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# Napoleon, the Last Émigrés, and the Limits of Amnesty

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## Abstract

Even as emperor, Napoleon was concerned with the émigrés. Although his general amnesty for the émigrés, which was promulgated on 26 April 1802, permitted most of the émigrés still inscribed on the ‘general list’ to return to France, it also excluded those belonging to six compromised categories. The number of these exceptions was not to exceed 1,000, the decree stipulating that the first 500 should be named within four months. As it turns out, it actually took the Ministry of Police more than two years to prepare a draft list of exceptions, which ran to more than 800 names. But it was not until 1807 that the first official list of émigrés (*la première liste de maintenue*) was finally decreed. Surprisingly, that list contained only 171 names. A second list released in 1810 added only 29 more. Examining these much-reduced lists, which have been almost entirely ignored, throws useful light on Napoleon’s continuing worries about the émigrés after 1804. For even then, he saw the Bourbons and the last émigrés as his personal enemies, threats to the security of the Empire, and possibly even reminders of what he saw as his fragile political legitimacy.

On 23 October 1792, with ears still ringing from the cannonades at Valmy, the National Convention banished all French émigrés in perpetuity from the territory of the Republic under penalty of death.<sup>1</sup> ‘Whoever has fled this country is a coward’, proclaimed one deputy during the debates over the decree, ‘whoever has gone to seek out its enemies is a traitor. Neither is worthy of being called a French citizen.’<sup>2</sup> In the same key, another deputy asserted that ‘all the émigrés have plotted against us, all have been our enemies, all have wished to raise powers against us. They are therefore all guilty and must equally be

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<sup>1</sup> P. L. le Caron, ed., *Code des émigrés ou recueil des dispositions législatives, concernant les impositions, le séquestre, la confiscation, la régie et la vente des biens des anciens propriétaires appelés à recueillir l’indemnité, de 1789 à 1825* (Paris, 1825), p. 63.

<sup>2</sup> *Archives parlementaires de 1787 à 1860*, LII (Paris, 1897), p. 635.

punished.<sup>3</sup> However, there were others, like Jean Lambert Tallien, who objected to applying the word ‘émigré’ so indiscriminately:

Under the word ‘émigrés’, you would include women, children, and the elderly, [those] who have been forced by their parents to leave France. The word ‘émigré’ therefore cannot have a place in this law because it is the fugitive and rebellious Frenchmen who have taken up arms against their homeland that you want to punish, not mere émigrés. One day, you will be forced to draw the distinction.<sup>4</sup>

Tallien understood the difference between émigrés and enemies and was prepared to use expedited justice to punish the latter. Three years later, while representing the National Convention in the Morbihan, Tallien signed the decree establishing the military commissions that ultimately sentenced 751 émigrés – who were part of a larger armed incursion near Quiberon Bay – to death.<sup>5</sup>

For the remainder of the 1790s, émigrés caught on French soil, whether royalist combatants or refugees, were liable to face the same fate. The laws against the émigrés, culminating in the great ‘Émigré Code’ of 25 Brumaire *an* III (15 November 1794), did not distinguish émigrés from enemies, defining émigrés instead as men and women who had left France since July 1789 and had not returned before May 1792.<sup>6</sup> As a result, roughly 150,000 people were inscribed on the national ‘general list of émigrés’ that opened in July 1793. But the idea that these émigrés, as they were now labelled, were ‘all guilty’ was increasingly recognized as fiction. Under the Directory (1795–9), there were opportunities for thousands of refugees – typically those who had left France during the high Terror of 1793–4 and were not noble – to return legally.<sup>7</sup> But the émigré question was far from being answered when the Brumaire coup brought Napoleon to power in 1799. Less than three years later, however, Napoleon had answered it. On 6 Floréal *an* X (26 April 1802), at Napoleon’s behest, the Senate promulgated a general amnesty for the émigrés, nearly emptying the general list and consolidating Napoleon’s efforts at national reconciliation.

But there were limits to Napoleon’s amnesty. Article VII specifically excluded émigrés belonging to six unpardonable categories: rebel leaders, instigators of foreign or civil war, officers in the armies of hostile foreign powers, bishops opposed to Napoleon’s religious settlement, commanders or elected officials who had betrayed the Revolution, and members of the households (*maisons*) of the *ci-devant* royal family. The number of exceptions was

<sup>3</sup> *Ibid.*, p. 634.

<sup>4</sup> *Ibid.*, p. 35.

<sup>5</sup> Gustave Thomas de Closmadeuc, *Quiberon, 1795, émigrés et chouans; commissions militaires: interrogatoires et jugements* (Paris, 1899), p. 73.

<sup>6</sup> Caron, ed., *Code des émigrés*, p. 174.

<sup>7</sup> Donald Greer, *The incidence of emigration during the French Revolution* (Gloucester, MA, 1966), p. 100; Howard G. Brown, ‘Mythes et massacres: reconsidérer la “terreur directoriale”’, *Annales historiques de la Révolution française*, 325 (2001), p. 29.

limited to 1,000, and the Senate's decree required the first 500 to be named 'during the course of year X', that is, within four months, which actually did not happen.<sup>8</sup> In fact, it took the Ministry of Police well into 1804 or even 1805 to prepare its list, which then ran to more than 800 names. And even then, it was not until November 1807 that the first list of the excluded émigrés, dubbed *la première liste de maintenue*, was finally decreed.<sup>9</sup> This list contained surprisingly few names: only 171 individuals in total. A subsequent list released in 1810 – *la seconde liste de maintenue* – added another 29 names. There were no further lists after that. When the Empire fell in 1814, there were only 200 émigrés fossilized on the general list of émigrés.

The history of the emigration after 1802 is rarely remarked upon, no doubt because it appears like an epilogue at best, especially after Napoleon appeared to heal France's 'great wound' ten years after the Republic had inflicted it.<sup>10</sup> 'Thus', wrote Donald Greer with triumphant finality about Napoleon's general amnesty for the émigrés, 'after a decade of proscription, was the slate wiped clean. And thus, after a decade of struggle, did the last republican rampart fall.'<sup>11</sup> That a few names remained written on the edges of the slate mattered little to Greer or other historians. After all, 1,000 exceptions, let alone 200, comprised less than 1 per cent of the total number of émigrés who once populated the official list. Moreover, these remaining émigrés were neither socially (as mostly nobles) nor politically (as mostly royalists) representative of the broader current of the emigration, which had in fact been overflowing with refugees from the Third Estate. These observations, about the quantity and quality of the émigrés, have set the agenda for much recent work, which has focused on the refugees rather than the émigrés 'who held with inflexible determination to the restoration of the absolute monarchy' and who consequently 'found it morally impossible to return'.<sup>12</sup> There seemed to be little else left to say about these royalist *purs et durs*, whom historians have largely dismissed as both uninteresting and irrelevant.

This dismissal of the last émigrés is partly a result of assuming that the text of the general amnesty has told us everything we need to know about them. But this, as we have seen, is not true. One of the results of historians relying entirely on the amnesty itself, specifically article VII, is that they have been either vague or wrong about the exact number of émigrés who were excluded from it, which was 200. Moreover, referring to the six banned categories described in the general amnesty fails to explain why these 200 émigrés, rather

<sup>8</sup> Caron, ed., *Code des émigrés*, pp. 358–9.

<sup>9</sup> *Archives Nationales* (AN) BB 30 150, dos. 847. Though decreed on 15 November 1807, the order to distribute copies of *la première liste* to the courts of appeal was suspended after Joseph Fouché (the minister of police) observed a number of errors on the list. See his letter from 28 January 1808 in the same dossier.

<sup>10</sup> Kelly Summers, 'Healing the Republic's "great wound": emigration reform and the path to a general amnesty, 1799–1802', in Laure Philip and Juliette Reboul, eds., *French emigrants in revolutionised Europe: connected histories and memories* (London, 2019), p. 238.

<sup>11</sup> Greer, *Incidence of the emigration*, p. 105.

<sup>12</sup> Kirsty Carpenter, *Refugees of the French Revolution: émigrés in London, 1789–1802* (New York, NY, 1999), p. 178.

than the hundreds of others named on the preliminary list of exceptions, were inscribed on the *listes de maintenue*. Though each of the émigrés can be matched to one of the categories, the actual reason they were inscribed on the final lists was because they were closely linked to the Bourbons or royalist intrigues. In fact, the logic for excluding émigrés from the general amnesty evolved between the Consulate and the Empire: while at first it was about filtering out émigrés who were ‘enemies of the *patrie*’ – that is, of the Revolution – it was later about filtering out Napoleon’s enemies.

