

Introduction

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The papers in this volume were presented during an international conference at the UC-Louvain on 30 and 31 May 2018. The aim of the meeting was to continue a discussion which had started in 2012 in Trento about ways in which populations can be involved in delivering justice, commonly termed popular justice. The earlier meetings, first in Trento² and then in 2015 in Regensburg³ allowed us to expand our understanding not only of the wide range of fields related to the concept but also of the historical processes which influenced how various forms of popular justice emerged, were transformed or even became obsolete between the end of the eighteenth century and the present day. This seems to have been a key period for the increasing importance of the State and thus also for the State's monopoly on acts of legitimised violence. This process, previously explored in works by authors such as Max Weber, Norbert Elias or even Michel Foucault, reflected an affirmation of the status of the Nation-State, resulting in the legitimisation and institutionalisation of justice as administered by the 'people', under the strict control of governments. Nonetheless, the means of establishing 'institutional' popular justice were far from straightforward. On the one hand, the legitimacy of the involvement of the people in matters of justice was repeatedly contested throughout the nineteenth and twentieth centuries in Europe, both by conservative governments as well as legal professionals. The most obvious example of this is doubtless the popular jury in Spain which was subject to no less than nine reforms (adoption or subsequent suppression) between 1809 and 1888.⁴ On the other hand, the rise of institutional popular justice did not at once replace all other modes of popular justice (be they violent, spontaneous, ritualised or traditional). There was a particular resurgence of these latter methods during periods of political transition or conflicts, or in the face of the breakdown or collapse of the State.

Following the two conferences, it became clear that, in order to better understand the multiple facets and nature of these movements in the context of the shifting political, economic and social climates of society in Europe, we would have to go beyond a strictly judicial approach to popular justice, and integrate this into a broader consideration of all the various forms of policing. Whether it was through the creation of 'surveillance committees' or 'popular commissions' in times of revolution,⁵ appeals for public denunciations during enemy occupation, the negotiation of acceptable norms for consensual police control, or even the establishment of bourgeois or citizens' guards in order to combat

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² Popular Justice, ed. by Delivré, Berger and Löhnig.

³ Popular justice, ed. by Delivré and Berger.

⁴ Pérez Juan, 'Popular Justice in Times of Revolution', p. 45-67.

⁵ Les comités de surveillance, ed. by Pingué and Rothiot.

bandits, at different times the people have been asked to participate in the process of policing. This raises a number of questions: how were the public integrated into State-controlled tools for policing? Which forms did these 'popular police' assume? What kind of relations did they have with professional bodies? And what means did the people use to exert influence on policies relating to public order?

The various answers to these questions seem all the more important given that, for a long time, the study of different aspects of popular police was limited by a rather dichotomous vision of policing. This point of view encompassed either the traditional forms of policing from the Ancien Régime⁶ or those of the Modern State.⁷ For a long time, research into popular policing under the Ancien Régime focused on the role played by neighbourhood groups, the 'gardes bourgeoises', or priests, or other organisations which were important for social control.⁸ Evolutions such as the decline of the bourgeois militia in the eighteenth century, the establishment of the gendarmerie in 1791/1796, the spread of 'commissaires de police' throughout Europe under Napoleon, and the establishment of the Metropolitan Police in England in 1829 are all regarded as signs of the triumph of the modern state and its bureaucracy over more traditional and popular methods of policing. Nonetheless, in recent years, scholars have begun to move beyond overly linear interpretations of the state as a body with a monopoly on law enforcement.⁹

In Great Britain, France or even in Germany, research has shed light on the fact that during the course of the nineteenth century, members of the population were called upon to carry out certain police tasks.¹⁰ This popular participation also occurred repeatedly during periods of unrest or during war. As with popular justice, research into popular policing therefore requires a precise analysis of how the phenomenon evolved over time and throughout Europe as well as how it interacted – or did not interact – with state bodies. The texts collected in this volume study these dynamics in order to offer insight into both specificities and general trends of different forms of popular participation in policing during the period from the end of the Ancien Régime until the 1930s.

