

Napoleon Reversing the French Revolution.

HIST 3000

(Chicago Style)

Napoleon Bonaparte turned France into a police state during his reign.¹ However, he did not continue the French Revolution as the French people hoped. The French Revolution brought forth liberty and to do as ones will if it does not harm another.² A new document brought by the French Revolution embodying these principles was the French Declaration of Rights of Man and Citizen in 1789.³ This Declaration stated under article 11 that there was to be a free flow of ideas and opinions in writing and the press.⁴ Article 7 outlawed any cruel harsh punishment and arbitrary sentencing.⁵ However, Napoleon reversed these fundamental principles of the French Revolution. Writers, the press, along with the French people were subjected to the General police and prefects and were banned from saying anything controversial, against his regime, anything about France's revolutionary past, and against France's allies.⁶ Arbitrary, cruel punishments, and harsh rules were enacted by Napoleon through the Penal Code in 1810.⁷ Napoleon did not continue the French Revolution and reversed it by turning France into a police state and monitored and censored the French people, the press, and writers.

French Revolution embodiment

The French Revolution exemplifies liberty and freedom.⁸ This was what the revolutionaries were fighting for during the revolution of 1789, and was not given to the French people during the Ancient Regime.⁹ The French Revolution, particularly the revolution of 1789, exemplified the

¹ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 82.

² Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

³ "Declaration of Rights of Man-1789", Yale Law School Lillian Goldman Law Library

⁴ *Ibid.*

⁵ *Ibid.*

⁶ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 122.

⁷ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 93.

⁸ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

⁹ *Ibid.*

will to do that was not possible during the old regime.¹⁰ A commitment was made to proceed to establish these rights and liberties in the Tennis Court Oath on the 17th of June 1789.¹¹ The Declaration exemplified the true meaning of liberalism.¹² As such, it was written in article 4 that “liberty consists of the power to do whatever is not injurious to others.”¹³ It was also decided that “accordingly, the Declaration guaranteed rights of free speech and association, of religion and opinion.”¹⁴ It was even explicitly written in article 10 of the Declaration that “No one shall be disquieted on account of his opinions, including his religious views.”¹⁵ One of the most profound articles written in the Declaration was article 11 which states that “The free communication of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom.”¹⁶ Strict laws were then passed on arbitrary punishment in article 7 which explicitly stated that “No person shall be accused, arrested, or imprisoned except in the cases and accordingly to the forms prescribed by law. Any one soliciting, transmitting, executing, or causing to be executed, any arbitrary order, shall be punished.”¹⁷ This Declaration of the Rights of Man and citizen was seen as an “extraordinary document, one of the most powerful statements of liberalism”.¹⁸ However, Napoleon did not always exemplify liberty and freedom during his reign and did not abide by the 1789 revolution and the Declaration of the Rights of Man and Citizen.

The French Revolution and the Press

¹⁰ *Ibid.*

¹¹ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 52.

¹² Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ “Declaration of Rights of Man-1789”, Yale Law School Lillian Goldman Law Library

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

The French Revolution made monumental progress when it came to the freedom of expression and the press.¹⁹ It was “The French Revolution had overthrown a monarch and destroyed the royal apparatus of coercion in the name of freedom and popular sovereignty.”²⁰ After the French Revolution a public political sphere was created to discuss political ideas along with “the nature of liberty [and] equality.”²¹ After the Revolution once Parliamentary life and the press was established, it created a “framework for political debate, and drew an increasing number of readers and observers into the widening circle of participation.”²² This was the first time public opinion was created and, “ Politics was no longer the private concern of the Monarch and his personal retinue, [. . .] a new political space had been created and politics became part of public life.”²³ This was all reversed when Napoleon came to power, he took away popular sovereignty and made himself emperor.²⁴ Napoleon also “by 1813, closed down or at least severely restricted the political sphere opened up by the revolution.”²⁵ It has been argued that “The Bonapartist state, for one thing, was equally an instrument of Bonaparte’s personal will” and the only time Napoleon was successful in his governance of France according to the French peoples will was when Napoleon’s “ personal destiny coincided exactly with the legacy of the bourgeois revolution and with the interests of France.”²⁶ The French Revolution created modern politics

¹⁹ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 126.