If the excluded émigrés seem irrelevant, it is also because counter-revolutionary royalism was as good as defeated by the time Napoleon crowned himself emperor in 1804. The *coup de grâce* arguably came earlier that year with the unravelling of the ‘Cadoudal–Pichegru Conspiracy’ and the midnight murder of the duc d’Enghien, a Bourbon prince. As one historian has written, this marked ‘the end of the cycle of royalist assassination plots’.<sup>13</sup> Even more damaging to the royalists, as Howard G. Brown has argued, was the French government’s use of ‘heavy-handed’ military repression and the emergence of a ‘more effective security apparatus’ between 1797 and 1802.<sup>14</sup> Not that the royalists quit the fight. But though they remained a ‘nuisance’ after 1804, they never ‘achieved the great mobilization they desired’: at the height of the Empire, their movement was mostly reduced to the ‘salon royalism’ of the second-wave secret society, the *Chevaliers de Foi*.<sup>15</sup> And yet, the fact that the counter-revolution was an ‘almost complete failure’ does not mean that the remaining émigrés were irrelevant.<sup>16</sup> As the *listes de maintenue* indicate, Napoleon did not forget about them. More than that, these lists shed helpful light on his continuing political worries as emperor, for even then Napoleon perceived the Bourbons and the remaining émigrés as his personal enemies, threats to the security of the Empire, and possibly even reminders, as he saw it, of his fragile political legitimacy.

## I

In his memoirs, Louis Antoine de Bourrienne recalls having a conversation with Napoleon during the spring of 1802 about the fate of the émigrés:

After the *Te Deum* had been chanted at Malmaison for the Concordat and the peace [of Amiens], I took advantage of that moment of joy and of [Napoleon’s] happy disposition to venture to speak to him about the

<sup>13</sup> D. M. G. Sutherland, *The French Revolution and empire: the quest for civic order* (Malden, MA, 2003), p. 324.

<sup>14</sup> Howard G. Brown, ‘Napoleon Bonaparte, political prodigy’, *History Compass*, 5 (2007), p. 1386; idem, *Ending the French Revolution: violence, justice, and repression from the Terror to Napoleon* (Charlottesville, VA, 2006), p. 346. See also idem, ‘From organic society to security state: the war on brigandage in France, 1797–1802’, *Journal of Modern History*, 69 (1997), pp. 661–95.

<sup>15</sup> Jean-Paul Bertaud, *Les royalistes et Napoléon* (Paris, 2009), p. 406; Sutherland, *French Revolution*, p. 352.

<sup>16</sup> Jacques Godechot, *The counter-revolution: doctrine and action, 1789–1804*, trans. Salvator Attanasio (London, 1972), p. 384.

return *en masse* of the émigrés. ‘You have’, I said, laughing, ‘reconciled Frenchmen to God; now reconcile them to each other. There have never been true lists of émigrés, only lists of absentees’...He embraced this idea: ‘*C’est bon, c’est bon*’, he said to me, ‘we will see. But I want to exclude a thousand individuals from the greatest families, above all those who are or who have been attached to the households of the kings and princes or to the old court.’<sup>17</sup>

Though Napoleon did eventually embrace the idea of using a general amnesty, during his first year in power he was uncomfortable with repatriating émigrés *en masse*. Instead, he preferred to have them reviewed and readmitted one at a time, largely in the way his predecessors in the Directory had done. He did try to streamline this procedure, however, by prompting the Ministry of Justice to establish an ‘*Émigré Commission*’ in February 1800, which was responsible for processing the deluge of petitions from émigrés seeking to return to France. But though the commission was able to cut through some of the red tape that had impeded the Directory, its progress was slow, partly owing to Napoleon’s personal oversight: in six months, the commission erased only 1,200 names from the general list.<sup>18</sup> Even if only half of the approximately 100,000 émigrés remaining on the list (which Napoleon had closed in March 1800) petitioned for removal and re-entry, this still would have burdened the commission with a decade or more of work. But the problem facing the commission was as much about quality as quantity. Many of the émigrés who were fortunate enough to have their names stricken from the list were the very ones whom Napoleon wanted the commission to block from coming back to France. Transferring the commission’s responsibilities to the Council of State only plugged some of these leaks.<sup>19</sup>

Napoleon would have disagreed with Bourrienne’s remark that there had not been ‘true lists of émigrés, only lists of absentees’. It was because there were *bona fide* émigrés on the general list that Napoleon was instinctively averse to using amnesties. These were the same émigrés who drove the legislators in the National Convention to pass such repressive laws in 1792: nobles in hand, who stood with the Bourbon princes in exile. But for Napoleon, these émigrés (read: traitors) needed to be distinguished from refugees. As he wrote to the minister of justice, Joseph Abrial, in 1800, shortly after the *Émigré Commission* was established, ‘The intention of the government is not to close the door to the complaints of individuals who were victims of the incoherence of the émigré laws. However, it will be inexorable toward those who have been enemies of the *patrie*.’<sup>20</sup>

By October 1800, with the pile of unprocessed petitions from émigrés growing daily, Napoleon began to recognize that an amnesty was a better way to

<sup>17</sup> Louis Antoine de Bourrienne, *Mémoires de M. de Bourrienne, ministre d’état, sur Napoléon, le Directoire, le Consulat, l’Empire et la Restauration*, III (Brussels, 1829), p. 264.

<sup>18</sup> Greer, *Incidence of the emigration*, p. 105.

<sup>19</sup> Summers, ‘Healing the Republic’s “great wound”’, pp. 240–4.

<sup>20</sup> Napoleon Bonaparte to André Joseph Abrial, 18 July 1800, in *Correspondance de Napoléon 1<sup>er</sup>* (28 vols., Paris, 1858–89), VI, p. 517.

deal with the problem of émigrés seeking to legally return to France. But there would need to be exceptions. His partial amnesty of 28 Vendémiaire an IX (20 October 1800) specifically excluded certain categories of émigrés, including ‘those who have carried arms against France’ as well as those who, since the departure of the Bourbon princes, ‘have continued to belong to their civil or military *maisons*’.<sup>21</sup> For non-noble émigrés, this amnesty was more general than partial: it extended to ‘plougmen, day labourers, workers, artisans, all others who practise a mechanical profession, domestic servants, and wage workers’.<sup>22</sup> Altogether, the amnesty of 28 Vendémiaire removed about 50,000 émigrés from the general list.<sup>23</sup> The following year, in October 1801, Joseph Fouché, the minister of police, proposed paring the list to a mere 3,373 names, pending further reviews.<sup>24</sup> Napoleon rejected this proposal, evidently feeling uneasy about another drastic reduction of names on the list. And yet, only six months later, the Senate promulgated the general amnesty, which went further than even Fouché by limiting the list of émigrés to 1,000 names.

Why did Napoleon change his mind about issuing partial then almost full amnesties to the émigrés? At the very least, such amnesties would allow the government to sidestep the ‘administrative anarchy’ that came with individually processing tens of thousands of émigrés.<sup>25</sup> Not only was there a penchant for widespread falsification and lying in the petitions of émigrés and their testimonials, but the process also invited opportunities for favouritism, bribery, and influence peddling. Another reason is that it was politically shrewd to do so. One aspect of Napoleon’s plan to consolidate his rule was to broaden his basis of political support to include everyone but fringe royalists and Jacobins. Ideally, an amnesty for émigrés would separate the moderate royalists, who had been polarized by the experience of exile and the Republic’s draconian laws, from the true diehards. With the emigration depopulated, the Bourbons and their few remaining loyalists could be safely left to rot in exile.<sup>26</sup> Moreover, on a semantic level, the use of an ‘amnesty’ had the advantage of confirming the guilt of the émigrés – innocent people do not need to be forgiven – thus allowing Napoleon to heal France’s divisions without denying the legitimacy of the revolutionaries’ decisions during the previous decade.<sup>27</sup>

And yet, these three advantages would not have been enough to persuade Napoleon to decree a general amnesty if he still believed that the risks associated with such an amnesty were too great. That Napoleon *did* believe that he could mitigate these risks owed mostly to the growth of France’s security

<sup>21</sup> Caron, ed., *Code des émigrés*, p. 342.

