

Political Convictions: French Deportation Projects in the Age of Revolutions, 1791-1854

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Abstract

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This work studies the role of deportation in the punishment of political protest and the consolidation of power in France between the French Revolution and the Second Empire. In particular, it traces the development of an official policy of colonizing the overseas empire with French deportees. Approximately 10,000 individuals were deported within the French overseas empire as a result of colonization through deportation efforts during this period. Of these men and women, the vast majority had been implicated in crimes of protest or revolution. In fact, deportation decrees became a common official response to social and political troubles throughout greater France during the Age of Revolutions.

Though little known, the history of deportation is the story of various interest groups negotiating within a political culture that valued three different goals, all of which spanned changes in government and governing ideology between the Revolution of 1789 and the Second Empire: (1) cleansing the metropole and colonies of revolutionary elements, (2) improving the economic situation of existing colonies, and (3) finding French men and women to serve as pioneers in new lands. Throughout this period, many political elites and social reformers advanced the theory that deporting political criminals would secure order in the metropole, strengthen the overseas empire with an infusion of new “colonists,” and even result in the moreal reformation of the convicts.

Yet for all the grand intentions of French political elites, each successive attempt at establishing communities of deportees overseas failed due to a combination of legislative indecision in the metropole, administrative inefficiency within the empire at large, concerns over

local stability in the overseas colonies, and an almost universal unwillingness to participate in the colonial project on the part of the deportees. Nevertheless, for over sixty years, political elites continued to support colonization through deportation measures despite these failures. Only after official and popular perceptions of common-law crime changed, thereby linking common-law criminals to social and political disorder, did the official attitude toward deportation change. After 1854, the goal of deportation was not colonization, but merely the internment of dangerous criminals in remote locations.

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As with any work of this magnitude and personal significance, this dissertation would not have been possible without the steady assistance of a remarkable array of people. I first have to take this opportunity to thank my dissertation director, Professor Sophia Rosenfeld, whose patient advice, prompt comments, and insight made the research and writing process manageable and even fascinating. For allowing me time to complete my research and begin writing in France, I am grateful to the German Marshall Fund, the University of Virginia, and the École Normale Supérieure for finding merit enough in my project to grant me the resources I needed to pursue it. And for making the research time in France all the more productive and enjoyable, I owe Jennifer Sessions, in particular, a debt of gratitude for sending references, helping me figure out research logistics, and being a steady friend. I want also to thank my parents, Sam and Jenafer Dunn, for believing that I would someday finish school (despite the evidence to the contrary). And, finally, I am forever grateful to my husband, Abe, from whom I asked as much editing advice as I did love and support, and who was never stingy with either.

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For Abe, Sam, and Jenafer
with thanks and affection

LIST OF ABBREVIATIONS

AN	Archives nationales, Paris
BN	Bibliothèque nationale, Paris
AN CAOM	Archives national centre des archives d'outre-mer, Aix-en-Provence
APP	Archives de la Prefecture de Paris
<i>AP</i>	<i>Archives parlementaires</i>
SHAT	Service historique de l'armée de terre, Paris
SHM	Service historique de la marine, Paris

Introduction

The lives, experiences, and beliefs of French political deportees defy formulaic descriptions and broad generalities. For those men and women forcibly sent abroad to France's overseas colonies during the period between the French Revolution and the Second Empire, both the reasons for their exile and the prospects for their return to France diverged widely. During this period of political and social revolution, moreover, the backgrounds and ideologies of deportees differed dramatically from person to person. From landed property owners to carpenters, from royalists to democratic-socialists, a complete list of the deportees from the Age of Revolution would cover the full spectrum of social classes and political allegiances available to French people at this time. Let us consider, for example, the brief biographical portraits of two victims of deportation who figure prominently in this dissertation—François Barbé-Marbois and Alphonse Gent.

The Comte François de Barbé-Marbois was born in 1745, the son of the director of the royal mint in Metz. Rising in the king's service through his family connections, Barbé-Marbois received a post as a French representative abroad and in the colonies. He served as a consul-general in the United States and as *intendant* to French San Domingue. Recalled to France in 1789, he held a post at the foreign ministry until retiring from national politics in 1791 and returning to Metz as the town's mayor. During the Directory, he once more returned to the national political stage upon his election to the Council of Ancients. His royalist sympathies, however, resulted in his deportation to French Guiana in South America after the Fructidor coup of 4 September 1797. But after Napoleon's seizure of power in 1799, Barbé-Marbois received permission to return to

France, and he henceforth considered himself indebted to the First Consul for his renewed liberty. In 1801, Barbé-Marbois was named director of the public treasury, and in 1802, he became a senator. He negotiated the treaty wherein the French ceded the Louisiana Territory to the United States in 1803, and received in return a substantial monetary gift from Bonaparte as well as the title of count. Yet despite his apparent allegiance to the emperor, Barbé-Marbois was one of the authors of Napoleon's act of abdication in 1814. Consequently, Louis XVIII made him a peer of France in June 1814 and appointed him the Minister of Justice in August 1815. Leaving the ministry in May 1816 to appease the ultra-conservative members of the Chamber, he remained president of the *cour des comptes* until his retirement for health reasons in April 1834. His final years were devoted to composing his memoirs, including two separate accounts of his time as a deportee.¹

Following a quite different political path, Alphonse Gent was born in Roquemaure, France in 1813 to a bourgeois family. Trained as a lawyer, Gent joined the bar first at Nîmes, then at Avignon. In 1848, he was elected deputy of the Vaucluse, in which capacity he sat on the extreme left of the Assembly and became commissioner of the provisional government of Avignon. Heading for Paris in 1849, he failed in his bid to win a seat on the Legislative Assembly and instead collaborated with Henri Delescluze on the left-wing journal, *Révolution démocratique et sociale*. With the help of a friend in

¹ For autobiographical information, see François de Barbé-Marbois, *Histoire de la Louisiane et de la cession de cette colonie par la France aux États-Unis de l'Amérique septentrionale*, vol. 1829 (Paris: Firmin Didot, 1829); François de Barbé-Marbois, *Journal d'un déporté non jugé, ou déportation, en violation des lois, décrétée le 18 fructidor an V (4 septembre 1797)*, 2 vols., vol. 1 (Paris: Institut de France, 1834); François de Barbé-Marbois, *Histoire de plusieurs déportés à Sinnamari racontée par un père à ses enfants* (Limoges: Barbou, 1839).

the Ministry of Public Works, Gent narrowly escaped arrest on 13 June 1849, but agreed to defend some of the social-democrats caught up in Lyon during the persecutions. Remaining in the Midi region of France, Gent's actions were carefully monitored by the high police, who finally arrested him the next year for conspiracy against the government. Along with two other men, Gent was sentenced to deportation to the Marquesas Islands in the middle of the Pacific Ocean. Two years after his arrival in the remote island chain, his sentence was commuted to exile and he and his wife went to live in Chile for several years. Gent finally returned to Europe in 1861. Living in Italy and Spain, he wrote articles for two French newspapers, *Le Siècle* and *Le Temps*. Then, receiving word that the emperor Napoleon III considered the term of his exile to have expired, Gent and his wife returned to France, where he re-entered political life around 1869. But clashing with Gambetta in his attempts to regain a foothold in local politics in southern France, Gent did not return to his former standing until the end of the Second Empire and the creation of the Third Republic in 1871. He was elected a representative of the Vaucluse in February 1871, but failed in his bid for the Senate in 1876. After repeated campaigns, Gent finally found himself in the Senate in 1882 and was re-elected in 1891. He remained in this position until his death three years later.

These two career politicians—one with royalist leanings, the other an ardent republican—had little in common. Yet both of them were deported for political offenses to remote French possessions at some point during the tumultuous Age of Revolutions. Barbé-Marbois and Gent were only two of the more than 10,000 individuals deported between 1792 and 1854 within the French overseas empire. Like many other deportees

of the period—Pauline Roland, Jean Collot d’Herbois, Toussaint Louverture, to name but a few—Barbé-Marbois and Gent are notable for their prominence in French political or colonial life during the nineteenth century. But there were also many less illustrious deportees whose biographies are harder to construct: for example, the worker, Nicholas Serpolet, who was convicted for his alleged role in the Affair of the Infernal Machine in 1800; a free man of color, Louis Fabien, accused of plotting revolt in Martinique in 1823; and Léon Chautard, a cabinetmaker deported first to Algeria and then to French Guiana for his participation in the June Days of 1848.

Again, the common thread in these diverse lives was political protest and persecution. It was certainly not uncommon for French men and women to take a more or less active interest in local and national political life during the period under question. Beginning in 1789 and ending around 1852, French men and women experienced no fewer than ten regime changes and *coups d’état*. With each successive revolution, then, new groups of individuals expressed their opposition to the regime in power and became in turn the victims of repression. Dealing with political dissidents and protestors became a common concern for each new French government. As in the cases of François de Barbé-Marbois and Alphonse Gent, many of these political opponents found themselves being deported to distant parts of a far-reaching French overseas empire. And as abolitionist movements increased racial tensions in slave colonies, and revolutionary rhetoric originating in the metropole further strained social relations among the French colonists within the empire, rebels and potential rabble-rousers from the colonies also faced deportation to the metropole or another colony within the overseas empire.

Deportation was a common official response to social and political troubles throughout greater France.

In fact, almost every significant political development in the long French nineteenth century resulted in an episode of deportation of political prisoners. Examples are easily found in French history surveys: the refractory priests of the Constitutional Monarchy in 1793, the royalists deported after the Fructidor coup of 1797, Haitian rebels captured and sent to France in 1802, Napoleon's deportation to St. Helena in 1815, the vanquished June insurgents of 1848, the efficiently administered repression following the coup of 1851, the Communards deported to New Caledonia after 1871, and the unfortunate Captain Alfred Dreyfus languishing on Devil's Island between 1898-1899. And these episodes are only the best remembered ones. Nevertheless, despite the fact that French officials consistently revisited this rather extraordinary punishment when dealing with political unrest, both French popular memory and historiography have all but forgotten or ignored the creation and development of this penalty.

In the modern French imagination, the word *déportation* conjures up images of Jews from Vichy and occupied France being rounded up and loaded onto railroad cars destined for Eastern Europe during World War II. The majority of French men and women, and those of us familiar with French history, have almost forgotten that earlier, the French state deported thousands of political and common-law criminals to overseas colonies – except for the legends of a few extraordinary men such as Henri “Papillon” Charriere and Alfred Dreyfus or, perhaps, in the fading memory of French Guiana as “la guillotine sèche.” In fact, the term *transportation*, borrowed from the British, used to

refer to the forced emigration of common-law convicts, but has almost entirely faded from the modern French vocabulary. There remains scant recognition of the differences in shades of meaning between the terms “deportation” and “transportation.”² Few people, French, American, or otherwise, have any idea of the scope of or intentions behind deportation in the nineteenth century. This dissertation will redress this deficit in our understanding of French history.

In the course of this dissertation, I will trace the development of the practice of deportation between 1792, when the leaders of the French Revolution first established it as a punishment for refractory clergy, and 1854, when Napoleon III changed the character of the penalty to reflect changes in the official and popular perceptions of crime and political protest occurring in France at the end of the Age of Revolutions. My own conservative estimates of the total number of individuals deported throughout the French overseas empire put the number around 9,000 political prisoners before 1854, along with approximately 3,000 common-law criminals deported between 1852-1854. Perhaps as many as 1,000 more protesting criminals underwent deportation during this period. These estimates show both the extent of this penal practice and its limitations.³

² See note on terminology at the end of this introduction.

³ These numbers do not account for the hundreds of individuals who languished in metropolitan prisons while ostensibly awaiting deportation abroad. During the Restoration and the July Monarchy, this was the most common fate of men and women sentenced to deportation. Arriving at an exact count of French deportees during the first half of the nineteenth century would be impossible. The primary sources are simply not clear on the subject. This estimate of 12,000-13,000 individuals is drawn from a diverse assortment of both secondary and primary sources, and reflects the disjointed nature of the historiography of this phenomenon. I approached the accounting episodically, finding the most reliable sources for each major incidence of deportation occurring between the French Revolution of 1789 and the early years of the Second Empire. When sources conflicted, I generally chose the more conservative estimate, unless the numbers had been well documented in two or more primary sources. This was the case when trying to uncover a reasonable estimate for the number of men and women deported from the Antilles to the metropole during the Napoleonic period, the secondary sources for which include Francis Arzalier, “Les déportés guadeloupéens et haïtiens en Corse,” in *Révolutions aux colonies*, ed. Annales Historiques de la

But more important than the exact numbers deported is the actual role that deportation policies played in the French popular imagination of the first half of the nineteenth century and in the creation of modern French political culture. Much like the death penalty at that time as well as today, the importance of the penalty lies less in the number of men and women actually deported, than in their symbolic status as either victims of injustice or proof of the state's power to enforce order in society. Deportation policies generated a great deal of debate among government elites, members of the literary community (journalists and novelists), and within crowded city neighborhoods and rural country towns. The late eighteenth and early nineteenth century represented a moment of transition in terms of conceptualizations of crime and punishment and a period of revolution, during which political crimes, in particular, appeared to constitute a dangerous, destabilizing force.⁴ These changes occurred within a nation that was also

Révolution Française (Paris: Société des Études Robespierriennes, 1993); Claude Bonaparte Auguste and Marcel Bonaparte Auguste, *Les déportés de Saint-Domingue: contribution à l'histoire de l'expédition française de Saint-Domingue, 1802-1803*, Collection Civilisations, 10 (Sherbrooke, Quebec: Editions Naaman, 1979); Michel Devèze, *Cayenne: déportés et bagnards* (Paris: Julliard, 1965); Marcel Grandière, *Les Réfugiés et les déportés des Antilles à Nantes sous la Révolution* (Nérac: J. Owen, 1977). Other episodes, however, have been well documented and previous historians had already done the work for me. In particular, deportations following the 1851 *coup d'état* have been widely studied, and the deportees of that period, who account for the vast majority of my total number, have been statistically analyzed by others before me: see, for example, Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département du Gers* (Nice, 1997); Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département du Var* (Nice, 1997); Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département de l'Aveyron* (Nice, 1997); Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département des Bouches-du-Rhône* (Nice, 1999); Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département de la Drôme* (Nice, 2000); Maurice Bel, *Les condamnés à l'Algérie en 1852 dans le département de l'Ardeche* (Nice, 2001); Stacey Renee Davis, "Transforming the Enemy: Algerian Colonization, Imperial Clemency, and the Rehabilitation of France's 1851 Republican Insurrectionaries" (dissertation, Yale University, 1999); Fernand Rude, ed., *Bagnes d'Afrique: Trois transportés en Algérie après le coup d'État du 2 décembre 1851* (Paris: François Maspero, 1981). For more details regarding the specific records used to "count" France's deportees, see the individual chapters describing each episode of deportation.

⁴ See chapter one. For an introduction to penal reform during this period, see Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France* (New York: Oxford University Press, 1983), chaps. 1-2. Regarding the significance of political crimes, Jean-Claude Vimont,

part of an empire. It is no accident of history that the overseas colonies become useful to the project of maintaining order in the metropole. The history of deportation is the story of various interest groups negotiating within a political culture that valued three different goals, all of which spanned changes in government and governing ideology between the Revolution of 1789 and the Second Empire: (1) cleansing the metropole of revolutionary elements, (2) improving the economic situation of existing colonies, and (3) finding French men and women to serve as pioneers in new lands.

The question of punishment—how, who, and for how long—constituted a key preoccupation of social reformers from the Enlightenment through the Second Republic. This dissertation begins with Revolutionary debates over the practice of deportation. Following Cesare Beccaria's prescriptions for a just penal system, the National Assembly sought immediately after its formation to modify the penal code, a process that came to be symbolically identified with the storming and dismantling of the Bastille (a political prison). The first use of deportation as a punishment for political enemies occurred in 1791, when the Legislative Assembly fixed it in the new revolutionary law code. Subsequent French governments and penal reforms reinforced its use as a punishment primarily for political prisoners. Then, in Napoleon's landmark *Code Pénal* of 1810, the penalty of deportation was formally limited to crimes of a political nature. Nevertheless, from its first insertion into the Penal Code of 1791, many legislators and social reformers envisioned deportation as a punishment that could be more broadly applied to common-law criminals as well. After sixty years of debate on this issue, the law of 30 May 1854

set deportation as the second most severe punishment for all criminals – political and common-law alike – surpassed only by the death penalty. Thereafter, the majority of individuals (primarily men) who were deported within the French overseas empire had been convicted of crimes against persons or property and sent to serve out terms of forced labor in distant colonies. The legislation of 1854, therefore, signified the end of a more idealistic phase of penal and political reform whereby legislators sought both to reform their political enemies by offering them opportunities for colonial livelihoods and to exploit them to develop the colonial project. Consequently this year will mark the endpoint of this study.

Not surprisingly, the chronology of the evolution of deportation corresponds with other trends in French penal and social history. As previous scholars have suggested, the punishment of crimes was part of a larger process of social control and transformation. Michel Foucault turned historians' attention toward the study of punishment with his important *Discipline and Punish*.⁵ Foucault described a shift from disciplining the body to disciplining the soul in the creation of modern punishment systems. His focus was on capital punishment and the creation of prisons, and historians have responded primarily by pursuing similar paths of inquiry into penal practices in modern Europe and North America. Largely concurring with Foucault's thesis of institutional discipline, certain scholars have described the effects of this process on French institutions, in particular. Most notably, Jacques-Guy Petit, Michelle Perrot, André Zysberg, and Patricia O'Brien have traced the ways in which French prisons and metropolitan forced labor camps

⁵ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1977).

(*bagnes*) influenced and were influenced by prisoners and politicians alike.⁶ Yet this approach to penal history which privileges the story of prisons—building them and living within them—merely recognizes the physicality of the institution; it neglects the alternative methods of punishment that legislators and penal reformers proposed and that certain categories of proscribed individuals underwent.

Consequently, throughout this impressive collection of historiographical erudition, deportation has been largely ignored by historians of French penal development who, influenced to a great degree by Michel Foucault, have typically focused on common-law crime and its punishment. The notable exception to this rule is the work of French historian Jean-Claude Vimont, whose monograph, *La prison politique en France*, follows the creation of a special regime of imprisonment reserved for political prisoners.⁷ Vimont has argued that ordinary French convicts still faced public display, infamy, and forced labor well into the twentieth century. But reforms after the

⁶ The dean of French penal history is indisputably Jacques-Guy Petit. His work, *Ces peines obscures* is a compendium of statistical, biographical, and legal data from the period that historians have identified as the foundational period in the formation of Western penal regimes. Petit mentions deportation, but focuses primarily on metropolitan sites of detention. Successive contributors to French penal history have had a similar focus. See Jacques-Guy Petit, *Ces peines obscures: La prison pénale en France (1780-1875)* (Paris: Fayard, 1990); Jacques-Guy Petit and others, *Histoire des galères, bagnes et prisons, XIIIe - XXe siècles. Introduction à l'histoire pénale de la France* (Toulouse: Bibliothèque Historique Privat, 1991); Jacques-Guy Petit, Claude Faugeron, and Michel Pierre, *Histoire des prisons en France (1789-2000)* (Toulouse: Editions Privat, 2002). Other works dealing specifically with the creation of prisons include Michael Ignatieff, *A Just Measure of Pain* (New York: Pantheon Books, 1978); Patricia O'Brien, *The Promise of Punishment: Prisons in Nineteenth-Century France* (Princeton, N.J.: Princeton University Press, 1982); Michelle Perrot, "1848. Révolution et prisons," in *L'Impossible Prison: Recherches sur le système pénitentiaire au XIX^e siècle réunies par Michelle Perrot*, ed. Michelle Perrot (Paris: Éditions du Seuil, 1980); Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France*. In addition to prison construction and administration, historians of French penal history have also looked at the regimes in the *bagnes* – another site designed for the punishment of common-law criminals. See, for example, Jacques Valette, "Le bagne de Rochefort, 1815-1852," in *L'Impossible prison: Recherches sur le système pénitentiaire au XIX^e siècle*, ed. Michelle Perrot (Paris: Éditions Seuil, 1980); André Zysberg, "Politiques du bagne, 1820-1850," in *L'Impossible Prison: Recherches sur le système pénitentiaire au dix-neuvième siècle réunies par Michelle Perrot*, ed. Michelle Perrot, L'Univers Historique (Paris: Editions du Seuil, 1980).

⁷ Vimont, *La prison politique en France*.

Revolution of 1830 made political prisoners into a privileged population housed in separate quarters of metropolitan prisons. Vimont's study, however, makes no distinction between political deportation (penal colonization of *politiques*) and political incarceration in the metropole.

One reason for this lacuna in the historiography is that deportation has largely been seen as a British phenomenon. Indeed, British transportation resulted in the mass migration of some 50,000 convicts to the American colonies before 1776, as well as 162,000 more men and 24,000 women sent from England, Ireland, Scotland, and Canada to penal colonies in Australia (New South Wales, Van Diemen's Land, and Western Australia) between 1787 and 1852.⁸ Of this number, the vast majority were common-law criminals (cut-purses, thieves, and prostitutes).⁹ With these figures so wholly outnumbering those from France in the same period, it is perhaps no wonder that historians of Great Britain and Australia have long held the monopoly on studies of deportation, and that transportation has largely been seen as a punishment for common-law criminals.¹⁰ In those rare moments when the subject of deportation arises in French

⁸ For figures on transportation to North America, see Roger E. Ekirch, *Bound for America: The Transportation of British Convicts to the Colonies, 1718-1775* (Oxford: Clarendon Paperbacks, 1987), 27. Regarding convict colonies in Australia, see A.G.L. Shaw, *Convicts and the Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and other parts of the British Empire* (London: Faber and Faber, 1966), 148.

⁹ George Rudé, *Protest and Punishment: The Story of the Social and Political Protesters transported to Australia 1788-1868* (London: Oxford University Press, 1978), 8-10. Rudé estimates the number of protesting criminals as 3,600, including 120 women.

¹⁰ In general, there has been greater interest in the creation of penal colonies in Australia than on the transportation of convict laborers to the American colonies. Regarding the establishments of Botany Bay, Van Diemen's Land, and Western Australia, see John Hirst, *Convict Society and Its Enemies: A History of Early New South Wales* (Sydney: Allen and Unwin, 1983); Robert Hughes, *The Fatal Shore* (New York: Alfred A. Knopf, 1987); Leslie L. Robson, *The Convict Settlers of Australia* (Melbourne: Melbourne University Press, 1965); Shaw, *Convicts and the Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and other parts of the British Empire*. In the case of America, monographs on British transportation to the colonies tend to focus on forced labor in general, of which

history, it is usually dismissed as a pale imitation of British policies. In fact, Australian historian Colin Forster makes French imitation of British penal practices the subject of his own monograph and deftly describes the allure of a “French Botany Bay” in the early nineteenth century.¹¹ When historians have treated French deportation as a separate phenomenon, distinct from the British example, they have usually presented it in terms of narrowly defined moments and individual episodes (i.e. the coup d’état of 1851, the Communards of 1871, etc.) or in relation to the histories of individual colonies (French Guiana, New Caledonia, Algeria, etc.).¹²

convict labor was only one part. The exception to this is Ekirch, *Bound for America*. See also Peter Wilson Coldham, *Emigrants in Chains: A Social History of Forced Emigration to the Americas, 1607-1776* (Bath: The Bath Press Ltd., 1992); Abbot E. Smith, "The Transportation of Criminals to the American Colonies in the Seventeenth Century," *American Historical Review* 39 (1934). For an analysis of the need for comparative studies of convict labor, see Ian Duffield and James Bradley, *Representing Convicts: New Perspectives on Convict Forced Labour Migration* (London: Leicester University Press, 1997), introduction. This comparative approach still remains almost exclusively preoccupied with the British experience. For example: Shaw, *Convicts and the Colonies*, chap. 1 and Bruce Kercher, "Perish or Prosper: The Law and Convict Transportation in the British Empire, 1700-1850," *Law and History Review* 21, no. 3 (2003). So too were papers at a Leicester conference in 1999, "Colonial Places, Convict Spaces: Penal Transportation in Global Context, c. 1600-1940." See <http://iccs.arts.utas.edu.au/abstracts3.html>; <http://spider.lib.latrobe.edu.au/AHR/goodo/colonial.html>.

¹¹ Colin Forster, *France and Botany Bay: The Lure of a Penal Colony* (Melbourne: Melbourne University Press, 1996).

¹² For examples of episodic studies of French deportation, see Jean Baronnet and Jean Chalou, *Communards en Nouvelle-Calédonie: histoire de la déportation* (Paris: Mercure de France, 1987); Alice Bullard, *Exiles in Paradise: Savagery and Civilization in Paris and the South Pacific, 1790-1900* (Stanford: Stanford University Press, 2000); Davis, "Transforming the Enemy"; Marcel Emerit, "Les déportés de Juin," in *La Révolution de 1848 en Algérie*, ed. Marcel Emerit (Paris: Editions Larose, 1949); Roger Pérennès, *Déportés et forçats de la Commune: de Belleville à Nouméa* (Nantes: Ouest éditions: Université inter-âges de Nantes, 1991). As this abridged list suggests, the vast majority of scholarship in this vein has centered around the deportation of the Communards to New Caledonia after 1871. Regarding the more geographically specific studies of penal colonization: on French Guiana, see William Edwin Allison-Booth, *Devils Island; revelations of the French penal settlements in Guiana* (London: Putnam, 1931); Julianne Baghooa, Jean-Jacques Jallet, and Gérard Prost, eds., *Un Siècle de Bagne* (1984); Devèze, *Cayenne: déportés et bagnards*; Jean-Claude Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane* (Paris: Librairie Arthème Fayard, 1981); Michel Pierre, *La terre de la grande punition: Histoire des bagnes de Guyane* (Paris: Éditions Ramsay, 1982). On New Caledonia, which served as the primary site for the deportation of French criminals between 1863 and 1898, see Manuel Cormier, *La colonisation pénale* (Nouméa: Centre territorial de recherche et de documentation pédagogiques, 1993); Germaine Mailhé, *Déportation en Nouvelle-Calédonie des communards et des révoltés de la Grande Kabylie: 1872-1876* (Paris: Editions l'Harmattan, 1995). For other areas of the French empire, see Arzalier, "Les déportés guadeloupéens."; Christian Schnakenbourg, "Les déportés indochinois en Guadeloupe sous le Second

For those few historians who have grappled with the French practice of deportation in its larger, comparative aspect, certain among them have attempted to classify the process of evolution leading to the development of deportation policies in France. Researchers such as French historian Michelle Perrot and New Caledonian scholar Jean-Luis Barbançon have correctly suggested that French lawmakers and penologists vacillated between two potential formulations of the practice: either the penal colony was the *terre salvatrice*, where prisoners would find redemption and be reinserted into French society, or the overseas empire was the “sea of exile,” separating France’s troublemakers from the rest of its population.¹³ What most scholars have failed to recognize, however, is that unlike the British, who focused their energies on the penal colonization on common-law criminals, French legislators and social reformers consistently cast political offenders in the role of potential colonists. One explanation for this involves the unique revolutionary political culture that emerged in France after 1789. In the midst of a series of political revolutions, French government officials concentrated their anxieties on the expulsion of dissidents and heterodox elements of society.¹⁴ Yet the story is also complicated by the particular attitude that French political elites held regarding *les politiques*. Throughout the early nineteenth century, political dissidents and

Empire," *Outre-Mers Revue d'Histoire*, no. 1er Semestre 2001 (2001); H. Weisgerber, "La déportation à Madagascar," *Revue de Madagascar* I, no. 4 (1899).

¹³ Michelle Perrot, Introduction to Petit and others, *Histoire des galères, bagnes et prisons, XIIIe - XXe siècles. Introduction à l'histoire pénale de la France*, 9. See also Louis-José Barbançon, "Les origines de la colonisation pénale en Nouvelle-Calédonie (1810-1864)" (mémoire de D.E.A., Université Française du Pacifique, 1992). Barbançon uses the terms *débaras* and *éloignement* to characterize this dichotomy, but the idea is still the same.

¹⁴ The foundational work on the Age of Revolutions is, of course, Eric Hobsbawm, *The Age of Revolution, 1789-1848* (New York: Barnes and Noble Books, 1962). Hobsbawm describes how this period in European history was marked by two great revolutionary movements: the economic Industrial Revolution centered in Great Britain and a political, democratic revolution originating in France.

activists were officially cast as both more threatening to public order than common law criminals and, at the same time, as more potentially useful. This seemingly contradictory attitude likely stemmed from the fact that political prisoners tended to come from better educated and higher social classes than ordinary convicts.

Bearing in mind these multifaceted perspectives, this study will establish the relationship that existed between the development of a modern French penal system and the expansion and *mise-en-valeur* (economic development) of a larger French overseas empire. It emphasizes, in particular, the connections among political dissent, crime, punishment, and colonization that existed in the popular and official imaginations of nineteenth-century French men and women. More broadly, a focus on the history of deportation allows me to illustrate how French colonial history fits into the more traditional national historical narrative. Rather than assuming that the colonies were peripheral to French political and popular culture until the 1870s, this dissertation will examine the close relationships that existed—in theory and in practice—between metropolitan and colonial developments in the first half of the nineteenth century.

Historical interest in the French overseas empire has been a relatively recent phenomenon. In general, English-language scholarship on colonialism and imperialism grew out of regional histories: scholars of post-colonial societies in Africa and Asia, attempting to deal with the colonial past and its contemporary consequences, stimulated an interest in understanding the institutional practices and theoretical justifications of empire. British imperial studies first dominated the field and established Great Britain as the model for metropolitan administration against which all other European powers and

their colonial projects were judged. In the case of France, French scholars were often reluctant to face the colonial past, which had been banished to the recesses of French popular and political memory. Painful memories of the French experience in Algeria, and growing anti-imperial sentiment also relegated colonial studies to the margins of French historiography.

Within the last fifteen years, however, both French- and English-language scholars have paid increasingly more attention to France's colonial past. Building on the work of pioneers in the field, including Raoul Girardet (1972), Henri Brunschwig (1960s), Catherine Coquery-Vidovitch (western Africa), Pierre Brocheux (Indochina), and Charles-Robert Ageron (Algeria), large general surveys of the French overseas Empire, from the seventeenth century to the 1960s began to appear in the early 1990s.¹⁵ Since that time, scholars have moved from studying primarily institutional and administrative aspects of empire to more complex cultural approaches. Taking as their starting point Edward Said and then Nicholas Dirks' assertion of the primacy of culture in understanding power, recent works on the history of the French metropole and colonies have stressed the bi-directional relationship of cultural exchange between the two.¹⁶

¹⁵ Denise Bouche, *Flux et reflux (1815-1962)*, 2 vols., vol. 2 (Paris: 1991); Jean Meyer and others, *Histoire de la France coloniale des origines à 1914*, 2 vols., vol. 1 (Paris: Armand Colin, 1991); Pierre Pluchon, *Histoire de la colonisation française: le premier empire colonial des origines à la Restauration*, 2 vols., vol. 1 (Paris: Fayard, 1991); Jaques Thobie and others, *Histoire de la France coloniale, 1914-1990* (Paris: 1990). Briefer, yet still comprehensive works include Jacques Binoche-Guedra, *La France d'outre-mer, 1815-1962* (Paris: 1992); Robert Cornevin and Marianne Cornevin, *La France et les français outre-mer: de la première croisade à la fin du second empire* (Paris: Editions Tallandier, 1990); Guy Pervillé, *De l'empire français à la décolonisation* (Paris: 1991). In English, general surveys include Robert Aldrich, *Greater France: A History of French Overseas Expansion* (London: Macmillan Press, Ltd., 1996); Frederic Quinn, *The French Overseas Empire* (New York: 2000).

¹⁶ Nicholas Dirks, "Introduction: Colonialism and Culture," in *Colonialism and Culture*, ed. Nicholas Dirks (Ann Arbor, Mich: University of Michigan Press, 1992); Edward Said, *Culture and Imperialism* (New York: 1993). Examples of recent trends in historiography tracing cultural exchange between the colonies and the metropole include Tony Chafer and Amanda Sackur, eds., *Promoting the*

Though not an equal relationship, colonies and metropole were mutually influential in profound ways.

Within this same spirit, therefore, I have examined deportation as a trans-imperial phenomenon. That is to say, the penalty did not merely involve the removal of dissident elements from the metropole, but also included episodes of colonial unrest and forced emigration. For the purposes of this study, deportees include all men and women detained and transferred to a different place within the empire (whether overseas or continental) for reasons of punishment and social control. Consequently, this dissertation lies at the intersection of several heretofore separate literatures on distinct themes: the importance of the colonies, the growing debate over penal reform, a concern for public order in the Age of Revolutions, and the changing perceptions of crime and criminals in the nineteenth century.

Yet before this synthesis can be attempted, I must include a short note on the deportees themselves. We should not forget that they are men and women with their own stories to tell. This is a study of the development of a system of punishment, and it largely focuses on the political elites and penal reformers who debated, implemented, and controlled deportation policies and practices. These lawmakers and scholars were influenced, however, by the words and deeds of the men and women they were punishing. The effects of the punishment as it was lived in the colonies, the public

Colonial Idea: Propaganda and Visions of Empire in France (London: 2002); Alice L. Conklin, *A Mission to Civilize: The Republican Idea of Empire in France and West Africa, 1895-1930* (Stanford: Stanford University Press, 1997); Frederick Cooper and Ann Laura Stoler, eds., *Tensions of Empire: Colonial Cultures in a Bourgeois World* (Berkeley: University of California Press, 1997); Todd Porterfield, *The Allure of Empire: Art in the Service of French Imperialism, 1798-1836* (Princeton, N.J.: Princeton University Press, 1998).

response to deportation sentences, families writing on behalf of convicted loved ones, and the criminal actions (rebellion, protest writings, flag waving, conspiracy, and even assault) of those later sentenced to deportation all played a role in the execution and reform of deportation policies. For that reason, the personal histories of individual deportees are discussed whenever possible in each chapter. Moreover, two of the chapters are specifically devoted to an in-depth look at specific deportation episodes. These are instances when the archival records allow for a more detailed account of events occurring after the transportation and within the colony. These two chapters (three and six) highlight the deportees' experiences and how they influenced policy makers in the metropole.

One fact that emerges from this analytical and organizational approach is that women, as well as men, were instrumental in the evolution of deportation practices during this period. Though it may often seem that women played peripheral roles as wives and mothers of convicts, many were themselves deported. In addition, the epistolary pleas of those remaining in France did not go unheeded by the government. Furthermore, the role of families, and their importance to the colonization through deportation movement, meant that officials believed that women ought to play an important role in the success of these policies.

Another population that must not be neglected in the telling of this story is the heterogeneous group of residents already living in French colonies in the late eighteenth and early nineteenth centuries: colonists of European origin, indigenous people, and transplanted slaves and free persons of African origin. Though there is no single chapter

in this dissertation that deals expressly with their collective or individual concerns, or with the effects of deportation policies on these particular subgroups, the study would be incomplete without an understanding of the important role French colonists, missionaries, clergy, military and naval personnel; native populations; maroons; free coloreds; and slaves all played in the development of the practice. Colonists – landowners and merchants – were generally concerned with the stability and affluence of the colony in which they lived and worked, and were consequently quite vocal regarding potential and existing deportation measures. Indigenous groups in places such as French Guiana, Algeria, and the Marquesas Islands were often complicit in the enforcement of the deportee's detention, and metropolitan officials regularly viewed them as useful allies. There were instances, however, when native peoples aided the deportees in eluding their guards and in escaping. Regardless of their role, colonial officials and administrators back in the metropole regularly worried about how best to win indigenous populations over to the side of public order and law enforcement, and to avoid creating hostility between them and the European colonists.

Finally, concerns over the political and social stability of the colonies led prominent colonists, colonial officials, and administrators to consider the potential effects of deportation practices on their slave or former slave populations. The existence of slavery regularly influenced the deportation debate, and its enforcement, throughout this Age of Revolutions. With the first revolutionary abolition of slavery in 1794, and again after the second and final emancipation in 1848, metropolitan elites had to consider the cost and consequences of white labor. Building on racial social constructions popular at

the time, colonial elites questioned the value of presenting enslaved or recently emancipated peoples with the image of white men deprived of their liberty. Moreover, like the colonists and indigenous people in the various colonies, slaves and free black populations often played very important roles in both guarding deportees and abetting the prisoners during their escape. In addition, individuals from these classes could become deportees themselves. During times of particular colonial instability or threats of rebellions against colonial rule, colonial officials sometimes handed down deportation sentences to slaves and free persons of color, too.

The varied and valuable experiences of individual prisoners or colonial inhabitants notwithstanding, this is, however, primarily a story about the ideals, actions, disillusionments, machinations, repressive efforts and humanitarian impulses of a large and changing group of political elites and social reformers who lived, wrote, and worked during a tumultuous period in modern French history. In this Age of Revolutions, when changes in government and loyalties occurred with a frequency that must have seemed unnerving, responses to political protest and dissent wavered between the reactionary and repressive and the compassionately conciliatory. Throughout, politicians championed the practice of deportation as the solution to France's problems of guaranteeing public order. It was a punishment that could be viewed as suitably severe or as unduly lenient, and it offered political elites a chance to cleanse the metropole of undesirable elements, as well as to build an empire that would enhance the French economy and the nation's international prestige. It is a story filled with moments of utter despair and wretchedness when viewed from the deportee's perspective, and yet it also contains moments of

unbridled optimism on the part of officials and even of deportees. There is no use trying to categorize the punishment as inherently wicked or ill-conceived. But neither should we ignore the suffering it did cause for thousands of individuals. Our focus should remain on the role that this contentious issue played in the creation of a French political and penal culture that would last into the twentieth century when the government of the Third Republic finally closed the last remaining penal colony in Guiane.

Beginning during the early years of the French Revolution, and continuing into the waning years of the Second Republic, French political elites negotiated between competing demands for public order and improvements in criminal justice, calls for penal reform and aspirations for colonial expansion and development. Though many solutions to these diverse problems were proposed, deportation policies continued to be proposed and debated since it seemed that the right penal colonization scheme just might solve all these seemingly distinct problems in one fell swoop. What resulted is an imperial and penal vision that I describe as the ideal of colonization through political deportation. Protesting criminals – those arrested for crimes striking at government authority or legitimacy – bore the brunt of practices based on the colonization through deportation ideal. Only after official and popular perceptions of common-law crime changed in the mid-nineteenth century, thereby linking everyday criminals and violators of persons and property to existing social and political disorder, did the practice of deportation become a more general punishment, applicable to both political and common-law offenders, alike.

A note on terminology

In modern French, the terms *déportation* and *transportation*, each used to refer to the practice of sending criminals to overseas possessions, have quite distinctive shades of meaning. *Déportation*, in its sense most relevant to this dissertation, refers to the forced emigration of specifically political prisoners, though it is perhaps most often used in modern parlance when discussing the deportation of French Jews to Nazi concentration camps during World War II. In contrast, *transportation*, refers to the practice of sending common-law convicts to forced labor camps in the penal colonies.

Those are the current meanings of these terms as they are defined in the dictionary, but their usage and designations during the course of the early nineteenth century were slippery and contested. *Déportation* almost always referred to political prisoners, but there were some exceptions, and the term could be used as a catch-all for any transfer of any sort of prisoners away from continental France. Moreover, as we shall see, for a period of about thirty years, between 1815 and 1845, *déportation* often designated only the sentence someone served in a metropolitan prison, since during this time no real attempts at sending these *déportés* away from French shores ever occurred. *Transportation*, taken from the British cognate employed to describe their system of sending convicts to the American colonies and, later, to Australia and New Zealand, most often singled out common-law convicts in the debates over penal reform at the time. On the other hand, the argument over whether or not to deport (or transport) political or common-law criminals engaged not only economic, sociological, ideological and

political arguments, but also linguistic ones. At certain moments in the history of this debate, particularly during the Second Republic, the terms *transportation* and *déportation* were distinguishable by the quality of the penalty, and not who received it. The meanings of the two terms regularly overlapped, sometimes eclipsing the actual subjects under discussion. At those moments in the deportation debates when the use of the terms *déportation* and *transportation* became cloudy, I will of course devote some attention to their implied meanings at that time. For most of the dissertation, however, in my use of the English cognates of both terms—and their associated forms such as *déporté* and *transportable*—I rely on contemporary French understanding of the words and their definitions for the sake of consistency and simplicity. Therefore, unless I specify otherwise in the text, my use of the term “deportation” signifies that political prisoners were the focus of the debates and policies, while “transportation” projects targeted common-law convicts.

In my translation of the original eighteenth- and nineteenth-century French texts and passages I have left some terms, such as *bagne*, *forçat*, and *mise-en-valeur* in the original French, since English equivalents (labor camps in port cities, convict, and economic development) failed to capture the specific meaning in French or were too cumbersome. *Bagne* came to be a term applicable to any forced labor camp (and used to designate penal colonies in French Guiana and New Caledonia after the 1850s). A *forçat* served a sentence in a *bagne*, and was therefore a convict doing hard labor. Finally, *mise-en-valeur* holds connotations not just of economic development, but of agricultural improvement, social stabilization, and the creation of a colony worthy of incorporation

into the French metropolitan political system. Other terms have been anglicized. For instance, I have chosen to translate the *Ministre de la Marine et des Colonies* as the minister (or Ministry) of the navy and colonies. In this case I have used the term “Navy” despite its modern British and American connotations. *Marine* was rather more broadly defined in eighteenth- and nineteenth-century France to refer not only to military operations, but to general activity on the seas and overseas.

Regarding the minister of the navy and colonies, when used without qualification (or short-handed as the minister of the navy), as well as the other ministries, I am referring to the bureaucratic institutions that included a minister (or secretary of state), officers, and clerks. I have ascribed many of the actions and remarks of these various individuals to bureaucratic collectivities. Unless the authorship or initiative was clearly evident in the correspondence, I have been unwilling to assign them to any particular person. At times, however, it does seem clear (either through personal correspondence or marginal notations) that certain actions or words directly reflected the views of the minister himself, and I have therefore granted him ownership of them.

Chapter One

A Revolutionary Approach to Punishment

Deportation. . . is transporting an individual to a place outside of the realm in order for that person to undergo punishment. There are two kinds of deportation: the one called *judiciary* is set by law and handed down by a judge; it is the only kind that ought to exist in any legally constituted country; the other is named *political*; it is essentially the work of arbitrary and violent power. Consequently throughout all of our stormy, revolutionary times, successive powers have transported particular men to live their lives beyond the continental territory of France without judgment and under the pretext of public safety. [These powers] have committed acts all the more odious as they were abuses of power. To condemn someone to deportation is not the sole province of a tribunal, and this punishment ought only to touch those accused men who have solemnly been declared guilty of a crime to which it is attached by the law.¹⁷

Count François de Barbé-Marbois, 1839

Looking back on his own experiences as a deportee in Guiane between 1797 and 1800, career politician François de Barbé-Marbois would become one of the most influential and well-informed opponents of deportation legislation during the Napoleonic and post-Revolutionary periods. His high positions in the governments succeeding the Directory gave his words a certain weight, especially when combined with the emotional impact of his personal testimony concerning the effects of deportation. Under Napoleon, Barbé-Marbois' position as head of the Treasury placed him in charge of brokering the deal for the sale of the Louisiana territory to the United States. During the Restoration, moreover, he served as minister of justice between 1815 and 1816 and then became active in the prison reform campaign after 1819. In all of these endeavors, his writings

¹⁷ François de Barbé-Marbois, *Histoire de plusieurs déportés à Sinnamari racontée par un père à ses enfants* (Limoges: Barbou, 1839), 21.

and his decisions were informed by the time he had spent as a deportee in Guiane.¹⁸

Referring in particular to the revolutionary period then, Barbé-Marbois denounced what he saw as the arbitrary nature of deportation sentences pronounced during this turbulent time. He might well have been assessing the entire system of revolutionary justice. Yet this former deportee did seem grudgingly to accept the legitimacy of the punishment as long as it was written into the Penal Code. That is to say, he had fewer qualms with any *judiciary* penalty that existed within the rule of law.¹⁹

Enacting a consistent and effective rule of law presented a challenge in France during this period of revolutionary upheaval and disorder, particularly with regards to issues of punishment and the maintenance of public order. Consequently, in the course of the first half of the nineteenth century, French legislators enacted a series of decrees and ordinances designed to codify deportation and to incorporate the punishment into the panoply of punitive options available to French judges. This process meant that the Penal Code of 1810 and subsequent revisions that were made to it were, in truth, a mere pastiche of stop-gap measures and idealistic reforms. Legislators and jurists incorporated what they considered the most useful or the most promising of past measures into the new Code, often inadvertently reinforcing unintended legal precedents. One example of this (and the one most relevant to this study) was the application of deportation primarily to political criminals. In fact, beginning in the revolutionary period and continuing through the next sixty years, the groups most often singled out as deportable were those

¹⁸ See, for example, Barbé-Marbois' introduction to his analysis of the Louisiana Purchase in which he describes how his misfortunes during the Directory only reinforced in him a desire to be useful to his nation. François de Barbé-Marbois, *Histoire de la Louisiane et de la cession de cette colonie par la France aux États-Unis de l'Amérique septentrionale*, vol. 1829 (Paris: Firmin Didot, 1829), 5.

¹⁹ For a more detailed analysis of Barbé-Marbois' opposition to deportation, see chapter four.

men and women whose protest and dissent made them threats to the political regime in power. The “judiciary deportation” that Barbé-Marbois indignantly accepted as legitimate was becoming more literally a *political* deportation in the sense that it targeted protesting criminals, specifically any *politique* who was on the wrong side of the political spectrum at the wrong moment.

This history begins, like so many others, with the French Revolution. This is not to say that deportation did not have its historical antecedents before 1789. Quite the contrary, the eighteenth century is full of episodes of deportation occurring throughout the whole of Europe, including France. But this study is intended to be more than a chronicle of deportation; it focuses on a specific kind of deportation – the deportation of political criminals. For that reason, the events immediately preceding and those just after 1789 in France have a particular relevance. As French society fractured along political lines (radical, reformist, and conservative), the category of the political prisoner drew more attention—both sympathetic and punitive—than ever. What was unique to France at the time of the Revolution was the new salience of political protest. It was both a duty (after all, the Revolutionaries felt themselves bound to reclaim their rights from their king) and it was a menace, for, once established, the revolutionary government based its legitimacy on its universal acceptance by the French people. The justness or unjustness of political protest rested on the judgment of whatever regime held power, and the protester, him or herself, became subject to that judgment. In the modern history of

political punishment, therefore, the French Revolution is a natural and a necessary starting point.²⁰

Since the particular punishment of deportation also requires that the regime in power possess a territory that can accommodate deportees, any history of the practice must take into account the relationship of the metropole with the overseas colonies during the French Revolution. The French impulse to colonize by no means ended with the storming of the Bastille. Although the political machinations and divisions within the metropole generally take precedence in any conventional telling of the Revolutionary period, both events in the overseas colonies and the expansionist impulses of revolutionary ideology kept the ideas of colonial development and a greater France alive. Furthermore, the universalist principles espoused during the Revolution encouraged

²⁰ For a more detailed look at the history of criminal and civil justice in France and the influence of the revolutionary period in shaping later developments, see Jean Claude Farcy, *L'histoire de la justice française de la Révolution à nos jours : trois décennies de recherches* (Paris: Presses universitaires de France, 2001). Historians dealing more particularly with punishment practices and politics, particularly the use of the guillotine and prisons during the Revolution include Daniel Arasse, *La guillotine et l'imaginaire de la terreur* (Paris: Flammarion, 1987); Alister Kershaw, *A History of the Guillotine* (London: John Clader, 1958); Patricia O'Brien, *The Promise of Punishment: Prisons in Nineteenth-Century France* (Princeton, N.J.: Princeton University Press, 1982); Antoinette Wills, *Crime and Punishment in Revolutionary Paris* (Westport, Conn.: Greenwood Press, 1981). Regarding political protest and revolutionary ideology, among the first significant twentieth-century contributions to the historiography of popular protest during the French Revolution was the work of Georges Rudé: George E. F. Rudé and Harvey J. Kaye, eds., *The Face of the Crowd : Studies in Revolution, Ideology and Popular Protest* (New York: Harvester, 1988); George F. E. Rudé, *Ideology and Popular Protest*, 1st American ed. (New York: Pantheon Books, 1980). Heavily influenced by the *Annales* school and Marxist interpretations, Rudé's depiction of popular protest relied on an understanding of specifically "aggressive" crowds of people who were aware of political issues of the Revolution and intervened collectively in them to exert their collective will. As historiography of the French Revolution gradually turned more to understanding political culture, questions of ideology and legitimacy – particularly with regard to elites – surfaced. With the creation of the Declaration of the Rights of Man and Citizen in 1789, members of the third estate committed themselves to a new constitutional government representing citizens who were all (limited of course to property-owning French men) equal in their rights. Among these rights was the right to oppose and to voice opposition. François Furet and Keith Michael Baker have shown how the ideas expressed in 1789 set the stage for the Terror a few years later when conflict between the right to oppose that would exist in a pluralistic society and the revolutionary government's aversion to dissent or opposition led to extreme measures to eliminate aberrant wills. See Keith Michael Baker, *The French Revolution and the Creation of Modern Political Culture*, 4 vols. (Oxford: Pergamon Press, 1987); François Furet, *Penser la Révolution française* (Paris: Gallimard, 1978).

many to view the creation of overseas colonies as a sort of unarticulated *mission civilisatrice*. The potential for economic growth through colonialism appealed to entrepreneurs and legislators alike. Finally, the exportation of revolutionary values of *liberté* and *égalité* led many within France and the French colonies to challenge a system based upon slave labor. Consequently, in search of new potential sources for labor, reformers and colonial officials began to envision large-scale emigrations—voluntary and forced—from France to the overseas colonies.²¹

Thus it was that legislators during the Revolutionary period attempted to address both the problems of maintaining public order and of developing the overseas colonies in one fell swoop: through the penalty of deportation. Though the Revolutionary government only implemented deportation in fits and starts, the aborted and partial measures that characterized revolutionary justice between 1789 and 1798 still form a

²¹ There has been an abundance of recent work on the French colonies (particularly those in the Caribbean) during the Revolution. For monographs, see David Barry Gaspar and David Patrick Geggus, *A Turbulent Time: The French Revolution and the Greater Caribbean*, Blacks in the Diaspora (Bloomington: Indiana University Press, 1997); Jean Tarrade, *La Révolution française et les colonies* (Paris: Société française d'histoire d'outre-mer, 1989). More specifically regarding the issue of slavery and slave emancipation, the work can largely be divided into two camps: those historians who have asserted that the government in France had no interest in emancipating the slaves but were forced to do it and those scholars who attribute a certain amount of weight to revolutionary principles in the decision to end slavery. Historians in the first camp generally attribute the 1794 decision to abolish slavery either to strategic motivations in the war against Britain or a reluctant confirmation of the fact that the slaves themselves had forcefully demanded their own liberty and could not be repressed: Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004); Valerie Quinney, "Decisions on Slavery, the Slave Trade, and Civil Rights for Negroes in the Early French Revolution," *Journal of Negro History* 55, no. 2 (1970); Jean Tarrade, "Les colonies et les principes de 1789: Les assemblées révolutionnaires face au problème de l'esclavage," *Revue Française d'Histoire d'Outre-Mer* 76, no. 1-2 (1989). Dubois, moreover, goes one step further and attributes the more radical content of modern republicanism and universal rights language to the slaves who became citizens in the French Caribbean during the Revolution. On the other side of the debate, among those historians attributing much of the inspiration for abolition to Enlightenment and Revolutionary principles is Florence Gautier, "Y a-t-il une politique des colonies en l'an II?," *Annales historiques de la Révolution française*, no. 300 (1995). Gautier does recognize a chronological correspondence between democratic advances in France and the revolutionaries anti-slavery legislation. At the same time, she credits people of color living in France with influencing the colonial agenda after Year II towards a stance against slave labor.

cohesive whole when viewed in the context of political culture and protest. The new French Constitutional Monarchy, and later the Republic, relied on the consensus of its constituents. When that consensus was troubled – or even non-existent – political elites had to eliminate dissent. Among the options available to them were death, imprisonment, banishment, or deportation. As we will see, the symbolic value of the guillotine was undeniable, but revolutionaries often sought an alternative to public execution either to distance themselves from memories of the Terror in the period after Thermidor year II or to avoid creating popular martyrs through public execution. Exile or banishment, as potential alternatives to execution, might only feed the growing foreign armies ready to attack the new state. Meanwhile, imprisonment, particularly in the case of political prisoners, was too reminiscent of the hated Bastille, and it had the added disadvantage of leaving government protestors in easy reach of local populations. Deportation, however, could theoretically eradicate destabilizing dissenters while also facilitating the development of the overseas colonies.

Despite the apparent benefits of deportation, problems arose once this punishment was put into practice. Though many legislators and legal theorists suggested that deportation would better contain and eliminate protest than imprisonment, public execution, or exile, the poorly informed projects of metropolitan lawmakers often fell into disarray once the deportees left French ports bound for West Africa or Guiane.²² The deportees themselves often influenced both the penalty as it was worked out on the ground, and the public perception of deportation. Finally, an understanding of

²² For the sake of simplicity, throughout this dissertation I will use the French spelling of “Guiane,” to refer to French Guiana and to distinguish the colony from the British one of the same name.

deportation during the French Revolution cannot ignore the singular contributions of the colonial administrators who were given the charge of implementing the punishment, yet often had their own agendas, problems, and priorities. The evolution of political deportation practices and policies during the Revolutionary period occurred as a result of the give and take of metropolitan political elites and protestors as well as colonial officials and deportees. From the introduction of the penalty in the Penal Code of 1791, to the summary deportation of priests and fallen politicians in 1797, to the rise of Napoleon (who publicly favored deportation as a means to secure order), the role of deportation in the revolutionary justice system depended on a variety of ideological, practical, and political factors.

Power and Political Protest Around 1789

With a few exceptions during the eighteenth century, deportation remained peripheral to French penal legislation. Though ordinances during the Regency and again under Louis XVI designated deportation as a means of ridding France of vagrants, vagabonds, prostitutes, “incorrigible sons,” and other “persons of poor conduct,” these policies were short-lived and not subject to the same degree of public critique as the more secretive aspects of royal justice such as the *lettres de cachet* and the *prisons d’état*.²³ In

²³ Jacques-Guy Petit, *Ces peines obscures: La prison pénale en France (1780-1875)* (Paris: Fayard, 1990), 28-31. The pre-revolutionary royal declarations and ordinances establishing deportation can be found in the *Recueil général des anciens lois*: “Ceux qui seront convaincus de crimes emportant mort civile ou bannissement, seront déporté dans l’île de Corse,” December, 1556, v. XIII, 467; “Les condamnés libérés, les vagabonds et les bannis qui s’établiraient à Paris, seront déportés aux colonies,” Declaration of 8 January 1717, v. XXI, 169; “Déportation à la Désirade des jeunes gens de famille de mauvaise conduite,” 15 July 1763, v. XXII, 394. For more information about Old Regime deportation measures, the National Archives in Paris and Aix-en-Provence preserve documents regarding two key episodes. Regarding deportation under the Regency to Louisiana, see AN CAOM Fonds ministériel C^{13A}5 Louisiane (1717-1720; 1720-1722). A list of the names of deportees is on microfilm at AN O¹62-64. Further

eighteenth-century France, the primary modes of punishment were death, internment (in prisons, *maisons de force*, *hôpitaux généraux*, *dépôts de mendicité*, and *prisons d'état*), banishment, and forced labor in the *bagnes*.²⁴ The most common punishment meted out for lesser offenses was banishment from the court's area of jurisdiction. Imprisonment, meanwhile, was much less often employed and was generally reserved for women and juvenile offenders. Men were sent to the galleys or the *bagnes*. But in the mid-eighteenth century, all four of the crown's options for punishment became subject to widespread criticism and calls for reform. While the French public (and exhausted parents) created legends of *galérien* and *bagnard* bogeymen who preyed upon troublesome children, French philosophers and social critics, magistrates, men of letters, lawyers, and others began attacking the arbitrariness of the French penal system.²⁵ Throughout Europe, social reformers responded to Cesare Beccaria's essay *Dei delitti e della pene* (published in Italian in 1764 and in French in 1765) and began to question the efficacy of all corporal punishments, particularly the death penalty.

Beccaria believed that punishments should be clear, simple, and useful. The utility of punishment, according to Beccaria, depended upon its success in deterring crime. Instead of exacting vengeance—which was the goal of judicial torture in the early modern period – Beccaria and his followers thought punishments should inspire a “salutary fear” in potential criminals and, at the same time, provide some material benefit

information regarding the project to transport “incorrigible sons” to La Désirade between 1763 and 1769 can be found in AN CAOM Fond ministériel F³ 44.

²⁴ The *bagnes* were shore-based prisons in French port cities that had replaced galley-slave labor after 1748.

²⁵ Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France* (New York: Oxford University Press, 1983), 6-9.

to society from the labor of the punished person. For Beccaria, the death penalty, no matter how “humane” the form of execution, was not a utilitarian punishment. It neither deterred crime (on the contrary, it set an example of state-sponsored murder), nor did it allow the criminal to repay his debt to society. Beccaria’s ideal punishment would not be “the terrible but momentary spectacle of the death of a wretch, but the long and painful example of a man deprived of liberty, who, having become a beast of burden, recompenses with his labors the society he has offended.”²⁶

Beccaria’s influence was widespread throughout Europe in the 1760s. In France one of his principle proponents was Voltaire. Though Voltaire’s primary and famous concern was with tolerance, the injustices he witnessed in the Calas Affair led him to

²⁶ Cesare Beccaria, *On Crimes and Punishments*, trans. Henry Paolucci (Indianapolis: Bobbs-Merrill Educational Publishing, 1963; reprint, 1981), 47. The primary reference work on criminal law and trial procedure continues to be Adhemar Esmein, *A History of Continental Criminal Procedure*, trans. John Simpson (Boston: Little, Brown, 1913). One study dealing more specifically with the criminal justice reform movement of the eighteenth century is Joanne Kaufmann, “The Critique of Criminal Justice in Eighteenth Century France: A Study in the Changing Social Ethics of Crime and Punishment” (Ph.D. dissertation, Harvard University, 1976). Briefer summaries of the phenomenon can be found in Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan, vol. 1977 (New York: Vintage Books, 1977; reprint, Paris: Gallimard, 1975), 104-126; Shelby T. McCloy, *The Humanitarian Movement in Eighteenth Century France* (Frankfort: University of Kentucky Press, 1957), chapters 6, 8-9. The work of John Langbein suggests that the use of judicial torture was already diminishing during the eighteenth century not because of an intellectual movement stirred up by *philosophes*, but because of changes in the law of proof that gave more weight to circumstantial evidence and relying less on a confession by the accused: John H. Langbein, *Torture and the Law of Proof: Europe and England in the Ancien Regime* (Chicago: University of Chicago Press, 1976-1977). Furthermore, recent scholarship has proposed that the system of punishment in Old Regime France has been misrepresented, its abuses exaggerated. Characterizing the humanitarian language of legal change at the end of the eighteenth century as a myth, legal historian Richard Mowery Andrews describes the goal of Old Regime legal punishments as one of shaming and humiliation rather than physical suffering. Authorities strove for moral correction and even salvation by implementing a versatile penal system involving large scale incarceration. See Richard Mowery Andrews, *Law, Magistracy, and Crime in Old Regime Paris, 1735-1789. Volume I: The System of Criminal Justice* (New York: Cambridge University Press, 1994), 283ff. Nevertheless, Andrews recognizes that legislators during the Revolution were determined to discredit and replace the penal system of the Old Regime and it is this preoccupation that will contribute to our understanding of the introduction of deportation as a political punishment after 1792.

comment on penal reform.²⁷ Taking the idea of utilitarian punishment one step farther, Voltaire proposed that able-bodied convicts be sent to the colonies where “they will be transformed into honest folk” through forced labor.²⁸ Many of Voltaire’s contemporaries also championed Beccarian penal reforms, including forced labor and exile, though they did not always do so for utilitarian reasons. For example, in the *Social Contract*, Rousseau stipulated that violators of the contract should be either put to death or exiled for life.²⁹ He was less concerned with setting an example and harnessing a new labor source than he was with eliminating troublemakers who would upset his utopian society.

These two seemingly opposite penal objectives—exploitation and elimination—would later unite when French legislators and social reformers turned to deportation as a means of effectively ending challenges to political authority while also allowing for the continued utility of certain offenders, primarily political ones. In the years before 1789, however, deportation was only one of the possible options available to the reformers of the criminal justice and the penal systems. Moreover, most French men and women likely associated the punishment with common-law criminals of the sort that were being sent to the *bagnes*.³⁰ Two separate but overlapping factors brought about the shift in

²⁷ Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France*, 10.

²⁸ Voltaire, “Commentaire sur le livre *Des délits et des peines*,” in *Oeuvres complètes* (Paris: Garnier, 1879), 41-42.

²⁹ Jean-Jacques Rousseau, *On the Social Contract*, ed. Roger D. Masters, trans. Judith R. Masters (New York: Bedford, 1978), Book II, chapter vi, 65.

³⁰ In 1788, a former presiding officer of the Bordeaux parlement, Charles Dupaty, addressed a pamphlet to the King in which he proposed that potentially reformable convicts be sent to the colonies. The BN contains a copy of this pamphlet: Charles Dupaty, *Lettres sur la procédure criminelle de la France dans lesquelles on montre sa conformité avec celle de l’Inquisition et les abus qui en résultent*, 1788, pp. 6, 165-168.

focus from common criminals to political ones as potential subjects of deportation. The first was the rise of the prison as the primary site of punishment for common-law offenders. The second was the “liberalization” of certain modes of punishing political criminals. As successive French governments further differentiated political from common-law crimes, reformers and lawmakers increasingly challenged the idea of universal incarceration of all offenders.

The new interest in reforming the justice system that emerged in the second half of the eighteenth century generated increasing attention to the development of new methods of incarceration. In the Old Regime, prisons served two purposes. First there were the *prisons d'état*, set aside specifically for political prisoners and those detained by *lettres de cachet*, and local prisons, largely reserved for the temporary incarceration of men and women accused of crimes and awaiting trial and judgment. In addition to the death penalty and torture, reformers also questioned the justifications for and conditions of imprisonment.

Scholars disagree as to why this impulse toward reform occurred during this particular period. Some historians have argued that methods of punishment became increasing harsh as a response to public and elite perceptions of increasing crime rates. When such methods failed to curb criminal activities, the theory continues, reformers advocated more humane measures as a possible solution to the persistent problem.³¹ Marxist scholars, however, propose that property holders preferred rapidity and reliability over severity in their struggle to protect their goods and valuables from theft or harm.

³¹ Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France*, 20.

Reform, then, was a means of making the penal system more comprehensive, rather than punitive.³² Michel Foucault goes a step further and attributes to the bourgeoisie a new urge to create a “disciplinary society” suited to the modern industrial age. For Foucault, therefore, penal reform and the creation of a prison system were part of a new notion of sovereignty now invested in the public rather than the king. The resulting disciplinary society sought to strip individuals of their human qualities and to create docile, regimented, and unthreatening bodies. Institutions such as the prison, by removing offenders from the public eye, drove a wedge between the “criminal class” and their natural allies, workers.³³ While most scholars would agree that some structural conditions certainly influenced the emergence of reform movements, historian Gordon Wright cautions modern observers against ignoring the importance of value changes during the eighteenth century. Wright advocates a more reciprocal understanding of the reform movement: semi-autonomous changes in values, connected in some complex way with the socio-economic structures existing in France and Europe, led Enlightenment ideals to become political and popular goals in the final decades of the century.³⁴ What is clear despite historians’ widely divergent explanatory models is that prisons increasingly became the focus of reformers’ attention during the late eighteenth and early nineteenth centuries.

³² The thesis that penal reform was a bi-product of socioeconomic change, initiated specifically by an insecure bourgeoisie interested both in protecting its property and placing limits on state authority, is advanced in Georg Rusche and Otto Kirchheimer, *Punishment and Social Structure* (New York: Russell, 1968), 5, 73, 76, 78.

³³ Foucault, *Discipline and Punish: The Birth of the Prison*, esp. pp. 58-69 and Parts II and IV.

³⁴ Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France*, 22.

Imprisonment formally entered the French correctional and penal codes during the Summer of 1791, but the question of the prisons had risen as early as August 1789 among the deputies of the National Assembly. In the Declaration of the Rights of Man and of Citizen, the French revolutionaries had raised the issue of when it was permissible to deprive an individual of his or her liberty and to what degree that liberty could be legitimately restricted. Personal liberty, after all, was at the center of the newly declared rights, and along with its advantages came certain obligations, such as adherence to the nation's laws. The members of the Assembly knew that in order to break with the Old Regime they had to specify the conditions under which individuals could be detained and overhaul the entire criminal justice system.³⁵ Consequently, Articles VII, VIII, and IX of the Declaration of Rights established as law the primary principles of Enlightened penal reform: legally determined punishments (contrary to arbitrary arrest and sentences), equality under the law for all (as opposed to the previous system of privileges), and "strictly and evidently necessary penalties" (as opposed to excessively cruel punishments).³⁶

Having instituted these tenets, the National Assembly formed a number of smaller committees to address the most pressing problems facing the criminal justice system, including the abolition of *lettres de cachet* and *dépôts de mendicité*, reforming the regime of *prisons d'état*, and improving the conditions in the *maisons de force*, the detention quarters of the hospitals, and the local prisons. Yet despite the work of these various

³⁵ Jacques-Guy Petit, Claude Faugeron, and Michel Pierre, *Histoire des prisons en France (1789-2000)* (Toulouse: Editions Privat, 2002), 25.

³⁶ See the *Déclaration des Droits de l'Homme et du Citoyen* in the *Archives parlementaires de 1787 à 1860, première série (1787 à 1799)*, edited by M. J. Mavidal and M.E. Laurent, 2d ed., 82 vols. (Paris: Dupont, 1879-1913), v. 9, 236-237.

committees, few real reforms were made. The ideals of penal reform that were elucidated by men like Nicholas Bergasse, Adrien Duport, Guy-Jean Target, and the Comte de Mirabeau ran up against the practical difficulties of maintaining order and funding new projects. Proposals submitted to the Assembly for the design of new “houses of amelioration” captured the physical expression of Enlightenment principles guaranteeing equal treatment and making prisoners “useful” through their labor. But such houses were never built and the pre-existing system of detaining common-law criminals with beggars and vagabonds was maintained.³⁷ Similarly, though men such as Michel Le Peletier de Saint-Fargeau advocated abolishing the death penalty for common-law convicts, a majority in the Constituent Assembly rejected the idea in 1791.³⁸ Deputies Louis Prugnon, Bertrand Barère, and Anthelme Brillat-Savarin, in particular, insisted that the death penalty was necessary to guarantee public order. Moreover, all of the members of the Constituent seemed agreed on the fact that death had to remain a punishment for political criminals who might endanger national stability.³⁹

Thus, the new penal code promulgated in 1791 represented a compromise between the optimistic idealism of the philanthropists and the realism of the deputies

³⁷ Petit, Faugeron, and Pierre, *Histoire des prisons en France (1789-2000)*, 27-29.

³⁸ Among those in the minority, thus in opposition to the death penalty were Duport and a lawyer from Arras, Maximilien Robespierre. For more on Robespierre's initial resistance and ultimate resort to the death penalty, see Jacques Goulet, "Robespierre: La peine de mort et la Terreur," *Annales historiques de la Révolution française* 53, no. 2 (1981): 232ff.

³⁹ A more complete account of the legislative debates surrounding the abolition of the death penalty in 1791 is preserved in Charles Lucas, *Recueil des débats des Assemblées nationales de la France sur la peine de mort* (Paris: Charles Béchét, 1831). Clearly one thing favoring the maintenance of the death penalty for political and common-law criminals alike was the invention and popularization of the Guillotine as a humane way of executing all prisoners independent of social status. See the suggestively named chapter, “La fin des tourments,” in Paul Lombard, *Histoire de la répression politique en France: Les Insurgés, 1670-1800*, 3 vols., vol. 1 (Paris: Flammarion, 1990), Chap 12.; Arasse, *La guillotine et l'imaginaire de la terreur*; Kershaw, *A History of the Guillotine*.

determined to defend the new social order.⁴⁰ The debates on penal reform between 1789 and 1791 exposed both the values and the tensions of the new political order. Over the revolutionaries loomed the threat of continued political disorder and instability. After all, in the spring of 1791 popular agitation had revived and the king's flight to Varennes had presented the leaders of the Revolution with a new set of political problems. The question of public order dominated discussions in the Assembly, and humanitarian impulses to improve penal conditions moved to the background. Nevertheless, as the Assembly struggled to shore up its power, its members also had to set up punishments: for the fugitive king, for the rebellious public, and for other potential troublemakers. Protesting criminals, those whose crimes did not attack persons and property so much as organs of the state and government authority, thereafter became the focus of revolutionary justice.

The distinction between political and common-law crimes was not a new development in the history of punishment. Authorities and jurists had long understood the different natures of certain crimes and their separate effects on society. Yet in the Old Regime *lèse-majesté* was used to detain and intern individuals for a wide variety of infractions that challenged the sovereignty of the throne. These ranged from public expressions of disagreement with the king or his advisors to private insults directed against a royal family member. *Lèse-majesté*, however, was rarely used. Louis XIV ordered the political internment of more individuals (449 sent to the Bastille) during his reign than any previous monarchs. This was the high point, for his successors interned fewer and fewer political enemies. One hundred individuals were interned during the

⁴⁰ Petit, Faugeron, and Pierre, *Histoire des prisons en France (1789-2000)*, 33.

Regency, 346 under Louis XV when he held full power, and only forty-five were detained in the Bastille through the *lèse-majesté* of Louis XVI.⁴¹ A similar pattern emerged in other political detention sites throughout France. At Mont Saint-Michel, for example, only thirty-three *politiques* lived in the prisoners' quarters during the eighteenth century.⁴² One historian has estimated that only 2.2 percent of prisoners detained through *lettres de cachet* were incarcerated at the king's initiative for political reasons (affairs of the state).⁴³

Yet however rare the punishment, crimes attacking political authority received particular attention from the penal reformers of the late eighteenth century. Beccaria had classified crimes based on the interest being wronged through the commission of the crime. Consequently, he identified three categories of crime and arranged them in ascending order of seriousness: those against public morals, crimes against the safety of citizens, and, most grave of all, crimes striking at society itself and effecting public tranquility.⁴⁴ Following this line of thought, the liberal Jean-Paul Marat proposed his own plan for criminal legislation in 1780 that divided crimes among eight separate categories. Listed in the order Marat set out, possible criminal actions included: those working toward the ruin of the state; those harming the legitimate authority; crimes against the safety of individual subjects; crimes against property; those threatening morals; those damaging honor; crimes upsetting public tranquility; and crimes striking at

⁴¹ Jean-Claude Vimont, *La prison politique en France: Genèse d'un mode d'incarcération spécifique XVIIIe - XXe siècles* (Paris: Anthropos-Economica, 1993), 14-15.

⁴² Étienne Dupont, *La Bastille des mers: Les exilés de l'ordre du roi au Mont-Saint-Michel (1685-1789)* (Paris: Perrin et Cie., 1920), 7.

⁴³ Claude Quétel, "Lettres de cachet et correctionnaires dans la généralité de Caen au XVIIIe siècle," *Annales de Normandie* 28, no. 2 (June 1978): 133.

⁴⁴ Beccaria, *On Crimes and Punishments*, 66.

religion.⁴⁵ Marat's preoccupation with protesting crimes is clear; three of his eight categories directly or indirectly affected the sovereign's power. Of course, Marat himself would soon become an adamant revolutionary, but his public declarations as a journalist continued to affirm the integrity and inviolability of the sovereign (in his case, the people). Another revolutionary journalist, Jacques-Pierre Brissot, though often chafing at Marat's populist rabble rousing, also agreed with Beccaria on the need for a universal criminal code that differentiated between public and private crimes. Brissot advocated that punishments be meted out in proportion with the severity of the offense against the general interest (public order).⁴⁶

Thus it was that when the Constituent Assembly set out to reform the criminal and penal codes in 1790-1791 the deputies were working within an established paradigm of punishment that demanded the humanitarian reform of detention facilities, decried the injustices of an arbitrary royal authority, and espoused equality of treatment. Yet the political exigencies of the post-1791 revolutionary period only reaffirmed the government's understanding of the difference between political and common-law crimes. After the promulgation of the Penal Code of 1791, the revolutionary government increasingly perceived a need to concentrate the judicial apparatus on the punishment and elimination of protesting criminals and political offenders.

⁴⁵ See Jean Paul Marat, *Plan de législation criminelle* (Paris: Aubier Montaigne, 1974), Part II, 79-149.

⁴⁶ Pierre Lascoumes, Pierrette Poncela, and Pierre Lenoël, *Au nom de l'ordre: une histoire politique du code pénal* (Paris: Hachette, 1989), 31.

The Penal Code of 1791 and the Problem of a Refractory Clergy

By October of 1791, committee members in both the National Assembly and the recently defunct Constituent Assembly had established a new hierarchy of punishment and the newly convened Legislative Assembly codified it in a new Penal Code. Judicial authorities had a proscribed range of options in the meting out of punishment. In decreasing order of severity, criminals faced the following sentences: death, irons (formerly known as the galley, now also the *bagnes*), *réclusion* in a *maison de force* (the prison section of a *hôpital général*, a penalty reserved for women), *gêne* (solitary confinement in a lighted cell with daily expectations of labor – five days alone in the cell and two days in common with other prisoners), detention, deportation, civil degradation, and *carcan* (an iron collar). Thus, imprisonment—in the form of reclusion, *gêne*, and detention—gained a prominent place in the revolutionary criminal justice system. Nevertheless, a constitutional committee headed by Le Peletier had somewhat reluctantly proposed that second-time offenders should be transported out of France upon completion of the second prison term.⁴⁷ The framers of the Code therefore envisioned transportation, for that was the term then in common use (it was synonymous with *deportation*), as a punishment for recidivists, a means of ridding the nation of unreformed criminals. After having served a conventional punishment for their crime, repeat offenders would then submit to deportation to an undesignated “place for the transportation of wrong-doers.”⁴⁸

⁴⁷ Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France*, 31.

