



## History Lessons: The Case of Napoleon Bonaparte Reflections on the Bicentenary of his Death

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In this article we reassess the myth of Napoleon Bonaparte, not so much from the standpoint of battles and conquests, but more from the point of view of justice, particularly procedural justice. This approach allows us to define the righteous leader as one who applies procedural justice.

Using this concept, we aim to demonstrate that General Bonaparte could be considered as a just leader, although, in the guise of Emperor, he will be qualified here as the antithesis of that. The inevitable conclusion is that the Empire came to an end as a predictable consequence of Emperor Napoleon's unjust leadership.

We recognize that the revolutionary aspirations of *Liberté, Égalité, Fraternité* were in themselves noble, but that they required for their implementation a system of procedural justice central to the resolution of the inevitable tensions and contradictions that these precepts would generate.

We conclude by highlighting and examining how the notion of procedural justice is vital to the proper functioning of the modern European Union. In contrast, the difficulties presented by Brexit, or the Trump presidency, can be seen as the tragic, but also predictable consequences of an unjust leadership.

We revisit the urgent need for fair management and debate; debate that can only take place when guided by righteous leaders. The imperial failure was a consequence of the drift towards injustice in the management of Empire. The violation of the three fundamental principles of the Republic was not the primary cause of the Empire's demise, but the consequence of a leadership and rule that had become unjust.

Keywords: Napoleon; Bonaparte; 1st Empire; Procedural Justice; Fair Leadership

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Note: The manuscript *La Justice dans la Gestion des Hommes: sur les traces de Bonaparte et Napoléon*, by Ludo Van der Heyden and Jean-Marie Le Guévellou (July 2008) presents a detailed assessment of the General and Emperor from the standpoint of justice in management. It is available on request from the authors.

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« Bonaparte n'est point grand par ses paroles, ses discours, ses écrits, par l'amour des libertés qu'il n'a jamais eu [...] Il est grand pour avoir créé un gouvernement régulier, un code de lois, des cours de justice, des écoles, une administration forte, active, intelligente [...] Il est grand pour avoir fait renaître en France l'ordre au sein du chaos [...] Il est grand surtout pour être né de lui seul, pour avoir su, sans autre autorité que celle de son génie, se faire obéir par trente-six millions de sujets [...] avoir rempli dix années de tels prodiges qu'on a peine aujourd'hui à les comprendre. »

["Bonaparte is not great for his words, his speeches, his writings, for the love of liberties that he never had [...] He is great for having created a regular government, a code of laws, courts of justice, schools, a strong, active and intelligent administration [...] He is great for having brought order back to France in the midst of chaos [...] He is great above all for having been born alone, for having known, without any other authority than that of his own, how to create a new government, He is great for having brought order back to France from chaos [...] He is great above all for having been born of himself, for having known, without any other authority than that of his genius, how to make himself obeyed by thirty-six million subjects [...] for having performed ten years of such prodiges that it is difficult to understand them today. "]

François-René de Chateaubriand, *Mémoires d'Outre-tombe* (posthumous).

« La France était pour les nations un magnifique spectacle. Un homme la remplissait alors et la faisait si grande qu'elle remplissait l'Europe. Il était au-dessus de l'Europe comme une vision extraordinaire. »

[France was a magnificent spectacle for the nations. One man filled it then and made it so great that it filled Europe. He was above Europe like an extraordinary vision.]

Victor Hugo, *Discours de Réception à l'Académie française*, le 3 juin 1841.

« Le ciel fait rarement naître ensemble l'homme qui veut et l'homme qui peut. »

[Heaven rarely gives birth together to the man who wants and the man who can.]

François-René de Chateaubriand, *Mémoires d'Outre-tombe* (posthumous).

« Le pouvoir jaillit parmi les hommes lorsqu'ils agissent ensemble. »

[Power springs up among men when they act together.]

Hannah Arendt, *Condition de l'Homme Moderne*, 1961.

*« A l'état de nature l'homme est un loup pour l'homme, à l'état social l'homme est un dieu pour l'homme. »*

[In the state of nature man is a wolf to man, in the social state man is a god to man.]

Thomas Hobbes, *Du Citoyen*, 1641

*« Pour critiquer les gens il faut les connaître, et pour les connaître, il faut les aimer. »*

[To criticize people you must know them, and to know them you must love them.]

Coluche, Artiste (1944-1986)

## **The historian, the politician, the poet and the Nation (1)**

Fifth of May 2021 marks the bicentenary of the death of Napoleon Bonaparte, in exile at Longwood on the remote island of Saint Helena. No other Frenchman has left such an indelible mark on the world. His admirers assert that his role in world history, indeed his importance to this day, is his greatest victory.

His detractors regularly denounce him, at every anniversary, for crimes against humanity (2). They persuaded then President Chirac not to celebrate the victory of Austerlitz that had proved fatal to the *Ancien Régime* in Europe; an incomprehensible presidential decision viewed in the light of the participation of the aircraft carrier Charles de Gaulle in the British celebrations for the Battle of Trafalgar. It is happening again today.

Remembrance is mandatory. However, its primary purpose should be to increase knowledge about this extraordinary and unique moment in the history of France, of Europe and of the world. This can only be acknowledged through understanding, and there is so much to say about Napoleon Bonaparte that a whole year of commemoration would not be enough. The bicentenary of Napoleon's death also logically follows the bicentenary of the French Revolution, which allows for a re-evaluation of the major achievements of the 'Revolution-Empire cycle'.

Historians are essential here, in making us better aware of what determines us today - our historical influences and context. The likeness is recalled, corrected and completed; the canvas and, above all, the memory, is enriched, coming closer to the truth with successive touches. As there is a great deal written about Bonaparte, including by actual witnesses of events, we should be able to achieve this, even though the period is insufficiently understood, especially in the collective national memory. A number of misunderstandings and harmful myths also persist, some of them obscuring events that ought to be better understood. Collective memory deserves to be given precedence. An anniversary also serves this purpose: freedom for honest discussion of the history as it really was; without complacency, highlighting the extraordinary, the good, the not so good and the frankly awful (3).

Furthermore, politics gives meaning - influenced by the present context - to project itself into the future. For the world to move forward, however, the narrative must be fair. The Restoration was a setback for France. As far as Napoleon is concerned, politicians will try, like their predecessors, to recover the formidable impetus that drove the Revolution and that was amplified by the Emperor. France has great need of this today.

Some freedom in the political discourse has to be allowed if it allows the nation to progress. The accuracy of the story may not suit everyone, nor allow for the great leap forward in consciousness. Some will simplify, others will select what is appropriate and all of them will put their slant on events. Einstein said that the

scientist must simplify without ever allowing the story to become a lie. History also is a science in this respect.

The Cuban-French writer Anaïs Nin, in quoting from the Talmud, warns of another pitfall: "We do not see the world as it is, but as we are" (4). Hence, any comment on Napoleon is firstly a reflection on ourselves, in that we all have the capacity (including whether historian, politician, painter or poet), to see and describe the world not only as we are, but rather as we wish it to be.

The first difficulty, in the case of Napoleon Bonaparte, is that the story is incredibly complex. Secondly, despite the lapse of two centuries, Napoleon has left such a mark on France and the world that a calm and objective debate is very difficult. Any commentary, even historical, is impossible without becoming political. Any questioning is quickly seen as an attack on Napoleonic ideology, both within France and elsewhere. Ideologies do not allow for any inquiry; yet, there is much to question.

Perhaps now, 200 years afterwards, a fair appraisal can take place. Napoleon deserves it, and it should be attempted. Napoleon's ultimate victory is that everyone today has an opinion about him. It is necessary to update the history; where some only remember the great battles, others the administrative victories, and some the events in the West Indies or in Syria. Few are indifferent to him, and we all look at him through our own filter confirming our own preconceptions.

One thing everyone can agree on is that this Corsican is the most well-known Frenchman worldwide. Furthermore, the more we know about Napoleon Bonaparte, the more extraordinary his destiny appears. It would be a great pity to overlook such an important anniversary, as an occasion to celebrate what was remarkable, while also acknowledging what was not done well, and taking the opportunity to amend and correct the national recollection regarding this important period, which marked the birth of the Nation and the sovereign people.

### **The end of the *Ancien Régime* and the organization of a New World**

Apart from contributing to the national commemoration of Napoleon, our modest contribution in this essay is to show how the divide in opinion will persist, as it corresponds well to the ambiguities of the individual and of his legacy. Napoleon well illustrates the quotation from Hobbes, the Englishman who, from Paris in 1641, described his own country sliding towards civil war and, eight years later, the execution of its King, Charles I. Hobbes, an observer of revolutions, concluded that man is both god and wolf to man. Napoleon Bonaparte forged an extraordinary destiny, both good and bad, for himself, hence making Hobbes's observation perhaps the most exact concerning Napoleon, even if it predated him. Bonaparte first prevented France from sliding into civil war, then restructured the country and delivered it from revolution. He afterwards exported war throughout Europe, which he went on to dominate masterfully, albeit briefly. Sadly, he ended up in an English

'residence', more like a prison than a 7-star palace, where he must have missed many things, not least the pleasant *Palazzina dei Mulini* that housed him during his first exile on the island of Elba.

Europe, finally, would take its revenge, but Napoleon had the great merit of being able, thanks to a combination of energy, organizational talent and prodigious intelligence, to reign long enough to consolidate the advances of the Revolution and to preserve them for posterity. The Constitution of the Year VIII (1799) confirmed the sovereignty of the people and their fundamental rights (liberty, equality, security and property); it consecrated the Republic as a form of government and defined the three legislative institutions (Tribunate, Assembly and Senate), as well as the proper representation of the people within them. Even the three Consuls, Bonaparte, Ducos and Sieyès, were presented to the people for their approval.

This constitution would be amended twice, in the Year X and the Year XII. Afterwards came the essential work of codification, of which the *Code Civil des Français* (French Civil Code, 1804) is the most fundamental and best known. It was followed by four other codes: the *Code de Procédure Civile* (Code of Civil Procedure, 1806), the *Code du Commerce* (Commercial Code, 1807), the *Code d'Instruction Criminelle* (Code of Criminal Instruction, 1808) and the *Code Pénal* (Penal Code, 1810) (5).

However, it would be wrong to carry on excessively attributing Napoleon's individual achievements, to the point of adding to the formidable work of propaganda that had already begun more than two hundred years ago. On the contrary, one should give a fair account of the formidable team that contributed to the realization of this destiny. The two are linked forever, as in any large-scale political and social achievement - no Napoleon without a team, and no team without Napoleon Bonaparte.

It would be fair, for example, to recall how Desaix, Davout, Lannes, Murat and many others made the difference on the battlefield. It would be right to recall how Portalis was an exceptional constitutionalist, how Berthier, the military man, and Cambacérès, archchancellor, were essential to the work of the commander, and, finally, how much Barras contributed to the ultimate destiny of the young officer.

It should also be said that Bernadotte was not a traitor, but an exemplary man whom the Tsar Alexander had hoped would be a successor to Napoleon. This *Béarnais* patriot applied in Sweden a 'soft' revolution, inspired by the French Revolution and bestowing a strong French and republican emphasis on the highly aristocratic, stratified, society. This hitherto warlike country was to embrace neutrality as Bernadotte's reaction to the atrocities he witnessed during the Napoleonic regime. Bernadotte's legacy endures such that his descendants are still on the throne of Sweden today. This gift from republican France to Sweden should be emphasized more conspicuously in the *Musée Bernadotte* in Pau.

As it must be admitted that Napoleon made a number of mistakes, it should also be acknowledged that Moreau, the hero of Hohenlinden (1800), was not entirely wrong in wanting to prevent the Emperor's authoritarian drift. It is no longer possible to ignore all those Frenchmen who fought alongside the European allies against Napoleon, the Revolution, the Republic and, ultimately, the Empire. There was indeed a civil war in France, as in the United States. It would be won by the European allies of the Royalist party, but mostly lost by the Emperor owing to his lack of moderation and too regular recourse to arms to settle his differences with England, without ever succeeding. England eventually won and took up the torch of the industrial revolution, all the more easily as France lost its way in the Restoration.

One of the main questions is whether it could have been otherwise. We believe that it could, as history is rarely linear or predetermined, and there were alternatives. First of all, it is worth noting the very unlikely rise to power of this young Corsican, which would have been even less likely under the royal regime that inherited the Corsican Republic from the Genoese in the Treaty of Versailles (1768) (6). Furthermore, Bonaparte could have died before fulfilling his destiny; for instance, in Corsica or Egypt, on the battlefields of Italy, Germany or Austria, in Russia, or even in the streets of Paris. He was to emerge from the Revolution without purpose, offering his services to Russia, and also the Sultan, without success. Any one of these events could have prevented his march towards eventual coronation. After the Peace of Amiens (1802), he could have focused more on the continent, not obsessed about the English, who were no danger to the Empire, or found an arrangement with the Austrians and secured Bernadotte as an ally. There were other possible exits available to him other than his last battle at Waterloo, as dreary as it was confusing.

