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The Pétain Trial

"What ought we to do? This. That. The contrary to this or that."—*Saint-Exupéry.*

C. G. Paulding

AS HE [General Hering, a defense witness] appraised Pétain, five jurors began reading newspapers, one started a crossword puzzle, two fell asleep and two more leaned back in their chairs staring at the ceiling."

Perhaps, at times, it was that way also during the Revolution. It was very exciting at times. When they tried the King it must have been exciting, and when they turned against Danton, and he spoke back. But there must have been dull moments when everything seemed very obvious. The judges would get out of bed in the morning, the executioners would get out of bed a little later in the morning; some people have to go to work earlier than others. The judges would be in their courts, and then a little later the executioners would turn up to see if the slot in the guillotine had not been warped by the rain. Then there were the men who had to get the horses out of the stables and hitch them to the carts, tumbrels, I believe, which conveyed the condemned from the courts to the guillotine. They worked on schedule too. Everyone connected with the system went to work every day at his appointed hour and then the accused were brought out of their prisons and "processed." It was like demobilizing an army: so many a day, and just as the men working in the Separation Centers must get tired of seeing the same joy each day on the faces of the soldiers drawing their final pay, bored by the daily jokes about not having to salute any more, and by their own answers to the jokes, so the judges of the Revolution must have become inured to the daily spectacle of bravery and resignation as also to the exceptional spectacle of cowardice. There must have been days when they had nothing to tell their families when they came home from work after a stroll and a drink in the garden of the Palais Royal.

Whoever is in charge of the current spectacle in Paris does not mind when the jurors are bored by a defense witness. Since the jurors have been selected from people who have already made up their minds—from members of the Resistance and from members of parliament who voted against giving Pétain plenipotentiary powers—it is only natural that the defense should seem to them a waste of time. Or else that it should infuriate them. It does both. They are acting true to form.

Whoever is managing the current spectacle in Paris desires us to think that the Pétain trial is a revolutionary trial. The thesis is that the whole French nation has risen against the politicians who did not prepare for the war, against the Generals who lost the war, against the Marshal who signed the armistice, collaborated with the Germans and betrayed France. And so the trial is

not a search for truth, it is the public exposure of truth, it is a simple demonstration. Everyone knows who is guilty; the trial simply parades the guilty before the people of France. Look at them—Daladier, Reynaud, Weygand—how they fight each one against the other. How each one blames another. Because it is not just Pétain who is guilty. It is Pétain's trial. But it is also the trial of all the witnesses. Everyone is guilty. The witnesses for the defense, of course, but the witnesses for the prosecution also, because they are the people who handed France over to Pétain. Of course there are degrees in guilt, and the armistice marks a dividing line in time. Admittedly it is difficult to apportion guilt among so many. There are technical difficulties. For instance, if you are over-scrupulous you will have trouble even about Judge Montgibeaux because he took the oath of fidelity under the Pétain régime, and about Prosecutor Mornet because he nearly got a job under the Pétain régime. But after all under our system the judge does not judge, and the prosecutor, under any system, prosecutes as hard as he can, so that what counts is the jury, and the jury is very carefully picked in order that it may represent without any blemish the entire French nation which has risen, etc.

That is what we are desired to think; that is the picture of the Pétain trial that is given by those who set it in motion and who control it. It is a false picture; there is no use desiring us to accept it as a true picture. The trial is not a revolutionary trial because there has not been a revolution. The French people have not risen against the politicians or against the generals or against the Marshal. What has occurred is that the Russian armies, the British armies, the American armies have defeated the German army and, as Admiral Leahy puts it in his letter to Pétain, among the "good aspects" of this victory is the fact that France has been freed.

But only what is left of France has been freed. Pierre Laval—wait till they get to him—called by neither the prosecution nor by the defense but by the court, testifying cried out: "I hate war. Whether we lose or win. But we always lose." The jury did not like this remark. But the fact is that France lost throughout all the Napoleonic triumphs, France lost in 1870 (Alsace-Lorraine and money), France *lost* in 1914-1918, men and money, so grievously that she never recovered, and what is incredibly heroic is that her soldiers had the will to fight—for they did fight bravely—in 1940. When this last war was over, it was over; when it was lost, it was lost.

From London de Gaulle said: "We have lost a battle; we have not lost the war." That was not true. Nothing he could do could win the war. The war was lost. Nothing the Resistance Movement could do within France could liberate France. No heroism, and there was a great deal of heroism, could free France of the Germans. Frorm the moment of France's defeat the liberation of France became accidental to the purposes of other nations. The decision of the war no longer belonged to France. Or to Europe.