⁴⁸ Penal Code, Title II, Article 1 (1791).

Not only did the legislative committee never settle on a place to transfer these recidivists, this first revolutionary design for deportation was never put into practice.⁴⁹ The possibilities for a penalty of deportation did not disappear from legislative debates, however. As we have already seen, the domestic political scene became more complicated after 1791, following the king's flight to Varennes, the massacre at the Champs de Mars, and the general increase of public agitation on the streets of Paris. The Revolution, or rather certain revolutionaries, became increasingly radicalized and threats to the new order were met by revolutionary officials with harsher and more definitive punishments. One area in which revolutionary leaders' increased alertness and heightened sensitivity to public opposition became increasingly evident was religion, particularly after Papal briefs in the spring of 1791 openly opposed specific revolutionary decrees. It was perhaps not surprising that among the first victims of the revolutionary turn to deportation were Catholic priests.

The revolutionary government had leveled the first blow against the Catholic Church when the Constituent Assembly passed the Civil Constitution of the Clergy in June 1790. The Civil Constitution reduced the Church of France to a temporal institution subject to regulation by civil authorities. On 10 March 1791, the Pope formally condemned the Civil Constitution, and with it the Revolution. By the end of that summer, Catholic France had turned increasingly hostile to the revolution, and public demonstrations in favor of local priests who refused to swear the required oath of loyalty to the Constitution only confirmed in the minds of legislators that they needed to deal

⁴⁹ Michel Devèze, *Cayenne: déportés et bagnards* (Paris: Julliard, 1965), 29.

with the threat posed by refractory clergy.⁵⁰ As one deputy to the National Assembly explained:

It should not surprise anyone that the most active kind of fanaticism stokes the fires of anger of this anti-revolutionary horde. We have long known that this moral monster has followed in the footsteps of the clergy for all time and in all nations. It is natural that a large number of non-juring ecclesiastics are the declared enemies of the revolution. We also know that the revolution is the fruit of reason and of philosophy and that this revolution has reduced priests to living in an atmosphere suitable to their state, that is to say, in an honest mediocrity and in the practice of evangelic virtues.⁵¹

As early as 1791, then, revolutionaries debated how to punish priests, nuns, and other church officials who refused to pledge themselves to the new government.⁵²

Among the options advanced in that year were banishment (exile beyond the borders of France), surveillance by the High Police, depriving them of their wages, and deportation.⁵³ At issue was the preservation of the new political order.

⁵⁰ The two classic studies of the relationship between the Catholic Church and the revolutionary French state in the 1790s are Pierre de La Gorce, *Histoire religieuse de la Révolution française*, 5 vols. (Paris: Plon-Nourrit, 1902-23; reprint, AMC Press, 1969); André Latreille, *L'Eglise catholique et la Révolution française*, 2 vols. (Paris: Hachette, 1946-50). Less voluminous accounts in English of the National Assembly's campaign against the Church can be found in John McManners, *The French Revolution and the Church* (New York: Harper and Row, 1968). For an even more concise summary, see also François Furet, "Civil Constitution of the Clergy," in *A Critical Dictionary of the French Revolution*, ed. François Furet and Mona Ozouf (Cambridge, Mass: Belknap Press, 1989), 453-454. Regarding the specifically political threat that refractory clergy posed to the Constituent and Legislative Assembly after 1790, see F. A. Aulard, *Le christianisme et la Révolution française* (Paris: F. Rieder, 1925); Bryant T. Ragan, Jr., "Religion as Politics: Catholicism and Conflict in the Revolutionary Somme," *Proceedings of the Annual Meeting of the Western Society for French History* 15 (1988): 200-206; Timothy Tackett, "The West in France in 1789: The Religious Factor in the Origins of the Counterrevolution," *Journal of Modern History* 54 (1982): 733-740.

⁵¹ J.E. Regnault, *Extrait de l'opinion de J.E. Regnault député du département de l'Aube à l'Assemblée Nationale, sur les prêtres non-assermentés* (Paris: Imprimerie Nationale, 1791?).

⁵² Ivan Gobry, *Les martyrs de la révolution française* (Paris: Librairie Académique Perrin, 1989), 251.

⁵³ Michel-Mathieu Lecointe-Puyraveau, *Opinion de M. le Cointre [sic]-Puyraveau sur les prêtres non-assermentés* (Paris: Imprimerie Nationale, 1791), 21. Lecointe-Puyraveau favored deportation, despite claims that it was too harsh a punishment. On the contrary, a depute from the Finistère, Rougoux, felt that deportation was contrary to the spirit of liberty championed in the Constitution. He therefore advocated banishment, instead. See depute of the Finistère Rougoux, *Opinion et projet de décret sur la question des prêtres* (Paris: Imprimerie nationale, 1791), 4.

Stemming from this debate, leaders of the revolution sought ways of diminishing the importance of the Church and religion in the daily lives of French men and women. The resulting desacrilization and dechristianization campaign was part of a larger movement aimed at the total *regeneration* of the French nation, the creation of a “new man” within a new social polity. The corrupt Old Regime bore the marks of despotism, feudalism, and priesthood. The new French nation would demolish all of those vestiges of the past and create in their place a reformed society that could educate the “new man” and integrate him into the community.⁵⁴ Yet, accompanying this belief in social perfectibility and regeneration there existed among revolutionaries a certain rhetorical inflexibility and implacability that made compromise and pluralism unpalatable to the new regime. As Lynn Hunt explained, “The reverse side of the mythic present of national regeneration was an enormous, collective anxiety about the solidity of the new consensus.”⁵⁵ In the struggle for the hearts and minds of the entire French nation, the revolutionaries regularly conceived of the Church as their staunchest enemy. Consequently, they cast representatives of Catholicism as political opponents.

Various events in 1792 furthered anticlerical sentiment among the revolutionaries and convinced many deputies that refractory priests threatened to rend the social fabric. On 10 August, the Legislative Assembly voted to depose their king and begin writing a new constitution for a Republic. Institutional breeches between civil and religious

⁵⁴ Antoine de Baeque, *The Body Politic: Corporeal Metaphor in Revolutionary France, 1770-1800*, trans. Charlotte Mandell (Stanford: Stanford University Press, 1997), 146; Mona Ozouf, “Regeneration,” in *A Critical Dictionary of the French Revolution*, ed. François Furet and Mona Ozouf (Cambridge, Mass: Belknap Press, 1989), 782-783.

⁵⁵ Lynn Hunt, *Politics, Culture, and Class in the French Revolution* (Berkeley: University of California Press, 1984), 32.

authorities then widened in the wake of the insurrection of the same date, as deputies' earlier hopes to arrive at a syncretism between Christian and revolutionary symbolism began to fade.⁵⁶ Legislators renewed their demand that clergy swear an oath to the Constitution and laicized the registry of French citizens' births, marriages, and deaths. On 2 September, news reached Paris of the fall of Verdun, contributing to an atmosphere already charged with paranoia regarding the threat of foreign invasion. These fears culminated in the summary execution of several priests during the September Massacres. Mobs, searching for "internal enemies" who were undoing the work of the revolution, targeted priests: three prelates and some 230 priests numbered among the 1,300 prisoners executed in Parisian jails; around 150 priests were killed upon being discovered hiding in a Carmelite nunnery, including the Archbishop of Paris; and perhaps as many as 120 more died elsewhere in Paris.⁵⁷ Within this heightened state of tension over the question of clerical resistance to the revolution, authorities in the Legislative Assembly debated how to eliminate non-juring priests from the social body.

Yet concerns over the precise means of their elimination persisted. Though subsequent announcements relative to the Civil Constitution had provided priests with the option of voluntary "emigration" (or expulsion) from France, deputies such as Bertrand Barère feared that a large out-flux of men hostile to the revolution would swell the ranks of foreign armies in Europe threatening France's borders. On 23 August 1792, therefore, the Legislative Assembly debated Joseph Cambon's proposal to deport non-juring priests

⁵⁶ Suzanne Desan, *Reclaiming the Sacred: Lay Religion and Popular Politics in Revolutionary France* (Ithaca, NY: Cornell University Press, 1990), 7.

⁵⁷ Nigel Aston, *Religion and Revolution in France, 1780-1804* (Washington, D.C.: The Catholic University of America Press, 2000), 183; Frédéric Bluche, *Septembre 1792. Logiques d'un massacre* (Paris: Robert Laffont, 1986), 49ff.

to a French overseas colony. The argument that prevailed favored deporting refractory clergy in order that these men and women who had such potential to influence the people against the Revolution might be eliminated from France and prevented from aiding France's enemies in Europe. In the preamble to the law of 26 August 1792, which established deportation as the punishment for refractory clergy who failed to leave France within two weeks of its promulgation, deputy Jean-Marie Benoiston de la Serpandais expressed the anxiety driving this legislation:

The National Assembly, considering that the troubles incited throughout the realm by the non-juring priests is one of the primary causes of danger to the country [*la patrie*]; that at this moment, when all Frenchmen are in need of union and of their full strength to repel outside enemies, the country must concern itself with all means which can assure and guarantee domestic peace, decrees that an emergency exists.⁵⁸

Religious figures, those who overtly opposed the revolution through the refusal to swear an oath of loyalty to it and who had long held leadership positions in local communities throughout France, posed a threat to the internal stability of the French nation. For inciting rebellion within the borders, and potentially aiding foreign enemies (Catholic allies in Austria, for example), refractory clergy became subject to deportation. According to advocates of deportation, they could not be left in France since their influence was still too great in regions where the counterrevolution was still growing. Declaring a state of emergency, legislators chose deportation as the most effective means of ridding the nation of these potentially destabilizing political enemies. In this same

⁵⁸ Discussion surrounding introduction of law of 26 August 1792: *Réimpression de l'Ancien Moniteur*, vol. 13 (Paris: Plon Frères, 1854), 540.

decree, the legislators of the Assembly first settled on Guiane as the most likely site for deportation.⁵⁹

Appraising the Overseas Empire

Why did the revolutionaries choose Guiane as the destination for deported priests? Possibilities for colonizing the regions around Cayenne first probably became apparent to members of the National Assembly on 24 March 1791, when one Doctor Leblond spoke to the Royal Society of Agriculture in Paris, urging that the French government make a concerted effort to encourage the cultivation of the colony.⁶⁰ A former colonist of Guiane, Leblond had returned to France after participating in a failed coup d'état in the colony. His credentials as a naturalist, however, gave him the authority necessary to convince a handful of metropolitan political elites that fostering regular emigration to Guiane could solve some of France's underproduction woes.

In that same year, 1791, a former colonial administrator from Guiane, Daniel Lescallier, published his *Exposé sur les moyens de mettre en valeur la Guyane française*.⁶¹ For Lescallier, Guiane could still be made into a profitable colony if the French government were willing to actively encourage, or even require, migration there. His report suggested three possible sources of emigrants to Guiane: free European colonists, creoles from neighboring Caribbean islands (individuals with previous experience working in such a climate and with both indigenous people and slaves of African descent), and deported prisoners from France. Regarding the latter, Lescallier

⁵⁹ Devèze, *Cayenne: déportés et bagnards*, 30.

⁶⁰ Devèze, *Cayenne: déportés et bagnards*, 25.

⁶¹ Daniel Lescallier, *Exposé des moyens de mettre en valeur et d'administrer la Guiane* (Paris: n.p., 1791; reprint, Paris: Du Pont, 1797).

based his proposal to establish a penal colony in an isolated region of Guiane on ideas he saw already emanating from the metropole. “Several jurists,” he observed, “are of the opinion that we should abolish the death penalty and make the punishment of criminals more useful to society.”⁶² Thus, he concluded, one portion of the Guianese colony might well be set aside as a sort of French Botany Bay, where men who have been “corrupted” by “bad examples” could be “reborn into virtue.”⁶³

Though Leblond and Lescallier approached the need to stimulate emigration to Guiane differently, both were agreed that new emigrants to the colony would succeed there. The two proponents of Guianese development each attempted to revise common metropolitan perceptions that the colonial climate was unhealthy for Europeans and that the land there was not fertile enough to produce crops valuable to the European trade. In the final years of the eighteenth century, Guiane’s poor reputation seemed set, and any projects to revitalize the colonial endeavor there had to overcome years of growing prejudice against the colony.⁶⁴

Searching for fabled gold reserves, the French explorer Daniel de la Tousehe La Ravardière had first claimed the island of Cayenne for the French in 1604. But initial attempts to settle the colony failed. The Compagnie du Cap Nord (established in 1633) had organized several groups of colonists who would make the voyage, but through a series of accidents and miscommunications, only one group had arrived by 1643. A year

⁶² Lescallier, *Exposé des moyens*, 213.

⁶³ Lescallier, *Exposé des moyens*, 214.

⁶⁴ The introduction of a penal colony in Guiane did not enhance the colony’s reputation in the metropole. For a description of the colony’s development within the French empire see the aptly titled Jean-Claude Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane* (Paris: Librairie Arthème Fayard, 1981).

later, with the death of most of the small group of colonists, the expedition had proven a complete and bloody disaster. For Cardinal Richelieu and his successor, Cardinal Mazarin, however, Guiane was not the focus of colonial expansion in the seventeenth century. The Antilles and Canada occupied the official colonization agenda.

Nevertheless, a succession of companies formed and unsuccessfully attempted to create a French toe-hold in South America in hopes of establishing a *France équinoxiale*.⁶⁵ Not until 1656 did the French formally establish a working settlement in Cayenne. In 1663, Louis XIV founded the second Compagnie de la France équinoxiale, granting it the authority to administer the colony of Guiane, and by the following year France could claim effective occupation of the areas surrounding Cayenne. For the next century, a small group of colonists and explorers lived in and around Cayenne, slowly expanding the colony's borders.

Then, during the Seven Years' War, King Louis XV approved a plan officially encouraging families from Alsace and Lorraine to migrate to Guiane. The primary proponent of the plan was the Duc de Choiseul, the king's minister of the navy, who had assumed much of the personal responsibility for losing Canada to the British. As Abbé Raynal analyzed the situation almost thirty years later: "The French had then just emerged from the horrors of an unsuccessful war. . . The prospect of better fortune might amuse the people, and silence their clamours; while their attention was removed from possessions the nation had lost , and turned towards Guiana, which, it was pretended,

⁶⁵ Pierre Pluchon, *Histoire de la colonisation française: le premier empire colonial des origines à la Restauration*, 2 vols., vol. 1 (Paris: Fayard, 1991), 77.

would compensate all their misfortunes.”⁶⁶ After an active campaign to recruit some 18,000 persons as colonists, Choiseul managed to enroll approximately 12,000 people in the Kourou expedition, named for the area in Guiane where the settlement would be made. Arriving in a colony that had previously only supported 1,000 Europeans and thousands of slaves, the new colonists did not face a warm welcome. Within a short time, 7,000 members of the expedition had died, and the remaining members left the colony as soon as they could. The failed Kourou expedition, reinforcing as it did a century and a half of anemic colonial development, became the basis of Guiane’s reputation as both unhealthy and inhospitable.⁶⁷

Yet the promise of *la France équinoxiale* had not vanished completely by 1789. Though Canada had been ceded to the British and sugar and coffee production in the Antilles (Saint-Domingue, Guadeloupe, Martinique, Saint-Lucia, and Tobago) remained the preoccupation of most mercantilists, some colonial expansionists kept alive the possibility of thriving French possessions beyond the Caribbean. Missionaries, entrepreneurs, land owners, small farmers, traders, natural scientists, and explorers, alike, all felt some interest in increasing French influence around the world. In the Indian Ocean, Réunion (Île de Bourbon) and Mauritius (Île de France) housed tiny French plantation societies producing sugar, vanilla, and other spices. The French also claimed rights to settle Madagascar in the same region. In Western Africa, French strongholds in Saint-Louis, île de Gorée, and its dependencies on the mainland kept Frenchmen active in

⁶⁶ Abbé Raynal, *A Philosophical and Political History of the Settlements and Trade of the Europeans in the East and West Indies*, trans. J.O. Justamond, 6 vols., vol. 4 (London: J. Mundell & Co., 1798; reprint, New York: Negro University Press, 1969), 290.

⁶⁷ Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane*, 19.

the slave trade on both sides of the Atlantic, collecting men and women as cargo to be shipped to the Caribbean islands and North and South America. Moreover, trading posts at Chandernagor in Bengal and at Pondicherry, Mahé, Karikal, and Yanaon provided the French with a presence on the Indian sub-continent. In the Americas, Saint-Pierre and Miquelon still allowed French fishermen access to the cod fisheries of the northern Atlantic. Similarly, Guiane offered the potential for coffee plantations, lumber, spice production, and the elusive hope of gold.⁶⁸

Thus, despite its increasingly morbid reputation, Guiane still held some attractions as a colony in 1791 when Leblond and Lescallier each attempted to rehabilitate the colony's public image and renew French interest in its development.⁶⁹ Since both men had recently publicly encouraged emigration—forced or free—to the colony, it is perhaps not surprising that Guiane was the first colony suggested by deputies when deportation projects entered the political debate. Yet the destination for the first episode of attempted deportation undertaken during the French Revolution may not have been the South American colony. On the contrary, when over five hundred refractory clerics were loaded onto ships docked in La Rochelle, these first victims of revolutionary deportation efforts were purportedly bound for the west coast of Africa.

Refractory Priests Off the French Coasts

The debates over deporting non-juring clergy did not end with the August 26, 1792 decree naming Guiane as the destination. Before designating any particular priests

⁶⁸ Regarding colonialism and colonial projects during the Old Regime, see the excellent and detailed accounts presented in Jean Meyer and others, *Histoire de la France coloniale des origines à 1914*, 2 vols., vol. 1 (Paris: Armand Colin, 1991); Pluchon, *Histoire de la colonisation française*.

⁶⁹ Devèze, *Cayenne: déportés et bagnards*, 25-27.

as deportable a debate broke out over the purpose of deportation. One of the principal points of contention was the actual severity of the punishment. In other words, the government had to distinguish deportation from capital punishment, even though deportation to Guiane might strike many as a death sentence. One deputy and ex-pastor, Marc-David Lasource, first summarized this point of view as early as 23 August 1792, during the original debates over deporting refractory priests:

[A]mong the priests there are septuagenarians and octogenarians. Will you force men of this age to perform manual labor on Cayenne island – and such an island! Must I remind you that under Louis XV, Frenchmen were sent to populate Guiane, and 12,000 of these unfortunate people died. . . . In this island where 50 or 60,000 priests will be transported, there are no more than 18,000 inhabitants, black or white. They would not be able to procure enough to subsist there. It would thus mean sending these unfortunate men to their deaths.⁷⁰

Another factor in this debate was the cost of transporting large numbers of men across the Atlantic. In March 1793, the matter passed to the Committees of Finance and Legislation for the National Convention for review. Taking into consideration the high probability of death for certain categories of deportees (which would thus render them useless in the colony), the next month C. Charlier of the Committee of Legislation recommended deportation to Guiane solely for priests in good health and under sixty years of age. This proposal was adopted 23 April 1793.

Designating deportation as a punishment only for active, productive political enemies highlighted the revolutionary government's belief that deportee labor could be used for the development of the colony. The current deputy to the Convention from Guiane and a land-owner there, André Pomme, known as Pomme l'Américain, outlined a plan for establishing a settlement of deported clerics in an area removed from the

⁷⁰ Cited by Devèze, *Cayenne: déportés et bagnards*, 31.

voluntary colonists population, but where the transported colonists could raise animals that might be then exported to the Antilles. His plan spoke to the general interest within the revolutionary government of “turning deportation to public use.”⁷¹ Though many deputies may not have been opposed to deportation as a de facto death sentence, a greater number expected that transporting refractory clergy could provide the colonies with a fresh influx of labor that would ultimately improve the situation of the colony. One Citizen Duchesne forwarded a report to Robespierre in which he contended that deporting refractory priests to Guiane would there create the ideal society, based on Plato’s Republic.⁷² He insisted that the deportees’ labor would contribute to the renewal of Guianese society while also purifying continental France. According to this line of reasoning, so often echoed in the debates over deportation that would continue for over five decades, the project of deportation served as one aspect of the larger project of regeneration in France and the French overseas colonies. The metropole, purged of dissenters and protesting criminals and therefore boasting a unanimity of purpose, would flourish and prosper, while the distant French colonies would experience a resurgent productivity with the influx of a new European colonizing force.

The deportees, meanwhile, would benefit from the change in scenery and political climate and become more productive members of the French nation (including the overseas empire). In 1789, a member of parlement, Pierre-Edouard Lémontey, commenting on the British penal establishment at Botany Bay, had summed up a

⁷¹ Pomme l’Américain, cited by Devèze, *Cayenne: déportés et bagnards*, 33.

⁷² Devèze, *Cayenne: déportés et bagnards*, 40.

common assumption regarding the effects of deportation on prisoners in vivid

metaphorical detail:

Traveling prisons conceal in their bowels a criminal population and vomit this frightful mixture of tainted and depraved men on to the coasts of New Holland [Australia]. Oh sensitive philosopher, avert not your gaze: work and necessity on a desert shore will purify these dregs of the great cities. Perhaps a strong and hard-working nation will emerge from a vile rabble of convicts, as in other times a swarm of ruffians founded the empire of the Caesars. Life everywhere is born of corruption. It is to fetid dung that we owe both the golden harvests and the dazzling vine.⁷³

Lémontey's vision of redemption and regeneration through transportation and hard labor was later echoed by champions of French deportation projects, such as the above-mentioned Citizen Duchesne and the Guianese deputy Pomme. For proponents of the punishment, not only would the metropole and the colonies benefit from increased political stability in the former and economic improvements in the latter, but so too would the deportees become rehabilitated and useful.

Yet the obstacles to deportation seemed to be increasing during the first half of 1793. An English blockade threatened the safety of passage for French ships. Many members of the Convention, including the former Minister of Foreign Affairs Charles Delacroix and the postmaster Jean-Baptiste Drouet, who had stopped the King and Queen at Varennes, feared that captured vessels would be returned to France, thus returning the disloyal priests to the metropole. Others, concerned with the stability of the colonial economy and the safety of colonists in Guiane, opposed any proposal that would send potentially destabilizing individuals to the fragile colony. Illustrious Committee of

⁷³ Pierre-Edouard Lémontey, *Éloge de Jacques Cook, avec des notes, discours qui a remporté le Prix d'éloquence au jugement de l'Académie de Marseille, le 25 août 1789* (Paris, 1792), 42. Translation by Forster, *France and Botany Bay*, 9.

Public Safety member, Georges Jacques Danton, rejected deportation, calling it the poisoning of the New World. Jacobin deputy Claude Basire warned other members of the Convention of the possibility that refractory priests would ally themselves with rebellious slaves and indigenous peoples and lead a revolt against the colonial government.⁷⁴ Finally, there were those revolutionaries who did not favor deportation because it seemed to be too easy a penalty for men and women accused of conspiracy against the Republic. Sending refractory clergy to Guiane where they would live and work as colonists and agriculturalists struck some deputies as more of a reward than a punishment. Jean-Marie Collot d'Herbois, for example, argued that deportation measures would only give "new hopes" to the counter-revolutionaries.⁷⁵ This was one more strike against deportation to Guiane.

Despite these concerns over expense, national defense, and colonial order and development, opponents of deportation could not fully overcome arguments in favor of the practice. Members of the Convention still feared that refractory priests posed too great a threat to the Republic to allow them to remain in continental France. In the logic of the Terror, the presence of a refractory clergy posed both a symbolic and a real physical threat to the safety of the new republic. As pastors and priests, these individuals held an uncommon sway over public opinion. Their disloyalty to the Constitution might inspire others to counterrevolution. Moreover, any attempt to punish them for failure to swear their oaths of allegiance had to recognize this influence. Metropolitan imprisonment was not secure, the walls of France's houses of correction and prisons of

⁷⁴ Devèze, *Cayenne: déportés et bagnards*, 35-37.

⁷⁵ *Réimpression de l'ancien Moniteur*, vol xvii, 688-9 (Paris, 1847).

state seemed too porous to safeguard a vulnerable populace from their ideas. Public execution, though becoming increasingly common in the last months of 1793 and into 1794, might also have struck some revolutionaries as a poor method for eliminating refractory clergy from the public body. French men and women held certain loyalties to their local priests, men who performed wedding rites, baptized children, and blessed their dying relatives. Their execution might well create popular martyrs for the counterrevolution.

Yet for many deputies, refractory clergy were already working against the Revolution. In Barère's plea to the Convention to renew efforts to deport non-juring clergy to Guiane made in September 1793, he characterized these priests, nuns, bishops, and prelates as royalists and anti-republicans who "are incorrigible, blind, or even insane." He then warned that these enemies of the Republic believed themselves capable of overturning or slowing the progress of the republican revolution and that they would "poison the aristocracy of the other parts of the world."⁷⁶ Earlier that summer, on 24 July 1793, Georges-Jacques Danton had already employed the same metaphor in an off-hand defense of Guiane and critique of deportation proposals. Danton opposed deportation on the grounds that "it is not necessary to avenge ourselves of the poison that we have received from the New World by sending it a poison no less mortal."⁷⁷ Maximilien Robespierre had disagreed. Robespierre had upheld the Convention's original decision to

⁷⁶ *Réimpression de l'ancien Moniteur*, vol xvii, 688-9 (Paris, 1847).

⁷⁷ *AP*, v. 69, p. 438, 1st series. Danton's idea of a poisonous exchange is reminiscent of Benjamin Franklin's famous 1751 denunciation of transportation (see the opening quote from chapter four). Danton proposes that instead of Guiane, the government out merely to throw the refractory priests onto the beaches of Italy, "the land of fanaticism."

deport refractory priests, refusing to accept excuses regarding the difficulties of deportation, and insisting that

...if they [non-juring clergy] stay in France, they will always be a rallying point for conspirators, and a counter-revolutionary sedition could, at any moment, deliver and release these ferocious beasts into our midst. We forget that from prison [in France], they could still poison the people through their sacrilegious writings.⁷⁸

The National Convention officially reaffirmed the deportation of refractory clergy in September 1793 and plans were underway for a mass transportation of several hundred men (and perhaps even a handful of nuns) to a French colony overseas.

The number of people *potentially* deportable was quite high. According to the law of 27 May 1792, only twenty people from the same department were needed to testify against a priest. Once denounced, the priest received an order to leave his district within twenty-four hours. He then had three days in which to leave the department, and one month to remove himself entirely from the country. If he failed to do so, he was to be deported. In addition, anyone found aiding or abetting a refractory clergyman was also subject to deportation.

So it was that by the end of 1792, so many people were interned in various departments across France that the minister of the navy was receiving increased pressure to ready ships to transport them.⁷⁹ In the spring of 1793, the minister of the interior organized two deportations, one from Bordeaux and the other from Rochefort. The prisons of these two port cities also became quickly overcrowded with refractory priests, and pressure again increased to embark them for the colonies. Finally, on 21 October

⁷⁸ AP, v. 69, p. 439, 1st series (24 July 1793).

⁷⁹ Yves Blomme, *Les prêtres déportés sur les pontons de Rochefort* (Editions Bordessoules, 1994), 39-40.

1793, the Convention legislated that non-juring priests, and those constitutional priests who were denounced for *incivisme* and who had failed to leave their departments, would be deported to the west coast of Africa, between the twenty-third and twenty-eighth southern parallels (roughly the southern half of modern-day Namibia).

So why the sudden change of locale? Why did members of the Convention designate what maps from the period had already identified as a desert region (the Namib desert) as the site for deportation of refractory priests? Though historians have been unable satisfactorily to explain this sudden change, certain conclusions can be drawn from earlier debates over deportation. A closer look at the choice reveals that both practical concerns, and perhaps a certain level of frustration, influenced this decision. The Namib desert, after all, was in the path of pre-existing trade routes for French ships supplying the island possessions in the Indian Ocean. As mentioned earlier, a British blockade had made trans-Atlantic voyages more risky than navigating the western coast of Africa. This southern region, moreover, was relatively sparsely inhabited, and certainly not controlled by any strong centralized African states, as was the case with the Ovambo and Kavango kingdoms immediately to the north. A small handful of Europeans had settled in the southern portion of modern Namibia by the late eighteenth century, particularly traders who took up residence with the Khoi people of the region. So, a European presence was not unheard of in the area.⁸⁰

Nevertheless, the specific designation of the Namib Desert region indicates that legislators had shifted their goals in this deportation episode. It seems unlikely that the

⁸⁰ Eric Young, "Namibia," *Microsoft Encarta Africana 2000* (Microsoft Corporation, 1998-1999), CD-ROM.

French government held out any real hopes of creating a settlement of refractory clergy in a place that had been dubbed by sailors the “Skeleton Coast” for the many shipwrecks that occurred there. Furthermore, the chances that provincial French clergy could survive, not to mention thrive, in an African desert, were minimal at best. Clearly the increasing numbers of detainees in the French ports, alongside the ever-increasing political insecurity that characterized the Terror, led many legislators to abandon hopes that deportation would advance colonization. Instead, they designated a location overseas where disloyal priests could be abandoned, perhaps to die.

Still, there were some indications that vague hopes for a settlement growing out of this project might still have existed at the time priests were crowding into prisons in Rochefort and Bordeaux. Early discussions of deportation beginning in 1791 had included ideas for settling women with the male deportees. The women would do the laundry and keep house, allowing the men to work at cultivating the land, thereby creating permanent settlements.⁸¹ It is therefore not surprising to find the names of some twenty or so women in the archival records of persons brought before the revolutionary tribunal and sentenced to deportation between May 1793 and February 1794.⁸² The majority of these women were nuns, however, so they could hardly have been expected to have played a very significant role in the peopling of a new colony. More to the point, however, none of these women were ever actually deported.

⁸¹ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 41.

⁸² AN W//321, dossier 491 (21 pluviôse, an II/8 February 1794); W//268-499 contains lists of persons brought before the revolutionary tribunal during this period, including those sentenced to deportation. All of the women sentenced to deportation that I located in the archives were Carmelite nuns or somehow connected with a nunnery.

When authorities in Rochefort and Bordeaux actually began loading detained priests onto ships that would transport them overseas, they boarded as many as 1,428 men onto five different vessels. The two ships in Rochefort began loading their unfortunate cargo in May 1794. The *Deux-Alliance* eventually held 410 priests, while the *Washington* bore some 418.⁸³ Though the former boat had been ready to depart since the end of May, some confusion over the final destination still existed. Either through miscommunication or indecision, rumors continued to circulate that the priests were destined for Madagascar or Guiane.⁸⁴ The ships remained in port, the prisoners living on board, for three anxious months.⁸⁵ The three ships sailing from Bordeaux, however, embarked in a more timely fashion: the *Jeanty* with 250 priests left on 5 November 1794; the *Republican* held 190 clerics and cast off twenty days later; and the 160 men confined on the *Dunkerque* set out 5 December 1794.⁸⁶

The five ships never made it to the west African coast. Conditions on board the ship were abysmal, particularly for those passengers on the *Deux-Alliance* who had been on the ship for months before even leaving the port.⁸⁷ Disease passed easily among the

⁸³ Marc Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," *Revue du Tarn* séries 3, no. 170 (1998): 262.

⁸⁴ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 70.

⁸⁵ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 75.

⁸⁶ Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 264-268.

⁸⁷ The ship-board conditions and activities of daily life for the prisoners has been well attested and researched. A primary account of the ill-fated voyage was recorded by Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)." Among the secondary sources, historians of religion and the Catholic Church, in particular, have retraced the paths of these imprisoned priests. See, for example, Aston, *Religion and Revolution in France*; Blomme, *Les prêtres déportés sur les pontons de Rochefort*; Gobry, *Les martyrs de la révolution française*. These works are largely based upon written accounts from eye-witness observers, though a certain polemical desire to depict the priests as "martyrs of the French Revolution" does lead Gobry and Blomme to present certain unsubstantiated legends derived from hearsay as fact. As with the majority of the other episodes of deportation discussed in this dissertation, primary accounts given by deportees must be read critically for their understandable biases toward self-vindication or self-pity alongside a condemnation of the regime that deported them.

exiled priests crammed into close quarters. Authorities were slow to react, and when they did order a fumigation of the ship, they did not allow the prisoners to disembark first. The two ships from Rochefort made it only as far as the Île d'Aix and the Île Madame (renamed the Île Citoyenne), where a hospital had been set up for the ailing exiles. Re-embarking in November onto the two disinfected ships, the prisoners still languished off the French coast as the Charente froze. Soon the two Rochefort-based ships met with the three from Bordeaux and the prisoners were allowed to mingle until their transfer to the Saintes in February. By the end of that month, with the Terror over and the voyage an unqualified and disastrous failure, authorities freed the surviving priests, allowing most to return to their home districts.

The horrific death rates from this failed deportation attempt testify to the poor conditions and treatment granted the refractory clergy by sailors, ships captains, gendarmes, and other officials. Indecision and disorganization in the upper echelons of the French revolutionary government no doubt increased the death toll, as well. Of the 828 men who set sail from Rochefort, only around 230 survived to benefit from the freedom they were granted in February 1795.⁸⁸ The passengers on ships departing from Bordeaux fared only slightly better. Of the 160 men originally loaded onto the *Dunkerque*, for example, only ninety-four survived to receive their liberty in April 1795. Yet these grim figures do not tell the whole story, for many men (and perhaps women) had perished in the jails of the port cities before the ships were ever loaded. Fully two-thirds of the clerics sent to Rochefort for deportation died (555 out of 829) and one-sixth

⁸⁸ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 125-126.

of those interned at Bordeaux (250 out of 1,494) died either in the prisons or on board ship.⁸⁹

When considered within the full scope of the Revolution's dechristianization campaign, this episode might seem only one line in the statistical breakdown of French ecclesiastical losses. After all, between 1791 and 1795, thousands of other prelates and clergymen fled France. In sum, fully three-quarters of the French episcopate and one third of the French clergy—representing between 30,000 and 40,000 individuals—emigrated during this period.⁹⁰ Nevertheless, in the history of deportation, this episode was an important first step in the creation of a penal policy aimed particularly, though not yet exclusively, at political criminals. At this moment, the specific status of political criminals was still in some doubt.

One refractory priest's account of his detention and attempted deportation reveals both the limitations and the expectations of political detention during this period. Joseph Pradal was a priest from Albi in southwestern France. He was arrested 3 May 1793 for failing to swear the oath of loyalty to the Constitution, and he spent several months in various metropolitan prisons before embarking on the *Dunkerque* 2 December 1794 bound for the west coast of Africa. In his description of the disastrous voyage, written under the pseudonym "Amélie," in a private journal evidently intended for his family, Pradal bemoaned his poor treatment and that of his fellow priests, comparing their living conditions to those of a common criminal: "Have any of the most villainous of convicts

⁸⁹ Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 280n.

⁹⁰ Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 280-281n.

in the galleys ever been treated in this manner?"⁹¹ Pradal clearly felt superior to common-law prisoners, and felt his status as a man of the cloth imprisoned for his convictions should have provided him with better treatment. Other priests that he encountered also felt the degradation of their situation. In a letter of protest to the Convention, several of the deportees on the *Jeanty* compared their situation to that of slaves who had been transported in the same ships from Africa to the Americas. On Christmas Day 1794, they wrote: "It is no longer blacks, the color has changed, but the trade is the same: do you want to compensate Africa victim for victim?... [I]n this ship, we succeed those unfortunate men in whose fate we find nothing to reassure us."⁹² When one group of priests openly complained of being treated as slave cargo in a ship designed for that purpose, sailors responded to them with the ironic palliative that they would have fit two or three hundred more blacks in the hold if they had been slave trading.⁹³

Both the priests' impressions and their captors' treatment reveal that the status of these men as political criminals (and, of course, religious authorities), as a category distinct from common-law criminals or unpaid laborers, had not yet been definitively settled. Though legislators had originally envisioned deportation as a means of removing undesirables from the metropole to a place where they might be made useful, the political and practical exigencies of the Terror had turned deportation into a means simply of eliminating potentially dangerous individuals from the social body. As one official at the Ministry of the Navy put it while trying to establish the final destination of the deportees,

⁹¹ Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 260.

⁹² Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 269.

⁹³ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 79.

“They will be thrown upon the west coast of Africa.”⁹⁴ This new focus on discarding refractory priests, on simple removal rather than replacement, was not lost on the priests who had been sentenced to deportation. As Pradal explained, “Deportation was never more than a pretext to gather clergy together in the same place and be more certainly rid of them.”⁹⁵

This same motive for elimination could also be seen in concurrent legislation targeting vagabonds and beggars with deportation. A decree of 1 November 1793 designated Madagascar as the destination for common-law criminals sentenced to deportation.⁹⁶ Though this decree was never executed, it seems clear that legislators wanted both to eliminate another potentially dangerous category of people from the metropole and to associate the deportation penalty with common criminal behavior to avoid making it a special penalty only for political enemies.

There were underlying fears, moreover, that common crime—mendacity, vagrancy—could also contribute to political disorder. As the minister of justice wrote in explanation of this new decree against incorrigible beggars: “When the sword of justice strikes the audacious conspirators who dare to hatch counter-revolutionary plots even within the walls of the seat of national representation, one ought to make haste in distancing oneself from these dark and perfidious enemies, whose residence in the land of liberty will defile the sacred ground, and at the same time they will be the perpetual

⁹⁴ Blomme, *Les prêtres déportés sur les pontons de Rochefort*, 70.

⁹⁵ Fardet, “Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798),” 262.

⁹⁶ *Moniteur Universel*, n. 43, 2e décade de Brumaire l’an 2 (3 November, 1793), p. 323.

source of trouble and agitation.”⁹⁷ Associating these members of the displaced under-classes with political agitators and troublemakers was the first step in subsequent French governments’ attempts to associate political crime with the economically disadvantaged. At this point, however, the link was not strong enough, and no individuals were ever deported to Madagascar as a result of this decree.⁹⁸ At this point in the history of deportation, however, the implications, advantages, and applications of the punishment had yet to be defined or fully understood.

The idea that deportation could aid in the project of colonization was still very much a part of official discussions of the punishment during the Directory. But metropolitan administrators often let concerns for public safety and the preservation of the Republic overshadow colonial projects when they put deportation into practice. In this time of transition, moreover, tactics aimed at degrading the status (and therefore the influence) of political prisoners were still frequently deployed. Under the Directory both political opponents and refractory priests became subject to deportation. This time hundreds of men actually traveled to Guiane, the first of many French citizens and subjects to be deported to South America. Their stories would become the foundation for public opposition to the policy, and would influence lawmakers in their attempts to reform the penalty well into the nineteenth century.

⁹⁷ AN BB³⁰23: Circular from the Minister of Justice to the public prosecutors of the departmental criminal tribunals, 10 germinal an II.

⁹⁸ H. Weisgerber, "La déportation à Madagascar," *Revue de Madagascar* I, no. 4 (1899). Weisgerber finds evidence that at least eight men were sentenced to deportation to Madagascar, largely for crimes such as hiding a refractory priest or "acting aristocratic and fanatic." These were dead letter judgments, however, and ended with the execution of public prosecutor Euloge Schneider, who had been their most vigorous proponent. Weisgerber, 240.

“Le sang n’a point coulé”⁹⁹

As we have already seen, the Thermidorian coup on 27 July 1794 put an end to the Terror. Hereafter, both the goals and the targets of political punishment would change dramatically. The surviving members of the Convention were eager to put the Terror behind them. These Thermidorians had both to erase the painful memories the revolutionary government had created among the French citizens and to declare an end to the Revolution.¹⁰⁰ And they had to effect these changes not as a fully regenerated national citizenry, but as members of a society rooted in law and order.¹⁰¹ To do this, the Convention began work on a new constitution. But it was not an easy process. There were still too many former extremists who reminded the more moderate members of the Convention (the Plain) of the Terror. While all were eager to preserve the Republic, some members seemed too much of a threat in light of the past. Purges were kept to a minimum, limited to those most implicated in the Terror. Carrier, who had overseen the infamous Nantes drownings, was executed in the fall of 1794. A few weeks later, former

⁹⁹ Almost no blood was shed.

¹⁰⁰ Historian Bronislaw Baczko masterfully analyzes the post-Thermidorian task of finishing the Terror and terminating the Revolution in Bronislaw Baczko, *Ending the Terror: The French Revolution After Robespierre*, trans. Michel Petherham (Cambridge: Cambridge University Press, 1994), esp. Chap. 5.

¹⁰¹ Classic historiographical interpretations of Thermidorean political struggles focused on class-based analyses: Georges Lefebvre, *Les thermidoriens* (Paris: A. Colin, 1960); Albert Mathiez, *La réaction thermidorienne* (Paris: 1929; reprint, Geneva, 1975); Isser Woloch, *Jacobin Legacy: The Democratic Movement under the Directory* (Princeton, N.J.: Princeton University Press, 1970). More recently, however, historians have focused on the cultural and legal legacies of the Thermidorian and Directorial periods, particularly as a response to the Terror. See, Baczko, *Ending the Terror: The French Revolution After Robespierre*; Suzanne Desan, "Reconstituting the Social After the Terror: Family, Property and the Law in Popular Politics," *Past & Present*, no. 164 (1999); James Livesey, *Making Democracy in the French Revolution*, Harvard Historical Studies, vol. 140 (Cambridge, Mass.: Harvard University Press, 2001); Colin Lucas, "The First Directory and the Rule of Law," *French Historical Studies* 10 (1977); Michel Vovelle, ed., *Le tournant de l'an III: Réaction et terreur blanche dans la France révolutionnaire* (Paris: Editions du CTHS, 1997); Isser Woloch, *The New Regime : Transformations of the French Civic Order, 1789-1820s* (New York: W.W. Norton, 1994). In particular, Baczko's influential work explores the Thermidorian "counter-imaginary," referring to revolutionary leaders' attempts to re-envision republican politics in the aftermath of the Terror.

members of the Committee of Public Safety, Barère, Collot d'Herbois, Jean-Nicholas Billaud-Varenne, and Marc Vadier were arrested for their role in the violence of the Terror.

Collot d'Herbois and Billaud-Varenne, as former members of the Committee of Public Safety and known "maximalists," were set up as examples of revolutionary excess. Barère had pushed for the Vendée extermination decree in August 1793 and Vadier had formerly sat on the Committee of General Security. These four men saw their fates sealed after an armed mob invaded the Tuileries on 12 Germinal (1 April 1795). The National Guard managed to disperse the crowd without incident, but the Convention took advantage of this "victory" over popular disorder to vote for the deportation to Guiane of the four ex-terrorists.¹⁰² Yet for many Thermidorians, this punishment was considered far too lenient for such terrorists. Despite popular portrayals of members of the Jacobin Club as wild beasts, inhuman and depraved, the public did not seem to perceive deportation as a means of sending these men to the jungles of Guiane. One caricaturist even deemed this transfer to the colonies as insufficient punishment, an imbalance on the scales of justice.¹⁰³ Nevertheless, the Convention chose deportation over death, hoping to eliminate the Jacobins without spilling too much of their blood on French soil. Barère escaped from prison and Vadier hid, thereby avoiding the sentence, but Collot d'Herbois

¹⁰² François Furet, *Revolutionary France, 1770-1880*, trans. Antonia Nevill (Cambridge, Mass.: Blackwell, 1992), 159. See also the law ordering the deportation of four representatives of the people in AN F¹⁶582 (12 germinal an III).

¹⁰³ Ian Germani, "Les Bêtes Féroces: Thermidorian Images of Jacobinism," *Proceedings of the Annual Meeting of the Western Society for French History* 17 (1990): 214. As Germani shows, bestial metaphors were common in Thermidorian press, theatre and visual arts. One writer's description of various members of the Jacobin Club included the "orang-outang Collot d'Herbois," "the leopard Barère," and "the crocodile Billaud-Varennes:" in Anonymous, *Description et Vente Curieuse des animaux féroces mâles et femelles, de la ménagerie du cabinet d'histoire naturelle des ci-devant Jacobins...*, cited in Germani, "Les Bêtes Féroces," 213-214.

and Billaud-Varenne could not avoid the punishment. They would become the first deportees to actually live in Guiane.

Though making the voyage in separate ships, both Collot d'Herbois and Billaud-Varenne arrived in Cayenne in July 1795. Once in the colony, though, local officials did not know quite how to deal with these new inhabitants. In April 1796, Nicolas-Georges Jeannet-Oudin arrived in Cayenne as the "agent particulier" of the Directory. Jeannet had been an administrator of Guiane during the early years of the Republic, as well, but as a nephew of Danton he had fled to the United States upon learning of the execution of his uncle. After Thermidor, however, the Parisian government re-commissioned him as their agent in Guiane and charged him with solving the labor problem in the colony.¹⁰⁴

Since inciting the former slaves to resume their earlier labors was his primary task, Jeannet was concerned about the possible affects of the deportees on the former slaves. He worried that the banished political dissidents might conspire with the black and colored population to overthrow the colonial government.¹⁰⁵ Consequently, he had the two revolutionaries arrested and confined to an old sugar boat outside of Cayenne where they were not allowed to communicate with each other or with any of the colonists.¹⁰⁶ Collot d'Herbois soon succumbed to yellow fever and died in the Cayenne

¹⁰⁴ Jacques Adelaïde-Merlande, *La Caraïbe et la Guyane au temps de la Révolution et de l'Empire (1789-1804)* (Paris: Éditions Karthala, 1992), 193-194, 197.

¹⁰⁵ Devèze, *Cayenne: déportés et bagnards*, 47.

¹⁰⁶ Jean David Freytag, *Mémoires du Général Freytag, ancien commandant de Sinnamary et de Conamama, dans la Guyane française, contenant des détails sur les déportés du 18 fructidor, à la Guyane; la relation des principaux événements qui se sont passés dans cette colonie pendant la révolution, et un précis de la retraite effectuée par l'arrière-garde de l'armée française en Russie; ses voyages dans diverses parties de l'Amérique, l'histoire de son séjour parmi les indiens de ce continent*, 2 vols. (Paris: Nepveu, 1824), 1: 202. Freytag admits that he was initially ignorant of the reasons for the two men's deportation, but while guarding Collot during his daily one-hour walk outside, the general heard listened to Collot's own version of the events leading up to his arrest. Freytag was so horrified by the pride and the "degree of

hospital on 20 Prairial Year IV (8 June 1796).¹⁰⁷ Billaud-Varenne, meanwhile, was banished to the western region of the colony, Sinnamary, where he lived for over a year with a colonist, Monsieur Bosquet.¹⁰⁸ He hoped to bide his time until the political climate changed once more in France and he would be recalled. Much to his chagrin, however, when the next group of deportees, royalists from the Fructidor coup d'état in 1797, arrived in Guiane, he was still in Sinnamary. For Billaud-Varenne, his deportation to Guiane had effectively eliminated him from the metropole, and from the minds of the Directors.

But why deportation? Most likely the Thermidorians, in their attempts to distance themselves from the memory of the Terror and to eliminate former extremists associated with the radical revolutionary government, did not want to reuse the same penal methods so closely associated with Robespierre and the Committee of Public Safety. The guillotine was tainted with the blood, so to speak, of the victims of the Terror. Though Robespierre and his closest advisors, as well as men such as Carrier, were executed immediately after the coup, few of the members of the Convention relished the idea of publicly executing those who were implicated in previous public executions.¹⁰⁹ And so

villainy” displayed by the man that he refused to every accompany the deportee on his walks in the future. This attitude toward the two Montagnard deportees presents a stark contrast to Freytag’s later exhibitions of support and kindness to the political and religious deportees arriving after 1797.

¹⁰⁷ Devèze, *Cayenne: déportés et bagnards*, 47-48.

¹⁰⁸ Devèze, *Cayenne: déportés et bagnards*, 49.

¹⁰⁹ As Baczko describes the immediate post-Thermidorian period, members of the Convention struggled to exact revenge and to exorcize memories of the Terror through swift and exemplary punishment. At the same time as Billaud-Varenne, Barère, Collot d’Herbois, and Vadier received sentences of deportation, more than fifteen other representatives were arrested. A military commission sentenced six of them to death. Nevertheless, the Directory sought to definitively end the Terror by removing violence from the crowd and reclaiming a state monopoly on its legitimate use. Consequently, many deputies sought alternate methods of punishment than public execution. See Baczko, *Ending the Terror: The French Revolution After Robespierre*, 230-233. For more on the Directory’s reliance on massive military repression, particularly after the Fructidor coup, see Howard G. Brown, “From Organic

the idea of deportation resurfaced. Removing these men from the metropole was desirable, since they might still cause troubles if left in French prisons. Sending them to Guiane would be a symbolic casting off of the extremists, a means to isolate them in the most extreme part of the overseas empire.

Meanwhile, another revolutionary development promised to change all subsequent debates about colonialism on the one hand, and individual rights on the other. In June 1794, the Legislative Assembly had proclaimed the abolition of slavery in the French colonies. In Guiane, as in the other slave-holding colonies in the Antilles, this decree had created a labor shortage. Slaves had made up the majority of the population before abolition. Around 12,000 men and women were suddenly freed in 1794. The rest of the population, numbering some 1,600 individuals of European origin or descent (largely French) and as many as one thousand free persons of color, had then to accommodate this newly emancipated population into the colonial labor force.¹¹⁰ Throughout the French possessions in the Caribbean, many of the former slaves now refused to return to their earlier labors without adequate compensation (many refused to return at all) and the colonial economy suffered a severe blow.¹¹¹ In Guiane, the absence of a numerous and vocal population of free persons of color (as existed, for example, in San Domingue) allowed white landowners to stifle much of the emancipatory rhetoric

Society to Security State: The War on Brigandage in France, 1797-1802," *Journal of Modern History* 69 (1997): 666ff.

¹¹⁰ Estimation of colonial population given by Adelaïde-Merlande, *La Caraïbe et la Guyane*, 185.

¹¹¹ For more specifics on the economic effects of abolition in French possessions in the Caribbean during this period, see David Patrick Geggus, "Slavery, War, and Revolution in the Greater Caribbean, 1789-1815," in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Barry Gaspar and David Patrick Geggus (Bloomington, IN: Indiana University Press, 1997), 28-29. In particular, Geggus shows how British and Danish colonial production of sugar and coffee increased even as French and Dutch production decreased so that West Indian products continued to dominate the world market until the 1820s.

circulated throughout the Caribbean basin, yet also contributed to the economic stagnation the colony suffered under during the revolutionary period.¹¹² Certainly the prospect of providing the colony with productive citizens played a part in the French government's decision.¹¹³ As we shall see, the deportees even believed this to be the case. As it turns out, for the post-Thermidor revolutionaries, deportation would continue to prove an attractive means of punishing political enemies and promoting emigration to Guiane, particularly when influential members of the new Directory felt that the Republic might be threatened by enemies on either the right or the left.

The Directory's first challenge came from the left in 1796. Robert Babeuf and his six co-conspirators in the "Secret Directory of Public Safety" wanted to build a society of equals. Though they attracted only a small, unremarkable group of followers, certain moderate members of the real Directory publicly denounced Babeuf and his fellow equals as "Levelers" and advocates of terror. Three of the five directors, Lazare Carnot, Étienne-François Letourneur and Louis-Marie La Révellière-Lépeaux led the campaign against the bogey of Babouvism, which resulted in the eventual arrest of the conspirators on 21 Floréal (10 May 1796).¹¹⁴ Out of the sixty-five accused conspirators, only Babeuf and the extreme terrorist Darthe were convicted and sentenced to execution. Seven,

¹¹² Marie-Louise Marchand-Thébault, "L'Esclavage en Guyane sous l'Ancien Régime," in *Deux siècles d'esclavage en Guyane française, 1652-1848*, ed. Anne-Marie Bruleaux, Régine Calmont, and Serge Mam-Lam-Fouck (Paris: L'Harmattan, 1986), 51-52.

¹¹³ The Abbé Raynal hints at the contemporary debate over the value of European labor in Guiane. Though he does not believe that white labor is fit for the kind of work and the climate found in the colony, he admits that others disagree and cannot be dismissed. See Raynal, *A Philosophical and Political History*, 302-306.

¹¹⁴ Furet, *Revolutionary France*, 175. Letourneur is sometimes referred to by the given names Charles Louis François Honoré.

including Filippo Buonarroti, the future historian of the Conspiracy of Equals, were sentenced to deportation to Guiane. All of the others were acquitted.

The deportees of the Babeuf Affair did not suffer through the long ocean voyage to South America. Due to the expense of overseas transportation, they were among the first of many political prisoners whose deportation was effected within the metropole. As we will see, in the first half of the nineteenth century, legislators increasingly found such concessions necessary for the sake of expediency, particularly during the Restoration and the July Monarchy. The sentence of deportation came simply to stand (in these cases) for separate confinement (separate from common-law criminals), most often in an island prison off the French coast. In the case of the Babouvists, they were sent to Île de Pélée until the permanent site of their deportation could be determined.¹¹⁵ While there, Buonarroti and his wife campaigned to be reunited and live together during his deportation, at least until they were transferred overseas.¹¹⁶ The minister of the interior supported their petition, possibly believing Buonarroti's claim that his wife was the one force in his life that distracted him from the troubling influences of politics.¹¹⁷ After all, during the deportees' stay in the Manche, local authorities became troubled by fears that the political prisoners were forming "affiliations" with the local populace in Cherbourg.¹¹⁸ French officials were already speculating about the stabilizing effects of family life on political prisoners, while at the same time metropolitan detention renewed

¹¹⁵ For the ministerial correspondence with departmental and communal officials regarding detention in Île de Pélée, see AN F¹⁶582: correspondence taking place in Messidor, an V.

¹¹⁶ AN F¹⁶582: a sworn statement by Buonarroti and countersigned by his wife, Térèse, 11 messidor, an V; letter from the minister of the interior to the departmental administrator at Cherbourg, 25 messidor, an V.

¹¹⁷ AN F¹⁶582: statement by Buonarroti, 11 messidor an V.

¹¹⁸ AN F¹⁶582: letter from the administrator of the commune of Cherbourg to the minister of the interior, 3 messidor an V.

old fears of political disturbances emanating from French prisons. After the Directory's next and largest purge, those sentenced to deportation would not be allowed to remain long in the metropole.

The trouble came in the spring of 1797. According to the 1795 Constitution which had established the Directory (a five-member executive and two legislative houses known as the Council of the Ancients and the Council of Five Hundred), the first electoral cycle was to begin in the autumn of the following year. By spring of 1797, therefore, the results of the elections were becoming clear. The councils were split between the moderates, who included many royalists and others supported by the Catholic Church, and the republican bourgeoisie which was anticlerical and supported the Perpetuals. When the representatives cast their votes for a new director, Carnot's political ally and friend Letourneur was removed in favor of François Barthélémy, a Clichyen (constitutional royalist). Within the Directory, therefore, conservatives had lost their majority, but Royalists had taken control of the assemblies. François de Barbé-Marbois presided over the Council of the Ancients and General Charles Pichegru, the victor of Holland in 1795, headed the Five Hundred. Almost immediately the new members of the government pushed through measures aimed at reducing the repression of refractory clergy and amnestying returning émigrés.¹¹⁹

¹¹⁹ Further information on the development of political parties during the Directory can be found in Lynn Hunt, David Lansky, and Paul Hanson, "The Failure of the Liberal Republic in France, 1795-1799: The Road to Brumaire," *Journal of Modern History* 51, no. 4 (Dec. 1979): 734-759. Hunt, Lansky, and Hanson present a statistical analysis of the legislators that comprised the Directory from its creation until the coup of Brumaire. Ultimately, they find, the Directory was ineffectual and easily overthrown because of its commitment to anti-aristocratic and non-popular leadership, but inability to strike that balance.

Much of the nation began to fear that a restoration was in the works. In fact, the so-called “white Jacobins,” men such as Pichegru, Jacques Imbert-Colomès, and Victor Amédée Willot, were planning a coup d’état in favor of Louis XVI’s brother, the self-proclaimed Louis XVIII.¹²⁰ Concerned over the possibility of just such a threat, the other Directors (former regicide Barras, Jean-François Reubell, and theophilanthropist La Révellière-Lépeaux) came together to form a majority that could break the royalist majority in the Councils. Allying themselves with the army, the republican Directors led a coup d’état to eliminate the royalists from the government. The army occupied Paris during the night of 17-18 Fructidor (4-5 September 1797), arresting Pichegru and his friends in the assemblies. Carnot went into hiding. It was a bloodless purge.¹²¹

When the remaining members of the councils met over the course of the next few days, they voted on measures of “public safety” to shore up the Republic and to deal with the detained royalists. Though the Rump-Directory had proclaimed that anyone wishing to re-establish royalty or the 1793 constitution could be summarily shot, when the legislators chose a punishment for the overthrown members of their rank they looked to Guiane. Fifty-three deputies, seven generals, two Directors (Carnot and Barthélémy), and forty-two journalists were sentenced to deportation across the Atlantic.¹²² Only sixteen of these men were captured. But this time the sentence would be executed with all due haste. Barbé-Marbois, André-Daniel Laffon-Ladébat, Barthélémy, Pichegru,

¹²⁰ Furet, *Revolutionary France*, 181.

¹²¹ For more on the coup of Fructidor and the ensuing repression of political enemies, see Howard G. Brown, "Mythes et massacres: reconsidérer la 'Terreur Directoriale'," *Annales historiques de la Révolution française* 325 (2001): 23-52.

¹²² Barbé-Marbois, *Histoire de plusieurs déportés*, 17-18.

Willot, Guillaume Tronçon-Coudray, and ten others, embarked on the *Vaillante* on 1 Vendémiaire Year VI (22 September 1797), only three weeks after the Fructidor coup.

Once legislators had made the decision to deport, they defended both the coup and the sentence in the *Moniteur*: “*Le sang n’a point coulé* [No blood has been shed], not a spot of blood, not a single act of violence or disorder has disgraced that day [18 Fructidor].” The official proclamation continued, “Henceforward, deportation ought to be the grand medium of safety for the commonwealth. This measure is dictated by humanity.”¹²³ Once more, the post-Thermidorian government chose deportation as a punishment that would distinguish this regime from the previous revolutionary government.

Directors and the remaining members of the Councils did not wish the public to perceive the government as a blood-thirsty, violent entity that would devour itself, which was how they retrospectively characterized the Terror. On the contrary, the deputies and the directors wanted to present the current regime as a more humane, constitutional body based upon the rule of law. In order to smooth over the reality of the coup that had quashed the previous years elections and eliminated many representatives of the people, the remaining members of the councils presented 18 Fructidor as a measured and controlled response to a royalist plot. Deportation served them well, for these condemned royalists would not become martyrs at public executions. Instead, the

¹²³ CAOM C¹⁴75: Extrait du *Rédacteur* no. 636, Executive Directory’s proclamation, 23 Fructidor Year V. For a bitter account of this proclamation by one deportee, see also Jean-Jacques Aymé, *Déportation et naufrage de J.J. Aymé, ex-législateur: suivis du tableau de vie et de mort des déportés, à son départ de la Guyane, avec quelques observations sur cette colonie et sur les Nègres* (Paris: 1800). English translation appeared as *Narrative of the Deportation to Cayenne, and shipwreck on the coast of Scotland, of J.J. Job Aimé, written by himself. With observations on the present state of that colony, and of the negroes; and an account of the situation of the deported persons at the time of his escape* (London: J. Wright, Piccadilly, 1800), 4.

deportees would be far removed from the metropole, yet still under the watchful eye of the colonial government. What would happen to them in the colonies, though, was left largely unspecified.

One thing was for sure, though. The victims of the Fructidor coup would not be alone in their deportation. The Rump-Directory initiated a series of laws directed once more against émigrés and refractory priests. Clergymen who had not sworn the oath and who had remained in France were subject to deportation. The dechristianization program of the Revolution was reinvigorated, and suspect priests (in total about 1,627) were again sent to port cities to await deportation. Among them was Joseph Pradel, whom we last saw returning to his home in Albi after the failed deportation of 1794. This time Pradel would number among the 172 deportees who perished in Guiane (around fifty additional priests were lost at sea en route to Guiane).¹²⁴

Pradel and 187 other clerics and 5 *gallériens* originally embarked on the *Charente* on 12 March 1798. After an attack by a British ship, however, the *Charente* was forced to return to port and the deportees were re-embarked on the *Décade* which took them across the ocean, arriving in Guiane 13 June 1798. Another ship, the *Bayonnaise*, carried 120 more deportees (among them a few common-law criminals) on the fifty-four day voyage to Cayenne which ended on 29 September 1798. As we shall see, how these priests and generals, politicians and monks lived once in Guiane set the stage for all subsequent deportation episodes undertaken by French governments during the nineteenth century.

¹²⁴ Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)," 280-281n.

La Guillotine Sèche: Creating a Penal Colony

The experiences of those deported under the Directory—priests, generals, and politicians, alike—were essential to the perpetuation of Guiane's poor reputation. Hereafter, the colony would be known by French men and women as *la guillotine sèche*—the dry guillotine. Historians of deportation have been aided in their reconstructions of the penal regime created for the deportees of the Directory by the many personal accounts that have survived.¹²⁵ In fact, many of the deportees' memoirs were published abroad or during the Napoleonic and Restoration periods as a means of discrediting the Directory and of vindicating the victims of deportation. Belonging to a larger genre of political prisoners and exiles writing of their experiences and denouncing their captors, these memoirs and journals can provide the reader with valuable clues to the deportee's everyday life, the colonial administration, and the colonists' reactions to the prisoners' presence. By their very nature, however, these personal accounts need to be read with a certain skepticism. These are men with grudges. In their writings, anger

¹²⁵ See, for example, Aymé, *Déportation et naufrage de J.J. Aymé*; François de Barbé-Marbois, *Journal d'un déporté non jugé, ou déportation, en violation des lois, décrétée le 18 fructidor an V (4 septembre 1797)*, 2 vols., vol. 1 (Paris: Institut de France, 1834); Barbé-Marbois, *Histoire de plusieurs déportés*; Fardet, "Joseph Pradal, prêtre tarnais mort en déportation en Guyane (1765-1798)."; Laffond-Ladebat, *Journal de ma déportation à la Guyane française (Fructidor an V - Ventôse an VIII)* (Paris: Librairie Paul Ollendorff, 1912); Chevalier de Larue, *La Déportation des députés à la Guyane leur évasion et leur retour en France* (Paris: E. Plon, Nourrit et Cie., 1895); Louis-Ange Pitou, *Voyage forcé à Cayenne et dans les deux Amériques contenant le tableau du tragique destin des déportés de la Révolution, mille choses vues des voyages en mer, de la faune et de la flore d'Amérique, du commerce et des moeurs des sauvage, des noirs, des créoles et des quakers, à la fin du XVIIIe siècle*. (Geneva: Editions de Crémille, 1969); Ramel, *Journal de Ramel. Adjudant ["sic"] général, commandant ["sic"] de la garde du corps législatif de la République Française avant le 18 Fructidor (4 Septembre 1797), sur quelques faits relatifs à cette journée sur sa déportation à la Guiane et celle de Pichegru, Barthelemy, Willot, Tronçon-Ducouray, Lafond, Bourdon, etc. sur le transport, et le séjour et l'évasion de ces déportés* (London: 1799). While these accounts of the early Guianese penal colony were all written by deportees, at least one non-deportee chronicled his full experience with the prisoners. General Freytag was the commander in charge of Sinnamary and Conamama during this period. For his invaluable perspective on deportation, see Freytag, *Mémoires du général Freytag*.

and self-pity color almost every observation or remembrance. Occasionally, deportee accounts contradict each other. Often the individual deportee's sense of time or numbers is either consciously or unconsciously exaggerated. They must be read, therefore, all together, compared one against the other in an attempt to discern the deportees' collective perspective on deportation and life in the colony. Along with the scant evidence in the colonial and ministerial archives that attest to the government's awareness of these far-flung exiles, a synthesis of the personal testimonies of the deportees under the Directory sheds light on some significant developments affecting political deportation in these early years of its existence as a penalty.

For instance, a quick glance at the registers of passengers undertaking this forced emigration to Guiane reveals that, once more, French officials in the metropole attempted to degrade the status of their political prisoners by including with them on the voyage a few common-law criminals. The inconsequential number of these *forçats* and galley slaves attests to the fact that the Parisian government had no large-scale plans to deport non-political criminals to the colonies. On the contrary, officials still targeted protesters and dissidents, and still hoped to lessen political enemies and refractory clergy in the eyes of the metropolitan and colonial populace through association. This tactic was not lost on the deportees. One former deputy of the Council of Five Hundred, Jean-Jacques Aymé, lamented that among the most horrible abuses he and his fellow deportees had been forced to endure was the "infamous association" with "the most vile of society's refuse, men stigmatized by the hand of justice."¹²⁶ Prisoner on the *Décade*, Aymé gave a telling enumeration of his fellow passengers. He counted 193 deportees, approximately two-

¹²⁶ Aymé, *Déportation et naufrage de J.J. Aymé*, 8.

thirds of whom were priests. In addition, he noted two representatives of the people (himself and Gilbert-Desmolières), the journalist Perlet, several people accused of emigration, mostly artisans, and “because all must be told,” five thieves sentenced to twenty years in the galleys (*bagnes*). Aymé then observed:

The Directory believed that, by associating us with these men, it should degrade us in the opinion of Cayenne’s inhabitants. It wished to have us treated there as malefactors; an intention to which its agents heartily agreed. But, on the contrary, this circumstance produced, in the minds of the inhabitants of that colony, the effect such a circumstance should always produce in every honest mind, by impressing them with the deepest indignation toward the authors of this shameful insult, which, I believe, is unexampled in the history of the revolution. Under the first system of terror, men who were imprisoned for crimes were not thus confounded in the prisons with those who were arrested merely for their opinions.¹²⁷

In Aymé’s mind, as in the minds of many of his contemporaries, protesting criminals were distinct from – and should be treated differently from – common-law criminals. It was a question both of the nature of the crime and the social status of the criminal.¹²⁸ Though formal distinctions of this kind would only be codified in the post-revolutionary period, such episodes reveal the extent to which the actions of political criminals themselves must have played a role in this process.¹²⁹

Aymé’s observations also hint at another important variable in determining the place of deportation in French penal practice: popular opinion. Both in France and in the

¹²⁷ Aymé, *Déportation et naufrage de J.J. Aymé*, 66-67. General Freytag, who was later installed as the commander at Sinnamary and Conamam where the deportees would finally reside, drew similar conclusions regarding the reasons for including a few common criminals along with the political and religious deportees. See Freytag, *Mémoires du général Freytag*, 2: 90.

¹²⁸ It was also, of course, a question of precedence. Multiple examples exist of political prisoners detained during the Directory demanding certain privileges and, if denied, unfavorably comparing their situation to that of prisoners of the state under the old regime. See, for instance, Vimont, *La prison politique en France*, 44ff.

¹²⁹ See Vimont, *La prison politique en France*. Vimont explores the creation of this separate penal regime. For him, the key dates in the codification of this practice are the years between 1815 and 1848.

colony, the deportees were dependent upon a whole host of people, from innkeepers along the route to French port cities like Rochefort, to gendarmes guarding them; the sailors and crewmen responsible for their passage; colonial administrators; and colonists, former slaves and indigenous people, alike. One thing that becomes clear from reading these various memoirs is the latitude granted to the naval officers and colonial officials charged with overseeing the prisoners. The lack of records in the ministerial archives might indicate that Parisian authorities gave out few instructions on the treatment and provisioning of the deportees. This hypothesis is all but confirmed by the surprising degree of individual discretion that ship captains, governors, and guards exercised with regard to the various prisoners.

For example, the deportees' experiences on the ocean voyage diverged widely one passage from another. Aymé actually had the chance to compare different captains and crews. He and his fellow deportees, who initially set out on the *Charente* in March 1798, were pleasantly surprised by the treatment they received from the captain and his sailors. Aymé felt the deportees were treated rather as "companions than prisoners" and he attributed this warmth of feeling to the crew's "indignation" at the role they were playing in deportation.¹³⁰ After the English attacked the *Charente*, however, the ship's captain sought refuge in the Bordeaux river and the deportees had to be transferred to the *Décade*, which embarked 23 April 1798. The new shipboard regime must have taken the deportees aback, because Aymé describes the captain Villeneau and his officers as "the most furious Jacobins."¹³¹ Villeneau issued strict orders on how the deportees should

¹³⁰ Aymé, *Déportation et naufrage de J.J. Aymé*, 72.

¹³¹ Aymé, *Déportation et naufrage de J.J. Aymé*, 75.

behave and how the crew should treat them. Confined below decks between six in the evening and half past seven in the morning, the prisoners slept in close spaces, relieved themselves in small personal tubs, and fell prey to lice and rats. Aymé condemns the severity of his sentence but then concludes that it may never have been intended to be so harsh. He notes that the captains of the *Charente* and the *Décade* both received the same orders from Paris regarding the treatment of the deportees, but that each used his own discretion for how lightly or how severely to apply them.¹³²

Certainly deportees could also make certain choices about how to depict their passage and their captors. On the one hand, by exaggerating the severity and unjustness of the punishment, the victim of such offenses might well expect both pity and disapproval of the entire endeavor. On the other hand, by recounting some of the mercies shown by men responsible for executing the punishment, a former deportee might hope to expose how unjust the punishment really was through the actions of those who attempted to ameliorate his condition. For example, six months before Aymé, Pradel and their shipmates set out from Rochefort, the sixteen directors and deputies arrested during the Fructidor coup were loaded onto the *Vaillante* for passage to Cayenne. The accounts of two of these men differ greatly when discussing the ocean voyage. For his part, General Ramel is all negative.¹³³ He denounces the ocean voyage with the simple observation that he and his fellow passengers were treated as “scélérats” by the captain and crew.¹³⁴

¹³² Aymé, *Déportation et naufrage de J.J. Aymé*, 78, 86.

¹³³ It is useful to note that Ramel’s memoir was published in London in 1799 and written largely for an English audience in confirmation of their horror of revolutionary France. His depiction of his own deportation, therefore, is consistently bleak. Ramel, *Journal de Ramel*.

¹³⁴ Ramel, *Journal de Ramel*, 74. *Scélérat* is the term for a scoundrel or a villain. It was commonly used to refer to *bagnards* and galley slaves.

Yet his companion in deportation, Chevalier Issac Étienne de Larue, expanded on the story of life on board the *Vaillante*. According to Larue, though they were sometimes addressed as *scélérats* after their arrest, on the ocean voyage the deportees were often allowed on deck to talk with the officers and the ships doctors. They even discussed politics.¹³⁵ Moreover, Larue relates the anecdote of Antonin Murinais, an aging deportee who was having a difficult time biting and chewing the hardtack fed to the deportees. The Captain, seeing his struggles, offered to give Murinais some bread instead of the biscuit. Murinais refused, saying that he would not receive any better treatment than his fellow deportees. The Captain then responded by ordering that all of the deportees should receive bread three times per week just like his crew.¹³⁶ Such an example of mercy impressed Larue and several of his colleagues. It was proof of the amount of leeway officials had in the execution of the prisoners' deportation sentence. Once on the colony, they were witness once more to the vicissitudes of individual attitudes toward deported political prisoners.

The first deportees of Fructidor arrived in Cayenne in the winter of 1797 and were initially warmly welcomed by the colonial agent, Jeannet-Oudin. Many, including the agent and the deportees, assumed that the actual transportation across the seas was the completion of the deportation sentence.¹³⁷ Now in Cayenne, the deportees hoped to establish a place for themselves in the colonial economy and society. After all, as we have already seen, many of the legislative debates regarding deportation had suggested

¹³⁵ Larue, *La Déportation des députés*, 71, 94.

¹³⁶ Larue, *La Déportation des députés*, 94-95.

¹³⁷ Larue, *La Déportation des députés*, 101. Jeannet's original reports to the Minister of the Colonies in Paris included plans for establishing the deportees in Cayenne where they would live like all of the other colonists. See AN CAOM C¹⁴75, folio 81.

that the dual purpose of deportation was to eliminate undesirables from the metropole and create a new influx of colonists in such places as Guiane. Lescallier and Leblonde's efforts to encourage emigration to Guiane in 1791 had suggested this very idea, and political elites had continually returned to it as one of the principal benefits of the punishment. Thus, when the Fructidor deportees arrived in the colony, Jeannet saw no harm in allowing them to communicate with other colonists. But by the next day Jeannet had changed his opinion of the deportees' role in Guianese society. He ordered that they be guarded at all times and kept from any contact with the colonists. He then began making arrangements for their immediate transfer to Sinnamary, where they would join Billaud-Varenne and be isolated from most of the colony's inhabitants.¹³⁸ According to Larue, Jeannet "knew that there was almost general discontentment in the colony, and that even the tiniest cinder would suffice to ignite an explosion: he believed or someone persuaded him that this dreaded cinder could come from our hands, and peculiar circumstances coincided to give credit to this fear."¹³⁹

Though the records remain silent regarding these "peculiar circumstances" that actually convinced the agent to treat the deportees more as prisoners than as colonists, Jeannet later justified their continued stay in Sinnamary to the minister of the navy and colonies. He cited the "exaggerated insecurity of several landowners regarding the stability of the new colonial regime, their wretched rumor-mongering [*jactances*] propped up by the secret and very active correspondence of the deportees, and finally the

¹³⁸ AN CAOM C¹⁴75, folio 89.

¹³⁹ Larue, *La Déportation des députés*, 104.

worries of the *noirs*, certainly pardonable given their inexperience with freedom.”¹⁴⁰

Perhaps a few prominent landowners had approached the agent and expressed their fears that the troublemakers from the metropole might upset the uneasy colonial balance that had been maintained since the National Assembly had abolished slavery in February 1794. Regardless, the fact remains that Jeannet removed the deportees from Cayenne and sent them to Sinnamary, some twenty-five leagues north-west of Cayenne, where they were guarded by an outpost of the army (headed by General Jean-David Freytag), accompanied by over a dozen Amerindians, and forced to find shelter in thatched-roof huts unless they were able to find nearby colonists willing to house and feed them. In many ways the situation of the deportees was improved by being placed under Freytag. The general was sympathetic to the royalists and priests deported to Guiane. In particular, Pichegru’s military experience and reputation granted him the largest share in Freytag’s compassion. Only Barbé-Marbois felt the general’s disfavor.¹⁴¹ The other deportees avoided contact with him as well.

