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## *Acknowledgements*

The writing of every book has its own story. In this case, research was initially disrupted in December 2019 by a wave of French strikes protesting against pension reforms. As a result, to visit archives or libraries, if they were open, involved long walks across Paris. No sooner were the strikes over than Covid struck. This ruled out a planned visit to the State Department archives in Washington. Instead, I wish to thank Sahand Yazdanyar for researching in those archives on my behalf once they had reopened. My visit to Pétain's grave on the Île d'Yeu was also delayed by a year, but it is a pleasure to thank Sam, Merry and family for organizing that trip, and making it so pleasurable when it finally took place in the summer of July 2021.

Visiting the courtroom where Pétain's trial took place was complicated by the fact that the Palais de Justice had become a no-go zone during the interminable trial of the Bataclan terrorists. My visit finally took place thanks to the magistrate Marie-Luce Cavois, who showed me round the Palais. She also introduced me to her colleague and friend Jean-Paul Jean, who generously shared with me his extensive knowledge of the French magistrature at the time of the *épuration*.

My dear friend Carol Piketty, although now sadly retired from the Archives Nationales, was nonetheless able to give me many useful tips, and put me in touch with her former colleague Olivier Chosaland, who helpfully guided me through the papers of Louis-Dominique Girard, which he had recently catalogued.

Many friends and colleagues read the book in various stages. The first was Colin Jones, who also, at the very beginning of the project, found me my title. Patrick Higgins, who read a long version of the book, commented as robustly and perceptively as he always does.

## ACKNOWLEDGEMENTS

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My agent Andrew Gordon was, as always, supportive, and his gently incisive comments on an early draft succeeded in the delicate task of making it clear that much work remained to be done while not terminally depressing me. The team at Allen Lane have once again been a joy to work with. Richard Mason was a superb copy-editor; and Alice Skinner an efficient solver of many problems. I feel once again privileged to have as my Penguin editor the deservedly legendary Stuart Proffitt, who devotes such care and thought to his manuscripts. Over the final three weeks, my editor at Harvard, Joy de Menil, gave the book an extraordinarily close reading. I have never previously lived such an intensive, enriching and stimulating collaboration with an editor on a book manuscript.

Most of the book was written in the wonderful surroundings of the Cévennes during the two Covid lockdowns which I spent there with Douglas, my partner. Douglas is always hoping each new book will take less time and cause less mess (papers and books strewn on the floor) than the previous one. He is always disappointed but without his love and support the books would not be written at all.

Boisset-et-Gaujac, November 2022

## *Dramatis Personae*

### **The Defendant**

Marshal Philippe Pétain (1856–1951): military hero; head of the Vichy *État français*, 1940–1944.

### **The Prosecution**

Pierre Bouchardon (1870–1950): *juge d'instruction* (examining magistrate) in many First World War treason trials, and for the trial of Pétain.

André Mornet (1870–1955): *procureur* (prosecutor) in many First World War treason trials, and for the trial of Pétain.

### **The Judge**

Pierre Mongibeaux (1879–1950).

### **The Jurors**

*Parliamentary Jurors*: Bèche, Émile (1898–1977); Bender, Émile (1871–1953); Bloch, Jean-Pierre (1905–1999); Delattre, Gabriel (1891–1984); Dupré, Léandre (1871–1951); Faure, Pétrus (1891–1985); Lévy-Alphandéry, Georges (1862–1948); Mabrut, Adrien (1901–1987); Prot, Louis (1889–1972); Renoult, René (1867–1946); Sion, Paul (1886–1959); Tony-Révillon, Michel (1891–1957). Reserves (*suppléants*): Catalan, Camille (1889–1951); Chassaing, Eugène (1876–1968); Rous, Joseph (1881–1974); Schmidt, Jammy (1872–1959).

*Resistance Jurors*: Bergeron, Marcel (1899–1972); Gervolino, Roger (1909–1991); Guérin, Maurice (1887–1969); Guy, Jean (n.d.); Lecompte-Boinet, Jacques (1905–1974); Lescuyer, Roger

(1919–1971); Loriguet, Marcel (1913–1983); Meunier, Pierre (1908–1996); Perney, Ernest (1873–1946); Yves Porc’her (1887–1969); Seignon, Henri (1899–1973); Stibbe, Pierre (1912–1967). Reserves (*suppléants*): Destouches, Gilbert (1909–2005); Lévêque, Marcel (1924–?); Poupon, Georges (1911–1974); Worms, Jean (‘Germinal’) (1894–1974).

### The Defence Lawyers

Jacques Isorni (1911–1995): defence lawyer in the purge trials of Robert Brasillach and Pétain; devoted much of his life to the defence of Pétain’s reputation.

Jean Lemaire (1904–1986): a member of the defence team and later a President of the Association to Defend the Memory of Marshal Pétain (ADMP).

Fernand Payen (1872–1946): civil lawyer and senior defence lawyer.

### Witnesses for the Prosecution\*

Léon Blum (1872–1950): Socialist politician; head of the left-wing Front Populaire government in 1936. Tried and imprisoned by Vichy.

Édouard Daladier (1884–1970): French premier, 10 April 1938–21 March 1940; tried and imprisoned by Vichy.

Albert Lebrun (1871–1950): President of the French Republic in 1940.

Jules Jeanneney (1864–1957): President of the Senate (upper house of parliament) in 1940.

Louis Marin (1871–1960): Conservative French politician; member of Paul Reynaud’s government in 1940.

Édouard Herriot (1872–1957): President of the Chamber of Deputies (lower house of parliament) in 1940.

Paul Reynaud (1878–1966): French premier, 21 March–16 June 1940; interned by Vichy.

François Charles-Roux (1879–1961): Head of the Quai d’Orsay (French Foreign Ministry), May–October 1940.

Paul-André Doyen (1881–1974): General and French representative on the Armistice Commission until July 1941.

\* In total, eighteen witnesses were called for the prosecution and forty-one for the defence.

**Witnesses for the Defence**

Jean Berthelot (1897–1985): Engineer; Vichy Minister of Transport, December 1940–April 1942.

Henri Bléhaut (1889–1962): Admiral; Vichy Naval and Colonial Minister from March 1943; accompanied Pétain to Sigmaringen.

Jacques Chevalier (1882–1962): Catholic philosopher; Vichy Minister of Education, December 1940–February 1941.

Victor Debeney (1891–1956): General; head of Pétain’s secretariat from August 1944; accompanied him to Sigmaringen.

Marcel Peyrouton (1887–1983): Vichy Minister of the Interior, July 1940–February 1941.

Bernard Serrigny (1870–1954): General; old friend of Pétain.

Jean Tracou (1891–1988): Head of Pétain’s *cabinet civil* in 1944.

Maxime Weygand (1867–1965): General; appointed commander-in-chief of the French Army, 28 May 1940; Vichy Delegate to North Africa, September 1940–November 1941; arrested by the Germans in November 1942.

**Other Witnesses Called to Testify by the Judge**

Fernand de Brinon (1885–1947): Vichy delegate to the Occupied Zone; head of Sigmaringen government, 1944–1945.

Joseph Darnand (1897–1945): Founder and leader of the *Milice*; Vichy Minister of the Interior in 1944.

Pierre Laval (1883–1945): Leading politician of the Third Republic; Vichy prime minister, July–December 1940 and April 1942–August 1944.

