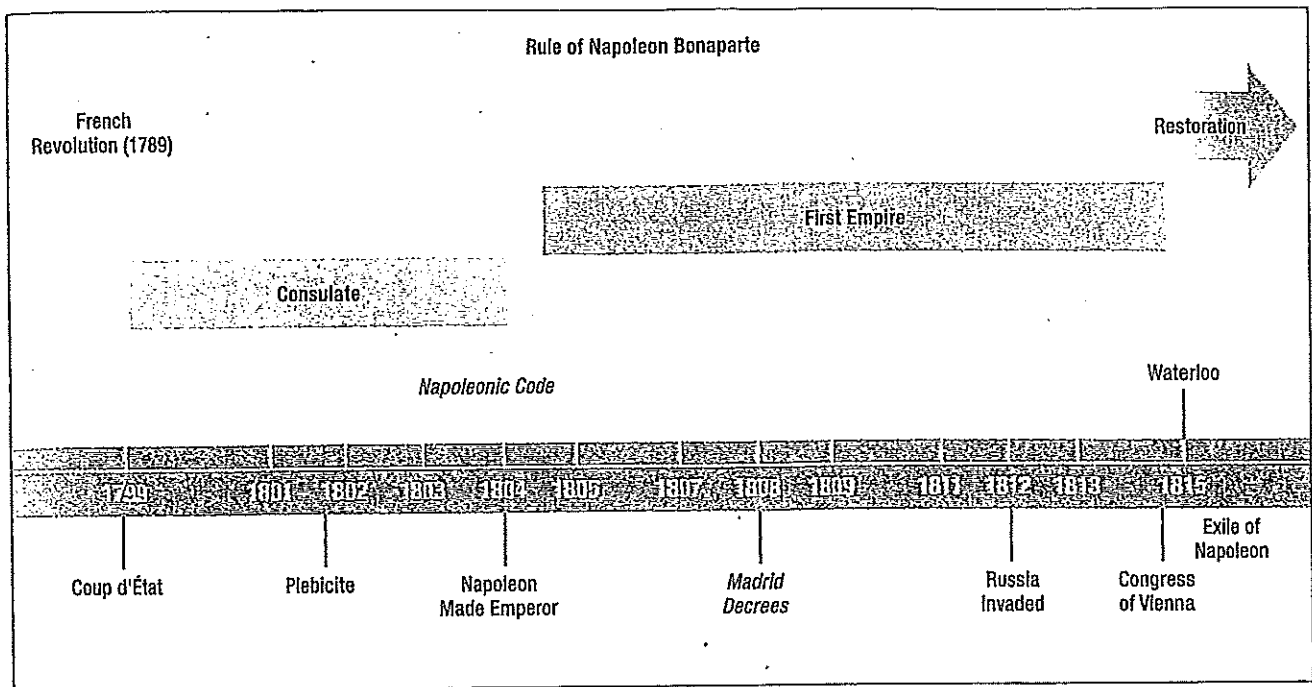


11
CHAPTER READINGS
THE AGE OF NAPOLEON AND THE TRIUMPH OF ROMANTICISM

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10 The Age of Napoleon

In 1799 members of the ruling Directory conspired with the well-known military leader Napoleon Bonaparte (1769–1821) to take over the French government by means of a *coup d'état*. It was successful, and Napoleon quickly asserted his own dominance over others. By 1802 he had full power, and by 1804 he was the self-proclaimed Emperor Napoleon I.

The period from 1799 to 1815 is generally known as the Age of Napoleon. Rising with opportunities presented by the French Revolution, Napoleon gained power not only in France, but directly and indirectly throughout much of continental Europe. Within France he crushed threats from both radicals and royalists who wanted to extend or reverse the French Revolution. Through administrative reforms, codification of laws, and settlement with the Church, he in-

stitutionalized some of the changes brought about by the revolution and took the heart out of others. Backed by the ideological force of the revolution and strong nationalism, his armies extended French rule, institutions, and influence throughout Europe. In 1814 Napoleon's forces, weakened by overextension and a disastrous Russian campaign, were defeated by a coalition of European powers. After Napoleon's defeat, the major powers, meeting at Vienna, attempted to establish a new stability that would minimize the revolutionary and Napoleonic experiences.

The sources in this chapter focus on the principal interpretive debate connected with Napoleon: How should Napoleon and his policies be understood? Is Napoleon best viewed as a moderate defender of the French Revolution or as an enlightened despot in the eighteenth-century

tradition? To provide insight into these issues, the selections will examine Napoleon's rise to power and his ideas, external policies, and internal institutions.

For Classroom Discussion

What do you think of Napoleon? Should he be thought of as a progressive politician building on the French Revolution? Should he be thought of as a conservative and a conqueror? Use the selections by Blanning, Lyons, and Smith to debate these questions.



Primary Sources

Memoirs: Napoleon's Appeal Madame de Remusat

Napoleon was neither the candidate of those longing to turn France to a more revolutionary course nor the favorite of those who wanted to return France to the legitimacy of the Ancien Régime. He came to power promising to uphold both revolutionary principles and order. Scholars have analyzed the question of why he was able to rise to power. Some see him as a military and political genius; others argue that he was an opportunist who took advantage of circumstances as they arose. One of the earliest analyses of Napoleon's rise to power was written by Madame de Remusat (1780–1821). As a lady in waiting to Empress Josephine and wife of a Napoleonic official, she observed Napoleon firsthand and described him in her Memoirs.