Despite receiving the goodwill of the commander at Sinnamary, many of the deportees found this change in status and circumstances difficult to accept. Led by Laffon-Ladébat, they appealed to the agent and to the metropolitan government to return to what they claimed was the original spirit of the deportation legislation.¹⁴² Defining the punishment of deportation as the actual act of transportation, the deportees asked that they be granted their liberty now that the punishment had been effected in their arrival at

¹⁴⁰ AN CAOM C¹⁴76, folio 12: letter from the Directory’s Agent in Guiane to the Minister of the Navy, 4 Messidor Year VI (22 June 1798).

¹⁴¹ Freytag, *Mémoires du général Freytag*, 2: 31.

¹⁴² AN CAOM C¹⁴75, folios 90-95: letter and petition drafted by Laffon-Ladébat on behalf of deportees, 29 Brumaire Year VI and 1 Frimiaire Year VI.

Guiane. Furthermore, they claimed their rights as citizens to participate in the colony, and to be useful citizens of France and Cayenne. Laffon knew to appeal to the agent on the grounds of what the deportees could do for the colony. He told of various contributions that they could make:

I [Laffon], for example, who could be of some use to the colony through my connections with trade, all I need is to be taken to a port involved in trade. That is the plan that I have formed and the citizens Marbois, Barthélémy, Tronçon, Ducoudray, Murniais and I signed a *projet d'association* even before leaving France. We intend to include the produce of several local households of which we would have been able to obtain the right of exploitation or the lease to farm. Such were our goals, citizen agent, and it is true that our friends know them have already made several expeditions. Our exile in Sinnamary upsets all our ideas, condemns us to a veritable detention, contrary to the disposition of the law. . . .¹⁴³

But the pleas of the deportees fell on deaf ears, and Jeannet continued in his plans to transfer the Fructidor deportees to Sinnamary. He did express some hopes, however, that once there the prisoners would be able to establish gardens and individual households and eventually become legitimate colonists. The minister of the colonies in Paris agreed that this was the direction that should be taken with regard to the deportees.¹⁴⁴

Jeannet soon determined that the colony's resources could not sufficiently provide for the deportees, even until the time that they could become self-sufficient on their own farms.¹⁴⁵ He thus ordered that the deportees be allowed to live with any of Sinnamary's free colonists who would take them in, and he began to make plans to transfer the others to Conamama (a settlement further inland on the Conamama river to the west) in order to watch them more closely and send them farther from Cayenne. This latter decision was

¹⁴³ AN CAOM C¹⁴⁷⁵, folios 90-91.

¹⁴⁴ AN CAOM C¹⁴⁷⁶, folios 4, 33, and 35: correspondence of Jeannet and the Ministry of the Navy and Colonies.

¹⁴⁵ See AN CAOM C¹⁴⁷⁵, folios 152-156: report to the Minister, 11 Nivôse Year VI (31 December 1797).

made following the successful escape of eight of the deportees to Surinam (Dutch Guiana) in June 1798. Pichegru, Ramel, Barthélémy, Willot, Tronçon-Ducouray, François Bourdon de l'Oise, and Larue had abandoned all hope of making their deportation a livable prospect after their transfer to Sinnamary. In a letter dated 10 December 1797, Laffon had complained of the conditions in Sinnamary to the agent: "The dwellings are abandoned, the maneries are almost destroyed, and the air quality is becoming more dreadful and unhealthy every day."¹⁴⁶ One day in the spring of 1798, the deportees got a newspaper from one of the colonists in which they read of the Directory's actions in France. Deciding that they would not be able to survive in Guiane until a change in regime would release them, eight of the men began to plan their escape.¹⁴⁷ With the help of a couple of Amerindians, a Maroon on the western borders of the colony, and a couple of French colonists, the deportees escaped to Surinam losing only one of their number. Once in the Dutch colony, they met up with an American ship and eventually made their way to England.¹⁴⁸

The next group of deportees arriving in Guiane learned of the escape upon their arrival only a few days before. The *Décade* brought 193 deportees to Cayenne in May 1798. Among the new arrivals there were two representatives who had been arrested weeks after the coup, Aymé and Gilbert Desmolières, a number of priests and prelates, including the future Bishop of Orléans, Brumault de Beauregard, around thirteen Belgian

¹⁴⁶ AN CAOM C¹⁴75, folio 138.

¹⁴⁷ Larue, *La Déportation des députés*, 122.

¹⁴⁸ For a full account of the escape, see the Pichegru papers in AN 207/AP/1; Laffond-Ladebat, *Journal de ma déportation à la Guyane française (Fructidor an V - Ventôse an VIII)*; Larue, *La Déportation des députés*; Ramel, *Journal de Ramel*.

priests, one servant who had refused to abandon her master, and five thieves.¹⁴⁹ This group too was hoping that its sentence had ended once it had arrived in the colony. Once on land, however, at least one deportee was shocked at the treatment he received: "My pain was greatly aggravated when I realized that we were being transferred to a guard of blacks with fixed bayonets who conducted us to a secure location. I had flattered myself that, having arrived at the place of our exile, I should possess my liberty."¹⁵⁰

This time the minister of the colonies in Paris had sent Jeannet orders to allow the deportees to enter into commercial arrangements or to participate in agriculture anywhere in the colony outside of Cayenne.¹⁵¹ Many of the deportees were able to use this rule to their advantage by entering into agreements with local colonists, who were seemingly quite eager to alleviate the situation for the deportees and perhaps to have more manual labor on their plantations.¹⁵² Aymé and Gilbert-Desmolières both managed to find colonists willing to assist them. A group of seven deportees formed a commercial partnership, rented an office in Kourou and shared the work of hunting, gardening, and cleaning to maintain themselves in this new life.

For those who had not been able to find other arrangements, however, conditions at the new deportee camp in Conamama were wretched.¹⁵³ When a new group of deportees arrived, the situation deteriorated. Two more ships had left France carrying

¹⁴⁹ Devèze, *Cayenne: déportés et bagnards*, 65.

¹⁵⁰ Aymé, *Déportation et naufrage de J.J. Aymé*, 99-100.

¹⁵¹ Decree of 30 Prairial Year VI.

¹⁵² Aymé, *Déportation et naufrage de J.J. Aymé*, 101, 123.

¹⁵³ Freytag describes Conamama as a hot, humid, disease-and-deadly-beast-ridden corner of the world where he and his men fell ill along with the deportees. At least ten of the soldiers sent to guard the deportees died. Some of the prisoners succumbed to illness (at one point the black men hired to help with the harder labor were burying as many as eight to ten deportees per day). Freytag had to beg the colonial agent to allow them all to return to Sinnamary. Freytag, *Mémoires du général Freytag*, 2: 92-101.

deportees. One of them was captured by the British, and the deportees were returned to France, where they spent the rest of the revolution in detention at the Île de Rhé and the Île d'Oléron, with the sole exception of one Madame Rovère and her young children, who had been on board the captured ship on their way to join her husband in Guiane.¹⁵⁴ The British had taken pity on her and provided her passage to Cayenne. Upon her arrival, however, she learned of her husband's recent death.¹⁵⁵ The other ship, the *Bayonnaise*, made it safely to Cayenne, and the 111 surviving deportees (eight had died in transit) went to Conamama.

The deportees' situation changed once again when a new agent arrived to replace Jeannet. Étienne Burnel had famously tried to apply the abolition decree in the Masareignes (Île de France and Île Bourbon) in 1796. When he came to Cayenne in November 1798, therefore, there was widespread concern (and perhaps hope) that he would grant too much power to the former slaves and the free people of color. His first public proclamation as agent of Guiane only heightened tensions when he addressed himself to the "citizens of all colors."¹⁵⁶ Yet he did not seem at all inclined to grant any additional rights or privileges to the deportees. Following Jeannet's final orders, he once again transferred the political prisoners to Sinnamary. But the situation had become so desperate, especially for the older priests, that the man charged with guarding the

¹⁵⁴ Gobry, *Les martyrs de la révolution française*, 281. These deportees joined the many other victims of Fructidor who were interned but never deported abroad. According to historian Victor Pierre, between the *coup* and August 1798, some 328 individuals were deported to Guiane (other sources say 329), while another 1,064 went to Île du Rhé and 251 ended up at the Île d'Oléron by November 1799. Among these 1,643 total deportees during this period, 1,375 were priests (265 in Guiane, 920 at Île du Rhé, and 190 at Île d'Oléron). See Victor Pierre, *La Déportation à l'Île de Ré et à l'Île d'Oléron après Fructidor* (Paris: Victor Palmé, 1883), 17-20.

¹⁵⁵ Aymé, *Déportation et naufrage de J.J. Aymé*, 150-160.

¹⁵⁶ AN CAOM C¹⁴76, folio 102.

deportees, General Freytag, aided twelve clerics in an escape attempt. None made it to safety.¹⁵⁷ For those left in Sinnamary, though, it was becoming increasingly clear that deportation would be a death sentence instead of a forced emigration scheme.

Burnel's term as agent was relatively brief, but he made an impression on the deportees. Ange Pitou, Barbé-Marbois, and Laffon-Ladébat each described him as hard and uncompromising. After 19 Brumaire (10 November 1799), when a battalion of blacks was disarmed by the European garrison stationed in Guiane, Burnel was forced out of the colony and briefly replaced by one Franconie. By 14 Fructidor Year VII (30 August 1799), however, the metropolitan government had named Victor Hugues as the new agent of Guiane.¹⁵⁸

These colonial governors—Jeannet, Burnel, and Hugues—created the first penal colony in Guiane through a series of temporary measures and politically motivated decrees. Moreover, the historiography of Guiane—as both a colony and a penal establishment—has been greatly influenced not only by the memory of deportations, but by the deportees themselves. Historians' depictions of the colonial administrators are

¹⁵⁷ Devèze, *Cayenne: déportés et bagnards*, 68. According to General Freytag, he was approached by the Belgian canon Keukemans and asked to guarantee half the sum of money they needed to purchase a dugout canoe from one of the original colonists (a survivor of the Kourou expedition of 1763), Conrad. The colonist had also helped them to find several native Indians who could help the priests navigate the deadly coast. When Conrad learned from the Indians that the deportees had been lost in a sudden storm between the Maroni and Montecrique rivers, he reported the news to Freytag with tears in his eyes. Freytag, *Mémoires du général Freytag*, 1: 102-109.

¹⁵⁸ This news must have shaken many of the inhabitants of Guiane: colonist, officer, and deportee, alike. General Freytag had already encountered Hugues during a sojourn in Guadeloupe where the latter had been governor. Freytag described the administrator as uncompromising and terrifying. See Freytag, *Mémoires du général Freytag*, 1: 269-270. Many of the deportees, meanwhile, had feared early on that they might end up in Guadeloupe instead of Guiane, a worse fate since the former was under the control of the "infamous Hugues, the terror of the Antilles." Barbé-Marbois, *Histoire de plusieurs déportés*, 78.

often drawn from the memoirs of deportees.¹⁵⁹ The administrative regime and life in the colony, for those of both European and African origin or decent, have all been understood through reading the journals of these men forcibly transported there. This was a highly educated group, and those who lived to tell about their experiences often wanted to tell as many people as possible to clear their names, to correct the historical record, and perhaps even to profit from their misfortunes.

What emerges from reading both the official correspondence and the journals of Ramel, Pichegru, Barbé-Marbois, Pitou, Aymé, and others, is an understanding of the real arbitrariness of deportation at this time. The haphazard creation of a penal colony in the midst of social and political revolution was neither straightforward nor easy. The colonial authorities received little guidance from the metropole regarding the status and treatment of deportees. The colony was not ready to support them, particularly in the wake of abolition and the ensuing economic depression. Whenever the Parisian authorities did give specific orders regarding the treatment or status of the prisoners, the colonial agents amended them to satisfy their understanding of the specific needs of the colony. Meanwhile, French colonists, former slaves, indigenous people, and the deportees often worked together to alleviate the harsh conditions of life in the new penal colony. Far removed from the initial legislative debates regarding the creation of deportation penalties in 1792, the deportees of the Directory were subject to new restrictions and obstacles once they arrived in Guiane. Their actions, and the actions of those around them, provided metropolitan officials with a new model of political

¹⁵⁹ For example, Pierre Pluchon, "Révolutions à l'Amérique," in *Histoire des Antilles et de la Guyane*, ed. Pierre Pluchon (Toulouse: Privat, 1982), 321-326.

deportation that would prove vital to the debate about punishment and political crime that flourished in the early decades of the nineteenth century.

Conclusion

Of the 329 men deported under the Directory, 172 died, twenty-five escaped, and 132 remained in Guiane until Napoleon Bonaparte recalled them to the metropole in 1800.¹⁶⁰ Only Billaud-Varenne refused the chance to return. He eventually made his way to the United States and then to Haiti, where he died in 1819. For those who did return to France, the stigma of deportation was not an indelible mark. Barbé-Marbois, for example, rose in the ranks of Napoleon's bureaucracy and eventually brokered the Louisiana Purchase deal wherein France sold its North American possessions to the United States. His political career survived Napoleon's fall, moreover, and Barbé-Marbois served as minister of justice for a brief time under Louis XVIII. In this period of revolution and regime change, it was becoming increasingly clear that the political prisoners of one regime could easily become the political leaders of the next.

For this reason, the slow and uneven development of deportation as a specifically political punishment is significant. Though legislators had not ruled out the possibility of deporting common-law criminals, as we have seen, the penal practices of the Revolution rendered deportation a *de facto* political punishment. Moreover, attempts to degrade the status of political criminals seem to have failed as a result of a wave of memoirs written by the well-educated and vociferous deportees, who presented the public with accounts of their suffering and degradations at the hands of the Directory. These multiple appeals to

¹⁶⁰ Devèze, *Cayenne: déportés et bagnards*, 70-71.

public opinion survived the Revolution and created the popular association of Guiane with the *guillotine sèche*. They also irrevocably fixed deportation as a punishment for political offenses in the minds of both French political elites and common citizens.

By the time Napoleon seized power from the Directory, therefore, deportation had emerged as one potential solution to two separate problems: developing the overseas colonies and dealing with political protest. This was the beginning of the construction of the “ideal” of colonization through deportation that would take place in the first half of the nineteenth century. This French notion of deportation differed substantially from the British System of transportation to America and Botany Bay. Instead of defining the practice as a means of simple elimination from the metropole, revolutionaries championed the notion that this punishment contributed to the purification and regeneration of France and all its possessions. Legislators argued that political stability in France could only be achieved through the removal of destabilizing individuals and groups. In the colonies, once removed from the volatile, politically charged atmosphere within the metropole, these same protestors could be made into useful forces in the project of colonization.

In reality, life in the colonies was not so easily manipulated from Paris. Local colonial administrators felt less interest in this colonization through deportation idea than they did in preserving the social order. Yet even with the high death rate the deportees experienced, and the evident failure of the project to do anything more than punish the deportees out of sight of France’s population, the deportation ideal survived the Revolution and was carried on in the official debate through the Napoleonic period and

well into the subsequent regimes. As we shall see, the colonization through deportation ideal continued to appeal to elites because it united the most pressing concern of the period—the maintenance of public order—with the issue that offered the most unfulfilled promise to successive French governments—the development and expansion of the overseas empire.

It would be left up to future legislators to further define the goals of this punishment, and to establish it more formally through both law and practice. Questions of both who should be deported and to where they should be sent would continue to plague French administrators as long as colonial development remained a goal of deportation practices. Many politicians and social reformers sought to expand the punishment to include common-law criminals, drawing on British examples as justification for this policy. Others, however, pointed to the particular situation of post-revolutionary France as proof that political stability and public order depended more upon the removal of dissidents and protestors than upon the eradication of common criminals. Though both proponents and opponents of the policy would make frequent comparisons with Great Britain in the ensuing debates over deportation, French legislators and penal theorists ultimately followed their own path in penal and colonial practice: political deportation.

Chapter Two

Building Empires, Deporting Enemies, 1799-1814

Napoleon Bonaparte gladly reaffirmed the ideal of colonization through political deportation that had been kindled in the fires of political unrest during the Revolutionary period, and he employed it on an even grander scale as his own power spread throughout Europe. The creation of a European empire meant that the French government needed not only to concern itself with enforcing order in the metropole, but also in the extended parts of Napoleon's realm, both within Europe and in the overseas colonies.¹⁶¹ In the history of criminal justice in general and deportation in particular, the expansion of French power beyond the hexagon and into the Italian peninsula, Belgium, the German

¹⁶¹ The historiography of the Napoleonic period is as voluminous as it is polarized. Though much of the historical debate is well known, it bears revisiting since recent trends in the scholarship have taken a broad, European approach to understanding the impact and lasting effects of Napoleon's reign. Certainly the vast majority of scholarship has focused on Napoleon's place in French national history where he is depicted as either military genius, the "savior of France, or a despot (or some combination of the three). Depictions and evaluations of Napoleon's ascent to power and reign in France began soon after the events took place. For example, see his contemporary detractors, such as Chateaubriand, *Napoléon*, ed. C. Melchior-Bonnet, (Paris, 1969), as well as Tolstoy's portrayal of Napoleon in *War and Peace*. Historians have lagged far behind in contributing their own judgments of Napoleon the man. See, for some classic examples, Pieter Geyl, *Napoleon, for and against* (New Haven,: Yale University Press, 1949); Georges Lefebvre, *Napoléon*, 4th ed. (Paris,: Presses universitaires de France, 1947); Emil Ludwig, Eden Paul, and Cedar Paul, *Napoleon* (New York: H. Liveright, 1926). Most of these classic histories of Napoleon consider only his impact on French institutions, politics, society, and culture. This Franco-centric approach is exemplified by Jean Tulard's masterful look at the emperor's life: Jean Tulard, *Napoléon ou, Le mythe du sauveur* (Paris: Fayard, 1977). Other examples of this Franco-centrism in more recent works can be found in the fine studies done by Martin Lyons, Geoffrey Ellis, and Louis Bergeron concerning various aspects of the Napoleonic period. See Louis Bergeron, *France under Napoleon* (Princeton, N.J.: Princeton University Press, 1981); Geoffrey James Ellis, *The Napoleonic empire* (London: Macmillan Education, 1991); Martin Lyons, *Napoleon and the Legacy of the French Revolution* (New York: St. Martin's Press, 1994). Yet during the 1990s, a new explosion of Napoleonic historiography written by western European and American scholars has produced more regional studies of the "Grand Empire" that lay beyond the borders of France and included much of western and central Europe. Ellis, in fact, re-edited his 1991 work on the empire to reflect these new trends in the historiography, particularly with regard to the administration of annexed lands and subject states, understanding of imperial policing efforts, and other institutional legacies of the Napoleonic empire: Geoffrey James Ellis, *The Napoleonic empire*, 2nd. ed. (New York: Palgrave Macmillan, 2003). Two of the most comprehensive and nuanced treatments of Napoleon's European empire are Stuart J. Woolf, *Napoleon's Integration of Europe* (London: Routledge, 1991).; Michael Broers, *Europe Under Napoleon, 1799-1815* (New York: Arnold, 1996).

states, Poland, and, to some extent, even Spain, created new administrative needs and more varied political responses than were necessary during the Revolution or the Old Regime, and certainly more people whose active protest of Napoleon's government would need addressing.¹⁶² In addition, despite historiographical tendencies to dismiss or ignore the colonies during this period, the growing bureaucratic machine managed overseas imperial concerns as well as to continental ones. In fact, what emerges from a study of this period is the collateral ways that European administration and colonial administration techniques mimicked, influenced, and supported one another under Napoleon. Surely the fact that both Italian priests and Guadeloupean rebels were deported to Corsica points to some coherence in penal policy within the two empires. The use of French and non-French criminals and convicts as army conscripts involved in foreign expeditions is yet another example. At least in the early years of Napoleon's rule, before 1812, the continental and overseas empires worked in concert.¹⁶³

¹⁶² Historians of the Napoleonic period have recently begun to explore the singular character of policing and punishment methods of the empire. In particular, scholars have focused on the role of the *gendarme* in the French state, institutions enforcing conscription and countering brigandage, and Fouché's actions as Minister of the Police. See, for example, the innovative contribution by a prolific historian of modern European crime and the state's response, Clive Emsley, *Gendarmes and the state in nineteenth-century Europe* (New York: Oxford University Press, 1999). Regarding the French criminal codes and other states' responses (adopt, adapt, or resist) to them, see Xavier Rousseaux, Marie-Sylvie Dupont-Bouchat, and Claude Vael, eds., *Révolutions et justice pénale en Europe: Modèles français et traditions nationales (1780-1830)* (Paris: l'Harmattan, 1999). Regarding desertions, draft-dodging, and brigandage, see Howard G. Brown, "From Organic Society to Security State: The War on Brigandage in France, 1797-1802," *Journal of Modern History* 69 (1997); Alan Forrest, *Conscripts and Deserters: The Army and French Society during the Revolution and Empire* (New York: Oxford University Press, 1989); Isser Woloch, "Napoleonic Conscription: State Power and Civil Society," *Past & Present*, no. 111 (May 1986). One work that looks at police operations and the duties of Fouché is Eric A. Arnold, *Fouché, Napoleon, and the General Police* (Washington D.C.: University Press of America, Inc., 1979). Later in the chapter we will see how the historiography of deportation fits into this larger scholarship on criminal justice and punishment during the Napoleonic period.

¹⁶³ Yves Benot, *La démence coloniale sous Napoléon* (Paris: Éditions la Découverte, 1992), 9. Michael Broers also offers an analysis of imperial French administration of the conquered Italian peninsula as becoming essentially an exercise in cultural imperialism. Viewed this way, the French inability to enlist the support of Italian nobles stemmed from the former's sense of cultural superiority and treatment of the

Within this increasingly repressive state system, the value of deportation was reaffirmed through its codification in the Penal Code of 1810. Under Napoleon Bonaparte, the French government continued to pursue deportation as a means both for punishment and for colonization. From a quick review of Napoleon's statements and actions, it is clear that he had originally anticipated that deportation would apply both to common-law and political criminals alike. Yet, in the Penal Code itself, deportation was reserved only for cases of a political nature. Why, in this period of legal standardization and power centralization, did deportation remain limited primarily to political offenders?

During the initial discussions over the Code Napoleon around 1801, Bonaparte proclaimed himself in favor of a broadly applied penal deportation, stating: "It is impossible that this punishment be not allowed, since it is at the same time useful and humane: between it and prison, there is no difference, other than that it opens a more spacious and commodious prison to the condemned. There should be no hesitation in peopling a new world by purging the old."¹⁶⁴ It is unquestionable that Napoleon's stance on deportation fit within his larger program to reestablish order and assert his control over the French (and later European and colonial) population. Although some concessions were made in the form of constitutional guarantees ensuring personal liberties, in matters of policing and punishment Napoleon's state was nothing short of repressive.¹⁶⁵ Napoleon reopened the *prisons d'état*, created magistrates of safety

Italians as "the other." Michael Broers, "Cultural Imperialism in a European Context? Political Culture and Cultural Politics in Napoleonic Italy," *Past & Present* 170 (2001): 152-155.

¹⁶⁴ Discussions de la code civile, cited by Contrôleur en chef de la marine, Pariset, *Sur la déportation des condamnés aux travaux forcés* (Paris, 1851), epigraph.

¹⁶⁵ Bernard Schnapper, "Compression et répression sous le Consulat et l'Empire," *Revue historique de droit français et étranger* 69, no. 1 (1991): 17-40.

charged with overseeing all criminal proceedings and directly responsible to the executive, tightened penal law through the Code of criminal instruction and the Penal Code, and reorganized common-law prisons. Certain categories of individuals considered particularly dangerous to the state were subjected to increased government scrutiny and police presence, including freed convicts, beggars, vagabonds, workers, domestic laborers, and students.

In many ways, therefore, it seemed as if the punishment of deportation could be widely applied to all prisoners during the Napoleonic period. Yet in practice, as we shall see, the *sentence* was more frequently handed down to protesting criminals than to thieves or beggars. Moreover, when actually implemented, deportation schemes almost exclusively involved political dissidents and protestors. Though many French political elites continued to believe that British-style transportation could benefit France, many obstacles blocked the application of this idea. Some were practical and carried over from the earlier revolutionary period: British naval superiority and hostility, the limitations of French colonial possessions, and the expense of transporting and then providing for large numbers of people abroad. Other obstacles, however, were more theoretical: who would make the ideal colonists? What would be the role of the deportee in the *mise-en-valeur* of the colony? And how did the expanding continental empire fit into the overseas colonial complex?

Certainly both the overseas and the continental empires experienced their share of challenges with regard to political stability. Within France, a nation still divided after a decade of revolution, civil war seemed imminent in 1799. As the French army extended

French political influence eastward into Europe, royalists and other proponents of traditional authority and society resented the new power. Meanwhile, in the overseas empire, especially within slave or formerly slave societies, republican and revolutionary ideals had inflamed oppressed populations, and French colonial authority faced revolution from both dispossessed forced laborers and dissatisfied property owners alike. Napoleon's government in Paris had to deal with each of these destabilizing elements, seemingly so disparate and discrete.

Deportation was only one of the many possible solutions attempted during this period. In terms of sheer numbers of deportees sentenced and actually transported, the Napoleonic period exceeded earlier Revolutionary efforts. But as we shall see, though numerous episodes of deportation marked the early Napoleonic period, there seemed to be no coherent policy regarding the limitations or goals of the punishment. As was the case during the previous period, while the French government saw the potential benefits for a large-scale deportation policy applicable to both common-law and political offenders, the only individuals that French officials were willing to deport, despite the risks and the expenses, were political and protesting criminals. Only dissidents and political opponents were considered dangerous enough to warrant such a punishment. Consequently, when deportation was formally codified in the Penal Code of 1810, the political character of the punishment was once more reasserted.

When Fog had Lifted: The Aftermath of Brumaire

Combating dissent and division in France

By the spring of 1799, Austrian armies, with some help from Russian and Ottoman forces, had pushed the French army back into France and out of the Italian peninsula and German states. The Directory, still fearful of foreign invasion, then began looking for means of preserving the Republic and French territory. When the election returns for that same year introduced more royalists and anti-republicans into the councils, some *ex-conventionnels* began to plan another coup. This time, the abbé Emmanuel Sieyès assembled the support of Jean-Jacques-Régis de Cambacérès (installed as minister of justice), fellow director Roger Ducos, several prominent bankers, and Lucien Bonaparte, Napoleon's brother and president of the 500, whose influence brought the support of the army. Sieyès and Cambacérès drew up a new constitution with a stronger executive, to be held by three *consuls*.

Casting about for a third man to act as consul (in addition to Sieyès and Ducos), the conspirators sought a military figure, a general who might lend weight to their new government yet acquiesce to the politicians. Though he was not their first choice, they ultimately settled on Napoleon Bonaparte, who quickly returned to Paris following defeat in Egypt. The ensuing *coup d'état* of 18-19 Brumaire Year VIII (9-10 November 1799) was as quick and bloodless as the Fructidor coup two years earlier. Once more, it seemed, the French government was starting anew. Moreover, with the French army's defeats abroad, the Republic assumed more or less its pre-revolutionary borders. In many ways, then, the introduction of Napoleon Bonaparte into French politics marked a return

to square one. The consolidation of the French state remained uncertain, as did the extent of French power in Europe or overseas.

One month after the Brumaire coup, the French government ratified the constitution of the Year VIII that put Bonaparte in power as First Consul. Sieyès became the president of the Senate, and Bonaparte selected Camabacérès and Charles-François Lebrun as his consular colleagues. The selection of these two men—the first a revolutionary, the second a man from the Old Regime—represented the first step in Bonaparte’s plan for national reconciliation and defense of the Revolution’s accomplishments in France and abroad.¹⁶⁶ From the beginning of his term, the First Consul recognized that his authority in France depended upon his ability both to secure victories abroad and to quell internal dissent.

Certainly during his first full year in power, Bonaparte saw regular evidence of simmering opposition that might boil over and upset public opinion if not attentively monitored and corrected. Perhaps the most troublesome threat to the new Consulate came from the royalist camp: leaders of the Chouan in Brittany and Normandy. On the other side of the political spectrum, however, radical republican Jacobins were a visible, if less potent source of opposition. Enemies on both sides sought to overthrow Napoleon, or at least hinder his government, employing a variety of means during the year 1800.

Among the most notorious of the plots that dissidents hatched against the Consulate during that tumultuous year was the 24 September kidnapping of the senator Clément de Ris. Taken from his chateau de Beauvais and held for almost three weeks by

¹⁶⁶ François Furet, *Revolutionary France, 1770-1880*, trans. Antonia Nevill (Cambridge, Mass.: Blackwell, 1992), 217.

some unknown men, the senator's abduction produced a flurry of speculation regarding who would do such a thing and for what reasons. Two plausible stories circulated. The first blamed a group of royalists who wanted to avenge those who had suffered and died during the suppression of the Vendée rebellion; they targeted Clément de Ris as a former "pacifier" of the region. The second explanation told of a plot, designed and orchestrated by Minister of the Police Joseph Fouché, in order to provide the minister with the opportunity of recovering some compromising papers.¹⁶⁷ Ris' abduction exposed both popular and official anxieties over royalist opposition at the time.

Yet the High Police also had to watch for conspirators on the left. During the fall of 1800, police agents uncovered three separate plots in three months: the first devised by the trio of Ceracci, Arena, and Tupino-Lebrun; a second led by Metge; and the third leading to the arrest of an obscure chemist and Jacobin named Chevalier.¹⁶⁸ Along with a former general, Jean Joseph Rossignol, and several other republicans, Chevalier was apprehended at the Jardin des Plantes and accused of designing a *machine infernale* for use against the First Consul.¹⁶⁹ All were detained in the Temple prison for the rest of the year.¹⁷⁰ The Chevalier Affair linked Jacobins with homemade bombs, which would later prove useful to Napoleon and Fouché. When members of the Chouan then hatched a plot to assassinate Napoleon using their own "infernal machine," the First Consul and his

¹⁶⁷ This is the theory that served as the inspiration for Balzac's novel *Une ténébreuse affaire* (1841).

¹⁶⁸ Robert Cornevin, "Les Déportés 'terroristes' aux Seychelles et aux Comores (1801-1802)," *France-Eurafrique*, no. 202 (1969): 16.

¹⁶⁹ "Infernal machine" was the term assigned to any sort of improvised explosive device. Imagine something detonated by gun powder that would blast nails and other debris into the air.

¹⁷⁰ "Attentat contre les jours du premier Consul," *Journal du Soir, de politique et de littérature des frères Chaignieau*, 5 Nivose, Year IX (26 December) 1800, 3-4.

minister of police seized the opportunity to eliminate the radical republican opposition and later track down the real royalist culprits.

The state repression of both royalists and republicans culminated in the days following an assassination attempt aimed at Napoleon. On 24 December 1800, a bomb exploded as the First Consul's carriage went past. The next day, Napoleon used the event as a pretext for rounding up all known Jacobins. Then, that same day he asked his minister of the navy and colonies, Pierre-Alexandre-Laurent Forfait, to recommend some place in the overseas empire to which the republicans might be deported. The minister discouraged any thoughts of Senegal, Guiane, or even Madagascar.¹⁷¹ Less than two weeks after the bomb exploded, a *senatus consultum* decreed that 131 men should be placed under "special surveillance beyond the territory of the Republic."¹⁷² Of those initially subject to deportation, only sixty-eight actually left France, destined for the Seychelles Islands of the Indian Ocean, a few had evaded capture, and the rest remained in France due to transportation concerns. Only a few of those deported to the Seychelles ever returned to France, most of them died. The choice of the Seychelles was ill-made and ill-timed. To understand this failure, we will look in greater detail at the deportees' situation in the Seychelles, and that of the colonists and slaves who also populated the islands, in the next chapter.

As for those sixty-one republicans who were not included in the first wave of deportation to the Indian Ocean, the majority of them were sent to one of three secure

¹⁷¹ Cornevin, "Les Déportés 'terroristes'," 16-17.

¹⁷² For a complete list of those sentenced to deportation on 14 Nivose, see AN F⁷6271: "Rapport du Ministre de la Police Générale, concernant l'attentat commis contre le premier Consul Bonaparte, le 3 nivose. Arrêté des consuls, qui ordonne la déportation de 131 individus au-delà des mers. Noms et domiciles de ces individus, parmi lesquels sont les Septembriseurs," 14 Nivose Year IX (4 January 1801).

fortresses within metropolitan France—the Île de Rhé, the Île d’Oléron, and the Fort de Joux. There they were to remain until other accommodations – preferably in one of the overseas colonies – could be provided.¹⁷³ During the first (and last) deportation to the Seychelles, the French had lost two ships in skirmishes with the British. It was not until 1804, therefore, that the French government was able to organize a new convoy for deportation to the colonies. Among the passengers this time were forty-four of the remaining republicans implicated in the Affair of the Infernal Machine who had remained in metropolitan detention sites.¹⁷⁴ Accompanying them was another group of deportees, this time drawn from within the government, itself.

The day after the Brumaire coup of 1799, the reestablished councils had drawn up a list of thirty-five members of the previous Council of 500 who were to be deported to Guiane. Among those singled out by the deliberations of 20 Brumaire was Hugues Destrem, a merchant from Fanjeaux whose political opponents had given him the nickname “Maximum” because of his support of price controls. Destrem was an obvious target for this deportation decree, not only because of his leftist political leanings, but also for his actions on 19 Brumaire when Napoleon Bonaparte had entered the Council’s chambers. Evidently, Lucien Bonaparte observed Destrem, also known as the Hercules

¹⁷³ A few of the remaining republicans managed to elude the police and avoid detention. A couple of the more unfortunate jacobins died soon after arrest before they could be transferred out of Paris. Jean Destrem, *Les Déportations du consulat et de l’empire* (Paris: Jeanmaire, 1885), 155. According to Destrem, the regime for the deportees detained in metropolitan prisons was relatively relaxed. Most were allowed to spend time in population centers and were required only to return to their quarters by a certain curfew. The strictest regime seems to have been at Fort de Joux.

¹⁷⁴ The deportation of these forty-four republicans was a secretive affair. Trying to tease out the exact details from the archival records has proven difficult since the ministers did not feel they could refer to it openly. Historian and anti-Bonapartist, Jean Destrem, speculates on the extent of this deportation based upon his reading of the veiled language in the official correspondence. See Destrem, *Les Déportations du consulat et de l’empire*, 186-187.

of the 500 for his size and strength, strike Napoleon, knocking the general to the ground.

The consequences of this attack were swift and severe.¹⁷⁵

Yet for five years the proscribed politicians from the 500 remained in metropolitan detention centers. Deprived of their property rights, the thirty-five victims of the 20 Brumaire decree had been transported to Rochefort to await deportation to Guiane. When the minister of the navy had announced only nine days after the decree that two ships already destined for Guiane waited at the port in Rochefort, he had received word that the two vessels were not to wait for the prisoners. Instead, they were to carry the new colonial agent, Victor Hugues, to his post in Cayenne. Then, on 26 November, a little more than two weeks after the Brumaire coup, the minister had received orders that the deportation was to be indefinitely postponed.¹⁷⁶

The most dangerous of these former members of the 500 were then placed under surveillance until the explosion of the Infernal Machine gave Napoleon Bonaparte the pretext for re-arresting them.¹⁷⁷ Included in the *senatus consultum* list of individuals subject to deportation after 14 Nivose Year IX, Destrem and other former deputies joined the reputed *Septembriseurs* and various “Jacobins” transferred to the islands of Rhé and Oléron to await deportation once more. For most of their stay at Île de Rhé, Destrem and four of his colleagues lodged in Saint Martin. Instead of being interned, they moved relatively freely among the inhabitants, dined with locals, and generally participated in

¹⁷⁵ Jean Destrem, *Le Dossier d'un Déporté de 1804* (Paris: Imprimerie française J. Danguon, 1904), 79-83. J. Destrem was the grandson of Hugues Destrem.

¹⁷⁶ Destrem, *Le Dossier d'un Déporté de 1804*, 95-96.

¹⁷⁷ A surveillance order for Destrem was reported in AN F⁷3701: “Tableau de la situation de Paris,” Minister of the Police, 5 Fructidor Year 8 (23 August 1800).

the social life of the community.¹⁷⁸ Nevertheless, the deportation sentence weighed heavily on their minds, leading Destrem and A.O. Talot to ask a friend to plead their case once more before the First Consul. Presented with the argument that such a sentence, handed down without formal judgment, was unfair and cruel, Bonaparte responded, “There is not one of them who would not have been sentenced to death by any Court of Justice for his crimes during the revolution. These scoundrels have covered the face of the country with scaffolds and mourning. I maintain that the way in which they have been dealt with is not so much a punishment as a favor.”¹⁷⁹

Thwarted in attempts to avoid deportation, Destrem and thirty-nine other men listed in the 14 Nivose *senatus consultum* were at last put on a ship destined for Guiane in the spring of 1804. Again it seemed that officials had not yet abandoned the notion that the deportees might find the means of making their own way once in the colony. In the order of embarkation, a note on prisoner Destrem remarked on his past experience, observing that “the commercial activities in which he has engaged, and the role that he has [previously] occupied give one to believe that he could be usefully employed [in Guiane].”¹⁸⁰ Once in Cayenne, moreover, the colonial agent, Victor Hugues, determined that the deportees should be granted their liberty, as long as they did not do anything to disturb the colonial order or attempt to return to France.¹⁸¹

¹⁷⁸ Destrem, *Le Dossier d'un Déporté de 1804*, 127-128.

¹⁷⁹ Antoine-Clair Thibaudeau, *Bonaparte and the Consulate*, trans. G.K. Fortescue (New York: Macmillan Company, 1908), 72.

¹⁸⁰ Destrem, *Le Dossier d'un Déporté de 1804*, 166.

¹⁸¹ All forty deportees were to enjoy their freedom, except one Fleury who had been convicted of forgery by a criminal tribunal (he was not a political prisoner). See AN CAOM C¹⁴83, folio 42-46: letter from Hugues to the Minister of the Navy, 20 Germinal Year 12 (15 April 1804).

From his first receiving notice that deportees would be sent to Guiane, Hugues had sought further clarification from his superiors at the Ministry of the Navy regarding the nature of this punishment. Messages coming from the Ministry left a lot for the agent to interpret as he chose. Around 1802, in fact, Minister of the Navy Denis Decrès, had suggested to Bonaparte that there were two ways of looking at the 14 Nivose decree: it described either “exile or deportation. Exile naturally demands certain considerations during both the voyage [across the Atlantic] and the stay in Cayenne. . . . Deportation consists simply of coercive measures.”¹⁸² In the minister’s mind, then, deportation implied that the sentence had been carried out through the simple act of physically transporting the prisoners from metropolitan France to the colony. Consequently, the fate of the deportees should be left up to the agent in charge of the colony. When Victor Hugues then announced in 1804 that he intended to treat the deportees as for all intent and purposes free, the minister merely cautioned that they should not be allowed to return to France.

Despite enjoying many of the privileges of free colonists, the deportees found that life in Cayenne was not easy. Hugues granted them a small allowance, though admitted that it was probably just barely enough to sustain them.¹⁸³ In addition, the deportees must have ached to return to their families and friends in France. Three of the deportees thus decided to take matters into their own hands and attempt an escape from Guiane and a

¹⁸² AN CAOM C¹⁴79, folio 15-17: report to the First Consul regarding the deportees, undated. The word coercive should be understood here as meaning having the power to enforce some action. Decrès was not trained in the law. He was a sailor who had risen through the ranks of the Royal Navy during the wars of the American and French Revolutions. He was an efficient administrator, but his definition of deportation was certainly his own and fits no other formal construction of the punishment. It is useful, however, for understanding how the Ministry in Paris was directing the colonial agent in Cayenne to treat the deportees.

¹⁸³ AN CAOM C¹⁴83, folio 44.

return to the metropole. Destrem was one of the men hoping to flee the colony. Having successfully made it as far as Saint Barthélemy, however, Destrem finally succumbed to the fatigue and strain of evasion and died on 20 July 1804.¹⁸⁴ For the remaining thirty-seven deportees from the *senatus consultum* of 14 Nivose, life in the colony would not change substantially until the British and Portuguese captured Guiane in 1808. Nevertheless, as this episode illustrates, the status of deportees once in the colony, and the goals of the punishment for the prisoners, had yet to be fully defined. What was happening, however, was the creation of precedents for the treatment and role of deportees. Only through the regular execution of deportation decrees would an eventual standard for deportation as a punishment emerge.

It is therefore essential that we understand how these deportation episodes (to the Seychelles and Guiane) fit within a larger “security state” in the making.¹⁸⁵ The network of police informants that Joseph Fouché oversaw as minister of police has often led historians to characterize Napoleonic France as an early police state. The system of internal surveillance Fouché erected led not only to the drafting of lists of prominent

¹⁸⁴ Unbeknownst to Destrem, his son, Antoine, had finally received a pardon for his father from the Emperor Napoleon five days after the deportees escaped. Antoine Destrem was, of course, equally ignorant of his father’s plans. See Jean Destrem, *Les Fêtes de Fanjeaux, 23 août 1908. Inauguration du monument élevé à Hugues Destrem, maire de Fanjeaux, représentant du peuple, déporté à Cayenne par Bonaparte pour avoir combattu le coup d’état du 18 Brumaire* (Paris: Imprimerie Française, J. Dagon, 1909).

¹⁸⁵ I have followed the example of historian Howard Brown and employed the term “security state” rather than “police state.” The system of surveillance and regulatory controls implemented during the Napoleonic period suggests a nascent police state, but the focus here is on maintaining public order rather than using coercive force to restore it. Brown’s conception of the “security state” was inspired by Michel Foucault’s lectures on “governmentality,” which in turn derived from Foucault’s understanding of the “well-ordered police state” of seventeenth- and eighteenth-century enlightened absolutism in central Europe and its connection to nineteenth-century liberal democratic polities of western Europe. See Brown, “From Organic Society to Security State,” 693–694, 694n. For more information on these concepts, see also Graham Burchell, Colin Gordon, and Peter Miller, eds., *The Foucault Effect: Studies in Governmentality* (Chicago: University of Chicago Press, 1991).

Jacobins and their subsequent deportation, but also the internment of several hundred political opponents in state prisons and the invention of an extralegal administrative police measure that required proscribed individuals to leave the cities or towns in which they lived and report regularly to local authorities in remote towns. In general the several thousand men and women subjected to these internal exiles or political imprisonments never went to trial.¹⁸⁶ Authorities also employed deportation as a means to eliminate unconvicted members of brigand bands from metropolitan France.¹⁸⁷ Arrested between Frimaire Year X and Vendémiaire Year XI, many of these men had already been acquitted for lack of evidence but were considered too dangerous to release. Whether simply deported or enlisted into military battalions and sent to Saint-Domingue, most died of yellow fever.

While brigandage did not always express political opposition, the Directory had dealt with brigands as counterrevolutionaries. The Consulate continued to treat them as threats to public order.¹⁸⁸ To deal with criminals who might more traditionally be defined as common-law criminals (i.e. individuals who attacked either persons or property for some material gain or personal grievance), the trend during the Napoleonic period was toward more standardized punishments and more efficient prosecution. New

¹⁸⁶ For more information on the Napoleonic "police state," see Michael Sibalís, "Prisoners by *mesure de Haute Police* under Napoleon I: Reviving the *lettres de cachet*," *Proceedings of the Annual Meeting of the Western Society for French History* 18 (1991); Jean-Claude Vimont, *La prison politique en France: Genèse d'un mode d'incarcération spécifique XVIIIe - XXe siècles* (Paris: Anthropos-Economica, 1993), chapter 3.

¹⁸⁷ Brown, "From Organic Society to Security State," 688.

¹⁸⁸ Historians who have shown the relationship (or lack thereof) between brigandage and counterrevolution include Gwynne Lewis, "Political Brigandage and Popular Disaffection in the Southeast of France, 1795-1804," in *Beyond the Terror: Essays in French Regional and Social History, 1794-1815*, ed. Colin Lucas and Gwynne Lewis (New York: Cambridge University Press, 1983); Marcel Marion, *Le brigandage pendant la Révolution* (Paris: 1934), chapter 5.

and reopened prisons and *dépôts de mendicité* housed a large population of social delinquents and the *bagnes* bulged with ever greater numbers of first time offenders and hardened criminals sentenced to forced labor.

Yet perhaps the single greatest preoccupation of administrators charged with gaining and maintaining order was enforcing conscription. The gendarmerie was created during the French Revolution largely to patrol the French countryside as a military police in search of draft dodgers and deserters. During the Napoleonic period, the wars that gave the First Consul enough power to fashion himself into Emperor required a steady supply of new soldiers. Public order and the growing European empire required that conscription be enforced and that military order be upheld.¹⁸⁹ Thus, as authority in France centralized and erected apparati of repression, wars fought at the peripheries of the continental empire brought new Europeans under French sway. Consequently French laws, means for enforcing the laws, and punishments could all be exported beyond French borders to other European peoples.

The continental empire and its dissenters

By 1807, the Napoleonic regime exercised control over satellite states and imperial departments throughout continental Europe. Whether still administered by native rulers – as in Bavaria and other portions of southern Germany – or subject directly to French authorities in Paris – as were the people living in Rhenish or Piedmontese departments, in terms of contemporary perception the French state wielded as much

¹⁸⁹ See Forrest, *Conscripts and Deserters*, chapters 9-10.

administrative and cultural control in any of the territories as it did in France itself.¹⁹⁰

The imperial army quickly squashed initial attempts at revolt in areas such as the Piacentino in north-western Italy, then imposed a military-style policing based on the French gendarmerie and allowing for the introduction of a normal administrative system.¹⁹¹ The territories thus consolidated under French control before 1808 became the core “inner empire” of Napoleon’s continental domain. Within this “inner empire” were the Belgian departments, the Batavian Republic, the lowland areas of the Republic/Kingdom of Italy and the Piedmontese departments, the Rhineland departments and most of the Confederation of the Rhine. These were the areas French administrators more rapidly assimilated to French rule and administrative order than the remaining parts of the “inner empire:” the upland regions of the Piedmontese departments and the Republic/Kingdom of Italy, Liguria, the Duchies of Parma and Piacenza, and the Kingdom of Naples.

Once order had been restored and conscription enforced through military power and organization, administrators of the continental empire turned their attention to the tasks of reconciliation and reconstruction – healing the wounds of the wars of the 1790s and creating a foundation for French rule. French bureaucrats sought to refashion Europe along French lines, to export French principles and culture.¹⁹² For the most part, Frenchmen staffed the higher echelons of the imperial bureaucracy, in both the annexed departments and the satellite states. These men were usually of noble status and often had participated directly in the enlightened reforms of the 1780s. Napoleon had gathered

¹⁹⁰ Broers, *Europe Under Napoleon*, 62.

¹⁹¹ Broers, *Europe Under Napoleon*, 68-69.

¹⁹² Broers, *Europe Under Napoleon*, 77.

around him those members of the propertied classes, French and non-French alike, who sought a secularized, centralized, and more efficient state in which elites could prosper.¹⁹³

Essential to the reconstruction mission of the Napoleonic regime was a settlement with the Catholic Church, which had faced a number of assaults during the Revolution. The Concordat of 1801 confirmed the nationalization of church lands that had already taken place, allowing for the further abolition of religious orders in any of the territories under French rule or abiding by the Code Napoleon. In areas such as southern Germany, the Rhineland, and central and southern Italy, the application of the terms of the Concordat upset the regular practices of religious life and provoked popular resistance.

With the proclamation of the Berlin and Milan decrees in 1806 and 1807, respectively, the Napoleonic regime embarked on another campaign of reconstruction designed to shore up cooperative efforts among European states and exclude British commerce from European ports. The need to enforce the blockade of British ships resulted in a new expansion of the French continental empire, this time into Spain and central Italy. Within this new “outer empire,” new resisters of the Napoleonic regime emerged, among them Pope Pius VII and his supporters in the papal states and Tuscany. Central Italian resistance to French “reforms” such as conscription, taxation, the Concordat, and the blockade increased after 1809 when evidence that the French had overstretched their authority became more apparent to local officials.¹⁹⁴ The rift was particularly wide in the Papal States where the existing administrative structure was so wholly incompatible with the French one being imposed. The College of Cardinals acted

¹⁹³ Broers, *Europe Under Napoleon*, 81.

¹⁹⁴ Broers, *Europe Under Napoleon*, 206.

effectively as the Council of State, and their loyalty lay with the Pope. Divided into two departments, Tiber and Trasimeno, by the French occupying authorities, the absence of both the nobility and the middle classes from public life left little for the French-trained administrators to work with in the consolidation of the new departments. Widespread popular resistance, moreover, increased as the religious orders were dissolved and other aspects of regular religious life were attacked. The Roman clergy drew support from their lay followers, and their collective adherence to the Pope's orders to ignore French religious reforms meant that the Napoleonic administrators felt compelled to eliminate the most troublesome cardinals and clergymen. As Napoleon's Vice-President of the Italian Republic, Francesco Melzi d'Eril felt it was his duty to warn Napoleon in 1803 that the views of the Italian clergy "were consistently of a mindset scarcely conforming to that of the government and secretly supported all that was contrary to it."¹⁹⁵

The arrest and deportation of hundreds of Italian priests has been reconstructed from archival records in great detail by nineteenth-century historian and anti-bonapartist Jean Destrem.¹⁹⁶ Destrem can account for more than five hundred curates, bishops, canons, and other political enemies arrested in Tuscany and Rome between 1811 and 1813, transported to the Italian port cities of Spezzia, Livourne, and Civita-Vecchia, and

¹⁹⁵ Letter from Melzi to Napoleon, 10 March 1803, cited in Carlo Zaghi, *Potere, Chiesa e società: studi e ricerche sull'Italia giacobina e napoleonica* (Naples: Istituto Universitario Orientale, 1984), 527.

¹⁹⁶ See Jean Destrem, *Déportations de prêtres sous le premier empire* (Paris: Daupeley-Gouverneur, 1879). Destrem relies heavily on the Archives of the Minister of the Navy and Colonies, now at the CAOM in Aix-en-Provence. It is important to note that Destrem's political allegiances and family history colored his historical analysis. This work, in addition to his other earlier-cited works on the deportations of the Consulate and Empire, was a polemic directed against Napoleon III as much as his uncle. Since his own grandfather, Hugue Destrem, had been deported under the first Bonaparte, Jean Destrem had a personal ax to grind. Moreover, his efforts to chronicle Napoleon I's history of deportation was meant to underscore the link between the uncle and his nephew, whose implementation of mass deportation policies were well known at the time (see chapter seven).

deported either to Corsica or the Isle of Elba.¹⁹⁷ Even as Napoleon's regime was on the verge of collapse in February of 1814, some thirty "prisoners of state" were transferred from Italy to Chateau d'If off the coast of Marseilles.¹⁹⁸

Every one of the transport orders were classified as secret. Evidently, Napoleonic administrators in these areas so loyal to the Church and the Pope strived to avoid the appearance of treating parish priests poorly. Similarly, though brigands were dealt with through summary execution, curates and canons were largely exempt from such punishment. Deportation was once more a means of removing "troublemaking and disruptive" elements from continental society without creating martyrs.¹⁹⁹ The punishment took place out of reach of the public gaze. The formal justification for the deportation of these several hundred priests was their refusal to swear an oath of allegiance to the empire instead of the Pope. There is evidence that deportees who recanted and pledged their loyalty to the emperor would be allowed to return home.²⁰⁰ Nevertheless, when Napoleon signed a second Concordat with Pius VII in 1813 and agreed to "show favor to the cardinals, bishops, priests, and laypeople who have incurred his displeasure for several years," the deportations briefly ceased during the short-lived entente, but no deportees returned from Corsica to Italy in the interim.²⁰¹

¹⁹⁷ Destrem, *Déportations de prêtres sous le premier empire*, 58.

¹⁹⁸ Destrem, *Déportations de prêtres sous le premier empire*, 54-56.

¹⁹⁹ Letter from the minister of the police general to the minister of the navy, 4 January 1811. Cited in Destrem, *Déportations de prêtres sous le premier empire*, 7.

²⁰⁰ Letter from César Bertier, commander of Corsica, to the minister of the navy, 10 September 1812; letter from the minister of the navy to Baron Lhermitte, 19 November 1812. Cited in Destrem, *Déportations de prêtres sous le premier empire*, 47-48.

²⁰¹ Cited in Destrem, *Déportations de prêtres sous le premier empire*, 49. The two parties signed the second Concordat 25 January 1813 and Pius VII revoked it 24 March 1813, at which time the deportations recommenced.

Napoleon's recalcitrance in returning the deported priests to their parishes likely resulted as much from strained resources in the "grand empire" in 1813 as it did from Napoleon's continued suspicions of their influence among Italians. Struggling to enforce the continental blockade of British trade goods drew Napoleon's army into protracted battles in Spain and induced the emperor to go to war with Russia. Moreover, as Michael Broers has suggested, French administrators' dismissive attitudes toward the conquered populations in Spain and Italy engendered a mutual animosity between the ruler and the ruled that presented a further challenge to the stability of the French continental empire.²⁰² The sheer extent of the continental empire was all that was grand about it, as French administrators scrambled to enforce conscription and gather taxes to man and pay for these battles. The "Continental System" thus overstrained Napoleon's control of the European territories under his influence and ultimately contributed to the demise of the continental empire. Similarly, this trade war with Great Britain severely impacted France's overseas colonies. It is to this other empire that we must now turn our attention.

The other empire: Napoleon and the overseas colonies

As we have seen, the stated motivation for continental conquest among French administrative elites was to spread the reforms of the Revolution to Europeans still laboring under feudal regimes. Of course, Emperor Napoleon also benefited since his success in foreign wars contributed to his popularity in France. Yet Napoleon's aims overseas were often as idealistically expressed. During his Egyptian campaign, Bonaparte not only invaded with an army of men, but with a cortège of scientific experts

²⁰² See Broers, "Cultural Imperialism in a European Context?," 152-180.

(165 of them). The young general characterized his mission in North Africa as both political and cultural: a French presence in Egypt would serve as a base for future invasions into India and would allow “civilization to radiate to central Africa.”²⁰³ Not only would the French return civilization to its birthplace, but French scientists and bureaucrats would then modernize and rationalize it.²⁰⁴

Thus, initial aims for the overseas empire did not substantially differ from those for the continental empire and distance did little to discourage reformers. After all, during the 1820s, a ship could sail from England to the Caribbean or South America in forty-eight or thirty-four days, respectively, which was only moderately longer than the eighteen days required to travel post-chaise from Paris to Prague or the thirty-one days it took to get to St. Petersburg in 1811.²⁰⁵ But whereas Napoleon’s *grande armée* traveled relatively unimpeded throughout the European continent, his aspirations overseas were soon hampered by British naval superiority. Moreover the British navy had more incentive to maintain empire, since Napoleon was trying to cut off all British trade with the continent.

Early in his empire, though, imperial aspirations for the overseas colonies were still high. Consequently, Napoleon set out to redress some of the problems he attributed to mismanagement of the colonies under the Revolutionary governments. In 1801, the First Consul took preliminary steps to re-establish slavery in an attempt to rebuild the colonial economies. The decree of November 1801 singled out Guadeloupe and Saint

²⁰³ *Correspondance de Napoléon I*, 32 vols. (Paris, 1858-1869), xxix, 430.

²⁰⁴ Stuart J. Woolf, "The Construction of a European World-View in the Revolutionary-Napoleonic Years," *Past & Present*, no. 131 (November 1992): 87.

²⁰⁵ David Eltis, "Free and Coerced Transatlantic Migrations: Some Comparisons," *American Historical Review* 88 (1983): 71; Woolf, "The Construction of a European World-View," 76.

Domingue as exceptions to this project. In those two Caribbean colonies, Bonaparte insisted, the “liberty of the Blacks” would be maintained. This initial acceptance of the new colonial order merely reflected the level of disorder within the two colonies and Napoleon’s reluctance to stir up further trouble. At the time, Guadeloupe was in the throws of an “insurrection” while San Domingue was in the midst of its own revolution. Toussaint Louverture administered the latter colony as self-proclaimed governor-general. Nevertheless, Napoleon’s ambitions for an American empire soon led the emperor to order separate invasion forces to regain control in the two rebel colonies. The two expeditions ended very differently one from the other, but both produced newly arrested political prisoners who were subject to deportation within the empire.

Napoleon’s attention turned first to Guadeloupe. On November 20, 1800 he had appointed Rear Admiral Lacrosse as Captain-General of the colony. Having played an important role marshalling support for the Revolution in the Windward Islands between 1792 and 1793, many of the inhabitants of Guadeloupe—black, white, and colored, alike—retained fond memories of Lacrosse and he was warmly welcomed back to the island in 1801. Once he had arrived in the colony, however, Lacrosse found himself entirely undone by the social transformation that had occurred on the island since his last visit. His haughty attitude and evident aversion toward persons of color soon earned him the label of “reactionary.” Matters only worsened when the commander of the garrison at Guadeloupe, General B  thancourt, died on 5 August 1801. Next in line for his position

was a mulatto colonel Magloire Pélage. Despite the fact that Pélage was the highest ranking senior officer, Lacrosse refused to allow him to take command.²⁰⁶

Responding to this blatant violation of normal procedure, most of the colonial troops and a segment of the population rebelled against Lacrosse. They succeeded in expelling him from Guadeloupe on 5 November 1801. Pélage then put himself at the head of a newly created provisional commission of the government and professed his allegiance to the Republic. Napoleon, whom Lacrosse himself had informed of these events, looked disapprovingly at this example of mutiny and assembled an expeditionary force under the command of General Richepanse to deal with the rebels. Richepanse's army of 3,470 men arrived in Point-à-Pitre in May 1802 to the warm welcome of Pélage. Within a day or two, however, it had become clear to much of the population of color that Richepanse had not come to shore up Pélage's power, but rather to undermine it. Persons of color and blacks in the colony rose up, particularly in Basse Terre. The suppression of these rebels was brutal. When the regular troops captured leaders of the insurrection, they were summarily executed. Hundreds of their followers were shot on sight as well. As many as two thousand inhabitants of the colony were arrested and deported. Richepanse then re-established order on the colony, proclaimed a general amnesty for all who remained there, and re-instituted slavery in Guadeloupe. In 1803, Lacrosse returned as captain general.

The fate of the deported Guadeloupean rebels is not fully clear from the archival records. Likely some of the deportees of color were sent to Guiane, but Victor Hugues in

²⁰⁶ For an account of this episode, see Pierre Pluchon, *Histoire de la colonisation française: le premier empire colonial des origines à la Restauration*, 2 vols., vol. 1 (Paris: Fayard, 1991), 961-965.

Cayenne sent them on to France.²⁰⁷ By 24 July 1802, the *bagnes* at Brest were already overcrowded with French forced laborers and West Indian deportees. Consequently, the imperial government decreed that deportees of color from Guadeloupe and San Domingue were subject to forced labor, but that a site outside continental France should be identified for their relocation.²⁰⁸ Napoleon did propose at one time that these prisoners could be used as mercenary expeditionary forces in the Indian and Pacific Oceans, in the service of French colonization, but this imperial vision never materialized.²⁰⁹ Around two hundred of the Guadeloupean mutineers, including five women, ultimately ended up in Corsica, employed on public works projects.²¹⁰ Another 614 former soldiers and petty officers from Guadeloupe arrived in Brest on 28 October 1802, where they were organized into six companies of “legionnaires” destined for Italy, India, and Egypt.²¹¹ The majority of these men were compelled to give their lives fighting in Napoleon’s campaigns for continental and overseas empire.

Even more deportees came to France and Corsica from San Domingue. Since taking over as governor-general in that colony in 1797, Toussaint Louverture had expelled French administrators and British invaders, defeated opposing factions among the San Dominguan colored population, seized Spanish Santo Domingo, created a new

²⁰⁷ Michel Devèze, *Cayenne: déportés et bagnards* (Paris: Julliard, 1965), 74.

²⁰⁸ Francis Arzalier, “Les déportés guadeloupéens et haïtiens en Corse,” in *Révolutions aux colonies*, ed. Annales Historiques de la Révolution Française (Paris: Société des Études Robespierriistes, 1993), 135.

²⁰⁹ Arzalier, “Les déportés guadeloupéens,” 136.

²¹⁰ The exact number of deportees sent to Corsica from Guadeloupe is in dispute. The records are inexact and, thus, unclear. Arzalier estimates the total number at 178 men and 5 women of color from Guadeloupe, while the Augustes suggest that the total number is probably 201. See Arzalier, “Les déportés guadeloupéens,” 141-142; Claude Bonaparte Auguste and Marcel Bonaparte Auguste, *Les déportés de Saint-Domingue: contribution à l'histoire de l'expédition française de Saint-Domingue, 1802-1803*, Collection Civilisations, 10 (Sherbrooke, Quebec: Editions Naaman, 1979), 66.

²¹¹ Auguste and Auguste, *Les Déportés de Saint-Domingue*, 77.

constitution for the island, and declared himself governor-general for life. But back in France, Napoleon looked unfavorably upon San Domingue's semi-independence and free black population. He did not think highly of Africans or persons of African descent, and he hoped that re-establishing slavery in the colony would return it to its former status as France's most profitable colony.²¹² Consequently, in January 1802, Bonaparte sent 40,000 French troops to the island under the command of his brother-in-law, General Charles Victor Emmanuel Leclerc to restore slavery and full French control of the colony.

After several months of armed resistance, Toussaint finally called for peace in May 1802. On 7 June 1802, General Brunet arrested the San Dominguean leader and his family and ordered their immediate deportation to France. Dozens of other persons of color and free blacks suspected of aligning themselves with Toussaint were also sent to France. Though Leclerc originally estimated the number of deportable prisoners at 2,000, shipping records indicate that the total was more like 640.²¹³ Despite this harsh repression, neither Leclerc or his successor Rochambeau succeeded in subduing San Domingue and the colony eventually won its independence as the Republic of Haiti.

For those deported by the French during this struggle, though, Haitian independence did not rescue them from a life of imprisonment or hard labor in other parts of the empire. Toussaint Louverture died in France at Fort de Joux on 7 April 1803. As for the other deportees, the most prominent colonial military figures and politicians went to Brest, where they were put to work in the *bagnes*. Some 238 men and one woman

²¹² For examples of Napoleon's attitude toward people of African descent, see Thomas O. Ott, *The Haitian Revolution, 1789-1804* (Knoxville: University of Tennessee Press, 1973), 144, 171.

²¹³ Auguste and Auguste, *Les Déportés de Saint-Domingue*, 38-41.

were sent to Corsica, to labor as well on public works projects on that island.²¹⁴ The rest of the deportees either remained in the *bagnes* of Toulon or Rochefort or were transferred to Cadix or Marseilles. At least sixteen of the prisoners were originally sent to Cayenne, arriving in chains on 8 August 1802. Agent Hugues dispatched them to a remote part of the colony for three months, at the end of which time he boarded them on another ship bound for France, again insisting that Guiane could not support deported prisoners of color.²¹⁵

This practice of inter-colonial deportation was not a new one, but it does illustrate the importance for metropolitan officials of preserving public order in the colonies. Unfortunately for historians, colonial records of such punishments are not centralized, and it seems that oftentimes the practice was rather informally executed. Consequently, the full extent of inter-colonial deportation remains unknown. During the Revolution, however, there is sporadic evidence of several such transfers. In the Mascareignes, for example, several republican loyalists were deported to the Seychelles from Île de France as a threat to the colonial order.²¹⁶ Furthermore, in the Antilles, men who violated the laws of the various colonies could be sent to another colony, usually to be imprisoned. In 1799, for example, some seventeen men were sentenced to deportation from Guiane to Guadeloupe or Martinique for their participation in a plot against the colonial

²¹⁴ Arzalier, "Les déportés guadeloupéens," 141-142.

²¹⁵ Auguste and Auguste, *Les Déportés de Saint-Domingue*, 41-42. See also Destrem, *Les Déportations du consulat et de l'empire*, 282-283.

²¹⁶ Deryck Scarr, *Seychelles since 1770: History of a Slave and Post-Slavery Society* (London: Hurst & Co, 2000), 22.

authorities.²¹⁷ Likely these were not isolated incidences. Yet, to a certain extent, these episodes do not constitute the same form of punishment as the deportation episodes we have already explored. Not limited to political criminals and indiscriminate about destination, in this particular context deportation was the equivalent of exile, banishment, or even imprisonment if the colony of origin did not have adequate penal facilities. As isolated islands, Guadeloupe, Martinique, Île de France, and other colonies did not have borders beyond which to exile society's transgressors. Moreover, for the most part these prisoner transfers seem to have been arranged at the level of colonial administrators without much input from the metropole.

In the case of the Guadeloupean and San Dominguan deportees, however, the sentence of deportation was thought to benefit the colony of origin by eliminating troublemakers from local society. In addition, these deportation episodes would also benefit the larger empire by making the prisoners useful in another colony or in the metropole. Imperial decrees and ministerial correspondence directed local officials' actions in dealing with these rebels and dissidents, and decisions as to final destination were handed down from above.²¹⁸ These prisoners were generally sent to places where their labor might contribute to the colonial project. This was especially clear for those West Indians sent to Corsica.

²¹⁷ AN CAOM C¹⁴77, folios 13-23: letter from agent Brunel to the minister of the navy, 16 Nivose Year VII (5 January 1799). The three men found guilty of leading this conspiracy were sentenced to death. Seven others were released under surveillance.

²¹⁸ Deportation of San Dominguan rebels was ordered as early as October 1801 in secret instructions given to General Leclerc by the First Consul. Auguste and Auguste, *Les Déportés de Saint-Domingue*, 42. As we saw above, once Richépance and Leclerc's expeditionary forces had each identified a considerable number of potential deportees, the imperial government ordered their translation to a forced labor camp.

These deportees had initially been detained in an effort to reestablish colonial law in San Domingue and Guadeloupe, but they had become useful to the metropole as cheap labor. Officials in Paris noted that this new influx of laborers would allow them to “accomplish large-scale works in Corsica, allowing for the development [*mise-en-valeur*] of this newly acquired territory.”²¹⁹ Under the Duc de Choiseul, the French had taken control of Corsica in 1769, a significant moment in the family history of Napoleon Bonaparte, to be sure, but also a strategic move on the part of the royal government. The island could act as a bulwark against the British and a base for future conquests in the Mediterranean. In addition, the island had large forests which the metropole hoped to exploit for lumber. The taking of Corsica was a deliberate act of colonial expansion. During the Napoleonic period, authorities realized the need for an inexpensive labor force to assist in the building of roads that would allow the French access to the lumber supplies in the interior of the island and would facilitate movement of French troops into those inner valleys where the French still needed to consolidate their authority.²²⁰

Of the approximately 422 West Indian deportees sent to Corsica, roughly one-half remained in the port cities, either in a *bagne* or working as domestic labor in Bastia.²²¹ The other half were sent to labor on public works projects nearer the interior. They received around twenty-five centimes per day (as opposed to the one to two francs per day earned by regular day laborers in France). Both in the *bagne* and among the chain

²¹⁹ Cited in Arzalier, “Les déportés guadeloupéens,” 138.

²²⁰ Arzalier, “Les déportés guadeloupéens,” 134, 140-141.

²²¹ The figure of 422 deportees was advanced by Arzalier in “Les déportés guadeloupéens,” 141-142. Ministerial records indicate that authorities in Corsica anticipated several hundred more deportees, but the records do not support the claim that any more than 422 ever arrived there. See the carton on Corsican affairs in AN F¹⁶805.

gangs, mortality was quite high, particularly in the first year, when most of the 127 deaths occurred.²²² By 1813, the supply of labor from the Antilles had ended and *forçats* from Naples made up the forced labor supply in Corsica. No West Indians remained at work on the roads.²²³ In 1814, only two of the original deportees claimed the forty franc pension which was their due after 1804. Ultimately, in fact, projects for the development of Corsica instituted during the Empire and the Restoration all failed due to the short supply of effective labor, internal resistance on the part of Corsicans, and cheaper alternatives in imports to the cotton and lumber produced on the island.²²⁴

Nevertheless, this deportation episode linked colonial endeavors in the Antilles to those in the Mediterranean. Deportation on a trans-colonial level was meant to improve the economic condition of the destination colony while rescuing the originating colony from political and social upheaval. This is further evident from Victor Hugues' reaction to the arrival of two different ships bearing deportees of color to Guiane. As already mentioned above, in both cases he managed quickly to reroute the prisoners to France, citing as his reasons fears that these particular deportees were too likely to cause troubles among Guiane's slave, free black, and colored population.²²⁵ Contrastingly, Hugues welcomed white deportees from Guadeloupe. In 1803, Lacrosse had twelve "Patriots of Guadeloupe," men and women avowing anti-bonapartist sentiments, deported to Guiane.²²⁶ One of the deportees was accompanied by his wife. These men became the

²²² Arzalier, "Les déportés guadeloupéens," 141-147.

²²³ Regarding the deportation of Neapolitan *forçats*, see AN F¹⁶804^b.

²²⁴ Arzalier, "Les déportés guadeloupéens," 152.

²²⁵ Destrem, *Les Déportations du consulat et de l'empire*, 279-283; Devèze, *Cayenne: déportés et bagnards*, 74.

²²⁶ Destrem, *Les Déportations du consulat et de l'empire*, 219-223.

source of some controversy later on when General Leclerc accused Hugues of granting special favors to these anti-bonapartists, including them among his entourage.²²⁷

Certainly the deportees of color who were formed into military or labor forces were treated differently from European deportees, though the Italian priests sent to Corsica were not much better off. Racial issues were intrinsically bound up in the colonial project during the Napoleonic period, as a racist ideology informed most of Napoleon's decisions in the administration of the overseas empire.²²⁸ In addition to espousing principles of universalism, the spreading of civilization, and the creation of more efficiently administered territories throughout the world, Napoleonic officials also justified unequal treatment of slave, mulatto, and indigenous populations in very specific terms. In the European world-view that developed during this period, colonized peoples were fundamentally inferior to Europeans, and consequently incapable of participating on equal terms with European colonists.²²⁹ This paternalistic and narrowly-conceived standard of administration set the overseas empire apart from the continental one, and thus influenced the implementation of deportation projects in distinct directions: for non-European political prisoners, forced labor was a regular component of the punishment, while it was not so for European protesting criminals. Yet despite Napoleon's initial

²²⁷ AN CAOM C¹⁴84, folio 11ff: letter from Victor Hugues to the minister of the navy, 15 January 1806.

²²⁸ See Benot, *La démente coloniale sous Napoléon*.

²²⁹ For a good discussion of the creation of this world-view, see Woolf, "The Construction of a European World-View." More specifically concerning West Indian constructions of colonial administration during the revolutionary period, see Laurent Dubois, "'The Price of Liberty': Victor Hugues and the Administration of Freedom in Guadeloupe, 1794-1798," *William and Mary Quarterly* 3rd. Ser., Vol. 56, no. 2 (April 1999). Dubois argues that Victor Hugues was at the center of this new racial justification of inequality during his time as colonial agent of Guadeloupe. Though he arrived on the island colony with the task of abolishing slavery and effectively administering this new regime, he brought with him a paternalistic attitude toward Africans and indigenous peoples that considered them incapable of participating fully in a republican society.

enthusiasm for overseas colonial projects, his continental pursuits soon overshadowed all other concerns.

Impediments to Empire and the Drawbacks of Deportation

As defeats at sea exposed French naval inferiority, overseas deportation projects became increasingly less feasible. On the continent, moreover, the strain of enforcing the Continental System also impeded France's ability to effectively transport political prisoners throughout the grand empire. As a result, the imperial government established temporary sites for deportees at Île de Rhé and Pierre Châtel, and plans were underway for a more developed penal establishment in Corsica.²³⁰ Another related concern for the French government charged with ensuring public order in France was the growing prisoner population in metropolitan prisons and *bagnes*.

French administrators and legislators still actively discussed penal colonization along the British model, but they took no decisive action to deport common-law criminals. Certainly some recidivist offenders were targeted (sent either to Île d'Oléron or Île de Rhé), but these venues soon became overcrowded. Meanwhile, the population in the *bagnes* swelled to 16,000 convicts. On 4 August 1801, Napoleon had balked at the idea that the question of transportation should be postponed until the Criminal Code was addressed:

This measure is urgent. It is in accord with public opinion, and is prescribed by humane considerations. The need for it is so obvious that we should provide for it at once in the Civil Code. We have now in our prisons 6000 persons who are doing nothing, who cost a great deal of money, and who are always escaping.

²³⁰ See AN F¹⁶805 for ministerial correspondence regarding the possibility of building prisons in Corsica between 1801 and 1809. For more information on the metropolitan fortresses, see the archives of the minister of police general, particularly AN F⁷3277 and F⁷7006-7009.

There are thirty or forty highwaymen in the South, who are ready to surrender to justice on condition that they are transported. Certainly we ought to settle the question now while we have it in our minds. Transportation is imprisonment, certainly, but in a cell more than thirty square feet.²³¹

Yet despite Napoleon's evident support for large-scale transportation measures, some reluctance persisted on the part of legislators regarding the actual benefits and humaneness of deportation. As we have seen, many officials worried about the potential for colonial instability if large numbers of deportees were introduced. Apart from that, however, many also raised issues regarding the conditions to which deportees might be subjected during their transportation. For small numbers of deportees, the government could count on regular colonial intercourse to supply some commercial or naval vessel that might take on a few extra passengers—as was the case for the republicans sent to the Seychelles and the deputies deported to Guiane. But were legislators to apply the punishment more broadly, they would need ships designed expressly for conveying large numbers of people—something along the lines of a slave ship.

In one telling bit of archival evidence, during the Napoleonic wars in the Atlantic Ocean, a French naval vessel captured a British ship, which had been specially fitted out for the transportation of convicts. Officials on the French ship made a careful record of the enemy vessel's design, including a detailed color drawing of the ship's hold. The sketch of the lower decks depicts hundreds of men, lying end to end, en route to some punitive destination. Evidently the French captain was shocked by the content of these drawings. Likely the captain was familiar with contemporary slave-ships, designed to transport the maximum number of Africans with minimum attention to physical comfort.

²³¹ Thibaudeau, *Bonaparte and the Consulate*, 180.

But the image of this British vessel's contents was one that included mostly white faces in the same arrangement as African captives forced to make the "middle passage." In the descriptive notes, the author quoted the English penologist John Howard's assessment of these hulks, concluding that such conditions could only be reserved for punishment of "the most atrocious (sic) crimes."²³² At least in this instance, the French imagination could not fully accept the idea of treating European prisoners in the same manner as African slaves, and projects that called for the mass-transportation of French criminals would not be realized during this period.

