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From Commerce to Violence: The Second Bombardment of Copenhagen (1807)

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Abstract:
During the Napoleonic Wars, in 1807, Britain attacked the small neutral state of Denmark without direct provocation, bombarded Copenhagen, seized its navy, and temporarily occupied part of its territory. Killing and displacing thousands of civilians, this was a highly traumatic experience for survivors and deeply controversial among contemporaries. This article examines how debates over the legitimacy of the attack were framed within predominant understandings of international law. International law at the turn of the 19th century was characterized by a dualism containing both the "Law of Nations" and "Law of Nature." By utilizing divergent aspects of these discourses, the article shows how critics and defenders of the British military action were both able to frame their positions within existing frameworks of nascent international law.

In the autumn of 1807, Britain attacked the small neutral state of Denmark without provocation, bombarded Copenhagen, seized its navy, and temporarily occupied part of its territory. Hundreds of civilians were killed and tens of thousands became displaced.[1] Justified by the government in London as a "pre-emptive" attack, the Bombardment of Copenhagen permanently displaced Denmark from its

[1] The precise number of casualties is not known. The "classic" number of dead was 2,000, but the latest estimates have revised this down to around 195. See: Gareth Glover, *The Two Battles*

longstanding position as a naval power. A highly traumatic event for the victims, and widely condemned by contemporaries in and outside of Europe, the attack eventually coined a phrase. Well into the twentieth century, to "Copenhagen" came to describe pre-emptive naval attacks in general, and British ruthlessness in particular.

The attack on Copenhagen raises many issues, including Britain's ordering role in the Baltic, the European balance of power, the rights and obligations of neutral powers, the legality of going to war (*ius ad bellum*), and the use of force in war (*ius in bello*).[2] This article focuses especially on how the attack was framed within contemporary understandings of international law, highlighting how debates over the legitimacy of the Bombardment were implicated in the dualistic nature of international legal discourse at the time, rooted as it was both in the law of nations and the law of nature.

The Bombardment of Copenhagen in 1807 represents a culmination of Britain's history of engagement across the Baltic Sea region. Stretching back at least a century-and-a-half by this point, the Baltic had long been of especial interest to British political elites as a vital source of raw materials for the Royal Navy. In geopolitical terms, British policy had focused on maintaining the European "balance of power," primarily against perceived threats from Russia, Sweden, and Prussia.[3] Against these long-term objectives of maintaining the flow of "naval stores" and preventing other states achieving regional hegemony, the Baltic gained especial importance at the end of the 18th century when Russia, Denmark, Sweden and later Prussia set up the League of Armed Neutrality (1780), an association designed to curb British attempts to interrupt neutral commerce with France, Spain, the Dutch, and the rebel colonists during the American War of Independence.[4]

These concerns resurfaced after Britain joined the Revolutionary Wars in 1793. Resuming its traditional strategy of attacking merchant ships operating out of enemy ports, the Royal Navy took to habitually boarding neutral vessels to search for and confiscate enemy contraband. International law provided clear guidance for such occasions. Any contact with a belligerent was a violation of neutrality. Only trade directly conducted between two neutral states – sailing only from neutral ports – was considered truly "neutral." In reality though, there were many shades

of Copenhagen 1801 and 1807: Britain and Denmark in the Napoleonic Wars (Havertown: Pen & Sword Books Limited, 2018), 195.

[2] Many of these are discussed at greater length by Simms in a forthcoming chapter in "English Violence in Europe."

[3] Brendan Simms, *Three Victories and a Defeat. The Rise and Fall of the First British Empire, 1714–1783* (London: Allen Lane, 2007); Robert G. Albion, *Forests and Sea Power. The Timber Problem of the Royal Navy, 1652–1862* (Cambridge, Mass.: Harvard University Press, 1926); John J. Murray, *George I, the Baltic and the Whig Split of 1717. A Study in Diplomacy and Propaganda* (Chicago–London: University of Chicago Press, 1969).

