

A Blast from the Past: Lessons from a Largely Forgotten Incident of State-Sponsored Terrorism

by Ken Duncan

In the future terrorists may become the ultimate fifth column: a clandestine cost effective force used to wage war covertly against a more powerful rival or subvert neighbouring countries or regimes.

- Bruce Hoffman, St Andrews University, 1992

Abstract

We sometimes believe that state-sponsored terrorism is a modern phenomenon and generally a weapon of rogue regimes. When we do so, however, we are forgetting the lessons of the past; these demonstrate that it had been used almost two centuries ago by what at that time was considered to be a liberal democracy. Examining these now largely forgotten incidents reminds us that state-sponsored terrorism is not an end in itself but a tool that can be used by any state if the circumstances are right. Examining how this threat was met and overcome can be instructive for us today and is in line with some of today's holistic approaches to counterterrorism.

Introduction

It was three minutes past eight on a cold and misty Christmas Eve and the chief of state was late for a performance of Joseph Haydn's oratorium 'The Creation'. In order to make up time, his driver was proceeding at an even more reckless speed than usual and instead of following his usual route down the main road to the opera house, he turned early into a side street. A few seconds after vehicle and escort turned the corner, the air was filled by the roar of an enormous explosion which shattered the vehicle's windows, as well as those in the surrounding buildings, as a large vehicle borne improvised explosive device (VBIED) had been detonated on the main road. [1] Fortunately, the chief of state was not injured by the blast. But as many as twenty-two civilians were reported killed and numerous others injured. [2]

By now the reader may be wondering why I have not been more precise with dates, names, and places. My explanation: I wanted to make it appear as the summary of a recent event. In actual fact it relates to a plot to assassinate the First Consul of the French Republic, Napoleon Bonaparte [3] which took place in Paris on December 24, 1800. In this instance, the VBIED or the 'infernal machine,' as it was known then, was a large barrel of gunpowder loaded on a horse-drawn cart. Approximately four hours earlier three men had carefully placed it on the Rue Saint-Nicaise, which leads off Rue de Richelieu on which the opera was located. To ensure that no one moved the cart, the leader engaged a fourteen-year-old girl, a street vendor of bread, to hold the horse. [4] However, the plot 'misfired' for several reasons: first, the lookout at the Tuileries failed to signal the departure of Napoleon's carriage; second, as the mounted escort rode past the

cart one of their horses knocked the bomber, delaying his lighting the fuse by a few seconds; third, the carriage was travelling at high speed and so was further from the blast than expected. Finally, according to some accounts, Napoleon's carriage turned early in order to take a short cut. [5] The blast shattered the carriage's windows and injured some of the escort but no one in the carriage or escort was killed. In another stroke of luck, the following carriages containing Napoleon's wife, Josephine, and other members of the party had been delayed departing the Tuileries. This was because she had been teased about her costume by one of Napoleon's aides, general Jean Rapp, and had taken the time to change. As a result of this delay, no one in those carriages was injured.

Terrorism - Then and Now

This attack was not described as terrorism because the term had a different connotation at the time. Such actions were generally called conspiracies and the participants were conspirators -- terms that are still in use now by police and press when describing terrorist incidents. Perhaps because of this and because it was unsuccessful, the incident has largely disappeared from modern literature on terrorism. [6] Today when introducing terrorism, authors usually begin by citing Josephus Flavius's account of the Jewish Sicarii, who attacked Romans and Jews in 1st century Palestine, and then proceed through the 12th century Assassins to the 19th century anarchists. Those who include the French Revolution do so only to document the origin of the term terrorism with reference to the 'Reign of Terror' and the efforts of France's revolutionary government to terrorize its own citizens through two committees: the Committee of Public Safety and the Committee of General Security. [7] Use of the term terrorism as a description for violence used by a covert group against society, rather than for a government's violence against its own people, began with the Anarchist Movement of the second half of 19th century. [8]

Revolutionary France had only recently emerged from the 'Reign of Terror,' the name given to the period between 1793 and 1794 when its National Assembly was dominated by radicals of the left known as Jacobins. Jacobin rule ended when their leader Maximilian Robespierre was overthrown and executed in the "Thermidorian" reaction -- the name derived from the date of the coup (9 Thermidor Year II) in the Republican calendar. An Executive Directory of five persons, which pursued a more moderate program, next governed France. Then Napoleon Bonaparte overthrew the Directory on the 18 Brumaire Year VIII (November 9, 1799) in a coup d'état. Napoleon became First Consul of the French Republic and, although there were two others, essentially he ruled alone. As a result of these upheavals two sets of irreconcilable opponents to his government emerged: on the left Jacobins who were unrepentant about the Terror and who wanted to return to a revolutionary government; and on the right Royalists who sought the restitution of the monarchy and noble privileges. The Royalists also opposed revolutionary taxes, military conscription, and attacks on the Catholic Church as part of the Revolution's program of de-Christianisation. Both groups used violence to further their ends. The Royalists in western France had risen in open insurrection against the Revolution in 1793, an event known as

the Vendee after one of the departments involved. The insurgents themselves were called Chouans after their signal, the call of the screech owl (chat-huant). [9]

At First a False Scent

In a situation reminiscent of the Spanish government's response to the 2004 Madrid train bombings, when then Spanish Prime Minister Aznar assumed the Basque terrorist group ETA to be responsible for political reasons (and had some reason to suspect ETA because of its recent activity), Napoleon initially thought that the infernal machine was the work of the Jacobins. He assumed and must have hoped the Jacobins to be responsible because he hoped to use moderate Royalists in constructing his consular government. Napoleon had better reason for suspecting the Jacobins than Aznar did the ETA. Where ETA had avoided mass casualty attacks, the Jacobins had been behind two recent assassination plots, the second of which mirrored the Rue Saint-Nicaise attack. Indeed the official paper's (*Le Moniteur*) account of the December 24th infernal machine incident noted that two months before the government had been warned about 30 or so former revolutionaries who had conceived the very same plot. [10] It involved Chevalier, a chemist and former employee of the armaments workshops, together with his accomplice Veyeer, a shoemaker. They had planned to construct a bomb resembling the infernal machine, no doubt through Chevalier's technical skills with explosives. During the night of October 17-18, Chevalier tested his device to be sure that it would destroy Napoleon's carriage. Conducted in a warehouse in the centre of Paris, the test attracted the attention of the police who discovered the remains of the experiment and subsequently arrested Chevalier on the night of November 7-8. [11]

He and his accomplice were still under arrest awaiting trial at the time of the Saint-Nicaise bombing. Therefore the attack could be (mis-) interpreted as a means of overthrowing the government in time to effect their release. Acting on his suspicions, Napoleon immediately ordered Joseph Fouche, his infamous head of police, to round up the presumed Jacobin conspirators. Although Fouche suspected that Royalists, not Jacobins, were behind this attack and told Napoleon he would soon be able to prove it, to save his own position he proceeded to round up 130 alleged 'terrorists' (i.e. unreformed Jacobins), who were subsequently shipped off to the Seychelle Islands, Cayenne, or the African coast. [12] Fouche was fearful for his own position and suspected the Royalists because he was in secret contact with one of their leaders, a man named Bourmont, who later claimed that he did not know of this particular plot and for this reason had failed to alert Fouche to it. [13] In any event, discovery and arrest of the real culprits did not lead to the recall of the previously arrested Jacobins. It was a case of using one incident to attack two sets of opponents.

