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The House in the Rue Saint-Fiacre

A SOCIAL HISTORY OF PROPERTY
IN REVOLUTIONARY PARIS

H. B. Callaway



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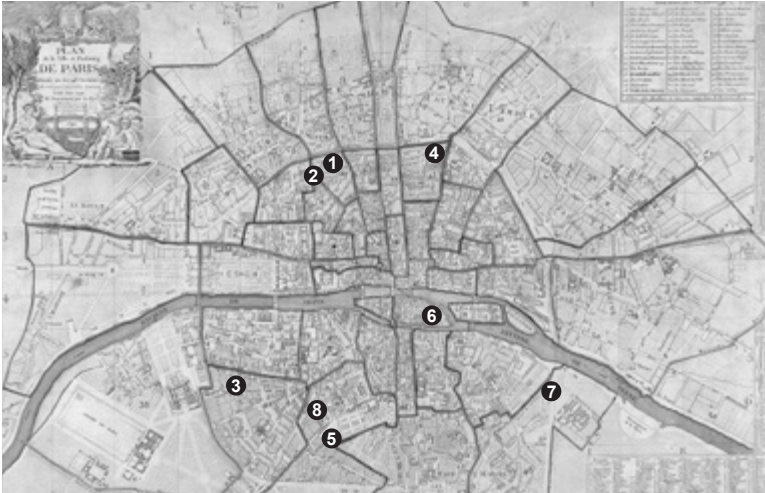
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MAP O.I Map of Paris showing approximate locations of key addresses in the text.
Source: "Plan de la ville et faubourg de Paris divisé en ses 48 sections decreté par l'Assemblée nationale le 22 juin 1790." Credit: Bibliothèque nationale de France.

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Introduction

IN THE MIDST OF THE FRENCH REVOLUTION, Louise-Perrine Chabanaï fled France with her ten-year-old son. Like many nobles, she chose to emigrate as the Old Regime collapsed. She may have gone to the Austrian Empire or to England or to America—these were common destinations. The dossiers containing records of the case only reveal as much as state officials knew, which was that she no longer lived in France. Wherever she went, upon leaving the country she became subject to laws against emigration passed by the revolutionary legislatures. As an émigré, she was considered legally dead. Once her absence had been noted, officials began to carry out the steps to seize her property in accordance with the laws, working within administrations set up specifically to handle the confiscation process. It was all very straightforward—or it should have been, in theory.

Yet a local clerk, writing to his superior, explained that the situation was “*délicate*.” Chabanaï’s son was a minor: unlike his mother, he did not count as an émigré according to the law. With his mother legally dead, the boy was officially considered an orphan and ward of the state. As the clerk succinctly put it, he “has no other defender than the Nation.”¹ But although the state was his guardian, officials were trying

to seize his inheritance. How, the clerk wondered, should the situation be handled?

Complicating matters further, this quandary over the young Chabanais's legal claim emerged from a tenant's innocuous request for a reduction in rent. Louise-Perrine Chabanais owned a house in the Rue Ville-l'Évêque, not far from the Tuileries gardens. A man named Chartier, who was renting a storefront and an apartment at the address, wrote to the administrators in the Domain bureau explaining that the Revolution had caused him to lose income. He worked for the Comte d'Artois, a relative of Louis XVI's, but the Comte fled the country after the outbreak of the Revolution, and this income had dried up. Chartier asked for a reduction in rent, or a job. As officials examined the details, they discovered that Chartier was only a subtenant. The building was actually leased to a different man, Bosquet. Administrators thus traced the claims on the building from Chartier to Bosquet back to Chabanais, who owned the building jointly with her husband. The husband's death left Chabanais in joint ownership with her son. Granting a discount to Chartier would therefore mean depriving the boy of the value of his asset.

