

C. NAPOLEON AS IMPERIAL DESPOT

II The Police State

The Napoleonic administrative system has been one of the most permanent of institutions. Departments and communal districts created by the Revolution remained unchanged, but locally elected councils which had administered them were replaced by officials appointed by and responsible to the central government.

*Law Reorganizing the Administrative System, 28 Pluviôse, Year VIII (February 17, 1800)**

Title I Division of the Territory

1 The European territory of the Republic shall be divided into departments and communal districts, in accordance with the table annexed to the present law [This table made only one change in the existing departments]

Title II Administration

Section I Department Administration

2 There shall be in each department a prefect, a council of prefecture, and a department general council, which shall perform the functions now discharged by the administrations

3 The prefect alone shall be charged with the administration

* Duvergier *op cit* XII, 78-116

4 The council of prefecture shall pronounce upon the requests of individuals seeking to obtain the reduction of their share of the direct taxes; [etc]

5 When the prefect shall attend the council of prefecture, he shall preside; in case of equal division, he shall have the casting vote

6 The department general council shall meet each year its session cannot exceed fifteen days . . . It shall divide the direct taxes among the communal districts of the department . . .

Section II. Communal Administration

8 In each communal district there shall be a sub-prefect and a district council . . .

9 The sub-prefect shall discharge

the functions now performed by the municipal administrations and the cantonal commissioners . . .

10 The district council shall meet each year . . . its session cannot exceed fifteen days . . . It shall divide the direct taxes among the cities, towns, and villages of the district

Section III. Municipalities

12 In the cities whose population shall not exceed two thousand five hundred inhabitants, there shall be a mayor and a deputy; in the cities or towns of two thousand five hundred to five thousand inhabitants, a mayor and two deputies; in the cities of five thousand to ten thousand inhabitants, a mayor, two deputies, and a commissioner of police; [etc] . . .

13 The mayors and deputies shall discharge the administrative functions now performed by the municipal agent and the deputy: in relation to the police and the civil status, they shall discharge the functions now performed by the municipal administrations of the canton, the municipal agents, and the deputies

14 In the cities of one hundred thousand inhabitants and upward, there shall be a mayor and a deputy in the place of each municipal administration; there shall be in addition a commissioner-general of police, to whom the commissioners of police shall be subordinate, and who shall be subordinate to the prefect: nevertheless, he shall execute the orders which he shall receive directly from the Minister of Police

15 There shall be a municipal coun-

cil in each city for which there is now a municipal agent and a deputy This council shall meet each year

for fifteen days It shall hear and can discuss the account of the municipal receipts and expenditures which shall be rendered by the mayor to the sub-prefect, who shall determine it definitively [etc]

16 At Paris, in each of the municipal districts, a mayor and two deputies shall be charged with the administrative part and with the functions relative to the civil status

A prefect of police shall be charged with what concerns the police and shall have under his orders commissioners distributed in the twelve municipalities

17 At Paris the department council shall discharge the functions of municipal council

Section IV Of the Appointments

18 The First Council shall appoint the prefects, the councilors of prefecture, the members of the general councils of the departments, the general secretary for the prefecture, the sub-prefects, the members of the district councils, the mayors and deputies of the cities of more than five thousand inhabitants, the commissioners-general of police and prefects of police in the cities in which they shall be established

20 The prefects shall appoint and can suspend from their functions the members of the municipal councils; they shall appoint and can suspend the mayors and deputies in cities whose population is less than five thousand inhabitants

The Constitution of the Year XII (May 18, 1804), which transformed the Consular form of government into an Empire should be compared with the Constitution of the Year VIII, quoted above Many republican institutions were retained, but the important alterations made in these and also the new

institutions created by the Imperial Constitution should be noticed The question of setting up the imperial dignity but not the Constitution as a whole was submitted to a plebiscite