<sup>22</sup> *Ibid.*, p. 340.

<sup>23</sup> Greer, *Incidence of the emigration*, p. 105.

<sup>24</sup> Louis Madelin, *Joseph Fouché, 1759–1820* (Paris, 1901), p. 345.

<sup>25</sup> Emmanuel de Waresquiel, ‘Joseph Fouché et la question de l’amnistie des émigrés 1799–1802’, *Annales historiques de la Révolution française*, 372 (2013), p. 108.

<sup>26</sup> Philip Mansel, ‘From exile to the throne: the Europeanization of Louis XVIII’, in Philip Mansel and Torsten Riotte, eds., *Monarchy and exile: the politics of legitimacy from Marie de Médicis to Wilhelm II* (New York, NY, 2011), p. 187.

<sup>27</sup> Waresquiel, ‘Joseph Fouché’, p. 119.

apparatus. Whereas the draconian laws of 1792–3 had multiplied the number of émigrés exponentially, it was only during the Directory and early Consulate that the bureaucratic powers of the state police had been developed enough to be able to cope with monitoring many thousands of returned émigrés. After all, the legislation of the amnesty of 1802 explicitly required returned émigrés to report to the local authorities and, thereafter, remain under police surveillance for a full ten years.<sup>28</sup>

It took nearly six years for the Ministry of Police to transform the categories of exclusion described in the general amnesty into an official list of maintained émigrés. To begin, the police compiled preliminary lists corresponding to different categories of émigrés: archbishops and bishops ‘*non-démissionnaires*’ – that is, who refused to comply with the order to resign their sees – the ‘*maison des Princes*’, ‘agents of the princes’, ‘émigrés in the pay of foreign powers’, ‘interior rebel leaders’, and ‘émigrés accused of have having occupied grades in the *armée de Condé* and that of the Princes’.<sup>29</sup> The discovery and quashing of the murderous royalist plot aimed against Napoleon early in 1804 hastened the process. That March, Napoleon ordered his prefect of police, Pierre-François Réal, to send ‘two competent agents, one to Munich, the other to Fribourg, to record the names of all the émigrés there, with their age and department they belong to, so that we can use these notes to finally decree our list of émigrés’.<sup>30</sup> That same day, Napoleon ordered Talleyrand to collect the same information about émigrés living in Frankfurt and Hamburg.<sup>31</sup> Using all of these preliminary lists, the Ministry of Police was able to complete a table of 824 maintained émigrés, likely before the end of 1804.<sup>32</sup>

Of the 824 émigrés inscribed on this list, at least 313 had served with the *armée de Condé*, which had first formed in 1792 and only finally disbanded in 1801. Another 57 were listed for their involvement with the *armée des Princes*, which was also formed in 1792 and attempted to invade France alongside the Prussian and Austrian armies. At least 40 other individuals had been outright traitors, having served France’s enemies, whether England (18), Austria (16), or Russia (6). Yet another 75 were ‘agents’ (i.e. spies) of one kind or another: agents of the pretender Louis XVIII, the comte d’Artois, or the prince de Condé; agents of the English spymaster William Wickham; agents of Wickham’s banker; agents of other agents. In a different vein, 47 had ‘rebelled against the *patrie* and the Church’, a group that included the 38 bishops who refused to resign from their sees in accordance with Napoleon’s Concordat with the Catholic church. Armed insurgency in the interior also counted significantly against émigrés. There were 11 *chouan chefs* and 9

<sup>28</sup> Brown, *Ending the French Revolution*, pp. 344–5.

<sup>29</sup> AN F7 4336–2.

<sup>30</sup> Napoleon Bonaparte to Pierre-François Réal, 19 Mar. 1804, in *Correspondance de Napoléon*, IX, p. 377.

<sup>31</sup> Napoleon to Talleyrand, 19 Mar. 1804, quoted in le Cte Boulay de la Meurthe, *Correspondance du duc d’Enghien (1801–1804), et documents sur son enlèvement et sa mort* (4 vols., Paris, 1904–13), II, p. 308.

<sup>32</sup> *Ibid.*, III, p. 261n; AN F7 4336, ‘Exécution des articles X et XI du Sénatus Consulte de Six Floréal an 10’.

lesser-ranking *chouans*; and there were handfuls of 'brigands', forgers, counter-revolutionary journalists and pamphleteers, and plotters, including members of the clandestine 'Royal Institute' in Bordeaux and the extremists connected with the attempt to blow up Napoleon outside the Paris Opera in 1800.

Though the Ministry of Police was moving slower than the *Sénatus Consulte* prescribed – after all, article X of the decree had stipulated that the first 500 exceptions be named before the end of year X – it otherwise seemed to be following the amnesty's decree to the letter. The police's drafts were brimming with 'enemies of the *patrie*', as Napoleon had demanded. This was not the case for the official lists of 1807 and 1810, however. By the time those lists were decreed, the number of émigrés – and therefore the number of enemies – had been drastically reduced to only 200.

There were clues even before the Senate promulgated the general amnesty that Napoleon's understanding of 'enemies of the *patrie*' was more limited than the categories of exceptions suggest. That the marquis de Lafayette, who had betrayed the Republic in 1792, was allowed to return shortly after the Brumaire coup was early evidence of Napoleon's intention to reconcile France with 'all of the men proscribed by factions' during the 1790s 'except for the royalist émigrés'.<sup>33</sup> But what does one make of the hundreds of officers of the *armée de Condé* who were allowed to pour back into France after the English government – the last of that army's European paymasters – disbanded it in 1801? As one historian has written, 'nearly all [of them] returned...as soon as they had procured their elimination from the émigré list'.<sup>34</sup> Even a career royalist émigré like the baron d'Auger, who had marched with both the *armée des Princes* and the *armée de Condé* and who even served in the pretender Louis XVIII's royal bodyguard, was readmitted. Evidently, neither carrying arms against France nor serving the Bourbons guaranteed an émigré a place on the *listes de maintenue*.

Nor were noble émigrés, let alone the émigrés belonging to France's 'greatest families', viewed as enemies per se. In fact, Napoleon tried, with his wife Josephine's help, to recruit many of them to his own court. As the marquise de la Tour du Pin later wrote, Josephine 'well understood her husband's plan...he was counting on her to win the allegiance of the upper ranks of society', whether or not they had emigrated. In the end, he did win over several *ci-devant* aristocrats, with some of his bigger catches including the comte de Ségur, the comte de Narbonne, and the duc de Broglie. Other nobles with distinguished pedigrees – 'Croy, Mercy-Argenteau, Choiseul-Praslin, Turenne and d'Hausonville' – were later found in Napoleon's imperial household.<sup>35</sup> Doubtlessly, the *listes de maintenue* were full of noble émigrés, but it was not because those émigrés were noble.

<sup>33</sup> Marc-Antoine Jullien, *Entretien politique sur la situation actuelle de la France et sur les plans du nouveau gouvernement* (Paris, 1799), p. 71.

<sup>34</sup> Frédéric d'Agay, 'A European destiny: the *armée de Condé*, 1792–1801', in Philip Mansel and Kirsty Carpenter, eds., *The French émigrés in Europe and the struggle against revolution, 1789–1814* (London, 1999), p. 41.

<sup>35</sup> Geoffrey Ellis, 'Rhine and Loire: Napoleonic elites and social order', in Gwynne Lewis and Colin Lucas, eds., *Beyond the Terror: essays in French regional and social history* (Cambridge, 1983), p. 240.