I. POPULAR POLICING DURING THE OLD REGIME

While the eighteenth century is generally seen as the time at which bourgeois police were being phased out, there are two papers in this volume, one by Brigitte Marin and the other by Livio Antonielli, which give some nuance to this affirmation. Their work shows

⁶ In terms of recent studies on the modernisation of the police from the eighteenth to nineteenth centuries, see the following, non-exhaustive, list: Williams, *Police control systems*; *Organiser, innover, agir*, ed. by Campion.

⁷ Churchill, 'Rethinking The State Monopolisation', p. 131-152.

⁸ Milliot, 'Mais que font les historiens'; *Social control in Europe*, ed. by Roodenburg and Spierenburg.

⁹ Roodenburg, 'Social Control Viewed from Below', in *Social control*, ed. by Roodenburg and Spierenburg, p. 146-147.

¹⁰ Houte, 'Citoyens policiers?', p. 100; Churchill, *Crime control and Everyday Life*; Johansen, 'Police-Public Relations', p. 499-501; Sälter, 'Locale Ordnung und Soziale Kontrolle'; Lucrezio Monticelli, 'Pratiques de police'.

above all that popular participation in policing was not in any way limited to the formation of militia. Brigitte Marin reminds us of the extent to which neighbourhood organisations which were originally established for the purpose of social control, in fact still existed until the end of the Ancien Régime in numerous towns throughout France. Furthermore, these popular institutions which had been given police powers did not all originate in the Middle Ages or towards the beginning of the early modern era. In addition we see that the idea of electing local police officers was not an innovation of the French Revolution.¹¹ The cities of Naples and Madrid are perfect examples of this. In Naples, the people remained attached to the practice of electing *capitani* until the end of the eighteenth century, and the people firmly defended their right to choose these local agents. Despite the election process, the inhabitants of the *ottine* – the districts of Naples – made sure that they chose *capitani* with impeccable reputations who had the skills required to carry out the role, assigning people such as property owners and craftsmen. With just a few exceptions, the *capitani* were in fact members of the communities which elected them, and were therefore very familiar with the neighbourhoods under their control. In her second case study, Marin demonstrates how the *alcaldes de barrio* of Madrid was an institution widespread throughout the whole of the Spanish empire. They too were a sign that popular participation in policing during the eighteenth century was not simply a leftover from the pre-existing medieval system. Rather, the creation of this institution in 1768 was a response to a move to bureaucratisate police work towards the start of the revolutionary era, and, more generally, was part of a movement towards the professionalisation of the police. The *alcaldes* were in favour of voting rights being reserved for the local elite in order to ensure that officials would be re-elected year on year. Even if the Madrid government often expressed opposition to elections which were unfairly influenced, or even rigged, until 1801 they were still opposed to reducing the voter base, insisting that this function had originally been created in order to ensure that the poorest people would be represented within the legal bodies. In the end, numerous *alcaldes de barrio* were easily able to get themselves re-elected, suggesting that candidates were selected less for their technical abilities than for their reputations.

Like the *alcaldes de barrio* in Madrid, the examples of the *Capitani di strada* in Naples also show that the involvement of the people in policing was not necessarily incompatible with the development of state institutions. The general aim of the institutional reforms at the end of the eighteenth century was to integrate these auxiliary popular groups in charge of social control into the royal justice or bodies of urban administration. A more specific example of this overlap of State authority with popular consent in police activity can be found in the *esecutori* of the *Magistrato di Sanità*, explored in Livio Antonielli's research on Milan in the seventeenth and eighteenth centuries. Antonielli shows that the *deputati di Sanità* played auxiliary roles in justice, at the very bottom of the chain of hierarchy of the administration of the Italian Duchy. They were chosen from the members of the community, and also appointed and paid for by the community. However, the legitimacy of the people selected relied on the *Magistrato di Sanità*. That is to say, it was deri-

¹¹ Denis, 'Les commissaires de police'.

ved from central power, whose only requirement was that these offices should be held by individuals who were deemed competent and of good reputation.