CONSIDER: *Why, according to Remusat, Napoleon was so appealing to the French; the means Napoleon used to secure his power.*

I can understand how it was that men worn out by the turmoil of the Revolution, and afraid of that liberty which had long been associated with death, looked for repose under the dominion of an able ruler on whom fortune was seemingly revolved to smile. I can conceive that they regarded his elevation as a degree of destiny and fondly believed that in the irrevocable they should find peace. I may confidently assert that those persons believed quite sincerely that Bonaparte, whether as consul or emperor, would exert his authority to oppose the intrigue of faction and would save us from the perils of anarchy.

None dared to utter the word "republic," so deeply had the Terror stained that name; and the government of the Directory had perished in the contempt with which its chiefs were regarded. The return of the Bourbons could only be brought about by the aid of a revolution; and the slightest disturbance terrified the French people, in whom enthusiasm of every kind seemed dead. Besides, the men in whom they had trusted had one after the

other deceived them; and as, this time, they were yielding to force, they were at least certain that they were not deceiving themselves.

The belief, or rather the error, that only despotism could at that epoch maintain order in France was very widespread. It became the mainstay of Bonaparte; and it is due to him to say that he also believed it. The factions played into his hands by imprudent attempts which he turned to his own advantage. He had some grounds for his belief that he was necessary; France believed it, too; and he even succeeded in persuading foreign sovereigns that he constituted a barrier against republican influences, which, but for him, might spread widely. At the moment when Bonaparte placed the imperial crown upon his head there was not a king in Europe who did not believe that he wore his own crown more securely because of that event. Had the new emperor granted a liberal constitution, the peace of nations and of kings might really have been forever secured.

Memoirs: Napoleon's Secret Police

Joseph Fouché

Although historians have found various aspects of Napoleonic rule admirable, most condemn Napoleon's use of the secret police. Joseph Fouché, Duke of Otranto (1763–1820), headed this institution for most of the period between 1802 and 1810. Fouché combined the attributes of a powerful politician, a police officer, and an opportunist. In the following selection from his Memoirs, Fouché boasts of his accomplishments.

CONSIDER: *The credibility of this document; whether it was reasonable of Napoleon to have Fouché carry out these activities.*

With regard to the interior, an important spring was wanted, that of the general police, which might have rallied the past round the present, and guaranteed the security of the empire. Napoleon himself perceived the void, and, by an imperial decree of the 10th July, reestab-

lished me at the head of the police; at the same time investing me with stronger functions than those which I had possessed, before the absurd fusion of the police with the department of justice. . . .

It will not be doubted that I had salaried spies in all ranks and orders; I had some of both sexes, hired at the rate of a thousand or two thousand francs per month, according to their importance and their services. I received their reports directly in writing, having a conventional mark. Every three months, I communicated my list to the emperor, in order that there might be no double employment; and also in order that the nature of the service, occasionally permanent, often temporary, might be rewarded either by places or remunerations.

As to the government's police abroad, it had two essential objects, namely, to watch friendly powers, and counteract hostile governments. In both cases, it was composed of individuals purchased or pensioned, and commissioned to reside near each government, or in each principal town, independent of numerous secret agents sent into all countries, either by the minister of foreign affairs, or by the emperor himself.

I also had my foreign spies. It was in my cabinet, also, that the foreign gazettes, prohibited to the perusal of the French people, were collected, abstracts of which were made for my own use. By that means, I held in my hands the most important strings of foreign politics; and I discharged, in conjunction with the chief of the government, a task capable of controlling or balancing that of the minister charged with foreign relations.

I was thus far from limiting my duties to *espionnage*. All the state prisons were under my control, as well as the *gendarmerie*. The delivery of the *visa* of passports belonged to me. To me was assigned the duty of watching amnestied individuals and foreigners. I established general commissariats in the principal towns of the kingdom, which extended the net-work of the police over the whole of France, and especially our frontiers.

My police acquired so high a renown, that the world went so far as to pretend that I had, among my secret agents, three nobles of the *ancien régime*, distinguished by princely titles, and who daily communicated to me the result of their observations.

I confess that such an establishment was expensive; it swallowed up several millions, the funds of which were secretly provided from taxes laid upon gambling and prostitution, and from the granting of passports. Notwithstanding all that has been said against gambling, reflecting and firm minds must allow, that in the actual state of society, the legal converting of vice into profit is a necessary evil. . . .

It became necessary to organize the gambling-houses upon a much larger scale, for the produce of them was not solely destined to reward my moving phalanxes of spies. I nominated as superintendent-general of the gambling-

houses in France, Perrein the elder, who already farmed them, and who, after the coronation, extended his privilege over all of the chief towns of the empire, upon condition of paying fourteen million yearly, independent of three thousand francs daily to the minister of the police, which, however, did not remain entirely in his hands.

Napoleon's Diary

Napoleon's accomplishments and place in history are explained in part by the type of individual he was. The principal sources of information on his personality are his diaries, memoirs, and letters, particularly the portions in which he reflects on himself. The following selection comes from diary entries made between 1798 and 1817.

