

The National Guard, a concrete but  
temporary experience of popular  
participation in law enforcement.  
The example of the National Guard of Lyon  
from 1830 to 1871

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The National Guard is a particularly interesting institution to study in the context of a symposium dedicated to popular participation in law enforcement, since its existence has been a very tangible moment during which the people took charge of, and actively participated in, the enforcement of public order in French cities and countryside. Unlike other law enforcement agencies in the 19th century, such as the police, the gendarmerie (the national police force), the Royal guard or the Republican guard, the National Guard was not a professional troop. It was made up of citizens who only took up arms periodically and temporarily. They had other professional occupations and did not live in barracks, but at home with their families. Created during the French Revolution, the National Guard existed, for better or worse, throughout the 19th century, as it was reconstituted in all French towns during each revolutionary outburst, before being disbanded or put in abeyance some time later.<sup>1</sup>

Between 1830 and 1872, when it was definitely done away with,<sup>2</sup> the National Guard was reconstituted in Lyon during each of the three political regime changes. As such, it was active from July 1830 to December 1831, from February to July 1848, and from the summer of 1870 to the summer of 1871. These three relatively brief episodes (a maximum of a year and a half at the beginning of the July Monarchy, and barely five months in 1848) nevertheless opened up the possibility of a popular handling of law enforcement. Lyon citizens, like many of their compatriots, carried out daily police tasks in their city, and went as far as handing a helping hand to the line troops during the riots or insurrections that took place in Lyon throughout the 19th century.

This popular participation was spontaneous, at least initially. Indeed, the National Guard was first reorganized by the population of Lyon before the authorities, in a second phase, took over the reins and supervised it. The Lyon bourgeoisie played an active role in the reconstitution of this popular militia, and it will therefore be necessary to define

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<sup>1</sup> Many publications offer overviews on the National guard: Girard, *La Garde nationale*. Carrot, *La Garde nationale*. Dupuy, *La Garde nationale*.

<sup>2</sup> The National guard was dissolved by the *Assemblée nationale* on 25 August 1871, then definitely abolished by the law of 27 July 1872 on the recruitment of the army.

the meaning of the word popular, since the stakes linked to the reorganization of the National Guard are quite different, and indeed even opposed, depending on whether one adopts the point of view of the bourgeoisie or that of the working classes.

The reconstitution of the National Guard also raises the question of the models and references used by the contemporaries to organize the service of the citizen militia: did the national guards introduce a new way to enforce public order, or did they reproduce existing codes and patterns? And if so, which ones?

In order to answer these questions, we will first clarify the conditions and meanings of the reorganization of the National Guard during the revolutionary outbursts. Then, we will show that the citizen militia was a law enforcement force that was largely influenced by the military model. However, we will need to highlight the fact that this popular experience of law enforcement remained systematically temporary.

## I. A POPULAR FORCE IMPOSED TO THE AUTHORITIES

The National Guard was above all a 'popular' and 'revolutionary' force, in that it was imposed to the authorities during revolutions and regime changes.

### I. A spontaneous and revolutionary reorganization

According to Louis Girard, one of the first historians to work on citizen militia, 'the guard was spontaneously formed when important crises arose, during which, public authorities having disappeared, the social order must be saved'<sup>3</sup>. Even though this quote cannot necessarily be applied to all of the French National Guards of the 19th century<sup>4</sup>, it is particularly relevant for Lyon in 1830 and 1848. During these two revolutionary outbursts, the Lyon sources bear witness to the spontaneous and revolutionary reorganization of the citizen militia.

As had been the case in other French cities as well,<sup>5</sup> on 28 July 1830, upon hearing about the Parisian events, the liberal bourgeoisie of Lyon decided to re-establish the National Guard in order to put pressure on the legitimist authorities. On 28 July and the following days, deputations were thus sent to the prefecture to ask the prefect to 'make use of the natural right to constitute a national guard, so as to guarantee public peace.'<sup>6</sup> However, the prefect's answers remained evasive, and on the morning of 31 July, according to the sources, 'the national guard formed itself.'<sup>7</sup> Indeed, from seven in the morning on, embryonic companies of the National guard reconstituted spontaneously and by noon

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<sup>3</sup> Girard, *La Garde nationale*, p. 369.

<sup>4</sup> In 1830 and in 1848, the National Guard of Marseilles was reorganized by the authorities (legitimist in July 1830, orleanist in February 1848) in the wake of the Paris events.

<sup>5</sup> The conditions of the reorganization of the National Guard and the role it played from 28 July to 31 July 1830 are very similar in Lyon and in Rennes, as Axel Dröber demonstrated in his paper. See also the example of Nantes as developed in Pilbeam, 'Les barricades provinciales', pp. 73-82.

<sup>6</sup> *Le Précurseur*, n° 1111, 31 July 1830.