Although there were different electoral systems in the different localities of the Duchy, the *deputati di Sanità* were generally all members of the local elite. They had to be able to write, and had to collaborate with doctors and surgeons in order to fulfil their obligations. In the event of a health crisis such as an epidemic, the *Magistrato de Sanità* would hand over responsibility for the sanitary police to another category of officials, the *commissari fornsensi*, who, unlike the *deputati di Sanità*, were high-level public servants appointed by central government. Some were required to offer their services in case of significant health catastrophe, whereas others were chiefly in charge of the roads and borders of the Duchy. While performing their duties, the *commissari fornsensi* were faced with the need to collaborate with the population. They could, for example, revive the older customary practices of defence in rural communities in order to exercise surveillance over regions which were less firmly under the control of the officers of the state of Lombardy. The last and final category of *esecutori* of the *Magistrato della Sanità* were the *anziani di parrocchia*. These civil and licenced officers were elected by the heads of families of the parishes of Milan. They held numerous competences in terms of police duties: seeing that streets were clean, controlling beggars, recruitment for the militia etc.

The example of the *esecutori* of the *Magistrato della Sanità* offers a slight counterpoint to the received view that the English police force was unique in relying on the community for the task of law enforcement. There were in fact numerous similar examples on the continent, and not only in the north of Italy. In their texts, Brigitte Marin and Livio Antonielli thus invite the reader to reconsider the view put forward by Michael Braddick that state institutions gradually appropriated police functions throughout the course of the seventeenth and eighteenth centuries.¹² In the context of the seventeenth and eighteenth centuries in Milan, the election of police auxiliaries and local justice was a major concern for the authorities: they needed to gain the confidence of the people in state institutions and keep an eye on the poorest sections of the population. Nonetheless, the individuals who were elected were regularly criticised for corruption and incompetence. At the end of the eighteenth century these accusations were highlighted by the municipal authorities in order to justify the process of integrating these smaller urban magistratures into the State institutions for administration and justice.

II. POPULAR POLICING DURING THE FRENCH AND POLISH REVOLUTIONS

As the question of public law enforcement arose in France at the end of the *Ancien Régime*, it became the object of intense conflict between the different established authorities at the start of the French Revolution. The contribution to this volume by Maria Betlem Castellà i Pujols offers insight into the role played by the Committee of Reports

¹² Braddick, *State Formation*.

(Comité des Rapports) or of the National Constituent Assembly in relation to the increasing control over policing by legislators. The Constituents' initial plan had been quite different. In fact, on 6 August 1789, the Constituent Assembly decided to entrust law enforcement to the municipal authorities. However, given the tumultuous events of the Revolution, it quickly became apparent that the local authorities were not systematically applying the decrees for which the legislators had voted. This reluctance to adopt the decrees was particularly evident when it came to enforcing martial laws. Therefore in order to better enforce its decrees, the Constituent Assembly tasked one of its committees – the Committee of Reports – with preparing the measures necessary to re-establish public order and implement laws. Between August 1789 and August 1791, this committee handled 20% of the correspondence addressed to the Constituent Assembly and produced 190 reports. This activity reflects its growing influence over the relevant prerogatives which in theory came from the government. The king repeatedly expressed his concern regarding the growing violence and demanded the reinforcement of the powers of public order. However his requests were refused every time by the Constituents who feared that this would lead to the reinstatement of a system of royal despotism. Distrust of the king, however, did not prevent the Committee of Reports from working jointly with the different ministries in order to take numerous appropriate measures. These included: communication of decrees, approval or refusal of decisions by local authorities, suspension of responsible authorities, summoning the responsible authorities to appear in front of the Court of Orleans in case of crimes of *lèse-nation*. The Committee's activity was gradually reduced over the course of the summer of 1790 following the elections of the representatives of the districts and departments. From then on, a large proportion of matters of public order would initially be dealt with by the elected district and department authorities, and the Committee would only be informed afterwards. However in case of conflict between the local authorities, or during major eruptions of violence, the Committee would intervene directly by sending civil commissioners. Officially these commissioners were appointed by the king, but in actual fact they reported back on their missions only to the members of the Committee of Reports. After the fall of the monarchy, the National Convention extended and enlarged this new method of law enforcement by deploying well-known *représentants en mission*.

