

**Duty, Death and the Republic:
The Career of Maurice Papon from Vichy France to the Algerian War**

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Declaration

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Abstract

This thesis examines the career of Maurice Papon from his appointment as secretary-general of the prefecture of the Gironde in 1942, through his terms as a prefect in Morocco and Algeria, to the end of the Algerian War in 1962 when he was prefect of police in Paris. Throughout this period, Papon's career was marked by controversy: in the Gironde on account of his involvement in the detaining and deportation of Jews, which led to his conviction in 1998 for crimes against humanity; in North Africa on account of the use of torture and summary execution by units of the army within his jurisdiction; and in Paris on account of the harsh methods used by the police to suppress the Algerian nationalist movement. Papon, who was extensively interviewed for the thesis, regarded himself as a loyal civil servant who was simply doing his duty. The thesis carefully examines his relations to the State, his actions and the circumstances in which he carried them out. In doing so, it presents an historical portrait of Papon and the State which employed him, and an assessment of what both understood by the concept of a civil servant's duty to obey.

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I am grateful to Maurice Papon's lawyers, Maîtres Jean-Marc Varaut and Francis Vuillemin, who transmitted my request to interview their client. Given the events of his later years, it would have been quite understandable if Maurice Papon had refused all interviews upon his release from prison in 2002. However, not only did he agree to be interviewed, he shared documents and photographs from his career, some of which have never been analysed before. Following Papon's death in February 2007, his nephew, Michel Prieur, showed similar generosity by sharing some of *La mort dans l'âme*, Papon's as-yet unpublished memoirs. Papon's support for my investigation into his career led to interviews with some of his remaining colleagues: Pierre Somveille, and his wife Andrée Somveille; Claude Grandperrin; Raymond Montaner, and Pierre de Roujoux. I thank them all for sharing their time, memories and photographs. In addition, I would like to thank Jean-Daniel Gil of the *Association des Anciens Préfets et Hauts Fonctionnaires*, who arranged interviews with former prefects Paul Boutheiller and Jean-Émile Vié to discuss the role of senior civil servants in the Algerian War during the Fourth Republic.

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This thesis is dedicated to my parents, Eugene and Sharon Hare, with all my love.

Abbreviations

Archives

AHC-CHSP:	Archives d'histoire contemporaine, Centre d'Histoire de Sciences Politiques, Paris
APPP:	Archives de la Préfecture de Police de Paris, Paris
BLPES:	British Library of Political and Economic Science, London
CAC:	Centre des Archives Contemporaines, Fontainebleau
CAOM:	Centre des Archives d'Outre-Mer, Aix-en-Provence
CHAN:	Centre Historique des Archives Nationales, Paris
MPPP:	Maurice Papon private papers (Papon's private collection of official documents)
OURS:	Office Universitaire de Recherche Socialiste, Paris

Note: Documents requiring special permission (*dérogation*) are marked with an asterisk (*) in the footnotes.

Interviews

The author's interviews with Maurice Papon, which all took place in Gretz-Armainvilliers, France, are abbreviated according to date:

SH-MP Interview 1:	9-10 March 2004
SH-MP Interview 2:	27-28 May 2004
SH-MP Interview 3:	12 October 2004
SH-MP Interview 4:	30 May 2005
SH-MP Interview 5:	29 June 2006

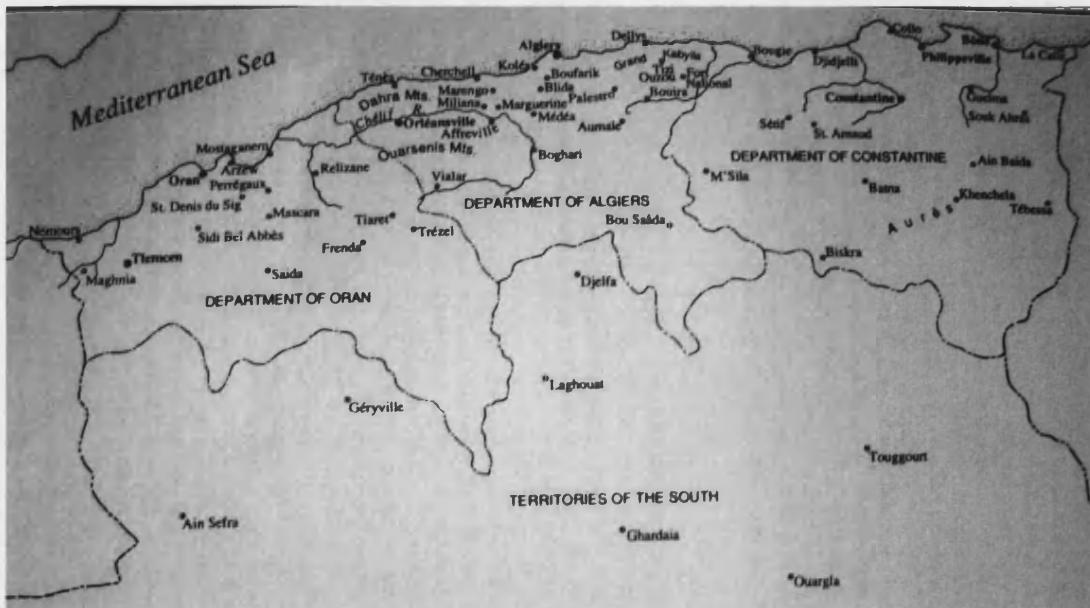
Illustration Credits

1. French North Africa: Morocco, Algeria and Tunisia. (*Ambassade de France, service de presse et d'information* (New York), 'Constructive Action of the French Government in Algeria', *French Affairs*, Number 40, January 1957, BLPES).
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1. French North Africa: Morocco, Algeria and Tunisia.



2. The three départements of French Algeria.



3. and 4. Maurice Sabatier in Algeria, 1941.





5. Papon (encircled) listens to Charles de Gaulle give a speech on the balcony of the *Hôtel de Ville* in Bordeaux, 17 September 1944.



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7. Papon as prefect of Corsica, January 1947-October 1949.



8. and 9. '...during the course of a mission to Morocco...I discovered a world...it was an attractive world, which has not ceased to captivate me since: Islam. It was not only the human, tourist, or geographic impression...but the civilisation. The West has ignored it and despised it.'





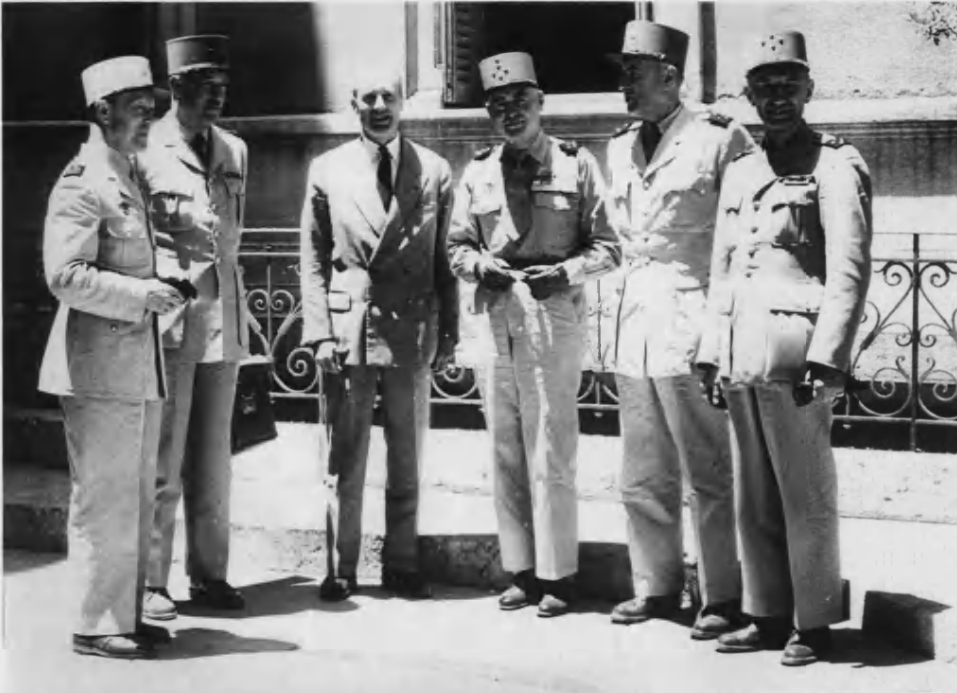
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14. Papon, IGAME of Eastern Algeria (May 1956-March 1958), and various generals.



15. Papon and army personnel meet to inspect progress on the implementation of social and economic reforms...



16. Papon (with binoculars), scans the horizon. ...



17. Inspects new irrigation works...



18. and 19. Inspects crops...





20. Papon (encircled) talking with Algerians, with army personnel in the background.



21. Shaking hands with Algerian *administrés*.



22. Papon (left) meets local officials.



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24. At attention in the Constantinois in 1957: (from right to left) Andre Morice (in box close-up), Minister of National Defense and Armed Forces; General Raoul Salan, Commander-in-Chief of the army in Algeria; Maurice Papon (in trench coat), IGAME of Eastern Algeria; Maurice Bourges-Maunoury, Minister of National Defense; Max Lejeune, Secretary of State for the Army.



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34. Prime Minister Pierre Pflimlin is hanged in effigy on the balcony of the Government General during an anti-parliamentary demonstration in Algiers in May 1958.



35. and 36. Papon with Charles de Gaulle, the new leader of the Fifth Republic.



37. Papon decorates an injured police officer...



38. ...and salutes the caskets of police officers killed by nationalists.



39. After the demonstrations of 17 October 1961: 'Algerians are drowned here.'

Introduction

Maurice Papon believed that French civil servants derived peace of mind from their 'duty to obey' the Republic. He never expressed regret or remorse for his actions during the Second World War, when his role as a civil servant in the collaborationist Vichy regime led him to participate in the arrest, internment and deportation of 1,560 Jews. Nor did Papon show any misgivings about his subsequent role in the Algerian War, when French authorities interned, tortured and killed Algerians in the effort to prevent the independence of Algeria, France's most important overseas territory. Although amnesty laws¹ prevented any actor in the Algerian War from ever facing trial for war crimes, Papon's role in the conflict surfaced during his trial in 1997-98 for crimes against humanity during the Second World War. Following his conviction, it received further attention when one of the witnesses in the trial accused Papon in *Le Monde* of ordering the Paris police to 'massacre' Algerians who had demonstrated in Paris on 17 October 1961, resulting in at least 30 to fifty deaths.² Papon's response – he filed suit for 'defamation against a senior functionary, agent of the public authority' – was consistent with his earlier defence: he was a functionary who had obeyed orders and served the State. Although his libel action failed, Papon maintained that his 'duty to obey' justified his clear conscience: 'The duty to disobey, which is a very fashionable formulation, demands closer inspection. Nothing, in fact, is more fundamental than the duty to obey. Without the duty to obey, you no longer have any State, you no longer have any army, you no longer even have business...'³

To his critics, Papon's 'duty to obey' was a flimsy excuse to avoid accepting his personal responsibility for the abuses and deaths that occurred under his administration. Yet Papon could point to a 32-year career in which the French State had consistently supported his actions, and in one sense his career was the very model of a successful civil servant's, characterised by rapid promotion and prestigious decorations, and culminating in a nine-year tenure as prefect of Paris police, one of the two most senior positions in the *corps préfectoral*.⁴ Even after his retirement from the civil service in 1967, Papon continued to serve the State as *député* for the Cher *département* from 1968 to 1981, spending the last four years as Budget Minister in the Raymond Barre government under the presidency of Valéry Giscard d'Estaing. To Papon, there was nothing discordant about the State's support for his glittering career and his record of repression.

¹ Papon was protected from prosecution for the repression of 17 October 1961 by the decree of 22 March 1962 which 'brought amnesty for acts committed in the framework of operations for maintaining order directed against the Algerian insurrection.' See Stéphane Gacon, *L'amnistie: de la Commune à la guerre d'Algérie* (Paris: Editions du Seuil, 2002), pp. 255-296.

² The number of deaths remains the subject of extensive debate and is discussed in Chapter 5. For Einaudi's accusation that Papon had ordered a 'massacre', see Jean-Luc Einaudi, 'October 1961: For the Truth, At Last', *Le Monde*, 20 May 1998 in Richard J. Golsan (ed.), *The Papon Affair* (New York: Routledge, 2000), pp. 226-229.

³ Denis Demonpion, 'Le dernier plaidoyer de Papon', *Le Point*, 19 February 2004, p. 27.

⁴ Functionaries in *corps préfectoral* are under the command of the Minister of the Interior. They implement State policy in France's *départements* or in ministerial cabinets. At this time only the Prefect of the Seine *département* (Paris and its environs) was equal in seniority.

From 1981, when his role in the Second World War first came to public attention, until his death on 17 February 2007, Papon maintained that he had committed no crime, but had simply served the State. 'If I had to do it again, I would,' he told a television interviewer in 1983, an opinion he echoed in an interview with *Le Point* in 2004.⁵ Writing from prison in 2001, he informed the French Minister of Justice that he had 'neither regrets nor remorse for a crime I did not commit and for which I am in no way an accomplice'.⁶

This thesis explores the discrepancy between Papon's proclaimed clear conscience – founded on his belief in the civil servant's 'duty to obey' and the support he received from the French State throughout his career – and the grave human cost of his service to the State. It builds on the existing analysis of Papon's career, which focuses on Papon's *personal responsibility*, to examine his *responsibility as a civil servant*. For some, the distinction is irrelevant. After all, Papon, not the Vichy State, was tried for crimes against humanity, and the verdicts of the Nuremberg trials had invalidated the 'just following orders' defence in cases of war crimes or crimes against humanity.

Yet principles that serve justice may not equally serve history. Papon's individual responsibility is clearly central to any analysis of his roles in the crises of the Occupation and the Algerian War, but to neglect his identity as a civil servant is to give a skewed version of history, one that absolves the French State of any responsibility for his actions. This is seriously misleading, for the State shaped the policies Papon was responsible for implementing, issued his instructions, awarded him with rapid promotion and prestigious decorations, and declined to sanction him even as the people under his administration were interned, deported, tortured and killed. Papon's repression was done in the name of the State. Any investigation of his actions must also explore the system that enabled, rewarded and protected him.

The Papon Affair

Individual responsibility has dominated the analysis of Papon's career since the beginning of the 'Papon Affair' which began in 1981 when Michel Bergès, an academic, found lists of deportations in the departmental archives in Bordeaux bearing the signature of Maurice Papon, then Budget Minister. From the documents he learned that Papon had been secretary-general of the Bordeaux prefecture from 1942 to 1944. Bergès also recognised the name of his friend, Michel Slitinsky, a French Jew who had evaded the French police during a roundup of Bordeaux's Jews on 19

⁵ 'On n'est jamais content de soi, parce qu'on n'a jamais fini de faire son devoir, sur cette terre, telle qu'elle est, avec les hommes, tels qu'ils sont. Mais si j'avais à refaire ce que j'ai fait, je le referais', 'Papon chez le juge', broadcast reference JA2 20H, 19 January 1983, <http://www.ina.fr/archivespour tous/index.php?vue=notice&id_notice=CAB8300835501> [accessed 19 February 2007]; Demonpion, 'Le dernier plaidoyer de Papon', p. 25.

⁶ Papon, letter to Marylise Lebranchu, Minister of Justice, 2001, cited in 'French Nazi-Era Collaborator Papon Dies at 96', *The Wall Street Journal*, 18 February 2007, <http://online.wsj.com/article/SB117179262854212505.html?mod=home_whats_news> [accessed 20 February 2007].

October 1942. Bergès knew that while Slitinsky had evaded capture, his father had not; the senior Slitinsky was killed in Auschwitz. He gave Slitinsky copies of the document concerning him and those relating to Maurice Papon, which Slitinsky then shared with *Le Canard Enchaîné*, the French weekly satirical newspaper. The newspaper's headline, 'Papon: *aide de camp*. When a minister of Giscard deported Jews', appeared between the two rounds of the 1981 presidential election. The extent to which this revelation influenced voters is uncertain, but it could hardly have helped the incumbent Valéry Giscard d'Estaing's campaign. François Mitterrand, whose Vichy past was not yet widely known, won. Papon began a new phase of his life: fighting accusations of crimes against humanity. After sixteen years, he went on trial in October 1997.

It was remarkable that the trial took place at all. At the age of 87, Papon was being judged for his wartime record more than fifty years earlier, by a judge and jury who had not lived through the Second World War. To provide context, historians were called to testify. However, they could not comment on Papon's role specifically, as they were not allowed to see the documents relating to his actions in Bordeaux.⁷ This was not the only example of a clash between history and law, for the crime with which Papon was charged – crimes against humanity – was a retroactive law. Created in 1945, it criminalised certain acts committed during the war, regardless of whether they had been legal at the time they were committed. At Nuremberg, only officials of the European Axis powers were charged with crimes against humanity. The *Assemblée Nationale* had this in mind when it incorporated crimes against humanity into French law in 1964, intending to persecute any remaining Nazis, not Frenchmen.⁸ It also failed to specify whether crimes against humanity had a statute of limitations. In 1979, the French Minister of Foreign Affairs and the Court of Cassation determined that Frenchmen could also be tried for crimes against humanity 'whatever the date and place of their commission.'⁹

The announcement in 1981 of documents incriminating Papon thus occurred at a moment when French society was legally able to pursue through judicial means those who were responsible for the deaths of Jews during the Second World War. This signalled a seismic cultural shift, for the post-war government had largely neglected the fate of Jews in France, focusing instead on punishing those who had collaborated with the Germans or worked against the Resistance. Papon, despite his undeniable wartime collaboration, had passed the post-war purge because of support from *bona fide* resisters who attested to his resistance activities. After the purge, the nation concentrated on rebuilding and moving on. Only in the 1970s, when historians, filmmakers and Nazi hunters began to raise awareness of the persecution of Jews in wartime

⁷ The historians who testified were Robert O. Paxton, Henri Amouroux, Jean-Pierre Azéma, Philippe Burrin, René Remond, Jean Lacouture, Marc-Olivier Baruch and Michel Bergès. Henry Rousso declined to testify.

⁸ Leila Sadat, 'The Legal Legacy of Maurice Papon' in Richard J. Goisan (ed.), *The Papon Affair* (London and New York: Routledge, 2000), pp. 131, 133-134.

⁹ *Ibid.*, p. 133.

France, were the first charges filed.¹⁰ In the 1980s and 1990s, as Papon mounted his defence, both Klaus Barbie, a Gestapo chief who had tortured and murdered from his base of operations in Lyon, and Paul Touvier, a member of the *Milice* (Vichy's paramilitary arm) who had killed 7 Jews in 1944, were convicted and sentenced to life imprisonment.

While it was one thing to bring to trial a Nazi or a member of the hated *Milice*, efforts to hold a member of the Vichy State to account for the persecution of Jews proved more difficult. Charges were filed against four former Vichy civil servants: René Bousquet, the secretary-general of Vichy's police from April 1942 to December 1943, who had ordered the infamous Vel d'Hiv roundup of July 1942, when 13,000 Jews living in Paris were seized by French police, kept for five days in terrible conditions in the Vélodrome d'Hiver cycling stadium, and then deported; Jean Leguay, Bousquet's representative in the Occupied Zone, who oversaw the deportation of Jews; Maurice Sabatier, regional prefect of the Gironde *département* and Papon's superior in Bordeaux; and Papon. Of these, Papon was the most junior in terms of hierarchy and had the least influence over the fate of Jews in France during the Second World War, but he was the only one who lived long enough to stand trial.

Even so, it was not until François Mitterrand's death in 1995 that the political barrier preventing the trial of Vichy officials fell. Just before the end of his second presidential term, Mitterrand, whose own wartime collaboration became general knowledge in 1994¹¹ and who counted René Bousquet as a close friend, admitted on French television that he had blocked judicial proceedings against Vichy collaborators. His successor, Jacques Chirac, indicated a new direction with a speech in July 1995 to commemorate the anniversary of the Vel d'Hiv roundup, in which he proclaimed that with Vichy, 'France committed an irreparable act [...] There are mistakes that were made, there are the offences, there is a collective sin.'¹² Two years later, the Papon trial began in Bordeaux. It was a major event: where the Touvier trial had lasted five and a half weeks, the Papon trial took six months, the longest in French legal history.¹³ On 2 April 1998, the jury delivered its verdict: Papon was found guilty of the illegal arrest of 37 persons and the arbitrary detainment of 53 persons, but was acquitted of the charge of 'complicity of murder'; in other words, it determined that Papon had not acted with the knowledge of the Final Solution. The presiding judge sentenced him to ten years in prison.

Papon remained free until his appeal in October 1999. Under French law, he was required to report to prison before the start of his appeals hearing; instead, he fled to Switzerland under an assumed name. The French high court of appeal ruled that by becoming a fugitive from justice,

¹⁰ See Henry Rousso, *The Vichy Syndrome*, trans. Arthur Goldhammer (Cambridge, Massachusetts: Harvard University Press, 1991).

¹¹ Pierre Péan, *Une jeunesse française: François Mitterrand 1934-1949* (Paris: Fayard, 1994) and Richard J. Golsan, 'Mitterrand's Dark Years' in *Vichy's Afterlife* (Lincoln: University of Nebraska Press, 2000), pp. 103-123.

¹² Jacques Chirac's speech is reprinted in Henry Rousso and Eric Conan, *Vichy: An-Ever Present Past* (Hanover: University Press of New England, 1998), pp. 39-42.

¹³ Sadat, 'The Legal Legacy of Maurice Papon', p. 139.

Papon had forfeited his right of appeal. The government issued an international arrest warrant, and ten days later Papon was caught by Swiss police and sent back to France, where he immediately began serving his sentence. His lawyers made several attempts to have him released on health grounds, but President Chirac rejected them. In 2002, there were signs of a shift: on 25 July the European Court of Human Rights ruled that French courts had unfairly denied Papon the right to appeal, and on 18 September he was released, one of the first to benefit from the new Kouchner law which allowed for the early release of prisoners in extremely poor health. The liberation of Papon after only thirty months of a ten-year sentence caused outrage in some quarters and led to accusations that he had benefited from behind-the-scenes political manoeuvring. However, France's highest court rejected his bid for a retrial on 12 June 2004. Papon spent his remaining years in his hometown of Gretz-Armainvilliers, east of Paris, until his death on 17 February 2007.

The sensational way in which Papon's wartime record came to light, the sixteen-year battle to bring him to trial, the six-month trial, and the drama surrounding his flight from justice and controversial release from prison all ensured Papon's worldwide notoriety as a convicted Nazi collaborator. His career in the Algerian War, however, remains relatively unknown. Indeed, it only came to general attention as a result of his trial, when the author Jean-Luc Einaudi testified about Papon's role in the repression of 17 October 1961.¹⁴ Following the ensuing media furor, the government announced that it would open the relevant archives to researchers. It also produced two official reports after Papon's trial which concluded that the total number of fatalities on 17 October 1961 was much lower than Einaudi's estimate of 200–300 deaths, though the reports themselves did not agree, indicating either 32 or 48 fatalities.¹⁵ Undeterred, Einaudi accused Papon in *Le Monde* of ordering a 'massacre'. In March 1999, the court rejected Papon's libel action for defamation against a senior functionary.

Following the State's decision to ease access to the police and judicial archives, Einaudi and other researchers began a new effort to research Papon's role as prefect of Paris police during the repression of 17 October 1961. Already their work has borne fruit with the publication of several new studies, though doubtless more information and interpretations will be published in the years to come.¹⁶ Earlier analyses of Papon's role during this period have also been reissued, such as Paulette Péju's *Les ratonnades à Paris* and *Les harkis à Paris*. These were originally published in 1961, but Papon and Roger Frey, then Minister of the Interior, ordered the police to

¹⁴ Jean-Luc Einaudi, *La Bataille de Paris: 17 octobre 1961* (Paris: Seuil, 1991). The repression of 17 October 1961 was also the subject of an earlier book, Michel Levine's *Les ratonnades d'octobre: un meurtre collectif à Paris en 1961* (Paris: Ramsay, 1985).

¹⁵ 'Rapport sur les archives de la préfecture de police relatives à la manifestation organisée par le FLN le 17 octobre 1961', 6 January 1998, hereafter the Mandelkern report, examined the archives of the Paris police; 'Rapport de mission: Recensement des archives judiciaires relatives à la manifestation organisée par le FLN le 17 octobre 1961', 5 May 1999, hereafter the Géronimi report, analysed the judicial archives.

¹⁶ A list of works on the subject of the repression of 17 October 1961 in Paris can be found in the bibliography of Jim House and Neil MacMaster, *Paris 1961* (Oxford: Oxford University Press, 2006).

confiscate them.¹⁷ As many, though not all, archives relating to the various branches of the State in the Algerian War are open¹⁸, a study of Papon's career from Vichy France to the Algerian War can at last be conducted outside the courtroom.

Historiography of Papon's career from Vichy France to the Algerian War

Before the Papon trial, journalists, lawyers for the civil parties, and witnesses who testified for and against Papon all published studies of various aspects of Papon's career. Their information, arguments and opinions are represented in the stenographic account of the trial, a nearly two-thousand page primary source that is essential for any investigation of Papon's career. Following his conviction in April 1998, a second wave of publications followed, offering new sources and more profound interpretation of the trial and Papon's career.

Of the many journalists who covered the Papon trial, two produced accounts that serve as valuable companions to the raw testimony in the stenographic record.¹⁹ Both Jean-Michel Dumay of *Le Monde* and Eric Conan of *L'Express* magazine attended every session of the Papon trial. Their accounts are complementary: Dumay's *Le procès de Maurice Papon, la chronique de Jean-Michel Dumay*²⁰ is more detailed, straightforward reportage, while Conan's *Le Procès Papon, un journal d'audience*²¹ explores the wider historical, political and legal complexities associated with the trial. Conan's account benefits from his perspective as a seasoned observer of France's efforts to confront its Vichy past, as he reported on the trial of the *milicien* Paul Touvier for crimes against humanity in 1994 and co-authored, with the historian Henry Rousso, *Vichy: un passé qui ne passe pas*, which examines the way that French society's obsession with the *memory* of Vichy France can hinder the *historical* understanding of that period.²² His journal of the Papon trial is more critical than Dumay's, as it indicates where the evidence is contradictory, contextualises witness testimony and deconstructs the arguments of the many lawyers.

¹⁷ Paulette Péju, *Les ratonnades à Paris* and *Les harkis à Paris* were reissued in 2000 as *Ratonnades à Paris précédé de Les harkis à Paris* (Paris: La Découverte, 2000). The Maspero publishing house, which published Péju's account, was pro-FLN. See Alistair Home, *A Savage War of Peace* (London: Macmillan, 1977), p. 469 and House and MacMaster, *Paris 1961*, p. 156.

¹⁸ Neil MacMaster notes that access to the archives of the Elysée (the President), Matignon (the Prime Minister and his government), the Ministry of the Interior and the Ministry of Justice remains guarded. Neil MacMaster, 'The torture controversy (1998-2002): towards a new history of the Algerian War?' in *Modern and Contemporary France*, 2002, Volume 10, Number 4, p. 455.

¹⁹ Bernard Poirot-Delpech, *Papon: un crime de bureau* (Paris: Stock, 1998); Jean-Jacques Gandini, *Le procès Papon* (Paris: Librio, 1999); Adam Nossiter, *France and the Nazis: memory, lies and the Second World War* (London: Methuen, 2003). For the stenographic record of the trial, see Catherine Erhel, Mathieu Aucher and Renaud de La Baume, *Le procès de Maurice Papon 8 octobre 1997-2 avril 1998* (Paris: Éditions Albin Michel, 1998). Henceforth Erhel et al, *Le procès Papon*.

²⁰ Jean-Michel Dumay, *Le procès de Maurice Papon, la chronique de Jean-Michel Dumay* (Paris: Fayard, 1998).

²¹ Eric Conan, *Le procès Papon, un journal d'audience* (Paris: Gallimard, 1998).

²² Eric Conan, 'Procès Touvier, un profond malaise', *L'Express*, 28 April 1994, < <http://www.lexpress.fr/info/france/dossier/papon/dossier.asp?ida=408835> > [accessed 12 September 2007]; Rousso and Conan, *Vichy: An Ever-Present Past*.

In 1999, Michel Bergès and Papon published a series of conversations entitled *La vérité n'intéressait personne*.²³ Theirs was an unlikely pairing. Bergès, with his discovery in 1981 of documents incriminating Papon, had been instrumental in the effort to bring Papon to trial. Moreover, for years he had been an ally of the civil parties, advising them on the documents and helping them to build their case against Papon. However, by the time the Papon trial began in 1997, Bergès had expressed doubts about the evidence against Papon. His decision to testify at the request of Papon's defence lawyers saw him vilified by the civil parties.²⁴ Yet Bergès was in the unique position of being able to comment on the documents that made up the dossier against Papon, unlike the historians who testified in the trial, who were denied access to the documents by law and could only comment on the Occupation.²⁵ Bergès now questioned the interpretation of the documents in the dossier against Papon, noted that the dossier was incomplete due to the absence of other documents in the archives, and gave a new assessment of Papon's role in Bordeaux:

There were multiple actors, a hierarchy. Maurice Papon was not the supreme arbiter. He was an intermediary in a system. He had under his control [the prefecture's department of] Jewish affairs, but also five other important departments. But for me, he was not at the top of the pyramid. This is not the great master who organised eleven convoys and five round-ups, as media bombardment of the Papon myth would long have us believe.²⁶

The interviews in *La vérité n'intéressait personne* served a purpose for both men: for Papon, they were a way of further advancing his defence, as the book was published in 1999 when his lawyers were preparing his appeal; for Bergès, they explained his revised assessment of Papon. The interviews offer little information that cannot be found in the stenographic account of the trial, with the exception of those in first chapter which concern Papon's pre-Vichy life. Here, in greater detail than in his trial testimony, Papon discusses his childhood, including his family and education, his decision to join the *corps préfectoral*, his discovery of Islam, and his early career. Caution is required using this account of his life from 1910 to 1940. Not only is it totally subjective, it is the only version that exists. The most historians can do is to identify any inconsistencies by cross-referencing his interview with Bergès and his trial testimony, to bear in mind that Papon probably portrayed himself in the best light possible and that, given the time that had elapsed, his memory may have been unreliable.

Hubert de Beaufort, a friend of Papon who testified on his behalf during the trial, interviewed Papon and Bergès for his book *Affaire Papon: la contre-enquête*, which was published the same

²³ Maurice Papon and Michel Bergès, *La vérité n'intéressait personne* (Paris: François-Xavier de Guibert, 1999).

²⁴ Bernadette Dubourg, 'Les incertitudes de l'historien', *Sud-Ouest*, 19 January 1998, < <http://abonnes.sudouest.com/papon/retro/sa/Les-incertitudes-de-l-historien.php> > [accessed 10 September 2007]; see also Conan, *Le procès Papon*.

²⁵ Richard J. Golsan, 'Papon: The Good, the Bad and the Ugly' in *SubStance*, Vol. 29, No. 1, Issue 91, p. 144.

²⁶ Conan, *Le procès Papon*, p. 137. Erhel et al, *Le procès Papon*, vol. 2, p. 135.

year as *La vérité n'intéressait personne*, by the same publisher, and with the same purpose: to support Papon while his lawyers prepared his appeal.²⁷ Before and after the Papon trial, other witnesses²⁸ and lawyers for the civil parties²⁹ also published their arguments or experience. The de Beaufort-Papon interview is fairly brief and focuses mainly on Papon's view of the trial, his career in Bordeaux and his relations with well-known French political personalities.

In 2000, Richard J. Golsan observed that the many books about the Papon trial offered little historical information or food for thought for those interested in Papon, crimes against humanity or France's struggle with its Vichy past.³⁰ At that time, most works about Papon were written by witnesses in the trial, lawyers for the civil parties and the defence, and journalists. Perhaps because of his frustration with the existing texts, Golsan published 'Memory's Time Bombs: The Trial of Maurice Papon and the Algerian War'³¹, an essay which considers the key aspects of Papon's career, what was known of his role in the repression of 17 October 1961, and whether the examination of this episode during the trial was necessary to shed light on Papon's role in the Second World War.³² Following this initial exploration, Golsan then edited *The Papon Affair*, which offers the very historical information and food for thought that he found lacking in earlier works. With essays by academics from a variety of perspectives (historical, legal, psychoanalytical), interviews with French and American historians, key articles from French newspapers, and an interview with Papon just before his trial, *The Papon Affair* is the entry point for any consideration of the wider implications of Papon's career.

In 'Papon's Transition after World War II'³³, Vann Kelly remarked that Papon's rise through the *corps préfectoral* appeared to be linked to the French crisis of decolonisation in North Africa from 1945 to 1962. From this premise, Kelly opened a new enquiry into the relationship between Papon and the French State: on what basis did Papon pass the post-war purge? Why did his superiors continually choose him for sensitive roles? Which political figures helped Papon rise through the *corps préfectoral*? Kelly's investigation of Papon's role in the Algerian War is especially useful for a study of Papon's autonomy as a civil servant as it raises new questions: who held the real power during Papon's assignment as the most senior civil representative in Eastern Algeria from 1956 to 1958, Papon or the generals? To what extent could Papon control

²⁷ Hubert de Beaufort, *Affaire Papon: la contre-enquête* (Paris: François-Xavier de Guibert, 1999). De Beaufort's testimony is discussed in Chapter 1.

²⁸ Michel Slitinsky, *L'affaire Papon* (Paris: Moreau Alain, 1983); *Procès Papon* (Paris: Éditions de l'Aube, 1998); *Bordeaux: Indiscrétions des archives de l'Occupation* (Paris: Les Chemins de la Mémoire, 2005). Marc-Olivier Baruch, a historian who testified in the trial, wrote about his experiences in 'Procès Papon: Impressions d'audience', *Le Débat* 102 (November-December 1998), pp. 11-16.

²⁹ Arno Klarsfeld, *Papon, un verdict français* (Paris: Ramsay, 1998) and *La Cour, les Nains et les Bouffons* (Paris: Robert Laffont, 1999); Gérard Boulanger, *Papon: Un intrus dans la République* (Paris: Seuil, 1997), *Maurice Papon: un technocrate dans la collaboration* (Paris: Seuil, 1998), *Plaidoyer pour quelques Juifs obscurs victimes de Monsieur Papon* (Paris: Calman-Lévy, 2005).

³⁰ Golsan, 'Papon: The Good, the Bad, and the Ugly', p. 142.

³¹ Golsan, *Vichy's Afterlife*.

³² *Ibid.*, p. 177.

³³ Vann Kelly, 'Papon's Transition after World War II' in Richard J. Golsan (ed.) *The Papon Affair* (London and New York: Routledge, 2000), pp. 35-72.

the military and the police, who stood accused of torture? Did Papon ever question the ethics behind the war? Finally, could any parallels be drawn between Papon's conduct in the war zone of Eastern Algeria from 1956 to 1958, and in Paris from 1958 to 1962? Rather than offering any conclusions, Kelly prepared the ground for a new area of research.

Few people showed interest in Papon's career in the Algerian crisis except as a way of examining the repression of 17 October 1961. Yet Papon's interview with Denis Demonpion for *Le Point* magazine in February 2004 indicated that the subject was worth pursuing. 'Out of all the slander and muck that was thrown at me,' Papon reflected, 'no one ever questioned the fact that the Constantinois [region of Eastern Algeria] was not given to the extremes observed in the rest of the [Algerian] territory.'³⁴ Was Papon claiming that under his administration, the Constantinois was free of the internment, torture and summary executions that occurred in the Algerian War? Demonpion did not ask. Papon was still making headlines for his role in Vichy; his role in Algeria was not the focus.³⁵ Rather than dispute any of Papon's misleading statements³⁶, Demonpion let Papon talk, drawing out subjects not covered in the trial, such as the civil servant's 'duty to disobey' versus the 'duty to obey' and his reasons for expressing neither remorse nor regrets for his role in Vichy.³⁷

Papon's career in the Algerian War finally came under the spotlight in 2006 with Jim House and Neil MacMaster's *Paris 1961*. Their study focuses on the history and memory of the repression of 17 October 1961, but Papon features prominently, particularly in the first chapter, 'Papon and the Colonial Origins of Police Violence' which analyses his career from the Occupation to his role as prefect of Paris police. The authors argue that the techniques used by the Vichy regime to find and identify Jews in French cities were similar to those later used to track Algerian nationalists, and that many senior police officers or administrators who worked in the Algerian War had also worked for the Vichy regime, and thus shared repressive practices.³⁸ They

³⁴ Demonpion, 'Le dernier plaidoyer de Papon', p. 26.

³⁵ The *Le Point* interview was part of Papon's defence: the week that it was published, senior French magistrates were deciding whether Papon should be allowed to appeal his conviction following the judgment of the European Court of Human Rights, which had determined that France had wrongly denied Papon his right to appeal in October 1999.

³⁶ For example, Papon told Demonpion that after the Liberation, the military tribunal in charge of judging the deportation of the Jews had considered his Purge file and passed it. See Demonpion, 'Le dernier plaidoyer de Papon', p. 23. This is only partly accurate; Papon's file was judged at the Liberation and passed, but by the Ministry of the Interior, not a military tribunal. Furthermore, the Purge commissions were only concerned with whether prefects aided the Germans or hindered the Resistance; they did not examine their role in deporting Jews. For Papon's Purge file, see Dossier 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 11: Épuration, Commissariat de la République de Bordeaux, Cabinet, 13 November 1944, Notice Individuelle for Maurice Papon', CAC. On Purge criteria for prefects, see Marc Olivier Baruch, 'L'Épuration du corps préfectoral' in Marc Olivier Baruch (ed.) *Une poignée de misérables* (Paris: Fayard, 2003), pp. 139-171.

³⁷ The interview took place in Gretz-Armainvilliers, where Papon had been living since his early release from prison in 2002. Papon wore his *Légion d'Honneur* medal in one of the photographs accompanying the interview, although he had been stripped of this honour following his conviction for crimes against humanity in 1998. The Chancery of the *Légion d'Honneur* filed a complaint, and in October 2004 Papon was fined €2,500 (\$3,000) and one euro (\$1.23) in damages. 'France fines ex-Nazi over medal', <<http://news.bbc.co.uk/1/hi/world/europe/3743916.stm>> [accessed 17 September 2007].

³⁸ House and MacMaster, *Paris 1961*, pp. 34-35. However, Clifford Rosenberg argues that such police practices dated from after the First World War in Clifford Rosenberg, *Policing Paris* (Ithaca and New York: Cornell University Press, 2006).

then analyse Papon's career from the Occupation to the Algerian War through the lens of French police violence, discuss his relationships with his colleagues in the *corps préfectoral* and his political patrons, and explain the French State's apparatus for policing its citizens and colonial subjects. Using an array of archival sources and interviews, as well as the vast historiography of the repression of 17 October 1961, *Paris 1961* widens the focus from the study of a single demonstration to the broader trends of police and nationalist violence in Paris.

Toward a new history of Papon's career

In cases of war crimes or crimes against humanity, the Constitution of the International Military Tribunal at Nuremberg determined that those who served the State were responsible for their actions, even if they had acted under orders. Yet it also recognised the 'duty to obey' in article 8, which states: 'The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires.'³⁹ Raphaëlle Branche, in her study of the French army's use of torture in the Algerian War, also argues that when it comes to assigning responsibility for 'crimes of obedience', all cannot be attributed to hierarchy and constraints, nor can all be explained by individual dispositions.⁴⁰ For those who serve the State, it would seem that responsibility falls somewhere between the 'duty to obey' and individual autonomy, yet none of the existing studies of Papon's career have explored explicitly the concept of a civil servant's autonomy.

This thesis examines how Papon balanced the 'duty to obey' and his autonomy during the crises of Occupation and the Algerian War. Recognising that Papon's actions occurred in his capacity as a civil servant, this thesis examines the culture of the *corps préfectoral* and identifies the values and behaviours expected of its members in order to test Papon's claim that he acted out of a 'duty to obey'. Papon's rapid promotions, various honours and decorations and nine-year tenure as prefect of Paris police indicate that he was the embodiment of a successful prefect during his career, but not whether he was typical. Therefore, this thesis compares Papon's actions to those of his colleagues during the Occupation and the Algerian War to situate him within the context of the *corps préfectoral*. It identifies whether Papon's personal beliefs ever clashed with his orders, and if so, what his options were if he disagreed with the State; whether he could influence the policies he was responsible for implementing; and if he was allowed or even encouraged to use his initiative. From this consideration of his autonomy, a fuller historical portrait of Papon can emerge.

³⁹ Constitution of the International Military Tribunal at Nuremberg, article 8.
< <http://www.yale.edu/lawweb/avalon/imt/proc/imtconst.htm#art8> > [accessed 27 September 2007].

⁴⁰ Raphaëlle Branche, *La torture et l'armée pendant la guerre d'Algérie* (Paris: Gallimard, 2001), p. 435.

The State is largely absent from most studies of Papon's career: one of the reasons why its support of his actions remains such a mystery. The organisational culture of the French State – one of the most centralised and vertically integrated forms of government in the world, especially during the period of Papon's career – suggests that it is highly unlikely that those in power would tolerate, much less promote, a civil servant who did anything other than the State's bidding. Yet little is known about the basis on which the State promoted Papon throughout his career, whether it ever considered sanctioning him, the extent to which Papon influenced its policies, or why it consistently entrusted him with key positions during major crises. Also unclear are the people who aided Papon's career progress and their reasons for doing so. This thesis aims to shed new light on the role of the French State during two of its worst crises in the twentieth century by tracking its relationship with one of its most successful, if controversial, civil servants.

The analysis of Papon's role in the Algerian crisis from 1945 to 1962 also requires attention. Although it was his performance in a series of assignments during this period that propelled him to the top of the *corps préfectoral* and shaped his much-criticised leadership of the fight against Algerian nationalism in Paris, studies of this aspect of Papon's career are few and incomplete. Kelly did not consult any archives or conduct any interviews for his survey of Papon's post-war career, and House and MacMaster were extremely selective in their consideration of his roles and their use of archives in *Paris 1961*. For example, a number of Papon's assignments receive only superficial discussion or are omitted entirely from their analysis.⁴¹ Furthermore, they considered little of the documentation on Papon's role as *Inspecteur-Général de l'administration en mission extraordinaire* (a senior prefect, or IGAME) of Eastern Algeria from 1956 to 1958⁴², and did not consult the Ministry of the Interior's personnel file for Papon⁴³, although these sources are available to scholars. Moreover, they did not include Papon among their many interviewees, although he was out of prison and granting interviews in the years they wrote their study. Finally, their work is marked by factual errors and serious, yet unsupported, claims, which the present thesis indicates and corrects.

Primary sources consulted in this thesis

The primary sources necessary to investigate Papon's autonomy as a civil servant and the role of the State in his actions during the crises of the Occupation and the Algerian War span several decades. They include contemporary documents, the stenographic account of his trial, and interviews with Papon, his colleagues and superiors. Some of these sources have already been examined by scholars; others are analysed here for the first time.

⁴¹ Such as Papon's role as Director of Algerian Affairs (1945–1946), Prefect of Constantine (1949–1951), adviser to the Secretary of State for Algerian Affairs (March–May 1956), and adviser to the French delegation at the United Nations (November–December 1957).

⁴² House and MacMaster did not consult the wealth of documentation relating to these assignments which are stored at the Centre des Archives d'Outre-Mer and the Office Universitaire de Recherche Socialiste.

⁴³ Papon's file is stored at the Centre des Archives Contemporaines.

Le procès de Maurice Papon: 8 octobre 1997–8 janvier 1998, the stenographic account of the Papon trial, illustrates the challenges of examining events more than fifty years later. The dossier comprised 30,000 pages and examined contemporary documents from the departmental archives in Bordeaux, as well as the Ministry of the Interior's personnel file on Papon, which included the decision of the post-war government to pass him at the purge. However, the trial did not rely solely on documents; witness testimony was required to illuminate the events in question. Papon's testimony was hardly neutral – he faced imprisonment if convicted – but neither was that of many of the witnesses who appeared to support either the defence or the civil parties. To the problem of accuracy – all who testified faced the challenge of remembering details from decades earlier – was added the issue of completeness, for many people who could have testified were now either too ill or had died before the trial. Where possible, letters and earlier depositions recorded during the sixteen-year process to bring Papon to trial were used to give a voice to these missing witnesses.

A further caution of using the stenographic account as a source is that since Papon was on trial for his role in Bordeaux from 1942 to 1944, only documents from this period of his career were examined. Yet Papon testified about his various Algerian assignments, as did some of the witnesses. As a result, the stenographic account offers an incomplete and distorted view of Papon's career in the Algerian crisis, providing oral testimony from only some witnesses speaking decades after the events, but no contemporary documents against which to verify that testimony. Furthermore, as Jean-Luc Einaudi's testimony indicated, the existing scholarship on Papon's role in the repression of 17 October 1961 – even if it could have been consulted during the trial – was limited by the government's refusal to open many of the pertinent archives.

In *Paris 1961*, House and MacMaster trace how conditions for research into the repression of 17 October 1961 have improved since Papon's conviction. They, along with Jean-Luc Einaudi, Jean-Paul Brunet and Linda Amiri, were granted access to the archives of the Préfecture de Police.⁴⁴ Collectively, their research draws on a vast array of primary sources too numerous to list here.⁴⁵ This thesis situates the work of these scholars within a wider analysis of Papon's autonomy as prefect of Paris police (1958–1962) and the power dynamics of his relationship with the French State. To this end, it also examines archives relating to this period, namely the H series archives of the Préfecture de Police de Paris on the Algerian War and press archives.

⁴⁴ Jean-Luc Einaudi, *Octobre 1961 un massacre à Paris* (Paris: Fayard, 2001); Jean-Paul Brunet, *Police Contre FLN* (Paris: Flammarion, 1999); Linda Amiri, *La bataille de France* (Paris: Robert Laffont, 2004). As of this writing, other PhD candidates are also investigating the H series papers of the Préfecture de Police de Paris: Linda Amiri, at the Institut d'études politiques de Paris, is examining the Fédération de France du FLN; Rémy Valat, at the Université de Paris I, is investigating the Force de police auxiliaire (1959-1962); and John-Paul Keane, at the University of Dublin, is researching the Muslim Brigades of the Paris Police (1925-1962).

⁴⁵ For example: the Mandelkern report and the Géronimi report, official government reports on the repression published in 1998 and 1999 respectively; the archives of the Prefecture de Police de Paris; the archives of the Ministry of Justice; the archives of the main Algerian nationalist group, the FLN Fédération de France; the army archives; hospital registers; cemetery archives; archives of religious organizations; archives of trade unions; the press; films; photographs; memoirs; and numerous interviews of French and Algerian participants and observers.

Finally, it consults Papon's published memoir, *Les Chevaux du Pouvoir*, for his version of this period.

Scholars have largely ignored the primary sources relating to Papon's roles between the Occupation and the repression of 17 October 1961. The Centre des Archives d'Outre-Mer (CAOM) in Aix-en-Provence holds the papers of the prefects of the three Algerian *départements*: the Oranais, the Algérois and the Constantinois. The most complete set are those for the Constantinois, where Papon was prefect (1949–1951) and IGAME (1956–1958). It consists mainly of monthly reports from Papon and his subordinates to the Government-General in Algiers, the central French administrative agency in Algeria.⁴⁶ These reports show the policies that the prefects and sub-prefects were trying to implement and the challenges they encountered both before and after the nationalist insurrection began in the Constantinois in November 1954. Moreover, they reveal aspects of Papon's interaction with the army from 1956 to 1958 and shed new light on civil-military relations during this period. Here too are located the papers from Papon's brief role as Director of Algerian Affairs (October 1945–June 1946), as well as his position as adviser to the French delegation at the United Nations (end of 1957).

Robert Gildea, in his study of life in Occupied France, commented that 'one of the shortcomings of administrative records, rich though they are, is that things are seen through the filter of the official mind.'⁴⁷ For this thesis, this insight into the 'official mind' is a strength, for the administrative records from Papon's various assignments show his responses to orders, observations, recommendations and frustrations. Similarly, these records can unmask the official mind's assessment of Papon. For example, among the documents relating to Papon's role as IGAME of Eastern Algeria at the Office universitaire de recherche socialiste (OURS) in Paris, there is a detailed, undated, unsigned appraisal of Papon that was clearly written by one of his superiors.⁴⁸ An investigation of the Ministry of the Interior's personnel file on Papon, located at the Centre des Archives Contemporaines (CAC) at Fontainebleau, revealed the existence of other such appraisals.⁴⁹ From these it is possible to identify the qualities and behaviour that the State valued in Papon. Indeed, much of Papon's relationship with the State can be gleaned from this file, which contains Papon's requests for assignments, his purge file, his efforts to have his resistance activities officially recognised, and even his examination results for entry into the *corps préfectoral*.

⁴⁶ House and MacMaster consulted two documents relating to this period that are located at the Service historique de l'armée de terre (SHAT) at Château de Vincennes, Paris. House and MacMaster, *Paris 1961*, p. 341.

⁴⁷ Robert Gildea, *Marianne in Chains* (Basingstoke and Oxford: panmacmillan, 2002), p. 9.

⁴⁸ 'Notes professionnelles concernant M. Papon, préfet hors classe', AGM 87, dossier n. 33 'Maurice Papon', OURS.

⁴⁹ 19980101*, art. 25: Dossier de Maurice Papon and 19950277*, art. 41: Dossier de Maurice Papon. That the lawyers in the Papon trial had consulted the file was evident, as they left in the file papers summarising the documents contained therein. To the author's knowledge, no historian has examined this file. It contains, among other things, a signed and dated version of the appraisal in the OURS archives, 'Notice annuelle', 1953, appraisal of Maurice Papon, secretary-general of the Paris police prefecture, signed by Jean Baylot, then prefect of Paris police, Dossier: 19950277*, article 41: Maurice PAPON, File 2: Professionnel, CAC.

Papon's personnel file is thin on information leading to his appointment as IGAME of the Constantinois in 1956 and prefect of Paris police in 1958. Fortunately, his correspondence with René Mayer, located at the Centre Historique des Archives Nationales (CHAN) in Paris, picks up the trail.⁵⁰ Mayer was a major figure in French politics who held several ministerial positions, including Président du Conseil during the Fourth Republic.⁵¹ As *député* for Constantine in the *Assemblée Nationale* (1946–1955), he worked with Papon during the latter's tenure as prefect of Constantine (1949–1951). Their extensive correspondence spans several decades and reveals a close friendship: Mayer was the mentor, Papon the protégé. Papon sent Mayer commentary and proposals relating to his various assignments in the 1950s, including several on French North Africa. He also gave Mayer copies of some of his correspondence with Maurice Bourgès-Maunoury, who, like Mayer, held several ministerial positions, including Président du Conseil in the 1950s, and who supported Papon's career development. The Mayer papers thus allow a uniquely intimate look into how Papon felt about various assignments, the evolution of his thoughts on the Algerian crisis, and the role of politicians such as Mayer and Bourgès-Maunoury in supporting his rise to the top of the *corps préfectoral*.

It is possible to analyse Papon's career in the Algerian War simply on the basis of the contemporary documents discussed above. Yet there are risks to such an approach. Archives are inherently incomplete, for documents do not always make it into the archives: they get lost, stolen, or culled. Some documents are deliberately *put in* the archives in order to ensure that certain interpretations of history are privileged. Furthermore, in the course of human interaction, decisions, orders, arguments and opinions are not always written down. Christabel Bielenberg, in her memoir of life as an Englishwoman in Germany from 1932 to 1945, gives a powerful argument for looking beyond contemporary documents:

Since the war an unprecedented amount of material has been available to historians and to others, enabling them to assess and also to draw their conclusions about the happenings in Germany during those years. I make no claim to be so equipped, but I have one advantage perhaps over those whose knowledge must needs depend on documents: I am English; I was German, and above all I was there.⁵²

To gain a broader perspective of the events and issues relating to Papon's role in the Algerian crisis, this thesis examines the experience of some of those who *were there* through memoirs and interviews.

Some historians consider that memoirs and interviews are not valid primary sources, citing their inherent subjectivity, bias and unreliability due to the distance in time between the interviews

⁵⁰ Fonds René Mayer, 363AP/32*, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949-1957, 61 pièces and 363AP 38*, Dossier 1 N-P: Maurice Papon 1955, 3 pièces, both at CHAN. See also Fonds René Mayer, 363AP/41, Dossier 19: Maurice PAPON, préfet de police, 1958-1971.

⁵¹ Minister of Finance and Economic Affairs, Minister of National Defence, Minister of Justice.

⁵² Christabel Bielenberg, *The Past is Myself* (London: Corgi, 1970), foreword.

and the actual events. Others judge that these sources can be used so long as they are examined critically. Certainly interviews are not objective, but then neither are contemporary documents; those that make it into the archives were, after all, written by human beings for a particular purpose. Where contemporary documents exist, the historian must still judge their reliability. But what if they don't exist? Interviews can supply the detail that is often absent from contemporary documents and thus illuminate them. They can also offset the disadvantage of not being contemporary by offering perspective, for often people speak more freely about events with the passing of time. This is especially true for studies of the Algerian War, long known as 'the war without a name' because so much of that conflict was implicit (it was only officially recognised as a war in France in 1999). Claire Mauss-Copeaux's research into the experience of French conscripts in Algeria⁵³, Raphaëlle Branche's study of the French army's use of torture, Sylvie Thénault's research on the justice system⁵⁴, and Jim House and Neil MacMaster's account of the repression of 17 October 1961, four of the most important studies to appear in recent years, have all demonstrated the value of interviews as a source for histories of the Algerian War.

Just as historians select which contemporary documents are most relevant to their investigation, so must they select interview subjects who are most suited to comment on the events under consideration. Both processes are inherently subjective and incomplete. Of Odile Rudelle's many interviews with actors in the Algerian War⁵⁵, this thesis draws on those that are most pertinent to Papon's career: Jacques Lenoir⁵⁶, a sub-prefect who served in the Constantinois region in the 1950s, and Robert Lacoste, the Resident Minister of Algeria (1956–1958).⁵⁷

It also utilizes a number of original interviews. In early 2004, the author wrote to Papon's defence lawyers, Maîtres Jean-Marc Varaut and Francis Vuillemin, to enquire whether Papon would be willing to discuss his career during the Algerian crisis only; the request did not propose a discussion of his role in Vichy France, given that Papon had spoken about this at length in his trial and in his interviews with Michel Bergès and Hubert de Beaufort. Papon accepted and met with the author six times from 2004 to 2006.⁵⁸ During the course of these interviews, Papon also allowed the author to make photocopies of his personal archives and photographs, some of which are presented here for the first time.

⁵³ Claire Mauss-Copeaux, *Appelés en Algérie: la parole confisquée* (Paris: Hachette, 2002).

⁵⁴ Sylvie Thénault, *Une drôle de justice, les magistrats dans la guerre d'Algérie* (Paris: Éditions La Découverte, 2001).

⁵⁵ Odile Rudelle holds a doctorate in political science from the Institut d'Études Politiques. She is director of research at the Centre de recherches politiques de Sciences Po and a member of the conseil d'administration de l'Association française de droit constitutionnel. Her interviews can be consulted at the archives d'histoire contemporaine (AHC) at the Centre d'Histoire de Sciences Politiques (CHSP) in Paris.

⁵⁶ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, OR3: Témoignages sur la guerre d'Algérie, AHC-CHSP

⁵⁷ Robert Lacoste and Jean Vaujour, interview with Odile Rudelle, 21 February 1978, OR2: Témoignages sur la guerre d'Algérie, AHC-CHSP.

⁵⁸ The dates for these interviews are noted in the Abbreviations section of this thesis.

The author did not have the same experience as Jean-Paul Brunet, author of *Police Contre FLN*, who found his one-day interview with Papon on the subject of the repression of 17 October 1961 so unhelpful that he decided not to use it in his book.⁵⁹ Brunet explained that Papon stuck to the version proffered in his memoirs: he denied that the Paris police had mistreated in any way the Algerians they had arrested and detained, stated that he thought it unlikely that his officers would have opened fire for fear of shooting one another, and asserted that some of the demonstrators were armed.⁶⁰ However, as Luise White argues, there is value in recording when an interviewee maintains a position that runs contrary to other evidence or the prevailing judgment:

...lies and errors enable historians to understand the overarching patterns [...] for historians, the invented account is at least as good as the accurate one. Why? Because dissembling is perhaps the most pointed telling we have [...] In fact, it's in the overlapping lies...that we see relations of state power and its operation within the state. Secrets and lies signal that what has been declared secret, what has been deemed worthy of a lie ...is more significant than other stories and other ways of telling.⁶¹

The author thus tried to suspend judgment of Papon during the interviews and encouraged him to explore his roles in the Algerian crisis and his sense of identity as a civil servant in the hope that *how* he told his life story – the truths, the misremembering, the lies, the omissions, and the secrets – could reveal as much as *what* he said. Papon's vivid intelligence, elegant speech, and a razor-sharp memory were unsurprising, for these qualities had been noted by those who followed his testimony during his trial. More remarkable was the way in which much of what Papon said in the interviews corroborated with contemporary documents and accounts of other actors in the Algerian War. Furthermore, he was able to clarify and contextualize the information in those documents. Finally, his insight into key events and personalities sheds new light on this period.

From the interviews with Papon followed interviews with some of his former colleagues: Claude Grandperrin⁶², who worked for Papon when he was prefect of Constantine (1949–1951), Pierre Somveille⁶³, Papon's closest colleague for many of the years examined in this study, and his wife Andrée Somveille; Pierre de Roujoux⁶⁴ and Raymond Montaner⁶⁵, who both served in the French army in Algeria and worked with Papon during his tenure as prefect of Paris police. The author also interviewed two former prefects who were willing to discuss the role of the *corps*

⁵⁹ Brunet, *Police contre FLN*, pp. 22–23.

⁶⁰ Maurice Papon, *Les chevaux du pouvoir* (Paris: Plon, 1988).

⁶¹ Luise White, 'Telling More: Lies, Secrets and History' in *History and Theory*, Theme Issue 39 (December 2000), 11–22, pp. 13–15.

⁶² Interview with Claude Grandperrin, 7 November 2005, Toulon, France, Recorded. No transcript.

⁶³ Interview with Pierre and Andrée Somveille, 3 February 2005, Marseille, France. Notes only; no recordings.

⁶⁴ Pierre de Roujoux, interview with the author, 8 November 2005, Aix-en-Provence, France. Recorded. No transcript. See also

< http://www.piednoir.net/bone/titre_rubrique/guerre/bataille.html > [accessed 27 September 2007].

⁶⁵ Raymond Montaner, interview with the author, 10 November 2005, Albi, France. Notes only; no recordings.

préfectoral in the Algerian War: Paul Boutheiller, who worked on the policy of increasing the number of Algerians working in the public sector, and Jean-Émile Vié, who served in the Constantinois during the outbreak of the nationalist insurrection in November 1954 and as Director of the *Renseignements Généraux*, a branch of the French police force dealing with political security, during Papon's tenure as prefect of Paris police.⁶⁶

Chapter Outline

The organisation of this thesis follows Papon's career chronologically, with an emphasis on his little-known role in the Algerian crisis. The first chapter (1910–1945) confronts Papon's claim that, as a civil servant, he had a 'duty to obey' by exploring the factors that influenced this ethos, such as his family and education, as well as his entry into the *corps préfectoral*, whose very *raison d'être* is to embody the State and implement its policies. It investigates Papon's response to the crisis of the Occupation, when his 'duty to obey' was tested by such wartime dilemmas as whether to serve the Vichy regime, to participate in the persecution of Jews, or to support the Resistance. The chapter evaluates Papon's options and contextualises his actions by comparing them to those of his colleagues. Finally, it considers the factors that influenced the post-war provisional government's decision to pass Papon at the purge, thereby allowing him to move on to the Algerian assignments that would result in his rise to the very top of the *corps préfectoral*.

The second chapter (1937–1956) considers Papon's intellectual autonomy with regard to Islam and Muslims, both of which were regarded as inferior by the French, with their civilising mission, and the administration. It examines why Papon did not share the prevailing belief within French society and the State that the Muslim culture of French North Africa was inferior, the origins of his personal sympathy for Islamic culture, and his conviction that Islam was essential if France were to keep Algeria. By charting Papon's discovery of Islam through a series of assignments in French-administered Muslim lands, this chapter explores how his views conflicted with that of the State, which perceived Islam as a threat to French authority and routinely repressed Muslims both in France and its colonies. It also reflects on how Papon tried to hold seemingly contradictory positions: his Islamophile views as opposed to his 'duty to obey' the State, which came to a head as France began warring with Muslim nationalists in North Africa in the 1950s. Finally, the chapter explores why, despite his known difference of opinion, the State selected Papon out of all its prefects to be its senior representative in the stronghold of the Algerian nationalist rebellion.

The third and fourth chapters both examine Papon's first role in the Algerian War, when he was IGAME of Eastern Algeria (1956–1958), albeit from completely different angles. The third

⁶⁶ Paul Boutheiller, interview with the author, 16 January 2004, Paris, France; Jean-Émile Vié, interview with the author, 14 January 2004, Paris, France.

chapter examines the conflict of French civil-military relations in Eastern Algeria, where Papon was nominally the most senior representative of the State yet was outmaneuvered and literally out-gunned by the French army. It examines the constraints under which Papon operated in this unequal partnership with the army, the extent to which he adopted the army's culture, the conditions under which he was prepared to confront the army and his efforts to influence military strategy and tactics. It also considers the effects of guerrilla warfare, population resettlement, internment and torture on the evolution of Papon's views.

The fourth chapter challenges the notion that prefects were mere agents of the State by illustrating Papon's ability to influence proposed legislation not only in his region but for the whole of Algeria, as well as his role in defending the French position on Algeria at the United Nations session of December 1957. It explores how Papon's relationships with his superiors led to such high-level airing of his ideas and, eventually, to his appointment as prefect of Paris police at a politically sensitive moment. With reference to the third chapter's discussion of his experience of the war, the fourth chapter identifies the factors that led Papon to abandon his liberal proposals and embrace the army's ideology of counter-revolutionary warfare, and how this change of heart would shape his approach to the challenges of fighting the Algerian nationalists in Paris when he became prefect of Paris police.

The final chapter examines Papon's role as prefect of Paris police (1958–1962) in a wider context than previous studies have done. In addition to leading the French State's fight against Algerian nationalism in Paris, Papon faced a fractious and rebellious police force; the collapse of the Fourth Republic in May 1958, and the return of de Gaulle; the declaration, in August 1958, of the main nationalist group to bring the Algerian War to France; the increasing disdain of key French generals for civil authority, culminating in an attempted *coup d'état* in April 1961; and the terrorism of the *Organisation de l'Armée Secrète* (OAS), a French paramilitary organisation whose members were determined to keep Algeria French. Here Papon's 'duty to obey' takes on a different sense, for in this role he was giving orders to a vast police force as well as receiving them directly from the government. By exploring the relationship between Papon and the State during his role, this thesis examines Papon's responsibility for creating repressive police bodies and ordering violent crackdowns. It also examines why those in power chose to maintain him in his role during a period of great political instability and in spite of the fallout resulting from his leadership of the Paris police during this period.

Finally, the conclusion reflects on the findings and their implications for our understanding of Papon and the French State from Vichy France to the Algerian War, as well as the role of civil servants in times of crisis.

Terminology used in this thesis

Historians vary in their terminology to describe the many populations that lived in Algeria from 1830 to 1962. What right does the historian have to determine the identity of an individual or community, especially if that individual or community self-defined in several ways? Terminology is necessary; it is also subjective.

The official language used in French Algeria insisted on a difference between *citizenship* and *nationality*.⁶⁷ By 1946, all inhabitants of Algeria were French *citizens*. Nevertheless, the State classified them differently according to *nationality*. The settlers of French, Italian, Spanish and Maltese origin were defined according to the fact that they were European, and thus were called the 'French of European origin' (*les Français de souche européenne*), 'French Algerians' (*les Français d'Algérie*), 'European French' (*les français européens*) or more colloquially, the *pieds noirs*.

The State did not consider Algeria's small Jewish population to be of French or European citizenship or nationality during the first four decades of the French conquest of Algeria. This changed in 1870, when the Third Republic gave them French citizenship. Henceforth, the State considered Algeria's Jews to be 'European French' of Jewish faith.⁶⁸

Algeria's autochthonous population – broadly speaking, Berbers and Arabs, although Chapter 2 discusses how even these terms mask further complexity – were first classified as French 'subjects', not citizens, a status that conferred fewer rights. Only in 1946 did the French State finally grant them equal status as French 'citizens'. Still, great inequalities persisted. Unlike the Jews of Algeria, whose origins or religion did not prevent the State from classifying them as 'European French', Algeria's autochthonous population was treated differently – and worse – for one reason: Islam.⁶⁹

As far as the State was concerned, Islam defined a Berber or Arab, even if he or she was not a practicing Muslim, because it considered Islam to be a cultural and racial identity as much as a religious one. From 1830 to 1919, the State considered Algeria's autochthonous population to be French 'subjects', but after the First World War it allowed a tiny percentage of this group to apply for French citizenship and thus to be considered 'European French'. To affect this transformation, the (male) applicant was required, among other things, to renounce the *statut personnel*, the civil statute which allowed Algeria's Berbers and Arabs to be judged by Islamic rather than French law

⁶⁷ Raphaëlle Branche and Sylvie Thénault, 'La guerre d'Algérie' in *21 historiens expliquent la France* (Paris: La Documentation française, 2005), p. 216.