²⁰ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 126-127.

²¹ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 127.

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 128.

and started the ground work for a liberal and civil society, and was much a social revolution.²⁷ Napoleon reversed this liberal and civil society brought by the revolution through censorship, and reversed the progress made in modern politics.²⁸ Through Napoleon's strict stance on censorship and lack of freedom of ideas, expression, and liberties regarding the world of politics that was opened by the French Revolution, The French Revolution's doctrine of 1789 was reversed.²⁹

Napoleon's Surveillance of the French People.

During Napoleon's regime the French people were kept under strict surveillance and France turned France into a modern police state.³⁰ It is argued that "The true measure of a police state is its surveillance of its citizens and the way in which it manages peaceful political dissent."³¹ This was mainly to find and report on who was against the regime.³² One of the ways Napoleon did this was through a prefect system.³³ The prefect was the sole person in charge of administration.³⁴ This prefect was also helped by a council of prefecture who dealt with administrative claims, along with being aided by a general council.³⁵ Paris had a second prefect and a prefect of police that was a subordinate to the minister of police (except for 1802-1804).³⁶ Napoleon used the prefect system which was known as Agents of the Central Government in

²⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 127.

²⁸ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 82.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 83.

³² *Ibid.*

³³ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 84.

³⁴ *Ibid.*

³⁵ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 80.

³⁶ *Ibid.*

localities, which then made link between the Paris and the rest of the provincial administration.³⁷ The roles of the prefects included “monitoring public opinion” and “keep an eye on educated men who might develop dangerously independent views on government policy, supervise all clubs and associations and report suspicious activities.”³⁸ The head of the ministry of police itself was Willy Fouché who “controlled the four regional police divisions, and was responsible for the secret police, censorship, prison surveillance, food prices, and the money market.”³⁹ Fouché would send Napoleon a “daily digest of information drawn from his subordinates, as his Ministry monitored public opinion and nipped opposition in the bud by the use of spies, agents provocateurs and extra-legal powers.”⁴⁰ The Ministry of General Police had their own secret police force to combat against any political opposition.⁴¹ The Ministry of General Police also controlled censorship on publications (books, newspapers, etc).⁴² In 1810 a distinct national agency was created to regulate publishers.⁴³ Napoleon also received a police bulletin which gave him information on the “public opinion, the press, the clergy, desertions and so on.”⁴⁴ The Dark Chamber (Cabinet Noir) that was run by General Lavallette “at the post office opened, read and resealed every year thousands of letters, including those written by Napoleon’s ministers and family” no one was safe from inspection in Napoleons regime, the Cabinet Noir was commonly used in the *Ancien Regime* and was still continued to be used by Napoleon.⁴⁵ In 1814 a police bureaucrat asked “Without the ministry of police how would one know the movement of society,

³⁷ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 32.

³⁸ *Ibid.*

³⁹ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 28.

⁴⁰ *Ibid.*

⁴¹ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 85.

⁴² Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 82.

⁴³ *Ibid.*

⁴⁴ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 85.

⁴⁵ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 84.

