



Local Administration in the Napoleonic Empire: The Case of Napoleon's Third Capital

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LOCAL ADMINISTRATION IN THE NAPOLEONIC EMPIRE: THE CASE OF NAPOLEON'S THIRD CAPITAL

par Martijn VAN DER BURG

ABSTRACT

Napoleon's integration of Europe entailed the export of French administrative legislation, such as the law of 28 pluviôse an VIII (17 February 1800) which reformed local administration. Amsterdam, the third imperial capital, is a case in point. The Dutch departments were integrated into the hierarchical system of governance of the French empire between 1810-1813, but this process was all but straightforward. This article deals with the local administration of Amsterdam, more specifically the figure of the *maire*. As will be shown, the problematic integration of the third capital into the empire was partly the result of internal conflicts within the Napoleonic state apparatus. Conflicts that had been played out for years in France itself were continued in the Netherlands; but also local animosities proved to be resilient. Voluntarily or not, Amsterdam's mayor Van Brienon became involved in these conflicts. This article shows how imposed uniform institutions interacted with local culture and tradition.

RÉSUMÉ: L'ADMINISTRATION LOCALE DANS L'EMPIRE NAPOLÉONIEN: LE CAS DE LA TROISIÈME CAPITALE DE NAPOLÉON

L'extension de l'Empire napoléonien en Europe a entraîné l'exportation de la législation administrative française, telle que la loi du 28 pluviôse an VIII (17 février 1800) qui a réformé l'administration locale. Amsterdam, la troisième capitale impériale, est un cas d'espèce. Les départements néerlandais ont été intégrés dans le système hiérarchique de la gouvernance de l'Empire français entre 1810-1813, mais ce processus était tout sauf simple. Cet article traite de l'administration locale d'Amsterdam, et plus particulièrement de la figure du maire. Comme on le verra, l'intégration problématique de la troisième capitale dans l'Empire était en partie le résultat de conflits internes au sein de l'appareil d'État napoléonien. Les conflits à l'œuvre pendant des années en France se sont transposés aux Pays-Bas ; mais les animosités locales se sont aussi révélées résistantes. Volontairement ou non, le maire d'Amsterdam Van Brienon s'est trouvé impliqué dans ces conflits. Cet article entend montrer comment les institutions uniformes imposées ont interagi avec la culture et les traditions locales.

LOCAL ADMINISTRATION IN THE NAPOLEONIC EMPIRE: THE CASE OF NAPOLEON'S THIRD CAPITAL

by Martijn VAN DER BURG*

Introduction

In French administrative history, the local government law of 28 *pluviôse an VIII* (17 February 1800) is of great importance. This piece of legislation, formally known as the 'Loi concernant la division du territoire de la République et l'administration', was not the first reform of local administration, but it certainly proved to be the most durable. It modernized and redefined French administrative entities and to this day its consequences (such as the prefectural system) are apparent. Whereas during the French Revolution local administrations possessed a certain autonomy and elected officials, First Consul Bonaparte preferred a top-down system with appointed administrators accountable to the central government. Administration officials became, to quote the historian Isser Woloch, 'exclusively the government's men'.¹

There is surprisingly little literature on local government in the Napoleonic empire. Illustratively, Geoffrey Ellis' excellent *The Napoleonic Empire*, an overview of the most important research, devotes only a half-page to the municipalities.² And the actual workings of the administrative system on a local level, specifically the actions of the *maires*, are even less studied. This is a striking lacuna when one considers that mayors, and their direct colleagues, represented the regime at the local level. The forty thousand unpaid mayors were therefore an important link in the hierarchical system of governance of the French empire. In historiography, especially the rural mayors have traditionally been viewed as incompetent, often illiterate, amateurs. This unflattering perception is partly due to the disagreements

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¹ I. Woloch, *The New Regime. Transformations of the French Civic Order, 1789-1820s*, New York and London, 1994, p. 54.

² Geoffrey Ellis, *The Napoleonic Empire*, 2nd edition Basingstoke Palgrave Macmillan, 2003, pp. 88-89.

within the state apparatus: prefects looked down on the mayors, as did many local dignitaries. When things did not go well, mayors were the perfect scapegoats, senior officials (such as prefects and police commissioners) often accusing them of being bad administrators. Even though limited research has been done on municipalities, innovative historians, such as Jean-Pierre Jessenne, John Dunne and Gavin Daly, have investigated local administration in Napoleonic France.³ They have shown that, in order to make the Napoleonic state succeed, the participation of local officials was of the utmost importance. Therefore, as John Dunne has argued, the Napoleonic regime modified its original vision 'to allow for a degree of power-sharing with local notables.'⁴

Apart from its longevity, another remarkable aspect of the administrative law of 28 *pluviôse* Year VIII is its impact on a large part of Continental Europe. French institutions were frequently exported to, and imposed on, vassal states and conquered territories to facilitate the integration of Europe.⁵ Legal transfers, such as administrative models and codes, were integral parts of the Napoleonic state-building process.⁶ One of these conquered territories was the city of Amsterdam, which was taken by Napoleon's forces in the summer of 1810. Amsterdam is a very relevant case: with its integration into the Empire, Amsterdam (200,000 inhabitants) became the second largest French city and was made the third capital – after Paris and Rome. But despite the importance of Amsterdam, there was no coherent approach by the new French authorities. It will be argued that the problematic (administrative) integration of Amsterdam into the empire, and therefore of the new Dutch departments, was the result of internal conflicts within the Napoleonic state apparatus, specifically between the administration and repressive forces, such as the police and (para)military forces. Local administration was important: it was on the local level that clashes occurred and practical solutions had to be found. Paris was far away. To further illustrate this, the actions of Amsterdam's *maire*, Willem Joseph van Brienen van de Groote Lindt, will be analysed in detail.

³ J.-P. Jessenne, *Pouvoir au village et Révolution : Artois, 1760-1848*, Lille, Presses universitaires de Lille, 1987; John Dunne, "Napoleon's 'mayoral problem': aspects of state-community relations in post-revolutionary France", in *Modern & Contemporary France*, no. 8, 2000; G. Daly, *Inside Napoleonic France: State and society in Rouen, 1800-1815*, Aldershot, Ashgate, 2001.

⁴ John Dunne, *op. cit.*, p. 489.

⁵ A recent collection of current European research is Michael Broers, Peter Hicks, and Augustín Guimerá (ed.), *The Napoleonic Empire and the New European Political Culture*, Basingstoke: Palgrave Macmillan, 2012.

