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ALEXANDER GRAB

Conscription and Desertion in France and Italy under Napoleon

It is by now a commonplace that Napoleon depended on the human and fiscal resources of Europe in his drive for imperial expansion and domination. The French emperor would have been unable to expand and maintain his empire without the money and troops that occupied Europe supplied him. A key to his ability to tap into the human resources of his European satellites was an annual and effective conscription system. In September 1798 the French government introduced a yearly conscription program and quickly extended it to the Belgian *départements* and the Cisalpine Republic.¹ Prior to the Revolution, armies largely consisted of volunteers and mercenaries. While some form of draft had existed in parts of pre-Revolutionary Europe – France had an obligatory militia system to supplement the regular army – Napoleon increased it to unprecedented levels and extended it to states that previously had not experienced it. Consequently, in the first decade of the nineteenth century the Emperor and his satellite rulers introduced an annual draft throughout much of the continent: the Italian Republic (1802), the Grand Duchy of Berg and the Kingdom of Westphalia (1807), the Kingdom of Naples (1807), Holland and the Hanseatic cities (1811) and the Illyrian Provinces (1811).² Satellite and allied rulers adopted parts or all of the French conscription model because of its efficiency. It helped them to improve their capacity to draft soldiers and provide their quotas to France. Moreover, possessing a large and powerful army signified an increase in political and military strength as well as a rise in prestige.

Napoleon's *Grande Armée* was a European army, consisting of soldiers from many nations. By establishing the French conscription system in his annexed lands (*pays réunis*) and forcing it on his satellite states (*pays conquis*), Napoleon

¹ On the conscription law in France, see A. Forrest, *Conscripts and Deserters. The Army and French Society during the Revolution and Empire*, New York-Oxford 1989, pp. 34f., and *id.*, *Soldiers of the French Revolution*, Durham-London 1990, pp. 83f. On conscription in Belgium, R. Darquenne, *La conscription dans le département de Jemappes (1798–1813)*, Mons 1970; on the Cisalpine Republic, A. Pingaud, *Bonaparte Président de la République Italienne*, 2 vols., Paris 1914, vol. 2: pp. 186–196; C. Zaghi, *L'Italia di Napoleone dalla Cisalpina al Regno*, Torino 1986, pp. 541–544.

² For a useful summary of conscription in Napoleonic Europe, S. Woolf, *Napoleon's Integration of Europe*, London-New York 1991, pp. 156–165.

aimed at guaranteeing a constant supply of troops to his *Grande Armée* and at alleviating the military demands on the French people, thereby diminishing their opposition to conscription. Moreover, it saved Napoleon considerable amounts of money because those troops were subsidized by conquered lands.

Except for *Code Napoléon*, building a military force through yearly conscription constituted the most significant Napoleonic reform program in occupied Europe. It greatly affected various policies and the population's daily life. Annual conscription played a crucial role in laying the foundations of the modern European nation-state. Not surprisingly, it survived the Napoleonic period in a number of European countries. In France itself, the Bourbons enacted an annual draft in 1818.³

Fiscally, forming a national army and paying for the French troops stationed on one's territory constituted a major expenditure and required the authorities to find new methods to increase their revenues. Military spending constituted the largest item in every state's budget, well over half of the expenses.⁴ It caused deficits and prevented governments from devoting more resources to civilian projects. It forced the authorities to create an efficient financial apparatus and improve tax collection. Local authorities in the *départements* and the cities needed to allocate part of their financial resources to pay for the recruiting process. Most importantly, governments introduced new taxes and increased the burden on the population, creating much resentment. Politically, conscription contributed considerably to the growing centralization of state power, one of the most important legacies of Napoleon. To enforce the draft and suppress resistance to it, the authorities needed to strengthen their coercive machinery. They expanded state bureaucracy and concentrated more power in their hands to enable them to implement conscription effectively. State and local officials spent an enormous amount of time to assure that their draft quota was fulfilled. The state augmented the police force and established the *gendarmerie* to search for deserters and draft dodgers. Consequently, state officials and police reached remote mountainous areas they had never arrived at before. The judicial system was consolidated with the formation of new laws, decrees and courts that aimed at enforcing conscription and fighting against law violations.

Forcing young men to leave their families, farms and communities for many years, conscription had a social and psychological impact on the population. It disrupted their daily routine, undermined their traditional way of life and threatened the family economy. In the words of Stuart Woolf, „(c)onscription

³ I. Woloch, *The New Regime Transformations of the French Civic Order, 1789–1820*, New York-London 1994, p. 425.

⁴ F. Bundy, *The Administration of the Illyrian Provinces of the French Empire, 1809–1813*, New York-London 1987, pp. 410–412; A. Grab, *The Politics of Finance in Napoleonic Italy (1802–1814)*, in: *Journal of Modern Studies* 3 (1998), pp. 127–143.

... touched the most sensitive nerve of individuals, families and communities. It was an intrusion in private and social life, it could destroy the equilibrium of the family economy, it threatened delicate balances of interest within small communities based on trust by the arbitrary choice of who should depart“.⁵ Society's resistance to conscription led to increased repression by the state, which further intervened into daily life.

Finally, introducing the French model of conscription also affected cultural and ideological aspects. In the words of Michael Broers, „from the outset of the Revolution within France, conscription was ... *L'école de la nation*, 'the school of the Nation', the means by which local and regional loyalties, habits and dialects were broken down in the course of serving the state.“ Indeed, the authorities viewed military service as an important way to mold peasants, the majority of the Napoleonic army, into French citizens. This was true about other European states as well. Napoleon regarded military service as an essential tool to strengthen unity and loyalty to his reign and integrate Europe under the French model. In conclusion, directly and indirectly, annual conscription played a major role in influencing and transforming European state and society. It helped to undermine the traditional organization of European society and contributed to its transformation more than any other Napoleonic policy.