Georges Loustaunau-Lacau (1894–1955): French army officer; anti-Communist right-wing conspirator.

**Pétainists who Did Not Testify in the Trial**

Raphaël Alibert (1897–1963): Right-wing activist; Vichy Minister of Justice, July 1940–February 1941; condemned to death in absentia 1947.

Gabriel Paul Auphan (1894–1982): Admiral; Vichy Naval Minister, April–November 1942; went into hiding at the Liberation and sentenced to hard labour in absentia in 1946.

DRAMATIS PERSONAE

- Jean Borotra (1898–1994): Tennis champion in the 1920s (twice Wimbledon singles champion); Vichy Commissioner for Sport, 1940–1942.
- Louis-Dominique Girard (1911–1990): Deputy head of Pétain’s *cabinet civil* in 1944; married Pétain’s great grand-niece in 1949 and wrote several books defending Pétain.
- Bertrand Ménétreel (1906–1947): Pétain’s doctor and close adviser; accompanied him to Sigmaringen.
- Louis Rougier (1889–1982): Philosopher who claimed to have negotiated an agreement with Churchill in 1940; indefatigable pro-Pétain polemicist after 1945.

## *Introduction: The Fateful Handshake*

October 1940 was a busy month for Adolf Hitler. In the early hours of Tuesday 22nd he set off from Munich in his special train, 'Amerika', to meet the Spanish leader Francisco Franco. Passing through France, he stopped at the small town of Montoire-sur-le-Loir for a brief meeting with the French prime minister, Pierre Laval. On Wednesday the train reached Hendaye, on the Spanish frontier. This was where Hitler had to meet Franco, as the gauge width of Spanish railways prevented him from going any further. The next day, on the return journey, he stopped again at Montoire in the afternoon. This time he was meeting the French Head of State, Marshal Philippe Pétain, before rounding off his railway tour with a visit to Benito Mussolini in Florence.

Behind this flurry of railway diplomacy lay an uncomfortable truth: Germany had just lost the Battle of Britain. Hitler's mind now turned to destroying British naval power in the Mediterranean. Such a strategy would require the support of the three Mediterranean powers: Spain, France, Italy. Hitler's ten-hour encounter with Franco was a disaster. 'I would rather have three or four teeth extracted than go through that again,' he told Mussolini. He had hoped that the Spanish leader might join the war or at least open Gibraltar to German troops, but Franco had asked to be rewarded with French territories in North Africa coveted by Spain, which would have jeopardized any chance of Hitler rallying France to his Mediterranean plans. Hitler needed to square the competing interests of the French and Spanish and, if that proved impossible, to decide which country had more to offer him. That was his purpose in sounding out Pétain.

Venerated as a hero of the Great War, the eighty-four-year-old Marshal had become head of government in June 1940 after a six-week



campaign in which France's armies had been humiliatingly routed by the Germans. Believing that further resistance was futile, Pétain had signed an armistice with Germany. This allowed the Germans to occupy two-thirds of French territory while leaving an unoccupied 'Free Zone' in the South. Since Paris was in the Occupied Zone, Pétain's government installed itself at the town of Vichy in central France. Famous as a spa resort, Vichy was a curious choice of capital city – rather as if the British had moved their government to Harrogate in North Yorkshire. But the town's numerous hotels provided ready accommodation for the influx of officials and ministers who replaced its habitual clientele of valetudinarians and holiday-makers. This setting imparted a somewhat surreal character to France's new government: 'a banana Republic with no bananas', as one observer described it.<sup>1</sup> But Vichy was not really a Republic either, as Pétain's government had suspended France's democratic institutions and installed a quasi-dictatorship. The motto of the former Republic, 'Liberty, Equality, Fraternity', was replaced by 'Work, Family, Fatherland'.

No one expected the French government to remain in Vichy for long. Most assumed the armistice would be a short-lived arrangement pending a full peace treaty after Britain's defeat. When that defeat failed to materialize, the terms of the armistice started to weigh heavily on France: they contained no provision for the release of over one million French soldiers taken prisoner in June 1940 who remained incarcerated in Germany. The demarcation line imposed by the armistice between the Free and Occupied Zones paralysed the French economy and disrupted daily life, and the French were required to pay a daily indemnity to cover German occupation costs. In short, the armistice was a noose around France's neck. The Vichy government was desperate to loosen the knot. Thus Pétain had his own reasons for wanting to meet Hitler when the unexpected opportunity arose.

Why Montoire-sur-le-Loir? The town was conveniently located on a branch line just off the main railway route from Paris to Spain. Security considerations also played a part. Hitler's 'Amerika' was a fortress on wheels, with sumptuous accommodations, a state-of-the-art communications centre, and its own anti-tank gun batteries. But this was not enough. Every stopover had to be close to a tunnel in case of aerial attack. Montoire was near to the tunnel of Saint-Rémy,

where heavy iron doors were hastily installed in preparation for the visit. The town's 2,800 inhabitants were instructed to stay home and to keep their shutters closed. The mayor was seized as a potential hostage and designated as food taster to forestall any attempt to poison his visitor. The station was decked out with tropical plants from the Botanical Gardens of nearby Tours and a red carpet was commandeered from Montoire's church. A certain solemnity was required for the occasion.

Pétain's party, which included Pierre Laval, drove up from Vichy on the afternoon of 24 October. It was the first time Pétain had set foot in the Occupied Zone since the signing of the armistice. Any outing was a welcome relief from the monotony of Vichy. The meeting took place in Hitler's saloon car. Also present were the German Foreign Minister, Joachim von Ribbentrop, and Hitler's interpreter, Paul Schmidt. Hitler, who had served as an ordinary soldier in the Great War, was impressed to find himself in the presence of the last surviving titan of that conflict. On meeting Pétain he said in German: 'I am happy to shake the hand of a Frenchman who was not responsible for this war.' Since there was no interpreter present at that moment, Pétain replied evasively, in French: 'Splendid, splendid; thank you.'

While Pétain and Laval were ensconced with Hitler, other members of the French party, including Pétain's doctor and adviser Bernard Ménétré, exchanged pleasantries and *petits fours* with Hitler's doctor and a German diplomat. The two doctors discussed the health of their respective patients – Pétain's more robust than Hitler's. The Führer treated his guest with deference, accompanying him to his car once the meeting was over. He certainly found Pétain more agreeable than 'that Jesuit cur' Franco. As for Pétain, always susceptible to flattery, he was more favourably impressed by the former Austrian corporal than he had expected. It was Laval who commented afterwards that Hitler's ill-fitting uniform made him look like a hotel porter.<sup>2</sup>

The encounter, which lasted about two hours, was inconclusive, but its symbolic impact was incalculable. Soon afterwards the Germans produced a short newsreel of the event. It shows Pétain stepping out of his car to a line of German soldiers standing at attention. He shakes hands with von Ribbentrop and Field Marshal Wilhelm Keitel. Then, accompanied by the latter, he crosses the railway track (the potted



