

Napoleon populist  
autocrat  
administrative  
structure



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## INTRODUCTION

Napoleon Bonaparte was born in town of Ajaccio in Corsica, an island off the southern coast of France on 15th August 1769[1] and by then Corsica was formally under French rule. History not only remembers him as a brilliant military strategist and commander but also as ingenious and able statesman, masterful administrator and lawgiver.

Napoleon graduated from Ecole Militaire in Paris in 1785 and was posted in Valence in Southern France after seven years of study in France. He came to prominence after his participation in the Siege of Toulon by forcing the British navy to evacuate the port in 1793 and after defending the National Convention from the Parisian mob he was promoted to Rank of Commander of Army of Interior and later he successfully led French Armies against Austrian in First Italian Campaign. After successful Italian [1796] and enchanting Egyptian [1798] Campaign; his popularity, support of military and lack of political affiliations brought him to foreground of politics and he is appointed as First Consul of France following coup of 18th-19th Brumaire on 9th-10th December 1799[2].

No sooner he takes the reins of France, he begins initiating reforms in various fields covering politics, civil matters, legal problems and economic situation. Instead of taking side of any political ideology or any faction, he chose a middle course by enlisting members of all the factions without considering their political affiliations but taking account of their ability and talent. This became apparent when he chose members of Council of State, Legion of Honor, Prefects, ministers and various posts in military hierarchy.

This policy became the cornerstone for all appointments in France under his rule.

By affecting Peace of Amiens [1802] he brought brief period of peace when France was not at war with any state. It was during this time he brought about most of his reforms, changes, creations, enlargement and growth of different institutions of France. He brought an end to political upheaval of France by silencing the different factions and later on amalgamating them into his administration. The political system envisaged made him an all-powerful and brought about centralization of political machinery. He had embarked on the civil reforms that were to make him justly famous: the pacification of La Vendee, a successful fiscal reform, a better administrative framework, overhauling of educational system, successfully conclusion of Concordat with Pope and codification of laws of France[3].

War again broke out in 1803, first with Britain and later other continental powers joining in the foray. Britain, Austria and Russia forming the Third Coalition threatened France, whereas Napoleon leading a coalition of Central German States inflicted crushing defeats on Austria first at Ulm [20th October 1805][4] followed by the crowning victory over Austro-Russian combine at Austerlitz [2nd December 1805][5]. This was followed by subsequent peace with Austrians at Pressburg and Russia at Tilsit. Prussia citing the reason of violation of neutrality of Ansbach by marching French armies declared war on France subsequently but was quickly and completely crushed in Battles of Jena and Auerstadt [1806]. On 16th July 1806[6], Confederation of Rhine was established in place of Holy Roman Empire.

In 1802, national vote was taken for the Life Consulate of Napoleon, the result being 3, 568, 000 in favour to 8, 374 against[7]. Two years later Napoleon completed his journey to autocracy: on 3rd May 1804[8]Tribunate expressed the wish that ‘ Bonaparte be proclaimed hereditary Emperor of the French’. The Senate and the Legislative body drew up a bill which then became an organic senates consultum. It was then submitted to the people for ratification: 3, 572, 000 voted ‘ yes’ to 2, 569 ‘ nos’[9]. Napoleon ascended the throne of France with the title of “ Napoleon I, Emperor of the French”[10]. On 2nd December 1804[11], he was crowned in Notre Dame Cathedral in presence of Pope Pius VII. On 17th March 1805[12], he was crowned “ King of Italy”.

Subsequently, in France, a strict system of censorship was imposed and espionage system was strengthened. Whereas other parts of Empire, namely Italy, Central Germany and Holland were subjected to heavy taxes and the French reforms were imposed in these states which slowly culminated in rise of nationalism and detestation of foreign rule.

