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THE NATURE OF PARLIAMENTARY ELECTIONS UNDER THE FIRST EMPIRE:

The Example of the Department of Mont-Tonnerre

In an earlier article[1] I looked at one aspect of the politics of dictatorship, i. e. the nature of the political activity that takes place under such a regime. Here I turn to another aspect of the same theme.

It is one of the paradoxes of modern dictatorship, and a feature that distinguishes it from traditional *(ancien-régime)* absolutism, that it seeks to present at least a semblance of popular ratification or endorsement of its policies. Perhaps it is not such a paradox: perhaps here we are getting near the essence of the age that Max Beloff has called the age of democratic absolutism[2]; the legitimation that modern regimes seek is not divine, as under the *ancien régime*, but the legitimation conferred by the general will. Here, as in other respects, the First Empire in France may be seen as a peculiarly indicative harbinger of what was to come; here, as elsewhere, its precocious modernity is apparent.

That it was a dictatorship admits of no doubt, albeit a plebiscitary dictatorship, of the model afterwards continued by Napoleon III. The regime rested its right to rule on the results of the plebiscites of 1799, 1802 and 1804 – though Napoleon was also emperor ›by the grace of God‹, an *ancien-régime* formula, indicative of his wish to salvage whatever he could, whether of charisma or of institutional utility, from the *ancien régime*. In theory, then, the regime may perhaps have needed to look no further for popular legitimation. In practice, it found it impossible, or at any rate inexpedient, to dispense with the additional and ongoing endorsement provided by a representative assembly, elected on what purported to be democratic principles – so strong was the tradition of representative institutions bequeathed by the Revolution, even from its most autocratic phase. Such an assembly was regarded as a practical addition to the government's authority rather than an unavoidable encumbrance. None the less, the parliamentary bodies of the Consulate and Empire did not materially detract from the autocratic character of the regime. The recent work of Irene Collins[3] does not significantly modify the accepted picture of parliamentary bodies that, while under the Consulate they displayed some little life of their own, by the Empire were very largely tamed and obedient tools of the government. In these circumstances, a person

1 The politics of the appointment and dismissal of the prefectoral corps under the Consulate and Empire: the example of the department of Mont-Tonnerre.
2 Max Beloff, The age of absolutism 1660–1815, London 1954, p. 19.
3 Irene Collins, Napoleon and his parliaments, 1800–1815, London 1979.

seeking election to the *Corps législatif* or (till its abolition in 1807) the Tribunate, or appointment to the Senate, could not have done so in the expectation of playing a formative role in the politics of his country; he must have known that the real seat of power lay elsewhere, at court or in the *Conseil d'État,* and that his destined role as a member of the legislature would be more or less mute approval of the government's policies. In which case, what was his motive in seeking to become a member of parliament? Our purpose in this article is to try to give an answer to this question, and also in so doing to throw some light on the electoral process, on the basis of a study of parliamentary elections in one department of the French Empire, the Rhenish department of Mont-Tonnerre.

For electoral purposes the departments of the French Empire were divided into five series, holding elections in successive years, so that one fifth of the legislature was renewed annually[4]. Mont-Tonnerre belonged to the first series. The electoral system was a combination of manhood suffrage with indirect election, so that the latter might effectually negate the former and reserve effective electoral power in the hands of the *notables.* The electoral organs of Mont-Tonnerre – beyond the primary (manhood-suffrage) stage, the *assemblées cantonales* – consisted of an electoral college for the department as a whole, and an electoral college for each of the four *arrondissements,* Mainz, Speyer, Zweibrücken (Deux-Ponts) and Kaiserslautern. The electoral college of the department was recruited on the basis of a property qualification. These colleges between them were to elect – here was the catch – not members of the legislature, but *candidates* for membership of the legislature, the successful candidates being chosen by the Senate. Candidates for the legislature meant, in practice, candidates for the *Corps législatif* and the Tribunate; candidates were also elected for the Senate, the upper house, but since this was recruited on an individual, not a territorial, basis – i. e. there were officially no constituencies –, individual departments could not expect necessarily to have in the upper house a senator or senators explicitly representing them (as is the case, so far as the states are concerned, in the United States Senate). Mont-Tonnerre had three deputies in the *Corps législatif;* in theory, down to 1807, it ought also to have been represented in the Tribunate, but in the surviving records of elections in the department, no candidates for that ill-fated chamber were ever put forward. The department had no member of the Senate who was associated with it, unless one counts the Comte Shée, former *commissaire général* of the four Rhenish departments and prefect of Mont-Tonnerre. So, to all intents and purposes, parliamentary elections in Mont-Tonnerre meant election of candidates for the *Corps législatif.* The electoral colleges also had to elect candidates for the local consultative councils of the department, the *conseil général* and the four *conseils d'arrondissement,* the successful candidates being chosen by the head of state. The electoral college of the department met and held elections in 1805 and 1812, the electoral colleges of the *arrondissements* in 1806 and 1812; the elections in 1812 ought technically to have been held in 1811, but for some reason were delayed till the New Year. There is no record, at least none that has survived, of any elections in Mont-Tonnerre earlier than 1805,

4 For an account of the electoral system of the First Empire, see Jacques GODECHOT, Les institutions de la France sous la Révolution et l'Empire, Paris 1951, pp. 496–7.

though the department was certainly represented in the *Corps législatif* before that date[5].