In this extraordinary year of 2021, noted also for the Black Lives Matter (BLM) movement, it is right to celebrate Alexandre Dumas Père, that other republican hero of the *Armée du Rhin* and the Italian and Egyptian campaigns, whom the son resurrected as the fictional 'Count of Monte Cristo' (7). It would be good to recognize, more than 200 years later, the hero that was the actual General Dumas. Napoleon ignored all the calls for help from this black general, as well as those sent by Murat, one of the only people close to him who dared to support the brilliant black cavalry officer. Once again, we point out the terrible mistakes that signalled a return to slavery and the 'whitening' of the regiments. Here also, the thread of history could have taken a different path.

After his coup of 18 *Brumaire*, Napoleon was to assure the elected representatives of Santo Domingo (Saint Dominique) the equality of all its subjects under the Republic. He said "the Consuls declare to you that the sacred principles of the liberty and equality of the Blacks will never be infringed or modified among you" (8). The return of Martinique, Tobago and Saint Lucia, following the Peace of Amiens in 1802 however posed a problem, as these territories still practiced slavery, so the solution advocated by Napoleon was to establish a temporary exceptional status for the

three territories. The Conseil d'État, however, forestalled this move and demanded a single status for all French territory.

It is regrettable that on the question of slavery, Napoleon the Consul had neither the boldness nor the foresight of Napoleon the General. The re-establishment of slavery by the law of 20 May 1802 was, for obvious human and moral reasons, a great mistake, but it also marked a failure for Napoleon and for France. The maintenance of universal equality by the Consul would have made France into the greatest Enlightenment force then in existence. It would have stopped slavery in 1794, well before the British abolished the trade in 1807 and slavery itself in 1833. That is not even considering the United States, which resorted to civil war over slavery, and only finally voted for abolition on 1 January 1863. Incredibly, it was not until 1848 that the provisional government of the Second Republic mandated the abolition of slavery in France. France is therefore the only country to have abolished slavery twice, as a result of inconsistency, pragmatism, a concern for efficiency and, above all, to Napoleon's lack of a true republican spirit, even though the young Bonaparte had taken the side of France against Paoli in Corsica. During the Hundred Days, Napoleon decreed the abolition of the slave trade, but he nevertheless seemed purely motivated by a desire to placate the English in the context of the Treaty of Paris negotiations.

Returning to the West Indies question, Napoleon's brother-in-law, General Leclerc, was ordered to guarantee the freedom of the Blacks as soon as he landed on the island of Santo Domingo in 1802. The local officers abandoned their Commander-in-Chief, Toussaint-Louverture, and submitted to Leclerc and the Republic, but would then feel themselves betrayed by news coming from Guadeloupe that slavery had been re-established.

Misinformed by the reactionary Rear Admiral Lacrosse about an insurrection in Guadeloupe, Napoleon sent an expeditionary force commanded by General Richepanse to the island. He was content to send the general to the West Indies, to avoid Richepanse and his chief, Moreau, who were responsible for the famous victory of the *Armée du Nord* over the Austrians at Hohenlinden, casting too much shadow over his own achievements - Napoleon wanted to make people believe that it was the victories of the *Armée d'Italie* that had forced the Austrians to sign the Peace of Lunéville (1801). Richepanse arrived on the island in May 1802 and fought a ferocious action against the local republican troops, who initially supported him but then turned against him. He lost a large part of his army and committed terrible abuses against the local population, finally publishing a decree that restored slavery on the island - the result of over-hasty and ill-considered agreement by the Consul, who was distracted by negotiations with the English over the Peace of Amiens (9).

Yellow fever then decimated the French expeditionary force, taking Leclerc and Richepanse with it. General Dessalines, a former slave, is generally credited with the victorious insurrection on Santo-Domingo, leading to the loss of the "pearl of the Antilles" and the return of the English, allies of the Blacks. The Haitian Empire was



proclaimed in 1804, the year of Napoleon's coronation. General Dessalines, known for his bravery and energy, but also for his cruelty towards the mestizos and whites, was named Jacques I, Emperor of Haiti (10).

Toussaint-Louverture was the great architect of Haitian independence. He joined the cause of the Revolution and was promoted to Brigadier General in 1795, driving the English off the island. Like Napoleon, he reorganized the administration, restored the economy and applied the laws of the French Republic. He demonstrated that it was possible to achieve economic success without resorting to slavery, and that slavery was more about race domination than an economically appealing proposition (11). Toussaint, like Napoleon however, wished to rule unchallenged and this was bound to cause friction. Eventually, Napoleon sent his brother-in-law with 20,000 soldiers to retake power for the Republic. Leclerc arrested Toussaint and repatriated him to France, where he died after eight months of mistreatment imprisoned in the fortress of Joux (12).

Haiti was the second American colony to gain its independence ... but this time at the expense not of England, but of France - and at what a price! Arguably more focused on the negotiations for the Peace of Amiens (1802) with England, Napoleon mismanaged an affair that could have been resolved without the abrupt declaration by Richepanse. Santo Domingo, "the pearl of the Antilles", had contributed greatly to France's foreign trade and was a valuable bridgehead for its strategy in the Americas. The loss of the island sounded the death knell for French ambitions in that continent. Louisiana, ceded back to France by Spain in 1800, was sold in 1803 at a price so low that it surprised the American negotiators, who were taken aback by such reckless haste.

The question arising from this present commemoration of Revolution and of Empire, is whether France has learnt all the lessons of this significant page in its history. It is our view that Napoleon deserves more attention and study to render the national memory more accurate concerning him, so that the Nation gains in perception, emerging more at peace with itself. Since Napoleon is still divisive. For some he is, as Hobbes so aptly put it, a god, while for others he is a wolf. Our purpose here is to confirm that he was indeed both of these.

The bicentenary is a moment to celebrate, for at least 200 days, all those who contributed to the creation of this 'New World' where a Nation belongs to its sovereign people - one of whom was Napoleon. It would also be opportune, during the remaining 165 days of 2021, to remember all those who heeded this tremendous promise of freedom but were ultimately disappointed at the lack of equal treatment they endured from those in charge - one of whom was Napoleon.

The ambiguity of Napoleon I would be seen again in the reign of Napoleon III, who also went into exile, but in England, which the former had hoped for after Waterloo. In each case, the nation paid a heavy price for the failings of two leaders, both of whom had contributed greatly to the transformation of the country. This begs the

question: could France have benefited from the good part of each without having had to suffer the bad?

Let us begin to answer this difficult question by taking stock; not following Napoleon's bad example in his inability to acknowledge his mistakes. Arrogance had led Napoleon to chart a terribly destructive path. Arrogance then pivoted to folly, and the final tally - the work of historians - is in the millions of dead, largely the result of battles.

France is unique, full of promise, as Bonaparte was. Like Bonaparte and then Napoleon, she can be brilliant; as Napoleon did, she can lose her way. This personifies and encapsulates the ambiguity of Napoleon. Napoleon Bonaparte offers a useful lesson for France, to support her ambition and her genius, but also to urge the restraint and wisdom of her leaders. These two shortcomings would cause the loss, not only of Napoleon, but also of the Empire.

We can only hope that this commemoration will be marked by a renewed commitment to the foundations of the Republic: individual *Liberté; Égalité* of opportunity and rights for all citizens, and *Fraternité* between them (13), thereby harnessing all the ambition and talent that the country can generate, and also a greater dose of foresight and humility facing the magnitude of this commitment, and the long and difficult road that such a commitment requires. Also with the recognition that this project requires a just leader, which the General Bonaparte was, but, as the ultimate paradox in an era dedicated to liberty and equality, which the Emperor Napoleon was not.

### **The difficult beginnings of the young Bonaparte**

The Revolution marked the end of the royal and aristocratic regime. It was also the creation of the Nation, dominion of the people. Even the Americans in their own revolution would not be so radical.

The Habsburgs wanted to reinstate Louis XVI, then his brother Louis XVIII, but Dumouriez, Jourdan, Kellermann, Kléber and Schérer - among others - prevented the return to monarchy. Even Louis-Philippe d'Orléans took part in the great victories of the *Armée du Nord* (then of Sambre-Meuse and finally of the Rhine) at Valmy (1792), Jemappes (1792), Fleurus and Sprimont (1794). The coalition forces withdrew from the Austrian Netherlands, which were immediately integrated into the Republic. The export of the Revolution outside France had begun. This was the great accomplishment of the *Armée du Nord* and its republican generals.

Bonaparte, then a student at the Royal Military School, earned the rank of second-lieutenant in the artillery examination in September 1785. He was judged suitable for the navy, but his mother opposed it. His first assignment was to the *Régiment d'Artillerie de la Fère*, garrisoned in Valence, which he joined on 3 November 1785. He was well educated and read a great deal, particularly the classics.

He spent a large part of the Revolution in Corsica and contributed to the annexation of the island by the Republic. Despite his aristocratic origins, from the outset he chose the revolutionary side. Urged on by the revolutionaries of Ajaccio, he wrote a pamphlet demanding that Corsica be attached to the newly emancipated Nation. Mirabeau read out the pamphlet in the National Assembly on 30 November 1789. It championed the attachment of the island to the new French Nation.

Pascal Paoli, author of the first and exemplary Corsican constitution in 1755 (and a hero of the Enlightenment), was acclaimed in Paris, and then in Corsica on his return in 1790 from exile in England. However, Paoli found the Revolution too bloody, and the Terror in particular would revolt him and convince him to turn away from it. This also sealed his rupture with the Bonaparte clan. In February 1793, Bonaparte contributed to the organization of the Corsican National Guard. He also took part in an attempt to land in Sardinia that was supported by the English and the Austrians. The operation failed, and Bonaparte barely escaped capture by the Sardinians, rejoining his family who had taken refuge in Toulon.

Toulon was the base for the French fleet in the Mediterranean, whose commander, Rear Admiral Trogoff, was a royalist. In August 1793, he allowed the English to seize the fleet, to land and take possession of the town and its port. It was a fine revenge for the English defeat at Yorktown, in 1781, which sealed the War of American Independence.

With the support of his friends Robespierre, le Jeune and Saliceti, Bonaparte was installed as artillery captain at the siege of Toulon. He promptly devised an audacious plan, which was scarcely appreciated by his superiors. It took the appointment of Dugommier, a professional officer, to recognize the value of the young captain, whose daring plan was to deliver victory in mid-December. Bonaparte aroused the admiration of many, including Barras, the strong man in Paris, and he was promoted to Brigadier General.

Bonaparte was then given a supply mission to the Republic of Genoa, which had ceded Corsica to France in exchange for the debts incurred during the island's occupation by the army of the King. Bonaparte took note and conceived his plan for the ultimate invasion of Italy. Firstly however, his Jacobin friendships led to his brief arrest and imprisonment in August 1794; subsequently in July 1795, he responded to the Ottoman Sultan's request to recruit training officers, but was not selected.

Barras, charged with the defense of the Revolution, asked Bonaparte in October 1795 to suppress an insurrectionary force of 25,000 royalists. With the contribution of Murat, the insurgents suffered under the famous cannonade at the Church of Saint-Roch and were dispersed – a notable episode of the *13 Vendémiaire* of the Year IV. Bonaparte was named Division General. When Barras rejoined the Directorate, Bonaparte succeeded him as General in Chief of the *Armée de l'Intérieur*. He was only 26 years old.

## **Ascendency and the first conquests in Italy and Egypt**

Having saved the Revolution from the royalist insurrection in Toulon and Paris, Bonaparte's conquest of Europe could begin. The Italian Campaign, first against the Piedmontese and Sardinians (Montenotte and Millesimo) and then against the Austrians (Lodi, Castiglione, Roveredo) was dazzling.

The Austrians appointed Alvinczy as new General-in-Chief in Italy, but Bonaparte once more emerged victorious at the battles of Arcole (1796) and Rivoli (1797).

Austria's last hope to save Italy was by means of the Archduke Charles, who commanded the pre-eminent Austrian army and had driven Jourdan and Moreau back to the Rhine. He was ordered to retake Italy and prevent its conquest by Bonaparte. It therefore became urgent that the French reinforce the *Armée d'Italie* and Kléber chose his best general, Bernadotte, to march 20,000 men from the Rhine to the peninsula. Bernadotte's division distinguished itself in battle and enabled Bonaparte, with an army of 50,000 men, to force the Archduke's retreat and signing of the Treaty of Campo Formio, abandoning Milan and Lombardy to the French and approving the creation of the Cisalpine and Ligurian Republics under French control.

Bonaparte and Bernadotte admired each other, but did not get along (14) and Berthier made things worse. Bernadotte regularly complained to Bonaparte that his right-hand man was not zealous enough in transmitting his orders, or dispatches, and then reproached him for their execution. The republican soldiers of the *Armée du Rhin*, impeccably led by Bernadotte (this confirmed by Desaix), did not agree with the Bonapartist soldiers who were engaged in a systematic plundering of the occupied regions. This conflict even resulted in a confrontation between the troops of Bernadotte and those of Masséna and Augereau, that left a dozen men dead.