⁶ Martijn van der Burg, "Cultural and legal transfer in Napoleonic Europe: Codification of Dutch Civil Law as a Cross-national Process", in *Comparative Legal History*, no. 3, 2015, pp. 85-109. URL: <http://dx.doi.org/10.1080/2049677X.2015.1041727>

Civil administration: exporting the French system

Following the hierarchical notions of Napoleon, the empire was centrally controlled from Paris. Right at the base of the Napoleonic administrative pyramid were the *communes*, or municipalities. Each had a *maire* and one or more deputies (*adjoints*). In larger cities, administrators and police commissioners were appointed by the emperor, on the recommendation of the prefect. The largest cities, with over one hundred thousand inhabitants, under administrative law had their own *commissaire général de police*, who led the local police commissioners.⁷ The Police Commissioner was not accountable to the mayor, but to the prefect. However, despite this, his orders came directly from Paris, from the Minister of Police. This shows that in the years around 1810 the distinction between the concepts of 'governance' and 'police' had yet to be defined. The modern concept of the police was introduced, but the government felt it had to play an important role in ensuring social order. Despite the large amount of administrators and internal conflicts, authority lay with the mayor, in line with the Napoleonic credo 'administrer est le fait d'un seul'.⁸

The Kingdom of Holland, ruled by Louis Bonaparte, was annexed, in July 1810.⁹ Now, the emperor had to decide how to integrate these lands. His attitude towards the Dutch was rather ambiguous. On the one hand he had a certain respect for the Dutch nation and its history. But on the other hand, he looked down on the administrators and politicians of the former Batavian Republic and the Kingdom of Holland. He had always been disappointed in the collaboration of his Batavian allies. In his eyes, the Netherlands as a nation-state had lost its independence, which legitimated its incorporation. Napoleon also stated, however, that assimilation of his new subjects was not his goal.¹⁰

Charles-François Lebrun was appointed *gouverneur-général* of the Dutch départements, assisted by a number of intendants. His *gouvernement-générale* had to function as an intermediary between the new French departments and the central government in Paris; Lebrun could fall back on his experiences with the integration of the Ligurian Republic, which he had supervised.¹¹ Lebrun was aided by several *intendants*, in particular François-Jean-Baptiste d'Alphonse, the Intendant of the Interior. On the one

⁷ *Loi concernant la division du territoire de la République et l'administration, du 28 pluviôse an VIII*, art. 12-14.

⁸ J. Godechot, *Les institutions de la France sous la Révolution et l'Empire*, Paris: Presses universitaires de France, 1951, pp. 517-519.

⁹ For an overview see Matthijs Lok and Martijn Van Der Burg, "The Dutch Case: the Kingdom of Holland and the Imperial Departments", in Michael Broers, Peter Hicks, and Augustín Guimerá (eds.), *The Napoleonic Empire and the New European Political Culture*, Basingstoke: Palgrave Macmillan, 2012, pp. 100-111.

¹⁰ T. Jorissen, "De commissie van 22 juli 1810 te Parijs", in *Bijdragen voor Vaderlandsche Geschiedenis en Oudheidkunde*, no. IX, 1877, pp. 6-77.

¹¹ Annie Jourdan, "La réunion de la Hollande à la France: histoire d'un processus", in François Antoine (ed.), *et al., L'Empire, une expérience européenne ?*, Paris: Armand Colin, 2014, p. 151.

hand, he informed the Dutch prefects on developments in Paris, and on the other, he reported to the Minister of the Interior on the situation in the Netherlands. As a result of his many different activities, such as the selection of candidates for the positions of *maire* of all larger towns, Dalphonse played a crucial role in the administrative integration process.¹² In the Dutch departments, the *directeur général de la police* was Paul Étienne de Villiers du Terrage (or ‘Devilliers’). He led the extensive police force that was established in the Dutch departments in 1811. Devilliers constantly faced opposition from Lebrun and Dalphonse. It appears from his correspondence with colleagues in Paris that he suffered severely as a result. In his letters, Devilliers calls governor Lebrun a ‘vieillard irascible’: a grumpy old man. It annoyed him that he was obliged show respect for Lebrun.¹³ While he and his colleagues did their utmost, Devilliers wrote, to implement the wishes of the emperor, Governor Lebrun was happy to speak to complaining Dutchmen and to make all kinds of promises.¹⁴ Indeed, both Intendant Dalphonse and Governor Lebrun took great pains to get to know local culture and traditions, which angered other Napoleonic officials.

Tensions within the Napoleonic state apparatus did not go unnoticed by the Dutch. According to Abraham Ampt, police commissioner in The Hague, the regime deliberately ‘encourages small skirmishes’ between administration, army and police. The government in Paris hoped that these conflicts would keep the people in the field sharp, Ampt observed. Moreover, it was thought these would prevent administrators and police from forming a local force against the central government.¹⁵ For the regime in Paris, this state of affairs had another advantage: the separate threads of the Napoleonic “spider’s web”¹⁶ allowed Napoleon and his direct collaborators to obtain information from varied sources, which provided a more complete view of the situation at the local level.¹⁷

As for all French municipalities, a *maire* had to be appointed in Amsterdam. Prefects appointed the *maires* of small municipalities, but in the Netherlands the Intendant of the Interior proposed candidates for *maires* of cities with more than 5,000 inhabitants, and these were then appointed by the

¹² Joke Roelevink, *Onderzoeksgids bestuur en administratie van de Bataafs Franse tijd 1795-1813*, The Hague: Huygens Instituut voor Nederlandse Geschiedenis, pp. 265-266.

¹³ Devilliers to Réal, 4 November 1811. H.T. Colenbrander (ed.), *Gedenkstukken der algemeene geschiedenis van Nederland van 1795 tot 1840* VI, The Hague: Nijhoff, 1912, no. 777, p. 564.

¹⁴ Devilliers to Savary, 12 March 1811. Colenbrander (ed.), *op. cit.*, no. 742, p. 540.

¹⁵ Johanna W.A. Naber, *Overheersching en vrijwording: geschiedenis van Nederland tijdens de inlijving bij Frankrijk, juli 1810-november 1813*, Haarlem: Tjeenk Willink, 1913, p. 68.

¹⁶ I echo, of course, Michael Broers’ idea of seeing the Napoleonic Empire as being centralized in the manner of a spider’s web. Michael Broers, *Europe under Napoleon 1799-1815*, London: Arnold, 1996, pp. 54-55.

