

France may have to face its Petain past

Valerie Monchi

CAN THE GLAMOR that has marked this year's celebrations of the 50th anniversary of the Gaullist era in France allow the French to forget about another, less glamorous anniversary, that of the advent of the Petain regime 50 years ago?

The considerable public unrest to which the Bousquet affair has given rise in France indicates that the French are still reluctant to confront the role they played in the deportation and extermination of Jews during World War II.

Rene Bousquet, 81, was secretary-general of police in Vichy France between April 1942 and December 1943. According to Serge Klarsfeld, head of the Association of French Jewish Deportees, who devotes himself to bringing war criminals to justice, on July 2, 1942 Bousquet met SS leaders at a conference on the fate of the Jews of the Pans region. There, he agreed that the French police should participate in the round-up of Jews. On July 16-17, 1942, 12,884 Jews were herded together in the stadium known as Velodrome d'Hiver, from which they were later deported.

After finding this new evidence last year of Bousquet's role in round-up, Klarsfeld decided to bring charges, accusing him of crimes against humanity.

Klarsfeld's accusation marked the beginning of a long and complex judicial debate that centered on two

questions. The first is: Can Bousquet be tried again? He has already been tried by the High Court of Justice of the Liberation, a special court established in France in 1944 to try high-ranking officials of the Vichy regime.

On the one hand, those who wish to draw a veil over the past maintain that a person cannot be tried twice for the same crimes. On the other hand, Klarsfeld and those who support him argue that the participation of the French secretary-general of police in the round-up of Jews was hardly mentioned during his trial in 1949.

A new trial, concentrating specifically on Bousquet's anti-Jewish activities, is therefore required.

The second judicial question, which has been at the centre of press attention in France, is the rather technical one of whether there exists any court fit to judge him.

After having been referred from one court to the next, the Bousquet case was finally brought before the Pans Court of Appeal, which had to decide on its competence in judging the case. The prosecutor-general's office put pressure on the Court of Appeal to rule itself incompetent on the ground that only the Special High Court of the Liberation would be fit to try Bousquet. This would have meant effectively burying the case, since it would have been extremely difficult, if not impossible, to reconstitute the special court that was operating in 1949.

Notwithstanding such pressures, on November 19, the Paris Court of Appeal decided to rule itself compe-

tent, a decision that gives ground for hope that justice will be done. But many obstacles still lie ahead.

For one, Bousquet has already appealed against the decision of the Pans court.

There is no doubt that the Bousquet case is judicially complex. On the surface, the question seems to be entirely a legal one, but underneath lies a rather sensitive political issue.

This suspicion is confirmed by the remarks made by Georges Kiejman, the recently appointed deputy justice minister: "Behind the necessary struggle against forgetfulness, it may be important to maintain civil peace." He continued: "A trial is not the only means of exposing the cowardice of the Vichy regime."

Are we meant to conclude from this ~~that the trial~~ of Klaus Barbie gave France its chance to condemn the past, and that, therefore, further trials are unnecessary?

But Barbie was German: Bousquet is French. If his case came to court, Bousquet would be the first living French national to stand trial for crimes against humanity. Inevitably, France would have to face up to one of the darker chapters of its history, a chapter it would rather forget.

Comparing the swiftness of the

Barbie trial with the dragging of heels over the Bousquet case. Mar galbaes Mota, a lawyer from the International Federation of Human Rights, voiced the suspicion that a double standard may be operating in France. According to Klarsfeld, those in the highest echelons of the government do not have the political will to see the anti-Jewish activities of the Vichy government, police and administration put on trial.

The Bousquet trial no doubt reflects the profound rifts in France dividing those who wish to overcome the past and those who are determined not to forget it. But not least important is the fact that it adds a further element to the complex relationship that President Francois Mitterrand has had with the French Jewish community.

Although Mitterrand is generally seen by the French Jewish community as responsive to their concerns, his meeting with PLO chairman Yasser Arafat in Pans and the relatively dovish stand he has taken in the Gulf crisis have led some to suspect that he is no longer listening to their fears.

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