⁶⁸ *Ibid.*, p. 216. The place of Jews in the history of French Algeria is more complex than this thesis allows. For a brief summary, see Home, *A Savage War of Peace*, pp. 58-59 and Richard Ayoun, 'Les Juifs d'Algérie. Au-delà des pressions officielles et des lobbies de mémoire' colloque *Pour une histoire critique et citoyenne. Le cas de l'histoire franco-algérienne*, 20-22 June 2006, Lyon, ENS LSH, <http://w3.ens-lsh.fr/colloques/france-algerie/communication.php3?id_article=215> [accessed 2 November 2007].

⁶⁹ Thénault, *Une drôle de justice*, p. 20

in non-criminal jurisdiction. By 1936, only a tiny percent of the Algerian population had opted to do so.⁷⁰ This minority could thus self-define, and be defined officially, in a number of ways: of French citizenship, 'European French' nationality, Muslim religion, and Berber/Arab ethnicity.

Islam defined how the State classified Algeria's Berbers and Arabs. They were 'French Muslims of Algeria' (*Français musulmans d'Algérie*), or even 'French of Qu'ranic Status' (*Français de statut coranique*). In much of the official documentation consulted in this thesis, they are also referred to as 'the Muslims' (*les musulmans*) or 'the Muslim mass' (*la masse musulmane*) although – or because – this term denied the other aspects of their identity: that they were French subjects, then citizens, and from Algeria, which was part of France, rather than any other Muslim country. Officially and unofficially, other labels were used to refer to Algeria's autochthonous populations that had geographic, racial or colonial undertones: the natives (*les indigènes*), the North Africans (*les nord-africains*), the Arabs (*les Arabes*) or French of North African origin (*Français de souche nord-africaine*).⁷¹

Alistair Horne's *A Savage War of Peace*, published in 1977 and widely acknowledged to be a masterpiece, uses the terms 'Muslim' or 'the Muslims' as well as 'Algerian' to refer to Algeria's Berber and Arab population. Today many historians of the Algerian War prefer the term 'Algerian', presumably to avoid using a term that could be considered colonial or emphasises religion over other forms of identity, or to show solidarity with the population that ultimately won its independence. Yet the term 'Algerian', too, is problematic. Until 1962, an independent Algerian nation did not exist. To use the term 'Algerian' in the present study, which examines the period when Algeria was French, would be ahistorical and anachronistic. Jean-Paul Brunet acknowledges the anachronism but prefers to use the term 'Algerian' in *Police contre FLN* rather than *Français Musulman d'Algérie* (FMA), the term used by Linda Amiri in *La Bataille de France*.

The term 'Algerian' is also complicated by the fact that Europeans who had settled in Algeria for generations considered themselves 'Algerian' as well as 'French'. For this population, the term 'Algerian' recognised a historical, ethnic, linguistic, cultural and geographic specificity that was different from that of mainland France. For example, the writer Albert Camus, though of French and Spanish origin, considered himself both French and Algerian. The Algerian writer Mouloud Feraoun agreed, writing in 1956: 'I would like to say to Camus that he is as Algerian as I am and

⁷⁰ See Chapter 2.

⁷¹ From 1944 to 1953, the Préfecture de Police de Paris rarely used the official term 'Français Musulman d'Algérie' for Algerian Muslims living in Paris; instead it distinguished between three population categories: French, North Africans and Foreigners. Emmanuel Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police : la fin d'une police d'exception pour les Algériens de Paris (1944-1953)?' in *Bulletin de l'IHTP n°83 : Répression, contrôle et encadrement dans le monde colonial au XXème siècle*. <<http://www.ihtp.cnrs.fr/spip.php?article329&lang=fr>> [accessed 2 November 2007]. For a further analysis of official terminology used to describe Algerian Muslims, see also René Gallissot, 'Secret des archives et raison d'État' in Olivier Le Cour Grandmaison (ed.) *Le 17 octobre 1961 un crime d'État à Paris* (Paris: Dispute, 2001), pp. 110-111.

that all Algerians are proud of him'.⁷² To use the term 'Algerian' exclusively for that country's Berber and Arab populations during the period of French Algeria denies those who, like Camus, considered themselves 'European French' but also 'Algerian'.

This thesis employs interchangeably the term 'European French', settlers and *pieds noirs* to encompass the European settlers and Jewish populations of Algeria, while recognizing the complexity of this group. It uses the term 'Algerian' to mean the Arabs and Berbers of Algeria whom the French State defined and treated differently from the 'European French' because of their religious, cultural or supposed ethnic ties to Islam. The original terminology used in official documents and in quotations is maintained.

⁷² Similarly, the Algerian writer Mohamed Dib asserted in 1995: 'Camus is an Algerian writer.' David Carroll, *Albert Camus the Algerian* (New York: Columbia University Press, 2007), quotations appear before the introduction.

Chapter 1

The Making of a Servant of the State

1910 — 1945

Maurice Papon placed the French civil servant's 'duty to obey' the State above all other considerations during his career in the *corps préfectoral*. This belief determined his choice to serve the collaborationist Vichy regime during the Second World War and to participate in the arrest, internment and deportation of 1,560 Jews from the Gironde region of south-western France from July 1942 to May 1944. To his latter-day critics, Papon's reference to his 'duty to obey' echoed the defence of many Nazis who, during their post-war trials, claimed that they were 'just following orders'. During Papon's trial for crimes against humanity in 1997–98, Gérard Boulanger, one of the lawyers for the civil parties, even compared Papon to Klaus Barbie, the notorious Nazi torturer and murderer whose actions in wartime France led to his conviction of crimes against humanity in 1987.¹

Yet there are important differences between Papon and those Nazis convicted of crimes against humanity. First, identity: Papon was not a Nazi; he was a French civil servant of an ostensibly constitutional government which had accepted the daunting challenge of governing in the presence of occupiers after military defeat. Second, power: Papon was a mid-ranking administrator in the Occupied Zone in a region controlled by the Gestapo and Waffen SS; in no way was his power comparable to that of the senior Nazi officials tried after the war.² Third, knowledge: Papon was acquitted of the charge that he had acted with any knowledge of the Final Solution, whereas most of the Nazis tried after the war had known about the plan to exterminate European Jewry. Fourth, motive: even some of the lawyers for the civil parties in Papon's trial acknowledged that he had not acted out of anti-Semitism, unlike many Nazis.³ Fifth, actions: it is

¹ Boulanger said, 'It suffices to replace Barbie by Papon and Nazis by the French State!' See Eric Conan, *Le procès Papon, un journal d'audience* (Paris: Gallimard, 1998), p.118. Klaus Barbie was the head of the intelligence branch of the Gestapo in Lyon. He arrested and deported forty-four Jewish children to Auschwitz, and arrested and tortured to death members of the French Resistance, including Jean Moulin, one of its most senior leaders. A French court convicted Barbie of crimes against humanity and sentenced him to life imprisonment on 4 July 1987. He died in prison on 25 September 1991. Boulanger probably compared Papon with Barbie to draw a parallel between Papon and the Nazis, as well as to discredit Papon's own resistance activities by equating him to the murderer of France's most famous resistance martyr.

² An organisational chart of the Gironde prefecture appears later in this chapter. An overview of those tried at Nuremberg can be found at <<http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/subsequentrials.html>> [accessed 4 March 2007].

³ The many lawyers representing the civil parties in the Papon trial disagreed on this point. Serge and Arno Klarsfeld and Michel Zaoui were convinced that Papon was not anti-Semitic. Serge Klarsfeld, who is also president of the Association of the sons and daughters of the Jewish deportees of France, said: 'During the trial of Maurice Papon, it was necessary to fight against both the opposite party [Papon's defence] and the other lawyers of the civil parties [who wanted Papon to be sentenced to 20 years' imprisonment]. To ask for perpetuity could have led to an acquittal. It was necessary to have a graduated penalty because, in spite of the crimes [Papon] committed, he never pronounced, contrary to [Klaus] Barbie or [Paul] Touvier, anti-Semitic comments. He really had the Germans on his back.' Michel Zaoui, lawyer for several associations of former deportees of the civil parties in the Papon trial, said, 'Papon is not, as [Paul] Touvier was, a violent anti-Semite. In one sense, his case is more serious. He acted without any remorse. Orders were orders.'

inaccurate to compare Papon to Klaus Barbie, for Papon neither tortured nor killed anyone. Rather, in accordance with the orders of the Nazi and Vichy regimes, Papon supervised the compilation and maintenance of lists of Jews; organised roundups of Jews; arranged transportation and police surveillance for the convoys that took Jews from Mérignac, the internment camp outside Bordeaux, to Drancy, the transit camp outside Paris; and oversaw the 'Aryanisation' of Jewish property.⁴ For this reason, Michel Zaoui, one of the lawyers for the civil parties, described Papon's crime as a 'bureaucratic crime'.⁵ Finally, commitment: that Papon declined three promotions under Vichy and participated in resistance activity from 1943 indicates that he was, to a certain degree, reluctant to accept collaboration with the Nazis.⁶

These differences do not minimise Papon's individual responsibility for his wartime actions, as this is a matter of law, and French justice found Papon guilty of crimes against humanity. However, from the perspective of history, this verdict is of limited use, for it fails to explain why Papon acted as he did, and why the State supported his actions during the post-war Purge. As Papon's actions – and their dreadful human cost – occurred in his capacity as a civil servant, this chapter examines what he and the State understood by the French civil servant's 'duty to obey'. First it explores the factors that shaped Papon's understanding of this ethos before the crisis of Occupation: his early influences, his entry into the *corps préfectoral*. Then it analyses the three major dilemmas that tested Papon's 'duty to obey' during the war: whether to serve the Vichy regime; whether to participate in the persecution of Jews; and whether to resist. Finally, it considers why the post-war government passed Papon at the purge, and the implications this had for his role in France's next crisis: the Algerian War.

Early influences in Papon's life, 1910-1935

Maurice Arthur Jean Papon was a child of the Third Republic. He was born on 3 September 1910 in Gretz-Armainvilliers, a small town 32 kilometres east of Paris. There he and his two older sisters were raised by their mother, Marie, and their father, Arthur, whom Papon later described as 'profoundly Republican. [My father] instilled in me a sense of rigour, of work well done, of the Republic and of the State. He was, in his time, a member of the League of the Rights of Man.

Papon became the embodiment of what had been a part of the French administration that pursued Jews until January-February 1944. He was a functionary of authority until the end, even in court: lofty, cutting, authoritarian, wanting to teach everyone a lesson with an absolute scorn for the civil parties but at the same time extremely respectful to the prosecution or the President of the Assizes Court: they were functionaries like he was, they were from the same world.' *Le Journal du Dimanche*, 18 February 2007, p. 6.

⁴ The Germans ordered the 'Aryanisation' of Jewish property – the theft of Jewish property from Jews by the occupying authorities – in the Occupied Zone on 18 October 1940. The Vichy State instituted a similar policy in the Unoccupied Zone in July 1941. For Papon's role in 'Aryanisation' of Jewish property from July 1942, see Adam Nossiter, *France and the Nazis: memory, lies and the Second World War* (London: Methuen, 2003), p. 20.

⁵ Nossiter, *France and the Nazis*, p. 87. For a discussion of Papon and 'bureaucratic crime', see R. Boyce, 'The trial of Maurice Papon for crimes against humanity and the concept of bureaucratic crime' in R.A. Meliken (ed.), *Domestic and International Trials, 1700-2000* (Manchester: Manchester University Press 2003), pp. 157-178.

⁶ Catherine Erhel, Mathieu Aucher, Renaud de La Baume, *Le procès de Maurice Papon, 8 octobre 1997 – 8 janvier 1998* (Paris: Albin Michel, 1998), vol. 2, p. 621. Henceforth Erhel et al., *Le procès Papon*.

Favourable to Alfred Dreyfus. In short, a Radical⁷ republican, of the time.⁸ As a republican, Arthur Papon believed in the ideology of the Third Republic, which drew on the tradition of the Revolution of 1789, with its values of liberty, equality and fraternity, as well as the Enlightenment, with its emphasis on universalism, reason and civilisation.⁹ He also supported the Radical party, the main centre party for which the defence of the Republic and its values was central.¹⁰ In addition to its five tenets – secularism, solidarity, humanism, tolerance and universalism – the Radical party also championed private property and the lower middle class of provincial France. It was a natural choice of party for Arthur Papon, who had grown up in the Berry region and developed a successful career as a notary and clerk in a prestigious Parisian law office before founding a glassworks business in Reims in 1913.

Papon later claimed that, for his father, 'to serve the State was something natural.'¹¹ Arthur Papon was elected mayor of Gretz-Armainvilliers in 1919, a position he held until 1937, and also served as a councillor on the General Council of the Seine-et-Marne *département*, becoming its president in 1936. Not everyone in France, however, shared his love of the Third Republic. The family of Charles de Gaulle, which belonged to the upper middle class, disapproved of the Republic and encouraged its sons to seek careers in the army or the Church, rather than the State.¹²

This split between republicanism and traditionalism had recently surfaced during the Dreyfus Affair, with far-reaching effects. In 1894, the army accused Alfred Dreyfus, an army captain and a Jew, of betraying French military secrets to the Germans. Despite his protests of innocence, Dreyfus was forbidden to see the evidence against him during his court-martial, found guilty and sentenced to life imprisonment in a French penal colony off the coast of South America. Several years later, a further investigation revealed that Dreyfus was not the traitor and identified a new suspect. The army's decision to cover up the original mistake led eventually to an extraordinary controversy that deepened political divisions and exposed the anti-Semitism that existed in certain quarters. In 1898, riots broke out in towns across France as mobs attacked Jewish-owned stores, desecrated synagogues and assaulted rabbis. In Algeria, France's most important overseas territory, there were pogroms.¹³

To republicans such as Arthur Papon, the crucial issue of the Dreyfus Affair was the Rights of Man, including individual men. To conservative anti-republicans, it was institutions that mattered:

⁷ The full name of the party was the Parti républicain, radical et radical-socialiste.

⁸ Maurice Papon and Michel Bergès, *La vérité n'intéressait personne* (Paris: François-Xavier de Guibert, 1999), p. 15.

⁹ Rod Kedward, *La vie en bleu* (London: Penguin, 2005), pp. 10-11, 13.

¹⁰ Kedward, *La vie en bleu*, p. 25.

¹¹ Papon and Bergès, *La Vérité n'intéressait personne*, p. 12.

¹² Richard Vinen, *France, 1934–1970* (London: Macmillan Press Ltd., 1996), p. 71. As Vinen points out, by becoming a republican, Charles de Gaulle broke with family tradition, and he continued on this path when he published *Discord Among the Enemy* (1924) in which he argued, exceptionally for a military man at that time, that military authority should be subordinate to civilian authority.

¹³ Michael Burns, *France and the Dreyfus Affair, A Documentary History* (Boston and New York: Bedford/St Martin's, 1999), p. 106; Robert Gildea, *The Third Republic from 1870 to 1914* (Harlow: Longman Group UK Limited, 1988), p. 54.

respect for the army, like the Catholic Church, was essential and the life of one man, perhaps especially if he was a Jew, was a small price to pay to maintain it.¹⁴ After his retrial, when the army again found Dreyfus guilty with mitigating circumstances, Émile Loubet, the president of France, pardoned him. It thus took fully twelve years, until 1906, for Dreyfus to be exonerated of the charges, restored to the army with a promotion to major and named to the *Légion d'Honneur*.¹⁵ Nonetheless, the adverse publicity for the Army and the Church, whose hierarchy sided with the Army, strengthened the Third Republic, as the Radical party used the Dreyfus Affair to justify the law of 1905 separating state and church.¹⁶ Republicans had been calling for this separation since 1789 but had achieved limited progress, most notably the law of 30 October 1886 which secularised primary school teaching. Using the law of 1905, the Council of State (*Conseil d'État*) extended secularism to secondary schools in 1912.¹⁷ Now the Republic replaced the Catholic Church in French schools; it even had its own holy trinity of liberty, equality, and fraternity.

Maurice Papon was thus among the first generation of 'little republicans' who imbibed the values of the Third Republic. After primary school in Gretz-Armainvilliers, he boarded from the age of twelve at the *lycée* Montaigne in Paris. The following year, he transferred to the *lycée* Louis-le-Grand, where many of France's political and intellectual elite were educated. This reveals not only Arthur Papon's ambitions for his son, but also his social and economic success, since, until 1929, only the well-to-do could afford to send their children to the secondary schools, which, unlike the primary schools, were fee-paying.¹⁸ The adolescent Papon flourished in the competitive environment at Louis-le-Grand, winning prizes in history, natural science, French, philosophy and gymnastics.¹⁹ Arthur Papon also broadened his son's horizons with foreign travel: he took him on a tour of glassworks in London, Birmingham and Manchester and, as a present for passing the *baccalauréat*, sent him to Vienna to visit his pen pal, Kurt Herlinger. This supports

¹⁴ *Ibid.*, p. 162; Susan Zuccotti, *The Holocaust, the French and the Jews* (New York: BasicBooks, 1993), p. 15.

¹⁵ The army refused to admit its role in the cover-up, a position it maintained as late as 1994 when its historical journal published an article stating that Dreyfus's innocence was just 'the thesis generally accepted by historians.' Only after the French Jewish community protested did François Léotard, then Minister of the Defence, dismiss Colonel Paul Gaujac, the army's chief historian. In 1995, Gaujac's successor, General Jean-Louis Mourrut, announced that the army apologised for its error and recognised Dreyfus's innocence. Frederick Pajon, 'A Century Late, the Truth Arrives: the French Army Concedes that Alfred Dreyfus was Innocent,' *Time Magazine*, Volume 146, No. 13, 25 September 1995. <<http://www.time.com/time/international/1995/950925/history.html>> [accessed 12 May 2007].

¹⁶ The Dreyfus Affair had repercussions outside of France, too. Theodor Herzl, a Viennese Jew, was one of the 300 journalists who covered the Dreyfus Affair. He was so horrified by the anti-Semitism he witnessed that he came to believe that Jews would never be accepted in Europe, and began to agitate for the creation of a Jewish State. The Zionist movement began with the publication of his book *Der Judenstaat* (*The Jewish State*) in 1896, and eventually led to the creation of the state of Israel in 1948.

¹⁷ These laws still stand in France today.

¹⁸ Primary school, which children attended until the age of 14, was free, see Julian Jackson, *France The Dark Years, 1940-1944*, (Oxford: Oxford University Press, 2001), p. 66. Only 2.5 per cent of the total child population attended secondary school before the 1929 reform. Gérard Noiriel, *Les origines républicaines de Vichy* (Paris: Hachette Littératures, 1999), p. 83.

¹⁹ Papon and Bergès, *La vérité n'intéressait personne*, p. 20.

Papon's conviction that his father was 'a modern', for such journeys were exceptional for ordinary French people at this time.²⁰

Papon followed in his father's steps by studying law at the Paris law faculty. In this respect he was typical of his future colleagues in the *corps préfectoral*, the majority of whom held law degrees.²¹ But Papon also showed exceptional intellectual curiosity and ambition, for he also earned certificates in psychology and sociology at the Sorbonne. Furthermore, he made time to experiment with his father's Radical politics and, through his father's friendship with Jacques-Louis Dumesnil, the Minister of Air, interned for a year at the Ministry of Air.²² After graduation, he completed his military service at Saint-Cyr and then returned to Paris in 1933 to pursue graduate studies in political economy and public law at the *École des sciences politiques*, a hothouse for the French civil service.²³ While preparing for the demanding *Inspection des finances* examination, Papon joined the centre-left political groups *Jeunesses radicales* (Radical Youths) and *Ligue d'Action Universitaire Radicale et Socialiste* (League of Radical and Socialist University Action). In 1935 he received his diploma from the public finances section of the *École des sciences politiques*, ranked 27 out of 113 candidates, with a *mention assez bien* in political economy and a *mention très bien* in public law.²⁴ It was a strong performance, but not quite enough to enter the *Inspection des finances*.

His professors urged him to try again, but Papon urgently needed employment now that he had a family to support. He had married Paulette Asso in 1932, and their first child was born two years later. 'Up to that point, we had been living off our wits and parental charity,' he recalled, 'and it was in these conditions that I presented myself at the next competitive examination, which was that of the Ministry of the Interior.'²⁵ He succeeded and in July 1935 received an entry-level position in the *corps préfectoral* as a *rédacteur* (parliamentary draftsman). Arthur Papon was delighted. 'My father was besotted with prefects,' Papon remembered. 'There had been a great one when he was president of the [General] Council [of the Seine-et-Marne *département*]...I had to be a prefect! He dreamt that I would be one at the time. Fathers thus live through their sons. In the end, he was not dreaming, because I became one!'²⁶

²⁰ *Ibid.*, p. 18.

²¹ Between 1918 and 1940, 91 per cent of prefects held law degrees. Jeanne Siwek-Pouydesseau, *Le corps préfectoral sous la troisième et la quatrième République* (Paris: Armand Colin, 1969), p.32.

²² Jacques-Louis Dumesnil was Minister of Air in 1931 as well as a Radical-Socialist deputy from the Seine-et-Marne *département*.

²³ Robert O. Paxton, *Vichy France: Old Guard and New Order 1940–1944* (New York: Columbia University Press, 1972), pp. 261–262.

²⁴ Note from the *École des sciences politiques*, 8 July 1935, folder 19980101*, article 25: dossier de Maurice Papon, Centre des Archives Contemporaines (CAC).

²⁵ Erhel et al., *Le procès Papon*, vol. 1, p. 185.

²⁶ Papon and Bergès, *La vérité n'intéressait personne*, p. 25; Denis Demonpion, 'Le dernier plaidoyer de Papon,' *Le Point*, 19 February 2004, p. 25.

Papon joins the *corps préfectoral*, 1935-1939

The civil service that Papon joined in 1935 was an elite institution with a strong *esprit de corps*, proud of its professionalism and political neutrality, and which attracted the best and the brightest from the nation's *grandes écoles*: an institution to which Papon was proud to belong.²⁷ As François Bloch-Lainé, who entered the prestigious *Inspection des finances* in 1936, later explained, 'It must be remembered that the administration had only recently been depoliticised and that this was considered a great progress. The Popular Front [government of 1936-37] had been a decisive test, functionaries of all opinions having loyally obeyed the Socialists, [who were] not the usual rulers.'²⁸ In Bloch-Lainé's judgement, the administration's culture of political neutrality meant that by the 1930s, functionaries 'served the state without really taking into account the political hue of the government...one was accustomed, across the whole spectrum of personal opinion, to operating without questioning the political positions taken.'²⁹

This was perhaps especially true of the *corps préfectoral*, whose members embody the State and administer in its name. In her analysis of the *corps préfectoral* during the Third and Fourth Republics, Jeanne Siwek-Pouydesseau explains, 'In the image of the government and the President of the Republic, the prefect must be the symbol of the State in his *département*....Any attack on the prestige of the prefect can only be an attack on the prestige of the State'.³⁰ This symbiosis between the State and its prefects was deliberate on the part of Napoleon, who created the *corps préfectoral* in 1800 as part of his drive to centralise his empire.

Then, a prefect governed his *département* in Napoleon's name as the 'transmitter of absolutism'³¹; after 1870, prefects became the transmitters of republicanism. Even today, they are the only senior civil servants whose responsibilities are enshrined in the Constitution of the Fifth Republic.³² Prefects thus remain directly linked to the government, for they are appointed, transferred and promoted today as they were during Papon's career: the Minister of the Interior and the Prime Minister propose candidates for a particular role, the Council of Ministers considers their suitability, and the President of the Republic appoints them. For this reason, Siwek

heavily on political recommendations, although its members maintained political neutrality.³³ Similarly, in his study of the French administration published in 1931, Walter R. Sharp found that while most civil service appointments were based on merit, prefects were among those who still depended on political recommendations.³⁴

Because they incarnate the State, prefects must possess personal qualities beyond the strong intellect and advanced education and training expected of other civil servants of similar rank. Today, as during Papon's career, the Ministry of the Interior requires prefects to have authority, decisiveness, coordination, conviction, and mediation and communication skills.³⁵ They must be able to work with a variety of people and balance diverse interests, for prefects liaise with Deputies and Senators; elected officials of the *département*; businesses and professional organisations; the media; and citizens.³⁶ They must also inspire confidence and loyalty in order to advance through the hierarchy of the *corps préfectoral*, for they often work for the same superior over a number of years and assignments.³⁷ And they must be able to balance the 'duty to obey' and their autonomy, as Papon later explained:

The *corps préfectoral* is effectively a corps of obedience and a corps of command. It is a corps of obedience in the sense that it is the representative of the State, and thus of the government but on the other hand, the prefect is a sort of machine that transforms the orders of the State into a language understood by the population, and at that point he can put his own stamp on things, with all the nuances that this entails.³⁸

During Papon's career, this dedication was well-rewarded. Prefects received an excellent salary and pension, free furnished lodgings, an expense allowance, marital and child allowances, a car and chauffeur, first-class rail travel, the right to enter the private rooms of the *Assemblée Nationale* without formal permission, and entitlement to military honours.³⁹ There were also important intangible benefits. Prefects could expect a stimulating career with a wide variety of roles and responsibilities. They were known and respected throughout their *département* and the government as both the embodiment and the agents of the State. As such, they took pride in their membership of such a professional civil service and derived a strong sense of identity from it.

Papon embraced the challenges and opportunities of the *corps préfectoral*. 'I was looking for experiences,' he recalled of these early years, 'I liked discovering.'⁴⁰ A series of junior roles followed, first at the personnel office of National Security and then at the bureau of departmental

³³ Siwek-Pouydesseau, *Le corps préfectoral sous la troisième et la quatrième République*, p. 21.

³⁴ Walter R. Sharp, cited in Marc Olivier Baruch, *Servir l'État français* (Paris: Librairie Artème Fayard, 1997), p. 40, note 52.

³⁵ <http://www.interieur.gouv.fr/sections/a_l_interieur/les_prefectures/organisation/prefet> [accessed 29 April 2007].

³⁶ *Ibid.*

³⁷ Brian Chapman, *The Prefects and Provincial France* (London: George Allen & Unwin Limited, 1955), p. 118.

³⁸ MP-SHC Interview 3, pp. 4–5.

³⁹ *Ibid.*, p. 149.

⁴⁰ Papon and Bergès, *La vérité n'intéressait personne*, p. 26.

and communal affairs, where he worked for Maurice Sabatier, a senior prefect.⁴¹ Soon after, Papon left Sabatier to work as an attaché to François de Tesson, a Radical-Socialist deputy for the Seine-et-Marne *département* and friend of Arthur Papon. De Tesson was under-secretary of state at the *Présidence du Conseil* of Léon Blum, the Socialist leader of the leftist Popular Front coalition that had come to power in June 1936. 'For me it was a unique experience to live, at the Matignon⁴², the years 1936 and 1937, which were rich in political events,' Papon recalled.⁴³ When Blum's government collapsed in June 1937 and was followed by Camille Chautemps' Radical government, de Tesson was made under-secretary of state for foreign affairs with responsibility for the French protectorates of Morocco and Tunisia. He, in turn, assigned Papon to work on Moroccan Affairs. In 1938, after the Chautemps government fell in March and the second Blum government fell in April, Papon was assigned to monitor the Senate debates during the government of Édouard Daladier. There he remained until he was mobilised in August 1939, watching events unfold 'perhaps not from the front row, but from the second balcony.'⁴⁴

On 3 September 1939, two days after Germany invaded Poland, Britain and France declared war on Germany. It was Papon's twenty-ninth birthday, and he spent it at the military barracks in Brest where he had been mobilised since August. Shortly thereafter, he was deployed to Syria, where he remained until 25 October 1940, when an attack of malaria coincided with a request from Maurice Sabatier, his former superior, that Papon join his new team at the Ministry of the Interior in Vichy. Papon was so ill that he was repatriated not by the customary boat but in an airplane full of generals, and hospitalised for two weeks.⁴⁵ When he recovered in November, his first major decision of the war awaited him.

Papon's first major war-time dilemma: serve the Vichy State?

An estimated six to ten million people from Belgium, Luxembourg and northern France fled the Germans in the spring of 1940 with whatever possessions they could carry in their automobiles, horse-drawn wagons, and handcarts only to suffer from aerial bombardments, jam-packed roads, fatigue and lack of food.⁴⁶ After just six weeks of fighting, France was defeated. The ease with which the German army conquered France from 10 May to 22 June 1940 stunned even Hitler and

⁴¹ This was a short but fateful assignment: after the defeat of France in 1940, Sabatier sent for Papon to join him at Vichy. There, Papon befriended two other junior members of the *corps préfectoral*, Maurice Lévy and Pierre Maisonneuve. The paths of the three young men later diverged dramatically: Lévy, a French Jew, was eventually arrested and deported to Auschwitz, where he perished; Papon followed Sabatier to Bordeaux in the spring of 1942, just before the Vichy government ordered its functionaries to begin deporting Jews from France; and Maisonneuve became a resister whose role in bringing Papon into contact with the Resistance will be discussed later in this chapter.

⁴² The residence and office of the prime minister.

⁴³ Erhel et al., *Le procès Papon*, vol. 1, p. 186.

⁴⁴ Papon and Bergès, *La vérité n'intéressait personne*, p. 28.

⁴⁵ *Ibid.*, pp. 34-5.

⁴⁶ Irène Némirovsky, who joined the exodus with her children, describes the chaos and conditions of this period in 'Storm in June', the first part of her novel published more than fifty years later after the events. Irène Némirovsky, *Suite Française*, trans. Sandra Smith (London: Chatto and Windus, 2006). See also Hanna Diamond, *Fleeing Hitler* (Oxford: Oxford University Press, 2007).

forced France's allies to re-examine their own strategy. Churchill had counted on a strong France for his intended campaign of 1941; Roosevelt had hoped that the United States could remain neutral; and Stalin, who had been counting on a Franco-British effort to weaken Germany before it turned east, said, 'Now Hitler is sure to beat our brains in'.⁴⁷

In fact, Hitler waited until 1941 to declare war on the USSR; after the fall of France, his focus was to ensure that Germany extracted maximum benefit from its most valuable war prize to date. After 1.5 million French soldiers had been taken prisoner, the government signed the Armistice with Germany on 22 June 1940, and another with Italy on 24 June. As per the terms of the Armistice, the Germans drew a demarcation line shaped like a crescent that created an Occupied Zone of the *départements* from the north-eastern half of the country down the Atlantic coast to the Pyrenees. It also annexed Alsace and the Moselle *département*, expelling the French inhabitants, and created in the Nord and Pas-de-Calais *départements* a forbidden zone which was controlled by the German high command in Brussels. The Unoccupied Zone comprised the smaller southern portion of the country, except for the south-eastern corner, which was now in the Italian zone.⁴⁸

The French government, unlike those of other Nazi-occupied countries such as Belgium, Holland and Norway, did not choose to go into exile in London. Instead, it fled Paris for Tours and then Bordeaux. After the Armistice, which placed Bordeaux in the Occupied Zone, it was forced to relocate to the Unoccupied Zone, and settled on the spa town of Vichy. On 10 July, parliament voted to give full powers to Marshal Philippe Pétain, an 83-year-old hero of the First World War, to revise the constitution.⁴⁹ The next day he dismissed parliament, declared himself Head of State, and passed a series of acts that gave him nearly all legislative, executive and judicial powers in the Unoccupied Zone.⁵⁰

The French now faced a dilemma: to support the new legal government, or to resist both it and the Germans.⁵¹ For some, the decision to resist was immediate and clear. Charles de Gaulle is the most famous example of these 'resisters of the first hour'. On 17 June 1940, the day of Pétain's radio address in which he told the French that 'today we must cease hostilities' and called for all weapons to be surrendered⁵², de Gaulle boarded a British plane for London. The following day he went on the BBC to urge his compatriots to resist. Few people in France heard the broadcast from this unknown general, but it was not necessary to hear de Gaulle in order to

⁴⁷ Nikita Khrushchev, *Khrushchev Remembers*, trans. S. Talbott (London: Sphere, 1971), p. 166.

⁴⁸ By November 1942 there were six zones in France.

⁴⁹ 569 deputies voted for; 80 voted against; 17 abstained; many deputies were ineligible to vote, as the French Communist party had been outlawed in 1939 following the Nazi-Soviet Pact, see Noiriél, *Les origines républicaines de Vichy*, p. 88; a further 27 deputies had boarded a ship in Bordeaux with the intention of joining the government, which had tricked them into thinking that it was going into exile, and thus were not present to vote, see Jackson, *France, The Dark Years*, p. 127.

⁵⁰ Jackson, *France, The Dark Years*, p. 133.

⁵¹ For a discussion on the legality of Vichy versus its legitimacy, see *ibid.*, pp. 133-6.

⁵² Germaine Tillion, resister from June 1940, later wrote that her choice to resist was 'simple'. Germaine Tillion, *Algeria: the Realities*, trans. Ronald Matthews (New York: Alfred Knopf, 1958), p. xi.

reject Pétain. During Papon's trial, Pierre Messmer⁵³ recalled his reaction to Pétain's broadcast: he and a fellow officer escaped from their military barracks, stole a motorcycle and drove to Marseille where they recruited a team, stole an Italian ship and sailed to North Africa.⁵⁴ Messmer explained his reaction:

For me, from the signing of the Armistice, the Vichy government had no legitimacy because it had passed under the control of the enemy and the enemy occupied, from June 1940, about two-thirds of the territory and, from November 1942, all of the territory. An illegitimate government, for me it's clear, does not represent France, and cannot engage the responsibility of France. It only engages its own responsibility and the responsibility of the civil servants and the military personnel who decided to obey it. I was not among them and I must say that, as a result, I am absolutely against the declarations pronounced since 1995 by the highest authority of the State and that impugn France, and thus all French, for the responsibility of the crimes of Vichy.⁵⁵

Yet early resistance was exceptional. Parliament's vote on 10 July had conferred the patina of legality on the Vichy State, and the majority of the French population was so relieved that the 'saviour of Verdun' had once again stepped in to shield the nation from the Germans that they did not protest his decision to dismiss parliament.

The majority of those who had served the Third Republic chose to serve the Vichy State: most of the French Empire rallied to the government⁵⁶; not a single ambassador, director or assistant director of a ministry, or inspector of finances joined de Gaulle in London before the end of 1940; and not one prefect resigned that year.⁵⁷ The historian Marc Olivier Baruch, an expert on the French administration during the Second World War, argues that most French civil servants did not feel it was right to abandon the population to difficulties or even anarchy; they considered that their duty was to resist German pressure and, where possible, preserve French sovereignty.⁵⁸ François Bloch-Lainé later confirmed this view: 'From the outset, for almost all of us civil servants, the State was there, *in situ*, whether or not we regretted that it had not emigrated. The fact that it had changed nature from the day after Parliament's vote, that its

⁵³ Pierre Messmer was later a senior colonial administrator, Minister of the Armed Forces, and Prime Minister.

⁵⁴ Conan, *Le procès Papon*, p. 31.

⁵⁵ Erhel et al., *Le procès Papon*, vol. 1, p. 220. Messmer refers to a speech that President Jacques Chirac made on 16 July 1995 to commemorate the 50th anniversary of the Vel d'Hiv roundup in which he proclaimed that 'France committed an irreparable act [...] There are mistakes that were made, there are the offenses, there is a collective sin.' Henry Rousso and Eric Conan, *Vichy: An Ever-Present Past*, trans. Nathan Bracher (Hanover: University Press of New England, 1998), pp. 39–42.

⁵⁶ Chad, French Congo, Ubangi-Shari, the Cameroons and Gabon all rallied to Free French in the first months after the armistice. Jackson, *France: The Dark Years*, p. 391.

⁵⁷ Baruch, *Servir l'État français*, p. 577; Paxton, *Vichy France*, pp. 16–17. Jean Moulin was the first prefect to rally to the Free French after he met de Gaulle on 25 October 1941, although by this time he had been dismissed from the *corps préfectoral*. Jackson, *France: The Dark Years*, p. 429.

⁵⁸ Baruch, *Servir l'État français*, p. 454; Marc Olivier Baruch, 'Vichy, les fonctionnaires et la République' in *Serviteurs de l'État: une histoire politique de l'administration française, 1875-1945* (Paris: Éditions La Découverte, 2000), p. 530.

legality no longer matched its legitimacy, only appeared to us gradually.⁵⁹ His colleague Claude Gruson concurred: '...as a member of the public function [administration], I had a place in the world that I could not leave just like that. There was – I would not say a vocation, the word is too strong – a profession that had its nobility, and thus imposed some obligations.'⁶⁰ The decision to serve Vichy could also reflect a civil servant's personal circumstances. Gruson, for instance, was unwilling to abandon his wife, whom he had recently married and who was expecting their first child, in order to join de Gaulle in London.

It is possible that Papon, upon his return to France, felt similarly to Gruson. He had, after all, been apart from his family since September 1939, and now that France was occupied, may have been reluctant to leave them. He may also have felt fortunate to have a job with which to support his family, for the Vichy State had already sacked 35 prefects and sub-prefects and banned Freemasons and Jews from working in the *corps préfectoral*.⁶¹ During his trial, however, Papon did not frame his decision to serve Vichy in these terms. Instead, he claimed that the situation of the Occupation presented functionaries with two options: to resign, or to fight. He rejected the first option, he told the court, because, 'To resign would have been easier perhaps but, in the culture that I received from my parents, my philosophy teachers, it meant deserting'.⁶² Instead, he chose, like the majority of French functionaries, to serve the Vichy State.

In Vichy, Papon began working for Maurice Sabatier, now a secretary in the Division of Departmental and Communal Affairs. This was one of the many branches of the General Secretariat of the Administration. In February 1941, Papon became Sabatier's cabinet director, and was maintained in this role when Sabatier was promoted secretary-general of the General Secretariat of the Administration, one of the most senior posts in the Ministry of the Interior.

⁵⁹ Bloch-Lainé and Gruson, *Hauts fonctionnaires sous l'Occupation*, p. 50.

⁶⁰ *Ibid.*, p. 22.

⁶¹ Paxton, *Vichy France, Old Guard and New Order*, p. 342; Pierre Henry, *Histoire des Préfets* (Paris: Les Nouvelles Editions Latines, 1950), p. 339. As a result of the government's ban on secret societies of 13 August 1940, Freemasons were forbidden from working in the *corps préfectoral*, as were Jews following the law of 17 October 1940. These laws did not take immediate effect: Henry notes that Jewish sub-prefects continued to work for the *corps préfectoral* until 31 December 1941, and that the Regional Prefect of Aisne, continued to work until 22 August 1941 until it was discovered that he was a Freemason. By October 1942, the Vichy State had dismissed 94 members of the *corps préfectoral*, retired 104 and transferred 79 to other posts, see Baruch, *Servir l'État français*, p. 306.

⁶² Erhel et al., *Le procès Papon*, vol. 1, p. 390.

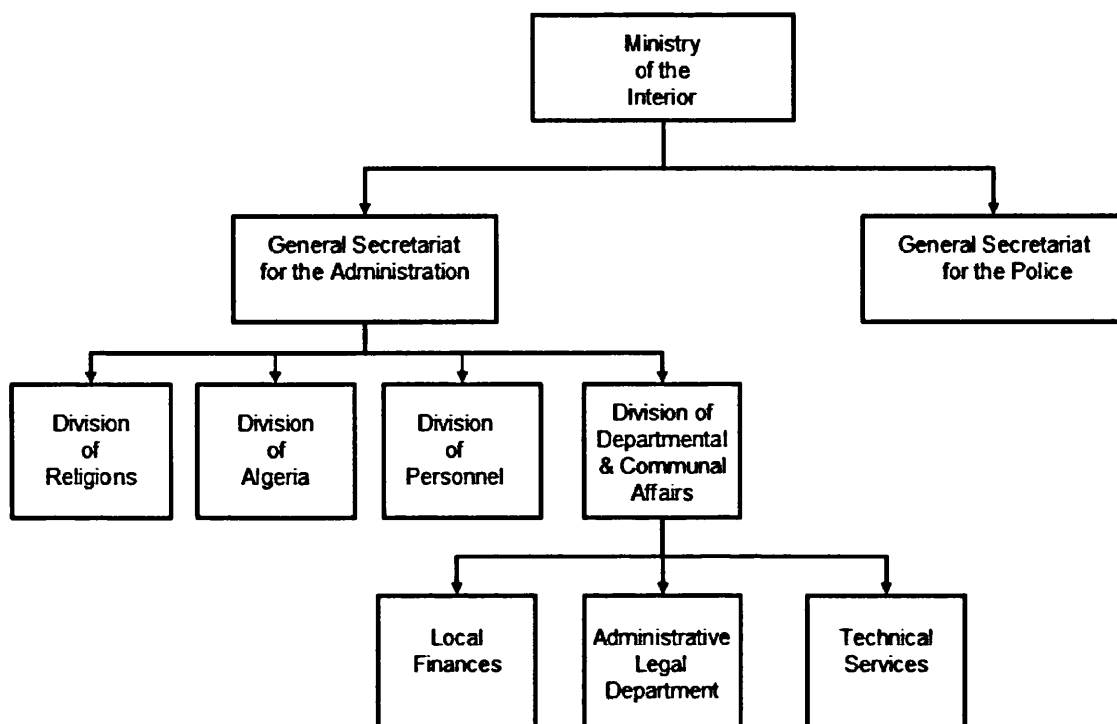


Figure 1: Organisational Chart of the Ministry of the Interior, November 1940 – July 1942.⁶³

During Papon's trial, Judge Castagnède referred to a report written by an administrative adviser which stated that Sabatier's work – and by extension, Papon's work – during this period was 'purely administrative' and 'without political character'.⁶⁴ This changed in May 1942, when he was posted to the Occupied Zone and took Papon with him.

Papon's second major war-time dilemma: participate in the persecution of Jews?

For the first weeks of his new role as secretary-general of the Gironde regional prefecture⁶⁵, Papon commuted between Bordeaux, the regional capital, and Gretz-Armainvilliers, where his father lay seriously ill. Arthur Papon's death on 15 June 1942 meant that Papon, age 31, was now without both of his parents, for his mother had died ten years earlier. 'Everything was blurry in my spirit,' he later recalled, 'it was a bit like when I came back from Syria [with malaria]: I did not have my free will and my autonomy.'⁶⁶ After the funeral he returned to Bordeaux. Before the war it had been the fourth most important commercial port in France; now it was the largest city in the Occupied Zone after Paris.⁶⁷ Given its strategic importance, the city had a heavy presence of

⁶³ Erhel et al., *Le procès Papon*, vol. 1, pp. 369-70.

⁶⁴ *Ibid.*, vol. 1, p. 370. Judge Castagnède refers to a report written in 1945 by a technical councillor.

⁶⁵ The regional prefecture of the Gironde encompassed the three *départements*: the Gironde, the Landes, and the Basses-Pyrénées.

⁶⁶ Papon and Bergès, *La vérité n'intéressait personne*, p. 58.

⁶⁷ Great Britain Foreign Office, *France Zone Handbook Number 5: Bordeaux, Part III. Local Directory and Personalities (as of 1 October 1943)*, class mark 42 (F1 F/6), BLPES.

Gestapo agents and Waffen SS troops. The German authorities, who outnumbered the French staff at the regional prefecture, were billeted in the houses of the city's inhabitants.⁶⁸

With the additional pressures of this role came increased responsibilities. As regional prefect, Sabatier was the most senior French administrator in the Gironde and entitled to arrange the management of the regional prefecture to his liking. Using the decree of 28 February 1942, he allocated powers and duties to his subordinates.⁶⁹ To Papon he granted the power of signature over orders coming out of the three *départements* of the Gironde region. In doing so, Sabatier bypassed Louis Boucoiran, the delegate prefect of the Gironde *département*, as shown in the diagram below:

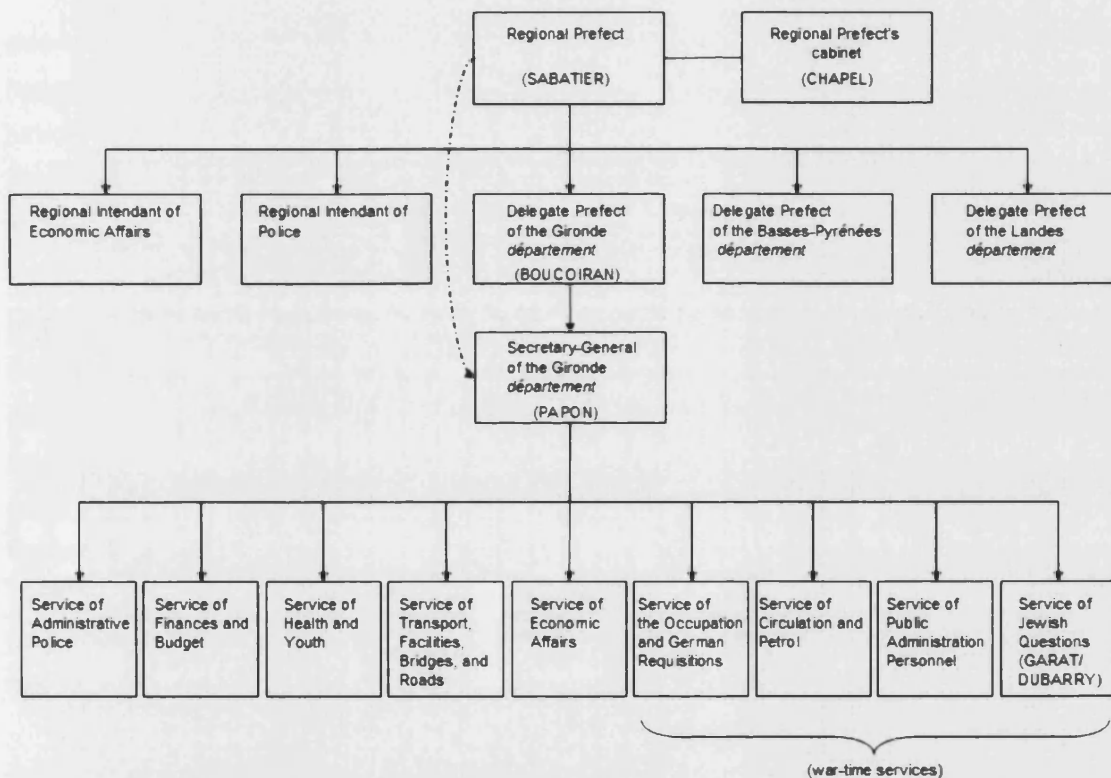


Figure 2: Organisational Chart of the Regional Prefecture of Bordeaux May 1942.⁷⁰

Sabatier's decision to bypass Boucoiran in favour of Papon seems to have been personal. During Papon's trial, Boucoiran was described as 'isolated, at the end of his career, not part of the Regional Prefect's team'⁷¹ whereas Papon had worked closely with Sabatier for two years in

⁶⁸ Testimony of Hubert de Beaufort in Erhel et al., *Le procès Papon*, vol. 2, p. 581; 'In Bordeaux, 200 to 300 German functionaries doubled those of the prefecture' in Conan, *Le procès Papon*, p. 133; Nossiter, *France and the Nazis*, p. 60.

⁶⁹ Testimony of Marc Olivier Baruch in Erhel et al., *Le procès Papon*, vol. 1, p. 419.

⁷⁰ *Ibid.*, vol. 1, pp. 93, 437.

⁷¹ Letter from François Bouton, who worked for Boucoiran, was excused from testifying at the Papon trial, but deposed a letter containing this description. *Ibid.*, vol. 1, p. 477.

Vichy. Sabatier's evaluation of Papon in 1942 shows that he valued and respected the younger man's abilities: '[Papon is] a brilliant functionary, and a man who does his duty and is honourable, scrupulous, impeccably well-mannered, devoted and loyal. Among the first rank of young [functionaries] likely to soon administer a prefecture, and administer it well.'⁷² The two men appear to have worked together in harmony, as Papon later recalled the 'joint decisions' they took and was unable to provide any examples of disagreements between them.⁷³ In his interviews with Michel Bergès, which were published after the trial, Papon tried to distance himself from Sabatier by claiming that their relations had been strained at times, but he was again unable to cite any specific examples.⁷⁴

For the lawyers for the prosecution and the civil parties, it became crucial to establish the closeness of the working relationship between Papon and Sabatier. In 1981, Sabatier had told the honorary jury that he assumed 'the entire responsibility for the anti-Jewish repression in the jurisdiction of his prefecture'.⁷⁵ He was inculpated in 1987, but died before being brought to trial. If the lawyers could prove that Papon worked closely with Sabatier, they could argue that he shared in Sabatier's responsibility for the deportation of 1,560 Jews.

Papon countered this argument of shared responsibility by citing hierarchy: Sabatier was the regional prefect and thus his superior. While the delegation of the power of signature meant that Papon could sign administrative orders in the regional prefect's name, he claimed that this did not mean he was personally responsible for the orders he signed: 'When I gave instructions, it was in the name of the regional prefect. I had a signature without responsibility. It was not the secretary-general who signed, but the secretary-general 'for the regional prefect'. I was a penholder.'⁷⁶ Bernard Bergerot, a resister and director of personnel for the Minister of the Interior from 1951 to 1958, supported Papon's argument during the trial: Sabatier, as regional prefect, 'remained responsible for the powers he delegated.'⁷⁷ However, the historian Marc Olivier Baruch disputed this interpretation: 'Someone who is a delegate of someone else assumes his responsibility.'⁷⁸

The concept of autonomy is useful in determining responsibility. As secretary-general, Papon did not have the authority to issue orders on his own initiative; the very authority of his signature

⁷² Author unknown, 'Note sur M Papon portant appréciations', undated, but probably written in December 1944 or shortly thereafter, as the document reads 'La Commission d'Epuración a proposé son maintien dans ses fonctions préfectorales' and Papon passed the Purge in December 1944. Dossier: 19950277*, article 41: Maurice PAPON, File 2: Professionnel, CAC; 'Commission de l'Epuración de Ministère de l'Intérieur, Sous-Commission de l'Administration Centrale et Préfectorale', Dossier 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 11: Epuration.

⁷³ Conan, *Le procès Papon*, pp. 76–7.

⁷⁴ Papon and Bergès, *La vérité n'intéressait personne*, pp. 230–243, 249. Excerpts from Papon's journal appear in this book, but the author has not seen the original journal. Michel Bergès transcribed it, but does not indicate where this copy is stored, nor has he responded to the author's inquiries.

⁷⁵ 'Monsieur Maurice Sabatier, ancien Préfet Régional de Bordeaux a déclaré au Jury assumer l'entière responsabilité de la répression anti-juive dans le ressort de la Préfecture, persuadé qu'il était que l'impossible avait été tenté par ses collaborateurs et lui-même pour la contrecarrer.' <<http://www.maurice-papon.net/jury/sentence.htm>> [accessed 9 June 2008].

⁷⁶ Conan, *Le procès Papon*, p. 72; Erhel et al., *Le procès Papon*, vol. 1, pp. 438–440.

⁷⁷ Conan, *Le procès Papon*, p. 71.

⁷⁸ Marc Olivier Baruch in Erhel et al., *Le procès Papon*, vol. 1, p. 422.

derived from the fact that he was signing on behalf of the regional prefect, the most senior administrator in the region, who himself was implementing the policies of a legal government. Papon could not have issued orders that were contrary to his superior's wishes or State policy, so in this sense he was simply a link in the chain of command. Yet Papon retained his autonomy in one crucial aspect: he could have declined the delegation of signature. Nothing compelled him to accept it, and with it, responsibility for signing deportation orders. François Bloch-Lainé later remarked:

No one was constrained by his status to do anything that was contrary to his conscience. Everyone had escape routes that did not necessarily imply a complete resignation. Rare were the situations in which one could neither sidestep nor refuse without sacrificing one's means of existence. And **there were no prisoners of duty**. [author's italics] It sufficed most often to be ready to make oneself badly perceived, to be kept from important tasks, to not 'advance'.⁷⁹

Whether the power of signature conferred responsibility was a central point of debate during Papon's trial, for it converged with another power Sabatier had delegated to Papon: responsibility for the regional prefecture's Service of Jewish Questions.⁸⁰ This comprised no more than eight French administrators, including secretaries, and stenographers.⁸¹ Its bureau chief was Pierre Garat, already in post when Papon arrived, who managed its daily operations until he was succeeded on 25 August 1943 by Jacques Dubarry.⁸² During the trial, Papon claimed that this Service was 'purely administrative, deprived of initiative.'⁸³ While it is true that this Service had no police powers – these were held by the regional prefecture's police service, the *Intendance de Police* – the Service of Jewish Questions performed several functions. It maintained a register of all Jews in the Gironde region, liaised with the German authorities for certain requests and managed the 'Aryanisation' of Jewish property whereby all Jewish enterprises in the Occupied Zone were to be registered and placed under 'Aryan' trusteeship.⁸⁴

These activities were part of the Nazis' persecution of Jews in the Occupied Zone. This had begun with the Nazi Ordinance of 27 September 1940, which defined who was Jewish under German law; forbade Jews who had fled the Occupied Zone to return; required all Jews living in

⁷⁹ Bloch-Lainé and Gruson, *Hauts fonctionnaires sous l'occupation*, p. 133.

⁸⁰ Marc Olivier Baruch testified that Bordeaux was the prefecture in which the regional prefect delegated the Service of Jewish Questions, see Erhel et al., *Le procès Papon*, vol. 1, p. 421. Curiously, the wife of Sabatier's cabinet director, Madame Jean Chapel, testified at the trial that Sabatier's wife was Jewish. 'One has accused [Papon] of having arrested Jews but how could Monsieur Sabatier, whose wife was Jewish, have allowed his friend to arrest children? Jewish children, we knew that they were deported, but we did not know where....' Judge Castagnède: 'You said that the wife of Maurice Sabatier was Jewish?' Mme Chapel: 'Yes, but it wasn't talked about, it was hidden.' Erhel et al., *Le procès Papon*, vol. 1, p. 290; whether Mme Sabatier was Jewish was never confirmed or disproven during the trial, see Conan, *Le procès Papon*, p. 44.

⁸¹ Conan, *Le procès Papon*, p. 78.

⁸² Erhel et al., *Le procès Papon*, vol. 1, pp. 505-506, 592.

⁸³ *Ibid.*, p. 78.

⁸⁴ Erhel et al., *Le procès Papon*, vol. 1, pp. 99, 508-519, 527-551; on 'Aryanisation' see Jackson, *France: The Dark Years*, p. 356.

the Occupied Zone to register with their local sub-prefecture; and made Jewish community leaders responsible for providing the French authorities with information to ensure the registration of the Jewish population. With the regulation of 18 October 1940, the Nazis began 'Aryanisation' of Jewish enterprises.

In accepting Sabatier's delegation of responsibility for the Gironde's Service of Jewish Questions, Papon agreed to participate directly in the Nazis' persecution of Jews; he had been participating indirectly since November 1940, when he decided to serve the Vichy regime which, independent of Nazi prompting, persecuted Jews in the Unoccupied Zone.⁸⁵ After all, Papon, like all French functionaries who chose to serve Vichy, could have no doubt that the regime was hostile to Jews. On 3 October 1940 it issued the first anti-Jewish statute, whose criteria of what defined a Jew were more stringent than the German ordinance passed only six days earlier in the Occupied Zone.⁸⁶ Vichy's first anti-Jewish statute excluded Jews from senior positions in the public sector, from liberal professions such as teaching, film, theatre and the media, and removed all Jews from the army, except those who were veterans of the Great War or held citations for bravery in the recent Battle of France.⁸⁷ With the law of 4 October 1940, Vichy empowered its prefects to intern foreign Jews in camps.⁸⁸ In French Algeria, where there were no German forces at all, Vichy's law of 7 October 1940 stripped Algerian Jews of the French citizenship they had held since 1870.

It is possible that Papon and other functionaries did not object to Vichy's anti-Semitism because Jews were just one of the many groups Vichy targeted. On 16 August 1940 the regime decreed that only people with French fathers were allowed to work in the medical profession, and on 10 September 1940 that only lawyers with French fathers could be called to the bar.⁸⁹ It turned on naturalized citizens with the law of 16 July 1940, which allowed the revocation of citizenship for any naturalised citizen deemed 'undesirable'⁹⁰, and formed a commission to review all naturalisations since 1927. Then, on 13 August 1940, Vichy outlawed Freemasons and went after Communists, who were rounded up and interned in the 31 camps that existed at this time in the Unoccupied Zone.⁹¹ They were soon joined by foreigners and gypsies, especially after the

⁸⁵ Michael M. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York: Basic Books, 1981), p. 13.

⁸⁶ Vichy considered a person a Jew if he or she had three Jewish grandparents, or, if the person was married to a Jew, then he or she only needed to have two Jewish grandparents to be considered Jewish, see Marrus and Paxton, *Vichy France and the Jews*, p. 12.

⁸⁷ *Ibid.*, p. 126.

⁸⁸ By the end of 1940, French-run internment camps held 55,000-60,000 foreign Jews, French Communists and others, see Jackson, *France: The Dark Years*, p. 151.

⁸⁹ For the medical profession, this was an extension of the law of 26 July 1935; for lawyers, this was an extension of the law of 19 July 1934.

⁹⁰ Noiriél, *Les origines républicaines de Vichy*, p. 102.

⁹¹ At this time there were also 15 camps in the Occupied Zone. Many more would be created in France and in French North Africa. Jackson, *France: The Dark Years*, p. 633. Jackson emphasises that the map of the camps provided at the back of his book is not exhaustive.

regulation of 27 September 1940, which allowed for the internment of all unemployed immigrants. Later Vichy also interned black market offenders, abortionists and prostitutes.⁹²

Nevertheless, even in the context of Vichy's widespread persecutions, the regime's functionaries could not fail to observe that it reserved special attention for Jews. The Vichy State's Second Jewish Statute of 2 June 1941 redefined a Jew along both racial and religious lines. It required Jews living in the Unoccupied Zone to register with the authorities, as their counterparts under German occupation were obliged to do; and increased the number of professions from which Jews were excluded. Henceforth Jews were forbidden from working in publicity, banking, finance, property, and from acting as judges or sitting on juries. The French legal and medical professions enforced the quota of two percent on Jewish lawyers and doctors.⁹³ In July 1941, the Vichy authorities began carrying out a census of Jews in the Unoccupied Zone, and instituted the law of 22 July 1941 to eradicate all remaining Jewish influence from the French economy. Now Jewish businesses in the Unoccupied Zone were 'Aryanised' too.

Papon's decision to serve the Vichy State despite its anti-Semitism was consistent with that of his colleagues in the administration; even Jewish or partly Jewish functionaries such as François Bloch-Lainé (who, because of his Catholic mother, was not defined as a Jew under Vichy's laws) and Maurice Lévy, protected by sympathetic patrons, continued to work in the *Inspection des Finances* and the *corps préfectoral*, respectively. According to Claude Gruson, Vichy's anti-Jewish measures 'did not lead to any protest, to no public debate, even less to a new 'Dreyfus Affair'. Those who had no penchant for Collaboration but who remained functionaries within the public service did not react publicly against this discrimination.'⁹⁴ Similarly, Bloch-Lainé recalled that his colleagues in the *Inspection des Finances* 'did not express a strong criticism of the measures taken against Jews and that...they hardly asked me for news of my father' who, as a Jew, had been dismissed from the *Inspection des Finances*.⁹⁵

Until July 1942, the indifference within the administration to Vichy's anti-Semitism mirrored French society.⁹⁶ Both were challenged by the signing of the Bousquet-Oberg accords on 2 July, in which the German authorities promised to give greater autonomy to the French police in exchange for their assistance in the arrest and delivery of 10,000 foreign Jews. On 16–17 July 1942, the French police arrested over 13,000 foreign Jews residing in Paris. Some 6,000 people were detained at Drancy, the internment camp outside the capital, while another 7,000, including 4,000 were children, were detained in the Vélodrome d'Hiver, a cycling stadium in the west of

⁹² Blackmarketeers were interned from June 1941, abortionists from February 1942, and prostitutes from August 1943. Jackson, *France: The Dark Years*, p. 633.

⁹³ Caron, 'Review Essay: Ordinary Anti-Semitism and Vichy Anti-Jewish Policy, The Role of the Legal Profession', *French Politics, Culture and Society*, Volume 18, Number 2, Summer 2000, p. 106.

⁹⁴ Bloch-Lainé and Gruson, *Hauts fonctionnaires sous l'occupation*, pp. 201-02

⁹⁵ *Ibid.*, p. 203.

⁹⁶ Marrus and Paxton, *Vichy France and the Jews*, pp. 209-14.

Paris. These detainees endured terrible conditions for five days before being deported. Though the Vel d'Hiv roundup, as it has become known, was by far the most notorious of that summer, there were also round-ups that week in the *département* of Maine-et-Loire⁹⁷, and on 18 July the first convoy of Jews left Bordeaux.⁹⁸ In all, 1,560⁹⁹ Jews were deported from Bordeaux, part of the nightmare that was repeated across France until August 1944 when 75,721 men, women and children – one quarter of the Jewish population residing in France – had endured the transfer from Drancy to Auschwitz.¹⁰⁰ Less than three per cent survived.

In 1981, an honorary jury of resisters declared that Papon should have resigned in July 1942, when the nature of his duties became apparent. During Papon's trial, Marc Olivier Baruch confirmed that resignation or a simple refusal to participate in the persecution of Jews were viable options, as other functionaries had refused to carry out orders that would help the Germans: 'those who had the courage to stand up to the Vichy State were not punished or fired. Some were even transferred to other jobs. Those who expressed their refusal did not have the right to a promotion, but they were not bothered [by anyone] either: there were margins of manoeuvre.'¹⁰¹ Yet, as Baruch pointed out, Papon's decision not to resign at this point was typical, for not one prefect or sub-prefect resigned rather than carry out the Bousquet-Oberg accords.¹⁰²

But how could these functionaries have believed that they were fulfilling their 'duty to obey' the State when that State was ordering them to arrest, intern and deport children as well as adults? Arno Klarsfeld, one of the lawyers for the civil parties in the Papon trial, asked this very question to Marc Olivier Baruch: 'Do you think that it was possible to be a patriot...having participated in the deportation of Jews, knowing the cruel fate that awaited the Jews at their arrival in Eastern Europe?' Baruch, in reply, indicated that this was a false presumption:

I believe that these senior functionaries felt themselves to be patriots. This patriotism was corrupted. I believe that they did little calculation as to what was the human value of men, women, children. We all know the horror of this industrial death, of this final solution, between those that were gassed straight away and those who were put to work. In 1942, this vision could not have existed.¹⁰³

Although French functionaries could not have known of the Final Solution, it was clear that Jews faced grave danger in Hitler's regime. The Allied Declaration of 17 December 1942, published six months after the Bousquet-Oberg accords, stated this in no uncertain terms:

⁹⁷ Robert Gildea, *Marianne in Chains* (Basingstoke and Oxford: Panmacmillan, 2002), p. 237. Gildea established that 824 Jews were deported from Angers directly to Auschwitz on 20 July 1942. For the Drancy transit camps, see the Drancy Museum website <<http://www.camp-de-drancy.asso.fr/>> [accessed 28 April 2008].

⁹⁸ Erhel et al., *Le procès Papon*, vol. 1, p. 108.

⁹⁹ The departure dates of the eleven convoys and the number of people they carried are in Erhel et al., *Le procès Papon*, vol. 1, p. 108.

¹⁰⁰ Total figure is from Serge Klarsfeld, cited in Marrus and Paxton, *Vichy France and the Jews*, p. 344.

¹⁰¹ Conan, *Le procès Papon*, p. 67.

¹⁰² Testimony of Marc Olivier Baruch, Erhel et al., *Le procès Papon*, vol. 1, p. 417.

¹⁰³ Erhel et al., *Le procès Papon*, vol. 1, pp. 422-423.

The German authorities, not content with denying to persons of Jewish race in all the territories over which their barbarous rule has been extended the most elementary human rights, are now carrying into effect Hitler's oft-repeated intention to exterminate the Jewish people in Europe. From all the occupied countries, Jews are being transported, in conditions of appalling horror and brutality, to Eastern Europe. In Poland, which has been made the principal Nazi slaughterhouse, the ghettos established by the German invaders are being systematically emptied of all Jews except a few highly skilled workers required for war industries. None of these taken away are ever heard of again. The able-bodied are slowly worked to death in labour camps. The infirm are left to die of exposure and starvation or are deliberately massacred in mass executions. The number of victims of these bloody cruelties is reckoned in many hundreds of thousands of entirely innocent men, women and children.' The British, Soviet and American governments, as well as the governments-in-exile of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, Yugoslavia, and de Gaulle's French National Committee, condemned 'in the strongest possible terms this bestial policy of cold-blooded extermination'¹⁰⁴

In retrospect, this warning was all too accurate. But until visible proof became available, the enormity of the Nazis' Final Solution for Jews (as well as gypsies, homosexuals and the mentally disabled) remained practically impossible to take in for Frenchmen both outside and within France throughout the war. For example, as Claude Bouchinet-Serreulles, one of the first resisters to join de Gaulle in London in 1940, explained during Papon's trial, even the Free French leadership in London did not know of the Final Solution:

Claude Bouchinet-Serreulles: We were aware of the deportations, but obviously we knew nothing of the Final Solution. We had no information on the gas chambers. If the General [de Gaulle] had known about it, it would have been a real shock. He would have spoken about it on the radio.

Maître Alain Jakubowicz, lawyer for the civil parties: You knew that entire families were being deported?