Since we are to study the elections, our first concern must be with the composition of the electoral colleges. The information that the electoral college of the department was recruited (by the *assemblées cantonales*) from among the six hundred biggest taxpayers of the department will give an adequate idea of its makeup. This impression was confirmed by the prefect, Jeanbon Saint-André, writing to the minister of the interior in 1805, when he referred to *Le Collège Electoral de ce dépt, qui se compose des propriétaires les plus fortunés*. Lists of the members of all the electoral colleges are extant, for the year XIII (1804–5) – probably when the colleges had been newly created, in preparation for forthcoming elections; it is likely that they were created later in the newly annexed Rhenish departments than in metropolitan France – and for 1811, but it would be pointless to quote at length from these voluminous lists of *propriétaires* and *négociants* and officials when the socioeconomic character of the electors has been well summed up in the prefect's quoted remark. Since there was a formal property-qualification for the departmental college, one might expect its members to be slightly more affluent than the common run of electors, but there is no reason to think that members of any college departed significantly from the generic description *notables*. As for numbers, it is worth while noting that a majority of the colleges in 1812 were slightly below the minimum numerical strength prescribed for them under the constitution; this was probably due to a natural process of erosion, through death or removal from the department. At all events, all the colleges together in that year had an effective strength of 716. These 700-odd men constituted the political class of the department. A more serious problem than the colleges being slightly below strength was the reluctance of many members to attend and take part in elections. Absenteeism was a common feature; at the electoral college of the *arrondissement* of Speyer it was so great in both 1806 and 1812 that a quorum (half the members) could not be sustained and the proceedings had to be terminated before business was complete. This lack of interest can be variously interpreted. The German historian, Max Springer, would have us see it as a sign of the alienation of the inhabitants of Mont-Tonnerre from the French regime[6]. It is equally possible that the electors, being unused to a representative system, had not yet learnt how to use it with conviction and proficiency – though it was in the French period that the seeds of political liberalism in the Palatinate were firmly sown[7]. Only the most sophisticated may have doubted the genuineness of the proceedings: they, the *notables*, were being represented, after a fashion, even if the system was far from democratic. The decisive factor, if not in dissuading people from attending, at least in inducing them not to remain to the end, was probably the length of the proceedings, if they were not

5 This article is based on the materials relating to Mont-Tonnerre in the following manuscript sources in the Archives Nationales: CC 29, CC 30, CC 35, CC 47, CC 64, F 1 c III Mont-Tonnerre 1.

6 Max Springer, Die Franzosenherrschaft in der Pfalz 1792–1814 (Departement Donnersberg), Stuttgart 1926.

7 Karl-Georg Faber, Verwaltungs- und Justizbeamte auf dem linken Rheinufer während der französischen Herrschaft. Eine personengeschichtliche Studie, in: Aus Geschichte und Landeskunde (Festschrift F. Steinbach), Bonn 1960.

well managed – people's interest seems to have waned after two days –, and the consequent expense (the elections were held at the *chef-lieu* of the department or *arrondissement*).

Each electoral college had a president, appointed by the head of state. The appointment of the president of the departmental college, the most important of the five, highlighted a particular problem regarding the *notables* of the department. The prefect, writing in 1804, complained that *tous les personnages remarquables, qui étaient en même temps les plus grands propriétaires, ont suivi leurs cours sur la rive droite* – in the wake of the former reigning princes of the region; so that the potential corps of *notables* had been depleted by this emigration. This phenomenon was not universal, for some members of the nobility had remained and are to be found serving the French; but by and large the situation was no doubt as the prefect implied – and as Karl-Georg Faber has substantiated –, that the available class of *notables* in Mont-Tonnerre was middle-class in character, that is, persons whose fortunes had been made in the professions or in trade, rather than through hereditary ownership of land and membership of old families. This is exactly what one would have expected to occur as the result of the imposition of French-type changes; but ironically, as we can see, it was not altogether to the liking of the French authorities, who evidently wanted their ceremonial office-holders to be persons of real social weight and prestige as well as wealth – a tendency characteristic of the Consulate and Empire, when members of the old ruling class in France were appointed to effective as well as dignified administrative office. As early as 1804, then, we can perhaps see signs of a parvenu regime seeking to buttress itself by reference to traditional conceptions of social worth and hierarchic social values. At all events, the prefect was manifestly not satisfied with the material to hand when it came to proposing three names for the presidency of the departmental college, of whom the emperor would choose one; so much so that he suggested that a Frenchman from outside the department be appointed to fill this place – his friend, the Bordelais, Senator Sers. At this stage, however, the government evidently preferred to try appointing a local man. This was Henri-Georges Mappes, a wine merchant of Mainz and member of the *conseil général;* a man of such high standing in Mont-Tonnerre that he was afterwards made a member of the Legion of Honour, and in 1812 a baron of the Empire. His income was stated in 1811 to be twenty thousand francs. This, though it must be taken as only an approximation – statements of income habitually varied, and if anything erred on the side of understatement, for tax purposes –, certainly placed him among the richer inhabitants of the department; when we recall, however, that the prefect even of a third-class department like Mont-Tonnerre had from 1810 a salary of thirty thousand francs, Mappes's financial status probably ranked as no more than modest when compared with *notables* of metropolitan France – at a period when the greatest fortunes were derived from land, rather than trade. None the less, the government on this occasion clearly thought him the most suitable choice among a set of unavoidably mediocre nominees. In the event he failed to give satisfaction, for reasons that we shall see, and was replaced by an outsider, the Lorrainer, General Gouvion-Saint-Cyr. He was unable to attend in 1806, probably because of his military duties, and his place was taken by another outsider, albeit a Rhinelander, Senator Rigal, an inhabitant of the department of the Roer, who in turn was prevented from presiding, through

illness[8]. So Mappes seems to have presided after all at the election of 1806, for which no minutes seem to be extant, and when in any case the college made no return because, according to the prefect's report, there was no quorum. Gouvion-Saint-Cyr duly presided in 1812.