its needs, its deviations, the state of opinion, the errors and the factions which agitate minds?”⁴⁶ Lyons argues that “The monarchical state had indeed been transformed into a Bonapartist successor whose powers may consider potentially terrifying.”⁴⁷ Napoleon extended his police system to the point that his government became a modern police state.⁴⁸ It was easily arguable that “the government was an oligarchy of officials and experts all subject to one man’s disposition.”⁴⁹ Wright states argues that “The fact that the consulate and empire was manifestly a police was nothing new. Arbitrary and imprisonment and executions were frequent during the terror and directory, let alone the ancient regime.”⁵⁰ However, the only difference is Napoleon’s regime was that his rule was more sophisticated than the previous regimes.⁵¹ Taking an old element of the *ancient regime* and enforcing it in a more authoritarian manor was hardly continuing the French Revolution.⁵² This type of surveillance, monitoring and outright dictatorship against the enemy resembles that of the directory.⁵³ This cannot be seen as Napoleon continuing the French revolution in the slightest sense, and does not resemble the liberation and freedom of expression that was outlined in the French Declaration of Rights of Man and Citizen.⁵⁴

Napoleon’s Control over the Press and Written Work.

⁴⁶ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 28.

⁴⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 127.

⁴⁸ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 85.

⁴⁹ *Ibid.*

⁵⁰ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 28.

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

Napoleon heavily controlled the press.⁵⁵ The French Revolution got rid of restrictions on the press which existed in the Ancient Regime and what emerged was “one of the most liberal press regimes of all time” prior to Napoleon’s rule.⁵⁶ Hundreds of journals and pamphlets began to circulate in a sudden boom in print during this time.⁵⁷ However, this all changed in Napoleons reign.⁵⁸ Napoleon said himself after he came to power that “If I gave the press free rein, I would not say in power for three months.”⁵⁹ He firmly believed the press should serve the state and should be used as a propaganda machine. (Lyons 121).⁶⁰ Napoleon himself told the Conseil D’E’tat in 1809 that “printing is an arsenal which it is essential not to place at everyone’s disposal.” A prefect of police was stationed in Paris for this purpose (similar to other administrations in Napoléon’s regime).⁶¹ This all seemed to “resurrect the old regime post of lieutenant de Police.”⁶² The press was not allowed to express its own ideas or that of the public, especially when it came to political dissent.⁶³ “After 1800 the number of political journals was reduced for seventy-three to thirteen.”⁶⁴ From the remaining that survived they conveyed little information and were outlawed from discussing anything controversial.⁶⁵ Napoleon himself was in charge of *Le Moniteur* and wrote many articles, the official newsletter of Napoleon’s government.⁶⁶ Due to the “Draconian measures in 1810-1811 the number of newspapers in Paris were only four and

⁵⁵ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 120.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 121.

⁵⁹ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 82.

⁶⁰ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 121.

⁶¹ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 119.

⁶² *Ibid.*

⁶³ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 27.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

only one was permitted to each provincial department.”⁶⁷ Similar controls were put on “printing, publishing, and theatre productions.”⁶⁸ This could hardly be seen as freedom of expression, liberation, and the “free flow of ideas and opinions for write and print with freedom” that were outlined in the French Declaration of Rights of Man and Citizen, and did not exemplifying the liberation of the French Revolution itself.⁶⁹ It was even harder and more stringent than during the Ancient Regime and went completely against what the French Revolutionaries were fighting for and reversing the progress of the French Revolution.⁷⁰

Napoleon’s Strict Censorship over Journals.

Napoleon controlled public opinion through censoring and high levels of policing.⁷¹ Prior to the censors Napoleon would bully the editors to comply with his wishes of using the press for the matters of the state.⁷² When these editors refused to cooperate censors were then established.⁷³ In 1809 Napoleon established censors and appointed one to every journal to make things even more stringent. This was known as the official censor.⁷⁴ For example, an official censor was appointed to the “*Journal des Debats*, and the *Gazette de France*, along with *the Mercure*.”⁷⁵ The Journals in turn, would have to pay for the salary of that censor.⁷⁶ Every night the censors would read all of the proofs and “a few with aspirations managed to insert their own articles for publication.”⁷⁷

In 1811 Napoleon enacted legislation to restrict Parisian journals to four and each department

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

⁷⁰ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 28.

⁷¹ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 117.