Claude Bouchinet-Serreulles: Yes.

Maître Alain Jakubowicz: Where did you think they were being taken?

Claude Bouchinet-Serreulles: To internment camps in Germany. When it involved resisters who had been arrested, tortured, their deportation to Germany was, for us, a relief. We retained one thing from it: they won't be tortured anymore, they haven't been executed. For the Jews, we thought the same thing: that they were going to internment camps from which we hoped that they would get out.¹⁰⁵

¹⁰⁴ Martin Gilbert, *Second World War* (London: Phoenix Press, 2000, 1st publ. 1989), p. 387.

¹⁰⁵ Conan, *Le procès Papon*, pp. 39-40.

Similarly, Raymond Aron, the editor of the London-based Resistance paper *la France libre*, did not comprehend the existence of the Holocaust until the gates of the extermination camps were opened. In his memoirs, Aron wrote:

One doubt still haunts me today. What did we know of the genocide in London? Did the English newspapers evoke it? If they did, was it a hypothesis or a confirmation? As far as my clear conscience is concerned, my perception was more or less as follows: the concentration camps were cruel, run by prison wardens recruited not from among the politicians but from among the criminals of the common law; mortality in these camps was high, but the gas chambers, the industrial murder of human beings, no, I swear it, I did not imagine them and, because I could not imagine them, I could not have known.... I cannot bring myself to reproach myself for not having foreseen the implementation of a plan of genocide and for not having written of it in *la France libre*.¹⁰⁶

In France, the parents of the resister Raymond Aubrac under-estimated the danger they faced as Jews, refusing to take new identities that would change their name and give them a non-Jewish past because they thought the State would protect them. 'My family goes back for five generations in Lorraine,' Raymond Aubrac's father argued, 'I fought in the war in 1914, my two sons are officers, one of them an army officer, at present a prisoner of war. We have nothing to fear.'¹⁰⁷ He and his wife were later arrested by the *Milice*, Vichy's paramilitary arm, deported and killed at Auschwitz.

Likewise, the superior of Maurice Lévy, Papon's colleague in the *corps préfectoral*, was shocked when Lévy was arrested in November 1942:

Mr Lévy is an Israelite, but has been able to continue to remain in his post by application of the law of 2 June 1941, as he holds the Croix de la Guerre 1939-40 with two citations. No indication coming from the Ministry of the Interior would suggest that the activity of Mr Lévy has been reprehensible, and in these conditions it appears that only his quality as an Israelite motivated his arrest by the authorities of the occupation. I would like you to ask the authorities the reasons for arresting Mr Lévy, and to make all useful efforts to secure his release.¹⁰⁸

Lévy's superior was not being disingenuous, for there are several examples of Jews who continued to be employed by the Ministry of the Interior even after Vichy's laws ordered that they

¹⁰⁶ Raymond Aron, *Mémoires, 50 ans de réflexion politique* (Paris: Julliard, 1983), p. 176-177.

¹⁰⁷ As quoted in Lucie Aubrac, *Outwitting the Gestapo*, trans. Konrad Bieber and Betsy Wing (Lincoln: University of Nebraska Press, 1993, 1st publ. 1984), p. 56.

¹⁰⁸ Baruch, *Servir L'État français*, p. 479.

be removed.¹⁰⁹ Nevertheless, his efforts to liberate his subordinate proved fruitless. Lévy was arrested in Vichy in November 1942 and deported to Auschwitz where he perished.¹¹⁰

Thus, the situation confronting France's functionaries was far from clear in July 1942, when Vichy ordered the transfer of foreign and stateless Jews to holding camps, from where they were shipped to Germany. On the one hand, the Nazis were clearly anti-Semitic and capable of the most terrible violence towards Jews. But on the other hand, the Nazis had controlled Germany for nearly ten years and had not undertaken any mass executions there, let alone industrial-scale operations to eliminate Jews. Moreover, Vichy's orders came at a time when mass population transfer had become common. In July 1940, the Germans expelled over 3,000 Jews from Alsace, and on 8 August 1940, 1,400 German Jews residing in Bordeaux were moved to the Unoccupied Zone, whereupon the French authorities interned them at the Saint Cyprien camp.¹¹¹ Already in 1942, before the signing of the Bousquet-Oberg accords, three convoys containing foreign and French Jews had left the Occupied Zone for Auschwitz, although this was in reprisal for Resistance attacks rather than a policy to deport Jews from France.¹¹² Nor were Jews the only population targeted for transfer: 41,000 resisters and 22,000 non-Jewish civilians were also deported from France during the war.¹¹³

Nevertheless, some prefects recognised the special threat to Jews and took steps to protect them. Pierre Caumont, prefect of the Gers, refused to hand over Jewish prisoners as well as the list of French and foreign Jews in his *département*, and hid in his prefecture Jews who were fleeing the Gestapo and the *Milice*.¹¹⁴ Jean Chaigneau, prefect of the Alpes-Maritimes, destroyed the prefecture's list of Jews, enabling hundreds of people to escape to Italy and others to be hidden amongst the population, although the Germans hunted many down and deported them to Auschwitz.¹¹⁵ Furthermore, Chaigneau personally hid nearly twenty Jews, and his cabinet chief, Michel Junot, hid four.¹¹⁶ Clément Vasserot, prefect of the Creuse, denied the Germans access to his *département's* register of Jews.¹¹⁷ Robert Bach, prefect of the Haute-Loire *département*, assured his superiors that reports of Jews in the village of Le Chambon-sur-Lignon were grossly exaggerated, that the number of refugees was 'relatively minimal', and urged them to release three men who had been arrested and interned, all of whom were involved in helping Jews. As a

¹⁰⁹ Georges Paul Louis Israël worked at the prefecture in Annecy as late as May 1942, and two Jews were employed at the prefecture in Toulouse until 17 June 1942; Limore Yagil, *Chrétiens et Juifs sous Vichy (1940-1944): sauvetage et désobéissance civile* (Paris: Cerf, 2005), p. 164.

¹¹⁰ Erhel et al., *Le procès Papon*, vol. 1, p. 214.

¹¹¹ Marrus and Paxton, *Vichy France and the Jews*, p. 10.

¹¹² Of the convoys of 27 March, 5 June and 22 June 1942, the latter included 1,000 French Jews. Jackson, *France, The Dark Years*, p. 217.

¹¹³ Noiriél, *Les origines républicaines de Vichy*, p. 105.

¹¹⁴ Yagil, *Chrétiens et Juifs sous Vichy*, pp. 399-400.

¹¹⁵ Marrus and Paxton, *Vichy France and the Jews*, pp. 320-21.

¹¹⁶ Yagil, *Chrétiens et Juifs sous Vichy*, p. 261.

¹¹⁷ *Ibid.*, p. 439.

result of his interventions, the men were released unharmed, and the villagers of Le Chambon-sur-Lignon saved 5,000 Jews during the war.¹¹⁸

During his trial, Papon tried to offset his participation in the deportation of Jews by claiming that he had also tried to save others. A report commissioned by a judge in 1985 during the first preparation for the Papon trial, which was based on eight months' archival research, credited him with 130 requests to remove from the register of Jews both Jews and non-Jews who had been arrested and interned at the Mérignac camp outside Bordeaux. However, for legal reasons, none of the lawyers during the 1997-98 trial were permitted to cite the report directly.¹¹⁹ Papon's lawyers circumvented the technicality by calling two of its authors to testify (the third was deceased).¹²⁰ One became ill during his testimony and was excused, but the other, André Gouron, confirmed the report's findings: Papon had made 130 requests – what Gouron called 'interventions' – to remove some people from the register of Jews.¹²¹ Gouron cautioned that he and his co-authors were unable to discover either the motivation for these requests or their consequences. He also confirmed that Papon only possessed the authority to remove people from the register until May 1943; after this date, only the Gestapo could do so.¹²² The court also examined Papon's letter of 12 January 1944 to Jacques Dubarry, then bureau chief of the Service of Jewish Questions at the Bordeaux prefecture, which indicated an effort to prevent certain Jews from being deported:

Given the satisfactory discrimination between Jews and Aryans – the questionable cases are, I think, in the process of being resolved – ...we must now try to liberate or, failing that, keep in the Mérignac camp, interesting Jews [*les juifs intéressants*]: those who hold the *Légion d'Honneur* for military service, the *croix de guerre*, the *mutilés* [those who were wounded in the First World War], wives of prisoners. Make these interventions in the personal name of Monsieur Sabatier, Regional Prefect, and let me know the results as soon as possible to allow me to appeal, if required...To this end, get me a list of these interesting cases.¹²³

¹¹⁸ Tim Carroll, 'A Haven from Hitler' in *The Sunday Times Magazine*, 4 June 2006, p. 26. Carroll cites the research of Pierre Sauvage, a French Jew born in Le Chambon, whose film *Le Chambon* was shown on French TV in 1989.

¹¹⁹ Jacques Delarue, André Gouron and Roger Bellion were appointed during the first *instruction* (the preparation of a case for eventual judgement) to analyse the documents of the archives of the Gironde prefecture. When the first *instruction* was annulled in 1987, French law prohibited this report from being considered in the second *instruction*. Erhel et al., *Le procès Papon*, vol. 1, pp. 428-430, vol. 2, p. 492; Conan, *Le procès Papon*, pp. 184-91.

¹²⁰ Maître Jean-Marc Varaut, one of Papon's defence lawyers, published this report as part of his book *Fonctionnaire sous l'Occupation, présentation du dossier Maurice Papon* (Paris: Editions Thesaurus, 1993). According to Gouron, Varaut did so without the permission of the report's authors (Erhel et al., *Le procès Papon*, vol. 2, p. 506) and Varaut later admitted to doing so as a legal tactic to get the case against Papon dismissed. (Erhel et al., *Le procès Papon*, vol. 2, p. 509).

¹²¹ Erhel et al., *Le procès Papon*, vol. 2, p. 506.

¹²² The document upon which Gouron based his claim was not examined in court, although he asserted that it exists at the archives of the Gironde *département*. To date, no scholar has confirmed or disproved its existence. Maître Lévy, one of the lawyers for the civil parties, indicated that there was a document dating March or April 1943 which stated that henceforth only the Germans controlled the list of deportations. Erhel et al., *Le procès Papon*, vol. 2, p. 511.

¹²³ *Ibid.*, vol. 2, p. 327.

Furthermore, the court considered Papon's letter of 3 February 1944 to Pierre Laval, the Head of the Vichy government, and Jean-Pierre Ingrand, the Delegate Prefect of the Ministry of the Interior in Paris, requesting that they let him know whether certain categories of Jews could be kept in Mérignac and not deported to Drancy.¹²⁴

Do Papon's interventions on behalf of Jews matter? It would be grotesque to enter into some sort of balance sheet comparing the numbers of those he deported and those he claimed to have tried to save. As far as French justice was concerned, only Papon's individual responsibility for the arrest, internment and deportation of Jews from the Gironde was in question; whether he had also saved any Jews did not detract from this central issue. From the perspective of history, however, Papon's interventions show that his wartime record is more complicated than the courtroom's guilty/not guilty dialectic: he participated in the arrest, internment and deportation of 1,560 Jews, *and* he used Vichy's exemption criteria to try to save others. For the purposes of the present study, Papon's actions confirm that he was acting out of a 'duty to obey', for he did not participate in the persecution of Jews for reasons of anti-Semitism, as even some lawyers for the civil parties recognised, but because he was ordered to do so. At the same time, he did not attempt to save Jews using extra-legal means, but only intervened where Vichy's exemption criteria could be applied. Papon's insistence on the 'duty to obey' the State in the persecution and saving of Jews suggests that he was a functionary unwilling to take personal risks or to act autonomously. Yet here, too, Papon proved complicated, for he chose to put himself at great risk by assisting the Resistance and, especially, a French Jewish resister.

Papon's third wartime dilemma: help the Resistance?

Papon's resistance activity did not detract from the reason he was on trial for crimes against humanity: his role in the persecution of Jews. Why, then, did the court devote so much time to it? At issue was Papon's motivation: *why* had he participated in the persecution of Jews? The prosecution and the civil parties had variously argued that Papon's actions were the result of his having been pro-German, pro-Vichy and anti-Semitic: in other words, a willing participant. Having shown that Papon was not anti-Semitic, Papon's lawyers argued that his resistance showed that he was neither pro-German nor even pro-Vichy, but a patriot who, like so many other French functionaries, both fulfilled his 'duty to obey' the State by remaining in his post *and* resisted the Germans in order to serve the greater cause: France. From this perspective, the deportation of the Jews from the Gironde region was a tragic fact of the Nazi Occupation, not something for which Papon could be held personally responsible.

The prosecution and lawyers for the civil parties missed the significance of this argument, for if Papon's resistance record proved anything, it was that he had been willing to *disobey* the Vichy

¹²⁴ Erhel et al., *Le procès Papon*, vol. 2, p. 339.

State, which had condemned to death resisters such as de Gaulle and whose paramilitary arm, the *Milice*, hunted down resisters without mercy. Why, when Papon was willing to disobey the Vichy State to help the Resistance, was he not willing to disobey in order to aid the Jews of the Gironde? Instead of focusing on this question, which would have put Papon's 'duty to obey' defence under the spotlight, the lawyers for the prosecution and the civil parties attempted to discredit his resistance record and to dismiss his actions by arguing that because Papon had begun helping the Resistance only in 1943, he was simply an opportunistic 'resister of the last hour'. Both tactics failed.

Given the nature of the evidence, Papon's assistance to the Jade-Amicol resistance cell was the easiest to question. First, the people with whom Papon claimed to have worked directly were either dead or too ill to testify. Second, Papon's name was not on the list of Jade-Amicol's agents in Bordeaux.¹²⁵ Third, several Jade-Amicol agents testified that they had not heard of Papon during the war and claimed that he could not have been a member without their knowledge.

Overall, however, the evidence was in Papon's favour. The court examined the speech of 14 March 1945 by Gustave Souillac, a confirmed resister¹²⁶, who thanked Papon for helping to provide civilian clothing for six downed American aviators.¹²⁷ Souillac's son testified that his father had always acknowledged Papon's assistance to Jade-Amicol.¹²⁸ Alain Perpezat, Gustave Souillac's superior, also testified that while he had never personally met Papon, Souillac had told him that Papon was his source for intelligence and false papers¹²⁹, and that Papon had been affiliated with Jade-Amicol since June 1942, when he was approached by Jean Poitevin, a former member of the *corps préfectoral* and a Jade-Amicol agent.¹³⁰ Perpezat's testimony corroborated Papon's version of how he made contact with Jade-Amicol, but was impossible to confirm, for Poitevin had died in 1960.¹³¹ An attestation dated October 1944 from a lieutenant-colonel Arnoud, who had closed down the Jade-Amicol cell after the Liberation of Bordeaux, confirmed that Papon had worked as a Jade-Amicol agent since January 1943.¹³² Arnoud confirmed this again in writing in 1954, after Papon's application for a *carte de résistant* had been rejected, although his report differed on some of the details of Papon's specific activities.¹³³ All this supported the conclusion

¹²⁵ Erhel et al., *Le procès Papon*, vol. 2, p. 527.

¹²⁶ Gustave Souillac is listed as an agent in the lists of Jade-Amicol agents prepared by Pierre Moniot, head of the Jade-Amicol cell in Bordeaux until September 1943. *Ibid.*, vol. 2, p. 537.

¹²⁷ *Ibid.*, vol. 2, p. 547.

¹²⁸ *Ibid.*, vol. 2, p. 555.

¹²⁹ *Ibid.*, vol. 2, p. 541.

¹³⁰ *Ibid.*, vol. 2, pp. 542-3; Papon later recalled that Poitevin was a Freemason, and surmised that Poitevin may have left the *corps préfectoral* after the law of 13 August 1940 banning secret societies. Papon and Bergès, *La vérité n'intéressait personne*, p. 254.

¹³¹ Erhel et al., *Le procès Papon*, vol. 1, p. 787 and vol. 2, p. 543. Papon claimed that Poitevin asked him to join in the summer of 1942, vol. 2, p. 518. On Poitevin's death, see vol. 2, p. 595. He reasserted this claim to Michel Bergès, specifying that Poitevin invited him to join Jade-Amicol in September 1942, in *La vérité n'intéressait personne*, p. 254.

¹³² Colonel-Commandant le groupe Jade-Amicol, Cachet de l'Etat-Major interallié Groupe Jade, copie certifiée conforme, Le Commissaire de la République, sent to the Minister of National Defence and War on 10 November 1944, Dossier: 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 11: Epuration), CAC.

¹³³ Erhel et al., *Le procès Papon*, vol. 2, p. 532.

of the honorary jury, which determined in 1981, on the basis of interviews with some of Papon's colleagues at the Bordeaux prefecture, as well as several distinguished resisters, that Papon had indeed been affiliated with the Jade-Amicol cell from January 1943.¹³⁴

Papon's assistance to the Marco-Kléber resistance cell was much easier to prove, as everyone he had worked with had confirmed his activities.¹³⁵ In 1943, Roger-Samuel Bloch, a former civil servant and Jewish resister, began a mission to infiltrate the administration throughout the south of France. In search of an agent to help him in Bordeaux, he was given the name of Maurice Papon by Pierre Maisonneuve, who had worked with Papon in Vichy. Bloch and Papon had met before the war when Bloch was at the Ministry of Finance and Papon at the Ministry of the Interior. In November 1943 Bloch made contact¹³⁶, and henceforth Papon provided him with intelligence and sheltered him once at his home and twice in the guest rooms of the Bordeaux prefecture. For these actions Bloch later described Papon as 'solid...a brilliant, competent civil servant, but perhaps impetuous, courageous in any case....a risk-taker.'¹³⁷ In June 1944, when Bloch met with Gaston Cusin, de Gaulle's emissary and future Commissioner of the Republic for the Gironde region, he did not hesitate to recommend Papon as trustworthy and competent.¹³⁸ Cusin asked Papon to hold a meeting in his office at the prefecture with the heads of the police and the *gendarmes* to discuss how they would maintain order at the Liberation. According to Cusin, 'it was incontestable proof of a deliberate commitment on [Papon's] part.'¹³⁹ On 23 August 1944, the day of Bordeaux's liberation, Cusin promoted Papon to the position of prefect and made him his cabinet director. Thus when de Gaulle stepped out on the balcony of the *Hôtel de Ville* to greet the enthusiastic population, Cusin and Papon were with him.

Having failed to discredit Papon's resistance record, the lawyers for the prosecution and the civil parties tried to portray him as an opportunist for having only begun resistance activity in 1943. This was a curious argument in two respects. First, whatever motives Papon had for resisting did not minimize the risks he faced if caught: the Germans arrested 42 prefects and sub-

¹³⁴ According to the deposition of Roger-Samuel Bloch, Bloch contacted Papon in November 1943. Erhel et al., *Le procès Papon*, vol. 2, p. 608.

¹³⁵ Pierre Maisonneuve gave evidence to the honorary jury in 1981, as did Roger-Samuel Bloch and Gaston Cusin. The depositions of Bloch and Cusin were read aloud during the Papon trial, Erhel et al., *Le procès Papon*, vol. 2, pp. 607-10 (Bloch) and pp. 611- 13 (Cusin). Guy Joussein de Saint-Hilaire, who was Bloch's superior, gave evidence in 1988 that he had heard of Papon's resistance activities from Bloch, in Erhel et al., *Le procès Papon*, vol. 2, p. 610.

¹³⁶ Deposition of Roger-Samuel Bloch, Erhel et al., *Le procès Papon*, vol. 2, p. 608. Note that the honorary jury recorded their first contact as being in December 1943.

¹³⁷ Erhel et al., *Le procès Papon*, vol. 2, pp. 608-09.

¹³⁸ Cusin had been appointed by Michel Debré, a member of Vichy's State council who had begun working with de Gaulle in 1943. He would later serve as de Gaulle's first prime minister under the Fifth Republic. Cusin had been recommended to Debré by Robert Lacoste, co-founder of the resistance group Libération-Nord. Lacoste became Resident Minister of Algeria from 1956-1958, where he worked closely with Maurice Papon. Vann Kelly, 'A Prefect's Road from Bordeaux, through Algeria and Beyond, August 1944-October 1961' in Richard J. Golsan (ed.) *The Papon Affair* (London: Routledge, 2000), p. 38.

¹³⁹ Erhel et al., *Le Procès Papon*, vol. 2, p. 612.

prefects; some were deported, while others were executed.¹⁴⁰ Second, Papon was unexceptional in beginning resistance activity in 1943, for this was the year that the Resistance expanded most quickly.¹⁴¹ Were *all* French people who began resisting that year opportunists, or were they simply encouraged by developments in the war? After all, in November 1942 the Russians stopped the Germans at Stalingrad and the Allies landed in French North Africa. The subsequent relocation of the Free French government to Algiers must have appeared as a positive sign for anyone considering taking the risks associated with resisting. For those connected directly with the Vichy regime, a further incentive to resist was the publication and radio broadcast at the end of summer 1943 of the French Committee of National Liberation's first texts on the administrative purge it intended to conduct after the war.¹⁴²

Papon survives the purge

At the Liberation, de Gaulle's priorities were to ensure the transition from the Vichy regime to republican principles, to privilege Free French resisters over Communist resisters, and to prevent the Allies from occupying France. While it was clearly necessary to purge the administration that had served the Vichy State, it was equally obvious that if serving Vichy was grounds for dismissal, the entire French administrative apparatus would have to be sacked. The provisional government decided that the 'duty to obey' of France's functionaries was not the issue; rather, the purge was based on two criteria: whether they were pro-German or had hindered the Resistance.¹⁴³

Thus Papon survived the purge of the *corps préfectoral* at the Liberation, unlike the 56.5 per cent of sub-prefects or secretary-generals and 60.4 per cent of prefects who lost their post.¹⁴⁴ Not only did Papon survive, he was promoted thanks to the enthusiastic sponsorship of Gaston Cusin, who told the purge commission in November 1944:

[Papon's] lively spirit, his wide culture and his entirely diplomatic finesse as well as his loyal character have made his full attachment to the Republic appreciated. For me he has been the most solid partner and the most valuable and I believe that he has the greatest future in light of his administrative knowledge as well as his qualities of character.¹⁴⁵

¹⁴⁰ Marc-Olivier Baruch testified that 19 prefects and 23 sub-prefects were arrested by the Germans for resistance activities and a further 5 were put on exceptional leave of absence without being arrested, see Erhel et al., *Le procès Papon*, vol. 1, p. 427.

¹⁴¹ The Resistance was also better organised from 1943, for Jean Moulin, de Gaulle's emissary in France, organised the country's disparate resistance networks under an umbrella organisation, the *Conseil National de Résistance*, over the winter of 1942-1943. Jackson, *France, the Dark Years*, p. 475.

¹⁴² Baruch, *Servir l'Etat français*, p. 448.

¹⁴³ Marc Olivier Baruch, 'L'Épuration du Corps Préfectoral' in idem (ed.) *Une poignée de misérables* (Paris: Fayard, 2003), pp. 141-2.

¹⁴⁴ *Ibid.*, p. 161.

¹⁴⁵ Author unknown, 'Note sur M. Papon portant appréciations', undated, but probably written in December 1944 because the document reads '*La Commission d'Épuration a proposé son maintien dans ses fonctions préfectorales*' and Papon passed the Purge in December 1944. Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

The purge committee also noted Papon's refusal of three promotions under Vichy from May 1943, months before the French Committee of National Liberation broadcast its intended post-war purge of the administration, and that he had submitted to Gestapo interrogation in May 1943 and again in May 1944, when he was denounced as an 'Anglophile and Gaullist'.¹⁴⁶

Today it is striking that Papon was not purged from the administration given his role in the persecution of Jews in the Gironde, but then no Vichy official was indicted at the Liberation for acts pertaining to the deportation of Jews or the Final Solution.¹⁴⁷ In 1944, what mattered was that Papon was not pro-German and had aided the Resistance, whereas during his trial in 1997-1998, the emphasis was on his role in the arrest, internment and deportation of Jews. What happened in the intervening years to change the standards by which he was judged?

The Nuremberg Charter of 8 August 1945 enshrined in law three crimes: crimes against peace, war crimes and crimes against humanity. It defined the latter as:

[N]amely murder, extermination, enslavement, deportation and other human acts committed against any civilian population, before or during the war, or persecutions on racial or religious grounds in execution of or in connection with any crimes within the jurisdiction whether or not in violation of the domestic law of the country where perpetrated.¹⁴⁸

As the legal scholar Leila Sadat explains, these were retroactive crimes: lawful at the time and place they were committed, and then criminalised at Nuremberg.¹⁴⁹ In 1964, when French legislators incorporated the Nuremberg definition of crimes against humanity into French law, it was with the intention of using the law to prosecute Nazis, not Frenchmen.¹⁵⁰ However, after victims of the *milicien* Paul Touvier began filing suits against him for crimes against humanity from 1973, the question was raised: could French citizens also be tried for crimes against humanity? In 1979, the Minister of Foreign Affairs determined that they could, 'whatever the date and place of their commission'.¹⁵¹ This decision allowed for Touvier to be brought to trial (he was convicted of crimes against humanity and imprisoned in 1994), as well as Papon.

Papon was the only Vichy official to be tried for crimes against humanity, much less found guilty, although more senior officials were also alive and eligible to stand trial. The role of René Bousquet in the Bousquet-Oberg accords was already known, but his role in the Vel d'Hiv roundup only became a matter of wider public interest in 1978 after *L'Express* published an

¹⁴⁶ Le Commissaire de la République, 'Renseignements sur Maurice Papon, Commissariat de la République de Bordeaux, Cabinet', 13 November 1944, Dossier: 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 11 : Epurations), CAC.

¹⁴⁷ Henry Rousso, *The Vichy Syndrome*, trans. Arthur Goldhammer (Cambridge, Massachusetts: Harvard University Press, 1991), p. 150.

¹⁴⁸ *Ibid.*, p. 133.

¹⁴⁹ Leila Sadat, 'The Legal Legacy of Maurice Papon' in Richard J. Golsan (ed.) *The Papon Affair* (New York and London: Routledge, 2000), pp. 131-2.

¹⁵⁰ *Ibid.*, pp. 131, 133-4.

¹⁵¹ *Ibid.*, pp. 135-136; See also Richard J. Golsan (ed.), *Memory, the Holocaust and French Justice: The Bousquet and Touvier Affairs* (Dartmouth: University Press of New England, 1996) and Jean-Paul Jean and Denis Salas (eds.), *Barbie, Touvier, Papon. Des procès pour la mémoire* (Paris: Autrement, Collections Mémoires, 2002).

interview with Louis Darquier de Pellepoix, the second head of Vichy's General Commissariat of Jewish Questions, then living in exile in Spain.¹⁵² No efforts were made to extradite Darquier de Pellepoix, who died in 1980, while Bousquet avoided justice for years thanks to the intervention of his friend, President François Mitterrand, and was assassinated in 1993 just before he was due to stand trial.¹⁵³ Charges were also brought against Jean Leguay, one of Bousquet's representatives in the Occupied Zone, and Maurice Sabatier, Papon's superior in Bordeaux, but both men died before being brought to trial.¹⁵⁴

Thus no senior Vichy official was ever held accountable for the deportation of 75,721 Jews from France. Instead, a mid-ranking administrator in the Gironde region was put on trial for the arrest, internment and deportation of 1,560 Jews; found guilty of complicity in the 'illegal arrest' of 37 people and the 'arbitrary internment' of 53 people; and acquitted of 'complicity of murder' of the deportees.¹⁵⁵ It was both a landmark ruling and an example of how painfully inadequate justice can be.

Conclusion

Although the court ultimately rejected Papon's defence that his actions in the Second World War had derived from his 'duty to obey', Papon's perception of his duty was typical of his colleagues'. These functionaries had come of age during the Third Republic which had educated them to believe that it was honourable to serve the State and trained them to set aside their personal politics to implement the policies of the legal government. They had also witnessed successive Third Republic governments respond to the economic crisis of the 1930s by restricting the civil liberties of many who lived in France. After the fall of France, most French functionaries made similar choices to Papon's: they served the Vichy regime, and did not object when this legally constituted government responded to the crisis of military defeat and Occupation with policies that extended the existing ill-treatment of foreigners, naturalised citizens and refugees to include Jews, Freemasons, Communists and gypsies.

Like Papon, not a single member of the *corps préfectoral* chose to resign rather than carry out the Bousquet-Oberg accords, although a minority of prefects either refused to implement them or sabotaged them. It is likely that Papon and others who chose to implement them were desensitised by both the precedent and the context of their actions: arrests and internments of various groups were a daily reality for functionaries in the twilight of the Third Republic, as well as

¹⁵² *L'Express* revealed Darquier's role in the Final Solution as early as 8 May 1967 and then again in February 1972. Rousso, *The Vichy Syndrome*, p. 140.

¹⁵³ See Richard J. Golsan, *Vichy's Afterlife* (Lincoln: University of Nebraska Press, 2000), pp. 103-23.

¹⁵⁴ After the war, Sabatier was transferred to a post in occupied Germany, in Baden-Baden. Henry, *Histoire des préfets*, p. 345.

¹⁵⁵ The phrases in single quotation marks denote those used in the verdict. Papon is the only member of the Bordeaux prefecture to feature in the list of officials responsible for anti-Jewish actions in France in Susan Cohen, Howard M. Epstein and Serge Klarsfeld (eds.), *French Children of the Holocaust: a memorial* (New York: New York University Press, 1996), pp. 1823-5.

the period of Occupation before the Bousquet-Oberg accords. After all, the deportation of thousands of Jews from France in retaliation for Resistance activities had occurred before the accords were signed, and tens of thousands of non-Jewish civilians and resisters were also deported over the course of the war. What functionaries such as Papon had agreed to do was terrible, but not knowingly murderous; only at the war's end, when the Nazi death camps were discovered, was it apparent that those arrests, internments and deportations had contributed to the Nazis' mass slaughter of Europe's Jews.

Yet the provisional government was unconcerned with whether a functionary had persecuted Jews or any other population group, save one: resisters. It completely ignored the fate of racial deportees.¹⁵⁶ Papon, with his confirmed resistance activity and lack of pro-German sentiment, thus passed the Purge of the administration. The messages he received from the State regarding his wartime actions could not have been any clearer: his obedience, even to the now discredited Vichy regime, was not a problem, for the State *expected* its functionaries to obey; his resistance activity in the service of France was recognised and rewarded; and there was no demand that he account for the human cost of his actions.

¹⁵⁶ Simone Veil, the former Minister of Health (1974-1979), Member of European Parliament (1979-1993), Minister of Social Affairs (1993-1995), member of the Constitutional Council, and Auschwitz survivor, later recalled, 'I was very hurt, when I returned from deportation, by the attitude of people towards the survivors of Auschwitz: there was no desire to know what we had lived through.... From the Liberation, the respective situations of the deported resisters and the deported Jews were very different: the first were heroes, the others – entire families – were victims. The first were honoured – which is entirely legitimate – while the Jewish deportees had the feeling of being rejected, that their return was bothersome.' Eric Conan, 'Que penser du procès Papon', interview with Simone Veil for *L'Express* online, 9 October 1997, <<http://www.lexpress.fr/info/france/dossier/papon/dossier.asp?ida=408838>> [accessed 28 April 2008]; Michel Zaoui, one of the lawyers for the civil parties in the Papon trial, pointed out that at the end of the war, de Gaulle reunited all of the victims of the war at the place de l'Étoile on 11 November 1945, 'except the racial deportees. The Jews were not represented on 11 November 1945.' Erhel et al., *Le procès Papon*, vol. 1, p. 298.

Chapter 2:

Obedient action, independent thought: Papon, the State and Islam

February 1938– May 1956

Since the conquest of Algeria in 1830, both the State and Algeria's European settler population considered Islam to be a violent religion which threatened their security, and the country's Muslims to be an inferior people.¹ These views only hardened after the Second World War, when a growing number of Algerians began to defy France's colonial order and press for more rights and even independence, sometimes through violent means. In response, the State, which considered Algeria its most important overseas territory, allowed its colonial authorities to use increasingly undemocratic and brutal means to maintain a two-tier society which benefited the European settlers to the detriment of the Algerians.

Maurice Papon, however, was one of a small number of French officials and policymakers who took a different view of the "Algerian Question" – the official euphemism for the increasing nationalist challenge to the colonial *status quo* in the territory – by arguing that the way to remove the appeal of nationalism was to grant Algerians the same rights and status as the European settlers. Such officials believed that the solution to the existing inequality was not the separation of France and Algeria, as the nationalists desired, but genuine union: it was time to make the notion of *l'Algérie, c'est la France* a reality. Yet even officials with liberal tendencies were divided over Islam. Over time, some remained supportive of the policy of assimilation, in which Algerians could only receive French citizenship if they renounced their right to be judged by Islamic law in non-criminal jurisdiction, thus relegating their faith to the private sphere. Others, like Papon, were rarer, for they came to advocate the concept of integration, which considered Islam not a threat but a local reality which France must accept and even embrace in order to keep Algeria French.

This chapter will trace Papon's journey from Orientalist enthusiasm to advocacy of assimilation and, eventually, integration. It is a path all the more remarkable not just for its independence and rarity, but because it was counter-intuitive: Papon's views became more liberal as the conflict between the State and the nationalists increased. As an admirer of Muslim culture and societies, Papon's quarrel was not with the Algerians, but the nationalists who wanted independence from the State he served, as well as with those in the State who insisted on treating Algerians as inferior simply because they were Muslim. Through his experiences of working in several French-administered Muslim countries, Papon developed views on Muslims, and Algerians, that were at odds with the State. In his view, the "Algerian Question" could only be

¹ Patricia M. E. Lorcin, *Imperial Identities: Stereotyping, prejudice and race in colonial Algeria* (London: I.B.Tauris publishers, 1995), pp. 21, 53, 91.

solved if France accepted Islam as part of the solution, not the problem, and only if the State dismantled its colonial structures. By considering his career from February 1938, when he first discovered Islam, to May 1956, when he was posted to Algeria to fight the insurrection, this chapter examines how Papon reconciled the differences between his personal views and official policy on the subject of Islam and Algerians to become one of the most influential functionaries to work on the “Algerian Question”.

Papon’s “discovery of Islam”

During his trial for crimes against humanity for his actions in the Second World War, Papon recalled his “discovery” of Islam: ‘I would say that what marked me the most during this period was the discovery of Islam....I learned a lot, I learned how to love things foreign to the Western world and I drew a certain number of lessons of wisdom from it.’² Although intriguing, the meaning of Islam in Papon’s life was irrelevant to the case against him, and therefore these musings received little attention.

Nevertheless, the court’s examination of Papon’s *curriculum vitae* revealed that he had spent over a decade of his career in the *corps préfectoral* working on French-administered Muslim territories. This length of time, and the variety of countries in which he served, suggested that this was not accidental. Papon claimed that his fascination with Islam dated from February 1938 when François de Tesson, the Undersecretary of State for Foreign Affairs with responsibility for North Africa and the Levant, sent him to Morocco for several weeks. It was his first trip to a Muslim country. Later, he recalled:

It was at this period during the course of a mission to Morocco, I was fascinated by Islam....I discovered a world...it was an attractive world, which has not ceased to captivate me since: Islam. It was not only the human, tourist, or geographic impression...but the civilisation. The West has ignored it and despised it.³

He soon had the opportunity to explore this culture further. In November 1939, just months after he had been mobilised as a lieutenant in the colonial infantry, Papon joined the expeditionary corps that sailed to the eastern Mediterranean. During his trial, Papon explained his decision to volunteer for this post in terms of “taste”: ‘I had a taste for adventure’, he claimed, and in a later interview, he clarified: ‘I had the taste of Islam’.⁴

² Catherine Erhel, Mathieu Aucher, Renaud de La Baume, *Le procès de Maurice Papon, 8 octobre 1997–8 janvier 1998* (Paris: Albin Michel, 1998), vol. 1, pp. 186–187. Henceforth, Erhel et al., *Le procès Papon*.

³ Maurice Papon and Michel Bergès, *La vérité n’intéressait personne* (Paris: François-Xavier de Guibert, 1999), pp., pp. 27–28.

⁴ *Ibid.*, p. 31; Erhel et al., *Le procès Papon*, vol. 1, pp. 187–188. ‘J’ai eu le goût de l’Islam.’ SH-MP Interview 1.

Papon travelled with expeditionary corps to Beirut, spent a few months in Tripoli, and was then posted as an Officer of the Special Services in the Levant. In Ras-el-Aïn,⁵ a remote town in present-day Syria, Papon held responsibilities that were very similar to that of a colonial prefect: he ensured that the French presence was visible, gathered intelligence by noting the popular mood and the areas that France could influence through its mandate, and handled border relations with the Turkish authorities, representing his zone at the monthly conferences between the two countries.⁶ Again, Papon later referred to this experience in sensory terms:

[I was marked by] the countryside, the smells, the atmosphere, and even, on the level of temperament, by the influence of a certain nonchalance, or a reverie...More profoundly, in the solitude where I was...I had the experience of detachment....to detach oneself from the here and now, practically from one's loved ones!⁷

He spent nearly a year in this isolated post, imbibing the atmosphere and the difference of the Middle East. It was a singular opportunity which allowed him to discover and form his own opinions of this new world, and left a powerful impression upon him. Henceforth he would accept every opportunity to travel to a Muslim country. He soon had his next chance. In 1941, his Vichy superior, Maurice Sabatier, who was born and raised in Algeria, invited Papon on two official visits to the territory in September and December.⁸

Morocco, Tripoli, Beirut, Ras-el-Aïn, Algeria: although Papon had not set out to become an expert on France's Muslim colonies, he was gathering valuable experience. This did not go unnoticed by his superiors at the Ministry of the Interior: on a document in Papon's personnel file dating from 1945, all of his roles and experiences relating to France and its Muslim territories are underlined.⁹ In August 1945, André Tixier, the Minister of the Interior, wrote, 'I intend to entrust the Sub-Division of Algeria to Papon', an assignment which materialized in October and lasted until June 1946. He then worked on different topics, but the "taste of Islam" must have lingered, because for the first time, in his annual career assessment form of January 1949, Papon expressed a desire 'to serve in an Islamic country, in the French Union or abroad, in an administrative, active or diplomatic post'.¹⁰ His wish was granted in October 1949, when he was appointed prefect of the Constantinois, the eastern-most *département* in Algeria. An interview he gave in 1978 shows how much this opportunity to feed his interest in Islam meant to him: '...I

⁵ At his trial, Papon called it Ras-el-Arat. Erhel et al., *Le procès Papon*, vol. 1, pp. 187–188.

⁶ Papon and Bergès, *La vérité n'intéressait personne*, pp. 32–33. See also 'Commissariat de la République de Bordeaux, Cabinet, 13 Novembre 1944, Notice Individuelle for Maurice Papon', Dossier: 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 11 : Epuration, CAC and 'Renseignements sur M. Maurice Papon, Préfet à la disposition du Commissaire de la République de Bordeaux', Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

⁷ Papon and Bergès, *La vérité n'intéressait personne*, p. 33.

⁸ Erhel et al., *Le procès Papon*, vol. 1, p. 389.

⁹ 'Renseignements sur M Maurice Papon, Préfet à la disposition du Commissaire de la République de Bordeaux', Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

¹⁰ 'Notice annuelle', January 1949, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

became aware of Islam, while living an extraordinary experience between two civilizations, two religions, two ways of existing and understanding each other. I really loved that Berber land, which I preferred to Algiers itself.¹¹ At the conclusion of his mission in December 1951, Papon again expressed a preference to serve in an Islamic country.¹² Again his superiors complied, deploying him to Morocco in July 1954 as secretary-general of the French Residence. In 1956 he spent three months as an adviser to Marcel Champeix, Undersecretary of State for Algerian Affairs, before being posted back to the Constantinois as *Inspecteur-General de l'Administration en mission extraordinaire* (a senior regional prefect, or IGAME).¹³

Although Papon's interest in Islam drove his career progression through the ranks of the *corps préfectoral*, he never, despite all of his years of living in France's Muslim territories, learned more than a basic level of Arabic, nor did he learn Berber. Yet this need not discredit his expertise; as Fred Halliday has argued, fluency in a language does not necessarily lead to sound analysis.¹⁴ Nor was there any question of Papon going native, as did Lucien Ferré, his colleague in the *corps préfectoral* who converted to Islam.¹⁵ Papon's interest in Islam was personal, but he approached it as an administrator. In the books he wrote during his career in the *corps préfectoral*, he barely mentioned Islam at all, and when he did, it was only as a case study in support of his overall experience in the administration.¹⁶ This approach, rather than one based on formal or even scholarly study, perhaps allowed Papon to avoid the views of many Orientalists, who, since the 19th century, had reinforced French stereotypes and prejudices about Islam and Muslims¹⁷, from doctors who linked the physical characteristics of Arabs and Berbers to moral qualities, to writers such as Gustave Flaubert and André Gide, who loved the *idea* of the Orient but balked at its reality.¹⁸ Papon was no such romantic; while he appreciated the sensory qualities of the Muslim world, the roles he continually requested engaged with its most challenging aspects. Through these experiences, Papon developed views that diverged from those of the State he served.

The State's position on Algerians: Islam is the barrier to equality

French citizenship was anything but a straightforward affair in Algeria. Until the late 19th century, the French were a minority among the settlers there; far more numerous were the Italians, Spanish and Maltese, as well as smaller numbers of Belgians, Germans, Greeks and Swiss. The

¹¹ Vann Kelly, 'Papon's Transition after World War II' in Richard J. Golsan (ed.) *The Papon Affair* (London and New York: Routledge, 2000), p. 47.

¹² 'Notice annuelle', December 1951, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel*, CAC.

¹³ Inspecteur Général de l'Administration en Mission Extraordinaire (IGAME) are regional prefects.

¹⁴ Fred Halliday, *Islam and the Myth of Confrontation* (London: I.B.Tauris Publishers, 1996), p. 207.

¹⁵ Lucien Ferré served in Algeria from 1956-1960. On his conversion to Islam, see Lucien Ferré, *Chroniques d'un sous-préfet converti à l'islam* (Nanterre: Académie européenne du livre, 1990).

¹⁶ Maurice Papon, *L'ère des responsables* (Tunis: La Noria, 1954) and *Vers un nouveau discours de la méthode* (Paris: Fayard, 1965).

¹⁷ Lorcin, *Imperial Identities*, p. 95.

¹⁸ *Ibid.*, pp. 94, 122, 156.

State feared that the French settler community in Algeria would be overwhelmed by these immigrant populations, especially as an insufficient number of French were willing to emigrate. To solve this dilemma, the State simply made the other immigrants French by passing the law of 26 June 1889, which naturalised any individual born in France, including French Algeria, under two conditions: either, the individual had to have one parent, French or foreign, who was born in France or French Algeria; or, if both parents were foreign, the individual was required to be living in French territory at the time of his or her majority.¹⁹ Nevertheless, it took more than legislation to unify Algeria's heterogeneous European settlers, who became known as the *pieds noirs*. As late as the 1930s, census categories in French Algeria still distinguished between the various European sub-groups.²⁰ Numbering nearly one million by 1954, the vast majority lived along the coast, especially in the urban centres of Oran, Algiers and Bône, whose populations were overwhelmingly of European origin.

Europeans settlers were not the only group to hold French citizenship in Algeria. With the Crémieux decree of 24 October 1870, the State had granted French citizenship to the territory's Jews. This population had lived in Algeria for nearly 2,000 years, augmented by waves of immigration in the 14th and 15th centuries following the expulsion of Jews from Portugal and Spain.²¹ Under French rule, this population increased from around 15,000 in 1830 to around 150,000 in 1962.²² Algerian Jews led an uneasy existence: although French citizens, they were not considered to be European by the European settlers, and they experienced anti-Semitism during the Dreyfus Affair and, especially, during the Vichy government, which revoked their citizenship.²³

For their status as French citizens, Algerian Jews were also resented by the territory's Muslim population, of which only a tiny percentage had been granted French citizenship on the grounds that they were sufficiently "evolved".²⁴ The remaining "unevolved" Muslims held the inferior status of French "subjects". These two categories for Algeria's Muslims obscured the fact that this population was in fact extremely diverse. The Berbers comprised four separate subgroups: the Chaouia, in south-eastern Algeria; the Kabyles, the largest of the Berber subgroups, who lived in Kabylia; the Mozabites, who inhabited the northern Saharan region; and the Touareg of the central Sahara.²⁵ The Berbers were not unique to Algeria; even today they are the predominant population in Morocco, and there are small Berber communities in Tunisia, Libya, Egypt, Niger

¹⁹ Todd Shepard, *The Invention of Decolonization* (Ithaca and London: Cornell University Press, 2006), p. 29.

²⁰ Jonathan K. Gosnell, *The Politics of Frenchness in Colonial Algeria, 1930–1954* (Rochester: University of Rochester Press, 2002), p. 24.

²¹ Richard Ayoun, "Les Juifs d'Algérie. Au-delà des pressions officielles et des lobbies de mémoire", colloque *Pour une histoire critique et citoyenne. Le cas de l'histoire franco-algérienne*, 20-22 June 2006, Lyon, ENS LSH, 2007, <http://w3.ens-lsh.fr/colloques/france-algerie/communication.php3?id_article=215> [accessed 4 May 2008].

²² *Ibid.*

²³ David Prochaska, *Making Algeria French: Colonialism in Bône, 1870–1920* (Cambridge: Cambridge University Press, 1990), pp. 153, 204.

²⁴ *Ibid.*, p. 153; By 1936, 7,817 *évolués* Muslims held French citizenship, see Gosnell, *The Politics of Frenchness in Colonial Algeria*, p.141.

²⁵ Lorcin, *Imperial Identities*, p. 4.

and Mali. They are the descendants of the original population of North Africa and have their own Berber language. Algeria's Arabs, on the other hand, migrated west to North Africa a millennium ago, bringing with them their Arabic language and their Islamic faith. After centuries of cohabitation in Algeria, many Berbers speak Arabic and it is not uncommon for Arabs to learn Berber. In addition to the Berbers and the Arabs, there were several other Muslim populations in French Algeria: the descendants of the Turks, a legacy of the Ottoman empire; the Kouloughis, children of Turks and North African women; and descendants of Spanish Moor refugees who had fled the Spanish Inquisition.

A belief in Sunni Islam united all these populations, yet their expressions of the faith varied greatly. The Berbers and some Arab tribes had *marabouts*, living holy men who were revered as saints, and the Berbers also had secret brotherhoods called the *khouan*.²⁶ Jacques Le Noir, a member of the *corps préfectoral* who served in the Aurès region of the Constantinois *département* in 1952, recalled that this mainly Berber area was 'a region of matriarchy...the women were not veiled...they were even very free. There were women who lived alone, surrounded by the children that they had had, and who were perfectly respected. In [traditional] Islam, such situations would have been inconceivable'.²⁷ The Touareg, who combined belief in Islam with pre-Islamic animism, are also matrilineal and their women remained barefaced; it is Touareg males who veil at puberty.

The State did not recognise these ethnic, cultural and religious differences, nor did it recognise an Algerian national identity, because Algeria was French. Rather, it determined the inferior status of Algeria's Berber and Arab populations, nearly nine million people by 1954, on the basis of their belief in Islam.²⁸ According to the State's policy of assimilation, all male inhabitants of Algeria would eventually become French citizens, but only after the State had replaced the territory's local traditions and structures with those of France.²⁹ Yet even after the law of 7 May 1946 which granted them French citizenship, Algerians were prevented from enjoying full equal rights because of their adherence to Islam.

This made a mockery of the State's claim that *l'Algérie, c'est la France*. True, unlike the rest of France's colonies, which were managed by the Ministry of Foreign Affairs, Algeria had three *départements* (from west to east: the Oranais, the Algérois, and the Constantinois). These were administered by prefects who were assigned by the Ministry of the Interior, just like their mainland counterparts, although they reported to the Government General in Algiers. Algeria also sent representatives to the Senate and the *Assemblée Nationale* in Paris (more than any other part of the French overseas empire, which gave it considerable influence).³⁰ Towns where French

²⁶ *Ibid.*, pp. 57–58.

²⁷ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, OR3: Témoignages sur la guerre d'Algérie, AHC-CHSP.

²⁸ Sylvie Thénault, *Une drôle de justice* (Paris: La Découverte, 2004), p. 20.

²⁹ Shepard, *The Invention of Decolonization*, pp. 22–23.

³⁰ Martin Thomas, *The French Empire at War 1940–44* (Manchester: Manchester University Press, 1998), p. 17.

citizens were the majority were designated *communes de plein exercice* and functioned exactly as metropolitan *communes*. In the late 19th century, French justice replaced the Muslim justice system by dividing the three *départements* into 17 judicial districts, all dependent on the court of appeal in Algiers, and establishing French *cours d'assises* (Assize courts), *tribunaux correctionnels* (correctional tribunals), and *justice de paix* (justice of the peace).³¹ European settlers in Algeria could live a very French life indeed.

The State made Algerians live rather differently. It designated towns or villages with Muslim majorities as *communes mixtes*, suppressing the local councils in favour of direct administration by a French official, who liaised with a local representative. The historians Jim House and Neil MacMaster have argued that, prior to the outbreak of nationalist insurrection in 1954, the justice system in Algeria was 'relatively impartial and independent', but the historian Sylvie Thénault shows that the opposite was true: the justice system was two-tiered in favour of the European settlers.³² Until 1944, Algerians did not have the right to apply to be magistrates. They could only hold lower-ranking jobs such as judicial assistants and ministerial officers, whereas European settlers dominated the judicial hierarchy. Furthermore, until 5 August 1942, only French citizens could sit on juries, although these juries judged both citizens and subjects.³³ To address this discrepancy, the State devised a different process for Algerian defendants. From 1902 to 1942, crimes committed by 'Algerian and foreign Muslims' were taken out of the Assize court altogether, where cases were heard by juries, and judged in criminal courts composed of three magistrates and two Algerian magistrates' assistants.³⁴ Algerians were further singled out in law by the *Code de l'indigénat* of 1881, which specified 21 infractions that only 'natives' could commit. These were only abolished with the Ordinance of 7 March 1944.

Algerians also had fewer opportunities for education and social mobility. By 1954, only 15.4 per cent of indigenous children attended school, whereas nearly all European settler children did.³⁵ Those Algerian children who did attend school were not given the same curriculum as their European settler counterparts; instead, they were prepared for manual labour roles. Only from 13 February 1949 did those children who attended Algerian schools follow the same educational curriculum.³⁶ For the rest, illiteracy further limited their life chances, for what little opportunities they had for social mobility depended on how well they could speak French, their educational qualifications, and their ability to earn a decent salary.

³¹ Thénault, *Une drôle de justice*, pp. 18–19.

³² Jim House and Neil MacMaster, *Paris 1961* (Oxford: Oxford University Press, 2006), p. 58.

³³ *Ibid.*, p. 16.

³⁴ *Ibid.*, p. 20.

³⁵ Gosnell, *The Politics of Frenchness in French Algeria*, p. 48. The attendance of Muslim children increased from 8.6% in 1936 and 10.6% in 1949.

³⁶ *Ibid.*, p. 47. Gosnell notes that before the First World War, many indigenous families did not want to send their children to colonial schools for fear of their children being labeled 'traitors'.

In 1919, the State, claiming to recognise the service of the 173,000 Algerians who had participated in the First World War, passed the Jonnart Law of 4 February. This extended French citizenship to those Algerians who had “evolved” by way of a French education, acquisition of financial means, and most importantly, the renunciation of the *statut personnel*, the statutory right to be judged by Islamic rather than French law in non-criminal jurisdiction, such as matters of succession and marriage. The number of applicants was restricted by the French education requirement, which, as noted above, most Algerians did not meet, and which had limited their ability to fulfil the requirement of financial means. As for renouncing the *statut personnel*, the historian Alistair Horne has likened this to ‘virtually committing an act of apostasy.’³⁷ It was also unfair, given that Algeria’s Jews enjoyed French citizenship without having to renounce Mosaic law. Furthermore, the Jonnart law required that an Algerian applying for French citizenship be at least 25 years of age; have no criminal or severe disciplinary record; be resident for two consecutive years at the same address; and meet one of seven further conditions.³⁸ It was obvious that the Jonnart Law was not a genuine recognition of Algerians’ war service, for few candidates could meet all the citizenship requirements; indeed, by 1936 only 7,817 Algerians, or 0.11 per cent of the entire Algerian population, had been naturalised.³⁹

In 1927, Maurice Viollette, the Governor-General of Algeria, became convinced that the territory’s two-tier society was dangerous. There had recently been revolts against French rule in Morocco and Syria, and he believed that the only way to prevent a similar occurrence in Algeria was to grant Algerians French citizenship. His opinion was, predictably, unpopular with the territory’s European settlers, and he resigned. However, Viollette maintained his beliefs, and in 1936 he joined forces with Léon Blum, the leader of the Popular Front, to propose the Blum-Viollette bill. This bill proposed the extension of French citizenship to some 21,000 Algerian men without requiring them to renounce their *statut personnel*. Although this was a modest reform – it would only affect 0.3% of the Algerian population – it was also radical, for it signalled that the State was prepared to be flexible on the subject of Islam. The European settlers took to the streets in protest, and the federation of Algerian mayors, a *piéd noir* body, threatened to resign if the bill was passed. This, as well as the external pressures arising from Italy’s invasion of Abyssinia and Germany’s occupation of the Rhineland, contributed to the collapse of the Popular Front government, and the Blum-Viollette bill with it. Papon, who was working in Paris at the time as a junior member of the *corps préfectoral*, almost certainly appreciated the significance: the

³⁷ Alistair Horne, *A Savage War of Peace* (London: Macmillan, 1977), p. 35; William G. Andrews, *French Politics and Algeria* (New York: Appleton-Century-Crofts, 1962), p. 2.

³⁸ To have served in the Army and obtained a certificate of good conduct; to know how to read and write in French; to be a landowner or a farmer or a merchant; to be allowed or to have been allowed to vote; to be a civil servant, either currently serving or retired; to hold a French honorary title of some kind; to be born of a father who was already a citizen when the applicant was of age. Arlette Heymann, *Les libertés publiques et la guerre d’Algérie* (Paris: Librairie générale de droit et jurisprudence, doctoral thesis, 1972), p. 4.

³⁹ Gosnell, *The Politics of Frenchness in French Algeria*, p. 141. Gosnell cites the census of 1954, which lists a total Muslim population of 7,000,000 people. Percentage: 7,817/7,000,000 = 0.11%.

State and the European settlers were not prepared to grant citizenship to Algerians who refused to renounce the *statut personnel*. Islam remained a stumbling block.

The events of 8 May 1945 showed that the State was prepared to use force against Algerians who challenged the *status quo*. Across France and Algeria parades were held to celebrate the Allied victory in Europe. In Sétif, a town in the Constantinois *département*, the sub-prefect authorised a parade, but banned political and nationalist banners. This was perhaps wishful thinking, as there were several reasons why the Algerian population might express solidarity with the nationalist movements. After all, in 1941 the Free French had signed up to the Atlantic Charter, which promised that after the war, all peoples would have the right to self-determination. Moreover, the provisional government's Ordinance of 7 March 1944 had conferred French citizenship on Algerian males over the age of 21 if they belonged to certain professional classes (officers, graduates, civil servants, members of the *Légion d'Honneur*). This would have improved the status of some 65,000 men – half the number of those who had fought in the war – although nearly half of those eligible rejected the privilege at the urging of the nationalists.⁴⁰ The Ordinance of 7 March 1944 also abolished the *Code de l'Indigénat* with its list of infractions that only Muslims could commit.

Among the thousands of demonstrators who attended the parade in Sétif, some shouted slogans and raised banners proclaiming support for the nationalist Messali Hadj, whom the government had sent into exile in 1944, as well as for his movement, the *Parti du Peuple Algérien* (PPA), which the government had banned in 1939.⁴¹ The sub-prefect of Sétif duly ordered the political banners seized, and the ensuing skirmish between police and demonstrators led to an Algerian uprising that lasted four days, encompassing the area between Sétif and the town of Guelma, where another parade had turned violent. The historian Jean-Pierre Peyrourou argues that the nationalists did not order an insurrection, but that altercations and shots followed when the police moved in to confiscate the banners.⁴²

Though spontaneous, this uprising was brutal, as was its repression. It took the French army two weeks to re-establish order.⁴³ The toll was devastating for both sides: 102 European settlers were killed and nearly a hundred injured. Sources vary on the precise number of Algerians killed by the French army, navy and air force, as well as armed vigilante groups. The Tubert report, the

⁴⁰ Raphaëlle Branche and Sylvie Thénault, 'La guerre d'Algérie', in *21 historiens expliquent la France contemporaine* (Paris: La documentation française, 2005), p. 217; Shepard, *The Invention of Decolonization*, pp. 39-44; Gosnell, *The Politics of Frenchness in French Algeria*, p. 26.

⁴¹ Hadj founded the Étoile Nord-Africaine (ENA), one of the first Algerian nationalist groups, in 1926. The government banned it, and in 1937 he founded PPA.

⁴² Jean-Pierre Peyrourou, 'Rétablir et maintenir l'ordre colonial: la police française et les Algériens en Algérie française de 1945 à 1962' in Mohammed Harbi and Benjamin Stora (eds.), *La guerre d'Algérie, 1954-2004, la fin de l'amnésie* (Paris: Robert Laffont, 2004), p.107.

⁴³ This is according to the Tubert report, which was based on French police reports. Alistair Horne says that it took five days. The discrepancy could be explained by what Tubert defines as 'order'. The Tubert report, <<http://www.lidh-france.org/media/actualites/Rapport%20Tubert.pdf>> [accessed 5 May 2008]; Horne, *A Savage War of Peace*, p. 26; Jean-Pierre Peyrourou writes that it took 2 weeks for the army to restore order, see <<http://www.lidh-toulon.net/spip.php?article600>> [accessed 5 May 2008].

official enquiry into the events commissioned in May 1945 by de Gaulle's provisional government, acknowledged between 1,020 and 1,300 Algerians killed.⁴⁴ Yet there is reason to question the accuracy of the Tubert report. General Paul Tubert, the principal investigator, was forbidden by the colonial authorities from travelling Algiers to the Constantinois until 25 May, and when he finally got there, he avoided Guelma, where violence and killing continued until 25 June.⁴⁵ Even the Minister of the Interior recognised that these figures were highly suspect as they were supplied by the people who did the killing: the army. 'The military authorities who had managed the repression [were] equally charged with the judicial repression...' he wrote, 'Thus it is up to the military authorities to inform the Republic, via the Governor General, about the military repression and the number of indigenous victims.'⁴⁶ A month after the massacres, French intelligence sources suggested that the actual death toll was ten times higher than the army's figure.⁴⁷ Today historians estimate that the total number is somewhere between 1,500 and 20,000.⁴⁸

Historians House and MacMaster have claimed that Papon was 'closely associated' with the French army's massacre of Algerians in May 1945, but in fact he was still working at the Bordeaux prefecture.⁴⁹ Their claim that Papon was transferred to Algeria to complete the pacification and stabilisation of the Constantinois *département* is equally mistaken: although he did visit Algeria twice during his tenure as Director of Algerian Affairs from October 1945 to June 1946 – well after the massacre occurred – he was based at the Sub-Division of Algeria's office on the rue de Monceau in Paris.⁵⁰

Papon's actions in this role were shaped by a socio-cultural interest in Islam which, he argued, 'exercises a constant weight and a strong attraction [in Algeria] and requires policy solutions from Paris.'⁵¹ To develop these solutions, Papon transformed the working practices of the Sub-Division of Algeria. For example, after noting that his staff did not have the knowledge necessary to respond to policy questions on Algeria, Papon requested a budget to acquire a library including works of law, sociology, history, geography and ethnography relating to North Africa.⁵² Also, he ordered from Algeria's General Government qualitative and quantitative

⁴⁴ Horne, *A Savage War of Peace*, p. 27.

⁴⁵ Jean-Pierre Peyroulou, 'Le rapport Tubert sur les événements de mai 1945 dans le Constantinois', 20 April 2005, <<http://www.lah-toulon.net/spip.php?article600>> [accessed 7 May 2008].

⁴⁶ Minister of the Interior to the Minister of War, 'Répression des troubles dans le département de Constantine en Algérie', 4 June 1945, 81F/868, CAOM.

⁴⁷ Branche and Thénault agree with the figure of more than 15,000 victims, based on an intelligence document addressed to the Governor General in June 1945. See Raphaëlle Branche, *La torture et l'armée pendant la guerre d'Algérie, 1954-1962* (Paris: Flammarion, 2001), p. 35 and Sylvie Thénault, *Histoire de la guerre d'indépendance algérienne* (Paris: Flammarion, 2005), p. 40.

⁴⁸ Branche and Thénault, 'La guerre d'Algérie', p. 219; Peyroulou, 'Rétablir et maintenir l'ordre colonial: la police française et les Algériens en Algérie française de 1945 à 1962', p. 107.

⁴⁹ House and MacMaster, *Paris 1961*, p. 37.

⁵⁰ *Ibid.*, p. 36; The Direction des Affaires Générales, Sous-Direction de l'Algérie was based at 61, rue de Monceau. See Papon, 'Eléments d'une politique algérienne', 28 January 1946, 81F/649, CAOM.

⁵¹ Papon, 'Note sur la Sous-direction de l'Algérie', 9 March 1946, 81F/4, CAOM.

⁵² Direction de l'Algérie, 'Projet de budget de la sous-direction de l'Algérie pour 1945', January 1946, 81F4, CAOM.

statistics on the appointment of Algerians to the public sector as well as information on reforms demanded by the Algerian population.⁵³

Papon did not have the opportunity to develop the Sub-Division of Algerian Affairs, for his career was beginning to accelerate. In June 1946 he was appointed Cabinet Director to Jean Biondi, the Undersecretary of State for the Interior, and spent December 1946 as a member of the inter-ministerial commission of the Antilles before achieving a career milestone: his first prefecture, that of Corsica, from January 1947 to October 1949. These assignments gave him valuable experience, but he missed working on France's involvement with the Muslim world. In January 1949, he filed his first request to serve in an Islamic country.⁵⁴

Given his interests and the fact that Algeria was less than a day's sailing from Corsica, it is likely that Papon followed political developments affecting the territory. On 20 September 1947, the Ramadier government pushed through the Algerian Statute which offered five reforms long demanded by Algerians: the abolition of the *communes mixtes*, in which Muslim communities were ruled directly by French-appointed officials, and their transformation into French-style *communes de plein exercice*; the introduction of civil rather than military government of the Saharan territories, where many Berber tribes lived; the inclusion of Arabic as well as French as Algeria's official languages; the separation of church and state for all religions, as had existed in France since 1905; and suffrage for Algerian women, which French women had enjoyed since 1944.⁵⁵

The Statute also created an Algerian Assembly which voted on issues affecting the territory and sent deputies and senators to Paris. It would comprise two electoral colleges, each with sixty members. Each college would elect 15 deputies, thereby sending a total of 30 deputies to the *Assemblée Nationale* in Paris. Yet the composition of the two colleges was determined to the disadvantage of Algerians. The first college represented male and female European settlers, Algerian Jews and the miniscule number of Algerians the State had deemed *évolué* (evolved) before granting all Algerians citizenship on 7 May 1946. The second college represented practically all Algerians through the votes of the 1.5 million Algerian males over the age of 21 who were not considered *évolué* before 7 May 1946; until the reforms of the Algerian Statute were ratified by the Algerian Assembly, Algerian women did not have the vote.⁵⁶

The Algerian Assembly was thus profoundly unfair, giving the 860,000 European settlers, Algerian Jews, and *évolué* Algerians represented by the first college equal voting power to the

⁵³ Sous-directeur de l'Algérie to Gouvernement Général de l'Algérie, telegram, 7 January 1946, 81F/10, CAOM.

⁵⁴ 'Notice annuelle', January 1949, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

⁵⁵ Home, *A Savage War of Peace*, p. 69.

⁵⁶ Branche and Thénault, 'La guerre d'Algérie', p. 220. Article 4 of the 1947 Algerian Statute granted Muslim women the right to vote, but this was not put into practice until 1958. See Ryme Seferdjeli, "Fight with us, women, and we will emancipate you": France, the FLN and the Struggle over Women during the Algerian War of National Liberation 1954-1962" (PhD diss., London School of Economics and Political Science, 2004), pp. 208-214.

7,770,000 Algerians represented by the second college.⁵⁷ Unsurprisingly, the nationalist parties rejected the Algerian Statute, considering that it made a mockery of the republican motto of 'liberty, equality, fraternity' so proudly reclaimed by the Fourth Republic after the Vichy regime. What use was citizenship without equality?

