

Voting for Vichy:

Careers of French Legislators, 1940-1958

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## Introduction

On July 10, 1940, in the humiliating aftermath of a triumphant German invasion, 570 members of the French National Assembly voted extraordinary powers to the Prime Minister, Philippe Pétain (see Table 1).<sup>1</sup> Although Pétain had been in office less than a month, he enjoyed such universal admiration and esteem that his rapid ascension to power gave hope to the shell-shocked citizens of the Third Republic.<sup>2</sup> For a generation of men who had fought in the trenches of World War I, no man could have been more suitable or worthy of command than Pétain, hero of the Battle of Verdun and one of only two living Marshals of France.<sup>3</sup> Already eighty-four years old in 1940, Pétain's life of dutiful service had marked him with a reputation of being just, fair, and, above all, devoted to the French nation.<sup>4</sup> Who could be more trusted to use virtually unlimited power for reconstruction and renewal than Pétain, a man known even to his opponents as a veritable “[incarnation] [...] [of] traditional French virtues”?<sup>5</sup>

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<sup>1</sup> Jean Joly, *Dictionnaire des parlementaires français: notices biographiques sur les parlementaires français de 1889 à 1940* (Paris, 1960) and *Dictionnaire des parlementaires français: notices biographiques sur les parlementaires français de 1940 à 1958* (Paris: La documentation française, 1988), [http://www.assemblee-nationale.fr/histoire/cr\\_10-juillet-1940.asp](http://www.assemblee-nationale.fr/histoire/cr_10-juillet-1940.asp); Olivier Wieviorka, *Orphans of the Republic: The Nation's Legislators in Vichy France*, (Cambridge, MA: Harvard University Press, 2009), 345-358, 365.

<sup>2</sup> Wieviorka, *Orphans of the Republic*, 39.

<sup>3</sup> *Ibid*, 40.

<sup>4</sup> Robert Paxton, *Vichy France 1940-1944* (New York: Columbia University Press, 2011), 31.

<sup>5</sup> Vincent Badie, “Vive la République: Motion opposée au projet du loi du 10 juillet 1940,” *Digitèque de matériaux juridiques et politiques*, Université de Perpignan, last modified 1998, [www.mjp.univ.perp.fr/france/badie.htm](http://www.mjp.univ.perp.fr/france/badie.htm).

Yet rather than proving to be Cincinnatus reborn, Pétain presided over four of the most authoritarian and morally abject years in French history, marred from the start by a staunch defeatism that led to outright collaboration with Nazi Germany. While Belgium, Czechoslovakia, Luxembourg, the Netherlands, Norway, and Poland all met strategic defeat in 1939 and 1940 with resolute determination of their leaders to continue fighting, Pétain's France capitulated completely. As one of the greatest military and colonial powers in the world, France was in a comparatively strong position to regroup and continue its campaign against Nazi Germany, but Pétain and his ministers saw the die as cast.<sup>6</sup> Believing that Britain would soon fall with or without France's help, Pétain sought to obtain peace through collaboration, hoping ultimately to gain a place at the table in the new continental order.<sup>7</sup>

Instead of the promised peace, France witnessed its own government participate in or tacitly condone a stream of transgressions against the French people. Over the four years of the German occupation, Pétain and his government repeatedly made allowances for grave betrayals of the public trust on the premise that it served the public good. A stream of daily indignities, from inadequate ration cards to German army commandeering of civilian housing, affected every single

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<sup>6</sup> Paxton, *Vichy France 1940-1944*, 9; Philippe Burrin, *France under the Germans: Collaboration and Compromise* (New York: New Press, 1996), 98.

<sup>7</sup> Paxton, *Vichy France*, 10; Philippe Pétain, "Pétain fait l'annonce de la collaboration, 30 octobre 1940," *Sources de la France du XXème siècle*, edited by Pierre Milza (Paris: Larousse, 1997), 210-212; Burrin, *France under the Germans*, 13-14, 66.

French person.<sup>8</sup> Torture, arrests, political and racial deportations became realities for those whom the regime could not or would not protect. An estimated 22,000 Frenchmen marched into battle under the enemy's flags on the Eastern Front, first in the officially sanctioned Legion of French Volunteers against Bolshevism, and later, directly in the Charlemagne Division of the Waffen-SS.<sup>9</sup> And within France itself, the Milice, a government-authorized paramilitary force, used detention, torture, and murder against resisters and other opponents of the regime to terrorize civilians and warn them of the dire consequences of dissent.<sup>10</sup> Yet, instead of taking action to protect the French people, Pétain and his government became obsessed with protecting a diminishing supply of legitimacy and authority, valuing the continued life of the state over the safety of the nation.<sup>11</sup>

Following the liberation of France in 1944, France's new political leadership, made up almost entirely of men who had operated within some part of the Resistance, saw the July 1940 vote empowering Pétain as a clear, serious betrayal of the nation and its interests.<sup>12</sup> So the argument went, as elected representatives in a republic, France's legislators had had a duty to the French people that went beyond legal obligations and into the realm of moral imperative. Representatives were not merely the directors of France's administrative affairs; they existed to protect,

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<sup>8</sup> Burrin, *France under the Germans*, 21; Evans, *The Third Reich at War*, 341; Robert Gildea, *Marianne in Chains: Daily Life in the Heart of France during the German Occupation* (New York: Metropolitan Books, 2004), 44-45.

<sup>9</sup> Burrin, *France under the Germans*, 433, 435-436, 438; Paxton, *Vichy France*, 254.

<sup>10</sup> Burrin, *France under the Germans*, 439, 444-446; Richard Evans, *The Third Reich at War* (New York: Penguin, 2009), 398.

<sup>11</sup> Burrin, *France under the Germans*, 466.

<sup>12</sup> Wieviorka, *Orphans of the Republic*, 284.

defend, and speak on behalf of their constituents. For many members of the Resistance, as for de Gaulle, “[the legislators’] abdication on July 10, 1940, was seen as merely the latest and final instance of their unworthiness and irresponsibility.”<sup>13</sup> Having granted unrestrained power to Pétain on the basis of what seemed to be nostalgia and hero worship, their inadequacy was all too obvious.<sup>14</sup> In order to rebuild, France needed a clean slate, free from compromised figures who had proven their incompetence, and so these legislators had to go—and almost all of them did, at rates far exceeding those of any other grand corps.<sup>15</sup> Whether officially purged via postwar legislation and party discipline or unofficially excluded by a hostile voting public, fewer than 10% of the men who voted to grant Pétain extraordinary powers served in an official legislative capacity between 1945 and 1958 (see Table 9).<sup>16</sup>

In this paper, I follow the 570 men of the French National Assembly who voted for Pétain from the July 10, 1940 session through the hostile political climate of the provisional government (1945-1946) and the Fourth Republic (1946-1958) in order to understand why these men in particular were deemed responsible for France’s painful experience during World War II. Given that 90% of lawmakers rejected collaborationism wholeheartedly and that two-thirds or more “adopted an attitude oscillating between reserve and hostility” towards Vichy after the first two

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<sup>13</sup> Peter Novick, *The Resistance versus Vichy: The Purge of Collaborators in Liberated France* (London: Chatto & Windus, 1968), 95.

<sup>14</sup> Wieviorka, *Orphans of the Republic*, 284.

<sup>15</sup> Paxton, *Vichy France*, 346; Wieviorka, *Orphans of the Republic*, 284; Novick, *The Resistance versus Vichy*, 94-95.

<sup>16</sup> Wieviorka, *Orphans of the Republic*, 286-292, 306-314, 316-318; Paxton, *Vichy France*, 346; Joly *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

years of its existence, why were legislators who voted for Pétain in 1940 punished at exponentially higher rates than bureaucrats who carried out Vichy's orders through 1944?<sup>17</sup> How did voting for Pétain change in the eyes of the French people from being a vote to save France to a vote that destroyed it?

In Part One, beginning with the shocking German invasion of France and the Low Countries on May 10, 1940, I flesh out the political, moral, and practical dilemmas facing France's legislators at that juncture and explain why, as historian Olivier Wieviorka proposes, the vote for Pétain was an act of "abdication," "adherence," and "ambivalence."<sup>18</sup> In analyzing a breakdown of the vote, I suggest that although the men who voted "yes" included members from all parts of the legislature, particular types of men, on the basis of position, age, political party, and region, were more or less likely to adhere to the proposal for specific, targeted reasons.

In Part Two, I explain how Pétain's original policy of accommodation evolved into an insidious collaborationism that transformed the republic into a Nazi puppet state.

Finally, in Part Three, I turn to the aftermath of the Liberation in 1944 and explore why, in the years 1945 to 1946, members of the "Gaullist" provisional government favored a near-complete exclusion of these legislators as a means to cleanse a troubled system and mollify an angry public. Here I present the many

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<sup>17</sup> Wieviorka, *Orphans of the Republic*, 264-265; Paxton, *Vichy France*, 346.

<sup>18</sup> Wieviorka, *Orphans of the Republic*, 331-333.

ways that excluded these legislators from national political life—through the high court, juries of honor, prefects, political parties, and even by the public itself. In the end, I clarify why only 56 of 570 men who had voted for Vichy ever served in national political office in the postwar years from 1945 to 1958 and how in particular temporary ineligibility for local elections effectively developed into de facto exclusion from national political life.

## Part One

### *Invasion*

The German invasion of France and the Low Countries began on May 10, 1940; by June 10, Paris was an “open city,” and by July 10, the Third Republic was dead. In the immediate aftermath of wholesale collapse before a superior foe, France’s leaders were struck by a paralyzing self-doubt that left them vacillating without a clear objective. Immediate calls by hawks in Prime Minister Paul Reynaud’s cabinet to relocate the government to North Africa gained some traction, and motivated individuals made scattered efforts to that effect that continued even after Reynaud stepped down in favor of Pétain on the night of June 16.<sup>19</sup> But for many legislators, men for whom “émigré” had become a crude epithet, any actions taken to further what seemed like a lost war looked like an irrational betrayal of their responsibilities.<sup>20</sup> Germany, France’s old enemy, appeared more powerful than

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<sup>19</sup> Paxton, *Vichy France*, 6-8.

<sup>20</sup> Wieviorka, *Orphans of the Republic*, 26.

ever before, and France seemed to be in no condition to halt its merciless advance or even to try.<sup>21</sup> How could the nation's legislators justify ongoing war?<sup>22</sup>

There were some dissenting voices who called for the fighting to continue, but they failed to gather much enthusiasm. One of the earliest challenges to this defeatism has gained a reputation far beyond its contemporary impact, but still serves as a strong example of pro-war rhetoric in early summer of 1940, via Radio London's broadcast of Charles de Gaulle's "Call of June 18."<sup>23</sup> De Gaulle, then France's most junior general and largely unknown to the French public, issued a broadcast on Radio London on June 18 urging France to take advantage of its vast colonial holdings and the sympathetic American war industry and to stand strong with Britain against Nazism.<sup>24</sup> The war, de Gaulle claimed, was not a small-scale conflict that had to end solely because of the disastrous Battle of France, but a true world war, and, therefore, the "destiny of the world" relied on France recovering and "overcom[ing] [the enemy] [...] with [its own] superior mechanical forces."<sup>25</sup> "Whatever happens," he concluded, "the flames of French resistance must not be extinguished, and it will not be so extinguished."<sup>26</sup> But despite these resolute words, de Gaulle won over only one deputy, Pierre-Olivier Lapie, already in London, and

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<sup>21</sup> Burrin, *France under the Germans*, 51.

