Hard choices and moral compromises were hallmarks of the German occupation of France, both at the granular, everyday level among ordinary French citizens and in the corridors of power that brought together Vichy’s leaders and the German high command with whom they collaborated. In June 1940, eighty-four year-old Maréchal Philippe Pétain became head of France’s government. The Germans occupied two-thirds of the country with a so-called “Free Zone” in the south. More than one million French prisoners-of-war remained in captivity. The terms of the armistice had also painfully shown just how expensive the German occupiers were. When the opportunity to meet Adolf Hitler came in October 1940, Pétain accepted the Führer’s proffered hand. That infamous, brief meeting in Montoire-sur-le-Loire and the photograph of the handshake shocked the French. Handshakes (and the refusal to engage in them) figured prominently in the tortured history of Vichy France and its relations with Nazi Germany. Matters only worsened when Pétain acknowledged that he had agreed to meet Hitler entirely of his own accord and had accepted the “principle of collaboration” to safeguard the interests of the country during the construction of a new European order. Nearly five years later, the French High Court pressed the hero of Verdun to account for his wartime behavior during the three-week trial that Julian Jackson revisits in this beautifully crafted, enthralling book.

Pétain’s wartime choices and compromises posed a tremendous moral dilemma in postwar France, which is a principal focus of Jackson’s important and aptly titled France on Trial: The Case of Marshal Pétain. Had the hero of Verdun indeed sacrificed his “person” to save France by acceding to an armistice with Nazi Germany in June 1940? Had he in fact served as a “shield” for the French people and protected many citizens from the full brunt of Nazi repression and violence? Had he really played a double game by both collaborating with Nazi Germany and secretly negotiating with British Prime Minister Winston Churchill? Or had the marshal betrayed France and the French? Jackson skillfully charts France’s debates over these thorny issues.

3 See Thomas J. Laub, After the Fall: German Policy in Occupied France, 1940–1944.
4 As Jackson notes, a philosophy professor, Louis Rougier, was the primary source of the rumors.
not only in the trial but also across the postwar period to the recent French elections, when the extreme right-
wing polemicist-cum-politician, Éric Zemmour, defended Pétain and the Vichy regime (349).

In one of the most engaging books I have read in a long time, Jackson skillfully combines top-down and
bottom-up approaches to the trial and to the events that both preceded and followed it. The author vividly
narrates the final, chaotic days of Vichy and the last-ditch, surreal attempts to run France’s pseudo-
government. With the Allied advance fast approaching in September 1944, the Germans moved Pétain, who
was now their valuable prisoner, to the massive castle in Sigmaringen that soon housed a fractious group of
French collaborationists, including Fernand de Brinon as head of the fictitious “government” of France.
Organized by the Germans in spatial, hierarchical fashion in the castle, the bizarre cohabitation of French
enemies who refused to speak to one another found Pétain, his wife, and their entourage on one floor,
Pétain’s former prime minister, Pierre Laval, and his group on a lower floor, and Brinon on yet another (19).

The fantasy world of Sigmaringen contrasted sharply with the deep discontent, hunger, and post-liberation
divisiveness in Paris as the painful process of the purge gathered pace. The police and the judiciary had to be
dealt with first. Charles de Gaulle’s provisional government needed to identify trained members of the
judiciary who had actively supported the Resistance and/or demonstrated a patriotic stance during the
Occupation, an enormous challenge in those tumultuous times. By October and September 1944, Courts of
Justice began to operate across France amid public clamor from the Resistance for “a sweeping, root-and-
branch purge that would renew and renovate the country.”5 By contrast, de Gaulle called for people to
forgive and to forget. Both wanted the purge to be completed quickly so that “reconstruction and
renovation” could begin.6 It was not swift. When the High Court was finally established at the end of 1944,
Pétain wanted to return to France. Many French, including de Gaulle, hoped that he would not.