¹⁷ Pierre Henry, *Histoire des préfets. Cent cinquante ans d’administration provinciale, 1800-1950*, Paris: Nouvelles Éditions Latines, 1950, p. 53.

emperor.¹⁸ In general, there were few problems with the appointment of the Dutch *maires*. Usually they were prominent members of old families of notables. They were accepted by the local communities. Rarely did they transform into uncritical supporters of the emperor.¹⁹ The appointment of the mayor of Amsterdam (and his many *adjoints*), however, was a different story. Napoleon thought of Amsterdam as a ‘difficult’ city. When shortly after the annexation of the Kingdom of Holland a group of disgruntled citizens of Amsterdam turned to the French government to complain about certain new regulations, Napoleon was displeased. In his eyes, the citizens of Amsterdam were foolish, since they thought that they knew better what would be in the public interest than he himself did.²⁰ Unsolicited opinions were not to the emperor’s taste, and the appointment of a mayor from an old regents’ family – which happened in most municipalities – was not expected.

The incumbent Mayor, Jan Wolters van de Poll, was seen as this type of difficult regent. Although his qualities as an administrator were beyond question, he represented the traditional Protestant patrician elite and was thought to be very pro-English.²¹ In addition, a year earlier Wolters van de Poll had had a conflict with King Louis, who had been toying with the idea of preparing the defences of Amsterdam against a potential attack by his brother.²² Wolters van de Poll opposed this idea and had temporarily to step down. His attitude towards King Louis went down well with the emperor, but it also showed that he was not a docile man. The fact that the mayor was appointed Senator by Napoleon can be interpreted as a strategic move by the regime. As a result of this appointment, Wolters van de Poll was sent to Paris, where he could pose no threat to the French authorities in the Netherlands.

Integration the local administration of Amsterdam: the *maire*

The honour of becoming mayor of Amsterdam was bestowed on the wealthy merchant-administrator, Willem Joseph Van Brienem. He would be assisted by 11 deputies.²³ Van Brienem to his surprise (or so he would later write) discovered the confirmation of his appointment in *Le Moniteur* of

¹⁸ J. Roelevink, *op. cit.*, p. 266.

¹⁹ J. Joor, *De Adelaar en het Lam. Onrust, opruiming en onwilligheid in Nederland ten tijde van het Koninkrijk Holland en de inlijving bij het Franse keizerrijk (1806-1813)*, Amsterdam: De Bataafsche Leeuw, 2000, pp. 445-454.

²⁰ Napoleon to Lebrun, 25 September 1810. *Correspondance de Napoléon I^{er}, publiée sur ordre de l'empereur Napoléon III*, 31 vols., Paris, 1858-1870, vol. XXI, no. 16947.

²¹ H.T. Colenbrander ed., *op. cit.*, no. 284, p. 193.

²² “Verslag van Willem Joseph van Brienem van de Groote Lindt, aangaande de verrigtingen van hem, als maire der stad Amsterdam”, in P. Scheltema (ed.), *Aemstel's oudheid of gedenkwaardigheden van Amsterdam II*, Amsterdam: Scheltema, 1856, p. 151.

²³ *Courier van Amsterdam*, no. 160, 8 June 1811.

24 January 1811.²⁴ The French government was familiar with Van Brienens because of his participation in the delegation sent to Paris in 1810 which had stayed there for four months to advise the French on the upcoming annexation – among them mayor Wolters van de Poll. Fifty-year-old Willem Joseph van Brienens van de Grooten Lindt, Dortsmonde en Stad aan 't Haringvliet (Van Brienens, for short) came from a wealthy family. As a Catholic, he had been prohibited from public service before the Batavian Revolution. When all citizens were made equal before the law, Van Brienens did not immediately aspire to an administrative career. He only made use of this option when he was offered a seat on the municipal council in 1803. When Louis Bonaparte became King of Holland three years later, Van Brienens had already built a certain reputation. Louis had a high opinion of him and repeatedly asked Van Brienens to accept all kinds of senior appointments, such as that of mayor of Amsterdam.²⁵ Van Brienens for some time was acting mayor when Wolters van de Poll was ill. In addition, he was State Councillor in extraordinary service and honorary *Chambellan*.²⁶

From a French perspective, Willem Joseph Brienens was a very suitable candidate. First, he was simply the richest citizen of Amsterdam, and therefore he was one of the richest men in the Empire. It was the policy of the French government to establish close ties with the very richest men (the *masses de granit*, Napoleon called them once, referring to the foundation of the empire).²⁷ Secondly, Van Brienens's membership of the Catholic Church is likely to have played a role. Napoleon was anxious to appoint Catholics. A few years earlier he had already advised his brother Louis to support the Dutch Catholics because they were 'natural allies': 'I'll tell you again, your true friends in Holland are the Catholics'.²⁸ When his predecessor, Mayor Jan Wolters van de Poll was promoted away in 1811, Van Brienens suspected that he would be made *maire*. According to his own version of events, which he wrote up in 1814, he had been very reluctant and had wanted to refuse his appointment – especially because he feared that as a Catholic, he would not be accepted and that his fellow Catholics would be seen in a bad light. Only when people from different sides insisted he should accept (he neglected to mention who exactly), he felt obliged to accept the appointment. But according to prefect De

²⁴ R.E. Van Ditzhuyzen, "Van Brienens van de Grooten Lindt", in A. Postma (ed), *et. al.*, *Aan deze zijde van het Binnenhof: gedenkboek ter gelegenheid van het 175-jarig bestaan van de Eerste Kamer der Staten-Generaal*, 's-Gravenhage: SDU, 1990, p. 144.

²⁵ Lio Thijssen, "De derde hoofdstad van het Franse keizerrijk. Het Amsterdamse bestuur tijdens de Inlijving, 1810-1813", Master Thesis, University of Amsterdam, pp. 39-41.

²⁶ W. Regt, "Brienens van de Grooten Lindt (Willem Joseph baron van)", in P.C. Molhuysen and P.J. Blok (eds.), *Nieuw Nederlandsch biografisch woordenboek*, VII, Leiden: A.W. Sijthoff, 1927, p. 212; M. Sluysen, "Willem Joseph van Brienens van de Grooten Lindt. Amsterdam, derde stad van Frankrijk", in M. Sluysen and Fred. Thomas (eds.), *Twaalf burgemeesters. Vijfhonderd jaar Amsterdam*, Amsterdam: Andries Blitz, 1939, pp. 190-194.

²⁷ Ellis, *op. cit.*, pp. 88-89.

²⁸ As cited by R.E. Van Ditzhuyzen, *op. cit.*, pp. 143.

