

<http://www.historyguide.org/intellect/continental.html>

The Continental System

After his victory at Jena, Napoleon felt that the time had come to put into execution his project of excluding England from the continent. England had given him an excuse for the Berlin Decree given below by declaring the coast from the river Elbe to Brest in a state of blockade (May, 1806).

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FROM OUR IMPERIAL CAMP AT BERLIN,
November 21, 1806.

Napoleon, emperor of the French and king of Italy, in consideration of the facts:

1. That England does not recognize the system of international law universally observed by all civilized nations.
2. That she regards as an enemy every individual belonging to the enemy's state, and consequently makes prisoners of war not only of the crews of armed ships of war but of the crews of ships of commerce and merchantmen, and even of commercial agents and of merchants traveling on business.
3. That she extends to the vessels and commercial wares, and to the property of individuals, the right of conquest which is applicable only to the possessions of the belligerent power.
4. That she extends to unfortified towns and commercial ports, to harbors and the mouths of rivers, the right of blockade, which, in accordance with reason and the customs of all civilized nations, is applicable only to strong places. . . . That she has declared districts in a state of blockade which all her united forces would be unable to blockade, such as entire coasts and the whole of an empire.
5. That this monstrous abuse of the right of blockade has no other aim than to prevent communication among the nations and to raise the commerce and the industry of England upon the ruins of that of the continent.
8. That it is a natural right to employ such arms against an enemy as he himself makes use of, and to combat in the same way as he combats. Since England has disregarded all ideas of justice and every high sentiment implied by civilization among mankind, we have resolved to apply to her the usages which she has ratified in her maritime legislation.

The provisions of the present decree shall continue to be looked upon as embodying the fundamental principles of the empire until England shall recognize that the law of war is one and the same on land and on sea, and that the rights of war cannot be extended so as to include private property of any kind or the persons of individuals unconnected with the profession of arms, and that the right of blockade shall be restricted to fortified places actually invested by sufficient forces.

We have consequently decreed and do decree that which follows.

ARTICLE I. The British Isles are declared to be in a state of blockade.

II. All commerce and all correspondence with the British Isles is forbidden.

Consequently, letters or packages directed to England, or to an Englishman, or written in the English language, shall not pass through the mails and shall be seized.

III. Every individual who is an English subject, of whatever state or condition he may be, who shall be discovered in any country occupied by our troops or by those of our allies, shall be made a prisoner of war.

IV. All warehouses, merchandise, or property of whatever kind belonging to a subject of England shall be regarded as a lawful prize.

V. Trade in English goods is prohibited, and all goods belonging to England or coming from her factories or her colonies are declared a lawful prize.

VII. No vessel coming directly from England or from the English colonies, or which shall have visited these since the publication of the present decree, shall be received in any port.

VIII. Any vessel contravening the above provision by a false declaration shall be seized, and the vessel and cargo shall be confiscated as if it were English property.

X. The present decree shall be communicated by our minister of foreign affairs to the kings of Spain, of Naples, of Holland, and of Etruria, and to our other allies whose subjects, like ours, are the victims of the unjust and barbarous maritime legislation of England.

(Signed)

NAPOLEON.

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On November 11, 1807, after news of the Treaty of Tilsit had reached the English government, it replied by an order in council establishing an undisguised "paper" blockade. This, in spite of some alleged merciful exceptions, was almost a prohibition of neutral trading such as that carried on by the United States, and President Jefferson ordered the first embargo, December 22, 1807, as a retaliatory measure. Napoleon replied to England's measures by issuing his brief and cogent Milan Decree.

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AT OUR ROYAL PALACE AT MILAN, December 17, 1807.

