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# The Riom trial : Marshal Petain's attack on the Third Republic.

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THE RIOM TRIAL:  
MARSHAL PETAIN'S ATTACK  
ON THE THIRD REPUBLIC

By

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B.A., University of Louisville 2009

A Thesis  
Submitted to the Faculty of the  
College of Arts and Sciences of the University of Louisville  
in Partial Fulfillment of the Requirements  
for the Degree of

Master of Arts

Department of History  
University of Louisville  
Louisville, Kentucky

May 2014

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A Thesis Approved on

February 21, 2014

by the following Thesis Committee:

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Lee Shai Weissbach, Thesis Director

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Ann T. Allen

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Matthieu Dalle

## DEDICATION

This thesis is dedicated to my wife, June,  
without whose unwavering support  
I would have been lost.

*Je t'aime, ma femme, avec tout mon coeur.*

## ACKNOWLEDGEMENTS

I would like to thank my thesis director, Dr. Lee Shai Weissbach for his patience and understanding in the writing of this thesis. Without his constant attention to detail and his creative criticism, the thesis would have suffered greatly. I would also like to thank my other committee members, Dr. Ann T. Allen and Dr. Matthieu Dalle, for their willingness to serve on the committee and their time in offering both their valuable insight and expertise. I would like to thank my family for their continued support in my educational pursuits and for understanding when the demands of my research took me away from them. Finally, I would like to thank my lovely wife, June, and my darling daughter, Ryleigh, for being the inspirations and catalysts for finishing this thesis.

## ABSTRACT

### THE RIOM TRIAL: MARSHAL PETAIN'S ATTACK ON THE THIRD REPUBLIC

James Estel Williams

February 21, 2014

This thesis presents a history of the Riom Trial beginning with the French defeat in June 1940 and the foundations of the National Revolution, continuing with the initiation of the trial and its proceedings, and ending with a historiographic survey of the trial's studies. The trial began in February 1942 and continued through twenty-four sessions until it was suspended in April 1942. Marshal Philippe Pétain instigated the trial in an attempt to legitimize the Vichy government and the National Revolution by trying six leading members of the last few Third Republic governments for their responsibility in not preparing France adequately for war: Edouard Daladier, Léon Blum, General Maurice Gamelin, Robert Jacomet, Pierre Cot, and Guy La Chambre. The trial ended in suspension due to the defendants' efforts, which turned the accusation against Pétain, and Germany's displeasure with the decision to focus on the defeat and not to proclaim France guilty for declaring war.



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## INTRODUCTION

“Do not divide my Frenchmen: your decision [in this case] would not be irrevocable. In turn, you will be judged by history, and it is [history’s] judgment that will prevail for centuries to come.”<sup>1</sup>

--Maurice Ribet to the members of the Supreme Court of Justice at Riom

In his account of the Riom Trial, in which the Vichy government indicted six former members of the Third Republic’s last few governments for their failure to prepare France adequately for war, Maurice Ribet, the attorney for Edouard Daladier, former premier and one of the defendants at Riom, provided the reader with the text of what would have been his closing statements before the court. Ribet was unable to deliver his statements because the trial was suspended after only twenty-four sessions, which occurred between the months of February and April 1942. Marshal Philippe Pétain, the “Hero of Verdun” during World War I who eventually became head of state for the Vichy government after France’s defeat in the Battle of France in June 1940, instigated the proceedings at Riom as a means both to legitimize his new French State and to show how the “decadence” of the Third Republic led France to its defeat. Pétain’s use of the trial as an attempt to reveal the shortcomings and failures of the Republic was but one example in a long line of events that have come to be regarded within modern French

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<sup>1</sup>Maurice Ribet, *Le Procès de Riom* (Paris: Flammarion, 1945), 511. All translations are my own, unless otherwise noted.

history as *les guerres franco-françaises*, the “Franco-French wars,” a conflict of ideals that had raged since the Great Revolution of 1789.<sup>2</sup>

The term *la guerre franco-française* was first used as the title for a 1950 study of the Vichy government by Louis-Dominique Girard, the former chief of Pétain’s cabinet, that was “an all-out defense of the Vichy government’s politics.”<sup>3</sup> According to Jean-Pierre Azéma, Jean-Pierre Rioux, and Henry Rousso, three well-respected historians of modern France, Girard used the term as a means to bring to light “the cold war and the suppression” that was “levied against Pétainists and collaborators alike” during the late 1940s.<sup>4</sup> Stanley Hoffmann, the renowned American historian of the German occupation of France, next used the term in 1968 to reveal that the Vichy government and the concept of collaboration “are not intelligible” when viewed in terms of Franco-German relations, but only in terms of Franco-French relations. As opposed to Girard, Hoffmann used the term “to delineate the camps present between 1940 and 1944 within the ideological domain specific to France.” Azéma, Rioux, and Rousso indicate that although the term was originally limited to describing the interior politics of France during World War II, it has since been widened to include any type of internal civil war, arguing that the term “can formulate in relatively new ways some investigations into the soundness of French consensus,” particularly with regard to “the nature of internal struggles” in modern French history.<sup>5</sup>

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<sup>2</sup>The journal, *Vingtème siècle, revue d’histoire*, published a special issue dedicated to *les guerres franco-françaises* edited by three highly regarded historians of modern France, Jean-Pierre Azéma, Jean-Pierre Rioux, and Henry Rousso. Jean-Pierre Azéma, Jean-Pierre Rioux, and Henry Rousso, ed., *Vingtème siècle, revue d’histoire*, no. 5, Numéro special: Les Guerres franco-françaises (January - March, 1985).

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

<sup>4</sup>Ibid., 4.

<sup>5</sup>Ibid.

While *les guerres franco-françaises* comprise many different moments and events within modern French history-- the revolutions of 1789, 1830, and 1848; the Paris Commune of 1871; the Dreyfus Affair of 1894 to 1906; the Vichy government of 1940 to 1944; and the Algerian War of 1954 to 1962, to name a few-- Vichy remains the archetype for *les guerres franco-françaises*.<sup>6</sup> The internal conflicts that have come to dominate *les guerres franco-françaises* pervade Vichy's history, with the three most influential of these quarrels being disagreements over what constituted a threat to French national security-- fascism and Nazism for members of the left, the Popular Front and Communists for members of the right--; battles between those who supported and upheld republican institutions and those who denounced and rejected them outright; and clashes over religion between the proponents of *laïcité*, the concept of a separation of religion and the state, and the proponents of Catholicism.<sup>7</sup> Each of these conflicts was manifested within the Riom Trial which, as historian Henry Rousso indicates, "crystallized the desire for revenge" for the Vichy government and "in an extremely symbolic way, fit into a deviation from a national war to a Franco-French war."<sup>8</sup>

The Riom Trial was the ultimate expression of the conflict arising between the left and right concerning France's national security. Marshal Pétain and his ministers sought to use the trial to blame the defeat on the failures of the Third Republic, particularly its last leftist governments, including the Popular Front. To achieve this goal, they indicted six men, five of whom would face the judges at Riom. The first of these

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<sup>6</sup>For this aspect of *les guerres franco-françaises*, see Henry Rousso, "Vichy, le grand fossé," *Vingtième siècle, revue d'histoire*, no. 5, Numéro special: Les Guerres franco-françaises (January - March, 1985): 55-79; and Henry Rousso, *The Vichy Syndrome: History and Memory in France since 1944*, trans. Arthur Goldhammer (Cambridge, Massachusetts: Harvard University Press, 1991).

<sup>7</sup>Rousso, *Vichy Syndrome*, 6-7.

<sup>8</sup>Rousso, "Vichy, le grand fossé," 58.

men was Edouard Daladier, three times premier (1933, 1934, and 1938-1940), three times minister of war (1925, 1932-1934, and 1936-1940, when he was simultaneously minister of national defense), and three times minister of foreign affairs (1934, 1939-1940, and once again in 1940). “The bull of Vaucluse,” as he was known for his bull-like appearance and demeanor, was a member of the Radicals, a center-left party that oftentimes sided with the Socialists on matters of policy. This tendency to align with the Socialists led to the party’s involvement in the Popular Front government in 1936, which was comprised of the major left-wing and left-center parties in France, including the French Section of the Workers’ International, or Socialist Party, the French Communist Party, and the Radical Party. During the Popular Front era, Daladier was minister of war and became premier after the fall of the government in April 1938. He was most remembered for helping to achieve the Munich Agreement, also in April 1938, in which the British and French effectively gave Germany the Sudetenland region of Czechoslovakia in an attempt to avoid war. Daladier was indicted and appeared at the Riom Trial for his involvement with the Popular Front government, but more importantly for Marshal Pétain and his ministers, for his role as minister of war and national defense prior to and during the early days of the Battle of France.

The second of these men was the premier of the Popular Front government formed in 1936, Léon Blum of the Socialist Party. Not only was Blum the first Socialist premier of France, he was also the first Jewish premier. He served in this role three times (1936-1937, 1938, and 1946-1947). Blum became interested in politics when he campaigned on behalf of Captain Alfred Dreyfus, who was wrongly brought up on charges of treason in 1894. Blum was elected chair of the Socialist Party in 1919 and led

it during the 1920s and 1930s. Blum's Popular Front government enacted important social legislation, such as the forty-hour workweek and the right to collective bargaining, but also sought to help France prepare for war through the nationalization of the war industries. These measures would bring Blum to the defendants' dock at Riom, along with his status as both a Socialist and a Jew, two groups considered as "outsiders" and instigators of the Republic's "decadence" according to many within the Vichy government.

The third of these men was General Maurice Gamelin, former commander-in-chief of the army during the Battle of France who served brilliantly under General Joseph Joffre and is credited with devising the counterattack that led the French to victory at the First Battle of the Marne in 1914. In the mid-1930s, he rose within the ranks of the army becoming chief-of-staff, during which time he oversaw modernization efforts, in particular the establishment of two heavy armored divisions.<sup>9</sup> He worked closely with Daladier during the latter's third premiership from 1938 to 1940, when he became commander-in-chief. At the start of the war, Gamelin was regarded by many to be one of the greatest generals in Europe; however, eight days into the Battle of France, Gamelin was removed from his post and replaced by General Maxime Weygand, another renowned veteran of World War I. In addition to what was deemed his poor leadership in the first days of the Battle of France, Gamelin was indicted by the Vichy government for his failure to prepare the army sufficiently for war prior to and during his participation in Daladier's third government.

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<sup>9</sup>Julian Jackson, *The Fall of France: The Nazi Invasion of 1940* (Oxford: Oxford University Press, 2003), 23-24.

The fourth of these men, Robert Jacomet, former inspector general of the army, was indicted, much like General Gamelin, for his participation in Daladier's government and his close relationship with the former premier. Of all the defendants at the trial, Jacomet was the least recognized, but his role in the nation's defense was far from unimportant: he served as secretary general for the war ministry from September 1936 to May 1940 and was effectively the third man responsible for the preparation of France's defenses, behind Daladier and Gamelin.

The last two men, Pierre Cot and Guy La Chambre, were both indicted for their terms as minister of aviation, with the former serving from June 1936 to January 1938 and the latter from January 1938 to March 1940. However, La Chambre would appear before the court, while Cot remained in the United States, where he had fled in 1940. Cot was a leading member of the Popular Front and La Chambre, like Jacomet and Gamelin, worked closely with Daladier in his attempts to modernize the French air force. The professional relationships of these two former ministers, coupled with the failure of the air force to rival that of the Germans during the Battle of France, led to their presence at Riom.

While each of the defendants at Riom (including Cot who was tried *in absentia*) had their own perspectives and agendas, they oftentimes found themselves working together to attack the prosecution's case against them. This block formed by the accused resulted from its members having worked closely in the governments between 1936 and 1940. From this block, two camps can be formed, one with Daladier, Gamelin, and Jacomet, and the other with Blum, Cot, and La Chambre. The former camp led the ministries of defense and of the army and was responsible for ensuring France's military

preparedness. While Daladier, Gamelin, and Jacomet did not all share the same beliefs, they did serve the Third Republic to the best of their abilities while they held their respective posts. The latter camp of Blum, Cot, and La Chambre, much like the former, worked alongside each other under the Popular Front (La Chambre could be added to the first camp since he served under Daladier, as well). Ideologically, the members of the second camp were very much alike, particularly in regard to their attitudes toward social legislation. Regardless of their political affiliations, all of the accused sought to prove that the case brought against them by the Vichy government was ultimately unconvincing and ill-prepared.

These six men all represented what Marshal Pétain and various other members of the Vichy government regarded as the reason for France's defeat in 1940: the Third Republic, but more specifically the policies and ideologies of the Popular Front. As a result, several journalists and commentators writing about the Riom Trial began to refer to it as "the Trial of the Republic" or "the Trial of the Popular Front." Marshal Pétain attempted to legitimize his authoritarian French State through an attack on the Republic and its leading figures. At the trial, left and center-left politics were condemned for leading France down a path of ill-preparation that ultimately led to defeat. For Pétain, the policies of both the Republic and of the Popular Front posed the greatest threat to French national security; therefore, he sought vindication through their trial at Riom.

The men on trial at Riom were representative of the failure of the government according to Pétain and the prosecution, for their short-sightedness in preparing France for war. Instead of providing enough material for the army and air force, they sought to play politics and focus on social legislation, which proved detrimental to the state of the



French armaments industry. Many of the Vichy government's ministers intended to use the trial to exact revenge upon a system that they believed had excluded them, had failed them, and had misled them, literally and figuratively. Unfortunately for these men, and for Marshal Pétain as well, the trial would ultimately fail them and prove that the men of the Vichy government were almost as culpable, if not more so, than the Republic.

While not as overt as the attack on the Republic, the presence of Léon Blum at Riom represented Marshal Pétain's attempt to place the "other" in opposition to the tenets of the National Revolution, the measures enacted by the Marshal to reform France. Blum, both as the leading representative of the Popular Front and as a Jew, symbolized the "decadence" of the Third Republic: its focus on social legislation that proved harmful to the French economy by emphasizing the needs of the workers over the needs of their bosses and its inclusion and tolerance of the non-French in state matters. While Blum's status as a Jew was never directly the focus of the trial, it remained in the background, particularly in light of the anti-Jewish legislation that the Vichy government had begun enacting since its early months in power. On the other hand, Blum's position as leader of the Popular Front was the focus of the trial since he was charged with having applied the law concerning the nationalization of weapons factories in a manner detrimental to national defense and having affected production output in factories through poor handling of labor agitation. Blum defended himself by revealing that all the measures enacted during his government allowed him to prevent France from falling victim to a bloody civil war between the workers and their employers. However, for Pétain and his ministers, Blum only prevented France from winning the Battle of France. In the end,

both sides' positions helped stoke the fires of *les guerres franco-françaises*, and guaranteed that the Riom Trial would be remembered as the archetype of *les guerres*.

What follows is an account of how Marshal Pétain came to power, used this power to seek the moral regeneration of France through a denunciation of the Republic and its institutions at the Riom Trial, and failed. The Riom Trial provides valuable insight into the workings of the Vichy government and shows but one of the many ways that the leaders of the French State, Marshal Pétain in particular, ultimately set in motion the events that would mark the beginning of the end for Vichy. As Henri Michel, imminent historian of modern France and the Riom Trial, wrote: "A people needs all its history to remain itself; one cannot, without damage, amputate from French history seventy years of the Republic, without risking that this surgery would cause gangrene in the entire national body."<sup>10</sup> Marshal Pétain sought to amputate the Third Republic at Riom, but his case, much like his saw, was too dull.

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<sup>10</sup>Henri Michel, *Le Procès de Riom* (Paris: Albin Michel, 1979), 394.

CHAPTER ONE  
DEFEAT AND NATIONAL REVOLUTION

“Circumstances always change, M. [Cassagnau]; there is no example in history, any era, of stability of events or men.”<sup>1</sup>

--Edouard Daladier, February 27, 1942, at Riom

On May 10, 1940, the German army began military operations against the Netherlands, Belgium, and France.<sup>2</sup> Between May 10 and 12, while the French army fought alongside the British and Belgians in the latter’s homeland, German Panzers advanced across the border into France through the Ardennes Forest. On May 13 German soldiers crossed the Meuse River at Sedan. In response, the French counterattacked over the next two days, but were quickly overwhelmed by the number of both Panzers on the battlefield and German fighters in the sky. By May 15, English and French troops began to retreat from Belgium in preparation for the coming fight on French soil. Throughout these early days of the Battle of France, panic spread across the nation and permeated the capital. However, by May 18 this panic began to subside somewhat when the German army appeared to bypass the capital in a move toward the

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<sup>1</sup>Julia Bracher, ed., *Riom 1942: Le Procès* (Paris: Omnibus, 2012), 420.

<sup>2</sup>For detailed discussions of the Battle of France, see Julian Jackson, *The Fall of France: The Nazi Invasion of 1940* (Oxford: Oxford University Press, 2003); Andrew Shennan, *The Fall of France, 1940* (Harlow, England: Longman, 2000), 1-19; Henri Michel, *Vichy: Année 40* (Paris: Robert Laffont, 1966), 21-35; Richard Vinen, *France, 1934-1970* (New York: St. Martin’s Press, 1996), 25-32; Rod Kedward, *La Vie en bleu: France and the French since 1900* (London: Allen Lane, 2005), 238-244; Jean-Pierre Azéma and Olivier Wieviorka, *Vichy: 1940-1944* (Paris: Perrin, 1997), 6-16; and Jeremy D. Popkin, *A History of Modern France*, 3d ed. (Upper Saddle River, NJ.: Pearson Education, 2006), 252-253.

Channel coast. On the eighteenth, Paul Reynaud, the French premier since March 21, shuffled his cabinet, bringing in Marshal Philippe Pétain, the 84-year-old “Hero of Verdun,” as minister of state, in an attempt to boost the morale of the country and its fighting forces. On the nineteenth, Reynaud continued to rearrange the government, removing General Maurice Gamelin, who had been commander-in-chief of the French forces when France declared war on Germany after the invasion of Poland in 1939, and replacing him with General Maxime Weygand. With the addition to the government of these two well-known and respected veterans of the First World War, Reynaud hoped to gain the momentum from the Germans since these two men were instrumental in shaping victory in 1918.

Pétain brought prestige to the new government with the reputation he earned as a result of his actions during the First World War. He and his troops held out against all odds at Verdun in 1916, he suppressed mutinies that almost led to the complete disintegration of the French army while improving soldiers’ living conditions at the front in 1917, and he maintained the front until the Americans could arrive in 1918 to begin the operations that would ultimately lead to Allied victory. Meanwhile, Weygand added to the government’s standing with his former role both as General Ferdinand Foch’s right-hand man during the war and as a member of the armistice commission after the war. While Pétain’s appointment to the cabinet did boost morale throughout the country, Julian Jackson, the prominent historian of twentieth-century France, argues that Weygand’s appointment ultimately helped to doom Reynaud’s government, and subsequently the Third Republic itself, since “Weygand was an arch-conservative with no love for the Republic” who had the potential to produce a victory, but lacked the

conviction to save the Republic when the battle was lost.<sup>3</sup> Regardless, Weygand as commander-in-chief was willing to fight, if not for the Republic, then for France and drafted what would become known as the “Weygand Plan” in response to the news that the Germans had reached the Channel on May 20.

Weygand’s plan called for British and French troops in the north to attack the German corridor that General Paul von Kleist’s Panzers had created on their drive to the French coast while a newly created French army group would attack the corridor from the south. This plan collapsed when the Germans broke through the defensive line Belgian troops had created along the Lys River on May 25, causing the British to fall back to the port of Dunkirk. Over the next ten days, the British and French participated in “Operation Dynamo” during which approximately 320,000 troops were evacuated from the port city.<sup>4</sup> Dunkirk fell to the Germans on June 5, subsequently allowing them to focus solely upon the ultimate prize: Paris.

On June 3, German bombers terrorized the capital for the first time. On the sixth, Panzers broke through the defensive line Weygand had ordered along the Somme River near Amiens, while a second line along the Aisne River fragmented on June 10. As the Germans breached the French defensive lines, the government announced its plans to leave the capital and install its various agencies in several Loire River Valley châteaux, particularly those located near the city of Tours. One of these châteaux, the Château de Cangé, which housed the president of the Republic, Albert Lebrun, hosted the first cabinet meeting after the government left Paris. This meeting, held on June 12, marked

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<sup>3</sup>Julian Jackson, *France: The Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 118.

<sup>4</sup>*Ibid.*, 119; J. Jackson, *Fall of France*, 88-92, 95; Shennan, 2-3; Michel, *Vichy*, 27-28; Kedward, 239.

the appearance of the Weygand described by Julian Jackson, the “arch-conservative with no love for the Republic.”<sup>5</sup>

At the June 12 meeting, Weygand reported to the assembled ministers that the war was lost and that their only recourse was to seek an armistice with the Germans, as well as with the Italians who had declared war on France on June 10. Weygand’s statement dumbfounded most of the ministers, since they did not feel the situation was as bleak as Weygand had described it. Of the ministers who managed to gather their thoughts, those who responded to Weygand’s declaration disputed the necessity and usefulness of an armistice. Even Reynaud remarked to Weygand that “you are taking Hitler for [Kaiser] Wilhelm I, the old gentleman who took Alsace-Lorraine from us [after the Franco-Prussian War of 1870-1871], and that was that. But Hitler is Genghis Khan.”<sup>6</sup> Ultimately, the meeting achieved nothing except a decision to invite Winston Churchill, the British prime minister since May 10, to a cabinet meeting to be held the next day.

While Churchill accepted the invitation to come to France, he did not attend a cabinet meeting, but met with Reynaud at Tours on the morning of June 13. After his conference with his British counterpart, Reynaud returned to the Château de Cangé and convened his cabinet that afternoon. The ministers had expected Churchill to appear, but were perturbed when they realized the British prime minister would not be in attendance. Weygand attempted to multiply the unrest of the cabinet and destabilize Reynaud’s government by informing its members that the Communists and their leader, Maurice Thorez, had taken over Paris and had interrupted all phone service in and out of the capital. Before any other cabinet member could respond to Weygand’s statements,

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<sup>5</sup>J. Jackson, *Dark Years*, 118.

<sup>6</sup>Paul Reynaud, *La France a sauvé l’Europe* (Paris: Flammarion, 1947), 2:315, quoted in J. Jackson, *Fall of France*, 103-104.

Georges Mandel, the minister of the interior, called the police prefect of Paris and had him inform Weygand and the others that no revolution had taken place in the city or its surroundings. Even though Weygand's attempt to convince the other cabinet members of the necessity for an armistice with the specter of an alleged rebellion failed, another voice rose in support of the general and his call for an armistice: that of Marshal Pétain.<sup>7</sup>

The June 13 cabinet meeting revealed the existence of two factions within the government, with the first consisting of those who opposed an armistice and the second consisting of those who supported an armistice. Reynaud led the first faction, arguing that the war had only just begun and the Germans would ultimately be defeated, if not in France, then elsewhere. This faction also believed that if the Battle of France were lost, then the army should surrender, which would be a purely military act, leaving the government free to abandon metropolitan France for one of the colonies-- most likely one located in North Africa-- where France would continue the war alongside the British with what troops could be mustered from the colonies. Weygand and Pétain led the second faction, but each with his own reasons for an armistice: Weygand wanted to preserve the honor of the army, while Pétain wanted to protect the French people since he did not trust the British and feared the brutality of the Germans. Weygand believed that by asking for a cessation of hostilities instead of fighting to the last man for what he considered a lost cause, he prevented exposing the army to public scorn and the shame of defeat. Pétain, remembering both Britain's failure to support Weygand's plan and tales of German atrocities committed against innocents during the First World War, supposed that by

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<sup>7</sup>J. Jackson, *Fall of France*, 105; Kedward, 241; Vinen, 31; Azéma and Wieviorka, 20.

asking for an armistice, France would be free to govern itself under the agreed upon terms.<sup>8</sup>

The duo of Weygand and Pétain appeared to be an unlikely combination due to the former's position as Foch's right-hand man throughout the First World War. Weygand's association with Foch tarnished his reputation with Pétain given the animosity that existed between Pétain and Foch after Foch was named supreme commander of the Allied armies instead of Pétain in 1918. Regardless of any lingering ill will between the two, Weygand and Pétain aligned themselves against Reynaud's faction through their shared opinions. These men believed that politicians were responsible for bringing France into a war for which the country and its leaders were unprepared, that Britain had abandoned France, and that if the government fled the country, the people would be left to suffer an occupation alone.<sup>9</sup>

The debate between Reynaud and his supporters on one side and Weygand and Pétain on the other over whether or not to sign an armistice had to wait since the government was forced to move again. On June 14, the Germans entered Paris, which had been declared an open city four days earlier. With this declaration, the French government announced to the Germans that it canceled its plans to defend the capital, thus hoping to save the civilian population from any suffering at the hands of the invaders. With the Germans advancing ever closer to the seat of the French government, the decision to relocate to Bordeaux was an easy one. By June 15, the majority of the ministers had reached that port city, allowing for a cabinet meeting to be held that

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<sup>8</sup>Robert Aron and Georgette Elgey, *The Vichy Regime, 1940-44*, trans. Humphrey Hare (London: Putnam & Co., 1958), 22-24; Michel, *Vichy*, 30-32; Kedward, 241-242; Azéma and Wieviorka, 22; Shennan, 3.

<sup>9</sup>J. Jackson, *Dark Years*, 126.



afternoon. At this meeting, a new voice entered the armistice discussion, that of Camille Chautemps, Reynaud's deputy premier.

Chautemps stated that if the government should decide to go abroad, then the public had to think that the government had no choice but to leave the country. To evoke this opinion among the public, the terms for an armistice had to be ascertained and immediately deemed unacceptable, thus freeing the government to emigrate. On the surface, it appeared that Chautemps sided with Reynaud and his faction in wanting to continue the fight against the Germans from overseas, but in reality over the past three weeks he had privately articulated his opinion that France should get out of the war. Upon hearing of Chautemps' proposal, Reynaud remarked to the other ministers, the majority of whom appeared to support the new plan, that "there was no difference between asking for the *terms* of an armistice and asking for an armistice," while revealing that he would resign if seeking an armistice were the only option the cabinet would accept.<sup>10</sup> While Reynaud ultimately did not resign at this meeting, he did so the next evening, on June 16, after concluding that he was in the minority in his own cabinet. President Lebrun, upon hearing of Reynaud's resignation, believed he had no choice but to succumb to the demands of the pro-armistice faction and asked Marshal Pétain to form a new government.

On June 17, Pétain addressed his fellow countrymen for the first time as Premier:

At the request of the president of the Republic, I assume the leadership of the government of France starting today. Certain of the affection of our admirable army, which has fought with a heroism worthy of its long military traditions against an enemy superior in numbers and in arms. Certain that it has through its magnificent resistance fulfilled our duties towards our allies; certain of the support of the war veterans whom I had the honor to command; certain of the

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<sup>10</sup>J. Jackson, *Fall of France*, 137.

confidence of the entire French people, I give myself to France to ease its suffering.

[. . .] It is with a heavy heart that I say to you today that it is necessary to cease fighting.

I have this evening approached the enemy to ask if he is ready to try to find with me, between soldiers, with the struggle over and in honor, the means to put an end to hostilities.<sup>11</sup>

A vast number of soldiers laid down their weapons after hearing Pétain's speech, believing that his statement that "it is necessary to cease fighting" signified that a ceasefire had already been arranged. The speech was later rebroadcast with this statement revised to "we must try to cease hostilities," but the revision failed to prevent soldiers from refusing to fight. The majority of the 1.5 million prisoners of war Germany captured during the Battle of France were taken between the broadcast of Pétain's speech and the signing of the armistice.<sup>12</sup>

The terms of the armistice that ended hostilities were delivered to the French on June 21 in the same railroad car at Rethondes, near the town of Compiègne, where the armistice ending the First World War had been signed in 1918. The terms were presented by General Wilhelm Keitel, the commander-in-chief of the German forces, to General Charles Huntziger, who had commanded an army group during the Battle of France. According to the terms, France was divided into an Occupied Zone in the north and an Unoccupied Zone in the south; the army demobilized save for a force of 100,000 to maintain order; the fleet demobilized as well with its ships returning to their home ports; the French government was ordered to pay for all occupation costs incurred by the Germans; and, finally, all French prisoners of war were to be detained until the end of the

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<sup>11</sup>Philippe Pétain, *Discours aux Français: 17 juin 1940-20 août 1944*, ed. Jean-Claude Barbas (Paris: Albin Michel, 1989), 57-58.

<sup>12</sup>J. Jackson, *Dark Years*, 126.

war.<sup>13</sup> The terms were harsh, but they were not unacceptable to Pétain. As a result, the armistice was signed on June 22; it would not come into effect until June 25, one day after a similar agreement had been reached with Italy.

In his speech announcing the ratification of the armistice, Pétain informed the French people that “a new order begins.” He continued, “I urge you in the first place to an intellectual and moral regeneration. Frenchmen, you will accomplish this and you will see, I promise you, a new France arise from your fervor.”<sup>14</sup> Two days before this announcement, on June 23, Pétain took a step toward this “new order” when he appointed Pierre Laval as deputy premier. Laval had twice been premier in the 1930s and, for many who despised the Third Republic, such as General Weygand, he represented everything that was appalling about the Republic. For the Republic’s detractors, Laval’s vacillation from left to right during the 1920s, which was based primarily upon his personal connections, signified how much the actions of the government had come to be dictated by personal contacts instead of any coherent ideology. In addition, the detractors linked Laval’s extensive use of patronage and his tendency to convince others to support him by either bullying or buying them to the ineffectiveness and inefficiency of the government.<sup>15</sup> Even though many associated Laval with the Third Republic, the newly appointed deputy premier would soon set about the dissolution of the Republic.

Laval believed that Germany would soon defeat Great Britain, leaving Europe to be completely subjugated to Germany. Therefore, he realized that France must adapt to this coming new order since “it was the only chance of crossing over from the camp of

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<sup>13</sup>Ibid., 127; Kedward, 242-243; Michel, *Vichy*, 48-51; Azéma and Wieviorka, 24; Popkin, 253-254. Henri Michel provides a detailed analysis of the two armistice agreements signed with Germany and Italy, respectively, in Michel, *Vichy*, 71-97.

<sup>14</sup>Pétain, 66.

<sup>15</sup>J. Jackson, *Dark Years*, 129-131; Shennan, 40; Vinen, 38-40.

the vanquished to that of the potential conquerors. . . . [and] of preventing England . . . from coming to an understanding with Germany at the expense of France.”<sup>16</sup> The institutions of the Republic as they stood prevented Laval from achieving his goal of integrating France into this new European order because he recognized that the National Assembly would never agree to any measures introduced by him due to his reputation of having perverted these institutions for his personal gain. As a result, Laval needed to show he had Pétain’s backing as soon as possible. Yet Laval could not immediately set about his plans for the dissolution of the Republic because, for the third time in three weeks, the government had to move its offices since Bordeaux was located in the Occupied Zone.

On June 29, the government arrived in the town of Clermont-Ferrand in the Unoccupied Zone. On the thirtieth, a limited cabinet meeting was held with Pétain, Laval, and three other ministers present. At this meeting, Laval, supported by Raphaël Alibert, the under-secretary of state and a committed member of the monarchist *Action Française* political party, revealed his plan of convoking a National Assembly wherein the assembled members of both the Chamber of Deputies and the Senate would vote to grant Pétain the authority to promulgate a new constitution. No one in attendance, save Laval and Alibert, believed that the Assembly would be convinced to commit political suicide. Laval, after going into one of his famous vitriolic rants, ultimately convinced Pétain to support the plan, but only if Laval could obtain President Lebrun’s consent. Surprisingly, Laval successfully convinced Lebrun to authorize the convocation of the National Assembly.<sup>17</sup>

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<sup>16</sup>Aron and Elgey, 63.

<sup>17</sup>Ibid., 68-70; Michel, *Vichy*, 58-60.