<sup>22</sup> Paxton, *Vichy France*, 6-8.

<sup>23</sup> Julian Jackson, *France: the Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 389.

<sup>24</sup> Jackson, *France: the Dark Years*, 389; Burrin, *France under the Germans*, 9; Charles de Gaulle, "Appel du 18 juin," *Sources de la France du XXème siècle*, edited by Pierre Milza (Paris: Larousse, 1997), 219-220.

<sup>25</sup> De Gaulle, "Appel du 18 juin."

<sup>26</sup> *Ibid.*



virtually no other figures, since almost no one tuned in to his broadcast.<sup>27</sup> Still, this speech cemented a prescient view of how the war could, in fact, be both fought and won.<sup>28</sup>

A separate proposal by the Reynaud cabinet to transfer the government to either Morocco or Algeria proved more successful in attracting adherents, but it largely fizzled out following the transition in Prime Ministers on June 17.<sup>29</sup> A small number of troops were transferred to North Africa, and even after Pétain began to question the validity of the pro-war argument, his cabinet still voted on June 19 to transfer the assemblies and the administration to Morocco to gain a stronger position for negotiation with the Germans.<sup>30</sup> Although Pétain's government abandoned the idea shortly thereafter and sent a telegram forbidding legislators' departure, a "diehard" remnant of 27 anti-armistice representatives—26 deputies and a senator—sailed to Algeria aboard the ship *Massilia*.<sup>31</sup> Although they believed their absence would help to prevent an armistice, it proved to be a boon to Pétain; since the legislators on the *Massilia* had been those most opposed to terms, the

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<sup>27</sup> Paxton, *Vichy France*, 42; Jackson, *France: the Dark Years*, 389 (quotation).

<sup>28</sup> Charles de Gaulle, "Appel du 18 juin," *Sources de la France du XXème siècle*, edited by Pierre Milza (Paris: Larousse, 1997), 219-220 (quotation); Paxton, *Vichy France*, 42.

<sup>29</sup> Paxton, *Vichy France*, 6-7.

<sup>30</sup> *Ibid*, 7.

<sup>31</sup> Michèle Cointet and Jean-Paul Cointet, *Dictionnaire historique de la France sous l'Occupation*, (Paris: Tallandier, 2000), 48; Paxton, *Vichy France*, 7 (quotation); Wieviorka, *Orphans of the Republic*, 23. There is considerable inconsistency about who was present on the *Massilia*, and I have found citations estimating between twenty-five and thirty men, but in reading through Joly, only the twenty-seven men mentioned in Wieviorka are said to have been on the *Massilia*.

lawmakers left in France posed no serious obstacle.<sup>32</sup> Failing to start any sort of spontaneous movement and arrested by pro-Pétainist forces upon their arrival, these legislators were denied travel back to France for the constitutional sessions in July, and ultimately had no impact on the proceedings except via a telegram of protest.<sup>33</sup>

For most legislators, Germany's military momentum presented a serious challenge to the notion that Britain and colonial France could sustain any defense in the long run. Since the outbreak of war in 1939, Poland, Norway, Denmark, Luxembourg, Belgium, and the Netherlands had all collapsed in front of Germany, and France's own record against the Germans—surrender following 16 days in the Saarland in September 1939 and 39 days in May and June 1940—did not lead any Frenchman to feel particularly optimistic about a new campaign.<sup>34</sup> Believing that a defeated France meant a beaten Britain, it was difficult to imagine that defiance would do anything other than prolong the inevitable.<sup>35</sup> Furthermore, it seemed particularly unreasonable to imagine that resistance could continue out of the under-developed, poorly equipped colonies in French North Africa.<sup>36</sup>

For most men, it was unclear whether France had the arms, the men, or the stomach to keep fighting and if the war was even worth the loss of more French

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<sup>32</sup> Jackson, *France: the Dark Years*, 127.

<sup>33</sup> Cointet and Cointet, *Dictionnaire historique de la France sous l'Occupation*; Assemblée Nationale, "Séance du Mercredi 10 juillet 1940," Assemblée Nationale, [http://www.assemblee-nationale.fr/histoire/cr\\_10-juillet-1940.asp](http://www.assemblee-nationale.fr/histoire/cr_10-juillet-1940.asp).

<sup>34</sup> Evans, *The Third Reich at War*, 130.

<sup>35</sup> Burrin, *France under the Germans*, 98.

<sup>36</sup> Jackson, *France: the Dark Years*, 119, 121; Burrin, *France under the Germans*, 98.

lives. The extreme right wing of French politics had opposed war from the start, arguing that a French war against Germany only served Stalin.<sup>37</sup> France's previous coalitions of hawks and doves appeared to have changed places, since the most sincere proponents of national defense on the right "feared war more than they feared Hitler" while the left provided the staunchest anti-Hitler militants.<sup>38</sup> Still, all of France's lawmakers were old enough to remember "the blind wastage of young men in 1914-1918, which had made France a nation of old people and cripples," and it was difficult for legislators, many of whom were veterans or who had lost sons in the recent fighting, to look at the possibility of future war with complete equanimity.<sup>39</sup>

However, one troubling issue raised both by pro- and anti-war politicians in June and July 1940 was whether France's prewar treaties with Poland and Britain obligated it to continue struggling against Nazi Germany. Poland and France held a defensive treaty requiring that each come to the other's aid in case of invasion by Germany, and France had a long-running alliance with the United Kingdom.<sup>40</sup> It was unclear whether France could fairly retreat from its obligations, or if it had done all that could be required of it by enduring the Fall of France. Although De Gaulle's

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<sup>37</sup> Jackson, *France: the Dark Years*, 114; Paxton, *Vichy France*, 11; Wieviorka, *Orphans of the Republic*, 15-16.

<sup>38</sup> Paxton, *Vichy France*, 248.

<sup>39</sup> Paxton, *Vichy France*, 11-12 (quotation). N.B.: While not all legislators had seen combat in either the First or Second World War, many had, as described in Wieviorka, *Orphans of the Republic*, 16-19, and 39-41. Furthermore, while I have no complete source for the number of men who lost relatives in the fighting, Wieviorka, *Orphans of the Republic*, 31 mentions some by name, and in skimming through Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, it does not appear to have been an uncommon experience.

<sup>40</sup> Paxton, *Vichy France*, 12.

speech of June 18 indicated quite strongly that he believed France had to remain in active combat, many Frenchmen felt quite differently, such as Pétain, who claimed on June 17, in his first speech as Prime Minister that:

[The] admirable army [...] [which] f[ou]ght with a heroism worthy of its long military tradition against an enemy superior in both number and weapons [...] [has] fulfilled [France's] duty to [its] allies [...] by its magnificent resistance.<sup>41</sup>

Although Poland had, by summer 1940, clearly become an afterthought, Britain remained both an ally and an active combatant against Nazi Germany. It was not truly until July 3, 1940, when the British scuttling of the French fleet at Mers El-Kébir, off of the Algerian coast, in the effort to put the fleet beyond German reach, killed almost 1,300 French sailors, that even the most devoted Anglophiles gave up hope that France and the United Kingdom could reconcile.<sup>42</sup>

### *Armistice and Renewal*

By early July 1940 the discussion going on at the highest political echelon did not revolve around whether war should continue but rather entailed bitter self-recrimination. In an influential and widely heard radio broadcast announcing the armistice on June 25, Pétain had redefined the boundaries of political discourse by saying:

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<sup>41</sup> Philippe Pétain, "Discours du 17 juin 1940 du Maréchal Pétain," La Fondation Charles de Gaulle, <http://www.charles-de-gaulle.org/pages/l-homme/dossiers-thematiques/1940-1944-la-seconde-guerre-mondiale/l-appel-du-18-juin/documents/discours-du-17-juin-1940-du-marechal-petain.php>.

<sup>42</sup> Jackson, *France: the Dark Years*, 128-129; Burrin, *France under the Germans*, 13; Wiewiorka, *Orphans of the Republic*, 21. The attack at Mer El-Kébir was devastating to de Gaulle's attempts to attract adherents in London, and it remained a fierce point of contention in France for the duration of the war.

You were ready to continue the fight. I knew that. [But] [...] I would not be worthy of remaining in your thoughts if I had agreed to shed French blood to prolong a dream of a few Frenchmen, misinformed about the conditions of the fight. [...]

It is to the future that we must now turn our efforts, henceforth. A new order begins.

You have suffered.

You will still suffer. Many of you will recover neither your trade nor your homes. Your life will be hard. [...] Do not expect too much of the state[.] [...] Count on yourself for the present, and for the future, count on the children whom you will raise with a sense of duty.

We have to restore France. [...] Our defeat came from our slackening, [our decay]. The spirit of [self-]enjoyment destroy[ed] [all] that [...] the spirit of sacrifice built. [Therefore] I invite you [...] to an intellectual and moral recovery. [Frenchmen, Frenchwomen], you will [...] see [...] a new France rising from your fervor.<sup>43</sup>

As Jackson says, through this speech, “[t]he link between suffering and redemption, contrition and renewal, already visible in the armistice debate, now became explicit.”<sup>44</sup> No matter that the armistice itself had been signed, under Hitler’s orders, in the very railway car in which the 1918 armistice had been concluded, a carriage that had been dragged out of a museum and towed back to Compiègne, purely for humiliation; France, according to Pétain, had fallen because of the French.<sup>45</sup>

Furthermore, by arguing that France, though valiant, had fallen due to its own internal weaknesses, Pétain redefined what the French people should be struggling against. Instead of being caught up in a losing battle against Germany, the argument went, the French should engage in the effort to renew their spirits and

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<sup>43</sup> Philippe Pétain, “Pétain justifie la signature de l’armistice, 25 juin 1940,” *Sources de la France du XXème siècle*, edited by Pierre Milza (Paris: Larousse, 1997), 198-200.

<sup>44</sup> Jackson, *France: the Dark Years*, 129.

<sup>45</sup> Evans, *The Third Reich at War*, 132-133.

return to the stronger days of old. Although presented as only achievable through a sort of Spartan struggle of rededication to traditional values, Pétain's proposed renewal process had one distinct advantage over the pro-war argument: it didn't appear fundamentally impossible, unlike defeating Germany militarily.<sup>46</sup>

### *Revision*

Therefore, when Pierre Laval, deputy Prime Minister and senator from the Auvergne, proposed in early July 1940 that Pétain be given extraordinary regular and constitutional powers to direct a national renewal, he encountered remarkably little resistance. Twice a Prime Minister in the 1930s and always a controversial figure who "provoked mixed feelings, sometimes inspiring rejection and, rarely, enthusiasm," Laval was also a consummate politician whose skillful direction of the vote gained something of a reputation as political wizardry in postwar texts.<sup>47</sup> In reality, the legislators who arrived at Vichy on July 1, at the third town to which the government had decamped since the fall of Paris on June 10, did not require very much persuasion to be convinced that a vote for Pétain would be a vote for the future of France.<sup>48</sup>

A "sleepy spa town" in the Auvergne, Vichy had little amusement to offer and "[t]he smallness of the town encouraged an atmosphere of gossip and intrigue [...]"