<sup>7</sup> *Ibid.*, n° 1112, 1 August 1830.

they had gathered around 1,500 men. This troop managed to put pressure on the legitimist authorities, which ended up acknowledging the reorganization of the National guard by the end of the day.<sup>8</sup>

In February 1848, the conditions presiding over the reorganization of the citizen militia were identical, except the fact that the initiatives to reconstitute the National Guard were only made once the news of the abdication of Louis-Philippe had been confirmed. On 25 February, the republican bourgeoisie of Lyon, united under the name 'Electoral committee of the Rhone', sent deputations 'either to the mayor or to the prefect, to ask him permission to organize the national guard that was necessary to maintain public order'.<sup>9</sup> As had happened in July 1830, the authorities made evasive answers to this demand and declared that they were waiting for orders from Paris. Meanwhile, numerous groups gathered in the main squares of Lyon, including Bellecour, Terreaux and the Célestins, in order to put pressure on the authorities meeting at the Hotel de ville. In front of a large crowd, the Republic was finally proclaimed in the evening, from the balcony of the Hotel de ville, by Emile Laforest, who was then invested temporary mayor.<sup>10</sup> Like in 1830, sources from Lyon insist on the spontaneous character of the reinstatement of the militia. In a report dated 1 March 1848, general attorney Laborie evokes this 'rapid organization of the national guard that formed spontaneously through the agency of all the good citizens, without party distinctions',<sup>11</sup> and the bourgeois Joseph Bergier wrote in his diary, on 29 February that 'the national guard is emerging everywhere, there are posts in the streets and in every neighborhood'.<sup>12</sup> Official reorganizations of the citizen militia in August 1830 and February-March 1848 were thus only institutionalizing and formalizing an already existing situation.

In 1870, the reasons for the reconstitution of the National Guard were different. France's declaration of war to Prussia on 19 July 1870, as well as the first French defeats in August, pushed the government to reorganize the National Guard, which was conceived most of all as a military reserve able to take charge of the defense of cities against the Prussian army. The Lyon bourgeoisie had already been demanding the re-establishment of the citizen militia since the beginning of the war<sup>13</sup> when on August 8 an imperial decree announced the incorporation in the sedentary National Guard of all citizens aged 30 to 40.<sup>14</sup> On the 12, the first article of the law pertaining to the National Guard officially stipulated that 'the National Guard [was] reinstated in all the departments'.<sup>15</sup> On that same day, the first control registers were already constituted in Lyon.<sup>16</sup> But the Lyon mi-

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<sup>8</sup> Ibid. and Mormand, *Une semaine de révolution*, pp. 50-54.

<sup>9</sup> Bergier, *Le journal d'un bourgeois*, p. 11. These remarks were written by Fanny Bergier, Joseph Bergier's wife, who sometimes wrote in her husband's diary.

<sup>10</sup> Dutacq, *Histoire politique de Lyon*, p. 96.

<sup>11</sup> Quoted in Ibid., p. 159.

<sup>12</sup> Bergier, *Le journal d'un bourgeois*, p. 34.

<sup>13</sup> Crestin, *Souvenirs d'un lyonnais*, pp. 58-59.

<sup>14</sup> Dupuy, *La Garde nationale*, p. 496.

<sup>15</sup> *Bulletin officiel du Ministère de l'intérieur*, 9, 1870, p. 304.

<sup>16</sup> Bleton, *Journal d'un garde national*, p. 9. *Le Progrès*, n° 3704, 11 August 1870.

litia, which the authorities refused to arm, was only reorganized at the very end of August, and the first patrols only took place once the Republic had already been proclaimed. Interestingly, on 4 September, Lyon citizens proved spontaneous once more, as they massively went to the forts surrounding Lyon in order to arm themselves. Even though one of the first measures adopted by the temporary committee, which had settled in the Hotel de Ville that morning, was to proclaim the arming of the National Guard,<sup>17</sup> Lyon citizens equipped themselves by entering rifle yards and seizing arms 'of every caliber, every model and every period'.<sup>18</sup>

## 2. A popular force

The reorganizations of the National Guard, particularly in 1830 and in 1848, gave birth to a popular force, since the spontaneous reconstitution of the militia was the doing of the people and not of the authorities. But the population of Lyon who asked for the reconstitution of the National Guard was mostly and almost exclusively made up of members of the bourgeoisie: liberal bourgeois in 1830, republican ones in 1848. Claude Mormand, member of the provisional administrative Commission of Lyon in August 1830, describes quite accurately the social composition of the 'enormous crowd' that demanded the reorganization of the citizen militia on 29 July 1830:

*The men forming it all belonged, without exception, to this intermediate class that has constantly protected the people against the attacks of the aristocracy, and the aristocracy against the outbursts of popular anarchy. They were merchants, foremen, bankers, doctors, young assistants, etc. Some factory workers appeared here and there, rather as spectators than as interested parties.*<sup>19</sup>

As a matter of fact, the commissioners who were chosen the following day to present to the authorities a project to reorganize of the National Guard were all eminent representatives of the Lyon liberal bourgeoisie.<sup>20</sup> It must be said that the reflex to form a National Guard is primarily a bourgeois reflex. During the 1848 revolution, the Lyon factory workers did not wish for the creation of a National Guard, but formed autonomous groups and wore red armbands as a recognition and rallying sign.<sup>21</sup> The Lyon bourgeoisie was then even more eager to reconstitute the National Guard that it was scared of being overrun by the popular arming. This is illustrated by the particularly enlightening testimony of the former mayor of Croix-Rousse, a suburban town of Lyon that was attached

<sup>17</sup> Valin, *Mémoires d'un citoyen*, p. 77.

<sup>18</sup> Crestin, *Souvenirs d'un lyonnais*, p. 70.

<sup>19</sup> 'Les hommes qui la composaient appartenaient sans exception à cette classe intermédiaire qui a constamment protégé le peuple contre les attaques de l'aristocratie, et l'aristocratie contre les débordements de l'anarchie populaire. C'étaient des négociants, des chefs d'atelier, des banquiers, des médecins, de jeunes commis, etc. Quelques ouvriers apparaissaient de loin en loin, plutôt comme spectateurs que comme parties intéressées.' (Mormand, *Une semaine de révolution*, p. 6).