Since Clermont-Ferrand did not have the resources available to host both the government and a convened National Assembly, for the fourth time in three weeks, the government was forced to move, this time installing itself in the spa town of Vichy on July 1. Vichy and its numerous hotels and casinos appealed to the government as the ideal spot for such a grand undertaking as the convocation of a National Assembly. In addition, Vichy was preferred over other southern cities, such as Marseilles, Lyons, and Toulouse, as Robert Paxton, one of the leading American historians of Vichy France, demonstrates, because these cities either were too close to the Spanish border and would tempt those members of the government who sought to emigrate in hopes of continuing the war or were “fiefs of powerful Third Republic figures.”<sup>18</sup> Vichy, with its inland location and no dominant political party holding the city, would allow for Pétain’s new government to make its own mark upon French history.

Once the cabinet and the governmental agencies had settled into their new offices within the various hotels in Vichy, a cabinet meeting was held on July 4 at which Laval read a draft of a bill that he and Alibert had prepared and would introduce to the National Assembly on July 10:

The National Assembly confers all powers upon the Government of the Republic under the authority and signature of Marshal Pétain, in order to promulgate by one or more acts a new constitution for the French State. This constitution will guarantee the rights of labor, family and country.

It will be ratified by the nation and applied by the Assemblies it will create.<sup>19</sup>

After having read the draft, Laval immediately left the cabinet meeting without hearing any discussion of the bill and went to address the Senate. In front of the sixty senators

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<sup>18</sup>Robert O. Paxton, *Vichy France: Old Guard and New Order, 1940-1944* (New York: Alfred A. Knopf, 1972), 18.

<sup>19</sup>*Journal officiel de la République Française: Lois et décrets*, n° 123, May 17, 1940, 3650.

assembled in the Hall of the Medical Societies, Laval declared that “parliament . . . must be dissolved. The Constitution must be reformed. It must fall into line with the totalitarian states. . . . If Parliament does not consent to [the formation of labor camps], Germany will impose these measures upon us with, as an immediate consequence, the occupation of the whole of France.”<sup>20</sup> This statement, with its matter-of-factness, its emphasis on what would happen to the nation if German demands were not met, and its outright call for the members of parliament to support their own removal from power, dumbfounded the assembled senators. Indeed, opposition to Laval’s plan soon appeared and would continue to grow. Over the next five days Laval would hold various formal and informal meetings with members of both the Senate and Chamber in an attempt to garner support for the dissolution of the Third Republic and its institutions.

By July 7, the opposition to Laval had found a leader in the person of Pierre-Etienne Flandin, the current deputy from Yonne who served as premier in the mid-1930s and several times as a cabinet member in various Third Republic governments. At a meeting of the National Assembly on the same day, Flandin addressed the convened deputies and senators and attacked Pétain’s government:

When there is so much to do, what is the Government doing? Nothing at all! It has summoned us here, but for what purpose? Is it to ask our help in whatever action it proposes to take for the administration of occupied France, for the despatch and distribution of food, for relief, for the organisation of the country? . . . Not at all! Merely for the purpose of modifying or changing the constitution.<sup>21</sup>

With this statement, his audience greeted him with enthusiastic applause, which grew even louder after Flandin articulated his proposal in opposition to that of Laval:

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<sup>20</sup>Quoted in Aron and Elgey, 82.

<sup>21</sup>Quoted in *ibid.*, 92-93.

But what necessity is there to change the constitution? Here we are assembled, senators and deputies. The President of the Republic [Lebrun] is also in Vichy. The National Assembly is convoked.

What could be simpler, in the circumstances, than to ask the President of the Republic to resign and to nominate Marshal Pétain in his place[?] Thus we should achieve the desired result while respecting the constitution.<sup>22</sup>

While Flandin's proposal pleased the majority of the deputies and senators present, three men had to agree to its terms before it could be officially presented to the National Assembly: Laval, Pétain, and Lebrun.

Flandin easily gained the support of Laval and Pétain, but Lebrun was reluctant to resign and felt that since the National Assembly refused to approve a new government, he was therefore authorized to dissolve that of Pétain and form a new one. Before Lebrun committed either to dissolving Pétain's government or to Flandin's proposal of his resignation, the president decided to consult with the presidents of the Senate and the Chamber of Deputies, Jules Jeanneney and Edouard Herriot, respectively. Flandin, challenged with this seemingly endless line of deferments, left Lebrun's office to await the president's response. On July 8, Flandin received Lebrun's surprising response only after Lebrun had signed Laval's proposal: "I really have no guarantee that Republican Institutions under your proposal would be safeguarded."<sup>23</sup> Little did Lebrun realize that he had just signed the death warrant of the Third Republic institutions he had deemed so important to preserve, primary among them being his own presidency.

On July 10, two days after Lebrun rejected Flandin's proposal, Flandin's position as leader of the opposition to Laval was completely undermined by Laval's revelation of a letter he had received from Pétain on July 7. Laval read this letter to the members of

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<sup>22</sup>Quoted in *ibid.*, 93.

<sup>23</sup>Quoted in *ibid.*, 93-95.

the National Assembly during the debate concerning his proposal to dissolve the Third Republic and its institutions:

The motion on the constitution, tabled by the Government over which I preside, will come up for debate on Tuesday and Wednesday, 9<sup>th</sup> and 10<sup>th</sup> July before the Assemblies. As it is difficult for me to take part in the sittings, I ask you to represent me. The passing of the motion which the Government is submitting to the National Assembly seems to me necessary to assure the safety of our country.<sup>24</sup>

To the members of the Assembly, Pétain's letter represented his confidence in both Laval and Laval's proposal. More importantly, Pétain, by conferring upon Laval the role of his representative to the Assembly, assured that very few of the representatives would speak against Laval. Facing this revelation, Flandin had no choice but to join the majority in supporting Laval, especially if he hoped to be influential in the soon-to-be created government.<sup>25</sup> As a result, the leading figure behind the opposition to Laval and the dissolution of the Republican government switched sides at the last moment. Nothing stood between Laval and the ratification of his proposal except for the formality of a vote.

When the votes were finally tallied, the bill authorizing Pétain to revise the constitution passed with 569 votes for, 80 votes against, and 17 abstentions. Even though, as Paxton observes, the opposition to Laval and his proposal claimed after the war "to have been railroaded into silence," it was never as sound as it was portrayed.<sup>26</sup> Flandin presented himself as one of the few serious contenders to lead the opposition, but even he deserted to Laval when the prospects of a majority against Laval disappeared. Julian Jackson argues that the vote was "born out of despair at the defeat" and exposed how pervasive disillusionment with the institutions of the Third Republic had become

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<sup>24</sup>Quoted in *ibid.*, 106.

<sup>25</sup>*Ibid.*, 109. For a detailed, day-by-day account of the maneuverings between Flandin, Laval, and other leading politicians, see Michel, *Vichy*, 60-66.

<sup>26</sup>Paxton, 32.



across the political spectrum, particularly considering that 57 percent of Socialists and 58 percent of Radicals, members of a center-left party, voted in favor of the proposal.<sup>27</sup>

Regardless of the overwhelming majority in favor of granting Pétain the authority to revise the constitution, questions eventually arose over the legality of this vote and subsequently of Pétain's Vichy government. In December 1940, six months into the Vichy government, supporters of General Charles de Gaulle, the leader of the Free French movement who had fled to London on June 17, argued that the vote was highly irregular for two reasons: parliament could not "delegate its right to amend the constitution" to any other entity and the vote was conducted in a "climate of intimidation."<sup>28</sup> Yet supporters of Marshal Pétain insisted that the situation created by the armistice was irregular in itself and Pétain was the only man capable of saving France and guaranteeing its position in the coming New Europe that Germany's ultimate victory would create. To begin solidifying France's position, the country needed to fall into line with totalitarian ideals and only a new constitution drafted by France's "savior" would achieve this goal. In regards to the "climate of intimidation," the vote remained free, although it was conducted in an atmosphere of distress that resulted from the uncertainty surrounding whether or not the Germans would maintain the terms of the armistice, coupled with questions concerning how Pétain's new government would conduct itself. More tellingly, there remained 80 representatives who felt free enough to vote against the proposal and only 17 who abstained.<sup>29</sup> Paxton cleverly conveys the reality of the action taken on July 10 as not being "a 'coup' by a handful of conspirators," but as "a massive

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<sup>27</sup>J. Jackson, *Dark Years*, 133.

<sup>28</sup>*Ibid.*, 134; Michel, *Vichy*, 69.

<sup>29</sup>Aron and Elgey, 115-116.

assent to the idea of building a new regime at once.”<sup>30</sup> Julian Jackson takes this idea further, suggesting that the 569 votes were cast not for a new regime, but as a means to show support for and confidence in Pétain.<sup>31</sup>

As a result of the victory of Laval’s proposal, on July 11, Pétain issued the first three Constitutional Acts of the new government. Pétain was not the only member of the new government responsible for the creation of these three acts, even though “all constitutional, legislative, executive and judiciary powers” were granted to the Marshal through the law of July 10.<sup>32</sup> Laval and Alibert were instrumental in helping to compose them, particularly since both men had collaborated on early drafts even before the National Assembly had convened.<sup>33</sup> The first stated that “We, Philippe Pétain, marshal of France, having regard to the Constitutional Law of July 10, 1940, declare the assumption of the functions of head of the French State. As a consequence, we decree: Article 2 of the Constitutional Law of February 25, 1875, is abrogated.”<sup>34</sup> With this act, Pétain swept aside the presidency of the Third Republic and solidified his position as the head of state for the new government. The second established the powers of the head of state, which included full governmental powers, the ability to appoint and dismiss ministers and secretaries of state at his discretion, the power to promulgate and enforce legislative acts, and the authorization to declare a state of siege in one or several regions of the French State. Only the last of the nine articles of the second constitutional act limited the power of the head of state: he could not declare war without the prior assent

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<sup>30</sup>Paxton, 31.

<sup>31</sup>J. Jackson, *Dark Years*, 133.

<sup>32</sup>Yves Beigbeder, *Judging War Crimes and Torture: French Justice and International Criminal Tribunals and Commissions (1940-2005)* (Leiden: Martinus Nijhoff Publishers, 2006), 138.

<sup>33</sup>Aron and Elgey, 161; Michel, *Vichy*, 105.

<sup>34</sup>Acte constitutionnel n° 1 du 11 juillet 1940, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#1>.

of the legislative assemblies.<sup>35</sup> Of all the Constitutional Acts promulgated by the new government, this act “gave Pétain greater powers than those of the ancient Kings of France” and allowed the Marshal to do everything “except change a man into a woman.”<sup>36</sup> The final Constitutional Act of July 11 allowed for the Senate and Chamber of Deputies to remain in existence until the formation of the new assemblies stipulated in the Constitutional Law of July 10, 1940, but adjourned both institutions until further notice. In addition, this act granted only the head of state the power to reconvene the Senate and the Chamber.<sup>37</sup>

These three acts, taken together, represented an extreme change of regime. France, which had operated for 70 years as a parliamentary republic, now was administered as a veritable dictatorship governed by an 84-year-old head of state ruling by decree. In addition, these early measures provided the framework within which Pétain and his supporters would develop the doctrine of what would become known as the National Revolution. First and foremost, the republican motto of “*Liberté, Egalité, Fraternité*” was replaced by “*Travail, Famille, Patrie.*” These three ideals summarized the crux of the National Revolution: a rejection of individualism and a return to organic communities wherein the individual would be incorporated into the collective and would consequently feel an increased sense of duty toward the community. The most important of these communities was that of the family, since it would provide the moral regeneration of a nation that had grown “decadent” during the preceding 70 years. To achieve this renewal, the government emphasized the importance of youth movements,

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<sup>35</sup>Acte constitutionnel n° 2 du 11 juillet 1940, fixant les pouvoirs du chef de l’Etat français, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#2>.

<sup>36</sup>Aron and Elgey, 162; Michel, *Vichy*, 105.

<sup>37</sup>Acte constitutionnel n° 3 du 11 juillet 1940, prorogeant et ajournant les chambres, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#3>.

which multiplied greatly in the early years of the 1940s. Another important community developed around the workplace. The proponents of the National Revolution believed that the French economy should return to its agricultural and artisanal roots since the concerns of the industrialized workplace-- wages, hours, conditions-- placed the individual above the collective community. This emphasis upon agriculture and artisans simultaneously led to a renewed importance of the peasantry and its regional cultures and folklores. Ultimately, the National Revolution sought not only to restructure the government and its institutions, but also to create a new moral order that would steer France from the humiliation of defeat to the glory of active participation within a new Europe.<sup>38</sup> Once Pétain, Laval, and Alibert had brushed aside the last of the Third Republic's institutions and placed themselves at the forefront of the new French State, they freed themselves to turn their attention toward exacting revenge for the defeat as a means to help garner support for the new government.<sup>39</sup> The Riom Trial would develop out of this desire for revenge.

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<sup>38</sup>J. Jackson, *Dark Years*, 148-151. For a more detailed discussion of the tenets of the National Revolution, see Paxton, chap. 2; Aron and Elgey, 173-184; Michel, *Vichy*, 118-137; Vinen, 40-50; Kedward, 251-258; Shennan, 64-70; Popkin, 255-258; and Stanley Hoffmann, *Decline or Renewal? France Since the 1930s* (New York: Viking Press, 1974), chap. 1.

<sup>39</sup>For a thorough analysis of the historiography surrounding the various reasons set forth to explain the French defeat in 1940, see John C. Cairns, "Along the Road Back to France 1940," *American Historical Review* 64, no. 3 (April 1959): 583-603; and Peter Jackson, "Recent Journeys Along the Road Back to France, 1940," *Historical Journal* 39, no. 2 (June 1996): 497-510.

## CHAPTER TWO

### THE LONG ROAD TO RIOM

“[A] political phenomenon such as the popular victory in the May 1936 elections is not an absolute beginning. A phenomenon such as that is not born like a mushroom, in two Sundays of voting. It is linked to what precedes it. In large part, it is born of that which precedes it.”<sup>1</sup>

--Léon Blum, February 20, 1942, at Riom

Much of the early literature on the Riom Trial attributes the origins of the trial solely to the Germans.<sup>2</sup> This tendency is explained by the prevailing opinion during the Vichy years and immediately after the war that the Germans were “pulling the strings” of Marshal Pétain’s government behind the scenes.<sup>3</sup> In reality, once the Vichy government had been formed in the Unoccupied Zone in the south of France, the Germans left Marshal Pétain and his ministers free to enact the institutional reforms of the National Revolution with which these officials hoped to secure France’s place in the new Europe

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<sup>1</sup>Julia Bracher, ed., *Riom 1942: Le Procès* (Paris: Omnibus, 2012), 386.

<sup>2</sup>See for example, Marc Loris [Jean van Heijenoort], “The Riom Trial: The Truth about French ‘Democracy,’” *Fourth International* (April 1942), accessed online May 2, 2013, <http://www.marxists.org/history/etol/writers/heijen/works/riom.htm>; André Géraud [Pertinax], “Riom,” *Foreign Affairs* 20, no. 4 (July 1942): 679-693; Pierre Tissier, *The Riom Trial* (London: George G. Harrap & Co., 1942); Pierre Cot, *Triumph of Treason*, trans. Sybille and Milton Crane (Chicago: Ziff-Davis Publishing Co., 1944); *Le Procès de Riom, Le Carnet de la trahison*, vol. 4 (Paris: Librairie des sciences et des arts, 1945); and Henri Noguères, *La République accusée . . . Au Procès de Riom* (Paris: Les Editions de la Liberté, 1945).

<sup>3</sup>The myth that the Vichy government was an “unwilling” collaborator is dispelled in three seminal studies: Robert O. Paxton, *Vichy France: Old Guard and New Order, 1940-1944* (New York: Alfred A. Knopf, 1972); Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York: Basic Books, 1981); and Henry Rousso, *The Vichy Syndrome: History and Memory in France since 1944*, trans. Arthur Goldhammer (Cambridge, Mass.: Harvard University Press, 1991).

that Germany sought to establish. The creation of the Supreme Court of Justice that sat during the Riom Trial was simply one of the reforms of the National Revolution.

On July 30, 1940, the Vichy government issued its fifth Constitutional Act in which it announced that a Supreme Court of Justice would be created whose scope and procedure would be announced in a later law.<sup>4</sup> Before the announcement of the court's creation, debates occurred among Pétain and his ministers focusing upon how the new government should approach the issue of the recent German defeat of the French army during the Battle of France. The head of state and his ministers believed that punishing those individuals deemed responsible for the defeat was "a public health issue," allowing the government to continue its mission of bringing France in line within the new European order Germany was creating.<sup>5</sup> All of the members of the government agreed that some sort of punishment was necessary to differentiate between the old and new governments, but they disagreed upon how to proceed, what charges to levy, and whom to indict.

Raphaël Alibert, the committed member of the monarchist *Action Française* political party who was keeper of the seals and minister of justice in Pétain's cabinet, believed that those responsible for the defeat were criminals who should be condemned as quickly as possible before a military tribunal as a means to create "the touchstone for the new regime." Even though Alibert was an intimate of Marshal Pétain throughout his participation in the government, eating lunch every day at Pétain's table, his opinions often collided with those of other ministers and Pétain's closest associates due to a mandate he authored under Pétain's order that all laws, regardless of which minister

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<sup>4</sup>Acte constitutionnel n° 5 du 30 juillet 1940, relatif à la Cour suprême de justice, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#5>.

<sup>5</sup>Henri Michel, *Le Procès de Riom* (Paris: Editions Albin Michel, 1979), 29.

proposed them, must go through Alibert's office for final approval.<sup>6</sup> One of these associates was Lucien Romier, editor of the Parisian daily newspaper *Le Figaro* from 1925 to 1927 and again from 1934 to 1942, and staunch opponent of the Third Republic and its ideals.

Romier, leaning upon the ideas of another of Pétain's associates, Henri Moysset, a history professor who was the former tutor of Admiral François Darlan, minister of the navy, argued that the new government must set itself in opposition to the old government, while working within the structures of the latter. To work within these structures, the government must create a special court that would operate under both the existing penal and criminal codes. Romier realized that such a court would inevitably take on a political appearance, but he believed that by retaining the established judicial framework, the court proceedings would avoid becoming a politically charged show trial and maintain the rights of the indicted. Furthermore, Romier insisted that the government could use the political nature of the trial to show the "errors" of the defunct Third Republic to the nation by presenting the trial and its outcome as "a genuine judgment and condemnation by history," thereby solidifying the image of Pétain and the rest of the Vichy government officials as the "saviors" of France and silencing the government's detractors. Pétain was so drawn to Romier's vision for the trial that he would play an important role during the

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<sup>6</sup>Ibid., 30; Henri Michel, *Vichy: Année 40* (Paris: Robert Laffont, 1966), 145-146; Frédéric Pottecher, *Le Procès de la défaite: Riom, février-avril 1942* (Paris: Fayard, 1989), 19; *Le Procès de Riom*, 2-3; Noguères, 6; John Laughland, *A History of Political Trials: From Charles I to Saddam Hussein* (Oxford: Peter Lang, 2008), 65; Pierre Béteille and Christiane Rimbaud, *Le Procès de Riom* (Paris: Plon, 1973), 22; Alain Bancaud, "Le Procès de Riom: instrumentalisation et renversement de la justice," in *Justice, politique, et République: De l'affaire Dreyfus à la guerre d'Algérie*, ed. Marc Olivier Baruch and Vincent Duclert (Brussels: Editions Complexe, 2002), 222.

progress of the trial, so much so that around Vichy, Romier would be referred to as “Riomier.”<sup>7</sup>

In the early weeks of the new regime, after Pétain had accepted all of Romier’s suggestions for how the trial would proceed, the discussion next turned to what charges the court would investigate. One group, led by Pierre Laval, Vichy’s deputy premier, and Paul Marion, a journalist and former Communist who joined the Fascist *Parti Populaire Français* for a brief time, believed the only charge should concern the responsibility for declaring war. Laval and Marion were convinced that the French government made a mistake by declaring war against Germany. In addition, this group argued that such an investigation would help to stabilize Franco-German relations and would begin the policy of collaboration under the best possible conditions for Vichy.<sup>8</sup>

The group led by Laval and Marion relied heavily upon what they had learned through their contacts with German officials such as Otto Abetz, the ambassador to France stationed in Paris, and Roland Krug von Nidda, the consul assigned to Vichy. Joachim von Ribbentrop, the German foreign minister, informed both Abetz and Krug von Nidda of the official German position as dictated by Adolf Hitler: any trial conducted by the Vichy government concerning the war should emphasize France’s role in declaring war. This official position is confirmed by directives that von Ribbentrop’s office issued to German journalists who covered the trial:

On the French side, [if] they must try to demonstrate that the French defeat had only been caused by individual errors attributed to certain politicians or certain generals, [then] this would be a falsification [of the facts] because *the French government of this period was responsible for the war. . . . The principal question [of the trial] was the monstrosity of the crime of the French government that*

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<sup>7</sup>Michel, *Procès*, 30; Béteille and Rimbaud, 114.

<sup>8</sup>*Ibid.*, 31; Géraud, 679



*declared war on Germany even though no justification for that [declaration] existed.*<sup>9</sup>

Von Ribbentrop and other German officials regarded the trial as a means by which to measure how far the French were willing to cooperate with them, since “in condemning the bellicose politics” of the last Third Republic government, the new Vichy government “would equally disavow the fateful alliance with England; [thus] France would spectacularly change sides.”<sup>10</sup> Abetz and Krug von Nidda, regardless of their respective concerns for the trial and its consequences, shared the official German line with many Vichy officials, including Laval and Marion.

Based upon the information provided by the German ambassadors, Laval, Marion, and their supporters believed that an inquiry into the declaration of war would please Adolf Hitler and the rest of the German government because it would help to acquit Germany of its responsibility for starting the Battle of France. However, many of their fellow Frenchmen maintained that such an acquittal would only humiliate the nation, particularly since France would be condemning itself in such a trial. Moreover, by claiming that France provoked Germany to go to war, France would potentially open itself to later German demands for reparations. After considering the possible ramifications of a trial investigating the responsibility for the declaration of war, Pétain decided not to pursue this option. Therefore, the “trial of France” was avoided.<sup>11</sup>

A second group of ministers led by General Huntziger, who received the German terms for the armistice at Rethondes, argued that France had been pulled into the war against its will and, worst of all, that war had been declared without sufficient

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<sup>9</sup>Quoted in Michel, *Procès*, 366-367 (emphasis mine).

<sup>10</sup>*Ibid.*, 368.

<sup>11</sup>*Ibid.*, 31.

preparation. For Huntziger, the disciplined soldiers obeyed their “incompetent, presumptuous, [and] reckless” political superiors and the army fought to the best of its abilities. Ultimately, the soldiers were not to blame since they had not been provided with the necessary means to guarantee victory. Huntziger’s argument arose from the presence within the Vichy government of several high-ranking army officers who had participated in the Battle of France and the need to protect these figures from being publicly accused for their failure to avoid defeat. Huntziger numbered among these officers, alongside General Weygand, now minister of defense, and Marshal Pétain, the head of state. By shifting the blame from the military officers to the political authorities, the government sought to protect the reputations of its leading members above all else.<sup>12</sup>

With the arguments of General Huntziger as a basis, Pétain decided that the proposed trial would investigate the responsibility for the defeat, not the war, and that the inquiry would only go as far back as March 1936. The date chosen was not arbitrary: first, Pétain and Weygand were no longer active participants in any of the governments formed between March 1936 and September 3, 1939, the date France declared war on Germany; and second, March 1936 was two months before the start of the Popular Front government that arose from the general election of May 3, 1936, a government whose malfeasance led to the defeat, according to many officials within the Vichy government.<sup>13</sup>

Henri Michel, the preeminent historian of the Riom Trial, identifies two major errors the Vichy government made both in limiting the scope of the trial to the responsibility for the defeat and in dating the period investigated between March 1936 and September 3, 1939. These two errors “made the trial into a boomerang returning

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<sup>12</sup>Ibid., 32; Cot, 18; Bêteille and Rimbaud, 22, 34.

<sup>13</sup>Michel, *Procès*, 33; Pottecher, 16-17.

against [Pétain and his ministers].” The first error appeared when it was decided not to direct the trial as the Germans had wanted because the government risked irritating the Germans, while also giving them “rods” with which the Germans could “better beat the French” through the various revelations that would occur during the trial. The second error resulted from the naïveté the government exercised when it believed that the indicted individuals would not use the trial as a platform, thinking that the condemned would just drift into oblivion and be forgotten.<sup>14</sup> Once the trial began and the defendants took the stand, pleading their respective cases, the boomerang was thrown and Vichy’s two errors quickly returned to the detriment of the government. Yet before the trial could begin, the Vichy government still needed to outline the composition of the court.

In a decree issued on August 1, the Supreme Court of Justice was set to convene on August 8 in the small town of Riom in Auvergne.<sup>15</sup> At first glance, Riom does not seem to be the primary choice for such an important judicial body, but considering the judicial history of the town, there could not have been a better location outside of Paris. In 1541, a court was established there in the former ducal palace built in the thirteenth century by Alphonse de Poitiers, Count of both Poitiers and Toulouse and the son of King Louis VIII. The court remained operative until the Great Revolution, when in 1795 the Directory government recognized Riom as the site for the civil court for the *département* of Puy-de-Dôme. On February 27, 1801, Napoleon Bonaparte chose Riom as the seat of a High Court that soon thereafter was renamed as a Court of Appeals. By 1811, an Imperial Court was created in the town and, after the restoration of the Bourbon dynasty

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<sup>14</sup>Michel, *Procès*, 33.

<sup>15</sup>*Journal officiel de la République Française: Lois et décrets*, n° 189, August 2, 1940, 4615. (Hereafter cited as *JO*.)

in 1814, a Royal Court soon appeared.<sup>16</sup> The creation of the Supreme Court of Justice only added to the rich judicial history of Riom.

In the same decree of August 1, Pétain announced the composition of the Supreme Court.<sup>17</sup> By law, whoever held the position of president of the Criminal Division of the Court of Cassation, France's court of final appeal, would be named the president of the Supreme Court. Therefore, Pierre Caous assumed the court's presidency. The same law stipulated that the vice president of the court would be chosen from among current or former members of the Court of Cassation. Henri Lagarde was appointed as the vice president of the court due to both his personal relationship with Pétain and his experience as a councilor in the Court of Cassation. Five others were named as titular members of the court: Paul Tanon,<sup>18</sup> another councilor in the Court of Cassation; General Andre Watteau of the air force and a member of the council for the National Order of the Legion of Honor; Admiral Octave Herr of the navy; Georges Ripert, dean of the faculty of law at the University of Paris; and Jean Benoist, former member of the Council of State.<sup>19</sup> Three substitute judges were appointed: René Baraveau,<sup>20</sup> councilor in the Court of Cassation; Maurice Lemaire, president of the Court of Appeals of Montpellier; and Emile Lesueur, president of the divisions of the Parisian Court of Appeals. The public prosecutor was Gustave Cassagnau, general prosecutor in the Court of Cassation, who

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<sup>16</sup>Franck Delmriot, "L'Architecture du palais de justice de Riom," *Revue d'Auvergne* 102, no. 2 (1988): 101; Paul Soupiron, *Bazaine contre Gambetta ou le procès de Riom* (Lyon: Lugdunum, 1944), 23; Béteille and Rimbaud, 28.

<sup>17</sup>*JO*, n° 189, August 2, 1940, 4615.

<sup>18</sup>Not mentioned in the list appearing in Pottecher, 16; appears as "Tahon" in Tissier, 11.

<sup>19</sup>By the start of the trial, Lagarde was replaced by M. Maillefaud (or "Maillefaux" in Tissier, 11), a member of the Parisian Court of Appeals, due to health reasons, while Ripert and Benoist were replaced by M. Olivier-Martin, law professor at the University of Paris, and M. Devémy, an honorary member of the Council of State. Olivier-Martin and Devémy were both Pétain's friends and owed their positions to the Marshal. Bracher, 1031-1032; Tissier, 11; Béteille and Rimbaud, 32-33.

<sup>20</sup>Identified as "M. Baraveau" in Michel, *Procès*, 34; "M. Baravand" in Bracher, 1032; and as "M. Barravaud" in Pottecher, 16.

was assisted by two deputy prosecutors, Maurice Gabolde,<sup>21</sup> public prosecutor for the Court of Appeals at Chambéry, and André Bruzin, general prosecutor in the Parisian Court of Appeals.<sup>22</sup>

Unsurprisingly, the majority of the appointees were former soldiers in the First World War who had served valorously and almost all of them were intimates of the Marshal or his coterie in one way or another, except for Lemaire and Lesueur who were chosen as alternate judges by Caous and Cassagnau due to their professionalism and not their “service to the new order.”<sup>23</sup> In addition, all of the members of the court were preeminent magistrates and proven jurists, named to serve in an official capacity for life in an attempt to ensure their impartiality in the trials to go before the Supreme Court. With its members serving for life, Pétain and his government established the court as a permanent institution charged with investigating and judging “all persons concerned in Article 1, Subsections 1 and 3 of the law of July 30, 1940.”<sup>24</sup> The “persons concerned” were “ministers, former ministers or their immediate subordinates, civil or military, accused of having committed crimes or offenses in carrying out their duties or of having betrayed the duties of their office” and their “accomplices or partners.”<sup>25</sup> In particular, the Supreme Court of Justice was concerned with acts perpetrated “from an undisclosed time”-- when in reality March 1936 was decided as the beginning of the investigation--

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<sup>21</sup>Gabolde was replaced by the prosecutor at Clermont-Ferrand, M. Lequin. Bracher, 1032.

<sup>22</sup>Michel, *Procès*, 34, 82-88; Bracher, 1031-1032; Pottecher, 16; *Le Procès de Riom*, 5; Soupiron, 27; Béteille and Rimbaud, 29, n. 1; Bancaud, 223-224; Jean-Denis Bredin, *L'Infamie: Le Procès de Riom, février-avril 1942* (Paris: Bernard Grasset, 2012), 46-48.

<sup>23</sup>Béteille and Rimbaud, 32-33.

<sup>24</sup>*JO*, n° 189, August 2, 1940, 4615.

<sup>25</sup>*JO*, n° 187, July 31, 1940, 4598.

“that contributed to the passage from a state of peace to a state of war before September 4, 1939.”<sup>26</sup>

On September 24, another decree was passed, ascribing a second mission to the court in which the acts were expanded to include those “misappropriating public funds, embezzling public funds, or betraying the duties of their positions by speculating on the value of the national currency, or by abusing the use of the funds under their control.”<sup>27</sup>

Michel reveals that the second mission targeted two men in particular: Paul Reynaud, the prime minister when war broke out, and Georges Mandel, Reynaud’s minister of the interior. However, this second mission quickly became less important for the court, much to the chagrin of the Germans who wanted to bring Reynaud and Mandel to trial for their militant stance toward Germany prior to and during the war. Of the two politicians, Mandel was a more tempting target for the Germans due to his status as both a Jew and a Socialist.<sup>28</sup>

After having announced the composition of the court, Vichy turned its attention toward potential defendants. On September 3, the government passed a law authorizing internments without trial to be determined by administrative decision alone.<sup>29</sup> For the internment of the most important individuals, Minister of the Interior Adrien Marquet, a former Socialist who by September 6 would be replaced by Marcel Peyrouton, a colonialist who spent the majority of his political career in the colonies, leased the château de Chazeron. Chazeron was convenient for Pétain and his ministers since it was

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<sup>26</sup>*JO*, n° 189, August 2, 1940, 4615.

<sup>27</sup>*JO*, n° 243, September 25, 1940, 5154.

<sup>28</sup>Michel, *Procès*, 35; Pottecher, 16-17; Béteille and Rimbaud, 79-80. For a detailed discussion concerning the fate of Reynaud and Mandel, see Vincent Giraudier, “Juger la défaite de 1940? Quels juges pour quelle procédure?” *Revue historique des armées*, no. 2 (2001): 84-86.