The Directorate complained that the funds from the conquest of Italy did not arrive in Paris, but neither Napoleon, nor Berthier, and especially not Masséna, were willing to share the spoils – money and works of art, or glory. Bernadotte eventually asked for another assignment and received a final recognition from Bonaparte: he would be allowed to take the flags conquered from the enemy to the Directorate (15).

The masterful work of glorifying Napoleon was now underway. The republican heroes of the *Armée du Nord* - Bernadotte, Desaix, Kléber and Moreau - were gradually put in the shade, if not entirely ignored. A formidable team of generals was being assembled in Italy and it would be difficult for others to join it, restricting additions to their ranks. So began the distinguishing imperial characteristic that led the drift towards dictatorship. This would become one of the great failures of the regime that we can recognize two hundred years later.

The first campaign established Bonaparte as the strongman of the new regime. Talleyrand (yet again) would convince him that it was too early to take power and suggested that he should take charge of the Egyptian expedition decreed by the Directorate, which would take him far away from Paris. The Directorate was also not displeased with this idea. The project was motivated by the desire to disrupt the shipping lanes and commercial interests of the British and their ally, the Sultan.

The victories at the Pyramids (1798) and Aboukir (1799) were decisive. Desaix conquered Upper Egypt with a small army of 4,000 men. However, the destruction of the French fleet at the hands of Horatio Nelson in the Bay of Aboukir (1798) was a disaster and blocked the bulk of the French army in Egypt. The Austrians took advantage of this to retake Italy. The conquest of Syria was also a failure.

Bonaparte quitted Egypt at the end of August 1799 and left the command to Kléber who won a great victory over the Turks at Heliopolis (1800). After Kléber was assassinated in Cairo, however, his successor, Menou, proved not up to the task and capitulated on 31 August 1801. The remnants of the French army were driven out, by the British. Despite some victories, the military campaign in Egypt was a disaster, both on land and at sea. The scientific expedition, however, was a great success, was celebrated at the time and is still to be admired in the collections of the Louvre Museum.

### **A unique contribution to European and world history**

Napoleon's great strength was this incredible ability that the eagle possesses to take flight again after a setback. Every defeat was followed by a stunning victory, made even greater by the highly effective propaganda machine now created to serve Napoleon's interests. The *Mémorial de Sainte Hélène*, written by his secretary Emmanuel de Las Cases, is for some sympathizers his greatest victory, for this account, which he himself dictated, enabled him to win the battle for hearts and minds.

Let us return to Bonaparte himself. Back in Paris, in October 1799, he took part in the coup d'état of 18 *Brumaire* (9 November) and inaugurated the Consulate, with Ducos and Sieyès. It was Bonaparte, however, who dominated the debates as First Consul. He would give the institutions a broad remit and within two months would install a new Constitution, the Council of State, the Senate and, on 1 January 1800, the Tribunate and the Legislative body. February saw the creation of the Bank of France and the installation of the Prefects, representatives of the State in the Departments. Having reorganized France, Bonaparte could now turn his attention to reconquering Italy.

The First Consul, with the *Armée de Réserve*, passed over the Alps in four days in May 1800, and a little more than three weeks later recaptured Italy from the Austrians. Bonaparte would thus be able to compare himself to the legendary General Hannibal (16). Marengo, on 14 June, began with a setback, but Bonaparte

dispersed his divisions, ordering them to surround the Austrians under cover of mist. The young Kellerman and Desaix later transformed a certain defeat into a brilliant victory, Desaix dying on the battlefield to which he had returned on his own initiative. The First Consul however had the Bulletin report that it was he who had ordered Desaix's return, but he did at least promise a national funeral. He was to break his word, so not having to admit publicly that Desaix had saved him and that this sacrifice would enable his reign. Desaix was buried, by order of the First Consul, in the Convent of Grand Saint-Bernard. Bonaparte had hoped to bury him on the battlefield and then afterwards in Milan Cathedral.

After Marengo, the Cisalpine Republic was created on the French model and Napoleon accepted the Italian request that he become its first President. Long before Garibaldi, Bonaparte was the father of modern Italy, of which he became King when proclaimed Emperor on 2 December 1804.

Moreau's victory at Hohenlinden (1801) coming after Marengo forced the Austrians to sign the Treaty of Luneville that recognized the Batave, Cisalpine, Helvetic and Ligurian Republics. The British were forced to sign the Peace of Amiens in 1802. Mainland Europe was thus united under French rule.

With the Act of Mediation (1803) Napoleon also became the father of modern Switzerland (17), the act transforming a disparate entity into a modern confederal nation. The centralized model promoted by the Swiss adherents of the French Revolution, and initially supported by the French, did not function in this too diverse country and would lead to civil war. Napoleon cleverly got Ney and Rapp to intervene to stop the war and received the representatives of the Swiss cantons, whereupon he demanded a constitution for a *Confédération des XIX Cantons*. Switzerland, a confederation now friendly to France, would have to guarantee safe passage for the French armies and provide a contingent of 15,203 soldiers. The newly formed country would be able to consolidate itself during the next 10 years by sheltering itself from the conflicts that would devastate the rest of Europe. It would thus transform Switzerland into a true Nation.

Napoleon's great European achievement was to be that of modern Germany. Austerlitz and the Treaty of Pressburg (1805) confirmed the end of the Habsburg Holy Roman Empire after 300 years of European domination. The result was the creation of the German Kingdoms (including Bavaria and Saxony) and the Confederation of the Rhine. The Franco-German entente was born.

But it was not only Europe that was transformed. With the invasion of Spain, Napoleon became the grandfather and a model for Latin America, inspiring Generals Bolivar and San Martin to contribute to the emancipation of the former Spanish royal colonies. These dreamed of a South American confederation, on the German or Swiss federal model. Unfortunately, everything was done at a 'Bonaparte' pace that was too hurried, and the great liberators would be disappointed; South America, however, would assume its modern form.

Napoleon also contributed to the birth of modern Brazil, when King Joao VI became King and then Emperor of Brazil, placing the country under English protection. The trade with Britain greatly benefited both countries, especially in the context of the French blockade against England, which induced the English merchants to trade with Russia and Sweden via the Baltic.

The Napoleonic bicentenary is a wonderful opportunity to finally honour the contribution of Bernadotte, who became King of Sweden as Charles John XIV. Modern Sweden owes its roots to this great republican, whom Tsar Alexander I considered a possible royal successor to Napoleon, before Talleyrand dissuaded him. Bernadotte applied what was good in the French Revolution and in the organization of the Imperial regime, with vigour and prudence, conscious of his situation as an invited ruler. He developed a respectful relationship with the Protestant Parliament, which his *Béarn* origins and republican character greatly facilitated. Modern Sweden is thus a fully successful French transplant. We can admire the durability of the house of Bernadotte, in power until today. In so many ways Bernadotte was exemplary and remarkable, and is worthy of being recalled to French attention during this bicentenary.

France had minimum involvement in the 2018 celebrations for the bicentenary of Charles John XIV's accession to the thrones of Sweden and Norway. Let us liberate the national memory from the Bonapartist influence that paints him as a traitor. Bernadotte never betrayed the Revolution and did not participate in the coup d'état of 18 *Brumaire*. One French President showed his ignorance during an official visit to Stockholm by announcing, "it is undoubtedly because of Bernadotte that relations between Sweden and France have become complicated" (18)! Historical fact was ignored to amplify the myth of the traitor. We can imagine the advice of President Chirac's Secretary General who, in his book, glorified the Hundred Days, the gloomiest period of the époque, which only led to France's retreat in its negotiations with the Allies after Waterloo.

### **A genius military strategist leading a heroic team**

The soldier was awe-inspiring and unmatched. If only one French general is to be remembered by history, it will be Napoleon Bonaparte. His finest victories are still taught in military academies; the one he founded at Fontainebleau, but also those of Sandhurst, West Point and Saint Petersburg. The end of the siege of Toulon; the first Italian campaign (the second was luckier); Austerlitz where the French sun still shines today, and the Prussian campaign that saw a veritable (French) blitz, are still essential studies. Bonaparte would remain a remarkable general to the end. The French Campaign pitted him against an enemy seven times more numerous, but the Allies continued to fear him and accumulated defeats at his hands.

But all was already lost as the enemies of France united and identified Napoleon as their common enemy. Napoleon would have done much better to follow the advice

of the Legislative Assembly and to accept the peace offer, made at the end of 1813 by the Allied powers that were already preparing for the invasion of France. The Legislative Assembly met the wrath of the Emperor who stopped all dialogue. The Assembly was invited in future to submit its plans to the Emperor, or one of his Ministers ... provided they were approved beforehand, and to be more zealous in their thanks for his enlightened reign (19). Here we can see the basic rules of the Tribunate, which was able to comment, but had no real power. The Emperor would admit of no criticism.

His military principles were ultra-modern in their conception: a semi-autonomous army corps of about 20,000 men; coordinated troop movements able to quickly converge on strategic points identified by the Commander-in-Chief; speed of movement giving the element of surprise, and committed troops ready to die for the cause. It would take 20 years before the Allies replicated this model and applied it at Waterloo against the Emperor himself.

The capture of the Somosierra Pass (1808) during Napoleon's Spanish campaign was heroic. It was a stellar illustration of the tremendous ardour aroused by the Emperor, including outside France. It was the work of nearly 200 Polish light horsemen of the Young Guard. Napoleon's response to Berthier's refusal to engage the troops in a process that he believed was doomed to failure, live on in the French language: *"Comment? Impossible! Je ne connais point ce mot là! Il ne doit y avoir pour mes Polonais rien d'impossible!"* [How? Impossible! I don't know that word! There must be nothing impossible for my Poles!] Commander Koziutelski, who was in charge of the Emperor's guard that day, ordered the charge, shouting, "Forward, (...), the Emperor is watching you!" Generals Montbrun and Ruffin tried to take credit for the victory, but the following day the Emperor rewarded the Polish cavalry by incorporating the 40 survivors and their regiments into his elite Old Guard. These same regiments would sacrifice themselves again during the passage of Berezina, and at Waterloo.

It would be a good 200 years until this Polish heroism, which enabled entry into Madrid, was fully recognized. The historic controversies over the near-suicidal order are irrelevant; Napoleon is said to have asked the cavalry to charge the first Spanish battery, the Polish officers continuing the attack on their own initiative. This episode well illustrates the strength of Napoleon's army, when properly led. On the other hand, one can argue at what point Napoleon's reign reached its peak before starting its destructive period and ultimate decline. One hypothesis is that when cavalry and artillery are called upon to compensate for faults in infantry manoeuvres, it would have been better to stop...

It will also be necessary to recognize General Poniatowski, the only foreign Marshal, whom the Emperor would immortalize in these words: "The real king of Poland was Poniatowski: he united all the titles, he had all the talents." The comment is a bit cynical in that the Poles were fighting in the hope that the Emperor would appoint a Polish king. Not wanting to anger his Russian ally however, and despite their



courage and exemplary loyalty, he refused. Countess Marie Waleska, who bore him a son, would exhibit the same virtues.

More than those of Alexander, Caesar, or Hannibal, the history of the *Grande Armée* is the record of a glorious team of Marshals and officers. Davout did not lose any of his 35 battles, including that of Auerstadt where, like so many times in the most difficult actions, he led from the front. The Emperor afterwards wrongly claimed this victory by placing it in Jena, a feat of arms of lesser importance, but one of his making.

The glorification of Napoleon began early. Bonaparte crossing the Grand Saint-Bernard is a superb series of five paintings by Jacques-Louis David painted after the victory at Marengo in 1800. It was a classic example of propaganda for the newly-appointed First Consul, even though it was Desaix who had saved Napoleon from certain defeat at Marengo. David ignored this inconvenient fact by glorifying the First Consul's forced march over the Alps, although a more realistic picture would have shown the First Consul beaten and crestfallen. Propaganda, in its masterfully deployed and 'modern' form, set about building the Napoleonic myth and legend.

Bonaparte maintained that the title of Emperor brought a "*jolie*" protection, since no one in Austria demanded the abdication of the Habsburg emperor despite his multiple defeats. He was convinced that a single defeat would be enough for the French people to demand his head, and he caught a close-run glimpse of this first defeat at Marengo.

After two hundred years delay, it would be admirable to give Desaix his national funeral promised on the evening of the battle of Marengo. Napoleon was brought back from Saint Helena; bringing Desaix back from the Grand Saint-Bernard would demand less effort. The Empire was worth a Te Deum at Notre Dame.

Napoleon was flattered by the English comments that assessed his presence on the battlefield as worth the equivalent of two army corps (amounting to from 40,000 to 50,000 men). The Emperor demanded that he be the only one on the battlefield to ride a white horse so that his presence could be recognized from afar. He also had recourse to stand-ins to simulate his presence and thereby increase the ardour of the troops.

The successes of Bernadotte, Davout, Lannes, Masséna, Murat and Ney confirm the quality of a number of his Marshals. Napoleon begged them to excuse the emphasis on attributing the successes to him personally, justifying that this contributed to greater fear by the enemy, so leading to less initiative and reduced strength in engagement. He could have told an even more impressive truth; the presence of several of the great Marshals (Davout, Desaix or Lannes, for instance) on the battlefield was also worth one, or even two, army corps. A better message would have been: "Dear English gentlemen, even when I'm wrong, my generals save me!"