[4] Isabel de Madariaga, *Britain, Prussia and the Armed Neutrality of 1780: Sir James Harris's Mission to St. Petersburg During the American Revolution* (New Haven: Yale University Press, 1962).

of "neutral" trade which were tolerated for various reasons. Due to the enormous profits, Britain's claim to police neutrality at sea was bitterly resented by many other European states and also the United States.

Due to many factors, not least the British navy's critical dependence upon raw materials from the countries around it, the Baltic Sea came to be a particular focal point of these contests. Due to conditions imposed by the war, littoral countries massively increased the profits from trade. These states – Russia and (to a lesser extent) Prussia, but also of Denmark and Sweden – made huge financial gains from "neutral" trade, gains which were threatened by British police actions on the Baltic Sea.

This led to military confrontation first of all in 1800. In response to aggressive British assertion of its alleged "right to search" on the high seas, Russia, Prussia, Sweden and Denmark founded the "Second Armed Neutrality," seeking to exclude Britain from trade with the Baltic, and Prussia occupied the Electorate of Hanover, governed by the British King. In response to these threats to its perceived economic and political interests, Britain targeted Copenhagen for attack. Denmark was not an insignificant power. Including the territories of Norway, Greenland, Iceland, the Faroe Islands and the two German provinces of Schleswig and Holstein, and controlling access between the Baltic and the North sea, Denmark also possessed the fifth largest fleet in the world. A British fleet – with Horatio Nelson as second--in-command – defeated the Danish reserve fleet in battle and prepared to bombard the city. Before this could happen, word reached the combatants of the death of the Russian Tsar. Denmark left the Armed Coalition, and Britain achieved its political goals, though the military conflict was left unsettled.

These events of 1801 foreshadow important sources of conflict which came to the fore prior to the 1807 Bombardment of Copenhagen. Most critically, the government in Denmark failed to recognise the degree to which British interests were fundamentally tied to maintaining access to Baltic naval stores,[5] coupled with the British perception that it faced an existential threat in its conflict with France which inclined it towards the summary resolution of disputes. These factors encouraged the British government to take a hard interpretation of the limits and obligations of neutrality, pre-disposing the British to force.

With the resumption of war between Britain and France in 1803, the Baltic once again found itself an important theatre of contestation. Defeats of Austria, Russia, and Prussia by French armies were followed by the Treaty of Tilsit between France and Russia, at which Russia agreed to enforce mediation upon Britain. At this point, Britain was completely isolated in Europe. The military difficulties were compounded by economic warfare. The Continental System precluded any

[5] Davey has meticulously laid out the indispensable nature of British access to Baltic naval stores, and the centrality of these to the country's geopolitical interest James Davey, "Securing the Sinews of Sea Power: British Intervention in the Baltic 1780–1815," *The International History Review* 33/2 (2011): 161–184.

French occupied territory engaging in trade with Britain. Because they were formally neutral and independent, Denmark was not directly impacted by this. They were also partially shielded from British retaliation, the "Orders of Council" which claimed a right for the Royal Navy to seize any vessel sailing from a port which excluded British trade.

For the longest while, Danish politicians managed to live uneasily between these two pressures. But given the country's crucial geopolitical position and as an indispensable source of raw materials necessary for the British war effort, Danish neutrality became an ever more fiercely contested issue. By 1807, there were severe doubts in British political and military circles as to whether or not Denmark could sustain its neutrality. Despite the defeat of 1801, its fleet remained the fifth largest navy in Europe, and any prospect of its being joined to the French navy was seen by British leaders to constitute an existential threat. The question was rapidly becoming one of whether, should it no longer be able to sustain its neutrality, which was increasingly squeezed by both French and British demands, and if forced into a choice, would Denmark fear the consequences of war with Britain more than with France?