Conscription aroused widespread opposition throughout the Napoleonic empire. The absence of an annual draft in the pre-revolutionary period and the lack of national consciousness made such a policy completely incomprehensible, alien and unacceptable for most recruits and their families. Hence, thousands of draftees throughout Europe dodged the draft and deserted. Indeed, annual conscription was Napoleon's most contested policy, causing a major struggle between state and civil society. It required the government to invest more resources and energy in enforcing that policy than any other program. Isser Woloch is correct to say: „With Napoleon, conscription became the battleground, the ultimate contest of wills between individuals and local communities on the one hand and a distant impersonal state on the other.“⁶

This article examines the intense conflict between state and society over conscription in Napoleonic France and Italy. It explores the conscription law, its implementation, the methods employed by draftees to evade military service, the government's policies designed to suppress resistance, and how successful the authorities were in enforcing conscription.

As indicated earlier, revolutionary France was the first European country to establish a national conscripted army. The war against a broad European coalition required revolutionary France to enlist as many French citizens as possible

⁵ S. Woolf, *Integration* (see note 2), p. 156.

⁶ I. Woloch, *Napoleonic Conscription: State Power and Civil Society*, in: *Past and Present* 111 (1986), p. 101.

to defend France. In August 1793, aiming to create a massive army of three-quarters of a million soldiers, the Jacobin government proclaimed the *levée en masse*, which required unmarried, able-bodied men 18–25 years old to serve in the army.⁷ However, a considerable decline in the size of the army in later years, due to war, disease and desertion, induced the Directory to proclaim the *Loi Jourdan*, introducing, for the first time, annual conscription (September 5, 1798).⁸ The law stated: „Every Frenchman is a soldier and has the duty to defend his country.“ Males aged 20–25 were divided into five classes, one per year of age, and were called up for five years. The first class consisted of the youngest recruits and was the first to be recruited. Municipal authorities drew up the lists of draftees and a review committee examined them and rejected the unfit or soldiers who were smaller than 1,57 meters. The law served as the basis for the conscription system under Napoleon, who increasingly exerted efforts to improve the system and eliminate evasions and exemptions based on favouritism by local officials.⁹ The government proclaimed the annual number of draftees, dividing it among the *départements* based on their population. Sub-prefects then drew up the lists of eligible recruits in their cantons while *Conseils de recrutement*, with the help of physicians, determined who was fit for the draft. Mayors were in charge of explaining the procedure to local families and assuring that conscripts appeared on draft day. Prefects, who constituted the ultimate authority in the *départements*, were responsible for supplying their *département's* quota. Indeed, it was one of their most important duties. They received instructions from the government and informed Paris about the execution of the levy in their *département*. Failing to provide their quota could even cost prefects their office. Drawing by lot (*tirage au sort*) became mandatory throughout France. As the years progressed, officials became more and more experienced, and conscription became an annual routine that left little room for mistake or ill-will.¹⁰

Conscription rules allowed draftees to find replacements.¹¹ During the years 1806–1810, replacements constituted 4,5 % of the levies in France. Obviously, it gave an advantage to the wealthy, who could afford a replacement, and many viewed it as tantamount to granting them an exemption. The government knew that wealthy families had the clout and the means to dodge the draft and, through replacements, placated them without allowing them a wholesale

⁷ J. Godechot, *Les institutions de la France sous la Révolution et l'empire*, Paris 1968, pp. 359–362; A. Forrest, *Soldiers of the French Revolution*, Durham-London 1990, pp. 75–81.

⁸ Godechot, *Institutions* (see note 7), pp. 499–503; Forrest, *Soldiers* (see note 7), pp. 83–85.

⁹ Woloch, *Regime* (see note 3), p. 392.

¹⁰ *Ibid.*, p. 393.

¹¹ *Ibid.*, pp. 397–404.

escape from military service.¹² On the other hand, the danger of such a preference was to increase the feelings of injustice among the popular classes, thus augmenting their reluctance to serve.

Napoleon extended the annual draft to annexed lands such as the Rhineland, Piedmont, Tuscany and the Netherlands. Satellite states adopted the French model in order to be able to provide troops to the *Grande Armée*. The Republic of Italy, located in the north of the Peninsula, was the first such state to introduce conscription modeled after the French system. Before discussing conscription in that state, a brief background is necessary. Napoleon established that Republic in January 1802, becoming its president. In 1805, he transformed it into the Kingdom of Italy (*regno d'Italia*) with him as king and his stepson Eugène de Beauharnais as his viceroy.¹³ The Italian Kingdom, which lasted till 1814, consisted of regions formerly part of the Austrian Empire, Piedmont, the Duchy of Modena, the Venetian Republic and the Papal State. At its peak it covered an area of 84.000 km² with a population of 6,7 million inhabitants, about one-third of the Peninsula's population. The administrative structure of the Republic and Kingdom was centralized and uniform and was modeled on the French example. The state was divided into *départements*, each run by a government-appointed prefect. On 13 August 1802, the authorities proclaimed mandatory conscription in the Italian Republic.¹⁴ Men between the ages of twenty and twenty-five were eligible for a four-year military service. Exempt were widowers with children, priests, seminarians and the handicapped. Others, like single sons, men who had a brother in the army and married men, were less likely to be drafted, or in the words of the decree, „the last to march“. Conscripts needed to be physically fit. A public drawing of lots, the *sorteggio*, determined who would be drafted. To try and prevent draft dodging, the authorities restricted eligible conscripts' movements, requiring them to have a passport and return home by a certain date. When moving within the state, conscripts needed to have an identity document. The decrees established prison punishments for deserters and draft dodgers.