This message would have been fairer and more authentic, reflecting the strength of this formidable team when they truly fought like one.

Over time, the relationship between the Marshals would weaken, as each began to play a more personal game. Worse still, they would abandon the leadership they had displayed at the start of the reign. The generals now waited for orders (like Grouchy at Waterloo) or went their own way (like Ney in the same battle), abandoning the principles of coordination that had been the strength of the *Grande Armée*.

Nevertheless, the merits of a large number of Division Generals, such as Dupont, Friant and Morland, and those who led the cavalry, including Bessières, Hautpoul, Lasalle, Montbrun and Nansouty, should be praised. Not forgetting of course those *grogards* who, unlike the generals, would remain loyal to him until the end. All of them deserve to be etched in the French memory forever. What had been truly extraordinary, was their number and their sacrifices. The victory of the *Grande Armée* was that of an immense team with an unparalleled capacity for collective action.

### **The machinery grips but the Emperor does not stop and destroys himself**

Losses in battle at the start of the conquests were limited. Montenotte, in 1796, was Bonaparte's first major victory. It is unclear how many soldiers were involved, as there were so many deserters in the *Armée d'Italie*, which was in a sorry state (unlike that of the *Armée du Nord*). On the other hand, we can estimate the number of dead, wounded or missing at Montenotte, the first battle of the Italian Campaign in 1796, as between 800 and 900.

In the carnage at Eylau in 1807, it is estimated that 25,000 of the 60,000 French soldiers were killed or wounded, the latter not being able to survive long in the harsh Prussian winter (20). Ney's words, contemplating the battlefield, were terrible: "What a massacre! And all this for nothing!" Napoleon would write: "A father who loses his children tastes no charm of victory. When the heart speaks, glory has no more illusions."

But very quickly, as the *Dictionnaire Napoléon* edited by Jean Tulard so aptly puts it, "he rediscovers the illusion of glory" and "takes particular care in the evacuation of the wounded, but also in cleaning up the site so as not to leave behind any trophy that the enemy could take, to confirm victory in their spirits." Napoleon took great care in the official communications concerning this battle. He added an "eyewitness account of the Battle of Eylau", an account he allegedly wrote in his own hand. As Laurent Joffrin wrote, "The Bulletin will be triumphant. In the decimated, frozen and battered army, no one believes it" (21).

Afterwards there was Friedland (1807), the reverse of Austerlitz. It was an offensive, improvised battle, and benefited from the masterful eye of Napoleon (22).

In terms of management, it rivalled Austerlitz. Russia, defeated in 1807, was forced to sign the Treaty of Tilsit, which confirmed its inclusion in the continental system.

Wagram (1809) was a costly victory, which did not resolve anything. With a new military strategy and the Emperor expected on the battlefield, massive use was made of the artillery, as well as the infantry which had lost its agility and whose shortcomings must henceforth be compensated for by cavalry charges (23).

Wagram temporarily put an end to the Austrian hope born of the defeat of Aspern-Essling (1808). Running out of ammunition, the French could only resist by throwing stones and sand at the Austrians (24). Napoleon, fearing that the battle was lost, placed the centre, led by Bessières, under the orders of Lannes. Disagreements between the two men slowed down manoeuvres, and they actually come to blows, Masséna having to separate them. The fault was Napoleon's in never sanctioning underperforming generals enough, which ended up undermining the unity of the team and the effectiveness of his command. Lannes was fatally wounded during the retreat and, in the six days it took him to die, he denounced the Emperor with many harsh words. The latter would hear the words of the first Marshal to die on a battlefield, cursing the Emperor and predicting that short of a radical change he would bury them all.

The Russian Campaign engaged the whole of Europe against the Tsar who had violated the alliance he signed at Tilsit. Napoleon launched an army of 700,000 men, from 20 nations, against him, but the results were catastrophic - 200,000 dead; as many taken prisoner (whose fate was hardly better), and 130,000 deserters. Napoleon left the *Grande Armée* in full retreat, thus re-enacting his hasty departure from Egypt. He sensed now that his power was faltering and was desperate to hold Paris. Ney and Oudinot were to cross the Berezina with what remained of the *Grande Armée*, reduced in half by the bombardments of the Russians and the charges of the Cossacks. The *pontoniers* of Éblé sacrificed themselves to build two bridges, allowing what remained of the army to escape.

This bitter return must have reinforced the generals' doubts about the ultimate outcome. No wonder therefore that Napoleon was no longer able to control Ney in the Belgian Campaign, nor at Quatre Bras, where he did not join forces with Napoleon to finish off Blücher; nor at Mont Saint Jean where, in an act that can only be described as suicidal, he sacrificed the French cavalry with insane charges on the English square formations. Grouchy, the commander on the right flank, heard the cannons, but did not move for lack of orders, despite the suggestions of some of his generals. Napoleon now stood alone against Wellington; there was no longer any unity or teamwork. All the more so as Soult in his debut as Chief of Staff did not have the understanding or competence of Marshall Berthier, dead at Bamberg Castle in Bavaria. The theory that the depressed Berthier committed suicide has some plausibility, as the Allies, knowing his value for the Emperor, detained him in Bamberg to prevent him from joining Napoleon on his return from the Isle of Elba. Soult did not provide quality communications as Berthier would have done, and his

mistakes would greatly contribute to the defeat. Napoleon would have to fight without the help of the right flank, and although Grouchy was an excellent soldier, Napoleon made him bear too large a responsibility for the defeat so as to exonerate himself. The reason was in any case understood. The soldiers died for the myth, or as Ney had already commented about Eylau "for nothing".

Napoleon still remains an extraordinary military strategist, a title that underscores the respect the English bestowed on this military genius who gave them so much trouble. But the great strategist would not learn from his defeats despite the evidence that accumulated before his eyes. Napoleon ended up blind to the carnage he initiated and deaf to the cries of the dying on the battlefield, or to the criticisms of his generals. He would never fully master the calling of Emperor and the temperance that the role demands, so that when the Emperor Napoleon failed to achieve his aims, Bonaparte, the General, would return at the gallop.

The Allies, themselves, as the defeats mounted, understood his strategy, especially once aided by Bernadotte, Prince of Sweden; they realized it was necessary to attack the generals who were distant from Napoleon, drawing Napoleon nearer to the decisive battle he sought. Having lost the cavalry, and its speed of execution, on the plains of Russia, advantage now passed to the Allies. The eagle's wings had been clipped. Everything now became easier for the enemy forces, once they were less subject to the surprises of the great strategist.

The Allies were to twice deal the fatal blow. A first time in Leipzig (1813), thanks to the plan submitted by Bernadotte, the execution of which clearly showed that the Emperor could be countered. The second blow was at Waterloo (1815) where a Napoleonic strategy was turned by Wellington and Blücher against Napoleon; the morning battle (against the English) gave way to the afternoon battle (against the English and the Prussians who joined them). The Allies had learned their lesson and successfully applied Napoleonic strategy against the Emperor himself. Napoleon could claim to be winning the battle until the early evening, but the arrival at seven in the evening of the body of the Prussian corps of Ziethen sealed the victory for the Allies (25). Wellington had agreed to undergo French assaults on the condition that the Prussians would join him later that day. They were to keep their word.

By embracing the brilliance and also sacrifices of his team, while not acknowledging his own mistakes and, above all, not correcting them, Napoleon had undermined not only the team but also the effectiveness of his leadership. He had cocooned himself in his legend. This is a fault of many modern business leaders who mistakenly take Napoleon as an example of "decisive and strong" leadership. A decision is only good if it creates value, and Napoleon's "strong" leadership turned out to be a disaster.

If the French soldiers had decided that walking 35 hours a week in the plains of Russia was enough, if they had put on their yellow vests in protest, if the generals had formed a CGG (Confederation of Generals) and had advocated to strike unless there was a return to France, they could have saved the *Grande Armée*, whose

sacrifice signalled the end of all ambition. Napoleon should have been strong enough to sue for peace much earlier. Mainz and the left bank of the Rhine would still be a part of France; likewise, part of Belgium territory would be French today. The story could have been very different, but it would have been necessary to channel the energies of the Emperor, and of France, and to organize the peace and the Republic.

The end of Napoleon demonstrates equally the lack of governance of strong regimes and the weakness of their institutions, which do not curtail overly strong powers soon enough, and do not impede their destructive work. The criticism applies perfectly to Donald Trump's catastrophic presidency. It also applies to episodes in French history where it would have been salutary to prevent mistakes by those in power earlier.

### **An Emperor without an English strategy and who does not learn**

Lessons that were never learned from the Egyptian campaign might have avoided the errors of the Spanish and Russian ones. It was important not to stray too far from France but to keep to familiar ground. These two later campaigns, and that of Egypt which followed the same logic, had been motivated by a military strategy that was intended to inflict defeat on England.

The great military strategist that Napoleon undoubtedly was, could never find an answer to "perfidious Albion". A political and trade agreement was needed, as England could never compete with the Empire on the continent. It is easy to imagine how much Napoleon's personal 'vendetta' against the English allies of Paoli and Pozzo di Borgo led the Emperor to his downfall and that of the Empire. The English were masters in the art of provoking Napoleon.

Let us briefly recap. In 1798, the French fleet at Aboukir was perfectly lined up, protecting the entrance to the bay and the French encampment. The vessels, transformed into giant artillery batteries, were in line, stationary and pointing towards the open sea to defend the army from any threat coming from the sea. Napoleon, the artilleryman, must have been satisfied with this formidable redoubt that Vice-Admiral Brueys had proposed.

The English, exhibiting classic Napoleonic audacity, slipped several ships through between the French line and the shore. When the second one had passed, it was able to calmly fire on the French ships, which had no capacity to retaliate. It was carnage (arguably the most beautiful French fireworks ever to be staged at sea). Napoleon blamed his admirals and, with the exception of the Minister of the Navy, Decrès, who loyally carried out Napoleon's orders, they never regained his confidence. It has been alleged that jealousy prompted Decrès to pick mediocre collaborators, and this is one of the pointers to the poor functioning of the Navy under Napoleon.

Another is that Napoleon, by putting too much pressure on admirals he did not really esteem, contributed to the defeat of Trafalgar. It would have been better if

Villeneuve had listened, not to his minister but to his captains, who were unwilling to confront Admiral Nelson. History only recollects of Trafalgar (1805) the defeat of Villeneuve and the victory of Nelson, ignoring the responsibilities of Napoleon and Decrès. Napoleon immediately bounced back, however. Abandoning his plans to invade England, the *Armée du Camp de Boulogne* would be sent into Bohemia to crush the Austrians and Russians at Austerlitz (1805).

Napoleon was a military genius ... on land; Nelson his alter ego at sea. Napoleon never accepted his limits and did not hesitate to issue orders in areas he did not understand. It was astonishing to have no worthy successor to Admiral de Grasse, victor with Marshal Rochambeau at Yorktown (1781), nor to allow the emergence of a Desaix, or a Davout, in the Navy. The decline of the French Navy is often attributed to the Revolution, which would have decimated the ranks of captains and officers. This explanation does not stand up however, as the army was also led by aristocrats that had converted to the cause of the Revolution.

We must acknowledge the great victories over the Prussians at Auerstadt and Jena (1806). The latter thought to do better than the Austrians and Russians had at Austerlitz (1805) but ended up being crushed. The campaign was dazzling and fully deserved the appellation "blitzkrieg". Unfortunately for France however, nothing endured with Napoleon, who was winning battles and campaigns, but never a lasting peace. The King of Prussia (Friedrich Wilhelm), was saved by the Tsar during the Tilsit negotiations, giving the Prussians time to recover from their terrible rout. They would later take their revenge, first in Leipzig (1813) and then, finally, at Waterloo (1815) where Wellington, at the end of the line, left the Ziethen cavalymen to cut down the French in full rout. Napoleon III will do them the honour of repeating the scenario with the defeat of Sedan in 1870. He who does not learn goes backward.

Russia, masterfully defeated at Austerlitz (1805) and again at Friedland (1807), had no choice but to sign the Treaty of Tilsit (1807). More than just a treaty, it was an alliance agreement between two emperors seduced by each other. Alexander I accepted the proposal to share Europe between two spheres of influence, French and Russian. This Yalta-type agreement would end like the one signed by Stalin and Roosevelt; it would not settle anything, except to allow the Russians and Prussians to rebuild, and the French to conquer Spain and Portugal, issues of no real importance that would end in disaster. Napoleon believed he could count on the Tsar, having offered him lenient terms despite his defeats. The Tsar accepted, for a time, that his country be included in the continental system, but was already calculating that, when his position would be stronger, he could renege on the agreement. Alexander offered to support Napoleon in his negotiations with the English, in exchange for the support that Napoleon could bring to Alexander in his with the Sultan. They agreed to guarantee free navigation at sea, except that Russia would be allowed to control the Baltic...