## II

The *listes de maintenue* have not been studied in detail. Henri Forneron stands out for noticing *la première liste*, but his commentary is limited to providing the names of sixteen of the more recognizable émigrés on it.<sup>36</sup> Otherwise, the lists have been almost completely ignored. Historians have instead relied on the text of the general amnesty to describe the excluded émigrés, or else, like Walter Scott, have reduced them to an epithet, in his case those ‘who seemed too deeply and too strongly pledged to the house of Bourbon’.<sup>37</sup> Since then, historians have described these émigrés variously as ‘intransigents’, ‘the most compromised’, ‘irreconcilable royalists’, ‘diehards and very loyal partisans of the king’, the ‘actively hostile’, the ‘notoriously hostile’, and the ‘noyau dur of the emigration’.<sup>38</sup>

To probe the records that the French police kept on these 200 émigrés is to discover a group of more mixed character than these descriptors might suggest. There was the ‘cheerful’ Augustin Gabriel de Coigny, formerly a *maréchal de camp* and *chevalier d’honneur* for Louis XVI’s sister, whom the police characterized as a ‘lover of good food’. Jean-François de Castries – son of the marquis de Castries, one of the comte de Provence’s close advisers during the emigration – was a ‘peaceful man’ living in London with his English wife (‘a former *femme galante*’). There was the comte d’Artois’s ‘wise and measured’ secretary, Henri-Louis Belleville, as well as his ‘brave’ *premier écuyer*, Charles Philippe Grailly. Charles-Louis Franval, a secretary to one of Provence’s agents, was a Bourbon ‘dévot and enthusiast’ whose once gentle disposition had grown ‘extremely violent’ over matters concerning the French government. There was the ‘brutal and immoral’ Jean-Bart, who had fought for the *armée de Condé* and the Austrian army before becoming a royalist agent; the black-spirited Henri Roux de la Fare, who ‘smiled at violent methods’; and the ‘arrogant and ferocious’ Armand Darthès-la-Salle-Pelon, who had, during the late 1790s, proposed to kill the five men who made up the French Executive Directory. The marquis de Bonnavay was ‘light and superficial’ and full of *amour propre*, while the vicomte Tour du Pin was tersely described as a libertine. The police dubbed Charles-Louis Barentin, Louis XVI’s Keeper of the Seals, ‘the most *Bourboniste* man possible’, though he spent most of his days in London reading novels and collecting a pension. Finally, Pierre-Henry Frotté, uncle of the executed *chouan* commander, was maligned as a ‘stubborn and deceitful

<sup>36</sup> Henri Forneron, *Histoire générale des émigrés pendant la Revolution française* (3 vols., Paris, 1884), II, p. 400. The sixteen are: Chateaubriand, Claude Béziade d’Avaray, Boissheul, Bonnavay, Havré, Duras, Gramont, Jean Bart, La Chapelle, Barentin, Bertrand de Molleville, vicomte de Chabot, Dutheil, Dumouriez, Beaupoil de Sainte-Aulaire, and the Chevalier de Blacas.

<sup>37</sup> Walter Scott, *The life of Napoleon*, II (Edinburgh, 1876), p. 355.

<sup>38</sup> Georges Lefebvre, *Napoleon: from 18 Brumaire to Tilsit, 1799–1807*, trans. Henry F. Stockhold (New York, NY, 1966), p. 144; Simon Burrows, *French exile journalism and European politics, 1792–1814* (Woodbridge, 2000), p. 179; Andrew Roberts, *Napoleon: a life* (New York, NY, 2014), p. 241; Adam Zamojski, *Napoleon: a life* (New York, NY, 2018), p. 324; M. J. Sydenham, *The first French republic, 1792–1804* (Berkeley, CA, 1973), p. 277; Massimo Boffa, ‘Émigrés’, in François Furet and Mona Ozouf, eds., *A critical dictionary of the French Revolution*, trans. Arthur Goldhammer (Cambridge, MA, 1989), p. 330.

old man' as well as a 'hypocrite, charlatan and bigot' (the *partis pris* of Napoleon's police bleeds through some descriptions more than others).<sup>39</sup>

Bourrienne seems to have been right that Napoleon wanted to prohibit 'above all' those émigrés 'who are or who have been attached to the households of the kings and princes, or to the old court'. These households were the shadows of the personal households of the royals that had existed before the Revolution, which altogether had engaged at least 5,000 people, about half of whom belonged specifically to the king's household, the *maison du roi*.<sup>40</sup> During the first four years of his emigration, the comte de Provence, as the pretender Louis XVIII was called before assuming the title of king in 1795, maintained a household of twenty-six 'servants, courtiers, ministers, and army officers'.<sup>41</sup> That number more than quadrupled to 108 when he inherited the *maison du roi* after the death of his nephew, 'Louis XVII', though by the time the comte de Provence resettled his court to England in 1807, that number had fallen to forty-five.<sup>42</sup> The sizes of the other royal households were even more modest, each probably never exceeding twenty people throughout the emigration.<sup>43</sup> The wife of the would-be Louis XVIII, the comtesse de Provence, arrived in England with seventeen people in her entourage. Their nephew, the duc d'Angoulême, arrived with ten, and his wife, the duchesse d'Angoulême (Louis XVI's daughter), arrived with six. As for the comte d'Artois (Louis XVIII's younger brother), his *maison* reportedly included twelve people.

Several of the *exclus* had in fact rambled the halls of Versailles before the Revolution. The baron d'Escars, Louis XVIII's agent in Berlin after 1797, had been Marie Antoinette's *maître d'hôtel* a decade earlier, while his cousin, the comte d'Escars, was one of Artois's *gentilshommes d'honneur* before becoming Louis XVIII's ambassador in London (1802–6) and Artois's *capitaine des gardes*. The duc d'Aumont-Villequier and the duc de Duras had been *premiers gentilshommes de la chambre* for Louis XVI. The comte de la Chatre held the same title under the comte de Provence. The duc de Grammont and the marquis de Biron had been Louis XVI's *capitaines de gardes du corps*, and Grammont's father-in-law, the duc de Polignac, had the post of the queen's *premier écuyer* and the king's *directeur des postes*. There were two former *valets de chambre*, the baron de Hue (for Louis XVI) and Belleville (for Artois). The comte de Créminil had previously been an *écuyer ordinaire* for the comtesse du Provence, whereas the comte de Boissheul had been an *écuyer des pages* and the comte de Vaudreuil was once *le premier fauconnier du royaume*.

'Attached to the households' of the princes was, in this context, a category broad enough to include anyone from Artois's whist partners to minister plenipotentiaries at European capitals. Artois, who was the first of the Bourbon princes to emigrate, had quickly established an expatriate court during the

<sup>39</sup> AN AF/IV/\*/1710, 'Statistique des Bourbons & Consorts, 1810'; Archive des Affaires Etrangères (AAE) 620, 'Statistique 1810 des émigrés, mise à jour avec des notes allant jusqu'à 1813'.

<sup>40</sup> Philip Mansel, *The court of France, 1789–1830* (Cambridge, 1988), p. 8.

<sup>41</sup> Philip Mansel, *Louis XVIII* (London, 1981), p. 87.

<sup>42</sup> *Ibid.*, p. 88.

<sup>43</sup> *Ibid.*, p. 89.

early 1790s, replete with a primitive foreign ministry. This included the duc de Polignac, who had belonged to Artois's set at Versailles (his sister-in-law was Artois's paramour), as his agent in Vienna. But control of royalist policy and appointments passed from Artois's ad hoc court to Louis XVIII's *maison du roi* in 1795. Polignac was subsequently replaced by the older and more experienced comte de Saint-Priest, who had not only been one of Louis XVI's ministers of state before the Revolution, but also the royal ambassador to Constantinople for seventeen years.<sup>44</sup> He went on to become one of Louis XVIII's ministers of state (in exile) from 1797 to 1800, the Vienna embassy passing to Henri Roux de la Fare, the former bishop of Nancy. In London, the pretender's first agent was the duc d'Harcourt, already by then immortalized in a portrait painted by Fragonard. He was replaced after his death – which the compilers of *la première liste* seemed to have overlooked – by the comte d'Escars, who was in turn replaced by the comte de la Chapelle in 1806. Louis's man in Hamburg was the seigneur de Thauvenay, formerly a *receveur générale des finances*. Later, in 1801, he was summoned to the Bourbon court, then in Warsaw, to operate as Louis's *secrétaire intime*. When Louis retransferred the court back to Mitau in 1804, Thauvenay was replaced by the marquis de Bonnay, whom Napoleon's police described as 'light, superficial, presumptuous, and evil'.<sup>45</sup> The comte d'Antraigues, who is best remembered as a royalist spy, was briefly the comte de Provence's ambassador in Venice: Louis severed all ties with Antraigues in 1797 after the latter probably sold out the royalists to purchase his freedom from Napoleon. Other émigrés from the lists of exceptions who were once ambassadors for the pretender include the duc d'Havre (Madrid), the duc de Coigny (Lisbon), the comte de Vernègues (Venice), and the comte du Moustier (Berlin).