Freedom of Religion was ushered during this period, first by signing of Concordat with Pope [1801] which healed the breach with the Catholic Church, then by granting equal status to Protestants as well as the Jews. Legal System was overhauled, by codifying the laws of France which dealt with matters ranging from civil to criminal laws as well as commercial law. This was a skillful blend of different laws present in France before beginning of French Revolution and the ideas of Revolution, where under the leadership of Napoleon[13], utmost importance was given to simplicity, lucidity and pragmatism. Four of the finest jurists of France of the date representing <https://assignbuster.com/napoleon-populist-autocrat-administrative-structure/>

Northern Customary laws along with Southern Roman influenced laws worked to produce a codification of laws which has stood the test of time and is still is a law of France.

The end of war against Britain nowhere in sight, Napoleon Bonaparte declared Continental Blockade against Britain which would result in complete end of trade with Europe. The Blockade will achieve its peak by 1811, when entire Europe accepted the Continental Blockade. To enforce Continental Blockade, he conquered Naples, Portugal and later Spain. Portugal and Spain involved France in long drawn out protracted Peninsular War which would continue till restoration of Bourbon Monarchy in 1815.

When France was involved in Peninsular War, Austria forming an alliance with Britain declared war on France with hope of breaking hegemony of France in Europe. Napoleon smashed the Austrians and within a month occupied Vienna. It will not be until 1812 invasion of Russia that France supremacy will be disputed and at finally Napoleon will be defeated in Battle of Waterloo and later exiled to St. Helena.

It was during this period, when Napoleon brought in administrative, civil and legal reforms most of which still survive in France as living testimony to the magnificence of work done during this period for France. Napoleon followed, “ Everything for the French People”[14]as his motto, and this is reflected in his brilliant conquests and practical, down to earth but still long lasting reforms which he brought in France and subsequently in the conquered territories.

In long run, most of these reforms will form the bedrock of French political, legal and administrative structure which at that crucial moment of French history provided France with stable, efficient and progressive government. French people hailed all of these reforms, and most of them are still part and parcel of French administration in modified forms.

### **LIBERAL AUTHORITARIAN ADMINISTRATION: POLITICAL COMPROMISE, FLEXIBILITY AND NATIONAL STABILITY**

The centralized administrative system which has prevailed in France was the handiwork of Napoleon[15]. Napoleon knew and very well understood the exhaustion and antipathy of people after a chaotic Revolution and an oppressive ancien regime. People tired and disgusted with bloodshed, constant change of governments, coups, political instability, extremities and constant danger of counter-revolution by royalist were longing for a stronger, efficient and stable government which would prevent decay of the system and preserve the ideals of revolution. The French during the Revolution had attacked the despotism of kings, the political inequality of many constitutions only partly free; the pride of the nobility; the domination, intolerance, and wealth of the priesthood, and the abuses of the feudal system, all of which were still rampant in most of Europe[16]. Napoleon understood the philosophy behind these ideals and hence went on to realize the goals and preserve the ideals of Revolution but only after ensuring political stability of France and safeguarding it from counter-revolution and internal strife.

After a successfully taking over the administration of the France, he understood the situation of people and different factions. And rising above the factions and making merit as the spirit and substance of his rule he decided to usher an era of political stability, administrative efficiency and economic improvement.

“ We have done with the romance of the Revolution: we must now commence its history. We must have eyes only for what is real and practicable in the application of principles, and not for the speculative and hypothetical.” – Napoleon, at Conseil d’etat[17]

Above statement gives clear picture of frame of mind of Napoleon and the people presiding with him. They understanding the sentiments of the people as well as need of hour and under the guidance of Napoleon himself went on to reorganize the government and administration.

## **POLITICAL SYSTEM:**

The centralized government was divided into Consulate, Senate, Corps Legislatif and Tribunate. Title IV of the Constitution of Year VII[18]gave plenty of powers to Napoleon who was to be First Consul. Art 41[19]of Constitution gave him the power to promulgates laws, appoint and dismiss at will the members of the Council of State, the ministers, the ambassadors and other foreign agents of high rank, the officers of the army and navy, the members of the local administrations, and the commissioners of the government before the tribunals. Art. 52[20]gave Napoleon the power to direct the council of state which was charged with drawing up projects of law

and regulations of public administration and deal with difficulties which arise in administrative matters.