Pétain received a hostile reception in France, which coincided with the arrival of French Nazi camp survivors
(56). Imprisoned in Montrouge on the outskirts of Paris, Pétain met the examining magistrate who was
responsible for gathering evidence for and against him in the Instruction and heard the accusation: attacking
the internal security of the state and collusion with the enemy. Pétain stoutly denied both charges. The defense
team that eventually formed included two lawyers who came to dislike each other. The elderly, “fussy and
pernickety” Fernand Payen, whose strategy was not to defend Vichy but to garner pity for a fallen, senile
hero, recruited the young and impetuous Jacques Isorni. Having unsuccessfully defended the notorious
 collaborationist, Robert Brasillach, Isorni now passionately sought to defend Pétain and to rehabilitate the
marshal’s reputation, not only during the trial but also in the ensuing three decades (72). The third lawyer,
Jean Lemaire, initially tried to mediate the scratchy relationship between Payen and Isorni, only to become the
most aggressive of the three in the courtroom (122). His inflammatory remarks led to shouting (usually by the
prosecutor) and jeering in the courtroom on the first day of the trial, which did not go well.

By meticulously combing through published stenographic records of the trial, detailed analyses of the trial in
secondary sources, and other period documents, Jackson tells the story of the trial through the words of the
judiciary, lawyers, parliamentary and Resistance jurors, witnesses for the prosecution and defense, and
journalists who observed the trial. The author skillfully reconstructs the trial, week-by-week, and weaves
excerpts of testimonies into a captivating commentary not only on what was said and not said, but also on the
physical appearances, personalities, and moods of those present. Jackson has an ethnographer’s eye for detail
and sketches very revealing body language as he reconstructs scenes, testimonies, and responses in court.
Selectively “deaf,” Pétain often cupped his ear in an attempt to hear the proceedings but spoke on only a few
occasions throughout the trial, usually in outbursts that astonished others present, including his lawyers (186).
Jackson’s detailed account of the court’s inner geography also enhances the reader’s appreciation of the
atmosphere, attitudes, and emotions in the extremely crowded, hot, “very masculine,” “solemn and gloomy”

5 Peter Novick, The Resistance versus Vichy: The Purge of Collaborators in Liberated France (New York: Columbia
space in the Palais de Justice (105, 109). All of the jurors, lawyers, and all but one of the witnesses were men. Four journalists were women. Jackson captures the mood of the trial through the facial expressions of one of them, Madeleine Jacob, who is described as being “by turns startled, quizzical, incredulous, absorbed, bored and contemptuous” (109-110).

Close spatial proximity sometimes piqued tempers and tensions in the courtroom. People had to squeeze past one another. When photographers positioned themselves too close to Pétain’s feet, he petulantly swatted them with his gloves. But he usually slouched in his chair, fiddling with his képi, and sometimes fell asleep, as did other members of the court and audience when a speaker’s monologue droned on in the suffocating heat. Each witness sat immediately in front of Pétain’s armchair while under examination, facing away from him and toward the judges. Such close quarters meant that those people with front-row seats “could hear (Pétain’s) every grunt, sigh, snigger and snore” (108).

Witnesses for the prosecution testified during the first week of the trial. Described by Jackson as Republican “ghosts of the defunct Third Republic,” they were mainly politicians who faced the delicate task of providing evidence that would lead to Pétain’s conviction, yet also sought to rehabilitate themselves as key players in events leading up to the disastrous defeat of 1940. Jackson’s meticulous research reveals some astonishing moments. During the interrogation of Paul Reynaud, French premier when France fell in June 1940, the court heard that the text of the armistice had in fact never been published. As Isorni retorted, “Marshal Pétain is reproached with signing the armistice and no one knows what it contains!” (125).

The high point of the prosecution’s turn in court came with Léon Blum’s fluent, authoritative testimony. France’s first Socialist premier and Jewish intellectual, Blum recalled reading news of the armistice with anguish in June 1940. In July, he was one of eighty parliamentarians who voted against Pétain’s appointment as head of state (146-147). Only Blum declared unequivocally that Pétain had been a traitor (160-161).

One female journalist at the trial found Pétain’s three defense lawyers “lacking tact, teamwork, grace, and with one exception, brains.” She described the lead defender, Payen, as having “a scattered jerky mind” and criticized Lemaire for raising “unimportant legal points in the loud declamatory voice of the Comédie française.” Of the young Isorni she wrote: He “has brains but they don’t seem their best at the bar where his habit of continually interrupting everybody seems to distress even his client” (151). The trio did, however, make it increasingly difficult for the prosecution’s witnesses. One of Payen’s tactics was to persuade them to make Pierre Laval the scapegoat, whom witnesses variously described as “a dung heap,” or “Pétain’s evil genius,” “Vichy’s grand sorcerer” (194).