The comte de Saint-Priest was not the only *exclu* with ministerial experience dating back to the *ancien régime*. Charles Louis Barentin – 'the most *bourboniste*' – had been appointed as Louis XVI's *garde des sceaux* in 1788, a position from which he was able to stiffen the king's resolve against the encroaching Estates General.<sup>46</sup> He emigrated in 1790, remaining close with the Bourbons down to the Restoration. He seems to have been one of the half dozen or so men whom Louis XVIII felt comfortable summoning for personal counsel during the later years of the emigration (as he did in 1808 to handle a very publicized spat between one of his ministers and a disgruntled royalist leader).<sup>47</sup> There was also Bertrand de Molleville, the intendant of Brittany who, after being chased back to Paris during the 'noble revolt' of 1788, was appointed minister of marine by Louis XVI, a position that enabled him to organize the mass emigration of naval officers.<sup>48</sup> Though he was given no such title in the comte de Provence's *maison du roi* after emigrating, Molleville remained

<sup>44</sup> François Emmanuel Guignard de Saint-Priest, *Mémoires: règnes de Louis XV et de Louis XVI, publiés par le Baron de Barante* (Paris, 1929), p. i.

<sup>45</sup> AAE 620, 'Bonnay'.

<sup>46</sup> Charles Louis Barentin, 'Barentin's memorandum on the crisis in the Estates General', in Paul Beik, *The French Revolution: selected documents* (New York, NY, 1970), p. 7.

<sup>47</sup> Ernest Daudet, *Histoire de l'émigration pendant la Révolution française*, III (Paris, 1907), p. 478.

<sup>48</sup> Godechot, *The counter-revolution*, p. 143.

connected with royalist plotting; Napoleon's police noted that he was involved with the distribution of counterfeit assignats, with no less an associate than Jacques Joseph de Calonne, brother of the former controller general of France (Jacques Joseph, as well as his nephew, Charles, were both on la première liste).<sup>49</sup>

The *exclus* reported by the police as belonging to Artois's court toward the end of the emigration are helpfully representative of this broad group of Bourbon householders. Joseph Hyacinthe, the comte de Vaudreuil (the *ci-devant grand fauconnier*), was one of Artois's oldest friends, having belonged to the same set at Versailles as Polignac. Though through a steady exchange of letters he offered Artois sobering political counsel after emigrating, he was not a live-in at Artois's households abroad. He would rather appear like a favourite uncle, passing the evenings with Artois's family and familiars, playing whist or performing closet dramas with Artois's son, the duc de Berri.<sup>50</sup> Armand Louis, the marquis de Sérent, had been for his part the *gouverneur des enfants* for Artois's sons when they were younger and was, as part of his émigré council, involved with his 'secret correspondence'.<sup>51</sup> The comte Auguste de Coigny (the 'lover of good food') had little to do with politics.<sup>52</sup> Far more active in royalist affairs was Nicholas Duthel, Artois's *secrétaire intime* who acted as a go-between for a number of royalist operatives, Artois, and the British government.<sup>53</sup> The chevalier de Puységur was a former colonel who accompanied Artois throughout the emigration as one of his *capitaine des gardes*. The other one was the comte d'Escars, though he was also the comte de Provence's ambassador in London for roughly four years.

Though the émigrés who belonged to the households of the princes formed the backbone of the *listes de maintenue*, there were also émigrés who corresponded with the other five categories of exceptions denoted in the general amnesty. The next most populous categories – 'the individuals who have been leaders of armed gatherings against the Republic' and 'those who are known to have been or are currently engines or agents of civil or foreign war' – move one away from the royal privy chambers to the front lines of the Bourbons' secret war against the Revolution and Napoleon. It is here that one encounters a potpourri of surviving conspirators, pamphleteers, *chouan chefs*, intelligence agents, and spies, or at least the ones who had managed to elude the Napoleonic police. Had the first list been published four years earlier, it would have included émigrés like the marquis de la Rivière, Artois's tireless *aide de camp*; the Polignac frères Jules and Armand, sons of the duc who had thrown themselves into royalist plotting with youthful abandon; and Georges Cadoudal, the barrel-chested *chouan chef* who stood close to the centre

<sup>49</sup> AAE 620, 'Betrand de Molleville'; Carlos de la Huerta, *The great conspiracy: Britain's secret war against revolutionary France, 1794–1805* (Stroud, 2016), pp. 184–6.

<sup>50</sup> Margery Weiner, *The French exiles, 1789–1815* (New York, NY, 1961), pp. 133–4.

<sup>51</sup> AAE 620, 'Serent'.

<sup>52</sup> AAE 620, 'Coigny'; Etienne-Léon de Lamoignon-Langon, *Memoirs of Louis XVIII*, I (London, 1832), p. 118.

<sup>53</sup> Marquis de la Maisonfort, *Mémoires d'un agent royaliste sous la Révolution, l'Empire, et la Restauration: 1763–1827* (1998), p. 133.

of the plot in 1804 (along with Rivière, the Polignacs, and others) to murder Napoleon. By 1807, however, the Polignacs and Rivière languished in prison, and Cadoudal had been guillotined on the Place de Grève.

The 'engines' of civil war whose names did appear on the list included men who 'roamed the Ille-et-Villaine, the Cotes-du-Nord, [and] the Morbihan...in an effort to rally the scattered elements of the old *chouannerie*'.<sup>54</sup> These agents included Armand de Chateaubriand (a cousin to the famous writer) and the comte de Goyon de Vaucouleurs, a former naval officer, both of whom were spotted in western France after several years of inactivity. That same summer, Edouard de la Haye Saint-Hilaire, one of Cadoudal's colonels, kidnapped the bishop of Vannes and ransomed him for the release of several *chouans* (much to Napoleon's fury). But, like Cadoudal, Saint-Hilaire was killed before *la première liste* was distributed: during the autumn of 1807, he was arrested, tried, sentenced, and shot.

Royalist secret agents, retired or otherwise, were scattered across *la première liste de maintenance*, including Louis Bayard, the marquis de la Maisonfort, Antoine Joseph d'André, and the comte d'Antraigues, among others. Maisonfort stumbled into secret service after spending most of the 1790s as a royalist publicist. Arrested while on a mission to Paris in 1801 to meet with *chouan chefs*, he was transferred to a fortress-prison on Elba, where he performed a 'Rocambolesque escape' in 1803.<sup>55</sup> Louis Bayard has been described by one historian as 'the real Scarlet Pimpernel', and for good reason: he had as many as thirty-one aliases, established a murky spy-ring called *Les Trés* to destabilize the Directory and then the Consulate, and was connected to the plot to murder Napoleon in 1804.

Unquestionably, the most recognizable royalist spy on the lists was Louis Alexandre de Launay, the comte d'Antraigues (a 'political *condottiere*' in the words of one historian; a '*mystificateur*' in the words of another).<sup>56</sup> Born in 1753 to a moderately well-off noble family in the south-east of France – his mother was the daughter of a royal intendant and his father was a country gentleman – Antraigues achieved some recognition during the 1780s as a friend of the Enlightenment and a liberal writer, publishing a pamphlet (*Mémoire sur les États Généraux*) that rivalled the popularity of even Sieyès's *Qu'est-ce que le Tiers-État*. But, as Paul Beik has expressed it, Antraigues 'unmade his popularity by standing, firmly enough, in that same Estates General while the revolution he had helped to start passed beyond him and his fellow defenders of vote by order'.<sup>57</sup> He left France less than a year later.

Antraigues afterwards wrote about the Revolution with such vituperation (*Point d'accommodement!*) and worked against it with such febrility that one

<sup>54</sup> Ernest Hauterive, *La police secrète du premier empire: bulletins quotidiens adressé par Fouché à l'empereur*, III (Paris, 1922), p. 34.

<sup>55</sup> Maisonfort, *Mémoires*, p. x.

<sup>56</sup> Léonce Pingaud, *Un agent secret sous la Révolution et l'Empire: le comte d'Antraigues* (Paris, 1903), p. 349; Richard Cobb, 'The comte d'Antraigues and the counter-revolutionary mentality', in Richard Cobb, *A second identity: essays on France and French history* (London, 1969), p. 179.

<sup>57</sup> Paul H. Beik, 'The comte d'Antraigues and the failure of French conservatism in 1789', *American Historical Review*, 56 (1951), p. 767.

wonders if he was driven by *frondeur* ‘obsessions’ or was trying to purge the sins of his liberal youth.<sup>58</sup> To the charge of being ‘implacable’ hurled at him by moderate émigrés like the comte de Montlosier and Jacques Mallet du Pan, Antraigues pleaded no contest: ‘Montlosier thinks me implacable and he is right. I shall be the Marat of the counter-revolution; I shall strike off a hundred thousand heads and his shall be the first.’<sup>59</sup> As the operator of *La Manufacture*, a Parisian intelligence network, from 1793 to 1795, he exploited and packaged intel from Paris into sometimes wildly inaccurate bulletins (‘novels’, in the words of another royalist agent) for his clients in Madrid, Vienna, St Petersburg, and London.<sup>60</sup> Even the pretender consulted him.