*Constitution of the Year XII, 28 Floreal, Year XII (May 18, 1804)**

Title I

1 The government of the French Republic is entrusted to an emperor, who takes the title of EMPEROR OF THE FRENCH

Justice is administered in the name of the Emperor by the officers he appoints

2 Napoleon Bonaparte, present First Consul of the Republic, is Emperor of the French

Title II Of the Inheritance

3 The imperial dignity is hereditary in the direct natural and legitimate lineage of Napoleon Bonaparte, from male to male, by order of primogeniture, and to the perpetual exclusion of women and their descendants

4 Napoleon Bonaparte can adopt the children or grandchildren of his brothers, provided they have fully reached the age of eighteen years, and he himself has no male children at the moment of adoption

Title III Of the Imperial Family

9 The members of the imperial family within the order of inheritance bear the title of *French Princes*

The eldest son of the Emperor bears that of *Prince Imperial*

10 A senatus-consultum regulates the manner of the education of the French princes

11. They are members of the Senate and of the Council of State when they have reached their eighteenth year

12 They cannot marry without the authorization of the Emperor

* Duvergier, *op cit*, XV, 1-12

14 Napoleon Bonaparte establishes by statutes, to which his successors are required to conform:

1st The duties of the members of the imperial family, toward the Emperor;

2d An organization of the imperial palace in conformity with the dignity of the throne and the grandeur of the nation

Title V Of the Grand Dignitaries of the Empire

32 The grand dignitaries of the Empire are these:

Grand Elector
Archchancellor of the Empire
Archchancellor of State
Archtreasurer
Constable
Grand Admiral

33 The titular grand dignitaries of the Empire are appointed by the Emperor They enjoy the same honors as the French princes and take rank immediately after them

34 The high dignitaries of the Empire are irremovable

35 The titular grand dignitaries of the Empire are senators and councilors of state

36 They form the grand council of the Emperor;

They are members of the privy council;

They compose the grand council of the Legion of Honor

37 The Senate and the Council of State are presided over by the Emperor

38 All the decrees of the Senate and of the Legislative Body are rendered in the name of the Emperor and are

promulgated or published under the imperial seal

47 A statute of the Emperor regulates the functions of the titular grand dignitaries of the Empire near the Emperor and determines their costumes in the grand ceremonies . . .

Title VI Of the Grand Officers of the Empire

48 The grand officers of the Empire are:

First, the Marshals of the Empire, chosen from among the most distinguished generals Their number cannot exceed sixteen

Secondly, eight general inspectors and colonels-general of artillery and engineers, of cavalry troops and of the navy

Thirdly, the grand civil officers of the crown . . .

Title XIII Of the High Imperial Court

101. A high imperial court takes cognizance:

1st Of the personal offenses committed by the members of the imperial family, the titular grand dignitaries of the Empire, the ministers and the secretary of state, the grand officers, the senators, and the councilors of state;

2d Of crimes, attempts, and conspiracies against the internal and external security of the state, the person of the Emperor and that of the

Soon after the establishment of the Consulate, Bonaparte began to take severe police measures against potential opponents A decree of January 17, 1800, suppressed all but thirteen of the Paris newspapers The following letters indicate that the surviving journals were carefully watched

*Letter of Bonaparte, First Consul, to Fouché, Minister of Police, April 5, 1800**

Le Bien Informé, Hommes Libres,

* *Correspondance de Napoléon*, VI, No. 4707

heir presumptive of the Empire;

3d Of offenses of responsibility of office committed by the ministers and councilors of state charged with the public administration;

4th Of betrayals of trust and abuse of power, committed by captains-general of the colonies, colonial prefects, and commandants of French establishments outside of the continent, or by the generals of the army or navy

5th. Of the fact of disobedience of the generals of the army or navy who disregard their instructions;

6th Of the peculations and squandering of the prefects . . .

