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WILLIAMS, Alan John, 1944-
THE POLICE OF PARIS, 1718-1789.

Yale University, Ph.D., 1974
History, modern

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The Police of Paris, 1718-1789

A Dissertation
Presented to the Faculty of the Graduate School
of
Yale University
in Candidacy for the Degree of
Doctor of Philosophy

by

Alan Williams

December 1974

ABSTRACT

THE POLICE OF PARIS, 1718-1789

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As the title indicates this is a study of the police during the eighteenth century, prior to the Revolution. It largely ignores the work of the two Lieutenants of Police who served under Louis XIV--men whose labor is, in general, far better known than that of their successors. At least five books have been written about the first Lieutenant of Police, La Reynie; and Marc-René d'Argenson has been the subject of several articles, a book, and a recently completed dissertation.

The difference between our own conception of the word police and the sense given it during the seventeenth and eighteenth centuries make it necessary, before beginning a study of the pre-revolutionary police, to clarify, insofar as possible, one's own use of the term; and it is this endeavor that occupies the first chapter of my own work.

What follows is an attempt to do two things: to determine first how much power the police exercised in eighteenth-century Paris, and then to indicate how this power was used. Any student of the Old Regime who has tried to disentangle genuine power from formal grants of authority

knows that the work is difficult and that the results are not always as precise as one might wish. In delineating the power of the police, I have begun with their principal officer, the Lieutenant of Police, attempting to describe both the judicial and the administrative duties he performed as well as his relationship to two sets of superiors--the ministers of the Crown at Versailles and the judges of the Parlement in Paris. I have tried next to determine how large a force this officer actually commanded (remarkably enough, a project no one had yet seriously undertaken) and by what means he exacted obedience within what was, throughout the century, a nascent administrative entity. Judged simply in terms of size, the apparatus he controlled compares favorably with the police forces of most twentieth-century American cities. Finally, I have sought both to sketch the place of the police amid many other authorities who claimed a share in the governance of eighteenth-century Paris and to suggest, in so doing, the relative extent of their responsibility for conditions in the city. While not ignoring the conflict that existed among jurisdictions in Paris, I have tried to show that a neglected institution, the Assemblée de Police, served as a vehicle for far more cooperation than has generally been recognized.

The second section of the dissertation treats the problem of how power was used; and here again, I have tried to differentiate between formal prescriptions and fact by relying less on royal acts and police regulations than on

my own reconstructions of both expenditures and allocations of personnel. Examination of the manuscript and archival sources which furnish this data reveals--not surprisingly--a pre-eminent concern with the maintenance of order and the protection of property; but there was also considerable attention on the part of the police to the amelioration of life in a large city. While there was an increase and an elaboration of means, these two ends--the preservation of order and the guarantee of life against all that threatened it in an urban environment--remained, during the period surveyed, the major preoccupations of the police.

If, throughout the century, repression remained a more important tool than reform for dealing with social discontent in Paris, there appears after 1759, under Sartine and Lenoir, a new emphasis on alleviating the conditions that produced dissatisfaction. While I have argued that this shift in emphasis is significant and may have helped to produce for the first time a small but consistent surplus of births over deaths in the Capital, its impact--like that of other intentions and prescribed reforms in eighteenth-century France--was blunted by the familiar financial embarrassment that afflicted and finally destroyed the Old Regime.

PREFACE

In preparing this dissertation, I have encountered many forms of generosity and assistance. These range from the financial support provided by the Alliance Française de New York--support which made possible and more pleasurable the research I did in France--to the patient and helpful questions of friends who took time from their own inquiry to further mine. Both Chief Dilieto of the New Haven Police and Police Commissioner Robert J. diGrazia of Boston found time in the midst of busy schedules to answer questions I addressed to them. For their help and their openness I am truly grateful, as I am to Professor Raymond Kierstead for the kind assistance he offered me three years ago as I began this work.

It is, however, to Professor R.R. Palmer and to my wife, Marianne, that I am most deeply indebted: to Professor Palmer for wise counsel on the proper scope of such a study and for remarkably prompt, patient, and helpful commentary on each of the chapters it has come to contain; to Marianne for countless hours of good-humored advice and encouragement, and for the days she gave freely from her own work as a linguist to help me type the more than 400 pages that follow.