As in 1936, when it helped to bring down the Blum government in protest over the Blum-Viollette bill, the European settler lobby nearly caused the collapse of the Ramadier government over the Algerian Statute. Under pressure, the government allowed a clause to be inserted into the Statute which required the Algerian Assembly, once elected, to approve the Statute's proposed reforms. To prevent this, the European settlers would need to control the composition of the second college representing the Algerians. They were aided in this task in 1948 when Marcel-Edmond Naegelen, the Governor-General, ordered the administration to make 'good elections'.⁵⁸ Pierre Somveille, who was working with Papon in Corsica at the time, later recalled that these elections were 'prepared, slanted. The French did what they wanted.'⁵⁹ Jacques Lenoir, their colleague in the *corps préfectoral*, agreed:

I am going to say something that is perhaps an enormity. But I believe that there was a lot of cheating at the time of Naegelen, to the point that we had perfected the methods that we wrongly continued to use. But basically the Muslims were used to it. It did not bother them all that much. They practically considered it normal. As for the Europeans who took the urns [containing the ballots], they believed they had a preferential right to be elected and even re-elected. It was a rather disagreeable period. France did not cover itself in glory.⁶⁰

Tactics included the failure to issue registration cards in some villages, breaking up nationalist meetings and arresting members, tampering with the ballot boxes, and simply not reporting the results of the elections in areas such as Sétif, where nationalist candidates were certain to have a majority.⁶¹ As a result of such manoeuvres, government-backed candidates were elected to 41 of the 60 seats in the second college.⁶² A box at the archives in Aix-en-Provence contains hundreds of telegrams from Algerians protesting to the Governor-General about the administration's conduct and methods.⁶³ The administration, for its part, accused the Algerian nationalists of cheating and insisted that it acted with 'the most complete independence'⁶⁴ although Jules Moch, the Minister of the Interior, admitted that he 'could not confirm that everything had been as it should'.⁶⁵ With the European settlers now in control of both colleges, the reforms of the Algerian

⁵⁷ Branche and Thénault, 'La guerre d'Algérie', p. 220.

⁵⁸ Heymann, *Les libertés publiques et la guerre d'Algérie*, p. 252.

⁵⁹ Pierre Somveille was Papon's deputy almost without interruption from the Liberation of Bordeaux to Papon's retirement as prefect of Paris Police in 1967. Interview with the author, February 2005, Marseille, France.

⁶⁰ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, pp. 17, 44-45.

⁶¹ Home, *A Savage War of Peace*, pp. 70-71.

⁶² Heymann, *Les libertés publiques et la guerre d'Algérie*, p. 252.

⁶³ See box 9CAB/63, CAOM.

⁶⁴ 'Mémoire sur l'oeuvre française en Algérie', 1948, 9CAB/175, CAOM.

⁶⁵ *Combat*, 5 May 1948, 9CAB/53, CAOM.

Statute were stillborn. Henceforth, the Algerian Assembly was confined to considerations of the territory's budget, while the Governor-General continued to wield the true power.⁶⁶

Election-rigging was hardly new in French Algeria. In his study of the town of Bône from 1870-1920, the historian David Prochaska noted that every racial and ethnic group in town participated in electoral trafficking. The usual methods that have plagued democracy everywhere were employed: vote purchasing; voter cards that were given to different people, withheld, or used more than once; temporary jobs and welfare subsidies provided in exchange for votes.⁶⁷ What made the elections of 1948 significant was that politically moderate Muslims, who had tried to work within the French political system for years, could no longer ignore the State's efforts to deny Algerians equality. Nationalists – who had attacked *gendarmes*, opened fire, damaged state property and set things on fire during the elections in the Algérois *département* – had signalled their contempt.⁶⁸ Coming just three years after the massacres at Sétif and Guelma, and the recent failure of the Algerian Assembly to ratify the Algerian Statute, the 1948 elections revealed a territory ready to explode.

Papon's career direction: Islam is the subject

Eastern Algeria (October 1949-December 1951)

Was it nerve-wracking for Papon to arrive in Constantine, capital of the Constantinois *département*, just eighteen months after the rigged elections of 1948 and only four years after the massacres at Sétif and Guelma? Pierre Somveille, who accompanied Papon as cabinet director, later explained that it would have been 'morally impossible' to refuse the appointment.⁶⁹ Somveille's wife burst into laughter at the suggestion that one could decline a posting to Algeria because it was too dangerous: 'One is named by the Minister [of the Interior]! There were dangers, but that is no reason to refuse.'⁷⁰ Papon shared their view: 'I was a soldier; I obeyed.'⁷¹ This was a slightly disingenuous remark, for Papon could hardly have refused the assignment after having requested, only ten months earlier, to serve in an Islamic country.⁷²

Nonetheless, there was no denying that the Constantinois was a hardship posting. In his memoirs, Marcel-Edmond Naegelen, who served as Governor-General from 1948 to 1951, described it as ten times larger than a metropolitan *département*, so large that a prefect, 'even had he remained there ten years, could not pretend to have thoroughly visited the tortuous coast, the harsh plateaus, the first Saharan desert oases, nor to have discovered the entire region's

⁶⁶ Branche and Thénault, 'La guerre d'Algérie', p. 220; Tony Smith, *The French Stake in Algeria, 1945–1962* (Ithaca and London: Cornell University Press, 1978), p. 78.

⁶⁷ Prochaska, *Making Algeria French: Colonialism in Bône*, pp. 185-186.

⁶⁸ Prefect of Algiers to the Governor General, telegram, 5 April 1948, 9CAB/63, CAOM.

⁶⁹ Pierre Somveille, interview with the author, February 2005, Marseille, France.

⁷⁰ *Ibid.*

⁷¹ SH-MP Interview 1, p. 21.

⁷² 'Notice annuelle', January 1949, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

landscapes and human faces.⁷³ With nearly half of Algeria's Muslims, mainly Berbers⁷⁴, a large Jewish population, and the smallest European settler population of the three Algerian *départements*, the Constantinois was less favoured than the Oranais and Algérois *départements* whose larger European settler populations ensured that they received more attention, money and administrative personnel.⁷⁵ This became a source of constant tension between Papon and the Government-General, for which the Constantinois was distant and remote. 'The other prefects were in the loop,' Papon remembered, 'whereas I represented the Constantinois, which might as well have been on another planet.'⁷⁶

Compared to France, the Constantinois was another planet. Poverty was everywhere: schools, roads, hospitals, and pharmacies all suffered from chronic underinvestment; drinking water could be unsafe; and diseases (typhoid fever, tuberculosis, venereal disease, trachoma) were rife.⁷⁷ Like all prefects of his rank, Papon was expected to master these problems. His array of briefs included the economy, agriculture, health, transport and infrastructure, local government, and law and order. He was assisted by a network of French administrators in the main towns across of the *département* who produced monthly reports on every matter of French interest. These were analysed at the sub-prefectures, and fed into prefecture in Constantine, the capital of the *département*. There, Papon and his team took these reports and those of the *Police des Renseignements Généraux*, a police intelligence body, and synthesised them into a view of the whole *département* before passing them up to the Government-General in Algiers. All of this was identical to the normal surveillance methods in a French *département*, with one notable addition: Islam.

The *Service de Liaison Nord-Africain* (North African Liaison Service, or SLNA⁷⁸) ensured that Papon and his colleagues remained current with France's leading techniques for managing its Algerian subjects. In 1934, French authorities had been surprised by the massacre of Jews by Muslims in Constantine, a fact the Government General attributed to their focus on administrative tasks and lack of attention to the 'mood of the Muslim masses'. To address this weakness, specialised military officers, paired with civil servants in the Governor-General's cabinet and the prefectures of Oran, Algiers and Constantine, were assigned to study Muslim affairs. The SLNA produced bi-weekly political and press bulletins and a monthly bulletin of Islamic Questions.

⁷³ Kelly, 'Papon's Transition after WWII', p. 48.

⁷⁴ SH-MP Interview 1, p. 6.

⁷⁵ Edward Behr, *The Algerian Problem* (Harmondsworth: Penguin, 1961), p. 77.

⁷⁶ SH-MP Interview 1, p. 10.

⁷⁷ On education and engineering works, see Préfecture de Constantine, 'Rapport mensuel', May 1950, 81F/649, CAOM and, Préfecture de Constantine, 'Rapport mensuel', August 1950, 93/382*, CAOM; on diseases, see Préfecture de Constantine, 'Rapport mensuel', December 1950, 9CAB/133, CAOM.

⁷⁸ The SLNA was first called the *Centre d'Information et d'Etudes* (1935), was renamed as the *Centre d'Information et de Documentations Musulmanes* (1945) before evolving into the SLNA in 1947. See Gouverneur-Général de l'Algérie, 'Circulaire concernant le rôle et les attributions des SLNA Départementaux', 29 August 1950, number 2.2.81/NA, 93/4220*, CAOM.

The State's view was that the Algerian uprising at Sétif and Guelma in May 1945 was simply the latest in a history of uprisings and massacres in Algeria, and that the administration needed to monitor Algerians more closely to anticipate further problems. 'Better to prevent than to repress,' extolled Governor-General Naegelen in 1950.⁷⁹ The SLNA aimed to identify flashpoints throughout Algeria where there was a risk of a conflict, determine their causes and suggest preventative measures. This was not just a matter of security in Algeria; France had protectorates in Morocco and Tunisia as well. 'There are really no borders in the land of Islam,' Naegelen observed; revolt in Tunis could germinate in Constantine, and propaganda from Egypt risked being copied in Algeria; conversely, a successful policy in Morocco could be tried in Algeria.⁸⁰

No matter was too small for analysis. Through the SLNA, Papon followed the political activities of the various assemblies, the European political parties, and Algerian university students. He monitored developments in Constantine's Muslim press (which he occasionally censored, as did the prefects of Algiers and Oran in their respective *départements*), observed the growth of the pan-Islamic and pan-Arab movements across the Middle East, became familiar with the various Muslim religious associations and the activities of the different tribal chiefs, and noted who was making the *hajj*, the annual Muslim pilgrimage to Mecca. Inspired by Naegelen's admonishment that French administrators were too far removed from their subjects, Papon went on multiple tours throughout the Constantinois and instructed his sub-prefects and the local authorities to do the same. 'We spread the good word!' he later recalled, 'Like missionaries.'⁸¹ While proselytising, Papon and his subordinates also listened to grievances and monitored developments.

During this assignment, Papon's expertise in Algerian affairs deepened and he developed a more thorough understanding of the Algerian nationalist movements. In addition to his monthly analysis and recommendations for the *département*, he began to produce special reports on the orientation of Algerian policy and separatist activity in the Constantinois. He was quick to note new tactics of moderate separatists such as Ferhat Abbas, the well-known Francophile and nationalist who now made public addresses in Arabic and quoted from the Qu'ran to win support from other Algerians.⁸² In 1950, after the discovery of an arms stash belonging to the *Parti du Peuple Algérien*, the banned nationalist party of Messali Hadj, Papon noted a degree of conflict within the Algerian community itself: some were clearly sympathetic to the nationalist cause, while others wrote in with accounts of being terrorised in their isolated villages by nationalists.⁸³

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ SH-MP Interview 1, p. 22.

⁸² Préfecture de Constantine, 'Rapport mensuel', January 1950, 9CAB/77, CAOM ; Préfecture de Constantine, 'Rapport mensuel', February 1950, 9CAB/77, CAOM.

⁸³ Préfecture de Constantine, 'Rapport mensuel', April 1950, 9CAB/77, CAOM.

This inter-Algerian conflict would become one of the defining aspects of the nationalist insurrection, and it was not the only indication Papon spotted of the coming struggle. As early as November 1949, he registered the development of arms trafficking from Tunisia, which bordered the Constantinois, and by September 1950 he noted Algerian hostility towards the French in the urban centres, particularly among the young, 'whose idleness makes them easy prey for separatism.'⁸⁴ Nor did Papon hesitate to criticise the administration in his reports: the procrastination of decision-making and the chronic underinvestment did not make Algerians favourable to France. In the first month of his mission, he wrote, 'Our policy must try to prove to this population which, for the moment, is indifferent to us, that it has an interest to link its fate to that of a French administration which alone can meet its needs.'⁸⁵ In May 1950, Papon told his superiors:

The central problem of emancipation, which is the real condition of assimilation, the only path open to France – save that of secession – is linked to the concrete educational and constructive action of men: roads, water, schools, infrastructure, the sound management of businesses, social awareness, justice and objectivity in decision-making, and the virtue of example.⁸⁶

Papon was by no means the first to argue that Algerians must be assimilated if France were to keep Algeria. The policy of assimilation, which dated from the 19th century, posited that Algerians could some day be fully assimilated once the State had broken down the local traditions and structures in favour of the more "enlightened" institutions of France.⁸⁷ This differed from France's other colonial policy, association, employed in Morocco, Tunisia and Indochina, whose people and culture were deemed too different or inferior ever to be assimilated and who thus retained their institutions, albeit under French control.⁸⁸

Yet Papon seemed to be arguing for a combination of assimilation and association. 'The ideal', he explained in June 1951, 'would be to limit Islamic action to the domain of family and private life, and to forbid it on a political level. Turkey has achieved it. Why not Algeria?'⁸⁹ It made more sense, in his view, for the State to treat Islam as any other religion, while recognising its importance in the Algerian culture. Later he recalled, 'During this assignment, I tried to make a political marriage between the Muslim world and the European world'.⁹⁰ To achieve this marriage,

⁸⁴ Préfecture de Constantine, 'Rapport mensuel', September 1950, 81F/649, CAOM.

⁸⁵ Préfecture de Constantine, 'Rapport mensuel', October 1949, 9CAB/77, CAOM.

⁸⁶ Préfecture de Constantine, 'Rapport mensuel', May 1950, 81F/649, CAOM.

⁸⁷ Shepard, *The Invention of Decolonization*, p. 22.

⁸⁸ Lorcin, *Imperial Identities*, p. 173; Shepard, *The Invention of Decolonization*, p. 22.

⁸⁹ Préfecture de Constantine, 'Rapport mensuel', June 1951, 81F/649, CAOM.

⁹⁰ SH-MP Interview 1, p. 74.

France needed Algerian partners, and Papon advocated dialogue with 'the best elements of the évolués in the *Union Démocratique du Manifeste Algérien*' (UDMA), the party of Ferhat Abbas.⁹¹

Had Papon failed to understand the deep disappointment of men such as Abbas in the failure of the Algerian Assembly to ratify the reforms of the Algerian Statute of 1947, as well as the rigged elections of 1948 and 1951? The evidence suggests otherwise, for Naegelen records that Papon travelled to Algiers to request him to sanction a civil administrator who had cheated in the 1951 election.⁹² Papon's dismay at the election-rigging may partly explain why he befriended Abbas during this period. They remained friends even after the outbreak of nationalist insurrection in November 1954, when Abbas abandoned his moderate beliefs for good and fought for Algeria's independence.

Papon later recalled that Abbas had a theory as to why the European settlers and the mainland French had so far resisted the implementation of the assimilation policy. 'I'll make a bet with you,' Abbas joked to Papon. 'I bet on integration. One year for integration, that is, where one Muslim vote equals one French vote, which makes ten million voters [in Algeria]... and Ferhat Abbas will be the President of the Republic in ten years.'⁹³ Abbas had grasped the real issue: the impetus behind colonising Algeria was to make Algeria French, not to make France Algerian, yet the territory's demographics defied this logic. Low birth rates meant that the European settler population was increasing slowly, while French hygiene practices and medicine had reduced infant mortality and sickness among the Algerians, resulting in rapid population growth. If Algerians were fully assimilated with equal voting rights, they would dominate the European settler minority in Algeria and have their own powerful lobby in the *Assemblée Nationale* in Paris.

Abbas anticipated by a decade similar sentiments expressed by Charles de Gaulle. De Gaulle, whose Free French had signed up to the Atlantic Charter in 1941 which promised self-determination after the war, and whose provisional government had passed the Ordinance of 7 March 1944 extending French citizenship to 65,000 Algerians as well as the law of 7 May 1946 granting all Algerians French citizenship, had seemed in favour of assimilation. However, by 1959, when he was President of the Fifth Republic, he had come to see Algerians as a threat. According to Alain Peyrefitte, a parliamentary deputy, Algeria's demographics were of major concern to de Gaulle, who told him:

We can integrate individuals, families, small groups; and even then, only a certain amount; and this takes generations. We cannot integrate peoples, with their past, their traditions, their shared memories of battles won or lost, their heroes. Do you believe that this would ever be the case between the *pièdes noirs* and the Arabs? Do you believe that their feeling of

⁹¹ Préfecture de Constantine, 'Rapport mensuel', June 1951, 81F/649, CAOM.

⁹² Marcel-Edmond Naegelen, *Mission en Algérie* (Paris: Flammarion, 1962), pp. 66, 185; Kelly, 'Papon's Transition after WWII', p. 48.

⁹³ SH-MP Interview 1, p. 16; SH-MP Interview 2, p. 10; Papon, *Les chevaux du pouvoir*, p. 69.

a shared country is sufficient to surmount all the divisions of race, class, religion? Do you believe that they really have the will to live together?

Integration is a dirty trick to allow the Muslims, who are the majority in Algeria of 10 to 1, to become a minority in the French Republic of 1 to 5. It is a childish conjuring trick! Do people really think that we could fool the Algerians with this con trick?

Has it occurred to you that the Algerians will grow and multiply by two, then by five, while the French population remains practically stagnant? That there would be two hundred, four hundred, six hundred Arab deputies in Paris? Do you want to see an Arab president in the Elysée?⁹⁴

Explicit in de Gaulle's worry was a fear that France would not be strong enough to withstand such pressures. Earlier in 1959 he had opined to Peyrefitte:

It is very good that there be yellow Frenchmen, black Frenchmen, brown Frenchmen. They prove that France is open to all races and that it has a universal mission. But on the condition that they remain a small minority. Otherwise, France would no longer be France. We are after all primarily a European people of the white race, of Greek and Latin culture, and of the Christian faith.

Let's not fool ourselves! The Muslims, have you been to see them? You have seen them with their turbans and their *djellabas*⁹⁵, you see very well that these are not Frenchmen! Those who advocate integration cannot see past their nose, even if they are very intelligent....Try to mix oil and vinegar. Shake the bottle. In a moment they will separate again. Arabs are Arabs and French are French. Do you believe that the French nation can absorb ten million Muslims, who perhaps tomorrow will be twenty million and the day after forty million?

If we adopt integration, if all the Arabs and Berbers of Algeria were considered as Frenchmen, what would prevent them from coming to settle in mainland France where the standard of living is so much higher? My village would no longer be called Colombey-les-Deux-Eglises, but Colombey-les-deux-Mosquées!.⁹⁶

Of course, de Gaulle's conversations with Peyrefitte were coloured by five years of France's war with Algeria's nationalists; he owed his very presence in the Elysée to the collapse of the Fourth Republic under the pressures of this war, and one of the most critical tasks of his presidency was to negotiate a solution. Still, de Gaulle's shift from advocating assimilation to rejecting it is striking, because assimilation was based on the idea that a strong France could turn colonised people into Frenchmen. Yet Algeria's demographics suggested a different outcome: it was *France* that could be colonised and even, as de Gaulle feared, Islamicised. Abbas had understood this intuitively,

⁹⁴ Conversation of 20 October 1959. Alain Peyrefitte, *C'était de Gaulle* (Paris: Editions Fallois/Fayard, 1994), p. 56.

⁹⁵ A long, loose, hooded garment with full sleeves.

⁹⁶ Conversation of 5 March 1959. Peyrefitte, *C'était de Gaulle*, p. 52.

years before de Gaulle did. As he became involved in French counterinsurgency, would Papon come to share their conclusion?

Morocco (July 1954-July 1955)

At the end of 1951, Papon was appointed secretary-general of the Paris Police Prefecture, a senior administrative position.⁹⁷ Had he so desired, this could have been the moment to take a break from Muslim affairs, but his interest in Islam was unflagging. Prior to his departure for Paris, Papon wrote to René Mayer⁹⁸, the influential Radical politician who mentored him throughout his career in the *corps préfectoral*, to say that he was leaving Constantine 'with emotion', as the country and his role there had 'truly touched' him.⁹⁹ Once again, he filed a request for a future role in an Islamic country.¹⁰⁰

Although busy with his new responsibilities, Papon sent Mayer a study on the 'Tunisian problem' the following year which offered ideas on how to counter the burgeoning nationalist movement in the protectorate.¹⁰¹ It was a timely piece, for in 1953 support for nationalism in the other North African protectorate, Morocco, surged after the Laniel government replaced the pro-independence Sultan with a puppet ruler. In protest, *Istiqlal*, the Moroccan nationalist party, began committing terrorist acts, including murder, to which the French military and civilian vigilante groups responded with counter-terrorism, including the assassination of nationalist leaders.¹⁰² Stanley Karnow, a journalist for *Time* magazine, reported that following the Sultan's removal, 'the cities remained calm but, within a month, Arab gangs brandishing knives and pikes were assaulting small towns and butchering French men, women and children while, with the connivance of the police, bands of French vigilantes assassinated Moslem [sic] nationalist leaders.'¹⁰³ The violence continued through 1954, especially after the Mendès France government negotiated Indochina's independence and signalled a willingness to discuss independence for the protectorate of Tunisia.

⁹⁷ 'I had already spent two and a half years [at the Prefecture of Paris Police], relegated, it is true, to administrative work.' Papon, *Les chevaux du pouvoir*, p. 27.

⁹⁸ René Mayer's long and distinguished career included roles as Prime Minister, Minister of Justice, Minister of Defense, head of the Carbon and Steel Association, and ten years as a representative in the Assemblée Nationale for the Constantinois *département*. The two men had met early in Papon's career; Mayer recalled seeing Papon for the first time on benches of the Assemblée Nationale when Papon was a parliamentary draftsman in his first post in the *corps préfectoral*. See Mayer to Papon, 5 January 1970, Dossier 19: Maurice Papon, préfet de police 1958–1971, 363AP/41*, CHAN.) The closeness of the two men and the longevity of their friendship, which continued until Mayer's death in 1972, are readily apparent in their correspondence held at the French National Archives in Paris.

⁹⁹ Papon to Mayer, 1 November 1951, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN.

¹⁰⁰ 'Notice annuelle', 1951, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

¹⁰¹ Papon, 'Le problème Tunisien : Réflexions sur la méthode', 1952, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN.

¹⁰² Stanley Karnow, *Paris in the Fifties* (New York: Times Books, 1997), p. 322. Karnow was in Morocco when the Sultan was deposed.

¹⁰³ *Ibid.*, p. 322.

In May 1954, Papon was given the opportunity to examine the nationalist phenomenon up close when Francis Lacoste, the newly appointed Resident-General of Morocco, requested Papon as his secretary-general.¹⁰⁴ In July, Papon arrived in Rabat and assumed command of ten different branches employing 28,000 public servants.¹⁰⁵ In his unpublished memoirs completed just before his death in February 2007, Papon recalled that he was thrilled:

Morocco. I could have not wished for anything better. I was still dazzled by the discovery I had made in 1938...when I went on an official voyage in the Cherifian empire. [In 1954], I found the paradise of my youth [...] How happy I was to once more find this country that had moved and seduced me, and this time to have responsibilities there.¹⁰⁶

Yet his account conflicts with the contemporary record, for in a letter to Maurice Bourguès-Maunoury, the Minister of the Interior, dated 16 November 1955, Papon stated that he had only accepted the role 'out of discipline and under orders' after it had been refused by two senior prefects. Moreover, he claimed that he had been promised favourable consideration in the next promotion round in recognition for having accepted such a dangerous post.¹⁰⁷ There are any number of reasons why Papon may have recalled this role more favourably towards the end of his life, but it is especially curious that he would remember it so warmly given that this was the one assignment of his career in the *corps préfectoral* that ended badly: for reasons that are not altogether clear, Papon was removed abruptly from the post after a year and then sidelined for six months. What happened?

In August 1954, a month after he arrived in Rabat, there were 300 incidents of urban terrorism in the city alone.¹⁰⁸ That month, Papon wrote to René Mayer that France had committed an 'enormous error' in deposing the Sultan, though given the current levels of violence, it might be an even greater error to reinstate him; perhaps France would do better to focus on improving conditions in Morocco as a way of countering the nationalists?¹⁰⁹ 'It no longer suffices to intend to build or to promise to build,' he told Mayer. 'We can act on the level of reforms better and faster than we can on the level of politics.'¹¹⁰ This was consistent with the views he had formed during his mission in the Constantinois, when he thought that higher living standards would convince the Algerian population to side with France over the nationalists. In December 1954, he advocated

¹⁰⁴ Bernard Violet, *Le dossier Papon* (Paris: Flammarion, 1997), p. 67.

¹⁰⁵ Papon to Maurice Bourguès-Maunoury, 16 November 1955, in Papon to Mayer, 27 November 1955, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN.

¹⁰⁶ Maurice Papon, *La mort dans l'âme*, unpublished manuscript, Chapter 3, p. 11.

¹⁰⁷ Papon sent Mayer copies of the letter from Léon Martinaud-Deplat to Papon, dated 10 June 1954, on the promotion round. See Papon to René Mayer, 27 November 1955, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN. See also the letters exchanged between Léon Martinaud-Deplat and Maurice Bourguès-Maunoury, dated 7 December 1955 and 7 January 1956, Dossier: 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 12 : Recommandations, CAC.

¹⁰⁸ Martin Thomas, *The French North African Crisis, Colonial Breakdown and Anglo-French Relations, 1945–1962* (Basingstoke: Macmillan Press Ltd, 2000), p. 61.

¹⁰⁹ Papon to Mayer, 9 August 1954, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN.

¹¹⁰ *Ibid.*

these views in an official speech on rural and urban investment¹¹¹ but by May 1955, he was writing to Mayer of 'circumstances that make me more impatient than discouraged.'¹¹² To what circumstances was he referring?

Papon was trained to administer, and it was difficult to administer a country in an insurgency. Between December 1953 and March 1955, there were 1,222 terrorist and counter-terrorist attacks throughout the protectorate that killed 259 people and wounded 732 others.¹¹³ Confrontations between Moroccan nationalists and their French opponents appear to have intensified from July 1954, the month Papon arrived, because Pierre Mendès France, the Prime Minister, had promised greater autonomy for Tunisia. The following month, Frank White, a reporter for *Time* magazine, reported that '8,000 to 10,000 resentful Arabs, led by single-minded nationalists, had gone on a rampage in the *medina* (native quarter) in Port Lyautey....They killed seven Europeans, including a woman and her daughter, whose stomachs they slit open with knives. The women's bodies were dragged through the streets of the *medina*.'¹¹⁴

Historians House and MacMaster claim that Papon responded by issuing a directive allowing French soldiers in Morocco to shoot on sight.¹¹⁵ This claim is unfounded. Their "source" is a book written in 1991 by Guy Delanoë, a French doctor who lived in Morocco in 1954, which includes the text of the directive issued by Lacoste, the Resident-General, *not* Papon. Yet in a footnote to the directive, Delanoë writes:

At this precise date [of the directive, 16 August 1954], Mr Maurice Papon was secretary-general of the [Moroccan] Protectorate. This former collaborator, accused of crimes against humanity for sending Jewish children from the Gironde [*département*] to Auschwitz, must have known well the 'French' legislation under the German Occupation. One is thus entitled, it seems to me, to suspect him of being at the origin of this incredible *dahir* [directive]. The French administration, in this specific example, does not appear to have hesitated to introduce in the Moroccan *dahirs* the Nazi spirit.¹¹⁶

This is speculation, not evidence. Also without evidence, House and MacMaster argue that Papon planned the brutal reprisal for the nationalist attacks of August 1954.¹¹⁷

¹¹¹ Papon, 'Pour une politique d'équipement urbain et rural, expose devant la section française du conseil du gouvernement', December 1954, MPPP.

¹¹² Papon to Mayer, 8 May 1955, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949-1957, 363AP/32*, CHAN.

¹¹³ William A. Hoisington, *The Assassination of Jacques Lemaigre Dubreuil* (London and New York: Routledge, 2005), p. 129.

¹¹⁴ Frank White, 'Morocco: Running the Gauntlet', *Time Magazine*, 23 August 1954; Stanley Karnow, who was with White in Morocco, wrote in his memoirs that it was 15 French, not 7, who were slaughtered during this event. Karnow, *Paris in the Fifties*, p. 322.

¹¹⁵ House and MacMaster, *Paris 1961*, p. 43.

¹¹⁶ Guy Delanoë, *La résistance marocaine*, volume 2 (Paris: L'Harmattan, 1991), pp. 152-153.

¹¹⁷ House and MacMaster, *Paris 1961*, p. 43.

In addition to the cycle of terrorism and counter-terrorism between Moroccans and French, there was conflict between *ultras*, right-wing French residents of Morocco, and liberals, who were in favour of independence. In June 1955, Jacques Lemaigre-Dubreuil, a prominent pro-independence newspaper proprietor, was murdered, most likely by *ultras*. The Faure government launched an investigation into the murder and replaced Lacoste with Gilbert Grandval, reputedly a liberal. Grandval only accepted the role after Naegelen, the former Governor-General of Algeria, and André Dubois, then prefect of Paris police, had both refused it.¹¹⁸ According to an article in a July 1955 issue of *Paris Match*, Grandval took it on the condition that he could choose his own secretary-general and cabinet director.¹¹⁹ Two months later – *Time* magazine reported in September 1955 that Grandval had ‘fired nine Frenchmen who opposed his policy of negotiating a peaceful settlement with the *Istiqlal*’¹²⁰ – seven of the ten directors under Papon’s control were also replaced.¹²¹

Having agreed to the dangerous post out of the ‘duty to obey’, Papon was now tainted by the failure associated with the Lacoste Residency. That the puppet Sultan awarded him the highest honour of the kingdom before his departure must have seemed small recompense indeed.¹²² The experience of Jean-Emile Vié, one of Papon’s colleagues in the *corps préfectoral*, is instructive in this respect. Vié had arrived as a sub-prefect in Constantine shortly after the outbreak of the nationalist insurrection in November 1954. As soon as he could arrange it, Vié left and returned to France. ‘I knew it was going to be bad and I didn’t want to be involved in a bad affair,’ he later explained, ‘You see, as a prefect, it is better to be in a good affair than in a bad one.’¹²³ Papon had been involved in a “bad affair” in Morocco, and despite the sympathy of Bourgès-Maunoury and Mayer, Papon was relegated to the sidelines.¹²⁴

For the first time since he had joined the *corps préfectoral*, Papon’s career stalled. He returned to his hometown of Gretz-Armainvilliers and ran for mayor, ‘practically to give me something to do’,¹²⁵ and occupied this office from October 1955 to March 1958. The arrangement was mutually beneficial: the small town gained an exceptionally well-educated and over-qualified mayor, while Papon had the satisfaction of following in his father’s footsteps.¹²⁶ Life in Gretz-

¹¹⁸ Thomas, *The French North African Crisis*, p. 62.

¹¹⁹ ‘Maroc: Première semaine dramatique de Grandval’, *Paris Match* n. 330, 23–30 July 1955, p. 19; Violet, *Le dossier Papon*, pp. 69–74.

¹²⁰ Unknown author, ‘Revolt and Revenge’, *Time*, 5 September 1955, <<http://www.time.com/time/magazine/article/0,9171,893046-6,00.html>> [accessed 6 May 2008].

¹²¹ ‘Maroc: Première semaine dramatique de Grandval’, *Paris Match* n. 330, 23–30 July 1955, p. 19; Violet, *Le dossier Papon*, pp. 69–74.

¹²² Violet, *Le dossier Papon*, p. 74.

¹²³ Jean-Emile Vié, interview with the author, January 2004, Paris, France. Vié and Papon worked together when Papon was prefect of Paris police and Vié was Director of the *Renseignements Généraux*, a branch of the French police that deals with political security. The author notes that Mr Vié agreed to an interview to discuss the role of the *corps préfectoral* in the Algerian crisis during the Fourth Republic, not to discuss Papon’s career.

¹²⁴ Papon to Bourgès-Maunoury, 16 November 1955 in Papon to Mayer, 27 November 1955, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949–1957, 363AP/32*, CHAN.

¹²⁵ SH-MP Interview 1, p. 62.

¹²⁶ Arthur Papon had served as mayor of Gretz-Armainvilliers from 1919 to 1937.

Armainvilliers was calm compared to the violence of Rabat; the *Hôtel de Ville* was only two minutes' walk from the family home. Papon had plenty of time to write numerous letters to Mayer and Bourghès-Maunoury, seeking their assistance in reactivating his career. To no avail. Six months passed in which he tried to understand what had gone wrong, and how to get back into action. The solution was right in front of him, but he could not see it yet. Writing to Mayer of his disappointment over his rejected application for the post of prefect of the Bas-Rhin *département*, Papon remarked that only Algeria remained, 'where no one wants to go. *Inch'Allah!*'¹²⁷

Papon's intellectual autonomy: Integration of Algerians is the solution

Papon's period in the professional wilderness from July 1955 to January 1956 may have been the catalyst he needed to articulate his most radical thinking on Islam. After all, he was already in disfavour and had nothing to lose. In September 1955, Bourghès-Maunoury, still Minister of the Interior, asked Papon to submit a study on the Algerian problem. The result would feed into perhaps the most significant piece of legislation of the Algerian War – the Special Powers Act of 16 March 1956 – and transform Papon's career.

In the autumn of 1955, Papon travelled to Constantine to meet Pierre Dupuch, the prefect of the Constantinois, to discuss the challenges of the Algerian nationalist insurrection, now nearing its first anniversary. He left under no illusions as to the seriousness of the situation. In June 1955, leaders of the *Front de Libération Nationale* (FLN) had responded to the French army's policy of 'collective reprisal' in kind: henceforth, all French civilians were targets, as were Algerians who criticised the nationalists or worked with the French. On 20 August this policy became reality as nationalists attacked twenty-six localities, throwing grenades into cafés, slashing people with knives and razors, hacking off their limbs and disembowelling them. Historians do not agree on the death toll of this massacre; according to Alistair Horne, the FLN killed 71 European settlers and 52 Algerians, whereas Claire Mauss-Copeaux records 26 French soldiers, 71 European settlers and 21 Algerians.¹²⁸ As in May 1945, the army's repression was severe. The French claimed 1,273 'rebels' were killed, while the FLN cited as many as 12,000.¹²⁹ Paul Aussaresses, who was involved in the repression, later recalled that the army left the corpses in the streets 'for effect'.¹³⁰ According to Pierre Leulliette, a member of the 18th *Régiment de Chasseurs Parachutistes*, the army killed so many Algerians that they had to be buried with bulldozers.¹³¹

¹²⁷ Papon to Mayer, 27 November 1955, Dossier 4, Correspondance O-Z, Maurice Papon, Préfet de Constantine, 1949-1957, 363AP/32*, CHAN.

¹²⁸ Horne, *A Savage War of Peace*, p.122; Claire Mauss-Copeaux, 'Le 20 août 1955, interrogations à propos d'un événement, de ses sources et de ses représentations', colloque *Pour une histoire critique et citoyenne. Le cas de l'histoire franco-algérienne*, 20-22 June 2006, Lyon, ENS LSH, 2007, <http://ens-web3.ens-lsh.fr/colloques/france-algerie/communication.php3?id_article=276> [accessed 12 April 2008].

¹²⁹ *Ibid.*, p. 122. Raphaëlle Branche uses the figure of 12,000 victims in Branche, *La torture et l'armée*, p. 38.

¹³⁰ Paul Aussaresses, *Services Spéciaux, Algérie 1955-1957*. (Paris: Perrin, 2001), p. 109. Raphaëlle Branche notes that similar incidents occurred in the first months of 1959 in Branche, *La torture et l'armée*, p. 283.

¹³¹ Horne, *A Savage War of Peace*, p. 121.

Following his discussion with Dupuch, Papon returned to France and wrote to Bourguès-Maunoury:

I do not want to return to the scenario of what is now known as the Moroccan drama. I personally lived too close to this drama. I suggested – in vain – methods and objectives, and denounced the errors in plans, programmes and timelines. But at the time when France is in danger in North Africa, I think it is at the most basic level of the conscience of a senior civil servant who has had the honour to treat Islamic affairs, either in Paris, in the Middle East, or even in North Africa, to confide his worries to his Chief and to contribute to a solution to the problem....¹³²

Papon's solution would turn French colonial policy for Algeria on its head: not association, not assimilation, but integration. He explained how it would work in his "Note on the Algerian Problem"¹³³, which he submitted in October 1955:

The events which have unfolded in Algeria over the past year...leave no hope for France to keep its three *départements* in North Africa as an integral part of the Metropole except through a policy of integration taken to the extreme (*une politique d'intégration à outrance*). This is also the last chance for this policy, whose success remains subordinate to an honest, sincere and complete process: the only thing that will work, for the Algerians themselves as much as international opinion, is to make this integration a reality without delay.

We must choose between the serious consequences of total integration and the even more serious and inescapable consequences of secession. We must give the maximum in order to retain the essential.

As a result, we must push integration to its limits on all the other levels without exception, in order for this to seem spectacular to the outside world and viable to Algeria. This being our starting point, we must make all the trappings of colonialism and all the factors of secession disappear. This will mean the suppression of the Governor General and his offices on the one hand, and of the Algerian Assembly on the other....

This double measure would have a rather decisive and spectacular character, to create a psychological shock and to affirm without ambiguity the policy of France.¹³⁴

For a civil servant to suggest the abolition of the colonial system in Algeria was nothing short of revolutionary, especially after the recent massacres in Constantine. It shows Papon's independence of thought and also his willingness to express on record his dissent to a Minister. He was going in the opposite direction of Jacques Soustelle, the Governor General of Algeria from January 1955, a liberal who had converted to the cause of the European settlers after the

¹³² Papon to Bourguès-Maunoury, 4 October 1955, Dossier 1 N-P: Maurice Papon 1955, 363AP 38*, CHAN.

¹³³ Papon, 'Note sur le problème Algérien', 4 October 1955, attached to a letter from Papon to Bourguès-Maunoury, 4 October 1955, Dossier 1 N-P: Maurice Papon 1955, 363AP 38*, CHAN.

¹³⁴ *Ibid.*

massacres of 19 August.¹³⁵ Papon's proposals were also at odds with those of a group of Algerian deputies from the Algerian Assembly's second college, who had signed a statement on 26 September rejecting integration as 'now outdated' and claiming that 'the overwhelming majority of the population now supports the Algerian national idea.'¹³⁶ In response, Soustelle had suspended the Algerian Assembly.

Papon was aware of these reactions yet remained undeterred. Instead, he focused on the practicalities of implementing integration: administrative reorganisation of Algeria, which would entail a serious investment in personnel as well as improvements in infrastructure. He sketched this out in detail:

One cannot destroy everything without immediately building: thus, we could also put in place at the same time three IGAME in Algiers, Constantine and Oran, [who would be] on the same level as their colleagues in the Metropole [and would] deal directly with Paris.

To deal with the under-administration, we could anticipate the political and administrative framework required by the country's circumstances and evolution by turning the *département* of Algiers into a region, and then subdividing it into three *départements*, two or perhaps three *départements* in the region of Constantine, and three *départements* in the region of Oran.

[...] to increase the number of administrative jurisdictions as well as the system of General Councils, to enlarge parliamentary representation in conditions which will be specified, would constitute an ensemble of complementary and logical measures to accompany the suppression of the Governor-General and the offices of the Government General, as well as the Algerian Assembly.

He also envisaged a solution to the fears of the European settlers of being "overwhelmed" by the Algerian population when it came to voting:

As for parliamentary representation, an inevitable problem resulting from integration and from the suppression of delegates...it must be held between two limits: while it is normal and inevitable that the number of deputies in the two colleges is increased, it does not appear necessary to ensure a proportional representation system. The precedent exists in the Metropole, where Paris and, in a general manner, the towns, have a smaller proportional representation than the rural areas for motives of political equilibrium which are valid. With the changes recommended here, this same reasoning would hold for Algeria and for the respective representation of the two colleges.

For Papon, integration, rather than assimilation, was the only option France had to retain Algeria. He concluded:

¹³⁵ Home, *A Savage War of Peace*, pp. 122–124.

¹³⁶ *Ibid.*, p. 123.

It goes without saying that it would be specious to condemn 'integration' under the pretext that 'assimilation' failed. If it is true that, for too long, France proclaimed assimilation without doing it, perhaps today it should be done without talking about it. But, without falling into the trap of intellectual subtleties, integration is very different from assimilation: the first concerns the political and administrative structure, the second, the harmonisation of beliefs, customs, ways of conducting oneself, etc...to the limit of ethnicities, which becomes absurd. The Russians, who are not intoxicated by this rationalism, have understood it for a long time...

The document ends abruptly; its subsequent pages are missing from the archives in Paris, and as of this writing, no other copy has been located elsewhere. Nevertheless, the last paragraph indicates that Papon had moved beyond even the most liberal of French views to a radical position which saw no contradiction in the notion of 'French Muslims': national identity and cultural identity could co-exist.

Why, in the aftermath of the August massacres, when so many others were renouncing the possibility of peaceful co-existence between Algeria's European and Muslim communities, was Papon advocating integration? Initially, it did not matter; there was no official reaction, and Papon remained on the inactive list of the *corps préfectoral* for a further two months after submitting his proposal. Behind the scenes, however, Bourguès-Maunoury manoeuvred to get Papon back into action, confirming in January 1956 that he would procure a position for him as soon as circumstances permitted.¹³⁷ That month Papon was assigned to the Office of Long-Term Economic Planning¹³⁸ and then transferred in February to the cabinet of Marcel Champeix, Secretary of State for the Ministry of the Interior in charge of Algerian Affairs. On 16 March 1956, the *Assemblée Nationale* approved the Special Powers Act, a major piece of legislation designed to address the administrative and security challenges in Algeria. Its text revealed the influence of Papon's "Note on the Algerian Problem" by announcing the appointment of IGAMEs to the three massive Algerian *départements*, which henceforth became regions. These were to be divided into several departments, each headed by a prefect who would distribute new investment budgets.

That month, following Papon's participation in a conference on Islam and the State at the Sorbonne, Papon published 'L'Occident devant l'Islam' (The West face to face with Islam) which hints at the reasons behind his advocacy for integration. Today, this paper appears full of Orientalist constructs: "Islam" is an umbrella concept encompassing religion, society, culture, and history; likewise, he refers to the "Muslim mind" and "the West" as though these unitary terms could encompass the diversity of the world's Muslims as well as the inhabitants of liberal democracies. Nonetheless several of Papon's ideas were ahead of their time. He described the challenges that Islam posed as a transnational phenomenon to nation-states, discussed the

¹³⁷ Bourguès-Maunoury to Martinaud-Deplat (Deputy for Bouches du Rhône, former Minister of the Interior), 7 January 1956, Dossier: 19950277*, article 41: Maurice Papon, File 1: Politique, sous-dossier 12: Recommandations), CAC.

¹³⁸ Le commissariat général du plan.

problems Turkey encountered in its bid to secularise its Muslim people, and held that if Islam were to be viable in the modern world, it must allow for changes “which would be to Islam what the Reformation was for Christianity.”¹³⁹ Most significantly, he was explicit in his conviction that the West was not the superior civilisation:

In truth, there is not contradiction, but complement: we are in the presence of two mental structures, not opposed, nor contradictory, but complementary. The Science of the West has lost its Wisdom; the Wisdom of the Orient is in search of Science.¹⁴⁰

He concluded with a call for a new relationship between France and Islam, adapted from the words of the French poet Paul Valéry. From Valéry’s ‘enrich yourselves from your mutual differences’, Papon suggested, ‘Let us enrich ourselves from our mutual experiences....on both sides of the Mediterranean, the same sun shines on men.’¹⁴¹ Such sentiments were rare in the political climate of 1956, when Morocco and Tunisia became independent nations and the future of French Algeria was increasingly dubious.

Not satisfied with making policy recommendations and writing academic papers, Papon asked Maurice Doublet, the cabinet director of Marcel Champeix, to support his application for the new post of IGAME of Eastern Algeria. ‘He asked me to intervene on his behalf with the Minister of the Interior for his application, which was accepted,’ Doublet recalled. ‘It was exceptional to work in this post. The prefecture of Constantine was not a particularly calm post; it was exposed, dangerous.’¹⁴²

Why did Papon want to go to the heart of the Algerian nationalist rebellion? After all, he had resisted the Morocco assignment in 1954; Eastern Algeria in 1956 was far more dangerous. The political situation in North Africa had changed, however, and so had Papon. The loss of Morocco and Tunisia proved the urgency of his prediction in 1951 that France would lose Algeria if it did not assimilate it entirely. Now that integration had few defenders, the post of IGAME of Eastern Algeria was the chance for Papon to try to turn the situation around. This was hardly wishful thinking, as his mentor Bourguès-Maunoury was Minister of the Interior and had demonstrated his support by including Papon’s ideas on administrative reorganisation and investment in the Special Powers Act. To convince the government to proceed further and accept that integration was the only viable solution for French Algeria, Papon needed more than an advisory role on Algerian Affairs and the ear of a minister. A promotion to the rank of IGAME, one of the most senior roles in the *corps préfectoral*, would give him the platform and the stature he required.

¹³⁹ SH-MP Interview 1, p. 33; Maurice Papon, ‘L’Occident devant l’Islam’, *Fédération*, n. 134, March 1956, p. 123.

¹⁴⁰ *Ibid.*, p. 122.

¹⁴¹ *Ibid.*, p. 124.

¹⁴² Testimony of Maurice Doublet, witness for the defense, at Papon’s trial for crimes against humanity, in Erhel et al., *Le procès Papon*, Vol. 1, p. 276.

These were perfectly logical reasons to apply for the post, yet behind the logic of reasons lies the often illogical question of personality. Nothing had compelled Papon to write papers on the Tunisian and Algerian problems, to visit Constantine after the massacres of August 1955, or to publish a paper on the potential for mutual enrichment between Islam and the West at a moment when such views were increasingly unfashionable. He could have chosen to focus on any number of other issues and redirected his career to safer subjects. Yet as is often the case in life, it seems that impulse drove Papon's request to return to Algeria. The "taste of Islam" was still with him, and after five months on the inactive list and four months in small roles, the promotion to IGAME and the chance to shape Algeria's future proved irresistible. The dangers were real but, as Papon later explained, 'the impossible mission always has a seductive face.'¹⁴³

Conclusion

From February 1938 to May 1956, Papon developed views on Islam and Muslims that differed from those of the State. This was largely the result of his own initiative, for Papon's personal interest in Muslim cultures led him to seek opportunities to work in a variety of Muslim countries. These experiences gave Papon a vision of the world that was broader and more textured, and enabled him to reject the official French view of Islam and Muslims in favour of his own assessment, which was far more positive and admiring. Indeed, Papon's official papers and personal letters from this period display none of the racist attitudes that dominated contemporary French thinking and which portrayed Muslims and their faith as inferior. Rather, his value system was decidedly liberal, embraced human rights and republican values, and saw Muslims as fellow human beings rather than people who deserved only to be ruled.

This independence of thought set Papon apart from the State, which treated Islam as a problem, and from the *corps préfectoral*, which studied Islam in order to better manage it. However, his beliefs did not put him in conflict with the State, for he continued to observe the French civil servant's "duty to obey", even when it meant subordinating his desires, as demonstrated by his acceptance of the assignment in Morocco in 1954 as well as the detrimental effects it had on his career. Ironically, the time Papon spent on the sidelines following this professional failure led to his promotion as IGAME of Eastern Algeria, for it allowed him to step back and question why the State was failing to counter the rise of nationalism in French North Africa and to propose radical solutions that reflected his beliefs about Muslims and Islam.

Although he retained his Orientalist enthusiasm for Muslim culture, Papon also engaged in practical politics, first advocating assimilation, which implied the suppression, if not the eradication, of Islam in favour of French cultural values, before supporting integration, which accepted that Islam was part of Algerian culture and complementary, not contradictory, to

¹⁴³ SH-MP Interview 1, p. 23.

France's Western culture. His beliefs survived the conflicts, the massacres and the merciless repressions in French Algeria, possibly because he only heard of them second-hand, and he still held these views when he returned to Eastern Algeria in May 1956. Yet just five years after this appointment, Papon would be one of the principal leaders in the fight against Algerian nationalists in the Paris region. In the course of this 'Battle of Paris', police officers under his authority would kill an estimated 30 to 50 Algerians and intern a further 11,000 more on 17 October 1961.¹⁴⁴ What, in the intervening years, had caused such a seismic shift in his thinking? The answer lies in Papon's experience in Algeria during the war from May 1956 to March 1958, the subject of the next two chapters.

¹⁴⁴ House and MacMaster, *Paris* 1961, p. 127, n. 59.

Chapter 3:

Papon's Relations with the Army during the Algerian War

May 1956—March 1958

Conflict was inherent in Papon's role as IGAME of Eastern Algeria. Officially, he was the region's most senior representative of the State, responsible for managing and coordinating the administration and the army, which was subordinate to the civil authority. Yet after the outbreak of nationalist insurrection on 1 November 1954, the State had strengthened the powers and resources of the army so that it could wage counterinsurgency. Thus by the time of Papon's appointment, the army remained subordinate to the civil authority in theory, but in reality it was the stronger authority.

In light of this new dynamic, and the wartime conditions, Papon had to adapt to the army's counterinsurgency doctrine. Yet its tactics, which included population resettlement, internment, summary execution and torture alienated the Algerian civilian population, whose support the administration was trying to win. As IGAME, Papon could not remain indifferent to this problem, but he was constrained by the fact that the administration depended on the army for protection, material resources and personnel. Furthermore, although he got on well with his military counterparts in Eastern Algeria, he was increasingly at odds with the High Command in Algiers. During the 22 months in this role, he came to accept the limits of his authority when trying to resolve conflict with the army. Sometimes he had to accept that there were certain things that he could not change. But where he felt he could make a difference, he was not afraid to exercise his autonomy.

This chapter argues that the State placed Papon at a disadvantage in the civil-military power dynamic by restricting his authority and supporting the terrible human cost of the army's actions. This made it difficult for Papon, or any other functionary, to protest with any effect. Yet Papon's actions also reveal that he retained a surprising margin of manoeuvre which he was willing to use, even at the risk of provoking conflict with the military authorities or his superiors in government.

New powers and a new power dynamic for the civil and military authorities in Algeria

Following the 1954 nationalist rebellion, the State passed two acts that increased the powers of the civil and military authorities in Algeria while also transforming the balance of power in their relations. On 3 April 1955, after four months in which the nationalists had averaged 150-200 terrorist acts per month – including fires, sabotage of communication lines, bombings and armed

attacks – the Faure government passed the State of Emergency Act (*loi d'urgence*).¹ This diminished the power of only one aspect of the civil authority in Algeria: the judiciary. Henceforth, crimes committed by nationalists would be judged by military tribunals, supposedly to prevent Algerian members of the jury from being pressured by the nationalists, although the Minister of Justice noted that only one such incident had occurred.² Otherwise, the State of Emergency Act enhanced the civil authorities in Algeria. For example, prefects could now impose curfews, forbid meetings, close theatres and cafés, censor the press, order night requisitions, and order the administrative internment of anyone under suspicion.³

Administrative internment was an especially broad power. It allowed prefects to place a suspect under house arrest; restrict a suspect's movements within the local administrative district (*arrondissement*) or *département*; or, as under the Vichy regime, confine a suspect in an internment camp. Yet no camps existed in Algeria; in fact, the State of Emergency Act prohibited their creation⁴, and Maurice Bourgès-Maunoury, the Minister of the Interior, assured the *Assemblée Nationale* that 'neither the General Government nor myself have any intention of interning thousands of people'.⁵ However, the following month, the Faure government opened four camps in Algeria, placing them under the central authority of the Government-General in Algiers and the local authority of the prefectures.⁶

These measures proved inadequate against the insurgents, for there were 1,200 attacks across the three Algerian *départements* in January 1956.⁷ The Mollet government, elected that month, decided that a more comprehensive strategy was needed to defeat the insurgency, one that empowered the army as well as the civil authorities. At first it seemed as though the Special Powers Act of 16 March 1956 had two equal aims: first, a programme of 'economic expansion, social progress and administrative reform'; second, 'to take all exceptional measures in view of re-establishing order'.⁸

Yet it was soon evident that the Mollet government prioritised repression over reform. It legalised the internment camps that had been operational since May 1955⁹ and doubled the number of troops in Algeria to 450,000 by extending conscripts' length of service and recalling reservists who had already completed their military service.¹⁰ It also transferred police powers from the civil to the military authorities so that nationalists were henceforth arrested by the army. Now any apprehended nationalists would be under the control the army from their arrest to their

¹ Sylvie Thénault, *Une drôle de justice* (Paris: La Découverte, 2004, 1st publ. 2001), pp. 32–33.

² *Ibid.*, p. 34.

³ *Ibid.*, p. 35.

⁴ *Ibid.*, p. 35.

⁵ *Ibid.*, p. 35.

⁶ *Ibid.*, pp. 35, 37.

⁷ *Ibid.*, p. 47.

⁸ *Ibid.*, p. 48.

⁹ *Ibid.*, p. 48.

¹⁰ 450,000 troops from 1957 to 1958, in Guy Pervillé, *Atlas de la guerre d'Algérie* (Paris: Editions Autrement, 2003), p. 30.

eventual judgement, as the State of Emergency Act had already decreed that nationalist crimes would henceforth be judged by military tribunals.¹¹ Those caught 'red-handed participating in an act against goods or people' were sent before a military tribunal without an *instruction* (preparation of a case for eventual judgement), even if the crime could result in a death sentence.¹² This widened the army's scope for killing suspected nationalists, for soldiers had already been authorised to fire on any suspect 'attempting to flee' from 1 July 1955.¹³

By comparison, the Mollet government's investment in the administration was modest. The Special Powers Act ordered the appointment of IGAMEs to the three massive *départements* of Algeria, which from now on were to have the status of regions. Each IGAME was to divide his region into *départements*, which would be administered by a prefect and a team of administrators. In this way, the State could address the chronic under-administration of Algeria and try to win over the Algerian population with social and political reforms.

Papon had proposed this exact restructuring and investment in his 'Note on the Algerian Problem', written in October 1955 at the request of his mentor, Bourguès-Maunoury, then Minister of the Interior and now Minister of National Defense in the Mollet government. It seems highly likely that Bourguès-Maunoury used Papon's ideas when the government came to draft the Special Powers Act, especially as Papon was the first functionary to be appointed as IGAME for the new administrative structure in Algeria.¹⁴

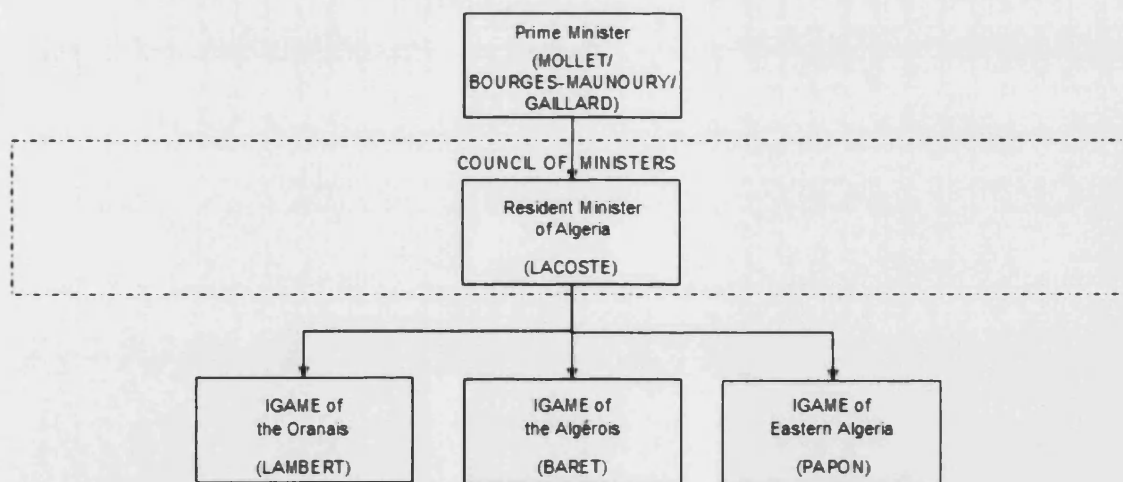


Figure 1: Chain of command for the civil authority in Algeria from May 1956 to March 1958.

¹¹ From May 1956 for the region of Eastern Algeria, and from January 1957 for the Algérois region.

¹² Thénault, *Une drôle de justice*, p. 48.

¹³ *Ibid.*, p. 44.

¹⁴ Papon was appointed IGAME by the Decree of 2 May 1956, whereas the prefects of the Oranais and the Algérois were promoted to IGAME with the Decree of 28 June 1956. See *Ambassade de France, service de presse et d'information* (New York), 'Constructive Action of the French Government in Algeria', *French Affairs*, Number 40, January 1957, BLPES, pp. 5, 12.

This promotion gave Papon one of the most senior posts in the *corps préfectoral*. Since 1948, every military region in France had been headed by an IGAME who reported directly to the Minister of the Interior and acted as the civilian counterpart to the regional military commander. The responsibilities of mainland IGAMEs were substantial: maintenance of order and defence of the territory; administration of personnel and management of the material of National Security; civil protection; mobilisation; and economic affairs.¹⁵ In Algeria, the IGAMEs had a further duty: to work with the army to fight the nationalist insurgency.

Civil-military relations in Eastern Algeria under Papon

From the outset of his mission, Papon worked closely with General Jean Noiret, the Commanding General of Eastern Algeria. Later, Papon described his relations with Noiret, and his successor, Robert Loth, as 'excellent' and 'perfect'.¹⁶ Together they issued joint directives, held press conferences and led the *Etat-Major Mixte*, a working group of administrators and army personnel who collaborated to better enable the army to exercise the police powers it had received for Eastern Algeria with the decree of 7 May 1956.¹⁷

The steering committee of the *Etat-Major Mixte* was composed of Papon's delegate and cabinet director, Pierre Somveille; Noiret's delegate, a general; and an army officer who took notes, although Papon later explained that if the day's business was urgent, he and General Noiret would chair the committee themselves, always ensuring that they attended together and acted in concert.¹⁸ The steering committee met daily to review information from the *Etat-Major* of the Division of Eastern Algeria, which covered purely military matters; the Civil Services, which handled purely administrative matters, and the Mixed Cells, in which civil and military personnel collaborated on intelligence, communications and operations in three separate groups.

The Intelligence Group, staffed by Somveille, and the Chief of the 2nd Bureau, an army unit that gathered intelligence across Algeria¹⁹ and handled information gathering and administrative internments. The Communications Group, composed of two sub-prefects and the Chief of the army's Psychological Bureau of the *Etat-Major* of the Division of Eastern Algeria, managed press relations and psychological action. The Action Group, which included Somveille, a sub-prefect, and the Chief of Operations for the *Etat-Major* of the Division of Eastern Algeria, had broad operational responsibilities that included the maintenance of order, distribution of compensation for damaged property, regulation of movement of traffic and people, as well as anything to do with

¹⁵ The role of IGAME was created by the decree of 21 March 1948. 'Situation et rôle des IGAME', 16 May 1956, 81F/1266, CAOM.

¹⁶ SH-MP-Interview 1, p. 46.

¹⁷ In French, the term *Etat-Major* means "staff" in both a military and political sense. Papon and General Jean Noiret (Commanding General of Eastern Algeria), 'Directive Générale concernant le rôle et la collaboration des Autorités Civiles et Militaires au sujet du rétablissement de l'ordre, de la protection des personnes et des biens et de la sauvegarde du territoire de l'Algérie', 3 June 1956, MPPP.

¹⁸ SH-MP Interview 5, pp. 2-3.

¹⁹ Raphaëlle Branche, *La torture et l'armée pendant la guerre d'Algérie 1954-1962* (Paris: Gallimard, 2001), p. 52.

the army's forbidden zones, weapons and munitions. In their joint directive of 3 June 1956, Papon and Noiret included an organisational chart to show how these groups all fed information to the steering committee:

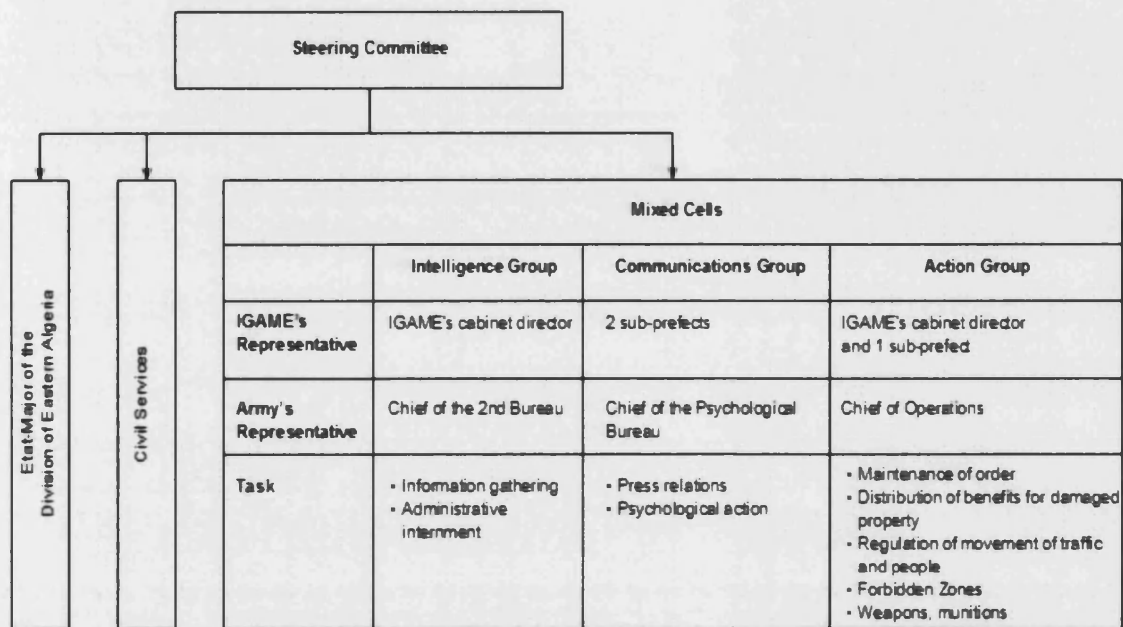


Figure 2: The *Etat-Major Mixte* for Eastern Algeria as of 3 June 1956.²⁰

As this organisational chart shows, the civil authorities were outnumbered by their army counterparts in the *Etat-Major Mixte*. Somveille was particularly stretched: he represented Papon on the Steering Committee, liaised with Papon for the Civil Services, and represented Papon in both the Intelligence and the Action Groups of the Mixed Cells. It is unclear from the original document whether the three sub-prefects who assisted Somveille within the Mixed Cells also multitasked. The army, however, had two representatives on the steering committee (Noiret's delegate and an officer acting as secretary) as well as three separate chiefs across the Mixed Cells.

These findings are consistent with the experience of the civil authorities across Eastern Algeria, where the State's failure to supply a sufficient number of personnel placed the administration at a disadvantage. For example, Papon doubled as both IGAME of the region of Eastern Algeria and Prefect of the Constantine *département*, even though both roles were extremely demanding. As IGAME Papon was required to collaborate with the military authorities in Eastern Algeria and travel to Algiers every three months to meet with the other IGAMES,

²⁰ Papon and Noiret, 'Directive Générale concernant le rôle et la collaboration des Autorités Civiles et Militaires au sujet du rétablissement de l'ordre, de la protection des personnes et des biens et de la sauvegarde du territoire de l'Algérie', 3 June 1956, MPPP.

regional military commanders, the Resident Minister of Algeria and the military High Command.²¹ Later he estimated that fighting the rebellion occupied ninety per cent of his time.²² Even when he had the time to focus on the reorganisation of the new region of Eastern Algeria into four *départements* (Constantine, Bône, Sétif, and Batna) as required by the Special Powers Act, the shortage of administrative personnel was so acute that an army general ended up serving as the prefect of Batna.

Papon deplored the imbalance between the civil and military authorities two months into his new role. He wrote to the Resident Minister of Algeria that the

flagrant imbalance between the military means and the civil means in terms of personnel, financial investment and powers...is creating a moral and psychological problem between the administration and the army. The administration risks, particularly at the subordinate levels, developing an inferiority complex and becoming discouraged. Yet we are in a phase of political action and the military appear less prepared than the administration to manage it well. This situation risks weakening the political and civil power compared to the military. I will treat this in a separate report.²³

More than a year later, his letter to the Resident Minister of Algeria showed that the State had still not addressed the imbalance between the two authorities:

...the civil authority is totally outnumbered. In the *Etat-Major Mixte*, for one General of the Army Corps and two adjunct Generals, there is one IGAME who also doubles as the Prefect of Constantine, [and] who is also the civil equivalent of an operational General in the zone corresponding to North Constantine. This simple remark gives the measure of things, and yet the Head of Human Resources at the Ministry of the Interior has a large excess of Prefects sitting on the bench, while the Algerian IGAMEs don't even have a delegate Prefect at their disposal.²⁴

This imbalance also frustrated Papon's subordinates. One observed that he and his colleagues had to work alone or with skeleton crews to implement government policies, whereas the army had a vast pool of men serving in Algeria.²⁵ Another noted that administrators did not always have a personal escort to move around the dangerous areas of Eastern Algeria.²⁶ A third reported that the Officers of Algerian Affairs, soldiers who implemented the social programmes of the Special

²¹ SH-MP Interview 1, p. 29.

²² SH-MP Interview 2, p. 5.

²³ Papon to the Resident Minister and personnel, 'N.287/PR', 6 August 1956, AGM 87, dossier 32, OURS.

²⁴ Papon to the Resident Minister, 30 October 1957, 12CAB/124*, CAOM.

²⁵ Sub-Prefect of Sétif, 'Rapport mensuel du Septembre 1956', 93/1166*, CAOM.

²⁶ *Ibid*; Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, OR3: Témoignages sur la guerre d'Algérie, p. 124, AHC-CHSP.