What did lead to the real terrorists' capture was a brilliant piece of 19th century police investigation. According to counsellor of state Real, the police had recovered forensic evidence in the form of a severed leg from the carthorse. They noticed that it had recently been reshod and by checking with all the blacksmiths in Paris found a smith who recognized his work and then the man who had sold both cart and horse to the conspirators. Armed with a description of

their customer, the police began rounding up Royalist agents and soon arrested one of the conspirators – a domestic servant Francois-Joseph Carbon (a.k.a. “little Francois”) who also had served as a Chouan in the Vendee under none other than Bourmont. Under interrogation Carbon gave up the others. From them, Fouche learned they also planned to plant a bomb under the opera house to kill not only Napoleon but also key members of his government. On April 20, 1803 Carbon and fellow co-conspirator Pierre Robinault de Saint-Rejant, a former naval officer, were executed. [14] Another conspirator, Pierre Picot de Limoelan, escaped capture and ultimately moved to the United States. Bourmont, Fouche’s failed informant, also was arrested but escaped prison in 1804. [15]

The Conspiracy

Carbon, Limoelan, and Saint-Rejant were part of a much broader conspiracy, the leader of which was Georges Cadoudal, one of the most dedicated leaders of the Royalist Chouan insurgency. After his arrest in 1804, Cadoudal admitted to French police that he had been won over to the idea of an assassination by Hyde de Neuville. De Neuville was the man selected by the Royalist leader in Great Britain, the Count d’Artois, to go to France and reconstruct the Royalist agency there. Their plan involved preliminary acts designed to stir up agitation and deflect the suspicion of the police and, one suspects, ultimately shift the French public’s odium from the Royalists onto the Jacobins. Once the police had been given a false scent, they would make the actual assassination attempt. Senator Clement de Reis was kidnapped by a Royalist band in Tourraine on September 25, 1800, and former Bishop Audrein of Finistere, who had voted for the death of Louis XVI, was assassinated in Brittany on November 19, 1800. [16] Both of these incidents presumably were in pursuit of this plan, although it is difficult to understand how the killing of a regicide would be viewed as a Jacobin and not a Royalist act. With the failure of the Saint-Nicaise plot, Cadoudal returned to Britain together with de Neuville. Later when he was arrested during another attempt to overthrow the French government (see below), Cadoudal claimed to have had no prior knowledge of the Saint-Nicaise plot and said he had been horrified when he learned of it not because he disapproved of the assassination attempt -- far from it as that was his mission -- but because he thought it premature.[17] According to him, the three conspirators had been sent to Paris only to buy horses for use in an attempt to assassinate Napoleon when he was en route to the Palace of St Cloud.

Cadoudal’s version of events rings hollow for several reasons. First, his version recounts essentially the same plot as that of 1804 and it may be that he accidentally or deliberately confused the two when interrogated by the police. Second, Elizabeth Sparrow in her work on British espionage notes that “In London, Cadoudal had told William Windham in August, the (sic) Bonaparte would be cut off before two months had passed.” [18] The December attack is beyond this timeframe but close enough to fit with it and the preliminary attacks described above. Furthermore, it would have been easier to hide responsibility for an assassination of this nature than for an open assault on Napoleon’s military escort. Lastly his denial of any knowledge of the plot appears to be belied by the evidence presented at the trial of Carbon and Saint-Rejant. When searching Saint-Rejant’s lodgings the police found a letter from Cadoudal

under the bed addressed to ‘Mon cher Soyer,’ (which was the false name Saint-Rejant was using at the time) and so demonstrates that the two were in communication. In it Cadoudal asked for details of the attempt but makes no reference to the alleged mission of purchasing horses, nor does he question his involvement. Written at a time when the Jacobins were widely suspected of being responsible, the letter certainly suggests that this, therefore, was a sanctioned attempt known in advance to Cadoudal. Saint-Rejant’s involvement is clearly indicated in his draft answer to Cadoudal’s letter, also found under his bed, which gave details of the attempt and reasons for its failure that only one of the participants could have known. [19] During the trial, Saint-Rejant consistently denied any involvement in the assassination attempt but neither he nor Charbon made any mention of their being in Paris to purchase horses nor did the police uncover any purchases other than those necessary for the attack.

Great Britain’s Role as a State Sponsor of Terrorism

The question now arises as to what was the extent of Great Britain’s responsibility for these acts. In one of the few good books on the subject of state-sponsored terrorism, Daniel Byman defines it as: “a government’s intentional assistance to a terrorist group to help it use violence, to bolster its political activities, or sustain the organization.” [20] Ilias Bantekas and Susan Nash, in their legal analysis of state-sponsored terrorism, add that both indirect and direct assistance by the state includes, inter alia, “groups or persons independent from the State, but in receipt of financial aide or weapons, or only logistic support...” [21] The characteristics of a state’s involvement with terrorists, in ascending order of involvement, can be discussed under the headings of passive support (awareness of terrorists’ activities within your borders without responding or otherwise interfering), political support, provision of haven, financial assistance, logistical (support including the provision of weapons), facilitation, and direction. [22] When considering Britain’s relationship with the Royalists, we should be mindful of Byman’s observation that “many states support terrorist groups as part of a broader effort to bolster an insurgent movement – the support they provide helps a group conduct guerrilla operations and, in so doing, enables it to conduct terrorist attacks.” [23]

Britain’s support for the Royalist counter-revolution followed this pattern and resembled the situation between Palestinian terrorists and their state-sponsors in the 1970-90s. Syria, Iraq, and Libya all sponsored terrorist groups and allowed them to recruit from Palestinian refugee communities and militias. These countries often directed their terrorist protégés’ actions against their enemies, as Syria used Abu Nidal to attack Jordanian airlines offices in order to prevent Jordan negotiating a peace with Israel, or as they used them to challenge Yasser Arafat for leadership of the Palestinian movement. State-sponsors placed restrictions or red-lines on terrorists’ actions because they were concerned about the consequences if the terrorists acted too violently. With early 19th century Britain there was a convergence of aims with the French Royalists and hence no need for red-lines, nor was there any attempt to use the terrorists for other purposes. As will be made clear below, Britain fully supported both the objective -- restoration of the Bourbon monarchy - and the means employed to achieve it -- insurrection and political assassination - of the Royalists it sponsored.