Celles, Van Brienens had actually been very flattered and he had hoped to be made a senator, like his predecessor Wolters van de Poll. The 'vain' mayor did not foresee that his old friends would so openly disagree with his collaboration.²⁹ Van Brienens's silent hope is understandable, because the position of senator was very well paid and almost a sinecure: as such, it was the opposite of the position of mayor of Amsterdam. Moreover, the appointment would have helped him in his efforts to prove a possible ancient noble lineage. Van Brienens had been convinced for years that he had descended from the French noble family 'De Brienne' and invested a lot of time and money into having this lineage recognized.³⁰

Van Brienens was known for being an active administrator within the Catholic church; he was also regent of the Catholic girls' orphanage *Het Maagdenhuis* and a philanthropist.³¹ Alexander Gogel (renowned statesman and Intendant of Finances under Lebrun) characterized Van Brienens as a rather neutral person. He considered Van Brienens as being among the group of non-fanatical patriots who had little trouble with their Orangist fellow townspeople. There were also negative stories about Van Brienens. For example, he was said to be a smuggler who circumvented the Continental Blockade.³² A report about him, written by the Dutch Police Commissioner, Willem Holtrop, paints an even more negative picture. Holtrop had been Police Commissioner of Amsterdam since 1806 and was characterized as very pro-French and as someone who had made many enemies among the pro-English citizens of Amsterdam.³³ A week after Van Brienens's appointment, Holtrop reported to his new French superior, Devilliers, that Van Brienens was a narrow-minded and weak administrator, especially compared to Wolters van de Poll. Holtrop also argued that Van Brienens had been ungrateful towards Louis Napoleon, who had offered him many prestigious positions – too many, in Holtrop's eyes. The police commissioner even went so far as to doubt the selflessness of the Van Brienens family. The fact that Van Brienens and his father were charitable people, for example by building an almshouse for poor Catholics, according to Holtrop was only intended to cover up certain issues. And he claimed that Van Brienens and his father managed a huge amount of capital for Jesuits who had emigrated. Holtrop implied that the Van Brienens pocketed the interest and spent the money at their own discretion.³⁴ All this was, of course, gossip and backbiting, but it is certain that Willem Joseph Van Brienens was

²⁹ H.T. Colenbrander red., *op. cit.*, VI, no. 673, pp. 475-476.

³⁰ R.E. Van Ditzhuyzen, *op. cit.*, p. 140.

³¹ M. Sluysers, *op. cit.*, p. 194.

³² H.T. Colenbrander (ed.), *op. cit.*, LIII; R.E. Van Ditzhuyzen, *op. cit.*, pp. 143-144.

³³ Devilliers to Savary, 27 January 1811. H.T. Colenbrander (ed.), *op. cit.*, no. 732, pp. 529.

³⁴ Holtrop to Devilliers, 1 February 1811. H.T. Colenbrander (ed.), *op. cit.*, no. 734, p. 530; R.E. Van Ditzhuyzen, *op. cit.*, p. 141.

not uncontroversial: he was a Catholic, and he was not part of the traditional administrative elite. In addition, he did not really distance himself from the French, but on the other hand, he also was not fanatically pro-French, like the army and the police generally were.

The most fundamental problem for mayor Willem Joseph Van Brienem was his bad relationship with his immediate superior, Antoine de Celles, prefect of the department of Zuiderzee. Prefect De Celles was born in Brussels and had made a career in the Napoleonic army and administration. Prior to his position in the Netherlands, he held the post of prefect of the department of Loire-Inférieure. With friend and foe, he was known as a diligent and experienced administrator, who, however, could react violently and attached an exaggerated importance to trifles. De Celles had little interest in local traditions and sought to integrate his department into the French Empire as soon as possible.³⁵ Soon after both administrators were appointed, they came into conflict. One of the first occasions was in April 1811 when the two disagreed about the planned transformation of the Lutheran beggars' home into a military hospital. According to Van Brienem, this was impossible because the home was private church property. De Celles responded by emphasizing that Van Brienem was to follow his orders immediately. If the emperor were to be informed of Van Brienem's refusal, the consequences might well be very unpleasant, De Celles threatened.³⁶ An alternative proposed by De Celles was also refused by the mayor, again because the home was private property. The two could not reach agreement and eventually Governor Charles François Lebrun had to intervene. He decided that Amsterdam's old orphanage would be designated a military hospital.³⁷

With this episode, Van Brienem and De Celles' relationship got off to a bad start. Another dispute concerned the municipal budget for the year 1811. Because *maire* Van Brienem had assumed that he could go on as before (as he put it, 'because he was never informed otherwise'), he had not asked for approval of the budget by the prefect, as he should have done. Prefect De Celles responded by threatening to hold Van Brienem personally responsible for all the city's expenses. An angry response from Van Brienem was forwarded to governor Lebrun and intendant Dalphonse by the prefect. De Celles was under the impression that his French colleagues would agree with him and that the *gouvernement-générale* would confirm his authority. Lebrun, however, took a different approach. During a ceremonial meeting, he and Dalphonse took some time to speak privately with *maire* Van Brienem specifically

³⁵ Johanna W.A. Naber, *op. cit.*, pp. 62-65.

³⁶ R.E. Van Ditzhuyzen, *op. cit.*, p. 144.

³⁷ Lio Thijsen, *op. cit.*, p. 46.

about the unfriendly correspondence between himself and De Celles. The next morning they conferred again and – without the presence of the prefect – approved the budget for 1811.³⁸ The result of the intervention of Lebrun was therefore that the prefect was bypassed. Strictly speaking, this was not illegal, as the emperor had given governor Lebrun almost absolute power over all civil and military affairs, but it may be assumed that this state of affairs did not contribute to a good working relationship between the various French administrators. De Celles had French law on his side and kept reminding Van Brienens that under the French system, a *maire* was completely subordinate to the prefect. Time and again Van Brienens received orders from the prefect to which he always responded that he was doing his best and he was obviously completely loyal to the emperor.