Powers Act and thus reported to the administration, often preferred to work with the army because, with its superior manpower and material resources, it could get things done faster.²⁷

Some administrators rose above the resentment and worked well with their military counterparts. One sub-prefect reported relations that were 'excellent on all points, even friendly and trusting, which facilitates many things'.²⁸ Another wrote that relations were 'cordial... links of friendship are beginning to form, thanks to which shared concerns are treated more easily and quickly.'²⁹

For Papon, civil-military relations in Eastern Algeria were about power. At the beginning of his mission, he noted a 'satisfactory harmony' between the two authorities, though 'the mechanism of collaboration needs perfecting and, on some points, revision.'³⁰ Twice he issued directives delineating the full extent of his powers.³¹ Why did he need to assert his authority? 'I represented the State,' he later explained, 'the general [commanding the region of Eastern Algeria] did *not* represent the State; he represented the army. The military is under the orders of the State.'³² Yet the imbalance between the civil and military authorities challenged this traditional hierarchy. In May 1957, when the FLN massacred over 300 Algerians at Melouza, the army did not alert the civil authorities until the following day, which, Papon recalled, 'did not go over well.'³³ But the army had a different way of doing things, and the administration was in a weak position. Outnumbered and dependent on the military for personnel, material resources, and even protection, the civil authorities, including Papon, adapted.

The French army's counterinsurgency doctrine applied to Algeria

Papon's experience as IGAME, which occurred during the height of the French counterinsurgency in Algeria³⁴, provides insight into how the civil authorities adapted to the army's counterinsurgency doctrine. This doctrine derived from the experiences of the professional army; it was not shared by the reservists and conscripts who only served in Algeria temporarily. In 1961, Colonel Roger Trinquier, one of the leading proponents of the French counterinsurgency doctrine, explained its impetus: 'Since the liberation of France in 1945, the French army has not been able to halt the collapse of our empire.'³⁵

²⁷ Interim Sub-Prefect, 'Rapport sur la situation générale de l'arrondissement de BOUGIE' 28 September 1956, 93/1504, CAOM.

²⁸ *Ibid.*

²⁹ Sub-Prefect of Philippeville, 'Rapport mensuel', 31 July 1957, 93/1173*, CAOM.

³⁰ Papon, untitled document consisting of observations, dictated 27 May 1956, 12CAB/124*, CAOM.

³¹ Papon, 'Directive générale concernant les pouvoirs de l'Inspecteur Général de l'Administration en Mission Extraordinaire pour la région de l'Est algérien', 3 August 1956, MPPP.

³² SH-MP Interview 1, pp. 43–44.

³³ *Ibid.*, p. 35.

³⁴ Martha Crenshaw Hutchinson, *Revolutionary Terrorism: the FLN in Algeria, 1954–1962* (Stanford: Stanford University Press, 1978), p. 116; Peter Paret, *French Revolutionary Warfare from Indochina to Algeria* (London: Pall Mall Press, 1964), p. 8.

³⁵ Roger Trinquier, *Modern Warfare* (London: Pall Mall Press Ltd., 1964, 1st publ. 1961), p. 3.

In 1954, the French army had lost a lengthy struggle against anti-colonialist Vietnamese insurgents assisted by Chinese material and political support. In addition to the shame of military defeat, there was a sense of betrayal and frustration among officers who had promised to protect their Vietnamese allies and were then forced to break those promises by the decision of the Mendès France government to withdraw from Indochina, leaving their allies to flee or face retribution from the Viet Minh, Vietnamese nationalists.³⁶ Furthermore, there was the traumatic experience of nearly 30,000 French soldiers who had been taken prisoner and subjected to brainwashing; over two thirds were never returned.³⁷

Also in 1954, the army experienced a second disappointment when the Mendès France government signalled a willingness to negotiate the independence of Morocco and Tunisia. The government's French colonial policy was becoming confusing to those who served in the army: why were they being asked to suffer losses fighting nationalist movements in the protectorates, only for the government to capitulate and grant independence? Did France want to hold on to its empire, or decolonise? The army was paying in lives for the lack of a consistent political strategy. These questions took on greater urgency in 1956, when it became apparent that the army's departure from Morocco and Tunisia had allowed the FLN to establish training camps and mount attacks into Algeria.³⁸

From the outset of his mission as IGAME, Papon was aware of the risks this situation posed. Observing that many of the professional army units serving in Eastern Algeria had served in Indochina, Papon asserted that the arrival of reinforcements from France would 'serve to reintegrate the army into the Nation.'³⁹ The conscripts and reservists did not share the professional soldiers' experience of Indochina, Morocco or Tunisia; they were simply young men fulfilling their military service.⁴⁰ Nevertheless, these fresh soldiers worked with and took orders from men who, as Papon later recalled,

thought of only one thing: to take revenge in Algeria. It's human. Thus, with the processes from [Indochina], which were not always recommendable, and despite their good will, their honesty – because even so, the army is an honest corps, with very healthy reactions – [despite this] they put the Muslims on their backs. They had become a sort of occupation army.⁴¹

³⁶ Alexander J. Zervoudakis, 'From Indochina to Algeria: Counter-Insurgency Lessons' in Martin S. Alexander, Martin Evans, J.F.V. Keiger (eds.), *The Algerian War and the French Army, 1954–62* (London: Palgrave Macmillan Ltd, 2002), pp. 55-56.

³⁷ On brainwashing and return of POWs, see *ibid.*, p. 56.

³⁸ Alain Bizard, 'Isolating the Algerian rebellion and destroying armed bands' in Martin S. Alexander, Martin Evans, J.F.V. Keiger (eds.), *The Algerian War and the French Army, 1954–62* (London: Palgrave Macmillan Ltd, 2002), p. 225.

³⁹ Papon, untitled document consisting of observations, dictated 27 May 1956, 12CAB/124*, CAOM.

⁴⁰ On the varied composition of the army (conscripts, reservists and professional soldiers) see Branche, *La torture et l'armée*, pp. 95–96.

⁴¹ SH-MP Interview 1, p. 14.

With the recent memory of his own unhappy experience in Morocco, Papon had some sympathy for this perspective. In May 1956, he wrote:

The concern of the army, like the administration, is to be driven to make useless sacrifices....After the trials of Indochina and Morocco, which created serious complexes, the servants of France, whether civil or military, need the truth, and those who served in Indochina more perhaps than the others. For the soldiers, as for the civil servants, clear objectives are needed, the kind which were lacking in our action in Indochina.⁴²

The Mollet government, for its part, had a clear objective: to keep Algeria French. In addition to the steps it had taken to enable the army to repress the nationalists, it had also appointed Robert Lacoste as Resident Minister of Algeria, who became, according to Papon, ' *pied noir* within three months of his appointment.'⁴³

With such support from the State, the professional army was in a strong position to implement the lessons it had learned from earlier colonial insurgencies, especially Indochina. There, the Viet Minh had reversed the classical warfare sequence, in which the first step is to target the enemy's weapons systems or infrastructure and only then apply direct pressure on the population. Instead, they targeted the population first and succeeded in turning the majority against the French.⁴⁴ From this experience French war theorists concluded that an inferior force could defeat a modern army if it succeeded in gaining the support of the population.⁴⁵ This was 'revolutionary warfare', and it appealed to guerrilla groups because it was inexpensive to conduct but costly to counter.⁴⁶

French war theorists also learned from the Chinese, who had assisted the Viet Minh. Citing Mao Tse-Tung, Jacques Hogard, a French military analyst, summarised the five stages of revolutionary warfare in a 1957 issue of the *Revue Militaire d'Information* (Review of Military Information).⁴⁷ First, propagandists conduct preliminary reconnaissance of the population. Second, they organise sympathisers and form a pyramid of cells, leading to a coordinated network throughout the country; in Indochina the French called this *le pourrissement* (rot).⁴⁸ Third, they form armed bands and begin acts of terrorism such as sabotage of infrastructure, raids, bombings, and assassination of figures representing the dominant power, such as politicians, functionaries and police officers. As a result of this terrorism, the dominant power withdraws from certain zones, which leads to the fourth stage, in which the rebels move in to seize control. From

⁴² Papon, untitled document, dictated 27 May 1956, 12CAB/124*, CAOM.

⁴³ SH-MP Interview 1, p. 11.

⁴⁴ Paret, *French Revolutionary Warfare*, p. 10.

⁴⁵ *Ibid.*, pp. 6–7.

⁴⁶ B.B. Goodall, *Revolutionary Warfare in South East Asia* (Johannesburg: South African Institute of International Affairs, 1966), p. 7.

⁴⁷ Hogard's five stages are explained in Paret, *French Revolutionary Warfare*, pp. 12-19; Papon referred to these five phases in a speech to reserve officers in Eastern Algeria. See Papon, 'Conférence prononcé le 19 janvier 1957 au Cercle Militaire devant les Officiers de réserve de Constantine', 19 January 1957, MPPP.

⁴⁸ Paret, *French Revolutionary Warfare*, p. 13.

there, rebel leaders can emerge in the open and establish a provisional government; gain recognition from friendly governments which can now recognise the insurrection, supply it, and assist on the international stage; organise a regular army; and extend raids and terrorism to unconquered territories. Fifth, the rebels launch a general psychological, political and military offensive against the dominant power and its armed forces.

In drawing lessons from their experience in Indochina, the French war theorists assumed that an internal force such as the Viet Minh could not enjoy indigenous support. Rather, they believed that all colonial wars were the result of 'external manipulation' — in this case, Communism.⁴⁹ It was an easy enough mistake, given China's role in assisting the Viet Minh and the proxy wars of the two Cold War superpowers. Although there was little evidence that Communism was behind the nationalist movement in Algeria, the idea of external manipulation was preferable to making a connection between the inequality that characterised French rule in Algeria and the rise in support for the nationalists.⁵⁰ Pan-Islamism, more than Communism, seemed the more likely agent, especially after 1956, when Morocco and Tunisia became independent and Egypt's Gamal Abdel Nasser emerged victorious from the Suez debacle. Moreover, the alleged pan-Islamic menace dovetailed neatly into notions of racial and cultural superiority which underpinned France's civilising mission. By emphasising Algeria's Greco-Roman heritage, as opposed to its Berber, Arab and Islamic heritage, French war theorists could portray the battle to keep Algeria French as a struggle to defend Western civilisation from *both* Communists and pan-Islamists.⁵¹

In Papon's first year as IGAME, he sprinkled his papers with occasional references to Mao, revolutionary warfare and pan-Islamism, but he disagreed with the army's theory of external manipulation. In September 1956, he wrote that 'this rebellion is of peasant and popular origin', although he also acknowledged the possibility that the 'agitation...will probably continue under the influence of an internal fanaticism and international intrigues coming especially from the Arab world and the Soviet world.'⁵² In January 1957, when he told the reserve officers of Constantine that pan-Arabism was more of a threat than pan-Islamism⁵³, his opinion was grounded in reality rather than ideology: Tunisia, he noted, was 'an arsenal and training and rehabilitation centre for the rebel bands'⁵⁴ as well as a conduit for arms from Egypt.

⁴⁹ Hutchinson, *Revolutionary Terrorism*, p. 112.

⁵⁰ *Ibid.*, p. 112.

⁵¹ Martin S. Alexander, Martin Evans and J.F.V. Keiger, 'The "War without a Name", the French Army and the Algerians: Recovering Experiences, Images and Testimonies' in *The Algerian War and the French Army, 1954–1962*, p. 21.

⁵² Papon, 'Note sur la réforme institutionnelle de l'Algérie, n. 4540', 6 September 1956, MPPP.

⁵³ Papon, 'Conférence prononcée le 19 janvier 1957 au Cercle Militaire devant les Officiers de réserve de Constantine', MPPP.

⁵⁴ Sub-Prefect of Guelma, 'Rapport Mensuel à l'IGAME, n.418/S', 26 November 1956, 93/1166*, CAOM; Papon to the Resident Minister of Algeria, 'Maintien de l'ordre et pacification dans l'Est Algérien', 10 July 1956, 93/4431, CAOM; Papon, 'Note d'orientation politique', 1 March 1957, 93/4431, CAOM; "[From September 1957–February 1958] there had been more than 80 shooting incidents on the Tunisia-Algeria frontier", Home, *A Savage War of Peace*, p. 249.

By September 1957, however, Papon's tone had noticeably hardened. In a joint press conference with General Robert Loth, who succeeded General Noiret as the Commanding General of Constantine, he proclaimed,

As for those of us in the front line, it is up to us to be, as usual, soldiers of faith, and it is why, in evoking the political-military character of this struggle that we are undertaking, I ask of everyone – of all civilians – to conduct themselves as though they were soldiers, because in a revolutionary war, there are no longer soldiers and civilians. There must only be soldiers.⁵⁵

Had the degree of violence that reigned in Eastern Algeria affected Papon and changed his thinking so that it was more in line with that of the military? In the city of Constantine alone, FLN attacks killed and wounded 419 people in 1956, 266 in 1957, and 353 in 1958.⁵⁶ The reports of Papon and his subordinates detail the nationalists' methods: kidnap, murder, assassination, ambush, attack, assault, theft and arson.⁵⁷ Nationalists targeted Algerians who worked with the French or refused to assist the rebellion by either killing them, usually by slitting their throat, or mutilating them by cutting off noses, ears, and lips.⁵⁸ Sometimes, the nationalists would cut off the genitals of their victims and stuff them into the mouths of the corpses.⁵⁹ Entire European settler families were killed in their isolated farms or maimed by bombs in urban areas.

In addition to this climate of violence, two major events in the Algerian War contributed to the hardening of Papon's position: the appointment of Raoul Salan as Commander-in-Chief of the armed forces in Algeria on December 1956, and the Battle of Algiers from January to September 1957. Salan, a veteran of Indochina, was a proponent of the revolutionary war doctrine. When the FLN inaugurated a campaign of urban terrorism in Algiers, where mainly European settlers lived, Salan and his subordinates were ready to implement their counterinsurgency tactics. As bombs exploded in cafés and terrorist acts nearly doubled⁶⁰, the civil authorities in Algiers – understaffed as elsewhere in Algeria – were unable to maintain order. The Resident Minister Lacoste delegated full police powers to General Jacques Massu, another Indochina veteran, with instructions to restore order, stop the terrorist bombings and assassinations, and recapture the initiative from the FLN.⁶¹ With the four parachute regiments of his 10th division as well as the other

⁵⁵ Papon and General Robert Loth, 'Conférence d'Information tenue à la Préfecture de Constantine', 17 September 1957, 12CAB/124*, CAOM.

⁵⁶ 135 attacks in 1956, 120 in 1957, 111 in 1958. See Branche, *La torture et l'armée*, p. 216.

⁵⁷ Papon, monthly report, May 1957, 93/1171*, CAOM; Papon, 'SLNA Evolution de la Situation dans l'Est Algérien, Rapport de l'IGAME, Janvier 1958', 3 February 1958, 93/4431, CAOM; Constantine Sub-Prefecture, 'Rapport mensuel', 29 March 1958, 93/1180*, CAOM; Djidjelli Sub-Prefecture, 'Rapport mensuel', 28 March 1958, 93/1180*, CAOM.

⁵⁸ The Sub-Prefect of Batna noted numerous kidnappings and throat-slittings of Algerian special delegates of the new communes. There was an increase in both of these activities in May 1957: 24 assassinations of which 15 were the end result after kidnappings. Sous-préfecture de Batna, 'Rapport mensuel', May 1957, 81F/655, CAOM.

⁵⁹ Branche, *La torture et l'armée*, p. 41.

⁶⁰ Pierre Vidal-Naquet, *La raison d'État* (Paris: Minuit, 1962), p. 194.

⁶¹ Rita Maran, *Torture: The Role of Ideology in the French-Algerian War* (New York: Praeger, 1989), p. 93.

military units put at his disposal by the commanding general of the region, Massu's force of nearly 8,000 men 'cleaned up the Casbah'⁶² by searching every house and making mass arrests.

What it did next is one of the most controversial aspects of the Algerian War: torture. Colonel Trinquier, one of Massu's subordinates and an Indochina veteran, later explained that the army viewed torture as a counterinsurgency tactic: 'If terrorism is the poison,' he wrote in 1961, 'torture is the antidote.'⁶³ In March 1957, Marcel Champeix, the Secretary of State for Algerian Affairs, visited Algiers and confirmed, 'Incontestably the methods taken from the Gestapo's arsenal have been used. They could, eventually, have serious consequences. They pose fundamental problems which will have to be addressed seriously.'⁶⁴ Yet Champeix also judged that the parachutists had 'done well'⁶⁵ to bring order to Algiers.

Paul Teitgen, who served as secretary-general of the Algiers prefecture during the Battle of Algiers, also acknowledged that the army's methods had worked⁶⁶, but he believed that their human and moral cost was too high. From his experience in the Second World War, when he had been deported by the Gestapo for resistance activities and tortured nine times⁶⁷, he recognised on some Algerian detainees 'profound traces of the cruelties and tortures that I personally suffered fourteen years ago in the Gestapo cellars.'⁶⁸ In March 1957, he offered his resignation to Lacoste, writing that 'for the past three months we have been engaged...in irresponsibility that can only lead to war crimes.'⁶⁹ Lacoste persuaded Teitgen to remain in his post, and the following month the Mollet government created the Commission for the Safeguarding of Individual Rights and Freedoms. However, it is questionable whether the government really intended to investigate claims of torture through this Commission, as it appointed Massu, the very general whose men were 'cleaning up the Casbah', to chair the Commission.⁷⁰ In September 1957, Teitgen resigned definitively, after establishing that the army had gone beyond torture and summarily executed at least 3,024 Algerians.⁷¹

The comments of Lacoste, who was interviewed by the historian and political scientist Odile Rudelle in 1978, give a hint of the resistance Teitgen must have faced when lodging his protests:

It is very difficult to judge a man like [Teitgen]. Between us, I wonder if he is well balanced [...] I remember the terms of [Teitgen's resignation] letter. I said [to a colleague], 'All of this is very unpleasant, after all he associated himself with all that we did. He took his

⁶² Vidal-Naquet, *La raison d'État*, p. 197.

⁶³ Roger Trinquier, *Guerre, subversion, révolution* (Robert Laffont, Paris, 1968), p. 70; Roger Trinquier, *La guerre moderne*. (Paris: La Table ronde, 1961), chapter 4.

⁶⁴ Branche, *La torture et l'armée*, p. 149.

⁶⁵ *Ibid.*, p. 149.

⁶⁶ Vidal-Naquet, *La raison d'État*, p. 199.

⁶⁷ Horne, *A Savage War of Peace*, p. 203.

⁶⁸ *Ibid.*, p. 204.

⁶⁹ *Ibid.*, p. 204.

⁷⁰ Maran, *Torture: The Role of Ideology in the French-Algerian War*, p. 117.

⁷¹ Raphaëlle Branche, *La guerre d'Algérie: une histoire apaisée?* (Paris: Editions du Seuil, 2005), p. 210.

responsibilities – and even those that he didn't have to', because there was a prefect, Serge Baret [the Prefect of Algiers in 1957], who was strange. He never wanted to sign a single internment paper! So he made poor Teitgen sign them: and there is the origin of the drama. He could not swallow it...⁷²

Even after the Algerian War had ended, the attitude of the former Resident Minister was unequivocal: functionaries were possibly 'not well balanced' for protesting against summary executions and torture and 'strange' for not wanting to order internments. Teitgen's resignation in September 1957 contrasts with Papon's declaration, that same month, that there were no civilians in a revolutionary war, only soldiers. Did this mean that he, like Champeix and Lacoste, supported the army's counterinsurgency tactics, regardless of their human cost?

Counterinsurgency tactics in Eastern Algeria

Quadrillage and population resettlement

Papon arrived in Eastern Algeria just after the army had begun to use *quadrillage*, a grid system of zones it had employed in Indochina. At one end of the spectrum were the forbidden zones, which the army cleared of inhabitants by resettling them in camps elsewhere. This was the fate of some two million Algerians by the end of the Algerian War – a quarter of the population – who were placed behind barbed wire and under armed guard, ostensibly for their protection. The tents in the camps were sweltering in summer and freezing in winter, and malnourishment was so serious that by 1959, a civil inspector estimated that in every resettlement camp with a population of 1,000 people, a child died every two days.⁷³ Officially, these resettlement camps were intended to be temporary measures while the army pacified a zone, but more often than not the soldiers destroyed the villages to prevent the rebels from using them, so the displaced people had no homes to return to.

With the forbidden zones thus emptied, the army considered any Algerian found there to be an insurgent who could thus be shot.⁷⁴ At the opposite end of the spectrum were the pacification zones, densely-populated areas where the majority of the army's forces were based, and where the civil and military authorities used propaganda and educational and economic programmes to try to win over the Algerian residents.⁷⁵ Between these two zones was a third category, the operational zones, veritable battlefields where the army hunted down rebels amongst civilian populations too numerous to be resettled.

⁷² Robert Lacoste and Jean Vaujour, interview with Odile Rudelle, 21 February 1978, OR2: Témoignages sur la guerre d'Algérie, pp. 66, 69, AHC-CHSP.

⁷³ Michel Rocard, 'Note sur les Centres de regroupement', 15 February 1959, in *Rapport sur les camps de regroupement et autres textes sur la guerre d'Algérie* (Paris: Mille et une nuits, 2003), pp. 124-127. Note that Rocard's report was written a year after Papon's departure from Algeria and focused mainly on the Algiers region, although he also visited some camps in the Sétif department in the region of Eastern Algeria.

⁷⁴ Home, *A Savage War of Peace*, p. 166.

⁷⁵ *Ibid.*, p. 166.

Papon judged *quadrillage* to be 'the best guarantee of material security in the countryside'⁷⁶ and valued population resettlement because it deprived the rebels of their logistical support, and thereby allowed the military to secure areas more easily.⁷⁷ By October 1957, when 180,000 people were resettled in Eastern Algeria, he instructed, 'We must pause to manage what we've already done. Compared to the other regions, we are further ahead with this policy. There is no room for comparison, really.'⁷⁸

Yet he also recognised that population resettlement as it was being carried out was unsustainable over the long term, and for this reason he commissioned studies in October 1957 to identify what would be necessary to transform the settlements into permanent *communes*.⁷⁹ Later, Papon acknowledged that enclosing people behind barbed wire was not a solution, even if it was for their protection, and that in some sense it was even a failure because it signalled that the FLN was in control of the terrain.⁸⁰ But failure and success took on different meanings in the Algerian War. 'If one opposed [the resettlements] and then the populations were massacred in the night by the FLN, the military authority would have been within its rights to say, "You see where your policy leads? It leads to a massacre."⁸¹

Centres d'hébergement and Centres de triage et de transit (CTT)

In addition to population resettlement, two forms of camps were part of the army's counterinsurgency arsenal: the *centres d'hébergements*, which were internment camps, and the *centres de triage et de transit* (CTT), which were interrogation centres. The first, the *centres d'hébergement*, had followed the State of Emergency Act of April 1955, which had granted prefects the power to order administrative internment. By April 1958, around 7,200 Algerians suspected of nationalist activity were interned across Algeria; 807 of them were interned in Djorf, the sole camp in Eastern Algeria and thus the only one under Papon's authority.⁸²

Until Papon's arrival in May 1956, the *centres d'hébergement* fell entirely under the responsibility of the civil authorities: prefects ordered the administrative internment, and the local prefectures administered the camps. The Resident Minister's decree of 7 May 1956, however, transferred responsibility for maintaining order from the civil to the military authorities, including the power to order administrative internments, although the civil authorities continued to administer the *centres d'hébergement*. However, this caused confusion between the civil and military authorities, so on 6 July 1956 the Resident Minister returned the power to order

⁷⁶ Papon to the Resident Minister, 'n.559/PR', 30 October 1957, 12CAB/124*, CAOM.

⁷⁷ Papon, 'Réunion des Officiers des Affaires Algériennes des 16 et 17 octobre 1957', 93/4431, CAOM.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ SH-MP Interview 1, p. 47.

⁸¹ *Ibid.*, p. 49.

⁸² Thénault, *Une drôle de justice*, p. 107.

administrative internments to the prefects⁸³, only to change his mind again on 11 April 1957.⁸⁴ From then on, the civil and military authorities worked together to intern Algerian suspects: the army provided the administration with the name of suspects it had arrested so that the administration could issue an internment order which 'legalised' the arrest.⁸⁵ This subverted normal legal procedure, whereby the civil authority would issue an internment order and *then* the police or army would make the arrest.

On 11 April 1957 the Resident Minister ordered the creation of the *centres de triage et de transit* (CTT) in which military personnel would conduct interrogations of Algerian suspects.⁸⁶ Initially, the plan was to have one CTT per military sector or sub-sector. Yet so clandestine were these camps, not even the army knew how many CTT existed; officially it acknowledged 78 by July 1958, though the historian Sylvie Thénault notes that this was the *minimum* number.⁸⁷

Although the army ran the CTT, it was still required to declare suspects to the civil authorities within 24 hours. From there it was allowed a maximum of one month for interrogation, at which point suspects had to be freed or charged. However, this time limit was not strictly enforced; if there was lingering suspicion, but insufficient evidence to bring about a charge, the army was allowed to transfer suspects from the CTT to a *centre d'hébergement* where they came under the responsibility of the civil authorities.⁸⁸ Working in partnership, the civil and military authorities could thus keep suspects interned indefinitely. Yet these suspects were fortunate in one sense – they were kept alive.

Summary executions

In September 1956, IGAME Pierre Wiehn recommended that camps be created to house prisoners captured during combat in order to prevent summary executions, because 'a terrible dilemma troubles the conscience of numerous officers: either to take the least number of prisoners possible, and one knows what that means, or to let them go while running the risk of seeing them rejoin the *fellaga* [rebels].'⁸⁹ Wiehn was not scare-mongering, for in May 1956 IGAME Jean Guillon had warned Resident Minister Lacoste that the army was using the decree of 1 July 1955, which allowed soldiers to open fire on fleeing suspects, as a means to take fewer prisoners.⁹⁰ As Guillon observed, the government had created a legal way to commit summary

⁸³ Cabinet of the Resident Minister, 'Note au sujet de l'aménagement des pouvoirs délégués aux Autorités civiles et militaires, en vertu du décret du 17 mars 1956 relatif aux mesures exceptionnelles tendant au rétablissement de l'ordre, à la protection des personnes et des biens', 6 July 1956, 12CAB/159*, CAOM.

⁸⁴ Thénault, *Une drôle de justice*, p. 100.

⁸⁵ *Ibid.*, p. 100.

⁸⁶ *Ibid.*, pp. 100–101.

⁸⁷ *Ibid.*, pp. 104–105.

⁸⁸ *Ibid.*, p. 126.

⁸⁹ Branche, *La torture et l'armée*, p. 171.

⁹⁰ *Ibid.*, p. 75.

executions, adding that 'this makes the position of the leaders, who are caught between their moral concepts and their military responsibilities, very delicate.'⁹¹

For some, the situation was not so delicate. In a later interview, Somveille acknowledged that he knew about summary executions. 'To be honest with you,' he said, 'I don't care about cutting off someone's genitals if it will save the life of several French soldiers.'⁹² It is possible that the CTT gave soldiers another option – to allow Algerian suspects to live – and this is indeed how the army framed the problem: 'to forbid these [CTT] camps is impossible because if we did this, we would risk inciting the army to eliminate suspects by other means.'⁹³

Yet even with the CTT, summary executions occurred in the course of army operations. A sergeant stationed in Constantine claimed that an intelligence officer told him that summary executions occurred at the rate of one or two per week on average.⁹⁴ This sergeant had himself witnessed the killing by French soldiers of fourteen Algerian civilians, reported in the paper the next day as the 'extermination' of rebels. These were unarmed men who happened to be in the area following an ambush of French soldiers. The soldiers rounded them up, killed them, and set fire to the villages.

There is reason to suspect that the summary executions in Eastern Algeria occurred with Papon's knowledge. Although some of the worst fighting in the Algerian War occurred in this region, it had only one *centre d'hébergement* to house Algerian suspects under civil authority, compared to four in the Oranais and five in the Algérois. As a result, the system for keeping Algerian suspects in permanent detention, by transferring them from the CTT to the *centres d'hébergement*, could not function once Eastern Algeria's sole camp was full, which occurred in September 1957.⁹⁵ There is no evidence to suggest that Papon requested funds to build a second *centre d'hébergement*. Instead, he issued conflicting instructions to his subordinates. On the one hand, he told them to limit the orders for administrative internment to only those cases 'whose gravity seems certain' in order to keep the numbers down; on the other hand, he instructed that they continue to make arrests.⁹⁶ How did he expect the army to make the numbers balance? The army, which had no shortage of funds, solved the equation independently by building another CTT to house the overflow. Yet in view of the concerns of IGAMEs Wiehn and Guillon, as well as the report of the sergeant noted above as to the army's use of summary executions in Constantine, it is possible that soldiers used summary execution to limit the number of internees in Eastern Algeria.

⁹¹ *Ibid.*, p. 75.

⁹² 'Je vous dit les yeux dans les yeux. Ça m'est égal de couper les trois pièces si ça va sauver la vie de plusieurs militaires français.' Pierre Somveille, interview with the author, 3 February 2005, Marseille, France.

⁹³ Branche, *La torture et l'armée*, p. 187; Thénault, *Une Drôle de justice*, p. 104.

⁹⁴ Lettre au directeur du Monde d'un maréchal des logis, 9 October 1956, BM 137, AHC-CHSP.

⁹⁵ Branche, *La torture et l'armée*, p. 190.

⁹⁶ *Ibid.*, pp. 190-191.

Torture

Algerian suspects who were interned in the CTT faced the possibility of torture by the *détachements opérationnels de protection* (DOP), military intelligence personnel, although they were by no means the only forces to use it.⁹⁷ As early as 1955, a report by Roger Wuillaume, an IGAME, and two reports by Jean Mairey, the Director of National Security, confirmed that torture was commonplace among the French police and army in Algeria and that it was rarely punished.⁹⁸ Wuillaume informed the government that torture was a 'long-established' police practice in Constantine, used even in 'normal times'. As such, he recommended that torture be 'recognised and covered by the authorities', and that the officers involved should receive praise and even decorations in order to restore their confidence.⁹⁹ To forbid 'any methods of interrogation other than those which are strictly legal,' he argued, would 'plunge the police into a state of disorder and paralysis'¹⁰⁰; in other words, he judged the police incapable of countering the nationalist threat *without* the use of torture. Furthermore, the public would be hypocritical, Wuillaume wrote, to refrain from praise when they reaped the benefits of the use of torture without acknowledging the cost.¹⁰¹

Yet the "benefits" of torture were questionable. Aside from the unreliability of evidence obtained through torture, the violence it involved seeped into other areas of the French response to nationalist terrorism, poisoning relations with the Algerian community and eventually leading to the torture of Frenchmen and a moral crisis within the army itself.¹⁰² In his report of 13 December 1955 to Edgar Faure, the Prime Minister, Mairey wrote that he feared Algeria was developing into a state of 'anarchy' due to the excess of abuses by the police and army: 'No one can remain ignorant of the fact that these methods are generally employed. Our colleagues make no secret of it.'¹⁰³

As the reports of Wuillaume and Mairey show, the police in Algeria had been using torture for years; during the Algerian War, the professional army simply extended the practice. Officers, particularly Indochina veterans, taught soldiers to conduct interrogations using the same techniques that the French army had used in that earlier conflict.¹⁰⁴ As the historian Raphaëlle Branche has observed, documents from this period do not use the word "torture"; instead there

⁹⁷ Thénault, *Une drôle de justice*, 102.

⁹⁸ IGAME Roger Wuillaume, 'rapport Wuillaume', 2 March 1955, in Pierre Vidal-Naquet, *Torture: Cancer of Democracy* (Middlesex: Penguin, 1963), pp. 169-178; Jean Mairey, Director of National Security, 20 March 1955 and *Rapport Rétatif au Fonctionnement des Forces de Police en Algérie* 13 December 1955 in Vidal-Naquet, *Torture: Cancer of Democracy*, pp. 36-37.

⁹⁹ Vidal-Naquet, *Torture: Cancer of Democracy*, pp. 175, 177-179.

¹⁰⁰ *Ibid.*, p. 177.

¹⁰¹ *Ibid.*, p. 177.

¹⁰² For example, Henri Alleg and Maurice Audin. See Henri Alleg, *La question* (Paris: Éditions de Minuit, 1961) and Pierre Vidal-Naquet, *L'affaire Audin, 1957-1978*, (Paris: Éditions de Minuit, 1989).

¹⁰³ Mairey's report is published in Vidal-Naquet, *Torture: Cancer of Democracy*, p. 37.

¹⁰⁴ Branche, *La torture et l'armée*, p. 319.

are descriptions of interrogations that were 'forceful, tight, or under constraint.'¹⁰⁵ The verb "to interrogate" became synonymous with "to torture"¹⁰⁶, to do a "*corvée de bois*" (a chore in the woods) meant to commit a summary execution.¹⁰⁷ Although Branche notes that not every member of the army tortured, and records the known incidents in which soldiers refused to torture, she demonstrates that the army's use of torture in Algeria was institutional.¹⁰⁸

It is inconceivable that Papon was unaware of the army's use of torture during his assignment as IGAME, as Branche establishes that by the end of 1956, the majority of complaints of torture came from Eastern Algeria.¹⁰⁹ Furthermore, there was an explosion of protests throughout 1957 from high profile figures such as General Pâris de Bollardière, whose letter of refusal to obey orders to torture was published in *L'Express* magazine in March; Paul Teitgen, who resigned from the *corps préfectoral* in September; and General Billotte, who refused to carry out torture, as reported in *Le Monde* in October.¹¹⁰ There were protests from ordinary troops as well. In February, *Témoignage Chrétien* published the Muller Dossier, compiled by reservists, which denounced the practice of torture; the Catholic *Comité de Résistance Spirituelle* did the same with *Des Rappelés Temoignent (Reservists Testify)*, and several books were published. At the end of 1957, the historian Pierre Vidal-Naquet, literature professor Michel Crouzet, doctor Luc Montagné and biologist Jacques Panijel formed the Audin Committee to establish the truth behind the disappearance of Maurice Audin, a mathematics teacher at the University of Algiers and Communist who was arrested, tortured and summarily executed by the army.

Moreover, directives that Papon issued in September and November 1956 show that he was aware of abuses, disapproved, and tried to stop them. In these directives, Papon urged the army in Eastern Algeria to 'be human', to maintain courteous relations with the Algerians, and to be firm but fair.¹¹¹ Recalling Branche's observation that torture was described in euphemism, Papon's instructions require reading between the lines:

I have been made aware that certain unilateral decisions have been taken (sometimes indicating elements foreign to the army.) I insist that the responsible authorities stop such actions. Arbitrary acts, committed unthinkingly, destroy in one fell swoop a favourable climate that has been long in the making. We must never lose sight that all action, of whatever sort, must try to prepare a better future, first a real and solid Franco-Muslim co-operation, then the consolidation of the presence of France in this country with the collaboration of these populations without whose consent nothing lasting can be done or undertaken.

¹⁰⁵ *Ibid.*, 60.

¹⁰⁶ *Ibid.*, p. 61.

¹⁰⁷ *Ibid.*, p. 73.

¹⁰⁸ Branche, *La torture et l'armée*, p. 29.

¹⁰⁹ *Ibid.*, p. 62.

¹¹⁰ Maran, *Torture: The Role of Ideology in the French-Algerian War*, p. 119.

¹¹¹ Papon, 'Directive Concernant L'Action Politique, n.4510', 4 September 1956, MPPP. Papon reissued these orders because he felt they were 'clearly not being understood' in Papon, 'Directive Concernant l'Action Psychologique n. 5357', 5 November 1956, MPPP.

More concretely, he ordered that there be

no more of this useless bullying, abusive familiarity, absurd and definitive general appreciations that have pushed more than one undecided [Algerian] on the path to revolt. I remind those who would ignore these warnings of the severe sanctions that have already been taken against the representatives of order who have forgotten the sense of their mission. I must say it again; the fight against the rebellion has no sense if it contributes to the rebellion itself....The great work that I have the honour to coordinate at the level of the Region of Eastern Algeria has for its goal to bring peace to this country and the peace will have no sense if the Muslim population does not adhere to it entirely. The Muslims must thus be made to understand that the necessary severity of the fighting is never inspired by summary judgments or arbitrary classifications. I shall attach the highest value to the strict application of the orders in this note.¹¹²

Although he does not once employ the word “torture”, Papon’s references to ‘elements foreign to the army’, ‘arbitrary acts’ which he ordered to be stopped ‘at once’, and ‘bullying’ are clear enough. That he had to issue these instructions twice in three months suggests that he knew his orders were not heeded. General Henri Lorillot, the Commander-in-Chief in Algeria until December 1956, faced the same problem. From October 1955 to December 1956, Lorillot issued repeated instructions which emphasised legality, respect for French rules of humanity, and respect towards the rebels and the population. Even Lorillot’s language is similar to Papon’s: “arbitrary violences” for Papon’s “arbitrary actions”.¹¹³ That each order referred to previous instructions shows that Lorillot knew he was not being obeyed. If the Commander-in-Chief in Algeria could not make the army obey, what chance was there for Papon?

It seems that no one in the army, the *corps préfectoral* or the government took seriously the threat of punishment for torturing. Papon later claimed that he had removed ‘one or two officers’ for abuses, but further questioning revealed that this removal simply meant that they were sent to Algiers, after which Papon did not know what they did with them – ‘perhaps they put them in the Oran region.’¹¹⁴ Similarly, Resident Minister Lacoste claimed that he had punished 480 officers for brutalisation, but Teitgen countered that the careers of those punished were not harmed seriously.¹¹⁵ This was consistent with the recommendation of Champeix, Secretary of State for Algerian Affairs, who suggested that units known for brutalities be gradually transferred to the countryside.¹¹⁶

¹¹² Papon, ‘Directive Concernant l’Action Psychologique’, n. 5357, 5 November 1956, MPPP. Refers to Papon, ‘Directive concernant l’action politique’, 4 September 1956, MPPP.

¹¹³ Branche, *La torture et l’armée*, p. 83.

¹¹⁴ SH-MP Interview 2, p. 31.

¹¹⁵ Home, *A Savage War of Peace*, p. 204.

¹¹⁶ Branche, *La torture et l’armée*, p. 154.

The State rarely sanctioned any member of the military for the abuses it knew were committed against Algerians, who were, after all, French citizens. Instead, Prime Minister Mollet suppressed complaints of torture¹¹⁷ and Resident Minister Lacoste attacked 'the so-called intellectuals...who have attempted to launch an operation of conscience against France.'¹¹⁸ Soldiers such as Paul Aussaresses, who tortured and committed summary executions, later claimed that the State's decision not to punish torture was an endorsement of the practice, and that by asking the army to re-establish order at any cost, the State "admitted implicitly the principle of summary executions."¹¹⁹ Teitgen agreed, arguing in 1957 that the absence of sanctions made the army's torture methods official.¹²⁰ Certainly, the army protected soldiers who tortured and murdered Algerians, and erected the 'wall of silence' that IGAME Jean Guillon had encountered when he investigated such crimes in Eastern Algeria in September 1956.¹²¹

The State's reluctance to punish members of the army for torture or summary execution placed Papon in a difficult position: how could he maintain his authority as the State's senior official in Eastern Algeria when he disapproved of what the State was allowing the army to do in his jurisdiction? He was forced to decide when he discovered the existence of the Améziane camp, the first *centre de renseignement et d'action* (military and police operations centres, or CRA) in Algeria, located outside of Constantine.¹²² Historians House, MacMaster and Rémy Valat contend that Papon created the CRA during his role as IGAME¹²³, but Branche establishes that the Améziane camp began operating in July 1956 under the direction of the army, that its various activities were clearly delineated in a document written by an army colonel, and that it remained under military command for the whole of its existence as per the decree of 7 May 1956 under which the army, not Papon, held police powers in the Constantinois.¹²⁴ Moreover, Branche points out that the army extended the CRA at the end of 1958, *after* Papon had left Algeria.¹²⁵

After one of his sub-prefects alerted him to the Améziane camp's existence, Papon decided that the civil authorities would avoid the Améziane camp entirely. The sub-prefect who informed him, Mehdi Belhaddad, later explained that if he and Papon had gone to the camp, and the torture had then continued, the activity would have been 'covered' by their presence.¹²⁶ By steering clear of the camp, the civil authorities at least kept their hands clean. In a later interview, Papon, confirmed that he had not visited the Améziane camp, although he indicated that this was

¹¹⁷ Vidal-Naquet, *Torture: Cancer of Democracy*, p. 73.

¹¹⁸ Maran, *Torture: The Role of Ideology in the French-Algerian War*, p. 152.

¹¹⁹ Aussaresses, *Services Spéciaux*, p. 151.

¹²⁰ Vidal-Naquet, *La raison d'État*, p. 201.

¹²¹ *Ibid.*, p. 101.

¹²² Branche, *La torture et l'armée*, p. 268, note 3; Yves Courrière, *L'heure des colonels* (Paris: Librairie Arême Fayard, 1970), p. 304. Jean-Luc Einaudi gathered testimony of those who were tortured at the centre in his book *La Ferme Améziane* (Paris: L'Harmattan, 1991).

¹²³ House and MacMaster, *Paris 1961*, pp. 57, 70.

¹²⁴ *Ibid.*, pp. 268-269.

¹²⁵ Branche, *La torture et l'armée*, p. 268, n. 2.

¹²⁶ Courrière, *L'heure des colonels*, p. 304.

more from a desire not to interrupt the existing harmonious relations between the civil and military authority in Eastern Algeria:

They say that in this farm, the army conducted interrogations that were a little brutal...and that...it is true that the army huddled up in that famous farm in Améziane and would not let anyone enter. Me, I never had the desire to go there because, throughout the Constantinois, the military, in general, had been rather disciplined and collaborating with the civil authority. Thus it was a sort of little island there, very inspired by the services of psychological action in Algiers.¹²⁷

It appears that Papon was willing to tolerate a certain degree of loss of control in order to preserve a good working relationship with his military counterparts. But his reaction may have also been influenced by a realistic understanding of the limits of his power: although he was the most senior official in Eastern Algeria, his authority would have been compromised if he had given orders that the army refused to obey, as had already occurred when his two directives for the army to stop abusing Algerians went unheeded. By choosing not to go to the Améziane camp, and by turning a blind eye to the brutalities, Papon was able to maintain at least the *appearance* of being in control.

Would it have been effective Papon had protested against the army's activities in the Améziane camp? He was, after all, one of the most high-ranking functionaries in Algeria. Three examples suggest otherwise. First, the experience of Teitgen – who, as secretary-general of Algiers prefecture, ranked lower than Papon – showed that an individual act of protest from a member of the *corps préfectoral* did not stop the abuses. Second, René Gille, a police commissioner in the Algiers region, also tried to halt the army's use of torture; he, too, failed. In his memoirs, General Massu recounts Gille's visit to Lieutenant-Colonel Jeanpierre at the Susini interrogation centre in Algiers.¹²⁸ Both men had been deported to German camps during the Second World War, and Gille appealed to this shared experience by bringing Jeanpierre a large photo album containing pictures of the atrocities committed in the German camps and asking him to ensure that the parachute units would act 'without violating homes or without force on individual suspects.'¹²⁹ According to Massu, Jeanpierre 'did not let himself get swayed' because he believed that the situations were different, that the Germans had been exterminating the enemy population whereas the French were fighting terrorism. Third, General Pâris de Bollardière was actually *punished* for his open letter of protest to *L'Express* magazine and sentenced to two months in a French military prison, the most severe penalty inflicted on any officer under the

¹²⁷ SH-MP Interview 2, p. 28.

¹²⁸ Jacques Massu, *La vraie bataille d'Alger* (Paris: Plon, 1971), pp. 152–153.

¹²⁹ *Ibid.*, pp. 152–153.

Fourth Republic for deeds related to the Algerian War and equal to the punishment of General Jacques Faure, who tried to overthrow the government in December 1956.¹³⁰

Still, Papon was well-connected within the *corps préfectoral*: he counted Bourgès-Maunoury, who served as prime minister from 13 June to 6 November 1957, as a personal friend and mentor. But Jean Reliquet, the general prosecutor of Algiers, General Massu, and General Allard, Massu's superior, all cited Bourgès-Maunoury as one of the three ministers who encouraged the abuses.¹³¹ According to Massu, Resident Minister Lacoste and Max Lejeune, Secretary of State for the Army, also supported the army's tactics.¹³² To whom, then, could Papon have protested with any effect?

The reality was that the civil authorities were in a weak position in relation to the army, and constrained by their duty to obey the State, which supported the army's counterinsurgency tactics. Administrators shared the desire of both the government and the army to defeat the nationalists, and did their part by ordering administrative internments, running the *centres d'hébergements* and generally looking the other way when it came to the more violent aspects of counterinsurgency. Papon shared responsibility for these activities, for in spite of his two directives forbidding his subordinates to commit abuses, he was unwilling to inspect the places where he knew they were committed or to attempt to enforce genuine sanctions. He chose not to take a principled stand and resign, as a handful of other functionaries and soldiers did. This is striking, for Papon proved willing to challenge the army and even jeopardise his career over other issues.

Exercises in autonomy

Papon champions of the sole Algerian sub-prefect in Algeria

In January 1957, Papon appointed Mehdi Belhaddad, an Algerian, to his cabinet, making him the only Algerian sub-prefect to serve in the territory at that date.¹³³ From a French perspective, Belhaddad was the ideal Algerian: a fluent French speaker, a Second World War veteran who had lost an arm at the battle of Cassino, and a *caïd*, a local Arab official, who thus enjoyed influence within the Algerian community. Papon had noted Belhaddad's qualities as early as 1950 when he spoke at the ceremony in which Belhaddad was awarded the *Légion d'Honneur*, noting that Belhaddad 'spoke with a language of firmness and had a courage that should be an example for all the heads of the important [Algerian] families.'¹³⁴ Papon's admiration for Belhaddad was

¹³⁰ Maran, *Torture: The Role of Ideology in the French-Algerian War*, pp. 91 and 117.

¹³¹ Vidal-Naquet, *La raison d'État*, pp. 270-275; Massu, *La vraie bataille d'Alger*, pp. 152-153.

¹³² Branche cites Massu's interview in *Le Monde* of 22 June 2000, in which Massu confirmed having the support of Robert Lacoste, Maurice Bourgès-Maunoury and Max Lejeune in Branche, *La torture et l'armée*, p. 219.

¹³³ Courrière, *L'heure des colonels*, p. 303. According to Courrière, Belhaddad was appointed in March 1957, but Papon requested that he join his cabinet in January 1957.

¹³⁴ Papon, monthly report to the Governor-General, April 1950, 9CAB/77, CAOM.

further evident in the telegram he sent to the Resident Minister in which he proposed him as sub-prefect: 'Monsieur Belhaddad has a double culture [French and Algerian] expressed with precision, nuance, elegance. Succeeds in contact with men. Has energy and authority.'¹³⁵

Aside from favourable personal qualities, there were further advantages to hiring Belhaddad. Papon could show that he was leading by example in the implementation of the Special Powers Act, which aimed to increase the participation of Algerians in the public sector. This would play well in Eastern Algeria, with its Algerian majority, and reflect well on Papon and the Resident Minister. Lacoste accepted Papon's recommendation and in March 1957 Belhaddad entered Papon's cabinet with responsibility for maintaining relations with the region's Algerian population.

Belhaddad later recalled that Papon ensured that he attended all the secret joint meetings of the civil and military authorities and always consulted him before the closure of these meetings¹³⁶, whereas the military authorities took the opposite attitude, limiting their contact while at the same time citing him as an example of their liberalism. In an interview with the journalist Yves Courrière, Belhaddad claimed that the army's attitude towards him was: 'You can see very well that we have a Muslim with us...you see how we are liberal...the proof: Monsieur Belhaddad was born in Chiz, he is a Muslim. And a sub-prefect!'¹³⁷

For some in the army, Belhaddad's presence in Papon's cabinet was a step too far. Papon recalled that the officers of the High Command in Algiers, specifically those who ran the psychological action service, were scornful of his decision to appoint Belhaddad.¹³⁸ Subsequent events support his claim: in August 1958, some of the military authorities refused to accept Belhaddad's appointment to the sub-prefecture of Aïn-Beïda. Papon, who was serving as prefect of Paris police in August 1958, had already spoken to Charles de Gaulle, the prime minister, of the army's attitude towards Belhaddad. Through his son-in-law, Colonel Alain de Boissieu, de Gaulle let Belhaddad know that he was following his career. Thus when the army tried to block Belhaddad's appointment to the post in Aïn-Beïda, the civil authorities intervened, and Belhaddad took up his role with the support of de Gaulle himself.¹³⁹ It would not have happened without the influence of de Gaulle, but de Gaulle would not have known to help Belhaddad if it had not been for Papon.

Papon clashes with the Commander-in-Chief of the Army in Algeria

Although Papon enjoyed harmonious relations with the military command in Eastern Algeria, he clashed with Raoul Salan, the Commander-in-Chief of the army in Algeria from December 1956

¹³⁵ Papon, 'Telegram to the Resident Minister, 11 January 1957, 12CAB/124*', CAOM.

¹³⁶ Courrière, *L'heure des colonels*, p. 304.

¹³⁷ *Ibid.*, p. 304.

¹³⁸ SH-MP Interview 1, p. 13; SH-MP Interview 2, p. 3.

¹³⁹ Courrière, *L'heure des colonels*, p. 304.

to December 1958.¹⁴⁰ 'I had incidents with Salan,' Papon recalled.¹⁴¹ This began, he claimed in his unpublished memoirs, in 1957, when Salan tried to prevent Papon, Somveille, his deputy, and Pierre Maisonneuve, a prefect who worked for the Resident Minister, from attending a meeting with the Resident Minister and the military authorities. After being turned away, Papon claimed that he 'reacted immediately with such moral and physical vigour that I forced the door and Maisonneuve was able to follow me. As for Somveille, he had already entered by the window.'¹⁴²

After the events of May 1958, when Salan helped bring down the Fourth Republic and install de Gaulle as head of the Fifth Republic, Papon outlined his further conflicts with Salan in a document entitled '*Rapport sur le Haut Commandement en Algérie*' (Report on the High Command in Algeria). This document, which catalogues six of Papon's requests to the High Command from July 1956 to February 1958¹⁴³, shows how Papon came to confront the most powerful military authority in Algeria.

At issue was the traditional problem of the Constantinois region: neglect. As early as July 1956, five months before Salan became Commander-in-Chief, Papon had asked for troops to be reallocated from the Oranais and Algérois regions, which were 'relatively calm and healthy compared to the Constantinois, which was the veritable rebel zone'.¹⁴⁴ In January 1957, after Salan had been in post for one month and the Battle of Algiers had begun, Papon signalled that the rebellion was strengthening in Eastern Algeria due to support from Tunisia, and in May he reported an increase in the rebels' weapons, organisation, recruitment and actions.¹⁴⁵ Despite these warnings, the High Command decreased the number of troops in Eastern Algeria. As it was fighting the Battle of Algiers from January to September, it made sense that the army had moved the troops to the Algérois region. Nevertheless, Papon's frustration was evident in his report of October 1957, a month after Algiers was pacified, when he requested more troops to defeat the rebellion and safeguard a new oil pipeline.¹⁴⁶ Again the High Command denied his request.

By December 1957, Papon was beyond frustration: he now directly questioned the strategy of the High Command.¹⁴⁷ Why, he asked, when the Constantinois region had twice the number of rebels than the Algérois and Oranais regions combined, as well as the 2,000 'outlaws' who infiltrated the border from Tunisia, did it have fewer troops than the Algérois region? The

¹⁴⁰ SH-MP Interview 2, p. 7.

¹⁴¹ SH-MP Interview 1, p. 29.

¹⁴² Papon, *La mort dans l'âme*, chapter 3, p. 17.

¹⁴³ Papon, 'Rapport sur le Haut Commandement en Algérie', undated but the author has determined it to date after 13 May 1958. because it refers to 'the events of 13 May', MPPP. This report refers to and at times cites in full four of reports which are in French archives: Papon to the Resident Minister, report n. 377, 'Maintien de l'ordre et pacification dans l'Est Algérien', 16 July 1956, AGM 87, dossier 32, OURS; 'Rapport mensuel mai 1957', 93/1171*, CAOM; Papon to the Resident Minister, 30 October 1957, 12CAB/124*, CAOM; Papon to the Resident Minister, Rapport sur l'évolution de la situation dans l'Est Algérien, 3 February 1958, 93/4431, CAOM.

¹⁴⁴ Papon, 'Report n. 377 of 16 July 1956' cited in 'Rapport sur le Haut Commandement en Algérie'.

¹⁴⁵ Papon, 'Report n. 373 of 3 January 1957' and 'Report of 31 May 1957' cited in 'Rapport sur le Haut Commandement en Algérie'.

¹⁴⁶ Papon, 'Report n. 559 of 30 October 1957' cited in 'Rapport sur le Haut Commandement en Algérie'.

¹⁴⁷ Papon, 'Report of 17 December 1957, cited in 'Rapport sur le Haut Commandement en Algérie'.

distribution of troops, he argued, 'did not take into account the reality of the situation nor the tasks of each operational command, especially since the threat to Algiers had been removed.' He then outlined a series of priorities which 'contrast[ed] with those of the High Command'. Papon's tone was strident: 'I cannot accept the diminution of troops...which will lead to the abandoning of 66 farms, which will burn in the following days and sound the death knell of the French presence in the Constantinois countryside.' The rebellion was born in the Constantinois, he argued, and it was there that it must be defeated. 'As the representative of the Government in Eastern Algeria, I am asking for reinforcements, of a permanent nature for the protection of the pipeline, and of a temporary nature to combat the increase in rebel troops.'

In '*Rapport sur le Haut Commandement en Algérie*', Papon commented that although the Resident Minister had sent his report to the Minister of National Defense, the High Command still refused to take up any of his recommendations. Only after Papon's report of February 1958 did the Resident Minister intervene, for it was impossible to ignore that Papon was now openly questioning Salan's competence. Had he been a member of the army, this would have been insubordination, for in his report Papon claimed that Salan and General Allard, who commanded the Algiers region, were the reason why the military command in Eastern Algeria were under 'worrying and sometimes anxious pressure', because they refused to redeploy troops from Algiers.¹⁴⁸

In his memoirs, Salan gave a different account, claiming that he sent troops to Eastern Algeria at the conclusion of the Battle of Algiers:

The intelligence I was given preoccupied me even more because the [FLN] attempts to cross the [Algerian] border were increasingly numerous. I decided to reinforce the barrier and gave General Loth [who succeeded General Noiret as Commander of Eastern Algeria] supplementary means including two para regiments which had become free since the Battle of Algiers.¹⁴⁹

However, Papon's '*Rapport sur le Haut Commandement en Algérie*' shows that Salan only sent the troops after a showdown with Papon at two meetings in early 1958 presided over by Lacoste and attended by the IGAMEs, prefects and their military equivalents.¹⁵⁰ According to Papon, Salan denied the statistics provided by his subordinates, which indicated the deteriorating security situation in Eastern Algeria, and accused the prefect of Bône, whose *département* bordered Tunisia, of pessimism, despite the general consensus that this was the worst area of fighting. After the first meeting, the Resident Minister verified the statistics and came out in

¹⁴⁸ Papon, '*Rapport sur le Haut Commandement en Algérie*'.

¹⁴⁹ Raoul Salan, *Mémoires: fin d'un empire, "Algérie française" 1er novembre 1954–6 juin 1958* (Paris: Presses de la Cité, 1972), p. 241.

¹⁵⁰ Conference of the Prefects of Algeria, led by Robert Lacoste and attended by General Salan, Algiers, 3 January 1958 and 5 February 1958, in Papon, '*Rapport sur le Haut Commandement en Algérie*'.

support of the prefect of Bône, 'leaving Salan confounded.' During the second meeting, the group discussed Papon's reports of 17 December 1957 and 3 February 1958, which 'received publicly the same categorical denial' from Salan. Papon later recalled that Salan asserted, 'We are in the last throes [*nous vivons le dernier quart d'heure*]' and that Lacoste echoed the refrain.¹⁵¹

'I could not allow that to be said,' he later explained, 'because I lived in the countryside. I knew that every night the telegraph posts and the railroads were being blown up.'¹⁵² In his unpublished memoirs, Papon claimed that he invited the assembled civil and military authorities to tour the Constantinois so that they could note the number of engagements between the army and the nationalists, count each morning the number of telephone lines cut during the night, and record the number of schools that had been burnt down.¹⁵³ There fell, Papon recalled, 'a leaden silence in this tense and smoky room that Lacoste himself did not know how to break'.¹⁵⁴ The conflict was out in the open. To resolve it, Lacoste invited Papon and Salan to a meeting later that day.

According to his '*Rapport sur le Haut Commandement en Algérie*', Papon met with Salan, Lacoste, and Pierre Maisonneuve, now Lacoste's cabinet director, and that the meeting resulted in a decision to deploy more units to the Algeria-Tunisia border. However, in a later interview and in his unpublished memoirs, Papon gives a rather different account of what happened. In the interview, he claimed that when he arrived for the meeting, he found Salan waiting outside Lacoste's office. The two men began talking when Papon observed that

MP: [Salan] was out of it...he was completely not with it, completely absent. He had drugged himself.

SH: Drugged himself. Why?

MP: Drugged himself. With opium. He came from Indochina.

SH: Ah, yes, I see.

MP: And so, he kept responding to me with 'yes'. So. I got up, [and] I said, 'Good-bye, *mon Général*.'¹⁵⁵

Similarly, in his unpublished memoirs, Papon recorded that he found Salan waiting and they began speaking, only for Papon to notice that

It was not the same Salan. Where that morning he had been determined and aggressive, that evening I discovered a man open and compliant in conversation. Looking elsewhere, he

¹⁵¹ SH-MP Interview 1, p. 29; Papon, *La mort dans l'âme*, chapter 3, p. 17.

¹⁵² SH-MP Interview 1, p. 29.

¹⁵³ Papon, *La mort dans l'âme*, chapter 3, p. 17.

¹⁵⁴ *Ibid.*, p. 17.

¹⁵⁵ SH-MP Interview 1, p. 29.

told me that I was right. He was, it appeared, absent from the time and place in which we found ourselves. Those who knew him confided in me that this happened sometimes.¹⁵⁶

Papon's various accounts are problematic: did the meeting with Lacoste and Maisonneuve take place or not? According to the contemporary source, yes. Was Papon simply confused in his later years, or was there any foundation to his claim that the Commander-in-Chief of the army in Algeria attended a meeting on the subject of troop deployment while high on opium? Could his story have been a deliberate smear against Salan who, after all, protested in March 1958 against Lacoste's decision to award Papon the *Croix de la Valeur Militaire avec palme*?¹⁵⁷ Was Papon a reliable source on Salan?

For years Salan was dogged by rumours of opium use. In 1962, *Time* magazine ran a cover story on Salan which reported, 'in the solitude of his post [in Indochina], Salan...is said to have experimented with opium.'¹⁵⁸ Although Salan dismissed these rumours, the historian Alistair Horne, who interviewed him, observed that there were opium pipes in his Paris apartment.¹⁵⁹ They could have been decoration – Horne also noted that Salan included gilded buddhas, carved elephant tusks, and Far Eastern artefacts in his *décor* – but Salan had a history of erratic behaviour which suggests the possibility of drug use. In May 1958, he ordered all of the prefects in Algeria to be locked up while the army held the government hostage, demanding that it bring de Gaulle to power or face the invasion of France. After de Gaulle was installed as leader of the Fifth Republic, Salan was charged with two breaches of army discipline. He fled to Madrid, where, according to his adjutant, he spent his nights at a nightclub and his days plotting an invasion of France.¹⁶⁰ In 1961, he journeyed to Algiers, where he planned to launch a *coup d'état* with three other generals. After the coup failed and he was condemned to death *in absentia*, Salan joined the *Organisation de l'Armée Secrète* (the Organisation of the Secret Army), the group of disaffected army personnel and far-right European settlers who exploded bombs in France and Algeria, murdered people and repeatedly tried to assassinate de Gaulle, all in the name of French Algeria.

Furthermore, Salan's contemporaries found him odd. Jacques Lenoir, one of the prefects Salan had locked up in May 1958 and who later befriended him, recalled, '[Salan's] attitude was worrying. His conduct was worrying. He needed to be held in check.'¹⁶¹ Robert Lacoste remembered, '[Salan] was a difficult man, secret, one did not know which way to take him. He was not easy....he came to see me, surrounded by soldiers, went before me and said in a loud voice, "After all, it's us who are the masters here!" That I remember! In front of everyone, so that

¹⁵⁶ Papon, *La mort dans l'âme*, chapter 3, p. 18.

¹⁵⁷ Maurice Papon, *Les chevaux du pouvoir* (Paris: Plon, 1988), p. 22.

¹⁵⁸ Unnamed author, 'The Not So Secret Army', *Time Magazine*, 26 January 1962.

¹⁵⁹ Horne, *A Savage War of Peace*, pp. 179, 553.

¹⁶⁰ *Ibid.*, pp. 439, 453.

¹⁶¹ Jacques Lenoir, interview with Odile Rudelle, p. 117.

everyone could hear.¹⁶² Papon, for his part, claimed that he warned de Gaulle against Salan prior to the attempted *coup d'état* of 1961¹⁶³ and that he declined the post of Minister of Algeria in May 1958 because it meant having to work with Salan.¹⁶⁴ Even de Gaulle felt that 'there was something slippery and inscrutable in the character of this capable, clever and in some respects beguiling figure.'¹⁶⁵

Of course, opium pipes as home *décor*, odd behaviour and a slippery character do not prove that Salan was using opium in 1958, but they do suggest the possibility. Papon's account, if ever substantiated, could shed new light on one of the most enigmatic figures involved in the collapse of the Fourth Republic and the return of de Gaulle, the attempted *coup d'état* of April 1961 and the *Organisation de l'Armée Secrète*.

Papon interns a fellow civil servant

In July 1957, Papon invoked the Special Powers Act, which stipulated that prefects could order the administrative internment of any functionary whose 'activity showed itself to be dangerous for security or public order'¹⁶⁶, to intern the financial controller of Constantine. In his published memoirs, Papon recounts the incident with a tone of amusement, stating that the army urgently required a road through the forest of El Milia, in the operational zone, because patrol units were getting stuck on the steep and woody paths. To start the works, Papon needed the approval of Sassy Seltan, the acting financial controller of Constantine. However, Seltan's superior, Max Lamouche, the financial controller of Algeria, refused Papon's request. In response, Papon had Seltan flown by helicopter to El Milia and interned, supposedly so that he could 'appreciate in person the imperatives of combat.'¹⁶⁷

Max Lamouche protested immediately, and told the Minister of Finance that before his detention, Seltan had telephoned Lamouche to say that he had just left a 'stormy' meeting in which Papon had criticised the attitude of the Financial Control department, saying it was 'too rigorous and incompatible with the exigencies of the moment' and that 'there would be no question of administrative formalities slowing down the execution of works required by the military.' According to Seltan, Papon also demanded that the funding request be approved within two days, and threatened that if this did not happen, he would use the Special Powers to 'hit' Lamouche through Seltan.¹⁶⁸ Papon was as good as his word: two days later, when the funding request had still not been approved, he interned Seltan. In response, Lemouche demanded that

¹⁶² Robert Lacoste and Jean Vaujour, interview with Odile Rudelle, p. 75.

¹⁶³ SH-MP Interview 1, p. 29.

¹⁶⁴ Papon, *Les chevaux du pouvoir*, p. 30.

¹⁶⁵ De Gaulle's memoirs are cited in Home, *A Savage War of Peace*, p.180.

¹⁶⁶ Article 13 of the Special Powers Act.

¹⁶⁷ Papon, *Les chevaux du pouvoir*, p. 26.

¹⁶⁸ Max Lamouche, *Paralyse du Contrôle Financier de la Région de Constantine*, 23 July 1957, Dossier 19950277*, article 41, Maurice Papon, File 2: Professionnel, CAC.

Papon be sacked.¹⁶⁹ Papon countered that he had, after all, acted legally by invoking the Special Powers Act to intern Seltan, after having judged that Seltan was compromising military security and government policy by refusing to grant the money to complete the road works.¹⁷⁰

In his published and unpublished memoirs, Papon claims to have been saved from being sacked by Bourgès-Maunoury, the Prime Minister, Lacoste, the Resident Minister, and André Morice, the Minister of National Defence and Armed Forces.¹⁷¹ Certainly, his *curriculum vitae* shows that the incident did not hurt him; on the contrary, eight months later he was appointed prefect of Paris police, one of the two most senior positions in the *corps préfectoral*.¹⁷² According to Papon, Félix Gaillard, the prime minister in March 1958, told him, 'When the Minister of the Interior [Bourgès-Maunoury] proposed your name to me for the Prefecture of Police, I thought: this is the man that we need in Paris...Good luck!'¹⁷³

Conclusion

Papon's appointment of an Algerian sub-prefect, open conflict with Raoul Salan, and internment of a functionary who defied his wishes show that, despite the very real constraints of the civil-military dynamic in Eastern Algeria, he retained sufficient authority to act when he felt it could make a difference. They also reveal some emerging features of his leadership style: independence, confidence in his own judgement, and a willingness to use unorthodox methods and even risk his job when he felt the end was justified.