1. The handshake: Pétain and Hitler, 24 October 1940.

plants in evidence) where Hitler, wearing a cap that seems oddly too big, is waiting for him. The two men shake hands. The photograph of that handshake with the interpreter standing between them, and Ribbentrop slightly to the side, would be reproduced innumerable times over the next four years.<sup>3</sup> After the war, Pétain told one of his lawyers that it had not been a proper handshake. Since Hitler had held out his hand, he could hardly ignore it – ‘but I only took his fingers’. This feeble claim was tested by Pétain’s post-war judges, who blew up reproductions of the photograph.<sup>4</sup> On another occasion Pétain said: ‘He held his hand out to me; I could hardly spit in it! All the more so since I was there to see if I could get the return of our prisoners.’<sup>5</sup>

Whatever kind of handshake it was, the photograph was a propaganda coup for the Nazi regime, headline news throughout the world, and a shock to French public opinion. It was a shock because the armistice did not signify that France was formally at peace with Germany. An armistice is merely a suspension of hostilities. France was no longer fighting Germany, but she was technically neutral. Many people wanted

to believe that, behind the scenes, Pétain was secretly working against Hitler with France's former ally Britain, or with General de Gaulle, who was continuing the fight from London. Was it still possible to believe this after the handshake? In a radio speech on 30 October, explaining the Montoire meeting to the French public, Pétain made things worse:

Last Thursday I met the Chancellor of the Reich. This meeting has aroused hopes and provoked concerns: I owe you some explanations . . . It was entirely of my own volition that I accepted the Führer's invitation. There was no Diktat and no pressure. A collaboration is envisaged between our two countries. I have accepted the principle of it. The details will be discussed later . . . He who has taken into his hands the destiny of France has a duty to create the atmosphere most favourable to safeguard the interests of the country. It is in honour, and to maintain French unity . . . in the framework of the active construction of a new European order that I enter today down the road of collaboration . . . This collaboration must be sincere.<sup>6</sup>

This was not the first time the word 'collaboration' had been used to describe the relations between France and Germany since the defeat. It appeared in clause 3 of the armistice requiring French authorities in the Occupied Zone to 'collaborate' with the Germans. But this related to technical cooperation on routine matters of administration; it had no political connotations. The word 'collaboration' had also appeared obliquely in a speech by Pétain on 11 October suggesting that France needed to 'free herself from her so-called traditional enmities and friendships' in order 'to seek collaboration in all fields with *all* her neighbours [i.e. Germany]'. But on 30 October, in one short speech, Pétain used the word three times, presenting it as a bold new direction of French foreign policy. He was aware of the gravity of his words: 'This is my policy. My ministers are responsible to me. It is I alone who will be judged by History.'

## TRIAL OF THE CENTURY

That hour of judgement came almost five years later when Pétain was brought before a High Court to answer for his conduct. The court

had been set up by the provisional government of General de Gaulle after the Liberation of France in the summer of 1944. De Gaulle had left France for London four years earlier because he refused to accept the armistice with Germany. In a famous radio broadcast on the BBC on 18 June 1940 he had sounded the call to resistance, and soon afterwards he also raised the spectre of retribution. In another broadcast in July 1940 he declared that France would ‘punish . . . the artisans of her servitude’.<sup>7</sup> He gave no names but his speeches over the next four years never held back from direct attacks on Pétain, whom he referred to as ‘le Père la Défaite’ – Father of Defeat – an ironic inversion of the soubriquet applied to Georges Clemenceau, France’s prime minister during the Great War, who had been dubbed ‘le Père la Victoire’ – Father of Victory.

Vichy leaders at first had little reason to be seriously worried about these hollow threats from a minor general across the Channel – soon to be ‘ex-General’ when they stripped him of his title and sentenced him to death in absentia. But de Gaulle’s broadcasts on the BBC gradually transformed him into the embodiment of resistance. In May 1943, after the Allies had secured North Africa, he moved his base of operations to Algiers and became head of the French Council for National Liberation (CFLN). On 3 September 1943 this proto-government in exile issued a decree stating that France would bring to trial ‘Pétain and those who belonged or belong to the pseudo-government created by him, which capitulated, destroyed the constitution, collaborated with the enemy, delivered French workers to the Germans’.<sup>8</sup>

The trial of Pétain finally opened in Paris on 23 July 1945 (ending on 15 August). Sandwiched between the celebrations for VE Day on 8 May, marking the end of the war in Europe, and VJ Day on 15 August, marking the end of the war in the Far East, Pétain’s trial was the news event of the summer. ‘The greatest trial in history’, as the headlines grandiloquently proclaimed, was front-page news of every French newspaper every day for three weeks. Despite chronic shortages, the paper allowance was temporarily increased to allow newspapers to publish four pages instead of two. Even this left little space for other news. Only a few international events, such as Winston Churchill’s surprising electoral defeat or the dropping of the

atom bomb on Hiroshima, displaced the trial from the headlines. The trial attracted worldwide attention, especially in Britain and America, but also in Scandinavia, Canada and Spain.<sup>9</sup> Most foreign embassies sent an observer every day. It was attended by the most celebrated journalists of the day and discussed in the press by France's most famous writers – François Mauriac, Albert Camus, Georges Bernanos.

This was obviously a 'political' trial. It was inconceivable that Pétain would not be found guilty. The only uncertainty was the penalty. As Camus wrote in April 1945: 'If Pétain is absolved, it would mean that all those who fought against the occupier were in the wrong. Those who were shot, tortured, deported would have suffered in vain.'<sup>10</sup> This was only one of many trials that took place in the aftermath of the Axis defeat. The most famous of these, the Nuremberg trials, opened in September 1945, a month after Pétain's trial ended, and they were followed by the Tokyo trials in April 1946. Yet in both these cases the defendants were being tried by an International Tribunal, whereas in Pétain's case a *French* court was judging a *French* leader. Perhaps more comparable might be the trial of the Norwegian collaborationist leader Vidkun Quisling, which started on 20 August, five days after Pétain's trial closed. But Quisling was a fanatical Nazi sympathizer with no popular support. Pétain, on the other hand, had been revered and loved by the French, and the Vichy regime had been recognized by governments throughout the world, including the United States. Another comparison might be the trial of the Romanian leader Ion Antonescu in May 1946, but this was undertaken primarily to assert the legitimacy of the new Communist regime.<sup>11</sup> In all trials of this kind, many factors are at play: retribution and revenge for the victors, consolation and closure for the victims. They are also exercises in national pedagogy, enabling the new political authorities to deliver their version of history.<sup>12</sup>

All this was true of the Pétain trial. One can understand why a historian has written that this was less a trial than 'an elaborate ceremony aimed at symbolically condemning a policy'.<sup>13</sup> But despite many irregularities, what took place in the courtroom was not a charade. Pétain's defence lawyers were allowed to interrogate witnesses and consult documents. Over the course of three weeks, sixty-three witnesses were called to testify in the crowded and stiflingly hot courtroom. They

included a former President of the Republic and five former prime ministers; generals and admirals, diplomats and civil servants; former resisters and former collaborators; even a Bourbon prince.