<sup>29</sup>*JO*, n° 222, September 4, 1940, 4890 (misprinted in *JO* as 4490).

rather close to Vichy and far from the demarcation line between the Occupied and Unoccupied Zones. The distance from the demarcation line proved useful to the government because it could argue that it was protecting those interned, considering that the majority of the individuals were well-known enemies of the Nazi regime.<sup>30</sup> In terms of living conditions, Chazeron was not the “small country seat,” as it had often been depicted, but a “rather imposing château . . . without character,” and was even described by one journalist, Paul Soupiron, as “a nest for rats and barn owls.”<sup>31</sup>

On September 5, just two days after the declaration of the internment law, the first of the interned arrived at Chazeron: Reynaud, General Gamelin, commander-in-chief of the French forces when war was declared, and Edouard Daladier, the premier preceding Reynaud. On the ninth, Mandel arrived. On the fifteenth, Léon Blum joined them, followed by Guy la Chambre, minister of aviation from January 18, 1938, to March 20, 1940, on the nineteenth. La Chambre, who had fled to the United States in the summer of 1940, returned to France of his own free will to be interned. La Chambre’s predecessor, Pierre Cot, minister of aviation from June 4, 1936, to January 14, 1938, who had also fled to the United States, was ordered to return to France to be interned, but refused; thus, on the seventh, he was stripped of his French nationality, the only recourse left to the Vichy government.<sup>32</sup> Inspector General of the Army Robert Jacomet was not interned until April 22, 1941.<sup>33</sup>

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<sup>30</sup>Michel, *Procès*, 36.

<sup>31</sup>Pottecher, 19, n. 2; Soupiron, 38; Noguères, 10-12.

<sup>32</sup>Michel, *Procès*, 36-37; Giraudier, “Juger,” 83; Bredin, 49-50. On September 6, 1940, a decree was issued stripping those who left France between May 10 and June 30, 1940, of their nationality; it specifically named Pierre Cot and Andre Géraud [Pertinax], who wrote an article on the Riom Trial, among others. *JO*, n° 225, September 7, 1940, 4920-4921.

<sup>33</sup>Bracher, 1038.

On November 13, Blum, Daladier, and Reynaud were moved to a second location, the château de Bourrassol, a few miles outside of Riom. La Chambre had already been moved to Bourrassol prior to the thirteenth. Bourrassol was an old castle built during the Middle Ages and renovated in the seventeenth century when it became a country retreat. By the end of the war, the building was quite dilapidated and relatively unfit for habitation.<sup>34</sup>

The Supreme Court began the arduous task of investigating the culpability of the interned throughout the fall and winter of 1940-1941. During this time, the judges interrogated the interned on several occasions. While the interned could easily be examined by the investigating judges, other difficulties quickly arose. These impediments included tracking down documentary evidence scattered by the chaos of the Battle of France, crossing the demarcation line between zones, and calling witnesses scattered throughout a divided France. As a result, the court entered into a period during which no notable news appeared from the town of Riom. Even if any noteworthy news had left Riom, it would surely have been overshadowed by the removal of Laval from the government on December 13, 1940.

During the first five months of the government, Laval had been deputy premier and designated to replace Pétain as head of state should he become incapacitated, according to a Constitutional Act decreed on July 12, 1940.<sup>35</sup> Yet relations between the two men began to deteriorate due to Laval's seemingly continuous presence in Paris negotiating with the Germans while neglecting to inform Pétain about these talks. In

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<sup>34</sup>Vincent Giraudier, *Les Bastilles de Vichy: répression politique et internement administratif, 1940-1944* (Paris: Tallandier, 2009), 178; Pottecher, 19-20; *Le Procès de Riom*, 13; Noguères, 12-13.

<sup>35</sup>Acte constitutionnel n° 4 du 12 juillet 1940, relatif à la suppléance et à la succession du chef de l'Etat, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#4>.



addition, Laval's "scruffiness" offended Pétain and he often complained that the deputy premier blew cigarette smoke in his face on purpose. Over time, many of the Vichy ministers began to share a distaste for Laval and, as a result, quickly began the search for a successor.<sup>36</sup>

Pierre-Etienne Flandin, premier in the mid-1930s and Laval's opponent during the convocation of the National Assembly in early July 1940, soon became the frontrunner among possible successors. Flandin's popularity resulted from his campaign in the late-1930s for accommodation with Hitler. Many in Vichy believed that Flandin would work better with the Germans than Laval had and would keep the members of the government informed about his dealings with the Germans. Flandin had maintained contacts with Hitler and the German government ever since he sent a letter in September 1938, congratulating Hitler for the signing of the Munich Agreement that gave Germany the Sudetenland region of Czechoslovakia. During the months after the declaration of war in September 1939, he was a vigorous opponent of Reynaud's government. After the defeat in June 1940, Flandin retired to the *département* of Yonne where he continued his contacts with the Germans through their embassy in Paris. During his conversations with his German associates he even went so far as to charge the Vichy government with having held back on "necessary reforms."<sup>37</sup> For the members of the government, if anyone could further the policy of collaboration, it would have to be Flandin since he would be able to reconcile the demands of the Germans with the interests of Vichy.

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<sup>36</sup>Julian Jackson, *France: The Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 145; Rod Kedward, *La Vie en bleu: France and the French since 1900* (London: Allen Lane, 2005), 260; Richard Vinen, *France, 1934-1970* (New York: St. Martin's Press, 1996), 39-40.

<sup>37</sup>Paxton, 101-102; Michel, *Vichy*, 368-369.

The plan to remove Laval was spearheaded by two ministers in particular, Marcel Peyrouton, the minister of the interior, and Yves Bouthillier, the minister of finance. On December 13, the two ministers met after lunch and discussed the latest news around Vichy. Peyrouton told Bouthillier that Pétain had decided to accept Hitler's invitation to go to Paris on the fifteenth, the anniversary of the return of Napoleon Bonaparte's ashes to the Invalides, to attend a ceremony to return the ashes of the duke of Reichstadt, Napoleon's son, which had been in Vienna since 1832, so that these remains could finally rest beside those of his father. Originally, Pétain had declined Hitler's invitation, but Laval and Fernand de Brinon, who had become Vichy's representative to the Germans in Paris at Laval's insistence, had convinced him to accept it.<sup>38</sup>

Upon hearing the news that Laval would be the only one accompanying Pétain to Paris, Bouthillier responded that Laval's removal "must take place tonight." "I shall arrest him," Peyrouton remarked, "He must not be given the opportunity of warning [Otto] Abetz [the German ambassador assigned to Paris] and his people."<sup>39</sup> Bouthillier ended the conversation with the decision to go inform the ministers whom he and Peyrouton believed would support the plan to oust Laval. A little after three o'clock on the afternoon of the thirteenth, in the office of Henry du Moulin de Labarthète, Pétain's chief of civilian staff, who was not present at the time, Peyrouton and Bouthillier met with Admiral Darlan, General Huntziger, minister of national defense, and Paul Baudouin, minister of foreign affairs. At four o'clock, these five men, joined by Raphaël Alibert, minister of justice, met with Pétain. It was agreed that the cabinet meeting scheduled for five o'clock would convene with nothing out of the ordinary happening.

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<sup>38</sup>Robert Aron and Georgette Elgey, *The Vichy Regime, 1940-44*, trans. Humphrey Hare (London: Putnam & Co., 1958), 237-239; Michel, *Vichy*, 371-372.

<sup>39</sup>Aron and Elgey, 239.

At eight o'clock, Pétain would call for an impromptu meeting during which he would announce the resignation of the government. After the announcement, Peyrouton would arrest Laval and place him under house arrest at Laval's château de Châteldon in northern Auvergne.<sup>40</sup>

The five o'clock gathering proceeded as scheduled. At the eight o'clock assembly, Pétain asked all of the ministers to sign a previously prepared letter of resignation. Laval hesitated, believing that he was protected by the fourth Constitutional Act designating him as Pétain's successor. Eventually, he acquiesced, having been persuaded that his signature was merely a formality. Pétain left the room, returned a few minutes later and announced, "The resignations of MM. Laval and [Georges] Ripert are accepted." Ripert, the minister of education who was named one of the titular members of the Riom court on August 1, did not protest his removal, having wanted to leave the government for some time. Laval, on the other hand, reacted vehemently, demanding an explanation. Pétain replied with two relatively unconvincing arguments. First, Pétain blamed Laval's influence in Paris and his connections there for leading the Parisian press to praise Laval's policies while attacking those of Vichy. Second, Pétain complained about the secrecy with which Laval surrounded his conferences in Paris, telling him that "every time you went to Paris, I wondered what brick was to fall on our heads next." Laval responded to each argument in turn, claiming that he had no control over the press and that he never refused to explain himself to Pétain, but he did mention that he was suspicious of certain ministers in the government. Pétain ended Laval's tirade by simply stating, "You have lost my confidence! You have lost my confidence!" Laval, knowing he could no longer argue with Pétain, responded, "I have had no thought but of the

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<sup>40</sup>Ibid., 239-240; Michel, *Vichy*, 372-373.

interests of France. I hope, Monsieur le Maréchal, that your decision will not do too much harm to my country.” He and Pétain shook hands and, without saying anything to his colleagues, Laval left to pack up his office.<sup>41</sup> Thus ended Laval’s participation in Pétain’s cabinet.

Flandin, who had never actively sought to replace Laval, had been summoned to Vichy on the evening of December 13, but did not arrive in town until the next afternoon. Reportedly, Flandin was unaware of the proceedings of the previous night until a porter at the Hôtel Majestic informed him upon his arrival. Flandin did not hesitate to go to Pétain’s office, where he was greeted by the marshal with a copy of a letter that was to be sent to Hitler. In the letter, Pétain declined the invitation to come to Paris for the ceremony surrounding the duke of Reichstadt’s ashes, while announcing both Laval’s dismissal and Flandin’s appointment. The news astonished Flandin, particularly since it was presented as a *fait accompli*. Pétain recognized Flandin’s astonishment and quipped, “Do you think that I was consulted when I was made Head of a defeated State?” With these words, Pétain produced a folder containing documents pertinent to Flandin’s new position.<sup>42</sup>

Flandin was welcomed as foreign minister into a ruling triumvirate alongside Admiral Darlan as its de facto president and General Huntziger in charge of national defense. Even though Pétain received Flandin into the government with open arms, the two men quickly fell out of favor with each other due to Pétain’s distrust of parliamentarians. In addition, Flandin believed that the terms of the armistice could

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<sup>41</sup>Aron and Elgey, 240-242; Michel, *Vichy*, 373-374. For a discussion of the events surrounding Laval’s dismissal and its ramifications, see Paxton, 92-101; J. Jackson, *Dark Years*, 174-176; and Michel, *Vichy*, 359-390.

<sup>42</sup>Aron and Elgey, 245-246.

easily be lifted if he responded negatively to all of Germany's demands sent through Ambassador Abetz in Paris. His "successive snubs" would force the Germans to recall Abetz, allowing for Vichy to create a "direct understanding" with Hitler. Even though a certain amount of risk was inherent in this plan, Flandin ultimately believed that the annulment of the armistice was preferable to living under the uncertainty resulting from Abetz's influence over Germany's policy toward France. Pétain disapproved of this plan because he believed it would bring unnecessary suffering upon the French people, maintaining that Vichy's best strategy remained to consider every German demand except outright military collaboration.<sup>43</sup>

Flandin's participation in the triumvirate government lasted only two months. He resigned on February 9, 1941, primarily because he had failed to maintain contact with the German government. Flandin's failure resulted from the German refusal to conduct business with any government in which Flandin participated. Flandin's reputation with the Germans suffered as a result of the influence of Abetz, who had worked extensively with Laval during the first five months of the Vichy government. Abetz managed to secure Laval's transfer to Paris from the home incarceration to which he was subjected at the château de Châteldon. Abetz achieved the downfall of Flandin and secured Laval's person by simply threatening to silence Radio Vichy and seal completely the demarcation line. Faced with these threats, Pétain and his ministers began to scramble for a replacement for Flandin. Admiral Darlan now appeared as the frontrunner for the position of deputy head of state.<sup>44</sup>

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<sup>43</sup>Ibid., 254-256.

<sup>44</sup>For a discussion of the relationship between Abetz and Flandin and the subsequent negotiations and deals to remove Flandin from the government, see Aron and Elgey, 243-271; Paxton, 104-109; and Michel, *Vichy*, 384-390.

The Germans viewed Darlan as acceptable because of his participation in the plans for operations against the British and Free French forces in Africa. Furthermore, after Laval's removal, he was the only Vichy minister to maintain an *ausweis*, the documentation allowing easy passage across the demarcation line.<sup>45</sup> On February 10, Darlan was appointed deputy premier and successor to Pétain through a fourth iteration of the fourth Constitutional Act.<sup>46</sup> By late February, Darlan had formed his new government, in which he also assumed the positions of foreign minister, minister of information, and minister of the interior. Darlan's government would last until Laval returned to power on April 18, 1942. Therefore, Darlan presided over the government during the latter half of the investigation leading up to the Riom Trial, as well as during the trial itself.

Henri Michel reveals that even though Darlan led the government during the investigation, he was not interested in the matter and that Joseph Barthélemy, who had entered the new government as keeper of the seals and replaced Alibert as minister of justice on January 27, 1941, was content to let the investigation drag on as long as it possibly could.<sup>47</sup> Frédéric Pottecher, a historian of the Riom Trial, offers a plausible explanation for Darlan and Barthélemy's desire to delay any trial: both men believed that Pétain's prestige would suffer from the debates that would surely arise from witness statements made in court.<sup>48</sup> One member of the government wanted the trial to proceed no matter what happened: Marshal Pétain. Spurred on by the lack of any results coming from the investigations at Riom, Pétain decided to expedite the process by personally

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<sup>45</sup>Aron and Elgey, 270.

<sup>46</sup>Acte constitutionnel n° 4 quater du 10 février 1941, relatif à la suppléance et à la succession du chef de l'Etat, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#4q>.

<sup>47</sup>Michel, *Procès*, 42.

<sup>48</sup>Pottecher, 19.

judging those deemed responsible. To be able to pass judgment, Pétain issued a seventh Constitutional Act on January 27, 1941, using the full legislative powers granted to him as head of state in the second Constitutional Act of July 11, 1940.

The first two articles of this seventh Constitutional Act enacted an oath of loyalty to the head of state that all government functionaries, regardless of rank, would swear and held each of them “personally responsible before the head of state.” The third article related to Pétain’s desire for swift justice for those being investigated at Riom:

In the case where one of [the government functionaries] should happen to betray the duties of his office, the head of state, after an inquiry the procedure of which he will determine, can pronounce all civil reparation, all fines[,] and apply the following sanctions on a temporary or permanent basis: revocation of political rights; placement under house arrest in France or the colonies; administrative internment; [or] detention in a fortress.<sup>49</sup>

To ensure that this Constitutional Act was applicable to those being investigated at Riom,<sup>50</sup> the fifth article stated that the third article applied to “former ministers, high dignitaries[,] and high officials having exercised their duties for less than ten years.”<sup>51</sup> For many Frenchmen, this Constitutional Act symbolized the coming of a new form of justice “the Marshal’s justice,” in which the “king of Vichy reestablished the *lettre de cachet*.”<sup>52</sup> Even though Pétain appeared to seek swift justice in passing this Constitutional Act, he did not utilize it until August, approximately seven months later.

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<sup>49</sup>Acte constitutionnel n° 7 du 27 janvier 1941, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#7>.

<sup>50</sup>Giraudier speculates that “without a doubt” the seventh Constitutional Act was also directed against Pierre Laval. Giraudier, “Juger,” 86. André Géraud also believes that this Constitutional Act “was really aimed at [Laval].” Géraud, 682.

<sup>51</sup>Acte constitutionnel n° 7 du 27 janvier 1941, accessed January 26, 2013, <http://mjp.univ-perp.fr/france/co1940.htm#7>.

<sup>52</sup>Soupiron, 48-49. Soupiron refers to the arrest orders used by the *Ancien Régime* monarchy to rid the realm of unwanted individuals.

On August 12, during the intermission of a performance of *Boris Godunov*, a nineteenth-century opera by the Russian composer Modest Mussorgsky, at the Vichy Casino, Pétain addressed the nation:

Frenchmen, I have some grave things to tell you.  
From several regions of France, I have felt rising, for some weeks, an evil wind.

Anxiety overcomes the mind; doubt seizes the soul. The authority of my government is controversial; orders are often poorly executed.

[. . .]

Supporters of the old regime are everywhere. I count among them without exception all those who put their personal interests before the constant interests of the state. . . We would need a long period of time to overcome the resistance of all the adversaries of the new order, but it is necessary for us right now to break their initiatives by decimating their leaders. . .<sup>53</sup>

Pétain continued by announcing measures that would help deter resistance to the Vichy government, including suspension of political parties, cancelation of parliamentary salaries, sanctions against Freemasons, and creating police reinforcements. Two measures in particular stand out:

I have decided to use the powers that the seventh Constitutional Act gives me in judging those responsible for our disaster [i.e., the defeat]. A Council of Political Justice is created to this effect. It will submit to me its proposals before October 15.

In application of the same Constitutional Act, all ministers and high officials [of the state] must swear an oath of loyalty to me. . .<sup>54</sup>

The first measure, the organization of the Council of Political Justice, created a redundant institution: it was another judicial body charged with the same function as the Supreme Court of Justice that the fifth Constitutional Act of July 30, 1940, had already established. Furthermore, the second, the announcement of an oath of loyalty to Pétain and not the office of head of state, was all too reminiscent of the Führer Oath being sworn throughout

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<sup>53</sup>Philippe Pétain, *Discours aux Français : 17 juin 1940-20 août 1944*, ed. Jean-Claude Barbas (Paris: Albin Michel, 1989), 164-167.

<sup>54</sup>*Ibid.*, 171.



Nazi Germany. These two measures, both of which attempted to discourage resistance to the Vichy government, ultimately showed how far Pétain was willing to go to secure Vichy's participation in the new European order that Germany sought to create.

In theory, the establishment of the Council of Political Justice should have relieved the Supreme Court of Justice of its duty of investigating those responsible for the defeat, especially since Pétain announced he would rely upon the findings of the Council in passing judgment. Yet both bodies continued their respective inquiries. If anything, the creation of the Council did achieve one thing: a diminution of the Supreme Court's authority. The magistrates who were supposed to remain independent of Pétain's influence had to "meekly bow down" and accept a decision that equated to cancelling their mission, making them appear as puppets of the "political authority." As Michel emphasizes, the creation of the Council became a "gift" given to the accused who never hesitated to utilize its existence against their accusers.<sup>55</sup>

In September 1941, Pétain issued a decree in which he outlined the composition of the Council of Political Justice. The Council consisted of eight members, led by Ambassador Peretti della Rocca as its president. Della Rocca was an old friend of Pétain who had been ambassador to Spain. Of the seven remaining members, only two were jurists: M. Percerou, professor of law at the University of Paris, and M. Ripert, sectional president of the Council of State, the same Ripert who had been removed as minister of education on December 13, 1940, and who was named as a member of the Riom court. The five other members were former soldiers, with two of them being repatriated prisoners of war: M. Audollent, repatriated prisoner of war who was a recipient of the *légion d'honneur*, the highest award for civil or military conduct that can be conferred in

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<sup>55</sup>Michel, *Procès*, 44.

France, and held the *croix de guerre*, a military decoration given to individuals or units who showed extreme bravery in combat; M. Aulois, lawyer at the Court of Appeals in Lyon and disabled ex-serviceman in both wars; M. Drouant, repatriated prisoner of war who was a captain in the reserves and recipient of the *croix de guerre* with citation; Colonel Josse,<sup>56</sup> senator and president of the Association of those Decorated for the Risk of their Life; and M. Vallin, a deputy who received the *croix de guerre* for service during 1939-1940 and who was also second-in-command to Colonel de La Rocque's *Parti Social Français*, a nationalist political party that became France's first massive right-wing party.<sup>57</sup>

The Council of Political Justice, as described in Pétain's decree, was a purely consultative body created to brief the marshal on the case on which he was to pass judgment. The Council was given twenty-five days in which to formulate the briefing it would present to Pétain, who in turn gave himself six weeks to review it. Given the nature of the task assigned to them, the members of the Council should have gone to Riom, to utilize the work already conducted by the members of the Supreme Court of Justice. However, according to Pierre Béteille, archivist for the Supreme Court, none of the members went to Riom and none requested to see any part of the preliminary investigation and they quite simply reproduced "word for word the indictment's table of contents."<sup>58</sup> Michel explains that those appointed to the Council wanted to avoid meeting with the accused because the Council members believed the defendants would attempt to sway the Council's opinion by relating the plans for their defense. Also, the members,

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<sup>56</sup>Identified as "Tasse" in *Ibid.*, n. 45; and Bracher, 1031.

<sup>57</sup>Michel, *Procès*, 44, n. 45; *Le Procès de Riom*, 10; Noguères, 7; Bancaud, 225-226; Bredin, 53-54.

<sup>58</sup>Béteille and Rimbaud, 109-110.

“who never came across the idea that they should claim any sort of independence,” valued above all else doing exactly what Pétain wanted them to do so that they did not lose the confidence of the marshal.<sup>59</sup> John Laughland, who has written extensively on international justice, argues that the Council of Political Justice did nothing more than create “judicial chaos” and even goes so far as to chastise the magistrates at Riom who “covered for the aged marshal” and “lent a veneer of respectability” to the whole mess created by the Council by not resigning their posts immediately.<sup>60</sup> Quite simply, the Council and the Supreme Court coexisted parasitically, with the former openly plagiarizing the work of the latter, just to please the Marshal.

Whatever the source of its findings, the Council submitted its results to Marshal Pétain right on schedule, and he broadcast them to the French on October 16, 1941. The Council, whose conclusions Pétain described as “clear, complete, highly justified,” recommended that Daladier, Blum, and Gamelin should suffer “the most severe punishment allowable under the seventh Constitutional Act,” detention in a fortress for life. As a result, Pétain sentenced them to be transferred to the fortress of Portalet located in the Pyrénées Mountains.<sup>61</sup> La Chambre and Jacomet, “whose charges appear less serious,” were to remain interned at Bourrassol until the trial commenced. Pétain continued by declaring that the Supreme Court of Justice would continue with its mission, since “national interest demands that it be able to pass judgment as soon as

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<sup>59</sup>Michel, *Procès*, 45.

<sup>60</sup>Laughland, 69.

<sup>61</sup>Portalet was renowned for its location: it was built into the side of a mountain next to a chasm called Hell’s Gorge and was only accessible by steep steps carved into the mountainside. The fortress reminded journalist Paul Soupiron of something out of the Italian poet Dante’s *Inferno* due to the fact that “the ground is always sodden and the walls seeping with moisture.” Ironically, Portalet would house Marshal Pétain from August to November 1945, when he was transferred to the island of Yeu where he would serve out the life sentence he received at his postwar trial. Daladier, Blum, and Gamelin would remain at Portalet until December 30, 1941, when they were transferred back to Bourrassol. Soupiron, 58; Giraudier, *Bastilles*, 205-206, 210; *Le Procès de Riom*, 13; Noguères, 13-14.

possible.” Pétain believed that the Riom Trial was important to the country because it was the only way that a “nation that feels itself betrayed [could have] the right to the truth, to all the truth.” Therefore, Pétain assured the French that the proceedings at Riom would start shortly.<sup>62</sup> Reactions to Pétain’s speech were relatively uniform amongst those working in Riom: Gustave Cassagnau told Pierre Béteille that Pétain “didn’t wait for the end of the investigation to pass judgment. What does he take us for?” and Maurice Ribet, one of Daladier’s lawyers, related how he “could only laugh” at the findings since “in ten minutes, justice was declared.”<sup>63</sup> Despite the reaction from those working at Riom, the decision to continue with the trial served two purposes for the Vichy government: first, it placated the judges who “discreetly” scoffed at the creation of the Council of Political Justice; and second, it showed that the government did not “publicly scorn the principle of judicial independence,” a principle that Vichy needed to reaffirm “the legalist image” of the state in hopes to maintain “the allegiance of the entirety of the magistrature.”<sup>64</sup>

Pétain’s broadcast suffered from a latent irony when he stated: “in the age in which we live, each must acknowledge his responsibilities. I give the example: I acknowledge mine.”<sup>65</sup> This irony revealed itself during the Riom Trial when the accused-- being tried although they had already been convicted, a paradox in and of itself-- turned the proceedings against the Marshal and laid his responsibilities for the defeat before the court.

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<sup>62</sup>Pétain, 201-202.

<sup>63</sup>Béteille and Rimbaud, 108; Maurice Ribet, *Le Procès de Riom* (Paris: Flammarion, 1945), 25, 26.

<sup>64</sup>Bancaud, 230.

<sup>65</sup>Pétain, 202.

## CHAPTER THREE

### “THE GREATEST TRIAL IN HISTORY”

“Truly, [I have] been accustomed all my life to being sometimes blamed, sometimes lauded, more often blamed than lauded . . .”<sup>1</sup>

-Edouard Daladier, February 28, 1942, at Riom

In the months leading up to the opening of the Riom Trial, the small country town of the same name was transformed into the judicial hub for the Vichy government. Hundreds of individuals descended upon the town to witness what had been heralded as the “greatest trial in history” by several journalists and commentators. The trial would last twenty-four sessions, with the first occurring on February 19, 1942, and the last on April 2, 1942, when the court recessed for Easter vacation. On April 11, a law suspending the trial was approved in which the court was ordered to complete its investigation at a later date only after having researched and judged “all those responsible [for the defeat], no matter who they are.”<sup>2</sup> The premise of widening the scope of the investigation allowed the men of Vichy to extricate themselves from the unnerving situation the defendants had created for them by implicating Marshal Pétain, the head of state, and several of his ministers in helping to create the conditions that contributed to defeat in 1940. In addition, the expansion of the extent of the investigation appeared to

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<sup>1</sup>Julia Bracher, ed., *Riom 1942: Le Procès* (Paris: Omnibus, 2012), 499.

<sup>2</sup>*Ibid.*, 933; Frédéric Pottecher, *Le Procès de la défaite: Riom, février-avril 1942* (Paris: Fayard, 1989), 250; *Le Procès de Riom*, *Le Carnet de la trahison*, vol. 4 (Paris: Librairie des sciences et des arts, 1945), 155; Henri Noguères, *La République accusée . . . Au Procès de Riom* (Paris: Les Editions de la Liberté, 1945), 53.

be a move to ease the minds of the trial's opponents, who had clamored for more than the six men indicted at Riom to be held accountable ever since the early days of the Vichy government. How did the Riom Trial, which was welcomed by Vichy, once again as "the greatest trial in history," end in ignominious suspension? Or, to paraphrase Henri Michel, historian of the Riom Trial, how did the trial "begin in euphoria and end in confusion"?<sup>3</sup>

In the weeks preceding the opening of the trial, President Pierre Caous of the Supreme Court of Justice oversaw the preparation of the Palace of Justice that transformed a simple country town into the seat of the highest court within the French State. The courtroom was repainted and crystal chandeliers and Aubosson tapestries were hung throughout the room, while chairs in the classical style were brought in for the witnesses' testimony. Despite all the ornate trappings and updates to the Palace of Justice, it remained "oppressive, dull, gloomy, [and] poorly lit."<sup>4</sup> Bars were added to the windows on the left side of the courtroom to provide extra security, while a platform with box seats reserved for diplomats and Vichy officials was added on the right side. In addition to the bars added to the windows, armed guards were stationed throughout the Palace, with the greatest concentration at each entrance. The guards were ordered to allow only individuals with the proper credentials into the Palace: blue passes for the press, red passes for court officials, and white passes for distinguished guests. According to Pierre Mazé and Roger Genebrier, two associates of defendant Edouard Daladier who helped him prepare his case, these "distinguished guests" consisted mostly of uniformed

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<sup>3</sup>Henri Michel, *Le Procès de Riom* (Paris: Albin Michel, 1979), 402.

<sup>4</sup>Jean-Denis Bredin, *L'Infamie: Le Procès de Riom, février-avril 1942* (Paris: Bernard Grasset, 2012), 62.

and undercover police officers placed in the courtroom by the Vichy government.<sup>5</sup> A contingent of guards was even placed near the safe containing all of the files to be used during the trial. In total, the preparation cost approximately 600,000 *francs*, slightly less than the price of a single Dewoitine 510 fighter plane, one of the models used by the French air force during the Battle of France.<sup>6</sup>

The sheer extravagance that Vichy showed during the Riom Trial underscored the belief held by Marshal Pétain and his colleagues that the trial would legitimize the National Revolution by showing the world that the Vichy government would spare no expense in judging the leading figures of the “decadent” Third Republic whose policies had led France to defeat in 1940. To help achieve this legitimacy, no fewer than 150 journalists were invited to the proceedings. At least thirteen countries were represented, including Germany, Russia, the United States, Japan, Italy, Spain, and even Chile. To accommodate the crowd of reporters, twenty phone booths were installed on the first floor of the Palace of Justice for their exclusive use, but only after each session, never during.<sup>7</sup>

At 1:20 p.m. on February 19, five of the six defendants left the Riom prison for the Palace of Justice via an eighty-meter long underground passageway.<sup>8</sup> Edouard

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<sup>5</sup>Pierre Mazé and Roger Genebrier, *Les Grands journées du procès de Riom* (Paris: La Jeune Parque, 1945), 14. Paul Soupiron appears to confirm this assessment with his description of the countless uniformed and plain-clothes policemen he noticed while covering the trial and even argues that no Vichy minister wanted to appear among the “distinguished guests” for the same reason that “doctors are absent from the funerals of their patients.” Paul Soupiron, *Bazaine contre Gambetta ou le procès de Riom* (Lyon: Lugdunum, 1944), 61, 62-63.

<sup>6</sup>Bracher, vii, viii; *Le Procès de Riom*, 21; Michel, *Procès*, 67-69; Pottecher, 29-30; Soupiron, 59; Noguères, 17; James de Coquet, *Le Procès de Riom* (Paris: Librairie Arthème Fayard, 1945), 17; Maurice Ribet, *Le Procès de Riom* (Paris: Flammarion, 1945), 30; Pierre Béteille and Christiane Rimbaud, *Le Procès de Riom* (Paris: Plon, 1973), 123-124. A Dewoitine 510 fighter cost 712,000 *francs*. Pierre Cot, *Triumph of Treason*, trans. Sybille and Milton Crane (Chicago: Ziff-Davis Publishing Co., 1944), 403.

<sup>7</sup>Bracher, viii; de Coquet, 18; Michel, *Procès*, 68-69; Pottecher, 30; Soupiron, 61.

<sup>8</sup>In referring to the testimony of the trial itself, I will cite Julia Bracher’s *Riom 1942: Le Procès* since it contains one of the most complete transcripts of the trial to appear outside of the French National

Daladier, former minister of war and premier, led the defendants with his customary cigarette in hand, followed by Léon Blum, former premier and leading figure of the Popular Front, General Maurice Gamelin, former commander-in-chief of the army during the Battle of France, Guy La Chambre, former minister of aviation, and finally Robert Jacomet, former inspector general of the army in Daladier's government. (Pierre Cot, the sixth defendant and former minister of aviation, directly preceding La Chambre, remained in the United States, where he had fled in 1940.) The accused entered the courtroom first and were seated not in a traditional box, but at two small tables. Behind the defendants sat their lawyers, who were arranged in two rows. The magistrates entered the courtroom last and seated themselves at a horseshoe-shaped table, behind which sat eight stenographers who took turns recording the proceedings, switching every fifteen minutes. The scene was set for the trial investigating the responsibility for the defeat of June 1940.<sup>9</sup>

At exactly 1:33 p.m., President Caous, wearing a replica of the ermine robe worn by Napoleon Bonaparte during his coronation as emperor, opened the session with his typical "cold and courteous" manner, which made him seem "like a field marshal receiving a surrendering enemy."<sup>10</sup> Next, the court clerk rose, wearing a black robe with a red belt. Instead of reading the 164-page indictment, which would have taken eight hours, he read the attached case summary in ten minutes.<sup>11</sup> When the clerk finished his recitation, President Caous reminded the defendants that "the judgments that have been

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Archives. When possible, since not all works present the trial day-by-day, I have indicated where to find each day of the trial within works that follow a clear chronology. For February 19, see Bracher, 302-346; Bredin, 61-79; de Coquet, 17-24; and Mazé and Genebrier, 17-21.