CONSIDER: *Napoleon's opinions about what made him successful; Napoleon's analysis of his power and his personality; how Napoleon wants to be remembered.*

Paris, January 1, 1798

Paris has a short memory. If I remain longer doing nothing, I am lost. In this great Babylon one reputation quickly succeeds another. After I have been seen three times at the theatre, I shall not be looked at again; I shall therefore not go very frequently.

Paris, January 29, 1798

I will not remain here; there is nothing to be done. They will listen to nothing. I realize that if I stay my reputation will soon be gone. All things fade here, and my reputation is almost forgotten; this little Europe affords too slight a scope; I must go to the Orient; all great reputations have been won there. If the success of an expedition to England should prove doubtful, as I fear, the army of England will become the army of the East, and I shall go to Egypt.

The Orient awaits a man!

Milan, June 17, 1800

I have just reached Milan, somewhat fatigued.

Some Hungarian grenadiers and German prisoners passing by, who had already been prisoners in the campaigns of 1796 and 1797, recognized the First Consul. Many began to shout, with apparent enthusiasm: "Vive Bonaparte!"

What a thing is imagination! Here are men who don't know me, who have never seen me, but who only knew of me, and they are moved by my presence, they would do anything for me! And this same incident arises in all centuries and in all countries! Such is fanaticism! Yes, imagination rules the world. The defect of our modern institutions is that they do not speak to the imagination.

By that alone can man be governed; without it he is but a brute.

December 30, 1802

My power proceeds from my reputation, and my reputation from the victories I have won. My power would fall if I were not to support it with more glory and more victories. Conquest has made me what I am; only conquest can maintain me.

Friendship is only a word; I love nobody; no, not even my brothers. Perhaps Joseph a little; even then it's a matter of habit, it's because he is my elder.—Duroc? Ah, yes, I love him; but why? His character attracts me: he is cool, dry, severe; and Duroc never sheds tears. As for me, you don't suppose I care; I know perfectly well I have no real friends. As long as I remain what I am, I shall have as many as I need so far as the appearance goes. Let the women whimper, that's their business, but for me, give me no sentiment. A man must be firm, have a stout heart, or else leave on one side war and government.

Saint Helena, March 3, 1817

In spite of all the libels, I have no fear whatever about my fame. Posterity will do me justice. The truth will be known; and the good I have done will be compared with the faults

I have committed. I am not uneasy as to the result. Had I succeeded, I would have died with the reputation of the greatest man that ever existed. As it is, although I have failed, I shall be considered as an extraordinary man: my elevation was unparalleled, because unaccompanied by crime. I have fought fifty pitched battles, almost all of which I have won. I have framed and carried into effect a code of laws that will bear my name to the most distant posterity. I raised myself from nothing to be the most powerful monarch in the world. Europe was at my feet. I have always been of opinion that the sovereignty lay in the people. In fact, the imperial government was a kind of republic. Called to the head of it by the voice of the nation, my maxim was, *la carrière est ouverte aux talents* without distinction of birth or fortune, and this system of equality is the reason that your oligarchy hates me so much.

Saint Helena, August 28, 1817

Jesus was hanged, like so many fanatics who posed as a prophet, a messiah; there were several every year. What is certain is that at that epoch opinion was setting towards a single God, and those who first preached the doctrine were well received: circumstances made for it. It is just like in my case, sprung from the lower ranks of society I became an emperor, because circumstances, opinion, were with me.



Visual Sources

Napoleon Crossing the Alps

Jacques Louis David

Jacques Louis David was a leading painter of the late eighteenth and early nineteenth centuries and one of the first great painters to consciously devote his talents to the art of propaganda. A republican during the French Revolution, he painted a number of pictures supportive of the revolution and what it stood for. David argued that "the arts should . . . contribute forcefully to the education of the public" and that art "should have grandeur and a moral"; if a painting is properly presented, the "marks of heroism and civic virtue offered the eyes of the people will electrify its soul, and plant the seeds of glory and devotion to the fatherland."

When Napoleon rose to power, David became a Bonapartist. In 1800 he was asked by Napoleon to paint a picture of him leading his army across the Alps. The result, *Napoleon Crossing the Alps* (figure 10.1), shows Napoleon in a heroic pose on a white charger following the glorious footsteps of Hannibal and Charlemagne (whose names are carved in the rocks below) across the Alps. Napoleon is pointing upward, probably both to heaven and to the top of the mountains, while a wind blows at his back—a traditional symbol of victory. Under the horse's belly are troops and cannon moving up

the trail. In reality, Napoleon wisely rode a sure-footed mule. He also posed only briefly for David, informing him that "it is the character and what animates the physiognomy that needs to be painted. No one inquires if the portraits of great men are likenesses. It is enough that their genius lives in them."

CONSIDER: The way this painting and the circumstances surrounding its execution by David illustrate connections between politics and art of the period.

Bonaparte Visiting the Plague Victims at Jaffa

Antoine-Jean Gros

Despite the British victory at Aboukir Bay in Egypt, which annihilated French sea power, Napoleon retained hopes of conquering the Near East by land. In February 1799, French forces moved northeast from Cairo to Gaza and Nazareth. Despite some victories, the campaign failed to establish French control over the area. Nevertheless, Napoleon tried to transform these disappointments by promoting paintings that created images of success in this campaign.