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KEY TO ABBREVIATIONS

For the sake of brevity, I have employed the following abbreviations in footnotes:

AN	Archives Nationales.
AR	<u>Almanach Royal.</u>
BA	Bibliothèque de l'Arsenal.
BHVP	Bibliothèque Historique de la Ville de Paris.
BN	Bibliothèque Nationale.
BO	Bibliothèque Municipale d'Orléans.
CP	Cote provisoire.
JF	Collection Joly de Fleury at the B.N.
MS(S) fr	Manuscrit(s) français at the B.N.
n.a.	Nouvelles acquisitions.
PP	Archives de la Préfecture de la Police.

PART I

THE POWER OF THE POLICE

PREVIEW

CHAPTER I

TOWARD DEFINITION

Study of the pre-revolutionary police begins with a fundamental, yet strange and embarrassing difficulty. Anxious to investigate the intricacies of organization and the relative priority the police gave their various functions, the historian finds himself obliged to set these problems aside in favor of another dilemma, one considerably more elementary. Reluctantly, he admits that his initial difficulty is not the structure of the police nor their activity but instead the problem of their location. Those he has come to study prove perversely hard to find. It is a humiliating situation, for others have apparently not had the same difficulty. Any text he consults tastelessly reminds him that Paris has had a police force since 1667. Books have been written about its founding and subsequent activity. Yet relevant documents of the late seventeenth and early eighteenth centuries make no mention of it. Viewed from the perspective they afford, it is as if no such entity existed. Embarrassing though the question may be, the historian cannot avoid it: where are the police of Paris?

Locating them, one discovers, is less a matter of detection than of semantic clarification and arbitrary decision. Though sources prior to 1750 refer to no body of men

as the police, the word itself appears frequently in unexpected contexts; and comprehending this presence, deciphering usage that is unfamiliar, becomes an essential first step for the historian. Beginning here, with a word and with an effort to determine the sense given it by eighteenth century Parisians, the historian hopes to discover those who have eluded him.

The task is by no means an easy one. Writing from exile several years after revolution had forced him from Paris, a former Lieutenant of Police spoke of the abundant and careless use his countrymen made of the word police:

L'on confondait anciennement dans le monde, ce qui est de police et ce qui est de discipline, comme on fait aujourd'hui beaucoup et diverses acceptions du mot police. Ces acceptions mal entendues donnent lieu à des interprétations arbitraires et en contradiction. Haute police, police ordinaire, police militaire, police municipale, police de sûreté, police d'inspection, police de grande et petite voirie, police des batimens, police des maisons nationales ... c'est à l'infini¹

Revolution had not sufficed to remedy all the ills of the Old Regime; for the conceptual confusion of which Lenoir complained in the 1790's had, as he implied, preceded the events of 1789. Throughout the seventeenth and eighteenth centuries the French wrote the word police readily and in what appears to us, no less than to Lenoir, an overwhelming variety of contexts: the statutes of a guild announced that its officers, "des Jurés feront ... les visites et recherches nécessaires pour le bien et la Police de leur Communauté ..."; a commissioner of the Châtelet in Paris

¹BHVP, MS n.a. 477, fol. 23.

was required to draw up "dans chacune de ces Polices un état exact des contraventions qu'il aura observées ..."; an official of the Bureau de la Ville spoke of "des réglemens qui ont été faits pour le maintien de la Police"; and in 1770 appeared a regulation "pour fixer pour l'avenir les limites de la police entre le bureau de la ville et le Châtelet."² One finds that there were "officiers de justices ayant la police," "troubles et accidents qui pourroient interrompre le bon ordre et la police," "assemblées de Police," "sentences de Police," and a "chambre de Police"; indeed, one finds the word police, as did Lenoir, in what first seems an inexhaustible number of confusing contexts.

Converting this confusion into comprehension requires above all stifling one's initial impulse to equate police with a group of men attired in black uniforms. This ready association confounds all effort to appreciate seventeenth and eighteenth century usage, usage in which the word designated no identifiable body of men and no administrative agency; in which, in fact, it referred to no entity whatsoever.