In the Rue Saint-Fiacre, not far from the house that belonged to Chabanais, the fate of another seized house hung in suspense.² Henriette Becdelièvre stayed in Paris as her son, a military officer in the Bourbon regime, fled the country. He and his sister were set to inherit the assets of their uncle, Becdelièvre's brother-in-law, a bishop who emigrated to England. Her brother-in-law's assets included a recently built mansion in the Rue Saint-Fiacre, which had been placed under seal and entrusted to the guardianship of a neighbor around the corner. Becdelièvre would fight for years to secure the house and other assets for her daughter, Césarine Talaru. Using public debt that she held, Becdelièvre paid a guarantee in May 1797 to get Césarine's portion of the inheritance released. When the state wrote down the public debt, however, the value of her guarantee was no longer sufficient.

In December 1798, the property was placed under sequester once again. In July 1800, the Domain discovered the tenants in the Rue Saint-Fiacre house owed back rent. Becdelièvre claimed the rent should be paid to her, as it accrued during the time that the house had been released to her. Then, Césarine's brother and coheir was recognized as an émigré, triggering laws against the parents of émigrés that caused Becdelièvre's own house to be placed under sequester. While Césarine's portion of the inheritance should have been preserved, it included undivided assets—such as the house in the Rue Saint-Fiacre—held in common with her émigré brother. Her share could not physically be separated, so it was sequestered alongside her brother's.

The seizure of these two properties crystallize larger issues surrounding the delegation of property rights during the French Revolution. Requiring administrators to untangle interlocking claims on the houses, the confiscation process highlights the varying understandings of property that lawmakers, administrators, and private citizens alike brought to each case. As an asset, a house represented not only a source of immediate revenue—a source of value as a salable good—but also a place to live and a piece of family patrimony. While administrators considered value with an eye to a short-term balance sheet, value for émigré families could unfold over a longer period and could involve habitation rather than cash rent. Ownership of a house concerned not only individual émigrés but also the members of their families who had an interest in it: spouses with joint ownership, children set to inherit, or even elderly family members living there. The interests of these people could be immediate, or could stretch into the future. To seize property from Chabanaise, for example, was to seize it from her son. For Henriette Becdelièvre, her brother-in-law's home represented her daughter's future; yet his status as an émigré threatened to leave Césarine with nothing. Becdelièvre herself, with no ownership claim on the house, nevertheless was invested in preserving the asset. Laws limiting

emigration targeted individual citizens, but the confiscation process necessarily implicated a broader group of people with claims to the same property.

In both of these cases, the primary property owner was a woman. When male relatives emigrated, women often stayed behind and took responsibility for defending family assets, just as Henriette Becdelièvre did. Women's approaches to negotiating property rights, however, were necessarily oblique, as married women's ability to exercise property rights was limited.³ Widows had greater freedom to dispose of their assets. Wives could inherit lifetime use of a share of their husband's assets or, as in the Chabanais case, a share of communal assets obtained during the marriage. Preserving and transmitting assets was a family undertaking, one that engaged all members—male and female—even though their claims to formal ownership might differ.

These two cases also illustrate that the clarity of the law did not necessarily translate to clarity in the practice of identifying assets and taking them away from people. While the legal principles of revolutionary property seizure laid out a seemingly straightforward process for administrators who applied them, the complex nature of property itself—whether defined in terms of actual things or claims—and the human relationships that surrounded it could generate surprising conflicts and confusions. Such bureaucratic imbroglios, closely examined, have much to reveal about the way that property claims functioned during the French Revolution, a moment when the legal definitions of property and the political meanings attached to it were in flux.

Redefining Property in the Revolution

Property was central to the revolutionary project of political and social transformation from the beginning. The Revolution itself broke out during a meeting about who owned France's sovereign debt. Among

the three constitutions drafted during the revolutionary era, the distinguishing factor was the electoral base, which in each instance was determined by property ownership. Property crops up at crucial moments in the Revolution because lawmakers understood it to be central to the issues of sovereignty and rights that lay at the heart of their agendas.