It is understandable that it did not take long for Van Brienens to have had enough of a position for which, he claimed, he had never asked. When the Emperor visited Amsterdam on 9 October 1811, Van Brienens took the opportunity to speak privately to the French Minister of the Interior (De Celles' immediate superior). Minister Jean-Pierre Bachasson de Montalivet had travelled with the emperor and Van Brienens was able to air his grievances about De Celles.³⁹ The quarrels between the prefect and the mayor reached boiling point when De Celles ordered Van Brienens to make a list of proposed candidates for the collection of *octroi*, an indirect city taxation. Van Brienens asked the prefect whether he was to send a 'liste triple' – meaning three candidates for each post – as prescribed by French law, or whether he could send a list with only one candidate for each post. De Celles replied that a 'liste simple' would indeed suffice. Van Brienens acted according to orders, but the result was that the prefect also appointed some twenty people who had not been on Van Brienens' list, among others even the *directeur* of the *octroi* who was responsible for the tax collection.⁴⁰ Most of those appointed came from old France. Other nominees were given a different position from the one Van Brienens had proposed.⁴¹ Since the *octroi* was the main source of income for the city, trustees of the prefect had great control over the city's income, and so Van Brienens' power was curtailed.⁴² Governor Lebrun tried to mitigate the situation, but since it was almost 1 January 1812, there was not enough time to restart the procedure.

Lebrun felt that both men had been at fault. The *maire* should have been able to predict that sending a 'liste simple' was contrary to the spirit of the French legislation in which the prefect is

³⁸ M. Sluysers, *op. cit.*, pp. 198-200.

³⁹ R.E. Van Ditzhuyzen, *op. cit.*, pp. 145-147.

⁴⁰ Lebrun to Napoleon, 2 February 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 315, p. 226.

⁴¹ 'Verslag van Willem Joseph van Brienens van de Groote Lindt', pp. 176-177.

⁴² H. Rootlieb, "Bijdrage tot de kennis van Amsterdam's financiën in den Franschen tijd", in *Jaarboek van het Genootschap Amstelodamum*, no. 12, 1914, pp. 140-143.

superior to the mayor. And De Celles should have insisted on a list of more candidates. Lebrun's Solomonic judgement was to ask Van Brienens to withdraw his objections and to request goodwill from the prefect out of consideration for this withdrawal.⁴³ Baron Dalphonse was put forward to reconcile the two parties, but in vain. Angry about De Celles having acted unlawfully, Van Brienens wrote a letter of resignation to Minister of the Interior Montalivet on 6 January 1812. As he considered the prefect to be an unreliable superior who also had no respect for the powers that the French law had given him, he felt he could no longer do his job. The minister had to turn to Lebrun to explain to Van Brienens that his resignation was highly undesirable, both for the public interest and for himself. Reluctantly Van Brienens agreed to stay on as mayor.⁴⁴

The view from Paris

Minister of the Interior Montalivet and Governor Lebrun had considered these issues too insignificant to bother the emperor with. But in the meantime, via Minister of Police Anne Jean Marie René Savary, Napoleon received all sorts of disturbing police reports from *directeur général de la police*, Devilliers, in which the mayor of Amsterdam was vilified.⁴⁵ When Napoleon asked Lebrun for clarification, he replied that the negative police reports should be taken with a grain of salt. There were close ties between the prefect and the police. Devilliers was a close acquaintance of De Celles. Governor Lebrun blamed the whole situation on two things: firstly the friction between two different political cultures, and secondly the general disagreement between the administration and the police. "Sire, it is a question of character. Gentle measures are needed", Lebrun insisted, "Those work wonders with the Dutch. A *maire* recalls that a mayor was highly regarded, and requires at least politeness". Lebrun underscored the "great affection between the police and the prefecture [which] must be taken into account when assessing its accusations towards the administration".⁴⁶

This did not end the matter, because in his reports to his superior, Minister of the Interior Montalivet, De Celles started to argue that Van Brienens's position had become impossible to retain. He felt that Van Brienens was a weak administrator and a bigoted Catholic, who left most of the work to

⁴³ Lebrun to Dalphonse, 30 December 1811. H.T. Colenbrander (ed.), *op. cit.*, no. 1229, p. 937.

⁴⁴ Montalivet to Lebrun, 13 January 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 1064, pp. 793-794.

⁴⁵ Auguste De Caumont La Force, *L'architrésorier Lebrun, gouverneur de la Hollande, 1810-1813*, Paris: Plon-Nourrit, 1907, p. 367 ; H.T. Colenbrander (ed.), *op. cit.*, no. 783, pp. 568-569.

⁴⁶ Lebrun to Napoleon, 2 February 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 315, pp. 225-226.

his subordinates. Montalivet demanded an explanation from Baron Dalphonse, who had been trying to mediate between the two parties. Dalphonse wrote to the minister that *maire* Van Brienen was certainly not the most experienced and passionate administrator, but that he had every confidence in him. Dalphonse characterized Van Brienen as an honest and respected man who had good intentions. Moreover, he was convinced that it would be very difficult to find an adequate replacement for Van Brienen.

Dalphonse also took sides in the conflicts between De Celles and Van Brienen. He stressed that the disagreements between them were very bad for the proper functioning of the administration and that Van Brienen had every reason to complain about the unfriendly tone of De Celles' letters. He emphasised that it was De Celles' task to improve relations and that De Celles should be instructed to operate with more tact. Furthermore, Dalphonse pointed out that the French government system was very different from the Dutch tradition. The Dutch simply needed time to get used to the new way of doing things. He assured the minister that he could rest easy, because even though the mayor and his staff were not yet the most energetic, the population of Amsterdam was calm and there were few problems. Even the introduction of conscription went relatively smoothly, said Dalphonse.⁴⁷ Prefect De Celles' remarks fell on deaf ears. The assistance of the police was to no avail. Knowing that Lebrun would not support him, the prefect had hoped to get support from his minister in Paris, but the minister trusted Lebrun and Dalphonse completely. Montalivet therefore took Dalphonse's advice and wrote to prefect De Celles that he had to change his tone towards the *maire*.⁴⁸

Meanwhile, *directeur général de la police*, Devilliers kept emphasising in his reports that the *maire* continued to complain and to neglect his duties.⁴⁹ Instead of just reporting to Minister of Police Savary, Devilliers actively started looking for a replacement for Willem Joseph Van Brienen. 'I see that Mr Van Brienen has almost been abandoned as if he has a terminal illness,' claimed Devilliers, 'The big task now is to decide who we are going to encourage to replace him.'⁵⁰ For example, when the Grande Armée General Dirk van Hogendorp visited Amsterdam in connection with the reorganization of the *garde soldée* (the town militia), Devilliers had extensive conversations with him about a possible new mayor. Van Hogendorp, and others, suggested nominating Jacob Willem Dedel as the new mayor. Dedel,

⁴⁷ Dalphonse to Montalivet, 10 April 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 1413, pp. 1070-1071.

⁴⁸ C.F. Gijsberti Hodenpijl, "De Fransche overheersching I" in *Elsevier's Geillustreerd Maandschrift* 20, 1910, p. 258.