7th Of the forfeitures and complaints of prejudice which may be incurred by a court of appeal or by a court of justice or by members of the court of cassation

8th Of denunciations on account of arbitrary detentions and of violations of the liberty of the press

Title XVI and Last

142 The following proposition shall be presented for the acceptance of the people

"The people desire the inheritance of the imperial dignity in the direct, natural, legitimate and adoptive lineage of Napoleon Bonaparte, and in the direct, natural, and legitimate lineage of Joseph Bonaparte and of Louis Bonaparte, as is regulated by the organic senatus-consultum of this day"

and *Défenseur de la Patrie* shall stop publication, unless the proprietors procure editors of good character and of incorruptible patriotism Every issue of these journals must be signed by a recognized editor

You are to instruct the Prefect of Police to take necessary steps:

(1) To prevent bill-posting on the walls of Paris, or crying of papers or pamphlets without a police license

(2) To prevent print dealers displaying for sale anything contrary to sound morals, or to the policy of the Government

The Prefect of Police is to forbid the public announcement of any play, unless the director of the theater has a permit from the Minister of the Interior

The Consuls wish you to send them, within ten days, a report,

(1) On the best way of ridding Paris of the great number of Italian and other foreign refugees who live here without any means of subsistence

(2) On the most appropriate measures for removing from the territory of the Republic those *émigrés* who have returned into the Department of the Seine

(3) On the names and addresses of some fifty persons, who habitually make their living out of revolution and are constantly agitating public opinion; and on the means of ridding Paris of these men

Lastly, you are to inform M Payne¹

¹ Thomas Paine (1737-1809), English-born publicist, was a leader of the American Revolution and later attacked the Tory government of Britain In 1792, he fled to France

Following is a kind of organic law of the press The system outlined had existed substantially since the establishment of the Empire In it earlier measures in restraint of freedom of printing are coordinated and consolidated

*Decree on Printing and Bookselling, February 5, 1810**

1 There shall be a director general charged, under the orders of our Minister of the Interior, with every-

* Duvergier, *op cit*, XVII, 19-23

that the police have information as to his suspicious behavior, and that on the first complaint he will be sent back to America, the country to which he belongs

*Letter of Napoleon to Fouché, Minister of Police, April 22, 1805**

Repress the journals a little; make them produce wholesome articles I want you to write to the editors of the

newspapers that are most widely read in order to let them know that the time is not far away when, seeing that they are no longer of service to me, I shall suppress them along with all the others, and I shall retain a single organ¹ Tell them that the Revolution is over, and that there is now only one party in France; that I shall never allow the newspapers to say anything contrary to my interests; that they may publish a few little articles with just a bit of poison in them, but that one fine day somebody will shut their mouths

to escape persecution and was elected to the National Convention His famous pamphlets *Common Sense*, *The Rights of Man*, and *The Age of Reason* made him an object of Bonaparte's suspicions and he left Paris for America in 1802

* *Correspondance de Napoléon*, X 335-336, No 8611

¹ The single organ which Napoleon proposed to retain was the official journal, the *Moniteur* The latter was closely supervised and subsidized by the government

thing relating to printing and book-selling

3 Dating from January 1, 1811, the number of printers in each department shall be fixed and that of the printers of Paris reduced to sixty

5 The printers shall be commis-

sioned and sworn not to print anything which is contrary to the duties toward the sovereign and the interest of the state

10 Printing or causing to be printed anything which may involve injury to the duties of subjects toward the sovereign or the interests of the state is forbidden

11 Each printer shall be required to register, by order of dates, the title [and author] of each work which he shall wish to print

12 The printer shall immediately deliver to the director general of printing and bookselling, and to the prefects, the declaration that he has an intention of printing the work . . .