<sup>20</sup> Doctor Trolliet, also a participant in the events and member of the provisory Commission in August 1830, presents them as 'the most regarded citizens' (Trolliet, *Lettres historiques*, p. 10).

<sup>21</sup> Benoît, *Souvenirs de la République*, p. 83.

to the Lyon municipality in 1852. Interviewed at the end of the year 1848 by an inquiry commission of the Assemblée nationale, he said:

*On February 26 last at around six in the morning, I learned that Mr Laforest [temporary mayor] was overwhelmed, that his deputies had been forced to retreat. Mean-looking men were at the Hotel de Ville with arms and appeared to want to form between themselves a city guard. I thought I needed to go to the city hall at once to offer my help to the Mayor and advise him to organize the National Guard immediately.<sup>22</sup>*

In February 1848, some members of the committee in charge of reorganizing the National Guard did propose to give arms only to licensed citizens<sup>23</sup> (which was not accepted), hence revealing the bourgeois prism of the reinstatement of the militia.

Nevertheless, even if the National Guard was reorganized by and for the bourgeoisie, at least in 1830 and 1848, it is interesting to see that it was a popular force also in the sense that it was comprised of members belonging to all the social classes, including the bourgeoisie and the proletariat. Even though during the July Monarchy, the National Guard was theoretically a bourgeois troop where only the individuals paying a personal contribution were allowed to wear the uniform,<sup>24</sup> the sources from Lyon do list many traces of the presence of members of the proletariat in the ranks of the militia. On 2 September 1830, the mayor of Lyon wrote to the legion chiefs that he knew that ‘factory workers without residence, even domestic servants were counted during controls’<sup>25</sup> of the Guard, which confirms the popular character of the militia. The opening of the guard to the proletariat is indeed made possible by the relative juridical vacuum regarding the organization of the militia that existed from the summer of 1830 to the spring of 1831.<sup>26</sup> But even after the promulgation of the law of 22 March 1831 about the National Guard, sources mention the presence of working-class members, such as Pierre Creppon, a 30 year old silk worker living at 2 rue de l’Hôpital, who did not pay a contribution but still served in the spring of 1831 in the 1st company of infantrymen of the 2nd battalion of the 3rd legion.<sup>27</sup>

<sup>22</sup> ‘Le 26 février dernier sur les six heures du matin environ j’appris que Mr Laforest [le maire provisoire] était débordé, que ses adjoints avaient été forcés de se retirer. Des hommes de très mauvaise mine étaient à l’hôtel-de-ville avec des armes et paraissaient vouloir former entr’eux une garde urbaine. Je crus devoir me rendre immédiatement à la mairie pour offrir mon concours à M. le Maire et l’engager à organiser immédiatement la Garde nationale.’ (Archives nationales [thereafter AN], C 937, Survey in the départements, Rhône, 33, note given by Mr. Pailleron, former Croix-Rousse mayor).

<sup>23</sup> Benoît, *Souvenirs de la République*, p. 22.

<sup>24</sup> *Ibid.*

<sup>25</sup> Archives municipales de Lyon (thereafter AML), 1219 WP 001, file ‘Organisation de la garde nationale’, Instructions et règlements, 1830-1833, Letter from the mayor of Lyon to the legion chiefs.

<sup>26</sup> Larrère, *L’urne et le fusil*, pp. 58-59.

<sup>27</sup> AML, 1220 WP 34, Control of the 1st company of the 2nd battalion of the 3rd legion. It is true that the law of 22 March 1831 took into consideration the factory workers who had been part of the Guard at the time of its reconstitution. Article 19 stipulated that ‘the national guards not required to give a personal contribution but who, having served after August 1st of last year, wish to continue their service’ would join the regular service.

This popular character, already visible under the July Monarchy, was fully asserted in 1848. By proclaiming, on 24 February 1848, that all citizens were now part of the National Guard,<sup>28</sup> the provisional Government of the second Republic indeed removed wealth as a criteria needed to enter the ranks of the militia. As a matter of fact, the Lyon sources, in very lyrical passages, offer a testimony of this union of the population within the National Guard:

*Upon hearing the news of 24 February, the National Guard of Lyons formed spontaneously. Many cafés, being easily reachable meeting points, transformed almost everywhere and at the same time in guardhouses; former superior officers, former soldiers of all ranks and arms, rushed there along with magistrates, attorneys, civil servants and men of all social classes; the rich, the poor, the old, the young - it was a beautiful movement! The law enforcement in our city was at stake, all of them had an interest in it, all understood this necessity.*<sup>29</sup>

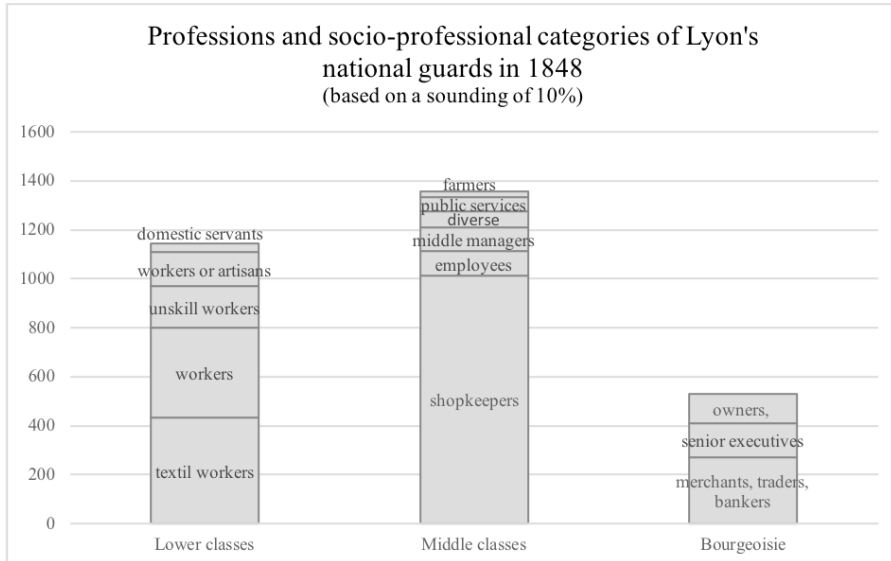
The study of census registers of the National Guard of 1848 confirms the impression of a social blend, and really shows the popular character of the militia, as all the social classes are represented in it. A survey, carried out from the controls of the census of the Lyon militia constituted in the spring of 1848<sup>30</sup>, allows us to observe that at that point, members of the working class represent more than a third of all the members of the National Guard of Lyon, whereas they were excluded from it by law under the July Monarchy.