Where are the police of Paris? The initial, awkward response to this question is that they are nowhere, that they do not exist. To what, then, did the word police refer? A different question and yet an important one, for by answering it the historian begins to discover a way out of

²These brief citations and those that follow I draw from documents scattered throughout BN, MS JF 1333 and from unnumbered pieces in AN, Y 13728.

his dilemma. Prior to 1750 police designated not an entity but an act, or rather, a group of actions. Comprehending a sixteenth, seventeenth, or eighteenth century passage in which the word police appears requires that one begin by equating it not with a company of men but with a set of functions. What is needed is the mentality of an army sergeant or a Boy Scout leader who, bent on bringing order to a small universe, insists that a barracks or campsite be properly policed. This usage in English is generically similar to that one encounters everywhere in French during the seventeenth and eighteenth centuries. Like residents of Paris under the Old Regime, the sergeant and the Scout leader treat police as an activity; and if the historian can do the same, he can begin to make sense of his materials. Viewing police as a function rather than an entity, it is no longer puzzling to find a public officer engaged "faisant sa police" or to discover that an edict of 1699 has "démembré les fonctions de la police de celles des anciens Officiers des Sièges [royals]." Nor does a judicial decision of 1707 that speaks of "les ... fonctions des commissaires au Châtelet, dont la Police est une des principales ..." require anything more than a single reading.

Having discovered before about 1750 no contemporary designation of a body of men as the police, the historian who is not intimidated by anachronism must devise his own.³

³As late as 1779 the Lieutenant of Police himself, in referring to those charged with police functions, spoke of them not as the police but as "les officiers de justice

An exercise in prochronism the effort may be, but there is no alternative for a study of the police that presumes to begin in 1718. Locating the police of Paris becomes a matter of creating them conceptually, of deciding upon and indicating those one intends in speaking of the police. Two means by which to accomplish this task present themselves. Having determined that police is a set of functions, the historian may attempt to specify the nature of these activities and designate as the police those engaged in performing them. Or, after 1667 when a single man, the Lieutenant of Police, is given considerable authority over police activity in Paris, he may use this individual as a point of reference and name all those subordinate to him the police. While neither approach is without its problems and neither permits the elimination of a certain arbitrariness, both appear to promise the historian a way out of his difficulty, a way of locating the Parisian police.

Where are the Police? One answer seems to begin with an identification of those activities the seventeenth and eighteenth centuries associated with the word police. Despite the ring of paradox, one may well say that though Paris lacked a police force in 1650 and 1720, it did not want for policing. Numbers of men performed police functions without themselves bearing the familiar title of policemen.

ayant la police"; and not until the fifth edition of its dictionary (largely complete in 1789, but not published until 1798) did the Académie française sanction application of the term to those who acted as well as to the act itself.

Is it not reasonable to consider these men the police force we are hunting? But what, then, were the functions they performed? Was the term police, as we might initially suspect, a means of denoting that part of public administration concerned with the enforcement of law and the prevention of crime? To this question there is no simple reply; for, in exploring usage of the term police throughout the duration of the Old Regime, one is trying to lay hands on something in flight, on meaning in the process of change.

Police did not in 1750 designate the same activities it had two hundred years before. With the flow of time, usage changed, shifting slowly from broad to narrow denotation, from the designation of general and extensive powers to more specific and confined functions. Consider a sixteenth century equivalent of the term, that offered by Robert Estienne in his Dictionnaire françois-latin of 1539: police he defines as "le ... gouvernement d'une république." Far from describing some limited administrative activity, the word is equated with the act of governance itself. This equation continues throughout the sixteenth century and on into the seventeenth. In the first edition of his Dictionnaire of the French and English Tongues (1611), Randle Cotgrave offers "to order, govern, rule advisedly" as synonyms for the verb policier and defines police itself as "civill government." Nicolas Delamare, writing as late as 1720, claims in his Traité de la police that the word is still often understood to mean government; hence, he continues,

there may be a police that is monarchical, another that is aristocratic, and yet a third that is democratic.⁴ In each of these definitions--one from the sixteenth century, one from the seventeenth, and one from the eighteenth--police stands as a synonym for governance or, one might say, for the act of control: control over an area as extensive as the state itself; control of all activity, all dimensions of experience, deemed properly subject to public authority; control unqualified by adjectives like administrative or judicial.