The enforcement of conscription was a complex administrative process. It required the cooperation of a large number of officials and institutions on state, departmental, district and municipal levels. Conscription began when the authorities announced the number of draftees, assigning each *département* a quota in proportion to their population. *Département* authorities then divided their

¹² Ibid., p. 424.

¹³ On the Republic and Kingdom of Italy, see C. Zaghi, *L'Italia di Napoleone dalla Cisalpina al Regno*, Torino 1986; A. Pillepich, *Milan capitale napoléonienne 1800–1814*, Paris 2001; A. Grab, *Napoleon and the Transformation of Europe*, London 2003, pp. 159–165.

¹⁴ Archivio di Stato di Milano (henceforth ASM), Ministero della Guerra (henceforth MG), cartella (henceforth c), 784.

share of draftees among their districts and the latter divided their quota among their cities and towns. The district councils compiled lists of eligible conscripts and those exempt, updating them frequently and sending them to their prefect and war minister. Recruitment councils, consisting of civilian and military officials, coordinated the efforts of the various administrators and institutions in each *département*. The cooperation of the local authorities was crucial since they frequently had close relations with the young draftees and their families and hence were instrumental in persuading them to obey the law. Many local officials tried their best to implement the new conscription rules, yet it was not uncommon that local authorities failed to enforce the law because of threats by the recruit's family or because they themselves sympathized with the draftees. Eligible conscripts underwent a physical checkup to determine if they were fit to serve. On conscription day, draftees from various towns assembled in the district's main town and were then escorted to the *département* capital where military officers received them and transferred them to military depots to begin their training. The prefect was the highest authority to enforce the conscription law within the *département*. Indeed, in the Kingdom of Italy conscription occupied more time and energy of the prefect than any other area.¹⁵

The Napoleonic army comprised principally of peasants, who constituted the bulk of the European population. Military service was the greatest sacrifice the Napoleonic regime imposed on rural Europe. Disrupting their traditional way of life and separating conscripts for many years from their families, farms and communities, conscription was a traumatic experience for most of them. Unaccustomed to the annual draft and lacking national consciousness, conscripts found military service abstract and alien. Moreover, it subjected towns and villages to greater state interference and to frequent searches for deserters by the *gendarmerie*. It is no wonder, then, that conscription met with widespread hostility and intense opposition throughout Europe. This resistance in satellite states and annexed regions was not motivated by anti-French nationalist feelings, or lofty political ideals, but rather constituted an effort by the conscripts and their communities to protect their economic basis and traditional way of life against an intrusive state. The popular classes also resented the conscription law since it allowed the wealthy to buy themselves out of service. Moreover, rural enmity must also be viewed against the background of traditional suspicion by peasant communities towards armies that crossed their fields, destroyed harvests, requisitioned animals and lived off the land. Moreover, military officers represented the nobility, a class that exploited the peasants. Aversion to military service was not restricted to the rural population but extended to the urban society. Throughout Europe, the anonymity of towns

¹⁵ L. Antonielli, *I prefetti dell'Italia napoleonica*, Bologna 1983, p. 455.

and cities provided refractory soldiers much opportunity to run away and seek shelter. Strasbourg, Lille, Paris and Bordeaux attracted numerous deserters and draft dodgers.¹⁶ Many urban well-off paid for substitutes and bribed venal officials and physicians to grant them medical exemptions. In 1806, Francesco Mosca, the prefect of the *département* of Mella in the Kingdom of Italy stated: „The rich don't like the military system.“¹⁷

Conscription was met with acts of violence on occasion. In the Italian *départements* of Agogna and Basso Po conscription officials were shot at, while at the *département* of Adda an administrator was beaten.¹⁸ A serious anti-conscription insurrection broke out in 1808 in the *départements* of Musone, Metauro and Tronto, formerly a part of the Papacy where, less than three months after their incorporation into the Kingdom, they were ordered to supply 1.020 troops. Besides being unaccustomed to military service, many local inhabitants opposed restrictions on their travel to the *Agro romano*, where they traditionally worked much of the year.¹⁹ Additionally, hostile papal clergy further encouraged anti-conscription feelings. All this explains why many communities in those *départements* rose up against the conscription order.²⁰ The uprisings forced the authorities to suspend the draft temporarily. French troops under General Lemarois mercilessly suppressed the insurgencies, summarily executing scores of detainees and burning villages to the ground. Opposition to conscription played a role in stimulating a major uprising in 1809 led by brigand-deserters in the Kingdom of Italy. They attacked many small towns, destroying state property and official documents including conscription papers.

Violence against conscription was dangerous but was quelled quickly. Much more common and persistent methods of defiance to conscription were draft dodging and desertion. Both were difficult to combat and caused a constant hemorrhaging of the army ranks throughout the Napoleonic years. Draft dodgers (*refractaires*) were eligible draftees who had left their homes before the conscription process began.²¹ While their precise number is hard to assess they amounted to several thousands every year. In the Kingdom of Italy 22.227 soldiers evaded the draft during the years 1807–1810.²² Draft dodgers who hid near their communities, frequently received help from relatives and locals who

¹⁶ Forrest, *Conscripts* (see note 1), pp. 80f.

¹⁷ ASM, MG., c. 789, letter to war minister, 30 December 1806.

¹⁸ C. Zaghi (ed.), *I carteggi di Francesco Melzi d'Eril duca di Lodi*, 9 vols., Milano 1958–1966, Melzi to Marescalchi, 10 September 1802, vol. 2, p. 371; ASM, MG, c. 781, 29 July 1803.

¹⁹ F. Della Peruta, *Esercito e società nell'Italia napoleonica*, Milano 1988, pp. 186f.; A. Grab, *Army, State, and Society. Conscription and Desertion in Napoleonic Italy*, in: *Journal of Modern History* 67 (1995), p. 34.