Byman considers the provision of safe haven to be the most important form of assistance a state can provide. [24] Such havens enable a terrorist group to survive and, as Bruce Hoffman notes, “terrorists win by not losing.” [25] In this case, safe haven in Britain was accorded to the leader of the Royalist counter-revolutionary movement, the count d’Artois, brother of the Royalist pretender and the person who would succeed him as King Charles X. He lived in Holyrood House (today the Queen’s official residence in Scotland) and was provided a pension by the British government. Émigré noblemen, Royalist leaders, like Cadoudal, Hyde de Neuville, and Saint-Rejant, and their followers also were able to find refuge in Britain. But this support went far beyond provision of haven to include the more active forms of facilitation. Prime Minister William Pitt and foreign secretary George Grenville believed ‘in the necessary conjunction of military effort with those of the underground, not only in France, but also in Holland and Switzerland.’ [26] Just as Syria in part used its Palestinian terrorist organizations to fight a war by proxy with Israel, so Pitt and Grenville viewed support for the Royalist insurgency and ultimately terrorism in France as part of their war effort - employed as an adjunct to military means at first and, when defeated militarily, as the primary means to effect a strategically favourable outcome -- a “fifth column”, in the words of Bruce Hoffman.

Napoleon’s successful campaign of 1800 against Austria, which culminated in the battle of Marengo (June 14, 1800), disappointed both Royalists and Republicans alike. Some Jacobins in his government secretly had wished for a disaster to stop the increase in his personal power. [27] When in August Napoleon wrote to the Bourbon pretender stating definitively that he would not play the part of general Monk and restore the monarchy, plotting began anew as both Royalists and Jacobins undertook the assassination attempts described above. The Royalists also turned again to insurrection. Under their plan Britain was to provide supplies to Chouans still in arms in the west of France and would dispatch a new force of Royalists led by d’Artois. The scale of military assistance can be gauged when Napoleon wrote to general Guillaume Brune, the French commander in the area, commenting that Cadoudal, the Chouan’s chief, had been supplied with at least 30,000 British muskets. [28] Even so, by 1801 the French government had prevailed militarily and most leaders of the rebellion had signed a pacification convention ending the revolt. The war itself between Britain and France lasted until March 1802 when, under the terms of the Peace of Amiens, Britain recognized the French Republic. That left few options for French opponents of the regime on either the right or left: coup d’état, terrorism, or both. [29]

In the event both were tried. On August 21, following the rupture of the Peace of Amiens (April 1803), Cadoudal returned to France courtesy of captain Wright RN in a British naval vessel. His mission was to assassinate Napoleon as part of a broader insurrection and a coup d’état that was to be led by one of Revolutionary France’s most illustrious generals: Jean Charles Pichegru. Despite his Republican military background, Pichegru held Royalist sentiments and had been exiled to Cayenne in French Guiana in 1797 for his role in an earlier attempted parliamentary coup d’état. He escaped to London and secretly returned to France on January 6, 1804. Once in Paris, he met secretly with Cadoudal and another disgruntled republican general, Jean Victor Moreau, famous for his victory over the Austrians at Hohenlinden. [30] As a further

reinforcement, the duke de Berry, son of d'Artois, was supposed to join them; but storms in the Channel prevented his landing in France. Pichegru was betrayed by a friend, arrested and later found hung in his cell - an apparent suicide. Moreau, who was motivated by opposition to Napoleon rather than support for the Royalists reportedly had refused to join the conspiracy once he knew that Cadoudal was part of it; he was arrested and exiled. Cadoudal's own luck ran out on March 9, 1804, when the police arrested him. He was executed on June 10, 1804. [31]

In a recent work on this period, David Bell concluded, "neither side went so far as to practice assassination openly." [32] It is doubtful whether the use of terrorists in place of government officials gave Britain 'plausible denial' because even at the time there was no question of what the French government thought about Britain's role in these conspiracies. An order for the arrest of Cadoudal, issued on December 4, 1800, stated that France had acquired proof that he and his confederates were continuing to maintain contacts with the British government. [33] Following the infernal machine incident, Napoleon wrote to general Jean-Baptiste Jourdan that 'England had much to do with this.' [34] The French prefect for the Loire, in a letter to Napoleon, observed: "England well knows that if the republic lost you it would disintegrate into the abyss of revolution. That is England's veritable system of waging war... It knows not how to vanquish, but it is fully acquainted with the art of assassination." [35] It was indeed England's 'veritable system.' Grenville, Dundas, Pitt and their colleagues in the British government were fully aware of Napoleon's military prowess, which, combined with the military resources of France, made military success against him unlikely. They regarded him as a usurper and essentially no different from those before him who had led France into revolution and war. Their conclusion was that peace was possible only with the restoration of the Bourbon dynasty. [36] In pursuit of that aim, undersecretary of state Hammon was in direct contact with the conspirators and the British minister to the Court of Bavaria, Francis Drake, was actively assisting them. [37] In one of his letters, Drake wrote, "all plots against the First Consul must be forwarded; for it is a matter of little consequence by whom the animal is stricken down, provided you are all in the hunt." [38] Other British agents involved in supporting the conspiracy included Spencer Smith at Stuttgart, Taylor at Cassel, and William Wickham at Berne. [39] Taken as a whole, Britain provided the Royalists with a safe haven, financial support, logistical support, facilitation, and was of course both witting and supportive of the conspirators' aims and methods. [40]

The French Reaction: An Object Lesson in Counterterrorism Response

Military pacification: Royalist insurrections were a considerable threat to the Republic. In a letter of 14 January, 1800, to general Brune, commander of the Army of the West (which was charged with pacification of the Vendee), Napoleon speaks of his (Brune) having 60,000 troops under his command. [41] The same letter charged Brune with ensuring that the coasts were patrolled to cut off the insurgents from British assistance. He was to threaten or take severe measures to ensure that the large towns protected the small towns and he was to make examples of those towns that had conducted themselves poorly. But he was also to "welcome all those who submitted" and to exercise great tolerance towards priests. This campaign was temporarily successful, but when the insurrection flared up again in late 1800, Napoleon sent in three

columns under the command of general Jean-Baptiste Bernadotte (May 1801), accompanied by Military Tribunals, to render justice on the spot and in doing so the insurrection was ended in a military sense. [42]

Effective policing: Beginning in November 1800 Napoleon began undertaking repressive measures to restore security throughout the French countryside, not just in the Vendee. As he saw it, the problem lay with both political Chouans and criminal brigands. As today, often there was, in Napoleon's time, little difference in the actions (though not the motivations) of the two. Chouans funded themselves in part by attacking government convoys carrying treasury funds and committing other acts of highway robbery. Brigands were omnipresent; in addition to theft they also engaged in smuggling. According to the great French historian of the Revolution, Georges Lefebvre, the problem was not just arresting the brigands -- that had been done in the past -- but of obtaining convictions. [43] Juries and witnesses knew they were liable to suffer reprisals and thus intimidated often acquitted the accused. The answer was to establish a special criminal court in every department (32 in all) where the problem was severe enough to require one. Consisting of judges and a mixture of military and civilian officials all selected by Napoleon, they were able to pronounce sentences without possibility to appeal. Ultimately (1802) concluded Lefebvre "Bonaparte did away with the jury system in a great many parts of France, and these newly created judicial bodies continued to function until his downfall." [44] The importance of these actions together with military success in crushing the insurgency lay in more than just drying up a major source of Chouan funding. French peasants always valued their security and a tranquil countryside was essential to the efficient feeding of the nation. By bringing peace to the countryside Napoleon won a considerable victory in what today would be viewed as a hearts-and-mind campaign against both the Royalist insurrection and its terrorist component.