Michał Gałędek's contribution shows at the same time as the situation in France around 1790 was generating discussion over different policing models, a similar debate was also emerging in Poland. Starting from the second half of the eighteenth century there were numerous reforms in the Republic of Two Nations which aimed to modernise political institutions in Poland and Lithuania. The first moves towards reform were undertaken in the reign of Stanislas Auguste Poniatowski resulting in the adoption of the republican constitution by the Four Years' Parliament on 3 May 1791. Over the course of these developments, parliament decided to abolish the convoluted system of tribunals, which hereafter were to be in session permanently, and it also decided to require that judges should have previous experience of public office. This partial professionalisation was, however, tempered by the republican tradition which transformed the position of judge into an elected position which was performed with no pay. After Prussian an-

nexation in 1795, the debates over the choice between a 'professional' or 'lay' justice system continued, and became even more animated following the creation of the Duchy of Warsaw. From 1808 onwards, the Polish justice system was reorganised using the Napoleonic model. In civil matters, this reform was characterised by the adoption of the Code for civil procedures, as well as the Napoleonic Code and the justice of the peace. The Polish justice of the peace was elected for a fixed term, and fulfilled the role without a salary. This model fitted the traditional "republican" approach to judiciary functions. However, in line with the reforms which were started during the 'Four Years Diet', some more professional aspects had been introduced. Contentious civil affairs and petty crimes were dealt with by the *podśędek*, a professional magistrate with a salary who was appointed for life. After the fall of the Empire and the integration of Poland into the Russian Empire, a committee for civil reform was established with a view to reorganising the Polish judicial system. The work of the committee was reflected the general reaction against the French model which was considered foreign to the existing national legal and political traditions. Specific suggestions of the members of the committee included abolishing the code of penal procedures, drastically reducing the justice budget, abolishing the position of *podśędek*, etc. The central suggestion for reform was to bring back a traditional system of law enforcement based on a 'citizens' magistrature, which was an unpaid position, elected for a fixed term by nobles and urban elites. At the same time, the members of the Committee agreed on partially adopting French law, promoting the function of the justice of the peace and the use of a popular jury. While the French legal model was eventually rejected by almost all of the European territories which had been liberated from the Napoleonic Empire, Poland thus stood out thanks to its continued attachment to the republican tradition of a non-professional justice system following principles similar to those the French revolutionaries fought for.

III. NATIONAL GUARDS IN THE NINETEENTH CENTURY

The French influence can also be seen in another institution which became an emblem of the Revolution: the *Garde nationale*. This model was both exported into the annexed European territories of the *Grande Nation*, and was also reactivated during the revolutions of the nineteenth century. This domestic force¹³ relied on popular adherence to the task of law enforcement and sought to assure the right of every citizen to arm themselves in order to guarantee their own security as well as that of their community. This volume contains three texts which consider the extent to which the national guard was a state or popular institution, although the short answer is that it was both.

The research of Francesco Dendena demonstrates that the national guard in the Cisalpine republic was organised by the minister of the Police, Gaetano Porro, as a means of controlling the rural territory and its villages. The initial reason why the minister put mobile columns (*colonnes mobiles*) into place was in order to fight the bandits who were ravaging the countryside of Lombardy. Matthias Pareyre's research demonstrates that the

¹³ Guibert, *De la force publique*.