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<sup>28</sup> Le Moniteur universel, 25 February 1848.

<sup>29</sup> 'À l'annonce des événements du 24 février, la garde nationale de Lyon s'est spontanément formée. Des cafés, comme points de réunion plus faciles à aborder, se sont, presque partout, et en même temps, transformés en corps-de-garde; d'anciens officiers supérieurs, d'anciens militaires de tous les grades, de toutes armes, y accourent avec des magistrats, des avocats, des fonctionnaires publics, des hommes de toutes les classes de la société; le riche, le pauvre, le vieux, le jeune, ce fut un beau mouvement! il s'agissait du maintien de l'ordre dans notre ville, tous y avaient intérêt; tous comprirent cette nécessité.' (De la Garde nationale de Lyon. Question à l'ordre du jour (en faveur de la réorganisation de la Garde nationale). Signé: Un officier. s. d. (octobre 1848) (Lyon: Nigon, 1848, p. 1. BML 351169).

<sup>30</sup> The following chart is based on the analysis of the profession held by 3 028 guards (about 10% of the members), spread into 30 cens controls of the National Guard of Lyon, constituted during the spring of 1848 and kept at the Archives municipales de Lyon (cotes 1220 WP 086 à 1220 WP 115). The way the survey was built and the socio-professional nomenclature that allows to interpret its results is detailed in the Master's thesis: Pareyre, La garde nationale. These results are being further analyzed in the PhD thesis: Mathias Pareyre, Prendre le fusil pour défendre ou renverser les autorités: le rôle de la Garde nationale à Lyon et à Marseille dans les insurrections urbaines au XIXe siècle, supervised by Sylvie Aprile, Université de Lille.



## II. A LAW ENFORCEMENT FORCE DURING REVOLUTIONS

The National Guard was thus a ‘popular’ force, both imposed by the population to the authorities and a place with a mixing and diversity of people, even if the word people (peuple) was each time be defined in different, sometimes even contradictory ways. The stakes linked to the reorganization of the guard are also numerous, but the citizen militia was considered above all as a law enforcement force, the most suitable one to maintain public security during the regime changes.

### 1. Reconstituting the National Guard to defend order and the revolution

The reconstitution of the National Guard, conceived as the embodiment of the armed population, answers during each revolutionary episode two main concerns: guaranteeing the security of the goods and people threatened by the revolutionary troubles, and defending the revolutionary process. By definition, the National Guard is a revolutionary institution, since it is the incarnation of the people’s sovereignty against royal or imperial despotism. Its reconstitution thus participates to the calling into question of the state monopoly on legitimate violence, and ‘materializes the right to resist oppression.’<sup>31</sup> During each revolutionary outburst, the militia was reorganized to defend the new regime (the Constitutional Monarchy in 1830, the Republic in 1848 and in 1870), and the Lyon national guards therefore became the ardent defenders of the revolutionary process.

If the revolutionary aspect can sometimes be primordial for the reconstitution of the National guard, it must nevertheless be noted that its reorganizations throughout the

<sup>31</sup> Larrère, *L’urne et le fusil*, p. 14.

19th century come within the scope of the self-defense reflexes<sup>32</sup> inherited from the modern period, and particularly from the bourgeois militias of the Ancien Regime. The National Guard, in Lyon as in the other French cities, benefits from a very strong territorial integration, and, in the context of revolutionary troubles, the reconstitution of companies very often corresponds with the reactivation of neighborhood solidarities. It is well shown through the example of Bonhomme, a mechanic who lived in Ainay (a neighborhood of the Lyon peninsula) and who, from 26 February 1848 on, took charge of the reorganization of the National Guard in his neighborhood. That same evening, he managed to gather 80 armed men who stood guard and patrolled the neighborhood to protect its goods and properties during eight days and six nights.<sup>33</sup>

As a matter of fact, a few months after the reorganization of the National Guard, the revolutionary dimension of the militia progressively disappears in favor of a mainly security-based definition. For instance, in the order of the day of 23 August 1831, the commander of the Lyon National Guard removed all revolutionary references in his definition of the role of National guards. To him, the “purpose of their service” is only to “maintain public order and tranquility ; to attend to the safety of people and properties, and finally, to assist any public civil servant in charge of the execution of the laws”.<sup>34</sup> Incidentally, this definition of the missions of the citizen militia offers a good insight into what law enforcement meant for the commander of the Lyon National Guard in 1831.