<sup>9</sup>Bracher, ix-x; Noguères, 17.

<sup>10</sup>De Coquet, 33.

<sup>11</sup>Bracher, x; Soupiron, 60; Noguères, 17-18. Julia Bracher reveals that no stenographic record of the case summary has been found. Bracher, 260.



passed up to now and their causes are, in the eyes of the court, as if they never existed.”<sup>12</sup>

The judgments to which Caous referred were the sentences Marshal Pétain had levied upon the defendants during his speech on October 16, 1941, after having read the findings of the Council of Political Justice.<sup>13</sup> With this simple statement, Caous attempted to inject the proceedings with a modicum of impartiality, but even if the court did not recognize Pétain’s judgments, they weighed heavily on the minds of the defendants.

Caous continued the proceedings by asking the defendants to identify themselves for the record. The first three defendants responded simply: “Daladier, Edouard, 57, university professor, former premier, residing at the Riom prison,” “La Chambre, Guy, born June 5, 1898, deputy and former minister,” and “Jacomet, Robert, former inspector general of the army, former secretary general for national defense, currently residing at Riom.”<sup>14</sup> When the time came for General Gamelin to identify himself, he did so, giving his birthday and former military positions, but continued with a long declaration that quickly set the course and tone of the trial.

Gamelin informed the court that he had dedicated his entire life to serving his country and the army and that he believed that “the fate of one man did not mean much when the interests of the nation were involved.”<sup>15</sup> Next came the first attack on the court and its case from the defendants in the dock when Gamelin declared that he would not participate actively during the proceedings. He continued by justifying his decision:

Today, I cannot present my defense without risking identifying some names, French or foreign, that the greater good of the nation must protect from

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<sup>12</sup>Bracher, 302.

<sup>13</sup>See pp. 50-51 above.

<sup>14</sup>Bracher, 302.

<sup>15</sup>Ibid., 302-303.

these proceedings. . . . Likewise, I would be forced to mention the responsibilities of men who found themselves under my authority that I consider it my duty or my honor to protect and whom I would thus risk offending.<sup>16</sup>

When Gamelin finished, his two lawyers, M. Arnal and M. Puntous, each addressed the court, defending Gamelin's silence, and quietly exited the courtroom once they had both finished.<sup>17</sup> James de Coquet, a journalist covering the trial, attributed Arnal and Puntous' quick exit to the fact that "willingly obliging two lawyers to complete silence in one of the greatest trials of history is a lot to ask."<sup>18</sup> With his statement, Gamelin took a vow of silence that he broke on only a few occasions during the remainder of the trial, moments when he abandoned his typical demeanor of having "his arms crossed and disengaged, like a polite student who is not interested in his class."<sup>19</sup>

Gamelin's decision evoked several different responses among those following the trial, even though his silence stunned no one, particularly the journalist Paul Soupiron who had been informed by Gamelin's lawyers before the trial that the general refused to participate.<sup>20</sup> Those who wished to exonerate the army agreed with Gamelin's choice and viewed his silence as a further indictment of the politicians left in the dock. Those who sided with the politicians and the defunct Third Republic viewed his action as cowardly and as a mere ploy to save face with Pétain and the military.<sup>21</sup> After the war, Gamelin himself testified before a parliamentary commission that "he had been subjected to pressure on the part of 'the Vichy government,'" but he never indicated what pressures or from whom they originated.<sup>22</sup> Maurice Ribet, one of Daladier's lawyers at the trial,

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<sup>16</sup>Ibid., 303.

<sup>17</sup>Bredin, 65; *Le Procès de Riom*, 29-30.

<sup>18</sup>De Coquet, 19.

<sup>19</sup>Ibid., 91.

<sup>20</sup>Soupiron, 62, 69; Noguères, 18.

<sup>21</sup>*Le Procès de Riom*, 30-31.

<sup>22</sup>Michel, *Procès*, 106.

claimed that Gamelin denied the allegation he was working for Pétain almost every time the defendants and their lawyers gathered when the court was in recess.<sup>23</sup>

Gamelin's position at the trial is problematic due to the ambiguity resulting from his silence. The general was in a unique position since he represented both the army and the Third Republic. He was both a career soldier who rose within the ranks of the army, becoming its commander-in-chief during the 1930s, and a high-ranking official within several of the Republic's governments. Gamelin's detractors within Vichy characterized him as inept due to his handling of the Battle of France, but this depiction resulted from a professional event, his having been dismissed eight days into the battle. At the trial, he was a very erudite individual, which was the "true" Gamelin. Ribet recounted a conversation about the trial that he had with the general. Gamelin's description of the trial during the exchange shows just how intelligent Gamelin was:

The entire thesis of the Supreme Court rests on begging the question. Indeed entails reasoning in the absolute: even though in life, in action, even in the universe, all is relative, and, at the risk of appearing pedantic, I appeal to the testimony of [Albert] Einstein, [Louis de] Broglie, and [Henri] Bergson.<sup>24</sup>

The general refers to two physicists and a philosopher while addressing issues of the absolute truths and relativity. Such topics do not indicate incompetence. Gamelin's intelligence, coupled with his ambiguous position at Riom, shows that he attempted to placate his supporters from both the army and the Republic: by not speaking about military matters, he protected the former, and by not addressing the charges levied against him by Pétain, he defied the new regime. Regardless, Gamelin's silence removed a key witness from the trial, the one individual who could readily speak to the true

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<sup>23</sup>Ribet, 36-37.

<sup>24</sup>Ibid., 276.

preparedness of the army. With Gamelin's vow of silence established, the court's attention turned to Léon Blum.

Blum immediately seized the opportunity provided by Gamelin and addressed the court, reflecting upon the consequences his decision would force upon the trial. For Blum, Gamelin's silence opened a gap within the proceedings, particularly as regards the mission of the court: "Sirs, your mission is to establish and punish those responsible. For what? A military defeat. Yet, by your indictment, you have already removed from the proceedings all that concerns the conduct of military operations." Prior to the opening of the trial, Blum believed that the mere presence of Gamelin in the dock would help bring the army and its operations back into the trial, since he would have been able to ask questions during witness examinations and even testify himself as to the readiness of the army for war. However, by becoming "a mute spectator," Gamelin had guaranteed for the court that "in these proceedings on the responsibilities for the defeat, the war would be excluded. Blum ended his analysis of the effect of Gamelin's silence by revealing that while he respected the decision, he would not share in the silence, particularly since "there is a fundamental flaw that weighs upon these proceedings."<sup>25</sup>

Blum identified this fundamental flaw as the fact that the defendants had already been sentenced before the trial even began. Blum recognized the position that the judges were in, since judgment had already been passed by the Marshal, to whom they had sworn an oath of loyalty. He continued by noting that regardless of what the judges thought and the announcements they made, nothing changed: sentencing was pronounced. For Blum, all that remained was the fight:

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<sup>25</sup>Bracher, 305-306.

On this front, we can and we must take up the fight. We can and we must ask [the court] to bring back to the proceedings their freedom, their legality, their integrity, their faithfulness, and that is what we are going to do, with the ardent desire to widen the proceedings and unfetter all the contents, all the kernels of truth. We will do it, less for ourselves, sirs, already condemned, than for country, than for universal opinion and, I do not hesitate to say, for History.<sup>26</sup>

Blum continued the fight by reminding the court of how the trial had evolved. It began as a trial of those responsible for the defeat and quickly became a “trial of the Republic,” particularly since “all military responsibility had been excluded in advance” and all that was left was “an attack on the truth, a taking to task of the republican regime.” In closing, Blum delivered one of his most memorable quotes from the trial: “If the Republic must remain accused, we will stay at our battle station as its witnesses and its defenders.”<sup>27</sup>

After Blum’s opening statements, one of his attorneys, André Le Troquer, Socialist deputy for the Seine from 1936 to 1940, revealed to the court the existence of a list of general instructions delivered to the press by the government outlining how the trial should be portrayed in their newspapers. This list began circulating on the day before the opening session and contained eight instructions. The instructions were filled with orders to guarantee that the press upheld the government’s view of the trial, ensuring that its coverage remained “limited to the unpreparedness for war in France between 1936 and 1940” (number one). In addition, the orders stressed that the press needed to reveal the spirit of the trial as shown by “the damning facts” highlighting the “incompetence” relating to how the army had been organized and equipped, as well as how preparations of both fortifications and industrial mobilization had been ignored (number two). The list also included a directive to demonstrate that “the true trial”

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<sup>26</sup>Ibid., 308.

<sup>27</sup>Ibid., 308-310.

focused upon how “the catastrophe [of defeat] arose,” so that the French people could “arrive at a clear judgment on the governmental actions that victimized them” (number four), a view that emphasized the failure of the government in preventing the “catastrophe.” The prominence of the government’s failures over those of the armed forces was presented in a reminder to exclude the army from the trial since its “troops and leaders were forced to fight without access to the indispensable tools of a modern war” (number five). Finally, a prompt to remind the public of Marshal Pétain’s conviction that “France was obligated to build a new regime or perish” (number eight), which sought to bring the Marshal into the trial as France’s savior.<sup>28</sup> The defendants would fight against this last directive at every available opportunity.

These orders to the press sought to control how the trial would be presented to the reading public, but they were doomed to fail from the outset. The only journalists who could be held accountable to following these orders were the journalists whose newspapers were located within the Unoccupied Zone. Since November 1940, when the government took control of the Havas agency, France’s main independent press organization, and replaced it with the French Information Office, Vichy had issued instructions similar to those delivered to the journalists at Riom. These directives addressed matters of policy ranging from downplaying the celebration of the Armistice that had ended World War I to such minute details as not referring to the menus offered

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<sup>28</sup>Bracher, 310-311; Pottecher, 28; Bredin, 69-71; Tissier, 13-14, 194; *Le Procès de Riom*, 23-25; Mazé and Genebrier, 324-328; de Coquet, 15; Bêteille and Rimbaud, 126-127; Noguères, 24-25; Alain Bancaud, “Le Procès de Riom: instrumentalisation et renversement de la justice,” in *Justice, politique, et République: De l’affaire Dreyfus à la guerre d’Algérie*, ed. Marc Olivier Baruch and Vincent Duclert (Brussels: Editions Complexe, 2002), 240-241. Guidelines three, six, and seven, not mentioned above, ordered the press to maintain that the defendants had failed in their duties, to develop and explain further the arguments provided to the press by the censorship office after each session, and to apply the sixth instruction rigorously when Marshal Pétain or his politics were mentioned in court. For a detailed examination of the censorship measures taken at the trial, see Michel, *Procès*, 76-82.

to Pétain on his trips through the provinces. When newspapers risked disobeying these instructions-- typically in indirect ways-- the government forced them to suspend publication for a proscribed period of time.<sup>29</sup> Given that none of the foreign correspondents or journalists from the Occupied Zone were obliged to abide by these censorship measures, the reading public outside of the Unoccupied Zone were presented with a clearer picture of the events unfolding at Riom.<sup>30</sup>

Le Troquer continued his remarks with an attack on the constitutionality of the Supreme Court by relating how the Constitutional Law of July 10, 1940, which brought Marshal Pétain and the Vichy government to power, was enacted under the threat of force from both internal and external agencies-- Laval and his supporters and the German army respectively. As a result, the fifth Constitutional Act that established the Supreme Court did not have the power to abrogate Articles 9 and 12 of the Constitutional Laws of February 24 and July 16, 1875, articles that allowed for only the Senate and Chamber of Deputies to convene as a court to try ministers and their subordinates for crimes against the state. Therefore, according to Le Troquer, the constitutional laws of the Third Republic were still in effect, leaving the Supreme Court of Justice without a legal basis.<sup>31</sup>

Le Troquer's arguments were very similar to those presented by the detractors of Pétain and the Vichy government in the months following the July 10 vote that brought Pétain to power. These critics claimed that the vote conducted was highly irregular for two reasons: parliament could not "delegate its right to amend the constitution" to any

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<sup>29</sup>J. Jackson, *Dark Years*, 253-254; Jean-Pierre Azéma and Olivier Wieviorka, *Vichy: 1940-1944* (Paris: Perrin, 1997), 110.

<sup>30</sup>As of yet, no link has been found between the Germans and the Vichy government regarding the orders to the press.

<sup>31</sup>Bracher, 312-318.

other entity and the vote was conducted in a “climate of intimidation.”<sup>32</sup> Unsurprisingly, the court ultimately sided with the Vichy government and dismissed Le Troquer’s contention concerning the constitutionality of the government, since doing otherwise would have been judicial suicide for the court: it would have effectively nullified its own existence.

Le Troquer continued his address before the court with a summary of the suppression of simple liberties by the Vichy government:

It is dangerous to express an opinion, to formulate a critique that is not to the liking of the masters of the hour. Men, women, by the thousands, by the tens of thousands are in prison, in concentration camps by virtue of *lettres de cachet*, too often also because their origin, their religion are despised, while civic and professional losses are forced upon them for the same reason; we are witnessing some appalling tragedies. . . . France was not that way, is not that way, and will not be that way.<sup>33</sup>

Le Troquer, while never mentioning the words “Jewish” or “Jews,” alluded to their plight before the court. A month into the regime, laws had been enacted denaturalizing many Jews who had become citizens in the late 1920s. Other laws barred Jews from civil service and the army. By the summer of 1941, laws were established requiring Jewish businesses to register with the government or close their doors and barring Jews from almost all but the lowliest of professions. One of the more severe laws enacted allowed for the internment of foreign Jews, most of whom were refugees from the countries occupied by the Nazis.<sup>34</sup> Such an awareness of the trials and tribulations facing the Jews throughout all of France in the early months of 1942 was not lost on Le Troquer,

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<sup>32</sup>Julian Jackson, *France: The Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 134; Henri Michel, *Vichy: Année 40* (Paris: Robert Laffont, 1966), 69.

<sup>33</sup>Bracher, 318.

<sup>34</sup>For a detailed discussion of Vichy’s attitudes and policies toward the Jews, see Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York: Basic Books, 1981); Richard H. Weisberg, *Vichy Law and the Holocaust in France* (New York: New York University Press, 1996), chap. 2; and Yves Beigbeder, *Judging War Crimes and Torture: French Justice and International Criminal Tribunals and Commissions (1940-2005)* (Leiden: Martinus Nijhoff Publishers, 2006), 143-149.



especially since he represented one of the most famous Jews held by *lettre de cachet* at the time, Léon Blum.

Le Troquer concluded his remarks with his observations concerning the spirit of the French to persist even under the worst conditions possible:

The old and the young are brought together, party divisions are dissolved, religious and philosophical rivalries are silenced; Frenchmen of all walks of life, of all classes are shoulder to shoulder. . . . The people, the middle classes, regardless of being on one side or the other of the demarcation line, know they must show everywhere [that France] is a proud nation, that does not doubt its destiny. United in eager anticipation, but with a nervous and trembling reserve, the people of France show their hope, their desire to make country and liberty sovereign again.<sup>35</sup>

With these words, Le Troquer revealed to the court not only some of his Socialist beliefs, but also his belief that the French people would not be fooled by the divisions the Vichy government attempted to create both before and during the Riom Trial. This theme of a faith in the French people to overcome ideological and physical hardships would recur throughout the proceedings of the trial. In addition, signs of his eventual involvement in the resistance movement after the later suspension of the trial appear within his statement.<sup>36</sup>

When Le Troquer had finished, President Caous asked the public prosecutor, Gustave Cassagnau, to comment on Le Troquer's conclusions, but Cassagnau asked for a recess to review Le Troquer's statements; Caous agreed and adjourned the court. When the court reconvened, Cassagnau delivered his response in which he ignored the political nature of Le Troquer's remarks and focused on the constitutionality of the Supreme Court. His primary argument for the legality of the trial rested upon the fact that on July

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<sup>35</sup>Bracher, 319.

<sup>36</sup>Le Troquer became a member of the Secret French Committee for National Liberation then of the National Council of the Resistance after the Riom Trial. Ibid., 1032.

10, 1940, a majority of the National Assembly had voted to grant Marshal Pétain the power to promulgate constitutional acts.<sup>37</sup> The Supreme Court of Justice was created by one of these acts with a distinct purpose: trying ministers and their subordinates who had committed crimes against the state. Cassagnau ended his response with a reaffirmation of his belief that Léon Blum was the “author” of the “horrendous conditions” in which the French people found themselves after the defeat and that “it is his fault that we are actually here.”<sup>38</sup>

When Cassagnau finished, President Caous asked if any other individuals had any remarks for the court, leading Maurice Ribet, Daladier’s lawyer, to address the court concerning the retroactive nature of the charges brought against his client. According to Ribet, the charges brought against Daladier resulted from laws passed after Daladier had already supposedly committed the crime of neglecting his duties to prepare France adequately for war. Ribet continued his remarks with a lengthy discussion of how the Supreme Court of Justice was but one example in a long line of courts created to try ministers for crimes committed during their terms in office. He ended his comments with a warning to the court that its proceedings risked leaving posterity with a “model of 1942 jurisprudence that [posterity] would not understand” since it lacked any “jurist’s ethics,” thereby returning France to “barbarism, [through] a rejection of ancient civilization” masked in the name of reconstruction and rebirth championed by the Vichy government.<sup>39</sup>

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<sup>37</sup>The law authorizing Pétain to take control of the government passed with a vote of 569 for, 80 against, and 17 abstaining.

<sup>38</sup>Bracher, 319-322.

<sup>39</sup>Ibid., 322-336.

Daladier next addressed the court, reminding those present that for seventeen months he was imprisoned, unable to defend himself publicly from accusations that he was “a warmonger and the man responsible for the defeat,” as if he alone “one day in September 1939, had declared, without consulting the chambers, a war lost in advance and had delivered to the enemy his country, disarmed.” He continued by returning to the issue of having been condemned four months before setting foot in a courtroom when Marshal Pétain declared him guilty after reading the findings of the Council of Political Justice. When he began to charge the Germans with bringing about the trial by specifically stating that Germany made the trial one of its first demands upon the French after its victory and citing a speech made by Walther Funk, German minister of the economy, on October 13, 1941, in which Funk stated that “the French government would condemn those guilty for causing the war in a few days,” he was quickly interrupted by President Caous. Caous reminded Daladier not to involve the representatives of foreign nations and if he persisted in so doing, a closed session would have to be declared, to which Daladier replied that he had the right to bring to light certain facts in his defense. When he continued detailing Funk’s speech, Caous again threatened a closed session, to which Ribet objected, stating that his client was not referring to any diplomatic matters, but merely to common knowledge. Daladier was allowed to continue his statement.<sup>40</sup>

With vigor, Daladier began to lay the groundwork for his defense, stating that no premier before him had assigned more credits in the budget to national defense than he

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<sup>40</sup>Bracher, 336-339; Bredin, 76; *Le Procès de Riom*, 36-37. Daladier’s insistence that the Germans were responsible for the trial helped to spread this belief throughout much of the early literature on the trial. See pp. 116-123 below.

had.<sup>41</sup> He continued by bringing Marshal Pétain's name into the proceedings once again with a document written in 1934 that showed that the Marshal, as minister of war, had called for a reduction of armament credits by parliament, during a time when the Germans were actively rearming. He used this document as a means to underscore for the court the inaccessible nature of some of the documents he needed to defend himself adequately.<sup>42</sup> Daladier was not alone in facing the inaccessibility of documents: both the other defendants and even the members of the court were unable to secure evidence that had either been lost or destroyed during the retreat from the Germans in 1940 or that remained within the Occupied Zone. What documents the defendants were able to produce, such as the one from 1934 Daladier had mentioned, came from their personal papers, which were delivered to them-- oftentimes secretly-- by either their lawyers or close associates and family members who had visited the accused during their captivity. Daladier ended his comments with a defense of the Third Republic and an indictment of Pétain:

[Pétain] seeks to dishonor the Republic after having fought for it [in World War I]. Was it the Republic that, in 1934, reduced armament credits? Was it the Republic that prevented Marshal Pétain, minister of war in 1934, from presenting a French plan [for rearmament] in response to German actions? Was it the Republic that is responsible for the misconduct or the breakdown in morale that we will cover during the course of these proceedings? Neither the Republic nor the institutions of liberty led France to defeat.<sup>43</sup>

With these words, Daladier joined Blum in taking up the duty of defending the Republic before the court. In addition, like Blum, he sought to turn the trial against the Vichy government by referencing Pétain's participation in the Republic as minister of war and

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<sup>41</sup>Credits are used by the government during budget preparations as a sum allocated for later spending during the next fiscal year.

<sup>42</sup>Bracher, 339-341.

<sup>43</sup>Ibid., 341-342.

his subsequent failure to lobby for adequate resources to rearm the French forces. For Daladier, the Riom Trial provided the opportunity to reveal the truth concerning Pétain's role in the defeat of France.

Cassagnau was given the opportunity to respond to Daladier's comments and agreed wholeheartedly with Daladier's appeal to let the truth come to light, but quickly questioned the validity of the former premier's claim that he was not responsible in any way for the unpreparedness of French forces for the Battle of France. Cassagnau reminded Daladier of his role for four years as minister of national defense and minister of war and how these two offices linked him to the failure to provide adequate resources to prepare France for war. He ended by returning to the issue of the constitutionality of the court and his belief that the trial would allow him to reaffirm the conclusions presented in the indictment.<sup>44</sup> Thus ended the first session of "the greatest trial in history."

This first session was one of the most important of the trial, and for that reason it factors greatly in the legacy of the trial. It began with Gamelin distancing himself from the proceedings by taking a vow of silence and continued with Blum taking up the banner of the Third Republic; with Le Troquer revealing the government's intention to control the perception of the trial through censorship orders; with Daladier indicting the Germans and Marshal Pétain; and it ended with Cassagnau defending the trial, the court, and Pétain at every turn. Out of these events grew the ideas prevalent in much of the historiography of the trial, in particular that Gamelin was playing the government's game by removing the military aspect, that Blum and Daladier dominated the proceedings with their defense of the Republic and indictment of Pétain, and that the government wanted the trial as a

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<sup>44</sup>Ibid., 343-345.

means to legitimize its existence. One commentator on the trial noted that even the audience began to realize after this session that it was evident the trial would ultimately fail, particularly due to the “courage and energy of Léon Blum and Edouard Daladier.”<sup>45</sup> The events of the second session only added to the legacy of the trial.

On February 20, the second sitting of the Riom Trial began with Ribet’s conclusions that had been postponed from the day before.<sup>46</sup> Ribet returned to the constitutionality of the trial, addressed the opinion of the government that Daladier was responsible for the unpreparedness that led to defeat, and revealed incongruities appearing in the laws and decrees surrounding the trial and the culpability of his client. Of all of Ribet’s statements, one of the most interesting concerns the time frame to which the investigation was limited. According to Ribet, the investigation originally was set to deal with the ten years preceding the establishment of the Supreme Court of Justice on July 30, 1940. Therefore, he argued that the inquiry should have covered the years between July 30, 1930, and July 30, 1940. However, the indictment spanned only the time between March 1936 and September 3, 1939. Ribet concluded that such a smaller scope excluded high-ranking Vichy officials, such as Marshal Pétain and General Weygand, from being the targets of any examination and prevented their presence at the trial from subsequently embarrassing the government.<sup>47</sup> Once Ribet finished, Samuel Spanien, a member of Léon Blum’s defense team, took the floor. Spanien was a former soldier decorated during World War I, who had avoided being disbarred in 1941 alongside other Jewish lawyers due to exceptions granted for having rendered

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<sup>45</sup>Noguères, 20.

<sup>46</sup>For February 20, see Bracher, 348-402; Bredin, 79-84; de Coquet, 25-31.

<sup>47</sup>Bracher, 348-372.

“exceptional service” to the French state, most usually through military service.<sup>48</sup>

Spanien agreed with Ribet’s conclusions while reaffirming for the court that his client held no public office on September 4, 1939, when France declared war on Germany. As a result, his client had no part in leading France from a state of peace to a state of war.<sup>49</sup> After Spanien’s statements and a short recess, Léon Blum addressed the court.

One of Blum’s major points during his remarks concerned how the signs of future German aggression were present before the period between March 1936 and September 1939. Blum reminded the court that Germany left the League of Nations in December 1933 and quickly began the process of rearmament and that on March 16, 1935, obligatory military service was reestablished in that nation. He continued by relating that Marshal Pétain, as minister of war at the time, did nothing to modernize the army or increase the amount of credits reserved for the military in the budget. In fact, according to Blum, only the air force was engaged in a massive rearmament program during the 1930s. These observations led Blum to reveal the French attitude toward rearmament, which consisted of “absolute faith in fortifications and in the defensive” that led to a skepticism concerning the use of tanks and airplanes in combat. According to Blum, this attitude had existed among the members of various French governments long before March 1936. Blum ended his remarks by accusing the court of making the Popular Front, and all it stood for, responsible for France’s military defeat, reaffirming his position as defender of both the Popular Front and republican institutions.<sup>50</sup>

After Blum, Spanien used the time afforded to him in response to statements made by Cassagnau to bring to light an investigation that began on May 5, 1941, led by

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<sup>48</sup>Bredin, 81-82; Weisberg, 103-104, 302-304.

<sup>49</sup>Bracher, 372-381.

<sup>50</sup>Bracher, 381-389.

General André Watteau, one of the members of the Riom court, against an individual known only as 'X.' According to Spanien, the proceedings against 'X' were linked to the Riom Trial through the similarity between the two inquiries. In addition, the case against 'X' was marked by a distaste for leftist politics similar to those of Léon Blum.<sup>51</sup> Cassagnau responded to Spanien's comments by revealing that the query into the responsibility of 'X' was simply an investigation into Communist propaganda and that General Watteau and the court did not indict anyone involved in the Riom Trial, or for that matter, anyone at all. The legal action surrounding the mysterious 'X' remained nothing more than a preliminary investigation that never went to trial and, therefore, could not be linked to the Riom Trial.<sup>52</sup> Despite Cassagnau's belief that the investigation of 'X' had nothing directly to do with the trial, the mere existence of the investigation helped to show the Vichy government's determination to use the Supreme Court of Justice as a means to attack the politics of its "enemies," particularly Socialists and Communists. Historian Vincent Giraudier supports this thesis, arguing that the case against 'X' was "in all likelihood" directed against Léon Blum and some of the Socialist ministers in his cabinets, particularly Jules Moch, Marx Dormoy, and Vincent Auriol.<sup>53</sup>

While not as full of memorable moments as the first session, the second furthered the idea that the court's mission was politically motivated with its revelations that the investigation had been limited only to approximately three years instead of the ten set forth in the act that created the Supreme Court of Justice. In addition, the political nature

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<sup>51</sup>Ibid., 397-398. The proceedings against 'X' sought to investigate "complicity in regard to Communist intrigues and, consequently, [acts] harmful to national defense, which could be ascribed to former ministers." Vincent Giraudier, "Juger la défaite de 1940? Quels juges pour quelle procédure?" *Revue historique des armées*, no. 2 (2001): 86, n. 20; 87.

<sup>52</sup>Bracher, 401-402.

<sup>53</sup>Giraudier, "Juger," 86, n.20; 87. Henri Noguères presents a similar assessment of the proceedings against 'X.' Noguères, 24.



of the court appeared in Spanien's insistence that Blum should have been excluded from the proceedings since he was no longer in the government when France declared war. Finally, the "witch-hunt" that was the investigation into the individual known only as 'X' further cemented the court's role as the Vichy government's political avenger against its "enemies."

On February 24, the shortest session of the trial occurred, lasting only five minutes.<sup>54</sup> Caous informed the court that Ribet, one of Daladier's attorneys, had notified him that Daladier was sick. A doctor was sent to Daladier's cell and confirmed that he suffered from a slight fever that would prevent him from sitting through a long interrogation. Paul Soupiron, a journalist at the trial, confirmed that Daladier suffered from a bout of the flu "resulting from a chill caught using the famous underground passage" between the courthouse and the prison and that this flu was "complicated by a fit of the liver" requiring the former premier to rest for a few days.<sup>55</sup> As a result, Caous suspended the trial for three days, until February 27.

On February 27, the trial reconvened with Daladier once again sitting among the defendants, looking "tanned, as if he had returned from a vacation."<sup>56</sup> One commentator attending the trial described the audience's reaction to Daladier's return and his performance on this first day back from illness: "we were left holding our breath as we listened to this man still suffering, tired, but whose memory [for dates and figures] was implacable."<sup>57</sup> The contradictory nature of these two observations can be explained by the second commentator's highly sympathetic portrayal of the former premier: by

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<sup>54</sup>For February 24, see Bracher., 404; Bredin, 84; de Coquet, 32.

<sup>55</sup>Soupiron, 123.

<sup>56</sup>For February 27, see Bracher, 406-476; Bredin, 85-91; de Coquet, 32-58; Mazé and Genebrier, 23-66. For the tanned comment, see de Coquet, 33.

<sup>57</sup>*Le Procès de Riom*, 61.

describing Daladier as “suffering” and “tired,” he sought to show just how remarkably Daladier presented his case before the court and in what adverse conditions he did so.<sup>58</sup> Daladier’s performance during this session would help cement his reputation as one of the leading defendants who continuously turned accusations back upon his accusers, namely Marshal Pétain.

This session began with President Caous reading the court’s decisions concerning some of the issues that had been raised by the defense. First, the court recognized that the law of July 10, 1940, did grant Marshal Pétain power over the Third Republic government and the ability to write constitutional acts; therefore, the fifth Constitutional Act issued was legal and the trial could proceed. Second, in the instance of ministers being charged for dereliction of their duty, a retroactive law was allowable since the trial concerned the security of the nation. Third, Daladier and the other accused were given notice of the exact charges brought against them by the Riom court and all documents were made available to them and their attorneys when possible. This statement was a direct reference to the difficulties imposed upon the trial by the existence of the demarcation line between the Occupied and Unoccupied Zones, which had prevented the defendants’ lawyers from travelling to Paris to obtain certain papers held in government offices there. Finally, the proceedings against ‘X’ and the Riom defendants could not be combined since the pertinent witness statements from the former had already been added to the files concerning the Riom Trial.<sup>59</sup> M. Chauvel, another of Daladier’s attorneys, intervened in the proceedings at this point with a damning condemnation of the court:

Only now, for the first time, we have heard declared, on the part of the highest judicial authority that has ever existed in this country, that the essential

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<sup>58</sup>For more on the commentator’s attitude toward Daladier, see pp. 128-129 below.

<sup>59</sup>Bracher, 406-409.

principles of the law, which are the foundations of our faith in justice, would henceforth be invalid.<sup>60</sup>

Chauvel continued by warning the court that it risked setting a dangerous precedent for the future of the French judicial system. If the Riom trial proceeded, then anyone could find himself subject to retroactive laws and arbitrary justice, particularly if he did not practice the politics of the day.<sup>61</sup> Chauvel's comments marked the end of the opening statements of the trial and the beginning of the examination phase. Edouard Daladier became the first of the defendants to go before the court.

Daladier's examination began with President Caous reminding him of the two charges brought against him: insufficiently preparing the country for war and playing a role in convincing the members present at a meeting of the War Council held on August 23, 1939, that France would be prepared for military action against Germany. Caous first addressed Daladier's role as president of the War Council, charging him with having only once attended a meeting of the council in all the years he had served as minister of war. Daladier responded by relating how the minister of war was not required to attend the meetings and could send a representative in his place, which for Daladier was General Gamelin. While on the subject of the War Council, Daladier used the opportunity to remind the court that General Weygand had attempted to convene the council to discuss the insufficient state of French military forces in 1934-35, but Marshal Pétain, in his role as minister of war at the time, refused Weygand's requests. Caous' questioning next turned to Daladier's position in 1935 on compulsory military service. Daladier promptly reminded Caous that the trial only covered 1936-39, but he was willing to answer questions about 1933 or 1934 as well, unlike others who were in the government prior to

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<sup>60</sup>Ibid., 409.