These actions and qualities highlight the instances when Papon chose not to act, or to act but then fall silent, but they must not be divorced from their context. Papon was a civil servant of a State that had signalled a clear commitment to fight an enemy that used brutal methods to kill and wound Algerians and European settlers alike. As a result, he supported the army's counterinsurgency tactics of *quadrillage*, population resettlement and internment camps, even though the people whom the army displaced and interned, and whose houses it burned down, were French citizens. Only the abuses propelled him to act in the form of two directives, but he took no action to enforce his orders and soon fell silent on the issue. It is likely that his limited response, his eventual silence, and his decision not to visit the Améziane camp where army interrogators tortured Algerian suspects, were the result of a pragmatic acceptance of what he could realistically accomplish. Papon could not have failed to note that Henri Lorillot, the Commander-in-Chief in Algeria until December 1956, could not make himself obeyed on the subject of abuses, and that his successor, Raoul Salan, and his fellow Indochina veterans

¹⁶⁹ *Ibid.*

¹⁷⁰ Papon, telegram to the prime minister and his cabinet, undated, Dossier: 19950277*, article 41: Maurice Papon, File 2: Professionnel, CAC.

¹⁷¹ Papon, *Les chevaux du pouvoir*, p. 27; Papon, *La mort dans l'âme*, chapter 3, p. 19.

¹⁷² The other was the Prefect of the Seine *département* (Paris and its environs).

¹⁷³ Papon, *Les chevaux du pouvoir*, p. 27.

advocated torture and tolerated summary executions. This, along with the various government ministers who supported these counterinsurgency tactics, made protest seem futile.

It is possible that if enough functionaries had protested against the abuses, as Paul Teitgen did, they could have pressured the government into halting them. Instead, those who knew of the abuses either dutifully catalogued them, as IGAMEs Pierre Wiehn, Jean Guillon and Roger Wullaume did; placed the responsibility for interning Algerians on their subordinates, as Robert Lacoste accused Serge Baret, the IGAME of the Algérois, of doing; or remained silent. With Papon there is the sense of a missed opportunity: he was willing to write the directives ordering the abuses to stop, and he was prepared to take stands and use unorthodox methods to enforce his will in other contexts, but he was not willing to join Teitgen in resigning or to use unorthodox methods to enforce his anti-torture directives. It is possible that Papon decided that it was better to have some authority than none at all, and to act where he felt he could make a difference, for he had a deeper reason for wanting to stay in Algeria: he intended to wage a revolution of his own.

Chapter 4

Papon's Revolution: Policy and Reform in Eastern Algeria

May 1956 – March 1958

As IGAME, Maurice Papon was responsible for the implementation of France's two-pronged war against the nationalists in Eastern Algeria. As per the terms of the Special Powers Act of 16 March 1956, the army waged counterinsurgency while the *corps préfectoral* implemented a programme of 'economic expansion, social progress and administrative reform' in order to remedy France's chronic under-administration of the territory.¹ That Papon supported the latter effort unreservedly is hardly surprising, for unlike other functionaries serving in Algeria, who simply implemented these policies, Papon had contributed directly to their creation.²

During his two years as IGAME, Papon continued to devote his energies to the creation of liberal reforms designed to solve the "Algerian Question", elements of which appeared in the *loi-cadre*, a law which the historian Alistair Horne called 'the last chance of finding an Algerian solution within a French framework.'³ In late 1957, these reforms took on a new urgency as the *Assemblée Nationale* considered the text of the *loi-cadre* and the United Nations debated the "Algerian Question". Key government ministers, who believed that the proposed reforms were essential to secure the future of French Algeria and the international standing of France, reinforced the French delegation to the United Nations with the one member of the *corps préfectoral* whose knowledge of the *loi-cadre* was equalled only by his expertise on the "Algerian Question": Papon.

Yet Papon was also a curious choice of emissary, a proponent of liberal reforms who collaborated with the army to wage counterinsurgency in one of Algeria's most violent and contested regions. How did he manage such seemingly contradictory roles? Nor was this Papon's only contradiction: by the end of his role as IGAME, his confidence in the viability of the reforms had eroded, replaced by a hardened conviction that a political solution to the "Algerian Question" must be subordinate to security. This chapter examines how the difficulties of trying to create policy and implement reform in a war zone challenged Papon's faith in the liberal "revolution" he was helping to shape, and considers the implications of this experience for his next role as prefect of Paris police.

Papon and key ministers: partners in the reform of Algeria

The massacres and repression at Sétif and Guelma in May 1945, as well as the violence since the outbreak of nationalist insurrection on 1 November 1954, had shown that many Algerians were

¹ Sylvie Thénault, *Une drôle de justice* (Paris: La Découverte, 2004, 1st publ. 2001), p. 48.

² This is demonstrated in Chapter 2.

³ The *loi-cadre* was passed on 5 February 1958; Alistair Horne, *A Savage War of Peace* (London: Macmillan, 1977), p. 240.

willing to kill and even to die for independence. The State was now at a critical three-way juncture: continue with the present difficulties in the hopes that they would abate; leave Algeria altogether; or reform its administration of the territory in a way that would satisfy the Algerian population. The first two options quickly ruled themselves out. The preservation of the *status quo* meant tolerating terrorism and instability. Withdrawal, however, was unacceptable to all of the 21 governments of the Fourth Republic which, regardless of their ideological differences, agreed that Algeria was the home of one million European French and an indivisible part of France.⁴ After ruling Algeria for 126 years, statesmen were not prepared to contemplate capitulation to a rebellion that was, after all, little more than a year old. Reform, therefore, was their only viable option.

The reform of Algeria had been on Papon's mind since 1955, when he submitted his 'Note on the Algerian Problem'⁵ to Maurice Bourgès-Maunoury, then Minister of the Interior. Papon's friendship with Bourgès-Maunoury had come a long way since the two men first met in June 1945, when Bourgès-Maunoury, then one of de Gaulle's senior aides, was appointed Commissioner of the Republic for the Gironde region and inherited Papon as his cabinet director. Although they only worked together for ten days before Bourgès-Maunoury was transferred elsewhere, a strong bond had formed.⁶ Papon, for his part, felt secure enough to share ideas and criticise the Algerian policies of the government of which Bourgès-Maunoury was a member, while Bourgès-Maunoury rescued Papon's career after his Morocco assignment ended badly and incorporated into the Special Powers Act some of his ideas on the political reform of Algeria.

Their collaboration continued during Papon's role as IGAME of Eastern Algeria, a period in which Bourgès-Maunoury served as Minister of National Defence (1 February 1956-13 June 1957), Prime Minister (13 June-6 November 1957), and Minister of the Interior (6 November 1957-14 May 1958). As will be shown later in this chapter, Papon shared with Bourgès-Maunoury his ideas on how to reform Algeria, some of which are readily recognisable in the *loi-cadre*. Bourgès-Maunoury staked his leadership on the *loi-cadre*, only for the *Assemblée Nationale* to reject it on 30 September 1957, thus provoking a ministerial crisis. In the merry-go-round of Fourth Republic governments, the ministers simply switched places: on 6 November, Félix Gaillard, who had been Bourgès-Maunoury's Minister of the Economy and Finance, became Prime Minister, and he appointed Bourgès-Maunoury Minister of the Interior. As a result, Papon now reported directly to Bourgès-Maunoury. The two friends shared a hollow victory when the *Assemblée Nationale* finally passed a watered-down version of the *loi-cadre* on 5 February 1958.⁷ Still Bourgès-Maunoury's

⁴ Only the French Communists were against colonialism, but they never held power during the Fourth Republic. Also, their desire for Algerian independence was conditional: they did not support non-Marxist nationalists such as Messali Hadj. Furthermore, they supported the Sétif repression in May 1945 and voted for the Special Powers Act on 16 March 1956. Tony Smith, *The French Stake in Algeria, 1945-1962* (Ithaca and London: Cornell University Press, 1978).

⁵ Papon, 'Note sur le problème Algérien', 4 October 1955, Dossier 1 N-P: Maurice Papon 1955, 363AP 38*, CHAN.

⁶ Vann Kelly, 'Papon's Transition after World War II' in Richard J. Golsan (ed.) *The Papon Affair* (New York and London: Routledge, 2000), p. 43.

⁷ Papon, 'Rapport sur le Haut Commandement en Algérie', undated but judged by the author to date from after 13 May 1958, MPPP.

faith in his *protégé* was unwavering, and the following month he nominated Papon for the role of prefect of Paris police, one of the most senior roles in the *corps préfectoral*.⁸ No wonder Papon later described Bourgès-Maunoury as one of the two men who most influenced his career.⁹

Yet Bourgès-Maunoury was not the only key minister who listened to Papon's ideas with interest. In July 1956, shortly after Papon arrived in the Constantinois, Robert Lacoste, the Resident Minister of Algeria, described Papon in a speech as 'one of our most brilliant functionaries'.¹⁰ Lacoste, who received copies of all Papon's proposals, eventually led the drafting of the *loi-cadre*. In addition, Papon, like the other two IGAMEs in Algeria, travelled to Paris every six weeks or so to meet with the ministers. Later he claimed that Guy Mollet solicited his opinion several times on how to 'unravel this Gordian knot between France and Algeria. What to do? And how to do it? Everyone was asking questions.'¹¹

These ministers saw no contradiction between their support for the army's counterinsurgency methods and the reform of Algeria, as they considered both aspects necessary to achieve their ultimate objective: to keep Algeria French. This dual approach to solving the "Algerian Question", which distinguished between the nationalists and the Algerian population, was not entirely self-serving. The historian Mohammed Harbi has argued that the Algerian population's desire for independence did not necessarily equate to support for the FLN, especially in the early stages of the Algerian War when the FLN 'took power [from the Algerian population] by force and kept it by force'.¹² Similarly, the historians Raphaëlle Branche and Sylvie Thénault characterise the attacks of 1 November 1954 as a *coup d'état* within Algerian nationalism itself, in which the FLN, a minority group, took control of the independence movement. They suggest that this explains why the FLN used violence not only against the Algerian population but against its nationalist rival, the *Mouvement Nationaliste Algérien* (MNA), and even within its own ranks.¹³ To secure French Algeria, the State exploited these divisions, ordering the army to repress the nationalists and the administration to win the hearts and minds of the Algerian population by reforming the territory along more liberal lines. This was pure pragmatism, not liberalism for its own sake, and it was limited from the outset by one iron-clad rule: Algeria could never become independent.

Pragmatic liberalism: Papon's approach to the reform of Algeria

Papon, too, accepted that pragmatism must direct the reform of Algeria. When he arrived in Constantine in May 1956, the Mollet government had dissolved the Algerian Assembly on the

⁸ MP-SHC Interview 1, p. 67.

⁹ The other was René Mayer. MP-SHC Interview 1, p. 72.

¹⁰ Robert Lacoste, speech in Constantine, 11 July 1956, 10CAB/18*, CAOM.

¹¹ MP-SHC Interview 1, pp. 8, 14, 65; Papon wrote that he was often received by Mollet at Matignon, the Prime Minister's residence, in Maurice Papon, *Les chevaux du pouvoir* (Paris: Plon, 1988), p. 52.

¹² Raphaëlle Branche and Sylvie Thénault, 'La guerre d'Algérie', in *21 historiens expliquent la France contemporaine* (Paris: La documentation française, 2005), p. 229.

¹³ *Ibid.*, p. 229.

grounds that elections could only come after a ceasefire. Papon was under no illusion that this was the right decision, as free elections would almost certainly have allowed the nationalists to win control of the second electoral college and, from there, demand independence. Yet he also signalled the dangers of the resulting political vacuum:

By...not putting forward a proposal, we are allowing this void to be filled by the political parties, but **we know that no Muslim political party will settle for any objectives other than total and complete independence** [author's emphasis]. The army and the administration are wary of being asked to make sacrifices that will prove to be futile in the end, due to this independence gained less by weapons than by a sort of predictable political and electoral focus on independence, and we would, once more, be caught in our own game. This Algerian Muslim sovereignty, acquired in this way, would undoubtedly provoke the anger of the [European] French and would threaten their regime.¹⁴

In order to ensure that future elections in Algeria were not dominated by the single issue of independence, Papon argued that the administration must become more liberal:

I feel that I must recommend the setting of long-term goals. This can only preclude any kind of secession [of Algeria], whether direct or indirect, passing or final. However, any setting of goals that enshrines irrevocably [Algeria's] links with France should in no circumstances deprive this country's Muslim population of hope. **The common project of the political and administrative bodies in both the Metropole and Algeria must be to eliminate every trace of this colonialism** [author's emphasis], of which the most visible symbol and effective instrument is the Government-General. As things stand now, its effective and immediate suppression would be, it appears, the one measure which might have any hope of provoking a psychological impact within the Muslim population.¹⁵

By insisting that Algerian secession was out of the question, Papon stuck to the predominant political view, and in his desire to give the Algerian population reasons to hope, Papon merely echoed the views of other French who held liberal views. However, with his call for the immediate suppression of the Government-General and for the elimination of every trace of colonial rule in Algeria – which he had advocated in October 1955 in his 'Note on the Algerian Problem'¹⁶ – Papon was pushing the liberal position to its limits: what he was suggesting sounded a lot like a *genuinely French Algeria*.

Yet this vision required the participation of both the European settler and Algerian population in setting the political objectives:

¹⁴ Papon, 'Report dictated 27 May 1956', 12CAB/124*, CAOM.

¹⁵ *Ibid.*

¹⁶ Papon, 'Note sur le problème Algérien', 4 October 1955, Dossier 1 N-P: Maurice Papon 1955, 363AP 38*, CHAN. This document is analysed in Chapter 2.

[This] involves...practical implementation and methods, as well as frank and open discussions with elected representatives on the process of organising these new structures to meet the needs of both [the European settler and Algerian] communities. At least this would offer the tactical and dialectical possibility of agreeing the propaganda terms, directing political action and attempting to rally the European and Muslim populations around a clear position.¹⁷

The problem, Papon acknowledged, was that, at present, any freely elected Algerian representatives wanted only independence, and most European settlers wanted to maintain their privileges. A third option was needed, something around which both communities in Algeria could rally. 'I invented something very simple, very silly,' he later recalled. 'Instead of *Algérie française*, I said, "We are acting in the name of *Algérie nouvelle* [new Algeria]."' But what did *Algérie nouvelle* mean? 'That's all: *Algérie nouvelle*,' Papon explained,

Thus it left, if you like, the door open for the future, the door even to independence. Happily, no one ever asked me what *Algérie nouvelle* meant, because I do not know if I could have told them! But it was not *Algérie française* [...] The Muslims understood that it was leading towards independence, but with France. This is completely contradictory, but there are contradictions which are successful.¹⁸

But Papon's thinking was not confined to abstract solutions; from the very beginning of his role as IGAME, he focused on concrete issues to bring about an 'Algerian identity [which] can only be defined within the framework of the [French] Republic, one and indivisible, and according to the institutional requirements that this implies.'¹⁹ The State, he argued, needed to consult with representatives from both the European settler and the Algerian population on the *statut personnel* (an Algerian's right to be judged by Islamic law in non-criminal jurisdiction), independence of Islam, the teaching and use of Arabic, and judicial reforms relating to Islamic law.²⁰ In this way, he reasoned, France could 'both contain the political expression [of a separate Algerian identity] and remove the risk of secession....this effort, which would not be irreversible and would maintain all the options of this extraordinarily complex problem, would have the merit of innovating without the risk of separating'.²¹

Papon's proposals in May 1956, while liberal, were not original; he simply resurrected the tenets of the failed Algerian Statute of 1947, as Jacques Soustelle had done when he became Governor-General of Algeria in February 1955. Soustelle, with the support of the Faure government, had announced a wide range reforms: to decentralise the administration and create new *départements*; to increase the number of Algerians with positions of responsibility in the

¹⁷ Papon, 'Report dictated 27 May 1956', 12CAB/124*, CAOM.

¹⁸ MP-SHC Interview 1, pp. 15–16; Papon made a similar claim in Papon, *Les chevaux du pouvoir*, p. 20.

¹⁹ Papon, 'Report dictated 27 May 1956', 12CAB/124*, CAOM.

²⁰ *Ibid.*

²¹ *Ibid.*

administration; to abolish the *communes mixtes* (Algerian-majority communes under direct administration by a French official); to make Arabic an official and obligatory language in Algerian schools; to double the rate of school construction; to commence agrarian reform; and, to begin a public works programme to improve the Algerian infrastructure and provide employment.²²

Yet Soustelle had barely begun the implementation of these reforms when the FLN killed 71 European settlers and 52 Algerians in a series of coordinated attacks in the Constantinois on 20 August 1955. The divergent reactions of Soustelle and Papon to this event expose important differences in personality and experience. They were contemporaries (Soustelle was born in 1912, Papon in 1910); former colleagues (they had worked together from April to June 1945, when Soustelle was Commissioner of the Republic for the Gironde region and Papon was his cabinet director²³); and shared a liberal outlook and experience of living in Algeria. However, Papon did not have Soustelle's experience of seeing the mutilated corpses of men, women and children and attending their funerals, nor did he witness the army's brutal repression in which somewhere between 1,273 and 12,000 'rebels' were killed.²⁴

The extent to which this event traumatised Soustelle is evident in *Aimée et Souffrante Algérie*, which he wrote in 1956, the year he left Algeria. It contains photographs of Soustelle talking with a French administrator, 'assassinated a few days after this meeting'; a French soldier carrying a dead comrade on his back; the corpses of two Algerians next to the tree where they were hanged by the rebels, the ropes still around their necks and their faces horribly mutilated; and, an Algerian child and a French child laying side by side, murdered. 'The rebels, in their cruelty, do not spare children, regardless of their origin,' Soustelle wrote.²⁵ This was his turning point: after his tenure as Governor-General, Soustelle entered the *Assemblée Nationale* and was a vocal member of the *pied noir* lobby. In May 1958, he became involved in the army's effort to engineer the return of de Gaulle, only to turn on him once it became clear that France's new leader intended to negotiate Algeria's independence.

In contrast, Papon returned from his visit in the Constantinois a month after the massacres to write his 'Note on the Algerian Problem'²⁶, which advocated integration just as Soustelle was abandoning it. When de Gaulle came to power, Papon served him loyally, regardless of the changes in State policy towards Algeria. In the intervening years, as IGAME, Papon revisited the failed Algerian Statute of 1947 and developed it into a vision of a more liberal Algeria, one that gave Algerians full political rights and a stake in the running of their country: the *loi-cadre*.

²² Horne, *A Savage War of Peace*, p. 108.

²³ Kelly, 'Papon's Transition after World War II', pp. 42-43.

²⁴ These events are discussed in Chapter 2.

²⁵ Jacques Soustelle, *Aimée et souffrante Algérie* (Paris: Librairie Plon, 1956), p. 136.

²⁶ Papon, 'Note sur le problème Algérien', 4 October 1955.

Policy formulation: Papon, the *loi-cadre* and the United Nations

The historian Tony Smith characterises the belief of those on the French political left that genuine reform would ‘cement the marriage of Algeria to France’ as ‘the delusion of well-intentioned liberals’.²⁷ These liberals, he argues, were convinced that France’s earlier failures in Algeria increased its duty to ‘do right’.²⁸ Papon, with his belief in the State and his long-held admiration for Islam and Muslim culture, fits Smith’s characterisation. Until his assignment as IGAME, his views were not in conflict: he could believe that the West and Islam were, as he wrote in March 1956, ‘complementary, not contradictory’²⁹, and that the solution to the “Algerian Question” was for French Algeria to become a reality.

Following his initial recommendations in May 1956, Papon continued his calls for the abolition of the Government-General and all traces of colonialism, and proposed the administrative and political decentralisation of Algeria, which Soustelle had begun and then abandoned.³⁰ Seeking to reduce direct administration as much as possible, Papon advocated the devolution of power to the three Algerian regions, whose IGAMEs would report to a Minister of Algeria based in Paris, not Algiers, in order to have ‘a profound modification of perspective’.³¹ The three regional assemblies would decide their own policies on civil statute, religious statute, judicial organisation, and education in the Arabic language, as well as political, economic and administrative matters. Papon also recommended that the representatives to the regional assemblies be elected by direct universal suffrage – a reference to the Algerian Statute’s fourth article, which granted Algerian women the right to vote.³² He also argued that as long as the European settler minority was protected, elections could be from a single electoral college. This would strip away the privilege of the European settlers who, despite their minority status, had enjoyed their own electoral college.

As for political strategy, Papon was careful to stress that he was not proposing an official federal system but rather devolution of power to autonomous regions. The distinction would give France a margin of manoeuvre, he reasoned, as it might satisfy a large number of Algerians without compromising the unbreakable links between France and Algeria, ‘which constitute a fundamental tenet of the Government’.³³ However, if the system of autonomous regions did not work, federalism remained a possibility that might ‘meet the aspirations of a certain part of the Muslim intelligentsia’.³⁴

²⁷ Smith, *The French Stake in Algeria*, p. 123.

²⁸ *Ibid.*, p. 123, 155.

²⁹ Maurice Papon, ‘L’Occident devant l’Islam’, *Fédération*, n. 134, March 1956, p. 123.

³⁰ Papon, ‘Note sur la réforme institutionnelle de l’Algérie’, n. 4540, 6 September 1956, MPPP; Home, *A Savage War of Peace*, p. 108.

³¹ Papon, ‘Note sur la réforme institutionnelle de l’Algérie’, 6 September 1956.

³² Ryme Seferdjeli, “Fight with us, women, and we will emancipate you’: France, the FLN and the Struggle over women during the Algerian War of National Liberation 1954–1962” (PhD thesis, London School of Economics and Political Science, 2004), pp. 208–213.

³³ Papon, ‘Note sur la réforme institutionnelle de l’Algérie’, 6 September 1956.

³⁴ *Ibid.*

It was too risky to try federalism straightaway, Papon argued. The nationalists might take it as a concession and then push for full independence. As for the French, he reflected, monarchy, empire and the Republic had established a history and legal tradition based on a centralised authority; federalism would require a cultural shift that would not come easily. As he later explained in his published memoirs,

Federalism could have been possible, on the condition Jacobin France transformed itself into Girondin France. That was the risk, according to the thinking of a large part of the political elite, to place in danger the unity of a country that history had made vulnerable and that centralisation had held with a firm hand.³⁵

Moreover, federalism required a strong central government, which hardly described those of the Fourth Republic. The devolution of power to autonomous regions, then, would serve as an intermediary step. Furthermore, it would create the breathing space needed to reform Algeria's institutions. Autonomous regions, with federalism as a reserve option, were how France could keep Algeria.

Michel Aurillac, an auditor at the *Conseil d'Etat*³⁶ who was conscripted into the army and put at the service of the IGAME of Eastern Algeria, later claimed that Papon ordered him to begin drafting a new Algerian statute in October 1956.³⁷ 'I asked him why he wanted me to write a new Algerian statute,' Aurillac recalled,

and he responded 'I have arrived at the conviction that the Algerian War is without issue, that we can only get out of it with a political formula. Thus we must find it in the form of an autonomy that takes into account the zones of [European] French population by creating several autonomous regions which will be somewhat federated, but in which the Muslim population will have regions in which it will be completely at home. The same will be true for the *pieds noirs*.' My curiosity was excited and I asked him if he had taken this initiative alone. He responded, 'I have taken it alone, but even so, I have spoken about it with the Secretary of State for Algerian Affairs at the Ministry of the Interior, Marcel Champeix, an influential member of the Socialist party. He told me that the idea seemed interesting and that if I could offer some proposals, it would be good.'³⁸

According to Aurillac, he worked on the proposal every day for a week, reviewing it with Papon in the evenings until both men were satisfied. When Papon told him they were going to Paris to present their ideas to Champeix, Aurillac asked whether they should first stop in Algiers to meet Resident Minister Lacoste. 'Not for the moment,' Papon is said to have replied. 'He is not in the loop and might not be favourable, as he is too influenced by the conservative milieu and is in favour of

³⁵ Papon, *Les chevaux du pouvoir*, p. 69.

³⁶ Council of State, advises government on administrative matters.

³⁷ Aurillac's claims are in Jean-Jacques Becker (ed.), *La Quatrième République: des témoins pour l'histoire, 1947-1997: actes du colloque tenu au Sénat les 21 et 22 novembre 1997* (Paris: H. Champion, 1999) and repeated on <<http://www.maurice-papon.net/doc-alg/loi-cadre.htm>> [accessed 27 May 2008]. In July 2007 the author requested the *dérogation* necessary to view Aurillac's papers at the French National Archives, but has not, despite several reminders, received a reply.

³⁸ *Ibid.*

all-out repression.' In Paris, Champeix responded to their proposals enthusiastically and alerted Mollet, who instructed the *Conseil d'Etat* to develop the proposals into a text that could be put before the *Assemblée Nationale*.

In June 1957, when Bourgès-Maunoury became Prime Minister, he instructed Lacoste to continue work on the text, which became known as the *loi-cadre* (framework law). Lacoste met with the presidents of Algeria's three regional assemblies, the three IGAMEs, General Salan and other military representatives, as well as a group of senior civil servants.³⁹ However, as the months passed, this disparate gathering achieved little consensus, agreeing only on broad concepts such as the need to decentralise and create new institutions. It failed to agree on how to manage the power dynamics of the relationship between the regions, Algiers and France, as well as what responsibilities should be given to the new Algerian institutions. These disagreements continued in the *Assemblée Nationale*, where Soustelle attacked the idea of a federal council in Algiers on the grounds that it would 'sow the seeds of Algeria's eventual legal secession'.⁴⁰

Bourgès-Maunoury wanted to pass the *loi-cadre* before the United Nations debate on Algeria in December 1957 in the hope that it would deflect international criticism from France. This led to hard bargaining in the *Assemblée Nationale*, where he gave in on the idea of a federal council in Algiers, agreeing that it would not be instituted until eighteen months after the rebellion ended in all of Algeria, which, *Time* magazine reported, 'might mean never'. In the face of shouting and jeering from the right-wing deputies, whose votes he needed, Bourgès-Maunoury made further concessions, including an agreement that suffrage in Algeria would continue to be weighted in favour of the European settler population. When at last he refused to concede any more and demanded a vote of confidence, the debate deteriorated into personal insults more appropriate to a school playground than a parliament as the *Poujadists*, a group of conservative deputies, cried, 'Fascist!' and Bourgès-Maunoury retaliated, 'It takes one to know one!'⁴¹ On this rather pathetic note the bill failed and Bourgès-Maunoury's government collapsed on 30 September. For thirty-five days France was without a prime minister until Félix Gaillard finally assumed the post on 6 November.⁴² He duly appointed Bourgès-Maunoury his Minister of Interior, and the *Assemblée Nationale* resumed discussion of the *loi-cadre*.

Bourgès-Maunoury continued to believe that the reforms of the *loi-cadre* were essential for France to succeed in the upcoming United Nations debate on the "Algerian Question". Christian Pineau, the Foreign Minister leading the French delegation to the United Nations, agreed, having stated in October 1957, 'With the *loi-cadre*, France will have sympathy and consideration from the

³⁹ William G. Andrews, *French Politics and Algeria: the process of policy formation 1954-1962* (New York: Appleton-Century-Crofts, 1962), p. 76.

⁴⁰ Author unknown, 'Moment of Decision', *Time*, 7 October 1957, <<http://jcgi.pathfinder.com/time/magazine/printout/0,8816,809953,00.html>> [accessed 7 January 2007].

⁴¹ *Ibid.*

⁴² Horne, *A Savage War of Peace*, p. 241.

free world. Without it, I can answer for nothing.⁴³ In order to meet the UN challenge, Bourguès-Maunoury turned to Papon, whose knowledge of the *loi-cadre* and experience of the situation on the ground in Algeria was unparalleled, and sent him to join Pineau in New York.⁴⁴

At the United Nations Papon confronted the international dimension of the “Algerian Question”. The FLN appealed to the sympathies of Third World nations, which were enjoying newfound influence and were much-courted by the Cold War superpowers. Tapping into the calls for pan-Arabism and pan-Islam that reverberated across the Middle East and North Africa, the FLN sought to strengthen international support for Algerian independence. It counted especially on its regional allies Morocco and Tunisia, which had gained their independence from France in 1956, and Egypt, the victor in the Suez Crisis that same year. It also exploited the tensions of the Cold War to win favour with the United States and the Soviet Union, as both claimed to support independence movements. ‘[Senator John F.] Kennedy had assassinated France [in a speech to the US Senate in July 1957] over to its Algerian policy,’ Papon later recalled, ‘so American opinion was not favourable [to France].’⁴⁵ Papon recalled that France was at the mercy of the Cold War superpowers: ‘The more the United States annoyed us, the more the Russians supported us, and conversely.’⁴⁶

Despite these international intrigues, France secured a victory in the final vote on the “Algerian Question” at the United Nations. Papon shared in this triumph and returned to Constantine emboldened to address the Regional Assembly of Eastern Algeria. ‘Destiny having placed me at the point where it is possible for me to embrace all perspectives,’ he remarked, ‘I am measuring the full weight of these words: if there were to be a battle on the application of the *loi-cadre*, I would throw all the weight of my force behind it.’⁴⁷

There was no need for Papon to make further effort on the *loi-cadre*, as the *Assemblée Nationale* passed it on 5 February 1958. Elements of Papon’s ideas are evident in the law’s final form, which allowed for a system of regional assemblies, federal institutions in Algiers, and elections by universal suffrage for a single college, with a system to protect the European settler population. Nevertheless, it fell well short of Aurillac’s and Papon’s original proposals. Politics is about compromise: the *loi-cadre* was a victory, but it was also so watered down as to be discouraging. Were Papon’s efforts to implement existing policy any more successful?

⁴³ ‘Moment of Decision’, *Time*, 7 October 1957.

⁴⁴ Papon, telegram to Pierre Maisonneuve, chef de cabinet of Robert Lacoste, 21 November 1957, 12CAB/169*, CAOM.

⁴⁵ MP-SHC Interview 2, p. 19; Matthew Connelly, *A Diplomatic Revolution* (Oxford: Oxford University Press, 2002), p. 18; Home, *A Savage War of Peace*, p. 247.

⁴⁶ MP-SHC Interview 2, p. 13.

⁴⁷ Papon, Speech to the Regional Assembly of Eastern Algeria, 9 December 1957, 81F/63, CAOM.

Policy implementation: Papon and the Special Powers Act in Eastern Algeria

After his first tour of Eastern Algeria in May 1956, Papon recorded that the nationalists had a stranglehold over much of the region:

...a revolutionary infrastructure is in place, all the way to the level of the *douars* [villages]. A veritable clandestine administration is waiting, ready to collect taxes, to enforce justice, to police, to inspire and control the political attitude, even in the non-nationalist *douars*. More than the [rebel] bands, which constitute an open enemy, this organisation is full of threats for the future....⁴⁸

The 'economic expansion, social progress and administrative reform' ordered by the Special Powers Act of 16 March 1956 aimed to neutralise the nationalist infrastructure. After the army rooted out the rebels, the administration would move in to implement three reforms designed to improve the lives of Algerians and thereby win their allegiance: invest in each region's infrastructure; increase the number of Algerians employed by the State; and reform Algeria's *communes*, in which Algerian-majority *communes*, known as *communes mixtes*, were under direct administration by a French official, as opposed to the *communes de plein exercice*, where the European settler majority enjoyed the same form of administration as in France, with an elected mayor and general council.

These reforms would have been ambitious in peace-time, but Papon and his colleagues in the administration were trying to implement them in the midst of a full-blown nationalist insurrection characterised by the most extreme violence on both sides. It was a long shot from the start; later, Papon remarked that France had waited too long to try it:

Unfortunately, when we began to build *Algérie nouvelle*, it was too late. Applied fifty years earlier, it might have worked. I think that France missed the chance after the war of 1914-1918. There had been the centenary of [France in] Algeria in 1930, and on the occasion of the centenary, Algeria should have been reformed. Then there would not have been a rebellion, I believe. There would not have been a reaction. These were difficult solutions to find, because France is a centralised State. Therefore a certain degree of centralisation has to be accepted....After all, it is very good to adapt, but you must choose the right moment. It is not possible to do it too early, because you don't appreciate the situation, but do it too late and the situation passes you by.⁴⁹

In addition to waiting too late to try the reforms, it was inescapable that the government's desire to improve the lives of the Algerian population was a strategic response to the insurrection, not a sincere shift in attitude. It would be difficult for the administration to win support for reforms while

⁴⁸ Papon, 'Report dictated 27 May 1956'.

⁴⁹ MP-SHC Interview 3, p. 6.

there was still such violence and insecurity, and Papon reported a 'psychosis of fear' among the *pied noir* community, which viewed any reform as a sign of abandonment, while the Algerian population adopted a cautious, wait-and-see attitude.⁵⁰

Despite these unfavourable conditions, Papon remained convinced that the reforms were the key to winning the allegiance of the Algerian population. In one of his first speeches he outlined the role of the *corps préfectoral* : once the army had established security, the administration could move in to provide immediate aid to the population; begin public works programmes to employ the population; open public sector jobs to Algerians; end direct administration in the *communes mixtes* ; and reform the agriculture and credit policies so that Algerian farmers could enjoy the same rights and opportunities as their *pied-noir* counterparts.⁵¹ These reforms, he emphasised, were social as well as economic: 'No one should be victim of the law of economic power, nor of the law of numbers, nor... to the law of a minority exercising, in anarchy, a semi-feudal authority, intolerant, and inspired by racism.'⁵²

These were fighting words, as Papon was the senior representative of the State which, for 126 years, had encouraged and enabled the European settler minority to rule based on a sense of racial and cultural superiority. While Papon's speech was undoubtedly calculated to appeal to the Algerian majority of Eastern Algeria, it was also grounded in his personal beliefs. Moreover, his message that that the administration of Algeria must change was consistent, regardless of his audience. In January 1957 Papon told an audience of French army officers, 'We must give to the working-class Algerian peasant a country, and give a nation to Algeria today. It is much less about giving Algeria to France than it is about giving France to Algeria.'⁵³ By November 1957 he had developed his ideas into a theme of France's "revolution" in Algeria, telling the Administrative Council of Constantine:

We are the ones who are doing [this] Revolution of human liberation that nothing and no one will stop... We know henceforth that some [Frenchmen] have made roots here in historically irreversible conditions and that France will never tolerate that they could one day be treated as foreigners. We know that others [Muslims] have become conscious of their dignity as men and that they will not take being treated as diminished citizens in their own towns.... Today, Algeria's suffering regard meets the probing and humane face of France. It is within the family that the problem will be resolved.⁵⁴

⁵⁰ Papon, 'Report dictated 27 May 1956'.

⁵¹ Papon, Speech at Dar el Askri of Constantine, 29 June 1956, AGM 87, dossier n. 33 'Maurice Papon', OURS.

⁵² *Ibid.*

⁵³ Papon, 'Conférence prononcé le 19 janvier 1957 au Cercle Militaire devant les Officiers de réserve de Constantine', MPPP.

⁵⁴ Papon, speech to the Administrative Council of Constantine, 18 November 1957, 12CAB/124* and 93/1176*, CAOM.

The following month he told the Regional Assembly of Eastern Algeria, 'There is a revolution in this country. It is happening. It is France who is doing it.'⁵⁵ France's social and economic reforms, he argued, were directly linked to the future of French Algeria. In January 1958, in a speech to an audience at a centre of professional training, he proclaimed, 'Technical training, in whatever form, is part of the bigger problem of social and human advancement. The youth problem is first and foremost. We must shape the men of tomorrow, allow them to make a choice and, through this, to choose France.'⁵⁶

Smith argues that 'well-intentioned but deluded' liberals convinced themselves that it was French *neglect*, not domination, which had caused Algeria's misery.⁵⁷ This allowed them to ignore the history of the French conquest of Algeria, in which settlers, with army backing, claimed the best farmland, as well as the exclusion of Algerians, who were largely peasants, from the land concessions and agricultural subsidies that could have lifted them out of poverty. For these 'well-intentioned but deluded' liberals, the remedy was intense French investment. Papon, with his admiration for Islam and Muslim culture and his respect for the State, saw what he wanted to see in the reforms of the Special Powers Act: the chance to create a truly French Algeria. Yet even as he extolled the French "revolution" in Algeria to various audiences, Papon's reports expressed deep concern about the deteriorating security situation in his region. Over the next two years, as he struggled to implement the reforms in a climate of extreme violence, Papon's faith in France's "revolution" was stretched to breaking point.

Investment in infrastructure and personnel

In 1950, when he first worked in Eastern Algeria, Papon had argued to Governor-General Naegelen that a budget increase was essential in order to invest in rural Algeria's education, public works and living standards, as these were 'imperative to the success of French policy'.⁵⁸ Yet even when the administration succeeded in obtaining resources, there were differences of opinion over how the money should be invested. Papon had pursued a policy of *travaux d'intérêt commun*, small-scale projects that gave the Algerian population a stake in the construction of schools, healthcare provisions, and communal buildings. This contrasted with the strategy of the civil servants in Algiers, who controlled the purse strings and preferred to invest in sectors with a greater economic impact, such as viticulture, which benefited the powerful *pied noir* landowners more than the Algerian subsistence farmers.

When Papon returned to Eastern Algeria in 1956, he found that the policies he had put in place had been discontinued. He now began to reinstate these *travaux d'intérêt commun* in a process he

⁵⁵ Papon, Speech to the Regional Assembly of Eastern Algeria, 9 December 1957, 81F/63, CAOM.

⁵⁶ Papon made this remark on 27 January 1958 on a visit to the Centre de Formation Professionnelle in Constantine. 'Rapport mensuel', February 1958, 93/1179*, CAOM.

⁵⁷ Smith, *The French Stake in Algeria*, pp. 88–93.

⁵⁸ Papon, 'Rapport mensuel', February 1950, 9CAB/77, CAOM.

later described as 'hide-and-seek', whereby the orders came from Paris, were neutralised by Algiers, and then 'interpreted' by Papon.⁵⁹ But the freedom to interpret orders could not overcome the problem of limited resources. France had been at war continuously since 1940, and the French economy, drained of both men and money, showed the strain. By 1953, the war in Indochina had cost more than France had received in Marshall Aid, and 10 per cent of the annual budget.⁶⁰ Faced with a choice between investing in the army or the administration in order to achieve its twin objectives of defeating the rebellion and reforming Algeria, the government prioritised the army. It was a logical choice, as reform was only possible where there was security and it was far easier and quicker to train a man to be a soldier than an administrator. As a result, a power imbalance emerged from 1956 to 1958 in which the administration was theoretically in charge, yet depended wholly on the army to succeed in its mission.

Thus the army was involved in nearly every stage of the administration's effort to improve Algeria's infrastructure. It provided the administration with manpower in the form of soldiers on secondment who reprised their civilian careers as teachers, engineers and especially doctors. The latter were needed so urgently that Papon initially requisitioned medical students until the army could spare qualified doctors to man the free medical care programme (*Assistance Médicale Gratuite*).⁶¹ In March 1957 the army loaned a further 99 doctors to supplement Eastern Algeria's 76 civilian doctors, as well as 173 teachers to add to the ranks of the region's 3,600 civilian teachers.⁶² This phenomenon of secondment was repeated across Algeria, with an estimated total of 2,600 officers and non-commissioned officers fully employed in civilian positions by January 1958.⁶³

In Eastern Algeria this intermingling of military and administrative personnel extended even to the level of the prefects. Due to the shortage of administrative personnel, a three-star general was the acting prefect of Batna, one of the regions new *départements*. General Gaston Parlange had made his career in Morocco, and when he arrived in Batna in 1955, he was accompanied by his Moroccan soldiers, known as the *Tabor*. Jacques Lenoir, the sub-prefect who worked with Parlange from November 1955 to March 1957, remembered that the *Tabor* were detested by the Algerians and thus did not participate in military operations; their sole function was to guard Parlange, and to this end they slept in tents in the garden of the prefecture.⁶⁴

Given Lenoir's description of Batna, it is perhaps unsurprising that a general was granted the functions of a prefect:

⁵⁹ MP-SHC Interview 1, p. 7.

⁶⁰ Home, *A Savage War of Peace*, p. 67.

⁶¹ Papon wrote of 'the requisition and deployment until 15 October [1956] of 72 students...plus the deployment of 30 extra military doctors' in 'Directive Concernant l'Action Politique n. 4510', 4 September 1956, MPPP. Jim House and Neil MacMaster found a copy of this document in the Fonds René Mayer, 363 AP 32*, dossier 4, CHAN, in Jim House and Neil MacMaster, *Paris 1961* (Oxford: Oxford University Press, 2006), p. 52.

⁶² Papon, 'Note d'orientation politique N. 425/PR', 1 March 1957, 93/4431*, CAOM, p. 6.

⁶³ Home, *A Savage War of Peace*, p. 268.

⁶⁴ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, OR3, Témoignages sur la guerre d'Algérie, AHC-CHSP.

It was war in Batna. Lots of troops. If there had not been any attacks by five o'clock in the evening, we were surprised. If the electricity had not been cut by eight o'clock in the evening, we were surprised. One only went north, south or west with military convoys. Outside of this, no one would take the risk of going out alone on the roads. General Parlange had a helicopter in order to get around. To protect the European population, we gave them red flares that they could fire in case of distress, just like ships in distress.⁶⁵

The dual role of General-Prefect Parlange would be no more than an interesting case study of the civil-military partnership, were it not for his role in the success of the *Sections administratives spécialisées* (Specialised Administrative Sections, or SAS), which became the essential tool of Papon and his colleagues in the administration to implement the reforms of the Special Powers Act. Parlange was one of the main influences on Soustelle, who created the SAS in September 1955 while Governor-General of Algeria. Parlange ran the first SAS pilot programme in Batna in April 1955, using fourteen officers from Moroccan Indigenous Affairs and nine officers of Saharan affairs, and although he considered the results of the pilot to be modest, *Le Monde* praised his efforts and attributed its success to his personal experience and know-how.⁶⁶ Soustelle agreed and he and his successors expanded the programme; by 1962 there were 700 SAS across Algeria.⁶⁷

The SAS were networks staffed by army lieutenants or captains, known as Officers of Algerian Affairs, many of whom spoke Arabic fluently and were experts in Arab affairs. They were on the front line of the State's effort to invest in Algeria. They opened and staffed schools, ran adult literacy programmes, opened pharmacies, organised travelling medical teams, planned and supervised road construction, and introduced new farming methods. While doing so, they also supplied their army colleagues with intelligence⁶⁸ and selected and trained *mokhaznis*, the local Algerian militiamen who provided village security under the direction of the Officers of Algerian Affairs.⁶⁹ Depending on the budget available to them, they could work on their own or lead teams typically consisting of a second-in-command, an interpreter, a radio operator, clerical help, military or civilian specialists in health, agriculture and education, and a squad of Algerian auxiliary soldiers.⁷⁰ From 1957 the Officers of Algerian Affairs extended the SAS to Algeria's urban centres under the *Sections administratives urbaines* (Urban administrative sections, or SAU).

Papon had frequent contact with the Officers of Algerian Affairs in Eastern Algeria, as they were under the command of the administration. However, the Officers of Algerian Affairs often bypassed

⁶⁵ *Ibid.*

⁶⁶ Grégor Mathias, *Les Sections Administratives Spécialisées en Algérie* (Paris: L'Harmattan, 1998), pp. 22–23, 25.

⁶⁷ Ministère de l'Algérie, *Guide de l'Officier des Affaires Algériennes*, 1 October 1957, BLPES; Mathias, *Les Sections Administratives Spécialisées en Algérie*, pp. 18, 27.

⁶⁸ Paret, *French Revolutionary Warfare from Indochina to Algeria*, p. 47.

⁶⁹ Martin Evans, 'The Harkis' in Martin S. Alexander, Martin Evans and J.F.V. Keiger (eds.), *The Algerian War and the French Army, 1954–1962* (Basingstoke: Palgrave Macmillan, 2002), pp. 120–21.

⁷⁰ Paret, *French Revolutionary Warfare from Indochina to Algeria*, p. 47; Mohammed Khane, 'Le Monde's Coverage of the Army and Civil Liberties during the Algerian War, 1954–59', in Martin S. Alexander, Martin Evans and J.F.V. Keiger (eds.), *The Algerian War and the French Army, 1954–1962* (Basingstoke: Palgrave Macmillan, 2002), p. 185.

the administration in favour of working with the army because it could get things done faster due to its superior manpower and means.⁷¹ This was a critical advantage in a country where needs were so pressing. In 1954, eighty-one percent of Algerians still lived in rural areas, often without access to medical care.⁷² Across Algeria, there was one doctor for every 5,137 inhabitants, compared to one for every 1,091 inhabitants in France; statistics for dentists and pharmacists were even worse.⁷³ Germaine Tillion, an ethnologist who had worked in Eastern Algeria before the Second World War, noted the poor conditions when she returned there in December 1954 and stayed until March 1955:

It is true that by the end of 1954 there was a road – though nobody travelled on it except the old-time caravans. There was also a magnificent school – where no teacher had yet been installed. But, as in the old days, one never saw a medical officer or a nurse or, indeed, any sort of [French] official – except, every two or three years, a couple of inoffensive *gendarmes*... 'France's contribution' to the country was, to all appearances, conspicuous by its absence: not a single teacher, an empty road, no medical officer, no nurse, no sort of emissary of 'civilisation'. At the most, it had amounted to a few good intentions, which had never been followed up.⁷⁴

Tillion fits Smith's category of liberals who believed that it would be wrong for France to withdraw from Algeria, and that the solution to the problem was increased investment. In 1955 Governor-General Soustelle appointed Tillion to run his network of social centres, which complemented the SAS by providing practical assistance in sanitation, primary education, and economic assistance, and by studying the conditions of the rural population.

In one sense it was impossible for the SAS and the social centres to fail; the living conditions for many of Algerians were so dire that any intervention was an improvement. Did it matter if the SAS had been created for the purely pragmatic reason that aid would help defeat the rebellion, rather than from a humanitarian desire to improve lives? Progress was still progress, and by September 1957 Papon could boast of 236 SAS in Eastern Algeria, each directed by an OAA and assisted by nearly 3,000 *mokhaznis*.⁷⁵ With the aid of the army's loan of 217 teachers and 127 military doctors, they managed to secure and revive 800 villages whose inhabitants had fled in fear.⁷⁶

Yet serious obstacles challenged the administration's ability to increase investment in infrastructure and personnel. In a speech he gave in October 1956, Papon's frustration was evident

⁷¹ Interim Sub-Prefect, 'Rapport sur la situation générale de l'arrondissement de Bougie' 28 September 1956, 93/1504, CAOM.

⁷² Branche and Thénault, 'La guerre d'Algérie', p. 222.

⁷³ *Ibid.*, p. 222.

⁷⁴ Germaine Tillion, *Algeria: the Realities*, trans. Ronald Matthews (New York: Alfred Knopf, 1958), pp. 16–17.

⁷⁵ Papon and General Robert Loth, 'Conférence d'information tenue à la Préfecture de Constantine', 17 September 1957, 12CAB/124*, CAOM.

⁷⁶ *Ibid.*

when he reported that in the Commune of La Soummam alone, 28 out of 41 schools had been destroyed by the nationalists, 'although in every village we go to, the population ask incessantly for schools, always for schools.'⁷⁷ French schools were a favourite target of the FLN across Algeria. Mouloud Feraoun, an Algerian teacher in the neighbouring Algérois region, recorded in his journal how the destruction of schools destroyed more than just infrastructure:

I have heard that the school in Tizi-Hibel has burned down. How sad for the school, how sad for the village, how sad for the kids of Tizi-Hibel. I could not sleep at all because of it. This was my school, my good old school where I learned to read. For twenty years it had waited for remodelling. Its beautiful garden was lying fallow, its walls were dilapidated, and its wobbly tables worn down. The old teacher who was finishing his career there was losing his enthusiasm, and the lively intelligence and the thirsty minds of the children of our village were also lying fallow. We had no elected officials, nobody to take up our case, nobody to plead, to save the young ones of Tizi-Hibel. Then one day it happened, just like that. A busy construction site was set up in October, and work started moving quickly. The number of classrooms was doubled, partition walls were removed, a new building was put up, stairs were added. The construction progressed rapidly, and the school grew and took on a new appearance. Then it is finished. Everything is in working order. We waited twenty years! And this morning, the haulage contractor tells me:

- You know your school? Gone.
- What?
- Gone. It is over. They burned it down during the night.
- Burned it down? During the night? No, you are kidding?
- Nah, it's true. Along with all the stuff I brought in. Life! Sometimes...

A lump comes to my throat. I am angry at my people. I am angry at all those who did not know how to prevent this, who could not prevent this. Shame on all of us forever. Poor kids of Tizi. Your parents are not worthy of you.⁷⁸

Such defeats did more than punish the Algerian population; they humiliated the French. To counter this, the army and the administration used propaganda to promote a positive image of the SAS.

Propaganda for the SAS

The role of the SAS in implementing the reforms of the Special Powers Act was a natural subject for propaganda – here was an area where France could be proud. This propaganda could be

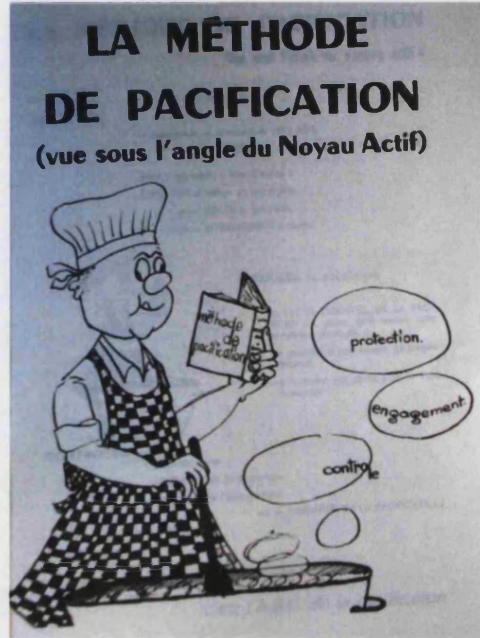
⁷⁷ Papon, 'Discours à l'inauguration de la cité musulmane d'el Attabia', 9 October 1956, 93/1504, CAOM.

⁷⁸ Mouloud Feraoun, *Journal 1955-1962*, trans. James D. Le Sueur (Lincoln and London: University of Nebraska Press, 2002, 1st publ. 1962), pp. 63-64.

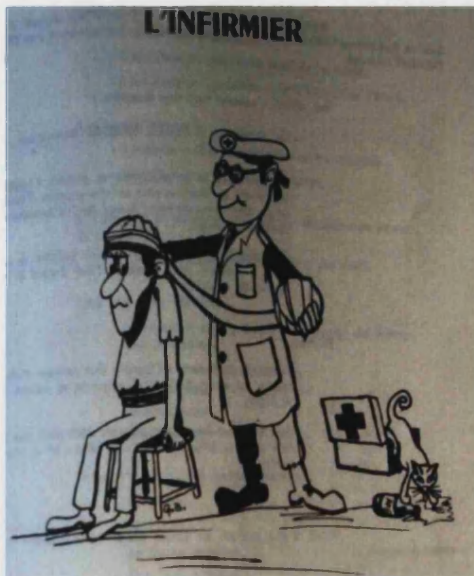
internal, such as the comic book used by one army unit to explain the mission of the SAS and teach its soldiers how to recognise an Algerian enemy⁷⁹:



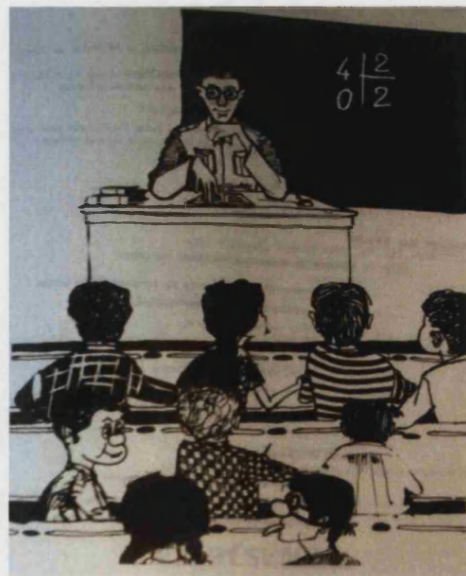
Know the enemy



The Method of Pacification:
protection, engagement, control



The nurse



The teacher

⁷⁹ Région territoriale et Corps d'Armée d'Algérie, Etat-Major 3ème Bureau, *ABC du Chef du Noyau Actif*, July 1960, Algérie, SAS/DOC/5, CAOM.

Other propaganda was designed for public consumption, such as the display of leaflets proclaiming 'France wants your happiness! The *fellagas* [rebels] want your unhappiness!' accompanied by photographs contrasting the horror of nationalist activity with the good deeds of the Officers of Algerian Affairs⁸⁰:



In one such photograph, a handsome French soldier kneels next to two Algerian children, his arm around them in a protective gesture that could be friendly or paternal; all three are smiling. In another, a military doctor, stethoscope clearly visible around his neck, gently caresses the cheek of an elderly Algerian man. A younger man and a child, also Algerian, stand in the background, their mouths agape as they regard the doctor's healing powers. The lighting and positioning of the photograph produce a reverential, almost religious effect: France as redeemer. Such photographs distracted domestic and international audiences from more troubling accounts of the army's activities.⁸¹

⁸⁰ An Algerian man examines a 'psychological action' display in the town of Ichkiabene, Eastern Algeria, December 1957, in Raphaëlle Branche and Sylvie Thénault, *La guerre d'Algérie: documentation photographique*, La documentation française, n. 8022, August 2001, p. 35.

⁸¹ The leaflets and photographs are in a folder entitled *Soldats de France*, January 1957, Algérie, SAS/DOC/5, CAOM.

**LE FELLAGA
VEUT TON MALHEUR**

العلاق يريد شفاك

The rebel wants your unhappiness



Above and below: results of rebel activity

**LA FRANCE
VEUT TON BONHEUR**

فرنسا تريد هناك

France wants your happiness



Officers of Algerian Affairs



On his regular tours around Eastern Algeria, Papon was usually accompanied by a representative of the military and press corps of Constantine. These were coordinated affairs with practical and public relations purposes and sought to highlight how the reforms were improving Algerians' lives. For example, *La Dépêche de Constantine*, reported his visit in October 1956 to Le Guergour, a Berber village that had suffered such terrible atrocities at the hands of the FLN a year earlier that

the small contingent of French troops stationed there had been forced to flee – ‘never had so many throats been slit,’ the newspaper informed its readers.⁸² Now that Le Guergour was in the pacified zone, Papon’s visit focused on talk of a hospital, a new school, and reinstating a local market under the protection of the army. The photograph accompanying the article showed the Algerian population seated on the ground looking up at the French representatives, who stood silhouetted against the horizon. ‘They came from all the *douars* of the Kabyle country, sometimes walking for hours to get there, to salute the representatives of France,’ the newspaper reported. ‘Sitting on the ground, they listen to the voices of wisdom and reason.’⁸³



That same day, *Le Journal d’Alger* featured a picture of a French soldier distributing candy to the children of the village of Tarfat during Papon’s visit.⁸⁴

Such coverage in newspapers favourable to France was intended to win the support of the fractured population in Eastern Algeria. Papon was especially sensitive to this disunity and made a point of using language that was inclusive and reassuring. In a speech in October 1956, he highlighted both the current and planned development works in the region, and affirmed the ‘unbreakable links’ between France and Algeria and the equality of communities and of individuals. He also recognised the uniqueness of the Algerian situation while expressing his hope that the

⁸² *La Dépêche de Constantine*, 12 October 1956, 93/1504, CAOM.

⁸³ *Ibid.*

⁸⁴ *Le Journal d’Alger*, 12 October 1956, 93/1504, CAOM.

Constantinois, which had been the 'cradle of the rebellion will [also] be the cradle of reconciliation.'⁸⁵

Ever pragmatic, Papon used intelligence officers to gather feedback after this speech in order to measure the effects of his words. A summary of the range of opinion lays bare the extent of the challenge he faced.⁸⁶ Among the European settlers, there was a streak of general anxiety running right through the population. Conservatives felt that Papon's optimism was exaggerated, that he underestimated the threat posed by the rebels, and feared that the State would sacrifice the rights and interests of the *pieds noirs* in order to appease the Algerians. Moderates shared this view, and worried that the reforms meant that the State was abandoning Algeria as it had abandoned Indochina, Tunisia and Morocco. Only those with more liberal leanings approved of Papon's speech and of pacification.

The Algerian audience was equally divided. Those who sided with the nationalists felt that the State had completely missed the point: the Algerian people desired independence; sooner or later, the State would have to grant it. They believed that the French and the Algerian populations needed to accept the inevitability of independence and work together towards a solution. Moderate nationalists, on the other hand, were in favour of the reforms and recognised the French investment of capital, employment and infrastructure. However, they regretted that the government had taken so long to initiate the reforms and were sceptical of this government's commitment to deliver after years of broken promises. This was the group the administration most wanted to influence. Persuading them to that the reforms were in their interest represented the best chance of keeping Algeria French, but this support came with a price. '[The moderate nationalists] must have a determining presence in the French administration,' the intelligence officer reported to Papon. 'They must have a determining presence in the administration of their country.'⁸⁷

Increasing the number of Algerian civil servants

For 126 years the State had deliberately prevented the formation of any Algerian political elite for fear that it might challenge French authority, preferring to keep all administrative positions in the hands of the European settlers.⁸⁸ For this reason Algerians represented only 14 per cent of functionaries in Algeria by 1954, all of them of lower rank.⁸⁹ Yet there was no denying that there was a shortage of administrative personnel in Algeria. To those with liberal leanings, the solution seemed obvious: hire Algerians. As Papon later explained, this solution would also have the

⁸⁵ Papon, 'Discours à l'inauguration de la cité musulmane d'El Attabia', 9 October 1956.

⁸⁶ Chief of Police for Intelligence in the Department of Constantine to the IGAME of Eastern Algeria, 15 October 1956, 93/1504, CAOM.

⁸⁷ *Ibid.*

⁸⁸ Tony Smith, 'A Comparative Study of French and British Decolonization' in *Comparative Studies in Society and History*, Vol. 20, No. 1, January 1978, p. 92.

⁸⁹ Branche and Thénault, 'La guerre d'Algérie', p. 222.

advantage of giving Algerians a stake in the running of their country and thus make them less inclined to support the nationalists.⁹⁰

In September 1956, Papon announced that 105 of the 163 vacancies in Eastern Algeria, 64 per cent, would be reserved for Algerians. But it was easy to declare targets; the challenge would be to find Algerians with enough education to fill the posts. In 1954, only 15.4 per cent of Algerian children attended school, compared to 100 per cent of European settler children, and Algerians presented only 10.9 per cent of the university students in the territory.⁹¹ Literacy rates in Algeria at this time were dismal, standing at only 5.9 per cent for men and 1.6 per cent for women.⁹² This left the Algerian population at a considerable disadvantage when trying to compete for anything other than manual roles.

Hoping to encourage applications, the government announced that from 1 July 1957 at least half of the vacant permanent positions and two-thirds of temporary positions were reserved for Muslims. Nearly 12,000 Algerians applied.⁹³ The government's new policy should have transformed the administration in Algeria by making it more representative of the population, yet the statistics from 1956 to 1961 indicate otherwise.⁹⁴

Civil Service Categories	01 January 1956			01 January 1961		
	Total Staff	Muslim Staff	% Muslim	Total Workforce	Muslim Staff	% Muslim
A (senior positions)	7,295	205	2.8%	9,818	495	5%
B (middle positions)	22,820	3,278	14.4%	30,764	3,511	11.4%
C and D (lower positions)	26,393	6,648	25.2%	37,636	10,059	26.7%
Total	56,508	10,131	17.9%	78,218	14,065	18%
	Total Staff	European Staff	% European	Total Staff	European Staff	% European
A (senior positions)	7,295	7,090	97.2%	9,818	9,323	95%
B (middle positions)	22,820	19,542	85.6%	30,764	27,253	88.6%
C and D (lower positions)	26,393	19,745	74.8%	37,636	27,577	73.3%
Total	56,508	46,377	82.1%	78,218	64,153	82%

Although the number of Algerians increased across all categories of the civil service, so did the number of European settlers. The result was that by 1961, Algerians still held around a quarter of all lower positions (categories C and D), little more than a tenth of all middle positions (category B) and just five per cent of all senior positions (category A). European settlers still dominated the administration in Algeria.

⁹⁰ MP-SHC Interview 2, p. 31.

⁹¹ Jonathan Keith Gosnell, *The Politics of Frenchness in Colonial Algeria, 1930-1954* (Rochester, NY: University of Rochester Press, 2002), p. 48.

⁹² Andrews, *French Politics and Algeria*, p. 6.

⁹³ Minister of Algeria to the Foreign Minister, telegram, 6 July 1957, 12CAB/214*, CAOM.

⁹⁴ 'La Participation des musulmans à la fonction publique en Algérie', document given to the author by Paul Bouteiller, a prefect who worked on Algerian issues from 1959 to 1962, interview with the author, January 2004, Paris, France.

In 1961, in belated recognition that many Algerian applicants had been hindered by their poor of qualifications, the administration no longer insisted that applicants have a diploma. Henceforth, it would recognise other qualifications, such as past administrative experience, civic or military titles.⁹⁵ But it was too late; Algeria would be independent the following year. Nevertheless, it would be misleading to suggest that a lack of qualifications alone prevented Algerians from taking up roles in the administration; the threat of kidnap or murder by the nationalists was also a deterrent, especially for Algerians who worked with the administration on communal reform.

Communal reform

Communal reform was at the micro-level of the administrative reform of Algeria. First the three Algerian *départements* were reclassified as regions, headed by three IGAMEs. Within the three regions, 12 new *départements* were created, each headed by a prefect who was supported by teams of sub-prefects, each in charge of newly created *arrondissements* (administrative districts). By thus increasing French control at the highest administrative levels, which the State could afford to be generous and loosen its control at the lowest level of administration: the *communes*.

Since the failed Algerian Statute of 1947, the State had recognised the need to end the two-tier system of *communes* in Algeria, in which the Algerian-majority *communes mixtes* were under direct administration while the European settlers enjoyed French-style municipal administration in their *communes de plein exercice*. The Mollet government's decree of 28 June 1956 abolished the *communes mixtes* and ordered the administration to create new *communes*.⁹⁶ It also replaced the municipal councils of all Algeria's *communes*, whose members had been elected from the two electoral colleges, with bipartite delegations, called Special Delegations, whose members were 'designated' – appointed – by the administration.⁹⁷ As per the Mollet government's triptych of 'ceasefire, elections, negotiations', elections to the Special Delegations would have to wait, although the new system for elections was promising: the municipal councils of the new *communes* would be elected by a single electoral college, although a system of proportional representation would be used in *communes* of more than 9,000 inhabitants in order to protect the European settler minority.⁹⁸ Until then, the Officers of Algerian Affairs would assist the new *communes*, as many of the new Special Delegates would have little or no experience of administration.⁹⁹

This was direct administration by a different name. As such, Papon's claim in November 1957 that communal reform 'respond[ed] to the democratic aspirations of the population' and 'testified to

⁹⁵ *Ibid.*

⁹⁶ Decree No. 56-642 of 28 June 1956. *Ambassade de France, service de presse et d'information* (New York), 'Constructive Action of the French Government in Algeria', *French Affairs*, Number 40, January 1957, BLPEs, p. 13.

⁹⁷ *Ibid.*, p. 15.

⁹⁸ *Ibid.*, p. 13.

⁹⁹ Papon to the General Commanding the Army Corps of Constantine, the Prefects of Batna, Bône, Sétif, the Generals Commanding the Operational Zones, the Sub-Prefects, Officers of Algerian Affairs, Mayors, Presidents and members of the Special Delegations, 'Rapports entre les Officiers Chefs de SAS, Maires, Presidents de Delegation Spéciale et Délégués Spéciaux', 18 November 1957, 93/1283*, CAOM.

a political intention to give a democratic life to a population which has remained outside of public affairs for too long' seems manipulative.¹⁰⁰ He knew that France was not offering true democracy to Algerians, and that the only reason they had "remained" outside of public affairs for so long was because the administration had *prevented* them from participating. Only Algerians who sympathised with the French had been allowed to participate in the administration or the Algerian Assembly, and their collaboration tainted them in the eyes of their compatriots. There was nothing to suggest that this system would change with the Special Delegations, which made it difficult to find Algerians willing to serve.

Even when Algerians did agree to participate in the Special Delegations, there was a risk that they secretly supported the nationalists. 'We need to be careful of this kind of situation, or else we risk being beaten by the FLN at our own game,' the police intelligence warned.¹⁰¹ Papon later remembered, 'There were some who played a double game and had clandestine relations with the FLN; others got themselves killed.'¹⁰²

Any Algerian who worked with the French faced the possibility of kidnap and murder. The prefect of the Sétif *département* informed Papon that Algerian policemen were being targeted, and some had abandoned their posts as a result.¹⁰³ He also noted that some Algerians had agreed to participate in the Special Delegations, but only on the condition that they remained anonymous, 'for fear of reprisals'. To allay these fears and encourage more Algerians to participate, the prefect advised that the army should protect the new *communes* using its system of *quadrillage*.¹⁰⁴

Quadrillage was not viable for the long-term, as the army could not be everywhere at once, and communal reform could hardly be called a success if it only worked when backed up by force. Yet this is precisely what Papon came to advocate in two instructions to the army in May 1957¹⁰⁵ after reporting the FLN's activities: large-scale confiscation of identity cards, numerous attacks on people and goods, clashes between strongly-armed bands, frequent assassinations of those who accepted to work with [the French], and deeper implantation of the [rebel] politico-administrative structure.¹⁰⁶ 'We are losing ground everywhere,' he noted. 'The only solution is the reinforcement of troops.' Furthermore, he indicated, the fear and violence were taking its toll on the population:

Terrorised, the populations take refuge more and more in a prudent wait-and-see attitude (often the result of a lack of confidence in our means) that the ministerial crisis [resulting from the fall of the Mollet government on 21 May 1957] does not help....Doubts are appearing about

¹⁰⁰ *Ibid.*

¹⁰¹ Police des Renseignements Généraux du Département de Constantine, 'Rapport Mensuel période du 25 janvier au 24 février 1958', 93/1179*, CAOM.