In 1804 Antoine-Jean Gros (1771–1835) presented a scene from the Near Eastern campaigns of 1799 that showed the

heroic Napoleon displaying humanism, charity, and nobility. The painting (figure 10.2) records Napoleon, after the battle of Jaffa, entering the mosque courtyard (with its horse-shoe arches and pointed arcades) of a pest house (plague hospital) at the Palestinian city of Jaffa in the Holy Land on March 11, 1799. Within lay victims of the bubonic plague, which had recently broken out among Arab defenders of the city and spread to the French. When the plague struck, Napoleon at first had his chief medical officer Desgenettes (just behind and to the right of Napoleon, who stands at the center of the painting) deny the presence of the sickness. Here Napoleon tries to stop the panic and inspire his troops by showing that he is not afraid of contamination and that the victims will be well cared for. At this moment the apparently immune and clearly fearless Napoleon reaches out and even touches the dreaded buboes (an inflamed swelling of the lymphatic glands that usually preceded death) of a French victim, perhaps conveying a sense that his touch might miraculously heal the stricken man. Just behind Napoleon, to the left, a more cautious officer holds a handkerchief to his face to ward off the stench of disease and death. In the foreground lay the dead and the agonized dying. At the left, an Arab physician in white robes attends the sick and an assistant carries bread for distribution to the needy. To the right, a blind man, leaning against a column, tries to approach Napoleon, and on the extreme bottom right a doctor, while caring for a soldier, succumbs himself. In the background are the white cubic houses and rising minarets of Jaffa. High in the center from the top of a Franciscan monastery flies triumphantly the French tricolor.

The surrounding facts differ from the historical image presented by this painting. During the battle of Jaffa, Napoleon

had agreed to protect the lives of enemy soldiers if they capitulated. But upon laying down their arms, Napoleon ordered the 3,000 prisoners massacred and plundered the town. By May 1799, French forces had retreated back to Egypt.

CONSIDER: The message the artist intended to convey to viewers; how high quality art might be used for propaganda purposes.



FIGURE 10.1 © Réunion des Musées Nationaux/Art Resource, NY

Secondary Sources

Napoleon: The Authoritarian Statesman

Tim Blanning

As with most charismatic figures, it has been difficult to evaluate Napoleon objectively. Even before his death, a number of myths were developing about him. Since then much of the de-

bate among scholars has dealt with whether Napoleon should be considered a defender or a destroyer of the revolution, and whether his rise to power reversed the revolutionary tide or consolidated it. In the following selection, Tim Blanning focuses on the consequences for France of Napoleon's rule and argues that he used statesman-like qualities to help create order.

CONSIDER: What Blanning considers Napoleon's accomplishments within France; why Blanning calls Napoleon "statesman-like"; whether the primary and visual sources support this interpretation.