<sup>61</sup>Ibid., 410.

1936, a reference to Pétain and Weygand. Daladier answered the questions by reaffirming his stance that compulsory military service was necessary, but not for the duration of two or three years that had been proposed, while also reminding the court that even Marshal Pétain never wanted to increase the service term when he was minister of war in 1934.<sup>62</sup>

The examination quickly turned to the organization and training of the army. Daladier was charged with not maintaining enough active officers in the army, which he countered with evidence showing that he had actually brought their number up to approximately 37,000, 10,000 more than Germany had in 1939. He continued by reminding the court that both Marshal Pétain and General Weygand had called for a reduction of 5,000 officers by 1935, the very charge levied against Daladier. As for adequately preparing these soldiers for duty, Daladier claimed he had opened and funded several training schools for all active and reserve soldiers, regardless of their rank, asserting that “more than a million men under my ministry were drilled, organized, and received training.” Once again the former premier turned the line of questioning against Pétain by reminding the court that the Marshal had reduced the allotted funds for training camps by 200 million francs in 1934, while Daladier increased the amount by six million in 1935 and brought the total allocated to 38 million by 1937. Before Daladier could further indict Pétain, Caous intervened and recommenced the examination.<sup>63</sup>

Next, the issue of measures taken toward rearmament after 1936 appeared before the court. In his response to Caous’ questions, Daladier divulged how, in 1939, Marshal Pétain was denounced at a parliamentary meeting for having reduced the army’s budget

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<sup>62</sup>Ibid., 414-420.

<sup>63</sup>Ibid., 420-427

in 1934, but the public never knew about this denunciation since Daladier suppressed any mention of it. Daladier used this little known event to underscore the irony of the trial, given how he had covered up his predecessor's failure-- the very predecessor who now brought him to trial accused of the same "crime." Daladier continued by detailing how he had sought to modernize the army alongside General Gamelin beginning in 1936, even though French industry was in no position to provide the requested material in such a short amount of time, having just begun recovering from the effects of the depression.<sup>64</sup>

After a brief recess, the duties of the office of minister of war became the focal point of the examination. Daladier reminded the court that the minister of war was not responsible for choosing the type of material to be used in military prototypes, be they for arms, munitions, or tanks, or even the overall design of the prototypes; after 1935, the army chief-of-staff was charged with allocating credits for these purposes. Daladier insisted that any questions concerning prototypes and their material be directed to General Louis-Antoine Colson, the army chief-of-staff under Daladier. He continued by mentioning that it was the duty of the minister of war to obtain the credits necessary for the army's budget and to ensure that these credits were being used for constructive purposes. President Caous continued questioning Daladier about the number of weapons produced, asking in particular why there were only 81,000 rifles available to the French troops on September 3, 1939, instead of the 800,000 General Colson had reportedly ordered. Daladier countered, saying that Colson's figures were unrealistic and that there were actually 101,000 rifles available according to "authentic documents."<sup>65</sup>

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<sup>64</sup>Ibid., 430-439.

<sup>65</sup>Ibid., 439-446.

Daladier's insistence upon "authentic documents" led him to denounce items of evidence that he believed to be inaccurate, particularly if they were "working drafts," which he described as "numbers scribbled in a restaurant, today or a year ago, by such or such officer."<sup>66</sup> Daladier implied that some of the documents used by the court were either doctored by the Germans after they had found them in abandoned government offices, or had been written by officers coerced into denouncing both the defendants and the Third Republic.

The remainder of the fourth session of the trial covered the number of certain weapons and vehicles that were ordered and manufactured for the army, as well as their condition: infantry weapons, including automatic pistols, service revolvers, grenade launchers, and mortars; infantry transports; tanks; and anti-tank weapons. Even during the mundane recounting of facts and figures, Daladier managed to bring before the court the actions of Marshal Pétain and General Weygand and the fact that they contributed to insufficiently preparing the army for war. During the discussion concerning the number of tanks, Daladier detailed the French attitude toward armored divisions, noting how Marshal Pétain emphasized their use in a supporting role for the infantry while Daladier authorized the first armored divisions to take the field. In addition, he reminded the court how Pétain's attitude toward tanks influenced the decision to focus primarily upon defensive tactics when preparations for war were made. General Weygand's actions appeared when the issue of anti-tank weapons arose. Daladier revealed that in December 1939 Weygand authorized sending several anti-tank guns to Turkey and the Balkans to prepare for any future military engagements in that region. He reminded the court that Weygand was even in Turkey at the time with a contingent of troops. Daladier

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<sup>66</sup>Ibid., 443.

rhetorically asked the court how the French were able to send any weapons to the Balkans if there truly were not enough anti-tank guns to deploy in France.<sup>67</sup>

Surprisingly, given how many times Daladier and his co-defendants had mentioned the actions, or lack thereof, of Pétain, Weygand, or other Vichy officials, or lack thereof, the court did not seek to censure any of the defendants. President Caous did remind them to choose their words carefully, but never once did he silence them. The only attempt at censure came from the orders issued to the press to remove certain names or events from any reports coming from the trial. Caous would retain this *laissez-faire* attitude throughout the remaining sessions.

In addition to this freedom to speak against the Marshal, Caous, and Cassagnau to a lesser extent, led the proceedings with “great courtesy” toward the defendants. This “courtesy” included allowing them always to enter the courtroom before any of the public or journalists so that they would not be seen “between two policemen,” addressing Blum and Daladier as “*Monsieur le Président*” with regard to their respective terms as premier, and showing concern for the health and wellbeing of all the defendants by taking several breaks during the long sessions.<sup>68</sup> Such “courtesies” helped inject the trial with a modicum of impartiality, which was welcomed by the defendants considering they had already been condemned by Marshal Pétain months earlier. Furthermore, although the defendants were “criminals,” Caous and Cassagnau never forgot that they were still well-respected men of distinction and deserved to be treated as such.

Daladier used the majority of the fourth session to indict Pétain and Weygand, laying the foundations for his portrayal as defender of the Republic, alongside Blum, in

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<sup>67</sup>Ibid., 446-476.

<sup>68</sup>Michel, 88; Bancaud, 239.

much of the literature concerning the Riom Trial. Daladier delivered what has been described as “a courageous diatribe” during his examination before the court. This “diatribe” left “a profound impression” upon the courtroom “because it was the first time, under the German occupation, that a Frenchman dared publicly to place before Marshal Pétain and Chancellor Hitler their responsibilities” during the war.<sup>69</sup> Also, he furthered his reputation for both his oratory and remarkable memory for figures with his impassioned defense of his actions and attention to detail. During the fifth session, Daladier intensified his accusations against Pétain by focusing upon what he viewed as Pétain’s failure to insure that France’s border with Germany was adequately fortified.

The fifth session began on February 28 and constituted the second day of the examination of Daladier.<sup>70</sup> Throughout this session, Daladier returned at length to his position vis-à-vis fortifications, since the court charged him with not having invested enough money and time in fortifying France’s borders. He countered this accusation by producing documents showing that he had invested 2.5 billion credits in fortifications, including not just the Maginot Line running along the German border from Switzerland to Luxembourg, but also fortifications in both northern France and southern Tunisia. He continued by listing several deficiencies he noticed upon visiting the Maginot Line when he returned to the war ministry in 1936. To improve the state of the Maginot Line, Daladier testified that he had begun a modernization program along the line, including building more casemates and blockhouses, developing defensive measures to be used against parachutists, installing modern artillery on loan from the navy, and extending the line from its terminus at Longuyon in the northeast to the sea, attempting to secure

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<sup>69</sup>Mazé and Genebrier, 15.

<sup>70</sup>For February 28, see Bracher, 478-531; Bredin, 91-94; de Coquet, 59-75; Mazé and Genebrier, 66-103.



France's border with Belgium. By mentioning the extension he had proposed, Daladier brought Marshal Pétain's name back into the proceedings since the Marshal, as vice-president of the Supreme War Council in 1927, had advised against fortifying the area, citing difficulties with the shape of the border and the preponderance of large, industrialized cities in the exact locations where fortifications would have to be built. Citing the absurdity of Pétain's claim, Daladier informed the court that it appeared to him that the Marshal had decided it would be more beneficial to abandon French industry to the invading enemy instead of spending more credits for defense.<sup>71</sup> Needless to say, these remarks were censored by the Vichy government in one of the instructions released to the press indicating that Daladier's reference to Pétain's role as vice-president of the Supreme War Council should be omitted in all accounts.<sup>72</sup>

The sixth session on March 3 marked the third and final day of Daladier's examination.<sup>73</sup> Once again, the most important aspect of this session occurred when Daladier used Caous' line of questioning to bring Marshal Pétain back into the proceedings by revealing that the law that outlined the necessary measures to mobilize French industry efficiently for war production was voted on by the 1927 government, but never put into action. In addition, this law should have been used by the minister of war after the events that occurred in Germany in 1933 and 1934, specifically Hitler's ascension to power and the process of German remilitarization. Daladier reminded the court that Marshal Pétain was minister of war at the time and that his only course of action was to reduce the credits for industrial mobilization by 20 million. Daladier even

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<sup>71</sup>Bracher, 492-494.

<sup>72</sup>Ibid., 494, n. 1.

<sup>73</sup>For March 3, see Ibid., 533-596; Bredin, 95-100; de Coquet, 76-93; Mazé and Genebrier, 103-138.

went so far as to indict Pétain directly, stating that if he had not reduced the credits allocated for national defense and had properly prepared for industrial mobilization, then “the situation [at wartime] would have been without a doubt improved.”<sup>74</sup> Thus ended Daladier’s examination before the Riom court. These three days alone solidified Daladier’s status as one of the leading defendants at the trial due to his ability to turn back upon Marshal Pétain the very charges the Marshal had levied against the former premier. Daladier’s lawyer, Ribet, believed that the three days of his client’s examination had a “considerable” effect on the perception of the trial because it led to doubts beginning to form as to whether or not the trial would continue, particularly in light of the accusations made against the Marshal.<sup>75</sup> Yet the trial would continue and Daladier’s success would be matched only by Blum’s fervent defense of both the Republic and the Popular Front government.

One of the most comedic aspects of the trial occurred during the sixth session: President Caous’ examination of General Gamelin, which would earn the general the epithet, “Gamelin the Tight-Lipped.”<sup>76</sup> (One witness, however, described this examination as “a moving half-hour!” since Gamelin’s lawyers had left Riom for Toulouse, leaving the general “tragically alone” before the court.<sup>77</sup>) Caous began by asking Gamelin if he persisted in maintaining his silence, to which the general replied that his “highest duty” required it and “some stoicism” on his part. He reaffirmed that keeping his silence “is another time ‘to serve’ [my country].” Caous appealed to Gamelin to “be logical, defend yourself,” and even expanded the appeal to the general’s

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<sup>74</sup>Bracher, 553, 559.

<sup>75</sup>Ribet, 145-146.

<sup>76</sup>*Le Procès de Riom*, 83.

<sup>77</sup>Ribet, 150.

sense of duty, stating that “the army you commanded, and that you led into battle, waits for you to defend it.” Gamelin responded with a question of his own for Caous: “M. President, how am I able to speak in the name of the army from the situation I actually find myself in [i.e., the defendants’ dock]?” Caous, obviously agitated by the general’s question, reminded Gamelin that he was “a free man [not true since Gamelin was in prison] who has, in my estimation, the moral obligation to defend himself and to take responsibility for the duties imposed upon him.” Gamelin did not respond. Caous decided to continue with the examination, despite Gamelin’s refusal to answer his questions.<sup>78</sup>

Caous informed Gamelin that the charges against him were the same as those levied against Daladier since their respective offices as commander-in-chief and minister of war required close collaboration: insufficiently preparing for war and convincing the Supreme War Council that France was ready for the coming fight. Gamelin simply responded, “I have set forth everything in the course of the [pre-trial] inquiry and in my memoirs.” When referred to the general’s memoirs, Caous informed Gamelin that “I know them. I read them again this morning. I even read the documents that you attached to them,” and reminded the general that court cases are “debated in session” and not judged solely on documents. Nonetheless, Caous persisted in outlining the evidence supporting the charges against the general, while Gamelin continued his silence. Caous, noticeably agitated by Gamelin’s stance ended his examination by bellowing “NO RESPONSE, I can do no more than record that.” As if Gamelin’s silence were not enough to embarrass Caous, after he asked if anyone else had any questions for the general, André Le Troquer, one of Blum’s attorneys, quipped, “We would have a lot, M.

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<sup>78</sup>Bracher, 585-586.

President, but we would be as successful as you.” With that remark, Caous quickly adjourned the court.<sup>79</sup>

As the defendants and their lawyers began entering the underground passage that would take them back to the prison, one of the commentators on the trial overheard a conversation between Chauvel, one of Daladier’s attorneys, and General Gamelin. Chauvel “amiably” told the general that during his examination before the court he “revealed a magnificent cool-headedness,” to which the general responded, “Yes, it is my dominating characteristic.”<sup>80</sup> Gamelin’s silence, and his “cool-headedness,” regardless of whether he played the Vichy government’s game or actually believed himself morally obligated to maintain his silence, achieved two things: he made a mockery of not only the proceedings, but also of President Caous.

On March 4, the seventh session began with the examination of Guy La Chambre, former minister of aviation.<sup>81</sup> La Chambre appeared before the court like “a young candidate sitting for an exam before a tough committee” and seemed to want justice “without confronting anyone.” As such, he remained respectful in an attempt to “curry the good graces of the new regime.”<sup>82</sup> James de Coquet succinctly summarized La Chambre’s role before the court: “In a good political trial, it is necessary to have at least one acquitted.”<sup>83</sup> From the start of the questioning de Coquet’s observation was confirmed when Caous informed the defendant that the court recognized La Chambre was in a “very difficult situation” and that he had done everything he could to rectify the sad state of French aviation. The court sought merely to determine if the measures taken

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<sup>79</sup>Ibid., 588-596.

<sup>80</sup>*Le Procès de Riom*, 87.

<sup>81</sup>For March 4, see Bracher, 598-623; Bredin, 101-105; de Coquet, 94-114.

<sup>82</sup>Ribet, 151.

<sup>83</sup>De Coquet, 94.

were sufficient. From this statement, it appears that Pierre Cot, the minister who preceded La Chambre and a member of Blum's Popular Front government, was the real target for the court and that La Chambre was mainly Cot's replacement, since the latter had refused to return to France to stand trial. La Chambre's examination on the fourth was filled with minute details concerning the manufacture of airplanes, the specific types put into commission for military use, and mass production methods.<sup>84</sup> This insistence by all the defendants to recount minutiae during their long depositions "routed" the accusation by lowering "this historic trial" to "mediocre discussions concerning several dozens of striking workers," while also serving to "nauseate" those listening in the audience.<sup>85</sup> La Chambre's questioning continued on March 5, the eighth session, regarding the mobilization for war of the French aeronautical industry.<sup>86</sup> Most importantly, La Chambre reminded the court that the Germans had begun their aeronautical industry in 1933, while the French had only started theirs in 1938: "we were five years behind; that is a tough disadvantage to overcome."<sup>87</sup>

On March 6, the ninth session commenced.<sup>88</sup> Since this session covered a meeting convened on August 23, 1939 by Georges Bonnet, the minister of foreign affairs, and presided over by Daladier, during which France's preparation for war was discussed, the court declared the session closed to the public. The announcement of this closed

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<sup>84</sup>Bracher, 598-623.

<sup>85</sup>Ribet, 174.

<sup>86</sup>For March 5, see Bracher, 625-633; Bredin, 101-105; de Coquet, 115-122.

<sup>87</sup>Bracher, 629. The case presented at Riom against both Cot and La Chambre is discussed in two articles focusing on the state of the French air force and its rearmament in the late 1930s: Patrick Facon, "Le Haut commandement aérien français et le problème du réarmement 1938-1939: une approche technique et industrielle," *Revue historique des armées*, no. 3 (1989): 91-101; and Thierry Vivier, "L'Armée de l'air et le problème du réarmement aérien au procès de Riom (1940-1942)," *Revue historique des armées*, no. 2 (1990): 92-101.

<sup>88</sup>For March 6, see Bracher, 635-642; Bredin, 106-110; de Coquet, 123-125; Mazé and Genebrier, 298-316; Pottecher, 118-127.

session was a “sleight of hand” on Caous’ part, since it came quickly at the end of the last session right when everyone in the courtroom was “packing up and leaving” so that none of the defense lawyers could object to the court’s decision.<sup>89</sup> Even if they had objected, the session would have still been closed because the meeting concerned focused upon three questions important to France’s foreign policy before the war: first, could France sit back and let Poland and Romania disappear from the map of Europe? Second, did France have the means to oppose any military actions taken against Poland? Third, what immediate actions should France take? Cassagnau argued that those at the meeting agreed to aid Poland as a result of Gamelin’s assertion that the Poles would offer “an honorable resistance” against the Germans. In addition, Cassagnau revealed that La Chambre’s statement that the status of the French air force “no longer must weigh upon the decision of our government,” coupled with Gamelin and Daladier’s insistence that “the army and navy [were] ready,” helped convince those present at the meeting that France should go to war to preserve Poland. Daladier defended his position taken at the meeting by reminding the court that tension filled the air in Europe in August 1939 and the question was how to save the peace while maintaining France’s obligations. In addition, Daladier believed that war was inevitable, particularly in light of speeches given by Joseph Goebbels, the German minister of propaganda. When asked if this meeting marked the moment when France decided to go to war, Daladier responded forcefully: “No! Until the last minute . . . we made a considerable effort to save the peace!”<sup>90</sup> The ninth session ended after La Chambre presented figures comparing airplane production in France and England.

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<sup>89</sup>Ribet, 163.

<sup>90</sup>Bracher, 636, 638-639.

On March 10, the tenth session occurred, which saw the beginning of Léon Blum's examination.<sup>91</sup> Blum, much like his fellow defendants, was "anxious" and "visibly . . . looked forward" to presenting his case before the court and did so through a "long and complete lecture" on both the Popular Front and its social policy.<sup>92</sup> Throughout his questioning, Blum showed himself as both "an astonishing dialectician" and "the pacifier of hearts and men," and was even compared to Jesus Christ by Daladier's lawyer, Ribet:

While Blum spoke, I watched his lawyers, my friends Le Troquer and Spanien, and never before had I better understood what Christ might have embodied in the eyes of his apostles: this communion of admiring reflection, realized 1,942 years later.<sup>93</sup>

Ribet's description borders on hyperbole, but it does capture the effect upon his audience that Blum had as an orator, particularly if its members shared his beliefs, as was the case with Le Troquer and Spanien. During this first day of investigation, President Caous revealed the charges levied against the former premier: having applied the law concerning the nationalization of weapons factories in a manner detrimental to national defense and having affected production in factories through poor handling of labor agitation. Before Blum addressed the charges against him, he presented the court with a history of the Popular Front government, emphasizing the exact dates he was in power since the prosecution had attributed to him laws and actions that had occurred both before and after he was in office.<sup>94</sup>

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<sup>91</sup>For March 10, see *Ibid.*, 644-705; Bredin, 111-117; de Coquet, 126-148 (misdated as March 11); Mazé and Genebrier, 142-162.

<sup>92</sup>Mazé and Genebrier, 142; de Coquet, 127.

<sup>93</sup>Ribet, 170.

<sup>94</sup>Bracher, 644-655.

Blum continued by describing the biased nature of the trial, regarding it as demonstrating “a political intent against certain men” whose politics were out of favor. Caous took offense at Blum’s claims, declaring that “the trial is not and would never be a political trial,” leading Blum quickly to retort, “it is and would be despite you.” Blum based his argument for the political nature of the proceedings upon the fact that the investigation was limited to the period between 1936 and 1939, which blatantly excluded the governments in which certain men of Vichy had participated, that is Pétain, Weygand, and Laval, among others. In addition, the attention paid to social matters, such as labor legislation and the managing of strikes, which were most often directed at Blum, emphasized the desire on the part of the court to focus upon the politics of the Popular Front. Blum spoke out against the notion that labor legislation or strikes had any real effect on rearmament when he informed the court that the program of rearmament still occurred as planned and that material was still produced, as evidenced by the testimony of the other defendants, but Daladier in particular.<sup>95</sup>

Like Daladier before him, Blum brought Pétain into the proceedings when he declared that the Marshal bowed to public opinion in 1934 and did not allow for mandatory two-year military service to be reinstated. Blum went further than Daladier, however, when he mentioned Pierre Laval’s preference to balance the budget instead of allocating more money toward defense as a potential reason for France’s military unpreparedness.<sup>96</sup> Just as President Caous had allowed Daladier to deliver long, eloquent monologues before the court and did not censure him, he allowed the same for Blum, only interjecting to remind the premier to return to the topic at hand at various instances.

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<sup>95</sup>Ibid., 653-657.

<sup>96</sup>Ibid., 663-664.



During the eleventh session, on March 11, Blum continued his history of the Popular Front, focusing once again upon the social measures enacted by his government, particularly the law granting paid vacation.<sup>97</sup> In addition, this session witnessed a recounting of the history of the strikes that were manifested throughout French factories in May and June 1936. In response to the charge levied against Blum that he had betrayed the duties of his position as premier by failing to end these strikes quickly, Blum lashed out at the public prosecutor, Cassagnau. He informed Cassagnau that it is impossible to judge a politician for betraying his duties because no penal code for such a crime exists, unlike when a murderer is judged, where a law exists against committing a murder. According to Blum, a politician must create his own political code by which to work and for him, this code meant “saving France, from civil war, foreign war,” to prevent provoking any further moral divisions between employers and employees.<sup>98</sup>

During this session, Blum delivered another defense of both the Republic and the Popular Front. He argued that the court sought to “erase our work” and “sweep us from this country’s history,” but that he and the other defendants responded with “a certain dignity.” He continued by stating that “in these perilous times, [we have] personified and vivified the true traditions of our country, that is the democratic and republican traditions.” He concluded his paeon to democracy by tracing the Popular Front back to the tradition of republican values begun with the French Revolution of 1789, stating that “we have not cut the chain, we have not broken it[;] we have tied it up and strengthened

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<sup>97</sup>For March 11, see Bracher, 707-759; Bredin, 117-124; de Coquet, 149-170; Mazé and Genebrier, 162-183.

<sup>98</sup>Bracher, 739-740.

it.”<sup>99</sup> Blum’s eloquent defense of the Popular Front and the Republic marked both the end of his examination and of the eleventh session of the trial.

The two sessions during which Blum presented his defense before the court strengthened Blum’s position as one of the leading defendants at the trial, alongside Daladier, through his passionate defense of the Republic and the Popular Front and his willingness to speak out openly against both Marshal Pétain and Pierre Laval. Furthermore, Blum’s determination to reaffirm his principles in the face of adversity only helped to reinforce the perception that Blum factored greatly in turning the trial against Marshal Pétain and his colleagues at Vichy.

The twelfth and thirteenth sessions on March 12 and 13, respectively, comprised the court’s examination of Robert Jacomet, former inspector general of the army in Daladier’s government.<sup>100</sup> Of all the defendants at Riom, Jacomet was the least well known, a faceless functionary that few of the journalists present had ever seen. In fact, Paul Soupiron was able to remember seeing only one photo of Jacomet, “of his back, seated at his desk . . . and his face turned to the left.” According to Soupiron, this image coincided well with the image Vichy wanted to portray of Jacomet during the trial: “the power behind the throne” hidden by “the shadows cast by MM. Daladier and Blum.”<sup>101</sup> James de Coquet underscored Jacomet’s role as a bureaucrat by simply describing him as appearing before the court “cold, calm, and honored to continue in the tradition of high-ranking civil servants.”<sup>102</sup> The duties of this “power behind the throne” were limited primarily to financial and administrative matters about which Jacomet answered every

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<sup>99</sup>Ibid., 758.

<sup>100</sup>For March 12, see Bracher, 761-779; Bredin, 125-126; de Coquet, 171-181 (misdated as March 13). For March 13, see Bracher, 781-798; de Coquet, 182-194.

<sup>101</sup>Soupiron, 194.

<sup>102</sup>De Coquet, 171.

question asked of him to the best of his abilities at the trial. Throughout his statements, Jacomet revealed the esteem with which he regarded Daladier. The feeling was mutual, as revealed when the former premier described his relationship with Jacomet thus during the thirteenth session: “As I saw him work, my confidence in him was strengthened and gave birth to a friendship between him and me of which I am very proud.”<sup>103</sup> After Daladier declared his respect for Jacomet, his lawyer claimed to have seen the guards in the courtroom moved so much so that they were “furtively wiping away tears.”<sup>104</sup> After this affirmation of the capabilities of one of Daladier’s closest compatriots, the examination phase of the trial ended. In the next phase, covering the remaining eleven sessions, witness statements would dominate.<sup>105</sup>

For the most part, the witnesses called, all of whom were men from the army (no aviator was publicly heard during the trial), concentrated on the same topics in each of their depositions: inadequate material, low morale among the troops, poor training, lack of organization, and a shortage of tanks and airplanes. Each man in turn blamed the deficiency in overall preparedness on the governments between 1936 and 1939, in particular those of Daladier and Blum. James de Coquet summarized this parade of generals and revealed what it ultimately achieved:

All the generals who marched to the witness stand, wearing on their jackets the wrinkle of the defeat, and who tried to justify themselves before History, they all became a bit monotonous. We knew in advance what they were going to say. The bitter, or incapable, ones said: it’s the fault of the government and the politicians. Those who were honest, or lucid, admitted that a country that did not want war was unable to be ready on time when [war] was imposed on it. The true

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<sup>103</sup>Bracher, 796.

<sup>104</sup>Ribet, 176.

<sup>105</sup>For a list of dates regarding each session and the witnesses examined before the court, see Appendix I. For a list of sources covering the remaining eleven sessions, see Appendix II.

cause of our defeat, and those truly responsible as well, appeared: forty million Frenchmen.<sup>106</sup>

If the military had been removed from the defendants' dock once General Gamelin took his vow of silence, then the witnesses brought it back, but this time at the prosecutor's table. However, in much the same way as Daladier and Blum had turned the trial upon Marshal Pétain and the men of Vichy, the two premiers also indicted the military through their cross-examination of the witnesses: Daladier was more relentless than Blum, going after each witness, "like a cat toying with a mouse," while the latter only interrogated a handful of witnesses.<sup>107</sup> Not all of the witnesses would be heard, however, since the court, having taken a break to observe Easter after the twenty-fourth session on April 2, would never meet again. On the very evening the break began, a rumor began to spread throughout the town that Pétain had already signed the order suspending the trial and that it would soon appear in the *Journal officiel*.<sup>108</sup>

On April 11, a law suspending the Riom Trial was approved, but it did not appear in the *Journal officiel* until three days later. The first time any of the defense lawyers heard of the law's publication occurred on the morning of the fourteenth when Chauvel, one of Daladier's lawyers, was informed by Riom's police commissioner. Upon hearing of the news, Chauvel and Ribet went to the Palace of Justice where they met Cassagnau and André Bruzin, one of the deputy prosecutors, who were both unaware of the law at the time. The lawyers sent a bailiff to find a copy of the *Journal officiel*, but he did not locate one. In the meantime, the four lawyers frantically called every Vichy official for whom they had a phone number, but learned nothing. Finally, Lequin, another of the

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<sup>106</sup>De Coquet, 294-295.

<sup>107</sup>Michel, *Procès*, 116.

<sup>108</sup>Ribet, 279.

deputy prosecutors, arrived with a copy that he had just received from President Caous.<sup>109</sup> This whole scenario shows just how disorganized the trial had become by April, as well as how much the Vichy government had come to think of the proceedings and the men in charge of them.

Eventually, a few of the other lawyers joined those assembled at the Palace of Justice and listened intently as Bruzin read the law aloud. As he finished, the room fell silent for a moment until Ribet quipped, “As I understand it, *Monsieur le Maréchal* is asking us for an Armistice!” The room burst into laughter and Le Troquer quickly added, “Should we bring flowers [for mourning] or wreaths [for celebrating]?”<sup>110</sup>

With the suspension announced, what happened to the defendants present at Riom? All five were transferred from the prison in town to the château de Bourrassol a few miles away, where they had been interned until just before the beginning of the trial. Marshal Pétain justified the continued imprisonment of Blum, Daladier, and Gamelin by referring to the judgment he had rendered in October 1941 based upon the findings of the Council of Political Justice that these three men were to be detained in a fortress for life. As for Jacomet and La Chambre, they too were returned to Bourrassol even though they had not been sentenced to life imprisonment, merely internment until the beginning of the trial. With the trial effectively ended for the time being, Jacomet and La Chambre began to petition the court to be released on bail, but they were denied each time. In November 1942, when Germany decided to take military control of the Unoccupied Zone in response to the Allied landings in North Africa, the prisoners at Bourrassol became unnerved and began to worry that they would soon be handed over to the Germans. Four

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<sup>109</sup>Ibid., 280.

<sup>110</sup>Ibid., 283, 284; Bredin, 147-148.

months later, in March 1943, three of the defendants-- Blum, Daladier, and Gamelin-- fell victim to their fears and were transferred into German custody. On the thirty-first, they were transported to Germany, with Blum being sent to the concentration camp at Buchenwald and Daladier and Gamelin to Itter Castle in Austria. These three men stayed in German captivity until the spring of 1945. Jacomet and La Chambre were eventually transferred to the villa of Loisel in Evaux-les-Bains, where they remained until liberated in the summer of 1944.<sup>111</sup>

Pétain interned the defendants after the adjournment *sine die* of the trial, not only based upon the sentences he had passed in October 1941, but also in regard to a desire that the trial would reconvene later. The law suspending the trial stated that the court “will complete its investigation with the purpose of researching and judging all those responsible [for the defeat], no matter who they are.”<sup>112</sup> Pétain believed that greater evidence existed and that it could be used to strengthen the case against the five defendants at Riom. However, the court would never meet again and those gathered at Riom realized that “these Great Days in Auvergne were finished” forever because they had not provided the answers that “the powers-to-be had awaited” for so long.<sup>113</sup> What had started as “the greatest trial in French history” had ended with an ignominious suspension. The Vichy government abandoned the trial almost as quickly as it had sought to bring to justice those responsible for France’s defeat in 1940 due to the way in which the defendants, Blum and Daladier primary among them, had turned the proceedings against Marshal Pétain and his ministers. Much of the evidence presented by

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<sup>111</sup>Vincent Giraudier, *Les Bastilles de Vichy: répression politique et internement administratif, 1940-1944* (Paris: Tallandier, 2009), 221-225; Bracher, xxi, 1040-1041; Bredin, 153-159.

<sup>112</sup>Bracher, 933; Pottecher, 250; *Le Procès de Riom*, 155; Noguères, 53.

<sup>113</sup>De Coquet, 296.

the two former premiers showed how Marshal Pétain, General Huntziger, and Pierre Laval could have easily been charged with having betrayed the duties of their respective offices for their failure to prepare France adequately for war, the very charges levied against Blum and Daladier. The men of Vichy could no longer stand to see the work of the National Revolution torn asunder by a handful of former politicians and functionaries. Yet Vichy was not completely alone in deciding that the trial needed to end, for Germany had already publicly voiced its disapproval of the proceedings.