This ambivalence, sometimes contradictory, between revolutionary agent and law enforcement force, is very perceivable at the time of the different attempts that were made to establish the Commune in Lyon during the spring of 1871. Indeed, because of its very strong social and political heterogeneity, the Guard was perceived in turns as the armed wing of the Commune and as one of the principal forces able to fight the communalist insurrection. Thereby, during the communalist insurrection of la Guillotière (one of the arrondissements of the left bank of the Rhône, and mostly working-class) on 31 April 1871, Bouret, captain of one of the Guillotière battalions, took care of naming himself commandant of the National Guard after having proclaimed the Commune from the balcony of the Guillotière city hall.<sup>35</sup> He hoped to be able to rely on the Guillotière battalions to overthrow the Lyon authorities under the orders of Versailles. Yet a few weeks earlier, the opponents of the Commune had also tried to mobilize the National Guard. After the communalist attempt to take Lyon's Hôtel de Ville on 22 March, the front page of a conservative Lyons newspaper, *Le Guignol illustré*, depicted Guignol, the emblematic Lyon marionette, dressed as a National guard. He was calling for the Lyon population to join the ranks of the citizen militia to oppose a new communalist attempt, with much recourse to local slang: ‘C'est pas que ça risque rien, les gones : mais n'empêche, on ne sait

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<sup>32</sup> Ibid. p. 41.

<sup>33</sup> La Sentinelle, n° 4, 4 April 1848.

<sup>34</sup> AML, 1219 WP 017, Order of the day, 23 August 1831.

<sup>35</sup> Crestin, *Souvenirs d'un lyonnais*, p. 283.



pas ce qui peut arriver, mettons sur pied note garde nationale. Maintenant qu'y z'y reviennent prendre la Maison de ville !!<sup>36</sup>

## 2. The National guard, a force at the core of a military conception of law enforcement

During the 1830, 1848 and 1870 revolutionary episodes, according to the contemporaries, it is the National guard who must be in charge of enforcing public order in French cities. One can read in the columns of the *Censeur*, the reference newspaper of Lyons in 1848, that 'in republics, permanent armies have no other purposes than to defend borders or wage war abroad. Law enforcement within the country is entrusted to citizen militias'.<sup>37</sup> If the National Guard is considered the most suitable law enforcement instrument, it is above all for practical and symbolic reasons. The citizen militia is, with the army, the only force numerically important enough on which the authorities can rely. Already, in 1828, the Rhône prefect, the Count of Brosses, demanded that the Minister of the Interior organize a paid municipal police force, so as to assist the garrison, which was insufficient in numbers and made of non-specialized soldiers, to maintain order in the city.<sup>38</sup> The National Guard is also the only force that the Lyon authorities can rely on in September 1830, the quasi-totality of the troop having been sent to suppress the troubles in Nîmes at the end of August.<sup>39</sup> The same happens in the fall of 1870, in the middle of the Franco-Prussian war, when the citizen militia carries out alone the postal service in the streets of Lyon, the garrison – strongly diminished by the troops having left for the war – being confined in the forts around the city. During revolutionary periods, the National Guard also seems to be the only legitimate law enforcement force to patrol the city, as the line troops had been suspected, during the fall of previous regimes, to be a potentially counter-revolutionary force. As a consequence, the authorities object to using the army garrisoned in Lyon to police the streets, and if it needs to be used it is specified that it should intervene 'only together with the National guard'.<sup>40</sup>

Line infantry and National Guard are in fact quite close in their organization and in the missions they carry out, which suggests that the citizen militia is first and foremost in line with a military conception of law enforcement. Throughout the studied period, the army remains the model of reference that must guide the functioning of the Guard. In November 1830, the mayor of Lyon thus evokes particularly explicitly 'the necessity of a prompt organization of the service of the national guard insofar as it is destined to replace the line troop in the guarding of the city and the maintaining of public

<sup>36</sup> Guignol illustré, n° 36, 15 avril 1871.

<sup>37</sup> Le *Censeur*, n° 413526, March 1848.

<sup>38</sup> Archives nationales (Paris, France) (hereafter AN), F/9/644-645/b, dossier 1: Seconde Restauration, Letter from the War secretary to the minister of the Interior, 2 June 1828.

<sup>39</sup> AN, F/9/399, folder 'Circulaire ministérielle du 2 septembre 1830', Report by the Rhône prefect to the minister of the Interior, 13 September 1830.

<sup>40</sup> AML, 3 WP125, file 'Troubles de novembre 1831', Letter of general Roguet, general lieutenant of the Lyon garrison, to the mayor of Lyon on 4 November 1830.

order and safety'.<sup>41</sup> This statement is used again almost word for word 40 years later by the chief of a National Guard battalion: 'It is not possible to ask the national guards the same service that we used to ask from our troops, and yet the national guard can provide as many faithful results as the army. I am talking of course about the internal service within cities.'<sup>42</sup> Even though it had not been theorized,<sup>43</sup> the National Guard adopts the same techniques as the ones used by the line army throughout the 19th century to ensure public tranquility. Empiricism and imitation thus prevail for the militia's service. It is divided between the postal service and the organization of patrols. This functioning has the purpose of occupying the urban space and being seen by as great a number of fellow citizens as possible, in order to dissuade potential troublemakers by a daily presence in the streets. The guard posts are therefore often situated at the foot of or near surroundings of important buildings, such as the Hôtel de Ville, the arsenal, the prisons, theatres, arrondissement city halls, or the Banque de France branch. This location also allows the guards to be swiftly present where order is compromised by the beginning of some brawl or larceny.

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<sup>41</sup> AML, 1219 WP 017, Decree of the mayor of Lyon, on 4 November 1830, inserted in the order of the day of the Lyon National Guard, on 10 November 1830.