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<sup>46</sup> Burrin, *France under the Germans*, 16.

<sup>47</sup> Wieviorka, *Orphans of the Republic*, 44-45 (quotation); Paxton, *Vichy France*, 24, 29; Joly, *Dictionnaire de 1889 à 1940*, see Laval, Pierre.

<sup>48</sup> Jackson, *France: the Dark Years*, 142.

with little to do except plot and hate.”<sup>49</sup> As Jackson describes it, “[n]ever were the corridors of Vichy’s hotels more buzzing with conspiracies, speculation, and fantasy than in the first weeks.<sup>50</sup> Here, rumors swirled in the air about a possible Paris Soviet and about the likely atrocities Germany would inflict upon a defiant France.<sup>51</sup> The fear of what could happen to the nation at the “eclipse of the state” was very real and present, and there were many men eager to explore alternate pathways for the future of France.<sup>52</sup>

More than a few of the deputies and senators who arrived at Vichy felt strongly that change was not merely possible, but imperative, and that those politicians whom they believed had led to France’s disaster should be held accountable for their crimes against the state. One such man, the rightwing deputy Jean-Louis Tixier-Vignancour from the Basses-Pyrénées, announced in the open session of July 9, 1940, that he wanted those responsible for the “murdered country”—namely Reynaud and his colleagues—to be punished, but most others opted for a more measured approach that held off on punishment until affairs of the state were settled.<sup>53</sup> Most prominently, on July 7, a rightwing deputy from the Paris region named Gaston Bergery gained ninety-seven signatures from across the political spectrum on a statement calling for France to accept the disaster, to punish a broad class of “guilty” men, but first to reintegrate France into the emerging new

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<sup>49</sup> Ibid, 142-143.

<sup>50</sup> Ibid, 143.

<sup>51</sup> Paxton, *Vichy France*, 16; Cointet and Cointet, *Dictionnaire historique de la France sous l’Occupation*, 695-696.

<sup>52</sup> Paxton, *Vichy France*, 16.

<sup>53</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Tixier-Vignancour, Jean-Louis.

order of Europe.<sup>54</sup> Denouncing the old political system, which he believed had subordinated state interests to other goals, Bergery was the first to call explicitly for collaboration, saying:

The [...] policy [...] of Marshal Pétain [...] implies – through a mix of collaboration with Latin powers and with Germany itself – the establishment of a new continental order. [...] [W]e can hope for a collaboration that does not mean a state of servitude. [...] [W]e do not base this hope on the generosity of the word of our conqueror[;] [w]e [...] bas[e] this on the understanding that Germany's own leaders have of Germany's interests.<sup>55</sup>

For Bergery and his co-signers, it was impossible to imagine a world in which Germany would lose, and equally impossible to imagine a Germany that would not behave according to rational world standards. Why not opt for actions that would benefit France?

In this confusing atmosphere of defeatism, self-recrimination, and yet hopeful expectation, Laval found it fairly easy on July 9, 1940, to convince the nation's lawmakers to open up the constitution for revision. Having made it clear that he spoke not for himself but on behalf of the Marshal, Laval declared pointedly that “a great disaster like this cannot leave intact the institutions which brought it about.”<sup>56</sup> Furthermore, using his characteristic mix of “charm and bullying,” Laval promised lawmakers that Pétain was trustworthy and honorable but threatened them that if Pétain was not given these powers, the Germans would seize the

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<sup>54</sup> Gaston Bergery, “Pour une France intégrée à la nouvelle Europe, 7 juillet 1940,” *Sources de la France du XXème siècle*, edited by Pierre Milza (Paris: Larousse, 1997), 200-202; Jackson, *France: the Dark Years*, 143.

<sup>55</sup> Bergery, “Pour une France,” 201.

<sup>56</sup> Jackson, *France: the Dark Years*, 132.



opportunity and interfere with the government.<sup>57</sup> His efforts proved to be a resounding success: of 628 votes cast, 624 of them approved the bill.<sup>58</sup>

### *Extraordinary Powers*

The following day, on July 10, 1940, 570 members of the 847-strong National Assembly approved a bill giving Pétain extraordinary powers to direct the affairs of the state while writing a draft for a new French constitution. No one, least of all Pétain's government, knew at the time how many representatives were crammed into the casino at Vichy.<sup>59</sup> Attendance could be estimated by votes cast, though: 570 voting yes, 80 voting no, and 20 abstaining, while the President of the Senate, Jules Jeanneney, did not vote because he directed the session.<sup>60</sup> By any measure, this was an overwhelming level of approval, but the vote on July 10, 1940 was not a typical legislative session, and the text that it approved was not a standard text.

The text that was approved was highly unusual:

The National Assembly gives all power to the Government of the Republic, under the authority and signature of Marshal Pétain, to the effect of promulgating, by one or many acts, a new constitution of the French State. This constitution will guarantee the rights of work, the family, and the country.

It will be ratified by the Nation and applied by the Assemblies that it will create. The current constitutional law, deliberated and adopted by the National Assembly, will be executed as the law of the State.<sup>61</sup>

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<sup>57</sup> Jackson, *France: the Dark Years*, 132.

<sup>58</sup> *Ibid.*

<sup>59</sup> Assemblée Nationale, "Session du Mercredi 10 juillet 1940."

<sup>60</sup> Assemblée Nationale, "Session du Mercredi 10 juillet 1940;" Wiewiorka, *Orphans of the Republic*, 365.

<sup>61</sup> Assemblée Nationale, "Session du Mercredi 10 juillet 1940."

In this short text, both extraordinary and constitutional powers were framed in ways that broke significantly with Third Republic tradition.<sup>62</sup> Furthermore, although the National Assembly had the right to revise the Constitution, granting Pétain constitutional powers seriously deviated from French precedent and fell somewhat at odds with three important points in the law. The first was that although the National Assembly was free to revise the Constitution, the assumption had always been that they would do it themselves; by refraining from involvement with the draft, they had transferred one of the most significant powers of the legislative branch back to the executive, which broke with centuries of precedent.<sup>63</sup> Secondly, although Article 2 of the Constitutional Amendment of August 1884 had forbidden the *principle* of republicanism from being subject to revision, the bill to authorize Pétain did not hold him to these constraints.<sup>64</sup> Thirdly, in failing to limit the scope of Pétain's powers, the resolution broke with existing tradition, since extraordinary powers, in its previous incarnations, had always been limited in duration, and renewable only by the continuing affirmation of the legislature.<sup>65</sup> The ultimate effect of these three irregularities in the bill that authorized Pétain on July 10, 1940, was to allow Pétain to transform France from a republican state to an authoritarian one,

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<sup>62</sup> Paxton, *Vichy France*, 30.

<sup>63</sup> Karl Loewenstein, "The Demise of the French Constitution of 1875," *The American Political Science Review* 34.5 (1940), 875.

<sup>64</sup> Assemblée Nationale, "Loi du 14 août 1884 portant révision partielle des lois constitutionnelles," *Digithèque des matériaux juridiques et politiques*, Université de Perpignan, last modified 1998, <http://mjp.univ-perp.fr/france/co1875r.htm>.

<sup>65</sup> Loewenstein, "The Demise of the French Constitution of 1875," 884.

courtesy of what one observer termed, “*déconstitutionalisation par effet de révolution*.”<sup>66</sup>

It is clear from the legislature’s overwhelming approval of the bill to authorize Pétain that few men had an inkling of what the vote could ultimately authorize. Overall, Third Republic legislators adhered to the proposal at remarkable rates. Of 670 votes cast, 570, or 85%, were in favor of granting Pétain full, extraordinary, constitutional powers (see Table 1). Perhaps if some of the diehard republicans, like the men who left on the *Massilia*, had been present, or if the Communists, whose party had been outlawed on September 26, 1939, had not been near-wholly excluded from the political process, the vote might have reflected more open opposition to handing over power to a single figure such as Pétain.<sup>67</sup> Instead, ambivalence was a prominent force, as men who might have called for outright rejection of the proposal in other situations abdicated their responsibility for the administration, passing it along to Pétain. In the end, adherence ruled the day, although there was significant variation in behavior among legislators according to their position, age, political party, and region.

#### *Position*

Although both senators and deputies generally voted for the Pétainist proposal, at rates of 82.4% and 89.3%, respectively, they expressed opposition and concerns through different means (see Table 2).

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<sup>66</sup> Ibid, 889.

<sup>67</sup> Jackson, *France: the Dark Years*, 114.

Senatorial opposition was largely characterized by operations within the boundaries of the political system, using mechanisms such as revised bills and abstention to suggest misgivings rather than opting for open splits. For example, Jean Taurines, a senator from the Loire and a veteran of the First World War, submitted, along with some 25 other Senate veterans, a counterproposal that expressed complete confidence in Pétain but gave strict limits to his powers.<sup>68</sup> In addition to requiring that Pétain consult with the assemblies in writing a draft, these senators called for his powers to consist of only those necessary for “maintaining order, for the life and recovery of the country and for the liberation of territory.”<sup>69</sup> Although this proposal was only read in committee, and Taurines, like 569 other men, voted for Pétain, the revision still suggested apprehension about the latitude of powers offered to the Prime Minister.<sup>70</sup> Other senators expressed their concerns more actively, with about 10% of senators refusing to adhere to the project at all, but even these senators tended to be cautious rather than reckless: one-quarter of the senators who refused to vote for Pétain abstained rather than voting no, and only one man, Tony Révillon, left on the *Massilia*.<sup>71</sup>

The Chamber of Deputies, on the other hand, had some members who used radically assertive means to criticize the proposal. Twenty-six of the 27 men who had taken the *Massilia* to Algiers were deputies, and even at Vichy, the generally

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<sup>68</sup> Paxton, *Vichy France*, 32; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

<sup>69</sup> Jean Taurines, “Le projet des sénateurs anciens combattants,” *Digitèque des matériaux juridiques et politiques*, Université de Perpignan, last modified 1998, <http://mjp.univ-perp.fr/france/taurines.htm>.

<sup>70</sup>Assemblée Nationale, “Session du Mercredi 10 juillet 1940.”

<sup>71</sup> Wieviorka, *Orphans of the Republic*, 345-358.

younger, somewhat more reckless deputy class had its hotheads ready and willing to openly break with the Pétanist project.<sup>72</sup> Twenty-seven representatives signed a handwritten defense of the Republic by the young Vincent Badie, a Radical deputy from the Hérault in the South, who held that:

[Although we] consider it essential to grant all powers [...] to Maréchal Pétain [...] [in order that he can carry out directives for] public safety and [...] peace[,] [we] refuse to vote for a project that would not only give some of our colleagues dictatorial power but would inevitably lead to the demise of the Republican regime. [We] declare that [we] remain, now more than ever, committed to democratic freedoms, in whose defense fell the best sons of our country.<sup>73</sup>

By openly rejecting the draft on the grounds that its inherent structure was anti-republican, Badie and his co-signers engaged in unmistakable dissent that held no pretensions of revisionism. Similarly, unlike their colleagues in the Senate, most of the 17% of non-adhering deputies split with the regime openly and conspicuously, actions that spoke volumes about the different rhetoric present in the more rarified “aristocratic club” of the Senate and the raucous, “pedestrian” Chamber.<sup>74</sup>

### *Age*

Age did not seem to affect voting patterns among men who were present at the session, but these men were rather more middle-aged than the National Assembly as a whole, and lacked influence from both the “Young Turks” present on

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<sup>72</sup> Ibid.