¹⁰² MP-SHC Interview 2, p. 11.

¹⁰³ Sétif monthly report, January 1957, 81F/655, CAOM; Sétif monthly report, March 1957, 81F/655, CAOM.

¹⁰⁴ *Quadrillage* is discussed in Chapter 3.

¹⁰⁵ Papon refers to these instructions, dated 6 and 23 May 1957, in his orders to the entire civil and military apparatus of Eastern Algeria, 18 November 1957, 93/4411* and 92/1283*, CAOM.

¹⁰⁶ Papon, monthly report, May 1957, 93/1171*, CAOM.

the willingness of France to remain in this country....The murder of three civil servants appears to give credence to the rumours that have people believe that the rebels intend to assassinate all the civil servants and all those who, regardless of their title, are employed by the government.¹⁰⁷

Papon's subordinates were equally gloomy. One wrote, 'The numerous kidnappings and throat-slittings of the Algerian Special Delegates of the new *communes* underline the danger of the present circumstances.'¹⁰⁸ The *Service de Liaison Nord-Africaine* (SLNA), which monitored the activities of the indigenous population in French North Africa, concurred:

April [1957] was a little slower in terms of the rebellion but this month it has increased, in the unprecedented savagery of terrorism as much as in the implantation of the [rebel] politico-administrative structure, despite our efforts....since the start of the rebellion, this month has registered the highest number of attacks on Muslim Frenchmen.¹⁰⁹

Such conditions made it difficult to persuade Algerians to participate in the reforms. Rather than change Algeria, many Algerians preferred to flee for safety and an economic future in France. 'The inhabitants who, between May 1956 and March 1957, appeared to have regained confidence and only spoke of work, activities and the economy have, since March 1957, spoken only of leaving for France,' wrote one sub-prefect in May 1957. 'Every day an average of ten men request permission to leave....In a few weeks the pacification of the region will be no more than a dream.'¹¹⁰

For Papon, the dream was not yet over. In May 1957 he issued a joint order with General Noiret emphasising the importance of the Special Delegations and forbidding collective punishment for acts of violence or sabotage, as it was

essential that the Special Delegations retain the trust of the populations....In any case, no measure should interfere with the civil authority, which will make contact with the President and the members of the Special Delegations as soon as possible to find a reasonable solution....We must understand that the municipal delegates, like the delegates of the *départements*, like all elected officials who remain faithful to their mandate...are courageous men who are assuming difficult responsibilities in dignity. They have a right to respect because they have accepted the mission that has been given them in often dangerous conditions.¹¹¹

¹⁰⁷ *Ibid.*

¹⁰⁸ Prefect of Batna, monthly report, May 1957, 81F/655, CAOM.

¹⁰⁹ SLNA, Prefecture de Constantine, rapport mensuel d'information sur l'activité musulmane dans le département de Constantine, May 1957, 93/1171*, CAOM.

¹¹⁰ Sub-Prefect Nicoulaud to IGAME, monthly report, May 1957, 93/1171*, CAOM.

¹¹¹ Papon and General Jean Noiret, joint order, 6 May 1957, MPPP.

In November 1957, he reiterated his ban on collective reprisals, arguing that such action would discredit the Algerians who had agreed to risk of their lives in order to serve France.¹¹²

Statistics from July 1957 suggest that Papon's faith in communal reform was not entirely misplaced; the administration was making real progress. Across Algeria, 80 per cent of the new Special Delegates were Algerian, and Algerian mayors headed over 50 per cent of the newly created *communes*.¹¹³ Among the twelve commissions of the twelve Algerian *départements*, 60 per cent of the members were Algerian.¹¹⁴ In the three regional assemblies, exactly half the representatives were Algerian, and the regional assemblies of the Oranais and Eastern Algeria had Algerian presidents.¹¹⁵

These Algerian representatives were appointed, not elected, to their roles, but this does not detract from the fact that they were willing to defy considerable dangers to work with the French. Their numbers must be included within the total population of Algerians who were pro-French during the Algerian War – those who worked in the administration, the police, and the army. As the historian Martin Evans points out, the existence of an estimated 1.5 million pro-French Algerians, more than one-tenth of the total Algerian population, is troubling for the mythology of Algerian nationalism, which promotes the image of a unified Algerian people fighting a common French enemy.¹¹⁶ For Papon, these pro-French Algerians confirmed his faith in France's "revolution" in Algeria.

Yet Papon could not deny that the escalating level of violence limited any success of the reform. In January 1958, in a report marked 'top secret', he wrote to the Resident Minister:

In the report of 30 October 1957, I wrote: '...the *détente* is increasing and political overtures are multiplying across the civil population. This preliminary remark would suggest that our essential objective is on the way to being achieved: to separate the population from the rebellion and to isolate one from the other.' Today I have the duty to report that the military situation has evolved very unfavourably, despite some spectacular results. The rebellion is trying vigorously to retake a population which, only yesterday, was beginning to escape from it. Insecurity is worsening and its development would not be without grave political incidence.¹¹⁷

Noting that more than twenty Special Delegates had been either kidnapped or assassinated since December 1957, Papon warned, 'This resumption of terrorism acts as a serious warning to any new

¹¹² Papon to the General Commanding the Army Corps of Constantine, the Generals Commanding the Operational Zones, the Prefects, the Sub-Prefects, and the OAA. 18 November 1957, 93/4411*, CAOM. Also in 92/1283* and 12CAB/124*, CAOM.

¹¹³ Minister of Foreign Affairs to the Minister of Foreign Affairs, telegramme, 6 July 1957, 12CAB214*, CAOM.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ Evans, 'The Harkis', p. 123.

¹¹⁷ Papon, 'SLNA Evolution de la Situation dans l'Est Algérien, Rapport de l'IGAME, Janvier 1958', 3 February 1958, 93/4431*, CAOM.

candidates. I do not think, in these conditions, that it would be reasonable to hope for an extension of the Special Delegations...terrorism is resuming in a virulent manner.'¹¹⁸

Terrorism threatened not only the implementation of communal reform, but showed that after nearly two years France was no closer to defeating the rebellion. Under such conditions, allowing elections was unthinkable. This weakened support for the *loi-cadre*, which, after having been rejected at the end of September 1957, was again moving through the *Assemblée Nationale*. Frustrated, Papon blamed the deputies for the four-month delay since the legislation had first been introduced:

At the moment when we could have acted effectively, Parliament was splitting hairs over a text whose political value was far superior to any legal considerations, imagining perhaps that the *loi-cadre* alone offered the famous 'political solution' that simple minds sought since the start of the insurrection. However, the *loi-cadre* has built on the communal reform and on population resettlement: its strength is what will come from its application in terms of practical virtues, not abstract principles. Muslim psychology needs concrete results. It is our action that counts, not our intention, and certainly not the legal value of the text.¹¹⁹

Papon's irritation at seeing the *loi-cadre* dragged through the political machinations of the *Assemblée Nationale* was exacerbated by the relentless violence in Eastern Algeria that made a mockery of any claim to the success of the political reforms. He concluded, 'If I do not insist on the political situation, it is because, in this area, **any solution is subordinate to the destruction of the rebel bands....In any case, the solution to political problems remains a function of security** [author's emphasis].'¹²⁰ Coming from one of the most enthusiastic and active advocates of France's political "revolution", this was tantamount to admitting defeat, but Papon did not give up completely on political reform. In March 1958, he appointed an Algerian as the first mayor of Constantine.¹²¹

Nevertheless, events that month seemed to confirm his conclusion, as the city was rocked by violent attacks. The sub-prefect of Constantine reported to Papon kidnappings, murders, ambushes and thefts, noting in particular 'the kidnapping, followed by the assassination of a Muslim member of the local council. He participated actively in the good running of municipal affairs and brought a precious and effective aid to the [council] President. This courageous attitude has been fatal for him.'¹²² Following their decision to serve on the local council of a new *commune*, another five Algerians were kidnapped and killed by the FLN. 'This will further increase the difficulties,' the sub-prefect of Constantine commented. 'It is thus that, at [in the *commune* of] Oued-Athmenia, it has not

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ Papon, *Les chevaux du pouvoir*, p. 17.

¹²² Constantine Sub-Prefecture, 'Rapport mensuel', 29 March 1958, 93/1180*, CAOM.

been possible to find a single Muslim willing to be part of the new communal assembly.¹²³ Elsewhere in the region, another sub-prefect echoed this report, adding that some of the Officers of Algerian Affairs had quit owing to the increase in FLN threats, the setbacks in communal reform, and the failure to implement the *loi-cadre*.¹²⁴

The mounting body count seemed to support Papon's conclusion that any political solution was subordinate to establishing security in the region. Yet because of his quarrels with the military High Command in Algiers, which had repeatedly denied his requests for more troops¹²⁵, Papon could have little confidence in the army's ability to pacify Eastern Algeria. Nor was he alone in this view, for one of his sub-prefects reported that some European settlers had accused the local military command of incompetence, and sent telegrams to that effect to the Resident Minister with the demand for an enquiry.¹²⁶ 'If the next military action or rebel attack leads to European victims,' the sub-prefect of Djidjelli warned, 'we should expect violent incidents which could become acts of counter-terrorism.'¹²⁷ By the time this prediction came true, Papon had left Algeria for Paris.

Conclusion

Over his two years as IGAME of Eastern Algeria, Papon's faith in France's liberal "revolution" in Algeria deteriorated as his actions met with repeated failure. His participation in the creation of the liberal *loi-cadre*, and his efforts to defend it at the United Nations in late 1957, were defeated by the political instability of Fourth Republic governments. In May 1958, the Fourth Republic collapsed under threat of invasion from its own army, taking the *loi-cadre* down with it.

Papon's efforts to implement the reforms of the Special Powers Act of 16 March 1956 proved just as frustrating. Although he and his subordinates enjoyed some success in improving the infrastructure, increasing the administrative personnel, hiring more Algerian civil servants and persuading Algerians to participate in communal reform, this success came at too high a price. Faced with the reality of Algerians mutilated and murdered for participating in the reforms, Papon and his colleagues came to believe that it was impossible for the army, much less the administration, to guarantee their security. As his mission drew to a close, Papon became convinced that security had to come before any political solution to the "Algerian Question".

Later, Papon acknowledged the transformation in his views: 'This Algerian subject was a bit of a trapdoor. One did not leave it the way one entered it. Strange... [there was] something magical

¹²³ *Ibid.*

¹²⁴ Djidjelli sub-prefecture, 'Rapport mensuel', 28 March 1958, 93/1180*, CAOM.

¹²⁵ There is a reference to Papon's 'Report n. 377' of 16 July 1956 on the need to redistribute troops from the Oran and Algiers to Eastern Algeria in Papon, 'Rapport sur le Haut Commandement en Algérie', undated but the author has determined it to date after 13 May 1958 because it refers to 'the events of 13 May', MPPP. The High Command's refusal to supply more troops to Eastern Algeria is discussed in Chapter 3.

¹²⁶ Djidjelli Sub-Prefecture, 'Rapport mensuel', 28 March 1958.

¹²⁷ *Ibid.*

about it.¹²⁸ This was true in more than one sense: Papon's appointment as IGAME of Eastern Algerian in May 1956 had resuscitated his career. The ideas he developed during this role had won him the support of France's most powerful ministers, and his record on managing and coordinating the civil and military authorities in Eastern Algeria led to his promotion, in March 1958, to prefect of Paris police which, along with the prefect of the Seine *département*, was one of the two most senior roles in the *corps préfectoral*.

This promotion revealed the government's assessment of Papon: intelligent, innovative and independent-thinking, just the kind of leader needed to resolve the crisis in the Paris police brought on by a demonstration of thousands of police who sought better pay in recognition of the increased dangers they faced fighting Algerian nationalism in the capital. Some had even beaten up their commanding officers and forced their way into the *Assemblée Nationale*. Papon accepted the appointment straightaway. Due to the urgency, he had to leave the next day. There was much to do in little time: he had to pack, speak to his wife to arrange when she and their two youngest children, who were still in school, could join him, and meet with Pierre Somveille, who would be in charge until a new IGAME could be appointed. Given the turmoil of that evening, Papon could have delegated the task of swearing in the new Algerian officials, including the first Algerian mayor of Constantine; instead, he stayed up late into the night until the last official was sworn in.¹²⁹ It was a last gesture towards the liberal policies he had so believed in. At dawn, he boarded a plane for Paris.

¹²⁸ MP-SHC Interview 1, p. 64.

¹²⁹ Papon, *Les chevaux du pouvoir*, p. 22; Bernard Violet, *Le dossier Papon* (Paris: Flammarion, 1997), p. 94.

Chapter 5

Papon's Role in the Battle of Paris

March 1958-July 1962

Scholars and critics of Maurice Papon have singled him out for criticism over the heavy-handed treatment of Algerians by the Paris police during the Battle of Paris from 1958 to 1962. Some argue that in order to dismantle the FLN's state-within-a-state, which dominated the capital's Algerian population and challenged the authority of the French State, Papon created a repressive police apparatus known as "the Papon System".¹ This made *all* Algerians in Paris liable to surveillance, round-ups, internment in detention camps, curfews, deportation to Algeria, torture, and even murder. Often covert, this repression could also be public, such as on the night of 17 October 1961, when 30,000 unarmed Algerians demonstrated in protest against a curfew that applied only to them. In response, the police arrested over 11,000 demonstrators, injured over 1,000 and killed 30-50 that night and possibly more in the days that followed,² in what Jean-Luc Einaudi described in *Le Monde* as a 'massacre' ordered by Papon.³

That the Paris police repressed the capital's Algerian population from 1958 to 1962 is indisputable, but it is scarcely justifiable to hold Papon alone responsible. Even François Maspero, one of Papon's most long-standing critics, recognises that he operated within a hierarchy: the prefect of Paris police obeys the orders of the Minister of the Interior, who reports to the Prime Minister⁴, who in turn is accountable to the President of the Republic.⁵ Pierre Messmer, Minister of the Army (1960-1967), later confirmed this top-down transmission of orders: 'One cannot attribute to a prefect responsibility [for the events that occurred] when the government gave him precise

¹ Linda Amiri first employed the term "le système Papon" in *La bataille de Paris* (Paris: Robert Laffont, 2004), p. 81. Sylvie Thénault uses it in *Histoire de la guerre d'indépendance algérienne* (Paris: Flammarion, 2005), p. 227, as do House and MacMaster in *Paris 1961* (Oxford: Oxford University Press, 2006), pp. 33, 69-70.

² The police arrested a total of 13,794 Algerian men during the demonstrations of 17-19 October 1961: 11,518 on 17 October; 1,856 on 18 October and 420 on 19 October. See House and MacMaster, *Paris 1961*, p. 127 and note 59. The police also arrested a further 300 Algerians during other police operations, for a total of 14,094 Algerians arrested during this period. See Papon to the Minister of the Interior, 4 December 1961, Ha111*, APPP; House and MacMaster, *Paris 1961*, p. 129. House notes that some Algerians died on the night, others in the days that followed in Jim House, 'The colonial and post-colonial dimensions of Algerian migration to France', <<http://www.history.ac.uk/ihr/Focus/Migration/articles/house.html>> [accessed 14 February 2008]. House and MacMaster note that the figure of between 30 to 50 Algerians killed is for the night of 17 October 1961 only; they and other historians argue the police killed between 120-200 Algerians during September-October 1961. See House and MacMaster, *Paris 1961*, p. 167.

³ Jean-Luc Einaudi, 'October 1961: For the Truth, At Last', *Le Monde*, 20 May 1998 in Richard J. Golsan (ed.) *The Papon Affair* (New York: Routledge, 2000), pp. 226-229. For a summary of Papon's defamation suit against Einaudi and the court's verdict, see 'Pour la vérité enfin/ À propos de l'affaire Papon c/ Einaudi, Tribunal de grande instance, 17e chambre correctionnelle, 26 mars 1999', *Petites Affiches*, PA199910605, LPA, 28 mai 1999, n. 106, pp. 21-32.

⁴ Under the Fourth Republic this position was called the *Président du Conseil*, while under the Fifth Republic it is *premier ministre*.

⁵ François Maspero, postface in Paulette Péju, *Ratonnades à Paris précédé de Les harkis à Paris* (Paris: La Découverte, 2000), p. 200.

orders.⁶ The State hierarchy determined Papon's role: every evening he met the Minister of the Interior to report on the activities of, and intelligence from, the Paris police⁷; he frequently met ministers to adapt the Paris police for the fight against Algerian nationalists; and to fund these changes he required the approval of the Ministry of the Interior and the Municipal Council of Paris.⁸

In addition to the constraint of hierarchy, existing studies of Papon's role in the Battle of Paris downplay that largely because of the war in Algeria and its spread to metropolitan France, the State itself faced its worst crisis in over twenty years, with the Paris police as well as the army in Algeria in a state of barely contained rebellion. It is within this broader context of State hierarchy and crisis that Papon's role from 1958 to 1962 must be examined in order to measure accurately the constraints he faced and compare his actions with those who had sworn to serve the State but instead turned against it.

The chapter then develops two propositions concerning Papon's role in the repression of Algerian nationalism in the capital. On the one hand, Papon, as will be seen, was not the architect of a system to repress Algerians, for Muslim-specific police practices had existed for many years prior to his appointment. On the other hand, he persuaded his superiors to bring the methods of the Paris police prefecture more closely into line with those used by the army across the Mediterranean. And closely linked to this, it will be shown that his leadership style contributed decisively to the Paris police's brutal repression of Algerian nationalists.

Crisis in the Paris police

Papon was speaking from experience when he told *Le Point* magazine in 2004, 'Nothing, in fact, is more fundamental than the duty to obey. Without the duty to obey, you no longer have any State, you no longer have any army, you no longer even have business....'⁹ He owed his appointment as prefect of Paris police in March 1958 to a breakdown in police discipline; two months later he witnessed the collapse of the Fourth Republic under threat from its own army; and in 1961 he was involved in the government's effort to resist another military *coup d'état*. These experiences profoundly influenced his leadership of the Paris police during the last four years of the Algerian War; for him, it was essential to have the loyalty of the men under his command.

On 13 March 1958, while Papon was still IGAME of Eastern Algeria, 3,500-5,000 police officers gathered in the courtyard of the Paris police prefecture to protest about the increasingly dangerous

⁶ Catherine Erhel, Mathieu Aucher, Renaud de La Baume, *Le procès de Maurice Papon, 8 octobre 1997 – 8 janvier 1998* (Paris: Albin Michel, 1998), vol. 1, p. 222. Henceforth, Erhel et al., *Le procès Papon*.

⁷ Philip John Stead, *The Police of France* (New York: MacMillan, 1983), p. 99; MP-SHC Interview 4, p. 6.

⁸ At this time the city of Paris paid for a quarter of the expenses of the Paris police prefecture while the Ministry of the Interior funded the rest. Philippe Nivet, 'Le Conseil Municipal de Paris et sa police (années 1930–années 1960)' in Jean-Marc Bérière and Denis Peschanski (eds.) *La police française (1930-1950): entre bouleversement et permanences* (Paris: La Documentation française, 2000), p. 285.

⁹ Denis Demonpion, 'Le dernier plaidoyer de Papon,' *Le Point*, 19 February 2004, p. 27.

conditions in which they worked with no corresponding raise in salary.¹⁰ The Algerian crisis had crossed to mainland France in early 1956, and in their quest to control the Algerian immigrant community, the two main nationalist groups, the *Mouvement National Algérien* (MNA) and the *Front de Libération Nationale* (FLN), had brought new levels of violence to the capital. Already in February 1958 a police officer had been killed, and in early March two police officers standing guard outside their station had been shot at.¹¹

The protest gathering rapidly deteriorated. When Maurice Legay, a senior commanding officer, tried to prevent a group of policemen from using the siren of a police car, several officers took him aside and punched and kicked him.¹² Upon hearing this, André Lahillonne, the prefect of Paris police, refused to meet with a delegation of officers.¹³ In response, policemen gathered in the street, blowing their whistles, blaring sirens and bringing traffic to a standstill. A group of 2,000 officers then marched to the *Assemblée Nationale*, causing gridlock. Upon their arrival, a delegation of eight officers broke into the Chamber of Deputies, interrupted the parliamentary session in progress, and demanded to be heard.

Two internal police reports reveal how quickly the situation degenerated.¹⁴ As the parliamentary session was suspended for deputies to meet with two separate delegations of officers, two other deputies went out to harangue the officers outside the *Assemblée Nationale*. In another part of the building, Lahillonne and André Roches, the Director General of the Municipal Police, arrived for a crisis meeting with Maurice Bourgès-Maunoury, the Minister of the Interior. When Roches went to calm his officers, he too was beaten up. Twice the parliamentary session resumed; twice the ensuing fracas required it to be halted. Finally, Bourgès-Maunoury stood before the *Assemblée Nationale*, condemned the officers' demonstration as 'intolerable' and announced that the government had just agreed a budget to give police officers hazard pay. Again the deputies began arguing; again the parliamentary session was suspended. The officers' delegates left the building to rejoin their comrades, who were 'insulting the deputies who appeared at the windows and disrupting traffic.'¹⁵ Most dispersed after being informed of the new hazard pay. Inside the *Assemblée Nationale*, however, the atmosphere remained fraught, and the parliamentary session resumed only to be closed for the night five minutes later.

¹⁰ André Lahillonne to the Minister of the Interior (Maurice Bourgès-Maunoury), 13 March 1958, Ha90*, APPP; author unknown, 'Au sujet de la manifestation dans la Cour du 19 Août', 13 March 1958, Ha90*, APPP.

¹¹ On the police officer killed in February 1958, see 'Policiers victimes des attentats du 1 Janvier 1957-20 Novembre 1961' Ha65*, APPP. On the police officers fired on outside of their police station, see Bernard Violet, *Le dossier Papon*, (Paris: Flammarion, 1997), p. 90.

¹² Legay was the Assistant Director of the Paris Municipal Police. Author unknown, 'Au sujet de la manifestation dans la Cour du 19 Août', 13 March 1958, Ha90*, APPP.

¹³ Violet, *Le dossier Papon*, p. 90.

¹⁴ Lahillonne to Bourgès-Maunoury, 13 March 1958, Ha90*, APPP; Author unknown, 'Au sujet de la manifestation dans la Cour du 19 Août', 13 March 1958, Ha90*, APPP. See also author unknown 'Les incidents du 13 mars 1958 : la chronologie', Ha89*, APPP.

¹⁵ 'Au sujet de la manifestation dans la Cour du 19 Août', 13 March 1958, Ha90*, APPP.

How had a number of police come to beat up two of their commanding officers, bring central Paris to a standstill and forcibly disrupt parliament? Lahillonne's report to Bourgès-Maunoury revealed a police force in crisis:

For the past ten years, members of the police, who were denied the right to strike, hoped, in return for not going strike, to obtain a certain number of advantages. Their living conditions have become difficult while their duties have increased. Their sense of professionalism remained intact but, little by little, they began to feel that their efforts, their duties, the thanklessness of their role, were not being recognised. Meanwhile, other civil servants obtained partial improvement [in working conditions] or saw their situations aligned with that of the police, even though their responsibilities are not the same.

For the past two years, the Paris police has had to confront the explosion of North African terrorism without any corresponding increase in the number of officers or a rise in salary. The working conditions became exhausting, then dangerous. The cowardly attacks of which police officers have been victim have added to the malaise of the job.

Some officers fulfil exhausting, thankless and dangerous duties and have a nervous tension that renders them irritable and embittered.

The demonstration organised for this afternoon was the first: it degenerated and took on an unacceptable form from men who had forgotten momentarily that they were the representatives of order.¹⁶

This was worrying enough, but Lahillonne added a further complication:

I have envisaged the possibilities for punishing such errors. It appears that it would be inopportune to punish the police union leaders, simply because they are their representatives. I believe that such a decision would risk provoking an even greater malaise in the police than that which we have noted. Given the solidarity that exists between the various police corps, a strike in Paris would have incalculable consequences in all of France. Sanctions of a general order can, obviously, be envisaged; but they seem unfair to the majority of officers who were not responsible and would risk provoking the reactions I've just pointed out. As of this evening, enquiries have begun to discover those notable for their excess, but these investigations will require several days and thus risk losing the desired effect.

At an emergency meeting of the Council of Ministers, Félix Gaillard, the Prime Minister, refused Bourgès-Maunoury's offer to resign. Instead, he aimed to punish those at the top of the police hierarchy, starting with Lahillonne, who stood accused of failing to keep his officers under control.¹⁷ Lahillonne's defence – that he had ceaselessly warned the government of the malaise within the Paris police force – was ignored.¹⁸ Requirements for the new prefect of Paris police were discussed: he must be able to command respect from his men and restore order and discipline, as well as tackle the growing threat of Algerian nationalism in the capital. Bourgès-Maunoury suggested his friend and *protégé*, Maurice Papon.

Papon met all the requirements for the post. He was at the time engaged in the fight against Algerian nationalism in the Constantinois. Moreover, he had already served as secretary-general of the Paris police prefecture from 1951 to 1954, and thus knew its structures and many of its officers. Jean Baylot, then prefect of Paris police, had indicated that Papon possessed the necessary

¹⁶ Lahillonne to Bourgès-Maunoury, 13 March 1958, Ha90*, APPP.

¹⁷ Violet, *Le dossier Papon*, p. 93.

¹⁸ *Ibid.*, p. 93.

personal qualities in his evaluation of Papon's performance as secretary-general of the Paris police prefecture. '[Papon has] an absolutely remarkable authority and influence over men, prompt and solid decision-making, firm and straight character, moral value of the first order, and exceptional intelligence.'¹⁹ He was, Baylot observed, 'an excellent orator, relaxed and precise with an elegant turn of phrase' and an 'extended and solid' knowledge of law and administration. Papon's dynamism and activity were 'of the first order', his working methods were 'precise and conscientious', and his personality was 'very rich, so that it is difficult to name one dominant aspect, for this would interrupt the perfect balance of exceptional gifts and means.' He concluded,

In all of the posts entrusted to him, Papon has shone. At the Paris police prefecture, he helped greatly with the considerable reorganisation that is being carried out, and which will bring a better management, economy and facility to its users...[He sees] the big picture and is concerned with the detail, follows orders and manages with care. In all of the great roles of the State, Papon will render eminent services. This is a man of rare value.

At the age of 47, after twenty-three years of service, Papon had reached the top of the *corps préfectoral*. This new role was the convergence of his personal ambition and his service to the Republic. He later recalled that he had sought just this sort of role very early in his career:

I wanted a role that was grounded in reality. It was not about having hypotheses, or lofty ideas; if there is an incident on the corner of the street, you've got to hit the ground running.²⁰

This was an apt description, for no sooner had Papon begun to restore order to the Paris police than a new threat to the authority of the State appeared: the army.

The army challenges the authority of the State

'We were in the golden age of the Fourth Republic, if I may say,' Jacques Lenoir, a prefect who served in Algeria in the 1950s, later remembered,

the age when governments formed and collapsed incessantly. One no longer knew who the national leader was – it's true! We lived in our Algerian problems, we were doing our jobs and because of the [political] instability we believed that we stood for something. What happened in Paris did not appear so important to us – it was Pierre today, Paul tomorrow.²¹

The collapse of the Gaillard government on 15 April 1958 confirmed that those who served the State were again without a leader to obey. 'During that month of April, with no government other than one for the interim, I was forced to navigate by sight,' Papon described in his memoirs.

Political Paris was at a boiling point. I crossed a frightened herd in the corridors of power where each was already asking himself about the future of the regime and his own fate. Parliamentary deputies accustomed to crises were torn between anger and foolhardiness,

¹⁹ Jean Baylot, Notes Professionnelles Concernant M. Papon, Prefet hors classe, 1953', dossier 19950277*, article 41 Maurice PAPON, file 2 'professionnel', CAC.

²⁰ SH-MP Interview 3, p. 18.

²¹ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981, OR3, Témoignages sur la guerre d'Algérie, AHC-CHSP.

wrapped up for the most part in the tenacious illusion of myths that have a hold over institutions [...]. For the whole month, the regime wore itself out with its impotence.²²

For three weeks the politicians floundered until finally René Coty, the President of the Republic, asked Pierre Pflimlin, the Minister of Finance, to form a new government. This had an unexpected twist for Papon: Pflimlin offered him the role of Minister of Algeria. Papon asked for time to consider it but eventually declined. In his memoirs, he claimed that his decision was influenced by rumours 'whispering the name of General [Charles] de Gaulle [...] at that point we had such fragile hopes in our cities and our countryside, [and] uncertainties incessantly aggravated by Paris. Only General de Gaulle was capable of confronting events.'²³ This recollection was likely coloured by his knowledge of the ensuing events, but it is also possible that Papon sensed Pflimlin's government would be no less fragile than Gaillard's had been, and understood that he too would be vulnerable if he accepted the role of Minister of Algeria. He was more secure as prefect of Paris police – for the moment.

His decision proved wise, for Pflimlin's government was soon brought down by a 'cold revolution' led by the French army and supported by the *pieds noirs* in Algeria.²⁴ Pflimlin had talked of negotiating with the FLN, and as he began to form his government, several events occurred in Algeria that hardened the army's resistance to his leadership. First, as *piéd noir* leaders began a vocal campaign of resistance to the *loi-cadre*, the political reform that would have given greater freedoms and rights to Algerians and thus undermined the privileged position of the European settler population, the FLN began killing Algerians who were willing to work with the French to implement it.²⁵ Then, on 9 May, in retaliation for the French army guillotining three FLN members who had been convicted of terrorism, the FLN killed three French soldiers whom it had held in captivity for eighteen months and found guilty in an FLN 'court'. This fulfilled the promise of *El Moudjahid*, the FLN newspaper, which had just announced that 'each Algerian patriot to mount the scaffold signified one French prisoner before the firing squad'.²⁶

Negotiations were now inconceivable to the army and the *pieds noirs*. Raoul Salan, Commander-in-Chief of the French army in Algeria, sent a telegram to the Chief of the General Staff in Paris demanding a government that would commit to keeping Algeria French, and threatened that the army would use force if necessary to obtain it. The power dynamics had reversed: the army was no longer willing to obey to the State. On 13 May tens of thousands of *pieds noirs* turned out in Algiers to witness Salan lay a wreath to the *monument aux morts* to honour the three French soldiers killed by the FLN. High school students joined with fanatic

²² Papon, *Les chevaux du pouvoir*, p. 27.

²³ *Ibid.*, p. 31.

²⁴ The use of the term "cold revolution" to describe the events of May 1958 is from Philip Williams, 'How the Fourth Republic Died: Sources for the Revolution of May 1958' in *French Historical Studies*, Vol. 3, No. 1 (Spring, 1963), p. 1. Williams's article summarises the many several plots that developed at this time (a reflection of the many shifting alliances and ambitions of the military and the *pieds noirs*) which are too numerous to cover in the present work. See also Alistair Home, *A Savage War of Peace* (London: MacMillan, 1977), pp. 273-298.

²⁵ Home, *A Savage War of Peace*, p. 269.

²⁶ *Ibid.*, p. 270.

supporters of *Algérie française* to seize the headquarters of the Government-General. French army did not resist them; instead, it formed a Committee of Public Safety, whose membership gradually increased to include some *pieds noirs*.

As the crisis deepened, Pflimlin held an emergency meeting with his cabinet and the President of the Republic, but no conversation could forestall what happened next.²⁷ On 15 May, Salan broke publicly with the government, declaring 'Vive de Gaulle!' to the assembled *pieds noirs*. Six hours later, in France, de Gaulle announced, 'I am ready to assume the powers of the Republic.'²⁸ Further signs appeared that the army was acting independently of the State: one general escaped arrest, 'took to the *maquis*' with a dozen men and led an attack on the prefecture of the St. Etienne *département*; two of his colleagues on the General Staff were arrested; and the Chief of the General Staff resigned.²⁹ Still the government would not resign. On 19 May, Salan warned both de Gaulle and Pflimlin that the high command in Algeria might be unable to prevent a 'military incursion' unless de Gaulle, currently retired and residing in his village, took over immediately.

This was Papon's 'baptism of fire'.³⁰ The government declared a state of emergency and ordered the dissolution of some political groups as demonstrations occurred almost daily. The military academy was put under surveillance for fear of insubordination, and selected politicians and military personnel were put under house arrest to prevent them from assisting the army in Algeria.³¹ As Jules Moch, the Minister of the Interior, began to organise resistance to the impending army invasion, Papon increased the police presence on the streets of Paris. 'False alarms multiplied, intoxication penetrated everywhere like a noxious gas,' Papon recalled. 'People spoke of an armed intervention from Algiers or even of an uprising of [military] units stationed in mainland France. We lived days without night.'³² He sent Pierre Somveille, his trusted collaborator, to meet the commander of the armoured battalion of Saint-Germain-en-Laye which the government had put on stand-by to protect Paris in case of invasion, only for Somveille to return with the news that the commander was awaiting orders from...Algiers.³³ Moch asked Papon to submit a plan for the defence of Paris. 'Where would it end up?' Papon recalled in his memoirs, 'In the National Archives, or the bin?'³⁴

On 24 May the army was no longer content to make threats. Parachutists invaded Corsica and took over after meeting almost no resistance from the island's sub-prefects, police and gendarmes.³⁵ When Pflimlin contacted the admiralty to enquire about using the French fleet to

²⁷ Williams, 'How the Fourth Republic Died', p. 17.

²⁸ *Ibid.*, p. 21.

²⁹ *Ibid.*, p. 19.

³⁰ Papon, *Les chevaux du pouvoir*, p. 44.

³¹ *Ibid.*, pp. 44-47.

³² *Ibid.*, p. 48.

³³ *Ibid.*, p. 49.

³⁴ *Ibid.*, p. 51.

³⁵ Williams, 'How the Fourth Republic Died', p. 19. Williams notes that the Minister of the Interior, forewarned by the Prefect of Corsica, had flown in riot police (CRS) on Air France planes because he feared that if he used military planes, the pilots

recapture the island, he was fobbed off³⁶, while air force chiefs sent aircraft to Algeria for an airborne invasion of France.³⁷ In Algeria, the army put the IGAMEs and prefects under house arrest. Prefect Jacques Lenoir later recalled that Salan arrested him and Jean Chapel, Papon's successor as IGAME of Eastern Algeria. His oral testimony shows how the army 'emptied the administration':

[Jean Chapel³⁸], the IGAME of Constantine [eastern Algeria] woke up to find a para at the foot of his bed asking him to wake up and abandon his duties so that General Gilles, [the commander of the Constantine zone], could take over. He tried to defend himself as well as he could, then retreated. Serge Baret, the IGAME of Algiers, was stripped of his duties and left. [General] Massu took them over....Soldiers sent the Prefect of Batna to 'go see General Salan'. They put him on a plane, but he never saw [Salan], and was flown instead to Paris.

Lenoir was later freed, but many of his colleagues were not so fortunate:

The prefects were put under house arrest in a villa by the sea where they were practically prisoners of the military. And the great worry of the Ministry of the Interior was to know what had become of these prefects in order to free them straightaway. From Paris they could not understand at all that some prefects could be locked up, put under house arrest, while others (like me) could continue to fulfil our duties. They just weren't aware of it. And they imagined that [those prefects who had not been arrested] had given into some sort of pressure, that we had betrayed I don't know what cause, when in reality we were only able to continue in our duties because [the army] allowed us.³⁹

De Gaulle found himself in a difficult position. He evidently opposed the army's actions, but he appreciated that if he were to say so, the army might brush him aside. He therefore refused to condemn its actions or to call for restraint, telling Pflimlin, 'I can only risk my authority. And if I am not heeded?'⁴⁰ Upon being warned on 27 May that the invasion was to go ahead, however, he announced that he was beginning to form a government, condemned any threat to public order and told Salan to stand down his men. This led to an emergency session of the Council of Ministers, when Papon and Jean Verdier, the Director of National Security, waiting outside the room, could hear the ministers shouting at one another. 'The gravity of the subject justified, perhaps, the brouhaha,' Papon reflected in his memoirs, 'but this noisy and confusing atmosphere was not a sign, for us, of clear ideas and firm will....We returned to our homes very anxious and somewhat saddened.'⁴¹

As the politicians bickered about the constitutionality of allowing de Gaulle to come to power under such conditions, the army sent a message: either de Gaulle was in charge by 29 May or it

would simply take the riot police to Algeria. He fears were not misplaced, for when the CRS arrived in Corsica, they sided with the parachutists.

³⁶ Home, *A Savage War of Peace*, p. 295.

³⁷ Williams, 'How the Fourth Republic Died', p. 30.

³⁸ When Papon was secretary-general of the Gironde prefecture, Jean Chapel was the cabinet director of Maurice Sabatier, the regional prefect of the Gironde. Chapel served on the honorary jury in 1981 which examined Papon's actions in the Gironde. Chapel's wife testified at Papon's trial for crimes against humanity, during which she claimed that her husband had been distraught, claiming 'They don't want to understand anything...' Chapel killed himself three months after the honorary jury gave its verdict. Erhel et al., *Le procès Papon*, vol. 1, pp. 289-292.

³⁹ Jacques Lenoir, interview with Odile Rudelle, 15 May 1981.

⁴⁰ Home, *A Savage War of Peace*, p. 296.

⁴¹ Papon, *Les chevaux du pouvoir*, p. 59.

would invade France. In response, Moch ordered all of the IGAMES⁴² of France to 'take to the *maquis*' if their prefecture was attacked, and there was talk of arming civilian militias formed by the political parties.⁴³ As far as Papon and Verdier were concerned, this was a step towards civil war. Through intermediaries they conveyed their concern to the President of the Republic, who called them in to discuss the affair; in the end, there would be no arming of citizens. 'From evening until morning [of 27-28 May],' Papon remembered, 'one examined the radars, one scrutinized the sky' for the possible military invasion.⁴⁴ He thought of his two younger children, whom he had left to finish the school year in Constantine, now under military command.⁴⁵

The power dynamics of the State had been turned upside down: now the civil authority obeyed the army. On 1 June the *Assemblée Nationale* voted to confer de Gaulle full powers to rule by decree for six months while he wrote a new constitution; parliament would adjourn for the next four months.⁴⁶ Convinced that it had a defender of *Algérie française* as the Head of State, the army backed down. Confident that the country at last had a strong leader who could make himself obeyed and restore the authority of the State, Papon now turned his attention to the growing threat of Algerian nationalism in the Seine *département*.

The FLN: a state within a state

By the time Papon became prefect of Paris police, the FLN had become a highly sophisticated organisation operating in several countries. It raised most of its money in France through the *Fédération de France du FLN* (the Federation of France of the FLN, or FF-FLN). Run by a five-man committee, the *Comité fédéral*, based in West Germany, the FF-FLN also had branches in Belgium and Switzerland. In order to control the Algerian community in France and finance the war, it installed an *Organisation Politico-Administrative* in Algerian neighbourhoods. As in Algeria, the *Organisation Politico-Administrative* created 'assemblies of the people' run by a committee of five members to act as a 'state within a state', thereby cutting off the average Algerian from the French State.⁴⁷ Through a network of cells, the *Organisation Politico-Administrative* controlled every aspect of the lives of the people under its domination: monitoring the comings and goings of inhabitants, enforcing Sharia law, and collecting money to support FLN activities. Some Algerians supported the

⁴² *Inspecteur-General de l'Administration en mission extraordinaire*, a senior prefect.

⁴³ Papon, *Les chevaux du pouvoir*, p. 59; Williams, 'How the Fourth Republic Died', p. 38; Home confirms that there was talk of arming the Communists, who 'claimed to be able to get 10,000 militants on the street at a moment's notice' in Home, *A Savage War of Peace*, p. 295.

⁴⁴ Papon, *Les chevaux du pouvoir*, p. 60.

⁴⁵ The wife of Pierre Somveille, Papon's close collaborator, claimed that Papon's two younger children were in Constantine at this time. Interview with Pierre and Andrée Somveille, 3 February 2005, Marseille, France. Papon confirmed this in SH-MP Interview 5, p. 20. According to Mme Somveille, Mme Papon was also in Constantine, and the two women and their children had hidden before being taken by a sympathetic member of the army to the airport, where Papon had arranged for them to be flown out in a post office airplane, hidden behind the bags. However, Papon did not mention this in his memoirs or in any interviews.

⁴⁶ De Gaulle was the last prime minister of the Fourth Republic. The French approved his new constitution on 28 September 1958 and elected him President of the Fifth Republic on 21 December 1958. He began in this role on 8 January 1959.

⁴⁷ Thénault, *Histoire de la guerre d'indépendance algérienne*, p. 76.

FF-FLN voluntarily; others were forced to do. There was a sliding scale of punishments for those who resisted giving money: a warning and a fine, then a beating, or perhaps the cutting of a nose, ear, or lips, and finally, murder, usually by throat-slitting. These punishments were delivered by the FLN's paramilitary branch, the *Groupes Armés* (GA), also or the *groupes de choc*.

The FF-FLN was also determined to push de Gaulle's government to the negotiating table. On the night of 25 August 1958, it launched a wave of coordinated attacks. Among its targets were the garage of the Paris police prefecture and the police station in Lyon, as well as attacks on fuel dumps in southern France. The human cost of this terrorism was high: four policemen and one fireman were killed and 19 people were injured, including the mayor of Marseille.⁴⁸ From 24 August to 28 September 1958, there were over a hundred attacks which left 82 dead and 168 wounded.⁴⁹

For the French State, this was a worrying development on several counts. First, these coordinated attacks were reminiscent of those of 1 November 1954 in Algeria which had inaugurated the rebellion. Second, it was intolerable that a *de facto* FLN state existed within France, especially in the capital. Third, levels of violence soared, necessitating budget increases to pay for more police officers, equipment and specialised services. Fourth, the police were already anxious, as evidenced by the demonstration by the Paris police for hazard pay in March 1958. Finally, the money that the FF-FLN collected from Algerian workers in France was fast becoming the FLN's main source of income.

How had France become the most lucrative source of FLN funding? The Algerian population in France grew by 65 per cent from 1954 to 1962, from 211,000 to 350,000 people.⁵⁰ This population consisted mainly of male workers who sent money back home to their families in Algeria, although some had brought their families over. In the Seine *département* alone, the Algerian population grew from 120,000 in June 1958 to 150,000 by the end of 1961.⁵¹ When added to the neighbouring Seine-et-Oise *département*, with its population of 30,000 Algerians, the greater Paris region had the third largest urban concentration of Algerians in the world, after Algiers and Oran.⁵²

The FLN sought to control this population and thereby generate funds for the rebellion. These included those who wished to remain French, those who were apolitical, and those who sided with the FLN's rival, the *Mouvement National Algérien* (MNA). Of these, the greatest threat to FLN dominance was the MNA, which for years had the stronger presence in France. In February 1956 the FLN began a campaign to eradicate the MNA⁵³, and the Algerian 'war within a war'⁵⁴ resulted in

⁴⁸ Amiri, *La bataille de Paris*, p. 69 ; Home, *A Savage War of Peace*, p. 318.

⁴⁹ There were 242 attacks according to Home, *A Savage War of Peace*, p. 318. This is supported by the figures of Ali Haroun cited in Amiri, *La bataille de Paris*, p. 69, although Amiri also indicates that French intelligence figures put the number of attacks at 149 rather than 242.

⁵⁰ Thénault, *Histoire de la guerre d'indépendance algérienne*, p. 219.

⁵¹ '120,000 Algerians in the Seine *département* in June 1958' in Papon press conference, 30 June 1958, Ha69*, APPP; '150,000 by the end of 1961' in Brunet, *Police contre FLN*, p. 34.

⁵² 'SCINA procès-verbal de la réunion du 27 août 1958', Ha47*, APPP.

⁵³ Linda Amiri, 'La lutte entre le FLN et le MNA en Métropole' in *Les Cahiers d'Histoire Sociale*, Number 23, Spring/Summer 2004, p. 91.

14,000 wounded in Algeria⁵⁵ and no less than 4,000 killed and 7,000–9,000 wounded in France itself.⁵⁶ By 1959, the FLN controlled most parts of France where there was a high concentration of Algerians, including the Paris region; the MNA remained strong only in some northern and eastern *départements*.⁵⁷

By 1961, the *Service de coordination et d'information nord-africaines* (SCINA), a French intelligence agency that specialised in France's North African population, estimated that the FF-FLN controlled, and thus collected 'dues' from, 70-80 per cent of the 240,000 Algerian workers in France.⁵⁸ Of the Algerian workers in France controlled by the FF-FLN, nearly a third lived in the Paris region. Such figures must have disturbed Papon and other officials, for they indicated that by the autumn of 1961 the considerable State apparatus dedicated to repressing Algerian nationalism in Paris had failed.

The so-called "Papon System"

The system for policing Algerians in Paris was reorganised and expanded under Papon, but to designate him as the architect of this system, as some historians have done⁵⁹, is misleading: first, it minimises the decades-long legacy of Muslim-specific police practices that Papon inherited upon becoming prefect of Paris police; second, it underestimates the role of the State – the ministers, the *Assemblée Nationale*, the Municipal Council of Paris and the French army – in the creation and implementation of this enhanced repressive system.

⁵⁴ Amiri attributes the phrase "war within a war" to Mohammed Harbi in Amiri, 'La lutte entre le FLN et le MNA en Métropole', p. 81.

⁵⁵ Jean-Paul Mari, interview with Benjamin Stora, '17 octobre 1961...Genèse d'un massacre', *Le Nouvel Observateur* online, number 1929, week of Thursday, 25 October 2001, <<http://hebdo.nouvelobs.com/hebdo/parution/p20011025/articles/a50155-.html>> [accessed 19 December 2007].

⁵⁶ Historians concur on the number killed but dispute the number wounded: 4,000 killed and 9,000 wounded in Raphaëlle Branche and Sylvie Thénault, *La guerre d'Algérie: documentation photographique*, La documentation française, n. 8022, August 2001, p. 22; 4,055 dead and more than 9,000 wounded in Brunet, *Police contre FLN*, p. 30. 3,957 were killed and 7,745 were wounded in Rémy Valat, *Les calots bleus et la bataille de Paris* (Paris: Michalon, 2007), p. 27; 3,957 were killed and 7,645 wounded in Jean-Paul Mari, interview with Benjamin Stora, '17 octobre 1961...Genèse d'un massacre', 25 October 2001. Amiri argues that it is difficult to establish precisely the number of Algerians killed by other Algerians because the statistics do not give a precise cause of death, in Amiri, 'La lutte entre le FLN et le MNA en Métropole', p. 108.

⁵⁷ Historians dispute the exact date that the FLN drove the MNA from the Paris region: autumn 1957, according to Amiri, *La bataille de Paris*, p. 50; 1957-1958, according to Thénault, *Histoire de la guerre d'indépendance algérienne*, p. 220; 1958 and 1960 in House and MacMaster, *Paris 1961*, p. 5 and p. 63; 1959 in Philippe Bernard, interview with Benjamin Stora, 'One of the Few Times Since the Nineteenth Century that Police Have Fired on Workers in Paris' in Richard J. Golsan (ed.) *The Papon Affair* (New York and London: Routledge, 2000), p. 235; end 1960-beginning 1961 in Jean-Paul Mari, interview with Benjamin Stora, '17 octobre 1961...Genèse d'un massacre', 25 October 2001. Valat states that the MNA had been defeated militarily, on a national level, in 1959, and that it was 'irreversibly weakened' from 1958 in Valat, *Les calots bleus*, p. 26. In his memoirs, Papon indicates that the FLN had not completely driven the MNA out of Paris, Papon, *Les chevaux du pouvoir*, p. 183. This is confirmed by Brunet and Amiri: the FLN had become the dominant group in France by December 1957 but the MNA led attacks in Paris in 1961 and had bases in Paris in Brunet, *Police contre FLN*, pp. 29, 30, 32, 33 note 2; Amiri, 'La lutte entre le FLN et le MNA en Métropole', pp. 106-107.

⁵⁸ Brunet, *Police contre FLN*, p. 35. Brunet cites the French intelligence figures as well as Ali Haroun, one of the members of the five-man *Comité Fédéral* that ran the FF-FLN from West Germany.

⁵⁹ House and MacMaster, *Paris 1961*, p. 33, 69. The authors do not credit Linda Amiri, who first used the term "Papon System" in *La bataille de Paris*, p. 81. Citing Amiri, Thénault uses the term in *Histoire de la guerre d'indépendance algérienne*, p. 227.

Repression of Algerians in Paris before Papon became prefect of Paris police (1924-1958)

The first official body dedicated to the surveillance of North African immigrants in Paris was created on 24 October 1924 in response to growing concern about the rise in North African immigration since the end of the First World War, as well as public outrage over a double murder of French women by an Algerian man on 7 November 1923. In 1924, three members of the Paris Municipal Council met the Minister of the Interior, the prefect of Paris Police and the director of the *Sûreté générale*, the national police, to create the *Service de surveillance et de protection des indigènes nord-africains* (SSPINA) to monitor and assist the North African population in the capital.⁶⁰ Although based at the rue Lecomte in the 17th *arrondissement*, the SSPINA operated under the direct authority of the prefect of Paris police's cabinet. In 1931, the SSPINA was renamed the *Service d'assistance aux indigènes nord-africains* (SAINA), which continued to provide social assistance to North Africans in Paris, and a new organisation was created: the *Brigade Nord-Africaine* (BNA), which was responsible for gathering information on the capital's North African population, especially the Algerian nationalist groups.⁶¹ The BNA was comprised of thirty-odd members, many of whom were recruited from France's three North African territories; some of its agents were Muslim.⁶² It had the power to deny housing or family benefits to nationalist sympathizers, or even to deport them to Algeria.⁶³

⁶⁰ Rosenberg, *Policing Paris*, p. 144. Papon to the Prefect of the Seine *département*, direction des Affaires Sociales Musulmanes, 'Documentation relative à l'ancien service des Affaires Nord-Africaines ayant fonctionné à la Préfecture de Police', 5 May 1960, Ha88*, APPP.

⁶¹ Emmanuel Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police : la fin d'une police d'exception pour les Algériens de Paris (1944-1953) ?' in *Bulletins de l'IHTP*, Number 83, note 14, <<http://www.ihtp.cnrs.fr/spip.php?article329&lang=fr>> [accessed 17 January 2008]. The SAINA also had a branch in Lyon, see Linda Amiri, 'La lutte de libération algérienne en France' in Mohammed Arkoun (ed.) *Histoire de l'islam et des musulmans en France du Moyen Age à nos jours* (Paris: Albin Michel, 2006), p. 863. One of the social services provided under the SAINA was the Franco-Muslim hospital, begun in 1931 and opened in 1935. The majority of its doctors and nurses were recruited from the three Algerian départements; many understood Arabic and had knowledge of North African customs. See Rosenberg, *Policing Paris*, Chapter 7 and Jalila Sbai, 'L'Hopital franco-musulman' in Mohammed Arkoun (ed.) *Histoire de l'islam et des musulmans en France du Moyen Age à nos jours* (Paris: Albin Michel, 2006), p. 741.

⁶² 'Many of [the BAV inspectors] were Muslim' in Papon to the Prefect of the Seine *département*, direction des Affaires Sociales Musulmanes, 'Documentation relative à l'ancien service des Affaires Nord-Africaines ayant fonctionné à la Préfecture de Police', 5 May 1960, Ha88*, APPP; Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police'.

⁶³ Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police'.

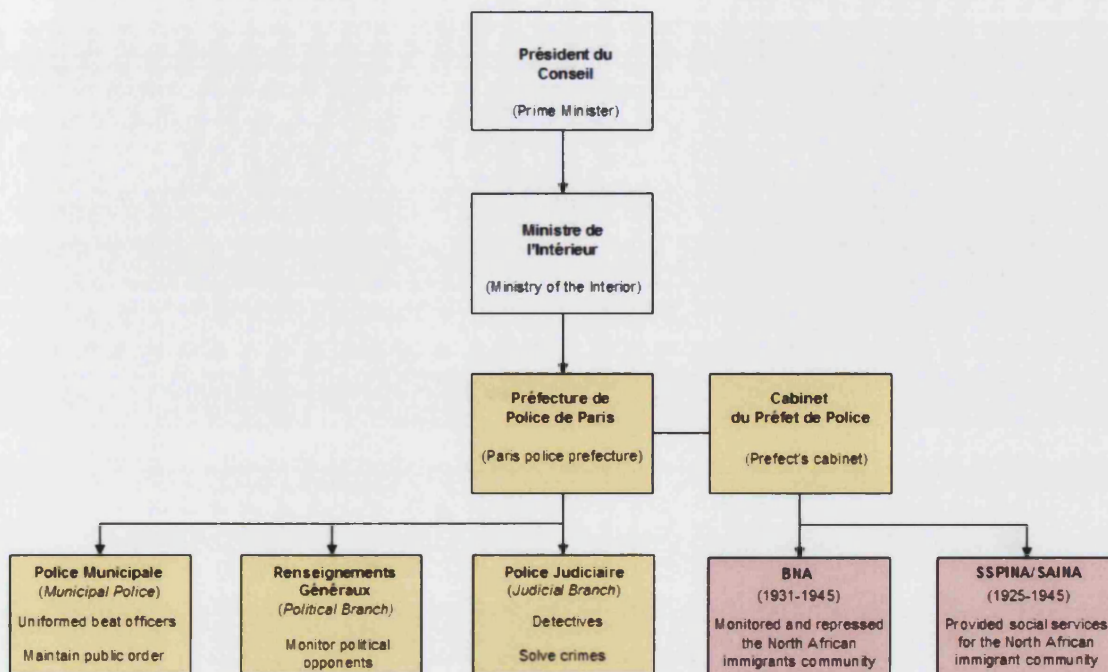


Figure 1: Muslim-specific police bodies in the Paris police prefecture (shown in pink), 1925-1945.

In July 1945, the government disbanded both the SAINA and the BNA. The social services for North African immigrants provided by the SAINA were transferred to the Préfecture of the Seine *département* or to the Ministry of Labour, while the BNA agents were transferred to the *centrale annexe* brigade, a new police organisation created in the autumn of 1945 to deal with police administration for North African immigrants, such as the distribution of identity cards.⁶⁴ The following year, the Fourth Republic granted all Algerians French citizenship, regardless of whether they lived in Algeria or France.

For a short time, it seemed as though exceptional police practices for the North African community in Paris would be a thing of the past. However, in 1948, Roger Léonard⁶⁵, the prefect of Paris police, began a campaign which played on racism and fear to convince the public and his superiors that the Paris police needed more money and more officers. The historian Emmanuel Blanchard has shown how Léonard told the Paris Municipal Council on 1 July that North Africans were responsible for half of all night-time attacks committed in the Seine *département*, although for the true figure was 33 per cent.⁶⁶ In the years that followed, the Paris police prefecture continued to advance ever-increasing figures so that by 1953 it claimed that North Africans were responsible for 95 per cent of all night-time attacks in the capital.⁶⁷

⁶⁴ *Ibid.*

⁶⁵ As Prefect of Constantine (1949-1951), Papon served briefly under Roger Léonard who succeeded Marcel-Edmond Naegelen as Gouverneur-General of Algeria in 1951.

⁶⁶ Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police'.

⁶⁷ *Ibid.*

Blaming North Africans for this type of crime proved to be an effective method for obtaining a budget increase and more staff in the Paris police prefecture: in 1949, the Paris Municipal Council approved a budget to employ twelve new translators to help with investigations of the North African immigrant population and to create the *Brigades Territoriales*, well-equipped and motorised crime-fighting brigades.⁶⁸ In 1953, after the police shot dead six Algerians during a demonstration, Léon Martinaud-Deplat, the Minister of the Interior, and Jean Baylot, the prefect of Paris police, created the *Brigade des Aggressions et Violences* (BAV) to monitor and control the Algerian population in the capital.⁶⁹ According to Blanchard, half of the BAV agents were North Africans.⁷⁰ Their methods were also similar: identity checks, round-ups, preventive arrests, and the maintenance of a register containing personal information on all Algerians with whom they came into contact.⁷¹

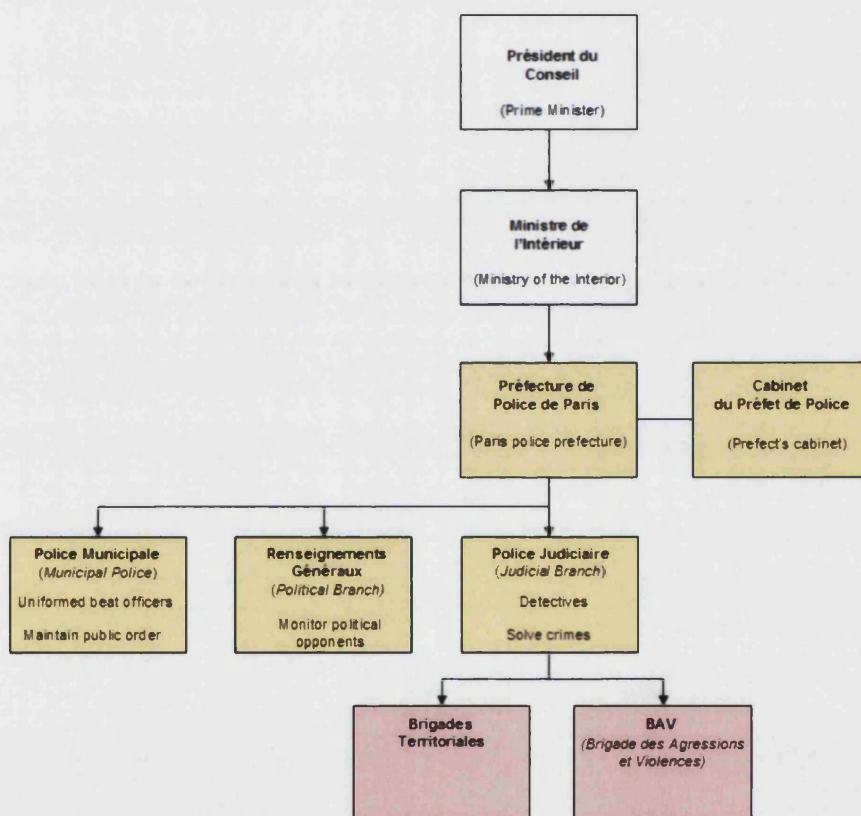


Figure 2: New police bodies created from 1949 in response to an alleged rise in North African crime.

⁶⁸ '...the increase of the Algerian population in the Paris region had already brought the [Paris] police prefecture to put in place the territorial brigades of the Police Judiciaire in 1949,' Papon press conference, 30 June 1958, Ha69*, APPP.

⁶⁹ On 14 July 1953, members of Messali Hadj's *Mouvement pour le triomphe des libertés démocratiques* (Movement for the Triumph of Democratic Liberties, or MTLD) marched with French trade unionists – albeit in separate groups – at Place de la Nation. In addition to shooting dead six Algerians, the police also killed one French trade unionist. Benjamin Stora claims that a further fifty people were also wounded in Philippe Bernard, 'One of the Few Times since the Nineteenth Century that Police Have Fired on Workers in Paris: An Interview with Benjamin Stora', p. 234. See also Maurice Rajsfus, 1953: *un 14 juillet sanglant* (Paris: Agnès Viénot Éditions, 2003).

⁷⁰ Half of the BAV were French Muslims: 'les effectifs des BAV sont ainsi pour moitié composés de Français musulmans' in Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police'.

⁷¹ *Ibid.* and idem, 'Police judiciaire et pratiques d'exception pendant la guerre d'Algérie', in *Vingtième Siècle*, 90, Avril-Juin 2006, p. 63.

Prior to the outbreak of the Algerian nationalist insurrection in November 1954, the State focused its repressive policing measures mainly towards North African immigrants in Paris; subsequently, the government sought to create a broader, more comprehensive organisation.⁷² Thus in August 1955, it established the *Service de coordination et d'information nord-africaines* (SCINA) to act as a national intelligence agency, again focused solely on the North African population, but now across France. Several existing organisations provided daily reports to the SCINA: the Paris police prefecture, the *gendarmerie*⁷³ (the national military police force), the *Service de documentation extérieure et de contre-espionnage* (SDECE, the national intelligence and counter-espionage agency); *l'état-major général de la Défense nationale* (the headquarters for the National Defence); and the Ministry of Justice.⁷⁴ The SCINA synthesised the various reports into one national-level bulletin that included the number of nationalist attacks, arrests, fatalities and injuries, as well as the seizure of weapons and money.⁷⁵

Although the system for monitoring and repressing the Algerian population in Paris was well-established by 1955, the State continued to broaden and deepen its scope in response to the rise in nationalist activity and crime. For example, the State took an increasingly hard line against Algerians protesting in the capital: in March 1956 the police arrested 2,700 Algerians for protesting against the Special Powers Act⁷⁶, which increased measures for maintaining order in Algeria.⁷⁷ In 1956, the number of agents assigned to the BAV, the Muslim-specific police unit, also increased from 30 to 50, and over the next four years the BAV expanded to 150 officers.⁷⁸ By July 1957, Jean Gilbert-Jules, the Minister of the Interior, indicated that the 'pursuit and repression of terrorism' was the most important priority of the Paris police:

We've increased patrols and round-ups, although this has led to some criticism and accusations that we are taking innocent people to the police station. We've put in place a system of *quadrillage* with a radio network. Each day, the police go on rounds in certain neighbourhoods. I've given very strict, very firm instructions for all those police services who deal with tasks that are, of course, necessary in normal times, but which can be considered

⁷² Edgar Faure to the Minister of the Interior, the Minister for National Defense and the Armed Forces, the Secretary of State at the Presidency du Conseil, 'Creation du Service de Coordination des Informations Nord-Africaines', 28 July 1955, Ha47*, APPP.

⁷³ As the national military police, the *gendarmerie* is under the administrative authority of the Ministry of Defense, whereas France's other police forces are under the authority of the Ministry of the Interior. However, all police forces, including the *gendarmerie*, are under the operational authority of the Ministry of the Interior.

⁷⁴ Author unknown, 'Note relative au Service de Coordination des Informations Nord-Africaines (SCINA)', 12 April 1956, Ha47*, APPP. Some historians claim that the *Service des affaires musulmanes et de l'action sociale* (SAMAS) also reported to the SCINA, see Amiri, *La bataille de France*, p. 44 and Rémy Valat, 'Un tournant de la "Bataille de Paris": l'engagement de la force de police auxiliaire (20 mars 1960)', *Outre-Mers*, Volume 91, Number 342-343, 2004 p. 325 (note 8).

⁷⁵ Amiri, *La bataille de France*, p. 44.

⁷⁶ The Special Powers Act is discussed in Chapters 3 and 4.

⁷⁷ More than 2,700 Algerians were arrested' in Blanchard, 'Police judiciaire et pratiques d'exception pendant la guerre d'Algérie', pp. 64-65. Benjamin Stora claims that police killed Algerians during the demonstration of 9 March 1956 but does not indicate how many in Philippe Bernard, interview with Benjamin Stora, 'One of the Few Times since the Nineteenth Century that Police Have Fired on Workers in Paris', p. 234.

⁷⁸ Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police' and idem, 'Police judiciaire et pratiques d'exception pendant la guerre d'Algérie', p. 64.

secondary in the period we're in now, to be solely concentrated on the pursuit and the repression of terrorism.⁷⁹

That month, the *Assemblée Nationale* passed the law of 26 July 1957 extending the Special Powers Act to mainland France. By placing mainland French police on an equal footing with the army in Algeria in the fight against Algerian nationalists, the *Assemblée Nationale* recognised tacitly that France had become a battlefield in the Algerian War.⁸⁰ The law of 26 July 1957 empowered the police to place under house arrest or intern (*astreindre à résidence*) anyone condemned under the laws against combat groups and private militias as well as any suspect who had a criminal record, so long as he was found guilty of a crime after 26 July 1957.⁸¹ It also called for the creation of four internment camps (*centres d'assignation à résidence surveillée*, or CARS) in French military camps. These were built between 1957 and 1959 in Mourmelon-Vadenay (Marne *département*), Saint-Maurice-L'Ardoise (Gard *département*), Thol (Ain *département*) and Larzac (Aveyron *département*).⁸² Finally, it extended the powers of the *Police Judiciaire*, so that its detectives could conduct daytime and night-time searches.

In August, Jean Gilbert-Jules, the Minister of the Interior, wrote to the *corps préfectoral* that the law of 26 July 1957 '...opens new possibilities for repressing terrorism in mainland France.'⁸³ The following month, he increased the number of detectives in the *Police Judiciaire* in Paris, Lille, Strasbourg, Lyon and Marseille – all urban centres with large Algerian populations – 'for maximum effectiveness against North African terrorism.'⁸⁴ At the end of 1957, the SCINA created a register or census, known as the *fichier Z*, which recorded the personal information of Algerian nationalists living in France; people on the *fichier Z* were to be deported to Algeria, as were unemployed or homeless Algerians.⁸⁵

The system for repressing Algerians had evolved considerably since it began in Paris in 1924. The precedent for the police to conduct identity checks and round-ups was well established, as was police violence – including killing – against Algerians during demonstrations. Dedicated police units targeted 'North African crime'; a national intelligence body monitored the nation's North African population; the law of 26 July 1957 increased the scope for internment, created camps to house

⁷⁹ 'Extraits de l'allocation prononcée par M. Gilbert-Jules, Ministre de l'Intérieur, Séance de l'Assemblée Nationale du 17 juillet 1957,' in 'Note de Service n.57', 26 July 1957, Ha69*, APPP.