On Saint Helena, Napoleon remembered Antraigues as a ‘spirited, intriguing and gifted’ man who had also been ‘the soul and agent of all the plots hatched against France’.<sup>61</sup> Two decades earlier, from May to September 1797, Antraigues had been Napoleon’s prisoner in Italy. Famously, the two spoke on the night of 31 May: located in Antraigues’s personal archive (‘the red portfolio’) was smoking-gun evidence that Jean-Charles Pichegru, the French general who had recently been elected to the Council of Five Hundred, had flipped to the royalists. But that evidence also contained allusions to Napoleon, which were expunged before Antraigues’s papers were forwarded to Paris. The conversation was about getting Antraigues to authenticate the doctored evidence by signing it, which he ultimately did, irreparably damaging his reputation in the process. As the royalists saw it, Antraigues had purchased his freedom at Pichegru’s expense.<sup>62</sup> But although Louis XVIII subsequently severed all ties with Antraigues, the political *condottiere* persisted in gathering and selling intelligence to his other clients, Austria hiring him as an agent in 1798 followed by Russia in 1802.

Antoine Joseph d’André, an *ex-constituent* and a *Feuillant*, was exactly the kind of moderate that Antraigues hated. A magistrate in the Parlement of Aix-en-Provence before the Revolution, he was elected as a noble deputy to the Estates General at the age of only thirty. There, he made a name for himself as a liberal patriot. He also dominated the rostrum in the National Assembly, delivering a total of 497 speeches, more than all the other deputies except one (and the most for a noble deputy).<sup>63</sup> However, when the more radical Jacobins sought to push the Revolution onward during the summer of 1791, d’André and the other moderates left the club and rebranded themselves *Feuillants*, defenders of the new monarchical constitution. But professionally, d’André’s star was waning: he was overshadowed by the leading *Triumvirs* and even with their help was unable to secure an administrative post in Paris. Meanwhile,

<sup>58</sup> Sutherland, *French Revolution*, p. 283.

<sup>59</sup> A. Sayous, ed., *Mémoires et correspondance de Mallet du Pan*, II (Paris, 1858), p. 291.

<sup>60</sup> Jacques Godechot, *Le comte d’Antraigues: un espion dans l’Europe des émigrés* (Paris, 1986), p. 128.

<sup>61</sup> Quoted in *ibid.*, p. 175.

<sup>62</sup> *Ibid.*, p. 171. Colin Duckworth also argues that Antraigues was allowed to escape at the end of August. See his *The d’Antraigues phenomenon: the making and breaking of a revolutionary royalist espionage agent* (Newcastle upon Tyne, 1986).

<sup>63</sup> Timothy Tackett, *Becoming a revolutionary: the deputies of the French National Assembly and the emergence of a revolutionary culture (1789–1790)* (Princeton, NJ, 1996), p. 321.

he was maligned by the new left for allegedly selling out to the crown and corresponding with the émigrés.<sup>64</sup> By the end of the year, he resolved to emigrate.

In his study of Anglo-royalist plotting during the Directory, W. R. Fryer remarks that after emigrating in 1791, d'André 'all but disappears from the history of public affairs for many years. Only at the time of the great attempt, in 1796–7, to capture the machinery of the Republic for Royalist ends, does he reappear in the story of the revolutionary period and, even then, hitherto, only faintly.'<sup>65</sup> But what is clear is the fact that d'André became a British agent within a year of emigrating, brokering a meeting between another British operative and members of the National Convention in November 1793.<sup>66</sup> The following year he was dispatched to the continent where he met and received instructions from William Wickham, the British spymaster stationed in Switzerland. For the next three years, until the anti-royalist coup d'état of 18 Fructidor an V (4 September 1797) dashed his and the other royalists' hopes, d'André operated as Wickham's chief agent in co-ordinating the 'Grand Plan', a massive non-violent effort to ensure the election of royalists and royalist sympathizers to the French legislature.

The memoirs of madame de Rémusat report a conversation between Napoleon and her husband, Napoleon's Master of the Wardrobe, over the matter of d'André's re-entry to France in 1805, d'André's wife having earlier appealed to monsieur de Rémusat on her husband's behalf:

At the mention of the name of M. d'André, the emperor's face darkened. 'Do you know', said he, 'that you are talking to me of a mortal enemy?' 'No, Sire', replied M. de Rémusat, 'I am ignorant whether your Majesty has really reason to complain of him; but, if such be the case, I would venture to ask pardon for him...he asks only that he may return and grow old in our common country.' 'Have you any relations with him?' 'None, Sire.' 'And why do you interest yourself in him?' 'Sire, he is a Provençal; he was educated with me at Juilly, he is of my own profession and he was my friend.' 'You are very fortunate', said the emperor, darting a fierce glance at him, 'to have such motives to excuse you. Never speak of him to me again; and know this: if he were at Vienna and I could get hold of him, he should be hanged within twenty-four hours.'<sup>67</sup>

Napoleon had a police dossier full of reasons to react so biliously: 'the corruption of the assemblies in year V; the assassination at Rastatt; the Augsburg agency; the troubles in the Midi in year VIII are the work of d'André'.<sup>68</sup> And it was mostly true. After Fructidor, d'André remained a key member of the Swiss Agency, now under the stewardship of James Talbot (and operating with Louis

<sup>64</sup> W. R. Fryer, *Republic or restoration in France? 1794–7: the politics of French royalism, with a particular reference to the activities of A. J. B. d'André* (Manchester, 1965), p. xvi.

<sup>65</sup> *Ibid.*, p. xvii.

<sup>66</sup> Elizabeth Sparrow, 'The Swiss and Swabian agencies, 1795–1801', *Historical Journal*, 35 (1992), p. 863.

<sup>67</sup> Madame de Rémusat, *Mémoires de madame de Rémusat*, II (Paris, 1880), p. 313.

<sup>68</sup> AN F7/IV/1710, 'd'André'.

XVIII's blessing). Rather than rigging elections, the Agency was planning a more violent *coup de main*. Only the threat of the plot's exposure in 1799 forced the British government to wave Talbot off from having the Directors assassinated. As for the murder of two French plenipotentiaries as they were leaving the Congress of Rastatt later that year, at least one scholar has agreed with the French police: 'it is hard to believe that d'André had no hand in the assassinations at Rastatt'.<sup>69</sup>

Ostensibly representing the category 'commanders of the sea or land...who are guilty of treason against the Republic' were three ex-Republican generals: Charles François Dumouriez, Amédée Willot, and Auguste Thévenet, *dit* Danican.<sup>70</sup> Dumouriez, after failing to persuade his men to march on Paris and purge the Jacobin government and restore a limited monarchy in 1793, had defected to the Austrian army. At that stage, he still viewed the absolutist Bourbon princes as '*mauvais sujets*', but six years later he bent the knee to Louis XVIII, offering his expertise to the counter-revolution. In fact, as part of a fantastic plot against France, he was slotted to land in Normandy with a British-supported Danish force, though the design was never carried out. Still, Dumouriez continued to play an active role in counter-revolutionary (or anti-Napoleonic) diplomacy. As late as 1809, he was offering to serve Spain. To the French police, he remained 'a man willing to sell himself to whoever listens to him and pays him'.<sup>71</sup>

Danican and Willot, for their parts, had won fast promotions during the Revolution's neediest early years, when noble officers were emigrating *en masse* and European forces were squeezing France's borders. Both became brigadier generals in 1793, both were temporarily suspended, and both were quickly reinstated. They were also both openly anti-Jacobin. But it was Danican who first committed himself to the counter-revolution, or at least to bring back a limited monarchy. After resigning in protest against the 1794 'two-thirds decree', which stipulated that 500 out of the 750 deputies sitting in the National Convention must retain their seats in the new legislature of the Directory, he assumed a leading role in the uprising of 13 Vendémiaire an IV (5 October 1795) in Paris. With Napoleon's help, the uprising was suppressed, and Danican emigrated (and was condemned to death *in absentia*).