decision to establish a national guard was not unequivocal. The guards never arose exclusively as the result either of a central government decision or out of some 'spontaneous' popular desire. In the eyes of the authorities, the national guard had the advantage of constituting a reserve force which could conduct policing duties but was also a way of maintaining discipline amongst the bourgeois youth. This latter function of the militia is indicated by the fact that they had to wear uniform, and that there were rules containing numerous provisions to ensure the discipline of the guards. Indeed, a few months after the 1830 revolution, the July monarchy reinstated the institution of the guard in order to project the image that the population was in support of Louis-Philippe. Nonetheless, as seen in the third contribution on this topic, Axel Dröber's research has demonstrated how the government rapidly sought to contain this armed force, and in 1831 they passed a law regarding the organisation of the national guards. This law enforcement body was thus activated in times of trouble, in moments when the State was weak or even threatened. Bandits and popular insurrections were also reasons to mobilise citizens. To start with, authorities invoked the revolutionary aspect in order to mobilise individuals, but this was gradually replaced by a role that was more police-like, and this role too eventually diminished. The development of these functions was accompanied by a reduction in engagement and weakening of discipline. In Rennes, for example, in the months after the National Guard was first established it gradually lost its prestige amongst the population. The guards had ever less power to impose their authority and eventually even became the victims of aggressions.

These three contributions on the national guard also remind us that the memory of the revolutionary experience of 1789 remained extremely important throughout the nineteenth century when the need arose for the fast and efficient reactivation of national guards. The memory of popular participation in policing is even more prominent given that the episodes of insurrection in 1830, 1848 and 1871 were all reminiscent of the events of 1789. For the members of the national guard in Rennes, the task of law enforcement was above all about defending the revolutionary institutions which protected political freedom. The capacity and opportunity for citizens to organise themselves into guards was regarded as the manifestation of a community's sovereignty in the face of the state's power. The texts in this volume relating to the National Guard also consider the question of how companies were recruited. Apart from the case of the Cisalpine, the companies of the guards consisted of young bourgeois men from the cities, thus providing a certain reminder of the bourgeois guards of the Ancien Régime. Until the middle of the nineteenth century, it was expensive to join the National Guard and the role was thus reserved for members of the bourgeoisie. Starting in 1848, as Matthias Pareyre explains, the National Guard gradually opened up and became accessible to members of the proletariat. By 1870 it had become a reserve force on a national level with the aim of protecting France from Prussian invasion. From 1789 onwards, the national guard was both a body of politicisation and also a tool for law enforcement. In urban areas, the guard became a reinforcement for the police similar to that offered by the bourgeois militia during the Ancien Régime. On the borders of the Cisalpine Republic, the mobile co-

lums of the national guard, which were first used only in exceptional circumstances, later came to be deployed for nightly patrols. In the course of their mission, the mobile columns would stop young men who were alone or small groups consisting of maximum four individuals. However, contrary to the authorities' claims, these columns were less involved in tackling larger groups of bandits, and more focused on catching petty thieves. In reality, the reason that the national guard carried out these patrols was to occupy public space and increase visibility of a force which was large in number and organised by citizens, thereby preventing disruptions to public order.

IV. ARMED MOBS AND POPULAR MILITIA

However, reliance on the National Guard as a tool for law enforcement was not at all universally accepted in the nineteenth century, even in times of revolution. During the years following the fall of the Napoleonic empire, there were a multitude of insurrections in the southern regions of the Italian peninsula which were suppressed by the Bourbon kings. In this context, the year 1848 proved particularly dangerous for the crown since a revolution broke out in Sicily in January and managed to render the island independent from the continent for a period of several months. On 15 May of that year, Ferdinand II violently suppressed an attempted revolt in Naples. In his contribution to this volume, Pierre-Marie Delpu analyses what repercussions the massacres of May 1848 had in the peripheral areas of Reggio-Calabria. In these regions, the revolutionaries considered the events of May 1848 as a breach of the pact between the king and his people. The monarch's legitimacy was supplanted by a new revolutionary legitimacy based on popular participation. The local elites (priests, land owners, mayors) established committees in the municipalities and appropriated the powers over police, justice and taxation which were previously in the hands of the king. For the defence of the different insurgent movements, their leaders decided to mobilise the people, arming them and cultivating their participation in law enforcement. Numerous debates arose between moderates and radicals over the question of whether this popular participation should take the form of national guards. There was still a good deal of mistrust towards this institution which was associated with the old order, and the revolutionary elites were therefore in favour of mobilising the population in another way, through the destruction of royal emblems, by reading anti-royalist sermons or even by performing rituals of popular justice against the tyrant. However, when faced with the weak level of politicisation among the population, the most efficient method of popular mobilisation seemed to be to offer financial rewards to the people through family and social networks.