⁴⁹ R.E. Van Ditzhuyzen, *op. cit.*, p. 147.

⁵⁰ Devilliers to Savary, 15 February 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 788, p. 575.

former Treasurer of Amsterdam, was a member of the old burgher elite, allied to other prominent families such as the patrician families of Clifford, Cover Hooft and Van de Poll. In terms of his background, he was clearly the opposite of Van Brienem. Apparently some of the old regents were trying to push one of their own forward as a replacement. However, Devilliers was skeptical. Although he agreed that Dedel would be wiser and more diplomatic than Van Brienem, he feared that nominating Dedel would nevertheless be counterproductive. Devilliers wrote minister Savary: ‘Mr Dedel is a member of one of the most conceited of the Dutch patrician families, and he grew up with such ideas. Appointing him as mayor of Amsterdam would mean continuing along the vicious line we have been on for so long, and it would mean that the *maire* of Amsterdam, and with him those of all major Dutch cities, still fancy themselves to be the old mayors.’

The only way forward, in Devilliers’ eyes, was the appointment of a mayor who was modest, well-educated and strict. He had someone in mind: the very loyal admiral Carel Hendrik Ver Huell. Devilliers stressed that only replacing Van Brienem with Ver Huell could lead to improvements.⁵¹ Time and again, the Director General of Police warned his superiors about the ‘intrigues’ of the regent’s class. In his view, the responsibility for overall security and enforcement of law and order should no longer lie with the mayor, but with him – as was the case in Paris.⁵² However, to his disappointment, Devilliers did not manage to convince the authorities in Paris of the need to get rid of Van Brienem.⁵³ The influence of *prince-architrésorier* Lebrun was many times greater than that of Devilliers.

Intendants, prefects, police and military did, however, collaborate even if they did not share each other’s views. For example, Dalphonse and Celles did not necessarily always disagree with each other. They were able to work together at times when Van Brienem opposed official French policy, such as the French decision to abolish the guilds. Van Brienem had bypassed his prefect and *intendant* by writing directly to the minister in Paris about a possible misinterpretation of a ministerial decision by De Celles. Intendant Dalphonse could understand De Celles’ displeasure about this, and he urged Van Brienem to execute the orders forthwith.⁵⁴ In short, Van Brienem could not afford simply to do anything he liked. Moreover, policeman Devilliers was not always happy with administrator De Celles, despite

⁵¹ Devilliers aan Savary, 15 February 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 788, pp. 575-576.

⁵² Jean Tulard, “La police impériale dans les pays annexés – l’exemple d’Amsterdam”, *Revue de l’Institut Napoléon*, no. 122, 1972, pp. 22-23.

⁵³ Devilliers to Réal, 24 March 1812. H.T. Colenbrander (ed.), *op. cit.*, no. 790, pp. 576-577.

⁵⁴ Thomas Poell, “The democratic paradox. Dutch revolutionary struggles over democratisation and centralisation (1780-1813)”, PhD Thesis, Utrecht University, 2007, p. 160.

their shared aversion of the *gouvernement-générale*. Devilliers complained that De Celles delegated little work to others, and that his short fuse gave the whole French regime a bad name.⁵⁵

And so Van Brienen remained the *maire* of Amsterdam, thanks to the protection he enjoyed; or perhaps thanks to the discord between the French authorities themselves. It seems he was even appreciated by the government in Paris: Napoleon made him a Baron on 3 January 1813, and gave him the Order of the *Légion d'honneur*.⁵⁶ Van Brienen was reappointed in April 1813, and tried again to submit his resignation. De Celles pointed out that this was procedurally impossible. The Napoleonic Empire was under great pressure, and it is possible that De Celles feared that Van Brienen's resignation would set a bad example. Moreover, Van Brienen would in that case become a hero of the anti-French opposition, which De Celles no doubt did not want. As he later wrote, Van Brienen toyed with the idea of refusing to take the oath, but he decided to accept his post in order to prevent 'unpleasant consequences' for Amsterdam.⁵⁷ Prefect De Celles also remained at his post. His quarrels with the mayor were well known and both were ridiculed by the people of Amsterdam. When the French started to prohibit plays that were potentially seditious, plays in written form were circulated. There was a comedy in early 1813 entitled *The flight from Moscow*, and its last act was dedicated to De Celles and Van Brienen. In it, De Celles receives a package with tin soldiers in it, and he accuses the *maire* of having sent it.⁵⁸

Coming to terms with the Napoleonic past

In the autumn of 1813, the French authorities in the Netherlands were put under still further pressure. In October, the French government insisted that the city of Amsterdam should send a delegation to Paris, headed by Van Brienen, to swear allegiance to the Empress and to promise military support. The latter, however, was not possible given the state of the city's finances and the fact that there were hardly any young men willing to take up arms for Napoleon.⁵⁹ The Amsterdam city council was convened on 14 October to discuss the orders from Paris. Only thirteen of the twenty-four members showed up, and without the presence of at least two-thirds of the council, no decision could be taken.

⁵⁵ Johanna W. A. Naber, *op. cit.*, p. 63.

⁵⁶ W. Regt, *op. cit.*, p. 212.

⁵⁷ 'Verslag van Willem Joseph van Brienen van de Grootte Lindt', p. 180.

⁵⁸ Journal entry of Willem de Clercq, 7 February 1813, *Dagboek Willem de Clercq*, no. III, Huygens Instituut voor Nederlandse Geschiedenis, pp. 38-39.

⁵⁹ R.E. Van Ditzhuyzen, *op. cit.*, p. 148.