Obsessed with the notion of bringing his rivals, the English, to their knees, Napoleon would harm French industrialists and consumers, and his allies, by prohibiting any trade with the British. One of the inspirations of the Iberian invasion was to force Portugal into the French sphere, thereby halting all trade with the English. Eager to avoid bankruptcy, English traders would help defray the costs of the expeditionary force to Spain and bribe Russia to break their alliance and trade with them via the Baltic. This influenced Napoleon's decision to attack Russia in 1812 (without a single Russian on his staff) - not to invade, which he knew would be impossible, but to punish Russia for violating the alliance. The soldier in him always won over the statesman, who fell short of the former. The British at this time posed no existential challenge to the Empire.

All this grew out of proportion, which was not lost on Talleyrand, the Minister for Foreign Affairs. Unfortunately, Napoleon, deaf to criticism and blind to what did not suit his views, himself contributed to inflating his English problem. Bernadotte, now appointed Prince of Sweden and summoned by Napoleon to contribute to the Russian expedition, refused. Bernadotte understood that it was not possible to defeat the Russian bear. He warned Napoleon that in any case no army would emerge alive from such an expedition and that Russia did not pose, according to him, a serious problem on the European chessboard. Invited to regain Finland which lost to the Russians (who would be able to attack Sweden without fear following the partition of Europe signed in Tilsit), Bernadotte refused and would afterwards go on to conquer Norway without losing a single soldier. Bernadotte was a great king ... of Sweden and could have been king in France. This was a scheme of Tsar Alexander I, who was close to Bernadotte and held him in great esteem, but Talleyrand committed a huge mistake in siding with the Bourbons and the *Restauration*, and dissuading Alexander from this plan.

Talleyrand, even though right on the wrong course that France's affairs were taking, was a real *fossoyeur*. Like Fouché and others, the Prince of Benevento used Napoleon to accumulate personal wealth; for this, he should have been convicted of wrongdoing, and not only morally so. Even if he had succeeded in convincing the Allies that the enemy was Napoleon and not France, the Restoration was still a strategic error for the Nation - its name already proclaiming its intrinsic impossibility. Perhaps in hindsight, it is time to rename the *Palais Bourbon* the *Palais des Français*.

The modern Europe of nation states began its long march in 1789. It would take time, several revolutions and more wars, until the French people would no longer be victims of one or the other aristocracy and would finally reach the promised land of democracy. For the European nations to unite democratically is a challenging project, as events regularly remind us. We must constantly remember the objective and, with humility, recall Churchill's words to his own Parliament; "No one claims perfect or omniscient democracy. It has been said that democracy is the worst among forms of government, if we put aside all the others that have been tried from time-to-time" (26).

The paradox of Napoleon is that Bonaparte learned much from great strategists such as Alexander, Hannibal and Caesar, but that he learned nothing from his own mistakes, going so far as to blame *Général Hiver* (General Winter) for his lack of success on the Russian plains. Napoleon underestimated Alexander I and made the great mistake of not listening to, nor trusting Bernadotte, who understood the Tsar much more. His difficulties in Egypt and Spain also should have reminded Napoleon that what was at stake was Europe at its centre, foremost the relationship between France and Germany (and in time, Austria). Spain was a huge mistake; badly prepared, badly executed and not ended soon enough. Napoleon should have recognized this great strategic error. The obvious violation of the principle of concentration of troops in a square of a few hundred kilometres - the heart of French military success - was completely disregarded. Lack of learning by the Emperor of his role as head of the government and not of the army, and the Emperor's inability to exercise just moderation, would become the main factors in his own downfall, and, ultimately, that of the Empire.

Let us now consider his role as architect of France's administration. Quite simply, we can say that all the decisions that are just will endure: the Codes; the *Grandes Écoles*; the infrastructure of roads, canals and communications, and the administrative organization of France into *Départements* headed by the *Préfets* and their *Préfectures*. His own education and talent as an artilleryman had prepared him for this; organizing France as he understood how to organize an army. The Prefects would report directly to the Ministers, who each had their own area of expertise, and the Prefects were responsible for the execution of the decisions of the Ministers, who reported to the Emperor. It all works superbly right up to the present day. This is the genius of Napoleon's administrative creation, which was admirable and can truly be celebrated. Every organization needs an effective and efficient administrative apparatus - a good bureaucracy - as the COVID crisis has vividly demonstrated. Like all that was just in Napoleon's work, it endures to this day.

What was missing was good governance, which is first of all a question of spirit. As Jean and Marie-José Tulard aptly describe, the administration was at the service and at the goodwill of the Emperor (27). It lacked effective delegation, as the Emperor would have none of it. His collaborators made the great mistake of not combining to demand it, which would have served the Nation well. It lacked, as we suggest above, a CGG - Confederation of Generals - to demand an end to the fighting, or a CGM - Confederation of Ministers - to demand peace and greater delegation. Autonomy and decentralization would have been beneficial, plus a Council of State or a Legislature that would effectively control the Executive.

The Emperor decided everything. Archchancellor Cambacérès acted as regent during the long campaigns that kept Napoleon away from Paris. Appointed Duke of Parma in 1808, Cambacérès made the mistake of not taking the initiative against the wishes of the Emperor, although he likely realized its necessity. This failure allowed him to keep the confidence of his master (and to remain in post), as he passed every



decision back to the Emperor, even during the campaigns. Mired in restructuring his army on the banks of the Elbe after the Russian disaster, Napoleon received two hundred draft decrees on April 28, 1813. The Emperor would sign several thousand decrees every year, even for purely local matters (28), which caused governance to seize up, administration harming the military, and vice versa.

However, when it comes to governance and government, there is no such thing as perfection. The evidence is that much of the system still endures today. On the other hand, decentralization remains one of the major Republican projects. The lack of a great collaborator, or a successor of the calibre of Bernadotte was highly damaging. By contrast, it was Napoleon's own obstinacy that contributed to the Restoration. This was to bequeath the revolutionary project and the Republic a huge disadvantage, and a fatal ambiguity that can be seen with, and transmitted to, Napoleon III. With the same consequences the Prussians returned once more to Paris after the defeat at Sedan (1870). It is this ambiguity that Napoleon (not Bonaparte) cast over France, and it is this shadow that must be lifted.

A word regarding the *Code Civil des Français*, which was adopted on 21 March 1804: the Code is remarkable. It is still applied, in part of course, not only in France, but also in Germany, Belgium and Luxembourg, the Netherlands, Italy and Switzerland, to name only the main countries that have adopted it. Even China draws inspiration from it in its legal codes today. Major disruptive societal transformations need a code, because they rarely advocate what is natural or usual. The aim of the Civil Code was to register the rights of the Citizen, which required clear reference texts. Law enforcement during the early years of the Revolution was confused, unclear and unpredictable. Certain jurisdictions, for example in Picardy, had medieval roots, while in Provence a tradition of Roman law prevailed. Then monarchical law developed and, following the Revolution, republican law. It was necessary in this new Republic - and then in the Empire of the French - to practice one sole right, because everybody was equal before the law. But which law, exactly? It was the accuracy and flexibility of the Civil Code - which synthesized the various legal practices existing in France - that have ensured its sustainability. After 200 years, it is undoubtedly appropriate to revise the Civil Code and, one day, to write one for the European Citizen.

The harmonious and superb synthesis of the different legal regimes existing in France was the remarkable work, in just four months, of a commission of eminent jurists from the four corners of the country: Tronchet, former president of the bar of the lawyers of Paris and defender of Louis XVI before the Convention; Bigot de Préameneu, born in Rennes and former member of the Paris Bar; Maleville, former lawyer at the Parliament of Bordeaux, and Portalis, former lawyer in the parliament of Aix and Chairman of the Council of Elders under the Directorate. As the *Dictionnaire Napoléon* confirms, Portalis dominated the commission with his unequalled legal and philosophical knowledge (29). He was invited to present the project with a philosophical foreword, entitled *Du Droit et des Lois*, which explained the propositions of the code: natural law and the principles of *Liberté* and *Égalité* of

citizens before the law. This preamble later disappeared from the Code, which was named the *Code Napoléon* in 1807. That naming was a double injustice. Firstly, injustice in spirit, as Napoleon was unfair and constantly violated the Code. Then, if we had to give the Code a name, it should have been that of Portalis.

To finish the balance sheet of the reign, unjust decisions will not stand the test of time: a need to dominate everything which leads to failure; an unchecked and losing conquest of Europe; the introduction of a Napoleonic aristocratic order in contradiction to the Revolution, which would set France back, all form part of the drift towards an unjust reign, if not its major unfair hallmarks. The outcome of all these wars for France would therefore become more mythical and emotional than real. No, the Emperor did not succeed in his task of replacing a Habsburg Europe with a lasting French Europe. Much would have been needed, including more justice, more freedom, and greater equality, not only in France, but also in Europe as a whole. But Napoleon became a less and less enlightened dictator. Institutions, including the Council of State, were under his thumb and could neither react nor correct the drift. Governance was poor, if non-existent. Nothing stopped the imperial drift, except from time-to-time the rights given to the *citoyens*, in a Code that should never have been named for Napoleon.

Bernadotte did a great deal better in Sweden. Napoleon and the generals did not have the virtues of Washington and his brothers in the American Revolution. We are not talking about Talleyrand and Fouché, who colluded to deceive the Emperor and France. Napoleon was very unequal in the choice of his confidants and advisers and kept some very bad ones, never seriously sanctioning them. He was not the Emperor France had dreamt of, leaving it in bad hands and allowing Britain to resume European leadership and embark on its industrial revolution after Waterloo. France, by contrast, slumbered through the Restoration. In a supreme irony, his nephew, possibly Hortense's bastard son, would take up the Napoleonic torch with democratic, economic and social progress, many ambiguities, and an end less harmful than that of the uncle, although equally dramatic. On the other hand, it did lead to the Third Republic, avoiding another royal Restoration. France finally had its Republic.

What is perhaps most surprising in the Napoleonic epic is the lack of purpose and ultimate goal in this frantic ambition to conquer Europe. The lack of a higher purpose limited his ability to find lasting allies and ultimately weakened the Empire, which became too large, too ineffectively administered, and with too few lasting allies. The errors in Spain were enormous and formidably costly. This is another paradox of the great organizer.

The Empire at its height comprised a motley collection of 134 departments, added to countries, principalities and duchies that had been conquered, allied or subdued (30). There was a glaring lack of moderation, equality between states, or freedom. The Swiss federal model that emerged from the Act of Mediation would have been perfect for this new Europe, which would not attain its tenth anniversary. Once

again, paradoxically, the Emperor did not learn from his Swiss success, which can arguably now claim to be the pre-eminent democratic model in the world - a model that the First Consul authorized and to which he strongly contributed. It suggests that a Napoleon, undistracted by military ambitions, could also have been a very great administrator.

## **200 years later: the sustainability of any organization requires fair leadership**

Management sciences have in recent decades developed a theory of management justice, called procedural justice (31). The subject, of fundamental importance, is insufficiently known, and in practice is violated daily, and with ease. In a nutshell, this theory applies procedural concepts not to past judgments, as the courts do, but to creating the future. Decisions determining the future are the result of interactions between leaders (commensurate with judges) and their teams (corresponding to lawyers and experts). These decisions result in strategic and organizational proposals that must be submitted to the stakeholders, gathered in assemblies of managers or shareholders, or parliamentarians in the case of politics. The stated premise of procedural justice is simple; the more procedural justice prevails in these processes and assemblies, the better the decisions and the easier their implementation will be, owing, among other things, to better stakeholder adherence to these decisions.

This practice also requires regular evaluation of the results, and of the procedures applied in decision-making and implementation. Its strength is to demonstrate that many enforcement problems are in fact not 'problems' at all, but are rather 'consequences' of the application of unfair procedures. This puts due and fair process at the heart of management. Another contribution is to underline how values are crucial; procedural justice requires fair leaders, just as a fair trial in court requires a judge of integrity (32).

We have seen the full force of procedural justice during the COVID (33) and Brexit (34) episodes. These two examples perfectly illustrate the importance of the theory, which predicts that decisions and outcomes will be better the more procedural justice prevails. The theory explains and validates the conclusion of Amartya Sen, Nobel Laureate in Economics, that poverty is a consequence of unjust societies (35).

Leventhal (36) was the first to characterize just procedure. He identifies what the English commonly call 'fair play' as a central virtue, and then characterizes the five elements necessary for this virtue to be present:

- 1) true communication, both in assertiveness as well as listening;
- 2) clarity and transparency, as crimes usually take place in the shadows where no one is watching or taking account;
- 3) unbiased appreciation of facts and arguments, openness to questions to be posed and debated and an absence of bias in relation to collaborators, which

is very difficult given the Talmudic commentary already referred to, which makes us see the world as we are, or as we desire, and not as it is (37);

4) the ability to change one's mind in the face of new facts and new evidence. This requires openness to others, to change, and to facts that contradict our subjective understandings and views. This is the legal, but also scientific approach, which rejects all ideology and bias before examining new data.

5) A culture of integrity in participating in the procedure and its implementation, so that it accordingly delivers the 'just' result.