On March 15, at the start of the fifth week of the trial and just before the witness testimony began, Adolf Hitler delivered a speech at the Sportspalast in Berlin in which he referred to the Riom Trial:

We find before us a way of thinking that is difficult to understand. It appears that [Vichy] reproaches the accused, not for their responsibility in declaring war, but for the fact of having lost a badly prepared war, and that, if we want to read between the lines, [Vichy] showers [the accused] with flowers as if, on the contrary, they had won the war. This trial seems thus, through misleading ways, to become the justification for a war that [France] should have won.<sup>114</sup>

Hitler openly expressed his displeasure at the way in which the trial had proceeded and this displeasure struck the Vichy government “like a bomb” since its leaders never expected such a condemnation to come from Hitler himself and so publicly.<sup>115</sup> It must be remembered that the Germans had only insisted that *if* a trial were to take place, then it should prove France’s culpability in declaring war on Germany and that in having such a trial, the Germans could gauge how willingly the French would collaborate.<sup>116</sup> Since the Supreme Court of Justice had completely sidestepped the issue of French guilt in the declaration of war and had focused on the responsibility for the defeat, the Germans

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<sup>114</sup>Quoted in Michel, *Procès*, 370-371; Béteille and Rimbaud, 271; Bredin, 149; Pottecher, 163.

<sup>115</sup>Michel, *Procès*, 374.

<sup>116</sup>See pp. 31-32 above.

began to realize that the way in which Vichy had attempted to conduct the trial and how the trial had actually proceeded were more detrimental to German designs. This time, the Germans did not make the same mistake as they had earlier: they did directly suggest that Vichy end the trial.

The suggestion to end the trial came from two sources: Otto Abetz, the German ambassador to France stationed in Paris, and Friederich Grimm, a legal advisor to Hitler who had been attached to the German embassy in Paris. The former sent a telegram to Pétain on March 21 demanding outright that the trial end, while the latter was a bit more discreet. Grimm, on a lecture tour throughout both French zones, met with Marshal Pétain and a handful of his ministers that same day. During this meeting, he informed Pétain and his retinue of the disappointment emanating from Berlin regarding the course of events at Riom, particularly the decision to focus upon technical and social matters instead of the political origins of the war. Grimm ultimately suggested that it would be in Vichy's own best interests to end the trial before any more damage was done to the government's reputation.<sup>117</sup>

Henri Michel, a historian of the Riom Trial, contends that accounts concerning Abetz and Grimm's directness in regards to the suspension of the trial do not conform with the German line presented by Joachim von Ribbentrop, Germany's foreign minister, that both men "should refrain from making any statements regarding the Riom Trial." He argues that such a demand was typical of Germany's occupation policies: create the necessary conditions to force the Vichy government to enact measures of its own accord, while maintaining as much distance from these measures as possible. In the end, Michel

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<sup>117</sup>Pottecher, 247-248; Bredin, 149-150; Robert Aron and Georgette Elgey, *The Vichy Regime, 1940-44*, trans. Humphrey Hare (London: Putnam & Co., 1958), 300; Azéma and Wiewiorka, 86.



contends that the Vichy government decided to suspend the trial independently, for the most part, but still as a means to try to remain on good terms with Germany.<sup>118</sup>

Ultimately, the truth lies between these two positions: given Abetz and Grimm's desire to create a new France along the lines of the National Socialist model, as well as their shared Francophilia-- Grimm was a renowned historian of Cardinal Richelieu, Louis XIII's chief minister, and was arranging a symposium on the cardinal while in France in March 1942-- it would not be surprising if these two men ignored their orders from von Ribbentrop.<sup>119</sup> By ignoring their orders, Abetz and Grimm would help solidify France's position within the new European order that Germany was creating. On the other hand, accounts of Pétain's meeting with Grimm typically come from the memoirs of Henry du Moulin de Labarthète, Pétain's chief of civilian staff, so it would follow that a man of Vichy would want to place as much of the onus for the trial on the Germans as possible.<sup>120</sup> Regardless of from where it originated, the need to end the trial was recognized by both the Vichy and German governments. Unfortunately for the men of Vichy, the decision came too late. The defendants had used the trial as a platform from which to turn their accuser, Marshal Pétain, into the accused. Outside of showing that no one group of individuals was responsible for France's unpreparedness for war, the Riom Trial "brought some clarification to the defeat in 1940 that History will remember."<sup>121</sup> How has history remembered the proceedings? For the answer to that question, one must look to the vast historiography of the trial.

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<sup>118</sup>Michel, *Procès*, 376.

<sup>119</sup>For Abetz's Francophilia, see Michel, *Vichy*, 80-82, 335; and J. Jackson, *Dark Years*, 171. For Grimm's Francophilia, see Pottecher, 247; and Bredin, 149.

<sup>120</sup>Henry du Moulin de Labarthète, *Le Temps des illusions: souvenirs (juillet 1940-avril 1942)* (Geneva: Editions du Cheval Ailé, 1946).

<sup>121</sup>De Coquet, 296.

CHAPTER FOUR  
THE HISTORIOGRAPHY OF THE RIOM TRIAL

“Yes, but there is always a way to make the truth heard; it is confrontation, contradiction.”<sup>1</sup>

-Edouard Daladier, February 27, 1942, at Riom

The fiftieth and seventieth anniversaries of the Riom Trial were marked by two articles written by well-known historians of France during the 1930s and 1940s, Jean-Pierre Azéma and Jean Vigreux.<sup>2</sup> Azéma is most recognized for his histories of Vichy and the Resistance, while Vigreux has written several works on both Communism and Socialism during the twentieth century. These two articles provide excellent examples of the works dealing with four major questions surrounding the Riom Trial: who within the Vichy government wanted the trial? How did the Germans factor into its preparation? Who dominated the proceedings? And who called for their suspension?

In regard to the first question, Azéma argues that Marshal Pétain, the head of state, took the initiative in calling for the trial after several of his ministers urged him to use it as a means “to demonize” the Third Republic. In addition, these ministers advocated for presenting the defendants as “scapegoats” to prove to the French people the

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<sup>1</sup>Julia Bracher, ed., *Riom 1942: Le Procès* (Paris: Omnibus, 2012), 430.

<sup>2</sup>Jean-Pierre Azéma, “Il y a cinquante ans le procès de Riom,” *Le Monde* (Paris), February 17, 1992, accessed online May 17, 2012, <http://www.cartage.org.lb/fr/themes/Geohis/Histoire/chroniques/pardate/Chr/420219a.htm>; Jean Vigreux, “Il y a soixante-dix ans, le régime de Vichy organisait le procès de Riom,” *L’Humanité* (Paris), February 17, 2012, accessed online May 17, 2012, <http://www.humanite.fr/tribunes/il-y-soixante-dix-ans-le-regime-de-vichy-organisait-le-proces-de-riom-490322>.

necessity of “the moral and intellectual recovery” that the Vichy government and the Marshal had implemented with the National Revolution. On the other hand, Vigreux argues that Pierre Laval, Vichy’s deputy premier until December 1941, two months before the start of the Riom Trial, and Otto Abetz, the German ambassador to France stationed in Paris, were the two leading figures behind the trial, while Pétain merely “wanted” it to prove that “leftist politicians were responsible for the defeat.” Here the two sides are presented: Pétain on one, and Laval and Abetz on the other. Different studies add leading Vichy figures, such as Raphaël Alibert, the minister of justice during the first few months of the new regime, and General Maxime Weygand, the minister of defense, to the mix, while some present a triumvirate consisting of Pétain, Laval, and Weygand. These differences are most often explained by the context in which the authors of these histories wrote, particularly whether or not their studies occurred before, during, or after the trial, or even during the German occupation and the war itself.

As relates to the second question, Azéma links the Germans only slightly to the trial by describing them as being “smart enough to let the French wash their dirty laundry publicly” while not having anything expressly to do with the trial. With this statement, Azéma implies that the Germans wanted the French to hold the trial by “letting” them proceed with the hearings, while sitting back and watching the fallout from afar. In addition, Azéma mentions Adolf Hitler, the German Führer, only in regards to his speech of March 15, 1942, in which he expressed his astonishment at how the French were “incapable of quickly judging” the defendants, while not presenting Hitler as wanting to end the trial, as other historians have argued. Vigreux directly links the Germans to the trial through Abetz’s desire, indicated within his correspondence with Laval, that “a trial

must take place” and by describing Hitler’s reaction to the defendants’ transforming the trial “into a platform for Republican values and the Resistance.” This “affront” led Hitler, Vigreux argues, to issue orders to the German authorities in Paris demanding the cancellation of the trial. He continues by underlining how soon after the trial was suspended, three of the defendants, Léon Blum, former premier, Edouard Daladier, former minister of war and premier, and General Maurice Gamelin, former commander-in-chief of the French armed forces, were turned over to the Germans and taken to a location close to the Buchenwald concentration camp.

In terms of the third question, Azéma succinctly describes each of the five defendants present and how they conducted themselves: Gamelin “chose silence,” Guy La Chambre, former minister of the air force, “was not very courageous,” and Robert Jacomet, former inspector general of the army, only “stuck to his case,” while Daladier and Blum were “completely united” and dominated the proceedings. Daladier “destroyed the array of defeated generals and whiners” called to the witness stand, whereas Blum sought “to affirm his convictions from the beginning” and defended the Popular Front, as well as Communists who had joined the Resistance after Germany invaded the Soviet Union on June 22, 1941. Vigreux raises neither Daladier nor Blum above the other men in the dock, but praises the five defendants as a whole. Together the defendants transformed the Riom Trial into the “Vichy Trial” through their “republican spirit” and “courage,” and, in so doing, participated in the Resistance movement by confronting the “parody of justice” that occurred at Riom.

Finally, as concerns the fourth question, Azéma expressly attributes the suspension to the urging of both Admiral François Darlan, the minister of the navy and

deputy premier during the trial, and Joseph Barthélemy, the minister of justice who had replaced Alibert in January 1941. The two men campaigned for an end to the trial because it had “plunged [Vichy] into embarrassment” and the only way “to save face” was to stop the trial as soon as possible. Vigreux attributed the suspension of the trial to Hitler and the German authorities who saw how the trial had turned against Vichy as an “affront” and quickly sought its end.

In addition to addressing the four questions surrounding the Riom Trial, the articles by Azéma and Vigreux represent two historiographical camps appearing in the scholarship of the proceedings. Azéma exemplifies the tendency to attribute the trial to Pétain, to present the Germans as keeping (somewhat) their distance from it, to place Blum and Daladier above the other defendants, and to argue that Vichy sought to end it. On the other hand, Vigreux demonstrates the trend to attribute the trial to Laval (and Abetz), to present the Germans as heavily involved in its initiation, to treat all the defendants equally, and to argue that the Germans sought to end it. Each camp has added to the misconceptions surrounding the Riom Trial in their own way, which will be discussed below at the end of each subsection.

These four questions appear in each study of the Riom Trial regardless of when the study was published, even though some minor differences do occur in terms of who is held responsible or why the trial was suspended depending upon the context in which the author wrote. This chapter will use the four questions to present an account of the historiography of the Riom Trial and how the perception of the trial has changed, and in some cases remained the same, since it began in February 1942.

Before addressing the first question, a note on the selection of histories that follow: some studies have been excluded from this survey because they did not add anything new to the discussion of the trial. For example, Frédéric Pottecher's *Le Procès de la défaite* and Jean-Denis Bredin's *L'Infamie* were not included because they rely heavily upon the scholarship of other authors discussed below, such as Henri Michel, Maurice Ribet, and James de Coquet.<sup>3</sup> Their inclusion would have burdened the reader with the same conclusions and observations again and again without contributing something unique to the study as a whole.

#### The First Question: Who in Vichy Wanted the Trial?

The first question concerning which members of the Vichy government wanted the trial and for what reasons has long dominated the scholarship surrounding the Riom Trial. Almost every leading member of the government, from Marshal Pétain and Pierre Laval to General Weygand and Raphaël Alibert, factors into the discussion. Over the years, depending upon the perception surrounding certain members of the Vichy government and their culpability in the collaborationist regime, the identification of the men ultimately responsible for the Riom Trial varies. However, the cast of characters remains the same, with one exception.

During the Riom Trial, in March 1942, Hector Ghilini, a journalist, published one of the earliest “histories” of the trial.<sup>4</sup> In the 1920s, Ghilini had been most well-known as a champion of Serge Voronoff, a respected physician who transplanted monkey scrotums

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<sup>3</sup>Frédéric Pottecher, *Le Procès de la défaite: Riom, février-avril 1942* (Paris: Fayard, 1989); Jean-Denis Bredin, *L'Infamie: Le Procès de Riom, février-avril 1942* (Paris: Bernard Grasset, 2012).

<sup>4</sup>Hector Ghilini, *A la barre de Riom, Problèmes actuels* (Paris: Jean-Renard, 1942).

into elderly men in an attempt to rejuvenate them.<sup>5</sup> After the defeat in 1940, Ghilini, who had long associated himself with the right, published several articles in *La Gerbe*, a weekly collaborationist newspaper published in Paris by Alphonse de Châteaubriant, an openly pro-Hitler author. *La Gerbe* was a virulently anti-Semitic, anti-Republic newspaper that sought to align France with the New Europe that Germany hoped to create.<sup>6</sup>

Ghilini's "history" of the trial is a collection of articles that he had previously published in *La Gerbe*, along with supplementary materials he had collected before and during the trial. While he asserts that his book is a "history" of the trial, he only addresses the proceedings directly in his conclusion, with the rest of the work focusing on the actual charges levied against the defendants and arguing that the prosecution should have pursued more than the five present at Riom. Ghilini insists that his study presents the "essential facts" surrounding the defendants of "the most important criminal proceeding in the History of France" and even goes so far as to proclaim that the trial is that of "a Regime [the Third Republic] that, forgetting the words of [Enlightenment philosopher] Montesquieu, had outlawed Virtue."<sup>7</sup> Ghilini presents all of the misjudgments and errors that he believes led the defendants to prepare France not for victory, but for defeat in 1940 and describes how these men openly "mocked" the French people with their insufficient actions regarding rearmament.<sup>8</sup> All of the defendants, he

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<sup>5</sup>For more on Ghilini and Voronoff, see Brett A. Berliner, "Mephistopheles and Monkeys: Rejuvenation, Race, and Sexuality in Popular Culture in Interwar France," *Journal of the History of Sexuality* 13, no. 3 (July 2004): 317.

<sup>6</sup>For more on *La Gerbe* and de Châteaubriant, see Richard J. Golsan, *French Writers and the Politics of Complicity: Crises of Democracy in the 1940s and 1990s* (Baltimore: Johns Hopkins University Press, 2005); and, Kay Chadwick, "Alphonse de Châteaubriant, Collaborator on Retrial: Un Non-lieu individuel d'une portée nationale," *French Historical Studies* 18, no. 4 (Autumn 1994): 1057-1082.

<sup>7</sup>Ghilini, 11.

<sup>8</sup>*Ibid.*, 32.

writes, in their own way, helped to contribute in transforming “the premier army of Europe” into one of the most neglected and deficient fighting forces on the continent.<sup>9</sup> The actions of the accused led the French people to call for “vengeance,” and led to “the explosion of an almighty rage, the fulfillment of the savage cry of eye for an eye.”<sup>10</sup> Ghilini does carry the idea of “vengeance” further when he muses that during “the despair of the disaster” and as late as June 20, “one would have been able to erect the gallows,” but that two years later was much too late for vengeance, therefore those responsible could only be judged.<sup>11</sup> Ghilini’s statements separate his account from all of the other studies of the Riom Trial because he does not assign the responsibility for the trial to any of Vichy’s political leaders, but indirectly to the French people with their call for “vengeance.” His attributing the desire for a trial to the French could be read as an attempt on Ghilini’s part to align France with the anti-Republican sentiment expressed by many of the staunchly pro-German collaborators living in Paris who, by 1942, were disappointed by what they perceived as Vichy’s failure to court the Germans effectively.<sup>12</sup>

Ghilini’s account is unique in attributing the desire for the Riom Trial to the French people. The next study examined in this chapter follows more in line with the tendency to attribute the trial to one individual within the Vichy government, but is as unique as Ghilini’s book, particularly considering this man was not active in the government when the trial began in February 1942. This man was Pierre Laval.

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<sup>9</sup>Ibid., 65-66.

<sup>10</sup>Ibid., 7.

<sup>11</sup>Ibid., 9.

<sup>12</sup>Andrew Shennan, *The Fall of France, 1940* (Harlow, England: Longman, 2000), 74.



Three months after the suspension of the Riom Trial in April 1942, an article simply entitled “Riom” appeared in an issue of *Foreign Affairs* written by André Géraud, also known as Pertinax.<sup>13</sup> Géraud was a nationalist and a man of the right, but remained very hostile to all manifestations of Fascism in Europe. His article on Riom presented a summary of the events leading up to the trial, as well as of the proceeding itself. For Géraud, Riom was important because it presented the French “with an ordered picture of their misfortunes,” albeit at times “incomplete, sketchy, confused, [and] questionable on many points.”<sup>14</sup> He saw this picture as potentially leading to what he calls a “second French Revolution.” For this “second Revolution” to succeed, he wrote “a better élite” than the economic, financial, and military leaders who ran France between 1934 and 1940 was needed to “restore” the nation after what he foresaw as the inevitable Allied victory over Fascism in Europe.<sup>15</sup> The “second French Revolution” hinged upon the defeat of Germany, as Géraud succinctly describes: “A great boulder rests uneasily on the mountain top. The moment Germany is no longer there to keep it from toppling, it will plunge down.”<sup>16</sup>

Géraud addresses the first question concerning who within the Vichy government wanted the trial by placing the onus completely upon the shoulders of Pierre Laval. Laval did everything to establish Vichy, including dissolving regional governments, sacking officials who clamored for a continuation of the Republican form of government, and denouncing the Republic and its democratic institutions. Géraud completes his laundry list of accusations against Laval when he contends that “Laval decided to bring

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<sup>13</sup>André Géraud [Pertinax], “Riom,” *Foreign Affairs* 20, no. 4 (July 1942): 679-693.

<sup>14</sup>*Ibid.*, 693.

<sup>15</sup>*Ibid.*, 692-693.

<sup>16</sup>*Ibid.*, 693.

five men to trial,” each accused of having declared war on Germany.<sup>17</sup> While Géraud believes that the men who were charged with providing for France’s defense and guaranteeing the readiness of the army should be held accountable for their actions, he acknowledges that the Vichy government, particularly with Laval running the show, was “not competent” to hold such a trial based upon its lack of impartiality.<sup>18</sup>

Once Laval was dismissed from the government, Géraud maintains, Marshal Pétain changed the charges out of “some feeling of shame and hesitation . . . or at least the recognition of something distasteful in the difficult task” that Laval had set in motion before the government.<sup>19</sup> Géraud’s explanation for Pétain’s decision to amend the charges does not signal any sympathy on the part of Géraud for the Marshal. Géraud firmly believes that Pétain, along with Laval, would quickly become “subjects of searching and painful cross-questioning” after France is free again and that the Marshal factors among the individuals who, during 1934 and 1940, led France “into an abyss of material and moral degradation for which we find no parallel short of going back to the fifth century.”<sup>20</sup>

While Géraud does separate Laval from the proceedings by mentioning that he was no longer in the government during the trial itself,<sup>21</sup> he hypothesizes about how the trial would have unfolded had Laval remained in power. If Laval had overseen the Riom Trial, he would have found “be-robed servants” to do his bidding and would have guided them to an “appointed conclusion,” decided by none other than Laval himself. Géraud

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<sup>17</sup>Ibid., 679.

<sup>18</sup>Ibid., 680.

<sup>19</sup>Ibid., 681.

<sup>20</sup>Ibid., 683, 692-693.

<sup>21</sup>Géraud does mention Admiral Darlan, but only in reference to a quarrel the admiral had with Daladier when the latter attempted to create “a general staff for national defense.” Darlan refused the notion because he “was indignant at the idea of being subordinated to an army officer.” Ibid., 687.

ends his article with what he imagines Laval's response to the Riom Trial would be as it ended without conclusion: "I can almost hear him crying out against the powers that staged the trial at Riom: 'What muddling fools!'"<sup>22</sup> While Géraud does not absolve Pétain of all guilt, he does place the blame for the proceedings squarely on Laval's shoulders and even claims that the outcome of the trial would have been much worse for the defendants had Laval remained in the government.

Géraud's acknowledgment that Pétain was also responsible for calling for the trial is understandable considering that the Marshal was the head of state and any measure undertaken by the Vichy government ultimately emanated from him. As such, Pétain factors as the primary figure calling for the trial in much of the literature surrounding the Riom Trial.

Lieutenant-Colonel Pierre Tissier, a former judicial official within the French Council of State, published a study of the Riom trial containing both summaries of each session and his interpretation of the trial.<sup>23</sup> This book, appearing during the same year as the trial, was one of the first to publish testimony, albeit summarized, taken at the trial. Tissier argues that "the trial had one sole object-- to destroy the Republic."<sup>24</sup> He carries his argument further, asserting that the trial became a means by which Pétain could attempt to validate the legality of his government.<sup>25</sup> In addition, Pétain wanted the trial simply to place the burden of war and defeat on the previous government of France, the

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<sup>22</sup>Ibid., 693.

<sup>23</sup>Pierre Tissier, *The Riom Trial* (London: George G. Harrap & Co., 1942).

<sup>24</sup>Ibid., 105.

<sup>25</sup>Ibid., 13.

Third Republic.<sup>26</sup> Therefore, for Tissier, Pétain was the primary figure in the Vichy government who called for the trial to take place.

Paul Bastid, a French jurist and a member of the centrist Radical Party who had served as a minister in one of the Popular Front governments, included a chapter on the Riom Trial in his study of political trials and, much like Tissier, identifies Pétain as the instigator of the trial.<sup>27</sup> Bastid's work primarily presents a juridical summary of the trial, but does follow the four questions found within the scholarship concerning the Riom Trial. According to Bastid, Riom was "a series of tragic farces" emanating from "the Marshal's personal justice."<sup>28</sup> He presents Pétain as the only figure behind the trial, with no mention of the roles played by any of his ministers. Bastid continuously stresses how Pétain "wanted, in effect, to remand a certain number of [his] opponents to political justice."<sup>29</sup> In addition, he links both the trial and Pétain's decision to pass judgment on the defendants after the Council of Political Justice presented its results in October 1941, to a "purely personal decision" to conduct "the trial of the Republican regime."<sup>30</sup>

Bastid does, however, break from the traditional stance of placing the blame on Pétain for purely political and personal reasons when he argues that the trial served another purpose for Pétain after the Marshal had passed judgment in October 1941. Since Pétain had merely sentenced the defendants to imprisonment based on the decisions taken by the Council of Political Justice, Pétain hoped, by insisting that the Supreme Court of Riom continue with the trial, that harsher sentences could be levied, maybe even

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<sup>26</sup>Ibid., 191.

<sup>27</sup>Paul Bastid, *Les Grands procès politiques de l'histoire* (Paris: Fayard, 1962).

<sup>28</sup>Ibid., 355.

<sup>29</sup>Ibid., 348.

<sup>30</sup>Ibid., 350, 351.

death for some of the defendants.<sup>31</sup> Upon further analysis, Bastid's argument falls apart when Pétain's position as head of state is reassessed: as the executive, judicial, and legislative font of Vichy, Pétain was more than capable of sentencing the defendants to death in October 1941. Granted, he could have refrained from doing so by a desire not to appear to be conducting political revenge, but the decision to hold a trial in the first place was a political act. Ultimately, even if the Supreme Court had returned a guilty verdict with death sentences for the defendants, Pétain would not have carried out the sentences for fear of tearing asunder any appearance of legitimacy the Vichy government possessed. Therefore, for Pétain, imprisonment remained the best recourse for punishing the defendants.

Yves Beigbeder, a distinguished scholar who has published widely on such topics as international organizations and international criminal justice, included a brief section on the Riom Trial in his chapter on the Vichy regime in his study of French participation in international criminal tribunals and commissions.<sup>32</sup> In this chapter, much like Tissier and Bastid, he identifies Marshal Pétain as the source of the desire for the trial to take place. In this work, Beigbeder seeks to demonstrate how a "civilized" nation with a bloody past, in this case France, attempts to overcome the obstacles presented by its past so that it might become recognized as "a universal 'beacon of democracy and human rights'" in the world.<sup>33</sup> In his brief survey of the Riom Trial, Beigbeder describes the trial as "Pétain's odd initiative." In holding the proceedings, Pétain believed the Germans "would show some clemency" in regards to Frenchmen held prisoner in Paris if the court

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<sup>31</sup>Ibid., 355.

<sup>32</sup>Yves Beigbeder, *Judging War Crimes and Torture: French Justice and International Criminal Tribunals and Commissions (1940-2005)* (Leiden: Martinus Nijhoff Publishers, 2006).

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

“severely punished” the defendants.<sup>34</sup> Beigbeder’s analysis appears to be rather sympathetic to Marshal Pétain, attributing to him a sense of being a paternalistic figure who collaborated with the Germans in an attempt to ease the suffering of the French people.

These three studies of the trial all present Pétain as being the only individual within the Vichy government calling for the Riom Trial and, as a result, fall into the historiographical camp represented by Azéma. While this argument certainly has its merits due to Pétain’s role as head of state, the ultimate font of power within the Vichy government, it attributes too much to one man, and as such, is responsible for spreading the misconception that the trial was only Pétain’s proposal. No ruler, despite what he might think, governs in a vacuum and Pétain ensured that he was surrounded by ministers who were more than willing to offer their own opinions concerning the trial. These ministers were Laval, Weygand, and Alibert.

On April 8, 1942, three days before the trial was suspended, an article appeared in the *Fourth International*, the newspaper bearing the same name as the movement founded by Leon Trotsky and other Communists in France in 1938. These Communists had been expelled from the Soviet Union, where they had openly voiced their disapproval of how the Third International had failed to bring socialism to the working class. Jean van Heijenoort, the personal secretary to Trotsky who took over the leadership of the Fourth International in 1940, wrote the article under the name “Marc Loris.”<sup>35</sup> Loris believed that the trial provided France with “an X-Ray Picture of the Bourgeois State”

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<sup>34</sup>Ibid., 161.

<sup>35</sup>Marc Loris [Jean van Heijenoort], “The Riom Trial: The Truth about French ‘Democracy,’” *Fourth International* (April 1942), accessed online May 2, 2013, <http://www.marxists.org/history/etol/writers/heijen/works/riom.htm>. For all references to this article, I will use van Heijenoort’s pseudonym, “Marc Loris.”

and actually helped indict “the big bourgeoisie” and French capitalism as being responsible for the unprepared nature of the military in 1940 due to the actions of the bosses in undermining the status of the workers while subsequently blocking workers’ attempts to improve their working conditions. Ultimately, he sees Riom as helping to bring about the “regeneration of political life” that is necessary to rid France of “the emptiness and the fraud” of the Vichy government, which paradoxically wanted the trial to occur in the first place. Loris argues that a three-person team consisting of Pétain, Weygand, and Laval utilized the trial as an act of “consecration of [their] *coup d’etat* [sic] by juridically establishing the incapacity” of their predecessors to lead. In addition, he provides two other reasons the Vichy triumvirate wanted the trial to happen: first, so that the bourgeoisie could avenge “the great fright of June 1936,” a reference to the various strikes that crippled French industry at the time and, second, “to compromise definitively the ‘democratic’ ideas” of the men charged with bringing about military defeat in June 1940.<sup>36</sup>

Pierre Cot, former minister of aviation during several governments of the 1930s, including the Popular Front, who was tried *in absentia* at Riom, analyzed the trial, its causes, events, and consequences, while also presenting what can best be described as what would have been his defense before the tribunal, in his book, *Triumph of Treason*.<sup>37</sup> Cot readily admits that his account “is not intended to be an objective and complete analysis” of either the French defeat or the collapse of the Third Republic, but is his “part in the collective testimony” of the period.<sup>38</sup> He remains faithful to this observation

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<sup>36</sup>Ibid.

<sup>37</sup>Pierre Cot, *Triumph of Treason*, trans. Sybille and Milton Crane (Chicago: Ziff-Davis Publishing Co., 1944).

<sup>38</sup>Ibid., 5.

throughout his account, openly expressing his distaste for Pétain, even going so far as indirectly comparing him to Hitler through the idea of the *Führerprinzip*, the concept that all law derives from the nation's head of state.<sup>39</sup> In addition to his dislike for Pétain, Cot continuously attacks the one group he holds responsible for deficiencies within the French government and military, the *cagouards*, pro-Fascist extremists who attempted to overthrow the Popular Front through violent and subversive acts. He links the *cagouards* to ministers within the Vichy government through a secret list of names he was shown in 1937 by Marx Dormoy, Blum's minister of the interior who had investigated the *cagouards*. This list contained the names of three of the defendants at Riom-- Blum, Daladier, and Cot-- among several other proponents of democracy and republicanism. Unfortunately, Cot does not reveal either who wrote the list or for what purpose.<sup>40</sup>

In terms of the call for a trial, Cot attributes it primarily to Pétain and his "acolytes," indirectly referring to such men as Alibert, Laval, and Weygand.<sup>41</sup> These men wanted the trial as a means to defend Vichy against its detractors and the only way to do so would be through the use of scapegoats. Without any scapegoats, the Vichy officials "feared" that the public "would seek those guilty of the defeat among those who profited by it," that is the officials themselves.<sup>42</sup> In addition, these scapegoats would "mask the *military* errors of Pétain, Weygand, and their generals" and "cover up the *political* crimes of Laval and his accomplices."<sup>43</sup> According to Cot, Riom became a means by which the men of Vichy could divert the public's attention from realizing the

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<sup>39</sup>Ibid., 13-14.

<sup>40</sup>Ibid., 19.

<sup>41</sup>Ibid., 10.

<sup>42</sup>Ibid., 14.

<sup>43</sup>Ibid., 18 (emphasis his).



manner in which they attained power to finding those responsible for causing defeat in 1940.

Approximately three years after the postponement of the trial, the fourth volume in the series *Le Carnet de la trahison* (The Book of Betrayal) appeared, bearing the simple title *Le Procès de Riom* (*The Riom Trial*).<sup>44</sup> The author of this book has never definitively been established and is identified only as “*un Témoin*” (“a Witness”). However, the author does reveal that he was an important figure within the Third Republic at one time through tidbits of information, such as how he had dined with the English minister of war in 1938, how he was counted among those allowed to attend the trial, and how he was a close friend to André Le Troquer, one of Blum’s attorneys.<sup>45</sup> Regardless of his identity, the author of this book held in low esteem both the Vichy government and its decision to hold the Riom Trial.

The author attributes the desire for the Riom Trial to Marshal Pétain, but goes further by indicating that the Supreme Court was really the “invention” of Raphaël Alibert, Vichy’s first minister of justice.<sup>46</sup> According to the author, Alibert created the Supreme Court of Riom as a means to destroy parliament’s judicial responsibilities in trying former ministers. In so doing, Alibert reaffirmed his “eternal hatred” of parliament that resulted from his never having been elected to serve.<sup>47</sup>

In 1945, Henri Noguères, a socialist journalist who participated in the Resistance and wrote several accounts about the movement after the war, published a history of the

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<sup>44</sup>*Le Procès de Riom, Le Carnet de la trahison*, vol. 4 (Paris: Librairie des sciences et des arts, 1945).

<sup>45</sup>*Ibid.*, 27-28, 21, 33.

<sup>46</sup>*Ibid.*, 2.

<sup>47</sup>*Ibid.*, 3.

Riom Trial.<sup>48</sup> Noguères wrote his chronicle for the purpose of showing that the trial was “a political machination” on the part of Marshal Pétain and his government to discredit the Third Republic and its supporters.<sup>49</sup> As his evidence, Noguères uses documents from the defense and prosecution, as well as the minutes and stenographic records of the proceedings.<sup>50</sup> According to Noguères, the Marshal and his co-conspirators recruited “panicky generals, [and] parliamentarians eagerly awaiting favors from the regime,” whom Noguères derides as “the essence of polite society that haunts the Hôtel du Parc,” referring to the headquarters of the Vichy government.<sup>51</sup> As a result, he attributes the wish to hold a trial to not only Pétain and Laval, but also to Raphaël Alibert, the minister of justice, whom he describes as the “veritable instigator and organizer of the trial.”<sup>52</sup> These three men who wanted the trial quickly saw their efforts turned against them by the defendants, according to Noguères. Furthermore, he argues that the defendants effectively showed how these men who benefited greatly from the defeat became the very ones who made defeat possible.<sup>53</sup>

John Laughland, who has written extensively on international justice, included a chapter on the Riom Trial in his study of political trials throughout history.<sup>54</sup> Laughland’s book traces the development of the tendency to conduct criminal proceedings against political leaders for having carried out “acts of state.”<sup>55</sup> At the heart of this trend is the belief that no one is above the law and everyone should be treated the

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<sup>48</sup>Henri Noguères, *La République accusée . . . Au Procès de Riom* (Paris: Les Editions de la Liberté, 1945).