<sup>73</sup> Badie, “Vive la République”; Paxton, *Vichy France*, 32;

<sup>74</sup> Wieviorka, *Orphans of the Republic*, 71-72.

the *Massilia* and some of the elder statesmen devoted to the Republic (see Tables 3-4).<sup>75</sup>

The middle-aged composition of the session stemmed from several causes, ranging from hotheaded radicalism among some of the young to difficulty reaching Vichy for elderly legislators. Absenteeism was shockingly high for older men, with 33% of men over the age of 70 absent at the vote (see Table 4). While some of these men were hyper-conservative, others had served in the legislature for over forty years and were bastions of Republicanism. In the Radical party, for example, a republican stronghold, men who were first elected prior to 1914 were markedly more likely to resist than those elected after 1918, a gap Wiewiorka takes as evidence that “the ancients had a stronger attachment to the Republic than their younger counterparts.”<sup>76</sup> It is not unreasonable to believe that the absence of more of these men, mainstays of their parties and stalwarts of their region, had some effect on the vote itself.

Fewer younger men were absent from Vichy, but about 20% of legislators under the age of 45 did not vote at the session, largely for reasons of military service or commitment to the fledgling opposition, and those men who were present had a devastating impact on the opposition (see Tables 4). Of the thirty-seven young men who did not vote at the session, 6 had left on the *Massilia*, 1 had joined de Gaulle in London, and 20 were still in armed service or had been captured by the Germans,

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<sup>75</sup> Ibid, 94-95.

<sup>76</sup> Ibid.

leaving only ten men absent for other reasons.<sup>77</sup> Especially as some of the captured men, such as the “hothead[ed]” Socialist Max Lejeune, were imprisoned largely due to their reputation as possible opponents, dissenters and men absent as soldiers were often close to one and the same.<sup>78</sup>

On the other hand, young legislators with combat experience who arrived at Vichy for the vote were prominent among the ranks of the defeatists and they had a significant influence on the vote. Having seen action, young veterans were pessimistic and often inspired pro-surrender sentiment through their testimony.<sup>79</sup> In his memoirs, Charles Pomaret noted the extent of this influence, saying that many who had planned on resisting ended up voting for Pétain:

chiefly after contact with deputies who had been mobilized and recounted what they had just seen that would lead them to support the government in metropolitan France and the signing of an Armistice.<sup>80</sup>

It is likely, therefore, that just as with older men, the particular makeup of young men who were present at the session had a significant impact on the discussion that took place there.

### *Party*

Men’s political affiliation did not apparently dictate the vote, but men of the left were significantly more likely than men of the right to reject the proposal (see Table 5). Roughly one-quarter of leftists practiced dissent, whereas non-adherence

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<sup>77</sup> Wieviorka, *Orphans of the Republic*, 76.

<sup>78</sup> Wieviorka, *Orphans of the Republic*, 17; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Lejeune, Max.

<sup>79</sup> Wieviorka, *Orphans of the Republic*, 31.

<sup>80</sup> Wieviorka, *Orphans of the Republic*, 30-31.

on the right was an entirely individualized phenomenon, practiced by only 15 men.<sup>81</sup>

“The congruence of the values of Vichy with conservative values [...] encourage[d] former republicans to collaborate with l’État français,” leading to almost 96% of right-wing men present voting for Vichy, leaving non-adherence as a scattered affair mostly limited to men in small, fringe parties.<sup>82</sup> For example, of the 7 men of the right who voted no, 4 were either members or close affiliates of the Parti Démocrate Populaire, a tiny, right-wing Christian party holding only a handful of members.<sup>83</sup> The other three rightists to vote no included two members of the Democratic Alliance and one man from the Independent Republicans for Social Action, both moderate groups with considerable leftist elements.<sup>84</sup> Abstention and presence on the *Massilia* were even more individualized for men on the right, with the eight men who abstained or were on the *Massilia* representing five separate political parties.<sup>85</sup> Generally speaking, although a handful of right-wing men did choose to reject the project, members of right-wing parties were extremely reluctant to reject the project, hoping, primarily, to secure peace and a new beginning.<sup>86</sup>

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<sup>81</sup> Wieviorka, *Orphans of the Republic*, 345-358.

<sup>82</sup> Ibid, 101.

<sup>83</sup> Wieviorka, *Orphans of the Republic*, 103, 357; in *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, Joly holds that Pierre de Chambrun and Auguste Champetier de Ribes were also members of the Parti Démocrate Populaire.

<sup>84</sup> Wieviorka, *Orphans of the Republic*, 98-99, 355.

<sup>85</sup> Ibid, 352-358.

<sup>86</sup> Ibid, 98-99.



Leftist men were considerably more skeptical of the Pétainist project, with a little over 23% of their members dissenting, and refusal was present at high rates throughout 4 of the 5 leftist parties. Twenty-three of the 27 men on the *Massilia* were leftists; seventy-three of 80 no votes came from leftists; and sixteen of 20 abstentions came from men on the left. Except for the men in the Republican Socialist Union, a Socialist splinter group, who displayed no open non-adherence, rates of dissent among leftist parties ranged from a shade under 20% for the moderate Radical Socialists to almost 44% among the Independent Left.<sup>87</sup>

### *Region*

Region, in fact, was perhaps the strongest factor associated with the vote to grant full powers to Pétain (see Tables 6-7). Although every region in France had a plurality vote for Pétain, non-adherence ranged widely, from an absolute low of 0.0% in Alsace and in Poitou-Charentes to a high of 42.9% in Corsica. As a general rule, due to greater exposure to the war, adherence was much higher throughout the north and center of the country than in the eight southernmost regions or in the scattered departments of the Empire.

Adherence throughout the North largely revolved around fears resulting from personal exposure to the conflict. Wieviorka argues that “[t]he more closely lawmakers were in contact with the war, the more their will to resist weakened,” and, certainly, no northern regions except for Haute-Normandie and Champagne-

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<sup>87</sup> Ibid, 90, 346-351.

Ardennes had rates of non-adherence above the national average of 15%.<sup>88</sup>

Interestingly, whether it was actually “the double trauma of defeat and exodus that led members of parliament from the north to vote overwhelmingly in favor of the cessation of hostilities,” it does appear that the will to resist decreased as time went on.<sup>89</sup> In fact, men who left on the *Massilia* in June accounted for almost 35% of dissent in the North compared to only 12% in the South, suggesting that, by July 10, 1940, there was a comparatively larger contingent of southerners still willing to openly dissent (see Table 7).

In Alsace, the traditionally contested German-speaking territory in the Northeast, existential dread of war was exponentially greater than in most of France, and fear that vocalizing dissent meant expressing support for Hitler led 100% of Alsatian legislators at Vichy to adhere to the Pétainist proposal. Paul Harter from the Moselle argued after the war that

In voting to delegate constitutional power to Philippe Pétain, I did not attach a political meaning to that vote; my attitude was ruled by the desire to demonstrate publicly [...] my attachment to France, and by the concern to protect everything that could be protected in a region that was going to be seized by force. Another attitude, abstention or a vote “against,” would unfailingly have been exploited by German propaganda as a manifestation of detachment from France.<sup>90</sup>

Concerned that Nazi Germany would interpret any negative vote as a sign of secession and seize the pretext to annex Alsace into Greater Germany, the entire

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<sup>88</sup> Ibid, 33.

<sup>89</sup> Ibid, 34.

<sup>90</sup> Ibid, 42.

rhetoric of the vote therefore had to be shifted to a declaration of loyalty and a protection of national unity.<sup>91</sup>

In the South, on the other hand, “[d]istant from the theater of operations and feeling the effects of the war less directly,” non-adherence was not uniformly seen as a failure of loyalty to the regime.<sup>92</sup> Every single southern region had more dissenters than France as a whole, with three regions hovering close to the national average of 15% while five others had rates exceeding 25% (see Table 7). Furthermore, this dissent was expressed far more openly, as only about 12% of southern non-adherence consisted of men who had left on the *Massilia* (see Table 8). The rest of the dissent consisted of men who expressed their misgivings at Vichy, with voting no, in particular, appearing to have been “largely conditioned by a geography that favored the South”.<sup>93</sup>

Finally, in the Empire, consisting of scattered departments in Africa, the Caribbean, South America, the Indian Ocean, and Asia, although all lawmakers present at Vichy voted for Pétain, a high absence rate appears to have included more dissent than in France as a whole (see Table 6). Unlike other regions, it looks like the dissenters in the Empire found it easier to talk with their feet and travel to a familiar location; the two Algerians and the Senegalese had all taken part in the *Massilia* (see tables 7-8).<sup>94</sup>

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<sup>91</sup> Ibid, 104, 358.

<sup>92</sup> Ibid, 34.

<sup>93</sup> Ibid, 33.

<sup>94</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

*Vive la France?*

Despite the variations in voting habits present among men based upon their legislative position, age, political party, and region, the deputies and senators of the Third Republic voted overwhelming on July 10, 1940 to grant Pétain extraordinary powers and allow him to write a new constitution. Hopes were high that the hero of Verdun would prove the “surest guardian of territorial integrity” and that the “Mar[éch]al’s prestige would allow him to stand up to the Führer”; no one could have envisioned how completely he would fail to fulfill this mandate.<sup>95</sup>

When Marcel Astier, a leftist senator from the Ardèche who had voted no exited the Casino following the vote, he cried, “*Vive la République quand même*”—“Long Live the Republic, Just the Same,” to which many men shouted back, “*Vive la France!*”<sup>96</sup> In hindsight, Astier’s defiant proclamation that the new regime, whatever it would be, signaled the inevitable death knell of the Republic seems all too prescient. Yet it is clear from the exchange that other men—some of the 570 men who voted yes—felt differently, believing that through their vote for Pétain they had done their part to secure the future of France. Their faith in Pétain was touching, but in hindsight their trust was remarkably misplaced. As a matter of fact, over the four years of its existence, Pétain’s Vichy proved itself repressive and accommodating to

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<sup>95</sup> Wieviorka, *Orphans of the Republic*, 41-42.

<sup>96</sup> Jean-Pierre Azema and Olivier Wieviorka, *Vichy: 1940-1944* (Perrin, 2000), 46.

German demands, to the point of becoming a hollow shell of a state that bore no resemblance to the hopes and dreams of the men who had created it.<sup>97</sup>

## Part Two

### *Collaboration and Betrayal*

Despite the National Assembly's almost messianic hopes for Pétain, Vichy was a regime "for which, right up until the moment when it collapsed in infamy, the redefinition of a political pact took priority over the salvation of the nation."<sup>98</sup> In the eyes of the postwar government and today's historians, Vichy's offenses were many, but above all, their gravest crime lay in how their steadfast collaborationism transformed a republic into a German puppet state, viciously clinging to the last remnants of any legitimacy or authority.