Executive power was vested in three consuls, but, as first consul, it was effectively in Napoleon's hands, the other two acting as advisers. Yet they had to work to a legislature. It rested on a very complex form of indirect election. Each commune voted a list of persons, numbering one-tenth of its citizens, deemed worthy to conduct public business. This list then proceeded to elect one-tenth of its number and these made up the departmental list. This in its turn elected a tenth of its members – this was the national list. The choice of members was vested in a new body, the Senate. From this list first the Consulate appointed twenty-four members and these co-opted others to form a body of sixty. These sixty then drew up a list of 100 members for the Tribune and 300 for the Legislature. The Tribune could discuss or propose legislation but not vote on it whereas the Legislature could vote but not discuss it, and neither Chamber had a legislative initiative. That came from the executive, i. e., from Napoleon working with his Council of State. The power delivered to the executive was therefore immense, but it should not be supposed that the members of these bodies were nobodies.[21]

A senatus consultum of August 1st forthwith proclaimed Napoleon Bonaparte Consul for Life[22], which was then put to the people in a plebiscite. The official figures were 3, 011, 007 in favour and only 1, 562 against[23].

Napoleon now gained few and additional powers, he had the power to nominate the other two consuls, could appoint his successor. The three legislative bodies lost practically all their powers, those of the Corps

Legislatif going to the Senate, those of the Council of State to an official  
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Cabal formed out of it; while the Tribune was forced to debate secretly in five sections, where, as Bonaparte observed, they might jabber as they liked. [24]

The victory of action over talk, of the executive over the legislature, of the one supremely able man over the discordant and helpless many, was now complete.[25]With the establishment of Empire, Napoleon became all powerful with other bodies now losing all the powers. But as a prudent and cautious statesman, he referred all his acts to people as plebiscite. In his own words, ' The appeal to the people has the double advantage of legalizing the prolongation of my power and of purifying the origin. In any other way it must always have appeared equivocal'.[26]It was then submitted to the people for ratification: 3, 572, 000 voted ' yes' to 2, 569 ' nos'. The Corps Legislatif disappeared and the Tribune is not heard of after 1808. The Emperor was sole ruler.[27]The Senate was brought firmly under the Emperor's control and thereby ceased to exist as an independent body. [28]The Senate had the appearance but not the reality of great power.[29]

By now France came under extremely centralized rule, which ensured till 1815 France safety from civil strife, revolt and any form of dissension from any of the factions present in France at that time. Also, Napoleon took only those into political posts who possessed talent and merited the post irrespective of their political affiliations. This and other measures taken by him to bring Democrats, Republicans, Jacobins and later Royalists succeeded to bring them into his fold. Also creation of Legion of Honor created a class of loyalists who stood by him till the end. Centralization of Power and creating a

class of loyalists brought political stability to France at turn of century when political ideologies clashed throughout Europe.

### **ADMINISTRATIVE SYSTEM:**

Entire Republic was divided into departments and arrondissements with each department having a Prefect, Council of Prefecture and Department General Council with Prefect enjoying absolute powers and privileges in the department while conducting day to day affairs[30]. Napoleon while reorganizing administration completely eliminated elective system and appointing[31]Prefects to conduct the affairs of the Department, while sub-prefects were placed over the new arrondissements and mayors over the communes. The mayors were directly appointed by the First Consul in communes with population of over 5, 000 whereas Prefects appointed the mayors for remaining communes.

The administrative machinery aided in maintaining control over different areas of the Empire, along with providing administration which was lacking for a long period of time in France. Indeed, so little was there of effective self-government that France seems to have sighed with relief when order was imposed by Bonaparte in the person of a Prefect.[32]The Prefect was primarily the political agent of the Government.[33]Vigorous censorship which was imposed in whole of France along with a complex but effective network of spies under the charge of Fouché prevented political opponents a ground to protest whereby maintaining political stability. The country was honeycombed with spies and informers and watched over by a vigilant and efficient police.[34]

Napoleon working with Cambaceres brought about the authoritarian structure in place and later in the days of Empire it was Cambaceres who worked meticulously while dealing with administrative matters. Napoleon took up the tasks of regular tax payments, law and order, education, military supply, regulation of grain trade, censorship and host of public projects which included tasks of various types from beautification of Paris with which Napoleon attached prime importance to construction of roads to connect all the cities of France with Paris and later their enlargement and maintenance.