The meeting was adjourned. Two days later only twelve members were present. Prefect De Celles determined that the members who were sick or were not in Amsterdam should be deducted from the twenty-four. Only Councilman Balthasar Ortt was strongly opposed to this free interpretation of the rules and left the meeting in protest, despite repeated requests from Van Brienen to agree. The *maire* tried to invent excuses, but after the chaotic last council meeting he had to travel to Paris along with Councilman Antonie Warin.⁶⁰

While the mayor was out of town, there was a grim atmosphere in Amsterdam and elsewhere. After French soldiers left the city to fight against the advancing Cossacks, the population of Amsterdam rebelled. The people's anger focused mainly on the repressive forces of the Napoleonic regime, meaning the *douane* (customs), police, gendarmerie and tax collectors. Fear took possession of the remaining French. *Douaniers* were lynched. The home of Devilliers went up in flames. De Celles was confined to bed because of gout and Devilliers struggled secretly to bring him to safety. On 11 November Devilliers wrote: 'If we are not saved within six days, we are dead [...] a different governor and eight hundred men would have been able to retain these provinces.'⁶¹ Governor Lebrun, who was still in Amsterdam, convened the city's elite and urged them to call the crowd to order, but they were not willing to do so. Escorted by the gendarmerie, Lebrun left Amsterdam without being stopped.⁶²

While the French fled *en masse*, in The Hague a provisional government was formed by Gijsbert Karel van Hogendorp, Frans-Adam van der Duyn van Maasdam and Leopold Van Limburg-Stirum, making it possible for Stadtholder Willem V's son Willem Frederik to be welcomed on the beach at Scheveningen. Prince Willem Frederik was received with the dignity of Dutch sovereign and would eventually reign as King Willem I. In Paris, Van Brienen received the news of the collapse of the Napoleonic authority, and he interpreted it as meaning that his role as mayor had thus ceased. In any case, he had little more to do in the French capital, because he and Warin were not allowed an audience by the Empress, as it had become clear to the French that the citizens of Amsterdam were reluctant to take action. Because of the war, however, it was impossible for them to leave France. Van Brienen claimed to have played an important role in the release of four prominent citizens of Utrecht, who had been taken away as hostages by the fleeing French.⁶³

⁶⁰ Joh. C. Breen, "De regeering van Amsterdam gedurende den Franschen tijd", *Jaarboek van het Genootschap Amstelodamum* 12 (1914), pp. 1-130, esp. pp. 101-102.

⁶¹ De Caumont La Force, *op. cit.*, pp. 328-329.

⁶² *Ibid.*, pp. 336-338.

⁶³ M. Sluyser, *op. cit.*, pp. 203-205.

When Van Brien en finally returned on 31 March 1814, he was given a cool reception. While he was away, Amsterdam had received a new city council on 31 December 1813, appointed by sovereign Willem Frederik. As in the time before the Batavian Revolution, the government of the city passed into the hands of four mayors. Three of them had not, or hardly, been involved with the revolutionaries and the French. Mayor David Willem Elias, for example, was “a conservative through and through”.⁶⁴ This former *schout* (sheriff) and son-in-law of Jan Wolters van de Poll was notorious because he had actively persecuted the revolutionary Patriots after 1787. One member of the Napoleonic administration was retained, namely Jan Joachimszoon Brouwer, who had worked together with Van Brien en as alderman.⁶⁵

Van Brien en was offended that no one in the new city council supported him. He felt compelled to defend himself. Like others who had served under Napoleon, Van Brien en wrote an apology in which he defended his actions under the French.⁶⁶ In it, he presented himself as an administrator who had wanted the best for everyone and who had always been on good terms with his colleagues, such as the new mayor Jan Joachimszoon Brouwer. But the simple fact that Van Brien en had to justify his actions indicates that there were doubts about him. It is striking that in his report, he keeps insisting that he never accepted money from the French, and that he never accepted payment for his work as mayor. It is true that as alderman, at the time of Louis Napoleon, Van Brien en (just like the other three aldermen of Amsterdam) had refused the annual salary of two thousand guilders, given the terrible state of the city’s finances.⁶⁷ But Willem Joseph Van Brien en boasted about never having accepted payment from the French for his work as mayor, though under French law the mayor was always unpaid.⁶⁸ Therefore, his argument was not valid. Van Brien en’s apology is unconvincing for other reasons as well. It seems that he deliberately gives very inaccurate descriptions. Details are regularly kept vague, and he uses obfuscating expressions. It is unclear who pushed him to become mayor. As for exactly how many employees of the *octroi* were appointed that were not on his list, Van Brien en does not make clear. He does imply that the number of people was higher than was actually the case. Just how he rescued the Utrecht hostages, he does not say. He argues that responsibility for this good deed was also claimed by others (who?), so the answer to this is anything but unimportant. Nevertheless,

⁶⁴ J. Breen, ‘Elias, jhr. Mr. David Willem’, in P.C. Molhuysen and P.J. Blok (ed.), *Nieuw Nederlandsch biografisch woordenboek*, VII, Leiden: A.W. Sijthoff, 1921, pp. 150-152.

⁶⁵ J. Breen, ‘Brouwer, Jan Joachimsz.’, in P.C. Molhuysen and P.J. Blok (ed.), *Nieuw Nederlandsch biografisch woordenboek*, VII, Leiden: A.W. Sijthoff, 1918, pp. 318-319.

⁶⁶ Matthijs Lok, *Windvanen. Napoleontische bestuurders in de Nederlandse en Franse restauratie (1813-1820)*, Amsterdam: Bert Bakker, 2009, pp. 199.

⁶⁷ R.E. Van Ditzhuyzen, *op. cit.*, p. 144.

⁶⁸ Lio Thijsen, *op. cit.*, p. 43; ‘Verslag van Willem Joseph van Brien en van de Groote Lindt’, p. 196.

much of the existing literature uses Van Brienens's apology as a starting point and thus confirms his view of the events.

Though his career in Amsterdam was over, Van Brienens's career did advance elsewhere. In 1814 he became a member of the Provincial Council of Holland representing Amsterdam. In December 1814 he was admitted to the knighthood, and a year later King Willem I made him a member of the Senate, which he remained until 1839.⁶⁹ The Senate was meant for men like Van Brienens. Because of his wealth and his past achievements, the King almost had to offer him this alternative career. Amongst the usually very docile senators, Van Brienens could exercise little real influence. In the Senate, he was nevertheless an interesting figure. He was the only Catholic member from the northern provinces and spoke on several occasions in favour of the Belgian case. His only surviving son Arnoud Willem was later also one of the few Catholics in the Senate. A French diplomat also characterized the Van Brienens as a kind of "convenient Catholics"; by appointing them, the king hoped to keep his Catholic subjects satisfied.⁷⁰ Most Frenchmen returned to their own country for good. De Celles went to the Southern Netherlands. Among the Amsterdam police force, a cull took place, but one of the few who was retained was Willem Holtrop, the pro-French commissioner who had been so vehemently opposed to Van Brienens.⁷¹

Conclusions

The French administrative model, the law of 28 *pluviôse an VIII*, was an efficient instrument for top-down state-building. However, in the words of John Dunne, "a degree of power-sharing with local notables" was essential to its success, which was even more the case in the conquered territories of the empire. Local circumstances and centralist ambitions not always went well together. The structure of the Napoleonic state consisted of separate 'threads' that were controlled by Napoleon's direct employees who each had their own agenda. International research increasingly suggests that these tensions can be found almost everywhere in Europe at the local level. Amsterdam fits into this general picture. Moreover, in Amsterdam there was an "extra thread", namely Lebrun's *gouvernement-générale*, giving Amsterdam an even more complicated place within the realm.