In the absence of reliable intelligence, the government in London was left in a classic security dilemma. Following Tilsit, the government in London received numerous reports with little way of verifying the information. Some reports, such as that of an anti-British alliance between Russia and France, were in essence true. By contrast, reports that the Danish fleet was being readied for action, presumably against Britain, were in fact false.[6] So were stories that Napoleon planned to use the Danish fleet to invade Ireland,[7] or to invade Holstein.[8] In the end, there was no single piece of intelligence which drove the decision to act, indeed some of the most reliable reports arrived after that decision was taken, but rather the cumulative weight of information received.[9]

On 6 August 1807, Napoleon told the Danish envoy in Paris that his country would have to either declare war on Britain and join the economic blockade against it or expect a French declaration of war themselves;[10] he did not, however, demand the surrender of their fleet. By then, though, the British government had come to a momentous decision. They would send an expedition to Copenhagen.

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[6] Anthony Nicholas Ryan, "The causes of the British attack upon Copenhagen," *English Historical Review* 68 (1953): 43–45.

[7] Thomas Munch-Petersen, *Defying Napoleon: How Britain Bombarded Copenhagen and Seized the Danish Fleet in 1807* (Stroud: Sutton, 2007), 95.

[8] See: Barry O'Connell, "Underground alliances and preventive strikes: British intelligence and secret diplomacy during the Napoleonic Wars, 1807–1810," *Intelligence and National Security*, 35 (2020): 179–196, especially 181–182.

[9] J. Holland Rose, "Canning and the Secret Intelligence from Tilsit. (July 16–23, 1807)," *Transactions of the Royal Historical Society* 20 (1906): 77.

[10] Glover, *The Two Battles of Copenhagen*, 97.

The instructions issued to the commanders of the expedition on 19 July 1807 showed that it was motivated by several concerns, but by one over-riding anxiety. "His Majesty," Castlereagh wrote, "cannot but entertain the most anxious apprehensions that the maritime power, position and resources of Denmark may shortly be made the instrument in the hands of France not only of excluding our commerce from the Baltic and of depriving us of the means of naval equipment, but also of multiplying the points from which an invasion of His Majesty's dominions may be attempted under the protection of a formidable naval force." "The state of forward of equipment in which the Danish navy has been of late kept," he continued, "was surely alone done in contemplation of being compelled by France at no distant period to adopt a course of conduct which must involve it in hostilities with Great Britain." This, Castlereagh claimed, "additionally" compelled London to take action. In other words, while the threat of Danish naval aggression was deemed imminent, the main driver of the operation was fear of French intentions.[11]

A massive invasion force was assembled including over 30,000 soldiers. By mid-August 1807, the army that had embarked at Zealand surrounded Copenhagen. The government refused British demands to surrender the fleet, and lacking the means immediately to destroy the fleet outright, the commanders – Cathcart and Gambier – opted for a terror bombardment of Copenhagen. The decision to indiscriminately target the civilian population was conscious and purposeful. One high-ranking British soldier, George Murray, writes how the bombardment would seek to achieve the surrender through "the suffering of the inhabitants themselves, all of whom," should be forced to "undergo the same hardships and dangers."[12]

Following a much maligned "public appeal" which informed the civilian population of Copenhagen that they were to be slaughtered en masse in the name of "friendship," the British forces commenced a bombardment which lasted for three days. Beginning in the evening of 2 September, more than 6,000 shells and rockets were fired into the city, expending three times more gunpowder than was used during the entirety of the Battle of Waterloo. Killing hundreds of civilians, maiming thousands more, and displacing tens of thousands, the city was gutted by fire. Prominent landmarks such as the Church of Our Lady and Notre Dame were utterly destroyed. Neighborhoods and entire streets were left in ruins. The government surrendered on 6 September and the occupying forces seized the entire fleet, taking it back to Britain stuffed full of naval loot.

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The decision to bombard Copenhagen was enormously contentious within British political circles. In essence, the dispute centred around the inter-related questions of pre-emption (i.e., to what degree was the action a necessary response

[11] *Ibidem*, 182–183 (with quotations).