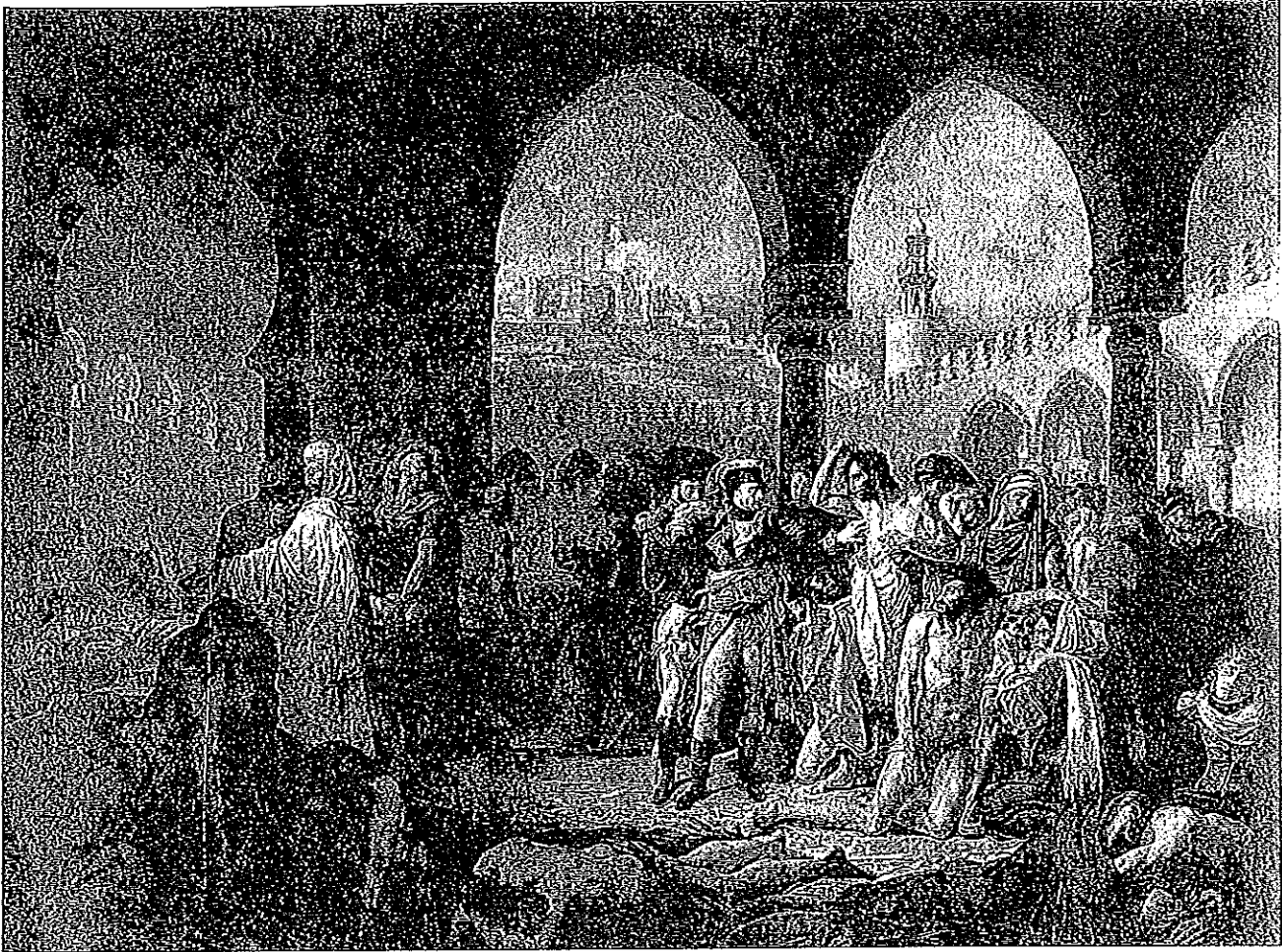


FIGURE 10.2 (© Réunion des Musées Nationaux/Art Resource, NY)

It can safely be said that France had never been better governed, if quality is assessed in terms of effective obedience to orders issued by the centre. Almost everyone could be pleased by the dramatic improvement in public order which followed Bonaparte's seizure of power. The Vendée was pacified at long last by a judicious mixture of stick and carrot, the sectarian tit-for-tat killings in the Rhône valley were halted and everywhere banditry was suppressed. The prefects and their subordinates passed the acid test – the ability to enforce conscription – with flying colours, at least during the early years of the regime. Together with the repair of existing roads and the construction of new highways, physical communication enjoyed much-needed and long-overdue improvement. The other great failure of the successive revolutionary regimes, public finance, was also rectified. Building on preparatory work by the Directory and enjoying the benefit of a sustained recovery in the economy, Bonaparte established the Bank of France, stabilized the currency, improved revenue collection and brought the national debt under control. . . .

In restoring order to a revolution-torn country and continent, Bonaparte was at his most statesman-like in

his search for reconciliation. Proscribing only irreconcilable royalists and Jacobins, he encouraged the rest of the émigrés to return home and rally to the regime. This policy was an undoubted success, as the appearance of aristocratic names among the list of prefects shows. His greatest eirenic triumph, however, was making peace with the Catholic Church by the Concordat of 1802. At a stroke, he took from the counter-revolutionaries their most potent appeal. It was some measure of the catastrophe which had befallen the papacy since 1789 that Pius VII was prepared to accept the terms offered, including recognition of the expropriation of ecclesiastical property and the subordination of Church to state. Although Bonaparte's vaulting ambition eventually led to a new schism, in the short and medium term the Concordat greatly facilitated his hold not only on France but on all Catholic Europe.

His other great positive achievement at home was the promulgation of six legal codes, the Civil Code of 1804 being both the first and the most important. It was renamed the Napoleonic Code in 1806, a not unreasonable personification as it was he who took the chair at most of the sessions of the drafting committee and who gave the

final document his own unmistakable stamp. As it was imported into many other parts of Europe, it became the most important single legal document of modern European history. It has often been criticized on the grounds that Bonaparte's personal conservatism was reflected in the provisions dealing with property, women, the family and landed inheritance. No doubt these limitations would fall foul of some cosmic court of human rights, but compared with the chaos of the 400-odd legal codes of old regime France, the Napoleonic Code was a model of rationality and equity and was recognized as such by grateful recipients.

Napoleon Bonaparte and the Legacy of the French Revolution

Martyn Lyons

In recent years, some historians have taken a fresh look at Napoleon and the significance of his régime. In addition to examining his words and deeds, they stress the historical context of his rise to power and the break from the Old Régime of the Bourbon monarchy. In the following selection, Martyn Lyons argues that Napoleon was not an enlightened despot but rather the founder of the modern state, and that his régime was the fulfilment of the "bourgeois" Revolution of 1789-1799.

CONSIDER: *What Lyons means by founder of the modern state; how he disagrees with Bergeron and others who argue that Napoleon was an enlightened despot; in what ways Napoleon's régime was a fulfilment of the "bourgeois" Revolution of 1789-1799.*

Throughout this evolution, two main themes stand out. Napoleon was, as he is often described, the founder of the modern state. His régime was also the fulfilment of the bourgeois Revolution of 1789-99.

The new state, which emerged from the Revolution and was shaped by Napoleon, was a secular state, without a trace of the divine sanction which had been one of the ideological props of the old régime monarchy. It was a state based on a conscripted army and staffed by a professional bureaucracy. Administration was "rationalised," in the sense that corruption and favouritism were officially outlawed. The affairs of all citizens were dealt with in principle on a basis of equality and according to fixed regulations, instead of being at the mercy of a monarch's whim. Above all, the modern state was a well-informed state, which used its own machinery to collect data on the lives and activities of its subjects. As it knew them better, it policed them more closely and it taxed them more efficiently. . . .