⁶⁹ W. Regt, *op. cit.*, p. 212.

⁷⁰ R.E. Van Ditzhuyzen, *op. cit.*, pp. 149-150, 153.

⁷¹ Martijn Van Der Burg, "La police napoléonienne dans les départements néerlandais : entre tradition et modernité", in François Antoine (ed.) *et al.*, *L'Empire, une expérience européenne?*, Paris: Armand Colin, 2014, pp. 265-266.

It is too simplistic to discriminate merely between *occupants* and *occupés*. There was not a clear-cut conflict between the French on the one hand and the Dutch on the other. On the contrary, both groups were internally divided. Several coalitions were forged and conflicts that had been played out for years in France itself were then continued in the Netherlands. It is also true that French conflicts assumed new forms in the Netherlands as Frenchmen sought allies. French authorities sought Dutch supporters and involved them in the conflicts – voluntarily or otherwise. For example, Lebrun and Dalphonse found Van Brienen. Surprisingly, the two French prefects in the Netherlands can be seen as a sort of ‘defectors’ who turned away from what was in their view a weak civil administration and sought help from the police force. It must have been particularly frustrating for prefect De Celles to have made an enemy of an influential man like Lebrun.

It is important to note that the French conflicts were *not* about the desirability of integrating the Netherlands into the empire. To all Frenchmen, giving the Napoleonic regime a permanent foothold in Amsterdam and the Netherlands was the ultimate goal. But they disagreed on the way in which to do so, and the extent to which it should be done. The export of French conflicts was facilitated by the fact that the urban community was already divided in the turbulent years before the Napoleonic period. The controversial Van Brienen was not exactly loved by everyone, as a result of both his political and religious background. Significant numbers of prominent administrators from the traditional political elite were on the side-lines for years. The complex government structure and the existing discord within the French state apparatus intensified this division. And the fact that Amsterdam’s old elite was not entirely positive about Van Brienen is evident not only from the French correspondence, but also from the fact that on 31 December 1813 a more traditional form of local administration was chosen, dominated by the former regents.

In the French system, the mayor represented the regime at the local level. How should the role of Van Brienen be interpreted? On the one hand it could be concluded that *maire* Van Brienen was a “pawn”. The fact is that he was used by governor Lebrun and intendant Dalphonse. They placed him at the head of Amsterdam. By keeping Van Brienen in power, Lebrun and Dalphonse were able to successfully prevent competing forces within the Napoleonic regime (police and army) from pushing their own Dutchman forward as mayor. Since Amsterdam was seen as the key to the north of the empire, Van Brienen was in that sense a major prize for Dalphonse and Lebrun: their influence was thus secured. On the other hand, a more active role by Van Brienen is plausible. It is true that Van Brienen was strategically deployed by Lebrun and Dalphonse, but this interpretation implies that Van Brienen had a passive attitude. In his 1814 apology, this was the image he himself tried to convey. Yet

with the burden of the mayoralty also came the benefits, such as a possible promotion to the highly paid position of senator, as had happened with his predecessor. Moreover, he enjoyed influence and prestige as chief administrator of the second city of the empire. Therefore, there is a good chance that Van Brienen's position of mayor was initially partly one that he had chosen himself. This is consistent with De Celles' conclusion that Van Brienen had initially been tempted by the benefits of being mayor, but underestimated how much his participation (forced or not) in the French government would be resented by his fellow citizens. Moreover, he himself could not have foreseen that the Napoleonic empire would collapse within a few years.

In short, during the introduction of the French local administration in Amsterdam, personal interests and state interests were intertwined and competed. Mayor Willem Joseph van Brienen van de Groote Lindt entered into a reciprocal relationship with the highest official elite, namely the group of close associates of Napoleon. This involved both burdens and benefits. As mayor of the third capital, Van Brienen became one of the most important imperial officials. This gave him prestige and he could look forward to an attractive career in the Napoleonic state. In turn, governor Lebrun and intendant Dalphonse had a mayor who was heavily dependent on them. Their power was therefore secured. In this way, Willem Joseph Van Brienen played an intriguing role. On the leaside of the quarrels between different groups, he ultimately remained unaffected. The major powers in Paris never ultimately allowed conflicts to escalate too much, with Lebrun as orchestrator. Amsterdam was too important. But the idea of an easy introduction of the French uniform administrative model met with the relatively resilient Dutch bottom-up tradition. In the end, most Dutch preferred a different route to modern local administration; the concept of a *maire* in the French sense was contested.

L'HONNEUR INSTRUMENTALISÉ : LE SORT DES GÉNÉRAUX DE BAYLEN (1808-1812)

par François HOUDECEK

RÉSUMÉ

Le 19 juillet 1808, le général Dupont de l'Étang était forcé de capituler devant une force supérieure en nombre. Considérée comme une grande victoire par les autorités civiles espagnoles, elles y virent toute l'exploitation politique qu'il était possible d'en retirer. À l'inverse, Napoléon considéra cette défaite comme une faute impardonnable qui entachait l'honneur de l'armée et chercha à faire condamner les officiers qui avaient participé à cette terrible affaire. Qu'est-ce qu'une capitulation sous l'Empire ? Pourquoi ne fut-elle pas appliquée ? Quel sort fut réservé aux généraux de Baylen ? Comment expliquer l'entêtement de Napoléon ? Autant de questions auxquelles cette brève étude tentera d'apporter un éclairage dépassionné avec en filigrane le sort du général Marescot, sujet des journées d'étude de Vendôme du 13 et 14 juin 2014.

ABSTRACT: HONOUR MANIPULATED: THE FATE OF THE BAYLEN GENERALS (1808-1812)

On 19 July, 1808, General Dupont de l'Étang was forced to capitulate in the face of an enemy superior in number. The Spanish authorities saw this as a great victory and a spectacular opportunity for political capital. Napoleon, for his part, saw the defeat as an unforgivable error which stained the honour of the army, and he did all he could to bring the officers who took part in the affair to justice. But what was the procedure for a capitulation during the Empire? Why was this procedure not followed? What happened to the Baylen generals? How can we explain Napoleon's thirst for vengeance? This article attempts to give dispassionate answers to these questions, using the fate of general Marescot as a leitmotif. The paper was read during of a Study Day in Vendôme on 13 and 14 June, 2014.