As for the electoral colleges of the *arrondissements*, their presidents were local figures, of an appropriately lesser eminence. Out of the three candidates for each place proposed by the prefect, the government chose, for Mainz, François-Conrad Macké, mayor of Mainz and member of the Legion of Honour – by far the most eminent of the municipal officials of the department; for Speyer, Georges-Jacques Retzer, justice of the peace; for Zweibrücken, Georges de Esebeck, landowner, member of the *conseil général*, sometime mayor of Zweibrücken, and nobleman – one of the few remaining members of the local nobility who had not emigrated; and for Kaiserslautern, Frédéric-Louis Umbscheiden, a judge, president of the tribunal of first instance of Kaiserslautern. It is noteworthy that all of these appointees were office-holders, closely linked to government; probably none of them except Esebeck had any independent socioeconomic standing, such as the government desired, to fulfil amply the meaning of the term *notable*. They were, in short, apart from Macké – whose municipal office was undoubtedly an important one –, small fry, mere state-employees, who were far from fulfilling the requirements of wealth, status and local prominence that the government sought. Yet they were clearly the best of the bunch that the prefect had – surely tentatively – put forward. This bears out his remarks about the mediocrity of the class of potential *notables* in Mont-Tonnerre, and possibly indicates a way in which the department in this respect may have differed from metropolitan France, where the emigration had been only partial and in most cases only temporary. Adequate or inadequate, the presidents of the *collèges électoraux d'arrondissement* were reappointed for the elections of 1812, except Umbscheiden, who had left Mont-Tonnerre to take up a post at the *cour impériale* (appeal court) of Trier (Sarre); he was replaced by Charles-Louis-Adolphe Petersen, former sub-prefect of Kaiserslautern, another strictly local *notable* and state servant.

Of the elections held under the aegis of these men, the minutes of the proceedings tell us little beyond the formalities. Little of the atmosphere of the meetings is conveyed, except in those cases where the proceedings are manifestly disintegrating as a result of the erosion of attendance through progressive absenteeism. On the other hand, where no such contretemps occurred one is to assume that effective official management of the proceedings was in evidence, if only discreetly, and by that token one would expect the results of the elections to be satisfactory to the authorities – who, as we shall see, had fairly well-defined ideas about whom they wanted to see elected, and whom not. But there was, in addition, a whole realm of private politicking that went on in and about the elections, of which the minutes give no inkling but on which the reports of the prefect commented at length and to which we shall have occasion to return.

The results of the elections can best be given in tabular form, beginning with the electoral college of the department. As has been mentioned, it made no election in

8 The correspondence on this subject is in AN, F 1 b II Mont-Tonnerre 1 and F 1 c III Mont-Tonnerre 5.

1806, but it had met in nivôse, year XIII (January 1805), with Mappes presiding, and had elected two candidates for the Senate:

Mossdorff, *conseiller de préfecture* (the *conseil de préfecture* was a four-man administrative tribunal presided over by the prefect);

Eickemeyer, retired general.

In 1812 it elected as candidates for the Senate:

van Recum, deputy for the Rhin-et-Moselle in the *Corps législatif;*

General Rapp;

as candidates for the *Corps législatif:*

Mossdorff;

Macké;

and as *suppléants de candidats* for the *Corps législatif* (understudy candidates, in case a sitting deputy died during his term of office):

Wernher, *conseiller de préfecture;*

Petersen, former sub-prefect of Kaiserslautern.

The elections at the *colléges électoraux d'arrondissement* can be similarly summarized, bearing in mind that these colleges had to elect candidates only for the *Corps législatif*, not for the Senate. We ignore the candidates that all five colleges had to elect for the local consultative councils, this being no part of their parliamentary function:

Mainz: 1806: candidates for the *Corps législatif:*

Fiesse, *secrétaire général* of the department;

Hofmann, former *receveur général* of the department;

suppléants:

Meyenfeld, *conseiller de préfecture;*

Wernher, member of the *conseil général,* afterwards *conseiller de préfecture;*

1812: candidates:

Macké;

Schmitt, president of the tribunal of first instance of Kaiserslautern;

suppléants:

Stephani, vice-president of the tribunal of first instance of Mainz;

Wernher.

Speyer: 1806: candidates:

Verny, sub-prefect of the *arrondissement;*

Dick, *procureur impérial* (public prosecutor) at the tribunal of first instance of Speyer;

suppléants:

Sadoul, lawyer, former sub-prefect of Speyer;

Schmitt, then judge at the tribunal of first instance;

1812: candidates:

Petersen;

Mossdorff;

suppléants:

Dick;

Schwind, *juge d'instruction* (examining magistrate) at the tribunal of first instance.