The prefects shall give information of each of these declarations to our Minister of Police

13 The director general can order the communication and examination of the work, and can suspend the printing

14 When the director general shall have suspended the printing of a work, he shall send it to a censor chosen from among those whom we, upon the advice of the director general and the

proposal of our Minister of the Interior, shall have appointed to discharge that function

15 Our Minister of Police, and the prefects in their departments, shall suspend the printing of all works which may appear to them to be in contravention to article 10

16 Upon the report of the censor, the director general shall indicate to the author the changes or suppressions deemed appropriate, and, upon his refusal to make them, shall forbid the sale of the work, shall cause the forms to be broken, and shall seize the sheets or copies already printed

29 Dating from January 1, 1811, booksellers shall be commissioned and sworn not to sell, circulate, or distribute any work contrary to the duties toward the sovereign and the interest of the state

33 For the future, commissions shall not be granted to booksellers who shall wish to establish themselves, except after they shall have furnished proof of their good life and morals and of their attachment to the fatherland and the sovereign

12 Inequality Enthroned

Napoleon prided himself on his guarantees of civil equality and on equality of opportunity. Nevertheless, it will be seen that in actual practice, equal rights and equal treatment were not enjoyed by certain large groups of citizens, notably women, working men, and Negro slaves. In addition to the citations from the Civil Code which have already been given in Part B, Section 7, the student should read the articles quoted below from that same document. In the parts of the Code dealing with marriage and parental authority, Napoleon's well-known contempt for women is readily seen. Women, he said "should not be regarded as the equals of men; they are, in fact, mere machines to make children."¹ The supremacy of the husband and father was characteristic.

¹ Gourgaud, *op cit*, I, 390

WOMEN AND MALE SUPREMACY

The Civil Code of 1804^o

Title V Of Marriage

Chapter I Of the Qualifications and Conditions Required to Contract Marriage

144 A male under eighteen years of age, and a female under fifteen years of age, cannot contract marriage

146 There is no marriage when there is no consent

148 A son who has not reached the full age of twenty-five years, and a daughter who has not reached the full age of twenty-one years, cannot contract marriage without the consent of their father and mother: in case of disagreement the consent of the father is sufficient

151 Children having ascendants and who have attained the majority established by article 148 shall, before they contract marriage, be bound to ask, by a respectful and formal summons, for the advice of their father and mother, or of their grandfathers and grandmothers if their father and mother are dead or if it is impossible for them to express their wish

152 From the time of the majority established by article 148 until the full age of thirty years for sons, and until the full age of twenty-five years for daughters, the respectful summons required by the foregoing article and without which there would be no consent to the marriage, shall be renewed twice more from month to month; and one month after the third summons the celebration of the marriage can take place

153 After the age of thirty years, if there is no consent, the marriage can take place one month after one respectful summons

^o *The Code Napoléon*, articles as quoted

Chapter VI Of the Respective Rights and Duties of Husband and Wife

213 A husband owes protection to his wife; a wife obedience to her husband

214 A wife is bound to live with her husband and to follow him wherever he deems proper to reside

215 A wife cannot sue in court without the consent of her husband, even if she is a public tradeswoman or if there is no community or she is separated as to property

217 A wife, even when there is no community, or when she is separated as to property, cannot give, convey, mortgage, or acquire property, with or without consideration, without the husband joining in the instrument or giving his written consent

229 A husband may sue for a divorce on account of the wife's adultery

230 A wife may sue for divorce only in the case in which the husband introduces a permanent mistress into the marital household

308 A wife against whom a separation from bed and board has been decreed on account of adultery shall be sentenced to imprisonment for a period of not less than three months and not more than two years¹

340 The attempt to prove paternity is forbidden

341 Proof of maternal descent is allowed

776 Married women cannot lawfully accept a succession without the consent of their husbands .

905 A married woman cannot make a gift or donation during her lifetime without the consent of her husband

934 A married woman cannot accept a gift or donation without her husband's consent

¹ An erring husband was not subject to penalty. Article 308 was repealed in 1884

1124 Married women are incapable of making contracts

1388 A husband and wife cannot limit the rights resulting from the husband's marital powers over the person of the wife and of the children or which belong to the husband as head of the family .