Laval appeared before the court on 3 July 1945. Jackson’s chapter, “The Pierre Laval Show,” brilliantly captures the mood, emotions, and sparky exchanges of that day. An agitated Pétain compulsively fussed with his belt buckle and the ribbon of his médaille militaire. Isorni observed that his client “was frightened of Laval. He simultaneously detested, admired and feared him” (199). The defense team “did not know whether Laval saw himself as a witness for the defense or the prosecution” (200). Having begun his testimony with a “haunted look,” the now emaciated Laval gained confidence and aggressiveness as he recalled in detail his efforts in the 1930s to prevent war in Europe and continually digressed from the question posed by an increasingly exasperated judge, who complained:

I am going to interrupt you yet again….It is the Pétain trial that we are meant to be judging at the moment.” To which Laval responded (shouting): “I am sorry for being so long. If what I am saying is not interesting to the public I am sorry.” Judge: “I am sure it does interest the public but… (202).

Amid booping from the audience, Laval replied, “In any case it does interest the people of France.” The court asked him about his infamous speech on 22 June 1942, when Laval stated that he wished “for the victory of
Germany because without it tomorrow Communism will install itself everywhere in Europe” (208). By this time, Laval had spoken for more than four hours and began to make gaffs that drew laughter from the audience. But, as Jackson concludes, Laval had performed skillfully, “distanced himself from some of his measures, and shown that Pétain was no less implicated in the policy of collaboration than he was” (209).

When Laval left the court, Pétain was once again asked if he had any comments. On this occasion, he broke his silence, claiming he had reacted “violently” to Laval’s remark about a German victory. Pétain insisted that he had opposed keeping those words in Laval’s speech and effectively took a swipe at a man whom he had never liked. Jackson’s excellent selection of snippets from exchanges between interrogators and witnesses brings alive every chapter concerning the trial. He is at his best when reconstructing Laval’s “show.”

During the final week of the trial, the court was considerably emptier. International news had distracted French attention, which was now focused on the atomic bombing of Hiroshima (216). But many witnesses who awaited their own trials for treason in prison eagerly followed any news from the High Court that might indicate the direction their own cases might soon lead.

In his chapter on “The Absent Jews,” Jackson points out that the Acte d’accusation in the trial contains only two passages that mention the Jews and does not reference Vichy’s agency in their arrest and deportations. The court did not call a single Jewish witness (other than Blum), despite numerous requests from Jews to testify (232). The examining magistrate had in fact invited the Jewish organization that defended Jewish postwar interests (CRIF, the Representative Council of Jewish Interests) to submit evidence of Vichy’s persecution of Jews; but CRIF did not find documentation to prove Pétain’s “responsibility” and decided not to offer testimony at the trial (234).

The only two witnesses called to testify in court about the Jews included the head of Protestant churches in France, Pastor Marc Boegner, who was an outspoken critic of anti-Semitism during the Occupation. The other witness, a civil servant who had chaired the Vichy Commission on the denaturalization of immigrants (primarily Jews) in 1940, portrayed the Commission as a buffer against Germany that had saved Jewish lives and had the approval of Pétain. The impetuous defense lawyer, Isorni, had brought the witness to the stand in order to embarrass the prosecutor, who had himself chaired one of the Denaturalization Commission’s subcommittees. The prosecutor’s squirming, paper shuffling, and decision not to ask the witness any questions clearly pleased the young attorney (237).

The last witness called to testify, General François Barazer de Lannurien, an elderly, blind protégé of Pétain prior to the First World War, celebrated the “sublime nature of Pétain’s sacrifice,” which elicited shouting and booing in the courtroom (249). More bedlam ensued when a juror read aloud a passage the general had written to Pétain in March 1944, “commending (Joseph) Darnand for his suppression of terrorism.” Founder of the violent, French collaborationist paramilitary group, the Milice, Darnand served as Vichy’s Minister of the Interior in 1944. Amid more shouting and booing as General Lannurien tried to defend himself, Pétain suddenly rose up out of his chair and walked toward the oblivious witness, declaring that he had nothing to do with the general’s appearance and did not “even know he was coming before the court” (250). As Jackson observed of that moment, Pétain “was never shy of ditching his most devoted followers if necessary.” What a finale to a trial that had opened with a formal declaration of silence from Pétain and ended with his repudiation of the last witness in his defense (250). In the end, on 15 August 1945, the court condemned Pétain to the death penalty with indignité nationale and the confiscation of property. The judge’s final words of the verdict, however, took into account the advanced age of the accused and, accordingly, concluded that the “judgment not be carried out” (274). Slumped in his chair, the accused looked rather bemused (274). Two days later, de Gaulle acted on the court’s recommendation and commuted the sentence to life imprisonment (275).