Violation of even one of the five characteristics is sufficient to render the proceeding unjust. This is the requirement of the concept, which is much easier to name (and teach) than to apply. On this point, the so-called highly 'civilized' cultures - French, English, Japanese or Chinese - require the ability to 'read between the lines' or, more difficult, 'to be able to hear and understand "second-hand" speech'. This is unfair to those who are not from the respective culture and do not understand it. So-called 'direct' or 'low context' cultures are generally fairer and allow for easier collaboration in our global and multicultural world. Obviously, we should add that in the social sciences everything is a question of probability. We only speak of trends and probabilities, never of certainty, certainly in the short term. An opposing example is therefore not, exclusively, sufficient argument to invalidate social theories and hypotheses.

We should add, on the avenue opened up by the Talmud concerning our subjectivity, that all cultures find it difficult to admit that they can be unjust. It is the other cultures that are labelled as unfair. The righteous leader, therefore, in order to listen well to others, must be familiar with his or her own subjective biases and not be blinded by them. The just leader is collaborative and collective, wanting to engage others, convinced that the opinions of a diverse team - like that of Bonaparte's generals at the beginning of his leadership, or those that composed the Civil Code - leads to outcomes that are better balanced, more nuanced and perceived as fairer and easier to implement.

The second aspect of the theory of procedural justice is that it requires the description of a clear process. In our research, we have postulated such a relatively simple process, which models the process followed in any legal proceeding (38). It consists of five steps, to be followed in sequence, which lead to the 'valuable' or 'valid' action, that is to say the action creating value. Each of the steps itself consists of three sub-activities or sub-steps, which complicates it somewhat, but adds clarity. We will describe each of these five steps in the following paragraphs. We also invite the interested reader to consult the literature provided in the introductory footnote for more detailed information.

The first step is to frame the problem to be addressed, or the opportunity to be seized (39). Without framing, there is no clarity about the objectives and the difficulties that will hinder successful execution. To formulate well, you need to

engage those who know and have something to contribute. This is the phase where you talk to the experts, to those who have experience of the issue, including negative ones. Also, to those who will be affected by the decisions, including those who will be involved in their implementation. Obviously, when we write "all those", we mean Tyler's notion of engagement, that is to say the possibility of *having a voice*, which can be the voice of the person representing you, as in a court of law - the advocate (for the defense) or the prosecutor (for the charge). These initial discussions of due process are not about what decision to make, which will be made later, but about the nature of the question to be answered.

It should never be forgotten that a great answer to a wrong question ends up being a very bad answer, because it lulls you into a false sense of satisfaction in the short term, before the reality of the mistake catches up with you. Decisions that concern the future can be seen as more complex than those that, as in a court of law, concern a past fact. Indeed, the latter does not change, while our understanding of the fact and its circumstances will tend to improve over time. In his *Sermons*, Bossuet assures us that "time discovers secrets; time brings forth opportunities; time confirms good advice."

On the other hand, bad decisions can turn out to be disastrous by virtue of the destructive and irreversible dynamics that they engender. This explains the slowness of justice, as time invariably gives us, without much effort, new information and new clues. The discussions at this first stage of due process are essentially about what each side considers to be the underlying problem that needs to be addressed. Getting the framing wrong is often the root cause behind a lack of merit in a case.

If only Napoleon had benefited from the services of one, or even several Russian experts converted to the French cause, as Alexander I did by hiring Pozzo di Borgo, Bonaparte's Corsican foe. He would have been better informed about the climate, the quality of engagement of Russian officers and their soldiers, and the psychology of Tsar Alexander I. Bernadotte regarded the Russian campaign as heresy, and he told the Emperor so. Napoleon ignored him. The Emperor's negative bias towards the Prince of Sweden contributed to his rejecting helpful and logical advice; advice that Bernadotte would apply himself in refusing the Swedes' demands to retake Finland from the Russians.

Autocrats often unwittingly restrict the circle of their advisers. This was the case with Napoleon, and his desire to make all the decisions over a wide range of issues accelerated this trend. Isolation then reinforced the Emperor's prejudices. The accuracy of his framing on the major issues facing him, and on his ability to assess the correct responses, was reduced. The fundamental challenge of the reign concerned the strategy to adopt towards the English. Napoleon had no constant response to this; on the contrary, by persisting, he displayed very bad reactions, such as the maintenance of the Continental Blockade, the invasion of Portugal and Spain, or his last mistake, the invasion of Russia that resulted in his first exile to

Elba. He would have done much better to accept an imperfect, even shaky, compromise with the English – as he had with the Tsar. The Sixth Coalition would bring his response to the Battle of the Three Emperors in Leipzig (1813) that returned Louis XVIII to the throne for the first time.

The decision, in October 1807, to send General Junot to Spain with an army of 25,000 with the mission to invade Portugal, was to be one of the Emperor's worst decisions. It would mark a turning point in his fortunes, after the superb victories in Prussia and Friedland that, as a result, were insufficiently exploited at diplomatic level. It would also sound the eventual death knell for the French armies on the European continent. Rather than favouring the normal succession of King Charles IV by his son Ferdinand, favourite of the Spaniards, Napoleon would intervene awkwardly in the succession and force Ferdinand to surrender his crown so that his father could return it to the Emperor. The French had until then been seen as allies who would get rid of the great courtier and favourite of the royal couple, Minister Godoy, and establish Ferdinand on the throne of Spain replacing his weak father. Faced with this highly duplicitous (and unfair) play by the Emperor, the Spaniards revolted and started a veritable guerrilla action against the French, which they would eventually win with the support of Wellington and his Portuguese allies.

Murat, Napoleon's brother-in-law, who was appointed Spanish Lieutenant-General to the Emperor on 20 February 1808, coveted the crown. However, the June 4 appointment of Joseph, the Emperor's older brother, completely disillusioned Murat with Spanish affairs, and when he inherited the crown of the Kingdom of Naples on 15 June, he left Spain immediately. Joseph quickly proved to be incapable of taking on a responsibility that perhaps only Murat could have done. Junot, abandoned by the Spaniards and facing the Portuguese in revolt, found himself in a very precarious situation which he did not improve by inflicting fierce reprisals on the local population. General Dupont, who was supposed to lend a hand, capitulated at Baylen on 22 June. Junot, defeated by Wellington at Vimeiro on 21 August, was happy to sign the Sintra Convention with Wellington's superior, but against the latter's advice. The agreement offered the French an evacuation to Rochefort by the Royal Navy "with all their personal effects (which they stole from the Spaniards)." England cried foul. Despite a rapid return to strength by Napoleon and his Marshals, the momentum and aura of invincibility of the French was shattered.

French woes in Spain and Portugal cannot be underestimated. They gave renewed hope to the Austrians, who in the spring of 1809 would attack Bavaria and Württemberg, kingdoms allied to the French. A new campaign was announced in Germany and Austria and Napoleon was forced to leave Spain in the hands of his Marshals. Although these did not display the same strength and collaboration when the Emperor was far away, it would still take several years for the English, with the help of their Spanish and Portuguese allies, to eject the French from the peninsula. This was finally achieved with Wellington's victory over Jourdan at Vitoria on 21 June 1813. Napoleon was forced to surrender the peninsula and the crown to

Ferdinand VII. Ney could have repeated the very words spoken the day after Eylau: "All this for nothing!"

It is almost as if, over the years, a growing veil diminished the Emperor's vision. Borrowing the terminology from procedural justice, his leadership became more and more unjust, first through a poor framing of the questions to which the Emperor had to provide relevant answers. It was this poor framing that induced him to make bad decisions and that ultimately led to his downfall.

The second stage in any fair process is the creative generation of possible answers to the question identified in stage one. This is followed by the exploration in detail of possible responses and solutions to the challenges identified in the previous stage. This is the moment to properly prepare for execution by identifying the risks incurred in each of the options selected for final decision (next step). This, again, involves consulting experts and the experience of a team (s) comprising multiple points-of-view. In this exercise, bad choices are eliminated and good ones unified to arrive at a small number of major options. The mistake at this stage is to want to 'sell' the right solution, whereas the object in this second step is rather the analysis of the pluses and minuses of each alternative.

Napoleon, becoming increasingly isolated, explored the options less well, while his team, kept at bay by Berthier, participated less and less actively in the process. This meant that understanding of the plans, much less the risks, was diminished, and the quality of Napoleonic planning was weakened. This was all the more so towards the end of the reign when armies were much larger and manoeuvres more complex to plan and execute. Agility on the battlefield is a good thing, but you still have to be able to join battle and know the plan once you get there.

This would form the basis of the disagreements at Waterloo, but also of Auerstadt (blamed on Bernadotte) and Aspern-Essling, where the risk of crossing the Danube with a large army was very high. Not to mention Russia, where improvisation, especially on the return journey, would prove to be fatal. The same communication problems hampered the proper execution of administrative decisions, as the Empire became unwieldy and the Emperor more distant from his Ministers and Prefects. By wanting to decide everything, and everything alone, Napoleon was no longer able to adequately prepare for his projects. The Spanish failure was undoubtedly the best example of this.

Then we come to the third stage, that of the decision, the motivation behind it and the detailed explanations for its implementation. Expectations must be formulated about the contributions and responsibilities of all parties. In the Italian Campaign, the enemy was unprepared for Bonaparte's military strategy, but from the invasion of Spain onwards, the Allies began to organize themselves and to anticipate what Napoleon was going to do, making the element of surprise - a crucial factor at the beginning of the reign - more and more difficult. Waterloo was the culmination of this, as surprise effectively changed sides.

Finally, we move on to phase four, which begins with the execution of decisions, allows the achievement of the expected results, and - the last sub-stage - the reward, or the sanction, either of which are often the cause of injustice. This is a point that must be emphasized; prison, once the sentence has been served, sets you free. This is the just reward for the successful execution of the sentence. Similarly in management, promotions and expected bonuses must be paid to admit the successful conclusion of the contract. Napoleon never really had the desire (or the courage?) to confront those among his generals who did not carry out orders or did it poorly. Masséna was known to "feed on the conquered country" but Napoleon never really confronted him. On one hand, Napoleon was correct; before punishing his generals, he should have stood ready to punish himself in the context of bad decisions, something he could not conceive of. Then, he often said that he depended too much on these brave senior officers and colleagues, who had given so much on other occasions, and who, no doubt, would and should "give" again. He could not force himself to come down on them too strongly.

Napoleon was arrogant in believing that his strategic superiority would be sufficient to make up for the shortcomings of some of the generals. By letting these generals continue in their course and not correcting them, unfairness spread, commitments and agreements were sacrificed and the team lost the superb unity that once drove them. Spain proved to be a disaster, and the absence of the Emperor (and his best Marshals) during the first phase, had a lot to do with it. The Emperor in the first phase of the invasion was too busy negotiating with the Tsar, creating the Court of Auditors in Paris, appointing his brother King of Westphalia, meeting the Tsar again in Erfurt and seizing the opportunities offered by the Treaty of Tilsit. The Marshals were left to their own devices and, without sufficient unity, were severely beaten, separately. When Napoleon hurriedly returned to Spain, unity returned and so did short-lived victory. But the Austrians by then had seen that the French could be beaten and they soon forced Napoleon to return to the Central European theatre-of-war. The Marshals, abandoned for a second time, would again fall into losing ways. Napoleon, unaware, and certainly not confronting the limits of his own leadership, would in the end contribute to his own downfall. This is where the fifth and final phase of the fair process cycle is crucial.

The fifth and final stage of the fair process cycle consists, once the battle is over, in a fair assessment of the results obtained, contrasting them with expectations and also identifying the gaps in implementation that were identified. It is certainly here that we are able - we have said this many times already - to identify the immense Achilles heel in the imperial strategy. Once the action was over, regiments would be reconstituted, new non-commissioned officers promoted, rewards and medals distributed. All this would be done with an eye to quickly getting back on track without much pause and without losing too much time. If deep review and reflection did not occur, it would eventually limit the quality of those in command due to a self-generated lack of improvement and learning capability.



It is important to understand that the distribution of medals concludes the fourth phase of the fair process cycle, and signals the end of the execution stage, leaving room for phase five and the final evaluation of results and of the processes followed to produce these results. In “the fog of war,” many things go wrong. It thus becomes crucial to identify what went well – to repeat and build on it - and what worked less well, or not at all. Validation and review of objectives, strategies and actions of men are essential. They ensure that commitments were indeed kept and, in the opposite case, that transgressions were sanctioned so that they are not likely to be repeated. Learning prevents the repetition of mistakes and allows for the continuous improvement of skills and competences. The Bay of Aboukir disaster contained many lessons that, if learned, could have averted future disasters, including Trafalgar.

Using this model, de Gaulle, both General and statesman, is very easily characterized as a fair leader, which is different from a perfect leader, which he was not. Similarly Clémenceau, and Bonaparte the General, who, as Larousse says in his *Dictionnaire Universel du XIXème Siècle*, died on 18 Brumaire 1799, when he ended the *Directoire* and became First Consul. Larousse marks the date as the birth of Napoleon, the Emperor. We have largely followed the same dichotomy regarding Napoleon in our essay.