The trial of a Marshal of France was by definition an extraordinary event. In France, the title ‘Marshal’ is an honour rather than a military rank. It is awarded to generals in recognition of exceptional service in wartime only. Eight Marshals had been created after the Great War. Pétain was the only one alive in 1945. An aura surrounds any French Marshal, but Pétain had become a semi-divinity due to his command of France’s armies at the Battle of Verdun, February–December 1916, the longest battle of the war. Since the French Revolution, only two other Marshals had been put on trial. Marshal Ney, one of Napoleon’s most famous generals, was tried under the Bourbon monarchy in December 1815, and Marshal François Bazaine, commander of the French Army during the Franco-Prussian War, was tried in 1873 for surrendering to the Germans in 1870. Ney was executed; Bazaine sentenced to life imprisonment. Bazaine is forgotten today, but in 1945 comparisons between him and Pétain were frequently made. On the first page of his war memoirs General de Gaulle recalled his mother’s shock at seeing her parents, in tears, as they cried out: ‘Bazaine has capitulated’.<sup>14</sup>

Bazaine was accused of only a single act of military dereliction, surrender to the enemy. Pétain was being tried for his role as Head of State during the four most controversial years in French history. To express the immensity of what was at stake, his trial was often compared to that of Louis XVI or Charles I of England – even that of Joan of Arc. The trial of Pétain was in some sense putting France on trial: few people had not at some moment believed in him. He may have been a sacrificial victim in the national catharsis of the Liberation, but complicity in the actions of his regime was widely shared.

The trial also promised to be an opportunity for self-education. In June 1940, when France’s armies were collapsing, millions of French men and women were on the roads with their families fleeing the advancing Germans. They knew nothing of the behind-the-scenes political machinations leading to that fateful radio speech when Pétain announced that his government was seeking an armistice. Once the new regime took power in Vichy, it offered its own partisan version of

events, setting up a High Court at the town of Riom, near Vichy, to try the politicians it blamed for having dragged France into war and causing her defeat. One of Pétain's most famous slogans had been: 'I hate the lies that have done you so much harm.' Meanwhile in London, French broadcasters on the BBC coined the jingle '*Radio Paris ment, Radio Paris est allemand*' ('Radio Paris lies, Radio Paris is German').

So who was telling the truth? Who was lying? For four years the French had survived on vague rumours and desperate hopes. They had constructed their own version of events by sifting through the distortions and half-truths of Vichy propaganda, the news they heard on the BBC, the broadcasts of de Gaulle, the resistance tracts they stumbled upon. Now, for the first time, they had an opportunity to hear these painful and confusing events being presented, debated and explained.

## PÉTAIN'S CRIME

This book does not seek to 're-open' the trial or to argue that Pétain was treated too harshly or not harshly enough. That has been done several times over the years, mostly by nostalgic Pétainists trying to rehabilitate Vichy.<sup>15</sup> These are now a diminishing band and if the trial were re-opened today, it would not be by defenders seeking to rehabilitate their hero but by those eager to convict him for Vichy's role in the deportation of 75,000 Jews. In the courtroom in 1945 that terrible event attracted less attention than a telegram that Pétain might or might not have sent to Hitler on 25 August 1942, after a failed Anglo-American landing in Dieppe. This is not only because the persecution of the Jews was a less central issue then, but also because of the way in which the case against Pétain had been framed. He was tried for treason, which is described in the French Penal Code as '*intelligence* [collusion] with the enemy'. Today he would be tried for 'crimes against humanity', a category of crime that was developed at Nuremberg just after Pétain's trial had finished. It is also true that we know much more about Vichy's role in the deportation of the Jews than the court in 1945. But there was also much else the court did not know it



knew: the judge who took over the High Court after Pétain's trial even wrote a book (in English, *The Real Trial of Marshal Pétain*), because he was shocked how much of the evidence collected for the trial had not been exploited.<sup>16</sup>

Revisiting Pétain's trial is not the same as re-opening it. It offers a fascinating opportunity to watch the French debating their history. Through the arguments in the courtroom we can explore choices that were made and paths that were taken; but also paths that were not taken and choices that were rejected. We can hear the historical actors of both sides explaining their decisions, see how Vichy's defenders justified their actions, and understand what the regime's accusers considered to be its main crimes.

The shorthand term 'Vichy' encompasses a dense period of four years during which events moved disconcertingly fast. After the armistice on 22 June, France's parliament was convened hastily at Vichy on 10 July to grant Pétain full powers to draft a new constitution. The very next day he issued a series of 'Constitutional Acts' which effectively made him a dictator and put parliament into abeyance. The Republic was not formally abolished, but Pétain was now described as 'Head of State' – leaving it ambiguous what kind of state he headed.

Using these new powers, Pétain's government proceeded to implement what it described as a 'National Revolution', issuing a string of new ordinances, which included measures of persecution against Jews. It also set up a special court at Riom near Vichy to try those it blamed for the defeat. The real head of the government in this period was the former prime minister, Pierre Laval, who was officially anointed as Pétain's successor in one of the Constitutional Acts. This monarchical touch made Laval Pétain's dauphin. But on 13 December 1940 Laval was summarily sacked by Pétain for reasons that remain obscure. The presumption that Laval was sacked because Pétain disapproved of 'collaboration' with Germany is weakened by the fact that his successor, Admiral Darlan, pushed that policy even further, offering Germany the use of French air bases in Syria in May 1941.

Although Darlan could hardly be accused of being a lukewarm collaborator, the Germans never forgave Pétain for sacking Laval. In April 1942 they forced Pétain to recall him. Laval was now Vichy's uncontested strongman until the end, but his freedom of manoeuvre

in relation to Germany was shrinking. In his first period in power, Laval had envisaged collaboration as a way of preparing the ground for a general settlement with a victorious Germany. When he was recalled, it was more a matter of interminable wrangling with the Germans, whose demands became ever more insatiable as the war turned against them. They demanded that French workers be recruited for their war factories, that Jews be rounded up for deportation, and that the Vichy government step up its repression of the Resistance.

Laval's ability to manoeuvre was fatally weakened in November 1942 when American forces landed in French North Africa. Almost immediately the Germans retaliated by occupying the whole of France. The armistice had originally allowed Vichy a large Unoccupied Zone and left her in control of her North African colonies. Now, at a stroke, Vichy France had lost those two important assets. This was a major turning point for the regime. Pétain might have taken the opportunity to resign or join the Allies in North Africa. He opted instead to remain in place, linking his fate irrevocably to the Vichy regime until its demise in August 1944.

Negotiating its way through the thickets of this complicated history, the trial had to answer many questions. Was the armistice itself treason? Was there a realistic alternative? Was the vote granting powers to Pétain in 1940 legal? Had he abused the powers he had been granted? Could collaboration be defended? Had Pétain supported it? Why did Pétain hang on to power even after November 1942? What were the respective responsibilities of Pétain and Laval in this tragic history?

Beyond debating these specific issues, the trial confronted broader moral and philosophical questions. Where did patriotic duty lie after the defeat? Does a legal government necessarily have legitimacy? Are there times when conscience overrides the duty to obey laws? Are there times when the immediate well-being of the people of a nation can conflict with that nation's higher interests?

The answers to these questions were not self-evident. We can see this by considering the contrasting views of three contemporary observers who opposed Vichy. The first was General de Gaulle himself. Writing ten years after the event, de Gaulle did not disguise his displeasure at the conduct of the trial:

For me, the supreme fault of Pétain and his government was to have concluded . . . the so-called ‘armistice’. Certainly, on the date when it was signed, the battle in mainland France was undeniably lost. Ending the fighting . . . in order to put an end to the rout, would have been a totally justified local military decision . . . Then the government would have gone to Algiers taking with it the treasure of French sovereignty, which for fourteen centuries had never been handed over, continuing the struggle to the end. But to have taken out of the war our untouched Empire, our intact fleet, our colonial troops . . . to have reneged on our alliances, and above all to have submitted the State to the discretion of the Reich – that is what should have been condemned . . .