Zweibrücken: 1806: candidates:

Chrétien Sturtz, sub-prefect of the *arrondissement;*
Horn, president of the tribunal of first instance of Zweibrücken;
suppléants:
Luxer, *procureur impérial* at the tribunal of first instance;
Holzmann, notary;
1812: candidates:
Charles Sturtz (brother of Chrétien), judge at the *tribunal des douanes* at Mainz;
Horn;
suppléants:
L. Hoffmann, notary;
Luxer.
Kaiserslautern: 1806: candidates:
Umbscheiden;
Eickemeyer;
suppléants:
Charles-Joseph Retzer, *magistrat de sûreté* at the tribunal of first instance of Kaiserslautern;
Dick;
1812: candidates:
Petersen;
Rebmann, a president of the *cour impériale* of Trier;
suppléants:
Schmitt;
Umbscheiden.

Certain aspects of these results require comment. The men elected were for the most part not of much distinction, but merely local figures. The best known of these were Macké, van Recum and Rebmann[9]. Van Recum, though he no longer lived in the department, was a native of it, and the brother of a former member of the *conseil général;* after being a sub-prefect in the Rhin-et-Moselle, he had become a deputy for that department in the *Corps législatif.* Rebmann, who was not a native of the Rhineland, had as a publicist been a prominent German supporter of the French Revolution in the 1790s, and subsequently a judge in Mont-Tonnerre. Thus both of them, though no longer resident, had strong links with the department. This is more than can be said for General Rapp, though he was a distinguished soldier; his only connection with Mont-Tonnerre appears to have been that his brother-in-law, Hosemann, was director of the *droits réunis* (indirect taxes) in the department[10], and it was presumably to this fact that he owed his candidature being put forward. All those elected appear to have been German, except Rapp, Fiesse, Verny, Sadoul and Luxer, who were French; Rapp, Fiesse and Sadoul were Alsatians and Luxer a Lorrainer.

9 On these see Karl G. Bockenheimer, Franz Konrad Macke, Bürgermeister von Mainz (1756–1844), Mainz 1904; Karl-Georg Faber, Andreas van Recum 1765–1828. Ein rheinischer Kosmopolit, Bonn 1969 (Pariser Historische Studien, Band 8); Nadeschda von Wrasky (Nadezhda S. Wraskaya), A. G. F. Rebmann. Leben und Werke eines Publizisten zur Zeit der großen französischen Revolution, Heidelberg 1907; Rainer Kawa, Georg Friedrich Rebmann, Bonn 1980.

10 Comte Alexandre de Puymaigre, Souvenirs sur l'émigration, l'Empire et la Restauration, Paris 1884, p. 124.

Apart from these, therefore, the genuinely local character of the men elected was in no doubt. That being so, it would not be surprising if there were sometimes ties of kinship or acquaintance among them. Van Recum was the brother-in-law of Mappes, sometime president of the *collège électoral de département*. Petersen was the brother-in-law of Georges-Jacques Retzer, president of the electoral college of Speyer. Dick was the son-in-law of Sadoul. There were two brothers, Chrétien and Charles Sturtz. Van Recum, Verny, Chrétien Sturtz, Horn and Luxer were freemasons. The social composition of those elected was overwhelmingly middle-class; only Horn was a nobleman of the *ancien régime*[11].

It will not have escaped notice that, though a total of forty elections was made, only twenty-five persons were elected, because several of them were elected more than once or in more than one college. It would seem, then, that the colleges as a whole had their regular favourites – or else that certain people were particularly effective in promoting their candidatures. The men in question were Mossdorff, Eickemeyer, Macké, Wernher, Petersen, Schmitt, Dick, Horn, Luxer and Umbscheiden. These could arguably be regarded as the hard core of potential candidates towards whom the votes of their fellow-citizens normally tended to gravitate. Still more striking is the fact that all the men elected were present or past holders of civil or military office or public employment of some kind; all were in some sense government officials, or dependent on the government for a livelihood – including a particularly strong contingent of lawyers or holders of judicial office, who constituted no less than half of the total. The only possible exceptions that could be argued to this generalization were Eickemeyer and Hofmann, who by the time of their elections had laid down their respective military and civil offices; as will be seen, this was not the only distinctive feature of their elections, but it was part and parcel of the circumstances that gave those elections a peculiar character. Beyond this, the overwhelming preponderance – the virtual monopoly – of officials demands explanation. There was nothing in the regulations governing the elections that required candidates to have this particular professional orientation or qualification; nor were such persons particularly representative of the electoral colleges that elected them, in which, as we have seen, property-owners in a varied sense predominated, many of them, no doubt, having links with government, but not for the most part to the extent of being salaried government-servants. It would be plausible to suppose that the *esprit de corps* presumably prevailing among officials might enable them to support one another's candidature and so make them electorally more effective than any other, less organized group. This is probably part of the answer, but it does not fully explain why officials should have been so successful in recommending themselves to their fellow voters. In any case, half of all the candidates elected had to come from outside the college that elected them, so success in an election clearly depended on having a reputation that extended beyond the bounds of the college, and mere solidarity among colleagues was of itself unlikely to secure this.