<sup>49</sup>*Ibid.*, 54.

<sup>50</sup>*Ibid.*, 3.

<sup>51</sup>*Ibid.*, 1.

<sup>52</sup>*Ibid.*, 6.

<sup>53</sup>*Ibid.*, 52.

<sup>54</sup>John Laughland, *A History of Political Trials: From Charles I to Saddam Hussein* (Oxford: Peter Lang, 2008).

<sup>55</sup>*Ibid.*, 16.

same under it. The purpose of Laughland's book is to show the readers the character of political trials and to convince them to "reflect on the true nature and motives of the Prosecution [*sic*]" and the "procedural shortcomings" inherent in these trials; because he recognizes these "shortcomings," Laughland focuses primarily upon constitutional issues raised by such trials.<sup>56</sup>

Laughland addresses the question of who wanted the trial within the ranks of the Vichy government when he argues that Marshal Pétain needed the Riom Trial to legitimize the National Revolution and the Vichy government. According to Laughland, the Riom Trial can be described as "transitional justice," which he defines as any trial "staged to ceremonialize the destruction of an old political system and its replacement by a new one."<sup>57</sup> He continues by attributing the desire for transitional justice to Pétain, as well as to Raphaël Alibert. Both men, according to Laughland, saw the Riom Trial as symbolic of "the ideological core of the Pétainist project" that was the National Revolution.<sup>58</sup> Laughland does recognize that Pétain and Alibert were not the only men involved in the decision to pursue the Riom Trial, but says they were by far the most influential in terms of advocating for the trial and deciding how it would progress.

The preceding five studies all attribute the desire for the Riom Trial to a cabal headed by Marshal Pétain and including Laval and others, and as such tend to fall into the historiographical camp created by Vigreux. One study outside of the preceding five takes this idea further and assigns the responsibility for the trial to practically every member of Pétain's government and inner circle and therefore becomes problematic when viewed in terms of the categories created by Azéma and Vigreux's respective articles. This study,

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<sup>56</sup>Ibid., 19.

<sup>57</sup>Ibid., 65.

<sup>58</sup>Ibid.

written by Henri Michel, distinguished historian of Vichy, is the most definitive and complete history of the Riom Trial.<sup>59</sup> Before the publication of his book in 1979, there had never been a stand-alone analysis of the trial written by someone who had not witnessed the proceedings firsthand. Michel focuses on each aspect of the trial individually: he begins with its place within Marshal Pétain's French State; identifies the principal figures involved; dissects what he distinguishes as three trials happening at once-- of the Popular Front, of unpreparedness for war, and of the conduct of the war--; reveals public opinion toward the trial in France and abroad; and concludes with Germany and its role in the end of the trial. No other analysis goes into as much depth as that of Michel. This depth of inquiry assures Michel's study a place outside of the two historiographical camps and above all other histories of the Riom Trial.

In terms of the question of who within the Vichy government wanted the trial, Michel attributes aspects of the trial to as many of Marshal Pétain's associates as possible: Alibert wanted it as "the touchstone for the new regime." Lucien Romier, one of Pétain's close acquaintances and editor of the Parisian daily newspaper *Le Figaro* from 1925 to 1927 and again from 1934 to 1942, and Henri Moysset, a history professor and close friend to both Pétain and Darlan, argued that the trial should be used to place the French State in opposition to the defunct Third Republic and to help solidify Pétain's image as "savior" of France. Laval and Paul Marion, a journalist and former Communist who joined the Fascist *Parti Populaire Français* for a brief time, wished to use the trial to show Germany how much the Vichy government was willing to collaborate. Finally, Generals Weygand and Huntziger-- the latter of these two had received the German terms for the armistice at Rethondes-- viewed the trial as a means to place all blame for the

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<sup>59</sup>Henri Michel, *Le Procès de Riom* (Paris: Albin Michel, 1979).

defeat on the politicians of the Third Republic.<sup>60</sup> Despite the opinions of these men, Michel recognizes that the decision to hold the trial ultimately resided with Marshal Pétain who held the highest interest in letting the trial proceed no matter what.<sup>61</sup>

All of the preceding studies identify Marshal Pétain as the ultimate mastermind behind the Riom Trial, with the exception of two, those written by Ghilini and Géraud-- and even the latter ascribes some responsibility to the Marshal. As the head of state, all authority over any measures taken by the Vichy government, be they economic, political, or judicial, emanated from Pétain. Was it possible that his ministers, particularly Laval, were controlling the Marshal? Such an assertion is almost foolish and factors among the misconceptions surrounding the trial because Pétain, despite his age, always maintained a clear picture of what he wanted to achieve for France and he attempted to do so through the reforms of the National Revolution. Certainly, he did not work alone, but, again, how many leaders truly govern within a vacuum? There are always external forces at play and it is the place of the leader, in this case Pétain, to decide whether or not to listen to these forces. Ultimately, the decision to pursue the trial remained with Pétain. Just as he decided to enact the reforms of the National Revolution with the help of Laval and Alibert, he decided to conduct the trial after considering the suggestions of his ministers and closest advisors, whose advice he synthesized and transformed into what would become the Riom Trial.

#### The Second Question: How Were the Germans Involved?

In terms of the second question concerning how the Germans were involved in the events leading to the Riom Trial, almost all scholarship claims that the Germans were

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<sup>60</sup>Ibid., 30-32.

<sup>61</sup>Ibid., 42.

interested in the trial in one manner or another. While some argue that Hitler himself wanted the trial, others claim he had nothing to do with its beginnings and place the desire for it on the shoulders of his underlings, particularly Otto Abetz. Very few studies suggest the trial was solely a move by the Vichy regime, especially considering the overwhelming view maintained in much of the early scholarship surrounding Vichy that the government was merely a puppet of the Germans. If the onus for Riom is placed completely on Vichy, the Germans are still implicated in wanting the proceedings by “letting” the trial happen, as argued in Azéma’s newspaper article.<sup>62</sup>

Once again, Hector Ghilini’s account of the Riom Trial proves to be the exception to the rule due to his pro-German attitude: if the French people alone called for the trial, then the Germans could not call for it as well. The Germans do not disappear completely from Ghilini’s work: they prominently appear in the case against Léon Blum. Ghilini contends that “the most serious charge” the government could levy against Blum remains that he was controlled by “international Jewish financiers,” the same individuals who decided to wage war against Hitler.<sup>63</sup> Ghilini’s statements concerning Blum’s deference to his religion in deciding state policy show Ghilini’s anti-Semitic views. His anti-Semitism continues to be revealed when he writes that “a sort of Hebrew vendetta animated Léon Blum,”<sup>64</sup> and when he begins to blame Blum for working toward the moral perversion of France.<sup>65</sup> While Ghilini’s statements do not directly link the Germans to the trial, they are similar to the invective levied against the Jews in the press of both Germany and Occupied France.

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<sup>62</sup>Azéma, “Cinquante ans.”

<sup>63</sup>Ghilini, 117.

<sup>64</sup>Ibid., 125.

<sup>65</sup>Ibid., 126-127.

In addition to the exception in Ghilini's "history," another appears in Yves Beigbeder's analysis. Beigbeder seems to contradict himself in terms of the degree to which the Germans were involved in the overall desire for the Riom Trial. At one point, he writes that the Germans "had no role to play" in creating the Vichy regime or in its constitutional acts, the fifth of which established the Supreme Court of Justice seated in Riom.<sup>66</sup> However, pages later, he writes that the trial resulted from "German pressures and a [case of] blackmail" that led Pétain to undertake the proceedings.<sup>67</sup> If the Germans had "no role to play," then how could they coerce Pétain into instigating the trial? Perhaps this error on Beigbeder's part results from the broad focus of his study, which traces French justice from approximately 1830 until 2005. If he had focused solely upon one period, such as that of the Vichy regime, then this mistake could have been prevented. Regardless, this one lapse does not detract from the merits of his work.

The remaining studies fall within a spectrum on which their respective authors assert that the Germans were completely involved in the trial, that both the Germans and Vichy were involved, or that Vichy was solely involved. Géraud, falling into the first category on the spectrum, contends in his article that Vichy was "a sovereign state only in fiction" and that it was "in bondage to its German conqueror," and he continues by asserting that any trial that took place concerning responsibilities for either the war or the defeat would seem to be "an act of political revenge, an act of force, and the execution of the will of a foreigner."<sup>68</sup> With this analysis, Géraud links the trial to Germany in much the same manner as Azéma: since Vichy was not sovereign and was beholden to Germany, then anything that Vichy undertook is regarded as being allowed by Germany.

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<sup>66</sup>Beigbeder, 142.

<sup>67</sup>Ibid., 161.

<sup>68</sup>Géraud, 680.

In regards to Hitler and his opinion of the trial, Géraud merely remarks that all Hitler “cared about” was that France should be held accountable for starting the war.<sup>69</sup>

However, Hitler’s attitude changed once the proceedings began to turn against Vichy.

Pierre Cot follows the same line of thinking as Géraud and maintains that the Germans were involved in the initial organization of the Riom Trial through their desire to establish that French policy had led to the start of the war.<sup>70</sup> In addition, he directly links Pétain to Hitler once again by labeling the Marshal “the servant of Hitler,” insinuating that Pétain initiated the trial in a move to appease the Germans while also serving his own ends.<sup>71</sup> Cot goes further and identifies the trial also as a “test for the Vichy government’s ability to collaborate.”<sup>72</sup> Such a test would show Hitler just how far Vichy was willing to go in order to incorporate itself into the New European Order that Germany was creating.

The author identified only as “*un Témoin*” who attended the Riom Trial argues that the trial occurred at Hitler’s insistence. Ultimately, Hitler wanted “a French tribunal, a French ‘Court,’” to determine France’s guilt in starting the war. This desire on Hitler’s part coincided with Vichy’s need to charge the preceding government with “all the sins” that led France to defeat in 1940.<sup>73</sup> The author contends further that the trial was forced upon France by Germany when he recounts a letter shown to him by a friend during the trial. The letter, written and signed by Pétain, praised Daladier for his comments made in the preface to a book that the recipient of the letter had written. The author uses Pétain’s letter to show the reader what he believed could be the only logical way Pétain could

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<sup>69</sup>Ibid., 683.

<sup>70</sup>Cot, 115.

<sup>71</sup>Ibid., 44.

<sup>72</sup>Ibid., 145.

<sup>73</sup>*Le Procès de Riom*, 4, 152-153.



move from praising Daladier to condemning him in a trial: the trial “was imposed upon [Pétain] by Hitler,” which the author emphasizes by capitalizing the entire phrase.<sup>74</sup> The idea that Pétain could only condemn Daladier through an imposition levied upon him by Hitler seems a bit sympathetic to the Marshal, particularly in light of Géraud and Cot’s analyses, because it appears to remove any trace of his desire for the trial. Couple this idea with the author’s insistence that Raphaël Alibert was more influential in calling for the trial within the Vichy government, and it would appear that the author is attempting to downplay Pétain’s culpability in initiating the proceedings. However, the author remains very critical of both the Vichy government and Marshal Pétain throughout his work. One possible explanation for the paradox created by “*un Témoin*” and his conflicting attitude toward Pétain could be that he could not fathom Pétain wanting to instigate a trial that could so easily be turned against him. Therefore, the only way Pétain would ever agree to hold a trial would be if it were the result of a demand made upon him by some outside force, such as Hitler.

The preceding studies all fall into the camp created by Vigreux’s article that the Germans were heavily involved in the initiation of the trial. The studies within the middle of the spectrum tend to focus primarily upon Germany’s desire to establish France’s culpability in declaring war while not emphasizing whether or not Germany was involved in the organization of the trial itself. For example, Loris relates that in the beginning, Germany viewed the trial as being “far from displeasing” because the Germans wanted to establish French “war guilt” the day after the armistice was signed. He even references the role of the Parisian press, which was “inspired by the Nazis,” in campaigning against the Vichy government. He further argues that the Germans believed

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<sup>74</sup>Ibid., 47-48.

the Vichy government was “seeking to stifle the trial” by delaying the proceedings at every possible turn.<sup>75</sup> There is no mention of direct German involvement in the organization of the Riom Trial.

Pierre Tissier continues this moderate stance when he argues that the Germans wanted the trial as a means to “clear them of all responsibility for the outbreak of the war.”<sup>76</sup> However, once the trial began and the Germans began to realize that the proceedings intended to investigate the causes for the defeat instead of who declared war, they became “aloof” and “pretended to be indifferent,” all of which changed once the trial began to turn against Vichy.<sup>77</sup>

While Henri Noguères presents the Germans as actively involved in calling for the Riom Trial, he does not assert that Germany alone influenced its organization. He merely writes that the Germans wanted a “solemn declaration in front of the world and in front of History” that France had started the war “and no one else.”<sup>78</sup> Therefore, his stance can be characterized as more moderate than that of Géraud, Cot, and “*un Témoin*.”

Paul Bastid forms the link between the moderate stance and the stance that the Germans were not involved at all in the trial’s organization. He only dedicates one short paragraph to the German involvement in the trial in which he argues that both the Vichy and German governments agreed on the necessity of some sort of trial, but not on what purpose it would serve. Vichy wanted the proceedings “to punish criminally certain political attitudes,” while Germany wanted “a French authority to proclaim France’s

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<sup>75</sup>Loris, “Riom Trial.”

<sup>76</sup>Tissier, 191.

<sup>77</sup>Ibid., 193.

<sup>78</sup>Noguères, 2.

responsibility in starting the hostilities.”<sup>79</sup> Bastid is unclear concerning how involved the Germans were in the call for the trial to be held.

The four previous studies fall between the two camps of Vigreux and Azéma since they present a moderate argument that both Vichy and Germany were involved in the trial’s initiation. The next two histories, while not exactly following Azéma’s assertion that Germany was somewhat interested in the trial, do present the arguments at the other end of the spectrum, that Germany was not involved at all. The works on this side of the continuum begin with the work of Henri Michel. He writes that “Hitler was not responsible for the creation of the Supreme Court [of Justice]” and asserts that the Vichy government was completely sovereign in this matter. Moreover, according to Michel, the only German official interested by the trial was Abetz. He also contends that the perception that the Germans were behind the trial emanated from English propaganda spread by the British Broadcasting Corporation, which proclaimed the Germans were using the trial “to divide the French a little more,” a claim reinforced by the Free French in London.<sup>80</sup>

In terms of how the Germans featured in the events leading to the Riom Trial, Laughland echoes Michel when he contends that the proceedings were created without any German involvement, that Hitler did not want the trial, and that the only German concern with the trial appeared in the person of Abetz, who recognized the need to have “the French blame each other for their misfortunes” as a means to crush any unity that could arise against the occupying forces.<sup>81</sup> Laughland does recount how the Germans did become involved at one point before the trial when they demanded that all case files be

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<sup>79</sup>Bastid, 349.

<sup>80</sup>Michel, *Procès*, 21; 365.

<sup>81</sup>Laughland, 67.

sent to them and that all lawyers crossing the demarcation line between the Occupied and Unoccupied Zones be searched. While Vichy protested these demands, Abetz settled the matter by concluding that the trial should proceed because the Germans had “an interest” in the trial that would be better served if it were allowed to occur “unimpeded.”<sup>82</sup> Abetz continued to serve as the only German voice supporting the proceedings well into the trial due to his belief, according to Laughland, that the trial would “lever France into joining the new European order.”<sup>83</sup> Few within German circles believed Abetz’s claim, particularly when the trial began to turn against Vichy due to the efforts of the defendants.

The question concerning to what extent the Germans were involved in the organization of the trial, when coupled with the preceding question of who within the Vichy government wanted it, helps to dispel some of the common myths surrounding the Riom Trial, particularly that only the Germans sought its initiation. As evidenced by the preceding analysis, the responsibility for the instigation of the trial cannot be completely assigned to the Germans: the decision to hold the proceedings ultimately resided with the Vichy government, and furthermore, Marshal Pétain. There is no doubt that Germany would have benefitted from any tribunal proclaiming French war guilt, but Pétain was not going to deliver such a trial. To do so would have shackled the nation with more historical baggage and have undone what the Marshal had been working for since he took office: rebuilding France and moving the state away from the “decadence” he saw inherent in the republican form of government.

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<sup>82</sup>Ibid., 70-71.

<sup>83</sup>Ibid., 75.

### The Third Question: Who Dominated the Proceedings?

In relation to the third question of who dominated the proceedings at Riom, the majority of works identify either Blum or Daladier as the “stars” of the trial, and these fall into the historiographical camp created by Azéma. There are some instances, however, where historians praise the efforts of all of the defendants in managing to turn Riom against Vichy in their own way, and these belong to Vigreux’s group. In the analysis that follows, however, none of the histories fall into the latter classification. This lack of representation of the Vigreux division cannot solely be attributed to the political affiliations of the authors, but primarily to the convincing nature of Blum and Daladier’s respective arguments before the court. Rarely does General Gamelin factor into the equation, particularly considering his vow of silence and his ambiguous status.<sup>84</sup> Most often the general is only mentioned in terms of whether his silence resulted from the orders of Marshal Pétain who wished to remove the army completely from the trial or if the General truly believed in his assertion that by keeping silent he continued to serve the army. In spite of the absence of a conclusion to the trial, there was a clear winner when it came to the proceedings: the defendants whose declarations turned the trial against the Vichy government and led to its eventual suspension.

Once again, Ghilini, with his pro-German and anti-Republican stance, is the exception when he singles out Blum and Daladier not as dominating the proceedings, but as being most deserving of the charges levied against them. Daladier is presented as having presided over a ministry characterized by “anarchy and a lack of authority,” a ministry that allowed France to become disarmed by sending armaments to Spain during

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<sup>84</sup>See pp. 58-59 above.

its Civil War in the late 1930s,<sup>85</sup> and when compared to Blum, is more culpable in Ghilini's estimation. Daladier, who possesses a "passive guiltiness," "tolerated . . . the men of Stalin" who weakened the French economy and led to the sad state of the armament industry, while Blum, whose guilt is "revealed actively and passionately," "organized [the] slow-down" of the armament industry and sought "to maintain it."<sup>86</sup> As a result, "all of the immediate misfortunes of France" came from Blum's Popular Front government.<sup>87</sup>

In his chapter on Blum, Ghilini refers to the former premier as being "in the Soviets' service"<sup>88</sup> and as having "delivered [France] to the Stalinists."<sup>89</sup> How did Blum "deliver" the nation to Stalin and his supporters? By being a "knight of military inertia" and refusing to approve the necessary credits to maintain the French military.<sup>90</sup> In addition, his support for nationalizing the factories-- a "Communist nationalization" according to Ghilini<sup>91</sup>-- and for maintaining the forty-hour workweek helped to undermine the power of the French industry bosses to operate their factories as they deemed fit to ensure high production levels. Blum and Stalin are further linked when Ghilini claims that the two men "called for" the war against Germany and Italy.<sup>92</sup> Blum, who ensured France's fate and "made the bed for the defeat,"<sup>93</sup> led the march of Bolshevism in France by attempting "to lead [France] under the whip of Stalin" and by

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<sup>85</sup>Ghilini, 85-86.

<sup>86</sup>Ibid., 103-104.

<sup>87</sup>Ibid., 104.

<sup>88</sup>Ibid.

<sup>89</sup>Ibid., 107.

<sup>90</sup>Ibid., 118.

<sup>91</sup>Ibid., 119.

<sup>92</sup>Ibid., 122.

<sup>93</sup>Ibid., 84.

being “the footstool that helped facilitate the rise of a Soviet dictator.”<sup>94</sup> Of the two premiers, Blum certainly became the focal point for Ghilini’s indictment of the Third Republic and the primary catalyst for the events leading to defeat in 1940.

Much like Ghilini’s “history,” Pierre Tissier’s study of the Riom Trial differs from all the rest, but, unlike Ghilini, he does not indict Blum or Daladier further; instead, he does not readily identify any of the defendants as dominating the trial. He strives to maintain a complete impartiality throughout his study. Tissier presents both the arguments of the prosecution and of the defense on equal ground. As Tissier informs the reader, he “deliberately excluded from [his] study all the juridical or political aspects of the trial” and focused solely on the responsibility for the military defeat in 1940.<sup>95</sup> However, he abandons this impartiality at various times throughout his book, most notably when he discusses Marshal Pétain or General Charles de Gaulle, the leader of the Free French Forces operating out of London. For each man, Tissier presents a chapter in which he vilifies the former for both his guilt in retarding France’s military preparations by insisting upon preparing for a defensive war<sup>96</sup> and lauds the latter for having both foreseen the tactics the Germans would use during the Battle of France and arguing to prepare for an offensive war.<sup>97</sup> However, Tissier does uphold his claim to impartiality when discussing the statements made by each of the defendants before the court.

Three studies tend to favor Daladier over Blum in regard to the former premiers’ efforts before the court and these histories belong to Azéma’s historiographical camp. The first of these studies, that of Loris, contends that Blum was successful in denouncing

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<sup>94</sup>Ibid., 126.

<sup>95</sup>Tissier, 16.

<sup>96</sup>Ibid., 118-126.

<sup>97</sup>Ibid., 108-117.

the “hypocrisy” of the bourgeoisie at Riom, but quickly reveals his true opinion of the former premier, an opinion not surprising considering Loris’ status as a Trotskyite: “Blum is a perfidious agent of the enemy [i.e., the bourgeoisie], perfectly conscious of his role, and he must be denounced as such.” Loris continues by indicating that the hypocrisy of the bourgeoisie is matched only by that of Blum himself, who claimed to be serving the working class when he helped end the 1936 strikes, but was actually working for the bourgeoisie, the same bourgeoisie “which today pretends to condemn him.” He ends his estimation of Blum’s role in the trial by revealing how Blum was forced to explicate the “dirty role he had played [in 1936]” in order to defend himself, which Loris follows with a call to the workers to “remember these confessions of a traitor.”<sup>98</sup>

Daladier fared much better in Loris’ eyes.

Daladier alone is revered by Loris as the man who “transformed the trial” and made the Vichy government and the Army High Command into the accused. Daladier’s statements concerning the nationalization of the armaments industry and the unwillingness of some of the major firms to participate in reforms revealed the true nature of the bourgeoisie in Loris’ estimation. Daladier helped show “a real picture of the French boss, not only in his egotistic thirst for profits, in his blind hate of socialism, but also in his niggardliness and meanness.” Yet Daladier is not completely innocent before Loris, who does indict him, along with Blum, for having “prevented the workers from sweeping away this rottenness.” At least Daladier is atoning for his crime through his testimony at Riom.<sup>99</sup>

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<sup>98</sup>Loris, “Riom Trial.”

<sup>99</sup>Ibid.



According to *Le Procès de Riom* written by “*un Témoin*,” both Blum and Daladier dominated throughout the proceedings, but of the two defendants, Daladier appears to have stood above Blum in the author’s estimation. After an account of the first day of the trial, the author identifies Daladier as having “just won the first hand.”<sup>100</sup> In addition, his statements before the court left the audience “holding [its] breath” and in awe of Daladier’s “implacable” memory when he began reciting various facts and figures before the court without the aid of notes.<sup>101</sup> The author reveals his own admiration of Daladier’s effort when he speculates that the former premier’s efforts would shift the trial’s focus from military unpreparedness and production deficiencies to the unfair business practices of “sharks,” the leading industrialists involved in the defense industry during the 1930s.<sup>102</sup> While the author shows his esteem for Daladier and presents him as standing above Blum during the proceedings, he does not completely dismiss Blum’s effort before the court and even identifies him as “a great man” for “reconciling his beliefs, his convictions and his duties as a head of state.”<sup>103</sup>

Blum’s examination provides “the heart of the true trial,” the trial that Vichy wanted all along, that of the Republic. The author also shows the reader how Blum had nothing to do with military preparedness or the declaration of war, only the policies of the Popular Front, particularly its social legislation.<sup>104</sup> Blum’s role in passing these laws, according to the author, led to his indictment alongside Daladier, Gamelin, and the other defendants, all of whom were directly involved in the process of preparing the military for war. Despite the author’s recognition of Blum as a “great man,” his testimony before

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<sup>100</sup>*Le Procès de Riom*, 40.

<sup>101</sup>*Ibid.*, 61.

<sup>102</sup>*Ibid.*, 79.

<sup>103</sup>*Ibid.*, 109.

<sup>104</sup>*Ibid.*, 105.

the court is not presented in the same manner as that of Daladier: there are no comments about Blum “winning” or the audience being in the palm of Blum’s hand. Blum’s testimony is presented matter-of-factly with the author providing an analysis of the nature and the effectiveness of the Popular Front from time to time, but not relating any reaction on the part of the audience. As a result, the author, the “witness,” who wrote *Le Procès de Riom* appears to regard Daladier as being the leading defendant at the trial in terms of turning the proceedings against the Vichy government.

Finally, while Bastid contends that Daladier and Blum dominated the proceedings by delivering “solid defenses” and by having “accused their accusers often,” he focuses primarily on Daladier’s defense in his analysis.<sup>105</sup> Central to Daladier’s defense for Bastid was his ability to produce concrete numbers in response to the prosecution’s claims. In addition, Bastid emphasizes Daladier’s revelations concerning Pétain’s belief when he was minister of war that the Sedan region did not need to be fortified, a belief that factored prominently in deciding the outcome of the Battle of France in the minds of many Frenchmen.<sup>106</sup>

Another four studies all place Blum above Daladier in the final assessment of the trial itself. In the first of these studies, Géraud identifies Daladier and Blum as the two most important defendants at the trial, particularly after Gamelin’s vow of silence, which leads Géraud to ask the reader rhetorically “was [Gamelin] playing the Government’s game?”<sup>107</sup> From the very beginning of the trial, Daladier and Blum “took a very high-handed tone with the Court and the state’s attorney [Gustave Cassagnau].”<sup>108</sup> While

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<sup>105</sup>Bastid, 353.

<sup>106</sup>Ibid., 353-354.

<sup>107</sup>Géraud, 683.

<sup>108</sup>Ibid.

Géraud agrees with the majority of Daladier and Blum's respective defenses, especially when both men revealed Marshal Pétain's culpability as relates to his time as minister of war and of national defense, he does not completely exonerate the two defendants.

With regard to Daladier's case, Géraud believes its "solid part" was his countless attacks on the incompetence and short-sightedness of the General Staff, the group of high-ranking officers responsible for the administrative, operational, and logistical organization of the army, but elsewhere "he greatly overstated his case."<sup>109</sup> Géraud maintains that Daladier cannot simply place the blame for the unprepared nature of the military solely on the shoulders of Gamelin or any other member of the General Staff. While others might be guilty, "each error is [Daladier's] own fault also," since it was his responsibility "to appraise Gamelin's character and abilities" and to find a suitable replacement if necessary. Yet Daladier failed to do so, even though he recognized the "soft spots in the High Command."<sup>110</sup> While Daladier is certainly culpable in this instance, Géraud insists that "no proper justice" could come from the Riom Trial since it had become "a political struggle." Daladier "fought his case courageously" and gave hope to the French at a time when they needed it. For that, he was deserving of a better trial than that he was afforded.<sup>111</sup>

There is one case that stood out even more so than Daladier's: that of Léon Blum. Blum became the voice for "the institutions of the Republic" against Pétain's National Revolution.<sup>112</sup> Géraud prefaces his discussion of Blum's case by stating that "I myself

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<sup>109</sup>Ibid., 686.

<sup>110</sup>Ibid., 687.

<sup>111</sup>Ibid., 688.

<sup>112</sup>Ibid., 689. Géraud does admit that Daladier also spoke for the Republic, but he reminds the reader that "Daladier is burdened with so heavy a past" and his "public life was full of distressing inconsistencies both in national and international affairs" that the next French Republic will use him "as a symbol of something that must never happen twice." Ibid.

have never had the least liking for the Socialist faith” and relating how he never could understand how Blum could “have placed unlimited hopes” in disarmament, particularly in light of “Hitler’s bloody saturnalias.”<sup>113</sup> For his commitment to disarmament, Géraud likens Blum to “a sort of French Pythagoras [the Greek mathematician and philosopher], an ideologist who insisted on believing that in the end humanity will be ruled by ‘divine numbers.’”<sup>114</sup> Regardless of his politics, Géraud recognizes Blum’s “patriotism, the rectitude of his intentions, [and] his courage,” even going so far as to claim that Blum is one of the few politicians left in France who exhibits a “nobility of spirit.”<sup>115</sup> For Géraud, the basis of Blum’s “courage” before the court stems from his defense of the Popular Front and its legislation as a necessary reaction to the “quasi-revolutionary movement” throughout France prior to the start of the Popular Front government. Blum effectively showed how this movement resulted from “the stupid monetary, financial and economic management” of the several governments existing between 1931 and 1933, with emphasis placed on the governments of three former premiers who were in office between 1934 and 1935: Gaston Doumergue, Pierre-Etienne Flandin, and Laval. These politicians “were advised and egged on by outstanding conservatives.” Géraud praises Blum for the very acts that Loris had denounced him in his article: bringing about an end to the upheaval within French factories through a legalist and reformist approach. Loris would have preferred Blum to have sided with the workers and prolonged the strikes, but ultimately Loris believed that Blum was working with the bourgeois enemy, French bosses. What Géraud believes to be the touchstone of Blum’s defense is his ability to present “Vichy’s plea of legitimacy” as standing “against a background of unequalled

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<sup>113</sup>Ibid., 689-690.

<sup>114</sup>Ibid., 690.

<sup>115</sup>Ibid.

failure on the part of those who now claim to be regenerating France,” with particular attention paid to Laval’s role in the government.<sup>116</sup> Blum’s words before the court, coupled with those spoken by Daladier, would be the catalyst for the “second French Revolution” Géraud called for at the end of his article, since their words “have set men thinking.”<sup>117</sup>

Unsurprisingly, Pierre Cot identifies the three most important defendants at Riom as Blum, Daladier, and himself, “the three men of the Popular Front.”<sup>118</sup> However, in regards to the men actually present in the courtroom, Blum and Daladier dominate the proceedings with their “powerful logic” and “the force of their arguments.”<sup>119</sup> Cot even goes so far as to state that Blum and Daladier “are not of the same caliber as [Pétain]” since the former two speak with logic, strength, and clarity, while the latter speaks with force and hypocrisy, imitating second-rate heads of state such as Francisco Franco of Spain and Vidkun Quisling of Norway.<sup>120</sup>

Blum stands out through his “intelligence and culture,” evidenced by his willingness to discuss any and every topic the court asked him to address. Cot continues by comparing Blum to the Enlightenment philosopher Montesquieu and declares that the former premier was carrying on “the great tradition of French politics, philosophy, and jurisprudence” that Montesquieu began.<sup>121</sup> Daladier on the other hand, was more a “fighter” who battled the prosecution at every turn and launched “his [own] decisive

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<sup>116</sup>Ibid., 691.

<sup>117</sup>Ibid., 693.

<sup>118</sup>Cot, 41. It must be remembered that Cot was tried *in absentia* since he had fled to the United States after the defeat. See pp. 38 and 54-55 above.

<sup>119</sup>Cot, 131.

<sup>120</sup>Ibid.

<sup>121</sup>Ibid.

counterattack” against his accusers.<sup>122</sup> For Cot, Daladier was not a Montesquieu, but a Danton, referring to Georges Danton, the revolutionary figure who attempted to moderate the Reign of Terror that occurred between 1793 and 1794 to eliminate the enemies of the revolution.<sup>123</sup> However, Cot does separate the influence of the two former premiers and place one above the other.