Though police might be used as late as 1720 as an equivalent for governance, this was by then no longer its most common denotation. It had, during the seventeenth century, begun to assume a more limited sense, one which came gradually to predominate. While the word remained roughly synonymous with regulation or control, both the space over which such control was exercised and the range of activities subject to it narrowed. Appropriately, given its etymology (from the Greek polis, for city), police came to mean regulation not of an entire state but of a city. As early as 1611, Cotgrave, after defining police as civil government, quoted a lawyer who claimed the word properly referred to "le réglement de la Cité." He continued his discussion by noting that droit de police was the "power to

⁴Nicolas Delamare and Le Clerc du Brillet, Traité de la police (3 vols.; 2nd ed.; Amsterdam, 1729), I, 2. Delamare goes on to add that since each estate within a society may be viewed as, to some extent, governing itself, we may speak of police ecclésiastique, police civile, and police militaire.

make particular orders for the government of all the inhabitants of a Towne or Territorie." By the end of the first quarter of the eighteenth century the link between police and city was firmly established. Pierre Richelet, in his Nouveau Dictionnaire françois (1719), says nothing about state or republic, defining the word simply as "réglement de ville." The same definition, once again without reference to the state, appears in François Chasles' Dictionnaire universel, chronologique et historique de justice, police et finance, which appeared in 1725. More importantly, given the influence of his work,⁵ Delamare, having indicated that police may serve as a synonym for government, goes on to say that ordinarily its sense is more restricted, designating not the governance of a state but the administration of a city, the "ordre public de chaque ville."⁶

⁵The prefatory remarks to the Traité de la police served as the basis for the article on police which appears in the Encyclopédie.

⁶By extension police is sometimes used to refer not simply to a form of control but to the results of this control; not only to various acts of regulation but to the consequent harmony and order these acts were thought to produce. It is in this sense that Delamare uses the word here. One meets it elsewhere, as in a royal declaration posted in Paris in 1729 which proclaims that it had "pour objet de maintenir la Police dans les Halles et Marchés de cette ville" (BN, MS JF 1322, fol. 47); and it is in this extended sense that the Dictionnaire de Trévoux (1771) treats police together with religion as equivalent to civilization itself: "en général il [the word police] est opposé à barbarie. Les Sauvages de l'Amérique n'avoient ni foix, ni police quand on en fit la découverte." In contrast to the unregulated life of the American Indians who lack all police and live consequently "comme des bêtes" stands the Jesuits' portrayal of China as the best policed and hence the most harmonious, most civilized of eighteenth-century societies.

As police becomes increasingly associated with the city during the seventeenth and eighteenth centuries, the number of functions encompassed by the term diminishes. Gradually, it ceases to be an adequate substitute for the act of governance, taking on a more restricted sense, though one that is not easy to delineate. An attempt at such delineation might begin by indicating that the term encompassed what today would be considered both judicial and administrative functions. Under each of these rubrics it is easier to indicate what the word did not designate than to give it a coherent positive content.

Comprehending police as a judicial function involves distinguishing a kind of case, which, under the Old Regime, was considered neither criminal nor civil, but which was conceived as lying between these two familiar forms of jurisdiction. In common with criminal justice, police judiciaire treated incidents of behavior viewed as having import for the community as a whole, conduct in whose detection and prosecution the community took an immediate interest. It differed from criminal jurisdiction only in that the behavior judged, while perceived as antisocial, did not warrant the extreme disapprobation expressed by the word criminal. The inhabitant of a city who, in the heat of summer, permitted refuse to collect on his property warranted public prosecution; but his behavior, while meriting censure of some kind, was not, in the eyes of his contemporaries, criminal. Those deciding this kind of affair performed the

function known as police judiciaire, and it was to the rendering of such judgments that one referred in speaking of police as a judicial activity. Montesquieu used the word in this sense when he wrote in De l'esprit des lois (Bk. XXVI, chap. xxiv):

Les matières de police sont des choses de chaque instant, et où il ne s'agit ordinairement que de peu: il ne faut donc guère de formalités. Les actions de police sont promptes, et elle s'exerce sur des choses qui reviennent tous les jours: les grandes punitions n'y sont donc pas propres Ainsi il ne faut pas confondre les grandes violations des lois avec la violation de la simple police; ces choses sont d'un ordre différent.

That police should designate certain administrative functions is intuitively less surprising for us than its use to describe a form of justice; but the administrative functions to which it refers, we quickly discover, do not readily correspond to our notion of appropriate police activity. Most significantly, these functions are more extensive than those we are accustomed to associating with modern police forces. While no longer coextensive with governance itself, police remains a way of designating much more than the detection of crime and the guarantee of personal and proprietary security. The title the Crown gave its omniscient representatives in the provinces during the seventeenth and eighteenth centuries--Intendant of Justice, Police, and Finance--suggests the broad compass of the term. In this context police appears to be a way of describing all administrative acts of government but the assessment and collection of taxes; and, if one excepts as well provisions for defense, this is what it was: an omnibus term, a handy,