<sup>42</sup> 'Il n'est pas possible de demander aux gardes nationaux le même service que l'on demandait à nos troupes et cependant la garde nationale peut donner tout autant de résultats fidèles que l'armée. Je parle bien entendu du service intérieur des villes.' (AML, 1219 WP 010, file 12th Battalion correspondence, 1870-1871, Letter of 16 May 1871, to Bourras, commander of the Lyon National Guard).

<sup>43</sup> No theory of law enforcement is developed during the first three quarters of the 19th century, except for the one proposed by Maréchal Bugeaud, *La guerre des rues*.

Map 1: Locations of the posts of the National Guard in 1830<sup>44</sup>

For each reorganization, the number of guard posts increases, in correlation to the demographic and urban growth of the city (the suburban towns of Vaise, Guillotière and Croix-Rousse are attached to the Lyon municipality in 1852). When there are only 22 posts occupied by the National Guard in 1830 (cf. map above), there is (though it may be an exaggeration) ‘one in each street’ at the beginning of March 1848,<sup>45</sup> then 104 in September 1870.<sup>46</sup> After a while, the number of posts occupied by the militia decreases systematically, because of the diminution of the role and influence of the National Guard in the months following the reorganizations. As such, there are only 20 posts occupied by the militia in June 1871, the others having been either removed or re-occupied by the garrison only.<sup>47</sup>

The organization of day and night patrols at regular intervals complete the measures taken to insure the safety of the streets of Lyon. Moreover, the instructions given then to

<sup>44</sup> Amos Frappa gives the location of posts in his article: Amos Frappa, ‘La surveillance nocturne à Lyon durant le premier XIXe siècle’, to be published soon.

<sup>45</sup> Le Censeur, n° 412011, March 1848. Bergier, *Le journal d’un bourgeois*, p. 34.

<sup>46</sup> AML, 1223 WP 06, Tableau des postes occupés par la Garde nationale de Lyon.

<sup>47</sup> *Ibid.*

the national guards confirm the influence of the military model on the functioning of the militia, as shown by this order dated June 1848: 'The patrols shall not go further than the limit of the indicated itinerary. They shall always walk in good order, observe perfect silence, carefully ensure public tranquility and make themselves known to every post belonging to their assigned circumscriptions.'<sup>48</sup>

The national guards have also sometimes been needed to undertake an extraordinary service in order to re-establish order in exceptional situations, when it was threatened by the beginning of riots or even insurrections. In such occasions, the drums of the militia beat the call to arms in all of the city's neighborhoods, and the national guards had to gather in arms and uniform on their respective parade grounds. They were then tasked with re-establishing order along with the garrison troops, and with fighting against the rioters if that proved necessary. This is what happened during the Canut riot on 22 and 23 November 1831, during which 11 national guards still loyal to the authorities were killed, and at least 16 injured.

### III. A POPULAR, BUT BRIEF AND TEMPORARY EXPERIMENT

If the National Guard did indeed participate in law enforcement, sometimes being the main police force on which the authorities chose to rely, its existence was however temporary and relatively short every time.

#### 1. From the initial popular enthusiasm to an ever less assiduous participation

The successive reorganizations of the National guard initially triggered a real enthusiasm and a deep passion in the population, be it in 1830, in 1848 or in 1870. During each reorganization, the headcounts of the National Guard, which were non-existent before the revolutions<sup>49</sup>, reached several thousands in a few days. A few weeks after the reconstitution of the militia, the inspections organized on 29 August 1830 and on 12 March 1848, gathered around 20,000 and 25,000 guards respectively, a third of which were not armed yet.<sup>50</sup> Each time, the Lyon citizens massively joined the ranks of the militia, because in the 19th century this popular participation to law enforcement assumes a double dimension

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<sup>48</sup> 'Les patrouilles ne devront point s'écarter de la limite de l'itinéraire indiqué. Elles devront toujours marcher en bon ordre, observer un parfait silence, veiller avec soin à la tranquillité publique et se faire reconnaître par tous les postes compris dans les circonscriptions qui leurs sont assignées' (AML, 1219 WP 018, Order of the day, 20 June 1848).

<sup>49</sup> The National Guard is put in abeyance in Lyon during the 1820s and just before the Three Glorious Days, it has not been summoned for several years. In 1828, the prefect of the Rhône writes: 'As for the National Guard of Lyon, it is well known that it has been entirely dissolved, in fact if not by law.' (AN, F/9/644-645/b, dossier 1: Seconde Restauration, Letter from the War secretary to the minister of the Interior, 2 June 1828). Dissolved in December 1831 after the insurrection of November 1831, the militia is reorganized a year later, but it only real exists on paper and is almost never called during the July Monarchy. The authorities refuse to re-arm the militia, and the national guards content themselves with parading in uniform during official celebrations. Finally, the Lyon National Guard is dissolved again in July 1848 because of the troubles that happened in the spring.