Another example of popular participation in policing during a period of revolution can be found in Emilio Scaramuzza's research into Sicilian squads. After Garibaldi's army landed in Sicily in 1860, the Brigades of the Redshirts were so weak that the army had to enlist the help of popular squads in order to help defeat the troops loyal to King Francis II. However, these armed groups consisting mainly of poor farmers were involved not only in military action but also in policing Palermo and the surrounding coun-

tryside. One of Garibaldi's priorities was, in fact, to avoid all anarchy in the town. The squads were placed at strategic locations in order to keep watch over the land (ports, bastions), and defend the new revolutionary order (city hall, university, police). In Palermo the squads patrolled the streets, often with the Redshirts, and intervened wherever they were needed. In the surrounding countryside, the squads played a particularly essential role in suppressing bandits. The new authorities gradually re-established the different urban police forces and were also able to rely on support from the army and the national guard. Over time, the relationship between the squads and these different forces proved rather problematic, and this provoked numerous clashes between individuals, and conflicts in matters of jurisdiction. The violence and brutality perpetrated by the squads then became a threat to public order. In addition, as the threat from the Bourbons receded, there was increasing criticism of the lack of discipline amongst these groups leading to their gradual disbandment. This disbandment proved essential for Garibaldi to project an image of order and stability to other European governments and to continue his advance beyond the Strait of Messina. Public law enforcement could no longer be in the hands of the divided popular police forces but instead would need to rely on a professional police force similar to those in the Kingdom of Sardinia. It was clear to the general that standardising the policing organisations in Sicily would contribute to the political and institutional unification of Italy.

Different forms of popular police, centred around what the American political scientist Kowalewski termed 'vigilantism', tend to surface as soon as authorities begin to give the impression that they are not able to cope with social deviance. The authorities thus support different forms of popular participation in policing, yet like the rest of society, they will not stand for these groups themselves becoming a source of trouble. There were similarities between the situation in Sicily in 1860 as described above and the 'vigilante groups' established in Barcelona at the start of the twentieth century, researched by Florian Grafl. From the start of the First World War until the Spanish Civil War, the violence which erupted in Barcelona in effect repeatedly led the authorities to establish auxiliary forces to keep public order, in addition to the ordinary police force. These included informants who famously were recruited from the criminal underworld. However this was not always an efficient move as those very informants were often behind the violence which was widespread at that time in Barcelona, the capital of Catalonia. Ordinary police forces had difficulties keeping peace and order in the city and in this context, starting in 1918, the Federación Patronal of Catalonia established a parallel police force called the Banda Negra. Its members served as police-informants in a very organised way, and infiltrated the proletariat communities of Barcelona as agents provocateurs. Alongside other examples of popular participation in policing, Florian Grafl cites the case of the Sometent militia which was probably the most successful group. Initially active in the Middle Ages, there was renewed interest in the group during the second half of the nineteenth century as part of a revival of Catalanian traditions. By 1919, 8000 members of this militia were patrolling the streets of Barcelona. As with the National Guards in France, in order to join the militia one needed a good reputation amongst the citizens of the

city. The members of the Sometent had to be either professionals or property-owners. Their mission was no different from that of the official police force, and the collaboration between the different police forces suggests that the Sometent constituted a truly powerful force of auxiliary police. Both the Sometent and the Banda Negra were eventually dissolved, as they contributed to the escalation of violence in Barcelona, and also because it proved impossible for the authorities to control them.