This raises the question whether the elections were in fact free. Ostensibly they were, since they operated by means of the secret ballot. This, even so, may have left a considerable margin for official influence and pressure – hence the importance of

11 There are notes on most of these men in Louis BERGERON and Guy CHAUSSINAND-NOGARET (ed.) Grands notables du Premier Empire, fascicule 3, Paris 1978.

having an effective president of the college. Since, however, in all elections the question how the *candidates* for election are selected is of crucial importance, it may be more fruitful to approach the problem from this angle; in which case the simplest explanation of why so many officials were elected is to say that they were the people who *wanted* to be elected and so put themselves forward – or else their master, the government, wanted them to stand and put them forward or induced them to stand. We shall find, later, evidence that those who were elected did in fact seek election and actively desired it for themselves. Their motives for doing so will have to be examined in due course. Meantime, as a provisional answer to the question of the preponderance of officials, it may be suggested that they were successful mainly because they were the group that was most ambitious for election, and corporate solidarity may have stood them in good stead in the actual electoral process; in addition to which, their public positions may have made them simply the best-known names in their localities, and so conduced to their election. Certain of them, notably Macké, seem to have enjoyed a large measure of genuine public esteem. One must assume also that the electoral colleges entered into the spirit of the thing, were not offended by the preponderance of government placemen, and were content to settle for a governmental orientation in their electoral choices. After all, as electors, as *notables*, they were in a sense dependants of the government themselves, enjoying a privileged position, so they had no inclination to display an untoward independence.

Superficially, one might suppose that the electoral system was engineered and managed by the government in its own interest, to secure the election of its placemen and so be able to recruit from them suitably tame members of the legislature. This would be wholly convincing, if one did not pause to reflect that the predominance of officials may well have exceeded what the government would ideally have desired. One recalls the prefect's words about the indifference of the material available for the presidencies of the electoral colleges. Government employees, according to him, were not good enough, when what the authorities wanted was social position conferring at least the semblance of independence. By the same token, we may suppose that from the government's point of view the elected candidates – while no doubt in general loyal and obedient enough – were not altogether satisfactory, though in Mont-Tonnerre they may have been the only available choices. This tends to reinforce the point suggested earlier, that pressure for the election of officials came less from the government than from the officials themselves. It may also possibly give some weight to the argument – which the poor level of attendance at elections would seem to go to substantiate – that large sections of the propertied classes in Mont-Tonnerre were not interested in elections, because they were indifferent or unsympathetic to the French regime, and so more substantial and more independent members of the community may simply have refrained from putting themselves forward for election – or may have thought it pointless to attempt doing so in the face of the official caucus.

In view of these remarks, it is interesting to look at the candidates who were actually chosen by the Senate to occupy seats in the *Corps législatif*, in order to see how far the selection of deputies may confirm our interpretation of governmental attitudes. The deputies chosen in 1807, in consequence of the elections of 1806, were Fiesse, Horn and Chrétien-David Sturtz; in 1813, in consequence of the elections of 1812, Macké, Petersen and Charles-Guillaume Sturtz. All of the first batch served their full five-year

term, except Fiesse, who died nine months after his appointment; the mandate of the second group was cut short by the severance of the Rhineland from France in 1814[12]. Three of them (Fiesse, Chrétien Sturtz and Petersen) were members of the prefectoral corps, having held departmental office of the highest rank below that of prefect. Horn, besides being a judge, had the advantage from the government's point of view of being, as we have seen, a nobleman of the *ancien régime;* as if to confirm his status in French terms, he was subsequently, in 1813, made a baron of the Empire – precisely in accordance with the Empire's policy within metropolitan France, of giving Imperial titles to favoured possessors of *ancien-régime* ones and so enabling them to retain their status. Moreover, he was the brother-in-law of the Bavarian Field Marshal Wrede – surely no mean asset when Bavaria was a valued client state of France in the Confederation of the Rhine. In short, he was a man worth cultivating. Macké by 1812 had taken on an almost equally aristocratic persona as a *chevalier* of the Legion of Honour, and was called ›le chevalier Macké‹; besides, he was mayor of one of the *bonnes villes* of the French Empire. In the two Sturtz brothers there was a useful family connection in the making, and the same was true of Petersen, for his son had succeeded him as subprefect of Kaiserslautern.

From one point of view, it is clear, these men had all the qualifications of obedient legislative tools of the government. Crucial in this connection was their close dependence on the government. There was evidently no bar on current officeholders being deputies. Hence Horn was able to retain his judgeship at Zweibrücken while sitting in the *Corps législatif.* It was a remarkable piece of patronage that Chrétien Sturtz, after serving a term as deputy for Mont-Tonnerre (in fact a second term, for he had earlier been deputy in 1802–6), should have been reappointed to the subprefecture of Zweibrücken, which he had held in 1806–7; equally striking was the fact that he was then succeeded as deputy by his brother. Macké, the indispensable mayor of Mainz, was allowed to retain his municipal office after his election and was exempted from the necessity of attendance at the parliamentary session. Petersen was heavily in the debt of the government for causing his son to succeed him as subprefect, though of course the son's future career would continue to depend on the good will of the government. In all these ways, therefore, these men were closely attached to the government; no further guarantees need have been looked for from them for their good behaviour as deputies or as officials, since they were so thoroughly in the government's debt and in its power for their offices, their careers and their emoluments, and in some cases those of their relatives. If the regime wanted a quiescent lower house, it knew how to go about securing and preserving one, through the employment of these multiple levers of influence over individuals.