[12] Quoted in Munch-Petersen, *Defying Napoleon*, 195.

to a severe and impending threat), and the scope of permissible action under the fledgling system of international law. The action was often seen by critics as a stark example of realpolitik power interests trumping international legal norms.[13] This is an interpretation to which prominent members of the British government in fact lent credence. Defending the measure against visceral attack from the opposition benches some months later, Henry Temple, Viscount Palmerston, the Minister of War, claimed that, "unquestionably, the present situation of Europe and the degradation or vassalage of its sovereigns, offered, most unfortunately, too ready and solid a reason for the adoption of such a measure."[14] Thus, it was the geopolitical situation which legitimised violent actions to which the government reluctantly resorted. Going further, he conceded that the attack violated the "law of nations."

> [O]n the law of nations, on right and policy he was as ready and willing as any man to pay his tribute of respect to them, and to recommend their application whenever circumstances would permit it; he was afraid, however, that although much talked of, they were little understood; the consequence of which was, that many persons abused the terms, and took one for the other. *In the present instance, he was glad to observe, that we did not suspend them without necessity*, or, in other words, that we used them in conformity to the law of nature, which dictated and commanded self-preservation.[15]

Palmerston's defence introduces a central duality of early 19th century international law, that between the law of nations and the law of nature.

In a way that legal historian, Stephen Neff, has described as the "distinguishing feature" of international law thought between the Treaties of Westphalia and the Congress of Vienna, the dualism of these "two types of law […] co-existed and interwove to create what we now call international law."[16] This tension had a material impact on how the government defended its actions outside Copenhagen and how critics attacked it, both sides of the dispute able to rely upon conceptual resources found in the dualistic character of international law. Largely conditioned by the Grotian project to construct principles for the regulation of state conduct beyond – if not entirely distinct from – the individual's moral duties,[17] the "laws of nations" can be understood as a body of principles with its "origin in consent between states and

[13] Emphasis added. "[Canning's] government concluded national interests must override international law." (p. 36), Scott Andrew Keefer, "Building the Palace of Peace: The Hague Conference of 1907 and Arms Control before the World War," *Journal of the History of International Law* 9 (2007): 35–81, accessed on 16 X 2021.

[14] Hansard, HC Debate, vol. 10, Cols. 253–311, 3 I 1808.

[15] Hansard, 3 I 1808.

[16] Stephen C. Neff, *War and the Law of Nations: A General History* (Cambridge: Cambridge University Press, 2005), 86.

[17] The "decisive contribution" in the development of international law across the seventeenth and eighteenth centuries made by Grotius and his *On the Law of War and Peace*, *ibidem*, 85.

its *raison d'être* [as] the common interest of nations."[18] Natural law, on the other hand, "is intended to be a law independent of religious revelation, societal norms and the express or tacit consent of states. Instead, such laws are said to have their source in the human instinct towards social, tranquil, and reasonable living."[19] For Neff, the law of nations is distinguished from natural law during the period preceding 1815 in two crucial ways.

> [First], it focused on the rights and duties of states as such – i.e., that it was a law applicable only to states… [and], the second innovation of the law of nations was to concentrate on the external actions of states and thereby to forgo considerations of good faith and mental attitude and the like.[20]

In sum, "while [the law of nature] can be deduced from self-evident principles, [the law of nations] cannot."[21] The law of nations provides a set of rules established by formal and tacit consent between states, one constructed from hypotheses about the empirical constitution of the international as a space, and the behaviour of individual states within this space. Though these may ultimately originate from culturally and historically contextualised assumptions about human nature and the nature of the Good, they are theoretically independent of them. The law of nature, on the other hand, arises from thinking over arguably more universal conditions, importantly beginning with hypothesised conditions of man *as* man.