Collaborationism in Vichy first emerged in 1940 in the guise of accommodation.<sup>99</sup> Pétain believed that by cooperating with the Germans, who, being reasonable, would not ask for anything too severe, France would emerge from the war a great power once again, battered yet unbroken.<sup>100</sup> Collaboration would be "a way of securing improvements in the conditions of daily life in France," not a long-term political strategy of national commitment to the German war machine.<sup>101</sup> Germany, he believed, with some justification, was more interested in gaining

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<sup>97</sup> Wieviorka, *Orphans of the Republic*, 42 (quotation), 41 (quotation); Assemblée Nationale, "Session du Mercredi 10 juillet 1940".

<sup>98</sup> Burrin, *France under the Germans*, 84, 466.

<sup>99</sup> Wieviorka, *Orphans of the Republic*, 143.

<sup>100</sup> Pétain, "Pétain fait l'annonce de la collaboration," 211-212.

<sup>101</sup> Jackson, *France: the Dark Years*, 174.

Vichy's support for a possible Mediterranean strategy against Britain than in squeezing its conquered territory for all it was worth.<sup>102</sup>

Vichy had about one largely autonomous year, until the second half of 1941, during which Pétain concentrated all powers in his person, dismissed the legislature, and excluded his “enemies”—Jews, Communists, Freemasons, and old Republican elites—from certain professions and from political office.<sup>103</sup> Starting with decrees in July 1940 that allowed Pétain to dismiss civil servants at will, Vichy began to specifically target Jews, with the First Jewish Statute appearing without German pressure in October 1940.<sup>104</sup> In this time, Vichy dismissed one of out every two lawmakers who had held local office from their posts, a measure that mostly affected leftists, and was aimed at targets of old grudges.<sup>105</sup> But Pétain had little practical power when dealing with the Germans. Following the German invasion of the USSR in June 1941, and a predictable subsequent upswing in Communist Resistance activity in France, Pétain had no power by treaty to intervene in the mass anti-Communist reprisals taking place in the Occupied Zone.<sup>106</sup> Nor did he have any ability to halt diehard collaborationists' creation of a French Legion of Volunteers

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<sup>102</sup> Ibid, 172, 174 (quotation).

<sup>103</sup> Evans, *The Third Reich*, 133; Wieviorka, *Orphans of the Republic*, 112, 115-116; Cointet and Cointet, *Dictionnaire historique de la France sous l'Occupation*, 19.

<sup>104</sup> Cointet and Cointet, *Dictionnaire historique de la France sous l'Occupation*, 19; Paxton, *Vichy France*, 142.

<sup>105</sup> Wieviorka, *Orphans of the Republic*, 112.

<sup>106</sup> Gildea, *Marianne in Chains*, 228.

against Bolshevism (LVF), which would fight under German commanders on the Eastern Front.<sup>107</sup>

Beginning in the summer of 1942, Vichy significantly deepened its involvement with its Nazi occupiers, abandoning accommodation in favor of active collaboration. For ordinary French people, one of the greatest affronts was the Relève system, later reformulated as the Service du Travail Obligatoire (Obligatory Labor Service, STO), which first called for volunteers, and then drafted young men to work in the German Reich.<sup>108</sup> Although hypothetically every three workers who went to Germany ensured that one French prisoner of war would return to his family, the STO was wildly unpopular, and one of the major Resistance actors, the “Maquis,” or bush fighters, was largely formed of young men who had fled the forced labor draft.<sup>109</sup>

But other forms of collaboration were much more sinister. A characteristic example of Vichy’s collaborationist logic came in June 1942, when, to protest the German deportation of French Jews in the Occupied Zone, Laval proposed that the French police arrest foreign Jews in both zones instead.<sup>110</sup> Upon Laval’s insistence that splitting up families would unduly upset public opinion, the Nazis opted to deport children as well as their parents, instead of only adults, as had previously been planned.<sup>111</sup> Therefore, thanks to Vichy’s assistance, some 30,000 people were

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<sup>107</sup> Burrin, *France under the Germans*, 418.

<sup>108</sup> *Ibid*, 187.

<sup>109</sup> *Ibid*, 151, 186.

<sup>110</sup> *Ibid*, 156.

<sup>111</sup> *Ibid*, 157.

sent to Auschwitz between July and September 1942, including thousands of children who might have otherwise had a chance of survival.<sup>112</sup> Vichy's change of allegiance was exemplified in a speech on June 22, 1942, in which Laval, Pétain's Prime Minister once more declared, "*Je souhaite la victoire allemande*"—"I desire the victory of Germany."<sup>113</sup>

Following the German Occupation of the entirety of France on November 11, 1942, Vichy's collaborationism became desperate, entrenched, and even more thoroughly iniquitous. Philippe Burrin suggests that Vichy "had become a fiction maintained by the wish of Hitler, who reckoned it 'clever' to keep on a Pétain government, as a kind of ghost," but the fiction was still capable of very real terror.<sup>114</sup> To clamp down on Resistance activity by the various groups of Maquis and by Communist fighters, like the Francs-Tireurs Partisans, Vichy created a militia in early 1943, the *Milice*, which "set itself above the law and was soon operating outside of it."<sup>115</sup> Ordinary French people were repulsed by the *Milice* and terrified of them, because in addition to ordinary crimes like robbery and looting, *miliciens* engaged in torture and summary executions.<sup>116</sup>

In effect, as Jackson suggests, "[a]s the Vichy regime lost control, it became more violent and unpredictable."<sup>117</sup> By the spring of 1944, "[e]nfeebled from above by the Germans, from within by the collaborationists, from below by the Resistance,

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<sup>112</sup> *Ibid.*

<sup>113</sup> Jackson, *France: the Dark Years*, 215.

<sup>114</sup> Burrin, *France under the Germans*, 167.

<sup>115</sup> *Ibid.*, 451.

<sup>116</sup> *Ibid.*

<sup>117</sup> Jackson, *France: the Dark Years*, 530.



and from outside by de Gaulle, the Vichy government existed in only the most nominal sense.”<sup>118</sup> As Jackson succinctly argues:

In 1940, Vichy’s rhetoric had oscillated between three themes: regenerating France, protecting the population from the consequences of the war, and preserving order. In 1944 only the last theme remained: Vichy presented itself as the last bulwark against revolution and anarchy.<sup>119</sup>

The French state could no longer fairly claim any sense of independence; its hope that collaboration would lead to peace with Germany had been thoroughly rebuked. In making “grave concessions in order to achieve an illusory regeneration” of power, Vichy had boxed itself in; it could not easily separate itself from the occupying power, and so it hoped desperately for a German victory.<sup>120</sup>

Only when it was clear that the Allies would regain control of France did Vichy, now a “parody of a state,” make ineffective, legalistic gestures to distance itself from its collaborationism with Nazi Germany, but by this point it was far too late for such gestures to have any impact.<sup>121</sup> Pétain wrote letters condemning Milice brutality and tried to establish contact with de Gaulle, while Laval conspired to reconvene the National Assembly and establish a transitional government that could be presented to the Allies as a legitimate *fait accompli*.<sup>122</sup> These gestures, unlikely to evoke much sympathy anyway, were cut short in late August when the German army carted off Vichy’s leaders and sent them to Sigmaringen, a small town in

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<sup>118</sup> Ibid, 529.

<sup>119</sup> Ibid, 531.

<sup>120</sup> Burrin, *France under the Germans*, 466.

<sup>121</sup> Jackson, *France: the Dark Years*, 568.

<sup>122</sup> Burrin, *France under the Germans*, 453.

southwestern Germany, where Nazi officials hoped to install a French puppet-government-in-exile.<sup>123</sup>

In Sigmaringen, both Pétain and Laval, with an eye towards the future, decided to present themselves as prisoners rather than participate in a “parody of a parody” of a government.<sup>124</sup> Pathetically, for a regime that had been meant to save France from its humiliation, Vichy faded away without even its leaders’ support. Only extremists, clinging to fantasy, were left, spending the fall and winter of 1944 “bus[ying] themselves reconstructing the semblance of a state, complete with ministries, planning charts, laws, and a *Journal officiel*.”<sup>125</sup>

### Part Three

#### *Liberation*

On August 25, 1944, while shots were still being fired in the battle to liberate Paris, De Gaulle, Resistance leader and head of the Provisional Government of the French Republic, addressed a euphoric Parisian crowd with a speech that would define the moral outlines of civic duty in the postwar period. Declaring that Paris “outragé[,] [...] brisé[,] [...] martyrisé” was now “Paris libéré,” he stressed that France’s liberation from its oppressors was no lucky accident but rather a hard-won victory that had been a long time coming.<sup>126</sup> France, he insisted, had gained its freedom not solely due to military means, but by those individuals and groups who

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<sup>123</sup> Ibid, 455.

<sup>124</sup> Ibid, 453, 568 (quotation).

<sup>125</sup> Burrin, *France under the Germans*, 454.

<sup>126</sup> Charles de Gaulle, “Discours de l’Hôtel de Ville de Paris, 25 août 1944,” *Fondation Charles de Gaulle*, <http://www.charles-de-gaulle.org/pages/l-homme/accueil/discours/pendant-la-guerre-1940-1946/discours-de-l-hotel-de-ville-de-paris-25-aout-1944.php>.

had remained resolutely faithful, representing “the only France, the true France, the eternal France.”<sup>127</sup> Left unspoken, but obvious to any contemporary listener, was the resulting assertion that those who had not secured France’s freedom had no claim to moral righteousness or fortitude; what they represented was not French.

In the postwar period, especially prior to the public rehabilitation of Pétainists in the early 1950s, writers of the Resistance referred to Vichy as a usurper, alleging that it had criminally seized power by a vile manipulation of republican institutions and frailties while the true Republic itself lived on and fought on.<sup>128</sup> Despite pretensions to legitimacy, courtesy of the frantic, desperate vote on July 10, 1940, according to the Gaullists Vichy was and had always been a wholly futile and invalid exercise, and the vote itself, “merely the latest and final instance [...] of unworthiness and irresponsibility” by France’s political cadres.<sup>129</sup> It was clear to the resisters who had come to power in the midst of the Liberation that “there [c]ould be no place in the political life of liberated France for the men of Vichy or those who had collaborated with Germany,” and so it was imperative that the provisional government take some action to protect the incipient Fourth Republic.<sup>130</sup>

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<sup>127</sup> De Gaulle, “Discours de l’Hôtel de Ville de Paris.”

<sup>128</sup> Jackson, *France: the Dark Years*, 608; on pages 571-572 of *France: the Dark Years*, Jackson relates how De Gaulle refused to proclaim the restoration of the Republic on August 25, 1944, arguing that the Republic had never ceased to exist; in Joly’s *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, quotations from the jury d’honneur frequently reference Vichy as ‘l’usurpateur,’ e.g., see Burrus, Maurice.

<sup>129</sup> Loewenstein, “The Demise of the French Constitution of 1875,” 874; Novick, *The Resistance versus Vichy*, 95 (quotation).

<sup>130</sup> Novick, *The Resistance versus Vichy*, 95.