On the other hand, it is not altogether certain that the regime wanted a chamber merely of puppets. This would have negated part of the purpose of the exercise, which, probably to Napoleon's mind at least, was not a mere charade but was intended to serve a genuine representative function – representative, that is, of the masses of property and talent within the realm that he wished to enlist on his side. Hence the copious employment of patronage; this was a regime of the carrot as well as of the

12 There are articles on these deputies in Adolphe Robert, Edgar Bourloton and Gaston Cougny, Dictionnaire des parlementaires français, 5 volumes, Paris 1891.

stick. The election of people who had no independent standing but were mere public employees, and could be seen to be such, as we have seen was not to the taste of the authorities. The deputies chosen for Mont-Tonnerre were presumably deemed the best that the not altogether ideal situation in that department could offer. So one is inclined to conclude that, while the dependence of the chosen deputies on the state was no doubt a point in their favour, they were selected equally for their status as *notables* – even if that status, in these cases, rested rather heavily on state service as its origin rather than being held by them in their own right.

In this otherwise homogeneous picture of dutiful state-servants seeking and obtaining from their patron, the state, the mandate of deputy, there was one discordant element: the election in 1805 and 1806 of two candidates who were not members of the charmed circle of departmental office-holders but had ceased to belong to it – Eickemeyer and Hofmann. That these elections were not of a piece with the rest but were regarded as in some sense untoward is shown by the terms in which the prefect, Jeanbon Saint-André, felt obliged to comment on them. Eickemeyer and Hofmann were both maverick candidates. The disturbing thing about them was their radical past and the fact that they had laid down their offices in contentious circumstances. Eickemeyer was a professional soldier, who had gone over to the French in 1792 and had later been associated with the leading Rhenish republican, Görres. He had been discharged from the army in 1802 on account of disputes involving charges of embezzlement. Andreas Joseph Hofmann had been a leading member of the ›Jacobin‹ Club of Mainz, and president of the ›Rheno-Germanic Convention‹ that had applied for the union of Mainz and the Palatinate with France in 1793. Later he became *receveur général* of the newly formed department of Mont-Tonnerre – the most important post in the financial administration of the department. But his career too ended in near-disgrace, in 1803, when there was found to be a deficit of 750 000 francs in his accounts. It is evident that by the 1800s such remaining representatives of the political radicalism of the 1790s – native German radicalism at that – were anachronistic in the increasingly conservative atmosphere of the Consulate; so their elimination from public life was no more than was to be expected. On the other hand, their reappearance in elections, as candidates for public representative office, must have given the authorities an unwelcome reminder of their existence. As we have seen, Eickemeyer was elected by the *collège électoral de département* in 1805, and again by the *collège électoral d'arrondissement* of Mainz in 1806. In the election of 1805, Eickemeyer's name was coupled with that of Mossdorff, a former Mainz Clubist and member of the Rheno-Germanic Convention. This conjunction of two former Rhenish republicans – though Mossdorff, as a *conseiller de préfecture,* ought now to have been able to be considered respectable and safe – was not at all to the liking of the government. Jeanbon Saint-André, writing later to the minister of the interior, referred to the *profond mépris qu'ont inspiré les choix faits pour le Sénat il y a un an ou plus; choix sur lesquels le gouvernement a gardé un silence profond, qui a été généralement regardé, & sans doute avec raison, comme une censure sévère.* Yet pretty nearly the same thing happened again in 1806, with the election of Eickemeyer and Hofmann in two colleges. The prefect, in his confidential report to the minister, spoke of them dismissively. Hofmann's candidature could be quashed by a reference to the circumstances in which he had left office. Eickemeyer was given equally short shrift:

›En deux mots, M. Eickemeyer est connu personnellement de S[a] M[ajesté], & a le malheur de n'être pas estimé.‹ It goes without saying that none of the candidates in question was chosen for the Senate or the *Corps législatif*. It was as a result of the events in the *collège électoral de département* in 1805 that Mappes was removed from the presidency of the college[13].

Jeanbon Saint-André, himself a former Conventionnel and Jacobin, was thus placed in the position of having to discountenance the election of former Rhenish republicans; with how much sincerity it is hard to say. Interestingly, in a full report to the minister of the interior on the election of 1805[14], he minimized the political content of the result and put the blame not on Eickemeyer but on his own colleague, Mossdorff, whose motives were not, in any ideological sense, political. The electoral college had met on 25 nivôse, year XIII (15 January 1805). It was, Jeanbon insisted a little later, ›animé du meilleur esprit‹. But the president, Mappes, ›n'avait pas l'habitude de ces assemblées, ni assez de poids dans l'opinion, & assez de fermeté dans le caractère pour déjouer ces basses intrigues‹. The result was that ›Son choix n'a pas été heureux‹; however, there had been a happy outcome at least in that ›La grande majorité de ces électeurs [ont] reconnu et blâmé même l'erreur que les menées de quelques intrigans lui ont fait commettre‹. That was where the fault lay, in Jeanbon's view – in ›intrigues‹, ›intrigans‹. According to him, the villain of the piece was Mossdorff. He was motivated by social ambition, which meant a wish to obtain a dignified public office. To this end he had mobilized in his own interest his coreligionists, the Lutherans of the department, succeeding (during Jeanbon's absence on leave) in getting them appointed to most of the presidencies of the *assemblées cantonales* – the primary stage in the electoral process. In short, the interest group that Mossdorff represented in the department was confessional, not political, though his actions none the less ran counter to the government's policy of religious equality. In the *assemblées cantonales* he had gone so far as to press his cause by means of printed propaganda. As a result, he secured an amenable electoral college. There, by dint of relentless electioneering and lobbying by Mossdorff and his allies (who included Petersen, sub-prefect of Kaiserslautern), his election as candidate for the Senate was assured; to make his appointment certain, the ingenious device was adopted of giving him as fellow candidate someone who stood no chance of being appointed – Eickemeyer. This was the only reason why Eickemeyer had been elected: *parce que, disait-on, il était mal noté au gouvernement.*