The handing over to Hitler of French political prisoners, of Jews, of foreigners that had taken refuge with us . . . all these stemmed ineluctably from the poisoned well [i.e. the armistice] . . . So I was annoyed to see the High Court, the politicians, the newspapers, refrain from stigmatizing ‘the armistice’ and, instead, concentrating on facts accessory to it.<sup>17</sup>

Raymond Aron, who would become one of France’s most celebrated intellectuals after the war, left for London in 1940. As editor of the journal *France Libre*, a publication unremitting in its attacks on the Vichy regime, Aron wrote excoriating attacks on collaboration. He could not be accused of any kind of sympathy for Pétain. But when he published his articles in book form two months before the Pétain trial, he attached a note nuancing his original judgements. The problem when judging Vichy, he suggested, was ‘that the consequences of the acts had almost nothing in common with the intentions of the actors’. He went on:

It is not impossible that the armistice and Vichy, for two and half years, attenuated the rigours of the occupation. In interposing the French administrative apparatus between the Gestapo and the French population, the policy . . . procured for the 40 million French who found themselves hostages, multiple although mediocre advantages that are as difficult to quantify as to deny . . . Recognized by Russia until the spring of 1941, and by the United States until the Liberation of North Africa [in November 1942], the government of Vichy could be seen in the eyes of the mass of civil servants, and above all army officers, as a legitimate

government. Once an armistice had been signed, France and France's allies had a significant interest in saving the French fleet and Empire.<sup>18</sup>

For Aron, the point after which Pétain could no longer be defended was November 1942 when Vichy lost North Africa and the Germans occupied the whole of France.<sup>19</sup>

Simone Weil, another brilliant intellectual who went into exile, took a still different line. In November 1942, from New York, she wrote to a friend denying rumours that, as a former pacifist, she had any sympathy for the armistice:

In June 1940 I ardently desired the defence of Paris . . . It was with consternation . . . that I heard the news of the armistice, and I immediately decided to get to England . . . Until then, I participated in the distribution of clandestine literature . . . What has given rise to these rumours [of being indulgent towards Pétain] is that I do not like people who are living perfectly comfortably here treating as cowards and traitors those in France who are struggling as best they can in a terrible situation . . . The armistice was a collective cowardice, a collective treason; the entire nation shares some responsibility . . . At the time, from what I witnessed, the entire nation welcomed the armistice with a sense of relief; and that resulted in an indivisible national responsibility. Moreover, I think that Pétain has done more or less everything that his physical and mental state allowed to limit the damage. One should not use the word 'traitor' except for those people whom one is certain desired the victory of Germany.<sup>20</sup>

Weil was a figure of exceptional moral rigour. This letter was a reaction to the 'resisters of Fifth Avenue', those self-righteous exiles who, from the safe distance of a Manhattan cocktail party or a comfortable New York hotel, denounced as traitors those who had remained in France. Arriving in England to join the Gaullists, she died in 1943 as a result of health complications caused by the near-starvation diet she had adopted to share the sufferings of the French. Subsequent events might have led her to revise her judgements, at least on Pétain – but probably not her view that the armistice was a collective fault. This opinion was shared by the philosopher Jean Wahl, the recipient of her letter. Wahl had escaped from the Drancy

internment camp outside Paris, and managed to reach New York, where he became a prominent figure in the intellectual community of exiles. Although he was opposed to Vichy – a regime which had imprisoned him – he too refused to see Pétain as a traitor and even believed that the armistice could be justified.<sup>21</sup>

De Gaulle, Aron and Weil all opposed Vichy – but each took a different view of Pétain’s crime. For de Gaulle, the crime was the armistice and nothing but the armistice; for Aron the armistice was defensible and Pétain’s crime came two years later, when he remained in France even after the Germans had flouted the armistice by occupying the entire country; Weil condemned the armistice as an act of collective cowardice which could not be blamed on Pétain alone.

The events that took place in the stiflingly hot courtroom over three weeks in the summer of 1945 did not settle the matter. As the American historian of Vichy Robert Paxton wrote in the 1980s, ‘The controversy over whether Pétain had been a traitor or a canny realist after the French defeat of June 1940 remains the bitterest French family quarrel since the Dreyfus affair.’<sup>22</sup> Pétain’s main defence lawyer, Jacques Isorni, devoted much of his life to arguing that the sentence should be revised and that, instead of mouldering in a grave on the island where he had been imprisoned, Pétain’s body should be transported to the Ossuary of Douaumont, near Verdun, to lie alongside the soldiers he had commanded in the Great War. Pétain remained a potent symbol for the extreme right in France, and his name even came up in the French presidential campaign of 2022. All this vindicated the prediction made immediately after the trial by the novelist François Mauriac (1885–1970), a left-wing Catholic who had opposed Vichy: ‘For everyone, whatever happens, for his admirers, for his adversaries, Pétain will remain a tragic figure, caught between treason and sacrifice . . . A trial like this one is never over and will never end.’<sup>23</sup>

PART ONE

Before the Trial

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# I

## The Last Days of Vichy

In July 1940 a politician remarked, half-seriously, that Pétain had more power than any other leader since Louis XIV. This was a remarkable outcome for a man who, twenty-five years earlier, had been an obscure colonel heading for retirement. Up to that moment, the army had been the main horizon of his existence, as both a career and a substitute family.

Born in 1856 to a modest peasant family near Calais, Philippe Pétain had lost his mother to childbirth when he was only eighteen months old. After his father's rapid remarriage he and his siblings were farmed out to relatives. He always mourned the mother he had never known: 'My stepmother was a shrew; my father's house was largely closed to me,' he remarked in a rare reminiscence. He explained his notoriously reserved and secretive personality by the absence of family affection, and by his need from an early age to fend for himself. Certainly, the man who later celebrated the virtues of family had no positive memories of his own and retained little contact with his siblings. Though he would later extol the peasant values of rootedness in the soil, he showed no nostalgia for his own roots: the country residence he acquired later in life was on the fashionable Côte d'Azur.

His education was taken in hand by a maternal uncle, a priest who spotted the boy's intelligence. For a young man of his humble background, the army was a classic route to advancement. In the wake of France's defeat by Germany in 1871, the desire for revenge was shared by many boys of his age. Before 1914, his military career was respectable but unremarkable. Promotion was hampered by his scepticism about the prevailing doctrine of the French high command, which advocated an offensive strategy at almost any cost. In lectures at



France's military staff college, the *École de Guerre*, Pétain had argued that advances in military technology had shifted the advantage to the defence, emphasizing the importance of meticulous tactical preparation before embarking on any offensive. His adage was: '*Le feu tue*' (Firepower kills).

These insights were vindicated when war broke out in 1914. Pétain proved himself an unflappable commander with exceptional organizational skills, leading him, in February 1916, to be given command of the defence of Verdun in north-eastern France. For ten months the French fought off a sustained German assault on the city and its surrounding fortresses. Pétain rotated his forces so that no soldier spent too long in the inferno of the battle. As a result, most French soldiers served at some point at Verdun, making it a battle of the entire French nation. Despite the huge number of casualties, Verdun was not seen by the French as a symbol of futile waste, as the Somme was by the British, but of heroic patriotism.