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So France lost another war, and now she might be able to fight a war with Spain, or with Italy,

but there would not be much purpose in her attempting a war against the United States or against Russia and there is no more a Germany to fight against. France lost another war but in a military sense it does not matter as it used to matter because her perpetual antagonist, Germany, lost the same war and consequently the entire power structure of Europe is profoundly altered. It was not losing the war that placed France in her present position. It was what she lost while in the process of losing the war that has weakened her so immensely. France lost the war in a few months and then if the war had ended that would have been one thing. But the war kept on as if France were still fighting the war. In spite of Pétain and Laval on the one side, in spite of de Gaulle on the other, there was nothing anyone could do to take France out of the war she had already lost. The prisoners remained in Germany; the Germans remained in France.

No one could take France out of the war she had lost because no one could take France out of Europe and it was Europe that had lost the war. No one could take any part of Europe out of the disaster which had come upon Europe. Norway was in the disaster, and Denmark, and they had no free choice whatever. Italy who had fought on the other side was in the common disaster. All the countries of Europe, including European Russia were in the disaster. England was in the disaster and is in the disaster.

What is left of France has been freed from German occupation but not from the European catastrophe.

In that perspective the trial of Marshal Pétain is meaningless. Because Marshal Pétain did not have, and could not have had, any determining influence in any attempt he made or might have made to annul the predicament in which France found herself when her armies were defeated. The predicament of defeat. At first. Then, later and gradually, the predicament of being a part of a defeated whole, a part of Europe wholly defeated.

At first, in the first moment of defeat, de Gaulle, but practically no one else, no one else who had not already lost his authority, thought that if the Government went to Africa and kept up the war from Africa then there would not be any defeat. That was an intellectual concept that has its merits if one can live by the sound of words. It is true that if the Government and every responsible leader, all the generals—and even all the colonels—had gone to Africa, they could have kept on saying from there that they were fighting the war. It is true also that the war rapidly might have followed them to Africa. But, after all, Africa is not France, and had they been driven to Indo-China, Indo-China is France even less than Africa is France. No matter where the Government and the responsible leaders went to, they would have left the French people behind in France. They would have left France to collaborate or not collaborate. They would have left the Resistance Movement to fight it out and the hostages to be shot and the profiteers to profiteer; they would have left the French people alone with the Germans, and the French people would have acted just as they did with Pétain there and Laval and the rest of them arguing and compromising with the Germans. Because

when a country is conquered no government can be heroic; only the people can be heroic, only a certain limited section of the people are heroic. The government of a conquered country expresses many of the tendencies existing in the conqurered people: all their weaknesses, all their desire to reach an understanding, all their entreaty to be spared, all their hunger, all their despair; but there is one tendency it never expresses and that is a conquered nation's stubborn bravery. Because the instant it expressed that courage it would cease to be that government; it would be reabsorbed into the suffering of the nation; it would become the resistance of the nation. A nation's resistance movement is not accredited to the conqueror.

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So that what Pétain did or did not do during the occupation does not make a very great difference. His intentions make a great difference because a man's honor is of some importance, but how does one read the heart? A court, composed entirely of Pétain's enemies, is a clumsy instrument for measuring his love of country. We have Admiral Leahy's judgment in his letter of June 22, 1945, to Marshal Pétain:

> . . . I held your personal friendship and your devotion to the welfare of the French people in very high regard. You often expressed to me the fervent hope that the nazi invaders would be destroyed.
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> During that period (1941-1942) you did, on occasion at my request, take action in opposition to the desires of the Axis and favorable to the Allied cause. On every instance when you failed to accept my recommendations to oppose the Axis powers by refusing their demands, you stated the reason was that such positive action by you would result in additional oppression of your people by the invaders.
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> I had then, as I have now, the conviction that your principal concern was the welfare and protection of the helpless people of France. It was impossible for me to believe that you had any other concern. . . .

I give to that more value than I do to anything Reynaud may have to say who has his skin to save, or to the impertinence of Clemenceau's son who dares to tell a court of justice, even so odd a court, what his father would have said in 1945 had he not died in 1929, and I note that Herriot, whom I have always admired, was prudent and restrained in his testimony. But we have to leave it at that. If the court is no judge, we are no judge.* The burden of proof, of course, is always with those who call a man a traitor. All that may be said is that when you look about for traitors, most of them betray for money, some of them betray because they are held by fear, and a few, the most interesting, because they deeply hate their country. It is quite obvious that there is not the slightest foundation for attributing any of these motives to Pétain.