Before 1789, the king held the underlying ownership of all property in his kingdom. Property rights depended on a person's social status: nobles did not just have more property than commoners; they had a different kind of property altogether. For example, one type of feudal property conferred the right to dispense justice. A venal office in the royal bureaucracy was also considered a form of property, conferring nobility on the person who purchased it. Through membership in a guild, commoners could own a monopoly on the production of a certain product, such as shoes or lemonade. There were many other social categories beyond nobles and commoners: Jews, Protestants, and women, for example, all had special property regimes. The Church owned vast property, and clergy had a special relationship to their property as well. A cleric owned his prebend or benefice but could not sell it or leave it to his (illicit) children, since an underlying claim remained with the Church.

On the night of August 4, 1789, however, members of the National Assembly moved to abolish feudalism. A clear rejection of the Old Regime, the act not only dissolved a major category of property but also constituted a major transfer of property rights: the owners of feudal property effectively ceded ownership of that land to their tenants. While tenants previously had the ability to buy and sell their farms underneath the ownership of the feudal lord, now they effectively became the sole owners of their land. In the fall of 1789, the Legislative Assembly abolished another major category of Old Regime property: it nationalized Church property, on the grounds that only individual citizens—not corporate entities—could own property. The Church's

vast land holdings were sold at auction. Finally, the Le Chapelier law of June 1791 abolished trade guilds on the same basis—although guild property, which primarily took the form of monopoly rights to production, was simply dissolved rather than being sold. One by one, each of the major reforms expropriated an entire category of Old Regime society: the nobility, the Church, and the commoners.

The Revolution legally rooted property rights in individuals, not the king, and it made those rights the same for all white men regardless of social status. The king distributed property rights in the Old Regime because, as God's anointed, he was sovereign. Revolutionary legislators, most of whom were lawyers, recognized sovereignty as residing in the people. The purpose of government, in this new system, was only to recognize and protect property—not to hand it out. Property could only belong to one person at a time, and it could only belong to an individual—not to corporate bodies like the Church or trade guilds—because it was individuals who transformed the land with their labor and made it fruitful. This view depended on a social contract understanding of property, most influentially laid out by John Locke in 1689 and Jean-Jacques Rousseau in 1762. In this view, individuals joined together to form government in order to secure their rights to their property and the government's legitimacy arose from the will of the people. The transfer of rights from the individual claimants to the government represented the trust that people placed in public institutions. The duty of government to respect the rights of individuals and to respect private property followed from this transfer.

Echoing the lawmakers themselves, generations of historians understood property reform to be at the heart of the revolutionary project—even as they adopted diametrically opposed interpretations of that project. Through the nineteenth and twentieth centuries, historians debated how sincerely leaders in the Revolution wanted to redistribute property, and considered how successful they were in doing so. In the late nineteenth century, the historian Hippolyte Taine, who represented

a trend of scholarship that considered the Revolution to be a protocommunist attack on property, observed, “Whatever the great names, liberty, equality, fraternity, the Revolution decorates itself with, it is in its essence a translation of property, and in this it finds its intimate support, its permanent force, its primary motor and its historical meaning.”⁴ Roughly one hundred years later, the historian William Sewell, a Marxist historian representing the opposite end of the ideological spectrum from Taine, described the abolition of feudal property as “the holocaust of property of the old style.”⁵ Both understood property reform to have been at the very core of the Revolution, judging its success or failure in large part on the grounds of how property rights were handled.⁶

More recently, historians of the Revolution have focused on the way reforms to property in the Revolution have shaped modern society. Rafe Blaufarb has argued that the Revolution created the modern social order by separating property rights from political power.⁷ Blaufarb departs from the highly political approach to property in the Revolution of earlier generations of scholarship to focus on property as a matter of law. His work still places property, and the reform of property, at the very heart of the French Revolution. In doing so, he considers property as a legal concept whose contents, once defined in law, are more or less self-evident.

One might contrast Blaufarb’s approach with that of Rebecca Spang, who studied one form of property, the paper currency issued during the Revolution, known as the assignat.⁸ Spang unpacks the assumptions, beliefs, and practices that shaped how people understood money, tracing the implications for the ill-fated assignat. For Spang, law is only the starting point for the assignat; she shows how profoundly the paper money was shaped by perceptions entirely outside the power of lawmakers. As these works have placed issues surrounding property once again at the center of the Revolution, they also prompt the question of definitions: How is property defined, and who defines it?