This subtle distinction within international law thought provided much of the ammunition for disputes around the bombardment. Critics were strident in their assertion that Britain had violated the law of nations. The "Protest Against the Seizure of the Danish Fleet" presented to the House of Lords on 21 January 1808 made the argument explicit.

> It has only been through the slow and painful progression of many ages, that civilized nations have emerged from a state of continual insecurity and violence, by the establishment of a universal public law… which ought to be held sacred and inviolate by all governments, as binding the whole civilized world under one politic and moral dominion.[22]

Indeed, it was defence of this "politic and moral dominion" which not only distinguished Great Britain from Revolutionary and Napoleonic France, but which justified the long series of wars that had been fought since the Revolution.

> Alleged departures from the principles and authority of this public law, in the earliest stages of the French Revolution, were held out by the parliament of Great Britain,

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[18] Colm McKeogh, "Grotius and the Civilian," in: *Civilians and War in Europe 1618–1815*, eds. Erica Charters, Eve Rosenhaft, Hannah Smith (Liverpool: Liverpool University Press, 2012), 43.

[19] *Ibidem*, 42.

[20] Neff, *War and the Law of Nations,* 85.

[21] McKeogh, "Grotius and the Civilian," 43.

[22] Hansard, HL Debate, vol. 10, Cols. 31–36, 21 I 1808.

> as the origin and justification of the first war with revolutionary France, and because in all its subsequent stages, the continuance of hostilities was uniformly vindicated in various acts of state, as being necessary for the support of the moral and political order of the world, against the avowed disregard and subversion of it by the different governments of France, in their groundless and unprovoked attacks upon the independence of unoffending nations.[23]

Indeed, "it was the duty and the interest of G. Britain, and her pledge to the world, to maintain inviolate the acknowledged principles of public law, as the only foundations upon which the relations of peace and amity between nations could be supported."[24] In attacking a neutral country, "without some just cause," which in this case would only be the extraordinary possibility of forestalling "national destruction," Britain had undermined its moral standing and acted contrary its interests.[25]

For these critics, in parliament and beyond, the seizure of the fleet and violation of neutrality undermined the basic premise of the British war effort: defence of a legal order in which objective principles are not arbitrarily subjugated to subjective interests. This violation of sovereign independence undermined the "first and most indispensable maxim of public law,"[26] and juxtaposed (presumed) normative bases of British & French ordering systems. Hostile pamphleteers were quick to point up the erosion of British moral superiority, as "England under the present ministry can never again stand forth as the champion of national justice and public law, [and] has given to the enemy a confirmation of all his violent aggressions, and a sanction of every atrocity he may hereafter commit."[27] From the perspective of the law of nations, justification for an action such this must clear a very high bar. Indeed,

> it was necessary to prove, not merely that it was clearly beneficial… not merely that it was more useful to us than hurtful to the Danes, for we had no right to strike such balance – not merely that by refraining from it our safety would be materially endangered – for what right have we to purchase a state of perfect security at the expense of others who are doing us no injury? – but that the measure was absolutely essential to our existence.[28]

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[23] Hansard, 21 I 1808.

[24] Hansard, 21 I 1808.

[25] "The law of nations existed, however, upon the agreement of common sense, and the approbation of a general wisdom and general feeling. It was a Joint stock concern for the benefit of all. Its support was a sort of voluntary contribution from all nations. When a great nation like this acted contrary to it, it acted under the awful, the ten-fold responsibility of acting for its own selfish interests against the feelings and the interest of all mankind," Hansard, 3 I 1808.

[26] Hansard, 21 I 1808.

[27] Anonymous, *Copenhagen. The Real State of the Case Respecting the Late Expedition* (London: J. Ridgway, 1808), 13.

[28] *Ibidem*, 5–6.

Even then, the action would still have been "a crime most atrocious," the defence of necessity a weak one.