*The Purge*

Yet, despite this venomous rhetoric, the “purge” of 1945 to 1946 can accurately and justly be described as a Gaullist attempt to stabilize a shattered nation rather than merely an act of vengeance. The previous four years had been marked by destruction and anguish—the Nazi invasion, deportations, civic betrayal—and, in order to maintain some degree of stability, purges would serve to:

settle the account for the experiences of the occupation by identifying and singling out a group of people deemed accountable, upon which the collective feelings of the French [could be] then concentrated and vented, [...] purging [...] ambivalences, ambiguities, and uncertainties.<sup>131</sup>

Punitive measures by the provisional government taken against specific parties had to fulfill two conditions: they had to satisfy the public and not impede key measures of state. The public, parts of which had engaged in bloody, extrajudicial purges of its own in summer 1944, would not be satisfied with token chastisements of insignificant Frenchmen.<sup>132</sup> And yet, de Gaulle’s provisional state, struggling to assert its dominance against other Resistance entities, could not abide by the senseless waste of needed men, nor could it allow other bodies to decide who would be allowed back into public life.<sup>133</sup> In all fairness, the purge could not be directed against ordinary Frenchmen who had merely “obey[ed] the instructions of

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<sup>131</sup> Burrin, *France under the Germans*, 460.

<sup>132</sup> Jackson, *France: the Dark Years*, 579.

<sup>133</sup> Jackson, *France: the Dark Years*, 571; Wieviorka, *Orphans of the Republic*, 285; Novick, *The Resistance versus Vichy*, 95-96.

an apparently legitimate regime.”<sup>134</sup> Furthermore, France needed its high bureaucrats and civil servants to direct public administration more than ever before.<sup>135</sup> What postwar France did *not* need, for the most part, was the second coming of the same National Assembly whose majority had voted for Vichy in the first place.<sup>136</sup> Thus, in addition to the obvious collaborationists, the Gaullists’ postwar purge directed itself largely against these former political elites, who, even if not personally guilty of crimes against the state, had some degree of background culpability for the wartime disaster.<sup>137</sup>

In keeping with all of these concerns, the purge against former legislators during the years 1945 and 1946 was characterized by legalism, the centralization of authority, and yet a surprising subjectivity and sensitivity to local needs. It was legal, because the provisional government had no particular enthusiasm for allowing violence and disorder to continue unabated.<sup>138</sup> The purge was centralized, because the Gaullist leadership felt no desire to allow decentralized power to leech out towards alternative sources of authority, such as local Communist Resistance fighters or to the local “Maquis,” the so-called “bush fighters.”<sup>139</sup> Particularly in the Southwest, where the Maquis were especially beloved, the fleeing Germans had committed incredible atrocities and the Gaullist and Allied presence was virtually

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<sup>134</sup> Paxton, *Vichy France*, 333.

<sup>135</sup> *Ibid*, 334.

<sup>136</sup> *Ibid*, 346.

<sup>137</sup> *Ibid*.

<sup>138</sup> Jackson, *France: the Dark Years*, 578-579.

<sup>139</sup> Jackson, *France: the Dark Years*, 579.

nil.<sup>140</sup> Allowing local leaders to decide on local punishments would have been unwise.<sup>141</sup> And yet, when deemed appropriate—particularly in the Northeast—the purge proved remarkably sensitive to local sentiments. It occurred through several separate mechanisms, all meant to separate wheat from chaff. In order of their decreasing stringency, these included: the courts, the political parties, the prefects, the Jury d’honneur, and local constituencies.

### *The Courts*

Roughly one legislator out of every twelve who had held political office on July 10, 1940, faced a judicial trial in the postwar era, but the judicial purges proved “surprising in [their] relative clemency.”<sup>142</sup> They handed out only three death sentences for lawmakers, and only Laval and the Alsatian traitor Jean-Pierre Mourer were ever executed.<sup>143</sup> Most legislators, if found guilty of anything, were convicted of being in the state of “national indignity,” a postwar innovation that marked lesser forms of treason.<sup>144</sup> The resulting punishment, “national degradation,” meant a loss of rights as a French citizen, ranging from the right to vote and stand for election to

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<sup>140</sup> Ibid, 574.

<sup>141</sup> Ibid.

<sup>142</sup> Wieviorka, *Orphans of the Republic*, 328.

<sup>143</sup> Ibid, 328-329.

<sup>144</sup> Wieviorka, *Orphans of the Republic*, 328-329; Novick, *The Resistance versus Vichy*, 147-148. On pages 147-148, Novick explains the concept of the civil death. So-called “national indignity” was a state entered as a result of specific actions during the Occupation, such as being a member of Pétain’s cabinet, belonging to a collaborationist group, or having publicly expressed support for the Germans or for authoritarianism.

the right to participate in certain professions, but did not always include prison terms.<sup>145</sup>

At the High Court, where 21 legislators who had held high office at Vichy were prosecuted for their political conduct, a handful of men were punished by long prison sentences or terms of hard labor, and five to ten years or more of national degradation. Yet of the 21 legislators to face a High Court trial, 10 were either exonerated or acquitted for their Resistance activity, one had his charges completely dismissed, and another, chastised for his incompetence, had his case transferred to a lower court.<sup>146</sup> Acquittal for participation in the Resistance appears to have been reserved for men with near-impeccable Resistance records, while exoneration, at least in this instance, seems to have applied to those with less stellar records, or to men who joined the Resistance at a later date.<sup>147</sup> For example, one of the men acquitted for his service as a minister at Vichy was the deputy Robert Schuman, the future father of the European Union, who had resigned from his position in Pétain's government on July 12, 1940, and had broken with Vichy entirely later that year.<sup>148</sup> Other men, who had more than two days of service to the Vichy regime, were not always so lucky. In fact, of the 21 legislators who appeared before the High Court for their service in a high office at Vichy, only two had served again in a national

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<sup>145</sup> Novick, *The Resistance versus Vichy*, 149.

<sup>146</sup> Wieviorka, *Orphans of the Republic*, 361.

<sup>147</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*. See Lémery, Henry; Parmentier, André; and Ybarnegaray, Jean for exoneration; and Février, André; Mireaux, Émile; Pomaret, Charles; Portmann, Georges; Rivière, Albert; and Schuman, Robert for acquittal.

<sup>148</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Schuman, Robert.

political office by 1958—the aforementioned Schuman and Georges Portmann, a senator from the Gironde who, though loyal to Vichy until 1941, has an official biography reading like that of a Resistance saint.<sup>149</sup>

### *Political Parties*

In 1944 and 1945, while prefects and later the Jury were debating over whether certain former lawmakers should be allowed to run for office, the Socialists, Radicals, Communists, and the Republican Federation all excluded a number of legislators from their parties, which, in essence, communicated that they would not defend them before any legal exclusion.<sup>150</sup> The Socialists, eager to clear their party of a collaborationist element, held a thorough, “root and branch” purge announced the week after the liberation of Paris, which excluded even a handful of men who would later go on to be exonerated by prefects and the Jury d’honneur.<sup>151</sup> The Radicals, in a weaker position in the postwar aftermath, had a less thorough, although not “inconsiderable” purge that also rejected several men who were later exonerated.<sup>152</sup>

The rest of the party purges occurred at a much smaller scale. The Communists, most of whose representatives had lost their mandates for refusing to

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<sup>149</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

<sup>150</sup> Wieviorka, *Orphans of the Republic*, 359; Novick, *The Resistance versus Vichy*, 107-109.

<sup>151</sup> Novick, *The Resistance versus Vichy*, 107 (quotation); Wieviorka, *Orphans of the Republic*, 359-360; Herbert R. Lottman, *The Purge*, (New York: William Morrow and Company, 1986), 187.

<sup>152</sup> Novick, *The Resistance versus Vichy*, 108 (quotation); Wieviorka, *Orphans of the Republic*, 359-360.



disavow their party in September 1939, turned grimly to punish the fourteen men who had broken with the party and remained in office.<sup>153</sup> Their fury was applied regardless of behavior during the war or vote on July 10, 1940, exemplified when party hardliners tried vigorously to get René Nicod, a dissident from the Ain, one of the eighty men to vote no and four years imprisoned under Vichy, excluded from the Provisional Consultative Assembly.<sup>154</sup> The Republican Federation, the only rightist party to hold a purge, played it even safer, directing their exclusions almost entirely towards prominent discredited men with long histories of collaborationism, whom no one would feel inclined to defend.<sup>155</sup> For the most part, however, these party purges proved extremely successful at removing men from national life; of the men excluded by their political parties, only Emmanuel Temple of the Republican Federation managed to regain national political office between 1945 and 1958.

### *Prefects*

Prior to April 1945, prefects had the right to rehabilitate local members of parliament who had voted for or had close ties with Vichy so that they could run for office or participate in local administration.<sup>156</sup> Unlike the later centralized Jury d'honneur, which was largely uninterested in local or regional politics, prefects were often extremely sensitive to these concerns.<sup>157</sup> They were interested in

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<sup>153</sup> Novick, *The Resistance versus Vichy*, 109.

<sup>154</sup> Novick, *The Resistance versus Vichy*, 109; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Nicod, René.

<sup>155</sup> Novick, *The Resistance versus Vichy*, 109; Wieviorka, *Orphans of the Republic*, 359-360.

<sup>156</sup> Wieviorka, *Orphans of the Republic*, 319.

<sup>157</sup> Wieviorka, *Orphans of the Republic*, 306.

ensuring that “powerful notables, well established in the countryside, and supported by their constituents[,] [were allowed to remain in office] [,] [...] to maintain public order and to allow the right to keep some of its leaders.”<sup>158</sup>

Therefore, depending on the situation, they could be surprisingly forgiving of errors that the Jury would have found inexcusable, a situation that proved favorable for legislators who had their cases heard between the Liberation and the establishment of the Jury.<sup>159</sup> In the cases of Alsace, for example, which had had its two departments annexed directly into Nazi Germany, its prefects were so kind as to be “indulgen[t],” exonerating seven men who would have remained ineligible in any other region, because they “s[ought] to keep in position the experienced notables of a traumatized province.”<sup>160</sup>

### *The Jury d'honneur*

The Jury d'honneur, formed in April 1945 and dissolved by October 1946, had a broader goal, determining whether men who had voted yes on July 10, 1940 or who had held a post at Vichy after April, 1942, had Resistance records suggesting that they be declared eligible for participation in the public sphere.<sup>161</sup> Although ineligibility was initially framed as a temporary restriction from running for office on provisional municipal or departmental assemblies, the restriction was

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<sup>158</sup> Ibid, 306-307.

<sup>159</sup> Ibid, 320.

<sup>160</sup> Ibid.