Pétain was only in direct command at Verdun for the first two months, after which another general, Robert Nivelle, replaced him. This reflected a concern among the high command that he was too reluctant to seize the advantage with a counter-offensive. Pétain's detractors often commented that his prudence tended towards pessimism, even at times defeatism. Yet even doubters were impressed by his handling of a wave of army mutinies that broke out after a suicidal offensive, planned by Nivelle, in the spring of 1917. Now commander of the French armies, he ended the mutinies not only by reimposing discipline through a few exemplary executions but also by improving the conditions for the soldiers. All this won him a reputation as a general who genuinely cared about the welfare of ordinary soldiers. By the end of the war, Pétain combined in his person the aura of all the military heroes of the Great War – Haig in Britain, Hindenburg in Germany, Foch in France.<sup>1</sup> Until his retirement in 1931, he played a leading role in French military planning. His mythic stature was also sustained by his appearance: piercing blue eyes, snow-white hair, and his famous 'marble countenance' (*visage marmoréen*). Pétain cultivated this image. On his appointment to Verdun, journalists had scrambled to procure photographs of him, but soon his portrait was plastered over newspapers throughout the world.

Showered with honours, he was regularly invited to preside over ceremonies, inaugurate monuments and speak at banquets. Elected to the Académie Française in 1929, he was often asked to represent France abroad at funerals and anniversaries. He had acquired the aura of royalty. Even someone impervious to flattery – which Pétain was not – would have been affected by such adulation. Pétain started to conceive of himself as a political sage with views about the world going beyond the military. He was no ideologue (nor was he, for that matter, a great reader) and he never espoused the ultra-reactionary opinions flaunted by other Marshals of the Great War such as Foch. But he developed simple homespun ideas about politics – especially the importance of the family and the need to instil schoolteachers with patriotic and moral values.

Pétain's experience at Verdun had made him suspicious of interfering politicians who visited his headquarters for photo opportunities – though he liked photo opportunities when he was the subject of them – and the mutinies had made him paranoid about threats to social order. The spread of Communism in the interwar years only heightened these fears. When, in 1925, Pétain was sent to command French forces in Morocco and suppress a tribal uprising in concert with the Spanish, he came to admire the Spanish military dictator Primo de Rivera, who embodied his ideal of firm leadership.

In 1934, Pétain became War Minister in a conservative national unity government under Gaston Doumergue. It was a sign of Pétain's growing ambitions that the portfolio he had really coveted was Education. That government lasted only nine months, but it gave him new political contacts and further whetted his ambitions. Conservatives who were turning against the Republic came to see him as a providential figure. All this made it entirely natural that after France's humiliating defeat by Germany in June 1940 Pétain was unanimously viewed as a saviour when he took over as head of the so-called Vichy regime.

## FALLEN HERO

Over the next four years, Pétain's power was progressively whittled away by the demands of the German occupiers and the ambitions of

Pierre Laval, prime minister from April 1942 to August 1944. The last act in the drama of Pétain's political emasculation occurred at the end of 1943 when a plot hatched by his closest advisers to reassert his authority ended instead in his complete humiliation. After this Pétain commented ruefully that, far from being Louis XIV, he was more like 'the little king of Bourges' – a reference to Charles VII who, ascending the throne during the Hundred Years War, had controlled only a sliver of French territory until the victories of Joan of Arc.

The abortive plot to save Pétain had been inspired by recent events in Italy. In July 1943 a cabal around King Victor Emmanuel had ousted the fascist dictator Mussolini and replaced him with the less tainted Marshal Pietro Badoglio. The purpose of the Badoglio operation had been to rescue something from the wreckage of Mussolini's regime, sideline the radical forces of the Italian resistance, and do a deal with the Allies. The plan bore fruit. Badoglio signed an armistice with the Allies, taking Italy out of the war. In return the Allies seemed ready, for the moment at least, to leave him and the king in power. Might such a scheme work in France?

In the French version of this scenario, Pétain's advisers schemed to oust his pro-German prime minister, Pierre Laval, and revive the promise Pétain had made in 1940 to draft a new constitution. The plan was for Pétain to make a radio broadcast reminding the French people that 'I incarnate French legitimacy' and informing them that if he were to die before the constitution was ready, power would revert to the parliament he had ignored for four years. Pétain was being billed to play the role of Badoglio or Victor Emmanuel to Laval's Mussolini. This last-ditch attempt to give Vichy a political makeover was about saving the skins – literally – of those who had served it, and of Pétain himself. If this plan had any remote chance of success, it was because President Roosevelt was known to distrust de Gaulle. Might Roosevelt jump at this opportunity to sideline him?

We will never know because the Germans got wind of the plot. When listeners tuned in to hear Pétain's radio speech on 12 November 1943, they were treated instead to the light operetta *Dédé*. Two weeks later, Pétain received a threatening letter from the German Foreign Minister, Joachim von Ribbentrop, insisting that Laval remain in the government and that it be reshuffled to bring in ultra-collaborationist

politicians unreservedly committed to Germany. Pétain could now have resigned on the grounds that he had lost any semblance of power, and that his presence only served to disguise ever more repressive German policies. But whether nursing a fantasy that he still had a role to play, or believing he had already burnt his bridges, he chose to remain in his post. It was a fateful decision. The last months of the Vichy regime – between January and August 1944 – witnessed the worst atrocities of the Occupation. Pétain had missed his chance to dissociate himself from them.

To ensure that he did not stray again, the Germans placed Pétain under the strict surveillance of Cecil von Renthe-Fink, a diplomat whom he sarcastically referred to as his ‘jailor’. To all intents and purposes, he was now a prisoner – an extraordinary contrast with his position four years earlier.

In these last months of the Vichy regime, under the vigilant scrutiny of Renthe-Fink, Pétain was lonely and isolated. He had lost almost all the advisers who surrounded him in 1940. Some had been removed because the Germans mistrusted them; others had abandoned Vichy’s sinking ship. The sole survivor of his first days at Vichy was his doctor and confidant Bernard Ménétrel. Since Pétain was in remarkably good physical shape, looking after his health was not a time-consuming activity. So Ménétrel also acted as political adviser and became the gatekeeper to anyone wanting access to Pétain. Laval once commented: ‘I had predicted everything except that France would be governed by a doctor.’<sup>2</sup>

Two other members of Pétain’s inner circle in 1944 had not previously played a central role: the one-armed General Victor Debeney, head of Pétain’s General Secretariat, and Admiral Henri Bléhaut, appointed Under Secretary of State for the Navy and the Colonies in March 1943 – at a time when Vichy had lost both its navy and its colonies. These two men assumed importance in large measure because almost no one else was left.

The other survivor from the early days at Vichy, along with Ménétrel, was Pétain’s wife. Pétain had been a dedicated womaniser for many years, often maintaining several mistresses at the same time. When the war made him a celebrity, he won ever more female admirers. Then, suddenly, in September 1920, having long resisted the ties of marriage,

he married his long-term mistress Eugénie-Anne Hardon (usually known as Annie).<sup>3</sup> No one knew for sure when their relationship started. Her romantic version was that they had first met when she was twenty-four but that her family had been shocked by the twenty-year age gap between them. Instead, she married the artist François Dehérain. After her divorce in 1914, she resumed – if it had ever ceased – the relationship with Pétain. He was spending the night with her in a hotel near the Gare du Nord in Paris in February 1916 when he was tracked down to be informed about his appointment to Verdun.