Title IX Of Paternal Authority

371 A child at all ages owes honor and respect to his father and mother

372 He remains under their authority until his majority [age twenty-one]

373 The father alone exercises this authority during the marriage

375, 376, 377 A father who, for very serious reasons, is displeased with the conduct of a child can have him imprisoned for one month [if he is under sixteen] for six months [if he is sixteen or over]

LABOR

The treatment of the French working man by Napoleon was clearly contrary to the principles of liberty and of equality. The Chapelier Law of 1791 had already outlawed unions and strikes. Napoleon established the legal superiority of the employer over the employee, punished employers much less severely than the workers for violating the law against "coalitions," and, through the institution of the livret, placed the worker at the mercy of the employer and subjected him to rigorous police supervision.¹

The Civil Code of 1804*

Title VIII: Of Contracts and Leases

Chapter III Of the Leasing of Labor and Industry

1781 The master's affirmation is to be accepted with reference to the rate of wages, to the payment of the previous year's salary, and to the payments made on account of the wages for the current year.¹

¹ Some consider Napoleon's labor legislation to be an indication of economic liberalism continuing the bourgeois revolutionary doctrine of free enterprise. Actually Napoleon was more inclined to economic regimentation than to laissez faire. In his mind, economic problems were subordinate to political and military preoccupations, and he favored mercantilist controls. Napoleon in fact was hostile to bourgeois merchants and financiers and he aided manufacturers only to bolster his Continental System (see p 56, col 2, n 1). His regulation of the economy, from the butchers and bakers to the grain and beet raisers, indicates the basic aim of his economic policies.

* *The Code Napoléon*, articles as quoted

¹ This article was repealed in 1868

Law Establishing the Workman's Livret, 9 Frimaire, Year XII (December 1, 1803)*

1 Every workman employed as a journeyman or as an apprentice must be the bearer of a *livret* [workman's certificate book containing a complete record of his previous employment, delivered by the person whose employment he is leaving]

2 This *livret* shall be issued at Paris, Lyon, and Marseille by the police commissioner, and in other cities by the mayor. The first page shall bear the seal of the municipality; it will include the name of the workman, his age, the place of his birth, his description, the designation of his profession, and the name of the master for whom he has worked

3 Independently of the law on passports, the workman shall be required to have his termination of employment

* *Bulletin des Lois*, Series 3, No 328, pp 28-32

approved by the mayor and to indicate the place to which he proposes to go. All workmen traveling without a *livret* thus approved shall be considered as vagrants and shall be arrested and punished as such

4 All manufacturers, contractors, and in general all persons employing workmen shall be required, when these workmen leave their employment, to inscribe in their *livrets* a leave bearing a discharge from their employment if they have fulfilled their obligations

They will indicate the day of leaving of the workman

5 The workman shall be required to have the day of his entry inscribed in his *livret* by the employer for whom he proposes to work and to deposit the *livret* in the keeping of his employer if he requires it.¹

Penal Code of 1810*

414 All coalitions or combinations among those who employ workmen,

¹ The workmen's *livret* was abolished only in 1890

* Emile Levasseur, *Histoire des classes ouvrières et de l'industrie en France de 1789 à 1870* (2d ed; Paris: A. Rousseau, 1903), I, 380-381

tending to force lowering of wages unjustly and abusively, followed by an attempt or a commencement of execution, shall be punished by an imprisonment of six days to one month and of a fine of 200 francs to 3,000 francs

415 All coalitions on the part of workmen for the purpose of striking and in general suspending, obstructing, or increasing the cost of labor, if there is an attempt or a beginning of execution shall be punished by imprisonment of one to three months. The leaders or authors shall be punished by an imprisonment of two to five years

416 In like manner these punishments indicated in the preceding article shall be meted out to those workers who will pronounce fines, prohibitions, interdictions or all prescriptions under the name of *damnations*, against either the factory directors or works contractors. In the case of the present article and the preceding one, the leaders or authors of the offense, after the expiration of their sentence, shall be placed under police surveillance for two to five years.¹

¹ The prohibition on labor unions was abolished in 1884

NEGRO SLAVES

Like women and wage-earners, Negroes did not come within Napoleon's conception of civic equality. Though at first he announced that the "liberty and equality of Negroes shall remain forever inviolate,"¹ he soon restored slavery in the French colonies by the decree reproduced below. Later, after the loss of an army and the island of Haiti, Napoleon recognized that this act had been "the greatest mistake I ever made in my administration."²