<sup>161</sup> Wieviorka, *Orphans of the Republic*, 286-287. Wieviorka explains that

indefinitely extended in 1946, and men declared ineligible remained so until a general amnesty in 1951.<sup>162</sup>

Formed of the Vice President of the Council of State, the President of the National Council of the Resistance, and the Chancellor of the Order of Liberation, the Jury d'honneur was instructed, whenever an excluded representative appealed his lot, to look for significant evidence of Resistance activity that would "relieve" him of his ineligibility.<sup>163</sup> As the three men in charge were all men of the Resistance, they were often quite hostile towards those whom they considered to have performed "insufficient" Resistance. The terms to regain eligibility were fairly stringent: behaving 'correctly,' or providing aid to those who had engaged in Resistance was generally insufficient, although, of course, "octogenarians were not expected to race about blowing up bridges."<sup>164</sup> For senators and deputies who had not proven themselves sufficiently devoted to the cause of the Resistance, the Jury frequently invoked the phrase:

The acts which [this man] performed [on] behalf of Frenchmen and the Resistance do not indicate that [degree of] participation in the struggle against the enemy [that] the nation had a right to expect from its elected representatives.<sup>165</sup>

Although they were not an impossibly rigorous body, and 114 of 416 legislators who applied to have their ineligibility lifted were granted that freedom,

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<sup>162</sup> Wieviorka, *Orphans of the Republic*, 286, 329; Burrin, *France under the Germans*, 460; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Pébellier, Gaston and Beauguitte, André.

<sup>163</sup> Novick, *The Resistance versus Vichy*, 101.

<sup>164</sup> *Ibid*, 102, 103 (quotation).

<sup>165</sup> *Ibid*, 102.

the terms of the Jury could, at times, appear desperately unfair.<sup>166</sup> One of the most draconian rulings concerned Sulpice Dewez, a Communist deputy from the Nord and a card-carrying volunteer Resistance fighter who had been deported to Buchenwald for his activities, who was denied exoneration on the grounds that:

While the interested party manifested his opposition to the enemy and the usurper, notably by the distribution of underground leaflets and newspapers, these facts nonetheless do not constitute sufficient personal participation in the struggle[.] [...] [I]t is not established that his arrest in July 1944 had any connection to Resistance activity.<sup>167</sup>

Other seeming injustices included men like Charles Vallin, a rightwing nationalist deputy before the war, who joined de Gaulle's cabinet in London in 1942, proved himself a war hero in Africa and France, and led a charge into Sigmaringen in 1945, yet was still ineligible due to "the very important political role that he played from 1940 to 1942 which contributed to the weakening of the nation's morale."<sup>168</sup>

In general, however, the Jury had one persistent bias: they required greater evidence of Resistance activity from left-wing legislators than right-wing legislators. As Novick suggests, the logic was simple: "if the Right was to survive as a healthy (and above-ground) force in French politics, it needed all the charity it could get."<sup>169</sup> Furthermore, the men of the Jury, for the most part, respected the idea that favorable treatment towards rightwing men would protect France's stability in an

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<sup>166</sup> Ibid, 104.

<sup>167</sup> Wieviorka, *Orphans of the Republic*, 275, 313 (quotation); Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Dewez, Sulpice.

<sup>168</sup> Novick, *The Resistance versus Vichy*, 103 (quotation); Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Vallin, Charles.

<sup>169</sup> Novick, *The Resistance versus Vichy*, 106.

era when Communist influence was on the rise.<sup>170</sup> In practice, therefore, while Socialists with mediocre Resistance records were often denied exoneration, rightists with any such record at all were typically rehabilitated.<sup>171</sup>

### *Local Constituencies*

When Frenchmen and, for the first time, Frenchwomen, went to the polls on October 1, 1945, to elect a Constituent Assembly that would draft a new constitution, they largely rejected those men who had been in the Third Republic's last class of legislators.<sup>172</sup> Of 586 new representatives, only 121 had held office in the prewar Chambers, including 44 Communists who, having been dismissed, had never voted for Vichy in the first place.<sup>173</sup> And of the 77 men who had held active mandates on July 10, 1940, who found themselves reelected in the first postwar election, only 24 had voted "yes" to grant powers to Pétain—and so only slightly more than 4% of the 570 "yes men" found their way back into office in the first round of elections.<sup>174</sup>

For following elections, the pattern held: Third Republic representatives in general were voted back into national legislative office at low rates, and men who had voted "yes" on July 10, 1940, were readmitted even less frequently (see Table 9). In an environment where "even the 80 who had voted "no" in July 1940 found no

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<sup>170</sup> Novick, *The Resistance versus Vichy*, 106-107.

<sup>171</sup> *Ibid.*, 90.

<sup>172</sup> Wieviorka, *Orphans of the Republic*, 330.

<sup>173</sup> Wieviorka, *Orphans of the Republic*, 330; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, count reached by comparing lists for the 1936 and the 1945 Assemblies.

<sup>174</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

automatic return to public life after 1944,” it is perhaps unsurprising that, throughout the two legislatures of the Provisional Government (1945-1946), and through the three legislatures of the short-lived Fourth Republic (1946-1958), only about 15% of the lawmakers in office on July 10, 1940, regained their office. Even for men who were exonerated for their misjudgment, eligibility was no guarantee of reelection. Ultimately, of the 570 men who had voted for Vichy on July 10, 1940, only 56 men were cleared for re-election and successfully gained re-admittance to national office between 1945 and 1958.<sup>175</sup>

*The 56 “Yes Men” who Regained Legislative Office, 1945-1958*

The 56 men who voted for Vichy yet regained a national political mandate between 1945 and 1958 were extremely unusual, all marked, in some way or another, by strong Resistance records, whether the result of a sustained commitment to an organization, an individual act of great bravery, or stalwart opposition to the Nazis, Vichy, or both.

Twenty-six men of the 56 “yes men” who served again after being exonerated were cleared by the Jury d’honneur before their re-election, and every single one of them had some history of opposition that cleared them for immediate re-admittance to the political scene.<sup>176</sup> At one extreme of action, the Parisian deputy Louis Rollin, who broke with Vichy on July 11, 1940, had connected with numerous Resistance organizations, creating false papers and finding lodgings, even for the famous leader

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<sup>175</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

<sup>176</sup> Wieviorka, *Orphans of the Republic*, 360, in comparison with Joly, *Dictionnaire de 1940 à 1958*.

Colonel Rémy.<sup>177</sup> At another extreme, the rightwing senator René Coty gained eligibility not for his actions on behalf of the Resistance, but for his constant refusal to allow Pétain to place him as a mayor or a departmental councilor.<sup>178</sup> Somewhere between these two poles, the senator Charles Desjardins gained his re-admittance to eligibility for election for one, singular brave act, when, in 1943, he declared his objections to the Obligatory Labor Service (STO) before the prefect of the Aisne, the German Feldkommandant, and 130 mayors, saying that: “A mayor is the father of his constituents. Would a father send his children to the enemy?”<sup>179</sup>

Twenty “yes” men who served again regained admittance to office through prefectural decree.<sup>180</sup> Although a handful of men had near-perfect Resistance credentials, most had mixed records, often because they had broken with Vichy at a fairly late date.<sup>181</sup> A good example of the type of man who was re-elected but regained admittance to political life through prefectural decree was Jean Crouan, a Republican Federation deputy from Brittany. Crouan, who served in the National Council of Vichy, the consultative body drawn up to aid Pétain in writing his constitution, became gradually more involved with the Resistance over the four years of the war.<sup>182</sup> Courtesy of his office as mayor of Quéménéven, a small town in the Finistère, Crouan issued false identification cards for requisitioned laborers,

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<sup>177</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Rollin, Louis.

<sup>178</sup> *Ibid*, see Coty, René.

<sup>179</sup> *Ibid*, see Desjardins, Charles.

<sup>180</sup> Wieviorka, *Orphans of the Republic*, 360, in comparison with Joly, *Dictionnaire de 1940 à 1958*.

<sup>181</sup> *Ibid*.

<sup>182</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Crouan, Jean.

organized protests against German demands, and hid downed Allied airmen.<sup>183</sup> Deported to Dachau in 1943, following liberation in 1945, he represented prisoners and deportees at the First Constitutional Assembly, and was, thus, one of the 24 “yes men” to serve at that post.<sup>184</sup> Though Crouan had had contact with Vichy at a fairly intimate level for a longer period of time than most of the men cleared courtesy of the Jury, he was also renowned for his commitment to Resistance and exonerated for this devotion.

Finally, there were 10 “yes men” who were completely excluded during the purge yet returned to office in the 1950s, who had either broken very late with Vichy or had had intimate connections with the regime.<sup>185</sup> However, despite these poor overall wartime records, these 10 men carried a balance of characteristics, including, as a rule, still some form of Resistance, that made them appealing to the electorate between the years 1951 and 1958, following the two general amnesties of 1951 and 1953.

One example was the case of deputy Gaston Pébellier, a mayor who went from showing warm gestures towards Pétain in 1941 to being arrested by the Gestapo and granting aid to the Allies in 1944, whose mix led the Jury d’honneur to declare that “the case was too ambiguous for ineligibility to be lifted.”<sup>186</sup> Pébellier, therefore, had to wait eight years for the amnesty, having first his father Eugène and then his brother Jean hold his seat for him in the early 1950s, before he was finally

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<sup>183</sup> Ibid.

<sup>184</sup> Ibid.

<sup>185</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

<sup>186</sup> Ibid, see Pébellier, Gaston.



cleared and then re-elected for office in November 1953.<sup>187</sup> Another example was senator Georges Portmann, a member of the Armistice Commission who had communicated Vichy's positions to the German occupation force, and had briefly been a high official at Vichy, the junior minister for Information.<sup>188</sup> Despite breaking with the regime in 1940 and becoming a famous member of the Resistance, Portmann was excluded from office for his several months of service to Vichy until after the amnesties, and did not regain national political office until 1955. A final example, and perhaps the most curious, was that of Jean-Louis Tixier-Vignancour, the deputy who had called for the arrest of Reynaud and his cabinet on July 9, 1940. Hardly anyone's image of a resistant, and always something of a reactionary, he had briefly been the junior minister of Information following Portmann's resignation, and yet completely escaped trial after the war, since apparently no one, not even the postwar Resistance government, doubted the depths of his hatred of Vichy and the Germans following 1941.<sup>189</sup> Therefore, despite never engaging in Resistance, per say, Tixier-Vignancour's inability to let anyone remain unsure about his political leanings became itself something of a political boon, and, following ten years of ineligibility, he returned to office in 1956, and later ran for President in 1965.<sup>190</sup>

### Conclusion

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<sup>187</sup> Ibid.

<sup>188</sup> Wieviorka, *Orphans of the Republic*, 361; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Portmann, Georges.

<sup>189</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Tixier-Vignancour, Jean-Louis.

<sup>190</sup> Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*, see Tixier-Vignancour, Jean-Louis.

The 570 men of the French National Assembly who voted for Pétain on July 10, 1940 were members of an informed but misled political class who bet wrong on a desperate gamble. In their emotionally charged attempt to save the nation, France's lawmakers operated under seriously flawed basic postulates about the relative abilities of France, the United Kingdom, and Germany, as well as about the faithfulness of their great war hero, Marshal Pétain. Had Germany truly been an unstoppable force, continuing the war would have drawn France into the second bloodbath in a generation. And had Pétain been as trustworthy as they believed, limiting his power would have hamstrung France's savior when it needed him most. Given the absence of feasible-sounding alternatives from credible sources, and a serious misunderstanding about Nazi Germany's true goals, it is no surprise that France's lawmakers opted for a change in direction that they believed would leave to a peaceful future.

