decide the case.

Trial Process & Post Trial Expectations

Trial Process:

1. Calling of Case by Bailiff: "All rise. The people's revolutionary tribunal of _____ is now in session. Honorable Justices _____presiding.
2. Opening Statement: First the prosecutor (criminal case) or plaintiff's attorney (civil case), then the defendant's attorney, explain what their evidence will be and what they will try to prove.
3. Prosecution's or Plaintiff's Case: Witnesses are called to testify (direct examination) and other physical evidence is introduced. Each witness called is cross-examined '(questioned so as to break down the story or be discredited) by the defense.
4. Defendant's Case: Same as the third step except that defense calls witnesses for direct examination; cross-examination by prosecution/ plaintiff.
5. Closing Statement: An attorney for each side reviews the evidence presented and asks for a decision in his/her favor.
6. Jury Instructions (Jury Trials Only): The Judge explains to the jury appropriate rules of law that it is to consider in weighing the evidence. As a general rule, the prosecution (or the plaintiff in a civil case) must meet the burden of proof in order to prevail. In a criminal case this burden is very high. In order for the accused? Are some parts of the trial more important than others?

Jury Paper Setup

28 July 1794

Explain events in France after Louis XVI's Death

Main Purpose of Reign of Terror

Who Was killed in Terror?

Hardships Faced by France

Robespierre's Role

Verdict and Why



Witnesses: You are expected to turn a 2 page biography the day of the trial. Your biography should focus on who is your character is and how they might be important to determining the guilt or innocence of Robespierre.

Lawyers - Should turn in a list of sources and the prepared opening statement for the trial in a combined binder.

Jury: Imagine you have been asked to say a few words about Robespierre following his trial. If you found him guilty, you will write an article for the local newspaper condemning him for his actions (and that of the Committee of Public Safety) during the Reign of Terror.

If you found him not guilty, you must respectfully write a Eulogy for his memorial service following his death.

Revolutionary Tribunal



Source: <http://chromohistory.com/>

"Any law which violates the inalienable rights of man is essentially unjust and tyrannical; it is not a law at all."

Avoid Plagiarism in your trial prep and jury papers

- When you quote, quote exactly as you see it, use quotation marks and cite your source.
- When you paraphrase, paraphrase completely & cite your source
- When you use someone else's idea, cite your source