As for Willot, his hatred of Jacobinism manifested the following year when he was transferred to southern France. There, he seems to have been so focused on smoking out Jacobin 'terrorists' that he might have even fanned the flames of the royalist 'white terror' to do so.<sup>72</sup> Evidently, this did not hurt his popularity with voters, who proceeded to elect Willot along with a throng of moderates, constitutionalists, and royalists to the Council of Five

<sup>69</sup> Sparrow, 'Swiss and Swabian agencies', p. 881.

<sup>70</sup> It is more likely that Danican, Willot, and Dumouriez were inscribed on *la première liste* for being 'motors' of civil or foreign war than for being treasonous generals. After all, Lafayette, whose defection in 1793 was no less infamous than that of Dumouriez, was allowed to return to France. The difference between Lafayette and these three generals was the fact that they all seemed to be involved with counter-revolutionary royalism.

<sup>71</sup> AN AF/IV/\*/1710, 'Dumouriez'.

<sup>72</sup> Godechot, *The counter-revolution*, p. 281.



Hundred in 1797. But that September he and fifty-two other deputies were purged in the anti-royalist coup d'état of 18 Fructidor an V and deported to Guiana. He escaped the following year, at which time Willot and Danican both became involved with Anglo-royalist plots to violently overthrow the French governments (all of them were non-starters). The closest Danican came to playing a serious role was during the massive conspiracy in 1804 to murder Napoleon, but his ship blew off course and foundered in Norway at the moment when the conspiracy was lifting off. Willot, for his part, was burned well before that: his role as 'chief of intrigues and mercenary plots' had been made common knowledge after the French police neutralized and humiliated the *Conspiration Anglaise* by publishing its confiscated papers. By the time *la première liste* was registered, Willot had retired to the United States.

The last subsection of the *listes de maintenue* included the remaining 'arch-bishops and bishops who, disregarding legitimate authority, have refused to resign'. This category grew out of Napoleon's religious settlement in 1801, which attempted to wipe the slate clean: all bishops, whether 'Constitutional bishops' created in 1791 by the Civil Constitution of the Clergy, or France's orthodox bishops, who were appointed by the king before 1791, were expected to resign from their sees. For the Constitutional bishops, who were civic office-holders, this 'request' came from Napoleon. But for the orthodox bishops who, though chosen by the king, were invested by the pope, the request for their resignation came from Pope Pius VII in a brief entitled *Tam Multa* in August 1801. At that stage, 55 of the surviving 93 orthodox bishops complied with Pius's request, while 38 refused. Those 38 disobedient bishops were all inscribed on the original drafts of the lists of exceptions. But there were only 3 of these bishops on *la première liste* of 1807, and 10 more on the second one of 1810: the bishops of Boulogne, Chalon-sur-Saône, Nancy, Uzès, Sisteron, Aire, Angoulême, Blois, Digne, Montpellier, Nantes, Tarbes, and the archbishop of Rheims. How do we explain this reduction?

By 1807, the *Tam Multa* controversy was over: the old sees had been abolished and new bishops had been appointed.<sup>73</sup> The remaining recusants might grumble, but this was more annoying than worrying. That three bishops were inscribed on *la première liste* probably owed little to the fact that they were part of the episcopal opposition to the Concordat and more to their connections to the Bourbons and counter-revolution. The bishop of Nancy was Henri Roux de la Fare, Louis XVIII's representative in Vienna. Jean Baptiste du Chilleau, the bishop of Chalon-sur-Saône, was reportedly associated with Britain's head of espionage services in Bavaria. And Jacques René Asseline, the bishop of Boulogne, had become Louis XVIII's confessor just before the list was finished. As for the other ten bishops, their addition to the 1810 list – like the other twenty émigrés on it – was precipitated by the death of Louis XVIII's wife that November. Her funeral services in London, which

<sup>73</sup> One bishop, the bishop of Béziers, belatedly complied with *Tam Multa*, begrudgingly submitting his resignation after Napoleon made it a *fait accompli* by abolishing his old bishopric in 1805. See Louis Dantin, *François de Gain-Montaignac: évêque de Tarbes (1782-1801) et son diocèse pendant la Révolution* (Paris, 1908), pp. 484–5.

included a splendid procession of her casket from King Street Chapel to Westminster Abbey, brought together in one place most of the remaining notables and dignitaries of the emigration. In response to this gathering, the French police compiled a list of the 57 émigrés who assisted with the funeral. Only 28 of them had been on the 1807 list. The remaining 29 émigrés (including the bishops) were immediately inscribed on the second list, which was decreed on 15 December 1810, only nineteen days after the funeral.

### III

The only historian to have written about *la première liste de maintenue* at length, Henri Forneron, described it as being part of Napoleon's 'imperial terror' and his 'continued persecution of the Bourbons, the last émigrés, and the royalist party'.<sup>74</sup> In Forneron's history of the emigration, one reads about Napoleon bullying other European rulers to expel the remaining émigrés from their territories; about French prisons resounding with the groans of arrested émigrés; and about émigrés who, as late as 1813, had been captured by Napoleon's troops, and who slipped their guards before being tried and shot. As for the Bourbons, they appear as the objects of Napoleon's 'continued preoccupation': he 'hunted them throughout Europe, those of Naples and Spain as well as those of France'.<sup>75</sup> Hunted too were the Bourbons' 'servants, their most humble agents, and foreigners who continued giving their respect to this royal house'. Napoleon's pursuit appears to have been relentless, his police continuing 'its work of destruction' to the very end.<sup>76</sup>

But was Napoleon actually 'preoccupied' with the Bourbons? Though Forneron might have overstated the case, he did not fabricate it. Even Paul Schroeder, who soberly views most of Europe's international politics during this period through the lens of 'balance of power', recognizes Napoleon's 'general campaign against the Bourbons'.<sup>77</sup> In 1805, Napoleon unseated the Bourbons ruling in Naples; he did the same to the Spanish Bourbons in 1807 as well as the branch ruling Etruria in 1808.<sup>78</sup> As a *prima facie* case for Napoleon's preoccupation with the Bourbons, this was compelling, even to his contemporaries. Talleyrand later wrote in his memoirs that 'Napoleon, sitting on one of the thrones of the house of Bourbon, considered the princes who occupied the two others as natural enemies who were in his interest to overthrow'.<sup>79</sup>

When it came to the *French* Bourbons, Napoleon's temper was especially short. Outraged in October 1807 after learning that a Parisian newspaper had referred allusively to Louis XVIII, he immediately wrote to Fouché:

<sup>74</sup> Forneron, *Histoire générale des émigrés*, II, p. 391.

<sup>75</sup> *Ibid.*, p. 427.

<sup>76</sup> *Ibid.*, III, p. 631.

<sup>77</sup> Paul Schroeder, *The transformation of European politics, 1763-1848* (Oxford, 1994), p. 339.

<sup>78</sup> John A. Davis, *Naples and Napoleon: southern Italy and the European revolutions (1780-1860)* (Oxford, 2006), p. 130.

<sup>79</sup> Charles Maurice de Talleyrand-Périgord, *Memoirs of the prince de Talleyrand*, I (London, 1891), p. 244.

‘Make it known to the editor of this paper that if he ever names this individual, I will remove him as the paper’s manager.’<sup>80</sup> Four days later, Napoleon complained to his minister of foreign affairs about the inclusion of the Bourbons in the new edition of the *Almanac de Gotha*: ‘Send for the minister and make him understand that it is necessary that all of this must be changed in the next almanac...there must be no question of the comte de Lille’ – that is, Louis XVIII.<sup>81</sup> Nor can the date that Napoleon decreed *la première liste* – 15 November 1807 – be a coincidence: not two weeks earlier, Louis XVIII had arrived in England with his court, disembarking in Yarmouth where he was received by a cheering crowd.<sup>82</sup> It was much the same in 1810, when another well-publicized Bourbon exhibition (the funeral of the comtesse du Provence) led to another *liste de maintenue*. After all of this, it is not surprising to learn that the île de la Réunion, which had been the île Bourbon until 1793, was renamed Île Bonaparte in 1806.