Penal Code of 1810

Remarkably, by the time Napoleon's government drafted the Penal Code, the overseas empire had been effectively strangled (the British took control of Guiane in 1808 and of the Seychelles in 1810), thereby ending all possibilities for overseas deportation to those colonies. In the continental empire, moreover, the only political deportations being carried out involved Italian priests destined for Corsican port cities. Metropolitan dissidents were sent to island fortresses off the French coast and detention centers on the mainland. The possibilities for deportation had narrowed considerably since Napoleon first ordered the transportation of seventy republicans to the Seychelles.

Despite these impediments to the penalty, when the Penal Code appeared in 1810, deportation was included in the official hierarchy of punishments.²³³ Moreover, it was reserved exclusively for political offenders. According to this new code, fifteen principle

²³² See illustration in Appendix (Fig. 2.1).

²³³ Articles dealing with deportation in the Penal Code of 1810 include: 7, 17, 18, 33, 70, 82, 84, 94, 98, 124, 189, 200, 205.

penalties existed: death, forced labor, imprisonment, dishonor, civil degradation, an iron collar (the infamous *carcan*), the temporary removal of civic, civil, and family rights, banishment, confiscation of property (largely reserved to affect the material situation of a political convict's family), fine, special confiscation of things procured through illegal activity, and surveillance by the High Police. In addition, lawmakers enumerated seven complementary penalties: branding, the iron collar, civil death (for all sentenced to forced labor and to a portion of those sentenced to deportation), legal interdiction, revocation of civil, civic, or family rights, posting the condemnation, surveillance by the High Police, and perpetual deportation (reserved, as mentioned above, for political criminals).

Reflected in the final Penal Code, and explicit in the legislative debates over its contents was a concern over the legitimacy and the limitations of an individual's right to resist the government.²³⁴ After all, the Declaration of the Rights of Man had guaranteed French citizens' right of resistance, and the Revolution had been built upon this fundamental right. Yet Napoleonic legislators had to balance political needs for public order with demands for individual rights. Conservatives leaned toward the former in order to shore up the security state, while liberals pled the case of the latter. Both groups argued that they fought on the side of the public safety (whether protecting themselves against arbitrary actions of the government or the violent movements of enemies of the government). In the resulting Penal Code, however, liberals and conservatives alike at least agreed that the penalties in these matters should be made more severe. Settling on

²³⁴ Pierre Lascoumes, Pierrette Poncela, and Pierre Lenoël, *Au nom de l'ordre: une histoire politique du code pénal* (Paris: Hachette, 1989), 136-137.

the punishment of deportation, legislators assured themselves of both maintaining public order (through the elimination of political enemies) and of granting certain political prisoners a privileged status distinct from common-law prisoners. This codification was a particularly intriguing development given the current difficulties the government was experiencing in actually deporting people. Clearly the promise offered by the punishment outweighed the practical difficulties hampering it at that moment.

Conclusion

The ideal of colonization through political deportation that legislators had developed during the Revolution continued to appeal to officials in the Napoleonic period. Napoleon Bonaparte upheld the ideal and even increased the scope of deportation efforts until (ironically enough) his own deportation to Saint Helena in 1815. Applying the punishment to offenders in the metropole, the continental empire, and the overseas empire alike, Napoleon's government established a pattern for trans-colonial deportation schemes. Moreover, imperial administrators' parallel experiences managing both the continental and the overseas empires encouraged French lawmakers to deal with local problems on an imperial scale. Though the extent of French rule shrunk dramatically with Napoleon's defeat, Restoration political elites maintained this imperial outlook, particularly with regards to punishment.

In general during the Napoleonic period, the punishment of deportation was limited to political protesters and dissidents. It was considered an important tool in the construction and maintenance of Napoleon's security state. Furthermore, according to the standard arguments for deportation, the deportee's destination ought somehow to be

improved, and not harmed, by his or her arrival. The various episodes of deportation that took place between 1799 and 1814 kept the ideal of colonization through political deportation alive. The penalty's codification in the Penal Code of 1810 meant that subsequent French governments would continue to pursue the possibilities of the punishment. For the next fifty years, legislators, wrangled with the logistical and humanitarian challenges that deportation practices posed.

Finally, to conclude this overview of deportation during the Napoleonic period, it is useful to consider one historian's observation that "the particular character of deportation under the Consulate and Empire is the scattering of its victims."²³⁵ As we have seen, however, this "scattering" of victims was a product of various schemes aimed at developing imperial outposts and establishing order within the overseas and continental empires. As evident in Napoleon's dealings with metropolitan dissidents and Italian disturbers of the peace, relocating troublesome populations was considered a means of securing order. The same techniques were applied in the administration of the overseas empire, as well. But deportation efforts were hampered by warfare in both parts of empire. In addition, the deportees' lives were made considerably worse by the fact that wars and domestic issues distracted the government from the humanitarian and developmental aspects of deportation. This part of deportation – what happened to the deportees once they arrived in their land of exile – is the subject of the following chapter. In order to understand the larger implications of deportation for colonial society, we must look more closely at how deportation played out on the ground in those colonies.

²³⁵ Devèze, *Cayenne: déportés et bagnards*, 72-73.

Chapter Three

Seventy Republicans in the Seychelles: Deportees, Colonists, and the Slavery Question

On the evening of 3 Nivose Year IX (24 December 1800), Napoleon rode to the opera in the company of his guards for a performance of Hadyn's *Creation*. Around eight o'clock, the First Consul's carriage turned onto the rue Saint-Nicaise and soon came upon an old cart drawn by a small horse that partially blocked the way.²³⁶ The coachman was just able to avoid the cart, passing it and proceeding up the street, when suddenly a great explosion erupted in the quiet neighborhood. The windows of Napoleon's carriage broke, fragments from a home-made bomb struck and wounded the mount of the last guard following the First Consul, and practically every window on the street was shattered. Seven people lost their lives in the explosion, including three women, one grocer, and a child. Twenty-eight more people were injured in the blast.²³⁷

The cart that had obstructed passage had been laden with a large barrel filled with gunshot and powder, encircled by an iron band. Authorities speculated that the perpetrators had waited at the end of a long cord to detonate the bomb as Napoleon passed. When the moment came, however, the cord snagged and someone had to loosen

²³⁶ The events of 3-5 Nivose Year IX have been reconstructed from articles appearing in the *Journal du soir de politique et de littérature des frères Chaigneau*, a Parisian daily newspaper that was officially sanctioned under the Consulate. I checked all of the facts and opinions expressed in the *Journal du soir* against the *Gazette nationale ou Moniteur universel* and the *Gazette de France*. Since all were operating with the consent of the First Consul, they presented a uniform official version of the story. Yet as we will see, there is some speculation regarding Napoleon's motives that does not present the First Consul in the best light. Additional information regarding the initial assassination attempt and ensuing events can be found in chapters 2-6 of Destrem, *Les Déportations du consulat et de l'empire*. See also Cornevin, "Les Déportés 'terroristes'."

²³⁷ The *Journal du soir* from 4 Nivose Year IX counts only five dead and fifteen injured, but official records at the Archives de la Préfecture de Paris (APP) gives the final tally of seven dead and twenty-eight injured. See APP carton AA 282, piece 41.

it. In those quick moments, the First Consul's carriage had made it just beyond the range of the "infernal machine." While those injured in the blast sought assistance, and residents of the neighborhood surveyed the damage, Napoleon continued on to the opera where his entrance was greeted by long applause. The noise from the explosion had been heard throughout the city and rumors regarding the First Consul's fate must already have been circulating among the theatre-goers. Thus Napoleon's appearance at the performance both put an end to all ideas that he was dead, and he took advantage of the moment to reaffirm his good fortune and evident invulnerability.

The shock of the events of that night provided Napoleon with the perfect excuse to wipe out Jacobin opposition. Although Fouché determined that the most likely culprits were royalist Chouans, as we have seen, Napoleon saw this event as an opportunity to remove former *septembriseurs* and other known radical republicans from France.²³⁸ In addition, this episode allowed the Consulate to experiment with deportation as a means for their removal. The government's decision to transport some seventy men to a remote colony, an island in the Seychelles, meant that the problems of political dissent and even radicalism might be transferred to the colony right along with the deportees. This particular episode, in fact, dramatically illustrates the tensions between metropolitan and colonial society and politics that plagued colonization through political deportation efforts throughout the first half of the nineteenth century. The deportees entered into a

²³⁸ Fouché's investigation of the Infernal Machine Plot revealed that the actual perpetrators were two royalists, St. Régent and Carbon. Both went to the guillotine for their role in the assassination attempt. Thereafter, the First Consul asserted that the *senatus consultum* of 14 Nivose was not a condemnation for participation in the Infernal Machine, but for acts committed during the Revolution. See Louis Antoine Fauvelet de Bourrienne, *Memoirs of Napoleon Bonaparte*, ed. R. W. Phipps, 3 vols., vol. 1 (London: Richard Bentley and Son, 1885), 427; Thibaudeau, *Bonaparte and the Consulate*, 74-75.

society that was both alien and hostile to them. Meanwhile, the colonists, long separated from the metropole, resented the government's decision and feared the deportees' political activism. As we shall see, what happened to the seventy men deported for their alleged participation in the Affair of the Infernal Machine once they were in the Seychelles exposed many of the flaws in deportation projects as they were then conceived and implemented.

Returning to Paris in the days immediately following the explosion in the rue Saint-Nicaise, despite the fact that some of the men implicated in the affair had long been detained in the Temple weeks before the blast, legislators went along with the First Consul and sentenced some 131 men to deportation in a secure location. In the official decree establishing this penalty, the Senate referred to these men as “anarchists” and “brigands.” Artists' renditions of the event reinforced this theory and exaggerated both the depravity of the perpetrators and the extent of the damage they caused.²³⁹ To justify such a seemingly extreme measure, the deputies noted the importance of eliminating all threats to public order, particularly terrorists: “These awful men are few in number, but the attacks they perpetrate are innumerable.”²⁴⁰ Clearly in the minds of both the First Consul and the legislators, political dissidents posed the greatest threat to the Consulate and the French Republic.

Among the designated deportees there were some fairly prominent figures of the age, men who had previously been implicated in revolutionary conspiracies and uprisings, such as the *septembriseurs* (among them one Ceyrat, singled out as the

²³⁹ See illustrations 2.2 and 2.3 in the Appendix.

²⁴⁰ AN F⁷6271: “Arrêté des consuls,” 14 Nivose Year IX, 2.

“president of the September assassins) and the Bavouists (including one Jean-Baptiste-Antoine Lefranc). Perhaps the most popularly recognized detainee was the former general of the revolutionary army and a hero from the storming of the Bastille, Jean Joseph Rossignol. In addition to these men, the list of deportees included lower-level bureaucrats, merchants from the lower-middle classes, and a number of workers, including Nicholas Serpolet, whose actions during his deportation would generate a great deal of hostility from the colonists in the Seychelles.

Of the one hundred thirty-one men subject to deportation after the decree of 14 Nivose (8 January 1801), seventy (including those listed above) faced a swift execution of the sentence when they were loaded onto two ships destined for the Seychelles in the Indian Ocean.²⁴¹ The captains of the *Chiffonne* and the *Flèche* had been instructed not to open the orders specifying their final destination until they were well beyond French shorelines. Even after they knew the destination, the captains still had to keep their destination a secret not only from the deportees, but also from the majority of the ships’ crews. This was a war-time precaution, but this secrecy must also have been designed to keep the deportees in suspenseful ignorance.²⁴²

²⁴¹ In addition to Cornevin and Destrem cited above, other primary and secondary texts relate the history of this particular deportation episode. See, for example, Henri Guillemin, “Les derniers Jacobins aux Iles Seychelles,” *Le Miroir de l’histoire* 70 (November 1955). For contemporary accounts of the deportees’ experience, see Fescourt, *Histoire de la double conspiration de 1800, contre le gouvernement consulaire et de la déportation qui eut lieu dans la dixième année du consulat; contenant ds détails authentiques et curieux sur la Machine infernale et sur les Déportés* (Paris: Imprimerie de Stahl, 1819); Jean-Baptiste-André Lefranc, *Les Infortunes de plusieurs victimes de la tyrannie de Napoléon Buonaparte, ou Tableau des malheurs de 71 Français déportés sans jugement aux îles Séchelles* (1816). During the Restoration at least one fictionalized account of the Seychelles deportation was published by A.P.F. Ménégault. The whimsy and political commentary in Ménégault’s four-volume epic will be addressed in chapter four: A.P.F. Ménégault, *Le Robinson du Faubourg Saint-Antoine*, 4 vols., vol. 1 (Paris: Ménard et Desenne, fils, 1817).

²⁴² Destrem, *Les Déportations du consulat et de l’empire*, 46.

The frigate *Chiffonne* and the brig *Flèche* transported their human cargo to Mahé Island, arriving 11 July and 5 September 1801, respectively. Both ships were subsequently lost at sea: the first to a British attack and the second in inclement weather. En route to the archipelago, another ship was also lost in a skirmish with a British ship; this one carried only supplies. As discussed in the previous chapter, for the French government, the high rate of losses at sea during this deportation episode in particular, and during the entire Napoleonic period in general, discouraged further larger-scale deportation projects. Yet the dangers of the sea passage were only the first difficulty encountered by the deportees of Nivose.

When the political prisoners disembarked on Mahé Island, they entered a political and social system from which they were completely alienated. Though ostensibly French in allegiance and by territorial claim, the colonists and administrators of the island had taken advantage of their relatively isolated geographical location to cultivate new alliances and to forge independent trade networks and, most importantly, social structures. As in the other French possessions in the Indian Ocean (the Mascarenes), the political and social changes that had affected the metropole over the proceeding decade were little felt—and universally resisted—among the free colonist population.²⁴³

The total number of people living in the Seychelles in 1801 was 2,121. The population broke down as follows: around 215 white men and women (of primarily

²⁴³ For more a more detailed description of life and social organization in this regions, see Moses D.E. Nwulia, *The History of Slavery in Mauritius and the Seychelles, 1810-1875* (East Brunswick, NJ: Associated University Press, 1981); Scarr, *Seychelles since 1770*. The period of the First Empire, following the history of the colony after the deportations, is presented in Joel Eyméret, "Population et la vie quotidienne aux Seychelles sous le premier empire," *Revue française d'histoire d'outre-mer* 71, no. 262-263 (1984).

French origin), 86 “free colored” persons, and approximately 1,820 slaves of African descent (some came from as far away as West Africa, but the majority most likely could trace their roots back to Portuguese East Africa).²⁴⁴ As participants in a slave economy, land-owners in the Seychelles were dependant upon slave labor to produce the maize, manioc, sweet potatoes, rice and vegetables that sustained them, as well as their most profitable cash crops: cotton, sugar, clove and coffee trees.²⁴⁵

As in the other French colonial slave societies, skin color in the Seychelles was a fairly accurate indicator of legal status, and an unfailing measure of social respectability.²⁴⁶ The basic relations and rights among white colonists and slaves had been defined in the *code noir* of 1723, with only minor changes since. Inter-racial relations were common (complicated of course by the power differentials implicit in all sexual relations between slave owners and slaves, men and women, white and black), and children born of a free father and a slave mother were considered free, thereby creating a class of “free coloreds” or “free blacks” (the terms were used almost interchangeably).

Slave owners could manumit slaves in certain cases, but without a formal declaration, slaves were prevented from gambling, living in the same parts of town as whites, or inheriting property. Only Christian slaves could be buried in consecrated ground or married (with the consent of their masters). As a concession to certain reforms taking place in France after 1789, free men of color were allowed representation in the colonial assembly between 1791 and 1803, but this still did not provide them with any

²⁴⁴ Nwulia, *The History of Slavery in Mauritius and the Seychelles*, 27. Nwulia gets his figures from a census taken either in 1801 or 1803-4.

²⁴⁵ Nwulia, *The History of Slavery in Mauritius and the Seychelles*, 28.

²⁴⁶ Nwulia, *The History of Slavery in Mauritius and the Seychelles*, 28.

real access to power.²⁴⁷ And when the National Assembly in France declared the abolition of slavery in all French possessions in 1794 (by the decree of 16 Pluviose Year II), French colonists throughout the Indian Ocean islands resisted the legislation and succeeded in preventing the news from reaching their slaves.

Even before the abolition decree, colonists in the Seychelles had eagerly monitored events in the metropole.²⁴⁸ Contact between the archipelago and the Mascareignes had increased in frequency, as commercial and slave ships destined for India stopped off at Mahé to replenish their supplies of fresh water and turtle meat. Thus news of the events of the Revolution traveled from Île de France to the Seychelles, and then in reverse order, news of colonial discontent moved from the Seychelles and eventually back to France. In August 1791 and again in January 1792, therefore, the Constituent Assembly in Paris ordered that civil commissioners be sent to the colonies beyond the Cape of Good Hope to enforce the new decrees of the metropolitan government. Included in the second deputation to the Seychelles was a former colonial administrator of Guiane, Daniel Lescallier, whose opinions regarding the empeuplement of Guiane had already encouraged several metropolitan officials to think first of that colony when formulating deportation schemes.²⁴⁹ These metropolitan commissioners were not warmly welcomed by the Seychellois. When Lescallier's ship, the *Fidèle*, arrived at Mahé, colonists refused to allow anyone to disembark, citing fears of small pox as their main concern. Lescallier's pleas to the colonial inhabitants to allow him to come

²⁴⁷ Nwulia, *The History of Slavery in Mauritius and the Seychelles*, 31.

²⁴⁸ For the response of the Seychellois to the French Revolution see Jacques Moine, "Les Seychelles et la Revolution française," *L'Afrique et l'Asie modernes*, no. 162 (1989).

²⁴⁹ See chapter one. Regarding the civil commissioners sent by the Constituent Assembly, see Moine, "Les Seychelles et la Revolution française," 110-114.

ashore in order to re-organize Seychellois colonial administration fell on deaf ears and the commissioner left in frustration.²⁵⁰

Having once more successfully run off metropolitan officials sent to the Mascareignes in 1796 to impose abolition, the colonists and administrators of Île de France (Mauritius), Île Bourbon (Réunion), and the Seychelles enjoyed virtual autonomy for twelve years. Any pro-republican sentiments within the colony were suspect at this time. In 1798, for example, when several republican colonists rebelled against Réunion authorities, whom the republicans saw as trying to make themselves independent of the indivisible French Republic, the insurgents were deported to La Digue, a previously unoccupied island in the Seychelles archipelago.²⁵¹ In a further assertion of Seychelles' relative autonomy, the Commandant of the Seychelles, Jean-Baptiste Quéau de Quincy, even went so far as to capitulate to the British during this period. After 1794, Quéau de Quincy promised Seychellois neutrality in exchange for British protection of the colony's trade with Île de France, Madagascar, and mainland Africa.²⁵² This ended in 1803, when Napoleon sent General Decaen to put down the rebellion and reestablished metropolitan authority over the Indian Ocean possessions. By this time, however, Napoleon had already re-instituted slavery in the French colonies and the land-owning Seychellois were more accepting of the French regime.²⁵³ It is important to remember, however, that geographic isolation from the metropole and ideological differences with the

²⁵⁰ Moine, "Les Seychelles et la Revolution française," 113-114.

²⁵¹ Scarr, *Seychelles since 1770*, 22. These republican deportees were not warmly welcomed by inhabitants of the Seychelles, yet by settling on a more remote island, these inter-island deportees were less threatening to the colonists than later deportees from France would be. Perhaps the fact that many of the Réunion deportees also owned slaves quelled certain anti-republican fears harbored by many Seychellois.

²⁵² Scarr, *Seychelles since 1770*, 19.

²⁵³ Nwulia, *The History of Slavery in Mauritius and the Seychelles*, 35.

revolutionary government in Paris had endowed the propertied classes of the Seychelles with an independent streak and a reflexive suspicion of all ideas, reforms, and people arriving from France.

Thus, when the colonists of Mahé first learned in 1801 that their little island had been selected as the place to deport radical republicans—*septembriseurs* even—Napoleon had not yet overturned abolition, and the landowners in the colony feared that these disciples of the revolution would stir up trouble among their slaves. Quéau de Quincy even went so far as to hint in a letter to the minister of the navy that the First Consul did not appreciate the delicate situation of this particular colony. He feared, moreover, that a passing British ship might see the French ships docking in Seychelles ports as a violation of his precious capitulation agreement.²⁵⁴ His fears regarding the deportees' contribution to Seychelles society were more openly expressed by a colonial administrator in the Île de France named Magallon. Magallon, representing the colonial assembly, wrote to the leaders of the Republic on 11 October 1801 in protest against the arrival of the Nivose deportees. His description of the political prisoners, as well as his fears for colonial stability were heatedly expressed: "The September slaughterers, the conspirators of 3 Nivose, the executioners from the banks of the Loire, the Avignon head-cutters, these are the men whom France has vomited from her breast and whom the minister transported not far from our islands, so near a population that has been kept healthy and intact to this point."²⁵⁵ Both Magallon and Quéau de Quincy hoped somehow to expel these deportees from their islands.

²⁵⁴ Scarr, *Seychelles since 1770*, 20.

²⁵⁵ Letter from M. Magallon cited in Destrem, *Les Déportations du consulat et de l'empire*, 73.

Not only were the colonial administrators unwelcoming, but many of the colonists also expressed their displeasure, and even hostility, at the deportees' presence in Mahé. Unlike the deportees from Réunion who had settled in the Seychelles three years previously, the deportees from France were republicans who did not own slaves, and therefore their sentiments regarding abolition might be decidedly more dangerous to those who struggled to preserve the status quo on Mahé. Three of the most prominent colonists and landowners openly voiced their displeasure and threatened to leave the Seychelles if the deportees were allowed to stay in Mahé. The most vocal of the colonists was Monsieur Malavois, who owned the largest plot of land on the island. Siding with Malavois were the Savy brothers, François and Charles, and the widow Jorre. The latter was a woman of some prominence in the community, well-respected for her management of her land and slaves, who complained to Quéau de Quincy that as she was, "an unfortunate widow and mother who has nothing more to her fortune than some thirty blacks and five *terrains* to live on," she could no longer feel safe living near these deportees whose doctrines were "so destructive to the colony."²⁵⁶

Despite these initial objections, the metropolitan government's orders were clear. In a letter to Quéau de Quincy delivered by both ships' captains upon their arrival, the minister of the navy instructed the colonial agent that:

These individuals [the deportees] must be transported to the island under your command. Upon their arrival, you will make the necessary arrangements to receive them. You will procure for them the means to support themselves in their labor, by assigning them plots of land that they might cultivate, and by furnishing them with the plowing instruments and objects of first necessity that it will be in your power to give them in order to begin their establishment. You will treat them with respect and kindness if they do not look to trouble the tranquility of the

²⁵⁶ Cited in Guillemin, "Les derniers Jacobins aux Iles Seychelles," 567.

inhabitants, and if they do not disturb [*ne portent pas atteint aux*] the customs and habits or the hierarchy established in the island, and finally if they respect persons and property.²⁵⁷

Of course, if the deportees did not behave well, labor effectively, and conform to the social structures already in place in the colony, Quéau de Quincy had the right to punish them. Most importantly, though, the deportees should be prevented from escaping at all costs.

The minister's orders illustrated a certain understanding of the particular circumstances in the Seychelles colony. His letter further provided that if any of the colonists of Mahé wished to leave the island in response to the deportees' arrival, he had sent word ahead to Magallon on Île de France, and the Seychellois emigrants would be welcomed there. At the same time, however, the Parisian bureaucrat stood firm on the goal of deportation. The transported republicans were effectively to be allowed to become colonists. As long as they did nothing to disturb the colonial order, they should be allowed to create a life in the colony, perhaps even to redeem themselves. The minister returned once more to his admonition to treat the deportees well: "...don't be overly severe with them, be humane and prudent and try to give them good principals so they can *repair the errors of their past*."²⁵⁸ Once more, a metropolitan official used redemptive and utilitarian language in describing the goals of deportation. The consistency of the deportee-as-colonist ideal during this period, expressed by men a

²⁵⁷ Cited in Destrem, *Les Déportations du consulat et de l'empire*, 67-69.

²⁵⁸ Cited in Destrem, *Les Déportations du consulat et de l'empire*, 67-69. Emphasis mine. Jean Destrem suggests that the admonitions of humane treatment and redemption were purely the Minister's own insertion and were contrary to Napoleon's policies (p. 70). While there is no evidence to suggest that Napoleon did directly order they be treated well and allowed to work as colonists, no evidence contradicts it either. In this instance, especially, Destrem's own personal prejudices (his grandfather was deported by Napoleon I and he himself was an ardent opponent of Napoleon III) need to be considered as potentially coloring his analysis.

various levels of the bureaucratic hierarchy both in France and in the colonies, demonstrates its continued relevance during the Napoleonic age.

Perhaps heeding the minister's orders and advice, perhaps biding his time until other arrangements could be made to expel the deportees, Quéau de Quincy did ask Seychellois colonists to welcome the deportees into their homes, as private tutors for their children or as extra laborers. Around twenty French families, all of more modest means, complied with his request, providing one-fourth of the deportees with room and board. The widow Jorre and the Savy brothers threatened to leave Mahé to escape these fearsome new inhabitants. Malavois, for his part, denounced as unpardonable folly certain families' decision to allow deportees into their homes to teach young children. Another colonist, Loiseau, expressed his (and the other large land and slave owners') most bitter concern more directly. In a letter dated 4 February 1802, Loiseau declared to the minister that the honest colonists of Mahé lived in perpetual fear that the republican deportees would do everything in their power to execute the decree of 16 Pluviose Year II.²⁵⁹

Gradually heeding Malavois and Loiseau's vigorously expressed opposition to the deportee presence on the island, more French colonists refused to assist the political exiles in any way. Quéau de Quincy soon gave way and ordered the deportees to avoid contact with any Seychelles inhabitant, white or black, free or slave. For the most part, the deportees responded to this ostracism with careful observance of the unwritten rules of association. Warned by Quéau de Quincy of their precarious situation, the deportees agreed among themselves to lie low until the colonists' initial fears subsided. Urged by

²⁵⁹ Guillemin, "Les derniers Jacobins aux Iles Seychelles," 567.

Rossignol to be patient, the deportees hoped that Napoleon would soon be overthrown, and they would be exonerated by a more liberal regime.²⁶⁰

In this relative calm, life on Mahé continued for the colonists and the deportees without incident until one of the deportees naively violated one of the slave society's most fundamental taboos. It all began one Sunday when Citizen Magnan paid a visit to one of his fellow deportees, Laurent d'Erville, who was living and presumably working at the home of a free black woman named Vola Maelfa. While there, Magnan happened to see several of Maelfa's slaves dancing, something that he found both fascinating and amusing. When he returned to his own lodgings, which he shared with most of the other deportees, he regaled his comrades with spirited imitations of the slave dances. His performance inspired several of the other deportees with the desire to witness such an exhibition for themselves. Among the curious was Nicholas Serpolet.

Described by his fellow deportees as inexperienced in the ways of the world (and in particular the colonies), Serpolet had a thick dossier at the Paris Prefecture. Nicknamed the Lyonnais (he was from Lyon), Serpolet was a stocking-maker living in Paris at the time of the Infernal Machine explosion. The police described his pretensions to grandeur and his threats to the First Consul (he bragged that he would become the Brutus of Paris). They monitored his movements throughout Paris (he always carried his little dog under his arm) and even speculated on his sexual proclivities.²⁶¹ Whether he was the wide-eyed innocent described by the deportees or the megalomaniac degenerate

²⁶⁰ Destrem, *Les Déportations du consulat et de l'empire*, 64.

²⁶¹ APP carton AA 282, piece 94.

depicted by the High Police, it seems that Serpolet was determined to see Vola Maelfa's slaves dance the very next Sunday.

Unsure of the exact route to Maelfa's property, Serpolet asked a passing black man for directions. The man was a slave, owned by Leguidec of Île Bourbon (Réunion), who happened to be heading for the very dance that Serpolet hoped to find. Proceeding on together, the two men soon arrived at Maelfa's, where several of the slaves welcomed the deportee, shared their refreshments with him, and showed him some of their dances. When he returned to the other deportees, Serpolet excitedly recounted his day. But his enthusiasm met with surprise and concern. The other deportees chastised Serpolet for his carelessness and warned him not to brag about it further and never to return to Vola Maelfa's.²⁶²

Unfortunately for the deportees, Malavois discovered Serpolet's little adventure and immediately raised the alarm among his fellow slave holders. He warned them that this was only the beginning of a larger deportee plot to stir up a slave revolt, and he demanded Serpolet's arrest.²⁶³ A few days later, the colonists met and called for Serpolet to be deported to Frigate Island, a deserted island in the Seychelles archipelago. They also insisted that the rest of the deportees sign a sworn statement that they had no part in Serpolet's consorting with the slaves. However it happened, either by coercion or promises of leniency, certain of the deportees signed a further statement admitting to the existence of a plot to promote slave revolt. With such a statement in hand, and with the backing of his fellow colonists, Malavois enlisted the support of the general administrator

²⁶² *Mémoire* of the deportees cited by Guillemin, "Les derniers Jacobins aux Iles Seychelles," 569.

²⁶³ Destrem, *Les Déportations du consulat et de l'empire*, 87-88.

in Île de France, Magallon. This was just the excuse that Magallon needed to expel more of the deportees from the Seychelles. When the colonial assembly met on 26 January 1802, it decreed that the most dangerous of the deportees should be re-deported to somewhere remote enough that they could no longer endanger colonial society in the Mascarenes or the Seychelles.

Thus, one deportee's breach of the social code in the slave colony on Mahé Island resulted in a new deportation expedition within the first deportation. As known republicans, political protestors, and activists, the deportees had inspired unease among the colonists of the Seychelles from the first moment of their arrival. The tenuous relationship between this particular colony and the metropole, weakened both by distance and differences over slavery and colonial administration, had been further strained by the Parisian government's decision to send its undesirables (and accused assassins) to the socially and politically conservative Seychelles. At the first sign that their fears were justified, the most influential colonists of Mahé seized the opportunity to expel those deportees they viewed as most dangerous.

Advised by Malavois, Quéau de Quincy singled out thirty-three of the original seventy deportees for this second deportation. Serpolet, two of Vola Maelfa's slaves who had organized the dance, and the slave who had led the deportee to her home were all deported, as well.²⁶⁴ The warship *Bélier* was already at anchor in Mahé harbor, and Captain Lafitte agreed to transport the thirty-three re-deportees to Anjouan Island in the

²⁶⁴ There is some evidence that Serpolet went with his colleagues to Anjouan, though the records are not clear on this point.

Comoros Islands, between Madagascar and the African mainland.²⁶⁵ Given the difficult circumstances of their first months in the Seychelles, those deportees destined for Anjouan may well have hoped that their situation would improve with the change in location. Upon arrival, moreover, these hopes seemed justified by the generous treatment they received at the hands of the Sultan of Anjouan, Said Abdalla. The sultan had agreed to accommodate the deportees in exchange for certain trade arrangements, and he immediately set about providing adequate housing for the new arrivals. One of the deportees, the architect Jean-Baptiste Lefranc, was given the task of organizing buildings to house the deportees.

Within weeks, however, an epidemic devastated the small colony of deportees, killing twenty one in only fifteen days. Among the victims of this illness was Rossignol whose last words cursing Napoleon were later repeated (or enhanced) by Lefranc for the benefit of his biographer, a certain Monsieur Fescourt.²⁶⁶ Of the twelve surviving deportees, eight left the island with the sultan's assistance. Three of them subsequently died at Grand Comore Island; the other five headed for Zanzibar and its commercial opportunities. Three more soon died there and the last two, Vauversin and Gosset, eventually made their way to India. Vauversin finally returned to France only to face prosecution once more at the hands of Napoleon's High Police.²⁶⁷

²⁶⁵ Among the prisoners singled out for re-deportation was Jean-Baptiste Antoine Lefranc. Interestingly, in Lefranc's retelling of his experiences as a Nivose deportee, he does not recount the Serpolet story and the Colonial Assembly's subsequent declaration. According to Lefranc, the deportees could not be accommodated on Mahé Island and so half were immediately transferred to the Comoros. It is likely that Lefranc, writing his memoir during the Restoration, did not think that the deportee's misadventures at a slave dance would not present as sympathetic an image as Lefranc intended. See Lefranc, *Les infortunes de plusieurs victimes de la tyrannie*.

²⁶⁶ Fescourt, *Histoire de la double conspiration de 1800*.

²⁶⁷ Destrem, *Les Déportations du consulat et de l'empire*, 124-126.

For the four men who remained in Anjouan, conditions on the island continued to deteriorate along with their health. Finally the sultan insisted that the men leave the island, sending them to Grand Comore. Shipwrecked en route, two died and the remaining two, Lefranc and Saunois were rescued after twenty-seven hours clinging to the ship's wreckage.²⁶⁸ After three miserable months on Grand Comore, the two traveled to Zanzibar and then began their long journey back to France. Once on the African mainland, Lefranc and Saunois traveled south along the coast through Mozambique and the Cape. Finding passage on a commercial vessel, the deportees sailed to Saint Helena, Ascension Island, and then Saint Thomas. There captured by the British, the two prisoners were finally sent back to France where, once more, they became the targets of the French High Police.²⁶⁹

The colonial authorities' hastily made decision to send the thirty-three Nivose deportees to Anjouan did not please officials back in the metropole. Hearing of the event, the minister of the navy responded that if such a second deportation were necessary, the deportees should be sent to another location where their labor might prove useful to France. There is evidence to suggest that the minister was here thinking of Madagascar, where the political prisoners might raise tobacco and yellow wax and gather honey and ambre-gris.²⁷⁰ The rapid deaths of the majority of deportees who had been relocated to Anjouan rendered the minister's protestations moot. But the continued

²⁶⁸ Lefranc and Saunois' travels after leaving Mahé are recounted in both Fescourt, *Histoire de la double conspiration de 1800*; Lefranc, *Les infortunes de plusieurs victimes de la tyrannie*.

²⁶⁹ Destrem, *Les Déportations du consulat et de l'empire*, 126-127.

²⁷⁰ Destrem, *Les Déportations du consulat et de l'empire*, 110-111.

insistence that French deportees should remain useful in French endeavors meant that the ideal of colonization through deportation still influenced decisions in the metropole.

As for those deportees who had remained in Mahé, six years after first setting foot on the island only twenty-three were still alive.²⁷¹ Eight had died (one on the voyage to Mahé) and six had deserted. Of those six, four had headed for Mozambique on 18 December 1802, one made his way to India, and the other escaped on a Portuguese ship. Those who remained on the island described the climate there as “boiling” and “unpleasant.” They framed their pleas for a return to France in terms that emphasized their wasted utility. The deportees stressed that their families back in France had struggled to make do without their husband and father’s labor to help provide for them. Hoping to capitalize on the official policy that deportees should be employed in some useful endeavor, they bemoaned their uselessness in the colony.²⁷²

The longer the Nivose deportees remained on Mahé, however, the less hostility their presence generated among the colonists. Certainly some colonists may have felt more secure after learning of Napoleon’s re-institution of slavery and the slave trade in 1802. Reorganization and increased administrative ties with the metropole may also have alleviated some concerns. Yet as the slave, free black, and free colored populations grew, there were still some white landowners who felt threatened by potential insurrections or competition. In 1810, the white population totaled around 317, free persons of color 135, and slaves 3,015. Malavois, who had by now relocated to Île de France, presaged no

²⁷¹ AN F⁷6271: “Etat des 70 personnes envoyés par Ordre du Gouvernement, en Surveillance Spéciale, hors du Territoire Européen, à Mahé la principale des îles Seychelles, Embarqués sur la frégate la Chiffonne et la Corvette la flèche, arrivés le 25 messidor an 9 et 17 fructidor an 9,” January 1807.

²⁷² AN F⁷6271: undated petition signed by eighteen of the Nivose deportees, c. 24 Germinal Year 12.

good could come from the increase in the free population since so much of land on the archipelago was too rocky to be productive.²⁷³

The effects of this land shortage were seen within the elite white community, as well. The widow Jorre, whose protests against the deportees had been so strong in 1801, faced financial troubles years later when her children argued over the division of the estate. Now decrying the fact that the island had long been held within the grip of a small clique, she considered marrying one of the Nivose Jacobins, Antoine Boniface.²⁷⁴ Though a few colonists openly opposed such a union, when they appealed to the colonial and metropolitan authorities they found no legal way to block the marriage. Under the Consulate, the sentence of deportation did not deprive the individual of his (or her) civil or political rights (though oftentimes property rights were curtailed for a certain period). In Cayenne, there is even evidence that the deportees voted in the plebiscite to approve the lifetime consulship of Napoleon. The minister of the navy, therefore, formally confirmed that the deportees had the right to enter into any civil contract, including marriage.²⁷⁵

Given enough time, it is likely that the deportees sent to Mahé would have eventually blended into the larger white colonist population through a combination of factors: the outlaws willingly ingratiating themselves for self-survival and the white colonists abandoning their political differences in favor of racial alliances to increase their numbers in proportion to the slave and free colored populations. As we have seen in the case of the widow Jarre, white women in a slave colony had few options for

²⁷³ Scarr, *Seychelles since 1770*, 27.

²⁷⁴ Destrem, *Les Déportations du consulat et de l'empire*, 142; Scarr, *Seychelles since 1770*, 33.

²⁷⁵ Destrem, *Les Déportations du consulat et de l'empire*, 143.

remarriage given restrictions around their class and, especially, their skin color. But this blending of voluntary and forced colonists in the Seychelles never was accomplished. Many of the colonists held onto their prejudices against the jettisoned Jacobins. As for the deportees, most still hoped for some reprieve and a return to France. Unconvinced by ministerial encouragements to labor in the colonies for France's benefit, the surviving deportees were tied to the metropole by family, friendships, and a familiar way of life that could not be duplicated on this remote archipelago.

The final blow to this colonization through deportation project came in December 1810, when the British seized control of France's possessions in the Indian Ocean. Following this colonial loss, French officials finally repatriated the twenty deportees remaining in Mahé. Once returned to France, these men were placed under the surveillance of the High Police, and many of them were re-detained in metropolitan prisons like Pierre Châtel based on the charges leveled against them in 1801. This new development stunned the deportees, who had sincerely believed that their return to the metropole meant a recognition of their innocence.²⁷⁶ The republicans implicated in the Affair of the Infernal Machine would have to wait until 1814 and the restoration of the Bourbon monarchy for their full pardon and re-integration into French civil society.²⁷⁷ As Rossignol had insisted in his motivating speech given when the deportees had first arrived in the Seychelles, their fates were bound up in the fate of the Napoleonic regime.

²⁷⁶ AN F⁷6271: letter written by Vacret, Saunois, Carreté, and Huguot to the Minister of the General Police, 18 April 1814.

²⁷⁷ For an explanation of the monarchy's willingness to pardon former Jacobins, see chapter four of this dissertation.

The First Consul's fall would mean the Nivose deportees' return to grace, regardless of the political character of the regime replacing his (republican or monarchical).

This particular episode of deportation is revealing in its stark portrayal of a metropolitan political prisoner's role in a colonial slave society. While the minister of the navy urged colonial authorities to treat the deportees with consideration, and to use deportee labor to their own benefit, the ideological differences and social prejudices that marked Seychellois colonists meant that such a project would be met with hostility. Though metropolitan injunctions favoring colonization through deportation may well have been compromised once in the colony, the minister of the navy's initial precautions to Quéau de Quincy and recognition of potential colonist resistance indicates that the minister recognized the challenges the deportees would face in this unique social climate. His continually expressed hopes that the deportees might be made useful in cultivating products for French trade and his defense of deportee rights within the colonial society further enforced the ideal of colonization through political deportation.

Yet for the colonists of the Seychelles and the Mascareignes, the dumping of republican refuse from the metropole in their midst seemed only to confirm their belief that France would try and overturn the economic and social base upon which their colony had been built – slavery. For the slaves and the free colored population of Mahé, the addition of seventy new white men did little to change their situation; no hope for social revolution was derived from such an event. Yet for the white minority ruling over the island, the influx of so proportionally large a white population with ideas so dangerously opposed to their own portended no good. The colonists protested vigorously against the

arrival of the deportees and at the first transgression of the social code (the *Code Noir*), the colonists seized the opportunity to expel half of the Nivose deportees from their island, from any French colonial possession, in fact.

During the first half of the nineteenth century, so long as slavery persisted in French overseas colonies, questions of slave relations and colonial stability plagued attempts to send political dissidents to France's overseas possessions. Political prisoners in the metropole unnerved colonists overseas by their very nature as protesters and rabble-rousers. Unless metropolitan officials could learn to pay better heed to the social conditions and political needs of colonial inhabitants, deportation projects would continually fail in their colonizing mission. The deportees themselves, meanwhile, would have to relearn anew with each new deportation episode how to negotiate the political and social system into which they were so abruptly cast. Appropriating the metropolitan language of colonization through deportation, political prisoners in the colonies used their potential utility and wasted promise as a means of defending their rights and lobbying for a reconsideration of their sentence. In the case of the Nivose deportees, however, the importance of regime change during this revolutionary age could never be underestimated as a source of both expulsion and redemption.

Chapter Four

Wrestling with Rattlesnakes: Political Punishment under the Restoration and the July Monarchy

In some of the uninhabited parts of these provinces there are numbers of those venomous reptiles we call rattlesnakes: felons-convict from the beginning of the world. These, whenever we meet with them, we put to death by virtue of an old law, "Thou shalt bruise his head." But, as this is a sanguinary law and may seem too cruel, and as however mischievous these creatures are with us, they may possibly change their natures if they were to change the climate, I would humbly propose that this general sentence of death be changed for transportation.

--Ben Franklin, 1751²⁷⁸

Writing under the pen-name, "Americanus," Benjamin Franklin proposed that in return for all of the British convicts being sent to the American colonies in the mid-eighteenth century, the colonists should ship their rattlesnakes off to England as a fair exchange. His tone was light and humorous, but the satire stung and his metaphorical rattlesnakes began popping up in the speeches and writings of transportation's British critics during the late eighteenth century. Then over sixty years later, on the other side of the English Channel, a new set of social critics began to fear that current deportation policies might just let loose a whole new lot of rattlesnakes. French social critics and penal reformers of the Restoration and July Monarchy fiercely debated the possibilities and promise of deporting political prisoners within their own empire, and often made appeals to the British example of transportation. Whether in support of the practice or opposed to it, French observers could find something in the British transportation system

²⁷⁸ Extract from a letter signed by "Americanus" but widely attributed to Benjamin Franklin that first appeared in the *Pennsylvania Gazette*, 9 May 1751.

to support their argument. During this period in which penal reform was one of the most important questions on the social and political agendas of both philanthropists and political elites, the mirage of a thriving Botany Bay clashed with the specter of the serpent, making deportation policies one of the most contentious issues in the larger debate.

Certainly, in contrast to the revolutionary and Napoleonic periods that came before and the Second Republic that followed, the Bourbon and Orleans monarchies deported very few criminals. The Penal Code of 1810, which authorized the deportation of people found guilty of offenses of a political nature, remained in effect. But there were no episodes of mass transportation in this period such as had occurred after Fructidor in 1797 or would occur after the June Days of 1848. In fact, the historian Gordon Wright completely dismisses deportation as an issue, saying that for forty years after its codification in 1810, deportation was legally sanctioned but remained a “dead letter” in practice.²⁷⁹

Yet the numbers do not tell the whole story of deportation’s role in French political culture during this period. Legislative debates over the practice increased in their intensity while, at the same time, past episodes of deportation inspired popular legends. Moreover, official expectations for this form of punishment remained high. The legislators and ministers of the Restoration and the July Monarchy still expressed hopes that deporting political criminals would provide a welcome *main d’oeuvre* in the colonies while removing potentially destabilizing individuals from politically volatile

²⁷⁹ Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France* (New York: Oxford University Press, 1983), 46-47.

environments within the French overseas empire. At the same time, official interest in deporting common-law criminals in addition to political ones escalated in proportion to the dramatic increase in criminal convictions during this period. In addition to the question of whether or not to deport any prisoners arose the problem of which category of prisoners was most deportable. And then there was another question: to where? Essential to this debate within a debate was the issue of just how severe a punishment deportation really was. As we will see, the relative leniency or harshness of the penalty, as seen through the eyes of former deportees, observers of the British system, prison inspectors, and a host of other social commentators, became a decisive factor in the creation of deportation legislation.

The published memoirs of several deportees influenced both popular and official understanding of deportation policies. Sentenced under the Directory or Napoleon, several deportees returning from exile during the Restoration wrote long and impassioned narratives about their time in the colonies.²⁸⁰ The former deportee, François de Barbé-Marbois, had resumed his political career following his forced exile in Guiane and

²⁸⁰ Among the personal histories of deportation published or circulating during the post-revolutionary period were Jean-Jacques Aymé, *Déportation et naufrage de J.J. Aymé, ex-législateur: suivis du tableau de vie et de mort des déportés, à son départ de la Guyane, avec quelques observations sur cette colonie et sur les Nègres* (Paris: 1800); François de Barbé-Marbois, *Journal d'un déporté non jugé, ou déportation, en violation des lois, décrétée le 18 fructidor an V (4 septembre 1797)*, 2 vols., vol. 1 (Paris: Institut de France, 1834); François de Barbé-Marbois, *Histoire de plusieurs déportés à Sinnamari racontée par un père à ses enfans* (Limoges: Barbou, 1839); Fescourt, *Histoire de la double conspiration de 1800, contre le gouvernement consulaire et de la déportation qui eut lieu dans la deuxième année du consulat; contenant des détails authentiques et curieux sur la Machine infernale et sur les Déportés* (Paris: Imprimerie de Stahl, 1819); Jean David Freytag, *Mémoires du Général Freytag, ancien commandant de Sinnamary et de Conamama, dans la Guyane française, contenant des détails sur les déportés du 18 fructidor, à la Guyane; la relation des principaux événemens qui se sont passés dans cette colonie pendant la révolution, et un précis de la retraite effectuée par l'arrière-garde de l'armée française en Russie; ses voyages dans diverses parties de l'Amérique, l'histoire de son séjour parmi les indiens de ce continent*, 2 vols. (Paris: Nepveu, 1824); Jean-Baptiste-André Lefranc, *Les Infortunes de plusieurs victimes de la tyrannie de Napoléon Buonaparte, ou Tableau des malheurs de 71 Français déportés sans jugement aux îles Séchelles* (1816).

became one of the leading figures in the campaign to abolish deportation legislation. He championed his cause from the various high positions that he held in the Restoration government, including a brief stint as minister of justice from 25 September 1815 until 7 May 1816. And yet his and others' critiques based on lived experience had to be balanced against a widespread belief—often enhanced by glorified images of the British colonies in Van Diemen's Land and Sidney Cove—that deportation practices could be humanitarian, and even rewarding for the prisoners, the colony, and the metropole.

Ultimately, the legislative debate over deportation illustrates the larger political struggle that occurred during the Bourbon Restoration: the attempt to establish and strengthen the crown's authority in a post-regicidal and post-revolutionary France. As a result of the crisis of legitimacy that plagued Louis XVIII, the royal government and the chambers vacillated between policies favoring forgiveness and philanthropy on the one hand, and laws tightening repression and punishment on the other.²⁸¹ This tug-of-war was essentially played out between the Chartists and the Ultra-royalists, much to the detriment of the legitimist monarchical movement in France, since royalism became associated with reaction in the minds of French men and women after the July Revolution.²⁸² Upon replacing his distant Bourbon cousin, Charles X, in 1830, Louis-Philippe found himself in much the same position as his predecessor, balancing the ideals of humanitarian reformers who advocated cellular confinement as a means for the moral

²⁸¹ Robert Alexander, "No, Minister': French Restoration Rejection of Authoritarianism," in *Napoleon's Legacy: Problems of Government in Restoration Europe*, ed. David Laven and Lucy Riall (New York: Berg, 2000), 44.

²⁸² Daniel P. Resnick, *The White Terror and the Political Reaction After Waterloo* (Cambridge, Mass.: Harvard University Press, 1966), 120.

redemption of all criminals with the realities of maintaining order and defending his legitimacy during a still volatile period in which political crime was rampant.²⁸³

In this chapter, I will look at the laws concerning deportation that French legislators created between 1815 and 1848, and the ways in which Restoration and July Monarchy officials implemented—or envisioned implementing—them. The post-revolutionary political climate produced by the tension between repression and forgiveness significantly impacted penal attitudes toward the punishment of political criminals. The relatively rapid succession of regime changes since 1789 had produced unprecedented numbers of politicized and protesting French men and women. The governments of the Restoration and the July Monarchy faced the challenge of either incorporating these heterodox individuals into post-revolutionary political culture, or expelling them from society altogether. Although both the Bourbon and the Orleans regimes struggled with this dilemma, isolation and expulsion eventually superceded integration and assimilation as the official response to political dissent. The penal regime that developed in France and the French colonies in the period between 1814 and 1848 was based upon the principle of separating political criminals from all other members of society. It was one that particularly favored deportation policies. But the creation of this new system did not happen overnight, nor was it the work of any one group or the result of any one event. On the contrary, the post-revolutionary penal regime evolved out of the ideas of penal reformers, the responses of French legislators to protest, the demands and actions of political dissenters, and the practical needs and limitations of the French

²⁸³ Pascal Vielfaure, *L'évolution du droit pénal sous la Monarchie de Juillet, entre exigences politiques et interrogations de société* (Aix-en-Provence: Presses Universitaires d'Aix-Marseille, 2001), 11.

overseas empire. It was also influenced by the memory of the revolutionary and Napoleonic periods, particularly regarding specific episodes of deportation that garnered increasing public attention in the early years of Louis XVIII's reign. One such memory will serve as our starting point for this discussion.

A Literary Introduction : Power and Deportation

A rather exceptional deportation narrative appeared in Paris in 1817. While all of the personal accounts of deportation presented in this dissertation are, to some extent, works of fiction (that is, the author selects and enhances actual events to construct a narrative), this particular tale is fiction in the more familiar sense of the term. A modern disclaimer on the work might go so far as to say that it was “inspired by actual events,” but beyond its initial premise it is largely the work of one man's imagination. Its author, A.P.F. Ménégaud takes as his germ of inspiration the story of the deportees sent to the Seychelles islands for their alleged participation in the Affair of the Infernal Machine during the Consulate.²⁸⁴ Ménégaud entitled his narrative *Le Robinson du Faubourg Saint-Antoine*. Since Ménégaud wrote it in 1815 and 1816, before the two narratives based on deportee Lefranc's actual experiences were published, it is reasonable to assume that he had no other knowledge of the episode beyond what he might have gleaned from a newspaper: that seventy-one republicans were deported to Mahé Island in the Seychelles in 1800.²⁸⁵ Ménégaud, himself, was a prolific post-revolutionary writer who produced a number of plays, novels, and dramas. This particular work, therefore, should be read not

²⁸⁴ See chapter two.

²⁸⁵ As discussed in chapter two, the two most important primary accounts of the deportation we have are Lefranc, *Les infortunes de plusieurs victimes de la tyrannie*. and Fescourt, *Histoire de la double conspiration de 1800*.

for the facts he might provide about this episode in the history of this deportation, but rather for his ideas regarding the policy and his method of presenting this punishment to his Restoration audience.

The narrator of *Le Robinson du Faubourg Saint-Antoine* is an unnamed deportee who observes the acts of the novel's protagonist, Rossignol, whom he exalts as the "former worker of the Faubourg Saint-Antoine, former conqueror of the Bastille, former general, and worthy emulator of Santerre."²⁸⁶ The story begins with an account of the attempt on Napoleon's life made on rue Saint-Nicaise in Paris in 1800 and the subsequent arbitrary round-up of two hundred Republicans accused of participating in the preparation of this crime. In no time the narrator (having asserted his complete innocence) finds himself *en route* to the Seychelles aboard the ship *la Cayenne*.²⁸⁷

In Ménégault's telling, once the deportees arrive in the Seychelles, they each find their own place in the island society.²⁸⁸ The quality of life for the deportees, as portrayed in this section of the novel, is not idyllic, but it is certainly not a harsh, laborious punishment. The deportees were left to their own devices; colonial officials made no attempt to organize their labor or "moralize" them. This initial period in the Seychelles sets a light tone for Ménégault's depiction of deportation. Subsequent events would

²⁸⁶ A.P.F. Ménégault, *Le Robinson du Faubourg Saint-Antoine*, 4 vols., vol. 1 (Paris: Ménard et Desenne, fils, 1817), 3. Antoine Joseph Santerre was a popular hero from the Faubourg Saint-Antoine who also participated in the storming of the Bastille in 1789.

²⁸⁷ In reality, of course, the ships that took the deportees of Nivose to Mahé were *la Chiffone* and *la Flèche*. "Cayenne" would have been easily recognized as the capital of the French colony at Guiane and as *la guillotine sèche*. Thus at this point in the narrative, Ménégault has already slipped in two important details that indicate his anti-napoleonic political leanings and mark him as favorable to the Restoration government. His reference to Napoleon's indiscriminate punishment of the innocent and his oblique reminder (in the ship's name) of deportations to Guiane under the Revolution seemed to place Ménégault safely within the monarchist's camp.

²⁸⁸ Ménégault, *Le Robinson du Faubourg Saint-Antoine*, v. 1, 38-40.

continue to develop this theme that the punishment was a product of arbitrary power, but not particularly severe. Nevertheless, Rossignol's time on the island is cut short by a transfer order; about one-half of the deportees are to go to Île Anjouan in the Comoros Islands, including Rossignol.²⁸⁹

This deportation within a deportation proves to be the making of Rossignol's fortunes. After a prolonged absence, the narrator is reunited with Rossignol in Africa only to find that the former general has begun to shape his own destiny in exile. It is at this point in the narrative that Ménégaud's chief goal becomes clear. Not only does he want to expose an unjust punishment that occurred under Napoleon, he goes even further by creating a parody of the emperor in exile under the guise of General Rossignol. Through a series of schemes and political deals, most of which are too convoluted to detail in this short summary, Rossignol eventually acquires control of several African kingdoms in the fictitious land of Muzumbu.²⁹⁰ Heady with his growing power, Rossignol establishes the Republic of New France under the motto *liberté, égalité*. With the creation of his new Republic, Rossignol re-christens himself Aristide I, taking on the

²⁸⁹ The other half of the group was sent to Guiane. It is at this point in the narrative that the author must split up the story, since the narrator now leaves Rossignol (destined for Anjouan) and heads for the Antilles. Disaster plagues the journey and this group of deportees never makes it to Guiane. But along the way, the ship on which they are sailing drops anchor at various ports, including Saint Helena. The narrator describes the island as a paradise on earth, with the healthiest climate and the nicest inhabitants imaginable. He then bemoans his fate that "the tyrant" had not had the "caprice" to send him to Saint Helena. Ménégaud, *Le Robinson du Faubourg Saint-Antoine*, v. 1, 80. Of course, the irony of this comment served to remind the reader that Napoleon received his comeuppance in the end. The emperor himself was deported by his political enemies to this same remote island. And yet, for all that, Napoleon's exile must not have been so terrible since he now lives in this Eden. In fact, throughout the novel, the author never makes the actual sentence of deportation seem at all severe—arbitrary, but not cruel. This observation foreshadowed an important current of thought regarding deportation policies during the Restoration. Many believed, and would continue to believe, that deportation was not a harsh punishment. In fact, some feared that it might even be seen as a reward.

²⁹⁰ A.P.F. Ménégaud, *Le Robinson du Faubourg Saint-Antoine*, 4 vols., vol. 2 (Paris: Ménard et Dessenne, fils, 1817), 230.

title of “dictateur de la République.” He then divides his republic into five departments and changes all of the African place names into French ones.²⁹¹ Rossignol, the deportee, has become the dictator and has turned a parcel of Africa into a New France. But he remembers his origins; in one of his first acts as dictator he proclaims “Aristide Day” and grants a general amnesty for all prisoners of state. In his new position of authority, Rossignol wants to display both his power and his clemency.²⁹²

This portrait of the making of a dictator takes previous ideas about deportees as colonists to their extreme. Rossignol becomes the colonizer. He has not taken over the land for the mother country, but for himself. He models his new realm on France’s, but also imposes on this colonial setting his own ideas of how New France should be run. Ménégault, the author, has taken the deportee forcibly out of France, and has imposed him on Africa; but in the novel it is actually Napoleon who ordered Rossignol’s departure and, therefore, set these events in motion. Thus, in volume four, the full force of Ménégault’s anti-napoleonic sentiments are brought to bear on this tale. The narrator describes Rossignol’s change into Aristide I in unflattering terms, which could just as easily apply to Napoleon Bonaparte: “so much had he been alienated since ’89 by the influence of liberal ideas that he became almost crazy when his lips had touched the cup of grandeurs that had intoxicated so many others.”²⁹³

²⁹¹ Ménégault, *Le Robinson du Faubourg Saint-Antoine*, v. 3, 216-218. The classical appellation, Aristide (the French spelling), harkened back to the fifth century BCE. Aristides (using English orthography) was an Athenian statesman granted the epithet “the Just,” and noted for his unswerving fairness.

²⁹² Ménégault, *Le Robinson du Faubourg Saint-Antoine*, v. 3, 223.

²⁹³ Ménégault, *Le Robinson du Faubourg Saint-Antoine*, v. 4, 2.

Drunk with power, therefore, Rossignol the deportee becomes a tyrant. When the dictator of New France finds that he has no sufficient site to which to deport his political enemies (a persistent problem for the French government, as well), he begins building a political prison. “Three months after the conspiracy . . .,” the narrator decries, “African Paris saw a vast *prison d’état* built, of which the first stone was placed by a *conqueror* [*vainqueur*] of the Bastille.”²⁹⁴ That a man who had helped to destroy the most infamous political prison would then create his own was supposed to seem absurd. The Bastille was then, and would continue to be, the most potent symbol against absolute authority.²⁹⁵ Detaining political prisoners in prisons of the state, as we shall see, would never sit well with French lawmakers or popular opinion.²⁹⁶

At this point it is clear that Ménégaux’s portrait of Rossignol is that of an ill-disguised Napoleon. To be more exact, Rossignol does not merely represent the former French emperor; he is Bonaparte in reverse. He is the deportee who became a dictator, not the emperor who ended his days as a deportee. And therein lies the moral of the story: tyranny breeds more tyranny. It reflects and perpetuates itself. This is a lesson, perhaps, aimed at the new regime.

Oddly enough, however, the book ends with Rossignol still safely ensconced in power in his African kingdom. Ménégaux’s interpretation of the practice of deportation

²⁹⁴ Ménégaux, *Le Robinson du Faubourg Saint-Antoine*, v. 4, 21.

²⁹⁵ Hans-Jürgen Lüsebrink and Rolf Reichardt, *The Bastille: A History of a Symbol of Despotism and Freedom*, trans. Norbert Schürer (Durham, N.C.: Duke University Press, 1997), 4, 204; Claude Quétel, *La Bastille: histoire vraie d’une prison légendaire* (Paris: Éditions Robert Laffont, 1989), 382-420. As the title of Lüsebrink and Reichardt’s work might suggest, the Bastille could be used as a symbol both of despotism and of a revolutionary struggle for freedom. Evoking the name “Bastille” was a highly political act during and after the Revolution.

²⁹⁶ Edmond L’Hommedé, *Le Mont Saint-Michel: prison politique sous la Monarchie de Juillet* (Paris: Boivin, 1932), 3. This topic will be developed later in this chapter.

is a complicated one. By no means a severe penalty the way he describes it in this novel, deportation is still characteristic of tyrannical rule. For readers in the Restoration, however, the message would have been even more complex. Ménégault touched on several of the most important tools of power at the monarchy's disposal during the Restoration: the power to punish, the desire to exile, and the capacity to forgive.

The dual threats of Bonapartism and republicanism hung heavily under the royal heads of Louis XVIII and Charles X. Louis XVIII, the first to face the crisis, understood the need for a conciliatory approach to government, and his first acts demonstrated his willingness to put the past behind him and forgive political criminals from the earlier regimes. After the Hundred Days, however, a new White Terror sought to purge the territory of all political dissidents who had proven so dangerous in their support for the returned Napoleon. Though he was careful to disguise it, Ménégault was not only denouncing Napoleon, but he was also demonstrating the problems of any repressive government that exiles its enemies.

At the same time, Ménégault did offer an interpretation of deportation that might seem favorable to the practice. He does not dwell on the suffering of the prisoners: Rossignol even turns out to be quite a colonizing force. The narrator is clearly fascinated with the possibility of colonial expansion, yet also concerned with the problem of European settlers "going native." In his critique of this particular episode of deportation, Ménégault puts the blame squarely on Napoleon's shoulders. In gentler, more humanitarian hands perhaps the practice could have been made more effective. The crown's power to deal out both punishment and salvation is an overriding theme of *Le*

Robinson de Faubourg Saint-Antoine. Consequently, Ménégaud's work sets the stage for the tug-of-war between the two royal prerogatives that would characterize the next thirty years.

The Quest for Popular Acceptance

With the establishment of Louis XVIII on the French throne in 1814, the new French king showed an initial impetus towards a sort of amnesic renewal illustrated in Article 11 of the Charter of 1814. According to this Article, "All investigations of opinions or votes expressed before the Restoration are forbidden. The same disregard [*oubli*] is demanded of the courts and the citizenry." The Restoration government expressly intended to forgive heterodoxy by forgetting it.²⁹⁷ In more practical matters, the true import of this reconciliatory approach could be seen in the throne's early attempt to suppress the *prisons d'état*, which had long served as the political prisons of the Old Regime and the Revolution. The decree of 3 April 1814 declared that these particular prisons violated constitutional laws. Some elites, including the minister of justice, even hoped to abolish them definitively with an amendment to the Charter.²⁹⁸ Ultimately, this matter was never included in the Charter signed by Louis XVIII, but the temporary elimination of the *prisons d'état* seemed to many liberals to promise positive penal reform, particularly with regard to political detainees.

Prisoners of the state were a legacy of the Napoleonic period. Though he had pardoned many of the political prisoners arrested and detained or deported during the

²⁹⁷ Sheryl T. Kroen, "Revolutionizing Religious Politics during the Restoration," *French Historical Studies* 21, no. 1 (Winter, 1998): 31.

²⁹⁸ Jean-Claude Vimont, *La prison politique en France: Genèse d'un mode d'incarcération spécifique XVIIIe - XXe siècles* (Paris: Anthropos-Economica, 1993), 152-153.

Directory, as we have seen, Napoleon had subsequently filled metropolitan fortresses with his own political enemies, and deported many more to places such as Corsica, the Seychelles, and Guiane. During the last weeks of Napoleon's empire, these prisoners of state had been shifted about in order that they not be liberated by advancing armies.²⁹⁹

The regime change brought on by the Bourbon Restoration prompted Napoleon's political enemies – republican and royalist alike – to beseech the new government's pardon. In the first weeks of Louis XVIII's reign, many political detainees wrote to implore the king's grace. For example, on 18 April 1814, four men who had been deported to the Seychelles after the Affair of the Infernal Machine wrote to the new minister of police to ask for the mercy of the government. Three weeks later, the king ordered the minister to liberate these republican deportees and reputed Jacobins.³⁰⁰

Throughout the rest of the year, the king continued to exert his royal pardon on behalf of other victims of Napoleonic justice. Regarding the prisons in and around Paris, the king's orders led to the release of forty-five from Bicêtre, nineteen from the Grande Force, three from the Madelonettes, two from the *maisons de santé*, and one from the Saint-Lazare prison; all were political prisoners.³⁰¹ Sites such as Bicêtre, a notorious prison under the Revolution and the Empire that had pioneered the use of the guillotine as a means of executing convicts, soon emptied as those prisoners of state considered the least troublesome received their freedom. These political prisoners left behind the common-law criminals still serving out their sentences or awaiting transfer to the *bagnes*

²⁹⁹ Jean Destrem, *Déportations de prêtres sous le premier empire* (Paris: Daupeley-Gouverneur, 1879), 54-55.

³⁰⁰ AN F⁷ 6271: Order of the minister of police regarding the prisoners in Riom.

³⁰¹ Vimont, *La prison politique en France*, 158-159.

at Rochefort, Toulouse, and Brest. In addition, the king received reports regarding 320 prisoners of the state detained throughout provincial France, of whom seventy were former clergymen subject to deportation for “made-up political misdemeanors or for religious opinion.”³⁰² Louis XVIII pardoned them all.

True to the spirit of *oubli* expressed in the Charter, these were the first examples of royal pardons that the Bourbon kings would sporadically hand out during the final fifteen years of their dynasty. The practices and legal foundations behind royal clemency, pardons, and amnesties were part of the Old Regime. The power to forgive crimes, thus expunging a criminal’s debt to society and fully restoring a convict to civil life, acknowledged both the sovereign’s power and his benevolence. Letters requesting pardon and the ceremonies behind its granting constituted an important part of the king’s relationship with his subjects in the Old Regime.³⁰³ Napoleon had understood this, as well, and had wielded his power to pardon regularly. Directed at political prisoners from the Directory, Napoleon’s gestures were calculated to inspire gratitude and loyalty in these persecuted former elites.³⁰⁴ During the Restoration period, however, pardons and amnesties for political prisoners assumed a new importance. Not only were these acts of forgiveness made in particularly religious terms (reflecting the new regime’s piety and identification with the Catholic Church), but they were also a part of a more secular redemption. When Louis XVIII pardoned, he practiced both a Christian forgiveness, as

³⁰² AN F⁷ 6526: Report to the king regarding prisoners of the state, 6 May 1814.

³⁰³ Natalie Zemon Davis’ book on petitioners for the royal pardon in the sixteenth century illustrates exactly how personal this relationship could be, and how effective. See Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, Ca: Stanford University Press, 1987; reprint, Polity Press, 1988).

³⁰⁴ The case of François de Barbé-Marbois is a good example of this. See the introduction to this dissertation.

well as a civil resurrection. The regular granting of royal pardons, a quasi-secular forgiveness of sins, was a useful tool of royal authority. The process was a difficult one, however, as events in France and in the overseas empire often made forgiveness less appealing than punishment.

In a report to the king written by Count Beuguot in 1814, the director of prisons made a prediction regarding the future penal needs of the Restoration government. While conceding that “the existence of *prisons d'état* appears to be at opposition with the principals of individual liberty,” Beuguot thought it not unreasonable, given the country’s recent past, to assume that future events might require that officials arrest people for political offenses. To that end, he suggested that two facilities be maintained to detain political prisoners, so that, at the very least, the state would be able to ensure that they would not be mixed in with the ordinary prisoners.³⁰⁵ Count Beuguot reinstated the Chartreuse at Pierre-Châtel as the “Maison de détention des individus condamnés à la déportation” on 25 May 1814.³⁰⁶ As it turned out, however, French authorities would need much more prison space than Beuguot had predicted. Napoleon’s brief return to power in 1815 once more destabilized the French political situation.

The White Terror and a Retreat from Grace

Early in 1815, Napoleon felt that his chances were good to return to power in France with the help of elements within the French army still loyal to the former emperor. Fearing that the European powers debating his fate in Vienna might decide to deport him

³⁰⁵ AN F⁷ 6526: report from Count de Beuguot to the King, 7 July 1814. See also an earlier (undated) report in the same carton.

³⁰⁶ On 29 August 1814, Beuguot received word that forty-two deportees were transferred to Pierre Châtel in the second trimester of 1814. See AN F⁷ 3277: letter from prefect of Ain to Count de Beuguot.

to some location even more remote than Elba, Napoleon secretly made his way to Paris where he hastily deposed Louis XVIII.³⁰⁷ After one hundred days in power, Napoleon experienced his final defeat on the battlefield in Waterloo and, consequently, his final deportation to Saint Helena. This time, just as Napoleon had feared, the British chose one of their most remote possessions for the former emperor's home in exile. The European powers then re-installed Louis XVIII as the king of the French.

On first glance it may appear that the Hundred Days changed little in the course of French political history; after all, it ended with the same Bourbon in power as had been so recently removed. In terms of penal history, however, Napoleon's short-lived return and ultimate defeat had many effects. First, with regards to the penalty of deportation, Bonaparte's easy return from the nearby Isle of Elba and his final exile to Saint Helena served as a confirmation that the ideal *lieu de déportation* had to be sufficiently distant from the metropole. Second, the return of the Restoration government brought with it a wave of repression, beginning in late 1815 and lasting through 1816, known as the White Terror. Thousands of political dissidents and protestors were rounded up and either sentenced to deportation or flung into prisons without receiving any formal sentence.³⁰⁸ Finally, the memory of Napoleon's triumphant return, and of his supporters' harsh suppression in the first years of the Restoration, only strengthened the Bonapartist legend, much to the benefit of his nephew, the future Napoleon III.³⁰⁹ The latter Bonaparte would completely change penal policy (particularly the practice of deportation) during

³⁰⁷ Frédéric Bluche, "Les Cent-Jours," in *Les Révolutions Françaises: Les phénomènes révolutionnaires en France du Moyen âge à nos jours*, ed. Frédéric Bluche and Stéphane Rials (Paris: Fayard, 1989), 292.

³⁰⁸ See Resnick, *The White Terror*.

³⁰⁹ Bluche, "Les Cent-Jours," 300-301.

his time as emperor, but that story remains for a later chapter.³¹⁰ For now we have the immediate aftermath of the Hundred Days to explore.

After the second Restoration, the king, swayed by Ultra deputies, directly contradicted the terms of Article 11 in the Charter and introduced a new policy, which historian Sheryl Kroen has described as one of “compulsory forgetting.” It was directed at eliminating all reminders of the revolutionary and Napoleonic periods from the restored political landscape.³¹¹ By November 1815, new laws were in place which forbade the wearing or displaying of revolutionary and Napoleonic symbols. Alternatives to monarchical rule were anathema, forcibly erased from French popular memory.

The second Restoration of the Bourbon Monarchy also ushered in new organs of state repression aimed at partisans of the Empire, the Revolution, and all other potential opponents. This White Terror resulted in thousands of regular convictions (by juries and correctional tribunals) of people accused of crimes against the state, as well as an untold number (one historian suggests tens of thousands) of individuals incarcerated through “extraordinary” judiciary procedures such as those established on 20 December 1815 with the creation of the *prevotal* courts.³¹² As one official put it, this was a time “to cement a solid government and to crush and forever destroy all the factious enemies of

³¹⁰ For Napoleon III’s deportation policies, see chapter seven. For a broader study of Napoleon III’s impact on French criminal justice and penal policy see Patricia O’Brien, *The Promise of Punishment: Prisons in Nineteenth-Century France* (Princeton, N.J.: Princeton University Press, 1982); Howard C. Payne, *The Police State of Louis Napoleon Bonaparte, 1851-1860* (Seattle: University of Washington Press, 1966).

³¹¹ Kroen, “Revolutionizing Religious Politics,” 31.

³¹² Vimont believes that the *prevotal* courts have been over-stressed by historians of this period and focuses his attention on the thousands of people convicted through normal judiciary proceedings. Vimont, *La prison politique en France*, 165. For a guess at how many individuals were imprisoned without formal charges being filed, see Alexander, “‘No, Minister’: French Restoration Rejection of Authoritarianism,” 34.

order and of peace.”³¹³ As a result of this new repressive justice, political prisoners overcrowded metropolitan prisons. In this context of compulsory forgetting and prison overcrowding, the government decided to revive deportation schemes as a means of displacing and punishing those still loyal to the former regimes.

From the first weeks of this renewed deportation discussion it was clear that many in the Restoration government continued to envision deportation as a means of colonization as well as a political expedient to eliminate dissent. The first impulse of officials in the government, including the minister of the navy and colonies, the Viscount François Joseph Dubouchage, was to re-imagine Guiane as the primary *lieu de déportation*. The British had seized possession of the colony during the Napoleonic Wars, but had promised to return it to France as part of the Congress of Vienna settlements. Letters exchanged among various ministers around the end of December 1815 indicated that it was in France’s best interests to re-take control of Guiane from the British as soon as possible. In these same letters, Dubouchage even went so far as to begin drawing up administrative procedures behind deportation, establishing rules to govern future deportees in the colony, and figuring the costs of the project.³¹⁴

The minister of justice, former deportee Barbé-Marbois came out in opposition to this plan and other political elites soon sided with him. For example, a member of the Chamber of Peers, Count Philibert Curial, addressed a report to the Director of the Colonies and future minister of the navy, Baron Pierre-Barthélemy Portal, outlining the evils of any deportation scheme involving Cayenne. His principal objection was that

³¹³ APP carton AA 335: undated letter to the minister of the police, c. late summer 1815.

³¹⁴ AN CAOM H/1: letters regarding Guiane and deportation, c. 26 December 1815.

such a project would strain France's naval capabilities. He therefore recommended establishing prisoners on an agricultural colony at Cape Verde (at the tip of western Africa), instead.³¹⁵ Unlike Barbé-Marbois, whose wholesale opposition to deportation will be discussed later in this chapter, Curial did not specifically reject deportation policies, per se, rather he shared the concerns of many political elites regarding the viability of deportation establishments. These misgivings aside, the potential for colonization through deportation still appealed to many in the Restoration government.

The numerous documents and appraisals that Dubouchage collected in search of potential deportation sites reveal the contemporary preoccupation with rendering the convicts useful and the colonies profitable.³¹⁶ But none of them could settle the question of which colony. For example, one of the first French advocates of colonization through deportation, a certain Monsieur Forestier, submitted his "Mémoire sur le choix d'un lieu de déportation" to the minister on 14 October 1816.³¹⁷ In his justification of the need for deportation, Forestier bemoaned the fact that prisons and *bagnes* had become schools for crime while, "[r]egarding the penalty of deportation, it exists all right in law but not in fact." He then continued:

The political troubles and the necessary difficulties of an unprecedented war, have not allowed us until the present to arrange, or even to assign, a place that could receive deportees. In the meantime, the convicts remain in the prisons; and until the

³¹⁵ AN CAOM H//1: "Notes adressées à Monsieur le Baron Portal Directeur général des colonies françaises, conseiller d'État sur les inconvénients qu'il y aurait en faire de Cayenne un lieu de déportation," 13 Dec 1815.

³¹⁶ See AN CAOM H//1: "Instructions pour le C^{ere} Demanger," letter from M. Stevenot (chef du dépôt) to Commander Demanger, 13 Jan 1816. Demanger was charged with exploring Senegal for a place to send deportees and told that "[t]he goal of these establishments should be the increase of cultivation and commerce." Regarding the convicts, life in the colonies should "render [deportees] useful to the public, useful to themselves, and let them learn the habits of industry."