⁷² Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 121.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

was only allowed one political Journal.⁷⁸ 13 Departments did not even have a local journal, this resulted in making it easier for Napoleon to control the press and the contents of their publications.⁷⁹ This kind of high level of policing and stringent control over the public and press became a central feature of “Bonapartism.”⁸⁰ Napoleon went as far as to tell Fouche that “newspapers are always ready to seize on anything that might undermine public tranquility.”⁸¹ This stringent control of expression in the press, and turning France into an authoritarian police state can be seen as Napoleon not continuing the French Revolution.⁸² The Revolution exemplified liberation and freedom which was not what Napoleon continued.⁸³ The Free flow of ideas and opinions and to be able to print and write with freedom which were enshrined in the French Declaration of Rights of Man and Citizen were not continued but reversed by Napoleon and Napoleon not continuing the French Revolution.⁸⁴

Napoleon’s Censorship over Books.

On July 1803 books were ordered to be sent to government censors before they were allowed to be published.⁸⁵ It was soon after these instances that “the faculty of moral and political science at the *Institut de France* was closed down.”⁸⁶ The very few papers which remained were heavily inspected and lacked much information and could not discuss anything controversial.⁸⁷ It is argued that “it was difficult for educated public opinion to express its views on the regime and its

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 117.

⁸¹ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 27.

⁸² Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 117.

⁸³ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

⁸⁴ *Ibid.*

⁸⁵ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 27.

⁸⁶ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 27-28

⁸⁷ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 27.

policies, or for middle class liberalism to develop.”⁸⁸ This lack of liberalism and freedom and constant subjection to authoritarian rule did exemplify the principles of the French revolution.⁸⁹ In fact, it can be argued it was quite the opposite to the liberation and freedom which the French people so desperately desired.⁹⁰ By Napoleon outlawing “the flow of ideas and opinions” in writing and print he did not liberate the people of France, he further subjected them to the type of rule they were desperately trying to escape from for many years, and reversed the principles of The French Declaration of Rights of Man and Citizen under article 11.⁹¹ This can all be seen as Napoleon not continuing the French Revolution and in fact reversing its progress immensely.

Philistinism in Napoleon’s Reign.

Napoleon heavily censored many forms of literature, ideas, and opinions in written work during his reign.⁹² He was infamous for his philistinism in his dictatorship and had no respect for the creative works of artists and writers.⁹³ For example, in 1805 censors refused to publish *Jerome* because of the “foul obscenities” in *libertinage*.⁹⁴ In 1807 Censors condemned Pigault’s novel due to its “vulgar licentiousness.”⁹⁵ The “authorities went out of their way to warn the published Barbra that any further offences would result in the seizure of Pigault-Lebrun’s entire output.”⁹⁶ This all was “a part of a broader official attack on popular taste and culture, as the censor explained: ‘what could make it especially dangerous, is that the characters are often taken from

⁸⁸ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 28.

⁸⁹ *Ibid.*

⁹⁰ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

⁹¹ “Declaration of Rights of Man-1789”, Yale Law School Lillian Goldman Law Library

⁹² Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 122.

⁹³ *Ibid.*

⁹⁴ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 121.

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

the lowest class, and that the work is written to be read by artisans and workers, rather than by people of taste and sensitivity.”⁹⁷ Napoleon’s censorship had three concerns “To protect the reputation of his regime, to dampen any inflammatory references to the revolutionary past, and to silence material which would offend France’s international allies.”⁹⁸ The censors were also forced by Napoleon to delete or modify any historical reference that was seen as “controversial or embarrassing.”⁹⁹ For example, The D’Enghien affair was not allowed to be mentioned.¹⁰⁰ Writers were not allowed to mention the Coup of Brumaire.¹⁰¹ In 1804 The Tragedy of *Rienzi*, which was written by “the ex-Conventionnel Laignelot”, was not allowed to be published because the plot was about “subjects who took up arms against a usurper.”¹⁰² Many other *Fetes* that were abolished by the concordat were forbidden to be published.¹⁰³ Any mention or publication of the revolution was banned since it was seen as too violent, for this reason any mention of the revolt of Vendee was also banned. Bordes writing on European history was requested to remove “a list of victims of the Revolutionary Tribunal of 1794.”¹⁰⁴ Ironically any mention of censorship existing was also forbidden.¹⁰⁵ The press was also banned from mentioning Napoleon’s second marriage, along with any mention in the press on assassinating Napoleon.¹⁰⁶

⁹⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 121-122.