In Napoleon's hands, however, the state had become the instrument of dictatorship. Although lip service was still paid to the principle of popular sovereignty, Napoleon negated its democratic essence by claiming that he alone embodied the indivisible rights of the people. He manipulated a series of plebiscites to consolidate his personal authority. Bonapartism was not, then, a military dictatorship, for its power was characteristically derived from repeated consultations with the popular will, in 1800, 1802, 1804 and 1815. It was, however, a régime which brought parliamentary life to an end and expressed utter contempt for the liberal intellectuals who defended the representative style of democracy. The imperial years of Bonapartism were anti-parliamentary and anti-liberal. In addition, the information media were strictly controlled by Napoleon's popular dictatorship. . . .

To compare Napoleon with the Bourbons is to sin by anachronism. Turning Napoleon into the last of the Enlightened Absolutists of the late eighteenth century means ignoring the momentous events that separate them. The French Revolution was a decisive historical rupture which places Louis XVI and Napoleon Bonaparte in totally different spheres. The historical role of the Enlightened Absolutists had been to rationalise the confused and creaking old régime state structure. Their aim was to squeeze more resources from it, without disturbing its fundamental framework which was based on inequality and privilege. They had no intention of undermining the society of orders itself. On the contrary, they stood at its pinnacle, and its existence justified their authority.

When Bonaparte came to power, the society of orders had been completely transformed by the French Revolution. Legal privilege and tax exemptions had been destroyed—a fact which Napoleon emphatically confirmed. Bonaparte's task was not to extract more resources from a traditional social structure; that traditional social structure, along with noble privilege, the guilds, the Parlements and provincial autonomies, had been swept away by the Revolution. The role of the Enlightened Absolutists was to rationalise the Old Régime, but Napoleon's was to rationalise the new one. His task was not to safeguard the social prestige of the aristocracy (to which the monarchies were dedicated, and to whom in 1789 Louis XVI had linked his own fate). Napoleon's role was rather to build the institutions which would realise new forms of equality of opportunity. . . .

Its social basis is what distinguishes the Napoleonic régime from the Bourbon monarchy, and makes it the heir of the Revolution. The social foundations of the Napoleonic régime, as this book has argued, lay in the bourgeois and peasant revolution of 1789.

The Consulate and Empire rested on the support of the *notables*, whom the régime itself helped to define

and cultivate. The *notables* were gathered from the successful revolutionary bourgeoisie of landowners, professional men and administrators, together with elements of the commercial and manufacturing élites. They supported Napoleon because he preserved the social gains of the Revolution. He himself was an enduring symbol of careers open to talent. He perpetuated the abolition of seigneurialism and of aristocratic privilege. He confirmed the material gains of the bourgeoisie, especially the sale of the *biens nationaux*. He established a legal code which embodied equality before the law, and he introduced a system of secondary education which served the interests of the professional and administrative élite. The creation of the new imperial nobility seemed to many to be a retrograde step, but it could also be interpreted as an assertion of new social priorities. The new imperial nobility was intended to bury the old. The society of orders was obsolete and archaic. Instead of birth and connections, society now declared its new criteria for distinguished status: propertied wealth, personal talent and service to the state. . . . Napoleon was the consolidator of the bourgeois Revolution, but he was not the passive instrument of any class or social group.

Women and the Napoleonic Code

Bonnie G. Smith

However they evaluate Napoleon and his rule, most historians point to the set of rationally organized laws—the Napoleonic Code—as one of Napoleon’s most important and lasting legacies. The Code embodied many principles of the Enlightenment and the French Revolution, and the Code was modified and adopted outside of France in Europe and the Western Hemisphere. While it has been generally considered a progressive legal system, historians now point out that it may have represented a step back for women. In the following selection from her comprehensive survey, Changing Lives: Women in European History Since 1700, Bonnie G. Smith analyzes the significance of the Napoleonic Code for women.

CONSIDER: *Ways the Code made women legally and economically dependent on men; what concept of woman’s proper role the Code supported; what concept of man’s proper role the Code supported.*

First, women acquired the nationality of their husbands upon marriage. This made a woman’s relationship to the

state an indirect one because it was dependent on her husband’s. Second, a woman had to reside where her husband desired. Women could not participate in lawsuits or serve as witnesses in court or as witnesses to civil acts such as births, deaths, and marriages. Such a reduction in woman’s civil status enhanced that of the individual male. Moreover, the Code reduced, if not eliminated, male accountability for sexual acts and thrust it squarely on women. For example, men were no longer susceptible to paternity suits or legally responsible for the support of illegitimate children. Women were weakened economically if they bore illegitimate children, whereas men were not so affected if they fathered them. Finally, female adultery was punished by imprisonment and fines unless the husband relented and took his wife back. Men, however, suffered no such sanctions unless they brought their sexual partner into the home. The sexual behavior of women was open to scrutiny and prescribed by law, whereas that of men, almost without exception, had no criminal aspect attached to it. Thus male sexuality was accepted with few limitations, but women’s was only acceptable if it remained within strict domestic boundaries. The Napoleonic Code institutionalized the republican responsibility of women to generate virtue—a term that began to acquire sexual overtones to its civic definition.