So much for Jeanbon's account of the election of 1805. While everything he says may be perfectly true, one gets the impression that he was anxious to dispel any impression that republicanism might still be a force in Mont-Tonnerre; hence the emphasis on the Lutheran interest, the merely tactical nature of Eickemeyer's candidature, the triviality of Mossdorff. At the same time, he gives a very credible picture of the motives that influenced a departmental *notable* in seeking election and appointment to the legislature, as well as of the measures he might adopt to that end.

13 On Eickemeyer see the articles in the Allgemeine Deutsche Biographie and in Georges Six, Dictionnaire biographique des généraux et amiraux français de la Révolution et de l'Empire (1792–1814), 2 volumes, Paris 1934; on Hofmann, the article in the Allgemeine Deutsche Biographie, and Springer (see n. 6) p. 299.

14 30 nivôse, year XIII (20 January 1805). AN, F 1 c III Mont-Tonnerre 5.

If Jeanbon's object was to quell any misgivings that the government might have had about the political soundness of Mont-Tonnerre, the same was true in 1806, when his report on the elections was still more anodyne. *Les Collèges d'arrondissement*, he wrote, *ont eu des séances paisibles, & dans tous, l'intrigue a eu assez de pudeur pour céder au bon sens & à la justice la moitié des élections. C'est une amélioration dans l'esprit public...* By *la moitié des élections* he meant the election of four out of eight candidates for the *Corps législatif*. The election of Hofmann and Eickemeyer was, of course, unsatisfactory; but the election of Eickemeyer could be dismissed as being *le fruit de l'intrigue de son frère inspecteur forestier à Kaysers Lautern*. The conduct of Dick, elected at Speyer, also called forth adverse comment from Jeanbon. Public prosecutor at the tribunal of first instance, he had used his influence over the justices of the peace and the notaries of the *arrondissement* to prepare his election. Moreover, as the son-in-law of Sadoul (elected *suppléant*), he had helped the latter in his campaign of delation and annoyances designed to dislodge the current sub-prefect of Speyer, Verny, whose post Sadoul had once held and thirsted to regain. Jeanbon here touched on one of the subterranean but none the less unmistakable features of the political life of the department: the factional disagreements centring on the controversial sub-prefect, Verny, in which Jeanbon took Verny's side. The prefect on this occasion therefore did not lose the opportunity of getting in a blow at Verny's enemies by impugning their conduct in the election. The same consideration, in fact, may have influenced his denunciation of Mossdorff, for Jeanbon had there referred to disagreement between Mossdorff and Verny, in which Verny was the innocent party. The fact of the matter was that Mossdorff, Sadoul and Dick were all in league with the former *commissaire général* and prefect, Jollivet, the sworn enemy of Jeanbon, whose tactic in attacking the prefect was to attack his subordinate, Verny. It is clear, then, that factional rivalries within the department intruded on elections, at least at Speyer, where since in 1806 both Verny and his enemy, Dick, were elected, one may deduce that the electoral college was split between the partisans of the rival groups. The government, faced with denunciations from both sides, may have adopted a suspicious attitude towards both candidates, and this may account for the fact that neither was chosen for the *Corps législatif*. For Jeanbon's present purpose, however, the conduct of Dick fitted in well with his allegations of ›intrigue‹. For the same reason, Chrétien Sturtz came in for criticism for having promoted too industriously his candidature at Zweibrücken.

Jeanbon, in fact, seems to have got an obsession regarding ›intrigue‹. This comes out clearly in his comments on the elections of 1812. In these elections no candidate of dubious political associations was elected – Eickemeyer and Hofmann had faded from the scene – and consequently there was nothing to cause the government disquiet. But Jeanbon (now Baron de Saint-André) chose to castigate the ›spirit of intrigue‹, while not alleging that it denoted political unsoundness. *Le collège de Spire*, he wrote to the minister, *est celui de tous qui a présenté le plus de cet esprit d'intrigue, & ... elle y a été poussée à un point révoltant. Le parti luthérien y a dominé, par l'influence du Président ... Aussi est-il très remarquable que dans ce collège ont été nommés M. Mossdorff, luthérien, M. Petersen beau-père du Président, & M. Dick son neveu.* So we hear once again of the Lutheran interest, which we must take to have been a factor in the politics of the department. More interesting, however, are the prefect's remarks on Petersen,