³¹⁷ AN CAOM H//1: Forestier, "Mémoire sur le choix d'un lieu de déportation," 14 October 1816, folios 59-85.

Government makes its pronouncement and their fate is fulfilled, their lives pass away without utility for themselves, but not without peril for society.³¹⁸

To rectify this problem and to render the convicts useful while removing the danger they presented to French society, Forestier proposed that deportation policies include land grants and other rewards (such as the right to marry and concessions for producing children) that would encourage good behavior and foster colonial development.³¹⁹

Yet when he looked around at the existing French overseas empire, Forestier did not see many options. Instead, he suggested that the government attempt an exchange of territory with another country. Alternatively, he proposed that the Turks might surrender the ideal island of Candie (now Herakliam) to the French. According to Forestier, in an island such as this, voluntary emigrants would unite with deportees in the project of colonization.³²⁰

One point that Forestier stressed most of all in his *mémoire* was the indispensability of a healthy and profitable French overseas empire. A similar preoccupation is evident in other documents regarding the choice of a place for deportation during this period. One comparative analysis of the relative advantages and disadvantages of Guiane and Senegal as potential sites warned that neither colony held much of a chance of producing a profit from the experiment.³²¹ Senegal, the anonymous author cautioned, was too close to the metropole and its hot climate would not encourage European productivity. Guiane, though sufficiently far away from France to prevent

³¹⁸ Forestier, "Mémoire," folio 60.

³¹⁹ Forestier, "Mémoire," folio 81.

³²⁰ Forestier, "Mémoire," folio 78-79.

³²¹ AN CAOM H//1: "Examen de la Question que présente le choix d'un lieu de déportation," 7 February 1816. Author unknown.

deportees from returning, had an unstable population comprised of *petit blancs*, black slaves, and free men of color that might be vulnerable to the influence of the “proselytizing zealots” and the “turbulent and audacious” convicts from the metropole.³²² In either case, the colonial environment – both climatic and social – would not easily support a large influx of French convicts, and the value of the colonies to the metropole would therefore decrease.

This problem continued to be a stumbling block for any proposal to clear out the metropolitan prisons and *bagnes* of any criminals, whether political or common-law convicts, throughout the Restoration and the July Monarchy. Even as officials in the Bourbon government sought to cleanse the metropolitan political environment of the symbols and supporters of its revolutionary past, they could not avoid the possible consequences of upsetting the colonial order. Nevertheless, Ultra prosecution of protestors was so effective that by August 1816 the minister of the interior was strongly urging his counterpart in the Ministry of the Navy and Colonies, Dubouchage, to find a place in the overseas empire to receive deportees whose numbers were rising “seriously.”³²³

The Waiting Game: Political Imprisonment in the Interim

The interior minister’s pleas with his colleague to find an appropriate place to deport political dissidents closely followed the increasingly intense repression of political protest that occurred during the course of 1816. In the White Terror of this year, two

³²² AN CAOM H//1: Anonymous, “Examen de la Question.”

³²³ AN CAOM H//2: note from the director of colonies at the bequest of the minister of the interior, 27 August 1816.

episodes in particular produced widespread attention and dozens of potential deportees.

High Police investigations into the Affair of the Patriots of 1816 and the provocatively named Affair of the Tricolored Dwarf (*le nain tricolore*) uncovered government conspiracies and exposed certain actions of the political press that were subject to prosecution under the law against seditious comments and acts that had been promulgated in 1815 under the sponsorship of the *Garde des Sceaux*, Barbé-Marbois.³²⁴

The Patriots of 1816 were a group of men and women who hoped to re-establish the Empire and glorify the memory of Napoleon Bonaparte. Of the ninety-five people implicated as Patriots of 1816, twenty-eight were brought to justice before the Royal Court of Paris. The court's judgment, handed down on 7 July 1816, acquitted eight of the accused participants while sentencing three men to death, seven men and one woman to deportation, eight individuals to imprisonment with the *carcan* (pillory), and one other to five years imprisonment.³²⁵

Another potential threat to the Restored government, *Le nain tricolore* was a satirical journal based on the legendary *Le nain jeune* that had been driven underground by government censorship for being particularly critical of the Restoration government. Of those implicated in the Affair of the Tricolored Dwarf, perhaps the most notable was Robert Babeuf. He was sentenced to deportation on June 11 for his seditious writings against the royal government.³²⁶ The deportees from the *Patriotes* and the *Nain tricolore*,

³²⁴ "Exposé des motifs du projet de loi sur la répression des cris séditieux et des provocations à la révolte," presented to the Chambre des Députés by François de Barbé-Marbois. 16 October 1815. Available at the BN.

³²⁵ APP carton AA 335: nominative list of the Affair of the Patriots of 1816, May 1816.

³²⁶ Information about the arrest of Robert Babeuf and his imprisonment can be found in the AN, carton F¹⁶355^B. See also the APP carton AA 335.

along with their compatriots sentenced to time in prison, were only the most publicized cases of political protest punished in 1816.

Nevertheless, as the year waned so too did the government's repressive efforts. With the White Terror subsiding, officials soon realized the need for an interim solution to the problem of overcrowded prisons. As a result, on 2 April 1817, the king decreed that the fortress at Mont Saint-Michel would serve as a temporary depot for political prisoners until a permanent *lieu de déportation* was chosen. By January 1818, then, all political prisoners were to be isolated from the common-law detainees in the French penal network. But members of the government still felt that this indefinite interim detention and isolation in Mont Saint-Michel made potentially productive French men and women ultimately useless. With the relaxation of the White Terror, and while the search for a promising colony for deportation continued to bear no fruit, the king and his ministers began once more to listen to pleas for special royal favor or pardon.

One such request for clemency came from Jean-Baptiste Antoine Lefranc, whom we last followed through his deportation to the Seychelles under Napoleon. In his long letter addressed directly to the king, Lefranc claimed that he had improved the designs of the Montgolfier hot-air balloon and would, therefore, be more useful to the government if he were allowed to continue his work as an engineer on this project.³²⁷ Though he professed his allegiance to the current government and even offered up some proof of his utility to the state, Lefranc died in Mont Saint-Michel in 1817, before the king had a chance to pardon him.

³²⁷ AN F¹⁶ 355^B: letter from Lefranc, 13 July 1816; as well as another letter from Lefranc written after his transfer to Mont Saint-Michel and dated 17 October 1817.

Another political prisoner, Robert Babeuf, did not plead for clemency. Rather, he asked permission to be allowed to remain in the Paris prison, where he awaited transfer to Mont Saint-Michel and an eventual deportation. His request did not excite much sympathy either.³²⁸ In November 1817, he was shipped off to the fortress at Mont Saint-Michel along with eight other “deportees,” two of whom had been implicated with him in the Affair of the Tricolored Dwarf, the other six—including Lefranc—for their alleged involvement as Patriots of 1816. Three of the individuals sentenced to deportation in these two episodes were not transferred due to health problems, among them was the one woman, Picard.³²⁹

During the Old Regime’s brief flirtation with the deportation of social undesirables in 1720, women had been subject to deportation. The British transportation system relied on women deportees as “companions” for the male convicts in America and Australia.³³⁰ Following these examples, the deportation of women became a specified goal of many of the penal reformers who favored the penalty during this period in France.³³¹ If a penal colony were going to thrive, after all, men and women would have to be thrown together in a place where they might form families and contribute to the colonial project. But when it came to sentencing women to deportation, few judges were inclined to condemn women to life in the colonies. In execution of the sentence, moreover, prison officials often found ways to ameliorate the condition of women deportees. Madame Picard remained in Paris prisons near her husband until her death.

³²⁸ AN F¹⁶ 355^B: letter from minister of justice to minister of the interior, 7 October 1817.

³²⁹ AN F¹⁶ 355^B: letter from prefect of police to the minister of the interior, 13 November 1817.

³³⁰ Jan Kociumbas, *The Oxford History of Australia, 1770-1860: Possessions*, ed. Geoffrey Bolton, 5 vols., *The Oxford History of Australia*, vol. 2 (New York: Oxford University Press, 1992), 2.

³³¹ Forestier, “Mémoire,” folio 81 verso.

Though the records are incomplete due to a fire in Mont Saint-Michel that destroyed many of the records from the Restoration and July Monarchy, we know of at least two women who arrived at the fortress on 22 October 1817. Louise Francoise Hazard and Anne Marie Simonard were included on the list of the fifty-seven individuals sentenced to deportation who arrived in Mont Saint-Michel between September and October 1817, the months before the convicted Patriots and journalists from the *Nain tricolore* arrived on the island fortress.³³² Nevertheless, the government's inability to settle on a site in the overseas empire for deportation meant that any official hopes for colonization through the deportation of men and women could not be realized.

As it stood, during the autumn of 1817, the authorities at Mont Saint-Michel were receiving the final waves of political criminals detained during the White Terror. Not all of those individuals sentenced to deportation made it to the fortress, however. The records of the minister of the interior indicate that fifty-seven individuals received deportation sentences in 1816, and fifty more were added to the list of deportees during the course of 1817. Of these 107 deportees, only sixty-nine had served time at Mont Saint-Michel by 1819.³³³ The fates of many of those political prisoners not transferred to the fortress can be gleaned in other ministerial records where we find departmental reports detailing the number of individuals sentenced to deportation, many of whom

³³² AN F¹⁶ 355^B: "État des Condamnés à la déportation qui ont été admis dans la Maison de détention du Mont Saint Michel, pendant les mois de septembre et octobre 1817."

³³³ AN F¹⁶ 355^B: note on letterhead from the minister of the interior, c. 1819.

remained in local *maisons de correction* and prisons awaiting further instructions from the minister.³³⁴ Others, as we have seen, were kept in local prisons for health reasons.

Regardless of their location, as the repression relaxed, both the deportees and their wives and husbands began to write requests for clemency to the prefect, ministers, and the king. At least one convict, unwilling to hold out for a pardon, escaped from the fortress in December 1817.³³⁵ By February 1818, the crown had already begun to grant amnesties and pardons to these victims of the White Terror. The royal ordinance issued on 6 February 1818 sought to reward those convicts who had demonstrated their repentance through their good behavior.

In its style and wording, the 6 February ordinance marked a return to the king's pre-Hundred Days attitude toward royal clemency. Though the penal regime had to remain tough, "in the interests of public safety," royal mercy would be extended to ensure that it continued to "conform with the principals of humanity."³³⁶ Though the language of the ordinance did not specifically single out political criminals, it did affect a great number of them and result in their release. Authorities at Mont Saint-Michel evaluated the conduct of each deportee, recommending that Babeuf, Lebrun, and Charles (the latter two implicated in the Patriots affair) be allowed to benefit from the clemency. The recommendation did not extend to their fellow deportee, Warin. This latter had attacked

³³⁴ AN BB¹⁸ 1047. This carton contains numerous reports from local prefects enumerating the number of "condamnés à la déportation" from their respective departments. All of these individuals were sentenced to deportation for political crimes such as seditious writings, cries against the government, flying the tricolored flag, or inciting civil war. While some of them were listed as transferred to Mont Saint-Michel, many individuals remained in the local prisons, like Saint Joseph in Lyon and the house of detention at Bergues.

³³⁵ APP carton AA 335: Jean Louis Dervin is reported to the Prefect as having escaped on 2 December 1817.

³³⁶ *Bulletin des lois*, no. 198, "Ordonnance du 6 février 1818," no. 3607.

the sign announcing the ordinance of 6 February, cutting it to shreds with a knife, and prison authorities reported that they had heard him speak out against the royal family.³³⁷

Yet, when the king's pardon was announced on 25 August, Warin's name appeared with those of Babeuf, Lebrun, Charles and others. Justifying this decision, Minister of Police Elie Decazes and Minister of the Interior Joseph Lainé exposed yet another motive behind royal clemency. Decazes wrote that this expression of the king's indulgence might convince Warin of the humanity, the justice, and the benevolence of the king's authority.³³⁸ This was another common theory behind the practice of pardons and amnesties; demonstrations of the government's power to restore a convict to his full civil rights might just convince those very convicts to respect and remain loyal to the authority against which they had so recently rebelled. However optimistic this sentiment, in practice the ministerial officials were a bit more pragmatic. Decazes assured his colleague in the Ministry of the Interior that Warin would be under a particularly close surveillance, just in case.³³⁹ As part of a longer campaign of compulsory amnesia that involved Restoration officials in the destruction of visual symbols from the revolutionary and Napoleonic periods, such moments of widespread amnesty sought also to destroy dissenters' allegiance to the past regimes and secure their loyalty to the throne.³⁴⁰

The official ceremony during which prisoners received their royal pardons and reemerged into French society included a host of symbolic gestures that were designed to

³³⁷ AN F¹⁶ 355^B: two letters from the prefect of the Manche to the minister of the interior, 3 June 1818 and 21 October 1818.

³³⁸ AN F¹⁶ 355^B: letter from the minister of police to minister of the interior, 5 November 1818.

³³⁹ AN F¹⁶ 355^B: letter from the minister of police to minister of the interior, 5 November 1818.

³⁴⁰ For a discussion of the use and destruction of symbols, see Sheryl T. Kroen, *Politics and Theatre: The Crisis of Legitimacy in Restoration France, 1815-1830* (Berkeley: University of California Press, 2000), 161-201.

remind both the redeemed prisoner and those he was leaving behind of the power of royal authority to forgive as well as to punish. One historian evocatively describes the protocol of one such ceremony pardoning common-law convicts that occurred at the *bagne* in Rochefort in the following passage:

The *forçats*, arranged by category, the green caps [those prisoners over twenty years old wore green caps; younger prisoners wore red] at the head, held themselves at attention in the courtyard. The superintendent of the convicts [*chiourmes*] the chaplain at his side, after an edifying discourse, read the list of beneficiaries [of letters of grace]. He ordered the irons removed from the named individuals in order to better carry out their liberation. The others filed past them, cap in hand, as before men, rehabilitated by their good conduct.³⁴¹

Immediately upon hearing of the king's proclamation, the prisoners who had received royal pardons or letters of grace experienced the benefits of their liberation. Their chains were lifted and the other prisoners displayed their deference to the pardoned, who, only seconds before, had been their equals in misfortune.

For the individual prisoner – whether political or common-law—who received the king's favor (whether by general amnesty or individual pardon), the obligations that such a royal act imposed were quite clear. Returning to society, the regenerated individual should feel the full force of the king's authority and benevolence. Clearly, the beneficiaries of royal grace recognized this obligation, if only to pay lip service to it. One liberated political prisoner, for example, wrote to the minister of justice in January 1826, seven months after having been amnestied in May 1825. Baudriller was a wine merchant from the Maine-et-Loire who owed his present state of liberty to “the

³⁴¹ Jacques Valette, "Le bagne de Rochefort, 1815-1852," in *L'Impossible prison: Recherches sur le système pénitentiaire au XIX^e siècle*, ed. Michelle Perrot (Paris: Éditions Seuil, 1980), 216.

inexhaustible goodness of our new monarch's heart."³⁴² Restored to his wife and children, Baudriller was under surveillance for five years, his movements restricted to the commune of Gennes. His letter to the minister of justice was a plea for a passport to enable him to travel to Paris in order to supervise a large shipment of wine that was essential to his business. Reinforcing his sense of duties to his benevolent monarch, and couching his request in terms that reflected his desire to remain a useful citizen and businessman, the wine merchant exhibited his understanding of the government's expectations with regards to both his punishment and his rehabilitation. His request was granted.

Acts of ministerial condescension such as this occurred only at such times when the balance between repression and forgiveness was weighted more heavily on the side of forgiveness. That is, during times of relative peace. Yet the Bourbon kings of the Restoration period constantly struggled to shore up their legitimacy in the post-revolutionary, post-Napoleonic period. While republicans, liberals, champions of the empire, and others remained potential disturbers of the peace, Louis XVIII and Charles X had sometimes to exercise harsh repressive methods. For example, the crown's commitment to forgiving and forgetting, expressed through its ministers, suffered a temporary setback after the assassination of the Duc de Berry in 1820. This event allowed the more conservative members of the Chambers to overcome ministerial objections and instigate a renewed period of repression. After all, most Ultras believed that eliminating dissent was more important than winning over the dissenters through

³⁴² AN F⁷ 6773: letter from merchant Baudriller to the minister of justice, 18 January 1826.

royal clemency.³⁴³ In 1820, they even deemed it illegal to shout “Vive la Charte,” since such a cry could constitute a call for sedition and promote rebellion.³⁴⁴

A tally of those arrested and convicted of “crimes against *la chose publique*” (a category certainly encompassing but not limited to political offenses) reveals that the number of condemnations in 1820 returned to the highs last witnessed during the White Terror of 1815-1817. In 1816, the height of that earlier phase of repression, the *procureurs généraux* counted some 546 individuals implicated for their actions against the state. Dropping to 438 in 1817 and hovering around 166 in the following two years, in 1820, the numbers had climbed again to 515 individuals being sent to French prisons for largely political crimes.³⁴⁵ Within five years, however, and despite the fact that the conservative Charles X had ascended to power, this wave of repression had subsided. The king granted a general royal amnesty in 1825 that benefited a significant portion of France’s political criminals.³⁴⁶ In so doing, Charles X continued the tradition of royal pardons that his brother had made such an integral part of the Restoration government’s strategy for the legitimization of royal authority. Charles X also acted within a long tradition of regime changes wherein the new monarch, emperor, or president liberated the

³⁴³ Resnick, *The White Terror*, 120.

³⁴⁴ Vimont, *La prison politique en France*, 243.

³⁴⁵ Vimont, *La prison politique en France*, 243.

³⁴⁶ In the actual amnesty granted by the king, the text specified fifty-eight names of political prisoners to receive this amnesty, as well as seventy-two individuals designated as deserters from the Spanish War (in this particular war, desertion was recognized as a highly political act, encouraged by the liberals). The text of the Amnesty then more generally pardons all prisoners convicted of *délits politiques*. See *Bulletin des Lois*, vol. 41, 1825, no. 954-955. Although exact numbers of those granted a partial liberty (under surveillance within a designated commune) under this Amnesty are not available, the archives of the Ministry of the Interior contain lists of hundreds of named individuals authorized by the local prefects to live in particular communities under the surveillance of the High Police. See AN F⁷ 6773.

political enemies of the previous regime in an attempt to reinforce the legitimacy and the benevolence of the new order.

Thus, once immediate threats to the public order had subsided, the king was more likely to favor a policy of royal benevolence designed to encourage loyalty and inspire grateful awe among his subjects. Throughout the entire period, however, the goal of penal reformers and government authorities, with regards to both common law and political criminals, remained the same: the redemption and regeneration of criminals. This concern carried over to debates about the creation of penitentiaries, the value of prison labor, and the efficacy of penal colonization.

The language of redemption and regeneration that reformers, ministers, and the monarchs used during the Restoration period emerged out of a combination of three factors: a growing philanthropic movement, the resurgence of Catholicism after the Revolution, and a more subtle attempt to destroy some of the potent connotative rhetorical symbolism left over from the Revolution. The term “regeneration” appears fairly frequently in official correspondence during the Restoration period. For example, one reformer, J.F.T. Ginouvier, presented his plan for the regeneration of France’s *forçats* to Minister of the Navy Count Chabrol de Crouzol in 1826. Calling the *bagnes* and prisons “training colleges for public deprivation,” Ginouvier advocated deportation as a means to allow prisoners to finish as free men the labor they had begun as galley slaves. By laboring in the in the colonies, they would be allowed to marry and create productive

families and communities that would benefit France. Ginouvier determined that in this way convicts would be “regenerated.”³⁴⁷

Ginouvier and others like him used the term “regeneration” with its pre-revolutionary religious and social connotations. In this sense, it signified both a redemption and a hope of a better humanity, of a perfectible social body.³⁴⁸ In post-revolutionary France, however, the word was also imbued with a new set of meanings depicting the revolutionary creation of a “new man” who would break the chains of tyranny that confined him.³⁴⁹ For a bureaucrat in the Restoration, therefore, reclaiming the meaning of the term “regeneration” and re-investing it with its original Old Regime and Catholic connotations, was a political act aimed at destroying the memory of the French Revolution. It was part of the royal project of “compulsory amnesia.” Social reformers, in particular, found the term “regeneration” particularly useful in their philanthropic programs for improving the penal system.

The Philanthropists, the Prisons, and a new Deportation Debate, 1819-1830

Men at the highest levels of the Restoration government felt the philanthropic impulse. In late December 1818, Decazes moved from his position as minister of police to minister of the interior, where, with the patronage of the Duc de Berry, he supervised

³⁴⁷ T. Ginouvier, *Le Botany-Bay Français, ou Colonisation des Condamnés aux Peines Afflictives et Infamantes, et des Forçats Libérés* (Paris: Charles Béchét, 1826). In AN CAOM H³.

³⁴⁸ Antoine de Baeque, *The Body Politic: Corporeal Metaphor in Revolutionary France, 1770-1800*, trans. Charlotte Mandell (Stanford: Standord University Press, 1997), 135.

³⁴⁹ de Baeque, *The Body Politic*, 137-141.

the creation of the Royal Society for the Amelioration of Prisons in 1819.³⁵⁰ The rapid increase of the French prisoner population was at the root of this prison reform movement. The total number of criminal convictions in France had tripled between 1814 and 1817. By January 1819, there were 32,625 political and common-law prisoners (almost the same number of French convicts as in 1980) out of a total population of thirty million French men and women.³⁵¹ The Royal Society for the Improvement of Prisons emerged out of a particularly philanthropic desire to reform the carceral system, encouraging the elimination of the disciplinary excesses and material privations common throughout France's penal network. The Royal Society assembled some of the leading intellectual and bureaucratic luminaries who had survived the Revolution and the Empire. They all worked toward the goal of creating a prison system that would refashion its prisoners, teaching convicts new skills so that they could return to society and contribute to it.³⁵² Work done by this Society and other philanthropists during this period established that prisons would become the preferred site for the amendment of poor French men and women for much of the nineteenth century.³⁵³

Though concerned primarily with improving conditions within metropolitan prisons, members of the Royal Society for the Improvement of Prisons turned as well to the questions of forced labor in the *bagnes* and to the practice (and the difficulties

³⁵⁰ For a rich and thorough analysis of the philanthropic movement, see Catherine Duprat, "Punir et guérir. En 1819, la prison des philanthropes," in *L'Impossible Prison: Recherches sur le système pénitentiaire au dix-neuvième siècle*, ed. Michelle Perrot, L'Univers Historique (Paris: Editions du Seuil, 1980). To place this movement in the context of the development of French prisons, see Jacques-Guy Petit, *Ces peines obscures: La prison pénale en France (1780-1875)* (Paris: Fayard, 1990), 183-218.

³⁵¹ *Compte général de l'administration de la justice criminelle pendant l'année 1850, 1852*, p. xcix. État rétrospectif des affaires et des accusés jugés de 1803 à 1825. Cited by Duprat, "Punir et guérir. En 1819, la prison des philanthropes," 71.

³⁵² Petit, *Ces peines obscures*, 192-194.

³⁵³ Duprat, "Punir et guérir. En 1819, la prison des philanthropes," 96.

therein) of deportation. Revolutionary deportation decrees had included common-law criminals as among those potentially subject to the punishment, but only a handful had ever been transported. As we have seen, those few who were sent to Guiane with the refractory priests and fallen members of the Directory were chiefly included on the ships in order to degrade the status of the political prisoners, sending a clear psychological message to the dissenters and protestors that they were no better than common thieves and vagabonds.³⁵⁴ But with deteriorating conditions in French prisons and increasing concern over reforming the criminal justice system, after 1819 the question took on a new urgency. The *bagnes* became ever more crowded as political and social disturbances continued. Meanwhile, the new philanthropic attitude towards punishment made it natural that reformers' attentions would turn to the "hardened" criminals laboring in French port cities, disturbing the local inhabitants of Brest, Toulon, and Rochefort, and eventually wandering the French countryside as freed *forçats*.

The Royal Society's commission on the question of forced labor (*travaux forcés*) was the sentence which subjected men – and a few women – to labor in the *bagnes*) looked at the possibilities of replacing the punishment with one of simple detention, or of deportation. In the proposals drawn up in favor of deporting common-law convicts, it is clear that the *practice* of the punishment, as Restoration reformers imagined it, differed little from the ideals expressed in the deportation of political criminals during the revolutionary and Napoleonic periods.

In place of detention, bureaucrats in the Ministry of the Interior designed new projects that involved the use of convict labor for draining swamps or cultivating unused

³⁵⁴ See chapter one.

lands in metropolitan France. Yet, these public works projects had enormous disadvantages according to many officials. The difficulties inherent in guarding prisoners while they worked wide tracks of open land were even more pronounced than what keeping them in detention facilities required.³⁵⁵ One other possible solution was deportation. Like public works projects in the metropole, deportation had the added advantage of capitalizing on prisoner labor. For the purpose of evaluating the potential of deportation policies, the Royal Society founded a commission headed by the Count Siméon from the Chamber of Peers and made up of many of the Ministry of the Navy's brightest and most widely traveled advisors.

The commission on forced labor and deportation met only four times after its creation in 1819 and its members came to no formal conclusions. Their proposals put forward by the commissions' members were, however, conserved in the archives of the Ministry of the Navy. Future ministers would revisit them at each of the various moments when the deportation question again rose to the surface, particularly after 1848. For that reason, these suggestions for how to practice deportation cannot be overlooked. With regard to the Restoration period, moreover, they reveal that the emerging debate over deporting common-law criminals as well as political ones occurred even at the highest levels of the government.

One proposal, signed by Forestier in 1819 (presumably the same Forestier who had offered his opinions on the choice of a deportation site three years earlier), presented a fairly common outline of how deportation could benefit convicts. For Forestier,

³⁵⁵ AN F16 466: letter from the general secretary and director of bridges, roads, and mines to the minister of the interior, 26 February 1820.

deporting criminals should serve two ends: removing the prisoner from the milieu of crime and providing France with some benefits from his labor. Nevertheless, he was not merely interested in forming work camps in distant colonies. He viewed deportation practices as offering convicts opportunities for self-improvement and strengthened family ties: “to offer them a better chance to become good rather than to continue in crime; to create for them new interests; to attach them once more to society through their families.”³⁵⁶ The commission, therefore, hoped that convicts would form families (with women either deported from France or from among the colony’s population) and would work at improving France’s colonial possessions. Such labor would benefit both the convict and the metropole. These arguments were reminiscent of the same points in favor of deporting political criminals. As we shall see, however, in their theoretical justification of deportation penalties, penologists did not consider political and common-law criminals as equals.

An Insider’s Perspective: Barbé-Marbois’ campaign against deportation

Perhaps the most public and influential attack on these deportation ideals came from the former minister of justice, a current member of the Royal Society for the Improvement of Prisons, and ex-deportee, Count François de Barbé-Marbois. In his first official communiqué on the subject of deportation, submitted to the Chamber of Peers on 30 March 1819, Barbé-Marbois proposed a law substituting some more appropriate punishment for that of deportation. He argued that the current penalty was “recognized as impossible” to execute, that it had already resulted in certain dire consequences for the

³⁵⁶ AN CAOM H/1: first report by commission on deportation, signed by Forestier, 10 February 1819.

French criminal justice system, and that it would not solve any of France's problems of establishing public order.³⁵⁷

In response to Barbé-Marbois' proposal, the Chamber of Peers formed a five person committee (including Barbé-Marbois) to look into the issue of deportation. On 22 April 1819, in a four to one vote, the committee rejected the proposal on the grounds that the Count's arguments were largely irrelevant in the French case. The committee's report concluded that the only 111 individuals who had been sentenced to deportation represented so small a number as to preclude comparison with the English case.³⁵⁸ In fact, these numbers suggested to the other four members of the committee that deportation was not being sufficiently enforced and they asked the king to strengthen the law establishing deportation as the punishment for certain political offenses and to assure its efficient execution.³⁵⁹

This temporary set-back did not long deter Barbé-Marbois in his campaign against deportation, however. Since the primary objection to his proposal had been the insignificant numbers of individuals sentenced to deportation, Barbé-Marbois seized upon rumors that departmental and ministerial officials were toying with the idea of opening up the penalty to common-law criminals. In 1826 and 1827, some forty-one departmental general councils (out of eighty-six) voted that freed *forçats* (having served the term of their forced labor sentence) should be deported from continental France

³⁵⁷ *AP*, 30 March 1819, p. 488.

³⁵⁸ The Committee was evidently counting only those individuals sentenced to deportation since the Restoration. This is one of the few figures we have for the period, and no mention is given of their source or criteria. Presumably all were political prisoners, based on the parameters of the Penal Code of 1810.

³⁵⁹ The full debate and its reliance on the English example in Australia is more fully detailed in Colin Forster, *France and Botany Bay: The Lure of a Penal Colony* (Melbourne: Melbourne University Press, 1996), 18-24.

instead of re-entering metropolitan society.³⁶⁰ If deportation meant that *forçats* could potentially become an overseas workforce then he argued that the currently overcrowded *bagnes* would provide several thousand potential deportees. Thus comparisons with the British experience in Botany Bay were warranted.

In a report submitted to the Dauphin in 1828, Barbé-Marbois challenged each of the arguments proponents had advanced in favor of the deportation of common-law convicts. First, according to Barbé-Marbois, deportation's advocates had not sufficiently accounted for the number of guards that would be needed to oversee the actions of several thousand freed convicts while also defending the colony against foreign aggression. Second, he asserted that no existing territory would be able to sustain such a population, even if the deportees could be motivated to provide the necessary labor to cultivate the land and that the endeavor would prove far too costly for France. Third, he restated his earlier objection to the policy on the grounds of French naval inferiority.³⁶¹ Finally, the ex-deportees' attack on deportation concluded with an assault on the basic premise of the punishment. Though many believed that the "terror" of the threat of deportation would be enough to discourage crime and improve the general morals within France, Barbé-Marbois suggested that for many common-law convicts the promise of starting over in a new land might even encourage crime (however misguided such ideas of deportation were).³⁶²

³⁶⁰ See François de Barbé-Marbois, *"Observations sur les votes de quarante-un conseils généraux de département, concernant la déportation des forçats libérés" présentées à Monsieur le Dauphin, par un membre de la Société Royale pour l'amélioration des prisons* (A.N. F¹⁶361^B, Paris: Imprimerie Royale, 1828).

³⁶¹ Barbé-Marbois, *Observations sur les votes*, 30.

³⁶² Barbé-Marbois, *Observations sur les votes*, 12-13, 73. Barbé-Marbois cited Collins' account of the colony of New South Wales, a report made by the Commissioner of Inquiry into the state of the colony

Barbé-Marbois' report draws no explicit distinctions between deportation policies targeting political criminals and those designating common-law criminals. Yet within his argument against the practice there lies an implicit, and very important, discrimination between political and common-law criminals that is illustrative of contemporary ideas about the two categories of criminals. A close reading of Barbé-Marbois' report reveals that his reasons for opposing the punishment differ depending on whether the objects of the law have been detained for political reasons or for committing crimes against persons or property. Still using the British experiences of deportation as the model, he first states, correctly, that the vast majority of British transportees were common-law convicts, "hardly the sort [punished] in Rome, and even less like the sort [of punishment] which the Directory had made the instrument of its hatreds or political and particular vengeances."³⁶³

Barbé-Marbois then proceeds to point to two specific examples of social protesters participating in British colonization efforts. First, he gives an example of Irish freed convicts in Australia who, upon hearing of unsettling political events in the distant British Isles (presumably the attempted Irish revolt of 1799), burned down the prison, freed convicts, and upset the entire colony with the sole intention "of defying the government."³⁶⁴ Unwittingly, perhaps, Barbé-Marbois had chosen the perfect example

of New South Wales in 1822, and an 1827 extract of a deposition before the House of Commons made by Reverend Doctor Hunt, Justice of the Peace in the county of Bedford.

³⁶³ Barbé-Marbois, *Observations sur les votes*, 13.

³⁶⁴ Barbé-Marbois, *Observations sur les votes*, 27.

here, since Irish deportees made up the largest portion of the only two percent of British transportees that could be classified as protesting criminals.³⁶⁵

Second, Barbé-Marbois turns his attention to the thirteen American colonies, to which proponents of deportation often pointed as an example of successful British transportation policies. For Barbé-Marbois, however, the American example was an anomaly because the numbers of convicts were insignificant, and the quality of the voluntary colonists was particularly high. But his analysis of the American situation presented his contemporaries with a striking contrast to the usual French model of deportation. According to his argument, instead of a forced exile of political protestors, England managed to colonize the eastern shore of North America successfully through a voluntary self-exile of British political and religious malcontents. Once these men and women had already established a society and forms of colonial government, the British Parliament then decided to send over a handful of deportees, primarily common-law criminals. These criminals were relatively few in number and since the original political and religious discontents were “the race of men the most fit to the foundation of regular, well-ordered colonies,” the latter’s good example eventually wore off on the criminal deportees who became “honest men.”³⁶⁶

The combined meaning of these two examples (the Irish protesting criminals and the American voluntary exiles) is clear. A free emigration of political protestors would be highly desirable, but the forced deportation of these same men was a mistake. Barbé-Marbois quoted Benjamin Franklin and warned the Dauphin that deportation policies

³⁶⁵ George Rudé, *Protest and Punishment: The Story of the Social and Political Protesters transported to Australia 1788-1868* (London: Oxford University Press, 1978), 8-10.

³⁶⁶ Barbé-Marbois, *Observations sur les votes*, 48.

would produce only rattlesnakes that would terrorize the colony, and potentially the metropole.

Barbé-Marbois continued to denounce deportation in two more works published during the July Monarchy. Both were accounts of his time as a political deportee under the Directory. In his journal, published in 1834, he presented himself as a “déporté non-jugé,” illegally transported to Guiane, which he described as a living hell.³⁶⁷ In 1839, he authored a “Story of Several Deportees to Sinnamari Recounted by a Father to his Son,” in which he gave a melancholy and often acerbic account of his and his companions’ experiences in the poorly organized and administered penal colony.³⁶⁸ Each time, Barbé-Marbois depicted the Directory and its colonial agents as tyrannical and illegitimate. By framing his condemnation of the practice of deportation in these terms, he continued to support his claim that the punishment itself was a mark of tyranny and illegitimacy in any government that dealt it. Barbé-Marbois had contended that common-law criminals should not be deported simply because the punishment had proven to be inefficient, ineffective, and ill-suited to the French condition. Political prisoners, moreover, should not suffer this punishment because it made the government vulnerable to charges of tyranny. In this respect, Barbé-Marbois seemed to agree with Ménégaud’s cautionary tale of the *Robinson of Faubourg Saint-Antoine*.

³⁶⁷ Barbé-Marbois, *Journal d'un déporté non jugé*.

³⁶⁸ Barbé-Marbois, *Histoire de plusieurs déportés*.

Trans-imperial deportation and public order in the colonies

As we have seen, arguments against deportation considered both the practical and the ideological consequences of the punishment. Each of the deportation proposals advanced during this period ran up against the old problem of the limitations of the current French overseas empire. The French navy could not guarantee the success of any transportation venture, and was reluctant even to undertake any such attempt – that is, as long as the cargo were French men and women. While the deportation debate being waged in metropolitan France hinged on the question of *where* to deport political criminals and *whether* to deport common-law convicts, a separate deportation project was actually being carried out within France's overseas empire.

In December of 1823, colonial authorities in Martinique announced that they had uncovered a plot formed by free people of color within the colony with the expressed intent of rebelling against the colonial government. One of the colonial administrators' primary suspects, Cyrille-Charles-Auguste Bissette, was found in possession of a pamphlet entitled *Of the Situation of Free Men of Color in the Antilles*. Though published in Paris a few years before, the pamphlet had caused little stir in the metropole. In Martinique, however, racial stratification made the colony's situation less secure. Consequently, this pamphlet, which called on Louis XVIII to accord the free persons of color living in the colonies the full civil and civic rights granted to all other free men, was a direct attack on the established order. According to the king's prosecutor at Saint Pierre

and Governor Donzelot of Martinique, the current colonial situation was precarious and reinforcements would be needed to ensure the colonists' security and public order.³⁶⁹

Three men of color, Jean-Baptiste Volny, Louis Fabien *fils*, and Bissette, were accused of having read the offending pamphlet to their friends. These three men and 145 other free persons of color were subsequently arrested and brought to trial. Of the 148 men brought before the Cour royale of Martinique, 143 of them were sentenced to some form of deportation or banishment. One had escaped, one died in jail before the sentence, and three others found themselves in the galleys (essentially returned to a state of slavery). Of those subject to deportation, the four considered the most dangerous were to be branded and sent to France, where they would remain under surveillance by the High Police and subject to forced labor. Thirty-nine were sentenced to spend the remainder of their lives in Senegal, not subject to forced labor or surveillance, and forty-eight of them, originally destined for Cayenne wound up in a remote region of Guiane.³⁷⁰ The governor of Guiane had rerouted the ship carrying these forty-eight deportees. He explained his decision in a letter sent to the agent in charge of Martinique in which he insisted that

³⁶⁹ AN CAOM Séries géographique Martinique, Carton 51, dossier 409: letter from Donzelot to Minister of the Navy Clermont-Tonnerre, 17 January 1824. Documentation on this and other episodes of inter-imperial deportation between 1823 and 1826 can be found at the AN CAOM Séries géographique Martinique, Carton 50, dossiers 402-408; Séries géographique Martinique, Carton 51, dossiers 409-429; and AN CAOM 14 Mi 1189. In one case, a colonist in Guadeloupe asked that several of his slaves be deported. He suspected them of plotting against him. Though officials were initially skeptical and unwilling to carry out the sentence, once the colonist and slaveholder insisted that he would not seek remuneration for the lost slaves the judges could no longer doubt both his sincerity and the danger posed to him by these particular slaves. They were transported to Senegal. Such instances of colonial "justice" were typical, although the sentence of transportation was not.

³⁷⁰ AN CAOM sg Mar, Carton 51, dossier 409: letter to Clermont-Tonnerre from Donzelot, 12 March 1824.

Cayenne could no longer serve as a “land of exile” for anyone, particularly for troublesome free men of color who might upset the situation in his own colony.³⁷¹

The sentence was controversial and the appeals that followed revealed the urgency of the colonial question during the Restoration.³⁷² The avowed purpose of the colonial authorities in Martinique was to rid the island of any potentially unsettling individuals, disturbers of the public order.³⁷³ In a slave colony, the potential for the greatest threat to the general security of the colony and its inhabitants came from free men of color. Though it was acknowledged that certain of these men had participated in (or been accused of participating in) common-law crimes such as theft and trespassing, the main concern of the judges and administrators was that these free men of color were plotting rebellion. They were political criminals. As in France, the authorities were primarily interested in expelling these troublesome individuals from the colony in order to prevent disorder. Simple imprisonment could not adequately isolate rebels from society.

Therefore, the king authorized a trans-colonial deportation project, even allowing several of these black men to be sent to French port cities. The implication was clear. The most dangerous of the criminals had to be watched, and the surveillance mechanisms of the high police in the metropole were the most advanced in the empire. Of course, it

³⁷¹ AN CAOM sg Mar, Carton 51, dossier 409: letter from Baron Milius, governor of Guiane, to Count Donzelot, 18 March 1824.

³⁷² For more detail into the controversy in France see Melvin D. Kennedy, "The Bissette Affair and the French Colonial Question," *Journal of Negro History* 45, no. 1 (January, 1960).

³⁷³ AN CAOM, sg Martinique, Carton 51, dossiers 409-412. See also *Le Pilote*, 22 and 26 April 1824. In this newspaper, an article regarding the threats posed by unruly free men of color generated a large response, prompting the newspaper to publish a defense of France's colonial interests, affirming the necessity of maintaining public order within those colonies, and justifying the practice of deportation in these circumstances.

certainly would help the authorities that the subjects of their surveillance would be much more visible in continental France, where dark skin would mark them as different. The others would go to Senegal, where the minister of the navy directed local officials there to let the deportees live in the same manner as any other inhabitant of the colony, with the same rights and advantages.³⁷⁴ Though the men sentenced to deportation complained of the harshness of the punishment and submitted a petition to the king to protest their transportation to Senegal, French authorities could not believe that a “return to Africa” could cause them any real hardship. Quite the contrary, it was believed that they would thrive and no longer wish to stir up trouble.³⁷⁵

The removal of potentially destabilizing elements from politically charged environments had become one of the primary goals of deportation sentences. Authorities suspected that a change in environment might lessen one’s commitment to stirring up political troubles. If moved to another part of the overseas empire, protestors might prove useful rather than dangerous. This belief can be traced back to Enlightenment ideas about climate and the advantages of a primitive life. In the eighteenth century, Charles de Secondat, the Baron Montesquieu, had written in his *Spirit of the Laws* that political processes were influenced by geography and environment. Denis Diderot, moreover, had described the simple life of primitive peoples on remote islands as the ideal contrast to

³⁷⁴ AN CAOM, sg Martinique, Carton 51, dossier 421: letter from the minister of the navy to the commandant and administrator of Senegal, 22 October 1824.

³⁷⁵ AN CAOM, sg Martinique, Carton 51, dossier 414: petition of the deportees, 8 October, 1824. In the end, the colonial court’s verdict was overturned by metropolitan judicial officials in 1827. The courts confirmed the banishment of Bissette, Volny, and Fabien, however, and the former remained in France and became a prominent advocate of the cause of the “men of color” in Paris. For more on Bissette and his abolitionist writings, see Chris Bongie, “‘C’est du papier ou de l’Histoire en marche’: The Revolutionary Compromises of a Martiniquan *Homme de Couleur*,” Cyrille-Charles-Auguste Bissette,” *Nineteenth-Century Contexts* 23, no. 4 (2001): 439-473; Lawrence Jennings, “Cyrille Bissette, Radical Black French Abolitionist,” *French History* 9, no. 1 (1995): 48-66.

the extravagance of court society.³⁷⁶ Raised on these Enlightened precepts, nineteenth-century political elites adapted this philosophy of environmental determinism to contemporary concerns with penal reform and prisoner rehabilitation. Consequently, legislators and penal reformers imagined that men and women who had become involved in radical politics in the crowded cities and towns of metropolitan France would become more useful citizens of the French empire if transferred to a place where they would engage a more simple life working the land. Similarly, colonial populations who became restless with the social hierarchy and political system of the colony they inhabited might benefit from a change in climate and continent.

At the same time, as the growing prisoner population in France created popular fears that convicts would corrupt honest French citizens, reformers naturally turned to deportation as a means of improving metropolitan society. Proposals for improving the situation of the *bagnes* and *maisons centrales* continued to promote deportation, following the Botany Bay model, up through the end of the Bourbon reign and into the July Monarchy.³⁷⁷ In the last years of Charles X's rule, advocates of common-law deportation proposed the creation of several potential penal colonies. Suggestions for location included the Falkland Islands, New Holland (Australia), and African locations such as Senegal and Madagascar.³⁷⁸

³⁷⁶ Denis Diderot, *Supplément au voyage de Bougainville* (Paris: 1771; reprint, Paris and Baltimore, 1935).

³⁷⁷ Forster, *France and Botany Bay*, 42-70, 128-141.

³⁷⁸ See, for example, Jacques François Grosourdy, "Essai sur l'amélioration Physique et Morale des Condamnés aux travaux forcés," 1827 in AN CAOM H//1 for a discussion of the benefits of a French Botany Bay; AN CAOM H//2: letter to the minister of the navy from the director of police (Ministry of the Interior), Franches Desperrey, 8 May 1827, regarding need for a solution to the *bagne* problem and proposing New Holland, port King George III; AN CAOM H//3: *Mémoire sur la Déportation des Forçats* by M. Montemard, presented to the Minister of the Navy M. Hyde de Neuville, in 1828 (Havre:

Ultimately at issue in the debates on deporting either political or common-law criminals was the value and extent of the French overseas empire and the capacity of the navy that would patrol and provision it. Proponents of broad-based deportation policies (including both political and common convicts) asserted that the French navy was more than sufficiently equipped to transport France's convicts. One advocate in particular argued that no foreign navy would ever want to capture a ship full of dangerous criminals, thus countering claims that the seas were too hostile for such an endeavor.³⁷⁹ Deportation's proponents also insisted that the empire was vast enough to contain a proper penal colony and that the punishment itself was severe enough to adequately punish those *forçats* originally sentenced to hard labor.

Most critics of deportation policies focused their attack on the application of the penalty to common-law criminals. Many argued that France's experience with detaining political prisoners in metropolitan island fortresses had proven that the overseas empire was not able to support transportation policies. More particularly, however, opponents cautioned that the penalty was not harsh enough, and that the promise of a new life would induce poor or out-of-luck French men and women to commit crimes in the hopes of receiving a deportation sentence. With the fall of the Restoration monarchy and the creation of a new regime under Louis-Philippe, the question of what sort of punishment was the most appropriate, for both political and common-law criminals, became the most pressing aspect of the penal debate.

Imprimerie de Stanislas Faure, 1840), proposes the Malouine (Falkland) islands; other documents from 1830 and in favor of New Holland can be found in AN CAOM H//2.

³⁷⁹ AN CAOM H//3: *Mémoire sur la Déportation des Forçats* by M. Montemard, presented to the Minister of the Navy M. Hyde de Neuville, in 1828 (Havre: Imprimerie de Stanislas Faure, 1840), 61.

The Specialists: from America to Siberia and Botany Bay

With the Revolution of 1830 and the ascension of the new July Monarchy, the Royal Society for the Improvement of Prisons, long moribund since the assassination of the Duc de Berry and Decazes' fall from grace, finally ceased to exist. With it went the influence of a brand of penal philanthropy primarily concerned with the re-education and regeneration of the prisoners through moral, spiritual, and academic teachings. As many historians and contemporary reformers living in period realized, the Revolution of 1830 was in part a revolution against infamy in punishment.³⁸⁰ The years after 1830 also witnessed the creation of a special regime of imprisonment for high-status offenders, primarily protesting criminals. Under Alphonse Thiers, the government created a special prison section for political detainees called the "Pavilion of Princes" or the "Red Corridor" in Sainte-Pélagie, which was located in the Latin Quarter in Paris. As an indication of the character of this special regime, during the term that the artist Honoré Daumier served in the political section of the prison, he wrote that Sainte-Pélagie would not leave with him any "terrible memory—quite the contrary."³⁸¹

As one aspect of this revolution in penal reform, in the 1830s and 1840s, penal policy and practice were more directly influenced by a new "science of prisons." Instead of exercising a simple charitable and utopian philanthropy, administrators and political

³⁸⁰ James Q. Whitman, *Harsh Justice: Criminal Punishment and the Widening Divide between America and Europe* (New York: Oxford University Press, 2003), 121. Contemporaries Alexis de Tocqueville and Gustave de Baumont noted that the revolution had resulted in the demise of branding, the *carcan*, and other corporal punishments such as the amputation of the right hand of a parricide. See Gustave de Baumont and Alexis de Tocqueville, *Du Système Pénitenciaire aux États-Unis, et de son Application en France* (Paris, 1833), 167-168.

³⁸¹ Letter from Daumier to Jeanron, 8 October 1832, cited in A. Alexandre, *Honoré Daumier, l'Homme et l'Oeuvre* (Paris, 1888), 54.

elites turned to statisticians, hygienists, and other specialists to improve the attitude and the conduct of prisoners, not just their material conditions.³⁸² At the same time, this more international community of reformers and penologists evaluated other penal practices around Europe and in the United States. In America they observed two different types of cellular confinement that seemed promising as penitentiary solutions in France, while in Great Britain and Russia, French observers took an even more detailed look at deportation practices. During the 1830s, in addition to the numerous translations of British works on the subject of Botany Bay, three Frenchmen produced their own histories and analyses of penal colonization in Australia.³⁸³ Ernest de Blosseville's favorable evaluation of transportation was entitled *Histoire des colonies pénales* and first appeared in 1831. In response, Jules de la Pilorgerie published *Histoire de Botany Bay* in 1836, in which he refuted Blosseville's treatment of the subject. Finally, Alexis de Tocqueville weighed in on the debate in 1833 and in 1836, coming out in opposition to deportation policies.

Two of the best known specialists in penology during this period were Charles Lucas and Tocqueville. Both looked to America for models of the new penitentiaries; both commented on deportation as a method of colonization. Charles Lucas was an ardent opponent of the death penalty and believed instead in a penitentiary penal system

³⁸² Petit, *Ces peines obscures*, 200-203.

³⁸³ Ernest Poret de Blosseville, *Histoire des colonies pénales de l'Angleterre dans l'Australie* (Paris: 1831); Jules de la Pilorgerie, *Histoire de Botany-Bay, état présent des colonies pénales de l'Angleterre, dans l'Australie, ou, Examen des effets de la déportation considérée comme peine et comme moyen de colonisation* (Paris: 1836); Alexis de Tocqueville and Gustave de Beaumont, "Appendice: des colonies pénales," in *Oeuvres Complètes*, 4, *Ecrits sur le système pénitentiaire en France et à l'étranger*, ed. Michelle Perrot, *Oeuvres Complètes d'Alexis de Tocqueville* (Paris: Gallimard, 1984).

based on cellular confinement and prison labor.³⁸⁴ After publishing his three volume work comparing European and American penitentiaries, he was named inspector general of the prisons by French academic and politician François Guizot.³⁸⁵ In his examination of the American system, Lucas had investigated both the Philadelphia and the Auburn models of cellular confinement. Under the Philadelphia system, prisoners were confined to their cells at all times; they ate, worked, prayed, and slept there. In Auburn, however, prisoners performed periods of communal labor during the day, though silence was enforced at all times. Lucas favored the Philadelphia model for its rigid insistence on self-examination and isolation.

His most famous opponent was the famed social observer Alexis de Tocqueville, who had traveled extensively in the United States with his companion, fellow specialist Gustave de Beaumont. Beaumont and Tocqueville penned a report of their findings in 1833 that favored the Auburn system over the Philadelphia regime.³⁸⁶ Consequently, with Lucas on the one side of the debate, and Beaumont and Tocqueville championing the other, the question of cellular confinement went unresolved during the July Monarchy. What they all agreed upon, however, was that penitentiary systems were preferable to the current regime of labor camps and sporadic deportations.³⁸⁷

Reflecting this preference for cellular over “terrestrial” punishments, neither Charles Lucas nor Alexis de Tocqueville could support deportation, at least in the case of

³⁸⁴ His first notable work was his *mémoire* on the death penalty. Charles Lucas, *Du Système pénal et du système répressif en général, de la peine de mort en particulier* (Paris: A. Barthelemy, 1827).

³⁸⁵ Lucas, *Du Système pénal et du système répressif en général, de la peine de mort en particulier*.

³⁸⁶ Alexis de Tocqueville and Gustave de Beaumont, *Oeuvres Complètes: Ecrits sur le système pénitentiaire en France et à l'étranger*, ed. Michelle Perrot, vol. 4 (Paris: Gallimard, 1984).

³⁸⁷ Petit characterizes the July Monarchy as the period of triumph for cellular punishments over “terrestrial” ones in the official imagination. See Petit, *Ces peines obscures*, 219ff.

common-law offenders. In Lucas' acclaimed indictment of the death penalty, he also denounced penal colonization.³⁸⁸ Yet in his condemnation of the British system in Botany Bay, he allows for two exceptions: recidivist murderers and political prisoners.³⁸⁹ The former, he says, should be placed in a prison on a deserted island such as La Désirade (a dependence of Guadeloupe), while the latter should be sent to a place like Guiane, where they would be subject to "a civil degradation of their status rather than a moral one."³⁹⁰ Evidently, Lucas could support penal colonization when political criminals were the target and when they were sent to a colony where they might be made useful to the empire.

Return to Mont Saint-Michel: The Imprisoner's Dilemma

While social observers and penal reformers debated the relative merits of prison labor, solitary confinement, and deportation policies, legislators attempted to resolve the issue once and for all through a modification to the penal code. On 31 August 1831, the *Garde des Sceaux* Félix Barthe presented a *projet de loi* to the Chamber in which deportation would be abolished as a penalty for political crimes and misdemeanors on the grounds that it was a punishment that could not be executed, thereby "obliging [the state] to arbitrarily commute [the sentence] into a special detention."³⁹¹ His proposal was

³⁸⁸ Lucas, *Du Système pénal et du système répressif en général, de la peine de mort en particulier*, 339-343.

³⁸⁹ Lucas, *Du Système pénal et du système répressif en général, de la peine de mort en particulier*, 342-343.

³⁹⁰ Lucas, *Du Système pénal et du système répressif en général, de la peine de mort en particulier*, 347.

³⁹¹ AP, v. 69, p. 436. See also Vielfaure, *L'évolution du droit pénal sous la Monarchie de Juillet*, 88; Jean-Claude Vimont, "Détenation et/ou déportations: hésitations au seuil de la réforme du Code pénal de 1832," in *Ordre moral et délinquance de l'antiquité au XX^e siècle: actes du colloque de Dijon, 7 et 8 octobre 1993*, ed. Benoît Garnot (Dijon: Editions universitaires de Dijon, 1994), 460.

supported by others, including the spokesman for the committee of Deputies, Dumon, who added that deportation was too costly, its efficacy was too doubtful, and it was too difficult to find an healthy climate for the deportees. Proponents of deportation policies, however, continued to champion its potential for colonial development and prisoner rehabilitation. Supporters such as the prosecutor of Bordeaux and the magistrates of the Royal Court of Montpellier noted that a softened penalty of deportation was the most “moderate,” “humanitarian,” and “philanthropic” punishment for political offenders as it still would allow them to have families, liberty, and a continued existence in places where their labor would benefit the overseas colonies.³⁹² There were even those political elites, including the aging Duke François de La Rochefoucauld-Liancourt, still in favor of including common-law criminals in the punishment through an amendment in the penal code.³⁹³

Debate over the *projet* opened in the Chamber on 24 November 1831, and seemed to center on the question of which penalty, deportation or imprisonment, was most just, humane, and appropriate for France’s penal code under the new July Monarchy. Finally, deputy Odilon Barrot suggested a compromise. Resolving not to eliminate the possibility of deportation, but also to recognize its limitations at the present time, Barrot proposed the same solution that his predecessors in the Restoration had reached: “as long as the government has not established a place for deportation fixed by law, the penalty of deportation will be replaced by that of detention.”³⁹⁴ The law of 28 April 1832, in which the government of the July Monarchy attempted to make the judicial system and the

³⁹² Vimont, “Détention et/ou déportations,” 457.

³⁹³ *AP*, v. 72, p. 10.

³⁹⁴ *AP*, v. 72, p. 27.

penal code more fair, gave a firm legal foundation to the idea that political prisoners and common-law convicts were subject to different treatment and different penalties. In terms of penalties other than detention, only the death penalty remained a common sentence for the two categories.³⁹⁵ The legislation also resulted in the re-opening of the political quarters of Mont Saint-Michel and Saint Pélagie in 1832 and led to the creation of another political detention facility at Doullens in northern France in January 1835. With the decree of 7 July 1834, the special regime for political prisoners was more firmly established. Political prisoners were exempted from forced labor, given the right to wear clothing of their own choice, allowed better food, provided with superior medical attention, allowed to receive books from outside the prison, and given access to a visiting room where they could meet friends and family members without supervision.³⁹⁶

Political detainees were once more confined to France due to the physical limitations of the French overseas empire. Separate and not equal, they were sent to the same places as common-law criminals, but were kept very much apart. Or at least as much apart as the local authorities could manage. The reasons for this were twofold. First, as we have seen, political prisoners were widely regarded as having more rights and deserving better treatment than common thieves. Second, and paradoxically, government officials, local administrators, and penal reformers all worried that political convicts would have a bad influence on any common criminal with whom they might come into contact.

³⁹⁵ Vielfaure, *L'évolution du droit pénal sous la Monarchie de Juillet*, 91.

³⁹⁶ Whitman, *Harsh Justice*, 122.

This new fear was made all too clear by the Prefect of Police just after the decision to send the political prisoners to a special facility at Mont Saint-Michel. On 9 April 1817, he wrote:

Present circumstances have prevented individuals sentenced to deportation for political crimes from embarking for the colonies; the majority of them have remained detained in the prisons of Paris where their presence presents serious inconveniences. Many times we have noticed that these convicts, and notably those who figured in the Affair of the Tricolored Dwarf and the trial of the Patriots of 1816 have maintained relationships with common criminals [*des relations coupables*] and have sought to agitate their minds. These prisoners hardly make secret the ease with which they communicate with the other detainees, rendering the efforts at surveying them almost worthless, since the latter [the common-law convicts], leaving prison at the expiration of their sentences, often become their agents.³⁹⁷

In the April 1817 decree establishing Mont Saint-Michel as the temporary depot for political deportees, the government had reaffirmed the importance of separating political and common-law prisoners. The new political quarter at Mont Saint-Michel was designed with this idea in mind, with entirely separate facilities for political detainees (those in “grand exile”) and “ordinary” detainees (serving a “petit exil”).³⁹⁸ The political offenders, themselves, often felt entitled to separate spaces and a different manner of treatment.³⁹⁹ To a certain extent, political elites agreed. With the creation of the July Monarchy, a Commission for Convicts for Political Offenses formed to offer its suggestions of potential beneficiaries of the new regime’s liberality.⁴⁰⁰ As one of the

³⁹⁷ AN F¹⁶ 355^B: letter from the prefect of police to the minister of the interior, 9 April 1817.

³⁹⁸ See the architects plans for Mont Saint-Michel in AN F¹⁶ 411. Filed c. 1832.

³⁹⁹ AN F⁷ 6271: letter from four prisoners in the *maison de justice* at Riom to the minister of police, 18 April 1814. In this letter, deportees Vacret, Carretté, Sonnois, and Huguot complained of being unjustly mixed in with every sort of prisoner “convicted by judgments of the most vexing and the most demeaning manner that anyone could imagine.”

⁴⁰⁰ APP carton AA 366: petition of the members of the Commission presented to the two Chambers, 1832.

lawyers reviewing the commission's recommendations concluded, certain political prisoners should be granted pardons since they were the ones who paved the way for the July Monarchy through their protest: "whether in compensation for so many years passed in the bosom of the *bagnes* or solitary confinement, or in the sad exile of deportation, they are asking for a souvenir from the nation [*patrie*]." ⁴⁰¹ French legislators and jurists in the early nineteenth century recognized that a liberal government had to punish political protest and the actions of political dissent as a different order of crime from crimes against persons or property, largely because they, themselves, might have been on the other side of the political power divide in earlier years, and they could well return there again.

Nevertheless, authorities at detention facilities designated for political prisoners felt compelled to isolate them as much as possible from all contact with the outside world, particularly after 1835. ⁴⁰² This tightening of the penal regime was the result of an increasingly alarming number of incidents, when the events of the outside world prompted disturbances within the detention sites. In Mont Saint-Michel, for example, after hearing of growing support for their cause in France, legitimist political prisoners gathered to celebrate the birthdays of the Duc of Bordeaux and of Henri V, worrying officials with their raucous behavior. ⁴⁰³ Republican prisoners, meanwhile, encouraged by news they had received of uprisings in Lyon in 1834, seemed to their jailors to be

⁴⁰¹ APP carton AA 366: deliberations of Crémieux presented to the king and to the Cour de Cassations, 5 March 1834.

⁴⁰² Vielfaure, *L'évolution du droit pénal sous la Monarchie de Juillet*, 92-93.

⁴⁰³ AN F¹⁶ 411: letter from the Director of Mont Saint-Michel Deslandes, to the minister of commerce and public works, 1 October 1833.

preparing for a large-scale revolt within the fortress.⁴⁰⁴ Consequently, an ordinance of 19 December 1835 prohibited political prisoners from receiving visitors and limited contact between them and any other persons, including their guards. Not coincidentally, in the same year, the law of 9 September 1835 finally designated Île Bourbon (modern day Réunion) as the official site of deportation for political prisoners.

The designation of Bourbon as a penal colony temporarily ended the government's desperate scramble to determine a site for deportation and to relocate France's numerous political prisoners. The search for an appropriate place for the punishment had encompassed Senegal, Pondicherry in India, the Antilles, Guiane, the Falklands, and even St. Pierre and Miquelon off the coast of Nova Scotia.⁴⁰⁵ To justify their final decision, legislators and proponents of the plan stressed Bourbon's healthy climate and the existence of a sufficient number of workers to aid in constructing adequate facilities to house the deportees. Yet, despite these assurances, no political convicts ever took the voyage to Bourbon Island. Construction of the prison was interrupted when funds ran out, and the ministers of the navy and the interior could not reach an agreement as to where the money might be found to continue building.⁴⁰⁶ Meanwhile, proposals for establishing a penal colony in Madagascar were revived and metropolitan officials resumed their attempts to resolve on an appropriate punishment for political offenders.

⁴⁰⁴ AN F¹⁶ 411: letter from Deslandes to the minister of the interior, 9 May 1834.

⁴⁰⁵ AN CAOM H//2: folder containing details of the execution of the law of 9 September 1835.

⁴⁰⁶ AN CAOM H//2: letter from the minister of the interior to the minister of the navy and colonies, 17 May 1838.

Through transfers and commutations of sentences, Mont Saint-Michel ceased to house political prisoners after 1836; the majority of them wound up in Doullens. But after the disturbances that marked the May days in 1839, the July Monarchy re-instated once more the political quarter in Mont Saint-Michel with strict orders to limit all contact between the political prisoners and the outside world.⁴⁰⁷ Though the main focus of political imprisonment would change once more to Doullens in 1844, this tentative compromise of metropolitan detention in the hopes of finding some better solution for deportation lasted until the overthrow of the July Monarchy in 1848. The search for a workable *lieu de déportation* did not cease.

Conclusion

In this chapter, I have argued that a very real distinction between political and common-law crimes and their punishments became an established fact in French penal policy during this period.⁴⁰⁸ The reason that the deportation of political criminals remained on the books, while the translation of *forçats* to the colonies was forever debated and never implemented, may be explained quite simply by the conflicting attitudes officials held towards the prisoners. Since opinions varied as to how harsh deportation penalties actually were, it was hard to get legislators and reformers to agree

⁴⁰⁷ L'Hommedé, *Le Mont Saint-Michel*, 76.

⁴⁰⁸ New Caledonian historian Luis-José Barbançon discounts the idea that there is a difference in these many debates over prison reform and deportation between common-law and political prisoners. He insists that both the proponents and the detractors of deportation brought up the Botany Bay example, thereby conflating the two categories. Barbançon posits that it is only in retrospect that historians have looked for the distinctions between *transportation* and *deportation* that would emerge later, and that this search is partially the result of contemporary ideas valorizing political crimes and seeking a sufficiently martyrizing punishment for dissidents and protestors. See Luis-José Barbançon, "Déportation et colonisation pénale en France (1789-1847) (Introduction à la colonisation pénale en Nouvelle-Calédonie)" (mémoire de maîtrise, Université de Provence - Aix-Marseille I, 1991), 125.

to them for common-law criminals. On the one hand, if deportation were not punitive enough, then it was insufficient punishment for the *forçats* considered the worst transgressors. Social observers such as Barbé-Marbois and Charles Lucas feared that this particular form of punishment might even inspire people who became down on their luck to commit crimes in order to be allowed to start again in a new country. On the other hand, if deportation were too punitive, philanthropists who wanted to implement a more humane and moralizing system would continually challenge the sentence. Even the specialists of the July Monarchy, such as Lucas and Tocqueville, hoped to reform criminals and reintegrate them into society after a long period of self-reflection, labor, silence, and solitude in penitentiaries.

With respect to the political prisoner, though, deportation satisfied two main concerns: it promoted stability within the metropole and the colonies and rendered the political criminal useful to society. According to common wisdom at the time, the only way to prevent the *politique* from disturbing the public order was to distance him from society; and the best way to reform a political criminal was to remove him from the agitation of metropolitan politics and give him a task (such as colonization). As the Bourbon kings called for the destruction of all symbols of the Napoleonic and revolutionary periods, so too did contemporaries advocate the removal of political dissidents from the metropole, where the current environment of memory still inspired protest and heterodoxy. Elites took a Lockian view of political protestors, insisting that they could be re-educated if the environmental influences disturbing their minds were removed. Charles Lucas allowed that the punishment of deportation was a severe one,

but felt that political criminals who attacked the very foundations of society deserved such treatment. Martiniquan colonial judges, meanwhile, believed that deporting their troublesome free people of color to Senegal was a humane solution to the problem of race relations and rebellion. The arguments over whether deportation was too harsh or too lenient a punishment were more easily reconciled for political criminals than for common-law convicts. During the Restoration, legislators and administrators carefully weighed concerns over public safety in the metropole against the interests of colonial security and development and concluded that the most deportable individuals were political criminals.

As we have seen, both in the metropole and abroad, the Bourbon and Orleans monarchs faced challenges to their authority that seemed to stem from Enlightenment and Revolutionary principals of liberty and equality. While Louis XVIII had begun his reign with the ideal of forgiving and forgetting, subsequent events had shifted the royal platform to one of compulsory amnesia. By destroying the visual and oral memories of the Revolution and the Napoleonic Empire, and by exiling and imprisoning disciples of the defeated regimes, the royal government attempted to re-create a homogenous, orthodox France.

It was in this spirit of engineered homogeneity that a new sort of penal regime was created. During times when the immediate threats to royal power made forgiveness and pardon too dangerous, political elites created metropolitan “fortresses” designed exclusively to house political prisoners and to separate them from common-law offenders. Although the French navy and colonial officials warned that no current French

possession could support a political penal colony, deportation policies remained on the books, and all metropolitan detention was described as an interim solution. Furthermore, the deportation of 143 free men of African descent from Martinique to Guiane, Senegal, and France was arranged not only to redistribute the troublesome colonial population but also to build homogeneity in the Antilles and African possessions.

Royal authority in a post-regicidal political culture depended on mass support for the king's legitimacy. Consequently, the government had to rely more on penal methods reminiscent of the Revolution and Napoleon rather than of the Old Regime. Repression was aimed at securing consensus. When plots or potential insurrectionaries surfaced, the government's preferred solution was one of containment and displacement. Though relatively few political prisoners of the Restoration and July Monarchy received sentences of deportation,⁴⁰⁹ and even fewer were actually deported, the symbolic value of the punishment in the post-revolutionary period was essential to the political program of royal officials.

Ben Franklin had spoken of the possibility of sending rattlesnakes to the mother country in exchange for the deportees that American colonists had received from the metropole. But during the Restoration and July Monarchy, it seemed as though the "rattlesnakes" left in the metropole were more dangerous than any they might receive in the future and officials hoped that in deporting these snakes, they might be tamed. When detained in French facilities like Mont Saint-Michel or Doullens, the political criminals

⁴⁰⁹ For French political criminals, the number was probably no greater than one or two hundred, though it is impossible to know for certain due to the lack of specificity of the records. Certainly, many judges that might have handed down a deportation sentence had this been a viable punishment did not do so during this period, and often the sentence was commuted to detention at an early stage.

were left within too easy a striking distance of the local populace. As a result, a penal practice that might otherwise have fallen into disuse and been replaced remained a favored possible punishment for legislative and judicial authorities alike. Subsequent regimes – the Second Republic, the Second Empire, and the Third Republic – retained deportation within the panoply of possible punishments for political dissenters. After all, political authority in the Age of Revolutions depended upon the powers of removing and forgetting challenges to that authority, within both the metropole and the colonies. Only the improbable punishment of deportation satisfied all of these conditions.

Chapter Five

Finding a Place for Punishment in the Second Republic

In France, deportation is so much a part of the instincts of the country that one finds it mentioned in several of our traditional texts, despite the narrow limits of the territories that we govern. As a result Dumoulin remarked: “Haec ridicula sunt in dominis locorum qui nihil possunt ultra suum territorium. [What comedy there is in the master of places who possesses nothing beyond his own territory.]”⁴¹⁰

--M. Poirel, 1846 report on deportation

In the course of three days in late February 1848, the July Monarchy fell and the Second French Republic came into being, catching many people off their guards, and seemingly paving the way for dramatic economic, humanitarian, and social reforms. Yet the new republic confronted challenges to its authority early on, as moderates and radicals clashed over the pace and the extent of reform that ought to be attempted. In less than six months, then, the partisans of rapid and wholesale change clashed violently with the more conservative republicans who had gained control of the National Assembly. That June, an uprising in the streets of Paris pitted the working classes and their supporters among the political elites against the French army, resulting in violent repression and renewed calls to remove the disturbers of public order definitively from France.

Just one day after General Cavaignac and his forces had finally extinguished the last pockets of resistance that followed the four bloody June Days of 1848, a harsh policy regarding the rebels' punishment seemed to be in the interests of “general safety.” The

⁴¹⁰ AN BB¹⁸1465¹: M. Poirel, *De la réforme des prisons et de la déportation* (Paris: Charles Hingray, 1846), 36.

National Assembly of the young French Second Republic met on June 27 and decreed that the participants in the recently suppressed June insurrection should be “transported” to one of France’s overseas colonies. The moderate republicans and the partisans of order and national safety who controlled the Assembly believed that forced emigration would be the most appropriate sentence for some 15,000 individuals rounded up and detained following their participation in the June Days.

In many ways this decision was not surprising. After all, deportation overseas had been the acknowledged punishment for political prisoners since the Penal Code of 1810, and one of the options for punishing political and religious dissidents since the end of the Terror, more than fifty years earlier. Yet this episode in the history of punishment marked a change in both the scale and the definition of this penal policy. First, the sheer numbers of potential deportees (over ten thousand men and women) made this the most ambitious French deportation project to date. Second, legislators in the National Assembly introduced a new word into French criminal law—*transportation*—which was borrowed from the British term for their own deportation policies in an attempt to distinguish and to distance the current measure from previous French deportation projects. Finally, the official aspirations of legislators, penal reformers, and colonial administrators with regard to this transportation policy reached their peak as political elites from across the ideological spectrum came together in support of this plan. In this endeavor, for the first and only time, colonial administrators, Parisian bureaucrats, private entrepreneurs, and even hopeful convicts found themselves working together in the project of penal colonization. Deportation policies suddenly seemed to combine the

different interests of convict rehabilitation, national safety, and, above all, colonial expansion. In this latter endeavor, in fact, political elites considered the political detainees invaluable. As transported convicts, they were to act as colonists in undeveloped or even entirely new colonies. The Second Republic, therefore, marks the apex of a penal and colonial policy that was thoroughly debated and sporadically practiced since the First Republic. Arrested in large numbers and transported to the right colony, political protestors and dissidents could finally become useful colonial agents, pioneers for French civilization in distant lands.

Ultimately, the National Assembly's experimentation with colonization through deportation produced disheartening and damning results that would disillusion French policy makers and dissuade them from placing future convicts in the role of colonists. A combination of geographical limitations, political discord, penological contradictions, and excessive haste finally served to frustrate and to redirect political elites' intentions regarding deportation. In its first attempts at deporting political criminals as colonists, the government of the Second Republic hesitated too long in deciding on a location, and thus was forced to push through provisional propositions that were poorly thought out and unevenly executed. By the time Louis-Napoleon had established himself as president and had begun laying his plans to overthrow the Republic, the sort of penal colonization policies envisioned by the moderate republicans—combining the moral reformation of political dissidents with the *mise-en-valeur* of the French overseas empire—were acknowledged failures. All future deportation policies would have entirely different punitive and social goals.

However transitory it was, though, the Second Republic's flirtation with creating "humanitarian" and "utilitarian" overseas colonies (albeit ones in which the rights and needs of indigenous and transplanted non-French groups were often slighted or ignored) has not yet received due attention from historians. French penal historian, Jacques-Guy Petit, has singled out this period as a moment when reformers presented two separate and influential challenges to a penal regime entirely based on cellular isolation: deportation to the colonies and metropolitan *colonies agricoles*.⁴¹¹ Another historian, Jean-Claude Vimont, has described the years following 1848 as a pivotal moment in the governmental repression and punishment of political dissidence, which led irrevocably to the establishment of a separate penal regime for political criminals.⁴¹² Yet no historian has explored either the motivations, both idealistic and practical, behind the deportation alternative, nor the role that political prisoners were initially supposed to play in this particular vision of punishment. Consequently, the full repercussions of this period on both penal practice and political theory have yet to be entirely realized. As this chapter will show, the dichotomy between redemption and *éloignement* (distancing) that historians have used to characterize French deportation policies during this period oversimplifies the story. During the Second Republic, in particular, authorities imagined that two earlier, conflicting visions of deportation as the "sea of exile" and the "land of redemption" could be found in one and the same place. The focus of this chapter, therefore, is this critical moment in the history of the French bureaucracy and its overseas

⁴¹¹ Jacques-Guy Petit, *Ces peines obscures: La prison pénale en France (1780-1875)* (Paris: Fayard, 1990), 248-251.

⁴¹² Jean-Claude Vimont, *La prison politique en France: Genèse d'un mode d'incarcération spécifique XVIIIe - XXe siècles* (Paris: Anthropos-Economica, 1993), 435-436.

empire, when the deportation of political criminals to French colonies seemed to be the answer to practically all of the country's ills.

Since the initial targets of this particular burst of penal optimism were the June insurgents of 1848, this chapter will use the story of this collective group as a jumping off point for an analysis of the evolution of deportation policies during the Second Republic. It will examine the actions and writings of the legislators, ministers, business interests, colonists and even the convicts themselves, who participated in the search for the ideal place for deportation. By focusing on the political implications of deportation policies, we will gain a clearer picture of how the practice took shape after the arrest and condemnation of the June insurgents.

Nevertheless, a more personal story does exist. Deportation policies also took shape in the colonies, among the deportees, local colonial officials, and native populations. The penalty affected men and women in real and identifiable ways. This aspect of the history of deportation cannot be ignored. Consequently, the next chapter describes, in considerable detail, the lived experiences of three deportees and their wives and children sent by the government to serve out deportation sentences on a remote island in the Pacific Ocean. By presenting the story of these three deported families alongside the larger political narrative of deportation, readers will gain some sense of the part that individual deportees played in the evolution of this penal practice. The daily lives these deportees also influenced the debate over deportation in the metropole. Yet the case of these three families cannot be understood without first exploring the political, social, and economic goals of the political elites involved in this process of creating this

experimental form of punishment. To that end, this chapter begins with the story of the June Days of 1848 and the subsequent transportation decree meant to punish the insurgents.