Hearts-and-minds/disaggregation: Military defeat of Royalist forces, their isolation from British support, and the restoration of law and order to the countryside were all aspects of this policy. Napoleon knew that he could never win over Royalist 'ultras' who would be satisfied with nothing less than the restoration of France's *ancien regime*. But he hoped to split the movement by encouraging the defection of more moderate Royalists. As David Kilcullen notes, a key component of classic counterinsurgency is to address the underlying grievances that feed the movement. [45] To do this, Napoleon signalled his intention to reconcile moderate Royalists to the new government. On a symbolic level, he ended observance of the revolutionary holiday (January 21) commemorating the execution of King Louis XVI. On a more practical level, he abolished the law of hostages and went in person to the Temple Prison to free the detainees involved. [46] This law, enacted by the Directory on July 12, 1799 was intended to protect revolutionaries from Royalist assaults by making the group, especially the families of émigré Royalists, responsible for the actions of individuals. As British historian John Holland Rose reminds us, it was to have been a temporary measure intended to crush a revolt, but it came to be seen as permanent anti-terrorist policy. Rose adds, "The blunder of nearly all the revolutionary governments had been in continuing severe laws after the need for them had ceased to be

pressing. Bonaparte...discerned this truth (and) set himself to found his government on the support of the vast neutral mass which was neither royalist nor Jacobin.” [47] This is good advice for framers of counterterrorism legislation today. Laws that are too discriminatory and/or too draconian will not stand the test of time because they further alienate the target population and subvert personal liberties.

Napoleon also addressed another of the prime supports for the counter-revolutionary forces – conscription. In his study of conscription and desertion, Alan Forrest noted that *insoumission* (refusal to be drafted) was a key to the strength of the Royalist bands. Once a conscript had refused to report or deserted from his processing depot he had little choice but to live as a bandit and often drifted into one of the Chouan bands for survival. [48] Napoleon effectively diminished resentment and resistance to conscription by setting conscription quotas at a lower level for the Vendee and the other rebel infested areas than for the rest of France. As Forrest noted, the benefits of this policy of pacification outweighed the principle of equality. [49]

All of these efforts were useful, but Napoleon’s most important initiative was the Concordat. France at the time was undergoing a religious renaissance and Napoleon saw reconciliation with the Catholic Church as a means of winning over moderate Royalists as well as obtaining another support for his new regime. ‘No religion, no government’ he wrote to his brother Lucien in 1801. [50] But the Concordat with Rome was also one of his most daring and controversial actions. Winning over Pope Pius VII was relatively easy compared with overcoming resistance to it on the part of Republicans, particularly in the staunchly anti-clerical French army. Reconciliation with Rome reunited the Catholic Church behind the state and eliminated a major source of royalist resentment. It also had an effect upon Chouan recruitment. There was a strong relationship between the non-juring clergy (those who did not accept the secular Republic and remained faithful to Rome) and the rural counterrevolution for these priests were often leaders of resistance. Under the Concordat they constituted the majority of the newly appointed clergy -- in the department of Bas-Rhin, for example, former refractory priests made up 95% of the new appointments. [51] Now they were salaried employees of the French government appointed by and under the orders of Bishops who themselves were selected by Napoleon and canonically instituted by the Pope. This policy of reconciliation with the Church bore fruit even before the Concordat had been negotiated. Toleration was extended to non-juring priests on the mere promise of allegiance to the new constitution. One of those won over was a cleric named Bernier, one of the Chouan leaders. He not only gave his allegiance to the government but also secretly persuaded other less extreme Chouan leaders to accept the government’s offer of an armistice.

Decapitation: In the hope of finally ending the insurrection in the Vendee and with it the terrorist conspiracies against him, Napoleon offered Chouan leaders an amnesty. Several accepted but Cadoudal refused and in hopes of winning him over, Napoleon met with him twice in Paris. At their meetings he told Cadoudal that he needed men ‘full of energy’ like him and offered him the rank of general of division (major general) in the French army or a pension of

100,000 livres on condition that he lived a quiet life. [52] When Cadoudal declined, Napoleon immediately issued an order for his arrest, despite his guarantee of safe conduct. [53]

Counter-intelligence operations and the affair of the duke d'Enghein: Excellent police work had uncovered the true conspirators behind the infernal machine plot of 1800, thwarted several Jacobin conspiracies, and uncovered further Royalist conspiracies one of which, as noted earlier, involved generals Pichegru and Moreau as well as Cadoudal. This last was uncovered by use of a double-agent penetration. Mehee de la Touche was an ex-Jacobin spy during the Reign of Terror and was now used by Napoleon as an *agent provocateur*. He first contacted Royalists in Britain to propose that they join together with his fictional republican conspirators. He was then dispatched to Munich where he won the confidence of the British envoy, Drake. Drake was so completely taken in that he not only gave him money, a secret code and a recipe for invisible ink, but also confided his own schemes to raise the Rhineland in revolt and to facilitate the entry into Alsace of the duke d'Enghein at the head of a corps of émigrés. [54] At the time Louis Antoine Henri de Conde, duke d'Enghein (last in the line of descent of the Great Conde) was living in Ettenheim, Baden, close to the French border. Drake's indiscrete revelation to Mehee about his conjectured course of action together with several misinterpreted pieces of intelligence ultimately led to what we today would call a covert rendition. Mehee's report about Drake's plans and their subsequent correspondence appeared to fit what the police had learned from the conspirators arrested in Paris.

Cadoudal himself had told the police he had come to Paris to assassinate Napoleon but he had been ordered to wait for the arrival of a prince before acting. [55] Napoleon then jumped to the erroneous conclusion that d'Enghein was this prince; a conclusion supported by the false impression that the duke had been in contact with a notorious traitor, general Dumouriez. [56] Apparently this identification was based upon linguistic confusion of gendarme sergeant Lamothe, who mistook the pronunciation of the marquis de Thumery's name in German for Dumouriez. [57] Napoleon was convinced by this mistaken information as he noted at the time to Real, "It seems certain that Dumouriez was at Ettenheim." [58] In fact Dumouriez was never involved and it was the prince de Polignac, not d'Enghein, who was meant to have led the conspiracy.