The Napoleonic Code also defined the space women would occupy in the new regime as marital, maternal, and domestic—all public matters would be determined by men. This circumscription was made more effective by the way the property law undercut the possibilities for women’s economic independence and existence in a world beyond the home. In general, a woman had no control over property. Even if she was married under a contract that ensured a separate accounting of her dowry, her husband still had administrative control of funds. This administrative power of the husband and father replaced arbitrary patriarchal rule and was more in tune with modern ideas of government. Instead of serving the king’s whim, governmental officials served the best interests of the nation just as the father increased the well-being of the family. This kind of economic control of women held in all classes. Women’s wages went to their husbands, and market women and others engaged in business could not do so without permission from their husbands. Once a woman gained permission she did acquire some kind of legal status, in that a business woman could be sued. On the other hand, she had no control of her profits—these always passed to her husband, and court records demonstrate the continuing enforcement of this kind of control. Moreover, the husband’s right to a business woman’s property meant that the property passed to his descendants rather than hers. All of these provisions meant that, in the strictest sense, women could not act freely or independently.

Source: From Bonnie G. Smith, *Changing Lives: Women in European History Since 1700*, pp. 120–122. Copyright 1989 by D. C. Heath and Co. Reprinted by permission of the publisher.

The Napoleonic Code influenced many legal systems in Europe and the New World and set the terms for the treatment of women on a widespread basis. Establishing male power by transferring autonomy and economic goods from women to men, the Code organized gender roles for more than a century. "From the way the Code treats women, you can tell it was written by men," so older women reacted to the new decree. Women's publications protested the sudden repression after a decade of more equitable laws. Even in the 1820s, books explaining the Code to women always recognized their anger. The justification for the Code's provisions involved reminders about men's chivalrous character and women's weakness. Arguments were based on nature both to invoke the equality of all men and to reinforce the consequences of women's supposed physical inferiority. Looking at nature, one writer saw in terms of gender man's "greater strength, his propensity to be active and assertive in comparison to woman's weakness, lack of vigor and natural modesty." At the time the Code was written, the codifiers were looking at nature in two ways. In theorizing about men alone, nature was redolent of abstract rights. As far as women were concerned, however, nature became empirical in that women had less physical stature than men. Although short men were equal to tall men, women were simply smaller than men and thus were unequal.

According to jurists, therefore, women needed protection, and this protection was to be found within the domicile. The law, they maintained, still offered women protection from individual male brutality, in the rare cases when that might occur. Legislators thus used the law officially to carve out a private space for women in

which they had no rights. At the same time, law codes were supposed to protect women from the abuses allowed in the first place. The small number of abuses that might result were not seen as significant drawbacks by the jurists. They saw the Code as "insuring the safety of patrimonies and restoring order in families." It mattered little to them that the old regime carried over for women in the form of an "estate"—a term that indicated an unchangeable lifetime situation into which people were born and would always remain. Estates had been abolished for men in favor of mobility, but it continued for women.

By the time the Napoleonic Code went into effect, little remained of liberal revolutionary programs for women except the provisions for equal inheritance by sisters and brothers. The Code cleared the way for the rule of property and for individual triumph. It ushered in an age of mobility, marked by the rise of the energetic and heroic. The Code gave women little room for that kind of acquisitiveness or for heroism. Instead, women's realm was to encompass virtue, reproduction, and family.

CHAPTER QUESTIONS

1. Considering the materials in this chapter, how would you explain Napoleon's rise to power and his effective exercise of it?
2. In what ways did Napoleon preserve and support the principles of the French Revolution? In what ways did he undermine these principles?

The History Guide

Lectures on Modern European Intellectual History

Napoleon's Proclamation to His Troops in Italy (March-April 1796)

In 1796, Napoleon, then a young officer of 27 years of age, was given command of the French army in Italy. In the Italian campaign, he demonstrated his genius for propaganda and psychological warfare, as the following selections from his proclamation to his troops makes clear.

[March 27, 1796]

Soldiers, you are naked, ill fed! The Government owes you much; it can give you nothing. Your patience, the courage you display in the midst of these rocks, are admirable; but they procure you no glory, no fame is reflected upon you. I seek to lead you into the most fertile plains in the world. Rich provinces, great cities will be in your power. There you will find honor, glory, and riches. Soldiers of Italy, would you be lacking in courage or constancy?

[April 26, 1796]

In a fortnight you have won six victories, taken twenty-one standards, fifty-five pieces of artillery, several strong positions, and conquered the richest part of Piedmont [a region in northern Italy]; you have captured 15,000 prisoners and killed or wounded more than 10,000 men. . . .

You have won battles without cannon, crossed rivers without bridges, made forced marches without shoes, camped without brandy and often without bread. Soldiers of liberty, only republican phalanxes [infantry troops] could have endured what you have endured. Soldiers, you have our thanks! The grateful *Patrie* [nation] will owe its prosperity to you. . . .

The two armies which but recently attacked you with audacity are fleeing before you in terror; the wicked men who laughed at your misery and rejoiced at the thought of the triumphs of your enemies are confounded and trembling.

But, soldiers, as yet you have done nothing compared with what remains to be done. . . .

. . . Undoubtedly the greatest obstacles have been overcome; but you still have battles to fight, cities to capture, rivers to cross. Is there one among you whose courage is abating? No. . . . All of you are consumed with a desire to extend the glory of the French people; all of you long to humiliate those arrogant kings who dare to contemplate placing us in fetters; all of you desire to dictate a glorious peace, one which will indemnify the *Patrie* for the immense sacrifices it has made; all of you wish to be able to say with pride as you return to your villages, "I was with the victorious army of Italy!"

