

Julian Jackson, *France on Trial: The Case of Marshal Pétain*. Cambridge, MA, and London: The Belknap Press of Harvard University Press, 2023. 445 pp. Notes, references, illustrations, and index. \$35.00 U.S. (hb). ISBN 978-0-674-24889-2.

Review Essay by Scott Gunther, Wellesley College

Julian Jackson's *France on Trial: The Case of Marshal Pétain* tells the story of the "trial of the century," when the French Head of State during the German occupation, Philippe Pétain, was tried for treason at the end of World War II. Jackson does not seek to re-open the trial or argue that Pétain was either judged too harshly or not harshly enough; rather he has revisited the trial in order to show us how it connected with broad concerns for the image of France at the time (as the first part of the book's title indicates, it was "France" that was on trial). It becomes clear that the high stakes of this trial had little to do with the destiny of a particular individual but stemmed primarily from anxieties about French national identity as well as the reputation of France in the world in the post-war period, particularly since representatives from the foreign diplomatic corps and the foreign press were in attendance at the trial (p. 106). The book is divided into three sections, with the entire third section dedicated to the years following the trial, from 1945 until the present.

Though there have been several comprehensive studies of Vichy France, Jackson's work may end up being the definitive study of the Pétain trial. The first in this lineage is of course Robert Paxton's pioneering and seismic work, *Vichy France: Old Guard and New Order, 1940-1944*, originally published in 1972, which broke the silence with respect to the extent of the French collaboration with Nazi Germany.[1] Robert Paxton continued this work with co-author Michael Marrus in *Vichy France and the Jews*, offering a detailed examination of Vichy France's anti-Jewish policies and its role in the persecution and deportation of French and foreign Jews living in France.[2] In *The Vichy Syndrome: History and Memory in France since 1944*, Henry Rousso examined the collective repression of the memory of Vichy France in postwar France, shedding light on the complexities of historical memory.[3] And finally, Jackson's own *France: The Dark Years, 1940-1944* provided a comprehensive account of Vichy France that explored the political, social, and cultural aspects of the period, offering valuable insights into the complexities of collaboration, resistance, and daily life under the Vichy regime and serving as springboard for *France on Trial*.[4]

What sets Jackson's book apart is its unwavering commitment to unraveling the moral complexities surrounding Pétain's actions and the broader implications for France's national identity without re-opening the trial for judgment. It is perhaps the greater historical distance that allows Jackson, more so than his predecessors, to avoid portraying Pétain as a one-dimensional villain.[5] His predecessors were of course trying to break the silence or collective amnesia of the events, while Jackson was able to benefit from a time with broader public awareness of Vichy's crimes and the extent of French collaboration. *France on Trial* challenges readers to confront uncomfortable truths about blurred lines between right and wrong in times of crisis.

For readers unfamiliar with the origins of Vichy, the book's introduction provides basic historical context about the armistice that France signed with Germany in 1940 and the selection of Pétain as the French Head of State. It then fast-forwards to the last days of Vichy and Pétain's exile in Germany. Immediately before leaving France, he explained to the French public why he had accepted his role as head of state, saying "every day I have tried to do what best served the permanent interests of France...I have had only one aim: to protect you from the worst...For if I could no longer be your sword, I have wanted to be your shield" (pp. 10-11). This notion of Pétain and Vichy serving as a "shield" would become a key element in Pétain's defense at trial, but also for defenders of the memory of Pétain in the decades following.

Pétain willingly returned to France for his trial, hoping to defend his honor and perhaps believing that he would be viewed more as a hero than a traitor. Upon crossing the French border by train, he was undoubtedly surprised to find a crowd of people at the train station in Pontarlier shouting "death to the traitor" (p. 54). Polls from the time showed that public opinion had turned decisively against Pétain while he was in Germany, going from 64% saying he deserved no penalty in September 1944 to a mere 16% in May of 1945 (p. 54).

In his telling of the trial, Jackson delves deeply into the historical context, examining the political, social, psychological, and strategic influences that shaped the decisions of Pétain while head of state as well as those of his defenders and critics during the trial. We learn about various dead-ends that the prosecution pursued, including a conspiracy theory claiming that prior to the war, during Pétain's term as ambassador to Spain, a plan had been hatched for him to take over the French government. We also learn that Vichy's responsibility for deportations of Jews to Nazi death camps played a shockingly (when viewed from 2024) small role in the trial. In fact, no survivors of the Holocaust or relatives of those who died in the camps were invited to testify (p. 233). This reflects the fact that at the time, the specificity of the Holocaust was largely ignored. The category of "deportee," which was the only term used at the time, referred to both Jewish victims and resisters. The verdict, delivered in August 1945, made no specific mention of Jewish victims, referring only to the "mass deportation of French workers," and "the monstrous character of the deportations of the French" (p. 273). Pétain was ultimately found guilty of treason, punishable by the death penalty, though the court expressed the wish that the punishment not be carried out given the age of the accused (89 years old), a wish that led de Gaulle to commute his sentence to life imprisonment.