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In “Afterlives,” the third and final part of France on Trial, the author traces Pétain’s sojourn to incarceration in the unwelcoming Pyrenean fort at Portalet and then to the Île d’Yeu off the Breton coast. The hotel in which his wife stayed became the locus of a small but devoted group of Pétain’s ardent admirers for decades to come (287). Pétain passed away on the island in July 1951, but the historical drama surrounding him did not end.

Jackson then charts the development, obsessions, quarrels, and obstacles faced by the cult-like organization, “The Association to Defend the Memory of Marshal Pétain” (ADMP). The “memory wars” continued. In 1964, as new debates about Pétain (savior or traitor?) gathered pace, an opportunistic Isorni published a book, Pétain Saved France. While the lawyer was indeed on a mission to rehabilitate the memory of his former client, he had also fallen on hard times. He had been struck from the bar for unprofessional conduct and convicted in 1965 of having “offended the Head of State” (de Gaulle) (316).

The ADMP wanted to transfer the marshal’s body to the Ossuary of Douaumont near Verdun, but he was not eligible. Family quarrels complicated matters further. A law that had passed in 1941 accorded legal authority to exhume Pétain’s body to his closest relative. Pétain had changed his will in 1945, and had named his wife and her offspring as his successors. After her death in 1962, her only son (who was not the marshal’s biological kin) therefore became Pétain’s heir. Pétain’s grandniece, her daughter, and daughter’s husband disputed the legality of the amended will with a vengeance, arguing that Pétain “had been a prisoner awaiting trial” when he did so (318). Further complicating this messy situation, Isorni agreed to defend Pétain’s late wife’s family once his ban on court appearances ended in 1968. The grandniece’s side then tried to get that clan expelled from the ADMP. Both branches of the family claimed to be the legitimate “guardians of Pétain’s memory” (319).

Meanwhile, feuding among loyal Pétainists caused deep divisions within the ADMP. In November 1968, on the fiftieth anniversary of the 1918 armistice, de Gaulle placed wreaths on the tombs of all marshals who had served in the First World War, including that of Pétain (320). But when de Gaulle lost the election the following year, his former prime minister and successor, Georges Pompidou, shifted attention away from the memory wars surrounding Pétain. Not content to let this happen, a prominent defender of the marshal, a rival of Isorni who had served briefly in the Vichy government, Jean-Louis Tixier-Vignancourt, recruited a right-wing activist to steal Pétain’s coffin from the cemetery of Île d’Yeu in 1973, just before parliamentary elections. The conspirator and his helpers smuggled the coffin to Paris, drove it down the Champs-Elysées as an honorary gesture, and then hid it in a garage. They hoped that the government would approve reburial in the Hotel des Invalides. But police arrested the thief, and a helicopter returned the coffin to its initial resting place. The three-day fiasco gave rise to “amusement and outrage” in the press (323).

The following decades brought renewed but differently focused attention to Vichy and to Pétain’s trial, during which the Holocaust had scarcely been mentioned. Historians and filmmakers called into question the Gaullist myth of the Resistance and exposed Vichy’s role in the arrest and deportation of Jews.7 In 1995, the French president, Jacques Chirac, publicly acknowledged France’s responsibility in the Holocaust. In November 2021, four months after the seventieth anniversary of Pétain’s death, Zemmour announced his candidacy in the French presidential elections and continued to defend Pétain and Vichy as part of a strategy to overcome the rift between the Gaullist and the extreme right caused by longstanding memory wars. Zemmour lost. As Julian Jackson concludes, the future of the extreme right “does not lie in invoking the memory of Pétain. The Pétain case is closed” (373). Given the ongoing religious and ethnic tensions, violence against Jews, and contentious policies regarding immigration and Islam, France may yet again be on trial in the twenty-first century.

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