As the Chabanais and Becdelièvre cases indicate, the law did not answer all questions about how property should be defined and who should own it. Chabanais was legally dead, the means for settling her estate established—and yet in practice, the process of determining who owned what proved messy and uncertain, not least because it forced administrators to choose among competing values. The centrality of property to the social order means that it cannot be studied from the perspective of law alone. Laws set boundaries, but the nature of property itself often defies those boundaries. To understand how property was changed during the Revolution, we must examine what people were doing in addition to what they were saying. In fact, this book argues, administrators, property owners, heirs, and creditors played as central a role in defining property across the course of the Revolution as the lawmakers who proclaimed their vision aloud. We have not fully contended with these other vectors of change, and we have never fully taken the measure of what emerged. Nowhere is this clearer than in the case of émigré property confiscation, which reveals the gap between revolutionary property law, with its vision of how society should function, and the realities of how property already functioned. These realities included emergent forms of property, such as credit instruments and consumer goods, as well as long-standing functions of property that the Revolution did not dismantle, such as patrimony.

Turning the focus to practices reveals how institutions, through the actions of their members, shaped the nature of property and how it fit into the new regime. In particular, administration and the family played crucial roles. Modern democracy, with its emphasis on the state and the individual, tends to occlude the role of administrators. From the perspective of liberal politics, property is a bulwark of individualism. The social contract narrative of democratic popular sovereignty neatly avoids reference to the state as an administrator, concealing the fact that the state decides the contents of rights and who gets them.⁹ From Weber to Foucault, modern social theory is extraordinarily suspicious

of the state's administrative power.¹⁰ This power is not new, but in the context of modern liberal democracy, administration is portrayed as a nefarious, if necessary, enemy. There may well be something antidemocratic in the figure of the state administrator, but the same rhetoric that has made us suspect them paradoxically has also made us depend on them in new ways. During the Revolution, administrators, if anything, took on a greater role than they had previously played in arbitrating which property claims were legitimate and which were not.

During the Revolution, property also remained enmeshed in family relationships, in the sense that families shared assets among themselves interdependently. The creation of new financial instruments further enabled families to divide property among themselves, sharing layers of ownership to serve their various needs. Marriage and inheritance remained crucial moments for the transfer of property, but also for creating new interdependencies. When parents promised an asset in a marriage contract, or when spouses accumulated assets during their marriage, claims were created. These kinds of connections would continue in the nineteenth century, even as women were sidelined from work and the market. Reforms to family law undertaken in the Revolution had attempted to limit the influence of families, empowering individuals to form and dissolve relationships freely. And yet, individual claims could not be separated out or isolated from the larger web of family claims—in part due to the reform of inheritance law put in place during the Revolution. During and after the Revolution, as the *émigré* cases will show, family relationships also provided shelter for assets: joint ownership of assets among family members offered a means to defend property against state intervention. This dynamic did not go away in the postrevolutionary era: in the nineteenth century, families provided the capital to mount business ventures, as well as the relationships of credit and trust that allowed them to grow and thrive. For example, many of the nineteenth century's multinational corporations—most notably the international banks—were based on family relationships.

More broadly, the resources of the family as a group provided flexibility in the face of changing circumstances. In practice, the family continued to play a central role in determining who owned what and how assets would be used, long after the attempts during the Revolution to limit its influence.

The Problem of Émigré Property

The relationship between property and social order articulated under the new regime was challenged with particular acuteness by the existence of émigré property owners. Those citizens who left the country during the Revolution, known as the émigrés, were closely associated with the Old Regime aristocracy that resisted the Revolution. The emigration began shortly after the Revolution itself.¹¹ The Comte d'Artois fled Versailles on July 17, 1789. Within weeks, most of the courtiers at Versailles had fled as well.¹² For the next four years, Frenchmen of all types flowed out of the country in waves.¹³ In terms of sheer numbers, most of the people leaving France were clergy and peasants. Considering the makeup of the French population, however, the clerical and noble populations emigrated at a higher rate.¹⁴ This aligned with the popular image of the émigré as an aristocrat hostile to the Revolution.