All of this was done and achieved and efficiency was insured by maintaining a network of spies, enactment of strict penal code [1810] and Napoleon always giving precedence to merit over all other considerations while making appointments.

The administrative structure which though has undergone many changes but has still survived in its essence till date in France.

## **AUTHORITARIANISM IN DAILY LIFE:**

### **EDUCATION AND RELIGION**

Napoleon embarked on the civil reforms that were to make him justly famous, which all had authoritarian structure in place so as to allow Napoleon to adjust them to his wishes. This is very well observed in relation to his Education Policy and Religious Policy. Law of 11 Floreal[35] which dealt with Education Policy to followed in France was passed on 1st May 1802, whereas Concordat and subsequent organic legislations which dealt with religious question were made in first years of his rule, which though provided general people with education and religious freedom hitherto unknown but

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gave Napoleon a supreme position over them and manipulate them to his gain. His prime aim while enacting Law of 11 Floreal was to bring education to common public and use it as a propaganda to improve his image and maintain control over France. Breach with religion and later persecution of religion during Revolutionary years had brought much unease throughout France, especially rural populace who were still devout, hence he decided not only to allow religion and tolerate different faiths in France but also to heal the breach with Papacy. This was achieved through Concordat and organic legislations passed by him over course of his reign.

### **EDUCATION IN FRANCE:**

“ I want a teaching body, because such a body never dies, but transmits its organization and spirit. I want a body whose teaching is far above the fads of the moment, goes straight on even when the government is asleep, and whose administration and statutes become so national that one can never lightly resolve to meddle with them....” – Napoleon[36]

Educational System in France went under complete change. Schools run by Church which were prime source of education during ancien regime and which were closed down during Revolution were not substituted by an equal structure which led to abysmal situation of education in France.

Napoleon desiring to bring an end to the abysmal situation and using it as a tool to achieve his end of making the future generations of France loyal to the state and him brought about an overhaul. The new educational policy aimed at creating a new loyal group of people and to fashion them as “ able breadwinners, obedient citizens and enthusiastic soldiers”[37].

Elementary schools were left to the control and supervision of the communes and of the sub-prefects[38]. The law of 11 Floreal, however, aimed at improving the secondary education[39], which the Convention had attempted to give in its *écoles centrales*. These were now reconstituted either as *écoles secondaires* or as *lycées*. The former were local or even private institutions intended for the most promising pupils of the commune or group of communes; while the *lycées*, far fewer in number, were controlled directly by the Government. In both of these schools great prominence was given to the exact and applied sciences.

The training was of an almost military type, the pupils being regularly drilled, while the lessons began and ended with the roll of drums. The numbers of the *lycées* and of their pupils rapidly increased; but the progress of the secondary and primary schools, which could boast no such attractions, was very slow. In 1806 only 25, 000 children were attending the public primary schools.[40]

But two years later elementary and advanced instruction received a notable impetus from the establishment of the University of France[41]. The new University of France was admirably suited to his purpose. It was not a local university: it was the sum total of all the public [pg. 297] teaching bodies of the French Empire, arranged and drilled in one vast instructional array. Elementary schools, secondary schools, *lycées*, as well as the more advanced colleges, all were absorbed in and controlled by this great teaching corporation, which was to inculcate the precepts of the Catholic religion, fidelity to the Emperor and to his Government[42], as guarantees for the welfare of the people and the unity of France. For educational

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purposes, France was now divided into seventeen Academies[43], which formed the local centres of the new institution. Thus, from Paris and sixteen provincial Academies, instruction was strictly organized and controlled; and within a short time of its institution (March, 1808), instruction of all kinds, including that of the elementary schools, showed some advance.

In realm of exact and applied sciences, splendid discoveries were made and it prospered. But literature and poetry took a back seat primarily because of lack of support and secondly because of rigorous censorship.

In the end it served the purpose of Emperor, created a class of loyalists and exact and applied science made a long strides and France was to remain the hub of scientific studies for another half a century.