²⁰ Della Peruta, *Esercito* (see note 19), pp. 182–187.

²¹ Woloch, *Regime* (see note 3), p. 411.

²² Paris, Archives Nationales, AF IV, 1711B.

sympathized with them. Indeed, without this support their draft evasion would have been much more difficult, if not impossible. Draft dodging was especially widespread in inaccessible mountainous forested communities in France and northern Italy. Many young men left the communities in search of seasonal work and did not come back in time for the conscription. For example, this was common among agricultural workers in southern France who crossed the Pyrénées into Spain. At times, they were unaware of the call to arms. Francesco Mosca, the chief of police in the Kingdom of Italy, concluded unequivocally: „It is impossible to carry out a regular draft in the winter (in mountainous communities) since many inhabitants in those regions ... go somewhere else to procure the means of subsistence.“²³ Obviously, draft dodging placed a greater burden on people who stayed behind and often prevented prefects from providing their *département* quota on time.

It was desertion, however, that the authorities dreaded the most. Augusto Caffarelli, the war minister of the Kingdom of Italy, spoke for many officials in Napoleonic Europe when he stated that desertion was „the first and principal obstacle to the organization of the army of the Kingdom“, denouncing it as „the greatest offense of a soldier.“²⁴ Deserters drained military manpower as well as provisions, stealing clothing and weapons that they sold. They also forced the state to invest considerable resources in efforts to hunt them down. Desertion caused demoralization among soldiers who did not desert, inducing them to abandon their units as well. Deserters spread horror stories among the civilian population of poor living conditions in the army and abusive treatment by officers, undermining the army's reputation and encouraging draft dodging. Many deserters joined bands of brigands, adding to crime and public disorder. Finally, by disobeying such an important law and undermining a major program, deserters challenged state power, questioning the effectiveness of the government.

It is hard to provide an accurate number of deserters during the Napoleonic period. Eugène estimated that during the years 1806–1810, 17.750 men deserted from the Italian army.²⁵ In France „(t)he Revolution and Empire drove hundreds of thousands of Frenchmen to seek their salvation from the armies in either desertion or *insoumission*.“²⁶ In January 1813, after police campaigns and selective amnesties, the French government admitted that there were 50.000 rebels, mostly army deserters, in France and the annexed lands.²⁷ Many deserters left their units en route to the military camps, taking advantage of scarce es-

²³ ASM, MG, c. 786, Mosca to war minister, 7 January 1810.

²⁴ ASM, MG, c. 284, Caffarelli to Eugène, 30 September 1806.

²⁵ ASM, MG, c. 784, Eugène to Napoleon, 20 October 1810.

²⁶ Forrest, *Conscripts* (see note 1), p. 70.

²⁷ *Ibid.*

corting forces. Their unwillingness to sacrifice their lives for Napoleon's imperial policies, which they could not comprehend, homesickness and anxiety for their farms or workshops all played important roles in stimulating soldiers to desert. Poor living conditions in the barracks, partiality and corruption by officials in implementing conscription, and humiliation and abuses perpetrated by their officers all induced desertion. Giuseppe Olivieri and Giovanni Macchioni claimed that beatings caused them to desert. Preoccupied with the high rate of desertion and the impact that mistreatment had on the army's reputation, the Napoleonic government called on officers to cease the abuses and treat their soldiers humanely. When mistreatment persisted, the authorities sentenced officers to prison for beating their soldiers.

Help, sympathy and protection by their families and communities, along with the lack of rigor by local officials in pursuing deserters, encouraged soldiers to escape. One Italian prefect summed it up very well: „These youngsters find no other incitement to desert, but the security of being welcome in the homes of their relatives and friends and of being able to stay there peacefully. This proves the lack of vigilance or the indolence of the local authorities who certainly have the means to be informed of the return of those youngsters ... [who can be] distinguished by the military cut of their hair.“²⁸ Moreover, inadequate recruitment machinery, as in the Vosges in France, also facilitated evasion of conscripts. Giuseppe Poccatezza, from the *département* of Basso Po, returned home after deserting in 1806 and stayed there for four years and even got married before moving to another town.²⁹ Deserters also fled to neighbouring states, and in rare cases even defected to foreign armies. In sum, the prevalent resentment against conscription and insufficient conscription apparatus certainly facilitated and encouraged desertion.

Not all deserters, however, were able to find security in their communities. Some were forced to wander and work at odd jobs. In the Saône-et-Loire some fifty refractories and deserters worked as woodcutters and the local economy depended on them.³⁰ Living on the run was obviously hard, and some deserters, who became weary of outlaw life, chose to surrender to the authorities. The growing government pressure on the local authorities to fight against desertion and the improvement of the conscription machinery in later years forced an increasing number of deserters to turn to crime. As John Davis states, „Conscription was a direct recruiting sergeant“ to brigandage throughout the Italian Peninsula.³¹ In France, as Allan Forrest shows, „the crime rate increased as a

²⁸ ASM, MG, c. 283, 30 August 1803.

²⁹ ASM, MG, c. 295, testimony during his trial, 8 July 1812.

³⁰ Forrest, *Conscripts* (see note 1), p. 111.

³¹ J. Davis, *Conflict and Control: Law and Order in Nineteenth-Century Italy, Atlantic Highlands*, N. J. 1988, p. 76.

consequence of desertion.³² Having already violated the law, joining a band of bandits was not a very extreme move for many deserters, particularly if they could not find shelter in their communities.