Emigration intensified at key moments of political crisis, such as the arrest of the royal family on August 10, 1792, and peaked after January 1, 1793.¹⁵ The number of departures also varied greatly by region. People close to the borders, and especially in Alsace-Lorraine and the Moselle, were most likely to cross the border. Emigration from Paris began earlier than emigration from other parts of France, peaking before January 1793. The population of emigrants from Paris also included a larger proportion of nobles and former elites.¹⁶ Both of these trends are explained by the fact that wealth and privilege were concentrated in the capital. By 1793, most French nobles and aristocrats had already left the country. Because elites across France were likely to own property

in Paris, they regularly appeared on Parisian émigré lists regardless of where their primary residences were located.

The émigrés collectively owned a great deal of property across the country, creating difficulties for a regime that recognized the links between property rights, citizenship, and sovereignty. Embedded in the rhythm of revolutionary politics, the émigrés embodied everything that threatened the Revolution. They represented internal resistance to the new order, as they voted with their feet and abandoned the Revolution. They also represented external military threats, as they agitated for military action within the Holy Roman Empire and formed their own regiments.¹⁷ Accordingly, concern over their movements grew more intense as the threats they represented became more concrete. Legal measures against the émigrés began within six months of the fall of the Bastille. In January 1790, the Constituent Assembly passed a decree asking civil servants absent without leave to return to France. The following December, the Assembly suspended pensions and interest payments on public debt to anyone who refused to return to France. In June 1791, the legislature began discussing the problem posed by citizens leaving the country. Shortly after, it voted to dissolve the property of trade guilds. Debate on the issue of emigration began in earnest in the fall of 1791, and the first law sequestering émigré property passed in February 1792. Placing émigré property under sequester was a prelude to its confiscation, but already this law went further than previous legislation, which had targeted state officials and imposed fines rather than enacting wholesale confiscation.

From the perspective of revolutionary lawmakers, property—the things people owned—constituted the core problem of emigration. The departure of French citizens initiated what members of the legislature referred to as “the emigration of things,” the loss of the money and matériel that émigrés were understood to be carrying over the border.¹⁸ Lawmakers found these departures particularly unsettling because these things were going over the border into the Austrian

Empire, with which France would soon be at war. The regime's major property reforms—abolishing feudalism, nationalizing Church property, and dissolving guild property—operated on an understanding of property as land. But the primary threat posed by the “emigration of things” was property's ability to become liquid and be carried away. Having initiated these reforms with the belief that property rights grounded the contract between individual citizens and their government, revolutionary legislators now faced an unsettling question. What if property owners acted against the interest of their fellow citizens and of the state to whose protection they had entrusted their property?

The seizure of émigré property during the Revolution has been studied extensively, but always from the perspective of redistribution. Studies have focused on the act of transferring of émigré property through sale, with an eye to the social impact of these changes in ownership.¹⁹ The laws against emigration, moreover, have usually been considered alongside the extralegal attempts to redistribute property during the period of extralegal rule known as the Terror—even though the first law imposing a general sequester on émigré property was passed before the Terror, under the constitutional monarchy.²⁰ While these studies have offered important insights into the treatment of émigré property, the far-reaching operation of the confiscations invites other kinds of questions about the process and its impact.

Indeed, confiscation from the émigrés was not the only instance of revolutionary expropriation. The Church, the Old Regime trade guilds, and owners of noble forms of property were expropriated as well, in larger numbers and to a greater value than the émigrés. The confiscation of émigré property is distinct from these other forms of expropriation, however, in three key ways that distinguish its significance beyond the measure of its value or the number of people directly affected by it. First, émigré property encompassed all forms of property: land, investments, and personal property. This distinguished it from guild property, comprised of monopolies, and feudal property, which

included rights more than land tenure. The capacious nature of émigré property made it unwieldy and difficult to confiscate. Unlike feudal dues or guild monopolies, it could not be dissolved by fiat. It had to be found and carried away or, in the case of real estate, locked up.