And there is something else. In this closed room of inevitability in which Pétain lived throughout the occupation, there was a limit placed on everything but on his thoughts. In "Flight to Arras" Saint-Exupéry is not talking about Pétain and I am quoting this greatest writer of the war, who died for his country, out of context in applying what he says to the trial. What he says is what I have been trying to say: "Historians will forget reality. They will invent thinking men, joined by mysterious fibers to an

intelligible universe, possessed of sound far-sighted views and pondering grave decisions according to the purest laws of Cartesian logic. There will be powers of good and powers of evil. Heroes and traitors. But treason implies responsibility for something, control over something, influence upon something, knowledge of something. Treason in our time is a proof of genius. . . ."

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Pétain himself started this series of political trials in which everyone concerned knows exactly what should have been done and the whole course of the war is remodeled on paper, reshaped in words. At Riom, he brought Gamelin, Daladier and Blum to trial and asked them why they had brought France into a war under circumstances in which she would lose the war. That trial went all to pieces. Gamelin was silent (he is writing now but it is visible that he has nothing to say); the others talked back. The trial had to be called off. And now de Gaulle is engaged in the same futile research for responsibility. He too is getting no more than a "dusty answer" in his quest for certainties—and there are also Meredith's other lines: "In tragic life God wot no villain need be; we are betrayed by what is false within."

France was betrayed because under the ideology in which she lived and lives there was no course but to go to war and, going to war, there was no other end than that she must lose the war. When that result was achieved, here is what Saint-Exupéry said: "Tomorrow we of France will enter into the night of defeat. May my country still exist when day dawns again. What ought we to do to save my country? I do not know. *Contradictory things* [italics mine]. Our spiritual heritage must be preserved, else our people will be deprived of their genius. Our people must be preserved else our heritage will become lost. For want of a way to reconcile heritage and people in their formulas, logicians will be tempted to sacrifice either the body or the soul. But I want nothing to do with logicians. I want my country to exist both in the flesh and in the spirit when day dawns."

The Paris court is looking at those "contradictory things." A court is not meant to look at "contradictory things." This falsely revolutionary court is unable by reason of its nature to understand a synthesis. Yet that synthesis is what the French nation as a living organism produced in order to maintain life.

Pétain is Churchill in reverse. With the end of the war Churchill fell not for the reason that ingratitude is the characteristic of great nations but because the war in Europe was ended and Churchill was a part, *magna pars*, of the war. With the end of the war Pétain fell because France was free once more, and Pétain was the symbol of her long captivity. England and France rejected the men who had concentrated all their efforts on the war; they came out of the war and left behind them the memory of the war—the memory of victory or defeat, it does not matter—they left behind them the men who had done the job of the war; they desired above all to proceed from the war into something else.

None of the men of the defeat can be in power in France again. Not Reynaud, not Daladier,

not even Blum can be elected again. Nor Gamelin nor Weygand will again lead a French army. Yet it is not fundamentally because these men were defeated. What did France do to Clemenceau? It is because France emerges now from the war and is looking for men who are interested in building roads, who are interested in food, who are passionately devoted to the interests of peace.

They are not the men she has found. If de Gaulle were everything most admirable in all the world, he is still a general. France is not looking for generals. It is a time for all generals to go and live in the country. The French are rid of Pétain, who represented defeat, and they have de Gaulle who represents defeat. They have the Senegalese. They fight well these Senegalese. They fought in Africa, in Italy, in France; they are in Germany now as a supreme humiliation to the Germans. But they represent defeat because wherever they are they suggest the absence of Frenchmen. France has de Gaulle who represents defeat and never as vividly as now when he is building tanks (already obsolete) and planes (already obsolete) and a battleship; parading through Paris troops which represent defeat because any conceivable French army of any sort is inadequate hopelessly for any dream of victory in any of the immense wars that might come. A French army now can only be an army to frighten Belgium.

France has come out of captivity but does not recognize the world that she has not seen for so long. In this new world the court of the Pétain trial is meaningless. All that they say at the trial is meaningless. The verdict will be meaningless.

After a time France will come completely out of the war and out of all the debates of the war, freed entirely from the need of judging "contradictory things." Her true grandeur I have defended all my life. It is apparent now in her great sorrow and fatigue. It is not apparent in her present leadership because that leadership is still in the war and in the defeat.

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*This matter of intention, moreover, will apply with far greater urgency when Laval is tried. Laval believed that the war's decision was irreversible, he acted accordingly—deliberately, with a plan. Was that plan for Germany's benefit or, in Laval's heart, was it for his country's?