Napoleon, emperor of the French, king of Italy, protector of the Confederation of the Rhine. In view of the measures adopted by the British government on the 11th of November last, by which vessels belonging to powers which are neutral, or are friendly to, and even allied with, England, are rendered liable to be searched by British cruisers, detained at certain stations in England, and subject to an arbitrary tax of a certain per cent

upon their cargo, to be regulated by English legislation:

Considering that by these acts the English government has denationalized the vessels of all the nations of Europe, and that no government may compromise in any degree its independence or its rights by submitting to such demands, -- all the rulers of Europe being jointly responsible for the sovereignty and independence of their flags, -- and that, if through unpardonable weakness, which would be regarded. by posterity as an indelible stain, such tyranny should be admitted and become consecrated by custom, the English would take steps to give it the force of law, as they have already taken advantage of the toleration of the governments to establish the infamous principle that the flag does not cover the goods, and to give the right of blockade an arbitrary extension which threatens the sovereignty of every state:

We have decreed and do decree as follows:

ARTICLE I. Every vessel, of whatever nationality, which shall submit to be searched by an English vessel, or shall consent to a voyage to England, or shall pay any tax whatever to the English government, is ipso facto- declared denationalized, loses the protection afforded by its flag, and becomes English property.

II. Should these vessels which are thus denationalized through the arbitrary measures of the English government enter our ports or those of our allies, or fall into the hands of our ships of war or of our privateers, they shall be regarded as good and lawful prizes.

III. The British Isles are proclaimed to be in a state of blockade both by land and by sea. Every vessel, of whatever nation or whatever may be its cargo, that sails from the ports of England, or from those of the English colonies, or of countries occupied by English troops, or destined for England, or for any of the English colonies, or any country occupied by English troops, becomes, by violating the present decree, a lawful prize, and may be captured by our ships of war and adjudged to the captor. . . .

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Pasquier, in his Memoirs, makes the following admirable criticism of Napoleon's continental system.

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[Napoleon's unwise severity after the battle of Jena] was nothing compared to a measure adopted in the hour of intoxication of victory, and which, by erecting an insurmountable barrier, so to speak, between France and England, condemned each of these two powers to entertain no hopes of peace and rest until its rival was completely destroyed. . . .

Napoleon flattered himself with the idea of having found the means to deal a blow at his most deadly opponent in the matter nearest his heart. Seeing himself master of the greater part of the European coast, or at least enjoying a domination over the mouths of the principal rivers of Germany, he persuaded himself that it depended on him to close all Europe's markets to England and thus compel her to accept peace from him at his own

terms. The conception was no doubt a grand one, and the measure was no more iniquitous than that of England, but the difference lay in the fact that the latter, in her pretensions to a blockade, was not undertaking anything beyond her strength, and did not stand in need of any other nation's cooperation to carry it out.

France, on the contrary, was entering upon an undertaking which could not be put into execution without the voluntary or enforced cooperation of all the European powers. It was therefore sufficient in order to render it fruitless – and the future went to prove this -- that a single one of these powers, unable to submit to the privations imposed upon it, should either announce its firm determination not to lend a hand in the matter, or should be content with finding ways of eluding it. . . .

Not only was England in a position to supply the continent with the numerous products of her industry, but she also controlled almost the entirety of all colonial wares and provisions. Hence it would become necessary, in the first place, to have recourse to all possible means calculated to make continental industry supply that which English industry would no longer furnish. In the second place, with regard to colonial products, some of which, such as sugar and coffee, were almost indispensable necessities of life, and others of which were the actual raw material on which depended the manufactures which it was proposed to create, it was necessary to devise a means for allowing them the right of entry, but in a proportion calculated on the strictest necessity, and, if possible, by means of an exchange favorable to the natural products of the continent.

So it happened that through the most persevering and at times the most ingenious efforts, by the aid of a succession of decrees, and with the help of that strange invention of licenses which were nothing but organized smuggling, continental industry, or rather French industry, backed up with a million bayonets and with an auxiliary force of coast guards, succeeded in meeting a tremendous competition and in deriving large profits.

[Source: James Harvey Robinson, *Readings in European History*, 2 vols (Boston: Ginn & Company, 1906), 2:503-508.]

Treaty of Vienna

French version:

http://www.histoire-empire.org/articles/congres_de_vienne/acte_du_congres_de_vienne_02.htm

French version and German translation:

<http://resolver.sub.uni-goettingen.de/purl?PPN546672892>

A summary (for those not reading German or French):

[http://en.wikipedia.org/wiki/Treaty_of_Vienna_\(1815\)](http://en.wikipedia.org/wiki/Treaty_of_Vienna_(1815))