⁹⁸ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 122.

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 122-123.

¹⁰⁵ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 122.

¹⁰⁶ *Ibid.*

Censorship of Opinion and the Protection of France's Allies.

Censors were also used to protect France's allies.¹⁰⁷ When Italian departments became a part of Napoleon's empire, any insult towards Italians was not allowed.¹⁰⁸ One "travel writer who indulged in sarcastic comments about Italian religious practices was reprimanded on this score."¹⁰⁹ Letters written by Voltaire comparing the King of Prussia to the "notorious eighteenth-century bandit Mandrin has to be corrected" accordingly to Napoleon.¹¹⁰ During the time when Russia was an ally of the French "the literary enthusiasms of anti-Tsarist Polish exiles were not permitted".¹¹¹ The insults towards Britain was permissible as long as it was not against the royal family.¹¹² This type of strict control over the thoughts and opinions of the French people by Napoleon not only went against but reversed the tradition of the French Revolution under the Declaration of Rights of Man and Citizen, which brought forth the right of freedom and to do ones will as long as it does not harm anyone else, and the free flow of ideas and opinions, and subjected those who broke his rules to harsh punishment.¹¹³ This not only went against the Declaration but reversed the progress that was made during the French Revolution when it came to liberty, freedom of expression, and opinion.

Writers Subjection to Harsh Control and Surveillance.

¹⁰⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 123.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² *Ibid.*

¹¹³ Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

Writers were also a target in Napoleon's regime.¹¹⁴ "Printers, publishers, and booksellers were also subjected with harsh regulations on book trade from 1810-1811."¹¹⁵ Napoleon considered the "people who write", along with the "people who take action" to be considered as the most dangerous people.¹¹⁶ It has been argued that Napoleon "had no intention of furthering the interests of unintellectual elite than it had of listening to the demands of the political elite, whom Bonaparte removed from the legislature in 1802."¹¹⁷ Furthermore, "The Bonaparte dictatorship was determined that public opinion should be formed by the government itself, and not by the antics of an irresponsible literary elite."¹¹⁸ Baron de Pommereul, was an official appointed to be in charge of the book and trade regulations.¹¹⁹ This entire surveillance system was enforced by 9 censors at first, then 20 towards the end of Napoleon's empire, along with the "official inspectors of the book trade."¹²⁰ There were 6 inspectors in Paris and 30 in provincial France.¹²¹ It was soon after that "The number of legally operating print shops was reduced, only sixty were at first permitted to practice their trade in their capital."¹²² A licence needed to be obtained in order to be a bookseller or printer called the *brevet*.¹²³ They also had to take an oath of loyalty, give trade references, and a certificate of good conduct.¹²⁴ The Printers were "compelled to declare the details of any work they intended to produce, including price, format, and print run, and they

¹¹⁴ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 124.

¹¹⁵ *Ibid.*

¹¹⁶ Philip G. Dwyer, *Napoleon and Europe* (Great Britain: Longman, 2001), Pg. 82.

¹¹⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 126.

¹¹⁸ *Ibid.*

¹¹⁹ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 124.