Predictably, Cot holds Blum in a higher estimation than Daladier, especially since the two men had worked so closely together during the early years of the Popular Front and even before that government came to power. As a result, he includes an homage to Blum in his work in which he asserts that the trial “added stature to [Blum’s] actions,” while it “emphasized his nobility” above all else, making him become “the symbol of French democracy.”<sup>124</sup> This homage is followed by an analysis of Daladier’s politics in which Cot is quick to point out that he and Daladier do not share the same opinions on policy, leaving the former premier forever to “remain the man of Munich” in Cot’s eyes. He continues by revealing that he had disapproved of Daladier’s military policy and his conception of how to prepare France’s defenses, particularly in regards to his underestimating of the role of aviation in modern warfare.<sup>125</sup> Regardless of the differences concerning policy that existed between Cot and Daladier, the former minister of aviation maintains that “Daladier has redeemed himself” through opposition to the armistice in June 1940 and “his courage and steadfastness” presented in defense of the Republic before the Riom court.<sup>126</sup> For Cot, the Republic had no better defenders at

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<sup>122</sup>Ibid., 133.

<sup>123</sup>Ibid.

<sup>124</sup>Ibid., 176.

<sup>125</sup>Ibid., 177.

<sup>126</sup>Ibid.

Riom than Blum and Daladier, men who deliberately chose not to defend themselves, but rather the institution that they had both worked so hard to uphold.<sup>127</sup>

Much like Cot, Henri Noguères, a socialist, maintains that Blum dominated throughout the proceedings and emerged as a defender of both the Third Republic and France itself through his impartiality, nobility, and eloquence.<sup>128</sup> According to Noguères, these three qualities quickly made Blum a role model and inspiration for the Resistance, which would use some of his statements before the court in its propaganda.<sup>129</sup> Blum's tone, which Noguères describes as demonstrating his "implacable logic, [and] unflinching ability to reason," was transformed during the trial from that of an accused man to the voice of "justice" to which each man listening had to "give way."<sup>130</sup> As a result, Blum became a mouthpiece for the Resistance and served the movement from his prison cell at Riom.

Noguères describes Blum's new role by identifying him as a unifier within the Resistance through his decision to persist in explicating before the court how Socialists and Communists worked together in the years before the war. By linking these two groups, Noguères hypothesizes that Blum sought to further the common cause that existed between the two ideologies in the fight against the Germans.<sup>131</sup> Ever since Germany had declared war on the Soviet Union on June 22, 1941, French Communists had actively joined the Resistance against the German occupiers alongside Socialists, Radicals, and other political groups ranging from the center to the left. Blum's ability to

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<sup>127</sup>Ibid., 146.

<sup>128</sup>Noguères, 56.

<sup>129</sup>Ibid., 3.

<sup>130</sup>Ibid., 18-19.

<sup>131</sup>Ibid., 33-34.

show how this cooperation between Socialists and Communists was not just an isolated incident provided excellent ammunition for Resistance propagandists.

Of all the studies reviewed here, that of Yves Beigbeder has the shortest analysis of all the defendants, owing to the broad scope of his history of French justice, from 1830 to 2005. However, he follows with some of the same themes present in the analyses by Géraud, Cot, and Noguères. According to Beigbeder, Blum dominated the trial through his “vigorous defence” before the court, during which he attacked its legitimacy, its violations of the defendants’ rights, and “the trial itself, the trial of France and of the Republic.”<sup>132</sup>

A final two studies contend that both Blum and Daladier were the principal defendants at the Riom Trial. In his history, Henri Michel emphasizes that the two former premiers did not succumb to General Gamelin’s “inferiority and humility complex” that resulted from a “spiritual crisis” he suffered while imprisoned. He praises the oratorical skills of Blum and Daladier, describing the former as “subtle, demonstrative, [and] with a captivating eloquence,” and the latter as “passionate, sound, [and] loaded with statistics.”<sup>133</sup> Yet, in the literature surrounding the trial, Michel contends, Blum is favored over Daladier due to the latter’s “two huge failures”: the Munich agreement effectively ceding Czechoslovakia to the Germans and the defeat of the French army.<sup>134</sup> Regardless, according to Michel, Blum and Daladier remain “the victors in the battle of Riom.”<sup>135</sup>

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<sup>132</sup>Beigbeder, 162.

<sup>133</sup>Michel, *Procès*, 105, 107.

<sup>134</sup>*Ibid.*, 113.

<sup>135</sup>*Ibid.*, 114.



According to Laughland, the proceedings were dominated by Daladier and Blum, whom he called “the main defendants” and described as “seasoned parliamentarians who wanted to address the wider public outside the courtroom.”<sup>136</sup> These men singlehandedly turned the Riom Trial against Marshal Pétain and his ministers by ignoring the parameters of the trial as presented by the prosecution in the indictment. Laughland underscores their position by referencing how Daladier “protested vehemently” Pétain’s already having declared the defendants guilty before the trial had even begun, while Blum “gave a magnificent speech” concerning how the trial meant to absolve the army and place all blame squarely on Vichy’s “political enemies.”<sup>137</sup> In addition, Laughland emphasizes the irony of the trial demonstrated when Daladier and Blum each revealed how they and the other defendants had maintained a similar attitude as Marshal Pétain toward preparations for France’s defenses, particularly with regard to the Maginot Line built along the border with Germany. Furthermore, the defendants, primarily Daladier and Blum, effectively demonstrated that the Third Republic and its various governments during the 1930s had rearmed France, that there were “plenty of tanks, and German superiority lay instead in communications, guns, and training.”<sup>138</sup>

Regardless of which defendants stood out at the Riom Trial, four of the five defendants (Gamelin excluded) worked together to turn the proceedings against Marshal Pétain and the Vichy government. Whether through Daladier’s memory for facts and figures, Blum’s soliloquies on the Popular Front and its social legislation, La Chambre’s expert knowledge of the aeronautical industry, or Jacomet’s attention to the minutiae of rearmament, each man did his part to show that no one individual was responsible for the

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<sup>136</sup>Laughland, 73.

<sup>137</sup>Ibid.

<sup>138</sup>Ibid., 74.

defeat in 1940. Each in his own way revealed that the French political system itself, with its revolving door of premiers, of ministers, and of governments throughout the 1930s, contributed to the defeat. In addition, each showed that the various administrations that had long been dominated by men who maintained a defensive conception of war and who did not believe in the benefits of a strong air force, had left France unable to meet the demands placed upon the nation by the advancements made in modern warfare when war came. While it would seem that these men were condemning the Third Republic itself, they were actually reproaching the various ministers who had either perverted its institutions or used them to thrust upon the nation what they perceived as being most beneficial for the nation. Who were these ministers? Pétain, Weygand, and Laval, among others.

#### The Fourth Question: Who Called for the Trial to End?

The fourth question appearing in scholarship concerning the Riom Trial is that of who called for an end to the proceedings. Once again, the usual cast of characters appears, this time with a few other additions. Pétain, Darlan, and Barthélemy on the French side, while Hitler remains the leading figure on the German side. The historians who attribute the end of the trial to the French fall within Azéma's historiographical camp, while those who ascribe it to the Germans belong to Vigreux's group. Some historians insist that the German military had a say in ending the proceedings, particularly when any question arose concerning perceptions surrounding the might and ability of the German military. Regardless of who called for the end of the trial, the reason behind this call remains the same: Vichy had replaced the Republic in the dock, and such a turn of events shamed the government; therefore, the trial needed to be stopped at once.

Once again, since Ghilini published his “history” of the trial in March 1942, as the proceedings unfolded, he does not follow the same pattern as other writers in this survey. Ghilini did not foresee the trial’s abrupt ending a month later, but he does theorize that if the trial should somehow end without serving what he sees as “justice,” then France would return to a time when “piracy was considered in certain instances, as an honorable profession.”<sup>139</sup> The defendants, this “clique” of “bellicose, anti-Fascist, anti-Nazi politicians” are nothing more than “modern pirates” to Ghilini.<sup>140</sup> As at the beginning of his “history,” Ghilini calls again for justice through the death of these men, whom he identifies as traitors, and ends with a plea to the reader: “Let us hope, yes let us passionately hope that the Supreme Court of Riom’s verdict does not make us regret for one day [not taking] revenge,” that is by sentencing the defendants to death immediately after the defeat.<sup>141</sup>

As with the question concerning to what extent the Germans were involved in the creation of the trial, a spectrum exists concerning who wanted the trial to end: at one end, the Germans, while the Vichy government sits at the other end, with a combination of the two in between. One of the first analyses of the trial that asserted the Germans’ role in ending the trial, and as a result, belongs to Vigreux’s camp, was that of Loris. He attributes the end of the trial completely to the Germans who went from viewing Riom as “far from displeasing” to denouncing it “as a farce and a scandal.” In addition to citing Hitler’s March 15 speech in which he lashed out at the Riom court, Loris includes a reference to a telegram sent two weeks into the trial from “the diplomatic correspondent of the official German news agency D.N.B. [*Deutsches Nachrichtenbüro*].” In the

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<sup>139</sup>Ghilini, 185.

<sup>140</sup>Ibid.

<sup>141</sup>Ibid., 186.

telegram, a German official, whom Loris does not identify, took offense at how the trial attempted to place blame for the defeat on one politician or the next, especially since the question at hand should have been, “Why did France declare war on Germany, knowing full well the Fuehrer’s desire for peace?” Loris believes that the German desire for the French to investigate and proclaim their guilt in starting the war would help give the Germans a “trump card” that they could use in all of the countries they occupied to gain more and more “political and economic concessions.” However, as the trial progressed, Germany could not gain its trump card and therefore had to force the suspension of the proceedings.<sup>142</sup>

Pierre Cot attributes the suspension of the trial to the intervention of Hitler, indicating that the way in which the trial had been transformed from concerning French war guilt to military unpreparedness had “irritated” Hitler.<sup>143</sup> Cot presents an interesting analysis when he argues that Hitler ended the trial because he could not afford for Pétain’s prestige to be hurt any more than it already had been by the proceedings since he needed the Marshal as “the rallying point for the numerous Fascist groups in France.”<sup>144</sup> As a result of the pressure being levied upon Vichy by the German government, the Riom Trial was suspended through “fear,” in particular a “fear of Hitler’s wrath.”<sup>145</sup>

Laughland, even though he first identifies Joseph Barthélemy as realizing the need to stop the trial even before it began, presents the Germans as being more vociferous in the call for its end. He relates how Barthélemy realized that it would be impossible for the Third Republic and Vichy to remain separate from each other given that Pétain and

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<sup>142</sup>Loris. “Riom Trial.”

<sup>143</sup>Cot, 145.

<sup>144</sup>Ibid.

<sup>145</sup>Ibid., 146.

several of the leading men of Vichy had actively participated in ministerial posts relating directly to national defense. Additionally, an acquittal of the defendants “would imply a judicial condemnation of Germany,” while a conviction would further alienate Great Britain.<sup>146</sup> However, according to Laughland, a greater demand to end the trial began to appear during the latter half of the proceedings from the one group trying to disassociate itself from the events at Riom even more so than the Vichy government: the Germans.

“Leading Germans” began to worry that the trial would end in acquittal, according to Laughland, especially considering the anti-German sentiment pervading the proceedings. He cites the testimony of the Marquis de Moustiers, an officer who fought during the Battle of France, who “shouted out at the German journalists in the courtroom, ‘I killed a Kraut!’” which President Caous shrugged off as simple patriotism. He also observes that Daladier and the other defendants openly hoped for an Allied victory and that the German military commander in France attributed the rise of Resistance operations to the testimony of Blum and Daladier at the trial.<sup>147</sup> Even the German generals themselves began to resent the indictment and its implication that “their victory against France had been nothing less than a brilliant military achievement” and preferred that the court stop showing how “hopelessly unprepared” France was for war.<sup>148</sup> Like many other historians, Laughland cites Hitler’s “public attack” on France during his March 15, 1942, speech as the catalyst that spurred Vichy, and Pétain in particular, to suspend the trial “on the pretext that all responsibilities should be examined and not just those currently being debated,” which Laughland describes as a “euphemism to hide the

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<sup>146</sup>Laughland, 69-70.

<sup>147</sup>Ibid., 75.

<sup>148</sup>Ibid.

fact that the political desires of the Germans and the French were fatally opposed.”<sup>149</sup>

Laughland argues that Vichy only ended the trial when it began to realize German displeasure with the proceedings, even though the Germans had not wanted the trial in the first place. Laughland states in the conclusion to his book, “political trials are the continuation of war by other means.”<sup>150</sup> Seen in this light, the Riom Trial was a war the Germans sought quickly to end, even though they had not started it.

The preceding three histories belong to Vigreux’s camp, while the next four studies under review all relate how both the Germans and the Vichy government called for the trial to end, and therefore find themselves between Vigreux and Azéma. Géraud attributes the call for an end to the trial in part to Hitler, when he cites the Führer’s speech delivered on March 15. Géraud presents this speech as revealing Hitler’s realization that “the heated arguments” occurring between the defendants, the prosecution, the judges, and even the witnesses, would “inevitably” turn the French against the Vichy government and, by extension, against Germany. He couples this analysis with an acknowledgement that he recognizes the precarious position in which Pétain and Laval, as well as other Vichy functionaries, were placed during the proceedings, especially given how the trial had been turned against them.<sup>151</sup> As a result, Géraud links the ending of the trial to both Pétain and Laval on one side and Hitler on the other. By stopping the proceedings, the two men of Vichy hoped to better relations with Germany, while Hitler did not want to remain associated with the imbroglio into which the Riom Trial had been transformed by the Vichy government.

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<sup>149</sup>Ibid.

<sup>150</sup>Ibid., 252.

<sup>151</sup>Géraud, 682-683.

Like Géraud, Pierre Tissier attributes the call for the end of the trial first to the Germans and then to Marshal Pétain, but he does not mention Laval. As regards the Germans, once the trial began to focus upon the military responsibility for the defeat and excluded the issue of France's guilt in declaring war, the proceedings became "a failure" and "speedily became dangerous."<sup>152</sup> The depositions and witness statements presented before the court showed how the French soldiers had fought bravely and true failure rested with an incompetent high command. Above all else, according to Tissier, the Germans feared that these statements would instill a sense of resistance amongst the French people while also making the German victory seem "merely the victory of a technique instead of the triumph of a race."<sup>153</sup> The Marshal wanted the trial to end in much the same way as the Germans: before it became "a dead loss" for Vichy.<sup>154</sup> Above all else, Tissier attributes to Pétain a desire to ensure that General de Gaulle not be allowed to use the trial as a means to garner support for the Free French Forces. Tissier directly states that the defeat in 1940 was due to two causes, both of which were described at Riom: Pétain's "blindness" in regards to modern warfare and his refusal to accept the use of tanks in an offensive war as championed by de Gaulle.<sup>155</sup> Tissier maintains that de Gaulle's "shadow was in the background at all the sittings of the court" and for that reason Pétain suspended the trial, preventing the General from gaining more prestige, more popularity, among the people of France.<sup>156</sup>

Like Tissier, Henri Noguères links the call to end the trial to both Hitler and Pétain. He does so by underlining both leaders' irritation at what had occurred during the

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<sup>152</sup>Tissier, 192.

<sup>153</sup>Ibid.

<sup>154</sup>Ibid., 194.

<sup>155</sup>Ibid., 201.

<sup>156</sup>Ibid., 201-202.

proceedings. Hitler's frustration resulted from the inability of the court to establish French culpability in declaring war, while Pétain's annoyance arose once the trial turned against him when the defendants made him one of their co-conspirators.<sup>157</sup>

On the other hand, the author of *Le Procès de Riom*, the "Témoign," brings Laval into the fold with Hitler, but leaves out the Marshal. He argues that Hitler, who had wanted the trial all along, hoped that the French judges at Riom would ultimately proclaim that the defendants had both declared and wanted the war. When the trial began to focus upon military unpreparedness and the social legislation of the Popular Front, these topics "did not interest [Hitler] at all" because he had "lived" it, he and his generals "had surprised and beaten" the French high command.<sup>158</sup> As a result, according to the author, Hitler let a "new character . . . enter the scene," an individual who preached "appeasement" with the Germans: Pierre Laval.<sup>159</sup> The author indicates that Marshal Pétain's meeting with Laval in the Randan forest on March 26, 1942, the day before the twenty-first audience of the Riom Trial, was no coincidence.<sup>160</sup> Laval, who had been removed from the government in December 1940,<sup>161</sup> becomes the driving force behind the suspension of the Riom Trial according to the "Témoign" due to the connections he had maintained with the German government through his time spent in Paris with Otto Abetz, the German ambassador to France. The author appears to insinuate that the deal

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<sup>157</sup>Noguères, 53.

<sup>158</sup>*Le Procès de Riom*, 152-153.

<sup>159</sup>*Ibid.*, 153.

<sup>160</sup>For a summary of this meeting and Laval's return to power, see Robert Aron and Georgette Elgey, *The Vichy Regime, 1940-44*, trans. Humphrey Hare (London: Putnam & Co., 1958), 351-356; Robert O. Paxton, *Vichy France: Old Guard and New Order, 1940-1944* (New York: Alfred A. Knopf, 1972), 131-135; and Julian Jackson, *France: The Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 213-215.

<sup>161</sup>See pp. 39-43 above.



to bring Laval back into the government coincided with Hitler's desire to suspend the trial before it got any further out of hand.<sup>162</sup>

The remaining three works reviewed here fall on the other side of the spectrum, identifying the Vichy government as calling for the end of the trial, and thus belong to Azéma's historiographical camp. Bastid implies that the decree emanated from Pétain, although he does not mention the Marshal outright. Vichy was simply "worried" about how the trial had turned against the government and sought to end the proceedings, but Bastid emphasizes that the decree did not completely end the trial, but merely stated that it would be postponed so that other individuals responsible could be investigated. Bastid interprets this move as having "no other goal but to put [the trial] to rest while appearing to give it a new task."<sup>163</sup> As a result, the defendants were in much the same position that they were in before the trial began: they were imprisoned in a fortress, waiting to be handed off to the enemy.<sup>164</sup>

Yves Beigbeder does directly attribute the desire to stop the trial to Marshal Pétain, but does not give a reason for the Marshal's decision; he only mentions an account of Hitler's March 15, 1942 speech in which Hitler expresses his anger directed against the French for their incompetence in preparing and proceeding with the trial.<sup>165</sup> In presenting the history as such, Beigbeder appears to insinuate that the Germans might have had a hand in the suspension of the trial, but the reader is unsure, particularly given

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<sup>162</sup>*Le Procès de Riom*, 153-154.

<sup>163</sup>Bastid, 354.

<sup>164</sup>*Ibid.*, 355.

<sup>165</sup>Beigbeder, 162.

his inconsistent statements concerning to what degree the Germans were involved in the call for the trial.<sup>166</sup>

Finally, Henri Michel argues that the decision to end the trial originated with the Vichy government, particularly once the defendants began to incriminate Marshal Pétain and General Weygand. He contends that the Germans would never have directly asked for the end of the trial because Joachim von Ribbentrop, Germany's foreign minister, had instructed that both Abetz and Friederich Grimm, a legal advisor to Hitler and member of the German embassy in Paris, "should refrain from making any statements regarding the Riom Trial" in their dealings with the Vichy government. Michel continues by arguing that such a demand was typical of Germany's occupation policies: create the necessary conditions to force the Vichy government to enact measures of its own accord, while maintaining as much distance from these measures as possible. In the end, Michel argues that the Vichy government decided to suspend the trial independently, for the most part, but still as a means to try to remain on good terms with Germany, since the members of the government were aware of Hitler's disapproval of how the trial had progressed.<sup>167</sup>

The two historiographical trends presented by Azéma and Vigreux regarding whether Vichy or Germany sought to end the trial first, once again perpetrated myths surrounding Franco-German relations at the time, particularly the idea that the Vichy government was a puppet to Germany. The histories falling into Vigreux's tendency to cite the Germans as demanding the trial to end explicitly indicate Vichy's reliance upon Germany in determining policy, while those following Azéma's example appear to remove the Germans completely from the equation. The truth lies somewhere between

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<sup>166</sup>See pp. 118 above.

<sup>167</sup>Michel, *Procès*, 376.

these two positions, especially when viewed within Michel's argument that Germany's occupation policies created conditions that forced the Vichy government to enact measures of its own accord, while allowing Germany to maintain as much distance from these measures as possible.<sup>168</sup>

Ultimately, both the Germans and the Vichy government recognized the need to end the trial, yet the damage was already done: the defendants had turned the trial back upon Marshal Pétain and his government. Had Marshal Pétain not been so determined to demonstrate that the Third Republic was responsible for the defeat in 1940 and that a handful of men knowingly led France into a war they knew could not be won, then he possibly could have realized how pointless the trial would ultimately prove. Yet, Pétain was so resolved to incriminate the Third Republic and its leading figures that he blindly decided to continue with the trial no matter what. Only when the defendants had torn the case against them apart and Hitler had made known his displeasure with the proceedings, did the Marshal begin to seek a way to extricate himself and his government from the very situation that he had created. However, it was too late for Pétain because, as Henri Michel contends, in starting the Riom Trial, the Vichy government, and more so Pétain himself, had "made the wrench that unscrewed the bolts to the statue" of Pétain that the National Revolution had figuratively erected.<sup>169</sup> The events leading up to the Riom Trial and continuing through the trial itself, marked the beginning of the end for the Vichy government.

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<sup>168</sup>Ibid.

<sup>169</sup>Ibid., 395.

## CONCLUSION

“Thus, the Riom Trial had been at once a comedy of errors and a tragedy. A comedy of errors because the accusers had been ridiculed by the accused. A tragedy because the divisions among the French had been flaunted and aggravated, and innocent men condemned.”<sup>1</sup>

--Henri Michel

“The greatest trial in history” abruptly ended without a satisfactory result for Vichy. What had started as “the trial of the Republic” and “the trial of the Popular Front” had become “the trial of the French State,” but more importantly, “the trial of Marshal Pétain.” Through the efforts of the five defendants, but primarily Edouard Daladier and Léon Blum, Pétain’s failures and short-sightedness as minister of war were revealed; the same can be said for his role as both head of state and instigator of the Riom Trial.

At the outset, Pétain and his ministers believed that the trial would legitimize the newly created French State and solidify the National Revolution as France’s new moral order. These men believed the trial would achieve these two goals no matter what. What Pétain and his ministers had designed at Riom would ultimately prove the archetype for what would become known as *les guerres franco-françaises*. By putting the Popular Front on trial, by denouncing and rejecting republican institutions, and by trying the most symbolic of “others” in France, Léon Blum, a Socialist and a Jew, Pétain instantaneously placed both his government and himself in opposition to the ideals of the Great Revolution of 1789, *liberté, égalité, and fraternité*. This antagonism between Vichy and

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<sup>1</sup>Henri Michel, *Le Procès de Riom* (Paris: Albin Michel, 1979), 403.

the republican tradition, between right and left, came to be the standard by which each *guerre franco-française* would be assessed. This *guerre* would outlive Pétain's French State and come to dominate the historiography of the Riom Trial, one of the first measures undertaken within the reforms of the National Revolution. Unfortunately for Pétain and his ministers, they did not consider how tenaciously the defendants would present both their respective defenses and their cases against Pétain and his ministers at the trial.

At every turn, Marshal Pétain was criticized for not allocating enough credits to France's defenses, not extending the series of fortifications known as the Maginot Line to the sea, and not advocating for a modernization of French army tactics, particularly in regard to the use of tanks and airplanes. Furthermore, Pétain's cohorts, General Maxime Weygand, minister of defense, and Pierre Laval, deputy head of state, quickly found themselves in the newly formed defendants' dock alongside their boss. While Weygand was "indicted" for practically the same reasons as Pétain, Laval found himself the target of attacks over his desire to balance the budget at all costs, including a lowering of the funds earmarked for defense at a time when France should have been actively increasing the amount of credits assigned to rearmament. If these men had considered that the defendants at Riom were not going to kowtow to their accusers and meekly let themselves be punished, then Pétain and his ministers could have avoided suffering embarrassment before not only the French, but the Germans as well.

When news of the trial first broke, everyone believed that it was but another demand made upon the Vichy government by the Germans; yet nothing could have been further from the truth. The Riom Trial was enacted by the French State, which was left

sovereign in the Unoccupied Zone according to the armistice agreement ending the war. The creation of the Supreme Court of Justice that would sit for the trial was wholly a product of the Vichy regime and not only a means to legitimize the National Revolution and the French State, but also a means to attempt to achieve closer collaboration with the Germans. Yet, Marshal Pétain and his ministers were once again short-sighted in their hopes for the trial.

The Germans never directly called for a trial declaring the responsibilities for the defeat, which was the focus of what unfolded at Riom. Germany had called for an investigation that would ultimately declare France guilty for starting the war, but Pétain refused for fear that in instigating the proceedings as such, he would have given the Germans ammunition for future demands for reparations. As a result, Pétain organized the trial to explore those responsible for the defeat, and, more specifically, primarily those politicians responsible. This decision guaranteed a crack within the foundation for collaboration that Pétain and his ministers sought to lay with the hearings at Riom: in declining to initiate a case investigating France's culpability in declaring war, a German demand, Pétain set in motion a course of events that he never realized would eventually lead to the failure of his government. Once the Germans were aware that the Vichy government had lost all control of the proceedings, demands were made to stop the trial at once. In addition, in April 1942, through the work of Otto Abetz, the German ambassador to Paris, the Germans practically forced Pétain to accept Laval, who had been out of the government since December 1940, back into the government.

Laval's return to power signified the end of Marshal Pétain's active participation in the government he had formed: Laval was made head of government with control over

three key ministries-- foreign affairs, the interior, and information-- while Pétain remained head of state, but only in title. Most of Pétain's closest colleagues were forced out of the government, although Joseph Barthélemy, minister of justice during the Riom Trial, and Lucien Romier, the staunch opponent of the Republic who insisted on staging its trial, were allowed to remain, but with virtually no authority. The Marshal was effectively left alone and isolated, beholden to a man he despised.<sup>2</sup>

Pétain was responsible for the situation in which he found himself: he had initiated the events that would lead the Germans to chip away at Vichy's sovereignty beginning with the return of Laval. Had Pétain not proven himself unable to conduct a "simple" political trial along the lines demanded by the Germans, then his situation in April 1942 might have been entirely different. However, he insisted upon instigating the Riom Trail as both an attack on the Third Republic and an investigation into the responsibilities for the defeat, not the war. This resolution to proceed with the trial as Pétain saw fit indicated to the Germans that Pétain was going to try to find his own way of working within the conditions forced upon him, which would ultimately pose a problem to the Germans when the time came to enact harsher measures in France. Yet Pétain appeared unaware of the position in which he had placed himself and remained convinced that merely by staging a trial he had appeased the Germans just enough to show how useful he could be for them in the future. In the eyes of the Germans, Pétain established himself as a liability that needed to be controlled and, therefore, Laval was brought into the government with full powers, while Pétain was relegated to being nothing more than simply a figurehead.

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<sup>2</sup>For Laval's return to power, see Julian Jackson, *France: The Dark Years, 1940-1944* (Oxford: Oxford University Press, 2001), 213-215; and Robert Aron and Georgette Elgey, *The Vichy Regime, 1940-44*, trans. Humphrey Hare (London: Putnam & Co., 1958), 359-391.

In the end, the Riom Trial did investigate the responsibilities for the defeat, but they could not be assigned to only six men; every French government going back to 1933, when Hitler became chancellor, had been proclaimed responsible, including those in which Marshal Pétain had participated as minister of war. If Pétain had remained true to what he had told the French people in his address to the nation on October 16, 1941, then his circumstances might have been different: “But in the age in which we live, each must acknowledge his responsibilities. I give the example: I acknowledge mine.”<sup>3</sup> Unfortunately Pétain failed to recognize just how guilty he was, as well, and ultimately created the conditions that ushered in the beginning of the end for his government by guaranteeing his removal from power and replacement by Laval.

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<sup>3</sup>Philippe Pétain, *Discours aux Français : 17 juin 1940-20 août 1944*, ed. Jean-Claude Barbas (Paris: Albin Michel, 1989), 202.



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## APPENDIX I

### LIST OF WITNESSES EXAMINED WITH DATES<sup>1</sup>

Thursday, February 19, 1942:

General Maurice Gamelin, Léon Blum, Edouard Daladier

Friday, February 20, 1942:

Léon Blum

Tuesday, February 24, 1942:

Session Postponed due to Edouard Daladier's Illness

Friday, February 27, 1942:

Edouard Daladier

Saturday, February 28, 1942:

Edouard Daladier

Tuesday, March 3, 1942:

Edouard Daladier, General Maurice Gamelin

Wednesday, March 4, 1942:

Guy La Chambre

Thursday, March 5, 1942:

Guy La Chambre

Friday, March 6, 1942:

Closed Session Concerning Meeting of August 23, 1939

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<sup>1</sup>Adapted from Pierre Tissier, *The Riom Trial* (London: George G. Harrap & Co., 1942), 203.

Tuesday, March 10, 1942:

Léon Blum

Wednesday, March 11, 1942:

Léon Blum

Thursday, March 12, 1942:

Robert Jacomet

Friday, March 13, 1942:

Robert Jacomet

Tuesday, March 17, 1942:

Generals Besson, Blanchard, and de Moustier

Wednesday, March 18, 1942:

Generals Mittelhauser, François, and Réquin

Thursday, March 19, 1942:

Generals Réquin and Héring

Friday, March 20, 1942:

Generals Sciard, Doyen, and Lenclud; Major Ragaine

Tuesday, March 24, 1942:

Generals de la Porte du Theil, Trolley de Prévaux, Touchon, and Huré

Wednesday, March 25, 1942:

Generals Gérodias, Montagne, Andreï, Dosse, and Boris

Thursday, March 26, 1942:

Generals Préaud and Conquet; Lieutenant-Colonel Verdurand

Friday, March 27, 1942:

Generals Leyer and Etcheberrigaray; Colonels Jeanson and Feuillat; Captain Le  
Porz

Tuesday, March 31, 1942:

Generals Martin and Keller

Wednesday, April 1, 1942:

Generals Langlois and Stehlé; Colonel Perré

Thursday, April 2, 1942:

Generals Marescaux and Hurault; Quartermaster General Bernard

## APPENDIX II

### LIST OF SOURCES FOR THE ELEVEN SESSIONS OF WITNESS TESTIMONY

March 17, 1942: Bracher, 800-820; de Coquet, 195-205; Mazé and Genebrier, 184-194;  
Bredin, 128-130

March 18, 1942: Bracher, 822-837; de Coquet, 206-217; Mazé and Genebrier, 195-204;  
Bredin, 130-131

March 19, 1942: Bracher, 839-855; de Coquet, 218-231; Mazé and Genebrier, 204-211;  
Bredin, 131-132

March 20, 1942: de Coquet, 232-240; Mazé and Genebrier, 211-219; Bredin, 132-134

March 24, 1942: de Coquet, 232-240; Mazé and Genebrier, 219-226; Bredin, 134-136

March 25, 1942: de Coquet, 241-247; Mazé and Genebrier, 227-231; Bredin, 136-138

March 26, 1942: de Coquet, 248-249; Bredin, 138

March 27, 1942: Bracher, 857-866; Mazé and Genebrier, 231-237; Bredin, 138-139

March 31, 1942: Bracher, 868-911; de Coquet, 250-284 (misdated as April 1); Mazé and  
Genebrier, 237-268; Bredin, 139-140

April 1, 1942: Bracher, 913-920; de Coquet, 285-293 (misdated as April 2); Mazé and  
Genebrier, 268-287; Bredin, 140-141

April 2, 1942: Bracher, 922-930; de Coquet, 294-296 (misdated as April 3); Mazé and  
Genebrier, 287-297; Bredin, 141-144



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