After a life of bachelorhood, Pétain appears to have concluded that his station in life now required him to marry. In the weeks before he proposed to Annie, he made the same offer to at least two other old flames. One turned him down because she was a widow with young children. Another, the Wagnerian soprano Germaine Lubin, refused because she was married and did want to go through a divorce. So on 14 September 1920, Pétain married Annie Hardon in a civil ceremony. The marriage was a discreet affair, as his conservative friends and admirers were shocked that he was marrying a divorcee. Perhaps Pétain resigned himself to Annie because he knew that she would have no illusions about his fidelity.<sup>4</sup> The couple lived in adjoining apartments in Paris and, during the Occupation, in adjoining hotels in Vichy.

In March 1941 their marriage was solemnized in a religious ceremony – her first marriage had been annulled in 1929 – to the relief of the Catholic Church, which was a staunch supporter of the Vichy regime. Having spent half a lifetime trying to pin him down, Annie demanded the respect that went with her new title of *La Maréchale*. Her imperious personality was sharpened by the knowledge that so many people had disapproved of her. She would remain at Pétain's side to the end.

## KIDNAPPED

The Vichy regime entered its final death agony after the D-Day landings in Normandy on 6 June 1944. The Allies did not achieve all their initial objectives but within a week they had established a small

beachhead on French soil. On 14 June General de Gaulle was permitted by the British to pay a short visit from London to Bayeux, the largest town so far liberated. These were de Gaulle's first steps on metropolitan French soil since his departure almost exactly four years earlier. For de Gaulle, who had so far been only a voice on the radio for most French people, the purpose of the visit was to show himself in person and prove to himself and the Allies that he enjoyed genuine popular support. Having shaken the hand of the local *préfet*, who had hastily removed Pétain's portrait from the wall, de Gaulle made a speech in the main square that was cheered by the population. His mission triumphantly accomplished, de Gaulle returned to Algiers.

On 31 July the American troops finally broke through the German lines at Avranches, in the south of the Cotentin Peninsula in Normandy; two weeks later they had advanced halfway to Paris. On 20 August, De Gaulle was back in Normandy preparing to accompany the Allied armies into Paris. As for the town of Vichy itself, it was only a matter of days before it too was within reach of the Allies after a second Allied landing, on 15 August, on France's Mediterranean coast. The success of this operation exceeded expectations, and Allied troops were soon advancing up the Rhône valley.

On 17 August 1944, Renthe-Fink informed Pétain that, ostensibly for his own protection, he would have to leave Vichy. As long as the Germans held some French territory, Pétain remained useful to them. But he refused to budge. For the next two days Renthe-Fink put increasing pressure on Pétain's advisers, who knew they would be powerless if the Germans insisted on moving him. All that they could hope to do was to establish for posterity that Pétain had been forced to leave against his will. To demonstrate this, he wrote a letter of protest to Hitler:

In concluding the armistice of 1940 with Germany, I showed my irrevocable decision to link my fate to that of my country and never to leave French territory . . . Today your representatives force me by violence, and despite all the promises I have made, to leave for an unknown destination. I submit a solemn protest against this act of force which prevents me from carrying out my prerogatives as head of the French State.<sup>5</sup>

When, on 19 August, Renthe-Fink returned to the Hotel du Parc with a final ultimatum, Pétain received him frostily with General Debeney and Admiral Bléhaut at his side. An orderly announced that diplomatic representatives of two neutral countries – the Papal Nuncio and the Swiss consul, Walter Stucki – were waiting in the next room. Renthe-Fink shouted that they could not be admitted. Bléhaut shouted back, ‘*Vous nous emmerdez*’ (‘You are pissing us off’). Then Ménétrél burst into the room accompanied by the two diplomats so that they could witness the fact that Pétain was acting under duress. The Germans left the hotel but announced that they would return tomorrow to take Pétain away.

At 6 a.m. the next day German tanks arrived outside the hotel. Pétain, having briefly roused himself to look out of the window, returned to bed. An hour later German soldiers broke down the doors of the hotel. The German officer in charge of the operation reported:

When I arrived in the hotel lobby, Lieutenant Petit of the Marshal’s guard stopped me and said that I was in the house of Marshal Pétain . . . and that he forbade me to go any further. I replied that I knew this but I had received an order that I would carry out at any cost. After an exchange of military salutes, Lieutenant Petit let me pass.<sup>6</sup>

When the Germans smashed the glass panels of the door to Pétain’s bedroom, they found him dressing. Ménétrél was on hand with a tape recorder and camera to record the kidnapping.<sup>7</sup> He insisted that the Marshal be allowed to eat breakfast before leaving. Pétain descended the staircase, raised his hat to onlookers, and then set off with his advisers in a convoy of six cars.

Progress was painfully slow on roads choked with retreating German military vehicles. Stopping for lunch at the Prefecture of Moulins about 60 kilometres from Vichy, Pétain’s advisers made copies of his letter to Hitler, and also of a speech which had been crafted over the last few days. This was Pétain’s last message to the French people before the opening declaration at his trial almost a year later:

When this message reaches you, I will no longer be free . . . For more than four years, having decided to remain among you, every day I have tried to do what best served the permanent interests of France. Loyally,

but without compromises, I have had only one aim: to protect you from the worst. Everything that I have accepted, that I have consented to, that I have been subjected to, whether of my own accord or because I was forced, has been to protect you. For if I could no longer be your sword, I have wanted to be your shield.<sup>8</sup>

This idea of Pétain as a ‘shield’ was to become a key element in his future defence.

Since he no longer had access to the airwaves, copies of the message were thrown from the car windows. Most of these were dispersed by the wind. Some were picked up by passers-by and a bunch were left at the hotel in Saulieu, where Pétain spent the night.<sup>9</sup> Erratically typed on flimsy paper, this document was intended as evidence if Pétain was ever summoned to account to the French for his actions.

On the evening of 21 August, Pétain’s party reached the Prefecture of Belfort where they were amazed to find Pierre Laval, still nominally his prime minister. Two weeks earlier, Laval in Paris had made his own last-ditch attempt to save his skin. Knowing that the Allies’ arrival was imminent, he had conceived the idea of reconvening the parliament of the Third Republic. Parliament would provide a source of legitimate French authority which the liberating Americans might be prepared to recognize. Like Pétain’s advisers in the previous year, he was gambling on the fact that the Americans were known to distrust de Gaulle: his scheme offered them another way of sidelining him.

The German ambassador, Otto Abetz, gave his benediction and on 12 August Laval drove from Paris to Nancy, where the president of the lower house of parliament, Édouard Herriot, was living under house arrest. The plan had no chance of working without his co-operation. Only three days were enough to establish, with or without Herriot, that the plan was doomed. The Germans turned against it and forcibly removed Laval from Paris on 17 August, as they began to evacuate the city.