By contrast, the government defence intertwined a claim that the action was pre-emptive, in that it *did* respond to a military necessity of the highest order, with an appeal to the law of nature, whose *a priori* nature trumped considerations for the integrity of the "political and moral" order that Britain had imagined itself to be championing up to this point. Indeed, this is a view that has found favour with later generations of Anglophone historians and legal scholars. In the 1930s, Kulsrud could write how, "[Denmark's] situation and her fleet would be invaluable to either party that could gain control of them,"[29] whilst, more recently, Keefer observed, "In the midst of a titanic struggle with Napoleonic France, the possession of the neutral Danish fleet would tip the naval balance of power decisively."[30] For Hershey, the action could be understood as an "intervention on the ground of self--preservation or imminent danger."[31] And naval historian Alfred Mahan argued that,

> The transaction has been visited with the most severe, yet uncalled-for, condemnation. The British ministry knew the intention of Napoleon to invade Denmark, to force her into war, and that the fleet would soon pass into his hands, if not snatched away. They avoided the mistake made by Pitt, in seizing the Spanish frigates in 1804; for the force sent to Copenhagen was sufficient to make opposition hopeless and to justify submission. To have receded before the obstinacy of the Danish government would have been utter weakness.[32]

As we can see, these defences largely rely upon an empirical assumption about the military advantages France would gain from seizing the Danish fleet. Whilst this formed part of the contemporary government defence, it was infused with a strong Hobbesian interpretation of the law of nature.[33] Hence, Palmerston's claims that the formal demands of the law of nations were put aside in this case because the requirements of the law of nature superseded them. Similar claims were made by Lushington.

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[29] Carl J. Kulsrud, "The Seizure of the Danish Fleet, 1807: The Background," *The American Journal of International Law* 32/2 (1938): 310.

[30] Keefer, "Building the Palace of Peace," 35.

[31] Cited in Kulsrud, "The Seizure of the Danish Fleet, 1807," 281.

[32] Alfred Thayer Mahan, *The Influence of Sea Power upon the French Revolution and Empire 1793–1812,* vol. 2 (London: Sampson Low, Marston, Searle & Rivington, no date [after 1893]), 277, https://www.gutenberg.org/ebooks/52589, accessed on 6 I 2022.

[33] "The Hobbesian school of thought entailed a frank acceptance of the ways of power politics. Most pertinently for legal purposes, it rejected the fundamental natural-law principle that peace is the normal condition of interstate relations. The Hobbesians did not go so far as to renounce natural law entirely, but they accepted it only in a radically stripped-down form, with an obsessive concentration on the single principle of the quest for security in a brutally hostile world […] Both of these new philosophies were more strongly in tune with the trends of contemporary power politics than the mainstream tradition was," Neff, *War and the Law of Nations*, 92.

> Sir, the first law of nature, the foundation of the law of nations, is the preservation of man. It is on the knowledge of his nature, that the science of his duty must be founded. When the feelings point out to him a mighty danger, and his reason suggests the means of avoiding it, he must despise the sophistical trifler, who tells him it is a moral duty he owes to others to wait till the danger break upon his foolish head, lest he should hurt the meditated instrument of his destruction.[34]

And Richard Wellesley likewise claimed the seniority of the law of nature over the law of nations.

> The great maxims of the law of nations were founded on the law of nature; and the law of security or self-preservation was, among these, the most important and sacred. It was a law equally to be obeyed by individuals and communities.[35]

Leaning further into the logic of the law nations which, as opposed to the law of nations, extends a metaphor of individual moral conduct onto the international, Wellesley claimed: "All war had the effect to involve in its horrors the helpless and the innocent; but it was not on that account, necessarily unjust. Let any man say how war could be conducted without it. As neutral individuals might be sacrificed in the common calamity, so also might neutral nations."[36]

The implication of the government's position was simple: if the *formal* requirements of the law of nations did not adhere to the more fundamental demands of the law of nature, they could justifiably be set aside. This did not involve the British government in replacing an "objective" rule-based order with the subjective interest-based policy the French pursued, but rather it brought the law of nations into conformity with its true, originating, spirit: the law of nations (interpreted through a predominantly Hobbesian reading).