¹ Proclamation of December 25, 1799, in *Correspondance de Napoléon*, VI, 42. Napoleon used the term "les noirs" (the blacks), current among French colonial whites. Josephine was born in Martinique where the econ-

omy was based on slave labor, and he said later that he was influenced by his first wife's views on the Negro Question (Gourgaud, *op cit*, I, 402)

² Conversation with Gourgaud, *Ibid*

*Law Re-establishing Slavery in the French Colonies, 30 Floréal, Year X (May 20, 1802)**

1 In the colonies restored to France in fulfillment of the treaty of Amiens [1802], slavery shall be maintained in conformity with the laws and regulations in force prior to 1789

2 The same shall be done in the

* Duvergier, *op cit*, XIII, 208

CREATION OF AN IMPERIAL NOBILITY

The Constitution of the Year XII created an Imperial court and raised the Emperor's family to the status of French princes Military fiefs were established in outlying provinces and enormous donations were made to the grand dignitaries and the marshals In 1806, Napoleon established majorats, indivisible estates transmitted by right of primogeniture The final step was taken in 1808 in the decree given below. Under the terms of this law, in addition to more than a dozen princes, Napoleon created thirty-one dukes, 388 counts, 1,090 barons, and about 1,500 knights The Emperor also granted large sums of money and property to the recipients of these titles for the purpose of providing the necessary endowments and standard of living required by these newly created nobles.

*Imperial Decree Establishing Titles of Nobility, March 1, 1808**

1 The titularies of the grand dignities of the Empire will bear the title of *Prince* and of *Serene Highness*

2 The elder sons of the grand dignitaries will have the right to the title of *Duke of the Empire*, when their father will have instituted in their favor a *majorat* producing a revenue of 200,000 francs This title and this *majorat* will be transmissible to their descendants, direct or legitimate, natural or adoptive, in the male line, and by order of primogeniture

3 The grand dignitaries will be able to institute, for their elder or younger

* *Bulletin des Lois*, Series 4, No 186, pp 1-8

other French colonies beyond the Cape of Good Hope

3 The trade in blacks and their importation into the said colonies shall take place in conformity with the laws and regulations existing prior to the said date of 1789

4 Notwithstanding all previous laws, the government of the colonies is subject for ten years to the regulations which shall be made by the government

sons, *majorats* to which will be attached the titles of *Count* or of *Baron*

4 Our ministers, the senators, our councilors of state for life, the presidents of the Legislative Body, the archbishops will bear during their lifetime the title of *Count*

5 This title will be transmissible to their descendants and for the archbishops, to nephews of their selection

6 The titulary will provide evidence of a net revenue of 30,000 francs, in lands for the formation of *majorats*

7 The titularies mentioned in article 4 will be able to institute, in favor of their elder or younger sons, a *majorat* to which will be attached the title of *Baron*

8 The presidents of our electoral

colleges of the departments, the first president and the public prosecutor of our court of cassation, the first president and the public prosecutor of our court of accounts, the first presidents and the public prosecutors of our court of appeal, the bishops, the mayors of the thirty-seven good towns who have the right to be present at our coronation, will bear during their lifetime the title of *Baron*

9 The dispositions of articles 5 and 6 will be applied to those who shall bear during their lifetime the title of *Baron*: nevertheless, they will have to show that they have a revenue of 15,000 francs

11 The members of the Legion of Honor, and those who shall obtain this distinction in the future, will bear the title of *Knight*

12 This title will be transmissible to their descendants, in offering proof of a net revenue of at least 3,000 francs

13 We reserve the privilege of according titles which we will judge fitting to generals, prefects, civil and military officers, and others of our subjects who will have distinguished themselves by services rendered to the state