Second, émigré property belonged to individuals as individuals. Feudal, Church, and guild property belonged to its owners because of their membership in a social caste; these were legal categories of property that preexisted the Revolution. Church property, which represented a far larger confiscation project than émigré property, belonged to an institution. Émigré property was no different from other forms of private property, except that it belonged to members of a novel legal category created during the Revolution. In fact, the reason emigration was seen as a threat to the Revolution was that the émigrés were understood to be property owners. If any quality united émigrés as a group, it was as much their status as owners as it was their departure from the country.

Finally, émigré property as a category was created during the Revolution. This makes it an actor's category: a concept used by historical actors and understood by them to have meaning, as opposed to one used by historians to make sense of the past. From the beginning, émigré property was a loose and capacious category—owing in large part to the ambiguities around defining “property” more broadly. Did property refer to rights or assets? Did it include ownership of the self and artistic productions? To attempt to pinpoint property's many possible forms is to bypass the important fact that the term's elasticity made it a powerful conceptual omnibus. The émigré confiscation process involved both political debate about the nature of property rights and also the painstaking administrative processes of identifying what people owned and taking those things away. It was difficult to execute because ideas of property as a political right and property as an asset kept bumping up against each other, beginning with the very text of the first decree allowing confiscation. The way that revolutionary legislators

defined the category of émigré property, and the reasons they gave for treating it as a coherent whole, ultimately reveal a great deal about what they thought constituted property and what function they believed it should play in the polity.

This book uses the process of expropriating émigré property to illuminate how lawmakers, administrators, and private citizens alike understood the nature of property during the Revolution. The seeming incongruousness of the confiscations, which absorbed a great deal of governmental and legislative energy, should not encourage us to set them aside as an anomaly. Rather, it should encourage us to ask a new question: What understanding of property must lawmakers have held for émigré property confiscation to have seemed like a reasonable idea? This is not a story about changes to the nature of property law over the course of the Revolution: although thorny and contested, the confiscation process did not tangibly impact the legal definition of property over the course of the Revolution. Instead, the story of émigré property illuminates heretofore obscured tensions alive within those definitions of property articulated by lawmakers, in the early reform years of 1789–1791 and throughout the Revolution.

Transformations of Property in the Eighteenth Century

Approaching property rights from the perspective of practices, as opposed to law, encourages us to consider French revolutionary property policy less as a rupture with Old Regime practice and more as an array of competing commitments negotiated by individuals on the ground. There was far more continuity between Old Regime and revolutionary practices than the law proclaimed. This was, first, because customary law remained the base of French law. Second, property ownership continued to depend on webs of connections beyond the relationship between citizen and state. The boundaries of law left a wide margin for action, including practices that departed from the intentions of the

law even as they remained legal. This is not to say that nothing changed; on the contrary, property went through important transformations over the course of the eighteenth century, with implications for the application of revolutionary reforms to property.

From the perspective of practices, the transformation of property during the French Revolution is a story that begins at least in the 1680s.²¹ The events of 1789, as disruptive as they were, should be seen as a continuation of the successive ruptures that took place over the course of the eighteenth century. While lawmakers' axiomatic definitions of property indicated a clear rupture with the Old Regime, they also belie the fact that even Old Regime attitudes had already been informed by at least a century of evolution in broader European conceptions of property. Long before the new regime in France passed a single law, the definition of property, in the sense of what property was, underwent significant changes across northern Europe and America. For hundreds of years in Europe, the rich lived off rents and nobility was synonymous with large portfolios of land. Economic change in the eighteenth century, however, brought new forms of property to Europe, including new types of credit instruments, consumer goods, and stocks. At the same time, existing forms of property—notably, ownership of enslaved people, itself a new and radical understanding of what property could be—came under scrutiny.²² Democratic revolutions brought about monumental legal and political changes, creating egalitarian social orders based on equal rights and instituting popular sovereignty. There were new things to own and new ways of owning things, as well as a new understanding of the significance of ownership for politics and social relations.