Friends, I promise you this conquest; but there is one condition you must swear to fulfill—to respect the

people whom you liberate, to repress the horrible pillaging committed by scoundrels incited by our enemies. Otherwise you would not be the liberators of the people; you would be their scourge. . . . Plunderers will be shot without mercy; already, several have been. . . .

Peoples of Italy, the French army comes to break your chains; the French people is the friend of all peoples; approach it with confidence; your property, your religion, and your customs will be respected.

We are waging war as generous enemies, and we wish only to crush the tyrants who enslave you.

[Source: unknown.]

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Napoleon's Account of the Internal Situation of France in 1804

J. H. Robinson, ed.,
Readings in European History
2 vols. (Boston: Ginn, 1906), 2:491-4.

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Robinson's Note: [Page 491] Five years after Bonaparte had become the head of the French government he sums up the general situation in France in a statement which he laid before the Legislative Body, December 31, 1804.

The internal situation of France is today as calm as it has ever been in the most peaceful periods. There is no agitation to disturb the public tranquillity, no suggestion of those crimes which recall the Revolution. Everywhere useful enterprises are in progress, and the general improvements, both public and private, attest the universal confidence and sense of security. . . .

A plot conceived by an implacable government was about to replunge France into the abyss of civil war and anarchy. The discovery of this horrible crime stirred all France profoundly, and anxieties that had scarcely been calmed again awoke. Experience has taught that a divided power in the state is impotent and at odds with itself. It was generally felt that if power was delegated for short periods only it was so uncertain as to discourage any prolonged undertakings or wide-reaching plans. If vested in an individual for life, it would lapse with him, and after him would prove a source of anarchy and discord. It was clearly seen that for a great nation the only salvation lies in hereditary [Page 492] power, which can alone assure a continuous political life which may endure for generations, even for centuries.

The Senate, as was proper, served as the organ through which this general apprehension found expression. The necessity of hereditary power in a state as vast as France had long been perceived by the First Consul. He had endeavored in vain to avoid this conclusion; but the public solicitude and the hopes of our enemies emphasized the importance of his task, and he realized that his death might ruin his whole work. Under such circumstances, and with such a pressure of public opinion, there was no alternative left to the First Consul. He resolved, therefore, to accept for himself, and two of his brothers after him, the burden imposed by the exigencies of the situation.

After prolonged consideration, repeated conferences with the members of the Senate, discussion in the councils, and the suggestions of the most prudent advisers, a series of provisions was drawn up which regulate the succession to the imperial throne. These provisions were decreed by a *senatus consultus* of the 28th Floreal

last. The French people, by a free and independent expression, then manifested its desire that the imperial dignity should pass down in a direct line through the legitimate or adopted descendants of Napoleon Bonaparte, or through the legitimate descendants of Joseph Bonaparte, or of Louis Bonaparte.

From this moment Napoleon was, by the most unquestionable of titles, emperor of the French. No other act was necessary to sanction his right and consecrate his authority. But he wished to restore in France the ancient forms and recall those institutions which divinity itself seems to have inspired. He wished to impress the seal of religion itself upon the opening of his reign. The head of the Church, in order to give the French a striking proof of his paternal affection, consented to officiate at this august ceremony. What deep and enduring impressions did this leave on the mind of Napoleon and in the memory of the nation! What thoughts for future races! What a subject of wonder for all Europe!

[Page 493] In the midst of this pomp, and under the eye of the Eternal, Napoleon pronounced the inviolable oath which assures the integrity of the empire, the security of property, the perpetuity of institutions, the respect for law, and the happiness of the nation. The oath of Napoleon shall be forever the terror of the enemies of France. If our borders are attacked, it will be repeated at the head of our armies, and our frontiers shall never more fear foreign invasion.

The principles safeguarded by the coronation oath are those of our legislation. Hereafter there will be fewer laws to submit to the Legislative Body. The civil code has fulfilled the expectations of the public; all citizens are acquainted with it; it serves as their guide in their various transactions, and is everywhere lauded as a benefaction. A draft of a criminal code has been completed for two years and has been subjected to the criticism of the courts; at this moment it is being discussed for the last time by the council of state. The code of procedure and the commercial code are still where they were a year ago, for pressing cares have diverted the emperor's attention elsewhere.

New schools are being opened, and inspectors have been appointed to see that the instruction does not degenerate into vain and sterile examinations. The *lycees* and the secondary schools are filling with youth eager for instruction. The polytechnic school is peopling our arsenals, ports, and factories with useful citizens. Prizes have been established in various branches of science, letters, and arts, and in the period of ten years fixed by his Majesty for the award of these prizes there can be no doubt that French genius will produce works of distinction.

The emperor's decrees have reestablished commerce on the left bank of the Rhine. Our manufacturers are improving, although the mercenaries subsidized by the British government vaunt, in their empty declamations, her foreign trade and her precarious resources scattered about the seas and in the Indies, while they describe our shops as deserted and our artisans as dying of hunger. In spite of this, our [Page 494] industries are striking root in our own soil and are driving English commerce far from our shores. Our products now equal theirs and will soon compete with them in all the markets of the world.

Religion has resumed its sway, but exhibits itself only in acts of humanity. Adhering to a wise policy of toleration, the ministers of different sects who worship the same God do themselves honor by their mutual respect; and their rivalry confines itself to emulation in virtue. Such is our situation at home.