Relations between Pétain and Laval had always been execrable, but in Belfort they were for once of the same mind: since both were prisoners, neither would agree to exercise any further governmental responsibility. They would go on ‘strike’. After a brief encounter they no longer had to endure each other’s physical presence. Pétain took



up residence just outside Belfort in the nearby château of Morvillars; Laval remained at the prefecture. Over the next few days they communicated only by letter.

In the meantime, de Gaulle was installing his provisional government in Liberated Paris. He entered the city on 25 August and next day organized a triumphal ceremony on the Champs-Élysées. At least one million people gathered for a glimpse of the Liberator as he processed from the Arc de Triomphe. No one was thinking about Pétain at that moment, but Pétain loyalists tried one last desperate throw of the dice. On the day after his parade, de Gaulle was handed a letter that Pétain had confided to Admiral Auphan, his former Naval Minister. Auphan had been sent to Paris to contact de Gaulle and reach an agreement with him on Pétain's behalf – on condition that 'the principle of legitimacy I represent is respected'. Unsurprisingly de Gaulle, who had no intention of seeking Pétain's benediction, refused even to see Auphan. He later described this moment with priceless contempt in his *Memoirs*:

What an outcome! What a confession! Thus, as Vichy crumbled, Philippe Pétain turned towards Charles de Gaulle . . . In reading this text that was handed over to me, I felt both reinforced and overwhelmed by a terrible sadness. Monsieur le Maréchal! You who had once so honoured our armies, you who had once been my leader, what had you now come to . . . Above all, the condition that Pétain put on an agreement with me was precisely the reasons why this agreement was impossible. The legitimacy that he claimed to incarnate was one that the government of the Republic denied absolutely . . . The only answer I could give him was my silence.<sup>10</sup>

De Gaulle's predictable refusal to accept his authority from the hands of Pétain confirmed that Pétain *would* have to account to the French people for his actions since 1940 – but first it would be necessary to find him.

## 2

### A Castle in Germany

Some 440 kilometres east of Paris, in Belfort, the Germans were still pondering what to do next with their valuable prisoner. Scattered around the area were a number of former collaborationist politicians who had fled Paris. Four of these were now invited to a meeting with Hitler at his so-called Wolf's Lair in East Prussia. Pierre Laval, who was also invited, refused to go.

The four men who accepted Hitler's invitation – Marcel Déat, Jacques Doriot, Fernand de Brinon and Joseph Darnand – were unconditionally committed to the German cause, although they had reached this radical position by different routes.<sup>1</sup> Déat, a star of the Socialist Party in the 1920s, had drifted to the far right in the 1930s just as Oswald Mosley had in England. In 1941, Déat set up his own French fascist party (the RNP) in occupied Paris. Its membership was too minuscule to allow him to play a significant political role, but his violent newspaper articles attacking Vichy for being too lukewarm about collaboration gave him a certain influence. Living in the pure constructions of his mind, Déat was the type of intellectual who remains shielded from reality by the logic of his arguments.

Jacques Doriot, a former Communist who had broken with the Party in the mid-1930s, was animated above all by a visceral hatred of the Soviet Union. The founder in 1936 of France's most successful fascist party, the Parti Populaire Français (PPF), he was a compelling orator. When, after Germany's attack on the Soviet Union in June 1941, some French ultra-collaborators set up a 'Legion of French Volunteers' (LVF) to fight Bolshevism, Doriot didn't just support the initiative; he actually joined up.

Unlike Déat and Doriot, Joseph Darnand had never been on the

left. A brave soldier in the Great War, he had been devoted to the person of Pétain ever since. Active in extreme right-wing circles in the interwar years, believing in order and despising democracy, it was only natural that he should rally to Vichy. In January 1943 he founded Vichy's notorious *Milice*, a paramilitary organization that would use any means necessary, however brutal, to crush the Resistance. A few months later Darnand became an officer in the SS. That such an ardent French nationalist should end his career in German uniform was as strange as Doriot, a rising star of French Communism, ending his career as a fighter against the Soviet Union on the Eastern Front.

The fourth member of this group, Fernand de Brinon, was a journalist long committed to Franco-German reconciliation. Unlike the others, he had no political base, no followers, no charisma. His trump card was that, owing to his extensive German contacts, he had been named Vichy's 'Delegate' to the Occupied Zone in 1940, assuming the strange role of the French government's ambassador to France.

These four men were rivals and enemies. Whether out of ideological conviction, a delusional belief that the Germans had not lost the war, or a recognition that having burnt their bridges they had nothing left to lose, all were ready to pursue the collaborationist adventure to the end. Each hoped their moment had arrived: if there was to be a Nazi *Götterdämmerung*, they were ready to perish in the conflagration. The purpose of their long journey across Germany was to learn Hitler's intentions for France.

In the last week of August, at the castle of Steinhort in East Prussia, Joachim von Ribbentrop had eight meetings with this fractious group. His plan was for a rump French government presided over by Pétain but run by Doriot, who had some political clout thanks to his party, the PPF. The problem was that the three others also wanted to run the government, and that Doriot was hated by Pétain. Brinon probably had the strongest card to play since his role as Vichy's delegate to the Occupied Zone gave him a certain legitimacy. These surreal negotiations finally resulted in an agreement that Brinon would form a government with Pétain's approval. This was intended to be a provisional arrangement, paving the way for a future Doriot government. Brinon had no choice but to accept, hoping later to wriggle out of the

commitment to make way for Doriot. The other two, Déat and Darnand, also harboured their own ambitions.

Once this agreement had been reached, the four men were ushered into the presence of the Führer himself, in the very room where he had survived an assassination attempt a month earlier. A trembling wreck, stuffed with drugs, and still visibly suffering the consequences of the attack, Hitler launched into a long monologue which mesmerized his visitors. He even had a kind word for Déat, who had himself survived an assassination attempt in 1941.

One might wonder why Hitler should have cared about these legal niceties, which had taken a week to negotiate. In the immediate future, having a 'French' administration in place might facilitate the German retreat. And in the case of an eventual reconquest of French territory – a fantasy still considered possible – a 'legitimate' French government, however fictitious, would be useful. As Hitler told his four French interlocutors, referring to his own appointment as German Chancellor in 1933 by the respected President von Hindenburg, 'a government always derives some force by being covered by legality'.<sup>2</sup> Or, as Brinon put it more irreverently, Pétain would be the 'cover girl' for a German-controlled ultra-collaborationist operation.<sup>3</sup>

Now it was necessary to secure the cover girl's agreement. But when Brinon returned to France on 5 September, Pétain refused even to receive him. Negotiations were conducted through letters conveyed by General Debeney, who scurried between Brinon in Belfort and Pétain at the château of Morvillars a few kilometres away. Ménétrel urged Pétain to refuse any association with the plot hatched in the Wolf's Lair. But after a few days a compromise was reached. Having reaffirmed in yet another letter that, being on strike, he could not delegate his authority to anyone, Pétain agreed not to 'make objections' to Brinon 'continuing to occupy himself' with issues related to his post as his 'delegate' to the Occupied Zone. It is not clear why Pétain made this concession. Perhaps, obsessed as he was with the fate of the French prisoners of war in Germany, he wanted some French authority to look after their interests. It also seems that, following his seizure by the Germans a few days earlier, Pétain was in a muddled state of mind.<sup>4</sup> Whatever the reason for the concession, it allowed Brinon a foot in the door.

On 6 September 1944, just as this agreement was concluded, the