<sup>50</sup> Le Précurseur, n°1137, 30 August 1830. Le Censeur, n°4124, 15 March 1848

: on the one hand, it is about, as we have already shown, showing one's adhesion to the new regime ; but also, and maybe more importantly for the contemporaries, about experiencing citizenship, which is in this case an armed citizenship. Throughout the French revolution and the 19th century, the right to bear arms was a criteria of emancipation and citizenship that was as important as – if not more important than – the right to vote. Dominique Godineau notably highlighted the fact that during the Revolution, women have demanded the right to bear arms and organize themselves in a national guard as much as, or even more than, the right to vote.<sup>51</sup> It is thus not surprising that the commander of the Croix-Rousse (one of the suburban communes of Lyons) National guard declared in April 1848 that the citizen militia 'is, like the elementary school, the special school of civilian life'.<sup>52</sup> Besides, the National guard remains an essential place to get politicized and learn democracy, as Mathilde Larrère showed for the Parisian guard under the July Monarchy.<sup>53</sup> Before 1848, many national guards, being unable to pay a sufficient cens amount, did not have the right to vote at a national level, but were nevertheless able to vote within their companies to elect their officers. Likewise, just after the proclamation of the Second Republic, the majority of Lyon's national guards voted for the first time in their lives, not for the April 1848 legislative elections but for the elections of the officers and sub-officers of their companies that were organized the previous month. To some, the National Guard would therefore be 'the basis for republican institutions',<sup>54</sup> which explains the enthusiasm surrounding the militia, particularly in 1848 and in September 1870.

However, after a few months or sometimes even a few weeks, once the revolutionary fever has subsided, the participation of national guards to law enforcement becomes less and less assiduous, when it does not become downright non-existent. The sources from 1830-1831, 1848 and 1870-71 insist abundantly on the lack of discipline and absenteeism of national guards. During the spring of 1848, between 21 March and 26 April 696 guards appear before disciplinary hearings for having missed their shifts.<sup>55</sup> In July 1871, less than a year after the reconstitution of the militia, a captain of the 6th battalion gives the following bitter observation, which could be applied to the whole period: 'For a long time, I have been, like many others, saddened to see the national guard left to its own devices, meaning that everyone does as he pleases without anyone, or at least very with very few, trying to establish the discipline that was the sole basis of its strength'.<sup>56</sup>

The absence of the guards is all the more glaring when public order is directly threatened by new riots or insurrectional troubles. As such, out of six thousand national guards, only a few hundreds answered the calls of 21 and 22 November 1831, and fought the in-

<sup>51</sup> Godineau, 'De la guerrière à la citoyenne'.

<sup>52</sup> *Le Censeur*, n° 4158, Address from Lortet to the Croix-Rousse National Guard, 18 April 1848.

<sup>53</sup> Larrère, *L'urne et le fusil*.

<sup>54</sup> *Le Censeur*, n° 4158, Address from Lortet to the Croix-Rousse National Guard, 18 April 1848.

<sup>55</sup> AML, 1222 WP 05, file 'Conseil de discipline', 1848.

<sup>56</sup> AML, 1219 WP 010, file 'Correspondance 6e bataillon 1870-1871', Letter to General Bourras, commander of the National Guard, 24 July 1871.

surrection that was subsequently called the Canuts revolt. The very weak mobilization of National guards, part of whom had joined the side of the rioters, triggered twenty years later the following statement by Jean-Baptiste Monfalcon, a contemporary and author of a History of insurrections in Lyons, in 1831 and 1834:<sup>57</sup> '[The National Guard] would have certainly succeeded in warding off the storm ; unfortunately, this was not about parading at a review but shooting and being shot at. Very few citizens answered the pressing call of the drums. Many distraught merchants and landlords fled to the countryside; terror and panic were spreading to almost everyone.'<sup>58</sup> This quote highlights the problematic character of the National Guard, and more broadly of popular participation to law enforcement. The citizen militia is a popular, non-professional force, it is poorly trained, undisciplined, and often armed with old, damaged rifles. It is admittedly able to replace the garrison to patrol at night in the streets of Lyon, but it appears completely incapable of repressing troubles of a bigger scope.

## **2. From law enforcement force to instrument of disorder: an inefficient and dangerous troop**

For these reasons, it seems that for the authorities, the National Guard represents a potential force of disorder rather than a law enforcement force on which they can assuredly count. The citizen militia is useful to patrol the streets and scatter a few groups of gawkers during the day, but it is unable to be an efficient police force when serious troubles threaten the public order. So in the spring of 1848, the Lyon National Guard proved unable to protect the interim Public prosecutor when he was physically threatened by the crowd. On 18 May, the prosecutor was sequestered by a group of workers and forcibly led to Croix-Rousse, where he was imprisoned for a night in a locale. On the way, while crossing the Pierre bridge, the prosecutor and the group of workers did cross paths with a unit comprised of between one hundred and one hundred and fifty national guards who refused to intervene, considering that they did not have the order to do so.<sup>59</sup> A year after this, the statement made by Constant Galerne, the commissioner general of Lyon, in a report addressed to the president of the Republic Louis-Napoléon Bonaparte about the events of 1848 in Lyons, was final:

*As a consequence, the National guard of Lyons, specifically that on which the country needed to count the most, has compromised its responsibility and has rendered itself liable of a just mistrust and severe measures that necessitate the law enforcement it was unable to uphold. In any case, the national guard of Lyons has really only served to be more detrimental than useful to*

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<sup>57</sup> Monfalcon, Histoire des insurrections de Lyon.

<sup>58</sup> '[la garde nationale] aurait réussi bien certainement à conjurer la tempête ; malheureusement il s'agissait non de parader à une revue mais de tirer et de recevoir des coups de fusils. Très peu de citoyens répondirent au pressant appel des tambours. Beaucoup de négociants et de propriétaires éperdus s'enfuirent dans les campagnes, il y avait une terreur panique, presque générale' (Monfalcon, Souvenirs d'un bibliothécaire, pp. 112-113).

<sup>59</sup> Le Censeur, n° 4191, 23 May 1848.