The end of the trial definitely did not mean, however, that the matter of how to judge Pétain had been resolved once and for all, and the decades following witnessed a series of memory wars. In 1964, for example, one of the defense lawyers from Pétain's trial, Jacques Isorini, published a provocative defense of Pétain's actions during Vichy, *Pétain a sauvé la France*.^[6] Shortly after the publication of the book, the question of whether Pétain's remains could be transferred to the Douaumont cemetery outside Verdun was raised (pp. 317-328). The debate that this proposal stirred lasted until 1981 when Mitterrand promised to look into the question, but then failed to follow through with it after getting elected (it was in the middle of this period, in 1972, that Robert Paxton's book was published, demolishing many of the defenses offered by *Pétainistes* at the time). Once elected, Mitterrand was asked to weigh in on the responsibility of Vichy for the deportation of Jews to Nazi death camps, a question that had been largely ignored until then. This new debate continued until his successor, Jacques Chirac, became the first French president to recognize in a solemn speech France's responsibility in the Holocaust (p. 338). However, this

new acceptance of responsibility by the French president did not seem to have much of an impact on the public's judgment of Pétain and Vichy. Jackson uses polls to show how French judgments of Pétain and of the armistice remained surprisingly stable from 1980 to the late 1990s with 60% supportive of the armistice and between 50% and 60% believing Pétain had genuinely tried to save France (the "shield argument"). Since the end of the last century, though, interest in defending Vichy or Pétain waned. In recent years, the anniversary of his death, an event that used to draw crowds to his grave on the Île d'Yeu, has been scarcely noticed. The book ends with the elections of 2022, where two far-right candidates were among those running for president: Eric Zemmour and Marine Le Pen. Both candidates shared many similar far-right policies, but while Zemmour presented himself as an ardent apologist for Pétain, Le Pen sought to "detoxify" her party, in part, by breaking its association with Vichy. The first round of the elections showed Zemmour with just 7.7% of the vote, far behind Le Pen's 23.1%, leading Jackson to conclude the book with the bold statement that the 2022 elections demonstrated that the Pétain case is at long last closed (pp. 372-373). A couple of reviewers of his book have thought that this claim goes a little too far and I would be curious to hear in Jackson's response for this *H-France Forum* how he would respond to them.[7]

My overall evaluation is that *France on Trial* is a masterful work of scholarship. From a wealth of primary sources, Jackson vividly reconstructs the drama surrounding Pétain's trial, drawing readers into the courtroom and the tumultuous political landscape of the time. His writing style makes the story of this trial read like engaging historical fiction, and most chapters end with a narrative hook, so it is difficult to stop reading. His ability to seamlessly blend historical analysis with a gripping narrative makes for a compelling read, and I found myself at times caught up in the story and losing track of the fact that a vast amount of research underlies the story-telling.

France on Trial offers new insight into one of the most contentious chapters in modern French history, up there with the Dreyfus Affair or the war in Algeria. Jackson's meticulous research and nuanced analysis offer an important contribution to our understanding of the complexities of wartime collaboration, moral responsibility in seemingly desperate times, and the legacy of Pétain in French memory.

NOTES

[1] Robert O. Paxton, *Vichy France: Old Guard and New Order, 1940-1944*, Revised edition (New York: Columbia University Press, 2001).

[2] Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews*, 2nd ed. (Stanford University Press, 2019).

[3] Henry Rousso, *The Vichy Syndrome: History and Memory in France since 1944*, trans. Arthur Goldhammer, (Cambridge, Mass.: Harvard University Press, 1994).

[4] Julian Jackson, *France: The Dark Years, 1940-1944*, (Oxford: Oxford University Press, 2003).

[5] Indeed, Paxton recognizes in the preface to the 2001 revised edition of his book that the original 1970 edition may seem "unduly harsh" in its evaluation of Pétain's claim that he had

served as a “shield” from further Nazi aggression in France (Paxton 2001, page xxiii). He adds that “rereading some of my judgments today, I concede that they seem totalizing and unforgiving. They were colored, it must be admitted, by my loathing for the war then being carried on in Vietnam by my own country” (Paxton 2001, page xxxix).

[6] Jacques Isorini, *Pétain a sauvé la France* (Paris: Flammarion, 1964).

[7] See Stephanie Hare, “J’accuse: The Case That Never Closes,” *The Critic Magazine*, May 23, 2023, <https://thecritic.co.uk/issues/june-2023/jaccuse-the-case-that-never-closes/> and Munro Price, “Vichy’s Long Shadow,” *Literary Review*, <https://literaryreview.co.uk/vichys-long-shadow>.

Scott Gunther
Wellesley College
sgunther@wellesley.edu

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