15 All of our subjects are forbidden to assume titles and qualifications which we have not conferred upon them

14 Education as Indoctrination

As we have seen (Part B, Section 9) Napoleon had continued in the revolutionary trend of national and secular instruction. He thought of education essentially in terms of political indoctrination. The stated purpose of his educational system was to rally the children and their parents behind the government and to teach uniform and loyal ideas in the realms of politics, religion, and social organization. Students were subjected to a uniform curriculum, military uniforms were worn, military training was required, and classes began and ended to the beating of drums. Napoleon intended that the professors should also be regimented. His note on a teaching corps for the imperial lycées reveals both his desire for a hierarchical organization of the teachers and the type of ideas which they were supposed to inculcate in their students.

He went much further in permitting the restoration of church schools in competition with those of the state than men like Thibaudeau and Fourcroy, who favored a purely secular system, wished to see. All French school children were expected to memorize and to recite the Imperial Catechism. This astonishing document shows Napoleon's purpose of using the priests, as well as the professors, to mold and to guide public opinion in channels

favorable to his régime In his own phrase the priests were the "sacred gendarmerie of the state"

The final step in Napoleon's educational program was the establishment of the Imperial University in 1808 This organization was granted a monopoly over all public education in France It was therefore not a university in our sense of the word, for it included the entire educational system from the primary grades to the graduate schools This document perhaps reveals, more clearly than any other, Napoleon's philosophy of education Significantly, he named as Grand Master of the University not the liberal ex-revolutionary Fourcroy but the clerical and royalist Louis Fontanes (1757-1821), a former noble

Note of Napoleon on a Teaching Corps for the Imperial Lycées, February 16, 1805*

Perhaps the time will soon come when we must consider the question as to whether teachers should be organized as a corporation If so, should this corporation or order be a religious association, taking vows of chastity, renouncing the world, etc? There does not seem to be a connection between these ideas.

At present, the teaching personnel consists of Principals, Proctors, and Professors¹ A teachers' corporation could be created if all the Principals, Proctors, and Professors of the Empire would be put under one or more head officials, just as the Jesuits were subordinate to a General, to Provincials, etc; and if in order to be a Principal or Proctor it were required to have been a Professor first; if in order to teach in the upper grades, Professors first would have to teach in lower ones; and if, in fact, there existed in the teaching profession a regular system of promotion which would stimulate competition, so

* *Correspondance de Napoléon*, X, 147-148

¹ The Principals and Proctors were the administrators of, and the Professors were teachers in, the *lycées* The *lycées*, it will be remembered from Part B, Section 9, were centralized secondary schools, roughly corresponding to high schools in the United States, under government control, and were located in the principal cities of the Empire

that, every stage in his life, a teacher not only had something to live on but also something to look forward to A man who has devoted his life to teaching ought not to marry before he has passed through several stages of his career Marriage ought to be for him, as for everyone else, a goal always before his eyes but that he can reach only after he has secured his place in society and financial independence by obtaining a position sufficiently remunerative to allow him to live as a head of a family without giving up his chosen career Thus the teaching profession would be subject to the same conditions as the other civil service careers

This [teachers] organization would have its own *esprit de corps* Its most distinguished members would be taken under the Emperor's protection and his patronage would raise them to a higher position in public esteem than that which the priests enjoyed in the times when priesthood was regarded as a kind of nobility Everyone knew how important the Jesuits were; the importance of the corporation of teachers would be quickly realized if the public saw a talented man, after receiving his education at a *lycée*, called to teach in his turn, promoted from grade to grade, and, before the end of his career, take his place in first rank of state officials

Of all political questions this one

deserves perhaps the most attention There will be no stability in the state until there is a teaching body based on established principles So long as children are not taught whether they must be Republicans or Monarchists, Catholics or freethinkers, etc, the state will not constitute a nation but will rest on vague and shifting foundations, constantly exposed to change and disorder

*The Imperial Catechism of 1806**

QUESTION: What are the duties of Christians in regard to the prince who governs them, and what are, in particular, our duties toward Napoleon I, our Emperor?