*the moral order, and shall never be able to really help a Republic ridden of the old rags of its predecessor!*<sup>60</sup>

Not only was the National Guard passive, it was also sometimes even responsible itself for disorder and for starting insurrectional troubles. Indeed, on 21, 22 and 23 November 1831, during the troubles that later came to be known as the revolt of the Canuts, the citizen militia did provide the insurgents with many weapons, and even with a good part of its revolutionary personnel. According to Bouvier du Molart, the prefect of the Rhône at the time of the troubles, the National Guard was only able to gather six hundred men, and the battalions from the neighborhoods of Saint-Georges and Saint-Jean, located on the right bank of the Seine and comprised mostly of factory workers and little artisans, joined the ranks of the insurgents, along with the battalions of the Guillotière and of Croix-Rousse.<sup>61</sup> One of the leaders of the insurrection was in fact a named Buisson, captain of the National guard of Caluire, a town neighboring Croix-Rousse.

Accused – often with reason – of sedition, the National guard was systematically dissolved in Lyon after a few months or years of existence. It was the case in December 1831, because of the role it had played during the November insurrection ; and again after its 1832 reconstitution, when it was dissolved in the spring of 1834 after the second Canuts riot (9-15 April 1834). Reorganized again in February 1848, the Lyon militia was dissolved in 1848, and finally the Guillotière battalions were dissolved in May 1871, just after the insurrection of 30 April.

As a matter of fact, the authorities were well aware of the danger that the militia could represent, and they did everything in their power in order not to use the national guard once the revolutionary fever had subsided. In December 1832, at a time when the militia, which had been dissolved in November 1831, theoretically was supposed to be reconstituted after a year, the Minister of the Interior shared his doubts about the usefulness of its reorganization with the prefect of the Rhône. He considered that the authorities of Lyon ‘had no need, during the Christmas period, of this unit of public force and surveillance whose deployment had seemed indispensable the previous year’.<sup>62</sup> Above all, he acknowledged in the rest of his letter that the reorganized militia would be ‘an embarrassment much more than a resource’.<sup>63</sup> A few months later, while the prefect had been forced to pronounce the reconstitution of the militia, the Minister ordered him, in a confidential

<sup>60</sup> ‘En conséquence, la garde nationale de Lyon particulièrement celle sur laquelle la patrie avait le plus à compter, a compromis sa responsabilité et s’est rendue passible d’une juste défiance et des mesures sévères qui nécessitent le maintien de l’ordre qu’elle ne sut pas faire respecter [...]. En tout état de cause, la garde nationale de Lyon n’a servi en réalité reconnue, qu’à être plus nuisible qu’utile sans l’ordre moral, et ne saurait jamais rendre de véritables services à une République dégagée des vieux lambeaux de sa devancière!’ (AML, 124II001, folder 3, Report over the events of 1848 by the central commissioner of Lyon, pp. 190-191).

<sup>61</sup> Bouvier du Molart, Relation de M. Bouvier du Molart, pp. 34-35.

<sup>62</sup> AML, 4 II 3, Correspondance d’Adrien de Gasparin, préfet du Rhône, avec le ministre de l’Intérieur de juin 1832 à décembre 1832, Letter of the minister of the Interior to the prefect of the Rhone, 31 December 1832.

<sup>63</sup> Ibid.

note, not to arm the guard, estimating that ‘the administration will always, in such a positive legal disposition, the necessary strength to deny any demand of arming, whatever the form they might take.’<sup>64</sup> The authorities’ apprehension was similar during the summer of 1849, but that time it was the prefect of the Rhône who advised the Minister of the Interior against reorganizing the militia a year after its dissolution. The civil servant was quite straightforward when he wrote that ‘instead of recalling in any way the existence of the Lyon National Guard, it is on the contrary necessary to distance ourselves from the idea as much and for as long as possible.’<sup>65</sup>

#### IV. CONCLUSION

To conclude, the National Guard did constitute a rather original popular law enforcement force. During each revolutionary episode, the liberal bourgeoisie reconstituted it spontaneously in order to back the new regime and to protect itself from popular violence. Faced with the fact, the authorities of Lyon had no other choice but to proclaim the official reorganization of the militia, a few days after its spontaneous formation. However, during the first days of the revolutions, the National guard proved particularly useful to make up for the absence and lack of organization of the traditional police forces, and to maintain order in the streets of Lyon. To some extent, the reorganization of the citizen militia also provided a frame for the arming of the people triggered by the revolutionary process. Therefore, the authorities preferred this arming to take place within the context of the National guard, which was, in theory, a more easily controllable institution than the other armed groups on which the authorities had no power (such as the *Voraces* in Lyon in 1848), and also a force comprised in part of bourgeois members attached to order.

A troop whose organization was deeply influenced by the military model, the militia was nevertheless never a fully efficient law enforcement force, and was, on the contrary, the instrument of important disorder. A composite force, often poorly led and insufficiently armed, assembling individuals of widely different social backgrounds and political opinions, this popular force quickly became a source of embarrassment for the authorities of Lyon, who did their best to hurry its dissolution once the revolutionary fever had subsided.

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<sup>64</sup> AML, 4 II 5, Letter of the minister of the Interior to the prefect of the Rhône, 18 February 1834.

<sup>65</sup> ‘[...] au lieu de rappeler d’une manière quelconque l’existence de la Garde nationale de Lyon, il faut au contraire en éloigner l’idée autant et aussi longtemps que faire se pourra’ (AN, F/644-645/b, file 6: *Seconde République*, Letter of the minister of the Interior to the prefect of the Rhône, August 1849).



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