## **CONTROL OVER RELIGION:**

Napoleon in order to decrease the uneasiness among the population took steps to reconcile Papacy, Protestants and even Jews later. He intended to use religion to gain support of the people as well as wield and attach them to his rule.

On 15th July 1801, he signed Concordat with Pope in which French Government recognized that the Catholic apostolic and Roman religion was the religion of the great majority of the French people. It was to be freely and publicly practiced in France, subject to the police regulations that the Government judged necessary for the public tranquility. A new division of archbishoprics and bishoprics was now made, which gave in all sixty sees to France. Napoleon enjoyed the right of nomination to them, whereupon the Pope bestowed the canonical investiture. The archbishops and bishops were  
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all to take an oath of fidelity to the constitution. The bishops nominated the lower clerics provided that they were acceptable to the Government: all alike bound themselves to watch over governmental interests. The stability of France was further assured by a clause granting complete and permanent security to the holders of the confiscated Church lands – a healing and salutary compromise which restored peace to every village and soothed the qualms of many a troubled conscience. On its side, the State undertook to furnish suitable stipends to the clergy.[44]

Napoleon made several laws under the plea of legislating for the police of public worship. The organic articles forbade the application of Papal bulls, or of the decree of “ foreign” synods, to France, they further forbade the French bishops to assemble in council or synod without the permission of the Government; and this was also required for a bishop to leave his diocese, even if he were summoned to Rome.

The regulation of the Protestant cult in France was a far less arduous task, Napoleon recognized two chief Protestant bodies in France, Calvinists and Lutherans, allowing them to choose their own pastors and to regulate their affairs in consistories. The pastors were to be salaried by the State, but in return the Government not only reserved its approval of every appointment, but required the Protestant bodies to have no relations whatever with any foreign Power or authority.[45]

In the years 1806-08 the position of Jews was likewise defined, at least for all those who recognized France as their country, performed all civic duties, and recognized all the laws of the State. In consideration of their paying full taxes

and performing military service, they received official protection and their rabbis governmental support.[46]

Napoleon succeeded to bring the different religious institutions under government control and even controlling and regulating their affairs, so as to prevent them from rising up against the government and at the same time making people content.

## **REFORM OF JUDICIAL SYSTEM**

“ I will go down to history with the Code in my hand.” – Napoleon[47]

Law for Reorganization of Judicial System[48]was passed on 18th March 1800 making judiciary a simple hierarchy of courts. At lowermost level, i. e., for every commune there was a Tribunal of First Instance which was presided over by Justice of Peace which dealt with civil as well as correctional police matters.[49]Every department had a Criminal Tribunal which had jurisdiction over all the criminal and correctional police matters in the department.

[50]Twenty-nine Tribunals of appeal were established throughout France to hear civil and commercial matter from Tribunal of First Instance.[51]Tribunal of Cassation sat in Paris which was the final court where appeal could be made from Criminal Tribunal or Tribunal of Appeal which was composed of forty-eight judges.[52]

A single code for France was the dream of King Louis XI in the fifteenth century, of Dumoulin (1500-66) and Brisson in the sixteenth, of Colbert and Lamoignon in the seventeenth, and of D’Aguesseau in the eighteenth. The four last named made substantial contributions toward such a project –

Brisson, by his compilation of the ordinances in force under Henry III, Colbert  
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and Lamoignon, through a more celebrated ordinances bearing the name of Louis XIV, and D'Aguesseau, whose ordinances on wills, gifts, and entails appeared between 1731 and 1747, and “ were through codifications”.

[53]Before the outbreak of Revolution, Voltaire had tersely commented on law and order situation of France, stating “ Man did not often change his horse, as many as he changed law while travelling through France”, which correctly gave the picture of law and order situation before Revolution. The parlements, being upholders of local customary laws proved another obstacle towards codification of law. During the Revolution, revolutionaries made many attempts to codify the laws to bring uniformity throughout France, but failed and when Napoleon took power, banditry was on rise and law and order situation had deteriorated. Napoleon with an aim to bring stability gave prime importance to reorganizing the judicial system and codifying the laws. The draft