ANSWER: Christians owe the prince who governs them and we owe in particular to Napoleon I, our Emperor, love, respect, obedience, fidelity, military service, and the tributes laid for the preservation and defense of the Empire and of his throne; we also owe him fervent prayers for his safety and for the spiritual and temporal prosperity of the state

QUESTION: Why do we owe all of these duties to our Emperor?

ANSWER: It is, first of all, because God who creates empires and distributes them according to His will, in endowing our Emperor with gifts, both in peace and in war, has established him as our sovereign, has given him the ministry of His power and of His image on earth

QUESTION: What should one think of those who fail in their duty toward our Emperor?

ANSWER: According to the Apostle Saint Paul, they would be resisting the order established by God Himself and would be deserving of eternal damnation¹

* A C Thibaudeau, *Le Consulat et l'Empire* (Paris: Renouard, 1834), V, 255

¹ The imperial catechism, dictated by Na-

*Decree Organizing the Imperial University March 17, 1808**

Title I General Organization of the University

1 Public instruction in the entire Empire is intrusted exclusively to the University

2 No school, no establishment for instruction whatsoever, can be formed outside of the Imperial University

3 No one can open a school nor give public instruction without being a member of the Imperial University and a graduate of one of its faculties Nevertheless, the instruction in the seminaries is under the control of the archbishops and bishops

4 The Imperial University shall be composed of as many academies as there are courts of appeal

5 The schools belonging to each academy shall be placed in the following order:

1st The faculties for the sciences of investigation and the bestowal of degrees;

2d The *lycées* for the ancient languages, history, rhetoric, logic, and the elements of the mathematical and physical sciences;

3d The colleges, secondary communal schools, for the elements of the ancient languages and the first principles of history and the sciences;

4th The institutions and schools conducted by private instructors, in which the instruction is allied to that of the colleges;

5th The schools and boarding

schools for the clergy of the French Empire, strained still further his relations with the Catholic Church He also tried to identify his personal rule with the will of God by celebrating the birthday of the Emperor on August 15 (the Feast of the Assumption) under the title of St Napoleon Day

* Duvergier, *op cit*, XVI, 238-248

schools belonging to private masters and devoted to studies less advanced than those of the above institutions;

6th The primary schools, in which reading, writing, and the first principles of arithmetic are taught

Title V Of the Principles of Instruction in the Schools of the University

38 All the schools of the Imperial University shall take for the basis of their instruction:

1st The precepts of the Catholic religion;

2d Fidelity to the Emperor, to the imperial monarchy, the depository of the welfare of the peoples, and to the Napoleonic dynasty, the conservator of the unity of France and of all the liberal ideas proclaimed by the constitutions;

3d Obedience to the rules of the teaching corps, which have for their object uniformity of instruction, and training for the state of citizens attached to their religion, their prince, their fatherland, and their family

Title VI Of the Obligations Which the Members of the University Contract

39 At their installation the members of the Imperial University shall contract by oath civil obligations which bind them to the instructional corps

40 They shall bind themselves to exact observance of the rules and regulations of the University

41 They shall promise obedience to

the Grand Master in all that he shall command

Title VII Of the Functions and Prerogatives of the Grand Master of the University

50 The Imperial University shall be governed by the Grand Master, who shall be appointed and dismissed by us

51 The Grand Master shall select the administrators and professors of the colleges and *lycées*; he shall likewise appoint the officers of the academies and of the University, and he shall make all promotions in the instructional corps

54 He shall grant permission to instruct and to open schools to the graduates of the University who shall request it and who shall have fulfilled the condition required by the regulations in order to obtain this permission

57 He shall have the authority to impose arrests, reprimand, censure, the change and suspension of functions upon members of the University who shall have been delinquent in their duties

Title XIX General Provisions

144 and last We reserve the power to recognize and reward great services rendered by the members of the University and also to reform

every decision, rule, or act emanating from the council of the University or the Grand Master, whenever we shall deem it useful for the good of the state