According to Napoleon, his foreign minister (Talleyrand-Perigord) pointed out the danger of having on France's border a Bourbon prince who was involved in a political conspiracy in Paris. [59] As a result general Ordener and a party of dragoons were ordered to abduct d'Enghein from Baden on the night of March 14-15, 1804. [60] On March 20 d'Enghein was brought secretly to the Chateau of Vincennes and there tried by military tribunal, found guilty, and executed in the moat that same night. His order for arrest and trial listed his offenses as having borne arms against the Republic, having been and continuing to be in the pay of England, and having been party to plots hatched by England against the internal and external security of the Republic. [61] For Lefebvre, "He was condemned not as a conspirator but as an émigré being paid by a foreign nation to invade France. Had he been arrested on French soil or in enemy territory, the law would have prescribed the death penalty." [62] But he had been seized on neutral soil and was

not part of the conspiracy. Indeed he told the military court that he regarded assassination as contemptible. His papers, which were seized with him, revealed that at the time he was not in English pay and had not been preparing to lead an invasion of France, although they did contain an offer of his services to the British government during the present war. [63] However he previously had served against France in Conde's army of émigrés, which had been supported by England. [64] As a result he was condemned by the tribunal under the article 1 of the Decree of October 6, 1792, which punished with death all those 'who engaged in civil war, armed citizens the one against the other or against the legitimate authority of the state.' This penalty was repeated in the Decree of March 28, 1793 against émigrés which in section 12, article 74, refers to all those who have taken part in 'musterings' against the French Republic or who have served against France. [65] Napoleon was clear about this in his own mind. On St Helena he told general Gourgaud, "I never committed any assassination. The Duc d'Enghien was tried as an émigré holding intelligence with the enemies of France and for conspiracy." [66]

It was about this affair that Fouché famously said, 'it was worse than a crime, it was a mistake.' But was it? One immediate consequence was that the Bourbons now realized Napoleon was capable of paying them back in their own coin – they ceased their assassination attempts. The Jacobins were delighted because by this action Napoleon definitively identified himself with the Republic. There now could be no restoration of the monarchy under him. "I am delighted," said tribune Cureau, "Bonaparte is made of the same stuff as the Convention." [67] And on April 30, Cureau himself proposed that the French Republic be entrusted to an emperor. Furthermore, the title was to be made hereditary in part to frustrate future attempts to overthrow the government by assassination.

Diplomacy

In 1801, just prior to beginning peace negotiations, Napoleon instructed his negotiator with the British government, Louis Otto, to protest that while far from suspecting that any former or present minister would be capable of paying for or ordering such a crime as the infernal machine plot, two of the conspirators (Dutheil and Cadoudal) were still in England and in the pay of the English government. [68] With this protest the British Government should have realized the game was up and subjected its continuing support for royalist assassins to what we would today call the '*Washington Post*' test: if you aren't comfortable with your actions being broadcast to the world then you shouldn't undertake them. Needing peace, however, Napoleon made a 'diplomatic' disavowal in his demarche by adding that he did not believe the English were capable of such behaviour. Had he said what was honestly thought (and known) in France, then negotiations with a government engaged in assassination attempts would not have been possible. And so Napoleon let the matter ride at the time and proceeded with negotiating the Treaty of Amiens.

Diplomacy was more effective in the aftermath of the d'Enghien affair, when the French went on the diplomatic offensive. When the Russian court showed its displeasure by going into official mourning and protested in the German Diet, it provoked a stinging response from the French

foreign minister who asked Czar Alexander rhetorically if English-paid assassins of his father were known to be residing just outside Russia's borders, would he have hesitated to have them seized? This was all the more insulting because of rumours of Czar Alexander's complicity in his father's murder.

When the foreign secretary, Lord Hawkesbury, protested on behalf of Britain, Napoleon directed Talleyrand to respond directly to Hawkesbury's protest saying that so long as the British government continued to use its diplomatic agents in neutral courts to further such activities, it would regard them as spies. [69] Napoleon was on solid ground in doing so even by today's standards for in Bantekas' and Nash's opinion when a state lends any form of support to terrorists' armed activities it violates the *jus cogens* principle of non-intervention and risks retaliation by the targeted state. [70] The French Foreign Ministry, in a precursor to today's 'name-and-shame', tactics also sent a circular note to all of the courts of Europe revealing its evidence against Drake and the extent of British complicity in these affairs. [71] European governments were disgusted by these British actions. Bavaria immediately demanded that the British recall Drake. The duke of Baden expelled all émigrés resident on his lands. The duke of Württemberg sent congratulations to Napoleon on his escape, as did the King of Prussia, who wrote of his desire that "he uproot the horrible, savage, scheme against his person." And even the Bourbon King of Spain, Charles IV, said, "when one has bad blood, it must be spilled." [72] So embarrassing were these revelations that, contrary to normal procedure, Drake's official papers were not published at the close of his mission and Hawkesbury had the official record removed from the government's files and kept in his personal archives. [73]

Consequences and Conclusions

Napoleon would face other attempts on his life but none came so close to success as the plot of the Rue Saint-Nicaise. And while counter-factual history is not history, we can still ponder the outcome for the modern world if this or one of the other attempts on his life had succeeded. No other French leader would have been as successful on the battlefield and none had the same genius for civil affairs as Napoleon. To a large degree he moulded modern France, completing and transforming the work of the Revolution. The Civil Code, for example, was not just his inspiration but bears the imprint of his own considerable (largely conservative) contributions. His military successes aided the spread of French ideas and legal code - known as Code Napoleon - throughout Europe.

It has been said that countries appear to learn more from defeat than they do from victory. If this is so then from 1800 to 1809 Napoleon gave Europe a graduate-level tutorial. To be able to meet France militarily, the other powers were forced to transform their military establishments and this inevitably affected their societies. Regarding Prussia, the most extreme example, Robert Asprey notes that "Scharnhorst called for military reforms that would ...bring the army and nation into a more intimate union...." [74] According to Gordon Craig, reforms "as the opening of the officer corps to the middle classes and the revision of military justice, which were animated by the same philosophy as Stein's reforms of the civil government, were received with favour by the general

public.” [75] Thus the Prussian army and state were roused from their post-Frederickian torpor. The Napoleonic Wars also shaped the course of European history in other ways. They accelerated the decline of Austria and the end of the Holy Roman Empire, and transformed many of the lesser European states. Indeed, the history of 19th century Europe would have been quite different had those terrorists been just a little luckier in the execution of their attack on that cold December’s evening in the Rue St-Nicaise.

Bruce Hoffman’s observation about the future of state-sponsored terrorism quoted above can also be seen as appropriate for its past uses. This episode validates observations about the importance of state-sponsors as enablers of terrorists and the interconnection between insurgency and terrorism. Terrorism, however, is not synonymous with insurgency. Insurgency is governed by the laws of war, which limits attacks to legitimate combatants. Terrorism, on the other hand, is the deliberate attacking of civilians to coerce changes in political behaviour in response to political or ideological motivations. [76] When a group, including an insurgent group, takes the decision to use this tactic, its actions rightfully can be called terrorism and those states that knowingly support such actions rightfully can be called state-sponsors of terrorism.