The Emperor indeed fails the test of being a fair leader, his leadership capability diminishing in this regard as his reign progressed. The problem, in our view, was compounded by the fact that he was a man in a hurry who held three distinct roles: General-in-Chief of the Army (although there was a Minister of War, who only obeyed); Head of State, and Head of the Imperial Household. He was to weaken each of them. The inclination to rapid action, which fitted the military man, hurt the statesman. When the latter failed, he would then fall back on his natural talent of waging war. This is also an indictment of the modern Chief Executive regime, which makes execution more expedient, but at the expense of good governance. Overly concentrated power and roles are major conduits to governance failure. Governance was nearly non-existing in the *Empire des Français*, notwithstanding the reference to the people in the name of the French Empire, but which soon became a relic carried over from the Revolution.

The application of the theory of procedural justice allows an apposite dual conclusion on the reign of Napoleon Bonaparte. Both camps - the Bonapartists and the opponents of the Emperor - are correct. Bonaparte, the General, was a just leader who contributed strongly through his victories, and those of his team, in consolidating the new Republic, while the Emperor, on the other hand, cannot be qualified a just leader. Worse, the fair play of Napoleonic leadership waned over time; he did not learn, which is a key requirement for fair leadership; he eliminated those who opposed him, and ended up surrounded by a small number of apparent sycophants who used his power to establish their own and to secure the benefits of their infamous association with the imperial regime. This is the fate that awaits dictators. Ultimately, it makes their downfall inevitable. When we speak of

Bonaparte and Napoleon, we are talking about the same man, in different roles, and at different times. Therein lies the difficulty of a truly objective analysis of this extraordinary figure.

We have applied the concept of fair management and fair leadership to evaluate Napoleon's leadership, basing our argumentation on the notion of procedural justice (and on the English concepts of 'fair play' and 'due process'). This contrasts with the more traditional notions of distributive justice, which concern the fair share or the just result following the division of a good. It is procedural justice that allows the application of theories of justice in a seemingly unjust area, that of war. The moral theory of war appeals to the notion of procedural justice; a war can be seen as just if it is declared as a result of a just process. To illustrate this difficult point, the first Iraq war can be considered just while the second, which France opposed, is widely seen as unjust. These two wars actually validate the importance of justice theory in management. The effects of the first Iraq war were clearly recognized as imperfect, but nevertheless positive in a global context. Its major failure was that the conflict ended without a real solution to the problem posed by Saddam Hussein's continuation in power. To refer to the theory, this was a failure of Stage 4 in the Fair Leadership process, execution being halted without delivering the expected results, and hence rewards never quite materialized. Turning to the second Iraq war, we are still suffering the consequences of the aftermath of this unfairly decided conflict that France was absolutely right to oppose. We are also still suffering today from the consequences of the unfair processes applied by the American and British leaders to pursue their chosen ends. These eventually caused the demise of the British Prime Minister, Tony Blair, who would otherwise have been in a good position to assume the Presidency of the EU Commission. This would have changed European history, and the outcome of the Brexit discussions and outcome.

Of course, the application of the theory of fair leadership does not end with analysing wars. The theory is far ranging and explains, among other things, the success of Carlos Ghosn during the acquisition of Nissan by Renault (a superb illustration of fair leadership at its best) and its end, marked by management injustices by him and his team, both in Japan and in France. What is interesting in this example is how starkly Carlos Ghosn mirrors Bonaparte; his first restructuring operations at Michelin and later at Renault are reminiscent of the early campaigns of Bonaparte, while the Nissan rescue brings to mind Austerlitz. All these initiatives were very positive and reflected a righteous leader, Ghosn being named "Manager of the Year of (the) Nissan-Renault (Empire)", just like Napoleon had been glorified in 1805 as a result of having soundly defeated the combined armies of the Austrian and Russian Emperors. The end of Ghosn is remarkably similar to that of Napoleon: both ended in prison on an island - Saint Helena for Napoleon, Japan for Carlos Ghosn - betrayed by their close associates and meditating on what 'others' had 'unjustly' done to them; minimizing their own responsibilities, and the unfair characteristics of their own leadership.

It is not certain that Carlos Ghosn was able to understand all the benefit he could derive from the Napoleon 'case'. It could have served as a warning, as it ought to any talented and arrogant leader who is quick to become unjust. It is clear that Napoleon, though a genius, was far from perfect in this exercise of self-evaluation. Few are. De Gaulle, at one of the darkest moments of his Presidency, went in May 1968 to ask for the advice of General Massu, Head of the French Forces stationed in Germany. Many thought de Gaulle might resign due to near civil war conditions in Paris. He returned from his discussions with his long-time companion, Massu, recharged and took back control, after which he successfully handed power to Pompidou. De Gaulle was a fair and wise leader, nearly singlehandedly – at least at the beginning – saving what he called “the real France” from the shameful collaboration of the Vichy government with the Nazi powers. Fair leaders realize miracles. How de Gaulle, from London, could guide France to be one of the five occupying forces of Germany following the Nazi defeat is one of these miracles generated by fair leadership.

### **The salutary work of historians**

The memory a country has of its own history is important. Historians keep reminding us that the two are distinct. The value of the historian is to explain the events that determined the present state and help us be better informed and, therefore, more just in our present views – helping politicians to be more honest with past history. We all see the world subjectively, often seeing it how we would like it to be. It is not overly dangerous for any of us, but it becomes very risky when such biases guide those assuming the great responsibilities of leadership and governance.

The temptation of any leader is to present a new narrative which will please some and make reality more acceptable to them. Race is a social construct, a false myth that spreads virally. Racism is the human and social reality that results from it. It is based on a number of myths and is as awful as it is dangerous. It is remarkable how late in American history Black Lives Matter (BLM) – a righteous movement - is finally addressing the racism still prevailing in many corners of America, including in the halls of Congress and the Senate. The elimination of *Égalité* from the founding principles of Liberty and Equality had enormous consequences, racism being one of the most important ones. It was the great contribution of the Greeks to democracy that Liberty, to be just, must be pursued within a framework demanding equality of all before the law. The absence of such an agreed framework led to the American Civil War. The tragic events of this past summer confirmed that the lesson obviously was not fully learned. A deficit of learning is unjust, like in the case when a wrongly convicted person is kept imprisoned.

It is therefore critical to eliminate from the mythology of a country the biased interpretations and falsehoods that pollute and distort its national spirit and, as the Trump episode reminds us, it is best tackled immediately and vigorously. The cost of not doing so can be billed in the hundreds of thousands of preventable deaths.

The Franco-Hungarian philosopher, Jankélévitch, coined the right word when he said that the beginning of evil is the split in an individual's personality. Its consequence is to present oneself, as other than oneself, which will engender further lies and invariably result in harm. Napoleon was wrong to build himself up and present himself as other than he really was. False allegiance to superheroes proceeds from this and typically is fatal. The same goes for any community and any country. The truth is complex, durable, tough, slow to know, quickly forgotten, sculpted over the years, and invariably leading to recognition, however painful. Only then can healing begin. The truth is the good soil in which nations can grow, and on which humanity marches onward to its destiny.

The history of Napoleon and his era, including the Revolution, the Consulate and the Empire, is as complex as it is vast. He was an aristocrat and a Corsican; he saved the Revolution, contributed to the extension of 'nationhood' to Europe and to the world, and consequently had a huge impact on the history of the world. He also enabled the return of a nephew who was a "usurped" version of the uncle, as Victor Hugo so aptly put it, but who still demonstrated all the potency remaining many decades after the uncle had departed. One cannot commemorate Napoleon I without commenting on Napoleon III, who equally merits a twofold appraisal.

Much remains to be said and understood, including how a provincial Corsican was able to generate so much energy and motivate so many soldiers, only to end up in an English prison on a remote British island near Argentina. History is an ensemble that historians study so that we can gradually learn the lessons and make amends. Foreign historians, often more moderate or less partisan, play a valuable role here. They make it possible to correct the false narratives that often pollute the national discourse, and that of the world. It is not possible to explain French, European or world history without mentioning Napoleon's contributions - and a bicentenary should be a moment to start getting the story straight.

There are two mistakes to avoid; either everything is good, or all is to be thrown away, wholesale. The great contribution of the Revolution was the transition from the royal and aristocratic regimes to one of the Nation belonging to its people, fully and entirely. This is where the French Revolution differs from that of its sister, the American Revolution. It is also in this difference that the French found greatness.

The Revolution, the Republic and the Empire were stages in the long march of France towards democracy. The French are still on this journey at the present day. European aristocracy sold itself dearly, but eventually gave way. For some countries, it may even take centuries, but the question of its eventual desirability is largely made. The difficult conclusion about Napoleon is that he certainly contributed in a major way to this transition, but also that, as Emperor, he also set it back. There is simply no way to remove the ambiguity that is so fundamental when considering Napoleon Bonaparte. As his name states, one should keep the good part,

“la buona parte” in Italian, while accepting the other part as with any human being - except that with Napoleon Bonaparte both parts are incredibly overwhelming.

There are of course some bad aspects to the history of Napoleon, as is always the case in a story that involves so many wars. Napoleon faced seven coalitions, the last two of which comprised all of Europe. Europe came together in a pact, sealed over coffee and hot chocolate in Vienna, to defeat him, firstly in the French Campaign and then at Waterloo.

We have dared – with due humility - to assert that Napoleon was not a great Emperor, for in the end we must judge the man by his legacy; not only did he leave France within ‘its natural borders’, but by his regression to a Napoleonic aristocratic regime he favoured the Restoration, which meant only stagnation for a France that had lost its European leadership to the benefit of England. Many men, who died in combat – most died under the Emperor - largely died for nothing. However, this is already a biased view, unavoidable when we explain history and try to improve our understanding of it. We must be careful with moral evaluations and judgments, especially when they serve present and future purposes. This encapsulates the difficulty of the Napoleonic commemoration.

There is no denying that there were hundreds of thousands of deaths and we can only mourn every death. The great progress that Europe represents is to try to leave wars behind us; and yet, Europe participated in the tragedy that followed the breakup of Yugoslavia. There was also the restoration of slavery in May 1802, spurred on by the colonial planters and the slavery lobby. We have underlined the cruelty of the repression and of the fighting. France owes a debt to Haiti that it has not yet repaid. Before comparing Napoleon with Hitler - which is absurd - the country might be well advised to first consider returning to Haiti the indemnity demanded in 1825 by Charles X for France’s recognition of Haiti’s independence.

Before charging Napoleon with whitening the army after 1802, let us draw the conclusions from the whitening in 1945 of the 1st Army of General de Lattre. The African divisions had fought bravely, and enabled France to regain some of its honour by a successful campaign in Italy and a landing in Provence, followed by another successful campaign to liberate the Rhône Valley and the Vosges. The decision taken by de Gaulle just before the end of the Second World War is closer to us, easier to repair and more immediately relevant than any event in the Napoleonic era. Both are hard to justify. Both decisions are unjust acts, with victims who at least deserve recognition and the admission of injustice. These acts were equally costly in terms of the greatness of the country, invariably dependent on the greatness of its leaders and rulers. To be great, leaders must also be fair.

Joachim Murat's demands to Napoleon for the release of General Alexandre Dumas, the "black devil", father of the writer and inspiration for the *Count of Monte Cristo*, remained unanswered. The latter almost died in the prisons of the Kingdom of Naples. He returned infirm and incurred the nagging resentment of Napoleon. He

had made the mistake in Egypt of confessing his Republican colours by declaring, "I believe that the interests of France must come before those of a man, however great that man may be. I believe that the fortunes of a nation should not be subject to that of an individual." Napoleon was to hold a grudge, and Dumas died in 1806 in a room at the *Hôtel de l'Epée* in Villers-Cotterets. There is still no French monument celebrating this hero of the Republic, former Commander of the *Armée des Alpes* and hero of the campaigns in Belgium, Italy and Egypt. This would be an easy and fair first admission. It could be followed by others, including the long-awaited *Te Deum* at Notre-Dame for Desaix, a remarkable French officer and aristocrat who had chosen the side of the Republic, and sacrificed his life in 1800 ... ensuring that Napoleon would meet his destiny.

Good court proceedings are those that punish the wrongdoers and recognize the injustice done to the good. They enhance the country and inform it. Napoleon and his memory are too often soiled by superficial and biased, if not wrong, comparisons. As noted earlier, this had already convinced President Chirac to limit the celebrations for the bicentennial of Austerlitz and to speak poorly of Bernadotte. We hope fewer mistakes will be made upon this commemoration, which in part will be a battle for his memory.

The right tone will have to be found. Any celebration is an opportunity to update the national memory, correct erroneous myths and celebrate, while at the same time regretting, sorting out, recognizing the forgotten, those who have been unfairly dealt with and humbly asking for forgiveness. And we would add a demonstration of the need for just leadership in world affairs.

Bonaparte served democracy and his country magnificently; Napoleon is still an ambiguous and complex figure, and his contributions were of a very different nature. However, he remains one of the greatest figures in history - one that now belongs to the world.