V. POPULAR POLICING AND CRIME

Popular participation in policing not only took the form of auxiliary police forces but also took the form of collaboration by consent of individual citizens. In her contribution to this volume, Maria João Vaz examines the situation in Lisbon in the nineteenth century. The civil police force in Portugal's capital city was originally inspired by the Metropolitan Police in London. The influence of the English policing model was particularly noticeable through the force's means of assisting the local population, a task to be conducted by civil police guards in a consensual, even paternalistic way. The aim of the authorities was to establish a civil, uniformed and non-armed police force. The main function of civil police officers was to patrol the streets of the city both day and night in order to safeguard the safety of people and property, as well as defending the other 'rights of the citizens'. The working classes were likewise calling for the creation of a police force that could prevent and reduce criminality. Over the course of the nineteenth century, the labouring classes gradually came to accept that the police were acting in the interest of the people, and not only to the advantage of the ruling elites. From then on, police activity garnered increasing support from the people, at times even resulting in concrete actions like help from the public in arresting an individual.

By analysing the management of large crowds, Laurent Lopez's research on France at the turn of the century demonstrates how people's involvement in police actions influenced the public order policy which was determined by the authorities. Under the Third Republic, public opinion became a factor which could influence the means and methods for maintaining public order. Certain sections of the population even put pressure on police authorities by voicing their opposition to the budget allocated for police salaries when this came before the municipal council. Groups of the population also resorted to petitions in huge numbers in order to argue for increased measures for security, and for the right to play an active role in police activities. In addition, unlike petitions which were becoming an out-dated means of communication between rulers and the people, the written press enjoyed a veritable explosion in printing numbers during the Belle Époque. The press came to be considered as the legitimate mouthpiece of a population which was calling for greater efficiency from its police forces. In conclusion, the forces which the state provided to maintain public order could not work efficiently in a society which was lacking in social cohesion, nor could they function without the involvement of the public.

VI. POPULAR DENUNCIATIONS

One of the most symbolic demonstrations of public involvement in police activities during contemporary history can be seen in the act of denunciation. The activities of the Haute Police during the era of the Consulate and the Empire were often compared to the government who made use of thousands of spies to monitor and denounce enemies. In her research, Jeanne-Laure Le Quang analyses the role played by the fanciful stories perpetuated by the Haute Police. While it is always risky to precisely quantify such matters, it seems that the police and Ministry of the Interior actually made use of a far smaller number of informants than legends would have us believe. On the other hand, the tasks of the Haute Police included surveillance and prevention not only of political crimes but also regular crimes. To this end, informants from a range of social backgrounds would spy on gambling houses, cafes, salons or even theatres. This led to rather fluid boundaries between the world of crime and that of the informants. Some informants, such as Pierre-Hugues Veyrat or Jean-André François, managed to exploit this fluidity to aid of their own social climbing. As well as surveillance, the informants were also tasked with influencing public opinion by spreading rumours, in particular stories in support of the Consulate and later the Empire. Thanks to their double role of surveillance and influencing the public, the informants played a key role in 'establishing consent' to Napoleonic rule. In addition to these 'professional' informants, the government also relied on the help of lay citizens. The police ministers of the Consulate and the Empire were building on the heritage of the revolutionary culture of popular denunciations, using public proclamations to encourage people to denounce the enemies of public order. The penal code of 1810 helped institutionalise this process and encouraged popular denunciation by offering remissions of sentences or sanctions in exchange. The records of letters of denunciation show that accusations were mostly made against individuals who had expressed anti-government opinions, against those who were deemed insufficiently patriotic, or those who were not from the local area. It seems also that the authors of the letters made fluent use of the official rhetoric of the regime in relation to policing, and also followed the development of repressive politics. The fact that the authors were able to use the official rhetoric in fact allowed them to manipulate denunciations and use them to personal advantage: requesting compensation for costs incurred from surveillance activities; requesting work, titles, awards; taking the opportunity to get rid of a political or personal enemy etc. Although often tied up with personal aims, these denunciations were in fact the main way in which the police could place an individual under surveillance. This overlap between individuals and government interests points to an alternative view of a population who otherwise might be seen solely as 'victims' of the police regime. Yet in reality, it was very clear to the governments of the Consulate and of the Empire that they had much to gain from popular participation in the work of the haute police and they therefore continued to encourage this participation in order to reinforce the legitimacy of the Napoleonic order.