elected at Kaiserslautern as well as Speyer – as a result, according to Saint-André, of the influence of his relatives, the sub-prefect of Kaiserslautern and the president of the electoral college of Speyer. All this was allegedly the result of his ambition to be a member of the *Corps législatif* (in which, of course, he succeeded – the government cannot have taken Saint-André's remarks too seriously). Saint-André similarly alleged ambition as the motive behind the election of Horn (candidate at Zweibrücken) and Stephani (*suppléant* at Mainz). While the prefect may have disapproved of the methods used by these men to secure their election, there is no reason to doubt the accuracy of his statement of the motive underlying their actions: ambition – specifically, one may venture to add, social ambition, rather than political ambition in the sense of an appetite for power (for members of the *Corps législatif* had no real power). As for Saint-André's denunciation of ›intrigue‹, one is inclined to minimize its significance – as the government seems to have done, in choosing men whom he had criticized. If people were ambitious for a certain post, it was natural that they should seek to facilitate their obtaining it by the means they had to hand – which in the case of officials meant their public position and the facilities it offered for making their names known and their influence felt. All that is at issue in the activities reported by the prefect is what in a free society would be called electioneering, with on occasion the lobbying, the application of pressure, and the tactical manœuvres that are inseparable from it. There is no suggestion of bribery or corruption. But even the suggestion of autonomous political activity, by people whose loyalty to the regime was not in doubt, seems to have offended the authoritarian instincts of the prefect. The appointed autocrat of the department, he seems to have objected to any form of political activity that was not under his thumb. The government, however, appears to have taken a less intolerant view. If the prizes it offered were worth having, it was natural that people should manœuvre and compete for them. This showed their acceptance of and attachment to the system, rather than the contrary. This tends to bear out our belief that in deputies the regime was looking for men of a certain independence. If the *Corps législatif* had consisted of mere government appointees, there would have been no room for elections or for electioneering[15].

Our picture of the nature of parliamentary elections in Mont-Tonnerre is now reasonably clear. With necessary qualifications, given that our findings are derived from one department of the *pays réunis*, it may be not uninstructive for the parliamentary system of the French Empire as a whole. Behind the official façade of the elections, it is curious to see the realities of political life emerging, even if, in the absence of ideology or formal party alignments, the focus of political association had to be family relationships or religion, and the object of political activity place-hunting. The sort of people the regime wanted as candidates and deputies has been adequately outlined. As regards both the aspirants to and the recipients of representative office, the all-importance of the class of *notables* stands out. In Mont-Tonnerre these were mainly the *notables* of state service rather than of independent (especially landed) wealth, but this may have been a peculiarity of the department resulting from the

15 On Parliamentary elections in the Rhenish departments, cf. Philippe SAGNAC, Le Rhin français pendant la Révolution et l'Empire, Paris 1917, pp. 254ff.

emigration. It remains to draw together the threads of the subject of men's motives for seeking representative office, in so far as they have not been indicated already. It has been made clear that ambition for real political power can be virtually ruled out as a possible motive. We are left, then, with the attraction of ceremonial or decorative office. The importance of this should not be underestimated, for, as Napoleon said apropos of the Legion of Honour, *C'est avec des hochets qu'on mène les hommes.* The resulting situation cannot be better described than by Sagnac:

> Les Rhénans se disputaient les grandes places de sénateurs et de députés, celles de conseillers généraux, et même de présidents des collèges électoraux d'arrondissement, qui ne conféraient aucun pouvoir réel, mais qui mettaient en jeu l'amour-propre[16].

Within this framework, the preponderance of officials is of interest in its own right. It would seem that they viewed appointment to the national legislature as the culmination of a career built on state service and marked by tokens of official regard. This would appear to have been so, for example, with Petersen, who looked to appointment to the *Corps législatif* to crown a successful administrative career in the French service, in which he had held the considerable post of sub-prefect. The same was no doubt true of his colleagues in the administration and the judiciary who aspired to the same prize. From this point of view, nomination was probably comparable in significance to the award of the Legion of Honour or that most desirable prize, a title of nobility. One must also take account of the sheer glamour that the prospect of moving to Paris, to be near the centres of power and patronage, must have held out to these local officials in their remote administrative posts[17]. There is something unmistakably parvenu about all this social ambition, pursued so uninhibitedly as to incur the contempt of Jeanbon Saint-André; and there is no reason to doubt that the regime, itself parvenu, consciously played on this emotion, which it well understood, in its own interest. Here we may conveniently recall that the body of eligible *notables* in Mont-Tonnerre was very predominantly middle-class; the southern Rhineland, as Faber has shown in his study of officials, was far more thoroughly denuded of nobles than the north. Thus, if there was a new ruling class in the making under the auspices of the Empire, it was, in Sagnac's words, ›un sorte d'aristocratie bourgeoise‹, or, as Faber would have said, a class of middle-class *notables.* Rebmann, a former republican, himself a candidate in Mont-Tonnerre, blamed the members of the former ruling class of the *ancien régime* in the Rhineland for acting *afin de pouvoir organiser sous les formes du nouveau régime leur ancien système de famille et de relations d'antichambre*[18]; but his remarks cannot be taken as applying particularly to Mont-Tonnerre, since those social groups – however much they may have been encouraged in this direction elsewhere by the Empire – were no longer of great moment there. The new leading social group there was the middle class. In this respect, the Napoleonic period was of crucial importance for the subsequent political history of the Rhineland. The example of Mont-Tonnerre may also be not uninstructive for the history of the

16 Ibid., p. 255.
17 On this, see Jacques Régnier, Les préfets du Consulat et de l'Empire, 3rd edn Paris 1913, pp. 157–8.
18 Quoted by Sagnac (see n. 15) p. 255.

emergence of the *notables* as the ruling class of metropolitan France through the Revolution and Empire; with the proviso that the *notables* of that department, being for the most part salaried state-servants, seem to have been intrinsically smaller fry than their counterparts within the boundaries of the old kingdom of France, where the Napoleonic ruling class was much more genuinely – and opulently – an amalgam of old and new wealth, noble as well as bourgeois.