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ *Ibid.*

were obliged to send an advance copy to the Director-general for approval.”¹²⁵ A list of approved publications was published on a regular basis in Napoleon’s new official publications, the *Bibliographie de l’Empire Francais*.¹²⁶ The number of publications mauled by Napoleons censors was extremely high.¹²⁷ In 1811 11.6 % of 697 manuscripts that were considered were refused publication.¹²⁸ In “1812 they rejected 4 percent”, and in 1813 2.4 percent.¹²⁹ The printers and booksellers did not “bargain for the rigid administrative supervision of the imperial regime” which they were experiencing at the time after the Revolution.¹³⁰ This stringent control and high surveillance of literary authors, and lack of liberty and freedom of expression and opinion which were granted to them during the revolution can be seen as Napoleon reversing the tradition of the French Revolution under the French Declaration of Rights of Man and Citizen under article 11, along with reversing the progress made by the press and writers during the French Revolution.¹³¹

Penal Code.

Napoleon did not continue the French Revolution by introducing the Penal Code.¹³² The Penal Code was introduced in 1810 for the retribution of criminals.¹³³ The Penal Code subjected the accused to harsh, deadly, and torturous, punishments.¹³⁴ These punishments were very severe and unjust.¹³⁵ For example, this included “Branding, and the cutting off of a hand for parricide in

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 125.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 124.

¹³¹ “Declaration of Rights of Man-1789”, Yale Law School Lillian Goldman Law Library

¹³² Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 93.

¹³³ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 102.

¹³⁴ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 93.

¹³⁵ *Ibid.*

addition to decapitation.”¹³⁶ Sentencing was also “progressive in its provision for minimum and maximum [sentences] rather than fixed penalties.”¹³⁷ The death penalty applied to murder, forgery, and arson.¹³⁸ Parricide was punishable by amputation of the hand that was used for the offence, after this it was possible for the accused to be sentenced to a life of force labour.¹³⁹ Some of the clauses in the Penal Code resembled that of the Ancient Regime, if not harsher.¹⁴⁰ This was hardly fair and liberal and insuring certain rights and liberties which the French Revolution stood for.

Criminal Procedure in Napoleon’s Reign.

The Code for the criminal procedure was as reactionary and completely against the French Revolution.¹⁴¹ The Penal Code allowed for arbitrary arrest and re-established the “secrecy of the court proceedings that had prevailed during the *ancien regime*, the accused could no longer hear the testimony against him.”¹⁴² Judges had more leniency in sentencing than what the constituent Assembly of 1791 had allowed them to use.¹⁴³ The judges were allowed to use their own discretion when it came to prison sentencing.¹⁴⁴ The judges sentencing varied from a wide range for the same offence and not fair in the slightest sense.¹⁴⁵ For example, the range for theft could be anywhere from 1-5 years.¹⁴⁶ The Penal Code brought in my Napoleon and its unfair punishments can be seen as Napoleon not only not continuing the French Revolution, but

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 102.

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

¹⁴¹ Robert B. Holtman, *The Napoleonic Revolution* (Louisiana: Louisiana State University Press, 1978), Pg. 93.

¹⁴² *Ibid.*

¹⁴³ Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin’s Press, 1994), Pg. 102.

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

reversing it completely.¹⁴⁷ The Penal code and its harsh arbitrary cruel punishments went against the French Declaration of Rights of Man and Citizen, which was a fundamental part of the French Revolution.¹⁴⁸ This is because the Declaration stated that such harsh arbitrary justice, and harsh and cruel punishments were outlawed article 7 of the French Declaration of Rights of Man and Citizen, yet they were such a prominent part of Napoleon regime.¹⁴⁹ This could all be seen as Napoleon not continuing the French Revolution, but completely reversing it.

In conclusion, Napoleon did not continue the French Revolution but in fact, did quite the opposite and reversed it. This was done through the Minister of Police and a strict prefect system which monitored the French people, writers, and the press.¹⁵⁰ Even though the free flow of ideas and opinions in both writing and print was allowed under the Declaration of Rights of Man and Citizen.¹⁵¹ Through Napoleons introduction of the Penal Code introduced once again arbitrary punishment and cruel punishments even though such acts were banned under the Declaration.¹⁵² Napoleon not only did not continue the tradition of freedom and liberation of the French Revolution but reversed it and turned France into an authoritarian police state resembling the *Ancien Regime*.