Brigand-deserters hid in mountainous and wooded areas and frequently operated in the vicinity of national borders. They roamed in small armed bands, robbing travellers, attacking isolated farms, stealing food from local peasants and smuggling. Some spent many years on the run. Joseph Colognes from Auch stayed at large for twelve years.³³ The threat of the brigand-deserters to internal order was especially obvious during the insurrection they led in July 1809 in the Kingdom of Italy. Two of the most feared brigand-deserters in the *département* of Reno, Prospero Baschieri and Giacomo Lambertini, the former being a two-time deserter, led that revolt.³⁴ The insurgents caused serious damage to state property, destroying among other things conscription records in many small towns, and forcing local officials to seek shelter in big cities.

While draft dodging and desertion were the most common ways of evading military service, conscripts also used other methods to elude the authorities. Conscripts enrolled in religious seminars without having any intention of pursuing an ecclesiastical career. Many clergymen, who viewed the French as infidels and opposed Napoleon because of his stormy relations with the Pope, were only too willing to accept these young men of draft age into seminars. Insisting that this exemption opened „a vast field to evade the conscription law“, Mosca explained, „(a)ll those who cannot claim reasons of health and can afford clerical robes appear in the episcopal curias which become their defenders and remove the best youth from the levy, although for many it is certain that once their conscription age passes they will abandon that robe and the church.“³⁵ Getting married was another means to avoid the draft or at least to be placed among „the last to march“. Young conscripts married old women with whom they never lived. These fictional marriages were celebrated in a civil ceremony, and often conscripts paid the old brides to marry them. Draftees also resorted to self-injury, most commonly mutilating their right-hand index fingers, which were needed to press the trigger, and pulling out their canine teeth, which were needed to load their rifles.³⁶ Cutting off an index finger, however, was a familiar act and a crime the authorities punished. Inflicting damage to the eyes and faking various illnesses constituted other ways to receive fraudulent exemptions.³⁷

³² Forrest, *Conscripts* (see note 1), pp. 118–145.

³³ *Ibid.*, p. 104.

³⁴ A. Grab, *State Power, Brigandage and Rural Resistance in Napoleonic Italy*, in: *European History Quarterly* 25 (1995), p. 56.

³⁵ ASM, MG c. 788, 15 April 1806; Della Peruta, *Esercito* (see note 19), pp. 226f.

³⁶ Forrest, *Conscripts* (see note 1), pp. 136f.

³⁷ Woloch, *Regime* (see note 3), pp. 409f.

Conscripts also changed residence, moving from small villages to populated centers where the prospect of being drawn in the lottery was smaller, whereas others committed a crime prior to reaching conscription age, preferring prison to military service.

Obtaining undeserved exemptions for medical reasons was a common fraud used particularly by the well-to-do, who bribed venal officials and physicians. Caffarelli blamed the corruption of physicians and administrators for the recruitment of many poor men who served instead of the well-off. Venice's chief of police insisted that in his area „most rich were judged unfit and ill while among the lower classes no ground (for exemption) was deemed admissible.“³⁸ A Venetian noble, Bataillini, obtained an exemption for the „ridiculous pretext“ that his feet sweated when he walked, while another noble, the best shot in the *département*, was released when he claimed that one arm was shorter than the other and found a surgeon to verify it. At times physicians were simply incompetent or examined conscripts superficially, exempting them inappropriately.

Indeed, a number of officials, primarily on the local level, were reluctant to implement conscription and even helped draft evaders. In 1803 Melzi, the vice president of the Italian Republic, lamented that administrators „often demonstrated a quiet reluctance“ to enforce the draft policy, while Eugène blamed their „softness“ for neglecting to arrest deserters and other law violators.³⁹ In Italy corruption, pressure and threats by conscripts' families, sharing the hostility of their communities to conscription,⁴⁰ ineptness and inexperience and the lack of a police force to uphold the law help explain officials' inability or unwillingness to collaborate in enforcing the system. Corrupt administrators, favouritism and fraud were common in France, reflecting the hostility to conscription there as well.⁴¹ Finally, many clerics also opposed the conscription policy. This was true especially in the former regions of the Papal state, which were annexed to the Kingdom of Italy (1808) where the clergy „stubbornly attached to the Papal government“ and priests urged people to disobey the law and evade the draft.⁴² The harsh treatment of the Pope by Napoleon in 1808/09 caused many clergy to oppose the Napoleonic regime. Mosca insisted that *priests do not like conscription and hence their preaching on this topic is ineffective*.⁴³ Caffarelli showed considerable suspicion of their activities during

³⁸ ASM, MG, c. 788, report to Eugène, 15 March 1806.

³⁹ Zaghi (ed.), Carteggi (see note 18), vol. 4, p. 236, letter to Marescalchi, 3 April 1803; vol. 3, p. 265, letter to Napoleon, January 24, 1807.

⁴⁰ Antonielli, Prefetti (see note 15), p. 460.

⁴¹ Forrest, Conscripts (see note 1), pp. 48–53, 136–143; Woloch, Conscription (see note 6), p. 106.

⁴² A. Varni, *Bologna napoleonica: Potere e società dalla Repubblica Cisalpina al Regno d'Italia*, Bologna 1973, pp. 173–175, 178f.

⁴³ ASM, MG, c. 788, 15 April 1806.

the turbulent year of 1809, insisting that priests needed to be supervised and watched. The authorities arrested a number of priests for anti-conscription activity. Agostino Albini of Vicenza was arrested for speaking against conscription, while Pietro Conti, a priest from Verona, was arrested for saying that *conscription is a punishment from God*.⁴⁴

Fearing opposition and disorder, the authorities sometimes hesitated to impose conscription. Initially, the Directory exempted the Vendée from the Jourdan law.⁴⁵ At times, the authorities imposed smaller quotas where opposition was very strong.⁴⁶ Various rulers drafted convicts while others recruited men in foreign provinces for pay. The Neapolitan contingent in Spain consisted of convicts and brigands. And yet, those hesitations could not last for long. The more common reaction of the state was to try and repress resistance. Clearly, the Napoleonic authorities could not tolerate the opposition to conscription and needed to impose their will in this highly important area. Resistance to conscription menaced the integrity of the military program, caused public disorder and undermined their political power. Governments proclaimed a series of repressive measures designed to reinforce the conscription machinery and close loopholes. They centralized the drafting process, established new courts, stiffened punishments and expanded and reorganized the *gendarmerie*. Indeed, the efforts to enforce conscription more effectively were responsible more than any other government policy for the buildup of state power in Napoleonic France.