The Revolution of 1848: 22 February to 26 June

The architects of the Second Republic, from its inception, strove to distance themselves from the bloody memory of the Terror during the First Republic. It would be a more just and longer-lasting Republic, more democratic in its composition, without any form of slavery, and – perhaps most striking in the shadow of 1793’s revolutionary tribunal which still obscured many French people’s ideas of a republic – the death penalty for political offenses would be abolished. The repudiation of the death penalty for protestors and dissenters was a politically calculated decision, but it also reflected the desire of the leaders of the new regime to constitute a more humane, more socially just, and fraternal government.⁴¹³ The reformers in the early weeks of the Second Republic also instituted the principle of universal male suffrage (2 March), proclaimed total liberty for the press and for political meetings (4 March), implemented a ten hour work day in Paris, eleven in the provinces, and abolished “sweated labor” in the form of sub-contracting (2 March). It was this regime, in fact, that finally managed to end slavery in the colonies; the decree for its abolition was definitively pronounced on 27 April 1848.

All of these decisions posed immediate—and often unexpectedly related—problems, not least the decree announcing the abolition of slavery. Although an

⁴¹³ Maurice Agulhon, *The Republican Experiment, 1848-1852*, trans. Janet Lloyd (New York: Cambridge University Press, 1983), 27-28.

abolitionist campaign had existed in some form in France since the First Republic, and had been increasing in fervor over the proceeding decade, the decision to end slavery came with a particularly high number of attendant worries. Planters in the Caribbean colonies had long opposed abolition on economic grounds, something to which many republicans were sensitive. In 1846, a prominent Guianese planter named Dejean had submitted a “Critical Look at the Colonization of French Guiana” and had warned the metropole that government restrictions on the use of slaves would present the colony with a difficult dilemma: though requiring large numbers of additional laborers, it would be prohibited from procuring slave labor. He could see no alternative source of cheap and low-skilled workers.⁴¹⁴ Moreover, colonists and metropolitan officials alike feared that newly freed slaves would cast off their fetters and rise up against their former masters in a fever of sudden liberty.

To a certain extent, these fears seemed justified by subsequent events in certain colonies: in Martinique, newly-freed slaves burned down plantations and massacred French colonists; in Reunion, three-quarters of the slaves left their former settlements for the cities, where they became vagabonds or were impressed into forced labor; and in Guiane blacks fled *en masse* across the border into Surinam to avoid new colonial policies forcing them to work without compensation for up to twelve years.⁴¹⁵ The actual

⁴¹⁴ AN CAOM, Gén. 173 (1388), cited by Lawrence Jennings, "Associative Socialism and Slave Emancipation in French Guiana, 1839-1848," *Outre-Mers Revue d'Histoire*, no. 1er semestre 2001 (2001): 186-187.

⁴¹⁵ Robert Cornevin and Marianne Cornevin, *La France et les français outre-mer: de la première croisade à la fin du second empire* (Paris: Editions Tallandier, 1990), 396.

economic impact was equally disturbing to many authorities; the quantity of sugar exported annually from the Antilles dropped from 60,000 to 20,000 tons.⁴¹⁶

Yet, despite these setbacks, the Second Republic touted its success in liberating a half-million people (although the actual number was closer to 260,000). Moreover, among the colonies whose economy and social structure had been hardest hit by the abolition of slavery, most slowly began to adjust to the new conditions, usually through legislation and labor practices that mimicked the former slave-labor system. Only Guiane could not recover financially from the loss of slave labor; conditions in the colony remained depressed for many years.⁴¹⁷ Undeniably, the consequences of slavery's end, and the ensuing shortage of labor, would play an important role in determining legislation and sparking debates in the Second Republic, including, of course, those associated with deportation policies.

At the same time, back in metropolitan France, the revolutionaries who had so quickly enacted liberalizing policies faced further problems when they suffered key defeats in the elections of 23 April. The Executive Commission and the new ministry were largely composed of *National* men (in support of a liberal republic but against social revolution or monarchical reaction). Fearing that the election's results represented an anti-socialist, anti-worker turn in public opinion, a number of clubs on the extreme-left called Parisians to action on 15 May, inciting mass demonstrations which provoked, in turn, counterrevolutionary repression. As a result, the extreme left lost its leaders. For the first time since February there were again political prisoners. Yet under the new

⁴¹⁶ Jean Meyer and others, *Histoire de la France coloniale des origines à 1914*, 2 vols., vol. 1 (Paris: Armand Colin, 1991), 412-413.

⁴¹⁷ Meyer and others, *Histoire de la France coloniale*, 412-413.

regime punishing them with death was out of the question. Meanwhile, the National Assembly became even less sympathetic to workers and responded to radical resistance by persuading the Executive Commission to dissolve the national workshops and to require workers either to find work in the provinces or, if they were under the age of twenty-five, to enlist in the army. *Le Moniteur* published the decree on 23 June. By 23 June, militant workers driven to desperation by the threat of extended unemployment were erecting barricades in the streets of Paris. The uprising lasted four days, and was brutally suppressed by General Cavaignac, who assumed executive power in the wake of the crisis. Some of the most tangible results of the June Days were the deaths of at least 1,400 insurgents (very likely many more) and the detention of well over 15,000 people for their participation in the insurrection.⁴¹⁸ Authorities released approximately 6,000 people almost immediately. The exact number of those subject to penal transportation under the 27 June decree is difficult to know, but at the time the decree was made legislators anticipated that space in the overseas colonies would have to be found for tens of thousands of French men and women.

The Aftermath of the June Days: The Search for a Deportation Site

The revolutionary government attempted to deal with the flood of prisoners arrested during the June Days with the Decree of 27 June 1848. It spelled out swift and

⁴¹⁸ Charles Tilly and Lynn H. Lees, "The People of June, 1848," in *Revolution and Reaction: 1848 and the Second French Republic*, ed. Roger Price (New York: Barnes & Noble Books, 1975), 186. Tilly and Lees provide good estimates for the numbers of men and women involved in the insurrection, and subsequently jailed or transported, but they pay no attention to the deportation debate surrounding these individuals. According to their figures, the Parisian police generated arrest records for 11,616 people, of whom around 4,500 were either transported or jailed.

uncompromising measures to punish the detainees from the recent insurrection. The National Assembly created war counsels to preside over the criminal proceedings and alerted the minister of the navy that he needed to designate an appropriate place within the French overseas empire, beyond the Mediterranean Sea, as the destination of several thousand *transportés*.

The “transportation” decree in the wake of the June Insurrection was clearly meant to strengthen both metropolitan and imperial France, politically, economically, and socially. Though it was not fully articulated at the time, within three years the distinction of “transportation” as opposed to “deportation” would have significant implications. In June 1848, however, proponents of transportation instituted this new terminology in order to signify that this time the sentence would not exist only on paper (as it effectively had during the Restoration and under the July Monarchy). The change in legal vocabulary heralded a new and better type of punishment that would challenge the predominance of cellular incarceration and not rely on forced labor (a policy harshly condemned by artisans and workers during this period).⁴¹⁹ Yet little attempt was made at first by political elites or administrators to enforce the terminology of *transportation* in place of *déportation*. In most correspondence and notes, the terms were synonymous. The widespread official use of the term “transportation” would not occur until after Louis-Napoleon’s *coup d’état*, a phenomenon that will be explored in a later chapter.

In June 1848, therefore, according to the language in the *Bulletin des Lois*, a “transportation” sentence applied only to those individuals currently detained for having taken part in the insurrection of 23 June and the days following, along with the wives and

⁴¹⁹ Petit, *Ces peines obscures*, 395ff.

children of these individuals (as we have seen, the practice of at least nominally including families in deportation policies was well established by this time). The sentence would apply to participants who were found to be “chiefs, instigators or insurrection mongers, those who acted as leaders or committed some aggravating act of rebellion,” as well as any “freed or escaped convicts or forced laborers who took part in the insurrection.”⁴²⁰

The lawmakers’ addition of this latter clause, including common criminals whose participation allowed them to be considered political criminals, reflected a wider social problem of growing popular fear of freed convicts, overcrowded *bagnes*, and a strained police network trying to maintain surveillance on former *forçats* and *réclusionnaires*.⁴²¹ Since the Restoration, each successive French regime had grappled with the question of what to do about the *bagnes*, the *forçats* who haunted children’s horror stories, and recidivist offenders who were commonly thought to be the cause of perceived increases in criminal activity during the period.⁴²² As discussed in chapter four, this question had kept alive the debate on deportation during the 1820s and 1830s in France, despite the fact that the penalty was rarely handed out to anyone accused of a common-law offense and no adequate place in the French empire had been determined for penal colonization.⁴²³ The declaration of 27 June 1848 foreshadowed a shift in penal policy

⁴²⁰ *Bulletin des lois de la République française*, v. 47, n. 513, 27 June 1848.

⁴²¹ *Forçats* were convicts sentenced to hard labor in the *bagnes* while *réclusionnaires* were convicts sent to houses of correction and detention. The Penal Code of 1810 instituted a system of surveillance for convicts who had served their terms. They were expected to check in with their local prefect regularly, often daily. Many failed to do so, effecting a *rompre des bans*, and re-entered criminal life.

⁴²² Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France* (New York: Oxford University Press, 1983), 6.

⁴²³ For a complete discussion of this debate, particularly as it related to common-law offenders and the British model in Botany Bay, see Colin Forster, *France and Botany Bay: The Lure of a Penal Colony* (Melbourne: Melbourne University Press, 1996).

that would allow for the mass deportation of common-law offenders. But that was still a couple of years off. In the summer of 1848, the only legitimately deportable individuals were still political criminals. Questions regarding the implementation of this punishment – how, where, and with what results – dominated the discussion and became the subject of debate beyond official circles. Newspapers, shippers, colonists, and even convicts themselves, had their own opinions, ideas, and interests.

Consequently, the search for a place to transport the June insurgents reveals that deportation was not only or even primarily a means of punishment for individual criminals. Rather, the implementation of the practice became, above all, an opportunity for France to advance metropolitan and colonial interests: economic, political, and social. Most often in the archival records, proponents of transportation stressed the economic benefits of the practice, whether on a national, colonial, or personal level. As early as 10 July 1848, a mere two weeks after the Assembly's announcement of transportation policies, the Ministry of the Navy and Colonies began receiving offers from captains and owners of merchant ships and other entrepreneurs interested in profiting from this new endeavor. One ship-broker, C.P. Mitraude of Bordeaux, quoted the minister a price of between 300 and 400 francs per transported individual depending upon whether the government selected Mayotte, Tahiti and the Society Islands, or New Zealand as the site of deportation. Another letter from a captain in Marseille offered his experience in transporting prisoners and goods, particularly to Reunion Island. Owner Frederic de Coninck wrote on 5 July 1848 that his commercial ships could transport the

June insurgents to New Zealand, the Marquesas, and Tahiti.⁴²⁴ In an exchange of letters between one Monsieur Reynaud and the Ministry of the Navy, Reynaud pointed to New Holland and Guiane as the most likely sites for transportation of the insurgents and further supported the use of commercial ships as opposed to state naval vessels. Among his reasons for such a suggestion were interests in preserving the navy for national defense – in perpetual anticipation of war with England – and fostering commercial growth in private shipping industries.⁴²⁵

While private commercial concerns lobbied for opportunities to profit from deportation policies, other proponents of the practice stressed the idea that the colonies would also benefit from any agricultural development that convicts could accomplish. Meanwhile, through their labor, the transportees would receive the moral improvement seen as implicit in the policy of deportation. The linkage of economic and moral amelioration was not at all uncommon in contemporary arguments for and against deportation. On 18 August 1848, *La Patrie* published an article simultaneously extolling the virtues of Madagascar (lauding it as the Great Britain of Africa), and the possibility of reforming France's political criminals through colonizing efforts. After detailing France's long history of unchallenged possession of Madagascar, the journalist prescribed transportation as a way of finishing the work of colonizing. The June insurgents, exiled from France, would cultivate rice and herd cattle, thereby rendering the land more fertile and useful in the most "happy and mild" way possible for France.

⁴²⁴ AN CAOM H/1: dossier entitled "Propositions du Commerce Pour la Transportation." See letters from C.P. Mitraude to the minister of the navy, 10 July 1848; from a captain to the minister, 17 July 1848; and from Frederic de Coninck to an unknown recipient (possibly the minister), 5 July 1848.

⁴²⁵ AN CAOM H/1: letter from Reynaud to the minister of the navy, 17 July, 1848.

Furthermore, this endeavor would “create in the place of the June insurgents citizens devoted to work, to family, and to property.”⁴²⁶ The same claims were made by proponents of transportation to New Zealand (where the colonists could also participate in fostering trade between Spain and the Philippines), to a fort on Santo Thomas in Guatemala (where “transporting detainees . . . would there open to France an important market for her products”), and to other established colonies such as Senegal, Reunion, Algeria, and once again, Guiane.⁴²⁷ As in earlier decades, proponents of deportation suggested that if the right environment overseas could be found, both the moral well-being of the convicts and the economic prosperity of the metropole would benefit.

Furthermore, advocates of transportation during the Second Republic also pointed out that the practice purged France of dangerous revolutionary elements. This had been one of the stated intentions of deportation policies since the eighteenth century, particularly during the French Revolution, when non-juring priests faced deportation, “the administration feeling how important it was to purge the territory of the Republic of charlatans who sought to mystify the people.”⁴²⁸ The Second Republic, therefore, drew on a long tradition of political deportations in France. In one letter addressed directly to General Cavaignac, Dame Harriette Picard proposed Chandernagor, an Indian trading post where her husband held an interest, as the ideal site for deporting “those barbarous insurgents that hurt us so.” For her, the distance of Chandernagor from France made the

⁴²⁶ *La Patrie*, 15 August 1848.

⁴²⁷ See AN CAOM H/1: particularly the “Projet de colonisation à St Tomas de Guatémala” from Eugèn Lebrun received at the Ministry of the Navy August 3, 1848; letter to the ministers from Dauphinrault, former naval officer written August 18, 1848.

⁴²⁸ AN F¹⁶ 113: letter from the president of the Département de Deux Sèvres to the Commission of civil administration, of police and of tribunes dated 3 Messidor Year II.

site most acceptable in the interests of national security. In the interests of “philanthropy,” moreover, she lauded southern India’s healthy climate.⁴²⁹ Mitraud too defended the government’s decision to send “a certain number of insurgents known to have battled against the social order during the events in Paris” to remote colonies, again describing the prisoners of June 1848 as dangerous while in France.⁴³⁰ As we have seen, this justification for the punishment also predated the Second Republic. In 1845, a study on penitentiary reform by consul Monsieur Eveillard had recommended deportation “as the [best] method of both purging the social body and obtaining the moral reformation of the convicts at the same time.”⁴³¹

Thus it was that political elites believed that transportation could reform the criminal while also strengthening the economic conditions of already existing French colonies in Africa, the Antilles, and the South Pacific, or it could be used to expand the empire into such seemingly ideal locations as Western Australia, New Zealand, or the Falkland Islands. In fact, the files for the commission established to evaluate the question of deportation contain a variety of reports on the suitability of New Zealand and the Falklands, in terms of both climate and strategic geographical utility, as outposts for French naval and shipping interests.⁴³² Enthusiastic republicans, however, also considered other possibilities for how best to use the deportees. One C. Lasailade wrote the minister of the navy on 2 July 1848 with his proposal to send the June insurgents to

⁴²⁹ AN CAOM H/1: letter from Dame Harriette Picard to General Cavaignac, 24 July 1848.

⁴³⁰ AN CAOM H/1: letter from C.P. Mitraude to the minister of the navy, 10 July, 1848.

⁴³¹ AN CAOM H/1: “De la Spécialité des études préalables à toute proposition de reforme penitentiaire, comprenant la déporation,” by M. Eveillard, consul. 19 December 1845.

⁴³² See in particular the “Projet de l’Etablissement d’une Colnie de Condamnés aux Îles Malouines, présenté en 1821 à M. le Baron Portal alors Ministre de la Marine, par M. Lamarche.” AN CAOM H/1.

Texas. According to his plan, the United States would supply a sufficient number of ships to transport the detainees safely and comfortably to Texas, where they would help to populate the fertile yet virgin lands of this former small republic now securely under the United States' protection. This would, in turn, foster good diplomatic ties with the American government while ensuring public safety in France.⁴³³ Another letter dated 8 July 1848, written directly to Cavaignac this time, proposed sending the June prisoners to participate in the conquest of Buenos Ares and Montevideo. This time the writer, a Monsieur Goddefroy, wanted the convicts not as colonists, but as conquerors, with the promise that they would receive land grants after Buenos Ares had been secured as a colony of the Republic. Goddefroy wrote that this scheme would "employ the 10 or 15 thousand deportees . . . in the conquest of Buenos Ares . . . instead of leaving these unhappy men who know nothing of founding [a colony] to die in Guiane or Madagascar, where those deaths will cost us ten million francs that can never be compensated."⁴³⁴ In a longer report written the same day, Goddefroy also included *forçats* and recidivists in his project. He further described the plan and its three-fold benefits to France: it would finish the work of Cortez and Pizarro and open up the French Empire in South America. French merchandise would find new outlets in Peru and Argentina, and the Second Republic would be able to continue the work of emancipation begun earlier that year. Deportees would supply needed labor, and (provided they behaved well) would be

⁴³³ AN CAOM H//1: letter from C. Lasaillade to the minister of the navy, 2 July 1848. One month later, the Ministry received an offer from an American shipping company to transport the June insurgents to Texas- at no cost to the French government - where, the writer believed, these workers would have wished to have gone anyway, had they the means and their liberty. AN CAOM H//5: letter from C. Combier to minister of the navy, 5 August 1848.

⁴³⁴ AN CAOM H//1: letter from M. Goddefroy to General Cavaignac, 8 July 1848.

allowed to stay in the colony and establish families there.⁴³⁵ While there is no further evidence in the record to indicate that the government ever pursued this plan, notes in the margins indicate that it was read carefully. Furthermore, the archives of the Ministry of the Interior preserve a letter from a political prisoner written three years later and in which he requested to be allowed to substitute deportation to Algeria for an exile in Buenos Aires, where he could be of assistance in the war for independence of Montevideo.⁴³⁶ These schemes, though clearly motivated by self-interest, originated in a climate of pro-colonialist sentiment that viewed deportation as a chance to change the shape of the French overseas empire and spread the influence and ideas of the Second Republic beyond the hexagon.

Of course not everyone favored deportation to the French colonies, and even among those who did there was considerable argument regarding individual colonies and their relative advantages and disadvantages to the project. Detractors of proposals to send the June insurgents to the Falklands, Western Australia and New Zealand warned that such a step could provoke a war with the British who also held claims to these lands. Every French attempt to establish trading posts at Port George IV in north-western Australia or on the north island of New Zealand throughout the late 1830s and early 1840s was frustrated by previous British claims and threats on the part of the British government and even, in the case of New Zealand, the Maori people.⁴³⁷ As a result, the

⁴³⁵ AN CAOM H/1: report from Goddefroy to Cavaignac, 8 July 1848.

⁴³⁶ AN F⁷12711: letter from Prosper Dumont, prisoner at St. Claire to General Daudry, 30 January 1852.

⁴³⁷ Forster, 151. For more information about Maori resistance to both British and French transportation, see Gregory Picker, "A State of Infancy: The Anti-Transportation Movement in New Zealand: 1848-1852," in the *New Zealand Journal of History* 2000 34(2): 226-240.

French took possession of the Marquesas Islands and established a protectorate over Tahiti in 1842, hoping to establish penal colonies there in the near future. But critics of this venture feared that the financial costs of transporting prisoners to these distant islands would far outweigh the benefits and further cautioned that both the climate and the indigenous populations were hostile to Europeans. During a session of the National Assembly on 5 April 1850, Victor Hugo, long an advocate for prison reform and humanitarian penal practices, represented the Marquesas as the “tomb of Europeans” and backed up his claim by alluding to a report from Admiral Bruat, governor of the French possessions in Oceania. Interestingly, however, the only note in the records of a report from Admiral Bruat is one dated 30 October 1849 and gives an assessment of the climate of the Marquesas as being “one of the healthiest of which we know.”⁴³⁸

In another confused exchange, *La Presse* printed an article on 14 April 1850 quoting naval surgeon Monsieur Fleury as having protested against the climate of the Marquesas as unhealthy for Europeans. The Ministry of the Navy’s archives, however, include several letters from said surgeon, Fleury, denying having ever written any such thing, especially since he had never even set foot on any of the islands north of Tahiti.⁴³⁹ To a certain extent, these discrepancies represented the limits to the metropolitan government’s, and indeed the public’s, knowledge of the actual conditions in these territories. Even more, such disagreements were part of a larger argument about how the June insurgents deserved to be treated, and to what extent humanitarian interests

⁴³⁸ See AN CAOM H//2: letter from the minister of war to the minister of the navy, 10 April, 1848.

⁴³⁹ *La Presse*, 14 April 1850. See also AN CAOM H//2: letters from M. Fleury to the minister of the navy dated around this same time.

protecting their health outweighed demands to rid these criminals from continental France as soon as possible.

These humanitarian interests became further confused when a conflict (or what at the time colonial planters and certain government officials perceived as a conflict) arose between advocates of deportation and those who still trembled over the consequences of the abolition of slavery. In August 1848, a former officer of the navy, a certain Monsieur Dauphinrault lamented that France was severely restricted in its choice of a place for deportation, given the unhealthiness of most of its possessions, such as Guiane and Senegal, and the “impossibility of sending the political convicts into slave colonies.” Echoing many of the fears expressed by the Seychellois upon the arrival of seventy deported Jacobins during the Consulate, Dauphinrault feared that this was the consequence of an “untimely and brutal” emancipation and that the deportees would only provoke a massacre of the other colonists.⁴⁴⁰ Other letters shed light on the particular threats the presence of deportees posed to these colonies. Some considered that the mere appearance of subjugated Frenchmen in colonies with a large number of former slaves of African origin still working on plantations would inspire the former slaves with a sense of their own equality with Europeans. Others even more patronizingly suggested that escaped convicts in the colonies would become the natural leaders of bands of former slaves eager for vengeance.⁴⁴¹ The perceived link between slave emancipation and

⁴⁴⁰ AN CAOM H//1: letter to the counsel ministers from Dauphinrault, 18 August 1848.

⁴⁴¹ This critique is found as early as the French Revolution and continued through the first half of the nineteenth century. See particularly Barbé-Marbois, *Observations sur les votes de quarante-un conseils généraux de département, concernant la déportation des forçats libérés*; présentées à Monsieur le Dauphin, par un membre de la société royale pour l'amélioration des prisons. Paris, de l'Imprimerie Royale, 1828, p. 7. Contained in AN F¹⁶361^B. See also AN CAOM H//1: letter from M. Goudenove to minister of the navy

convict deportation existed only in the Antilles and South America where colonial society seemed particularly precarious because of racial and class tensions. The role that deported convicts would play once they arrived in the colonies remained uncertain for government officials in Paris.

For the most part, opponents of transportation schemes agreed with the fundamental principles behind deportation projects: punishment should ideally produce moral reformation in the convicts at the same time that it reduced the possibility of future disturbances by removing the offenders from society and deterring future protestors. Most even agreed that any opportunity to improve the economic condition of the overseas empire ought to be explored. But this was all in the abstract. When actually presented with a proposal for transportation to a particular colony, some group of legislators could usually find a flaw in the plan, whether it be the potential unforeseen circumstances like the outbreak of a maritime war or fears over social unrest in the former slave colonies. Very often, philanthropic concerns over prisoner health coexisted with anti-death penalty rhetoric. Men such as Charles Lucas and his followers cautioned legislators to not allow deportation to serve as a slow and distant sentence of death. Moreover, as we have seen in earlier chapters, ardent opponents of deportation policies challenged the logic that colonialism, moral reform, and national security could all coexist in the same expensive practice. After all, Tocqueville and others had already shown how troublesome the practice had been for the British in Botany Bay.⁴⁴² An article in the *Courier du Havre*, 9

Verninbac, c. 19 August, 1848 for a proposition to send the June insurgents to the old fortresses of Cuba and Haiti, instead of sending them to French colonies where revolts of former slaves were still possible.

⁴⁴² See chapter four.

August 1848, summed up the most common arguments against deportation within the existing French overseas empire:

The climate of Senegal and Guiane would be deadly; Algeria is too close to Marseilles; the islands of Tahiti and the Marquesas would not know how to nourish the transportees. Due to the recent dangers of slave emancipation, Martinique and Guadeloupe are out of the question. Mayotte, part of the Comoros archipelago, offers just about the same guaranties as Tahiti and the Marquesas.⁴⁴³

Nevertheless, these initial concerns could not belie the fact that thousands of political prisoners clogged continental prisons and, according to the National Assembly, needed to be sent away.

Whittling Down the Numbers

Just how many prisoners would be sent abroad for their participation in the June Insurrection? While the minister of the navy and colonies sifted through various proposals and arguments for the ideal penal colony, the Legislative Assembly, war counsels, and a series of commissions attempted to reduce the number of individuals subject to transportation. The government preferred to release those for whom evidence of their participation was scant rather than incur needless expense transporting and provisioning large numbers of prisoners. As recounted above, of the more than 15,000 men and women detained during the rebellion, perhaps 6,000 were released within the first couple of days after June 27. On 9 July 1848, the Legislative Assembly charged military commissions with the task of examining the remaining prisoners' files to verify

⁴⁴³ *Courier du Havre*, 9 August 1848. The article is based on the recommendations of Stanislas d'Escayrac who nevertheless suggests Mayotte as the least objectionable place for deportation. He bases this decision on its proximity to Madagascar which would allow for easier French colonization of that island.

their guilt. The commissions released 6,374 of the captives, while 255 people were prosecuted before the war counsels.⁴⁴⁴ It is hard to know exactly how many prisoners this left in Parisian jails, since arrests continued after June 27 as individuals were denounced or tracked down in police inquiries.

Still, it seems that as the debates over a proper place for deportation continued, the number of potentially deportable protestors was still too high to be easily transported. Consequently, on 25 September 1848, the Cavaignac-led government created ten clemency commissions (*commissions de clémence*) made up of members of the war counsels and magistrates. After examining the thousands of files, comparing witnesses and testimony, the commissions released 991 more people for lack of sufficient evidence. The files of the remaining detainees then moved on to an eleventh commission for revision (*commission de révision*) composed of military personnel, magistrates and lawyers. Another 822 individuals received their freedom during the year that this commission worked. The remaining detainees were transferred from Paris to Belle-Isle and the *bagnes* of Brest (a handful were already held in the Chateau d'If off the coast of Marseille). After the election of Louis-Napoleon Bonaparte as president of the Republic on 20 December 1848, some 2,400 “transportees”⁴⁴⁵ were released from Brest and Belle-Isle and 1,121 people were subsequently granted amnesty. Thus, out of the 15,000 prisoners taken during the repression of the June Days, only 468 men (all of the women had been released) subject to transportation remained in detention in France. The

⁴⁴⁴ *Moniteur universel*, 22 January 1850, p. 236.

⁴⁴⁵ *Moniteur universel*, 13 November 1850, p. 3245. The president cites this figure as an example of the government's use of indulgence whenever possible. Still in November of 1850, Louis-Napoleon is one of the few people using the word *transporté* to describe the detained June insurgents.

minister of the interior described these remaining men as the incorrigible ones, still detained due to previous criminal records or because of an “implacable hostility that they manifest against all of society.”⁴⁴⁶

These were the 468 participants in the June Days for whom, on 24 January 1850, the government finally designated Algeria as the temporary site of their transportation. After over a year and a half of debate and indecision, President Bonaparte pushed for an immediate decision that would distance these political troublemakers from the hexagon. With the law of 24 January, the Legislative Assembly subjected those still in detention under the law of 27 June 1848 to military rule, forced labor, and isolated detention in a facility in Algeria and provided the War Ministry with one million francs to cover the costs of transportation and the construction of new detention facilities.⁴⁴⁷ Furthermore, lawmakers took this opportunity to elucidate the function of this particular punishment (transportation). They suspended all political rights of the transportees *temporarily* for a term of ten years during which time the prisoners would labor for the benefit of the colonial economy and their own moral improvement. The suspension of insurgents’ political and civil rights was designed to distinguish them from voluntary colonists in order to punish the offenders and discourage others to follow their example. Lawmakers further specified that the June insurgents would remain separated from the *colonies agricoles* established in the decree of 19 September 1848 through which voluntary colonists were granted land and were attempting to carve out an existence in rural *Algérie*

⁴⁴⁶ *Moniteur universel*, 22 January 1850, p. 236. Louis-Napoleon cites the number as 458 (ten fewer) in his address to the nation, 12 November 1850. See the *Moniteur universel*, 13 November 1850, p. 3245. He counts an additional 348 political prisoners unrelated to the June insurgents still detained in French prisons.

⁴⁴⁷ *Bulletin des lois*, v. 230, 24 January 1850, n. 1890.

française.⁴⁴⁸ Yet authorities allowed for the wives and children of the transported insurgents to join their husbands and fathers, with travel expenses at least partially covered by the state, and the detention facility would be made to accommodate them. Both metropolitan and colonial elites recognized that the success of colonization through deportation measures hinged on the deportees being allowed to adjust and even thrive in their new environment.

Consequently, lawmakers reaffirmed the reformatory optimism of these transportation policies. After three years, they stipulated, upon proof of hard work and good behavior, the transportees would have the opportunity to gain a provisional land grant and a place of habitation within the boundaries of the detention facility. After an additional seven years, if the landed transportee expressed a wish to remain in Algeria (which colonial officials considered likely given that he would have more opportunity to create his livelihood in Algeria than he would if he were to return to France) and remained in good stead with the authorities, he would receive the title, free and clear, to the land. Presumably after this period the transportee could reclaim his political and civil rights, as well.⁴⁴⁹ In the eventuality that a transportee died during his detention or provisional land tenure, members of his family were entitled to receive the land concession that would have been his, and to inherit definitive title of the land after the same initial provisional period (following the common law of inheritance). In this way,

⁴⁴⁸ These *colonies agricoles* were different from the penal *colonies agricoles* for youthful offenders and championed by Catholics and *National* men as an alternative punishment for adult common-law criminals. See chapter seven for more on these.

⁴⁴⁹ The ten-year delay in the establishment of political rights was also the rule, after the Naturalization Law of December 1850, for foreigners (non-Frenchmen) who immigrated to Algeria.

transportation would gradually encourage colonization in Algeria. Detention facilities would gradually evolve into communities of liberated small farmers.

One week later, the law of 31 January 1850 set out the guidelines for how the detention facility would function, preserving for the most part the military regime in Algeria.⁴⁵⁰ Officials designated Lambessa, in the Constantine province in the eastern part of the colony, as the site of the permanent military establishment containing the transportees. Until completion of the facility at Lambessa, transportees would wait at Bône. Consequently, on the third and fifth days of March 1850, two warships transferred 450 political prisoners from Belle-Île to Bône. The final eighteen transportees traveled through France in a prison car to Toulon, from which they then sailed to Algiers.⁴⁵¹

The June Insurgents under the North African sun

At this point in the story of the June insurgents, the historical record again becomes cloudy and confused. First of all, there is the problem of lost records and inexact record keeping that hampers much research into Algerian colonization attempts. Secondly, metropolitan officials seem to have lost interest in the transportees, relying on colonial military authorities to govern and correct them. In following the fates of those men who had not been able to avoid deportation, therefore, I have had to rely on the research of historian Marcel Emerit, who worked on this question in the 1940s and had access to Algerian archives now off limits to many.⁴⁵² His reconstruction of the events was based largely on a manuscript that Emerit found in the Algiers library. Lelièvre, a

⁴⁵⁰ *Bulletin des lois*, No. 243, 31 January 1850, no. 2017.

⁴⁵¹ Marcel Emerit, "Les déportés de Juin," in *La Révolution de 1848 en Algérie*, ed. Marcel Emerit (Paris: Editions Larose, 1949), 67.

⁴⁵² Emerit, "Les déportés de Juin," 63-73.

deportee in 1858, had meticulously gathered journals and other documents from deportees transported to Algeria under the Second Empire and then edited them under the title *La transportation d'Afrique*. Regarding the June insurgents, Lelièvre's manuscript included the journal of the cabinetmaker, Guertling, and a number of extracts from the memoirs of Léon Chautard, whose diary he found at the house of Chautard's sister living in Algiers. The other primary evidence historians have of the conditions the June insurgents faced in Algeria comes from transportee Jean Terson's memoirs, held in the Bibliothèque Nationale Arsenal in Paris.⁴⁵³ Together with the official military records, we can follow the transportees after their arrival in Bône in early March 1850 and determine how the transportation law played out on Algerian soil.

As the official detention site at Lambessa awaited construction, the June insurgents passed two years in a large fortified barracks looming above the city of Bône. According to accounts by the transportees, they suffered from poor nutrition. The effects of boredom and inactivity spurred them to eventually organize two workshops under their own initiative (one a joinery, the other for cabinetry) and begin building carriages.⁴⁵⁴ The military personnel in charge of supervising the detainees from France seemed far less concerned with productivity and providing occupations to develop the colony and foster future colonists than they were with maintaining a rigorous discipline. During a review of the prisoners at the end of March or beginning of April the provincial commander, Saint-Arnaud, reminded the deportees of their submission to the law and their reduced condition. When challenged, he called the transportees "nobodies" ("*hommes de rien*")

⁴⁵³ Memoirs of Jean Terson, Manuscrit Bibliothèque de L'Arsenal, fonds Enfantin, N° 7786, 7787, 7788.

⁴⁵⁴ Emerit, "Les déportés de Juin," 68.

and reinforced his willingness to punish all insubordination. His vituperations were met with exclamations of “*Vive la République démocratique*” from the prisoners, who asserted that no law could supercede natural individual rights (“*Il n’y a pas de loi en dehors du droit.*”).⁴⁵⁵

This harsh treatment was not the norm, however. Only those who attempted to escape, and were captured (often with the help of Algerian Arabs, who were rewarded for such a service by the colonial government) saw the worst of the punishments. For the rest, their quality of life at Bône was reportedly improved by the generosity of the local populace and the leniency of their guards. Prisoners received Parisian newspapers and letters from their families and friends in France from the hands of certain of the military personnel in charge of isolating them. In addition, groups of republican colonists took up a collection to contribute to the deportees’ fraternal aid fund.⁴⁵⁶ This show of support and sympathy strengthened the June insurgents’ conviction of having been wronged for serving a deportation sentence without ever having been justly tried. It also seems to have shored up their political convictions: when the deportees learned of Eugène Sue’s election in Paris, they lit up the Kasbah and celebrated, entirely unopposed by the director of the penitentiary.

One of the principal difficulties for the authorities in Algeria was to limit communication between prisoners and the outside world. News from France and sympathetic meetings with colonial journalists created dangerous opportunities for the June insurgents to stir up further trouble. Moreover, ties to the local community might

⁴⁵⁵ Emerit, “Les déportés de Juin,” 68.

⁴⁵⁶ Emerit, “Les déportés de Juin,” 69.

facilitate prisoners' plans to escape.⁴⁵⁷ To punish those transportees whose behavior seemed most threatening to public order in the colony, the governor general of Algeria ordered that they be sent to a civil prison and separated from the rest of the transported population. Consequently, twelve of the June insurgents landed in detention in Algiers, and were later transferred to the Fort Bab-Azzoum when their presence in the colonial city continued to stir up trouble among the local populace.⁴⁵⁸ In this particular episode, in fact, the trouble originated not with the prisoners, but from the local press. One newspaper, *L'Atlas*, which was sympathetic to the Republican transportees' plight, printed reports of the harsh treatment inflicted upon these men. According to a competing journal, moreover, *L'Atlas* journalists were responsible for assisting the prisoners' after their escape by printing flattering biographies of the eleven fugitives in order to gain public support for them.⁴⁵⁹ For the colonial authorities in charge of assuring public order as well as housing the exiled June insurgents, the mere presence of the latter seemed to jeopardize all possibility of the former. While metropolitan officials had hoped that deportation policies might benefit the destination colonies, colonial officials met with the more pressing dilemma of how to completely isolate the transportees in order to neutralize them. For the authorities in Algeria, their options were limited. Few prisons existed in the colony, since it was widely agreed that the cellular regime was not suited to such a hot and dry climate. Consequently, the majority of the colony's

⁴⁵⁷ AN F⁸⁰ 588: letter from the sub-prefect of Bône to the prefect of Constantine, 22 October, 1850; letter from the minister of war to the commissioner general of police at Bône, 18 December, 1850; *Note à la Direction de l'Algérie* from the minister of war, 10 December, 1850.

⁴⁵⁸ AN F⁸⁰ 588: letter from Minister of War Daumas to the commissioner general of the police in Algiers, 13 November 1851.

⁴⁵⁹ *L'Akhbar. Journal de l'Algérie*, 6 November 1851, 1.

offenders served detention sentences in metropolitan France. This option did not seem viable, however, as nobody wanted to open up a back door through which the transportees might return prematurely to France.⁴⁶⁰ The least disagreeable option appeared to be transferring the June insurgents to the planned labor camp at Lambessa, even though the facility was not yet completed.

To the utter frustration of their captors, when the political prisoners were finally transferred from Bône and marched sixteen days to the facility still under construction at Lambessa, they continued to exhibit their commitment to the principals of the Republic, singing the *Marseillaise* for much of the trip.⁴⁶¹ So much for the metropolitan government's desire to isolate political detainees from its citizenry. Just as had been the case when deportees were incarcerated in metropolitan facilities, the prisoners were able to continue protesting against the current political regime. This time, however, authorities feared that they might corrupt colonists, disrupting an already unstable military conquest over Algeria. The behavior of the June insurgents detained at Bône and their neighboring colonists convinced many legislators and penal reformers that deportation policies, if they were to live up to the ideal, would have to distance the political convicts more decidedly from all other French citizens and subjects. Though still committed to the optimistic vision of the "land of redemption," political elites began now to understand the value of distance.

⁴⁶⁰ AN F⁸⁰ 588: note for the minister, 12 July 1851.

⁴⁶¹ Emerit, "Les déportés de Juin." The June insurgents were transferred to Lambessa to make room in Bône for the new political prisoners arrested after the *coup d'état* of December 2, 1851. When the former arrived in the new facility, there were still no buildings designated to house the prisoners. Consequently, the deportees had to sleep in the stables and were responsible for helping to construct their own detention facility, in preparation for the arrival of others transported after the *coup*. This episode will receive more thorough treatment in chapter seven.

Colonial Expansion through Deportation

Lawmakers had always believed that transporting prisoners to Algeria was only an interim solution. The proximity of the colony to the metropole, and the government's special wish to integrate Algeria fully into France through voluntary colonization efforts had always kept Algeria from serious consideration as a long-term penal colony. Consequently, lawmakers struggled to fix on a more permanent site for the deportation of political criminals. In March 1850, the Legislative Assembly proposed the Marquesas Island chain as the site of deportation, formally establishing their choice with the Law of 8 June 1850. This law officially determined that any case that would have been punishable by a death sentence before the abolition of the death penalty for political offenders would be replaced by that of deportation to a fortified facility (*une enceinte fortifiée*) beyond the continental territory of the Republic. A second degree of punishment, simple deportation, would allow lesser offenders more freedom of movement, but still designated a place within the overseas empire for their transportation. The law of 8 June further specified that the sentence of deportation did not carry with it civil death, but only the loss of certain privileges of citizenship (*la dégradation civique*). Prisoners could not vote, but they could be called upon to fight for France. The legislators at this time designated the valley of Vaithau, in the Marquesas Island chain, as the site for the fortified facility and the island of Nuka Hiva, also in the Marquesas, as the site of simple deportation.⁴⁶² No penitentiary facilities existed at either location at the

⁴⁶² *Bulletin des lois*, 23 July 1850, p. 667.

time. The French had only controlled the islands long enough to build a couple of forts and some barracks.

Members of the National Assembly argued over this choice from its very first proposal. J.F. Farconet criticized the proposed location in descriptive and damning fashion:

. . . under a tropical sun, on a volcanic land, in a country half wild, half inhabited by savage tribes, by cannibal hordes, a trans-Atlantic Siberia . . . this will be the punishment of indirect death, this will be the death penalty with longer agony; this will be more than the tomb, this will be hell.⁴⁶³

Yet, Farconet did not denounce the goals of deportation: the moral regeneration of the prisoner alongside the *mise-en-valeur* of the French possession. Even the most strident critics of the proposal to send prisoners to the Marquesas did not attempt to change the vocabulary or the objectives of the debate. His concern was the humaneness of sending any Europeans to this particular location. He and his supporters did not want to open up a loop-hole in the constitution allowing for a death penalty for political prisoners far from the regard of French men and women.

It would be Farconet and his allies in the debate who would ultimately be proved correct in their predictions. After only three years, the long distances, tropical climate, lack of infrastructure and limited knowledge about the colony led to the complete and undisguised failure of this deportation policy. Work on the fortified facility at Vaithau was never even begun, and officials on Nuka Hiva welcomed only three republican men and their families transported from the Midi region of France.

⁴⁶³ *Moniteur*, 5 April 1850, p. 1104.

These three men received the sentence of deportation for their participation in the Lyon Plot of 1850. Tried with fifty other men from the Midi for conspiracy to upset the government and to arm the populace through the formation of secret societies, Alphonse Gent, Albert Ode, and Louis-Joseph Longomazino were among the seven defendants against whom the prosecutors could present enough damning evidence to warrant deportation sentences. They were the only three who had not eluded authorities, however, and were consequently the first French political convicts subject to the law of 8 June 1850, which designated Nuka Hiva as the place for simple deportation.

Accompanied by their wives and children, the three men became the first non-military settlers of that island. The ministers of the interior and the navy had high hopes for these new colonists, as did the local authorities charged with their surveillance and care. Nevertheless, the project was plagued by problems of supply and communication (due to the long distance between the Marquesas and the metropole), the unwillingness of many members of this “little penal colony” to work, and indecision among metropolitan authorities regarding the importance of this colonial endeavor.⁴⁶⁴

After less than three years of operation, in November 1854, Gent, Ode, and Longomazino had all left the island with their wives and children, their sentences commuted to exile by Louis-Napoleon. French officials abandoned the project of penal colonization on Nuka Hiva and, concurrently, all pretence to colonization through political deportation measures. As we will see in chapter seven, in fact, after 1854, the goals and ideals behind deportation sentences dramatically changed for French legislators. So, too, did the deportees. No longer a predominantly political punishment,

⁴⁶⁴ See chapter six.

deportation would hereafter be extended to include common-law convicts, as well. With the failure of the Nuka Hiva project, explored in greater detail in the next section of this dissertation, came the almost complete disillusionment of Second Republican political elites with regard to the ideals of colonization through deportation.

Conclusion

Today, tourists can take a boat from Marseille to the coastal island of Chateau d'If. Built as a fortress to watch the valuable harbor in 1516, it soon became an island prison and housed some of the most dangerous criminals from the south. Most present-day visitors hear of José Custodio Faria's confinement there, and file in and out of the cell in which this man, immortalized by Dumas as the Count of Monte Cristo, spent several years. Yet in passing through the courtyard and perhaps remarking evidence of recent graffiti, tourists might not notice that the many engravings that cover the four walls of the courtyard are not the result of visiting vandals. Chiseled into the stone are the names of the June insurgents who wished to mark their passage in the notorious Chateau d'If. Though many of the inscriptions are now worn away by the elements and illegible, certain still stand out, and the names of the deportees can be discerned, along with the date June 1848 and the one epithet by which they chose to be remembered, "Republican."

The deportees of 1848, along with the Lyon Plotters in 1850, had an unusual opportunity to do more than just carve their names in the rock walls of their metropolitan prisons. They were given the task of determining the future of the French empire and penal deportation policies. The idealistic policies of colonization through political

deportation of the Second Republic marked the apex of prisoner participation in the colonial endeavor. As authorities soon learned, a deportee's initiatives in the colony could be both good (useful) or bad (unproductive or even corrupting). Many of the June insurgents in Algeria attempted to relieve their boredom by starting up workshops and manufacturing carriages to supply the free colonists. More educated ones taught their companions and soon took to farming. One former architect even founded Algeria's first archeological society and excavated Roman ruins there.⁴⁶⁵ In Nuka Hiva, Longomazino worked as a blacksmith for the colony, attempted to cultivate his small plot of land, and even offered to help fight for the French.⁴⁶⁶ However, there were also deportees in Algeria who attempted to escape, or who refused to work, thereby weakening the moral-improvement-through-labor argument proposed by many of the proponents of deportation. Moreover, in writing to the press, the convicts and their families in France often drew unwanted public attention to the weaknesses of current deportation policies.⁴⁶⁷ Certain political elites began to believe that the problem was not deportation as a policy, but rather the definitions of political deportation that allowed political prisoners a certain liberty to choose their own work and to hope for an eventual return to France. Under the presidency and later empire of Louis-Napoleon Bonaparte, officials would yet again redefine *transportation*, targeting a new group of prisoners and establishing a new penal regime.

⁴⁶⁵ Emerit, "Les déportés de Juin," 70.

⁴⁶⁶ AN CAOM H//8: letter from Longomazino to Bolle, 7 September 1852.

⁴⁶⁷ One of the most enthusiastic writers to the press was Alphonse Gent's mother. She wrote several letters to the minister and the newspapers pleading her son's case. See AN CAOM H//8.

Clearly, the political deportation policies of the Second Republic were created by political elites with very particular ideas about the model deportees and the ideal locations for their relocation. The practical realities of the actual deportation practiced under the Republic proved that these ideals were only illusions. But the discord between ideals and realities is not a sufficient explanation for the change that was about to take place in deportation policies and practices during the Second Empire. What is notable in this period are the stirrings of change, the hints of what was to come. During the Second Republic, and as a result both of deportation efforts and the emancipation of the slaves, there was a definite shift in the official and popular perception of the empire and its value to the metropole. At the same time, lawmakers re-evaluated the importance of crime in general, and political crime in particular. “Humanitarian” and imperial concerns championed by proponents of deportation in the Second Republic soon lost favor and were replaced by transportation measures reflecting new doubts about the reformability of political criminals, lowered concern over political dissidence, and growing anxiety about the “social problem.”

As I have shown, the deportation of the June insurgents represented an opportunity for French political moderates to advance certain economic, political, and social interests simultaneously in the metropole and overseas. Yet after much debate and research, the “ideal” location for transportation could not be determined. In fact, as Poirer’s quote that opens this chapter might have suggested, France was not yet master of enough territory beyond the hexagon, and the expansion of the empire through deportation seemed likely to provoke a war with Britain that would be disadvantageous to

the new republic. In 1850, legislators had to push through a last-minute temporary measure designating Algeria as the destination of the remaining June insurgents. After over a year in Bône, the men were moved to the partially constructed Lambessa in order to make room for the prisoners of 2 December 1851 subject to deportation. At the facility in Lambessa, they were forced to work on constructing the penitentiary, though many refused since they had been promised to be allowed to exercise their own trades during their deportation. Louis-Napoleon instructed officials at Lambessa to designate any slackers for transportation to Cayenne.⁴⁶⁸ Only a handful of the June insurgents, perhaps forty in all, received this aggravated punishment and set sail for Guiane.

In 1859, Napoleon III pardoned the transported republicans still in Guiane and Algeria. According to a report dated 30 June 1859 and cited by Emerit, the total number of June insurgents who had been sent to Lambessa was 459. Of that total, fifty-nine of the prisoners had perished, twelve had escaped, and forty had been transported to Cayenne. Upon hearing of their pardon, 268 of the insurgents opted to return immediately to France. Sixty-one deportees remained in Algeria, of whom twenty-three were still in Lambessa. Emerit estimates that thirty-eight lived in the *colonies agricoles* under surveillance by the military authorities. Nineteen deportees were classified under a category of “diverse.”⁴⁶⁹

This summary of the June insurgents’ situation reveals the extent to which the Second Republic’s proponents of transportation as a means for colonial expansion, development, or enrichment had failed in their first attempt. The colonial regime in

⁴⁶⁸ Emerit, “Les déportés de Juin,” 70-71.

⁴⁶⁹ Emerit, “Les déportés de Juin,” 72.

Algeria, with its reliance on military discipline, was incompatible with the objectives of penal colonization we have seen expressed so often. Furthermore, the experiences of the deportees in Bône convinced authorities more than ever that Algeria was not the ideal location, being both too close to France and too saturated with an impressionable and volatile volunteer colonist population. In order for the penal colony to serve as the land of redemption, it had to be sufficiently distant and isolated from all other French men and women. The “sea of exile” ought to be more vast.

Nevertheless, a closer examination of the French government’s second attempt to use deportees as colonists in the Marquesas Islands, pursued in the next section, reveals some of the contradictions inherent in deportation policies in the middle of the nineteenth century. As we will see, even when authorities settled on a remote colony with no other colonist population whatsoever, the ideals of colonization through political deportation were not realized. Having traced the movements of the relatively anonymous June insurgents from the barricades, to their metropolitan detention sites, and finally into exile in Africa and Guiane, the following chapter will allow us to explore more fully the effects of transportation policies during the Second Republic on a handful of individuals whose experiences have been well documented in the archives. In this way, the role of the deportees in the formulation and evolution of deportation policies in the mid-nineteenth century will become clearer.

Chapter Six

The Lyon Plotters as Agents of Civilization in the Pacific

Though members of the National Assembly had decreed on 8 June 1850 that the French government would now be deporting political criminals to Nuka Hiva in the Marquesas island chain, it was not until over a year later that any judges handed down the simple deportation sentence that would send a convict to this distant French possession. Having stumbled in their attempts to find the ideal place to banish the June insurgents, legislators hoped that this new law would finally facilitate colonization through political deportation projects. Yet these penalties – simple deportation and deportation in a fortified facility – could only be inflicted in the most egregious of political offenses. Not until High Police authorities uncovered the infamous Lyon Plot in 1850 was the state's case strong enough to implicate several men in such a crime. As I discussed in the previous section, three men received deportation sentences for their role in this affair; along with their wives and children, they alone faced the prospect of a life in exile on Nuka Hiva.

The case of these three families stands out as a striking and poignant illustration of the ideals as well as the weaknesses behind the colonization through deportation policies of the Second Republic. The lived experiences of Alphonse Gent, Albert Ode, Louis-Joseph Longomazino and their wives and children on the remote Pacific island reveal much about the shared expectations the deportees and colonial officials had for the project and about the common attitudes they held towards political protest and its proper punishment more generally. The story of Gent, Ode and Longomazino also exposes the

ways in which deportation deviated from those ideals when put into practice. In this section I will explore both the Lyon plotters' trial and their deportation – the crime and the punishment – as a micro-history of this penal practice. While my previous discussion focused on the development of deportation policies on a national level, in this section I will show how they were worked out on a local, colonial level. Similarly, while chapter three traced the impact of one group of deportees on an already existing colonial society (in the Seychelles), this second study examines the consequences of using deportees as France's pioneers in a new overseas possession.

This particular deportation experience marked the culmination of official French colonization through deportation designs. Administrators had already located the “ideal” French possession for the deportees to colonize: Nuka Hiva was strategically valuable for France's commercial and shipping interests; previous explorers had claimed that its climate was healthy; its indigenous populations were not threatening to Europeans; and it did not have a pre-existing group of voluntary colonists who would compete with the deportees for land and resources. Moreover, the French government allowed the deportees to perform their sentences with their wives and children with the idea that stable family units would create a more stable colonial society. Yet, this deportation episode also heralded the end of colonization through deportation projects. The long distance to Nuka Hiva made communications and transportation costly and inefficient. The small group of convicts could not be persuaded to work, thus calling into question all claims that political prisoners would be effective colonists. Finally, political problems in the metropole created a new deportation imperative which shifted focus away from the

Pacific islands and focused it on more accessible colonies, such as Algeria and Guiane.

In the end, the failure of the Nuka Hiva experiment influenced the penal debate in France and definitively changed future French deportation policies. For this reason, a detailed description of the trial and the transportation of the Lyon plotters is essential to our understanding of the evolution of penal deportation.

Protest and Punishment

The Lyon Plot

In order to understand the consequences of deporting the Lyon plotters, we need to return to the days immediately after the June Insurrection and the creation of conditions in which the Lyon Plot could occur. Cavaignac and his forces had suppressed the revolt in the streets of Paris, but his new provisional government still felt the threat of popular revolt erupting in Paris or the provinces. Deeming the south-east regions of France the most troublesome, the government enacted a “state of siege” in those areas. The city of Lyon, especially, had a checkered past when it came to popular revolt. The silk workers there had already manifested a tendency towards violent uprisings, particularly in 1830 and 1834. In June 1848, the workers remained relatively quiet, but local authorities warned of potential problems arising in the city and its surrounding regions. Consequently, in Lyon the High Police surveillance and administrative suppression that were authorized under the state of siege were particularly severe.

The Parisian government closely monitored the political and moral situation in Lyon. The appellate court administering the departments of the Rhone, the Ain, and the

Loire sent monthly reports to the minister of justice regarding the administration of the state of siege. These reports described the actions of secret societies, including the Rights of Man in Lyon, as well as illicit radical newspapers and the activities of certain known “demagogues.” According to the reports, the stability of Lyon affected all of eastern France and parts of the Midi and was crucial to the security of the nation.⁴⁷⁰ Local officials mounted a campaign to make the public understand this need for increased surveillance and military authority. The Lyon newspaper *Le Salut Public* (“Public Safety”) was a pro-government daily that justified the current state of siege. In a response to one member of the Mountain opposed to the state of siege, the journal thanked God that the government had been able to contain those “ambitious men” who “appeal to all the worst instincts, to all the most dangerous emotions” of the populace and that the persistent state surveillance had allowed the “good sense of the people” to resist this call.⁴⁷¹

Contrary to the government’s worst fears about Lyonnais troublemakers, the reports sent to Paris and newspaper accounts from Lyon for the year following June 1848 often had no more to say than “Lyon est tranquille” (Lyon is calm). Despite political elites’ fears, radical laborers did not turn to violence during the first years of the Second Republic, even while government repression tightened.⁴⁷² Rather, as historian Mary Lynn Stewart-McDougall points out, workers had already established contact networks and organizational models on which they could rely during the initial stages of

⁴⁷⁰ AN BB³⁰379: “Rapport à la Garde des Sceaux du Parquet de la Cour d’appel de Lyon—Direction. Rapport sur le situation morale et politique du ressort de la cour d’appel de Lyon,” 1 Dec 1849.

⁴⁷¹ *Le Salut Public. Journal de Lyon*, 13 July 1850.

⁴⁷² Mary Lynn Stewart-McDougall, *The Artisan Republic: Revolution, Reaction, and Resistance in Lyon 1848-1851* (Montreal: McGill-Queen's University Press, 1984), 30-45.

repression. As newly enfranchised members of the electorate, they relied less on radical revolution and more on long-term educational strategies to strengthen their position in the democratic Republic. Lyonnais workers' commitment to electoral politics was the reason for the still radical but relatively peaceful nature of revolution in Lyon in 1848.⁴⁷³

The repressive measures enacted in July and August of 1848 that placed formal restrictions on public meetings and political cooperatives ultimately drove the democratic-socialist leaders underground. Newly radicalized workers drew on the experiences of older radicals to re-establish secret societies that had existed under the July Monarchy. These networks ultimately orchestrated the insurrection of June 1849. But the government's commitment to repression only increased, and Lyonnais protesters eventually succumbed under the pressure of military tribunals, martial law, and persistent army surveillance.⁴⁷⁴

In accordance with martial law in effect under the state of siege, participants in the June 1849 insurrection were subject to trial before a war council. One of their attorneys was Alphonse Gent, a former member of the Constituent Assembly who soon learned that while military surveillance had all but extinguished the secret societies based in the city of Lyon, the surrounding towns and provinces harbored a large number of committed democratic-socialists who circulated ideas and made plans to take action. This provincial network was known as the New Mountain (as a conscious rebuilding of the all-but-destroyed Mountain) and Gent began traveling throughout the Midi during the summer of 1850 gathering connections and placing himself at the center of an anti-

⁴⁷³ Stewart-McDougall, *The Artisan Republic: Revolution, Reaction, and Resistance in Lyon 1848-1851*, 30-31.

⁴⁷⁴ Stewart-McDougall, *The Artisan Republic*, 117, 135.

government conspiracy. His movements attracted the notice of the High Police and reports on his activities led to the seizure of four letters at a dingy Lyonnais inn where Alphonse Gent was staying.⁴⁷⁵

The sixth military division, in charge of this investigation, portrayed this New Mountain network of conspirators as vast and cleverly run. Letters destined for Gent were generally addressed to “*chez la mère*” (mother’s) at an inn at number 1 rue Noire in Lyon. The innkeeper, Borel, received these letters, opened them, and found a second envelope bearing the direction “*pour Marc*.” This Marc was none other than Gent. The four letters initially seized by the high police all contained code names, but authorities had gathered enough information through their surveillance to positively identify their authors. The four letter writers, Longomazino, Rey, Saillant, and Bouvier were all arrested along with Gent and Borel. Authorities then began a thorough search of other households to uncover more of the conspirators. Gent managed to stall the authorities long enough for Borel’s daughter, Mathilde, (later Gent’s wife) to burn many of the letters in his apartment. Other letters were found elsewhere, however, including three incriminating pieces written by Ode, the Parisian journalist, Henri Delescluze, and one Berthomieu. The police and military determined that much of the correspondence had been destroyed, particularly (and this would become significant during sentencing) any letters dated after 1850. They did, however, manage to seize enough evidence to implicate dozens of men throughout the provinces surrounding Lyon. On November 6,

⁴⁷⁵ See AN BB³⁰ 394, Travail sur le mouvement démagogique, Groupe de Centre, Groupe de Midi, and BB¹⁸ 1488, 22 Sept, 23-27 Oct, 6, 19, 20 Nov 1850, 17 Mar 1851. Many details of the Lyon Plot and the subsequent military tribunal are also available at the BN: *Procès du complot de Lyon. 2e Conseil de guerre de la 6e division militaire séant à Lyon* (Paris, 1851).

1850, authorities indicted sixty-three men and imprisoned twenty-three for their participation in the “Lyon Plot.”⁴⁷⁶ According to *Le Salut Public*, these men “who, if we let them, will bring grief and devastation to the entire country” were stopped just in time, since a rebellion was supposedly in the works for November tenth or twelfth.⁴⁷⁷

Nine months later, charges against fifty-three of the Lyon conspirators were brought before the Second War Council of the Sixth Military Division on August 6, 1851 (ten of the accused were tried *in absentia*). As *Le Salut Public* described the beginning of the trial, it seemed as if all of the brightest stars of the “red party,” including Michel de Bourges, had converged on Lyon’s courthouse to defend the conspirators.⁴⁷⁸ Prosecutors presented the letters as their primary evidence of a conspiracy that had spread throughout the Midi (encompassing as many as fifteen departments) and had ties with French political exiles in Switzerland and London. The defense stipulated to most of the facts presented by the prosecution: Gent had received money from *chambrées* and *cercles* (societies officially designated by the government as secretive and therefore illegal), these societies had corresponded with one another, and many members had anticipated some future struggle with the government. The defense argued, however, that the money was simply to be sent to political prisoners and exiles and was not intended to be used to stockpile weapons for future revolution. They further maintained that the societies continued to correspond in order to strengthen the Mountain’s electoral machine and to organize the fifteen departments to defend the Republic and the constitution against

⁴⁷⁶ AN BB³⁰ 394, Travail sur le mouvement démagogique, Groupe de Centre, Groupe de Midi, and BB¹⁸ 1488, 22 Sept, 23-27 Oct, 6, 19, 20 Nov 1850, 17 Mar 1851.

⁴⁷⁷ *Le Salut Public*, 8 November 1850, 2.

⁴⁷⁸ C.D. Bigot, *Le Salut Public. Journal de Lyon*, 6 August 1851, 1.

attacks by the state.⁴⁷⁹ Perhaps this was not the defense most likely to convince a military court to set the accused free, but it was certainly a determined political stance.

The prosecution called witnesses to support the charge that Gent and his associates were plotting rebellion. In fact, in their demands for the stiffest penalties allowed by law (deportation), the prosecution had to prove that these men had acted in order to attempt to change the government and to arm French citizens against the state. Almost all of the testimony was second hand, and most of the witnesses recanted while on the stand. Michel de Bourges and the other defense attorneys objected to the introduction of this hearsay and tainted evidence, but they were overruled by the military courts.⁴⁸⁰ In response, the defense attorneys withdrew in disgust on 26 August 1851, “convinced that the dignity and the liberty of the defense does not exist.”⁴⁸¹ The court then appointed new attorneys for the defendants; all but one refused new counsel.

In his summation on the final day of the trial, the prosecutor reminded the court that article 13 of the decree of 28 July 1848 condemned to deportation anyone found guilty of planning, preparing for, or participating in attacks with the goal of changing the government or of arming one group of citizens against another. The sentences handed down on 28 August 1851 were particularly severe. Seven were sentenced to deportation, including Gent, Ode and Longomazino (the other four thus sentenced had been tried *in absentia* after having fled France when the plot was uncovered); thirty-four received

⁴⁷⁹ "Complot de Lyon," *Le Salut Public. Journal de Lyon*, 28 August 1851, 2-3.

⁴⁸⁰ Stewart-McDougall, *The Artisan Republic*, 145-146.

⁴⁸¹ "Audience of 26 August," *Le Courrier de Lyon*, 27 August 1851, 3.

terms of detention or imprisonment; and twelve were acquitted.⁴⁸² In this period the acquittal rate for political crimes was around sixty-seven percent. It was even higher for charges of rebellion: around eighty-four percent. Both of these figures were well above the rate of acquittal for most other types of crime.⁴⁸³ Yet for the Lyon Plot, occurring as it did in the tumultuous Midi and proceeding under the military court system, the acquittal rate was a mere twenty-three percent.

The deportation sentence became one of the most hotly debated points of the trial as the nation's newspapers tried to digest the process in the days following its adjournment. Many of the defense attorneys came under enormous criticism for having withdrawn their counsel at the last minute, making a spectacle out of the trial. Responding to this criticism, one of the attorneys, Villiaumé, pointed to the court's ruling and the imposed sentences as further proof that the trial had not been fair and that justice had not been served. He argued that the 1850 law stipulating deportation to Nuka Hiva should not have been applied to this case since the prosecution never was able to establish whether the plot was formed before or after the law went into effect.⁴⁸⁴ This had a great deal to do with the fact that the high police were unable to find many damning letters dated after June 1850.⁴⁸⁵ It is not unreasonable to assume that Gent and his fellow conspirators had devised a procedure to follow in case it became necessary to destroy evidence of their correspondence. After all, most of the men who ended up on trial came

⁴⁸² *Procès du complot de Lyon. 2e Conseil de guerre de la 6e division militaire séant à Lyon* (Paris: au bureau du "Journal des faits"), 1851.

⁴⁸³ *Compte générale de l'Administration de la Justice criminelle en France* (Paris: Imprimerie Royale, 1825-1857).

⁴⁸⁴ *Le Salut Public*, 5 September 1851, 1.

⁴⁸⁵ *Le Courrier de Lyon*, 6 August 1851, 2.

from the professions, and many were lawyers, including Gent himself. Furthermore, in one letter seized by the police at Borel's inn, Rey, under the penname of "Amitié," wrote to Gent: "You are invested with a powerful and unique force; an all hardy strength. Brave citizen, MAKE HEADS ROLL. Cowardly are the authorities who strike back with long tortures of prison and the slow death of exile."⁴⁸⁶ This letter, written on 22 October 1850, demonstrates that key figures in the Plot were aware of the potential punishments; and it suggests that certain letters may have been destroyed before others in order to avoid deportation sentences for their authors.

Nevertheless, seven men were sentenced to deportation at the end of August 1851, and three of those men—Gent, Ode, and Longomazino—were still in custody. Plans soon began for their transfer to Nuka Hiva. In November of that same year Mathilde Gent asked the Ministry of the Interior to allow her to accompany her husband in his deportation.⁴⁸⁷ Mesdames Ode and Longomazino soon followed suit and also asked permission to bring along two children each.⁴⁸⁸ The government agreed to include the families in the transfer to the penal settlement of Nuka Hiva, setting aside a sum of money to help the women join their husbands in Brest before embarking for the Pacific islands.⁴⁸⁹ Officials could easily comply with the women's requests since the penal settlement of families had long been a goal of deportation policies involving political prisoners. The minister of the interior remarked that "humanity" warranted the practice,

⁴⁸⁶ *Le Salut Public*, 8 November 1850, 2. Emphasis in the original.

⁴⁸⁷ AN CAOM H//8: letter from minister of interior to minister of navy and colonies, 27 November 1851.

⁴⁸⁸ AN CAOM H//8: letter from minister of justice to minister of navy and colonies, 3 January 1852. The Longomazino family left their youngest son, Eugène, with his grandfather in Toulon.

⁴⁸⁹ AN CAOM H//8: letter from minister of justice to minister of navy and colonies, 3 January 1852.

and appealed to the law of 24 January 1850 (that set up deportation practices in Algeria) as legal justification.⁴⁹⁰ Ideally, the political prisoners deported to the Marquesas would help establish a new French colony on Nuka Hiva and create the basis for a profitable and thriving French South Pacific. The three families implicated in the Lyon Plot were only the beginning—or so officials then thought.

On Nuka Hiva⁴⁹¹

The prisoners and their families embarked on the naval ship *Moselle* and sailed from Brest on 20 December 1851. Soon after their departure, the ship's captain, Bolle, along with his quartermaster charged with the prisoners' security, Arbre, noted that these three men, though bound up in the same plot and sentenced to the same penalty, had very little in common. Discord soon arose among the men and their wives. Their disparate personalities became the topic of considerable correspondence regarding their value as colonists. In monthly reports to Théogène Page, the new commander of the naval station at Oceania based in Papeete, Tahiti, Arbre and Bolle described the prisoners, analyzing their characters and family situations in terms that exposed their own assumptions about good behavior, morality, and utility. A short sketch of each family, based on the observations of their guards, makes these assumptions and values clear.

⁴⁹⁰ AN CAOM H//8: letter from minister of interior to minister of navy and colonies, 27 November 1851. For more on the law of 24 January 1850 and the transportation of convict's families refer to the discussion above.

⁴⁹¹ In reconstructing the experiences of the deported Lyon plotters and their families, I have relied on documents preserved in the AN CAOM, especially cartons H//2 (Projects) and H//8 (Lyon Plot). The majority of the letters and reports were written by officials directly in contact with the deportees. There are also copies of several letters written by the deportees and their families, as well as letters written by their relatives in France. The view of their life that these letters relate is certainly one seen from above, the impressions of a captor over his captives, and letters from the deportees themselves must be read critically. Read altogether, however, certain important impressions of deportation and of the comportment of deportees become clear. It is with this goal in mind that I have recounted their histories with such detail.

Alphonse Gent, singled out as leader of the Lyon Plot during the trial, seemed to naturally dominate the other two. He evidently felt himself superior to his companions in both intelligence and education. The captain and the commander both remarked on his “aristocratic airs,” his arrogance, and his apparent shame at being associated with Ode and Longomazino in the same punishment.⁴⁹² He had a long thick beard that he kept meticulously trimmed, soon presenting a stark physical contrast with his young wife. Mathilde Gent appeared to her observers as a timid child of a woman with no sense of her place on the ship. She evidently valued her husband highly, and would follow him anywhere, but she had little fortitude to endure the ocean voyage. The captain noted a steady decline in her personal hygiene. She ceased paying any attention to herself and made no effort to keep her and Gent’s room tidy. Moreover, she had little understanding of politics or the law, and thus made a poor companion for her bombastic and opinionated husband. Her timidity and his unabashed and unrepentant political activism made Bolle and Arbre wary of either’s value as colonists. More particularly, they guarded against Gent’s desire to enthrall and guide the others, fearing he might engineer some attempt to escape.

In this respect, the presence of Albert Ode and his wife, Caroline, were of great value to Gent, while being particularly onerous charges for the Captain and the gendarmes guarding the prisoners. All who met Ode remarked on his lack of resolve. A slight man, Albert Ode was dominated by his wife. Caroline Ode had accompanied her husband in his deportation voluntarily, but she must have quickly regretted the decision.

⁴⁹² *Le Constitutionnel*, 16 July 1852. Article based on a letter from Page to the minister of the navy and colonies dated 22 April 1852. Available in AN CAOM H//8.

She remarked early on to the captain that had she any alternatives, she would not rest in Nuka Hiva for long. In her discontent with life on the ship and the penal regime in which she found herself, she eagerly listened to Gent's "vague theories of reform and modernization [*rénovateur*]"⁴⁹³ and to his discourses on the injustice of their sentence, their poor and inhumane treatment, and the possibility of a reprieve (were there to be a legitimate republic in place in France) or of escape. From their observations of the couple, the captain and the gendarme concluded that Ode had long yielded to his wife while in France. She had induced him to join in the Lyon Plot. He continued to bend to her will—and thereby to Gent's—during their deportation. Albert Ode always followed Gent in their visits to Captain Bolle to second Gent's complaints. Following Gent's example, he wrote to the same lawyers and merchants to plead their case for a reexamination of their punishment. His observers dismissed him as "worthless" (*un être nul*).⁴⁹⁴ Meanwhile, his wife was described as indolent and a woman of literary pretensions (*une sorte de bas-bleu*), "bringing neither affability, nor charm, nor a sense of practical economy to this group with which she now lives."⁴⁹⁵ When not parroting Gent or goading Ode, she was neglecting her family, letting her children run around the ship in any state of filth or indecency. For the authorities in charge of establishing, monitoring, and developing this new penal colony at Nuka Hiva, the particular characteristics of the Odes, husband and wife, were anathema to the project. As they did to a lesser extent in the case of Mathilde and Alphonse Gent, officials blamed the wife for her husband's

⁴⁹³ AN CAOM H//8: letter from the commander of Oceania, Page, to the minister of the navy, 7 June 1852.

⁴⁹⁴ AN CAOM H//8: letter from Arbore to Bolle, 1 June 1852.

⁴⁹⁵ AN CAOM H//8: letter from Page to the minister of the navy, 22 April 1852.

most troublesome characteristics. Once in Nuka Hiva, they actively encouraged Madame Ode when she began voicing her desires to return to France, and many reports included the lament that things would be so much better were Ode not a part of this “little penal colony.”⁴⁹⁶ His laziness and utter lack of character, and her brazen and un-matronly behavior were precisely what officials felt should be avoided in the selection of colonists. And they made unruly prisoners, as well.

On the contrary, Louis-Joseph Longomazino and his wife, Fortunée, were precisely the sort of model deportees that advocates of penal colonization had envisioned. Louis-Joseph was a large and powerful man, whom Bolle, Arbre and Page all described as “herculean.” A blacksmith by trade, he had a natural intelligence which was by no means equal to that of Gent, but which allowed him to stand up to the lawyer. Longomazino, who had been caught up in the radical politics of secret societies and *cercles* for thirteen years, found himself completely disillusioned and undone by his condemnation and deportation. Though his unusual physical strength initially worried his captors, they soon perceived that the situation of his confinement and transportation, along with the good influence of his wife, had humbled Longomazino and made him less of a threat. He seemed determined to improve his own situation through good behavior and—when he arrived on the island—hard work. His industriousness was no doubt encouraged by his wife’s example. Fortunée Longomazino won over Captain Bolle almost from the first. She was a hard worker, striving to keep her two children, Thérèse and Hégisippe, clean, clothed, busy, and well-mannered. Fortunée kept their room

⁴⁹⁶ AN CAOM H//8: undated report from Bolle to Page, apparently written during the *Moselle*’s voyage from Brest to Rio de Janiero.

impeccably clean, was on good terms with their guards, buoyed her husband's spirits, and "made the light of good sense penetrate his potentially brutal nature."⁴⁹⁷ The Longomazino couple met the criteria of the bourgeois moral code prevalent in the mid-nineteenth century. Gender roles were clearly defined, they were each diligent workers in their own separate spheres, and they maintained a modesty and respectability attractive to their observers.

Madame Longomazino immediately clashed with Gent, whom she considered a "political dreamer" and a bad influence on her husband. What most impressed Arbre, Bolle and Page, however, was that the Longomazino family dressed in their best clothes each Sunday, "like good and honest workers," and paraded along the ship's decks, Louis-Joseph proudly supporting his wife on his arm.⁴⁹⁸ This description of Longomazino as an honest worker was made without any ironic reflections on his status as a political prisoner—someone convicted of participating in a plot to overthrow the French government. His apparent reformation along with his status as a laborer granted him a certain respect. He was not a cultivator, yet he could still contribute to the new colony as a blacksmith. Honesty, industry, humble devotion, strict gender division of labor, and apoliticism were the ingredients of the perfect colonist as laid out by the administrators of Nuka Hiva. Madame Longomazino's excellent housekeeping and strong sense of right combined with her husband's physical strength (now channeled into the project of forging a new settlement) were the recipe for successful penal colonization. And they were easy to supervise on the long voyage to the Pacific island chain.

⁴⁹⁷ AN CAOM H//8: letter from Page to the minister of the navy, 7 June 1852.

⁴⁹⁸ AN CAOM H//8: letter from Page to the minister of the navy, 7 June 1852.

The voyage on the *Moselle* lasted seven months. After leaving Brest on 20 December 1851, Captain Bolle set a course for Rio de Janeiro. During those first months on board the ship, the captain allowed the prisoners as much liberty as he felt would still ensure their guard. The women and children were allowed on deck as often as they liked; the men could go up twice per day. The prisoners were told not to communicate with the ship's crew, and when the captain saw Longomazino talking with the master gunsmith, he punished the latter as an example to the rest of the crew. Once these rules were established, daily life on board became routine, but was marked by bickering and increasingly frequent personality clashes. When allowed to choose among the three rooms for the couples, Longomazino immediately claimed the largest, and by force of his superior stature and strength, the other two yielded. Gent and Ode drew lots for the other two rooms; Gent won. The four children slept together in the dining room on bed frames that were cleared during the day so that the families could share their meal times together. The prisoners' personal differences, which had evidently begun during the trial and their imprisonment in Lyon, were made more difficult to shrug off by the close quarters and the presence of the wives and children. They argued over their share of the eggs, tobacco, and coal. The hardships of the ocean voyage seemed to erode any last confidence the men had in one another.⁴⁹⁹

Yet the first leg of the voyage was marked by a certain arrogance on the part of the prisoners. When one of the gendarmes visited them and offered them a few little things to ease their journey, he reported being so slighted by their pride that he was not eager to make another such gesture. Page concluded that "without a doubt the hope of

⁴⁹⁹ *Le Constitutionnel*, 16 July 1852.

finding assistance among the numerous brothers and friends in Rio de Janeiro encouraged their pride.”⁵⁰⁰ They were closely watched while at anchor in Rio’s port. Some money was waiting for the families from France, sent by Gent’s political connections back in Paris, and Mathilde Gent went and claimed it on behalf of her husband. When Longomazino demanded his share from Gent, the latter refused and the rift between the families became even more pronounced.