Since the entirety of the National Assembly adhered to Pétain at high rates, it is incorrect to characterize his ascent to power as right-wing extremism run amok, seeking to install homegrown fascism on French soil. Although Pétain quickly came to preside over a repressive state that was accommodating to the point of iniquity, neither the vote nor the text installed Pétain as a dictator; strictly speaking, no legislators voted for Vichy, as it came to be. Instead, the vote truly was an abdication of power, whereby the men of France's legislature voted themselves out of control, handed over authority to Pétain with no guarantee that it would be used fairly or well, a shocking display of trust and naïveté.

Although fundamentally incompetent in the demanding role of resistant-legislator, the vast majority of the 570 yes voters distanced themselves from Pétain and Laval as time revealed the great deficits of the Vichy regime. Although roughly a third of men had some connection with Vichy and 10% joined the ranks of the collaborationists, the vast majority of yes men retreated to their home communities, spending the war in their capacity as mayors and notables, attending to local concerns and refraining from involvement in national politics.<sup>191</sup>

Resistance was overrepresented among legislators compared to the nation as a whole, but most lawmakers' resistance was expressed on small, local levels that did not seem heroic in postwar France.<sup>192</sup> Since being a senator or a deputy in Third Republic France was poor preparation for underground sabotage, legislators distinguished themselves as doctors, attending to wounded Resistance fighters; as bureaucrats, constantly misplacing forced labor forms or passing illicit messages; or as local leaders, hiding downed Allied airmen in cellars or attics.<sup>193</sup> Few were so heroic as to deserve accolades, unless the act of remaining as a bulwark of stability and pre-Occupation authority can be deemed an act of heroism; few were integrally tied to the excesses and crimes of the Vichy regime. Rather than being heroes or villains, most who voted for Vichy were, above all, exceedingly ordinary men who were simply not cut out for the type of decisive action that the postwar nation wished had been performed on its behalf.

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<sup>191</sup> Wieviorka, *Orphans of the Republic*, 265 (percentages), 109-283; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

<sup>192</sup> Wieviorka, *Orphans of the Republic*, 270.

<sup>193</sup> Wieviorka, *Orphans of the Republic*, 270; Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*.

The purge, therefore, revolved not around punishing any overall criminality but on a need to remove discredited men from positions of influence. Out of necessity, this purge was subjective and took into account political considerations towards men, their votes, and their records during the war. The 56 men who voted for Vichy yet served as deputies or senators between 1945 and 1958 were exceptional men, all of whom had some reasonable claim to strong Resistance credentials. For the hundreds of other men who voted for Vichy, their war record failed to endear them to the new Resistance powers that be.

Although the purge was meant as a temporary measure, its extension between 1946 and 1951 effectively excluded most former legislators, even those with much to offer the nation, from future participation in national political life. Although most retained some influence on a local, regional, or commercial level, they never returned to the positions of honor they had held before the war. Only ten legislators were ineligible between 1945 and 1951 and regained office prior to the end of the Fourth Republic, joined by a handful of others after the 1958 establishment of the Fifth Republic, when most of the postwar fervor had died down.<sup>194</sup> Overall, however, despite the fact that most of the Third Republic's legislators had little involvement with Vichy after its creation, the men who voted for Vichy were permanently tainted for their overly credulous optimism. Therefore,

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<sup>194</sup> Jean Joly, *Dictionnaire des parlementaires français: notices biographiques sur les parlementaires français de 1889 à 1940* (Paris, 1960) and *Dictionnaire des parlementaires français: notices biographiques sur les parlementaires de 1940 à 1958* (Paris: La documentation française, 1988), [http://www.assemblee-nationale.fr/histoire/cr\\_10-juillet-1940.asp](http://www.assemblee-nationale.fr/histoire/cr_10-juillet-1940.asp) See Louis Deschizeaux, Hervé Nader, etc.

only a select, extraordinary few were able to bypass systematic exclusion and return to national political office.

Table 1: Voting breakdown of the National Assembly on the July 10, 1940 proposal granting Maréchal Philippe Pétain extraordinary powers to control the government and rewrite a new constitution for a French State.

Vote	Number of Men	Percent of Total Men
Yes	570	67.3
No	80	9.4
Abstain	20	2.4
No Vote – Massilia <sup>195</sup>	27	3.2
No Vote – Job <sup>196</sup>	1	0.0
No Vote - Other <sup>197</sup>	149	17.6
Total	847	99.9

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365.

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<sup>195</sup> Twenty-seven representatives who fled to North Africa on the *Massilia* in late June 1940 anticipating an anti-armistice government were unable to attend the session.

<sup>196</sup> Jules Jeanneney, as President of the Senate, was unable to vote at the session.

<sup>197</sup> No Vote-Other refers to all men absent from the session who were not on the *Massilia*.

Table 2: Breakdown of votes for the July 10, 1940 session of the French National Assembly, by position as deputy or senator, including rate of non-adherence to the Pétanist project.

Position	Yes	No	Abstain	No Vote- Massilia	No Vote- Job	No Vote - Other	Total	% Non Adherence <sup>198</sup>
Deputy	359	58	12	26	0	90	545	17.6
Senator	211	22	8	1	1	59	302	10.3
Total	570	80	20	27	1	149	847	15.0

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365.

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<sup>198</sup> Non-adherence is defined as a vote of no, abstention, or *Massilia* absence.

Table 3: Breakdown of votes for the July 10, 1940 session of the French National Assembly, by age, including rate of non-adherence to the Pétainist project.

	Yes	No	Abstain	No Vote- Massilia	No Vote - Job	No Vote - Other	Total	% Non- Adherence
Older than 70	60	8	3	1	1	36	109	11.0
45-69	412	60	14	20		82	588	16.0
Younger than 45	98	12	3	6		31	150	14.0
Total	570	80	20	27	1	149	847	15.0

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*;  
Wieviorka, *Orphans of the Republic*, 345-358, 365.



Table 4: By age of legislators, rate of absenteeism for the July 10, 1940 session of the French National Assembly.

	% Absentee
Older than 70	33.0
45-69	14.5
Younger than 45	20.6
Total	17.6

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365.

Table 5: By political affiliation of legislators according to Wieviorka, breakdown of votes for the July 10, 1940 session of the French National Assembly, including rate of non-adherence to the Pétainist project.

	Yes	No	Abstain	No Vote- Massilia	No Vote - Job	No Vote- Other	Total	% Non- Adherence
Left	294	73	16	23	1	75	481	23.3
Right	276	7	4	4		74	366	4.1
Total	570	80	20	27	1	149	847	15.0

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 96, 102, 345-358, 365. Wieviorka categorizes the Communists, the Socialists, the members of the Socialist and Republican Union, Independent Leftists, and the Radical-Socialists as leftists and categorizes all other parliamentary groups as rightist. Wieviorka appears to have omitted Paul Ramadier, a Socialist from the Aveyron who voted no, from his tables.

Table 6: Breakdown of votes for the July 10, 1940 session of the French National Assembly, by region, including rate of non-adherence to the Pétainist project.

	Yes	No	Abstain	No Vote- Massilia	No Vote Job	No Vote- Other	Total	% Non- Adherence
Alsace	17					8	25	0.0
Aquitaine	29	10	1	2		5	47	27.7
Auvergne	25	4	1	1		1	32	18.8
Basse- Normandie	17	1		1		9	28	7.1
Brittany	38	7				6	51	13.7
Burgundy	26		2	1		8	37	8.1
Centre	29	3		2		7	41	12.2
Champagne- Ardennes	22	1		4		2	29	17.2
Corsica	3	1	1	1		1	7	42.9
Empire	14			3		10	27	11.1
Franche- Comté	21	2	1		1	1	26	11.5
Haute- Normandie	16	1	1	2		6	26	15.4
Île-de- France	38	4	1	3		11	57	14.0
Languedoc- Roussillon	23	10				1	34	29.4
Limousin	14	3	1			3	21	19.0
Lorraine	16	2		1		19	38	7.9
Midi- Pyrénées	42	6	1	2		2	53	17.0
Nord-Pas- de-Calais	28	1		1		14	44	4.5
Pays-de-la- Loire	37	1				8	46	2.2
Picardy	14	1	1	1		12	29	10.3
Poitou- Charentes	25					8	33	0.0
Provence	26	6	3	1		3	39	25.6
Rhône- Alpes	50	16	6	1		4	77	29.9
Total	570	80	20	27	1	176	847	15.0

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*;  
Wieviorka, *Orphans of the Republic*, 345-358, 365.

Table 7: Ascending rates of non-adherence by region to the Pétainist project at the July 10, 1940 session of the French National Assembly.

Region	% Non Adherence
Alsace	0.0
Poitou-Charentes	0.0
Pays-de-la-Loire	2.2
Nord-Pas-de-Calais	4.5
Basse-Normandie	7.1
Lorraine	7.9
Burgundy	8.1
Picardy	10.3
Empire	11.1
Franche-Comté	11.5
Centre	12.0
Brittany	13.7
Île-de-France	14.0
Average:	15.0
Haute-Normandie	15.4
Midi-Pyrénées	17.0
Champagne-Ardenne	17.2
Auvergne	18.8
Limousin	19.0
Provence	25.6
Aquitaine	27.7
Languedoc-Roussillon	29.4
Rhône-Alpes	29.9
Corsica	42.9

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365.

Table 8: Breakdown of non-adherence by region to the Pétainist project the July 10, 1940 session of the French National Assembly, including percent of non-adherence stemming from the *Massilia*.

	No	Abstain	No Vote – <i>Massilia</i>	Total Non- Adherence	% <i>Massilia</i> of Total Non – Adherence
North <sup>199</sup>	24	6	16	46	34.8
South <sup>200</sup>	56	14	10	81	12.3
Empire <sup>201</sup>			3	3	100.0
Total	80	20	27	127	21.3

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365.

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<sup>199</sup> North is defined as Alsace, Basse-Normandie, Brittany, Burgundy, Centre, Champagne-Ardennes, Franche-Comté, Haute-Normandie, Île-de-France, Lorraine, Nord-Pas-de-Calais, Pays-de-la-Loire, Picardy, and Poitou-Charentes.

<sup>200</sup> South is defined as Aquitaine, Auvergne, Corsica, Languedoc-Roussillon, Limousin, Midi-Pyrénées, Provence, and Rhône-Alpes.

<sup>201</sup> Empire is defined as Algeria, French Indochina, French India, Guyane, Guadalupe, La Reunion, Martinique, and Senegal.

Table 9: Rate of participation as senator, deputy, or president in postwar government, by vote of legislator at the July 10, 1940 session of the French National Assembly, 1945-1958.

	1940 Vote Total	1945- 1958 Service	% Postwar Service
Yes	570	56	9.8
No	80	31	38.8
Abstain	20	7	35.0
No Vote – Massilia	27	10	37.0
No Vote – Job	1	0	0.0
No Vote – Other	149	25	16.8
Total	847	129	15.2

Source: Joly, *Dictionnaire de 1889 à 1940* and *Dictionnaire de 1940 à 1958*; Wieviorka, *Orphans of the Republic*, 345-358, 365. This information was obtained by comparing the names of legislators serving in 1940 with names of legislators in postwar legislatures, 1945-1958.

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