Giving more power in the hands of *département* officials constituted the most important administrative change aimed at improving the execution of the draft policy.⁴⁷ In France and the Kingdom of Italy the prefects presided over the Department Council of Levy, the top conscription body in each *département*, which gave the final approval to the lists of conscripts. The district and canton levy councils lost their autonomy and came under stricter control by the prefect. Like the French *sous-préfets*,⁴⁸ the Italian vice-prefects supervised the drawing up of conscript lists. They visited each canton in their districts, checked the lists, examined those who requested exemptions and had a physician check those who claimed to have a physical handicap. Through the vice-prefects and their dominant position over the entire conscription hierarchy, the

⁴⁴ ASM, Aldini, c. 80, Giocciardi to Aldini, 10 January 1808.

⁴⁵ Woolf, *Integration* (see note 2), p. 160.

⁴⁶ *Ibid.*

⁴⁷ On the administrative changes in the Kingdom of Italy, see *Bollettino delle leggi*, 14 July 1805, pp. 397–407; Antonielli, *Prefetti* (see note 15), pp. 466–474; Della Peruta, *Esercito* (see note 19), pp. 151f., 168–179; Grab, *Army* (see note 19), pp. 43f.; in France, Forrest, *Conscripts* (see note 1), pp. 187–218.

⁴⁸ Forrest, *Conscripts* (see note 1), pp. 35, 193; Woloch, *Conscription* (see note 6), p. 107.

prefects were able to maintain tight control over municipal officials who were responsible for supplying their community quota of draftees. Above the prefects stood the war minister, who received from them periodic reports on the recruitment conditions in their *départements* and sent them instructions. Highlighting the importance of an Italian army, top officials often used national and civic rhetoric to justify the need for an army. In 1803 Melzi wrote: „Without a citizen army there is no motherland, there is no nation ... an army must defend [the republic], make it respected abroad, and secure its internal tranquility.“⁴⁹

The use of force was indispensable to combat resistance. Clearly, a campaign against deserters required an effective police force, and here the national *gendarmerie* constituted the main tool for combating law violators. In the Republic of Italy, the governments instituted the *gendarmerie*, imitating the French example.⁵⁰ Normally, the commander of the *gendarmerie* had wide powers and reported to the war minister. The *gendarmerie*'s patrols intimidated violators of the conscription law and contributed to a diminution of their threat. The *gendarmerie* also played an important role in fighting brigands and other types of disorder. In many cases, poor discipline and abusive conduct by the *gendarmerie* aggravated tension with the population, though, thereby reducing the effectiveness of that force. In May 1805, the interior minister of the Italian Kingdom observed that the *gendarmerie* „aroused repeatedly and in almost all the *départements* strong complaints for its dilatoriness, its disobedience to orders and for its offensive and frequently criminal conduct while exercising its functions.“⁵¹ In France and Italy resentment against the *gendarmerie* could lead to clashes with the local population when the latter resisted the arrests of deserters and refractories. To help the *gendarmerie*, the authorities established the national guard, which remained, however, for the most part poorly equipped and poorly trained – and highly ineffective. In 1809, the Italian government assigned fifty soldiers in each *département*, a parallel force of the French *colonnes mobiles*,⁵² to help the *gendarmerie* in its police missions, including the hunting down of deserters and brigands. Towns and villages were subjected to searches and arrests by troops and police. Deserters who were captured were quickly marched to military camps.

Establishing new courts and stiffer penalties for draft dodgers and deserters constituted another step in bolstering the repressive system. This included harsher prison terms and higher fines.⁵³ On 18 May 1808, the authorities of the Kingdom of Italy established new military courts, the *consigli di guerra*

⁴⁹ Foglio ufficiale (Milan, 20 April 1803), pp. 98f.

⁵⁰ Forrest, *Conscripts* (see note 1), pp. 229–235.

⁵¹ ASM, Aldini, c. 79, 3 May 1805.

⁵² Forrest, *Conscripts* (see note 1), pp. 211–213.

⁵³ *Ibid.*, p. 188.

speciali, modeled on the French *conseils de guerre*, to try deserters.⁵⁴ Verdicts could not be appealed. Penalties were much more severe than in the past, most notably, the death penalty was prescribed for soldiers deserting to the enemy or abroad a second time, for deserters who stole a horse or arms, and for leaders of a desertion plot. Ten years in prison chained to an iron ball was the penalty for deserters who fled abroad, stole military equipment, or escaped from prison. Finally, first-time deserters were sentenced to three years of hard labor. In addition, all deserters had to pay a fine of 1,500 lire. However, the severer penalties were not as intimidating as the authorities had hoped, both because numerous deserters were tried *in absentia* and because many soldiers believed that life in prison was preferable to service.⁵⁵ Billeting soldiers with families of deserters was a punishment the imperial authorities applied frequently in France.⁵⁶ Clearly, the government needed to show prudence, lest it fuelled more opposition. Besides, most families of deserters were too poor to afford hosting and nourishing another person.