After a voyage around the icy Cape Horn, the ship then put in at Valparaiso in April of 1852, where the prisoners evidently still cherished hopes for financial assistance from French ex-patriots and political allies. The captain allowed the women to disembark and to take up a collection to buy provisions. A few people gave them a small amount of money (which Page justified as being more like charity than a political contribution), but otherwise they met with a chilly reception. While they were docked in Valparaiso, Captain Bolle received word that Ode had made some disrespectful remarks to a senior officer and was therefore confined below decks. Surprisingly, both Gent and Longomazino refused to take their turns on deck until Ode could go as well. Despite the tensions in the group, there was a sense of solidarity among the prisoners that put Arbre on his guard.

This did not last long, however. A fight soon broke out in the dining quarters between Longomazino and Gent which highlighted the class tensions tearing at the small group. According to the former, who complained to Arbre after the fight, Gent had refused to allow Mathilda to sweep up after their communal meal claiming that he had

⁵⁰⁰ AN CAOM H//8: letter from Page to the minister of the navy, 22 April 1852 (emphasis in original).

not married her to reduce her to the condition of a mere sweeper. Seeing an allusion to the fact that his own wife had worked in a café while the men were in prison in Lyon, Longomazino immediately took offense and retorted that he would not watch Madame Gent be treated like a duchess when he knew she was the daughter of an innkeeper from a bad neighborhood in Lyon. Moreover, he countered, his own wife's father was a knight of the Legion of Honor. Longomazino shared his chagrin with the quartermaster. He recounted how Gent had turned his back on Ode and Longomazino as soon as he had received money from a friend in Paris while they were in Brest. Longomazino was discovering that the man who had been so convincing and persuasive in letters, was actually mean and selfish when deprived of his pen and seen at close quarters.⁵⁰¹ He lamented of ever having been under Gent's sway, insisting that he had wanted to accept counsel and testify during the last day of his trial, but Gent had bullied him to refuse it.⁵⁰² Longomazino also warned Arbre that Gent had been saving up money to use to pay off accomplices in case of an escape.⁵⁰³ Arbre ordered a search of the prisoners' trunks before their arrival in Nuka Hiva, but the money was never found.⁵⁰⁴

Longomazino's repentance and his ardently expressed desire to make the best of his situation and return to the "right path" was viewed hopefully but skeptically by Bolle and Page. Arbre, for his part, did not want to let down his guard, but he did congratulate Bolle on the results of his lenient punishment practices: "This success [the repentance of Longomazino] is all the more significant when it involves a *political criminal*, such a

⁵⁰¹ AN CAOM H//8: letter from Longomazino to Lavergne, 8 June 1852.

⁵⁰² AN CAOM H//8: letter from Arbre to Bolle, 3 May 1852.

⁵⁰³ AN CAOM H//8: letter from Arbre to Bolle, 3 May 1852.

⁵⁰⁴ AN CAOM H//8: *procès verbal* of items seized from deportees, 10 July 1852.

change only happens after several years of detention and suffering. The contempt that you have shown for their sort of boasting has been more effective than all the corporal punishments that you could have inflicted on them.”⁵⁰⁵ Longomazino, himself, thanked Bolle for the marks of respect the captain had shown him. He attributed to these acts of kindness his new opinion of Gent and his desire to become a productive and useful member of society.⁵⁰⁶

Meanwhile, the behavior of the other two detainees was more in accordance with Arbre’s expectations. Gent and Ode’s complaints and frequent belligerence fit the profile of a political criminal. “Their greatest ambition,” he asserted, “was to be punished during the voyage, in order to pose as victims.”⁵⁰⁷ He credited Bolle’s liberality—allowing the prisoners a certain liberty to provision themselves and to exercise, but not tolerating their arrogance or petty complaints—for stirring up their present disagreements and inspiring Longomazino’s contrition. The officials in charge of executing the deportation legislation, those who monitored the deportees and who commanded the penal colony, held certain beliefs about the nature of criminals in general. Arbre insisted more than once that it is in the nature of prisoners to try and obtain their freedom and they must be monitored at all times. More particularly, however, they held certain convictions regarding political criminals. These convicts were generally more intelligent, or at least their leaders were. They played on public sympathies and knew the law. Ever

⁵⁰⁵ AN CAOM H//8: letter from Arbre to Bolle, 1 June 1852.

⁵⁰⁶ AN CAOM H//8: letter from Longomazino to Bolle, 9 June 1852; letter from Longomazino to Bolle, 7 September 1852.

⁵⁰⁷ AN CAOM H//8: letter from Arbre to Bolle, 1 June 1852.

reformable, as Arbre concluded, it usually took many years for them to realize the error of their ways. Yet they would, eventually. Or so it was hoped, for the sake of the colony.

The *Moselle* anchored at Taiohae Bay on 2 June 1852 after 166 days at sea.

When they arrived, two other French ships already rested at anchor, the corvette *Artemise* (on which Page had sailed from Valparaiso to meet the deportees) and the warship *Hydrographe*. Three American whale ships were there as well, and Captain Bolle immediately gave orders that neither the prisoners nor the gendarmes guarding them were to have any contact with the whalers or any other foreigner.

The small settlement at Nuka Hiva consisted of a French fort, the government house where Bolle was soon installed as commander of the island, barracks, a store holding provisions for up to six months use, a Catholic mission and a handful of other buildings. Page and Bolle's assessment of the island upon his arrival led him to conclude that the fort and the other buildings required so much work as to make them uninhabitable for a time. While repairs began, the convicts were ordered to remain on the ship, though their wives and children were allowed to go ashore accompanied by one gendarme once per day if they so chose. Page defended this decision to his superiors with a description of the landscape of the island. Though officials in Paris believed the mountains around Nuka Hiva to be insurmountable, the Commander argued that a determined man would be able to escape into the thick underbrush and scale Mount Valérien before any roads could be made passable for the pursuing authorities. Moreover, although technically the women had not been deprived of any of their liberty in this voluntary exile, they had to be watched so they could not make plans for escape.

As he astutely observed: “We would deserve to become the laughingstock of the entire world if such an expensive expedition, involving a six-month voyage across the seas, had led to such a mockery.”⁵⁰⁸

While they waited for permission to go ashore, the three prisoners and their families settled into very separate daily routines. Fortunée Longomazino opted to take her children to the island each day under the watch of one gendarme. They could walk along the beach as far as the mission, where she soon began going to mass each Sunday. Every other day, she took her family’s laundry ashore to wash it, impressing her guards with her industry and determination to maintain a certain level of propriety. Meanwhile the other two wives refused to leave their husbands for the first week of their confinement in anchorage. By the second week, however, they too disembarked relatively frequently, though there is no mention of their accomplishing any chores while on shore, and neither woman went to mass. Elisa Ode, the eldest of the Ode children, would occasionally accompany Madame Longomazino and her children. Her health had been steadily in decline during the last month of the voyage, and both Bolle and Arbre worried that she was being neglected by her own family. They remarked that she had no bed linens to sleep on and seemed to receive more than her share of the household chores. Arbre also claimed to have witnessed Caroline Ode hit her child. Such negligence was yet another strike against Madame Ode as a valuable contribution to this “little penal colony.”

Albert Ode and Alphonse Gent spent their time aboard the *Moselle* in the harbor writing letters to family, friends, contacts, and attorneys. In each letter they complained

⁵⁰⁸ AN CAOM H//8: letter from Page to the minister of the navy, 20 June 1852.

about the conditions of their deportation. Gent pointed out that Nuka Hiva was the destination for simple deportation, and yet they were being held in a “prison” while awaiting the construction of a fortified establishment to house them. They argued, to anyone that would listen, that this was an intolerable aggravation of their penalty.⁵⁰⁹ Understandably, Gent’s description of Taiohae differed considerably from that of Captain Bolle and Commander Page. He denounced the “‘valley’ as a valley in only poetic or political terms. . . . It is an agglomeration of rocks and wilderness the most savage that could be imagined.”⁵¹⁰ Longomazino did not share these complaints. In a letter to his father, to whom he wrote with a cheerful tone obviously designed to assuage a parent’s fears, Longomazino described the bay as magnificent, surrounded by lush vegetation. He also noted that frequent breezes made the heat supportable, and that the indigenous inhabitants were “quite gentle, since those in the bay were already Catholic.”⁵¹¹

The prisoners had long wondered about the native islanders they might meet during their deportation. During the many months that they remained on Nuka Hiva, however, they did not have much contact with indigenous people. French-Marquesan relations were still amicable when the *Moselle* arrived in Taeohae, and Page wanted to be sure that they would be strengthened. To this end, the governor of Oceania wrote to the new governor of Nuka Hiva, Captain Bolle, to direct him in the management of relations with the indigenous groups on the island. Influenced by standard colonialist assumptions

⁵⁰⁹ AN CAOM H//8: letter from Gent to Phillipe Lavergne, a merchant in Valparaiso, 9 June 1852; letter from Gent to Monsieur Francbalme, 6 June 1852.

⁵¹⁰ AN CAOM H//8: letter from Gent to Francbalme, 6 June 1852.

⁵¹¹ AN CAOM H//8: letter from Longomazino to his father, Joseph Longomazino, 8 June 1852. The Catholic mission in Nuka Hiva began in 1839 and was considerably strengthened by the French acquisition of the island in 1842 and the building of a fort at Taiohae. In 1854, workers would lay the first stones of the foundation of a new Catholic cathedral on the site of the first mission.

regarding Pacific islanders, Page's own experience with the Polynesians had led him to conclude that they were proud and independent, but peaceful and even reasonable. "They are a gentle people," he wrote to Bolle, "who seek only our protection."⁵¹² He warned that French sailors and soldiers should not be allowed any opportunities to stir up trouble with them. He then alerted Bolle to an agreement he had made with King Temoana, one of the island chieftains. There was no one indigenous leader in the Marquesas or even on Nuka Hiva; instead the islanders lived in small independent communities. When the French made treaties with one king, they could only hope to influence two or three of these communities at best. King Temoana agreed to aid the French by alerting the people under his aegis to capture any escaping Europeans they might see, in exchange for a substantial indemnity for each person returned. Page encouraged Bolle to convene all the other chiefs on the island and promise them a large recompense for the capture of any escaping deportee, and a smaller prize for the return of any deserter. This plan, he insisted, would make for a more secure penal colony, and would allow the indigenous peoples to aid the French in the project of deportation.⁵¹³ Clearly Page was following a well-established pattern of enlisting native support in the surveillance of deportees that had included Arabs in Algeria and slaves and Amerindians in Guiane.

Despite this planning, hostilities with one group of islanders did flare up shortly after the prisoners were finally installed in the fort. In early September, Longomazino noticed preparations on the part of his captors for going to war with neighboring indigenous groups, and he volunteered to help since, "all those with French blood

⁵¹² AN CAOM H//8: letter from Page to Bolle, 8 June 1852.

⁵¹³ AN CAOM H//8: letter from Page to Bolle, 8 June 1852.

running through their veins must offer their assistance for the defense of the nation and flag.”⁵¹⁴ Longomazino wanted to demonstrate his new-found convictions that national (racial) unity overcame all political differences of opinion. This show of patriotism and willingness to fight for France was seen as yet another proof of his reformation and officials esteemed his contribution to the new colony even more. By the end of October, hostilities had been subdued, and the “little penal colony” soon settled into a relatively quiet routine.

Officials working on the ground in Oceania noted with particular pleasure the comfortable habitations that they had been able to provide the deportees and their families in the fort. Each family had an apartment of two rooms with a garden immediately outside of its door in which family members could grow some fresh fruit and vegetables. The families shared their meals in a common dining hall, preparing them in the kitchen. One of the barracks had been converted into a large, covered walkway to allow the adults and the children to exercise with some protection from the rain or intense heat. In a telling remark, Page commented that “they lack only their liberty.”⁵¹⁵

The three families received the order allowing them to move from the *Moselle* to the fort on 9 July 1852, with the understanding that work would soon begin on a “penitentiary” in which they would each have their own three-room house with a porch and a garden. Page assured them that each family would eventually have its own kitchen and dining facilities (thus allowing for a complete separation of the families), and he expressed his readiness to the minister of the navy that other deportees could soon arrive

⁵¹⁴ AN CAOM H//8: letter from Longomazino to Bolle, 7 September 1852.

⁵¹⁵ AN CAOM H//3: letter from Page to the Minister of the Navy, 20 June 1852.

to add to the community.⁵¹⁶ The commander continued in his optimistic plans for the penal colonization of Nuka Hiva.

Meanwhile, for these first forced colonists, the monthly reports detailing their daily lives relate few disturbances. Fresh bread, fruit, seafood, and meats were distributed on alternate days to each family. The wives and children took regular walks beyond the fort on the beach, though they were still not allowed to communicate with anyone outside of the penal establishment. Governor Bolle had established separate police for the military barracks as from the penal colony, further limiting any contact between the two. Eight gendarmes guarded the families each day. One was stationed in the front of the fort while another watched the rear entrance. The guards were given sabers for the day shifts, between five in the morning and seven at night, and loaded rifles during the night watch.

Finally on land and in their own quarters, the convicts complained less to the officials. Gent received permission to plant flowers in his garden, although this urge to cultivate beauty and not produce did not escape his observers. Arbre noted that Ode still complained, though he attributed this to the insistence of his wife. Longomazino and his wife, ever the examples of the ideal colonists and deportees, planted a vegetable garden and began to cultivate the land. The former took up his profession as a blacksmith for the colony. Every week, Fortunée Longomazino took her children and Elisa Ode to mass.

The one significant disturbance that shows up in the official correspondence involved Ode's daughter. Arbre had drafted a letter to his governor about his belief that Elise was suffering from the mistreatment of her stepmother. The note somehow fell into

⁵¹⁶ AN CAOM H/3: letter from Page to the minister of the navy, 20 June 1852.

Caroline Ode's hands, and husband and wife vehemently denied the charges and demanded they be withdrawn. Arbre followed up his report with a detailed description of his first-hand evidence of abuse along with his conviction that such treatment was Madame Ode's way of martyring the child in order to be able to complain of the poor treatment to which the families were subjected during their deportation. He answered Caroline Ode's request to be allowed to return to France on the next ship out of Taiohae with resounding approval. In his opinion, which seemed to coincide with that of Governor Bolle and even Longomazino in his private correspondence, life in the fort would be much better, and the colony much stronger, without Madame Ode and her troubling influence on the weak-willed Monsieur Ode.⁵¹⁷

Though her request to leave the island was endorsed by both Bolle and his superior, Page, she remained with her husband until his own removal from Nuka Hiva. The communications delay between Oceania and the Ministry of the Navy in Paris, as well as the infrequent opportunities for travel off the island, probably explain her continued presence for the remaining twenty months. Ships only traveled between Papeete and Taiohae every fourteen days with supplies and letters. That journey took up to seven days on the trip from Nuka Hiva to Papeete and almost twenty days traveling in the other direction because of wind patterns. Contact between Tahiti and France took upwards of six months. In the time it took for officials to write for permission, for the minister to grant it, and then for the travel to be arranged, the situation of the little penal colony would change dramatically.

⁵¹⁷ AN CAOM H//8: letter from Bolle to Page, 26 August, 1852.

Captain Bolle sent his plans for the new penitentiary to Governor Page in October 1852. Page requisitioned supplies and sent the *Artemesie* to Valparaiso to purchase the lumber and tools necessary for its construction. He then counted on Bolle to initiate the project. When the governor visited Taiohae in early February 1853, however, he was disappointed by the lack of progress made on the site. He saw the construction of the penitentiary as the colonial government's first priority, since Nuka Hiva was first and foremost a penal colony. As the officially designated site for simple deportation, adequate fortifications and habitations were essential to the survival of the project, and for its continued value to the metropole.⁵¹⁸ Page immediately set himself the task of supervising the penitentiary's construction and wrote the minister that it would be completed in a mere two and a half months. He prided himself on completing this task with a minimum of expense (around 12,500 francs). He was further comforted by the fact that this establishment would be a home for the deportees more in harmony with the law of 8 June 1850, the aggravations of which Gent and Ode continued to complain. Besides containing separate houses for each family (and room to expand should the minister decide to send more deportees to Nuka Hiva), the penitentiary would be surmounted by a large guard station built into the hills and surveying "every corner" of the establishment. From this lookout station, officials could also see the whole of the

⁵¹⁸ Oddly, there is no mention in the official correspondence of the *enceinte fortifiée* that was supposed to be built at Vaithau for the more severe penalty of deportation defined in the law of 8 June 1850. Simple deportation and restricted deportation were often conflated during this period, which explains some of Gent and Ode's consternation and confusion regarding their proper sentence. Nevertheless, there was a legal difference between the two that Gent often reminded the authorities existed, thus Page could not help but mentioning that holding the prisoners in the fort, with such restricted liberty and limited access to a livelihood, was "beyond the law. . . ." See AN CAOM H//2: letter from Page to minister of navy, 10 February 1850.

bay, and monitor any activity of whale ships or other likely means of escape.⁵¹⁹ Page's Benthamian descriptions of this new facility were in complete harmony with prevailing attitudes toward prison construction in Europe and North America. At the same time, however, his penal designs attempted to conform with implicit assumptions about colonial development and the *mise-en-valeur* of this new French possession. A certain liberty to labor coexisted with an imposed surveillance and boundedness of prisoner movement. The differences between deportees and colonists would soon become more apparent.

Governor Page commended, once more, the industry and utility of the Longomazinos, husband and wife. She continued to be a model wife, mother, and housekeeper. He worked hard at his blacksmithing, and also was the only one of the deportees to yield any useful crops from his land. Consequently, this family succeeded as colonists, where the other two, for want of motivation and labor, failed miserably. Ode and Gent were no longer difficult, but they were lazy, and thus the officials treated them with less attention than they gave the Longomazinos. In November 1852, in fact, the other two men jealously complained to the captain about his taking Longomazino on an inspection of the troops. (Page and the minister agreed that while good behavior should be rewarded, this was going a bit far.) Yet at least from the perspective of his colonial observers, Longomazino continued to show regular and sincere signs of repentance and

⁵¹⁹ AN CAOM H//2: letter from Page to the minister of the navy, 10 February 1850.

reform. Contrarily, Ode and Gent, Page noted, continued to celebrate January 21 with cries of “death to the kings, and all the tyrants.”⁵²⁰

Despite this resistance, as prisoners of the state, the deportees were entitled to provisions and tools that enabled their laziness, if they so chose. Ode and Gent had little need to work, except for relief of boredom, so they did not do it out of protest. The colony would never thrive if such men were its primary developers.

The contradictions of colonization through deportation became even more apparent when Longomazino received a reprieve and the government lessened his punishment to ten years banishment from France. As prisoners, according to the reigning penal theories of the day, good behavior and sincere expressions of repentance should ultimately be rewarded (after a trial period of banishment) with a welcome return to French civil society. Longomazino’s industry and his expressions of the most correct civil and political loyalties while in Nuka Hiva justified Arbre, Bolle and Page in recommending to the Ministries of the Navy, Justice, and War to grant this reprieve. And yet, once Longomazino and his wife and children had left Taeohae’s little community, the Ode and Gent families were all that remained of the island’s civilian, non-bureaucratic, and secular colonists. With such unproductive and useless pioneers, Nuka Hiva became merely a French depot for prisoners. These were not the men and women that would develop France’s new possession. And the island became only a fortified and distant French prison, little different except in setting and climate from cellular confinement in the metropole.

⁵²⁰ AN CAOM H//2: letter from Page to minister of the navy, 10 February 1853: “Situation de notre établissement aux Marquises.” January 21 was the anniversary of the beheading of Louis XVI on 21 January 1793 during the first French Revolution.

Around March 1854, the minister of the navy and colonies wrote to the minister of justice regarding the evident failure of the penal colony at Nuka Hiva.⁵²¹ He blamed metropolitan political interests for its collapse. Though there were thousands of potential political deportees after the *coup d'état* of 2 December 1851, the government decided to send them all to Algeria or Cayenne, instead of the Marquesas. The sixty-five men that went to Cayenne did so because their penalty was officially changed in the books from “deportation” to “forced labor,” thus enabling such a change in destination. The reasons for this political decision will be dealt with in the next chapter, but suffice it to say that expediency dictated that the deportees be transported as soon as possible, and the fact that no facilities for either first or second degree deportation had been built in the Marquesas was one potential factor in the decision. Yet the rerouting of hundreds of men away from the Pacific Ocean islands, as outlined in the law of 8 June 1850, and towards Algeria (for the second and third degrees of their punishment) and Guiane (as the first degree) convinced the minister of the navy that it was wrong to continue to imprison Gent and Ode in Nuka Hiva. It was unfair, he insisted, since they had been judged under the same laws as the deportees of December 2, and yet they were held further from the metropole and were comparably better off and in easier circumstances. He also objected to continuing the penal colony on practical and economic grounds. Even with only two small families in the penitentiary, guards were needed to watch over them (of the approximately 360 men at the station, perhaps fifty were directly involved in monitoring the prisoners), and this ended up costing the government around 14,000 francs per

⁵²¹Undated report on the establishment at Nuka Hiva, see AN CAOM H//8. The minister of justice replied to the report in a letter dated 3 April 1854.

month.⁵²² Finally, the minister knew all too well that neither Gent nor Ode was a valuable contribution to Nuka Hiva, and he thought it in France's best interest for them to be transferred. In listing options for their continued punishment, the minister suggested several alternatives: either they could be sent to Guiana (which he considered a severe and unwarranted aggravation of their penalty, since they had had a relatively easy life in the Marquesas); or they could receive a commutation of their sentence to banishment (though this would put them in the same class as Longomazino, which they did not deserve, and would enable them to return to France, which the minister considered likely); or they could serve out their sentences in Algeria with others deported for participating in secret societies. The minister considered this final option, transferal to Algeria, as the most just, given the nature of their original crime and the conditions of their punishment.

By the end of November 1854, the penal colony at Nuka Hiva was no more. Longomazino and his family had long left the penitentiary, receiving provisional permission to settle at Papeete until they could arrange a voyage to some non-French possession. Gent and Ode both, contrary to the original recommendations of the minister of the navy, received commutations of their sentences from the emperor. Instead of deportation, they were banished for life from French possessions, and Page arranged for their return to Valparaiso where they would have to fend for themselves (with a small financial aid from Oceania's colonial coffers).⁵²³ The penitentiary was largely

⁵²² AN CAOM H//8: undated report from minister of the navy regarding the situation of the establishment at Nuka Hiva.

⁵²³ AN CAOM H//2: letter from Page to minister of the navy, 20 November 1854.

dismantled. Some of the penitentiary was left in ruins—a reminder of a failed effort at colonialism through political deportation.

While certainly specific decisions made in Paris were to blame for the failure of the Nuka Hiva penal colony, contradictions revealed in the existing deportation policies were the ultimate reason for the abandonment of the existing system of political deportation after 1854. Though no colonial project could survive with only three families to serve as colonists, penal theories that rewarded good behavior (specifically, participation in colonial development and productive labor) with reductions in sentences meant that the most valuable colonists would be the most likely to receive some commutation or reprieve of their sentence and be able to leave the colony. Consequently, the least improved and most intractable of the deportees would be left to idle away their time, contributing as little as possible to a system (or government) against which they had already protested.

Conclusion

The final fates of the Lyon plotters remain to be told. Of the three men sent to Nuka Hiva, I have only been able to account for Gent's history after he left the island. It seems that the obscurity for which Longomazino longed and Ode was so well suited reclaimed them both, and I imagine that they lived out their lives relatively quietly. The more dramatic events of Gent's life were sketched out in the introduction to this dissertation. In sum, the irrepressible Alphonse Gent, having passed a few years as an attorney in Valparaiso, returned to Europe, where he wrote for opposition French newspapers while biding his time before he could return to France in 1869. Once the

republicans were back in charge, and his own political leanings were rendered uncontroversial, Gent re-entered French political life, serving as the prefect of the Bouches-du-Rhône under Gambetta, and running for senator for the Vaucluse, a position he finally attained in 1882. He died in Paris on 26 January 1891 during his second term as senator.

The largest setback in the colonization through political deportation policies of the Second Republic occurred with the economic, political, and social failure of the settlement at Nuka Hiva. After only two years, the “little penal colony” had become an economic burden. The distance of the island from the metropole meant that communication between local administrators and Parisian officials was slow and ineffective. Furthermore, the choice of deportees—three Lyon republicans and their families sentenced to this penal experiment by a military court—was ill-made. Gent and Ode proved intractable, celebrating the anniversary of the death of Louis XVI, issuing a steady stream of legalistic complaints regarding their situation, and refusing to work on developing the colony. Only Longomazino and his wife received the favor of the local authorities, and this only because they exhibited the behavior of a proper working-class family fully conscious of their familial, social, civil and political responsibilities. Once Longomazino had been pardoned, however, his absence made clear the futility of continuing deportation in Nuka Hiva. Moreover, as the next chapter will make clear, the contrast between Gent’s education and middle-class, professional social standing and that of Longomazino foreshadowed a new development in colonization through deportation policies: the importance of the working-classes in the creation of penal policies.

The ideal of colonization through political deportation had been attempted for the last time on the Marquesas between 1851 and 1854. Hereafter, political elites would continue to institute deportation policies—often with similar rhetoric of colonial improvement and development—but always with provisions of forced labor and permanent habitation outside of continental France. The land of redemption had given way to shorter-term impulses for distancing. Longstanding penal policies that did not subject political criminals to forced labor and dictated that they be separated from the common-law population of criminals meant that political prisoners could never succeed as deportee colonists.

Deportation practices continued under the Third Republic, and the government even attempted to revive the 8 June 1850 law as the foundation for deporting Communards and Algerian insurgents from the Kabylie to New Caledonia.⁵²⁴ Colonization in New Caledonia, however, was informed by practical first-hand experiences, since the same Théogène Page, who had so closely monitored the Lyon plotters in Nuka Hiva, sat on the commission for colonization of the new French possession.⁵²⁵ Moreover, after the arrival of the Communards in New Caledonia, colonial authorities could not supply the same level of support to the deportees, and this new half-hearted measure for colonization through deportation failed as thoroughly as it

⁵²⁴ During the legislative debates over this policy, certain lawmakers revealed that they had learned some lessons from the experience of the Lyon plotters twenty years before. The project's architects established formal incentives for working in the colony, hoping that land concessions and work permits might induce deportees to remain productive in the colony for the remainder of their lives. Critics of the venture charged that by not imposing labor on the deportees, they might exercise their "right to be lazy." Certainly Gent and Ode had proved the justness of this critique. Finally, the leaders of the Third Republic hoped that this penal colony would survive due to the quantity of political prisoners sent over, some 4,586 deportees.

⁵²⁵ For more on the former commander of Oceania's role on the commission for colonization of New Caledonia, see AN CAOM H/12.

had on Nuka Hiva.⁵²⁶ Following the Second Republic's failure in the Marquesas, prisoners would never again have the same central role in the *mise-en-valeur* of the colonies as the Lyon plotters had been given (and largely refused) in French Polynesia.

⁵²⁶ The deported Communards overcrowded the penal settlements and those who were willing to work had difficulty finding any jobs to do. The greater numbers meant that the colonial authorities in New Caledonia had even less of a chance to cultivate good colonists than their counterparts in Nuka Hiva. Living conditions for the deportees degenerated quickly. In 1880, the government abandoned the attempt and allowed the Communards to return to France.

Chapter Seven

Convicts in the Colonies and a New Public Order

As the deportation episodes involving the June insurgents and the Lyon plotters illustrate, the prominent role of political prisoners as colonists proved illusory. The peculiar penal and imperial optimism of the Second Republic ended with the establishment of the Second Empire. The two interwoven strands in French political culture that we have followed through the first half of the nineteenth century—concern over politically destabilizing forces and interest in developing an overseas empire—were pulled apart during the Second Empire. This chapter will trace the abandonment of colonization through deportation measures and the emergence of a new form of deportation, this time codified as “transportation” and targeting, for the most part, common-law convicts. The result was a penal policy modeled more closely on Great Britain’s early colonization of Australia, even as English legislators were definitively ending British transportation practices in favor of metropolitan penitentiaries.

Most historians of France have tended, when discussing the deportation practices of the early nineteenth century, to conflate common-law and political deportations as two parts of the same phenomenon.⁵²⁷ One historian goes so far as to claim that no such distinction ever existed, citing as evidence the regular appearance of appeals to Botany

⁵²⁷ See, for example, Colin Forster, *France and Botany Bay: The Lure of a Penal Colony* (Melbourne: Melbourne University Press, 1996); Jean-Claude Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane* (Paris: Librairie Arthème Fayard, 1981); Jacques-Guy Petit and others, *Histoire des galères, bagnes et prisons, XIIIe - XXe siècles. Introduction à l'histoire pénale de la France* (Toulouse: Bibliothèque Historique Privat, 1991); Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of the Crime Problem in France* (New York: Oxford University Press, 1983).

Bay in debates on transportation policies.⁵²⁸ Though it is indisputable that British deportation policies focused almost exclusively on common-law criminals, and that French observers at the time understood that this was an aspect of the British system that differed from their own stated goals, allusions to Botany Bay in French penal debates were part of a separate argument over prison reform that authorities had carried on since the Restoration. What is notable about Napoleon III's reign, in terms of penal colonization, is the fact that the two debates over the deportation of political prisoners and the transportation of common-law convicts finally merged.

One contemporary critic of the Napoleonic regimes, Jean Destrem, witnessed this new trend towards conflating the two practices and tried to shift the focus of the penal debate back to political prisoners. His many studies of deportation episodes during the Consulate and First Empire deliberately sought to link Napoleon III with his uncle, and paint them in an equally unflattering light.⁵²⁹ Yet Destrem's work could not overshadow changes in popular and official attitudes toward criminal activity that took place during the first years of the Second Empire. Nor could he forestall the effects of political crime on public order that would induce Napoleon III's government to enact new transportation policies targeting thousands of French prisoners. Thus, by May 1854, the government

⁵²⁸ Luis-José Barbançon, "Déportation et colonisation pénale en France (1789-1847) (Introduction à la colonisation pénale en Nouvelle-Calédonie)" (mémoire de maîtrise, Université de Provence - Aix-Marseille I, 1991), 125.

⁵²⁹ For an understanding of Destrem's corpus on deportation, much of which informs my understanding of the Napoleonic period as analyzed in chapter two of the current work, see the following works: Jean Destrem, *Déportations de prêtres sous le premier empire* (Paris: Daupeley-Gouverneur, 1879); Jean Destrem, "Note de M. Jean Destrem sur la conduite de Bonaparte, premier consul, à l'égard du clergé des colonies," ed. G. Monod and G. Fagniez (Revue Historique, Imprimerie Gouverneur, G. Daupeley, 1879); Jean Destrem, *Les Déportations du consulat et de l'empire* (Paris: Jeanmaire, 1885); Jean Destrem, *Le Dossier d'un Déporté de 1804* (Paris: Imprimerie française J. Dagon, 1904); Jean Destrem, *Les Fêtes de Fanjeaux, 23 août 1908. Inauguration du monument élevé à Hugues Destrem, maire de Fanjeaux, représentant du peuple, déporté à Cayenne par Bonaparte pour avoir combattu le coup d'état du 18 Brumaire* (Paris: Imprimerie Française, J. Dagon, 1909).

had codified the practice of sending large numbers of common-law prisoners to overseas work camps. In the early years of his empire, the new emperor exhibited much less interest in developing an overseas empire than he did in strengthening domestic industry, metropolitan social order, and his own regime.⁵³⁰

In the previous two chapters, I focused on the laws issued during the Second Republic in which colonization through deportation efforts became codified for political offenders. In this chapter, I will follow a separate series of legislation aimed specifically at common-law criminals. Foreshadowed by the inclusion of ex-convicts in the decree of 28 June 1848, the decree of 8 December 1851 went even further towards blurring the distinction between political and common-law crimes when it lumped together members of secret societies with those who had dodged surveillance. The official justification for the decree, inserted into the *Bulletin des lois* on 9 December, established the necessity for the French government to transport both of these categories of individuals to Algeria or Guiane for at least five years,

. . . considering that France needs order, work, and security; that for too many years society has been profoundly worried and troubled by the machinations of anarchy as well as by the insurrectional attacks of *members of secret societies* and *ex-convicts always ready to become instruments of disorder*; considering that, by these constant habits of revolt against all laws, *this class of men* jeopardize not only tranquility, labor, and public order, but also authorize unjust attacks and deplorable calumnies against the wholesome working population of Paris and of Lyon; considering that the current legislation is insufficient and that it is necessary to modify it, all the while reconciling the needs of humanity with the interests of general security. . . .⁵³¹

⁵³⁰ Jean Meyer and others, *Histoire de la France coloniale des origines à 1914*, 2 vols., vol. 1 (Paris: Armand Colin, 1991), 419.

⁵³¹ *Bulletin des lois*, v. 467, decree 3403, 8 December 1851. Emphasis added.

Taking a closer look at the language in this legislative preamble, the lack of a clear antecedent for “this class of men” is striking. Legislators might well have been referring either to members of secret societies, or to ex-convicts, or to both together. While the official justification for transportation measures relied on familiar rhetorical appeals to “public order” and “general security,” the emphasis on protecting labor (the working classes) is an entirely new development. Previous deportation measures had expressed much more generalized concerns for the stability of French society, without specifying a particular class as the focus for political anxiety.

Though this legislation, targeting as it did ex-convicts along with organized political troublemakers, owed much to earlier debates over the creation of a French Botany Bay,⁵³² the convergence of novel social theories with new political preoccupations explains the rapidity with which *transportation* finally emerged as a punishment for common-law criminals with the laws of 27 March 1852 and 30 May 1854. The former law, issued the day before another decree regarding the Algerian internment of political prisoners from the *coup d'état*, was the first officially to designate *bagnards* as potential transportees to Guiane. The latter piece of legislation definitively called for the abolition of the metropolitan *bagnes*, replacing them with forced labor camps in the colonies, again specifying Guiane for this function. The successive decrees issued between the *coup d'état* of December 1851 and May 1854 alternated the focus of penal deportation between political and common-law convicts. But the formal establishment of the colonial *bagnes* on 30 May 1854 indicated that a decisive change in French penal policy had occurred. Thereafter, both groups were subject to forced

⁵³² See chapter four.

emigration. The vocabulary of punishment was formalized, and common-law criminals emerged as the most potent threats to public order and social stability, often at the expense of practices distinguishing them from political criminals.

Louis-Napoleon Bonaparte and a New Direction in Penal Policy

As we saw in chapter four, French penal theory during the July Monarchy largely favored the creation of a national system of penitentiaries modeled after American prisons, particularly the Auburn facility in New York and Philadelphia's Cherry Hill establishment. This ideology of cellular seclusion for all criminals (varying only by the length of confinement in relation to the gravity of the offense) had many prominent supporters including Alexis de Tocqueville and Charles Lucas. Yet formal attempts to establish such a prison network were hampered by a variety of difficulties. Legislators could not settle on which model of cellular confinement to implement, often hesitating specifically over the role of work in a prisoner's rehabilitation regime. Furthermore, as we have seen, political officials regularly fell back on deportation as a means to deal with a sudden swelling of political prisoners—as happened at the end of June 1848—or as a method of ridding the metropole of particularly troublesome rebels, such as the Lyon plotters.

Eventually, a series of penal reforms made between 1850 and 1852 marked the end of the state's experimentation with cellular incarceration as the sole method of punishment for all offenses. French historian Jacques-Guy Petit characterizes this period as one where politicians and administrators advocated a "*retour à la terre*" as opposed to

“*le pierre*” [the rock] for contemporary prisoners.⁵³³ This “return to the land” could be seen in two separate trends: the development of *colonies agricoles* for adult offenders and the implementation of transportation policies for common-law criminals. Although it is the latter practice that signals the endpoint of this study, in order to understand the full significance of this larger penal shift, I will explore the theoretical, social, and political foundations of each of these currents in French criminal justice.

The *colonies agricoles* were based on the models of reformatory agricultural colonies that had been developed for youthful offenders, the most famous of which was at Mettray.⁵³⁴ Charles Lucas had lauded the effectiveness of the reformatory at Mettray, and other penal reformers—largely Catholics and moderate republicans—soon supported their propagation and extension to adults. Proponents of the *colonies agricoles* pointed out that not only would criminals have the opportunity to do morally improving labor in the healthy surroundings of the French countryside (just getting them out of the urban centers seemed an important step), but that France, too, would benefit from this means of cultivating otherwise unused metropolitan land. After the February Revolution of 1848, many republicans proposed establishing reformatory agricultural colonies in undeveloped regions of France as well as in nearby French possessions. During his detention in Fort du Ham, Louis-Napoleon Bonaparte had written a treatise on reducing pauperism and

⁵³³ Jacques-Guy Petit, *Ces peines obscures: La prison pénale en France (1780-1875)* (Paris: Fayard, 1990), 248-251.

⁵³⁴ The reformatory *colonies agricoles* are not to be confused with the *colonies agricoles* established in 1848 that involved the voluntary settlement of some 20,000 French men and women in organized villages in Algeria. This represented another attempt to colonize Algeria during the Second Republic. It was, arguably, as equally unsuccessful as penal colonization in that colony. See, for example, Michael J. Heffernan, “The Parisian Poor and the Colonization of Algeria during the Second Republic,” *French History* 3, no. 4 (1989).

mendacity, suggesting that the state send offenders to *colonies agricoles* in Algeria and Corsica.

As early as January 1849, many deputies of the Legislative Assembly expressed their wish to see *colonies agricoles* developed for the punishment of adults. Léon Faucher, the new minister of the interior following Louis-Napoleon's election as president of the Second Republic, was one of the chief advocates of the agricultural colonies, calling for a penitentiary system based on agricultural labor and public works.⁵³⁵ With the law of 5 August 1850, legislators formalized education and sponsorship systems for youthful detainees sentenced to forced labor in the *colonies agricoles*. At the government's request, Louis Perrot undertook an investigation in 1851 of the possibility of establishing agricultural colonies in Algeria and Corsica and reported his findings to the new minister of the interior the following year.

The project Perrot outlined recommended the deportation of more than 17,365 male convicts (he determined that women were unfit for hard colonial labor) at a cost of around 15 million francs. This figure, he estimated, would save the government 35 million francs compared to the cost of their imprisonment in the metropole. The project, he continued, would have the added benefit of fixing these men in the colony and bringing about their moral regeneration through working the land.⁵³⁶ This plan was never carried out.⁵³⁷ It would soon be overshadowed by the other punitive "return to the

⁵³⁵ *Moniteur universel*, 6 January 1849, pp. 44-45. National Assembly, session of 5 January 1849.

⁵³⁶ Louis Perrot, *Rapport à M. le Ministre de l'Interieur sur un projet de transportation des condamnés criminels et correctionnels et sur l'établissement de colonies agricoles pénitenciaires en Algérie et en Corse suivi d'un rapport sur la colonie anglaise de portland* (Paris: Imprimerie nationale, 1852), 10-11, 13, 40-41.

⁵³⁷ The plan for *colonies agricoles* on Corsica was never carried out, but a *bagne* in Corte became a common destination for political criminals after 1855. Among those protestors interned in Corsica and

land” when deportation policies were extended to include convicts other than political prisoners beginning in 1852. To understand this decision, we must turn once more to the plight of the *bagnards* laboring in metropolitan port cities.

The bagnards are back again

The first two years of Louis-Napoleon Bonaparte’s presidency were marked by the constant threat of social and political movements (such as the Lyon Plot in the Midi discovered in 1850), concerns over labor and industry in France and the colonies following the abolition of slavery and the dismantling of the national workshops, and increasing apprehension over the crime problem in French cities. As Bonaparte began tightening his control over metropolitan France, instituting repressive measures that would ensure “public order,” political elites redefined who exactly constituted the greatest threat to that order. As they attempted to resolve problems caused by political protest, labor shortages, and crime, it became clear that these three issues were interrelated in their minds. One place where they intersected was in the growing public demand to eliminate the problems caused by overcrowded prisons and *bagnes*.

Following two decades of legislative indecision regarding the role of the *bagnes* at Brest, Toulon and Bordeaux, the fate of the current *bagnards* and of their dreaded future incarnations, the *forçats libérés*, once again received a lot of public attention. In letters written to President Bonaparte, the minister of the interior and the minister of justice in 1849, Adolphe Lacoudrais renewed earlier ministers’ warnings of the problems

forced to labor building roads through the island’s mountains were Charles Delescluze and Charles-Ferdinand Gambon. For their personal accounts, see Charles Delescluze, *De Paris à Cayenne: Journal d'un transporté*, 2 ed. (Paris: Imprimerie Dubuisson, 1872); Jean-Yves Mollier, ed., *Dans les bagnes de Napoléon III: Mémoires de Charles-Ferdinand Gambon* (Paris: Presses Universitaires de France, 1983).

France would face if the *bagnes* were not closed down and the *bagnards* removed more effectively from the rest of the population. As a former member of the council of state and the commission on prisons, Lacoudrais sought alternative solutions to cellular confinement, writing to the minister of justice that the cellular system was untenable in France for “religious, judiciary, hygienic, disciplinary, and financial reasons.”⁵³⁸

Instead, Lacoudrais supported a more widespread policy of transportation, based on the British model at Botany Bay. In the ultimatum he posed to the government, France would either establish penal colonies or face the consequences:

One of two things will happen: either France will found the equivalent of a Botany-Bay beyond the seas, in the same manner as Napoleon wanted, but perfected. . . . Or, on the other hand, as a result of the railroads, our poor France will soon and tragically become the Botany Bay of all of Europe.⁵³⁹

Lacoudrais’ mistrust of the continental prison system and his advocacy of the transportation of common-law prisoners were based on his beliefs about the deleterious effects of crime on France’s political stability. According to Lacoudrais, the comparative leniency of the criminal justice system attracted wrong-doers from all over Europe to France, where they perpetrated murders, thefts, and burglaries they would not dare to attempt in their own states.⁵⁴⁰ This only contributed to the social problem. Lacoudrais reasoned that the French population was increasing, particularly among the lower classes, at the same time as manufacturers were favoring technological investments that replaced human for mechanized labor. Therefore, opportunities for honest French workers to find

⁵³⁸ Adolphe Lacoudrais, “Lettres sur la transportation,” (Paris: Imprimerie de L. Martinet, 1849), 4.

⁵³⁹ Lacoudrais, “Lettres,” 2.

⁵⁴⁰ Adolphe Lacoudrais, “Colonies pénales. Lettre à M. le ministre de l’Intérieur faisant suite aux publications du même auteur sur la matière,” ed. Minister of the Interior (Paris: Imprimerie de L. Martinet, 1849), 9-10.

employment were decreasing. For that very reason Lacoudrais could not support the French prison system or the *bagnes* where convicts were forced to labor, essentially robbing virtuous members of the working classes of potential jobs.⁵⁴¹

This argument against prison work dated back to the seventeenth century and became an increasingly working class issue during the July Monarchy.⁵⁴² Worried that cheap convict labor would deprive honest laborers of work, French workers in the 1840s demanded that three recurrent problems be remedied: workers imprisoned for involvement in trade unions should be separated from thieves and burglars; the government should ignore philanthropists and should severely punish common-law offenders; and all competition between prisons and regular workshops should be eliminated.⁵⁴³

The February Revolution of 1848 ushered in a period of labor activism, wherein French workers extorted certain favorable reforms from the Provisional Government of the Second Republic. Consequently, with the decree of 24 March 1848, the government suspended all work projects in prisons and military penitentiaries so that they would not compete with free workshops run by honest laborers. For the next several months the debate raged between those concerned primarily with protecting the working classes and others who advocated prison labor as an essential component in the rehabilitation process for common-law criminals (including those, like Minister of the Interior Fauché, who favored *colonies agricoles* as the means to prevent prisoner idleness and the exacerbation

⁵⁴¹ Lacoudrais, "Colonies pénales," 9.

⁵⁴² Petit, *Ces peines obscures*, 392-397.

⁵⁴³ Petit, *Ces peines obscures*, 397-400.

of their moral deficiencies).⁵⁴⁴ The Constituent Assembly held an open debate on the subject in January 1849 that led to a law authorizing prison labor with the specific injunction that the state should not sell prisoner-made goods on the open market in competition with free labor-produced goods, but that the state should consume these goods itself, as much as possible. It was within this social and political climate that Lacoudrais and others developed their arguments against the *bagnes*.

Looking to the colonies

Issues of labor – and who would perform it—also dominated discussions about France’s colonial possessions in and around the Caribbean, and presented penal reformers with a potential outlet for convict and *bagnard* labor that would not compete with the products of free laborers. Two years after the abolition of slavery in 1848, the economic and social situations within the French plantation-based colonies had largely begun to improve. Property owners in Martinique and Guadeloupe had developed labor systems virtually re-indenturing former slaves while also encouraging immigration from India and China as contract laborers.⁵⁴⁵ Though Guianese land owners and administrators attempted similar measures to recover, the colony-wide labor shortage remained and they continued in an economic slump which seemed irrecoverable without some new infusion

⁵⁴⁴ See, for example, Fauché’s justification of prison labor in the *Moniteur universel*, 6 Jan 1849, p. 45.

⁵⁴⁵ See Pieter C. Emmer, "Immigration into the Caribbean: the Introduction of Chinese and East Indian Indentured Labourers Between 1839 and 1917," *Itinerario* 14, no. 1 (1990): 61-95; Pieter C. Emmer, "Mythe et réalité: la migration des Indiens dans la Caraïbe de 1839 à 1917," *Outre-Mers Revue d'Histoire* 89, no. 2 (2002): 111-129.

of labor.⁵⁴⁶ One contemporary observer, a Jesuit missionary named Hus, described the economic malaise affecting post-slavery Cayenne upon his arrival in the colony in 1852:

The emancipation of the *nègres* plunged Guiane into a frightening state of misery that is only increasing. It is impossible for free blacks to find any work, however irregular or inconsistent. The whites were not used to work and do not want to become so. Thus, every sort of cultivation, even the vegetable gardens, has almost entirely ceased. . . . The city of Cayenne seems less like a capital than a large village. Its straight wide streets end at right angles. They are rarely paved. The channels bordering them on each side have become overgrown with weeds; they retain the rain water which then becomes stagnant. These weeds also cover a good part of the street. . . .⁵⁴⁷

Hus's evaluation of the situation was representative of most colonial and metropolitan observers at the time. The colony's inability to recover after the abolition of slavery led many colonial administrators and elites to implore metropolitan officials to encourage immigration to the colony or somehow to provide some new source of inexpensive labor.

Louis-Napoleon Bonaparte had thought of transportation policies as a source of colonial labor before his election as president. After all, his prison manifesto during his detention in the Fort de Ham, *L'Extinction du paupérisme*, had proposed to resolve the social question by sending vagrants, beggars, and the unemployed to *colonies agricoles* in Algeria. It did not take a great stretch of the imagination, therefore, for the president of France to shift his plans for transportation to the labor-short Guiane. Moreover, within the context of the long legislative debates over the practice and policy of deportation and the official and popular complaints concerning the congested penal facilities in

⁵⁴⁶ Robert Cornevin and Marianne Cornevin, *La France et les français outre-mer: de la première croisade à la fin du second empire* (Paris: Editions Tallandier, 1990), 396.

⁵⁴⁷ Letter from Hus written 23 September 1852. Cited by Michel Devèze, *Cayenne: déportés et bagnards* (Paris: Julliard, 1965), 86-87. Hus traveled to Guiane as one of the first missionaries of the penal settlement that began there in 1852.

metropolitan France, it might have been more surprising had Bonaparte *not* extended transportation policies to include common-law convicts. Nevertheless, the actual directions in which the practice evolved under Bonaparte's tenure as president, prince-president, and later emperor may very well surprise modern observers. In order to understand them, we must follow the course of his administration and the penal legislation it produced.

As hinted at above, faced with three seemingly distinct problems (lack of labor in the Antilles, working-class opposition to prisoner labor, and overcrowding of the *bagnes*), President Bonaparte addressed parliament in November 1850 with his plans for a new direction in penal policy:

Six thousand convicts, imprisoned in our *bagnes* at Toulon, Brest and Rochefort burden our budget with their great expense, become more and more depraved and ceaselessly threaten our society. It seems possible to make the punishment of hard labor more effective, more morally-improving, less expensive, and at the same time more humane, by using it to forward French colonization. A draft bill will be presented to you on this question. (Murmurs of approbation.)⁵⁴⁸

Louis-Napoleon followed up his plan to introduce the deportation of common criminals into the penal code with vague appeals to statistics showing rising crime and a growing problem of recidivism. As penal historian Patricia O'Brien has noted, however, his decision was also based on an understanding of the potential dangers of the criminal classes disrupting the working classes in urban areas.⁵⁴⁹

French governments had long understood that the political criminal was a danger to civil society. Though crimes against persons and property were social ills from which

⁵⁴⁸ *Moniteur*, 13 November 1850, p. 3246.

⁵⁴⁹ Patricia O'Brien, *The Promise of Punishment: Prisons in Nineteenth-Century France* (Princeton, N.J.: Princeton University Press, 1982), 260.

the government had a duty to protect its citizens, political crimes struck more directly at the state during the age of revolutions. Consequently, French revolutionary and post-revolutionary regimes had reacted to political dissent and conspiracy with a greater sense of urgency, expressing a stronger desire to drive the offender beyond the state's immediate borders. But Louis-Napoleon extended this insight to common criminals as well, and advocated the replacement of forced labor in the *bagnes* for that of deportation to the colonies.⁵⁵⁰ As the hierarchy of threats to the public order shifted during the Second Republic, the presence of the working classes in urban revolts had made laborers the focus of considerable political attention. A growing anxiety over the vulnerability of these workers, particularly those closest to poverty, led to new theories of criminality and political protest in the first years of the 1850s.

The “permanent army of insurrection”

Separate from the debate over prison labor, yet equally central to elite perceptions of the working classes was the popularization of contemporary social theories regarding the “dangerous classes.” It was H.A. Frégier who first introduced this phrase to a large audience in his 1840 work, *Des classes dangereuses de la population dans les grandes villes, et des moyens de les rendre meilleurs*. In two volumes, Frégier described the various categories of members of the criminal class, and presented a hierarchy of the danger each type posed to society.

First on the list were the professional criminals, whose flagrant and repeated disregard for the law threatened public order by the high esteem in which other elements

⁵⁵⁰ O'Brien, *The Promise of Punishment: Prisons in Nineteenth-Century France*, 260.

of the “dangerous classes” regarded them. They were followed closely by vagabonds (especially foreigners who had no family ties to France and who tended to shiftlessness), the “bohemians” who had so deliberately removed themselves from the social order, those men and women making their living through such disgraceful trades as slaughtering and rag-picking, drifting and street-wise children (the *gamin*), and those involved in prostitution.⁵⁵¹ Frégier especially warned “honest men” of the dangers posed by freed convicts. The *forçat libéré*, hardened by years of forced labor in the *bagnes*, often organized associations of criminals that would prey on decent members of the working and middle classes.⁵⁵² Yet for all his dire warnings about the “dangerous classes,” according to Frégier the most obvious threats they posed were to the material wealth of the middle classes and to the moral well-being of the lower classes, from which these dangerous characters sprang. His analysis of these men and women from the underworld did not connect them, in 1840, to the same threats to public order posed by political protesters.⁵⁵³

This is not to say that such a connection between common-law criminals and political disturbances had not been previously made. An observer of the 1830 revolution, Poumiès de la Siboutie, had observed two separate waves of insurrection, the first

⁵⁵¹ H.A. Frégier, *Des Classes dangereuses de la population dans les grandes villes, et des moyens de les rendre meilleurs*, 2 vols., vol. 1 (Paris: Bailliers, 1840), 44-58. Historian Robert Tombs presents a cogent summary of Frégier’s classifications. See Robert Tombs, “Crime and the Security of the State: The ‘Dangerous Classes’ and Insurrection in Nineteenth-Century Paris,” in *Crime and the Law: The Social History of Crime in Western Europe since 1500*, ed. V.A.C. Gatrell, Bruce Lenman, and Geoffrey Parker (London: Europa Publications Limited, 1980), 215-216.

⁵⁵² Frégier, *Des Classes dangereuses*, 254-267.

⁵⁵³ A French historian looking at this period pointed out that that fear of crime disrupting the social order was reflected in the writings of men like Sue, Balzac, and Hugo, as well as the popularity of crime rags. For the most part, however, this fear was not given a political spin in the 1840s, indicating that political criminals and common-law criminals still remained distinct. See Louis Chevalier, *Classes laborieuses et classes dangereuses à Paris pendant la première moitié du XIXe siècle* (Paris: Plon, 1958).

comprising legitimate protestors, and the second composed of the men Frégier would have recognized: "behind the decent workers. . . came these bohemians of Paris. . . a hideous, sordid population, which surges out at the least agitation and disappears in calm times."⁵⁵⁴ Still, it would not be until the insurrections taking place in 1848 and 1849, that officials would forge any sustained link between political uprisings and the "dangerous classes."

Early in June 1848, a commission under Adolphe Thiers had begun looking into the question of reforming the system of the *bagnes* and seemed favorable to a plan to deport freed and detained convicts to Algeria. This report was never published due to the disturbances in the government after the June Days. Yet only one week after the repression of the June insurrection, the proposed punishment of the insurgents and the question of the *bagnes* were linked in an article appearing in the *Courrier du Havre*. Writing specifically on the question of transportation for participants of the recent riots, one journalist warned:

In any case, the dangers and inconveniences posed by the *bagnes* increase every day in France: they are schools for crime, and every year men leave them and return to society, never having repented, always to the contrary, animated by vengeance and resolved to wage a war to the death on order. The June days are the latest proof that ex-convicts are men that European society must chase from its bosom; we now have a chance to try and substitute the *bagnes* and central prisons with a penal colony; France would have everything to gain from the introduction of this modification, this change in its penal Code.⁵⁵⁵

Remember that the transportation decree of 28 June 1848 had specifically allowed for the deportation of any former convicts who had aided the insurgents. As historian

⁵⁵⁴ Poumiès de la Siboutie, *Souvenirs*, translated and cited by Tombs, "Crime and Security of the State," 216.

⁵⁵⁵ "L'Enquête sur l'insurrection – la Transportation," in *Courrier du Havre*, 5 July 1848, 1.

Michael J. Heffernan has shown, the objective of the ambitious colonization plans conceived by Parisian authorities to populate Algeria with unemployed Parisian workers in *colonies agricoles* was to reduce the threat of further violence in the city.⁵⁵⁶ Both proposals of colonization (free and forced) stemmed from the same shift in mentalities regarding crime, political protest, and the vulnerable working classes. Though the connections were not explicitly laid out at the time, it seems clear that in the minds of French political elites, the distinctions among working class, criminal class, and rebellious mob were becoming increasingly blurred. Each group posed a significant threat to public order.

These first stirrings of concern over the role of the “dangerous classes” in France’s political troubles would become more pronounced during the initial years of Louis-Napoleon’s presidency and empire. Returning to Louis Perrot’s report on establishing reformatory penal colonies in the Algerian countryside completed in 1852 (the year of the first law implicating common-law criminals in transportation projects), this inspector general of the prisons attributed the current push “to purge principal population centers” of ex-convicts to the popular belief that “a certain number” of them had participated in the “public troubles” of recent years.⁵⁵⁷ By 1854 (the year that transportation measures for common-law convicts were formalized), Edouard de Rutlin-Delaroy, had published a work in which he described the “dangerous classes” as the

⁵⁵⁶ Heffernan, “The Parisian Poor and the Colonization of Algeria during the Second Republic,” 377-403.

⁵⁵⁷ Perrot, *Rapport à M. le Ministre de l'Interieur*, 9.

“permanent army of insurrection.”⁵⁵⁸ This idea that criminal elements, forever battling against the laws of society, would readily join in any political insurrection against the government fueled government projects to expel all of the most dangerous criminals from continental French territory. The association of the “dangerous classes” with the working classes, and growing public perceptions of the former as a “reserve army” for insurrection meant that a punishment formerly reserved primarily for political criminals needed by no means to exclude common-law criminals.

Deportation had been written into the penal code as a penalty for political crimes under Napoleon I, but the exigencies of public safety had changed, and by the time his nephew attained power in France, the potential of *transportation* could not be ignored. It certainly did not hurt that the British had populated many of the English settlements in Australia with transportees. As Australian historian Colin Forster has shown, the French preoccupation with the British example of Botany Bay was one of the factors leading to the introduction of *transportation* in France.⁵⁵⁹ At least as significant, however, was the change in penal and political ideology concerning the best way to deal with threats to public order (and who constituted the greatest threat) that occurred during the early 1850s. In addition, France’s previous experiences with penal colonization through the deportation of specifically political prisoners provided Parisian political elites with the justification for extending the practice to include common-law criminals.

Consequently, Louis-Napoleon’s November 1850 speech to the National Assembly can only be understood within this new context of growing official concern

⁵⁵⁸ Edouard de Routin-Delarois, *Des Moyens de contenir les classes dangereuses* (Paris: Imprimerie Centrale des Chemins de Fer, 1854), 17.

⁵⁵⁹ Forster, *France and Botany Bay*.

over the negative influence of the criminal classes on workers, an anxiety that existed alongside labor shortages in the colonies and overcrowding in the *bagnes*. The president's proposal to send *bagnards* to labor in the Antilles struck at both of these problems in concert. Yet despite the Assembly's active support for president Bonaparte's plan to engage *bagnards* in the colonial project, the drafting of the legislation was slow. A committee on deportation created in February 1851 was charged with the task of researching all the options for deportation sites. The committee was composed of naval officers and colonial officials,⁵⁶⁰ men familiar with the practical obstacles to transportation procedures but nonetheless committed to many of the earlier elucidated "ideals" of deportation policies. One member, H. Meuniez, proposed sending common-law criminals to the Marquesas, along with the political ones, with the double goal of "forever distancing the population of the *bagnes* – whose contact is pernicious for society -- from the European continent and making these reprehensible and until now useless beings into a method of colonization for distant and uncivilized lands."⁵⁶¹ The project would not stop there, however. Meuniez envisioned temporary deportation for certain convicts that, once ended, would allow the individual his full rights as a citizen. Consequently, he posited, liberated deportees should be allowed to live according to their own tastes and industry. The government should even provide them safe passage to other islands in French Polynesia if they desired to live in a land where they had not formerly served as prisoners. The goal of deportation, he summed up, "is to allow those men who are judged guilty by society the means of rehabilitating themselves in their own eyes:

⁵⁶⁰ Forster, *France and Botany Bay*, 159.

⁵⁶¹ AN CAOM H//3: H. Meuniez, "Notes sur la colonisation des Marquises par la Population des Bagnes," 15 April 1851.

something they and their families will not be able to do while in perpetual contact with new arrivals.”⁵⁶² For those sentenced to deportation à *perpétuité*, their lives would be devoted to the continued improvement of the colony in the Marquesas.

This system that Meuniez promised would result in economic and moral security in France appealed at an abstract level to the majority of the members of the Committee and the government of the Second Republic. While they might not all agree that the Marquesas were the ideal location or that common-law prisoners could undergo this same sort of moral regeneration, everyone who weighed in on the deportation debate in the first years of the 1850s still agreed to its terms and its ultimate goals: moral improvement for the criminals, a decrease in political and common-law crimes at home, and the economic development of the colonies.

Looking around the overseas empire for colonies that needed developing, many members favored establishing something more permanent in the South Pacific to act as a bulwark against the British presence in Australia and New Zealand. With this goal in mind, there was considerable support for New Caledonia (which would not become an official French protectorate until 1853), though its tropical climate, proximity to Australia and high costs of transportation removed it from contention. Many of these same arguments were commonly leveled against the Marquesas, Mayotte, the Falkland Islands, and Madagascar.

In a close vote (six members to four) the committee finally recommended Guiane, concluding that contrary to France’s past experiences with deportation to that island the

⁵⁶² AN CAOM H//3: H. Meuniez, “Notes sur la colonisation des Marquises par la Population des Bagnes,” 15 April 1851.

colony was actually quite healthy.⁵⁶³ This decision was undoubtedly encouraged by the need for more labor in the colony after the end of slavery and the flight of many of Guiane's former slave laborers. This consideration became one of the most common justifications throughout the decade for interning criminals in colonial prisons and work camps, despite several protestations in favor of encouraging immigrant labor from Asia instead of European convicts.⁵⁶⁴

The coup d'état of 1851

The implementation of a newly integrated penal deportation system sending political convicts to the Marquesas pursuant to the decree of 8 June 1850 and transporting common-law offenders to Guiane was interrupted by the *coup d'état* of December 1851. Suddenly a whole new flood of political prisoners (protestors of the new regime) was subject to deportation. The extent of the repression of republican and anti-Bonapartist sentiment following the *coup d'état*, in Paris and the Provinces, has been well documented.⁵⁶⁵ Historian Vincent Wright has identified four distinct phases of repression in the four months following December 2, 1851: a zealous repressive crack-down followed by a period of uncertainty and confusion which led to attempts to rationalize the regime of repression, and then, finally, to relax it. The development of deportation

⁵⁶³ AN CAOM H/3: "Opinion et vote du Directeur des Colonies (Extrait du Procès verbal de la Séance du 1851)." See also Forster, *France and Botany Bay*, 160.

⁵⁶⁴ One such protest suggested that Chinese laborers were better adapted to the Guianese climate, while Madagascar might serve as a *lieu de déportation* for Europeans accustomed to a more temperate climate. See AN CAOM H/2: letter to the minister of justice from Mr. Pecot, 20 January 1853.

⁵⁶⁵ See for example Ted W. Margadant, *French Peasants in Revolt: The Insurrection of 1851* (Princeton, NJ: Princeton University Press, 1979); Mary Lynn Stewart-McDougall, *The Artisan Republic: Revolution, Reaction, and Resistance in Lyon 1848-1851* (Montreal: McGill-Queen's University Press, 1984); Vincent Wright, "The *Coup d'état* of December 1851: Repression and the Limits to Repression," in *Revolution and Reaction: 1848 and the Second French Republic*, ed. Roger Price (New York: Barnes & Noble Books, 1975).

practices and policies during this time can be best understood in light of these four phases.⁵⁶⁶

The first, taking place during the month of December, included the intense and indiscriminate repression that resulted in 27,000 arrests throughout France. The government established war councils in thirty-two departments, primarily in the south and the center of the country, to dole out harsh punishments to suspected rebels and republican sympathizers. The decree of 8 December 1851, less than a week after the coup, outlined the penal practices to follow in dealing with the detainees, members of secret societies and ex-convicts “always ready to become instruments of disorder.” Following the precedent established by the decree of 28 June 1848, only the leaders of these insurrections were subject to military trial; mere participants could be summarily transported without trial.

The terms of the 8 December decree allowed the army to transport large numbers of offenders to Guiane or Algeria. The new minister of the interior, the Duke of Morny, zealously pursued partisans of the Mountain and members of “secret societies,” in particular. In a series of *circulaires* sent to the prefects throughout France, he explicitly equated these Republican militants with common criminals, thereby establishing the new strategy of repression that marked the beginning of the Second Empire.⁵⁶⁷ Louis-

⁵⁶⁶ The summary of Wright’s four phases follows, interspersed with my own comments regarding transportation policies. In his analysis of the period, Wright was not interested in this particular aspect of the government’s decisions and repressive policies. See V. Wright, 304.

⁵⁶⁷ AN BB³⁰ 396: *Circulaires* from the Minister of the Interior to the Prefects dated 20 December, 1851, 2 January and 11 January, 1852. See also Margadant, *French Peasants in Revolt: The Insurrection of 1851*, 313; Howard C. Payne, *The Police State of Louis Napoleon Bonaparte, 1851-1860* (Seattle: University of Washington Press, 1966), 41-43. In Margadant’s detailed treatment of the repression, he attributes Morny with a deliberate attempt to disguise “a general offensive against Republicans as if it were

Napoleon and his ministers recognized the need to de-legitimize political protest and to associate dissenters with greedy pillagers and opportunistic thugs in order to claim that the prince-president represented a unified national will.⁵⁶⁸ On January 2, 1852, Morny ordered local authorities to arrest anyone suspected of conspiring against the government, even if he or she had already been released by the courts due to a lack of evidence.⁵⁶⁹ This decree was used by many local authorities as a means to rid their department of many troublesome individuals, though the vast majority of the 27,000 suspects throughout France had never been convicted of any serious crimes against persons or property and only one-tenth had any previous criminal record at all.⁵⁷⁰

Characteristic of this first decisive period of zealous repression and activity identified by Vincent Wright, officials were eager to carry out forced emigration and deportation policies as quickly as possible. A letter from Théodore Ducos (newly installed as the minister of the navy and colonies the day after the *coup*) to the governor of Guadeloupe informed the latter that President Bonaparte intended to establish a temporary detention center on the Saint Islands—dependencies of Guadeloupe—for deportees destined for Cayenne. According to Ducos, approximately 500 “deportees” could be detained on the Saints for around three months with a guard of 120 infantry until

a crusade against antisocial criminals.” Payne’s analysis of the 8 December 1851 decree shows how Morny tried to extend it to apply to members of any unauthorized political associations.

⁵⁶⁸ Stacey Renee Davis, “Transforming the Enemy: Algerian Colonization, Imperial Clemency, and the Rehabilitation of France’s 1851 Republican Insurrectionaries” (dissertation, Yale University, 1999), 10-11.

⁵⁶⁹ Margadant, *French Peasants in Revolt: The Insurrection of 1851*, 302.

⁵⁷⁰ Margadant, *French Peasants in Revolt: The Insurrection of 1851*, 313. Margadant’s sampling of the suspects sentenced by Mixed Commissions shows that most of the ex-convicts arrested in 1852 had previously committed political offenses, been fined for hunting illegally, or were briefly jailed for fist fights. Only seventeen of the 1,156 randomly sampled suspects had been convicted of crimes against persons or property.

adequate establishments could be built in Guiane to accommodate the new “deportees.”⁵⁷¹ Though the Governor, Aubrey-Bailleul, replied favorably to the Minister and even began making plans to isolate the deportees from all contact with military personnel or colonists and to curb their political enthusiasm,⁵⁷² there is no evidence that any deportee ever sojourned in Guadeloupe or the Saints. It would be months, in fact, before any of the offenders sentenced to transportation to Cayenne would leave France or Algeria. With this delay, colonial authorities in Guiane may have had sufficient time to build the necessary facilities. The cause of this delay, despite the almost frantic nature of the first few weeks of repression, was the administrative confusion that marked the next month following the *coup d'état*.

Throughout the month of January 1852, a second phase of repression took place. According to Vincent Wright, this phase revealed the uncertainty and indecision of many members of the government, jurors on the war councils, and those administrators and public servants responsible for the daily routine and practices of punishment.⁵⁷³ It became clear to the central government at this time that sentencing was uneven in the different departments, and ideas regarding the “intentions of the government” were certainly not fixed.

With regard to transportation and deportation policies, the widespread administrative confusion is evident in the documents that survive from this period. For

⁵⁷¹ AN CAOM H//2: letter from Minister of Navy Ducos to Governor Aubry-Bailleul of Guadeloupe, 31 December 1851.

⁵⁷² See AN CAOM H//2: letter from Aubry-Bailleul to Minister Ducos, 18 February 1852. In this letter the governor warns that the deportees should be kept far from freed slaves still living in the colony.

⁵⁷³ Wright, “The *Coup d'état* of December 1851: Repression and the Limits to Repression,” 305 ff.

example, in several different letters and memos sent to the Ministry of Justice, the word “deportation” was used by the authors in place of “transportation,” the term then favored by the prince-president and his ministers to describe the exportation of political protestors from the metropole. At each instance, officials at the Ministry struck out the offending prefix “de-” and wrote in “trans-” with a return letter to the sender that this wording could misrepresent the government’s intentions. In the margins of one letter from the minister of the navy and colonies to the minister of war written on January 6, 1852, the word *déportés* was crossed out and a note was scribbled in the margins to remind his counterpart in the Ministry of the Navy “politely and gently . . . that the word *déportés* used in his correspondence is incorrect and could open us up to false complaints.”⁵⁷⁴ As the wording in the 28 June 1848 decree hinted four years earlier, the lexicon of deportation was undergoing a considerable transformation at this time. As most of the top government officials conceived of it at this time, “deportation” meant that prisoners maintained some level of civil rights as Frenchmen, while “transportation” entailed civil death for the convicts. Yet the final meanings of these terms had yet to crystallize, leaving men like the minister of the navy, and many colonial administrators, unpracticed in their usage and unsure of their significance.

Perhaps more to the point, the use of the term *transportation* was also a way of distancing the current penal program from the deportation policies of the Old Regime and the French Revolution. The word “transportation” was the word the British had used for their system of deportation to the American colonies and then to Australia, a system

⁵⁷⁴ AN F⁷12711: letter from the Minister of the Navy Ducos to the minister of war, 6 January 1852.

which, at this moment, the British government was in the process of dismantling even as the French government began to institute it in earnest.⁵⁷⁵

Nevertheless, returning to the mechanisms of repression during the month of January, a sense of urgency prevailed over the prefects and those escorting the prisoners. Many hoped that officials would learn from the mistakes of June 1848 and avoid indecision and procedural hesitations that would impact security.⁵⁷⁶ Most of all, they wanted to avoid any opportunities for the transportees to communicate with the local populace to stir up further trouble.⁵⁷⁷ Yet the details behind ministerial coordination at this time presented an entirely different challenge to the procedural struggle in January 1852. The Ministries of Justice, Interior, and War were uncertain of their administrative roles in the metropole, particularly in the provinces. Moreover, the Ministries of the Navy and the Colonies and of War had to coordinate their efforts abroad. Although the minister of the navy and the colonies exercised authority over most of France's overseas possessions (including Guiane), the Ministry of War governed in Algeria (the primary destination for transportees). Meanwhile, any efforts to transport the suspects from the *coup* had to involve the cooperation of the minister of the navy, regardless of their destination.

What emerged out of this period of administrative uncertainty was what Vincent Wright has identified as a third phase of repression in which the government attempted to

⁵⁷⁵ British opponents of transportation condemned it as too costly, ineffective as a deterrent of crime, and detrimental to the Australian colony.

⁵⁷⁶ AN F⁷ 12711: note for the cabinet of the minister of war from the Chef du Bureau Boilleau, 9 January 1852.

⁵⁷⁷ AN F⁷ 12710: letter from the commanding general of the first and second subdivisions to Minister of War Saint-Arnaud, 11 January 1852.

rationalize the entire process. During this period, beginning on 1 February 1852, Napoleon's government created the notorious *commissions mixtes* in every department to administer summary justice. The Mixed Commissions incorporated civilian representatives of local administrations with military judicial police and were charged with reviewing every individual suspect in each department.⁵⁷⁸ The punishments for the insurgents who had already been compromised in the recent purges, as well as for those leaders and militants not yet imprisoned, were now explicitly spelled out and hierarchized. At the local level, the commission's role was to evaluate each suspect based on the individual's role in the insurgency, his or her political background and "morality." The commissions would then recommend sanctions, the most severe of which was transportation to Cayenne (indicated in ministerial records as *Cay.*), followed in descending order of severity by transportation to an Algerian work camp (*Algérie plus*, or A+), deportation to Algeria where the suspect would be subject to surveillance, but otherwise retain his or her liberty (*Algérie moins* or A-), expulsion from France, temporary exile, and forced residence in a designated French town under police surveillance.⁵⁷⁹

As the penal program available to the agents of this new repressive regime became rationalized, the process of punishment was formalized in its turn. As tangible evidence of this trend, we see for the first time the creation of the bureaucrat's most rational of tools, standardized paperwork. These mass produced pre-printed forms

⁵⁷⁸ Margadant, *French Peasants in Revolt: The Insurrection of 1851*, 318 ff. Ted Margadant's rich study of the role of peasants in the insurrection of 1851 vividly explains the role that the Mixed Commissions played in the ensuing repression.

⁵⁷⁹ AN F⁷12710: *Circulaire* from the minister of war to the commanding generals of all military divisions and subdivisions regarding the creation of the *commissions mixtes*, 1 February 1852.

specifically designed to accompany each “transportee” left spaces to fill in for the department, the date, the prisoner’s name, crimes, and the destination for transportation (*Cay.*, *A+*, *A-*, *etc.*).

Nevertheless, by March, the government began to relax repressive efforts aimed at republicans and Montagnards.⁵⁸⁰ On 27 March 1852, the government formally abolished the Mixed Commissions and ended extraordinary police measures.⁵⁸¹ Pardons for the prisoners began as early as March 9; many men and women were offered the chance to remain in France in exchange for promises of loyalty and admissions of wrong behavior. Though certain suspects, including the socialist-feminist Pauline Roland, refused to disavow their cause so easily, others eagerly pursued this option, many of them probably having been wrongly implicated in the first place.⁵⁸² Other transportees, who were sentenced to “A-” and who remained in the colony, received permission to welcome their families in Algeria. The first impressive waves of transportation had begun as early as the first days of January 1852 when ships full of insurgents sailed from France to Algeria, but after May 28 of that same year, fewer political prisoners were transported to either Algeria or Guiane.⁵⁸³

⁵⁸⁰ V. Wright, 304, 307.

⁵⁸¹ Payne, *The Police State of Louis Napoleon Bonaparte, 1851-1860*, 70. According to Payne, the period of intense repression immediately following the *coup d'état* was the only time in French history when the government attempted to harness the potential for absolute authority bestowed on the French police and military.