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The Napoleonic Wars had placed great strain on international law. Kulsrud reports how contemporaries (Danish as well as English) believed, "Napoleon had erased every vestige of public law in Europe and had made the English expedition inevitable."[37] And whilst there were continuities with the "civilised" wars of the preceding century,[38] atrocities such as the indiscriminate bombardment of civilian populated cities were part and parcel of the times. Bombardments were of course, "calculated to set civilian housing on fire, panic

[34] Hansard, 3 I 1808.
[35] Hansard, 8 I 1808.
[36] Hansard, 8 I 1808.
[37] See: Kulsrud, "The Seizure of the Danish Fleet, 1807," 308.
[38] Wars in which, to quote Churchill, "bad temper was not often permitted to intervene," Winston S. Churchill, *Marlborough: His Life and Times*, vol. II (London: Harrap & Co. Ltd., 1934), 38.

the population, and pressure the government to surrender."[39] Indeed, and even whilst trying to limit the brutality of warfare through an appeal to the Christian sensibilities of European political leaders, Grotius himself had conceded the broad leeway for mass violence within natural law, "we have a right to do whatever is necessary to the end of maintaining our right."[40] Whilst the Napoleonic Wars are not a homogenous event – different theatres and periods saw wide variations in the conduct of hostilities[41] – atrocities against civilians were widely used to achieve political ends. For Dwyer, "mass killings and atrocities were so widespread that they would appear to be an integral if not an accepted part of warfare during the Revolutionary and Napoleonic periods."[42] And although massacre was a method employed more extensively by the French to facilitate their colonisation of conquered territories,[43] less so by the British, the violence employed at Copenhagen must be viewed within this context. Indeed, as we have seen above, a prominent critique of this violence was that it effectively "gave sanction" to French atrocities and undercut the moral and political order championed by Britain.[44] Contemporary understandings of *jus in bello*, then, whilst encouraging restraint and acknowledging categories of persons who ought not be targeted, did not recognise an absolute norm of civilian immunity. That was still a long way off.

Critics rarely attacked the bombardment primarily, or specifically, on the grounds of its "inhumanity." Whilst they often do refer to the affair as a "massacre,"[45] involving the "[murder of] innocent men, women, and children,"[46] this is always within the contours of the broader "legal" and geopolitical contexts sketched above. For sure, this was, "a proceeding, which Would have been as mild and forbearing against an enemy, as it was barbarous and treacherous against a friend."[47] But the manner of the attack, the specific targeting of a civilian population with the intent of corralling them into surrender, was only a wrong in so far as it violated the national interest and undercut the law of nations.

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[39] Gunther Rothenberg, "The Age of Napoleon," in: *The Laws of War: Constraints on Warfare in the Western World*, ed. Michael Howard (New Haven: Yale University Press, 1994), 92.

[40] McKeogh, "Grotius and the Civilian," 45.

[41] David A. Bell, "The Limits of Conflict in Napoleonic Europe – And Their Transgression," in: *Civilians and War*, 201.

[42] Philip G. Dwyer, "'It Still Makes Me Shudder': Memories of Massacres and Atrocities during the Revolutionary and Napoleonic Wars," *War in History* 16/4 (November 2009): 383.

[43] On the nature of this violence see: Dwyer, "Violence and the Revolutionary and Napoleonic Wars: Massacre, Conquest and the Imperial Enterprise," *Journal of Genocide Research* 15/2 (1 I 2013): 117–131; Gavin Daly, "Plunder on the Peninsula: British Soldiers and Local Civilians during the Peninsular War, 1808–1813," in: *Civilians and War*, 209–224.

[44] Anonymous, *Copenhagen*, 13.

[45] *Ibidem*.

[46] Hansard, 8 I 1808.

[47] Hansard, 21 I 1808.