Conservative, and for the time, democratic Britain’s role as a state-sponsor in fostering both Royalist insurgents and terrorists in France reminds us once again that terrorism is a tactic, a means and not an end in itself. It further demonstrates that terrorism is not the sole prerogative of rightist, leftist, nationalist, separatist, or religious organizations and suggests that it has and will continue to be used by organizations and states according to their perception of its utility. Great Britain had tried war and lost; sponsored insurgency and then turned to supporting terrorism as a means of achieving its national aims. Terrorism was seen then as now as a low-cost, low-risk alternative to war. For Britain the embarrassment it suffered from Napoleon’s dissemination of incriminating documents was far less than the damage it would have suffered - and was about to suffer - as part of the third coalition from another disastrous military campaign.

When he learned of the proclamation of empire shortly before his execution, Georges Cadoudal reportedly quipped, “We wanted to make a king, but we made an emperor.” In this respect Cadoudal was a better political analyst than he was a terrorist. Certainly the plots were real and although almost all were detected by the French police, to paraphrase the IRA ‘the terrorists only had to get lucky once, the authorities had to be lucky all the time.’ These plots were used by Napoleon to push his own agenda of centralization and authoritarian repression. There is a tendency still present today for the state to become more repressive as it tries to meet the terrorist challenge. A state can always defeat terrorism by out-terrorizing the insurgent terrorists - but only at great cost to itself as the example of Argentina’s struggle “el Proceso” (the process) demonstrates when from 1976 to 1979 the Argentinean government in its ‘dirty war’ against terrorism was responsible for the death or disappearance of between 10,000 and 30,000 people. Napoleon, to his credit, never reached these limits, though he did try every means available in his day to overcome the terrorists, which brings us to counterterrorism.

Lessons learned

Napoleon gives us an object lesson in how to defeat an insurgency and its associated terrorism. The essence of his counterinsurgency/counterterrorism strategy was to address both the manifestation of the insurgency and terrorism and their underlying causes. As Bruce Hoffman advised the US government, Al-Qaeda and its allies cannot be defeated by military means alone; you must also break their recruitment cycle. [77] To do this, in the words of Michael Clarke, director of RUSI, “the legitimacy and effectiveness of the government has to displace the appeal or the fear of the insurgents.” [78] Napoleon knew and followed this strategy. He used military operations against the Chouans to defeat the insurgency in the field and to reassert government control over the afflicted departments. This created a secure environment for the next phase, which was to reconcile the population to his government and the changes made by the Revolution. He allowed exiled émigrés to return and reintegrate into French society. Indeed, many of them served him well in both civil and military capacities. He addressed the problem of banditry in the countryside through special courts, ending a major grievance of the peasants. He also restored relations with the Catholic Church - another major grievance - and turned the clergy into supporters rather than opponents of his regime. In addition, he reduced the level of conscription for certain departments, lessening this grievance. This may seem commonplace today - but the lesson has yet to be learned in Afghanistan where the US was seriously considering substituting a strategy of search and destroy against al-Qaeda and the Taliban. The lessons of history suggest this would not have been successful. As for Napoleon and his government, there would always be irreconcilable opponents - the Vendée did rise again in 1815. However, it truly can be said that it took a united Europe to overthrow the Napoleonic Empire - insurgency and terrorism had both failed.

Final Reflections: Was This “Terrorism”?

Any discussion of Great Britain’s role as a state-sponsor must establish that the activities of Cadoudal and his confederates actually amounted to “terrorism”. Assassination as a terrorist tool is first mentioned by Morozov in ‘The Terrorist Struggle’ where he describes it as “a terrible weapon in the hands of such a group of people.” [79] However not all commentators agree. One of the first to draw a distinction is David Rapoport, who described terrorism as the “offspring” of assassination but believes there are profound differences. [80] Assassination for him is “an incident, a passing deed, an event: terrorism is a process, a way of life, a dedication.” [81] More recently, Michael Walzer posited three distinct divisions of political violence: guerrilla warfare, terrorism, and political assassination. [82] He argues that political leaders are a special class of civilians because they self-select for their positions and, therefore, cannot be included in the general classification of ordinary private citizens, who have nothing to fear from political assassins. [83] Similarly V.I. Muntiyar argues that terrorism “represents an antithesis of political murder. Unlike the selectivity typical of political assassination, it shows indifference in relation to victims.” [84] Many scholars also accept the idea that terrorism, in Hoffman’s words: (is) “designed to have far-reaching psychological repercussions beyond the immediate victim or target...” [85] Modern France’s definition of terrorism incorporates this idea: (the) “purpose of such an act, by its nature or context, is to intimidate a population or to compel a Government or

international organization to do or to abstain from doing any act.” [86] As does the British definition: “the use or threat of action ... designed to influence the government or to intimidate the public or a section of the public; and the use or threat is made for the purpose of advancing a political, religious, or ideological cause.” [87] But this is not a majority opinion. In his survey of definitional elements, Alex Schmid found that fear figured in 51% of responses, the psychological dimension in 41.5%, and victim-target differentiation in only 37.5%. [88]

However, I would argue that in certain cases political assassination could be considered as a form of terrorism even when taking into account these distinctions. Assassination can be a weapon of terrorists as Rapoport himself notes when he observes that the Assassins were a “prototype of pure terrorism.” [89] Here assassination is not a distinct form if it is a component of a terrorist campaign. Certainly the Royalists made several attempts on Napoleon’s life so one could say that their actions in the Infernal Machine conspiracy were part of a terrorist campaign. Self-selection itself should not be a definitive issue either. Workers for non-governmental organizations, such as the Red Cross, are also self-selecting but attacks on them are rightly considered to be terrorism. Killing political figures is not always the ultimate objective of assassinations but instead a means of effecting political change. In this respect, there is considerable difference between the assassination of Czar Paul in an 1801 palace coup that placed his son Alexander on the Russian throne, an act that is not terrorism, and the assassination of four major politicians (including two Prime Ministers) by dissident army officers in Japan in the 1930s. These officers did not intend to seize power themselves; their intention was “to induce self-reflection and change on the part of the established authorities.” [90] This certainly appears to be psychological pressure (intimidation) intended to advance a political cause. More recently, the Tamil Tigers did not expect assassination of the Prime Ministers of India and Sri Lanka to achieve their aims in and of itself. With such assassinations there is an audience to be coerced or intimidated - the government and, beyond it, the general population - for assassination is a powerful statement of a group’s capabilities. The killing of Benazir Bhutto is another recent example of how a terrorist group can attempt to intimidate a political party or subvert a political process through assassination. Likewise, in the calculation of both the Royalist conspirators and their British supporters, the assassination of Napoleon potentially would have led to ‘self-reflection’ on the part of the French ruling elite, thereby forwarding the ultimate aim of restoring the monarchy.

Finally, attempts to assassinate a head of state are considered acts of terrorism by the United Nations under the 1973 ‘Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents,’ which is one of 16 conventions and protocols pertaining to the subject of international terrorism. [91] As the standard for inclusion in the US State Department’s *Patterns of Global Terrorism* is any “premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually to influence an audience,” [92] the incident of the infernal machine would have been included in the 1801 edition of *Patterns*, had one existed at the time, and Great Britain for its support of these terrorists would have been described as a state-sponsor.