Eighteenth-century observers noticed these changes and considered them to be significant.²³ The type of property that people owned and traded—whether land, credit, or merchant wealth—was understood to shape their values and character. Not only this, but the type of property that made up a nation's primary source of wealth would shape the

character and even the future of that nation. Much more was at stake in the emergent field of political economy than wealth alone. British and French political economists, including Adam Smith and François Quesnay, identified land as a salutary counterweight to more troubling forms of property. Agriculture, many believed, generated a more stable kind of wealth than commerce. Literally rooted in the ground, it did so by inspiring the right qualities in the people who engaged in it. In contrast to feudal lords, who lived off revenue, farmer-owners on small plots were considered more efficient and more virtuous. Commerce—the source of financial wealth—was associated with luxury, which was understood to corrupt and weaken nations that indulged in it. A nation of merchants and financiers would encourage outsize borrowing by the sovereign, increasing the problematic tendencies of government; sober, diligent landowners would, in contrast, defend their freedoms against royal overreach, effectively limiting the problematic tendencies of government.²⁴

Yet while political theory and political economy identified land as a crucial bulwark against despotism and corruption, land was simultaneously losing its economic hegemony. Likewise, financial wealth took on a dominant political role just as it was coming to be seen as a threat to political stability. During the eighteenth century, commercial and financial investment steadily surpassed land as the most significant source of national and individual wealth, with profound political consequences. This was not entirely a coincidence. During the reign of Louis XIV, public credit—the bread and butter of financiers—made it possible for the British and French governments to borrow huge sums of money, which they used primarily to wage war against one another.²⁵ Financiers maintained close ties with the Crown through personal and patronage networks, provoking further anxiety from intellectuals concerned about the integrity of public life.²⁶

The period in which land lost its dominance as the source of wealth and political influence was also the great moment for theorizing labor

on the land as the source of property and, through it, popular sovereignty.²⁷ By the time the Revolution broke out, discussion about property had been going on for a long time. The speed with which the Constituent Assembly produced the Declaration of the Rights of Man and Citizen, the preamble to a new constitution for France, reflects the influence of this debate on the revolutionary leadership. That is, when the Revolution broke out, people who had been involved in intellectual debate already had a good idea of what they thought the problems with French society and government were, and how to fix them. These ideas were based on their beliefs about what property was or should be, not necessarily on the reality of how property was changing. Their ideas are, obviously, of great importance, as they shaped the new regime. But the gap between their ideas and other aspects of property to which they may have paid less attention is equally important.

The Émigré Dossiers

The gap between the political articulation of property and the practices surrounding property was pronounced in the French Revolution. Recovering this gap requires a genealogical re-creation of the processes by which property was constituted and used, as well as the forms of imposition and resistance through which the concept of property took shape over the revolutionary era. The core source base for this project, therefore, is a series of dossiers documenting émigré property seizures in the city of Paris. These dossiers were composed by officials in the Domain bureau, the local authority responsible for coordinating property seizure, as they attempted to apply the law and interacted with property owners, tenants, creditors, and family members. Each dossier compiles the administrative correspondence relating to a given property and its owner, with letters between the director of the Paris Domain bureau and his staff constituting much of this correspondence. While the Domain bureau initially depended on the Ministry of Finances, it

also worked closely with Paris municipal authorities. Oversight of the local bureau switched back and forth between the Ministry of Finances, which assumed overall responsibility for émigré property, and the regional government of Paris, which handled the émigrés themselves. Today, the dossiers are held by the Archives de Paris. The archives of the Ministry of Finances were destroyed by fire in 1871, and most archives of the Domain bureau were destroyed with the archives of the city of Paris when the Hôtel de Ville burned in the same year. While some additional material relating to émigré property seizure survived the Hôtel de Ville fire along with the Domain dossiers, overall the records of property seizures in Paris are incomplete.