The repressive policy was mitigated by frequent amnesties designed to entice deserters and draft dodgers back to the army. A typical amnesty decree allowed deserters one to two months to report to the authorities without being penalized, ordering those who were fit back to their battalions. At times, amnesties came to celebrate an important event such as Napoleon's birthday or his marriage with Marie Louise, an event that was marked by an amnesty in France as well.⁵⁷ Prefects appealed to fathers to convince their sons to return to the army and ordered priests to announce the amnesties to their parishioners. By declaring amnesty, the authorities aimed at obtaining additional troops, reducing public disorder and alleviating the pressure on the *gendarmérie*. Yet a frequent use of this measure meant an admission by the government that it was unable to eliminate evasion from the army and gave conscripts the impression that they could avoid the service with impunity. To entice people to support and cooperate with the state, the authorities offered monetary rewards for capturing or providing information on deserters or refractories. Similar bonuses were also offered to gendarmes.

The authorities also ordered the Church to help with conscription and preach to their flocks about the importance of serving in the army and the need to obey the law. In France, after the signing of the Concordat, the authorities expected Church cooperation on this matter.⁵⁸ Of course, the state recip-

⁵⁴ Ibid., pp. 188–192; Della Peruta, *Esercito* (see note 19), p. 278.

⁵⁵ Ibid., pp. 285f.

⁵⁶ Woloch, *Conscription* (see note 6), pp. 120f.

⁵⁷ Della Peruta, *Esercito* (see note 19), pp. 270f.; Woloch, *Conscription* (see note 6), p. 121; Forrest, *Conscripts* (see note 1), p. 213.

⁵⁸ Forrest, *Conscripts* (see note 1), p. 197–200.

located by exempting seminarians from military service. Increasingly, priests were urged by the higher echelons of the Church to involve themselves in acts of policing their communities, including luring draft evaders out of their hiding places or even spying. Giovanni Bovara, the minister of religion (*ministro del culto*) of the Kingdom of Italy insisted that there was no contradiction between Catholicism and military service, and wrote „one of the most sacred duties of the Government was to establish a national [military] force.“⁵⁹ Prefects frequently ordered priests to assist in battling desertion, disseminating information and reading conscription decrees from the pulpit.⁶⁰ The upper clergy collaborated with the authorities and issued calls to ministers to encourage support for government policy. The archbishop of Udine, Baldassare Rasponi, calling desertion „shameful fault“, appealed to priests to speak „with energy and force“ about the recent amnesty and the need to observe the law and serve their sovereign, stressing that divine law required subjects to do just that.⁶¹ The bishop of Bergamo, Gianpaolo Dolfin, praised a military career as „one of the most noble and the most glorious“, insisting that conscription was necessary to defend the people, their property, and the homeland, and that Napoleon, „the great Emperor and King, the most religious and the most beloved among the monarchs“, must be obeyed.⁶²

How successful were the Napoleonic authorities in enforcing conscription policies and achieving their goals?

Annual conscription policies undoubtedly succeeded in accomplishing the two main objectives of the Napoleonic regime: 1. Drafting tens of thousands of men yearly; 2. Building national armies in occupied Europe and incorporating them into the *Grande Armée*. Historians agree that the Napoleonic state ultimately won the conscription battle imposing it by force on a reluctant society. It was a hard fought struggle and a slow, grinding process but at the end conscription became an annual routine in France and other Napoleonic states that European citizens became accustomed to and learned to accept. Isser Woloch wrote concerning the situation in France: „With bureaucratic routine and coercion, they broke a pattern of draft resistance that had long seemed endemic, while placating the wealthy without permitting them a wholesale escape from military service.“⁶³ Alan Forrest concurred: „The conscription of the Imperial years was imposed with increasing success on a demoralized population.“⁶⁴ In the Kingdom of Italy, the resistance notwithstanding, annual recruitment be-

⁵⁹ Grab, *Army* (see note 19), p. 49.

⁶⁰ ASM, MG, c. 285, 9 May 1808; c. 287, 12 January 1810; c. 291, 13 July 1808.

⁶¹ *Ibid.*, c. 287, 14 January 1810.

⁶² *Ibid.*, c. 285, 12 May 1808.

⁶³ Woloch, *Conscription* (see note 6), p. 127.

⁶⁴ Forrest, *Conscripts* (see note 1), p. viii.

came routine and enabled the government to gradually expand the Italian army, which amounted to 70.000 soldiers in 1812.⁶⁵ Even in the Netherlands, the last Napoleonic state to establish conscription, opposition riots did not succeed „in actually preventing the departure of the men sooner or later“⁶⁶. The turning point, according to Stuart Woolf, were the years 1805/06, coinciding with the end of the period of Napoleon's reorganization of his army.⁶⁷ Conscription apparatus became increasingly more efficient and successful in repressing opposition and in forcing people to obey the annual draft. Governments learned from past mistakes and increased the conscription bureaucracy and set up more effective techniques. The police force increased, while billeting and mobile columns broke the backbone of insubordination.

During the years 1800 to 1814, Napoleon conscripted more than two million Frenchmen, about 7 % of the French population.⁶⁸ In addition, the Napoleonic authorities drafted from different European countries more than 700.000 soldiers,⁶⁹ who fought in Spain, Germany, Russia and other fronts. The largest contributors of soldiers to the imperial army were the Republic and Kingdom of Italy (121.000 soldiers), Bavaria (110.000), the Duchy of Warsaw (84.800), Saxony (66.100), Westphalia (52.000) and Württemberg (48.700).⁷⁰ Westphalia conscripted more soldiers per capita than any other state. The Duchy of Warsaw sent more soldiers to the Russian campaign (57.000) than any other state except France. The Confederation of the Rhine was established to a large degree to provide Napoleon with troops and committed itself to provide Napoleon 126.000 soldiers. Indeed, as Michael Rowe argues, „the military contribution of the confederation states was impressive“⁷¹. In September 1803, the Swiss Confederation was forced to commit itself to supply 16.000 soldiers.⁷² The multinational composition of Napoleon's army was most evident during the Russian campaign, where about half of his 600.000 troops originated from his annexed territories, as well as 14 other satellite states and allies.⁷³ Most of them perished in that campaign. Even after the debacle in Russia, Napoleon

⁶⁵ Grab, *Army* (see note 19), p. 50.