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Notes

[1] According to general Rapp, the police had warned Napoleon that attempts would be made on his life. Louis Antoine Fauvelet de Bourrienne, *Memoires of Napoleon Bonaparte*, (New York: Scribners, 1891), vol. 2, p. 44. A contemporary account can be found in the judgment of the Criminal Tribunal for this incident contained in G. Lenotre, "L'Attentat de la Rue Saint-Nicaise," *Le Droit Criminel* (2002); available on line at: <http://ledroitcriminel.free.fr>.

[2] Georges Lefebvre, *Napoleon: From 18 Brumaire to Tilsit*, (New York: Columbia University, 1969), p. 125. The numbers for those killed and injured vary considerably. The Process Verbal of the Criminal Tribunal mentions only that four persons were killed instantly and that others died subsequently of their wounds. - see also G. Lenotre (above).

[3] Napoleon was known as Citizen Bonaparte, General Bonaparte, or First Consul Bonaparte at the time. But in 1802, following his election as First Consul for Life, he began to sign documents with his first name following royal tradition. Rather than changing his naming convention mid-way though this article, I have elected to use the name by which he is known to history.

[4] G. Lenotre, op. cit.. In the record of the trial the girl's mother identifies her daughter as Pensol. Saint-Rejant always denied that he had ever used a young girl for this purpose. His denials would have been more credible if they were not made in the context of denying any knowledge of, or involvement in, the incident. See also Peter de Polnay, *Napoleon's Police*, (London: Allen, 1970), p. 75.

[5] G. Lenotre, op. cit.. - According to de Polnay (above), the coachman Cesar was usually drunk and this being Christmas Eve he was more drunk than usual. General Bessieres, who was accompanying Napoleon, claimed that Cesar was so drunk that he thought the explosion was a salute fired in honor of the First Consul. R.M. Johnson, *Napoleon Bonaparte: A Diary*, (New York: Houghton Mifflin, 1910/1994), p. 78.

[6] This absence of the plot in the literature of terrorism is paralleled by an absence in works on political assassination. For example see Franklin L. Ford, *Political Murder*, (Cambridge, Harvard U, 1985) and David C. Rapoport, *Assassination and Terrorism*, (Toronto, Canadian Broadcasting Corporation, 1971) do not mention it. Wikipedia, however, has an entry: http://en.wikipedia.org/wiki/Plot_of_the_Rue_Saint-Nicaise.

[7] Bruce Hoffman, *Inside Terrorism*, (New York: Columbia U, 2006), p. 3 and Pamala Grisct and Sue Mahan, *Terrorism in Perspective*, (California: Sage Publications, 2003), p. 4 which cites the "Reign of Terror" as an example of state-sponsored terrorism (rather than state-terrorism which it was). For further information, see Robert R. Palmer, *Twelve Who Ruled*, (Princeton: Princeton U, 1941) and Maximilian Robespierre, *Virtue and Terror*, (London: Verso, 2007).

[8] See Mikhail Bakunin, *Neskolko slov k molodym brat'yam v Rossii* (translated as Revolution, Terrorism, Banditry), (Geneva: 1869); Nikolai Morozov, *Terroristicheskaya Borb* (The Terrorist Struggle), (Geneva: 1880); and G. Tarnovski, *Terrorizm I Rutina* (Terrorism and Routine), (Geneva: 1880), all in Walter Laqueur and Yonah Alexander, *The Terrorism Reader*, (New York: Meridian, 1978), pp. 65 ff.

[9] Jacques Godechot, *The Counter-Revolution: Doctrine and Action*, (London: Routledge, 1972), p. 367.

[10] Isser Woloch, *Napoleon and His Collaborators*, (New York: Norton, 2001), p. 69.

[11] Robert Ouvrard, "L'attentat de la rue Saint-Nicaise," (2000), on line at: http://www.1789-1799.org/saint-nicaise/l_attentat_de-la_rue_saint-nicaise.

[12] Robert Asprey, *The Rise of Napoleon Bonaparte*, (New York: Basic Books, 2000), p. 398.

[13] Elizabeth Sparrow, *Secret Service: British Agents in France 1792-1815*, (Woodbridge: Boydell Press, 1999), p. 272.

[14] Woloch, op. cit., p.71. A total of 9 persons were executed and another 5 sent into exile. Other conspirators escaped.

[15] E. Sparrow, op. cit., p. 272.

[16] J. Godechot, op. cit., p.367.

[17] P. de Polnay, op. cit., p. 74.

[18] E. Sparrow, op./ cit., p. 218.

[19] Interrogation of Saint-Rejant by the President of the Court; in Lonotre, op. cit., p. 25.

[20] Daniel Byman, *Deadly Connections: States That Sponsor Terrorism*, (Cambridge: Cambridge U, 2005), p. 10.

[21] Ilias Bantekas and Susan Nash, "Terrorism" (Chapter 10) in *International Criminal Law*, 3rd edition, (Oxon: Routledge-Cavendish, 2007), p. 219.

[22] According to the US House International Relations and Senate Foreign Relations Committee language (1989), the criteria include provision of: sanctuary from extradition or prosecution; arms, explosives and other lethal substances; logistical support; safe haven; training and/or planning; direct or indirect financial assistance; and diplomatic facilities. - See Michael Kraft, "Could Hamas Make Palestine the Next Terrorist Designated State?" (http://counterterrorismblog.org/2006/01/could_hamas_make_palestine_the.php)

could_hamas_make_palestine_the.php)

[23] D. Byman, op. cit., p. 23.

[24] D. Byman, op. cit., p. 54.

[25] B. Hoffman, "Rethinking Terrorism and Counterterrorism Since 9/11," 311 cited in D. Byman, op. cit., p. 67.

[26] Harvey Mitchell, *The Underground War Against Revolutionary France*, (Oxford: Oxford U, 1965), 228. William Windham would have preferred Britain to concentrate her efforts entirely in France.

[27] Georges Lefebvre, op. cit., p. 123. According to Lefebvre, Fouche was one.

[28] Napoleon to general Brune, 8 February 1800, (available on line at: http://www.histoire-empire.org/correspondance_de_napoleon/correspondance_de_napoleon.html). (Hereafter cited as www.histoire-empire.org/correspondance.)

[29] J. Godechot, op. cit., p.367.

[30] J. Godechot, op. cit., p. 377.

[31] For more on this conspiracy see H. Mitchell and J. Godechot, op. cit..

[32] David A. Bell, *The First Total War*, (Boston: Houghton Mifflin, 2007), p. 3.

[33] www.histoire-empire.org/correspondance.

[34] First Consul to general Jourdan, Minister Plenipotentiary at Turin 13 January 1801, www.histoire-empire.org/correspondance.

[35] P. de Polnay, op. cit., p. 74.

[36] H. Mitchell, op. cit., p. 238.

[37] Frederick W. Kagan, *The End of the Old Order*, (Cambridge: Da Capo, 2006), p. 10.

[38] Quoted in Thomas Watson, *Napoleon*, (New York: Macmillan, 1902), p. 317.