### **Fair leadership for more *Liberté, Égalité, Fraternité***

A great lesson from this epic is the importance of justice in the management of a country, and of any organization, not as *Liberté, Égalité, Fraternité*, but as procedural justice. The latter should prevail in any decision of any organization that wishes to be seen as just. Procedural justice should also be the foundation for obtaining the right mix of the three virtues of the French Republic - virtues that were essentially contradictory. Procedural justice is fitted to serve the Nation and assist its rulers in ensuring that the country can indeed pursue Liberty, Equality and Fraternity.

Goethe was right. Napoleon's union of Europe was not fair. Hence, it did not endure. The modern European Union will last because it will be fair and also seen as such; it will lose itself if it is unjust. Given its distinct cultures, this is an enormously difficult project. Again, procedural justice must be one of its foundations, establishing fair

processes and decisions. It also needs a code, to establish the rights of peoples and citizens. Central to such a code is fairness in process, which indeed was the case for the French Civil Code. The process, led by Portalis, was completed in minimal time and had - and still has - durability exceeding all its expectations. The dissemination of the Civil Code to countries that were 'liberated' was one of the great achievements of this age.

It should be noted that the advances of the Revolution, and of the Empire, which have been passed down to the present day, are those which were just: the Codes; education for all; the Grandes Écoles for the best in the service of the country (not only for the wealthy, or the aristocrats); the organization and administration of the country; pensions for war widows; scholarships for their children, and the courts of justice ...

To be sustainable, one has to be fair. This is the great lesson. Justice is a matter of law, of procedure, but also of practice and leadership. As the BLM and #MeToo movements remind us, justice is also about progress in society, in the life of organizations and in families. We have described how many businesses (and family businesses, including the Bonapartes) perish under unjust leadership, not from poor results, which are merely symptoms (40). The same goes for countries: Russia is dying of injustice; over half a million people have died as a result of Trump's unjust leadership, and Brexit, instead of being a great democratic moment, was an unjust one, led by unjust leaders (41). It cannot be stated strongly enough that the European Union will survive because it will be perceived as bringing more justice to its citizens.

Which brings us to the French principles of *Liberté, Égalité, Fraternité* - so strong, so poetic and so difficult, but conferring increased freedom for greater opportunity and human development. However, freedom also generates inequality. The more we reward with merit, the more we generate inequality of outcomes. This is why the second word of the French motto emphasizes the urgent need for equality of opportunity, a condition that renders outcome inequalities unacceptable. They are then the result of the choice of individuals, their talents and their merits. Currently, liberty and equality (of opportunity and rights) do not by themselves guarantee that the weakest and most needy are taken into account by society, unless this state of affairs is already understood by *Liberté et Égalité*. This was indeed not the case for France, leading the government of the Second Republic to add the moral obligation of *Fraternité*. The *Ateliers Nationaux* - national workshops - that were created to ensure work for every citizen. The idea was good but the measure was to generate an ideological dispute and a financial abyss. It would therefore be perceived as unfair, and would, paradoxically, favour the return of Louis Napoléon Bonaparte and his *Seconde Empire*. How complicated and paradoxical history can be!

The difficulty with the motto *Liberté, Égalité, Fraternité* is that its three ambitions are now understood to describe the conditions its citizens can aspire to. But these ambitions are contradictory, and, in fact contradict. This contradiction is, for us, one

of the causes of the multiplicity and recurrence of debates in France. In each case, it would be necessary to discuss what Liberty or Equality (of results or of shares) or Fraternity one pursues, and consciously decide in each case which of its three fundamental aspirations of the Republic one wishes to promote, at the expense of one or the other two. It is precisely the differences in appreciation between these three ambitions – and the unavoidable trade-offs faced in trying to progress in one – that fuel the Republican debate. This is a necessary and useful debate, on one condition, that it be conducted in a fair and virtuous manner. Perhaps more importantly, that it is recognized that *Égalité* is meant, not as equality of outcomes, but as equality of opportunity, rights and obligations.

This bicentenary can be a wonderful moment to rediscover the vital and imperative need for procedural justice, fair management and fair debate, which can only take place if leaders and their followers or fellow citizens are righteous and fair. The fatal end of the *Premier Empire* was the consequence of a drift of injustice in the management of the Empire, emanating from the top. The violation of the three principles of the French Republic was not the primary cause of the end of the Empire, but the consequence of a leadership that had become unjust.



## Notes & References

1. We will not refer in this essay to all the literature on Napoleon that we have heavily drawn upon. First of all of course the *Dictionnaire Napoléon, Volumes A-H & I-Z*, Fayard, 1987, under the direction of Jean Tulard, Member of the Institute, and which superbly and very usefully summarizes all the work of this eminent specialist of Napoleon and the Empire, and of his team of researchers. There are also the four volumes of *Napoléon* by Max Gallo, which marvellously recounts the Emperor's life. Next *Bonaparte et Napoléon* extracts from the celebrated *Grand Dictionnaire universel du XIXème siècle* by Pierre Larousse (1817-1875), published by *Mémoire du Livre* (2002) and prefaced respectively by Laurent Joffrin and Maurice Agulhon. Finally, the *Vie de Napoléon par lui-même*, Gallimard (1930) where André Malraux shows us Napoleon through a selection of his writings and which gives a remarkable view of the real Napoleon. For the battles, there is the excellent and very beautiful book by Laurent Joffrin, *Les Batailles de Napoléon*, Preface by Jean Tulard, Éditions du Seuil, 2000. We also particularly liked Macdonell AG. *Napoleon and his Marshals*. Prion Books, 1996.

We ask all other authors to forgive us for not mentioning them here.

2. Ribbe C. *Le Crime de Napoléon*, Editions Privé, 2005. Pierre Branda, in his article published on the *Fondation Napoléon* website, denounces a fabricated thesis <https://www.napoleon.org/histoire-des-2-empires/articles/une-these-montee-de-toutes-pieces-le-crime-de-napoleon-de-claude-ribbe/>.

3. Requested by President Macron, the remarkable work of the Commission of Inquiry into the genocide of the Tutsis in Rwanda must be commended. The report, directed by the Inspector General of National Education Vincent Duclert, historian and specialist of the Dreyfus Affair, was submitted to the President on 26 March 2021. It is available on the website [www.vie-publique.fr](http://www.vie-publique.fr).

4. Nin A. *La Séduction du Minotaure (Seduction of the Minotaur)*, Swallow Press, 1961.

5. *Dictionnaire Napoléon*, op.cit.

6. Louis XV refused to recognise Paoli's Republic and decided to conquer it by arms, which was done following the defeat of Paoli's troops at Ponto-Novo (1769). Paoli fled to England.

7. Ribbe C. *Le Diable Noir: Biographie du Général Alexandre Dumas (1762-1806)*, Alphée, 2008, and Reiss T. *The Black Count: Napoleon's Rival, and the Real Count of Monte Cristo – General Alexandre Dumas*. Vintage Books, 2013. The latter, who received the prestigious Pulitzer Prize for Biography in 2013, refers to a meeting with the former in 2008, without any reference to Ribbe's book which is surprising.

8. *Dictionnaire Napoléon*, op.cit.

9. *Dictionnaire Napoléon*, op.cit. The episode smacks of hesitation and confusion. The consular decree of 16 July 1802 was never published. The re-establishment of slavery was officially recorded on 14 May 1803.
10. *Dictionnaire Napoléon*, op.cit.
11. This was already the conclusion of Washington, who in his will gave freedom to his slaves, and advised his wife Martha to do the same. See Flynn MJ, Griffin SE. *Washington and Napoleon: Leadership in the Age of the Revolution*. Potomac Books, 2012.
12. *Dictionnaire Napoléon*, op.cit.
13. Fraternity is a key term of the Revolution. However, it did not appear in official texts until the Preamble to the Constitution of 1848, establishing the Second Republic, Article IV of which states: « *Elle a pour principe la Liberté, l'Egalité et la Fraternité. Elle a pour base la Famille, le Travail, la Propriété, l'Ordre public.* »
14. Our source is Chapter 3 in the excellent book by Favier F. *Bernadotte: Un Maréchal d'Empire sur le Trône de Suède*, prefaced by Jean Tulard, Éditions Ellipses, 2010.
15. Napoleon and Bernadotte were to be reconciled in 1804, when the former was crowned "Emperor of the French" and the latter Marshal of the Empire. But the men were too different. Berthier continued to poison their relationship, which contributed to Bernadotte's acceptance of the invitation from the Swedes to become their Prince and future King.
16. After the Egyptian epic, it will be more difficult for him to compare himself to Alexander, who also was rejected by his generals. Hannibal, like Napoleon, lost his war against his great enemy and died in exile.
17. Rochat A. (ed.). *L'Acte de Médiation du 19 Février 1803*, In: Cahiers de la Renaissance Vaudoise, 2003.
18. Bège J-F. *Le Fabuleux Destin des Bernadotte : De la Révolution Française au Trône de Suède*, Éditions Sud-Ouest, 2012, Preface.
19. Tulard J, Tulard M-J. *Napoléon et 40 Millions de Sujets: La Centralisation et le Premier Empire*. Éditions Tallendier, 2014, pp. 232-233.
20. *Dictionnaire Napoléon*, op.cit.
21. Joffrin L. *Les Batailles de Napoléon (Préface de Jean Tulard)*. Seuil, 2000.
22. *Dictionnaire Napoléon*, op.cit.
23. *Dictionnaire Napoléon*, op.cit.
24. We highly recommend the book *La Bataille*, by Patrick Rambaud, Grasset, 1997. The ardour of the French combatants joined the talent of the historian-novelist to obtain the Grand Prix of the Académie Française and the Prix Goncourt in the same year. Napoleon remains present in French life.
25. *Dictionnaire Napoléon*, op.cit.

26. Churchill WLS. *Discours au Parlement Anglais, le 11 Novembre 1947*.

27. Tulard J, Tulard M-J, op.cit.

28. *Dictionnaire Napoléon*, op.cit.

29. *Dictionnaire Napoléon*, op.cit.

30. Tulard J, Tulard M-J, op.cit.

31. The premier authors of the theory are Thibault J, Walker L. Procedural Justice: A psychological analysis. Hillsdale, who, in 1975, first studied the procedures and identified the characteristics that make these procedures fair. The reference in law is Tyler T. Why people obey the law. Yale University Press, 1990. J Greenberg and GS Leventhal are generally the researchers credited with first highlighting the importance of procedural justice for the fair and efficient functioning of organisations Leventhal GS. What should be done with equity theory? New approaches to the study of fairness in social relationships. In: Gergen K et al. (eds). *Social Exchange: Advances in Theory and Research*, Plenum Press, 1980, and Greenberg J. Organizational Justice: yesterday, today, and tomorrow. In: *Journal of Management* 16(2), 1990. Greenberg's first topics are performance evaluation for promotion and salary decisions. For Greenberg, organizations are, like societies, communities whose members are very sensitive to procedural justice. The presence of procedural justice will foster trust, commitment, and harmony in these communities, all of which contribute to performance and sustainability. Kim WC, Mauborgne R. Implementing global strategy: the role of procedural justice. *Strategic Management Journal* 12, 1991, demonstrates how notions of procedural justice help explain the success or failure of strategies in multinationals, as procedures between headquarters and subsidiaries are often experienced as unfair. These two INSEAD professors also demonstrate, in their best-selling book, *Blue Ocean Strategy*. Harvard Business Review Press, 2004, how procedural justice is particularly crucial in a context of innovation and change. Van der Heyden L, Blondel C, Carlock R. Fair Process: Striving for Justice in Family Business. In: *Family Business Review* 18(1), 2005, for the first time presents a formal and normative model of due process, to which we will refer in the text.

32. For a recent reference, we suggest Karelaia N, Van der Heyden L, Leading in Wicked Times: A Shift to Inquiry, Humility, and Fairness. *INSEAD Working Paper 2020/55*, October 23, 2020.

33. Nathaniel P, Van der Heyden L. Crisis Management: Framework and Principles with Applications to CoViD-19. *INSEAD Working Paper 2020/17*, March 23, 2020.

34. Van der Heyden L. The Brexit Wake-Up Call: Time for Fair Process Leadership. *INSEAD Knowledge*, March 2016 /[http:// knowledge.insead.edu](http://knowledge.insead.edu).

35. Sen A. *The Idea of Justice*. Penguin Books, 2009.

36. Leventhal GS. What should be done with equity theory? New approaches to the study of fairness in social relationships. In: Gergen K et al. (eds). *Social Exchange: Advances in Theory and Research*, Plenum Press, 1980.
37. The common practice of calling people left or right is an example that stifles public debate in France. It is very limiting and ultimately very unfair. Societal progress and change is thus made more difficult.
38. Van der Heyden L, Blondel C, Carlock R. Fair Process: Striving for Justice in Family Firms, *Family Business Review XVIII (1)*, March, 2005.
39. Rumelt R points out in his superb book *Good Strategy/Bad Strategy: The difference and why it matters*, Profile Books Ltd, 2017, that any strategic discussion must begin with framing the problem to be solved or the opportunity to be seized.
40. Van der Heyden L, Blondel C, Carlock R. Fair Process: Striving for Justice in Family Firms, op.cit.
41. Van der Heyden L. The Brexit Wake-Up Call: Time for Fair Process Leadership, op.cit.