⁶⁶ S. Schama, *Patriots and Liberators Revolution in the Netherlands 1780–1813*, London 1977, p. 625.

⁶⁷ Woolf, *Integration* (see note 2), p. 161.

⁶⁸ F. Monnier, *Conscription*, in: J. Tulard (ed.), *Dictionnaire Napoléon*, Paris 1989, p. 475; Woolf, *Integration* (see note 2), p. 159.

⁶⁹ C. Emsley, *The Longman Companion to Napoleonic Europe*, London-New York 1993, p. 146.

⁷⁰ *Ibid.*

⁷¹ M. Rowe, *Napoleon and State Formation in Central Europe*, in: P. Dwyer (ed.), *Napoleon and Europe*, London 2001, p. 210.

⁷² A. Grab, *Napoleon and the Transformation of Europe*, London 2003, p. 120.

⁷³ J. Garnier, *Campagne de Russie (1812)*, in: Tulard (ed.), *Dictionnaire* (see note 68), p. 355.

was able to field an army of more than 400.000 in Germany by August 1813.⁷⁴ At the Battle of the Nations at Leipzig (16–19 October 1813) he led 195.000 soldiers.

And yet, the Napoleonic authorities never entirely eradicated the resistance to conscription. In fact, in 1813, following the Russian fiasco, draft evasion and desertion seemed to be on the rise. The French government proclaimed several conscription decrees in 1813 with only partial success. For example, a decree of 9 October 1813 ordered the draft of 127.433 French recruits from the classes of 1808–1814, yet only 72.265 men reached their units by the end of December.⁷⁵ In the French *département* of Nord serious conscription riots broke out, and by December 1813 anti-Napoleonic graffiti and posters appeared.⁷⁶ At Hazebrouck, conscription provided the backbone for a widespread insurrection of some 1.200 to 1.500 people. In the Kingdom of Italy, Melzi wrote that „conscription meets everywhere with the greatest repugnance” and that many young men were escaping to the mountains.⁷⁷ Numerous reports from Italian departmental officials confirmed the resistance to conscription: in Mantua a convoy of eighty conscripts was attacked by locals, enabling most of them to flee, and in the *département* of Crostolo youngsters escaped from many communities to avoid conscription.⁷⁸ Several prefects reported their failure to meet their quota of conscripts, with one of them commenting *the public spirit is depressed*.⁷⁹ Repressive measures by the government met with little success in curbing the opposition to conscription.

In conclusion, annual conscription constituted the core of Napoleon’s military policy and succeeded in recruiting hundreds of thousands of men and raising large armies that enabled the Emperor to win battles and expand his empire. Maintaining a strong army necessitated a great increase in revenues, which the Napoleonic authorities achieved by introducing new taxes and improving tax collection. To carry out annual conscription successfully, the authorities increased state power, centralized the administration, strengthened the police force and created a rigorous court system. These reforms enabled the state to establish an unprecedented level of control over the daily lives of its citizens, compelling them to acknowledge its existence and obey its laws. By means of the annual draft, more than any other policy, the state increasingly became a

⁷⁴ O. Connelly, *Blundering to Glory Napoleon’s Military Campaigns*, Wilmington, Del. 1987, p. 184.

⁷⁵ M. Leggiere, *The Fall of Napoleon*, vol. 1: *The Allied Invasion of France, 1813–1814*, Cambridge 2007, p. 69.

⁷⁶ Woloch, *Conscription* (see note 6), pp. 126f.

⁷⁷ Zaghi (ed.), *Carteggi* (see note 18), vol. 8, pp. 433f., Melzi to Eugène, 23 October 1813.

⁷⁸ Della Peruta, *Esercito* (see note 19), p. 397.

⁷⁹ ASM, MG, c. 806, 14 December 1813.

reality the governed could not ignore. In sum, the Napoleonic conscription policy played an important role in advancing the modern central state and in launching the idea of nation and citizenship in France and other parts of Europe.

Yet the conscription system had its limits and contained internal contradictions, producing mixed results for the Napoleonic state. Conscription remained the most controversial Napoleonic policy and met with popular resistance until the end of the regime. Numerous conscripts refused to abide by the conscription law, which tore them away from their families and communities and threatened their traditional way of life. They defied the law by rebelling, dodging the draft and deserting. Many deserters resorted to crime and brigandage, which increased insecurity. This resistance reflected more than any other issue the population's unwillingness to accept state power. Indeed, more than any other policy, conscription contributed to an estrangement between government and the governed, undermining stability, and in this sense weakened and challenged the state. The increase of the tax burden, which was necessary to equip the army, added much resentment toward the government. Moreover, military expenses consumed well over half of the state's revenues, causing deficits and delay of reform policies, another indication of hardships faced by the Napoleonic state.

As for the role that conscription played in engendering national unity, the consequences were mixed here as well. Conscription brought together many men from different regions in France and Italy to fight under one banner, thereby encouraging them to overcome their provincialism and local loyalty and view themselves as a part of a larger national entity. And yet, the persistent and widespread opposition to military service demonstrated that many, if not most, conscripts remained uninfluenced by nationalist concepts and preferred to cling to their customs and traditions.⁸⁰ The process of turning peasants into Frenchmen or Italians was just beginning under Napoleon.

⁸⁰ Forrest, *Conscripts* (see note 1), p. 237.