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.* and Peter McPhee, *The French Revolution 1789-1799* (New York: Oxford University press, 2002), Pg. 59.

¹⁴⁹ "Declaration of Rights of Man-1789", Yale Law School Lillian Goldman Law Library

¹⁵⁰ D.G Wright, *Napoleon and Europe* (New York: Longman Inc., 1984), Pg. 32.

¹⁵¹ "Declaration of Rights of Man-1789", Yale Law School Lillian Goldman Law Library

¹⁵² Martyn Lyons, *Napoleon Bonaparte and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994), Pg. 102.

Works Cited

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Law Library. Accessed December 23, 2014.

http://avalon.law.yale.edu/18th_century/rightsof.asp.

This is a copy of the French Declaration of the Rights of Man and Citizen. Having a primary source for my paper was vital for my research for this particular topic. It gave me the exact articles of the Declaration word for word, which I could use as quotes in my paper and argue based on these articles in the Declaration, Napoleon did not continue the French Revolution. This source also gave a vivid example from the exact time of the French Revolution which gave a clear perspective of the Rights and Liberties the French people were fighting for.

Dwyer, Philip G. *Napoleon and Europe*. Great Britain: Longman, 2001.

Dwyer provided many examples of how Napoleon turned France into a police state through censorship of the press and other forms of written work. Dwyer gave an in-depth account of Napoleon's governance, rather than just illustrating the types of measures he used to get France under his control. The only problem was it did not provide as much information as the other sources and when it did it gave little information on the precise topic I needed. However, the information regarding Napoleon's police state and censorship, particularly the examples were an excellent account of Napoleon's governance of France and how France was soon turned into a police state.

Holtman, Robert B. *The Napoleonic Revolution*. Louisiana: Louisiana State University, 1978.

Holtman provided thorough information regarding Napoleon's police state and how exactly Napoleon enforced a secret police force to regulate political opposition, and gather information on the people of France. A vast amount of information was given which illustrated to what extent Napoleon turned France into a police state, and how exactly it was done. It also provided information on the Penal Code which proved Napoleon was reversing the very tradition of the French Revolution. Many examples were provided which illustrated what exactly was banned from being said and/or published. For example, anything controversial, and anything that was insulting to France's allies, etc.

Lyons, Martyn. *Napoleon Bonaparte and the Legacy of the French Revolution*. New York: St.

Martin's Press, 1994.

Lyons argued the French Revolution opened up the world of the press, along with the world of politics. Lyons then goes on to argue how that was all changed when Napoleon came and took control over the press to serve the state. A vast amount of information was also provided regarding how and to what extent Napoleon censored the press, thus not continuing the French Revolution, and the components of this entire operation which illustrated with great detail and knowledge about the Police State which emerged under Napoleon's rule.

McPhee, Peter. *The French Revolution 1789-1799*. New York: Oxford University Press, 2002.

McPhee illustrated how the French Revolution represented liberty and to do as you wish, so long as it does not harm others. Along with information regarding the specific articles of the French Declaration of Rights of Man and Citizen (mostly article 7 and article 11) along with thorough information regarding what really was the French Revolution and what the French people were fighting for. This determined what exactly the French Revolution was, and what each phase of the French Revolution exemplified.

Wright, D. G. *Napoleon and Europe*. New York: Longman, 1984.

Wright illustrated how Napoleon turned France into a strict police state, to the point in which it ran like a well-oiled machine. Wright argued regarding the Prefect system that was enforced throughout France, and how this information collected by officials would eventually find its way back to Napoleon, and eliminate any opposition present. It provided information on Napoleons control of the press and how he used it to his advantage. Wright also provided information on how books were also subjected to censorship. These arguments were written in a clear and concise manner and gave a clear message as to how these prefects and government officials ran in Napoleon's regime.