The incomplete nature of the Paris archives presents a challenge. Because so much material was destroyed, and because the dossiers that remain are by nature fragmentary and elliptical, it is difficult to generate a coherent picture of seized property in the city. The archive, for example, does not lend itself to a systematic citywide study of the sale of seized property. Moreover, the most complicated cases are necessarily overrepresented in the archive. The simplest cases generated the least paperwork and are nearly invisible in the archive. Meanwhile, problematic properties produced the thickest dossiers recording endless administrative obstacles. Cases generated correspondence when administrators faced uncertainties and needed to consult with each other on how to proceed, as in the Chabanais case. Frustratingly, the correspondence frequently breaks off before revealing the resolutions, if any, to the problems raised therein. Once a property was sold, it no longer generated correspondence—essentially becoming invisible in the archive. The émigré dossiers are a flawed source base, but this does not make them a useless one.

The dossiers, although somewhat disorganized, are quite rich. Gathered into a composite, the pieces from many different dossiers offer an exceptional window into the process by which officials seized—or attempted to seize—émigré properties. While it is generally not possible

to follow a single case from start to finish, we can re-create both the individual steps and the process as a whole by layering the dossiers into a mosaic of sorts. The narrative certainty of a single case study, however, is at least as artificial as a reconstruction of the process from dozens of separate dossiers. This is because the officials themselves handled the business of the Domain in the same way that we are forced to consume it: pieces here and there, snapshots of one case and then another, returning to a forgotten case months later to take the next steps, after many others had intervened. This is likely why the director fiercely enforced procedural discipline, as Chapters 3 and 4 will show: doing so made it easier to pick up a case midstream and remind oneself of what was happening.

Yet before examining what is representative about the dossiers examined in this book, it is important to understand the ways in which they are exceptional. For this book, 116 dossiers were selected, representing all dossiers handling real property filed under the letter *B* in the “Ancien ordre” of the Paris Domain archive.²⁸ The choice of surnames beginning with the letter *B* is borrowed from demographers, who favor this letter because it comprises about 10 percent of the French population and does not overrepresent aristocrats or foreigners.²⁹ The “Ancien ordre” dossiers contain primarily material beginning between 1792 and 1794 and running through the first decade of the nineteenth century; the “Nouvel ordre” dossiers, for the most part, contain material from the Napoleonic empire.

It is difficult to estimate what proportion of the total number of dossiers this subset represents. The organization of the dossiers is chaotic, and there is not a firm count of the total number of properties seized in Paris.³⁰ If one assumes, on the basis of Monin and Lazard’s *Sommier*, that somewhere between 1,600 and 2,000 properties were seized in Paris, and the dossiers group issues around a single address or set of addresses such that no property appears to have more than one dossier associated with it, a selection of 116 dossiers should represent

5–10 percent of the total. As we will see below, however, there are deeper issues with the dossiers that render them, in all likelihood, unrepresentative of broader patterns.

Only dossiers containing real estate were retained in the selection. The initial focus of the project was real assets (real estate) because the seizure of physical assets seemed to be the most visceral and contested aspect of the process. Over the course of the research, however, it became apparent that the distinction between real and personal property—essentially, between land and other forms of property, such as investments, loans, and movable goods—was artificial at best. Although choosing to focus on real property risked the possibility of underestimating the importance of financial instruments, it in fact only served to highlight the significance of investment property in émigré portfolios. The ways in which this is the case will be unfolded in the chapters that follow.

One might imagine that excluding the dossiers that handled only financial assets meant cutting out an important, unique part of the source base. There is likely little difference, however, between the dossiers that contain real assets and those that do not. This is because most of the émigré owners without real assets in Paris likely owned real property elsewhere in France. It is extremely difficult, even impossible, to reconstruct a full picture of these assets. As we will learn in Chapter 1, there were no public records of property ownership in France until 1791. The problem of reconstructing émigré patrimonies bedeviled administrators overseeing émigré policy. Even aside from the issue of financial assets, however, the dossiers do not come close to presenting a representative sample and, thus, do not support a study of patterns of property ownership. The selection methods used make it possible to glean a broad sample from across the source base, controlling against clumping and thematic sorting. (At some point dossiers were grouped by theme, so that, for example, all the dossiers dealing with rug auctions were in the same archival carton.) Fortunately, however,

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