[39] For further details on the activities of these agents, see Mitchell and Sparrow. E. Sparrow (p. 155) describes an earlier assassination plot against one of the members of the French Directory undertaken through Talbot in Switzerland. This plot was known to Grenville but not to Canning.

[40] There was one notable exception, British foreign minister Charles Fox warned Napoleon of an assassination attempt in 1806. - cf. G. Lefebvre, op. cit., p. 252.

[41] First Consul to General Brune, Paris 14 January 1800, www.historire-empire.org/correspondance.

[42] G. Lefebvre, op. cit., p. 127.

[43] G. Lefebvre, op. cit., p. 128.

[44] G. Lefebvre, op. cit., p. 129.

[45] D. Kilcullen, op. cit. .p. 611.

[46] See John Hall Stewart, *A Documentary Survey of the French Revolution*, (New York: Macmillan, 1951), pp. 745-752.

[47] John Holland Rose, *The Life of Napoleon I*, (New York: Macmillan, 1918), Vol. I, p. 210.

[48] Alan Forrest, *Conscripts and Deserters*, (New York: Oxford, 1989),p.154.

[49] A. Forrest, op. cit., 193.

[50] G. Lefebvre, op. cit. 135.

[51] G. Lefebvre, op. cit. 156.

[52] P. de Polnay, op. cit. , p.64. Ironically, Cadoudal was to work with Moreau in his next conspiracy against Bonaparte.

[53] G. Lefebvre, op. cit., p.127; J. H. Rose, op. cit., p. 218; and P. de Polnay, op. cit., p.65.

[54] G. Lefebvre, op. cit., p. 181. - See Bonaparte's minute to Minister of Justice Regnier, 1 November 1803, in which he says it is important to have someone with Drake who has his confidence. www.histoire-empire.org/correspondance

[55] Sparrow, 291ff; Andre Castelot, *Napoleon*, (New York: Harper and Row, 1971), p. 211.

[56] A. Castelot, op. cit., p. 212.

[57] J.H. Rose, op. cit. p. 422.

[58] Bonaparte to Real, Malmaison 15 March 1804, www.histoire-empire.org/correspondance.

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- [59] Gaspard Gourgaud, *Talks of Napoleon at St. Helena*, (Chicago: McClurg, 1903), p. 110.
- [60] "Au general Berthier," Paris 10 March 1804, www.histoire-empire.org/correspondance.
- [61] "Arrete" Paris 20 March 1804 www.histoire-empire.org/correspondance.
- [62] G. Lefebvre, op. cit. , p.182.
- [63] J. H. Rose, op. cit. , p. 424.
- [64] According to Frederic d'Agay (*The French Émigrés in Europe*,) on 11 Oct 1799, the Duke d'Enghein retook Constance from the French after terrible man-to-man fighting. It was an army maintained at British expense by Wickham. - Cited in Kirsty Carpenter and Philip Mansek, *The French Émigrés in Europe and the Struggle Against Revolution: 1789-1814*, (London: Macmillan, 1999), p. 40.
- [65] Arthur Levy, *Napoleon Intime*, (Paris: Nelson, 1892), p. 373; see also Stewart, op. cit., p. 422.
- [66] G. Gourgeaud, op. cit. 111.
- [67] G. Lefebvre, op. cit. , p. 182. Fouché and Talleyrand both pushed for action against d'Enghien because they believed that it would create a final breach with the Royalists. – A. Chastelot, op. cit., p. 213.
- [68] "ANNEXE A LA NOTE PRECEDENTE", 12 April 1801, www.histoire-empire.org/correspondance.
- [69] "Note Pour Le Ministre de Relations Exterieures," Saint Cloud, 30 May 1804, www.histoire-empire.org/correspondance.
- [70] Bantekas and Nash, op. cit., p. 219.
- [71] E. Sparrow, op. cit., p. 300 and "The Secretary of State to Citizen Talleyrand," Paris 22 March 1804, www.histoire-empire.org/correspondance.
- [72] J. Godechot, op. cit. , p. 382.
- [73] E. Sparrow, op. cit. , p. 300.
- [74] Robert Aspery, *The Reign of Napoleon Bonaparte*, (New York: 2001), p. 120.
- [75] Gordon A. Craig, *The Politics of the Prussian Army*, (New York: Oxford U, 1964), p..50. Both Craig and Peter Paret [*York and the Era of Prussian Reform 1807 – 1815*, (Princeton: Princeton U, 1966)] are careful to emphasize, in Paret's words (p. 244) that "Just as the adoption of revolutionary methods of warfare did not lead to a revolution, so the increasing number of officers with bourgeoisie antecedents in the army did not coalesce into a force for political liberation...dilution of the nobility in the long run was less a process of democratization than one of upward social mobility."
- [76] This definition is derived from the International Convention for the Suppression of the Financing of Terrorism (1999) Article 2 (1)(b), which states: "any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act."
- [77] Bruce Hoffman, "A Counterterrorism Strategy for the Obama Administration," *Terrorism and Political Violence*, Vol. 21, No. 3, (July 2009), pp. 360ff.
- [78] Michael Clarke, "The Tigers are beaten but it isn't over yet", *The Times*, May 19, 2009.
- [79] Morozov, *The Terrorist Struggle*, in W. Laqueur and Y. Alexander, *The Terrorism Reader*, p. 73.
- [80] D. Rapoport, op. cit., p.3 and p. 37.
- [81] D. Rapoport, op. cit., p. 37.
- [82] Michael Walzer, *Just and Unjust Wars*, (New York: Basic Books, 1977), p. 198, cited in Tamar Meisels, "The Trouble with Terror: The Apologetics of Terrorism—A Refutation," *Terrorism and Political Violence*, 18, (2006), p. 473.
- [83] M. Walzer, op. cit., p. 203.
- [84] V.I. Muntiyani, "What is security? What is a Threat? What is Terrorism?" in *Proceedings of the International Security and Counteracting Terrorism Conference*, Lomonosov Moscow State University Intellectual Center, 2-3 November 2006, p. 364.
- [85] B. Hoffman, op. cit., p. 40.
- [86] Government of France: "White Paper on Domestic Security against Terrorism", p. 7.
- [87] Terrorism Act 2000, Part 1, Introductory, 1. Terrorism: interpretation.
- [88] Alex P. Schmid, Albert J. Jongman et al., *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*, (Edison: Transaction Pub, 1998), pp. 5-6; for Schmid's most recent discussion on the relationship between terrorism and assassination, see: Alex P. Schmid (Ed.). *The Routledge Handbook of Terrorism Research*. London: Routledge, 2011, pp.62-64
- [89] D. Rapoport, op. cit., p. 38.
- [90] Stephen E. Pelz, *Race To Pearl Harbor*, (Cambridge: Harvard University Press, 1974), p. 10.
- [91] Article I, as an international agreement relating to international terrorism, specifically refers to head of state 'whenever such person is in a foreign country.'
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[92] 22 USC Sec 2656f(d).