The research of Ronan Richard also analyses the issue of popular denunciations, not in relation to the Consulate or the Empire but during the First World War. In that context of whole-scale mobilisation, the press and French publications incited fear of 'the enemy from within' and of spies connected to the Germans. Those members of the population who had stayed on the home front actively participated in the search for spies across the whole of France. This activity was seen as a public contribution to the war effort. A particularly large number of denunciations came from the coastal regions where refugee camps were situated along with work camps and also holiday homes frequented by Germans before the war. The enemies of the state who were denounced were not only Germans but also people from groups mistaken for Germans in the popular imagination such as people from Alsace, Lorraine, the Swiss, Russians and other foreign refugees. Anyone foreign to the native population came to be seen as suspect. There was such a level of mistrust that even just being a tall, blond man, or an overly-hairy woman (seen as a sign of a male spy disguised as a woman) became targets for suspicion. The same was true for any individuals who had a name that was German, or German-sounding. This fear was compounded by the recent arrival of large numbers of refugees along with the construction of internment camps for prisoners of war and the people of the German and Austro-Hungarian Empires. As shown by Jeanne-Laure Le Quang's research on the period of the French Consulate and the Empire, patriotic denunciations were often driven by a personal motivation. This was particularly true of the work camps, as people complained that the products being manufactured there provided unfair competition for domestic producers. The denunciations were generally taken seriously by the authorities and were investigated in order to avoid any new wave of popular violence similar to the events of the first months of 1914.

People were not only encouraged to make popular denunciations in order to reinforce authoritarian regimes, or during wars. In the chapter by Laurence Montel, we learn about the case of Claude Malméjac, an 18 month year old child who was kidnapped from 29 November to 2 December 1935, which is an exceptional example of active collaboration between the police and the population of Marseille. The unusual thing here was the fact that the police and justice authorities encouraged the collaboration. Faced with a stalling official investigation, the authorities launched an appeal for witnesses via telegraph and newspapers. In the space of five days, they received dozens of letters and denunciations. Analysing this correspondence we uncover a great social diversity amongst the authors of the letters. Postmen, teachers, unemployed people, mechanics, judges and even ex-convicts responded. They were not satisfied merely with denouncing suspects, or suggesting lines of enquiry; they themselves became involved in the inquiry by interrogating and even shadowing their neighbours. Mediums and occultists also became involved, drawing on their expertise and new 'sciences' in order to find the Malméjac child. This democratisation of inquiry methods also had a direct impact on the professional police forces and judicial authorities. The judge in charge of the investigation was able to rely on the support of hundreds of inspectors from different police forces. In view of the case's importance, the judge gave the police a great deal of autonomy, contributing to a dilution

of professional hierarchies and less delineation between traditional areas of specialisation. For a period of several days, judges, police and members of the public together became a vast community of investigators. This mobilisation of the population can be explained by the fact that this event called to mind previous disappearances (Nicole Marescot in 1935, Charles Lindbergh in 1932), and led to a fear of the spread of American 'gangsterism'. The public enthusiasm can also be explained by the level of media and press attention which the case garnered. Journalists were not satisfied simply with reporting on the efforts of the police but also acted like inspectors themselves, promising rewards in order to get the public to assist them. Indeed the press gained such importance that the police and magistrates planned their actions according to the leads which the journalists were following. France in the thirties was marked by a series of crises, yet this exercise in popular, collective policing seemed to have managed, at least for duration of this case, to re-establish a moral, political and social unity.

Having given an overview of the work in this collection, it only remains for us to express our thanks to the people and institutions who have helped make possible the organisation of this conference on 'Popular Policing in Europe (18th-19th Centuries)'. The FNRS and the Institut des Civilisations, Arts et Lettres (INCAL) of the Université catholique de Louvain whose financial and logistical support enabled the conference to take place in the best possible conditions. We would also like to thank the members of the scientific committee¹⁴ of the conference as well as the editorial board¹⁵ of the *Rechtskultur – Zeitschrift für Europäische Rechtsgeschichte*, which agreed to publish the present volume.

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