Even as Napoleon’s attention was stretched thinly across the Empire, he found time to ensure that France’s borders remained closed to the émigrés connected with the Bourbons. In August 1811, while residing at the Chateau de Rambouillet, Napoleon received an inquiry from the Ministry of Police about the law of 24 April 1810, which extended an amnesty to émigrés serving in the armies of foreign powers, even if they had carried arms against France:

Several émigrés who have been inscribed on the *liste de maintenue* have taken service in foreign armies, and several of them still hold ranks in the armies of His Majesty the Emperor of Austria. Some of them have expressed the desire to comply with the provisions of the decree of 24 April 1810, concerning the amnesty. I entreat Your Majesty to inform me if it is his intention to allow them to fulfill the formalities prescribed by this decree, and if their return to France can be authorized.

To this Napoleon responded: ‘This question should not be decided by a general rule, it should be decided on an individual basis.’ But those who have ‘intrigued in favour of the Bourbons’, particularly ‘all those who are in Russia or London, must not be admitted’.<sup>83</sup>

If Napoleon was waging a personal war against the Bourbons, it was at least in part because the Bourbons seemed to be waging a personal war against him. Not only were they putatively connected with the rue Saint-Nicaise bombing in 1800, which killed eight bystanders and wounded dozens more; they were also demonstrably linked to the sprawling royalist conspiracy to murder Napoleon in 1804.<sup>84</sup> Both plots had come distressingly close to succeeding. This was unacceptable to Napoleon. ‘We must show the House of Bourbon that the

<sup>80</sup> Napoleon Bonaparte to Joseph Fouché, 16 Oct. 1807, in *Correspondance de Napoléon*, XVI, p. 94.

<sup>81</sup> Napoleon Bonaparte to Jean-Baptiste de Champagny, 20 Oct. 1807, in *ibid.*, p. 105.

<sup>82</sup> Mansel, *Louis XVIII*, pp. 139–40.

<sup>83</sup> AN F7 4336–2, ‘Rapport relatif à plusieurs émigrés portés sur la 1<sup>ère</sup> liste des Maintenu’.

<sup>84</sup> Isser Woloch, *Napoleon and his collaborators: the making of a dictatorship* (New York, NY, 2001), p. 66.

blows which they strike at others will rebound on their own heads', he is to have portentously remarked after the police unravelled the 1804 plot.<sup>85</sup> Weeks later, Napoleon dispatched 3,000 soldiers to the Rhineland to arrest the only Bourbon prince within reach, the duc d'Enghien, the thirty-six-year-old grandson of the prince de Condé. From there, he was unceremoniously hustled to the Chateau de Vincennes in Paris, arriving on the evening of 20 March. That same night, he was thrust in front of a hastily assembled military commission, charged with carrying arms against France, and condemned to die. He was shot before sunrise. The whole affair was, in the words of one historian, 'a vendetta, Corsican style'.<sup>86</sup>

But it is possible that Napoleon's 'campaign' against the Bourbons and the émigrés was not simply about crushing avowed and potentially dangerous enemies. In his memoirs, the Austrian statesman Klemens von Metternich wrote that one of Napoleon's 'deepest and most constant regrets was not being able to invoke the principle of legitimacy as the basis of his power' ('legitimacy' in this case referring to a traditional and somewhat mystical hereditary right).<sup>87</sup> Napoleon allegedly even remarked to Metternich in 1813 that 'your sovereigns, born to the throne, may be beaten away twenty times and still go back to their palaces. That I cannot do – as the child of fortune, my reign will not outlast the day when I have ceased to be strong.'<sup>88</sup> Nor did his detractors ever miss an opportunity to remind Napoleon that he was both a foreign *arriviste* and a usurper. In 1814, the liberal theorist Benjamin Constant imagined Napoleon being oppressed by this insecurity:

Illegality pursues him like a phantom. In vain, he takes refuge in both display and in victory. The spectre accompanies him into the midst of pomp and onto the battlefield. He promulgates laws and changes them. He establishes constitutions and violates them. He founds empires and overturns them. He is never content with his edifice built on sand, the foundation of which is lost in the abyss.<sup>89</sup>

This sort of psychologizing made for good anti-Bonapartist propaganda. But it is plausible that Napoleon really did feel like he was sitting on someone else's throne, even if he sometimes denied it on Saint Helena. There, he repudiated the notion that he had lacked legitimacy, arguing instead that he had acquired it 'by the choice of peoples, the sanction of victory, the character of religion, and alliances created through politics and blood'.<sup>90</sup> But as Annie

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<sup>85</sup> Quoted in Alan Forrest, 'Napoleon as monarch: a political evolution', in Alan Forrest and Peter H. Wilson, eds., *The bee and the eagle: Napoleonic France and the end of the Holy Roman Empire, 1806* (New York, NY, 2009), p. 117.

<sup>86</sup> Godechot, *The counter-revolution*, p. 380.

<sup>87</sup> Clemens Wenzel Lothar, Furst von Metternich, *Memoirs of Prince Metternich*, I, trans. Alexander Napier (London, 1881), p. 280.

<sup>88</sup> *Ibid.*, p. 186.

<sup>89</sup> Quoted in Stephen Holmes, 'Liberal uses of Bourbon legitimism', *Journal of the History of Ideas*, 43 (1982), p. 232.

<sup>90</sup> Quoted in Annie Jourdan, *L'Empire de Napoléon* (Paris, 2000), p. 74.

Jourdan has argued, these only gave Napoleon legitimacy in the eyes of the public, not his own.<sup>91</sup> At best, he had cultivated a *faux* legitimacy, which (to Napoleon) never matched the brilliance of the real thing. *Real* legitimacy was 'consubstantial, mystical, and organic' – and self-evident.<sup>92</sup> Napoleon's legitimacy, as he perceived it, was artificial and frequently needed to be replenished, lest someone should announce that he was wearing no clothes. This explains why Napoleon tirelessly, and perhaps mistakenly after a point, sought to 'affirm and reaffirm his preeminence, superiority, and authority', which often meant waging new wars.<sup>93</sup> It also meant borrowing the style of old regime monarchies.<sup>94</sup> But if having his robes embroidered with Merovingian bees and marrying a Habsburg princess can be understood in the context of Napoleon's legitimacy, what about rejecting the *fleur de lys* and murdering a Bourbon prince? Perhaps Napoleon, even at the height of his empire, continued to worry about the Bourbons and émigrés not only because they were security risks and personal enemies, but because they reminded him of the legitimacy that he could never have.

#### IV

In 1814, wrote Thomas Babington Macaulay, 'Louis [XVIII] returned to a people who knew not him nor his house.'<sup>95</sup> Perhaps, but Napoleon was not one of those people. For though with his general amnesty in 1802 Napoleon was able to reconcile the people in France to those who had left it, he was unable to reconcile himself with émigrés whom he perceived to be 'enemies of the *patrie*'. The meaning of that phrase, 'enemies of the *patrie*', was relatively self-explanatory at first: it referred to those who had wielded pen or sword in the fight against the Revolution. But by 1802, 'enemies of the *patrie*' often really meant 'enemies of Napoleon'. This is reflected in the difference between the preliminary list of exceptions, which closely followed the categories of unparadonable émigrés outlined in article VII of the general amnesty, and the official *listes de maintenue*, which, totalling 200 names, were far more circumscribed. Gone or mostly gone from these lists were the *Toulonnais* who had defected to Britain in 1793, the bishops who had refused to comply with *Tam Multa*, and perhaps most surprisingly, the nobles who had fought for the *armée des Princes* or the *armée de Condé*. Who, then, was left on the general list of émigrés? Overwhelmingly, they were émigrés recognized as being closely connected with the Bourbons or their designs against Napoleon's life. This was not only because Napoleon weighed them as security risks and personally hated them, but possibly because they threatened his sense of political legitimacy. Thus, to banish the history of the emigration after the promulgation of the

<sup>91</sup> Ibid., p. 74. See also Brown, 'Napoleon Bonaparte', p. 1389.

<sup>92</sup> Jourdan, *L'Empire*, p. 75.

<sup>93</sup> Ibid., p. 75; Brown, 'Napoleon Bonaparte', p. 1390.

<sup>94</sup> William Doyle, 'The political culture of the Napoleonic Empire', in Forrest and Wilson, eds., *The bee and the eagle*, pp. 85–7.

<sup>95</sup> Thomas Babington Macaulay, *Napoleon and the restoration of the Bourbons*, ed. Joseph Hamburger (London, 1977), p. 68.

general amnesty to an epilogue, and to completely ignore the *listes de maintenue*, obscures the simple fact that though historians tend to forget about the Bourbons and the last émigrés after 1802, Napoleon never did.

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