⁵⁸² Pauline Roland’s story is well documented. For her own account, see Fernand Rude, ed., *Bagnes d'Afrique: Trois transportés en Algérie après le coup d'État du 2 décembre 1851* (Paris: François Maspero, 1981), 20 ff. Regarding the matter of presidential pardons, see AN F⁷ 12712. In this carton, the dossiers of hundreds of suspects are examined, many of them with the intention of lessening their sentences or granting them a reprieve.

⁵⁸³ AN F⁷ 12710: The minister of war provided a list to the Bureau of Military Justice naming the ships that had transported prisoners to Algeria, and giving a precise prisoner count for each. Amounting to a total of 3,116 individuals, the transportees were sent to Algiers and Bone in 11 separate vessels between 27 February and 28 May 1852. Other documents in this same carton indicate that earlier convoys were sent

In the end, however, of the twenty-seven thousand men and women initially arrested in December for such offenses as “leading insurrection,” “affiliation with secret societies,” and “proffering outrageous words against the prince-president of the Republic,” approximately 12,000 individuals—among them only seventeen women—were sentenced by war counsels and mixed commissions to transportation to Algeria (both plus and minus) and 239 were to be transported to Guiane.⁵⁸⁴ The harsher sentence of deportation to Guiane was apparently meant for those suspects with previous criminal records.

It was, in fact, this very contingent that allowed the minister of justice to clear the Guianese transportation project on legal grounds. After all, according to the law of 8 June 1850, persons subject to simple deportation or deportation in a fortified facility for committing political offenses should have been transferred to the Marquesas Islands. But despite assurances by Commander Page in Oceania that any new transportees would be welcomed and accommodated, metropolitan officials wanted to rid France of the insurgents as soon as possible, and could not wait for the penitentiary at Nuka Hiva to be completed. Consequently, the prince-president and the minister of justice ordered that all sentences against the 1851-1852 insurgents be commuted to forced labor, thereby allowing the government to send the detainees wherever the prince-president and his ministers chose.⁵⁸⁵ Not the typical penalty for political offenses, *travaux forcés* in Guiane were to be done by insurgents with previous criminal records. An examination of

as early as mid-January. In October, the minister of the interior gave a total head count of transportees sent to Guiane and Algeria. He lists 168 to Cayenne, 619 to Bone, 1,099 to Oran, 4,189 to Algiers. The evidence still suggests, however, that the vast majority of these men and women had been sent prior to May 1852.

⁵⁸⁴ AN F⁷ 2588-2595 contains a general list of all the individuals arrested after the insurrection of December, 1851.

⁵⁸⁵ AN CAOM H//8: letter from minister of the navy and colonies to the minister of justice, undated. The minister of justice replied to his colleague in a letter dated 3 April 1854.

the sentences of the Mixed Commissions, however, suggests that the penalty was applied more randomly than that. In fact, only very few of the ex-convicts implicated in the 1851 insurrection were transported to Cayenne.⁵⁸⁶ Transportation to Guiana became the most dreaded of fates, one that applied primarily to the leaders of insurrection who were tried by military courts. Out of the 239 men transported to that particular colony (at least one woman received the sentence, but she was transferred to Algeria, instead), forty-three died there.⁵⁸⁷

Though created as a punishment for that newly identified and particularly feared group of ex-cons participating in insurrection, the punishment of transportation to Guiane soon became a threat that could be leveled against any of the political detainees. For example, the law of 31 May 1852 decreed that the June insurgents of 1848 who were still detained in Lambessa would be under special observation by the authorities in Algeria and that any false move on the prisoners' part (refusal to work, commission of a crime, etc.) would result in their immediate transfer to Guiane.⁵⁸⁸

Meanwhile, authorities at Lambessa informed the June insurgents that all new arrivals to the penal camp were common-law criminals in the belief that the republicans of June 1848 would be too proud to consort with thieves and murderers.⁵⁸⁹ Military officials certainly wanted to avoid possible collaborations between the 1848 and the 1851 political prisoners, but this administrative falsehood was perhaps more revealing than it

⁵⁸⁶ Margadant, *French Peasants in Revolt: The Insurrection of 1851*, 324. According to Margadant's random sample, out of the 139 men with a police record, only 7 received sentences of transportation to Cayenne.

⁵⁸⁷ Adolphe Robert, *Statistique pour servir à l'histoire du 2 décembre 1851* (Paris, 1869), 28-263 *passim*.

⁵⁸⁸ *Bulletin des lois*, No. 542, 31 May 1852, no. 4136.

⁵⁸⁹ Marcel Emerit, "Les déportés de Juin," in *La Révolution de 1848 en Algérie*, ed. Marcel Emerit (Paris: Editions Larose, 1949), 70-71.

first seems. As evidenced by the changes in the penal lexicon and in contemporary attitudes toward criminality and insurrection, by 1852, political protestors found themselves identified more and more as thieves and murderers. As far as the military officials were concerned, the 1852 insurgents were only common criminals.

All of the principles of the Republic had not disappeared with the *coup d'état*, however. Just as the *coup*, in the words of Maurice Agulhon, “provided the occasion for the reappearance of a Republic with a vocabulary of legality and a socialist heart,” it also provided an opportunity for the reemergence of a penal vocabulary affirming the role of transportation in the moral improvement of political prisoners and the development of the overseas colonies.⁵⁹⁰ In a meeting with the archbishop of Paris, Louis-Napoleon followed up on his earlier expressed desires both to improve the moral life of prisoners and to develop the economic life of the colony, and he asked the archbishop to recommend several priests to accompany the “deportees” to Algeria.⁵⁹¹ In March, orders relative to the transportees sentenced to “Algeria minus” specified that they should live in villages where they could exercise their skills as laborers or farmers.⁵⁹² This idea received considerable criticism, however. The governor-general of Algeria protested the importation of dangerous men into the colony since it threatened the stability and welfare of the voluntary colonists, particularly the recent emigrants of the 1840s and the *colons agricoles* of 1848. He also took issue with the popular phrase describing a sentence of

⁵⁹⁰ Maurice Agulhon, *The Republican Experiment, 1848-1852*, trans. Janet Lloyd (New York: Cambridge University Press, 1983), 165.

⁵⁹¹ AN F⁷12711: letter from the archbishop of Paris to the minister of war, 22 January 1852. The minister crossed out the word *déporté*.

⁵⁹² AN F⁷12710: letter from the governor-general of Algeria regarding the transportees of 1852: “Envoi du règlement relatif aux transportés, instructions à l’appui.” 25 March 1852.

transportation – “condemned to Algeria” – as misrepresenting the colony and ascribing a punitive connotation to life in that colony.⁵⁹³

By July 1852, in fact, it was becoming clear to the Napoleonic government that transportation could not easily be reconciled with colonization. Minister of War Saint-Arnaud directed the governor-general of Algeria that the transportees were not like ordinary colonists, and therefore those transported in 1852 should be treated as men who had participated in open revolt against the laws of their country. Saint-Arnaud continued that in the interests of colonization, the governor-general should intern the transportees in labor and farming camps, and not allow them too much individual liberty.⁵⁹⁴ Men like Eugene Frénot, a twenty-year old jeweler living in Paris and previously convicted and later pardoned for his participation in the June insurrection, received the harshest penalties and were watched most carefully.⁵⁹⁵

Colonel de Vernon, in charge of the territory around Séguier in northern Algeria, summed up the problems posed by the political transportees. After applauding the efforts of the real colonists in the cultivation of Algerian soil, “that cost the mother country so dearly,” and looking forward to the day when the French would have fully “pacified” the colony, Vernon warned that political protestors from the metropole threatened the entire project. Not only did they inflame political opinion among free colonists, but they continued to cherish hopes for a pardon that would allow them to return to France. Unless forced somehow to concentrate on forging a life for themselves and their families

⁵⁹³ AN F⁷12710: letter from the governor-general of Algeria to the minister of war, 15 April 1852.

⁵⁹⁴ AN F⁷12710: letter from the minister of war to the governor-general of Algeria, 17 July 1852.

⁵⁹⁵ AN F⁷2587: dossiers and lists of transportees.

in Algeria, he concluded, they could never contribute to the colonial project.⁵⁹⁶ Thus, the military authorities in Algeria were running up against the same problems that their civilian counterparts were attempting to correct in Nuka Hiva, half a world away. Surrounded by examples of the deficiencies of current deportation legislation throughout its global empire, the Bonapartist regime had to redefine the relationship between its political interest in expelling criminals and its colonial interests.

This re-evaluation of penal policies and colonial interests continued with the creation of the Second Empire in December of 1852. Thereafter, Napoleon III became even more inclined to conflate political crimes with crimes committed for economic and social reasons. As his imperial administration grew more concerned with industrial expansion, crime among the lower and working classes seemed an even greater threat to national health. As early as 1851, while the Ministry of the Navy and the commission on deportation attempted to implement transportation for common-law criminals based on Napoleon's message of November 1850, the rhetorical justifications for establishing colonial forced labor camps already diverged from concurrent terms used in the discussion of political criminals and those involved in political protest (ideally exempt from forced labor but expected to contribute their labor willingly). As we have seen, however, immediately following the *coup d'état* and the transportation decree of 8 December 1851, the moral and economic ideals behind penal colonization reemerged for a brief period. Nevertheless, by the end of March 1852, the practical realities of forced

⁵⁹⁶ AN F⁷12710: letter from the Colonel Chef de Séguier (de Vernon) to Minister of War Saint-Arnaud, August 1852.

labor in the colonies, even if applied primarily to political prisoners, had caused officials to shift the focus of the debate over transportation.

Théodore Ducos, the minister of the navy and colonies, presented a report to the prince-president regarding the 1851 committee's findings, which emphasized goals of colonial development over those of punishing and reforming individual prisoners.⁵⁹⁷ Repeating Napoleon's original November 1850 call to deport *bagnards*, he left out the tell-tale phrases "more morally improving" and "more humane." He proposed to Bonaparte that since no legal provision to deport *forçats* existed in the penal code, a potential solution would be to define transportation as a showing of presidential mercy, as provided for under the constitution. Consequently, the minister opened registers in the *bagnes* of Brest, Rochefort, and Toulon allowing convicts to volunteer for transportation to Guiane. About three thousand *forçats* signed up within the first hours.⁵⁹⁸ Told that they would not be chained or attached in pairs once in the colony, these volunteers were further wooed with promises of significant rewards—including land concessions—for good behavior.

The first attempt to codify this change occurred in 1852 when Louis-Napoleon decreed on 27 March that men and women sentenced to forced labor and serving sentences in the metropolitan *bagnes* could be transported to Guiane where "they would be employed in the labor of colonization, cultivation, exploitation of the forests, and all other public works projects."⁵⁹⁹ Around 3,000 convicts (all men) went to Guiane to serve

⁵⁹⁷ Forster, *France and Botany Bay*, 161.

⁵⁹⁸ *Moniteur*, 29 March 1852, p. 510.

⁵⁹⁹ Decree of 27 March 1852 in Ministère des Colonies, *Lois, Décrets, et Réglements relatifs à la transportation et à la rélegation* (Melun: Imprimerie Administrative, 1895).

their sentence in 1852.⁶⁰⁰ Though the decree did allow for families to join the convicts after a certain period of forced labor had been performed and it did authorize land concessions for convicts serving out their sentences with good behavior, no mention is made in the decree of the moral improvement of the convict. The focus of *forçat* transportation remained on the labor they would provide to the colonies. As one deportation committee member in 1851 had made clear, transportation was supposed to provide a workforce to replace the slave labor lost after 1848.⁶⁰¹

This objective was made even more clear when, on 20 August 1853, Napoleon III ordered that all African and Asian individuals sentenced by colonial tribunals to forced labor or reclusion should be transported to Guiane.⁶⁰² This decree was not merely building on a precedent established under Napoleon I and the Restoration of deporting colonial subjects who presented a risk to public order to other parts of the overseas empire. On the contrary, the targets of the 1853 legislation were men (primarily) and women accused of committing crimes against persons or property in a French possession and therefore sent to Guiane's penal colonies as a supplementary labor force. Though the initial decree applied only to the tribunals of Guiane, Martinique, Guadeloupe, and Réunion, as the overseas empire grew, so to did the jurisdiction for this penalty,

⁶⁰⁰ "Report made by the Commission charged with examining the law relative to the execution of the sentence of forced labor, by M. du Miral, deputy of the Corps législatif. (Annexe au procès verbal de la séance du 4 mai 1853.)" In Ministère des Colonies, *Lois, décrets, et règlements*.

⁶⁰¹ C.O. Barbaroux, *De la transportation. Aperçus législatifs, philosophiques et politiques sur la colonisation pénitentiaire* (Paris: Firmin didot Frères, Fils et Cie, 1857), 202-204.

⁶⁰² 20 August 1853 decree outlining that individuals of both sexes, "d'origine africaine ou asiatique," condemned to forced labor or to réclusion by the tribunals of Guiane, of Martinique, of Guadeloupe and of Réunion, can be sent to penitentiary establishments in Guiane. In Ministère des Colonies, *Lois, décrets, et règlements*.

eventually encompassing Indochina.⁶⁰³ The “*guillotine sèche*” was becoming the overseas prison for the entire colonial system; the “*retour à la terre*” was rapidly morphing, once more, into a “*retour au pierre*.”

Having long campaigned for the suppression of the *bagnes*, Napoleon III and the legislative assembly at last decreed on 31 May 1854 the dismantling of the system of the *bagnes*, officially replacing them with forced labor in a penal colony (at this time designating Guiane). Though political prisoners would still enjoy separate quarters, and even islands, from the common-law convicts within the actual colony, the fact that the penalties were to be the same for both types of crimes meant that deportation would henceforth most likely be associated, in people’s minds, with the transportation of hardened criminals and recidivists.⁶⁰⁴

Similarly, while some of the same humanitarian and reformatory rhetoric of penal colonization still existed in 1852, it would soon become outmoded—or unnecessary. An episode of administrative shuffling illustrates this point. Upon the arrival of the first convoy of common-law convicts in 1852, the colonial governor, Sarda-Garriga, welcomed the transportees with promises of colonial and moral improvement through hard work:

⁶⁰³ In fact, between 1866 and 1872, some 268 Vietnamese “rebels” protesting French incursion into Indochina were transported to the *bagne* in Toulon and then to a minimum five-year stint on Guadeloupean sugar plantations as a replacement colonial labor force. See Christian Schnakenbourg, “Les déportés indochinois en Guadeloupe sous le Second Empire,” *Outre-Mers Revue d'Histoire*, no. 1er Semestre 2001 (2001): 205.

⁶⁰⁴ Beginning in 1852, *forçats* were sent to île Royale, freed convicts to île Saint-Joseph, *réclusionnaires* to îlet le Père, and political criminals were shipped off to îlet la Mère. One political deportee sent to Guiane remarked on the fact that he and others like him were not expected to work (and in fact there was nothing for them to do even if they wanted to keep themselves busy). See Delescluze, *De Paris à Cayenne*, 218-247. Delescluze went to Guiane in 1858, by which time most deportees (political prisoners) were sent to Devil’s Island.

My friends, there is no more beautiful country under the sun than this one, nor one richer. It is yours. The Prince Louis-Napoleon sends me to share it with you. You will get down to work, prepare the terrain, build houses. Meanwhile, I will travel throughout the colony to chose the most charming sites, the most fertile districts; then the earth, cultivated by all, will be shared among the most deserving.⁶⁰⁵

This stirring language produced the desired effect. Two weeks later, the convicts had cleared all of Royal Island from overgrowth and had begun building shelters. But this moment of exuberance (on the part, it is well to remember, of those voluntary transportees who had registered in the *bagnes*), did not last. The minister of the colonies replaced the lenient (considered too-lenient) Governor Sarda-Garriga with a stricter disciplinarian who was more concerned with extracting labor than reforming individuals.⁶⁰⁶ Since, in 1852, the 3,000 *forçats* transported to Guiane had gone essentially as volunteers (indicating to the government that the penalty might seem a reward to some of the hardened *bagnards*), a modification in the colony's penal regime necessarily altered the punishment's reputation, and at the same time signaled a change in the government's attitude toward the practice.

By 1855, most of the rhetoric of colonial improvement and economic development had ended and the convicts were expected merely to work in order that they keep out of trouble and, hopefully, extract some valuable materials for metropolitan France. As Armand Jusselin, a *forçat* transportee during the Second Empire described the penal colony,

. . . there is nothing left to develop on the Îles de Salut, in the work of penal colonization. One can only describe this place as a depot for the acclimatization

⁶⁰⁵ Cited by Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane*, 20.

⁶⁰⁶ Julienne Baghooa, Jean-Jacques Jallet, and Gérard Prost, eds., *Un Siècle de Bagne* (1984), 21.

of the transportees. The penitentiary, in normal times, can only furnish for itself enough men to work in the workshops where they make furniture and where they create the clothing and shoes, etc., for the other establishments, and of the laborers that are used in the different naval maneuvers that take place off the coast. . . . Each day every one [of the transportees] must be occupied: thus not one stone on Royal Island remains in the place where the hand of the Creator placed it. The island has been literally turned upside down. We have undertaken not only those ultimately useless works, but also some others that, in our opinion, simple common sense should have excluded.⁶⁰⁷

Jusselin's observations illustrate that penal colonization as a means to foster the economic and social development of Guiane was a failure. Despite this, however, the French government continued to deport common-law and political criminals to Guiane and, later, to New Caledonia. With little appeal to either rehabilitating the prisoners or to the potential *mise-en-valeur* of the colony, the only practical use for transportation policies was to rid the metropole of potentially destabilizing elements. During the Second Empire, anxiety over the working classes—their susceptibility to crime and political radicalism as well as their potential for disturbing the public order—meant that both common-law and political criminals had to be the targets of these new *politiques de débarras*.

The Law of 31 May 1854, therefore, signaled the end of the union of political with colonial interests that had characterized the Second Republic, even after the *coup d'état*. The suppression of the *bagnes*, alongside the expulsion of thousands of common criminals to the colonies where they were not expected to serve as colonists but only sent away so that they would not clog metropolitan prisons, was a *fait accompli* for the Imperial government. The Second Empire in France accompanied the birth of a new

⁶⁰⁷ Armand Jusselain, *Un déporté à Cayenne. Souvenirs de la Guyane* (Paris: Michel Lévy Frères, 1867), 36-38.

attitude towards crime and criminals which then influenced the creation of a new imperial approach, one based on the subjection of the overseas colonies to the imperial government.

Working the system

Just as earlier deportees had done before them, the June insurgents, Lyon plotters, victims of the *coup d'état*, and others sentenced to transportation to the colonies found ways to thwart, manipulate, or cajole administrators, officials, and colonists to ameliorate their condition. As before, some attempted to escape, many wrote letters or relied on their families' epistolary pleas to government officials, and others sought to ingratiate themselves with local administrators to gain favors and rewards.

In a new development, however, certain deportees and transportees demonstrated their level of comprehension of the Second Republic's goals for deportation policies. More than ever before, both political and common-law criminals manipulated elites' ideals behind penal colonization in the hopes of settling somewhere more desirable. The extent of their comprehension of these ideals demonstrates how thoroughly the Second Republic's goals of colonization through deportation had filtered down to the public.

Of all the letters relating to transportees and deportees that are preserved in French archives, most originated from family members hoping to ameliorate their loved one's situation in some way. It was, of course, not uncommon for a relation to petition the government to reconsider the sentence of a son or husband, or to ask for his physical

transfer to a different detention facility for some material reason.⁶⁰⁸ The policies governing transportation and deportation, however, allowed families even more claims on governmental assistance. The original transportation decree of 28 June 1848 had provided for the possibility of wives accompanying their deported husbands. Marie Anne Ducheneau Brizolard, a Parisian mother of a three year old son and wife of the deported Pierre Eugène Brizolard, requested that the government provide her and her son with free passage to reunite their family in Algeria. In evaluating these requests, officials had to balance metropolitan and colonial needs with concerns for the personal welfare of individual family members. In the case of the Brizolards, the minister of war (worried, of course, about the stability of the Algerian colony) asked the prefect of Paris to report on Madame Brizolard's character and reputation. An inquiry into the matter revealed that she had been reduced to a "complete state of misery" by the expulsion of her husband, and could not live off her meager wages as a spinner in a hospice. She was found, however, to be of excellent and steady character. Since her health and position were so threatened in the metropole, and as her presence in the colony could not be a detriment to the moral well-being of the voluntary and forced colonists, the minister of war engaged to provide for her free passage from Toulon to Bône (where her husband was interned) and the prefect of Paris sponsored her journey to Toulon.⁶⁰⁹

⁶⁰⁸ This would continue with the transportation of political criminals after 1848. In particular, wives of detainees in Belle-Isle in France wrote the police commissioners and prefects to request that their husbands be transferred to a prison closer to home in order that they might be nearer ailing family members or that they might better contribute to a waning family income. See, for example, the APP carton AA 429: letter from Madame Ansart regarding her husband, Victor, 12 November 1850.

⁶⁰⁹ APP carton AA 429: letters regarding the Brizolards dated 17-21 June 1850.

Following the wives of certain June insurgents and the deported Lyon plotters, husbands and wives of the 1851 insurgents asked to join their transported spouses in Algeria in order to work together as a family in a new land. The political protesters, themselves, also asked the government for particular treatment or means of improving their material condition while in deportation. A certain Poisson sought the “favor of being sent to Algeria, where he hopes by his labor to provide himself with the means of existence and to achieve tranquility.”⁶¹⁰ By appealing to the two tenants of penal colonization--peacefulness and hard work--his petition to the government was granted. Protesters and prisoners knew the buzz words for success in this period of penal optimism.

One family from the Hérault (the department in which the repression of 1851-1852 had been most felt) provides us with an excellent example of the potential benefits one could derive from a sentence of transportation.⁶¹¹ Emery Joly and his son, Alphonse, were both sentenced by the Mixed Commission based in Montpellier to *Algérie plus* on 4 February 1852 for having played a leading role in the insurrection in the Hérault. Three weeks later, they traveled from Sete to Algiers and then to their internment camp at Birkadim. Once there, officials admitted them into the second category of transportation, *Algérie moins*, allowing both father and son freedom of movement within an assigned village in the colony. In March, Alphonse wrote to the colonial governor requesting that

⁶¹⁰ AN F⁷ 12710: letter from Minister of General Police Cambainé to minister of war, 28 April 1852.

⁶¹¹ Alphonse Ronzier Joly and Emery Ronzier Joly, "Transportation en Algérie, 1852-1853," *Groupe de Recherches et d'Etudes du Clermontais*, no. 32-33 (1984). In the Hérault, the local authorities arrested about 3,000 suspects after December 2, 1851. The Mixed Commissions sentenced about 1,600 of them to transportation to Algeria. They sent ten to Guiane, including the mayor of Béziers, Casimir Péret, who died attempting to escape. Fifteen received death sentences, two of which were carried out.

he and his father be transferred to a city with a faculty of medicine where he (Alphonse) could continue his studies in the subject and their family could join them. Apparently the colonial military government saw no objection to the plan, and perhaps even welcomed the chance to add another doctor to the colonist community, because the governor granted the request.⁶¹² In May, Emery's wife and a second son journeyed to Algeria to join their exiled family members. With father and son now ensconced in the family unit and the latter pursuing his studies in medicine, it may have seemed to local officials that a new group of colonists had settled in Algiers for good. Yet, with the marriage of the emperor on 1853 came a wave of reprieves for the transportees, and at the first opportunity the Joly family returned to France. Although Alphonse could never complain of harsh treatment during his forced emigration, the little indignities and humiliations that he daily felt in Algeria, as well as his father's dislike of the colony's climate and their mutual homesickness, meant that this family would not be among Algeria's permanent colonists, despite the fact that Alphonse would later claim to have loved Algiers and to wish to die there.⁶¹³

Though Alphonse Joly died in the Hérault, some of the transportees did perish in Algeria, much against their wishes. Still others refused to accept the sentence that was handed down for them. Instead of waiting for their families to join them, or for a possible reprieve, men like Gaspard-Léonce Rouffet, a militant democratic-socialist interned in Lambessa, took matters into their own hands and escaped, returning to Europe and biding their time until it was possible to return to France (after the general amnesty of

⁶¹² Joly and Joly, "Transportation en Algérie, 1852-1853," 33-43.

⁶¹³ Joly and Joly, "Transportation en Algérie, 1852-1853," 91.

1859).⁶¹⁴ Arthur Ranc, who had avoided arrest during the first wave of repression in 1852 and had only been transported to Lambessa in 1856, headed for Tunisia from where he could then return to Europe and, after the amnesty, France.⁶¹⁵

In addition, despite the propriety of many of the detainees' demands and actions, not all requests for improved situations were met. After all, between 1851 and 1854, the government's intentions for transportation (along with its vocabulary) changed dramatically. This can be seen in the sudden decline of such letters and requests after 1855. The explanation for this change lies, as we have seen, in a variety of social and political factors, but among the contributing causes were the words and deeds of political prisoners themselves. The experiments in deportation carried out on Nuka Hiva failed in part because of the obstinacy and laziness of two of the Lyon plotters. In addition, though attempts to encourage colonization persisted in the transportation policies involving Algeria after the 1851 *coup d'état*, very few of the transportees remained in the colony after the mass commutation granted by the emperor on 23 September 1859.

In fact, between 1852 and 1859, Napoleon III regularly announced new waves of pardons for those republicans who had been deported, exiled, or placed under police surveillance in the wake of the coup. As previous French leaders before him had done (including Napoleon I and the Bourbon kings of the Restoration), the emperor used these announcements of clemency as propaganda. His goal was to increase his popularity at the same time as he reinforced his claim to represent a unified national interest. Yet as

⁶¹⁴ Gaspard-Léonce Rouffet, "Ma transportation en Afrique (1852-1856)," in Rude, ed., *Bagnes d'Afrique*, 16. Rude's work includes the personal account of Rouffet and his time in Lambessa.

⁶¹⁵ Arthur Ranc, *Une évasion de Lambèse: Souvenirs d'un excursionniste malgré lui*, in Rude, ed., *Bagnes d'Afrique*.

one historian has shown, these regular pardons were also the product of the regime's inability to control the actions of exiled and deported political dissidents. Moreover, the emperor recognized that his plan to make these prisoners into permanent settler colonists in Guiane and Algeria had failed because of the different and often opposed colonial objectives propounded by administrators in Paris, Algiers, and Cayenne.⁶¹⁶ One tangible result of this failure can be seen in the deportees' near total rejection of the colonial project. Of the 6,258 individuals transported to Algeria between 1848 and 1858, 5,465 of them returned to France either through individual pardons or under general amnesty of 1859. Among the 793 who did not return to the metropole, only around 250 either chose to stay in the colony or escaped during their confinement. The other 563 most likely perished while serving their sentences.⁶¹⁷

In addition, the government's inability to sustain a project of colonization through deportation meant that legislative changes in transportation policies would have to correct for the problems encountered between 1848 and 1852. First to be addressed in the legislation of 1854 were the issues of labor, colonial residency, and surveillance. The transportation policies after 1854—targeting, of course, common-law criminals—required a long period (five to ten years) of forced labor, followed by a mandatory period of residence in the colony equal to the amount of time already served in the work camps.⁶¹⁸ Finally, the possibilities for escape had to be tightly controlled. Thus, sent to Guiane and separated from the metropole by an ocean, the transported *forçats* would no

⁶¹⁶ For a thorough analysis of Napoleon III's use of pardons, see Davis, "Transforming the Enemy".

⁶¹⁷ Rude, ed., *Bagnes d'Afrique*, 37.

⁶¹⁸ *Bulletin des lois*, 30 Mai 1854.

longer have the “right to be lazy” that a political criminal exempt from labor could exercise. Moreover, the required residency in the colony minimized the chances that a convict would ever return to France, unlike the political prisoners who so often benefited from the sudden leniency expressed in pardon or amnesty and thereby forsook the colony for his metropolitan home. In the shift from deportation of political prisoners to the transportation of common-law convicts, the government had learned from previous attempts at penal colonization that an overseas prison was likely to be more efficacious than a colony composed of political dissidents and metropolitan ne’er-do-wells.

Conclusion

The repressive regime that Napoleon III created during the first years of his rule in France created a serious stumbling block in France’s path towards a liberal society, one which could accept and even support dissent. After all, the understanding of the political prisoner as a special sort of state enemy different from the common-law criminal is contingent on the government accepting the existence of ideological and political differences, even when expressed in the form of violations of law.⁶¹⁹ As we have seen, however, the “liberal” governments of the First and Second Republic had been unable to accept this contingency, and had therefore sought to rid France of its protestors through deportation policies. It should be of no surprise, then, that the new emperor would continue along these same lines (which were also in harmony with his uncle’s previous attitudes toward dissent) and institute deportation policies for political criminals. Yet the

⁶¹⁹ Francis Allen, *The Crimes of Politics: Political Dimensions of Criminal Justice* (Cambridge, Mass.: Harvard University Press, 1974), 30.

success of these mechanisms of repression in breaking resistance in the metropole was also accompanied by a corresponding change in official and public attitudes toward political offenders. Elite and middle class fears regarding the volatility and the vulnerability of the working classes encouraged a re-evaluation of the importance of crime in general, and crimes against the public order, in particular.

Distinctions between political and common-law criminals began breaking down in the 1830s and 1840s when social observers identified the “dangerous classes” as growing threats to the public order and as a “reserve army of insurrection.” By the late 1850s, the distinction had been almost entirely extinguished in the public mind. One contemporary observer and political prisoner recently deported to Guiane, Charles Delescluze, dated the change to the law of 8 December 1850, which he saw as a deliberate attempt to link members of secret societies with thugs and thieves in the popular imagination. In so doing, he insisted, “the government could achieve two goals in one blow: it would lessen the importance of the political parties and remove the reserve that. . . usually comes to fill in the ranks of revolt.”⁶²⁰ Though Napoleon III’s government certainly capitalized on a growing public belief that convicts participated in insurrections as part of generally antisocial behavior, the blurred distinction between protestors and the “dangerous classes” cut across political lines. After all, even Victor Hugo, a noted opponent of the emperor, portrayed 1832 revolutionaries as equal parts bohemian student (Marius), ardent republican (ABC), notorious criminal (Thénardier), and *gamin* (Gavroche) in his 1866 novel, *Les Misérables*. By the late 1850s and into the next decade, therefore, the most pressing threats to the public order and to the stability of

⁶²⁰ Delescluze, *De Paris à Cayenne*, 52-53.

the working classes seemed now to come from those members of the criminal underworld who regularly violated laws against persons and property.

In his book on the development of prisons in Great Britain, Michael Ignatieff states that "punishment, as the most extreme of the state's powers over citizens, was the test of its dealings with citizens in all lesser exercises of authority."⁶²¹ In the case of the penalty of deportation in France, punishment also became the test of the state's relationship to the overseas colonies and its power to maintain political and social order at home. During the Second Republic, the government justified its penal policies by linking political issues (growing fear of crime, revolutionary instability, humanitarian and constitutional ideals) and colonial interests (economic improvement, assimilationist policies, needs for labor) to gain support from the public. But there were signs that the links might not hold: proponents of metropolitan *colonies agricoles* wanted to employ convict labor in the cultivation of underdeveloped metropolitan lands, and few felt that potentially valuable territories should be given up freely to law-breakers and trouble-makers. Once the Second Empire had begun, the needs of metropolitan France became far more central to government policies, and concerns over colonial improvement went practically unnoticed by the new regime. The mass deportations of common-law offenders to rid the metropole of hardened and un-reformable criminals after 1854 marked the end of the Second Republic's flawed promises of colonial and metropolitan improvement occurring hand in hand and the beginning of a new public focus on the relationship between the working classes and the maintenance of public order.

⁶²¹ Michael Ignatieff, *A Just Measure of Pain* (New York: Pantheon Books, 1978).

Conclusion

The law of 30 May 1854 thus signaled the failure of political deportation ideals and, ironically, the extension of deportation practices. Even from the point of view of those penologists and social observers who had long dreamt of a French Botany Bay, this legislation was only a pyrrhic victory in the larger struggle over penal reform. After all, the resulting system that created colonial *bagnes* in place of metropolitan ones caused great suffering among the *forçats* and political criminals who were sent to Guiane and New Caledonia over the subsequent decades. Moreover, not only did convicts contribute little to the economic development of the overseas possessions during the Second Empire, but their negative impact on indigenous populations, French colonists, and other immigrant groups was profound. From the Kanaks in New Caledonia, to former slaves, new Asian immigrant laborers, and poor farmers in Guiane, the story is similar; the presence of a large prisoner population resulted in displacement, labor shortages, and threats to the security of persons and property in the colony. Ultimately, the stain of penal colonization left an indelible mark on the reputations of New Caledonia and, perhaps more notably, Guiane.

Indeed, the story of deportation after 1854 is largely one of deprivation and disaster. In 1855, more than half of the convict deportees in Guiane died in an epidemic of yellow fever.⁶²² Consequently, legislators in Paris determined that European prisoners could not survive in the Guianese climate and that they should instead be sent to the

⁶²² Jean-Claude Michelot, *La Guillotine sèche: Histoire des bagnes de Guyane* (Paris: Librairie Arthème Fayard, 1981), 26.

newly established colony of New Caledonia. Guiane would remain the site for deportation of non-European criminals living in the French overseas empire, including Arabs in North Africa, Indochinese, and black Caribbean islanders. Thus, between 1863 and 1896, both Guiane and New Caledonia served as penal colonies for individuals transported from the metropole and other French possessions. In 1889, legislators once more opened up the Guianese *bagne* to French men and women when the government of the Third Republic decreed that recidivist convicts considered “unreformable” should be deported there. This practice continued through the end of the nineteenth century and into the twentieth, though after 1897 only French Guianese penal establishments remained in operation. The definitive closure of the penal colony in New Caledonia in that year led the governor of that colony, Paul Feillet, to proclaim that the “dirty tap” of transportation had been turned off.⁶²³

All told, approximately 22,000 protesting and common-law criminals were sent to New Caledonia between 1863 and 1897.⁶²⁴ The most famous of these deportees were the men and women arrested for their participation in the Paris Commune of 1871, many of whom, including Henri de Rochefort and Louise Michel, published popular accounts of their detention on the Isle of Pines (for simple deportation) or the Presqu’île Ducos (for deportation in a fortified facility).⁶²⁵ Unlike the political deportations of the Age of

⁶²³ Jacques-Guy Petit and others, *Histoire des galères, bagnes et prisons, XIIIe - XXe siècles. Introduction à l'histoire pénale de la France* (Toulouse: Bibliothèque Historique Privat, 1991), 248.

⁶²⁴ Robert Aldrich and John Connell, *France's Overseas Frontier: Départements et Territoires d'Outre-Mer* (New York: Cambridge University Press, 1992), 46.

⁶²⁵ For examples of these memoirs, see François Camille Cron, *Souvenirs amers: mémoires de François Camille Cron, 1836-1902: déporté de la Commune en Nouvelle-Calédonie*, ed. Philippe Venault and Philippe Blon, *Le Temps retrouvé* (Mayenne: Imprimerie Floch, 1989); Louise Michel, *L'Ère nouvelle: pensée dernière, souvenirs de Calédonie (Chant des captifs)* (Paris: Librairie socialiste internationale, 1887); Louis Redon, *Les Galères de la République par Louis Redon, communard déporté*, ed. Sylvie Clair,

Revolutions, however, deportation in the late nineteenth century was not designed to set political prisoners apart from common-law ones. On the contrary, one of the most notable features of the Third Republic's justification for this punishment was the extent to which political elites linked disturbances surrounding the Commune to petty crime.⁶²⁶ One official even claimed that the communards had a propensity to crime and were, many of them, repeat offenders.⁶²⁷ Public opinion in France largely accepted the idea of the criminality of these rebels until 1875.⁶²⁸ However, when moderate republicans gained strength in the Chamber of Deputies, both official and popular representations of the deported communards began to change, and they came increasingly to be identified in contemporary discourse as political prisoners. Finally, with the 1880 decree of amnesty for all who had participated in the Commune, the government officially acknowledged the deportees as political protestors and not as common criminals.⁶²⁹ With this recognition, attempts by political elites to undermine the prestige of political revolution by equating protesting criminals with common-law convicts effectively ended. As historian Jean-Claude Vimont has shown, during the twentieth century, penal reform in France instead entailed the gradual elevation of the status of common-law criminals to that of political ones, such that the special regime granted political prisoners between

Singulier pluriel (Mesnil-sur-l'Éstrée: Imprimerie Firmin-Didot, 1990); Henri Rochefort, *De Nouméa à Newcastle: récit de son évasion (1874)*, Collection à l'issue (Alençon: Imprimerie AGE, 1997).

⁶²⁶ Robert Tombs, "Crime and the Security of the State: The 'Dangerous Classes' and Insurrection in Nineteenth-Century Paris," in *Crime and the Law: The Social History of Crime in Western Europe since 1500*, ed. V.A.C. Gatrell, Bruce Lenman, and Geoffrey Parker (London: Europa Publications Limited, 1980), 214, 223.

⁶²⁷ Alice Bullard, *Exiles in Paradise: Savagery and Civilization in Paris and the South Pacific, 1790-1900* (Stanford: Stanford University Press, 2000), 94-95.

⁶²⁸ Martin R. Waldman, "The Revolutionary as Criminal in 19th Century France: A Study of the Communards and *Déportés*," *Science and Society* 37, no. 1 (1973): 46-47.

⁶²⁹ Waldman, "The Revolutionary as Criminal," 47-55.

1832 and 1834 eventually became the standard across the entire French penal system in the early 1980s.⁶³⁰ In order for this to have occurred, however, the legislators of the Third Republic had to reverse the official yet unstated policy of degrading political protest that had existed from the beginning of the Second Empire until 1880.

At the same time, penal colonization involving common-law criminals came under increasing public scrutiny. With the end of transportation to the penal colony at New Caledonia in 1897, Guiane played sole host to the criminals French officials wanted to expel, including, of course common-law offender Henri “Papillon” Charrier and political deportee Alfred Dreyfus. In all, some 70,000 individuals passed through the penal colony between 1854 and 1938. Approximately two thousand of them were women.⁶³¹ Yet with renewed attention to humanitarian reform of the French penal system around the turn of the twentieth century, the conditions of the Guianese penal colonies garnered more attention in France. In response, the government suspended the transportation of women convicts to the *bagnes* in 1907. Then, during World War I, transportation to the *bagnes* decreased considerably, with the exception of a few suspected war-time spies or political enemies. With the cessation of hostilities, public denouncements of the *bagnes* increased in intensity. In 1923, Albert Londres published the first in a series of articles chronicling and criticizing the regime of the penal colonies in the *Petit Journal*.⁶³² Finally, on 17 June 1938, the Third Republic succumbed to public

⁶³⁰ See Jean-Claude Vimont, *La prison politique en France: Genèse d'un mode d'incarcération spécifique XVIIIe - XXe siècles* (Paris: Anthropos-Economica, 1993).

⁶³¹ Odile Krakovitch, *Les femmes bagnardes* (Paris: Olivier Orban, 1990), 10-11.

⁶³² Julianne Baghooa, Jean-Jacques Jallet, and Gérard Prost, eds., *Un Siècle de Bagne* (1984), 5.

pressure and announced the end of transportation to French Guiana. The last prisoners left the penal colony after the end of the Second World War.

The events of the early twentieth century confirm that the French government made no further attempts at fostering colonization by means of deportation after the failed revival of the project in 1871. Even then, the deportation of the communards had served first as a means to eliminate a “dangerous” population of criminals from France, and only a distant second as a colonizing force. As noted in chapter four, moreover, the officials organizing this later deportation project learned much from the Second Republic’s deportation schemes and their failures. Consequently, the communards’ movements were highly restricted within the penal colonies in New Caledonia, and legislators created incentives to labor in order that the deportees not exercise their “right to be lazy.”⁶³³ The penal optimism that had characterized deportation practices in the first half of the nineteenth century had been extinguished by the failure of the initiative to create colonists out of political criminals between 1848 and 1852. The ideal of colonization through political deportation was only dimly reflected in the pragmatic punitive practices of the subsequent periods, up to the final end of transportation in 1938.

What or who was responsible for this change? As I have shown, deportee rejection of the goals of colonization through deportation was one factor in the demise of the ideal. Another was indecision on the part of bureaucrats in France and in the colonies and their inability to settle on the best means of achieving this goal. In addition, a larger shift in popular and official attitudes toward crime, political protest, and the colonial project heralded the end of the colonization through political deportation ideal.

⁶³³ Bullard, *Exiles in Paradise*, 143-144.

Among the consequences – both immediate and long term – for this shift was a more general reformulation of what constitutes a criminal action and what kind of individual could transgress society's laws. As we have seen, during the mid-nineteenth century, a new focus on the working classes and their connections with the criminal classes resulted in a search for new punitive methods for the suppression of crime. What followed in the latter part of the nineteenth century was a new “medical” attitude toward criminals, which portrayed them as degenerate and therefore unreformable. This medicalized depiction of law-breakers began to influence legislators and popular opinion during the Third Republic, particularly as French men and women sought to explain apparent national weakness and degeneration in the wake of their defeat in the Franco-Prussian War.⁶³⁴ Consequently, at the same time that transportation was extended to common-law convicts as well as political ones, the nature of the punishment changed in the eyes of the French public. Instead of a possible means of redemption, deportation merely abetted the establishment of a colonial site of detention, well removed from the metropole. In essence, what occurred was a devaluation of the punishment. While Jean-Claude Vimont has clearly shown a trend in the nineteenth and twentieth centuries in France to upgrading prisoner status in general, after 1852, political prisoners suffered a degradation of their status, at least in regard to deportation. Once political protesters became linked to common convicts in the official and popular imagination, the advantages of a special regime for political prisoners diminished. Revolution was no

⁶³⁴ For more on this, see Benjamin F. Martin, *Crime and Criminal Justice Under the Third Republic: The Shame of Marianne* (Baton Rouge: Louisiana State University Press, 1990); Robert A. Nye, *Crime, Madness, and Politics in Modern France: The Medical Concept of National Decline* (Princeton, N.J.: Princeton University Press, 1984).

longer the province of educated men, but was the playground of an underclass, the criminal elements of society. Thereafter, crime was no longer an expression of socio-economic deficiency or of political disagreement, but instead it became a symptom of both social degeneracy and individual physiological mutation.

Perhaps a similar shift is occurring today. As the increase in acts of terrorism in Europe and the United States has resulted in harsher legislation since the 1970s, governments in these countries have created more repressive penal regimes for this type of political offense. Those committing terrorist acts have recently been designated prisoners of war in order to circumvent standard codes of conduct in punishment. As we have seen, whenever prisoner status is degraded, state punishment becomes more severe.⁶³⁵

Yet such an approach to understanding deportation policies only recognizes the metropolitan repercussions of the punishment. Returning to the nineteenth century, alongside the French change in attitude toward political protestors, administrators in Paris and the colonies also redefined the French colonial project after 1854. Since the Revolution of 1789, proponents of the universalist doctrines of the Rights of Man had called for the extension of these rights to men and women living in French overseas colonies. The result was colonial representation in the National Assembly and the abolition of slavery during the First French Republic. Napoleon, however, reestablished slavery and ended representation. And the Bourbon and Orleans monarchs continued this policy. The colonial politics of *assimilation* became associated with republicanism. The

⁶³⁵ For an analysis of revolutions in status for prisoners, see James Q. Whitman, *Harsh Justice: Criminal Punishment and the Widening Divide between America and Europe* (New York: Oxford University Press, 2003).

advent of the Second Republic, which saw the definitive abolition of slavery throughout the French overseas empire, led to the reestablishment of colonial representation, and the incorporation of Algeria into metropolitan France as new *départements*, thereby reinforcing the republican urge toward assimilation. When Napoleon III declared himself emperor in 1852, however, he rejected assimilation, instead focusing on metropolitan and continental French interests. His approach to the overseas empire was inconsistent, though he tended toward a policy of *assujétissement*, or the subjection of the colony to the metropole. During the Second Empire, colonial expansion appealed more and more to both the emperor and his subjects as an indication of the relative strength of France among the European powers.⁶³⁶ Consequently, as two colonies—Guiane and New Caledonia—were effectively sacrificed to the domestic French interest in removing convicts from the metropole, other areas within the empire (Algeria, Indochina, Senegal, and, informally, Mexico) were administered by imperial decree in order that the metropole might derive some benefit, whether strategic or economic.

The republican approach to the colonial project was once more put to the test with the creation of the Third Republic, allowing yet again for a re-formulation of the advantages of penal colonization. Born as it was in defeat and revolution, the government of the Third Republic resurrected some aspects of assimilation, though officials were too preoccupied with securing public order within the metropole to spend much energy on the overseas empire. After 1870, however, popular interests in

⁶³⁶ Jean Meyer and others, *Histoire de la France coloniale des origines à 1914*, 2 vols., vol. 1 (Paris: Armand Colin, 1991), 480.

imperialism increased so that by the 1880s, when political elites were ready to devote more attention to the colonies, the colonial project could be presented to French men and women as serving their best interests.⁶³⁷ By this time, bureaucrats in the metropole and in the colonies had come to the conclusion that no massive migration of French colonists would occur (or, in fact, should occur, given fears of depopulation and national weakness during the period). The politics of assimilation, therefore, ran up against French attitudes toward the “inferior races,” since granting non-European peoples full civil status as Frenchmen and an equal voice in metropolitan voting was anathema to contemporary racial attitudes. The compromise solution, a policy of *association*, which created a kind of partnership between colonized peoples and the metropole, attempted to address this problem by offering the vague hope of eventual assimilation while still reinforcing French dominance over the colonies and their native inhabitants.⁶³⁸ With this new focus on nurturing a small ruling class of Europeans within a colonial population comprised primarily of indigenous peoples, there was no support for the sort of forced colonization schemes that proponents of deportation had envisioned during the first half of the century. If any group of French men or women were to populate the colonies, they would not be political prisoners but, instead, those members of French society described as *déclassés* (essentially those who did not fit in, ie. single women). In addition, as it had during the Second Empire, popular interest in the colonies revolved around issues of national pride and international prestige.

⁶³⁷ See Raoul Girardet, *L'Idée coloniale en France de 1871 à 1962* (Paris: La Table Ronde, 1972).

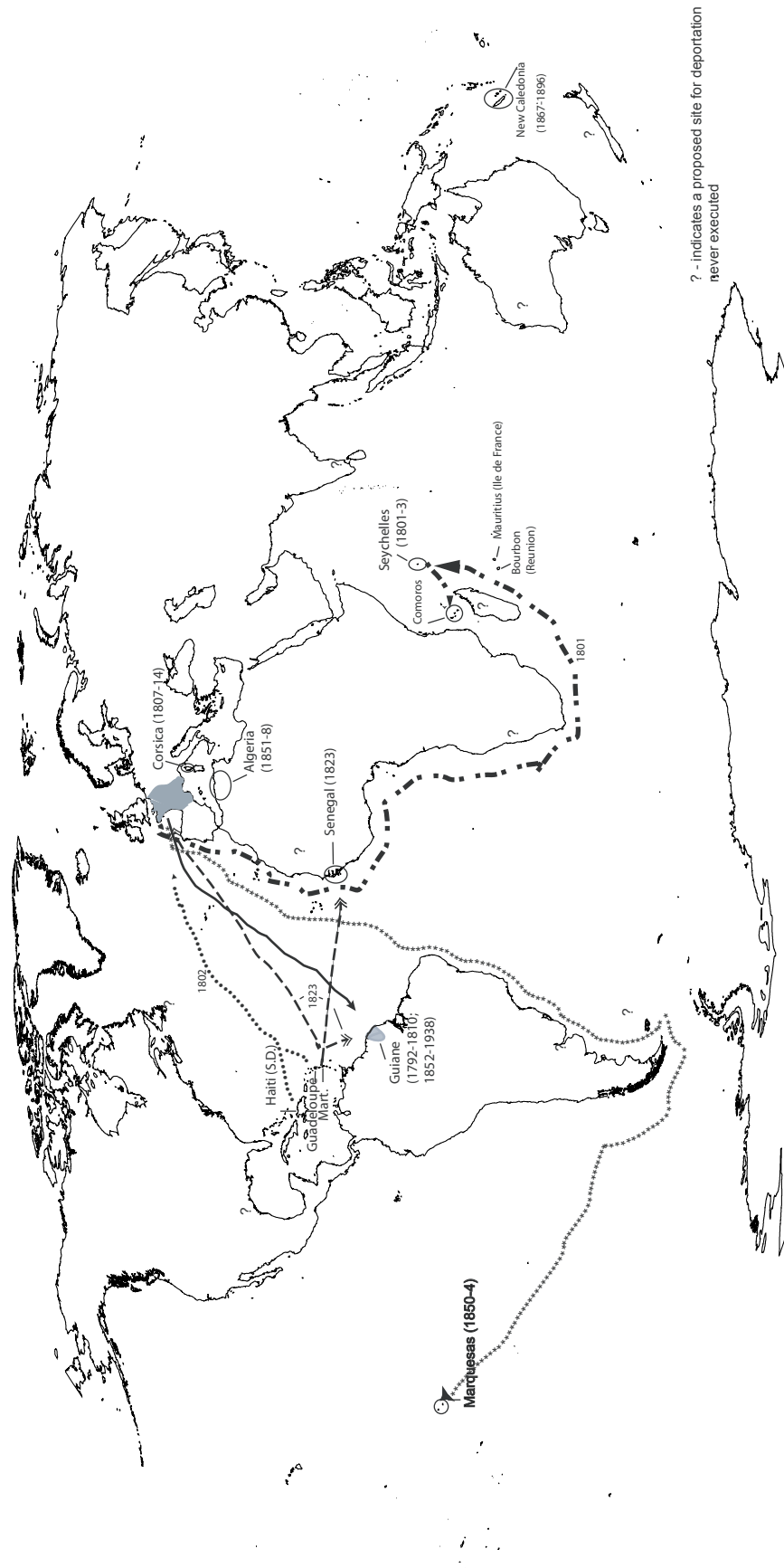
⁶³⁸ For more on French theories of imperialism and how contemporaries used and understood these terms, see Martin Deming Lewis, "One Hundred Million Frenchmen: The "Assimilation" Theory in French Colonial Policy," *Comparative Studies in Society and History* 4, no. 2 (Jan 1962); Stephen H. Roberts, *History of French Colonial Policy, 1870-1925*, 2 vols., vol. 1 (London: P.S. King & Son, Ltd, 1929).

This is not to say, however, that there was no popular or official interest in the colonial project before the Second Empire. Quite the contrary, the particular feature of first half of the nineteenth century was that interest in the colonies persisted in official sectors *despite* the political disorders and continental struggles that plagued French governments and shaped the daily lives of French citizens during this period. As I have attempted to show in this dissertation, not only did revolutionary movements in France generate ideals that were supposed to be universal and exportable, but the regime changes of the Age of Revolutions also generated political dissidents, protestors, and enemies that threatened public order. Emphasizing political unity over pluralism, successive French legislators turned to deportation as a means of eliminating this threat because of the enduring appeal of deportees serving as agents of colonization. Consequently, revolutionary movements in France fostered colonialism and the expansion and development of the overseas empire. The existence of a weakened but seemingly strategically important colonial empire helped convince successive French governments that a reformative and nationally beneficial alternative to the death penalty and cellular incarceration could exist for protesting criminals who threatened official efforts to construct a more secure, post-revolutionary French state. And conversely, the ideal of colonization through political deportation kept the colonial project alive during the tumultuous period of domestic upheaval, urban rebellion, rural resistance, and authoritarian reaction that made up France's Age of Revolutions.

APPENDIX ONE

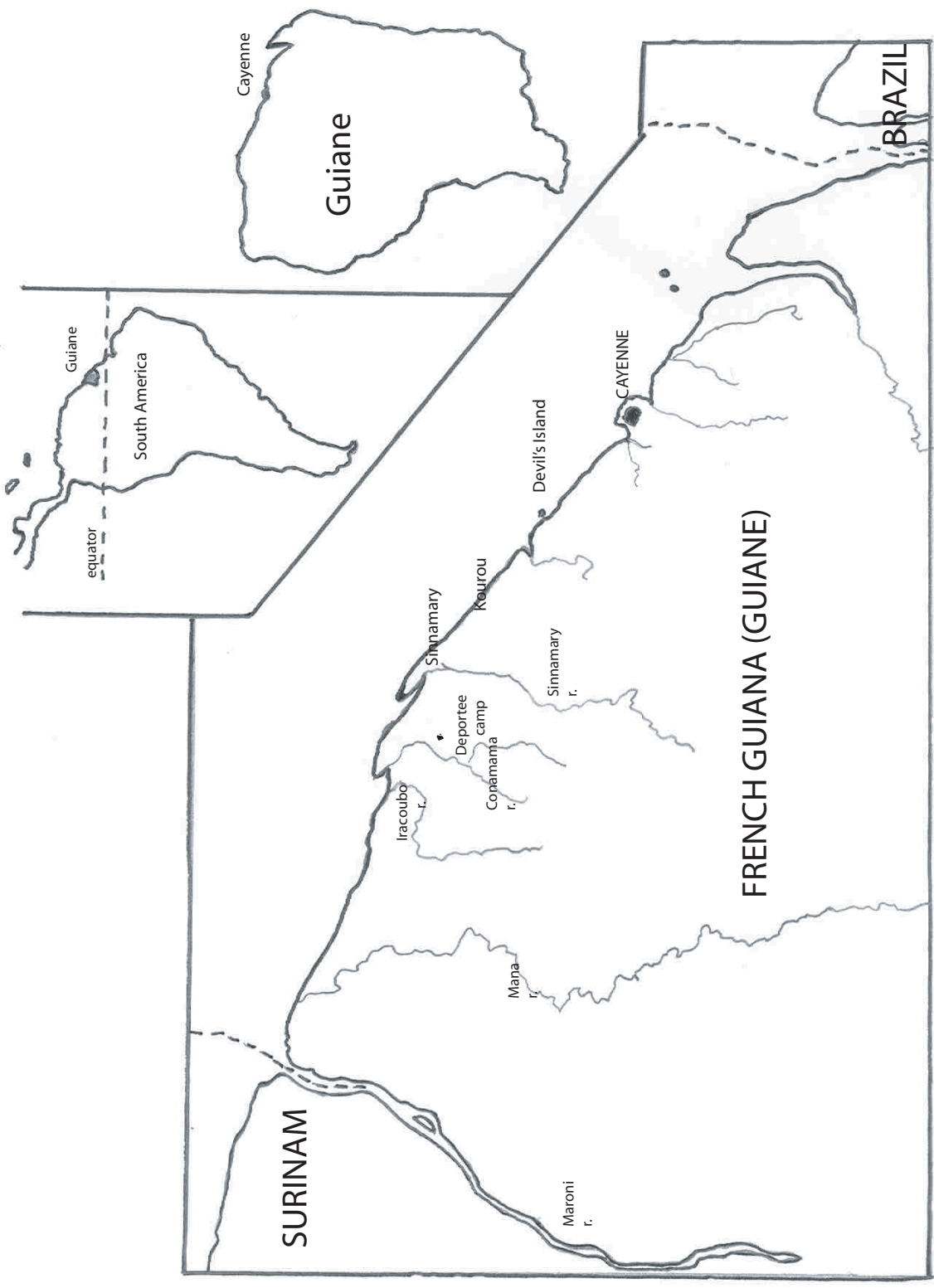
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5.	Algerian territory under French control, c. 1848	348



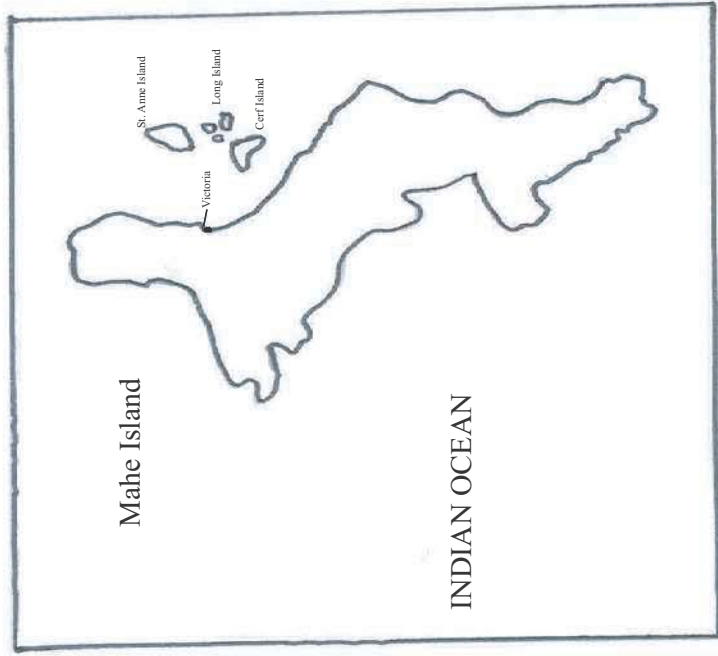
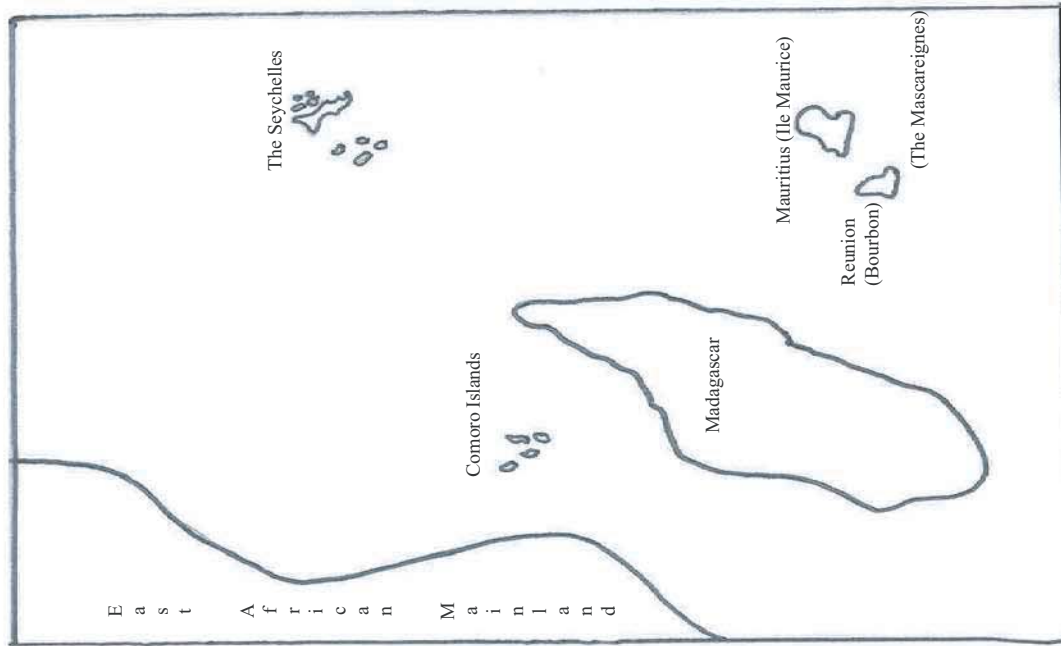
? - indicates a proposed site for deportation
never executed

1.1 Global Projection of French deportation projects



1.2 Guiane - not a sites of deportation

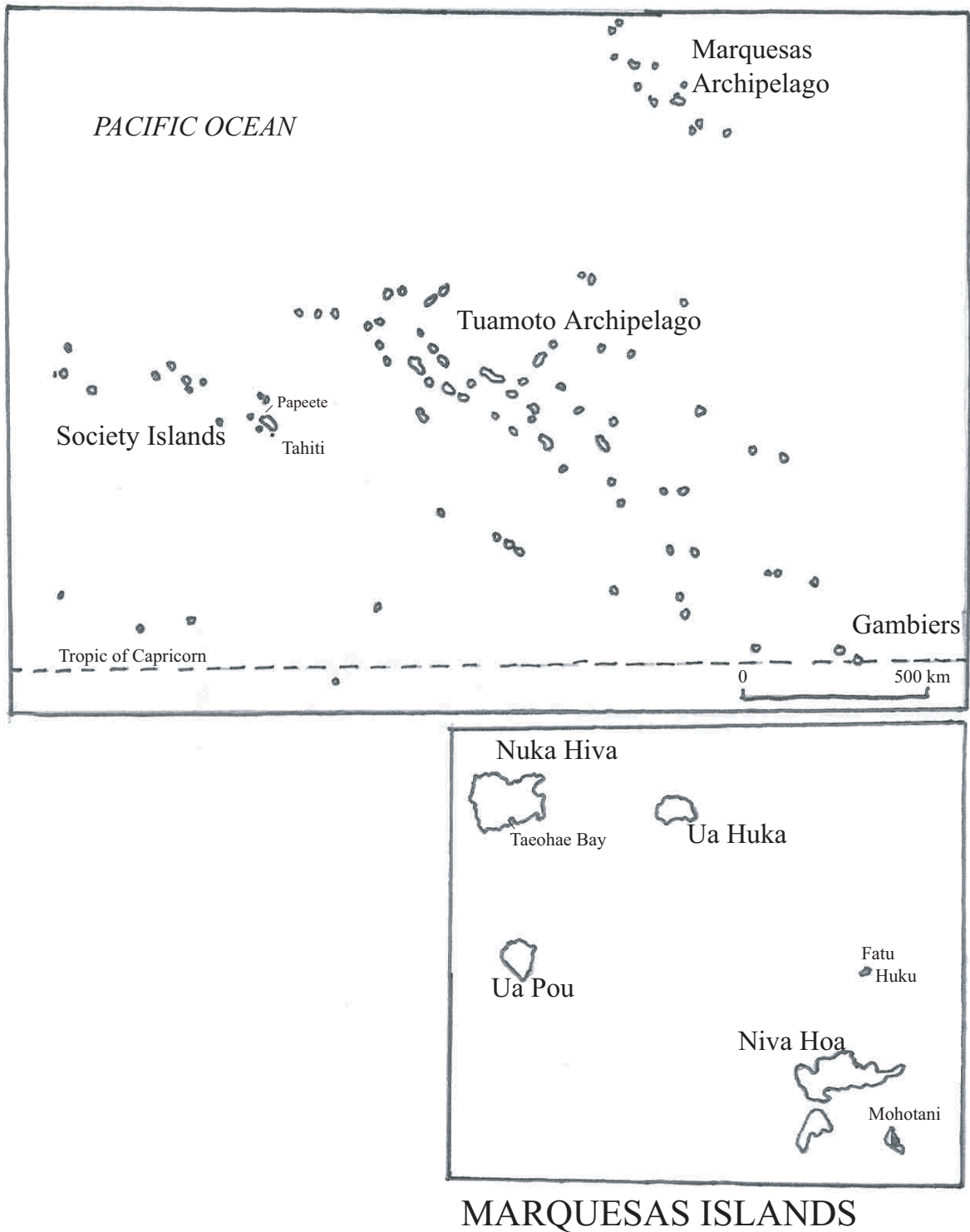
INDIAN OCEAN



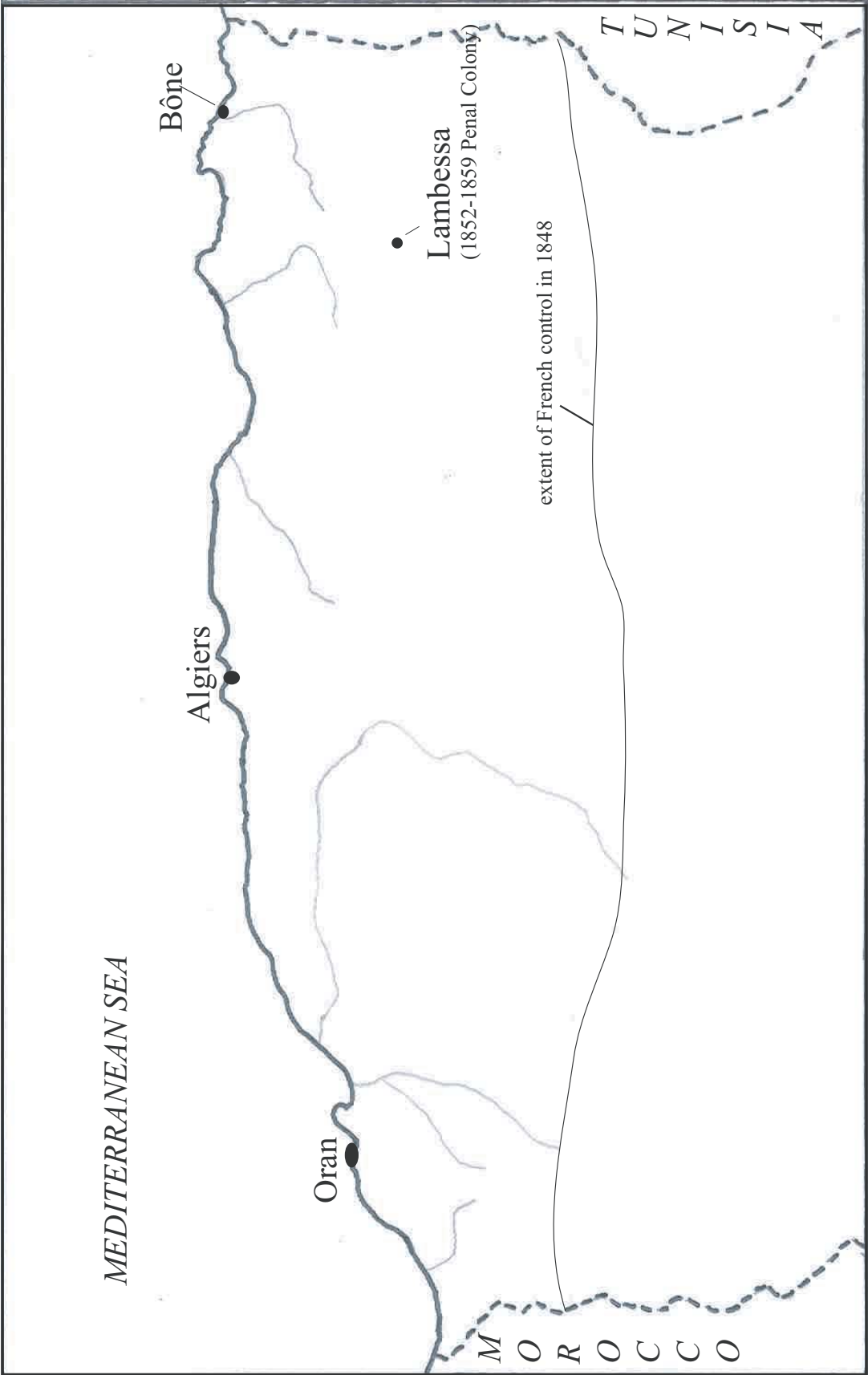
THE SEYCHELLES

1.3 French possessions in the Indian Ocean - The Seychelles

FRENCH INTERESTS IN OCEANIA



1.4 French interests in the Pacific Ocean - The Marquesas

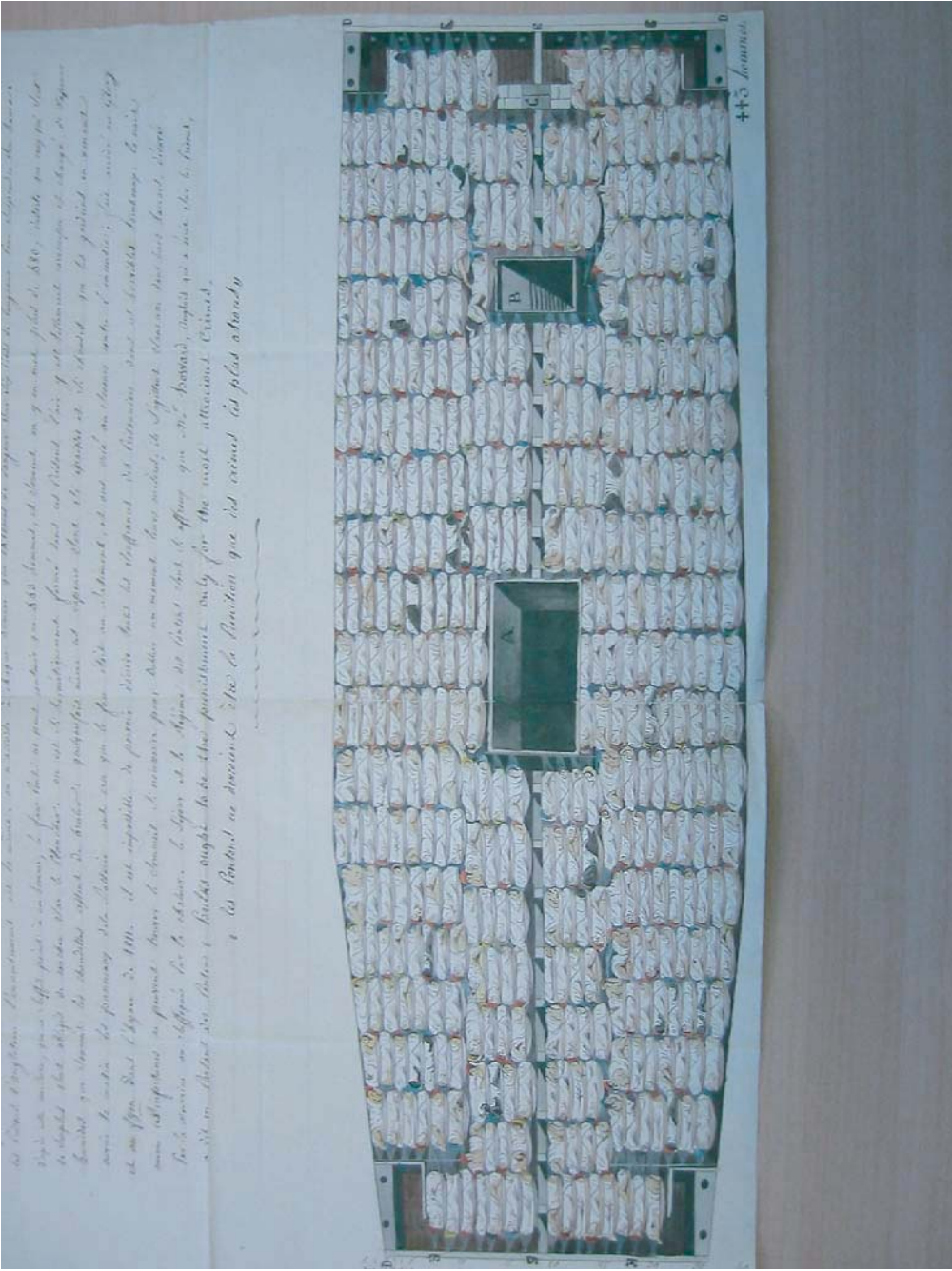


1.5 Algerian territory under French control, c. 1848

APPENDIX TWO

ILLUSTRATIONS

Figure		Page
1.	Ink and watercolor sketch of interior of a British prisoner ship. Completed during Napoleonic wars, the commentary indicates that the Frenchmen observing this ship did not approve of such conditions for the majority of prisoners. (<i>Service historique de la marine, Château de Vincennes</i>)	350
2.	Artist's rendition of the explosion at rue St. Nicaise. Its depiction of the exaggerated heights and the contorted forms of the victims of the Infernal Machine is characteristic of the popular belief (and official statement) that this assassination attempt was particularly dasterdly. (<i>Musée de la Préfecture de Paris</i>)	351
3.	Artist's rendition of one of the perpetrators of the Infernal Machine. Although the High Police later identified two aristocratic royalists as the real designers of the bomb, Napoleon's government publicly blamed republicans and depicted them as dangerous degenerates. (<i>Musée de la Préfecture de Paris</i>)	352



2.1 Sketch of a British prisoner ship, c. 1810 (SHM carton FF/2/8)



2.2 Explosion of the Infernal Machine at rue St. Nicaise



2.3 Detonation of the Infernal Machine

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BB : Minister of Justice

BB ¹⁸ 1047	BB ²² 189	BB ³⁰ 23
BB ¹⁸ 1465 ^A	BB ²⁴ 8-BB ²⁴ 17	BB ³⁰ 379
BB ¹⁸ 1488	BB ³⁰ 22	BB ³⁰ 394

F⁷ : Minister of the Interior (Police générale)

2585	2594	6275	7008
2587	2595	6387	7009
2588	3277	6526	12710
2589	4394 ¹	6773	12711
2590	6271	6774	12712
2591	6272	6775	12713
2592	6273	7006	
2593	6274	7007	

F¹⁶ : Minister of the Interior (prisons)

101 ²	361 ^B	485	804 ^B
101 ⁵	364	522	805
106	411	523	823
109	452	582	
113	466	616	
120	467	617	
355 ^A	468	627	
355 ^B	469	641	

Miscellaneous cartons

207ap/1 – Pichegru papers
 AD^{vii}22 – Leblond and Pomme on Guiane – nos. 3 and 10
 AF¹⁴863 – Leclerc in Guadeloupe
 D^{xxv}130 – Guiane
 O¹62 – Louisiana territory (1718-1720)
 O¹63 – idem
 O¹64 – idem
 W/268-499 – list of individuals sent to revolutionary tribunal

Centre des archives d'outre-mer – Aix en ProvenceC⁷ : Guadeloupe

A/55

A/56

A/57

C^{13A} : Louisiana (1717-1720)

4

5

6

C¹⁴ : French Guiana

75

79

83

89

76

80

84

77

82

85

Martiniquefm/sg/mar51

/413

/416

/427

/408

/414

/419

/428

/409

/415

/421

14miom/1189

F⁸⁰ : Algeria

430

1128

1132

1665

588

1129

1161

1666

592

1130

1664

Series H : “Administration pénitentiare coloniale”

H//1

H//23

H//2

H//36

H//3

H//53

H//4

H//57

H//5

H//60

H//6

H//62

H//7

H//8

H//11

H//12

H//19

H//22

Miscellaneous cartons

F³44 – La Désirade 1763-1769

Service historique de l'armée de terre (S.H.A.T.) – Château de Vincennes

1 H 1 1 H 5

Service historique de la marine (S.H.M) – Château de Vincennes

FF/2/8

Archives de la Préfecture de Paris – Paris

AA 149-150 – Refractory priests
 AA 280-282 – Affair of the Infernal Machine (1800)
 AA 299 – Pichegru
 AA 335 – Affair of the Patriots (1816)
 AA 366-368 – Aid to political convicts
 AA 421 – events of the years 1831-1833
 AA 428-431 – events of the year 1848
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 1 Y 233 : political detainees of 1849-1850

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