⁸⁰ Amiri, *La bataille de France*, p. 44.

⁸¹ Details of the law of 26 July 1957 are in Amiri, *La bataille de France*, pp. 44-45; Valat, 'Un tournant de la 'Bataille de Paris', p. 325.

⁸² House and MacMaster mention a fifth CARS, Neuville-sur-Ain in the Ain *département*, in House and MacMaster, *Paris 1961*, p. 75. For a detailed analysis of the camps in France, see Marc Bernardot, 'Entre répression policière et prise en charge sanitaire et sociale : le cas du centre d'assignation à résidence du Larzac (1957-1963)' in *Bulletins de l'IHTP*, Numéro 83 : Répression, contrôle et encadrement dans le monde colonial au XXème siècle, <<http://www.ihtp.cnrs.fr/spip.php?rubrique74?lang=fr>> [accessed 31 December 2007].

⁸³ Jean Gilbert-Jules, Minister of the Interior, to all IGAMs and mainland prefects, 'article 5 de la loi 57.832 du 26 juillet 1957 portant notamment extension en Métropole des pouvoirs spéciaux perquisitions de jour et de nuit', 24 August 1957, Ha66*, APPP.

⁸⁴ Minister of the Interior to all mainland prefects, the Director-General of the *Sûreté Nationale*, the Directors of the active branches of the police, 'Repression des agressions commises par des nord-africains en Métropole', 30 September 1957, Ha66*, APPP.

⁸⁵ Papon, *Les chevaux du pouvoir*, p. 187; Amiri, *La bataille de France*, pp. 44-45.

Algerian detainees, and allowed for day and night searches; and Algerians could be deported to Algeria. Thus, there was no need for Papon to create a system to repress Algerians when he became prefect of Paris police in March 1958; the State had already put one in place.

Reorganisation and expansion of the system to repress Algerians in Paris (1958-1962)

By the time Papon became Prefect of the Paris police, the police had begun to behave like the army in Algeria in several respects. Papon went much further in aligning the structure and methods of the Paris police prefecture with the State's strategy for fighting Algerian nationalism. However, he did not act autonomously in his efforts to reorganise and expand the Paris police prefecture. Rather, he responded to the agenda set by his superiors – to defeat the nationalists in the capital and maintain the authority of the state – and worked closely with them to ensure that his proposals were approved at every step.

In his memoirs, Papon recalled outlining his plans to de Gaulle in June 1958:

I showed de Gaulle the programme of social and human action that we had devised. Conceived to help Algerian Muslims living in the Paris region, it included the creation of instruments of social action to be implemented in all sectors with a large Algerian population. The idea was to substitute preventive action on a social and administrative level for repressive action, in order to improve the lives of Algerian workers, while at the same time removing them from the grip of terrorist⁸⁶ movements so that they no longer felt abandoned and alone before a rebellion for whom violence was the law.⁸⁷

In addition to coordinating the activities of existing organisations and re-launching the SSPINA/SAINA offices that had functioned in Paris from 1925 to 1945, Papon's plan called for something new: the participation of the army.

The Administration must get in front of Algerians, in workplaces as well as in residential areas. A new spirit must breathe into these places. My intention was to install, in these Muslim zones where we [the State] were practically absent, SAS officers who spoke Arabic, knew the specific problems of immigrant workers, were aware of their difficulties, their problems; in other words, their distress. These officers, who were prepared for these tasks, had shown in Algeria their *savoir-faire* and their concern to give a human face to their intervention. Our administrative methods were too slow, impersonal and ineffective....⁸⁸

The absence of the State was one of the government's dominant concerns in Algeria; its recognition of the role that under-investment and under-administration played in the rise of nationalism was the impetus for the Special Powers Act, with its twin aims of defeating the nationalists and winning over the Algerian population. For Papon, fresh from a two-year stint in the Constantinois with its Algerian majority, its grave social problems and its rebel stronghold, the parallels with Paris were obvious: if the State could increase its presence in Algerian

⁸⁶ The FLN itself employed the word "terrorism" from autumn 1957 to describe its activities in France. See Jean-Paul Brunet, *Charonne* (Paris: Flammarion, 2003), p. 44, note 2.

⁸⁷ Papon, *Les chevaux du pouvoir*, p. 103.

⁸⁸ *Ibid.*, pp. 103-104.

neighbourhoods, it could win over the population and thereby deprive the FLN of support. Better yet, the State already had trained and experienced personnel to implement this strategy: the army's Officers of Algerian Affairs.

The Officers of Algerian Affairs had not been tried in France before, but they had worked in villages across Algeria since 1955 under the *Sections administratives spécialisées* (SAS) programme, whose success led to the creation of the *Sections administratives urbaines* (SAU) in urban areas in 1957.⁸⁹ Given that Paris and its environs formed the largest concentration of Algerians outside of Algiers, and suffered the results of nationalist terrorism, it seemed logical to Papon that the State should fight the same threat with the same methods. According to Papon's memoirs, de Gaulle agreed:

The General [de Gaulle] appeared interested by this *exposé*, wishing that we would succeed in changing 'the images, reality being what it is'. Visibly and without nourishing too many illusions about the intentions of the FLN, he wanted things in Paris to be as calm as possible, sensing the difficulties that awaited him....At least public opinion could be spared the emotions of terrorism!⁹⁰

Evidence suggests that de Gaulle did support Papon's ideas, because on 9 July 1958 he created the *Comité de coordination d'action psychologique* (CCAP) to coordinate the State's 'psychological action' to win over the Algerian population and counter the Algerian nationalists. The CCAP in turn created the *Groupe de travail et d'action psychologique* (GAP), a steering group encompassing representatives from the Ministries of the Interior, Information, the Army and *Anciens Combattants*, as well as the Secretariat-General for Algerian Affairs (SGAA)⁹¹ and the *Centre de diffusion française*, a branch of the French secret service whose mission was counter-propaganda.⁹² Papon did not attend the high-level meetings of the GAP on 23 July, 1 August and 16 October 1958 in which de Gaulle's government approved the extension of counterinsurgency methods from Algeria to Paris, including the creation of new police organisations dedicated to the repression of Algerian nationalists.⁹³ Nevertheless, with the government's full support, he was a key actor in shaping the new operational hierarchy of the Paris police from 1958 to 1962, as illustrated below:

⁸⁹ The SAS were created at the end of September 1955, see Raphaëlle Branche, *La torture et l'armée pendant la guerre d'Algérie* (Paris: Gallimard, 2001), p. 49. In Constantine the SAU was created in March 1957, House and MacMaster, *Paris 1961*, p. 57. The role of the SAS in Algeria is discussed in Chapter 4.

⁹⁰ Papon, *Les chevaux du pouvoir*, p. 104.

⁹¹ De Gaulle created the *Sécretariat général pour les affaires algériennes* (SGAA) in June 1958. The SGAA was responsible for implementing the Constantine Plan for the economic development of Algeria, encouraged qualified Algerians to immigrate to France, and provided Algerian immigrants with the training and assistance necessary to integrate into the metropolitan population. Joshua Cole, 'Remembering the Battle of Paris: 17 October 1961 in French and Algerian Memory' in *French Politics, Culture, and Society*, Volume 21, Number 3 (Fall 2003), p. 38.

⁹² Valat, *Les calots bleus*, p. 45; Amiri, *La bataille de France*, p. 65; the CCAP also met on 1 August 1958 and 16 October 1958, House and MacMaster, *Paris 1961*, p. 67, note 13.

⁹³ The GAP met 23 July 1958, 1 August 1958 and 16 October 1958. See House and MacMaster, *Paris 1961*, p. 67.

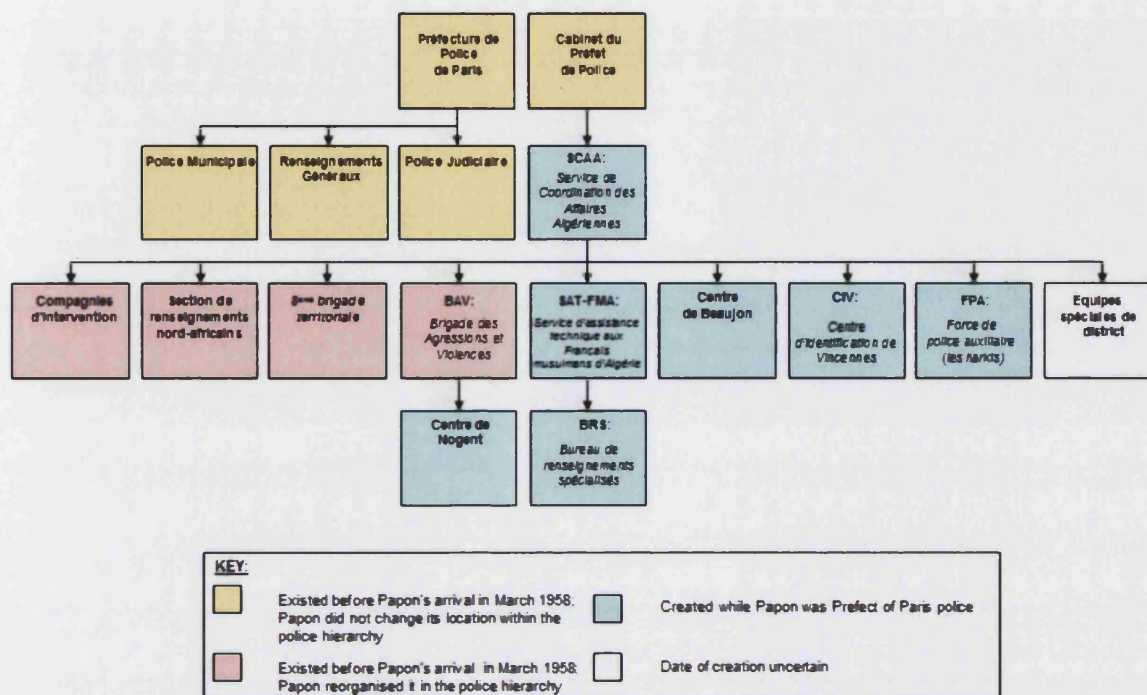


Figure 3: The operational hierarchy of Paris police prefecture, 1958-1962.⁹⁴

Operational hierarchy refers to how the various police organisations were structured for operations (who they took orders from), as opposed to *administrative hierarchy*, which refers to how they were administered in matters such as personnel, budget, supplies and legal affairs.⁹⁵ In yellow are the branches that existed before Papon's arrival in March 1958 and whose location in the hierarchy he did not change: the Prefect's cabinet, the *Police Municipale*, the *Renseignements Généraux* and the *Police Judiciaire*. In pink are the branches that had been created by Papon's predecessors and which Papon reorganised operationally: the *compagnies d'intervention*, specialised riot units created in 1953 and located in police stations across Paris, where they were available to the city's six district commanders⁹⁶; the *Brigade des Agressions et Violences* (BAV) and the *8^e Brigade*

⁹⁴ This organisational chart is the author's own creation, based on the following sources: Brunet, *Police contre FLN: le drame d'octobre 1961*; Brunet, *Charonne*; Blanchard, 'La dissolution des Brigades nord-africaines de la Préfecture de police'; Blanchard, 'Politiques judiciaires et pratiques d'exception pendant la guerre d'Algérie'; Amiri, *La bataille de France: la guerre d'Algérie en métropole*; Linda Amiri, 'La lutte de libération algérienne en France', in Mohammed Arkoun (ed.) *Histoire de l'islam et des musulmans en France du Moyen Âge à nos jours* (Paris: Albin Michel, 2006), pp. 862-881; Valat, 'Un tournant de la "Bataille de Paris"'; Valat, *Les calots bleus*; Rosenberg, *Policing Paris*; House and MacMaster, *Paris 1961*; Alain Dewerpe, *Charonne 8 février 1962* (Paris: Editions Gallimard, 2006). The author thanks John-Paul Keane, Emmanuel Blanchard and Rémy Valat for their comments on this diagram and on the operational hierarchy of the Paris police prefecture.

⁹⁵ Thus in terms of administrative hierarchy, these branches were administered as follows: the *8^e Brigade territoriale* and the *Brigade des Agressions et Violences* (BAV) by the *Police Judiciaire*; the *compagnies d'interventions* and the *équipes spéciales de districts* by the *Police Municipale*; the *section nord-africaine des Renseignements Généraux* by *Renseignements Généraux*; and the SAT-FMA and the FPA by the *Direction des Affaires Algériennes*, a department of the Ministry of the Interior.

⁹⁶ House and MacMaster claim that Papon created the *companies d'intervention* in House and MacMaster, *Paris 1961*, p. 171. However, Dewerpe, citing the report of the director general of the Police Municipale to the prefect of Paris police, 10 August 1953, Hd 78, APPP, states that they were created in 1953 in Dewerpe, *Charonne*, pp. 115, 175-6, 194. Brunet concurs in Brunet, *Charonne*, p. 130. According to Rémy Valat, no files on this police squad exist at the archives of the Paris police prefecture, conversation with the author, 7 December 2007, Paris, France.

territoriale; and the North Africa section of the *Renseignements Généraux*. In blue are the branches created when Papon was prefect of Paris police from 1958 to 1962. Papon's involvement in each of them is analysed below.

Service d'assistance technique aux Français musulmans d'Algérie (SAT-FMA) and the Bureau de Renseignements Spécialisés (BRS)

Émile Pelletier, the Minister of the Interior, agreed to Papon's request that three Officers of Algerian Affairs should be seconded to the Paris prefecture to establish the *Service d'assistance technique aux Français musulmans d'Algérie (SAT-FMA)*.⁹⁷ Battalion commander Henri Pilot and captains Roger Cunibile and Hippolyte Berenguier arrived in Paris on 13 August, and on 23 August Papon met the Ministers of the Interior, Justice and Army to officially create the SAT-FMA, whose mission was to 'help citizens of Muslim origin to adapt to living conditions in the Metropole' and 'to keep the Muslim population from the hold and material constraints of the nationalist organisations'.⁹⁸ The following year, the government judged the Parisian *Section administrative urbaine* such a success that it extended the SAT-FMA to other French cities with large Algerian populations such as Marseille, Lyon and Saint-Etienne, as well as the Seine-et-Oise *département*.⁹⁹

Like their counterparts in Algeria, however, the Officers of Algerian Affairs in Paris also exercised a covert function: to gather information on every Algerian who visited its offices. In doing so, they resumed the earlier activities of the SAINA and the BNA which, from 1931 to 1945, provided social assistance to the North African population in Paris while maintaining a register of those individuals who received the State's assistance, as well as the BAV, which had kept a register of Algerians since 1953.

The SAT-FMA had a *Bureau des renseignements spécialisés (BRS)*, which opened on 1 October 1958 on the quai de Gesvres, across the river Seine from the Paris police headquarters. Six offices were gradually added, one in each of the six police districts of Paris.¹⁰⁰ The BRS was now the first point of contact for any Algerian requiring non-emergency services from the Paris police department: identity documents, travel authorisation to and from Algeria, passports, and passes to work during periods of night-time curfews for Algerians.¹⁰¹

As they provided these services, the Officers of Algerian Affairs opened a file on each visitor recording personal details such as address, place of employment, social and political affiliation,

⁹⁷ Valat, *Les calots bleus*, p. 46.

⁹⁸ Amiri, *La bataille de France*, p. 66; House and MacMaster, *Paris 1961*, p. 68. There is some discrepancy regarding the names of the three Officers of Algerian Affairs: Roger Cunibile, Louis Parent and Hippolyte Berenguier in House and MacMaster, *Paris 1961*, p. 70, but Henri Pilot, Roger Cunibile, and Hippolyte Berrengier (sic) in Valat, *Les calots bleus*, p. 46.

⁹⁹ 'Circulaire du Premier ministre du 13 juillet 1959' in Valat, *Les calots bleus*, p. 46.

¹⁰⁰ Papon to the Minister of the Interior and SCINA, 'Lutte contre le terrorisme, rapport au Ministre de l'Intérieur', 17 June 1960, Ha69* and Ha65*, APPP.

¹⁰¹ Amiri, *La bataille de France*, p. 67; House and MacMaster, *Paris 1961*, pp. 73-74.

opinion towards the nationalists and village of origin in Algeria; by 1 October 1961 they held such information upon 274,270 people.¹⁰² This information assisted the Paris police's repressive activities in two ways: first, as the FLN was often structured according to regional ties, knowledge of the village of origin of the city's Algerians could help with anti-nationalist policing; second, the SAT-FMA could use this information to work with their colleagues in Algeria, who kept their own register of information for the inhabitants of their particular village or urban area.¹⁰³ In this way, the work of the SAT-FMA and the North Africa section of the *Renseignements Généraux* provided an unprecedented picture of the Algerian population in the Seine *département* to the Paris police prefecture's new command centre, the *Service de coordination des affaires algériennes* (SCAA).

The Service de coordination des affaires algériennes (SCAA)

The idea for the SCAA came from Papon, who judged that the Paris Police Prefecture needed to be reorganised to better fight the subversive warfare of the Algerian nationalists in the Seine *département*. From the study he commissioned to consider the form this reorganisation might take, he concluded that the best solution was to centralise the existing police bodies concerned with fighting 'North African terrorism'.¹⁰⁴ As Papon did not have the necessary authority to create the SCAA unilaterally, he took the proposal to his superiors – Émile Pelletier, the Minister of the Interior, Michel Debré, the Minister of Justice and Pierre Guillaumat, the Minister of the Army – who approved it on 23 August 1958 at the same meeting where they approved the creation of the SAT-FMA and the BRS.¹⁰⁵ On 25 August 1958, Papon wrote to various ministers, members of the Paris Municipal Council, and military commanders in Paris to inform them of the decision to create the SCAA.¹⁰⁶

The purpose of the SCAA was to unite under one umbrella the new SAT-FMA and BRS as well as existing police services dedicated to fight 'North African terrorism' such as the *Brigade des Agressions et Violences* (BAV), the 8^{ème} *Brigade territoriale* and the North African section of the *Renseignements Généraux*. The State's decision to reorganise and expand the Paris police prefecture was timely: two days later, the FLN opened a second front in France with a wave of coordinated terrorist attacks lasting a month.

¹⁰² House and MacMaster, *Paris 1961*, pp. 73-74; Amiri, *La bataille de France*, p. 66.

¹⁰³ House and MacMaster, *Paris 1961*, p. 74.

¹⁰⁴ Prefect of Paris police to the Minister of the Interior, 'Objet: création d'un Service de Coordination des Affaires Algériennes à Paris et dans le département de la Seine', 25 August 1958, Ha 88*, APPP.

¹⁰⁵ 'It would be eminently desirable that the action of this service were rendered more effective by a certain number of measures which I have already had the occasion to take up with you, notably at the conference that took place on 23 August [1958] in the presence of yourself and *Messieurs les ministres* of Justice and the Armed Forces,' in Papon to the Minister of the Interior, 'Création d'un Service de coordination des Affaires Algériennes à Paris et dans le département de la Seine', 25 August 1958, Ha88*, APPP; House and MacMaster, *Paris 1961*, pp. 57, 70.

¹⁰⁶ The General commanding the 1st Military Region of Paris was Jean Noiret, with whom Papon had worked while IGAME of Eastern Algeria. Papon to Dr Devraigne (member of the Paris Municipal Council, the General Council and Reporter-General of the Budget of the Prefecture of Police), 25 August 1958, Ha88*, APPP; Papon to Vigier (President of the Municipal Council of Paris), 25 August 1958, Ha88*, APPP.

House, MacMaster and Valat contend that Papon based the SCAA on the *Centres de renseignement et d'action* (CRA) in Algeria, combined military and police operations centres which House and MacMaster also claim Papon created when he was IGAME of Eastern Algeria (1956-1958).¹⁰⁷ It is possible that Papon was inspired by the CRA when he proposed the SCAA, but as Chapter 3 has shown, there is no evidence to link Papon with the creation of the CRA. Rather, these were created and run by the army as per the decree of 7 May 1956, which transferred police powers from the civil authority to the army in Eastern Algeria.

Centre de Nogent

On 13 June 1958, at a meeting of the SCINA, Papon proposed the creation of a safe house for North Africans seeking police protection from the FLN. This was not an original idea; the Ministry of the Interior had approved such a scheme in 1957 but had not yet implemented it.¹⁰⁸ This inertia was untenable by June 1958, for the Paris police prefecture could no longer cope with the number of Algerians seeking protection from the FLN.¹⁰⁹ Previously the Paris police prefecture had sheltered such individuals in hospitals, where they could stay up to a month, after which they had to choose between returning to Algeria, enlisting in the French army or with the auxiliary units in Algeria, or being relocated to the provinces.¹¹⁰ Now the increased numbers of people seeking such refuge required another solution.

The SCINA decided that 'protected individuals' would be sheltered in a military barracks at the Fort de Nogent, where they would be under the command of a police officer from the *Brigade des agressions et violences* (BAV). Thus these 'protected individuals' would be embraced by the State: first they would work with the BAV officers to investigate the nationalists who threatened them, and afterwards they could enlist in the army or else be relocated. Altogether, 257 people were sheltered at the Centre de Nogent from 15 October 1958, when it opened, until 15 September 1959.¹¹¹ Not all were Algerians; Moroccans and Tunisians sought police protection too.¹¹²

Located in a military barracks and managed by a police officer of the BAV, the *Centre de Nogent* showed the extent to which the police and the army were now intertwined within the Seine *département*. But there was a critical difference between the *Centre de Nogent* and the next centre to be built in Paris: the residents of the *Centre de Nogent* had chosen to be there.

Centre d'identification de Vincennes (CIV)

¹⁰⁷ House and MacMaster, *Paris 1961*, pp. 57, 70.

¹⁰⁸ Amiri, *La bataille de France*, p. 83; Valat, *Les calots bleues et la Bataille de Paris*, p. 51.

¹⁰⁹ Amiri, *La bataille de France*, p. 83.

¹¹⁰ *Ibid.*, p. 83.

¹¹¹ *Ibid.*, p. 85.

¹¹² *Ibid.*, p. 84.

As early as 24 July 1958 Papon called for a detention centre in Paris where suspects could be held for a period of time while police conducted enquiries.¹¹³ Later that year, the government passed the Ordinance of 7 October 1958, which allowed police to arrest and detain Algerians for two weeks and empowered the Minister of the Interior to intern Algerians in camps, which created a need for a detention centre for Algerian suspects apprehended by the police in Paris.¹¹⁴ Shortly after this Ordinance came into force, the *Centre d'identification de Vincennes* (CIV) opened on 21 January 1959.¹¹⁵ While new to the Seine *département*, detention centres for Algerians had existed in France since 1957; in Algeria, such centres began operating in May 1955.¹¹⁶ Several thousand Algerians were interned in camps across France between 1957 and 1962¹¹⁷; many were sent there from the CIV.¹¹⁸ The entire process was legal under the law of 26 July 1957.

There remains some confusion as to who actually ran the CIV. While noting that it was under the authority of the SCAA, the historian Linda Amiri makes conflicting arguments: in the text of her book, she claims that the CIV was administered by the SAT-FMA, but in a detailed footnote she writes that it was run by a commander of the *Police Municipale* who sent Papon a report every month and referred to Papon's cabinet for administrative and management questions.¹¹⁹ It was to the CIV that the police brought Algerians detained in the course of identity checks, either from street-level stop-and-searches or mass round-ups, and interrogated, photographed, and fingerprinted them. These detainees were then either freed or kept at the CIV for up to two weeks while the police conducted further investigations. Then, depending on what information was found, the detainee could be freed; put under house arrest by ministerial decree and required to report weekly to the local police station; transferred to one of the internment centres around France; or deported to Algeria.¹²⁰

¹¹³ 'Note sur la répression du terrorisme nord-africain', 24 July 1958, Ha88*, APPP.

¹¹⁴ House and MacMaster, *Paris 1961*, p. 69.

¹¹⁵ 'Note au sujet du Centre d'identification et d'Hébergement de Vincennes', 6 November 1961, Ha96*, APPP; Amiri, *La bataille de France*, p. 85.

¹¹⁶ Sylvie Thénault, *Une drôle de justice* (Paris: La Découverte, 2004), p. 107.

¹¹⁷ Historians disagree about the number of Algerians detained in camps in France. Benjamin Stora advanced the figure of 5,000 in Benjamin Stora, 'La politique des camps d'internement' in Charles-Robert Ageron (ed.) *L'Algérie des Français* (Paris: Seuil, 1993), pp. 295-299, but indicated that 8,940 had been interned from 1957 to February 1961 in Benjamin Stora, *Ils venaient d'Algérie* (Paris: Fayard, 1992), p. 290. Stora repeated the figure of 8,940 in an interview with Jean-Paul Mari, '17 octobre 1961... Genèse d'un massacre', 25 October 2001. However, Marc Bernardot argues that between 10-15,000 Algerians were detained in French camps in 'Entre répression policière et prise en charge sanitaire et sociale : le cas du centre d'assignation à résidence du Larzac (1957-1963)' in *Bulletins de l'IHTP*, number 83: Répression, contrôle et encadrement dans le monde colonial au XXème siècle, <<http://www.ihp.cnr.fr/spip.php?rubrique74?lang=fr>> [accessed 31 January 2007].

¹¹⁸ On Algerians being transferred from the CIV to the other internment camps in France, see Amiri, *La bataille de France*, pp. 88-89 and House and MacMaster, *Paris 1961*, pp. 75-76.

¹¹⁹ Amiri, *La bataille de France*, p. 219, note 182.

¹²⁰ Amiri, *La bataille de Paris*, pp. 86-87; House and MacMaster, *Paris 1961*, p. 75.

Centre de Beaujon

Due to the paucity of sources, it is unclear who proposed and approved the creation of the *Centre de Beaujon*, a prison where people were interned by Papon and the Minister of the Interior with the knowledge of the director of the SCAA and the *Police Municipale*¹²¹. Although Papon mentions the *Centre de Beaujon* in the section of his memoirs concerning the events of May 1958, the archives show that it was created in January 1960.¹²² At first it was designed to hold 'various street protestors', but from April 1961 three types of "activists" were kept there: people under police custody for two weeks, under the new article 30 of the *Code de Procédure*; activists whom the prefect of Paris police had ordered to be held for two weeks; and people who, having reached the end of the period in which they could be held in police custody or by a two-week Prefect's order, were now kept under the orders of the Minister of the Interior until further notice.

Although Amiri claims that these 'activists' were both Algerian and European, the document she cites, and which the author has examined, does not actually state this.¹²³ Her description of the detainees of the Centre de Beaujon as 'political prisoners' would appear accurate, as the author of the document acknowledged that these prisoners were being kept secretly.¹²⁴ A letter from Papon to the director of the SCAA and the *Police Municipale* shows that the State considered these 'activists' to be auxiliaries to terrorism: 'Europeans who give direct aid to the rebellion, either by facilitating the deposit or collection of funds, or by acting as contacts between FLN agents, will be suggested for internment.'¹²⁵

Force de Police Auxiliaire (FPA)

In February 1957, at a meeting of the Paris Municipal Council, municipal councillors Marboeuf and Breton asked the Prefect that a 'special brigade be created which, like the *Brigade Nord-Africaine* before the war, would be specially composed of people knowing the language, customs and habits of this population, which it would monitor.'¹²⁶ Their request was prompted by news that two police officers had been shot and wounded while trying to question some North Africans. Councillor Tercinet reminded those attending the meeting that he had asked for the *Brigade Nord-Africaine* to be reformed back when the number of Algerian immigrants was much smaller and less violent than it had become by 1957. 'It would appear that a specialised police [unit] alone could serve the good

¹²¹ Pierre Chatenet and Roger Frey served as Minister of the Interior while the Centre de Beaujon functioned.

¹²² Papon, *Les chevaux du pouvoir*, p. 45; Cabinet du Prefet de Police, 'Note au sujet des centres d'internement à résidence de Paris, 23 October 1961, Ha96*, APPP.

¹²³ Amiri, *La bataille de France*, p. 89.

¹²⁴ 'A new building is under construction at the Centre de Beaujon which will comprise 16 cells destined solely to hold detainees and capable of guaranteeing the secrecy of the persons placed under this regime' in 'Note au sujet des centres d'internement à résidence de Paris', 23 October 1961, Ha96*, APPP.

¹²⁵ Papon to the Director of the SCAA and the Police Municipale, 5 September 1961, H1B1* and Ha110*, APPP.

¹²⁶ *Bulletin Municipal officiel de la Ville de Paris*, 27 February 1957, p. 424 in Ha88*, APPP.

order and tranquillity of the capital's population and there is no good reason to oppose [the recreation of the *Brigade Nord-Africaine*].¹²⁷

Three years later, the Paris Municipal Council got its wish. From January 1960, the *Force de Police Auxiliaire* (FPA), a formation of 400 Algerian men divided into four companies, began functioning in the Paris region. The Paris police prefecture had employed some Muslims as translators or as agents in the *Brigade des Nords-Africains* (BNA) and the *Brigade des Agressions et Violences* (BAV), but the scale, operational structure and mission of the FPA was distinctive.

Valat has shown that the idea of using 'loyal' Algerians to fight the FLN had existed – and been implemented in Algeria and in France – for some time. In April 1956, Robert Lacoste, the Resident Minister of Algeria, had proposed the creation of a police force composed exclusively of Algerians to maintain order.¹²⁸ In 1957, the year that the French army began forming *harki* units, deputies in the *Assemblée Nationale* proposed the idea of an Algerian police unit, but the director of the *Police Judiciaire* rejected it on the grounds that it was discriminatory.¹²⁹ Oddly, this concern for legality did not prevent the formation that year of a unit of twelve Algerian plainclothes officers in the Drôme *département*.¹³⁰ Two years later, General Maurice Challe, now Commander-in-Chief of the army in Algeria, included the *harkis* as part of his new strategy to defeat the FLN.¹³¹

Thus it is perhaps unsurprising that Captain Raymond Montaner, an Officer of Algerian Affairs who had worked with *harki* units during the Battle of Algiers, proposed to his SAT-FMA colleagues the formation of an Algerian unit for the Paris region.¹³² Montaner envisaged a unit composed exclusively of Algerians and commanded by an Officer of Algerian Affairs, which would work with the *Police Judiciaire* and report directly to the SCAA. His superior, Commander Henri Pillot, chief of the SAT-FMA, arranged for Montaner to put his proposal in writing and submitted it to Papon on 5 July 1959.

Papon minimises his role in the creation of the *Force de Police Auxiliaire*: in his memoirs, he credits Montaner with the idea and Prime Minister Michel Debré with the decision to create this police force.¹³³ But the archives reveal that Papon liked Montaner's ideas so much that he transmitted them to Pierre Chatenet, the Minister of the Interior. In his own report, Papon proposed the creation of a force of 1,000 Algerian men who would 'infiltrate the Muslim milieu, penetrate the terrorist organisation, disrupt it and finally, destroy it'; some of these men would be plainclothes

¹²⁷ *Ibid.*, p. 425.

¹²⁸ Valat, 'Un tournant dans la "Bataille de Paris"', p. 329; Valat, *Les calots bleus*, p. 67, note 3.

¹²⁹ Amiri, *La bataille de France*, p. 91.

¹³⁰ *Ibid.*, p. 91. Paulette Péju, *Ratonnades à Paris précédé de Les harkis à Paris* (Paris: La Découverte, 2000, 1st publ. 1961), p. 40.

¹³¹ Horne writes, 'The two essential components of the Challe Plan were his *Commandos de Chasse*, accompanied by specially trained 'tracker' units of Muslim *harkis*, and a new concentrated *Réserve Générale*' in Horne, *A Savage War of Peace*, p. 332.

¹³² Biographical information on Montaner appears in Valat, *Les calots bleus*, pp. 76-79 and House and MacMaster, *Paris 1961*, pp. 78-79. The author met with Montaner in November 2005 in Albi, France for an off-record conversation whose contents did not differ from the information presented in these two books; indeed, Montaner referred the author to Valat.

¹³³ Papon, *Les chevaux du pouvoir*, p. 190.

officers who would 'use the methods of secret warfare to pursue the goal attained in certain Algerian cities by similar teams'.¹³⁴

On 18 September 1959, Debré agreed to create a *Force de Police Auxiliaire* (FPA) in the Paris region, but reduced its scale: the Paris FPA would be tried as a pilot scheme that, if successful, could be expanded across France.¹³⁵ Montaner met with Papon, Debré and Constantin Melnik, Debré's adviser, to discuss how the FPA would work in practice.¹³⁶ On 25 November, the *Sécretariat Général aux Affaires Algériennes* (SGAA) committed officially to recruit 400 'contractual Muslim employees' who would be under the operational command of the Prefect of Police and administered by the SAT-FMA.¹³⁷ At the end of 1959 the first unit of Algerians arrived at the Fort Noisy in the eastern suburbs of Paris where they began training under Montaner and his second-in-command, Lieutenant Pierre de Roujoux¹³⁸, and in March 1960 some of its agents participated in their first operation.¹³⁹ Papon later recalled:

In the beginning, [the French police] regarded [the FPA] somewhat questioningly, but when they saw the work they were capable of doing, and that the police could not do – mingle in the Muslim milieu, the metropolitan police could not do that – well, then FPA were accepted, and it worked. The marriage worked.¹⁴⁰

Thus Papon's role in the creation of the FPA is more nuanced than previous studies have indicated: he did not invent the idea, he did not have final approval for it, nor did he fund it, but he did support and promote it. Far more serious is his acceptance of the FPA's operational activities, which is analysed later in this chapter.

The équipes spéciales de district

Based on Papon's letter of 17 June 1960 to the SCINA and Pierre Chatenet, the Minister of the Interior¹⁴¹, House and MacMaster argue it was on this date that Papon created the *équipes spéciales de district*, a squad that they claim 'seized Algerians at night, bundled them into unmarked radio cars, and murdered them in isolated locations'¹⁴². However, Papon's letter only described the *équipes spéciales de district*; it did not indicate when they were created or by whom. In fact, although he listed the various units of the *Police Municipale* or the *Police Judiciaire*, he did not note when any of them were created. This is in marked contrast to the police bodies created under his leadership – the SCAA, the FPA and the SAT-FMA – whose dates of creation are all

¹³⁴ Papon to the Pierre Chatenet, Minister of the Interior, 'Lutte contre le terrorisme nord-africain, projet d'organisation de force auxiliaire musulmane de police', 29 July 1959, Ha65*, APPP.

¹³⁵ Amiri, *La bataille de France*, p. 91, n. 205; Valat, 'Un tournant de la "Bataille de Paris"', pp. 329-330.

¹³⁶ Valat, *Les calots bleus*, p. 68.

¹³⁷ *Ibid.*, p. 67. Papon, *Les chevaux du pouvoir*, p. 190. According to Thénault, the FPA numbered 850 by 1960 in Thénault, *Histoire de la guerre d'indépendance algérienne*, p. 226.

¹³⁸ Biographical information on de Roujoux appears in Valat, *Les calots bleus*, p. 79. Author interview with de Roujoux, Aix-en-Provence, France, 8 November 2005.

¹³⁹ Valat, *Les calots bleus*, p. 72.

¹⁴⁰ SH-MP Interview 4, p. 15.

¹⁴¹ House and MacMaster, *Paris 1961*, p. 172. This document is also located in Ha69*, APPP.

¹⁴² *Ibid.*, p. 172. Valat cites House and MacMaster in Valat, *Les calots bleus*, p. 55.

stated in the letter. Furthermore, Papon, in his memoirs, includes the *équipes spéciales de district* in a discussion of police structures that existed *prior* to his arrival in March 1958:

The Prefecture of police had to adapt itself to these new obligations. The *Brigade des Agressions et Violences* (BAV) had to take on missions, a structure and new, powerful and specialised methods. A territorial brigade of the *Police Judiciaire* was created and added to the BAV's purpose.¹⁴³ Furthermore, the *Police Municipale* received the order to form intervention groups of plainclothes police officers, groups to which were given the name '*équipes spéciales de district*'.¹⁴⁴

Papon does not indicate who gave the *Police Municipale* the order to form the *équipes spéciales de district* or when this order was given, but his use of the past historic tense shows that, so far as he remembered, they were created before his arrival, while his use of the passive voice indicates that they were created by someone else: '*...la Police Municipale reçut l'ordre de former des groupes d'intervention de gardien de la paix opérant en civil, groupes auxquels fut donné le nom 'd'équipes spéciales de district'...[author's emphasis].'*

Papon's letter of 17 June 1960 notes that the *équipes spéciales de district* were composed of officers specially trained in counter-terrorism. They were grouped into 19 units, each of which included one brigadier and five officers, for a total force of 114 men. Unlike the radio-car units, which operated 24 hours a day and lacked counter-terrorism training and whose existence Papon noted as early as 30 June 1958¹⁴⁵, the *équipes spéciales de district* worked only at night. According to Papon, their mission was to 'question Algerians in cafes, on the street and in hotels where, according to information they received, [FLN] elements could be discovered as well as weapons and documents.'¹⁴⁶ This is fairly close to Papon's description of the *équipes spéciales de district* in his memoirs: '[they] would distinguish themselves by their audacity, their courage and their success in the fight against the *groupes de choc* and the commandos of the FLN's *Organisation Spéciale*'; '[they] were there where it was necessary to detect suspects, conduct verifications, apprehend FLN agents, expel them to their village of origin or transfer them to tribunals'; and '...the special district patrols [were] composed of plainclothes agents selected for their skills and their courage and led by resolute chiefs.'¹⁴⁷

House and MacMaster assert that there was a second group of the *équipes spéciales de district*, but in fact this was a completely separate unit: the *équipes mixtes*.¹⁴⁸ Again, Papon's letter did not mention when this unit was created, or by whom; it describes the *équipes mixtes* as 18 teams representing a total force of 79 officers, some in uniform and others in plainclothes, who

¹⁴³ Papon was mistaken about the order in which these police units were created. As shown in the previous section, the *Brigade Territoriale* was created in 1949 and the BAV in 1953; both were under the command of the *Police Judiciaire*.

¹⁴⁴ Papon, *Les chevaux du pouvoir*, pp. 100-101.

¹⁴⁵ Papon, press conference, 30 June 1958, Ha69*, APPP.

¹⁴⁶ Papon report to the SCINA and Ministry of the Interior, 17 June 1960, Ha65*, APPP.

¹⁴⁷ Papon, *Les chevaux du pouvoir*, pp. 101, 198, 201.

¹⁴⁸ House and MacMaster, *Paris 1961*, p. 172.

operated in Algerian neighbourhoods. It does not indicate whether these officers were trained in counter-terrorism.

House and MacMaster also fail to substantiate their claim that the *équipes spéciales de district* 'seized Algerians at night, bundled them into unmarked radio cars, and murdered them in isolated locations'.¹⁴⁹ For instance, they do not cite any of the 'numerous Algerian reports on death squad units' that supposedly support their argument.¹⁵⁰ Moreover, their citation of a letter from Papon to the SCAA on 5 September 1961 is misleading. They imply it contains proof that Papon ordered the *équipes spéciales de district* to shoot on sight FLN *groupes de choc*.¹⁵¹ In fact, the document shows that Papon designated both the *équipes spéciales de district* and the *Force de Police Auxiliaire* to be in the front line of a *total* police effort to repress the FLN:

First we must firmly retake the offensive in all sectors, harass the OPA [*Organisation Politico-Administrative*] of the FLN, pursue the agents who collect funds ['dues'], search for weapons caches, [and] neutralize the *groupes de choc* [who carried out the FLN-ordered executions, including those of four police officers killed the previous month]. This action requires the participation of all [author's emphasis] the branches of the Paris police prefecture and, in the first line, the *équipes spéciales de district* in plainclothes or *Police Municipale* in uniform whose numbers, if necessary, should be increased, and the *Force de Police Auxiliaire*, whose numbers should be increased as the budget allows.¹⁵²

A letter from the director of the SCAA to Papon on 4 October 1961, which confirms that the *équipes spéciales de district* were working 'outside the rules of normal procedure' when arresting Algerians¹⁵³, does not prove that the *équipes* were murdering Algerians, although it is possible that the phrase 'outside the rules of normal procedure' was a euphemism. More concrete is District Commander Gaveau's report to Papon on 5 November, which noted that the *équipes spéciales de district* 'detected, dispersed or annihilated, often in a radical manner', Algerians on the night of 17 October 1961.¹⁵⁴ Whether Gaveau judged these killings to be a one-off on that particular evening or routine for this police squad is not clear from his report.

The historian Jean-Paul Brunet, while persuaded that the Paris police tortured and killed a number of Algerians, does not accuse specifically the *équipes spéciales de district*. Rather, he argues that these actions were the result of officers acting on their own, not within their professional capacity¹⁵⁵, as the six District Commanders and three police union leaders he interviewed all claimed they had never heard of such activities either at the time or since.¹⁵⁶ Furthermore, he notes

¹⁴⁹ *Ibid.*, p. 172.

¹⁵⁰ *Ibid.*, pp. 172-173.

¹⁵¹ Papon order to the Director of the SCAA and the *Police Municipale*, 5 September 1961, Ha110*, APPP.

¹⁵² *Ibid.*

¹⁵³ Director of the SCAA to Papon, 4 October 1961, Ha68*, APPP.

¹⁵⁴ District Commander Gaveau to Papon, 5 November 1961, Ha110*, APPP.

¹⁵⁵ Brunet, *Charonne*, pp. 51, 53.

¹⁵⁶ Brunet, *Police contre FLN*, p. 161; Brunet, *Charonne*, pp. 51-52.

that the subject of 'police commandos' was mentioned in police union debates as a possible worry for the future, not an existing situation.¹⁵⁷

At present, it cannot be said with any certainty when the *équipes spéciales de district* were created, or by whom. According to Valat, who catalogued the entire H series of papers relating to the Paris police prefecture during the Algerian War, no documents for this police squad exist.¹⁵⁸

Overview of the so-called "Papon System"

Papon clearly had considerable autonomy in transforming the existing system for repressing Algerians in the Paris police. He proposed the operational reorganisation of the *compagnies d'intervention*, the North African section of the *Renseignements Généraux*, the *Brigade des Agressions et Violences* (BAV) and the 8^e *Brigade Territoriale* under the umbrella of the SCAA, a dedicated command centre which would manage the fight against Algerian nationalism in the capital. He also proposed the creation of a *Section administrative urbaine* in Paris, along the lines of those used in cities in Algeria, and had the idea to bring over experienced personnel, the Officers of Algerian Affairs, to set up the SAT-FMA and the BRS. It was Papon who resurrected the Ministry of the Interior's proposal of 1957 to set up a dedicated shelter for North Africans seeking police protection, after the Paris police prefecture could no longer cope with the increasing numbers, and Papon who embraced Montaner's proposal for a *Force de Police Auxiliaire*. From July 1958 he had called for a detention centre to house Algerian suspects, which led to the creation of the *Centre d'Identification de Vincennes*. While his precise role in the creation of the *Centre de Beaujon* for political prisoners and *équipes spéciales de district* is unclear, it is certain that he was involved in their operations.

Given the enthusiastic participation and support of his superiors in the government, it is scarcely accurate to argue that Papon was the sole architect of a new system. This new system was the result of a collaboration at the most senior level of State: by passing numerous repressive laws and approving Papon's proposals to reorganise and expand the Paris police prefecture, De Gaulle and his ministers supported Papon's judgement that Paris had become a battlefield in the Algerian War, and that the police needed to be equipped with the necessary means and structures to win that battle. But whereas Papon's contribution to the structure of the system of repression was only secondary, his influence upon its activities may have been crucially important on account of his leadership.

¹⁵⁷ Brunet, *Police contre FLN*, p. 161.

¹⁵⁸ Rémy Valat, conversation with the author, 7 December 2007, Paris, France. The *équipes spéciales de district* are mentioned without any detail in Michel Aubouin, Arnaud Teyssier, Jean Tulard (eds) *Histoire et Dictionnaire de la police en France du Moyen Âge à nos jours* (Paris: Robert Laffont, 2005), p. 804.

How Papon's leadership influenced the violence of the Paris police, 1958-1962

In November 1958, nine months into his role as prefect of Paris police, Papon highlighted the importance of a civil servant's leadership:

...The same policy executed by different men can lead to opposite results, to the point that at certain moments and in certain situations, the way in which a policy is applied becomes more important than the policy itself. The person who implements the policy can sometimes inspire more support than the policy would. This is why the choice of men is so important; the role of a man can be so decisive.¹⁵⁹

To what extent did Papon's leadership style – his personal manner of leading his subordinates and implementing policy – contribute to the violence of the Paris police in its repression of Algerians from 1958 to 1962? And why, given that brutality and the ensuing public outcry, did the government maintain Papon as prefect of Paris police when the Minister of the Interior, his direct superior, changed six times during the same period?¹⁶⁰

Papon's first act as leader of the Paris police was to promise his personnel that they would be covered against censure or legal action for the consequences of their behaviour. Of the thousands of officers who had caused the unrest of 13 March 1958 that led to the removal of his predecessor, few were sanctioned: only six officers received an official warning, two were suspended, and the heads of the three main police branches were replaced.¹⁶¹ 'I want everyone to be assured of my determination to defend the personnel which has always had a sense of duty and which finds itself, at this time, particularly exposed,' Papon wrote in a note to his entire staff.¹⁶² He also proclaimed his position publicly: 'The leaders and officers of the [Paris police] prefecture will be covered by their chief.'¹⁶³ As he described in his memoirs: 'I refuse[d] to throw victims out of the window onto the Boulevard du Palais in order to appease public opinion. The housecleaning remained a family affair.'¹⁶⁴ Later, Papon explained that by promising his officers he would 'cover' them, he thereby obtained their obedience:

MP: I had the reputation, right or wrong, of being an energetic prefect.

SH: Energetic. What does that mean, exactly?

MP: This. [*Making a fist with his hand, Papon grimaces and laughs.*]

SH: Yes.

MP: I had troops who obeyed.

¹⁵⁹ Claude Delmas interview with Maurice Papon, 'La Haute Administration et l'Etat' in *Revue de défense nationale*, November 1958, p. 1645.

¹⁶⁰ Maurice Bourguès-Maunoury (6 November 1957–14 May 1958); Maurice Faure (14–17 May 1958); Jules Moch (17 May–1 June 1958); Émile Pelletier (1 June 1958–8 January 1959); Jean Berthoin (8 January–27 May 1959); Pierre Chatenet (28 May 1959–6 May 1961) and Roger Frey (6 May 1961–1 or 6 April 1967).

¹⁶¹ Violet, *Le dossier Papon*, p. 96 note 1, 97. Papon also confirmed that the government had decided to give hazard pay to all employees who, because of their duties, were 'susceptible to risk due to the present circumstances. This bonus will be paid to you starting next month and will be backdated from 1 January 1958' in Papon, 'Note de service', 18 March 1958, Ha90*, APPP.

¹⁶² Papon, 'Ordre du jour: à tous fonctionnaires des services actifs, administratifs et annexes', 18 March 1958, Ha90*, APPP.

¹⁶³ Papon, speech to the meeting of the General Council of the Seine *département*, March 1958, in Violet, *Le dossier Papon*, p. 98.

¹⁶⁴ Papon, *Les chevaux du pouvoir*, p. 24.

SH: Yes.

MP: But whom I covered, actually. Even when they slipped up.

SH: Thus, there were rather loyal relations.

MP: It is one of the processes for being obeyed. Everything is give and take in the world, you know. Nothing happens without its opposite, its counterpart.¹⁶⁵

While it was urgent that he restore order and discipline to one of the State's most important institutions, Papon was also sympathetic to his officers' concerns about the increased danger they faced from Algerian nationalists – he had just lived through two years of violence and murder in the Constantinois, where he too had been shot at by nationalists.¹⁶⁶ Yet Papon's promise to 'cover' his officers had grave consequences: some of the police interpreted his policy to be a blank cheque; when they accentuated their use of violence during repressive operations, Papon was under pressure to make good on his word. In this way, he went from *covering* his officers to *covering up* for them.

The State's double standard on torture

Although the author was denied permission to examine the Paris police prefecture's files on police violence towards Algerians¹⁶⁷, other scholars have been given access. All agree that the *Force de Police Auxiliaire* (FPA), which began operating in March 1960, used brutal methods against Algerians suspected of being members of the FLN. For example, Brunet concluded that the FPA used 'illegal and morally condemnable means: arrests and arbitrary detentions, systematic use of torture.'¹⁶⁸ House and MacMaster concur, arguing that the FPA used brutal assault as a 'standard procedure' during identity checks and searches of Algerian residences¹⁶⁹ and that the Officers of Algerian Affairs commanding the FPA encouraged a 'culture of brutality'.¹⁷⁰

Valat agrees that the FPA used violence, but argues that it was on a discretionary, not systematic, basis.¹⁷¹ The most violent methods were used on the FLN's *groupes de choc*.¹⁷² In addition to the police archives, Valat consulted Raymond Montaner, the Officer of Algerian Affairs who originally proposed the creation of the FPA. Montaner told Valat that some suspects were beaten but that 'torture was strictly forbidden'¹⁷³, just as he told Brunet that the FPA conducted 'strong-arm interrogation, yes; tortures, no.'¹⁷⁴ What was the difference between 'strong-arm

¹⁶⁵ SH-MP Interview 3, p. 20.

¹⁶⁶ Denis Demonpion, 'Le dernier plaidoyer de Papon', p. 26.

¹⁶⁷ The author was denied access to the following files: Ha88*, 'Torture'; Ha91*, violences policières; dossier violences policières adressé à Maurice Papon; violences policières contre les algériens; H1B30*, Dossiers collectifs: plaintes contre les tortures (1961); and H1B31* Dossiers collectifs: plaintes contre les tortures (1961); coupures de presse des plaintes contre la torture.

¹⁶⁸ Brunet, *Police contre FLN*, p. 69. Brunet interviewed Montaner in *Charonne*, pp. 54-55.

¹⁶⁹ House and MacMaster, *Paris 1961*, p. 80.

¹⁷⁰ *Ibid.*, p. 82.

¹⁷¹ Valat, *Les calots bleus*, p. 100.

¹⁷² *Ibid.*, pp. 98, 100.

¹⁷³ *Ibid.*, p. 100.

¹⁷⁴ *Ibid.*, p. 95, pp. 97-99; Brunet, *Charonne*, p. 55.

interrogation' and torturing a suspect? Montaner did not consider the following tactics to be torture: verbal threats on a suspect's family or life, intimidation with a gun or razor, sleep deprivation, night-time questioning, and beatings by the Algerian auxiliaries, never the Officers of Algerian Affairs.¹⁷⁵ Torture, according to Montaner, was, 'for example, making a suspect drink bleach, burning a suspect with a blowtorch, inserting bottles into a suspect's anus, rape, humiliations and I don't know what else.'¹⁷⁶ Pierre de Roujoux, one of Montaner's lieutenants who commanded an FPA unit, similarly told Valat that the FPA did not brutalise suspects, a claim he repeated in an interview with the author.¹⁷⁷ His testimony raises the possibility that the interrogation techniques used by the FPA varied, depending on the French commanding officer in charge.

To the end of his life, Papon maintained that the FPA never tortured: 'Never in Paris was there even the slightest torture of the littlest toe, never.'¹⁷⁸ As prefect of Paris police, he seized newspapers that accused the FPA of torturing, as well as Paulette Péju's book, *Les harkis à Paris*, possibly because Péju was a known supporter of the FLN.¹⁷⁹ When members of the *Assemblée Nationale*, the Municipal Council of Paris, and the General Council of the Seine *département* denounced the violence of the FPA, Papon dismissed the accusations of torture as an FF-FLN tactic designed to discredit the FPA.¹⁸⁰ Certainly, in 1959, the year *before* the FPA began operating, the FF-FLN advised Algerian 'patriots' brought before French justice to claim that they had been beaten and tortured¹⁸¹, but there were also reports from doctors that Algerians were being admitted to hospitals suffering from serious injuries resulting from their time in police detention.¹⁸²

The government itself took the accusations of torture seriously enough to question Papon at a meeting at the Prime Minister's residence on 10 April 1961 in the presence of Pierre Chatenet, the Minister of the Interior, and Edmond Michelet, the Minister of Justice, as well as the *Procureur Général* (public prosecutor), *Procureur de la République* (state prosecutor).¹⁸³ The minutes of this meeting show that Debré, while declaring the need to maintain the FPA, wanted it 'at no time to resort to the abuses or tortures of which it is accused.' Papon defended his men, saying that he 'could not let it be said that the FPA resorted to torture. 'Perhaps,' he explained, 'in the course of certain operations, a certain violence may have been used, but it excludes all notion and all practice of torture.' The government appeared satisfied with Papon's response; three months later, de

¹⁷⁵ Valat, *Les calots bleus*, pp. 94-98.

¹⁷⁶ *Ibid.*, p. 100.

¹⁷⁷ For both men's testimony, see Valat, *Les calots bleus*, pp. 95, 97-99; author interview with Pierre de Roujoux, Aix-en-Provence, France, 8 November 2005.

¹⁷⁸ SH-MP Interview 4, p. 21.

¹⁷⁹ Paulette Péju, *Les ratonnades à Paris* and *Les harkis à Paris* were reissued in 2000 as *Ratonnades à Paris précédé de Les harkis à Paris*. Home notes that the Maspero publishing house was pro-FLN in Home, *A Savage War of Peace*, p. 469. House and MacMaster confirm this in House and MacMaster, *Paris 1961*, p. 156.

¹⁸⁰ House and MacMaster, *Paris 1961*, p. 85; Brunet, *Police contre FLN*, p. 63; See *Bulletin Municipal officiel de Paris*, 1-2 May 1960, and *Débats parlementaires, Sénat*, 31 October 1961, p. 1346.

¹⁸¹ Brunet, *Charonne*, p. 55.

¹⁸² Brunet, *Police contre FLN*, p. 65; Valat, *Les calots bleus*, pp. 100-101; House and MacMaster, *Paris 1961*, p. 85, note 101.

¹⁸³ Citations from the minutes of this meeting are from 'Réunion du 10 avril 1961, à Matignon, Objet: Opérations de la FPA de la Préfecture de Police de Paris', Ha84*, APPP. See also House and MacMaster, *Paris 1961*, p. 86.

Gaule himself personally pinned on Papon's chest the medal of Commander of the *Légion d'Honneur*.

From covering to covering up

Debré, who had ordered the destruction of the nationalist rebellion in France in 1958¹⁸⁴, now signalled that the State was operating a double standard: although the enemy was the same, he condemned in Paris the methods long tolerated by the State in Algeria. Constantin Melnik, one of Debré's advisers, later recognised another double standard: parliamentary deputies, the press and the public condemned the French forces of order for using violence, while the FLN was accountable to no one and thus free to use violence with impunity.¹⁸⁵ This it did with considerable effect in Paris, killing 47 police officers and wounding 140 from 1957 to 1961.¹⁸⁶

'There was no question of not firing back,' Papon explained in his memoirs, 'One did not seek to kill, but one risked death at every moment during an identity check or during arrests.'¹⁸⁷ This view of ordinary Algerians as potential police assassins was not unique to Papon; on 23 December 1958, the government passed an Ordinance allowing uniformed police officers to fire their weapons at people who fled when requested to stop for an identity check.¹⁸⁸ In April 1961, a month in which the FF-FLN killed two officers and wounded 26, Papon wrote to his men that they could 'make use of their weapons when they feel threatened by individuals or have reason to believe that their life is at risk. You are covered by [the concept of] legitimate defence and by your leaders.'¹⁸⁹

From June to July 1961, while the French State was in secret talks with the FLN's *Gouvernement Provisoire de la République Algérienne* (GPRA) to negotiate Algeria's independence¹⁹⁰, the FF-FLN wounded eight officers of the Paris police. When these talks proved inconclusive, it resumed its campaign of targeting the Paris police in August, killing four officers and wounding two. Papon responded to this resumption of attacks by ordering that 'members of the *groupes de choc* caught red-handed should be killed on the spot by the forces of order.'¹⁹¹ As the *groupes de choc* carried out executions, Papon was authorising a shoot-to-kill policy for terrorists caught in the act of attempting murder, *not* ordering them to 'shoot first and ask questions later' as House and MacMaster argue.¹⁹² Undeterred, the FLN killed another seven officers and wounded another fourteen during September 1961. The police responded by killing ten and wounding ten

¹⁸⁴ Dewerpe, *Charonne*, p. 194.

¹⁸⁵ Constantin Melnik, *Mille jours à Matignon: raisons d'état sous de Gaulle; guerre d'Algérie 1959-1962* (Paris: Grasset, 1988), p. 22.

¹⁸⁶ 'Conseil restreint de sécurité, 10 janvier 1962, liste des policiers tués lors des attentats terroristes', Ha65*, APPP.

¹⁸⁷ Papon, *Les chevaux du pouvoir*, p. 111.

¹⁸⁸ Article 1 of the 'Ordonnance of 23 December 1958 relative à l'usage des armes et à l'établissement de barrage de circulation par le personnel de la police', cited in Minister of the Interior to all mainland prefects, 'Cessation des pouvoirs exceptionnels le 31 mai 1963', 16 May 1963, Ha66*, APPP. This Ordinance remained in effect until 31 May 1963.

¹⁸⁹ 'Ordre du Jour du Préfet', 20 April 1961, H1B1*, APPP.

¹⁹⁰ Talks took place in Evian from 20 May to 13 June 1961, and at Château de Lugrin from 20-28 July 1961.

¹⁹¹ Papon to the Director-General of the Police Municipale and the Director of the SCAA, 5 September 1961, H1B1* and Ha110*, APPP.

¹⁹² House and MacMaster, *Paris 1961*, pp. 66.

'French Muslim aggressors', and seized two machine guns, sixteen handguns, munitions and grenades.¹⁹³

With nineteen of his officers killed and seventy-four wounded in the previous nine months, Papon needed to offer reassuring leadership. He later described the difficulties of this task:

The problem that I had was how to maintain discipline and also how to maintain combativeness, that was my problem, it was a psychological problem...Especially each time an officer was killed, there was a solemn funeral ceremony in the great court of the Paris Police Prefecture, and a speech was required. I made them.¹⁹⁴

On 2 October, Papon gave one such speech at the funeral of a police brigadier during which he told his officers, 'For every blow received, we will administer ten!'¹⁹⁵ Some of the officers – it is uncertain exactly how many – took Papon's words as a *carte blanche* allowing them to fight back with impunity against the FF-FLN. This was the phrase that Jean-Luc Einaudi interpreted in *Le Monde* as Papon's order to 'massacre' Algerians.¹⁹⁶

Yet it is unclear that Papon intended his words to be taken as an order to kill. As his order of 5 September 1961 shows, Papon stated the conditions in which the police could kill in written orders, not over the caskets of fallen officers. Months before he died, Papon maintained that his words at the brigadier's funeral were intended to reassure his officers, not to encourage violence:

MP: I am reproached for what I said in [this] speech. I may have said something on the spur of the moment in order to keep the men in their posts, which was not an easy task.

SH: So you did not say this to encourage police violence?

MP: No, no, it was a speech. [...] You know, there is only one thing that reassures people, and that is words. It is speech [...] what was needed was to reassure [the police] psychologically.¹⁹⁷

In 1999, Maurice Grimaud, who succeeded Papon as prefect of Paris police in 1967, wrote to the historian Jean-Paul Brunet, expressing his opinion: Papon had said 'some imprudent words that appeared to encourage the police,' as opposed to giving a direct order to kill.¹⁹⁸ In his own analysis, Brunet agrees, albeit with a twist – he believes that Papon's words did little to 'excite' his officers, as they were in any case ready to explode.¹⁹⁹ This is where Papon can be criticised, Brunet argues, for failing to appreciate how nervous and tense his men were and thereby failing to calm them.²⁰⁰ But this ignores that the State and the FLN were at war. 'I was a war leader,' Papon recalled, 'I

¹⁹³ 'Direction Générale de la Police Municipale', 20 September 1961, Ha69*, APPP.

¹⁹⁴ SH-MP Interview 4, p. 8.

¹⁹⁵ 'Pour un coup reçu, nous en porterons dix!' in Brunet, *Police contre FLN*, p. 87.

¹⁹⁶ Einaudi, 'October 1961: For the Truth, At Last', 20 May 1998. For a summary of Papon's defamation suit against Einaudi and the court's verdict, see 'Pour la vérité enfin! À propos de l'affaire Papon c/ Einaudi, Tribunal de grande instance, 17e chambre correctionnelle, 26 mars 1999', pp. 21- 32.

¹⁹⁷ SH-MP Interview 4, pp. 8, 11-12.

¹⁹⁸ Maurice Grimaud to Jean-Paul Brunet, letter, 15 October 1999 in Brunet, *Charonne*, p. 308.

¹⁹⁹ Brunet, *Police contre FLN*, pp. 89, 91.

²⁰⁰ *Ibid.*, pp. 89, 91.

made war. One made war and then one made peace.²⁰¹ Until de Gaulle's government and the FLN reached a political solution to the conflict, Papon's duty was to lead the Paris police in fighting the FLN which, to judge by its increasing attacks on the Paris police in 1961, was also not 'calming' its agents.

Yet the Paris police were not trained to fight war. Papon highlighted this discrepancy in his memoirs: 'In Algeria, the army continued to fight [the FLN] and maintain order. In France, it was the police who were given the mission to fight this vast enterprise.'²⁰² As he met police union delegates and visited several police stations in the days following the brigadier's funeral, Papon discovered that the strain of fighting the FF-FLN was taking its toll on his officers. One delegate said, 'The personnel have had enough of being killed like rabbits, their wives and children no longer want them to remain [in the force] and measures must be taken to stop this war'; another stated, 'Our comrades have had enough of official communications, of speeches. It would take little to light this powder keg'; others told Papon, 'Our friends have decided to guarantee their security themselves'; still another warned that it was possible that 'one day [the police] would take to the street and they'd have a go at all the North Africans.'²⁰³

Papon did try to calm his men by addressing what was evidently their greatest fear: being shot and killed by the FF-FLN. He supported their demands for increasing the funding for equipment that would protect the police such as weapons and bullet-proof vests, as well as their desire to see the laws strengthened to better punish the FF-FLN's *groupe de choc*.²⁰⁴ Furthermore, he tried to assuage their fears by confirming that if an officer felt threatened, he should not wait to be shot at, but should shoot first, promising, 'You will be covered, I give you my word.'²⁰⁵

But then Papon crossed the line from *covering* his men to *covering up* for them by telling officers at one police station, 'When you alert headquarters that a North African has been killed, the officer in charge who will come to the scene will do everything to ensure that the North African has a weapon on him, because the current state of affairs, there can be no mistakes.'²⁰⁶ Brunet, House and MacMaster argue that by absolving the police in advance, Papon actually encouraged the likelihood of such killings²⁰⁷; there was now less need to think twice before opening fire.

Yet according to police union delegates who repeated Papon's promise to ensure that weapons were planted on the corpses of North Africans wrongfully killed by police officers, Papon also 'recommended to us not to commit abuses and only to use legal means of repression.'²⁰⁸ This suggests that Papon was committing only to cover up for any mistakes resulting from an officer

²⁰¹ SH-MP Interview 4, pp. 8, 11-12.

²⁰² Papon, *Les chevaux du pouvoir*, p. 182.

²⁰³ Brunet, *Police contre FLN*, pp. 88-89.

²⁰⁴ House and MacMaster, *Paris 1961*, p. 102.

²⁰⁵ Brunet, *Police contre FLN*, p. 89.

²⁰⁶ *Ibid.*, p. 89.

²⁰⁷ *Ibid.*, p. 91; House and MacMaster, *Paris 1961*, p. 105.

²⁰⁸ Brunet, *Police contre FLN*, p. 89.

feeling his life was in danger, rather than deliberately encouraging them to kill. Had he wanted to encourage violence, he would hardly have written to the Minister of the Interior on 9 October 1961 to express his concern:

I have noticed, during the visits that I have recently made in the different branches of the [Paris] police prefecture, a mood whose development does not cease to worry me and which contributes to a certain wariness before the apparent futility of the sacrifices made [...] I believe that I must particularly call your attention to the existence of this deep unease [*un malaise profond*] that I detect with my personnel and that it is not possible to allow this to worsen, in the current circumstances, without running the greatest of risks.²⁰⁹

Papon knew only too well what happened when the Paris police suffered from a '*malaise profond*'; his predecessor, André Lahillonne, had used this exact phrase to describe the conditions that had led to the police revolt of 13 March 1958. Events would show that his worry was not misplaced: over the next five months, the police would revolt, but not against their Prefect. Upholding their end of the bargain with Papon – obedience in exchange for being covered – the Paris police turned on the Algerian population of Paris as well as Frenchmen who demonstrated against the *Organisation de l'Armée Secrète*, the terrorist group of disaffected army personnel and far-right European settlers who exploded bombs in France and Algeria and repeatedly tried to assassinate de Gaulle in an effort to keep Algeria French.

Inconsistent repression of demonstrations and tolerance for police brutality

Demonstrations had been banned in Paris since 23 April 1961 following the government's declaration of a state of emergency.²¹⁰ This was introduced after an attempted *coup d'état* by four retired French army generals, angered by de Gaulle's willingness to negotiate Algeria's independence.²¹¹ Having engineered de Gaulle's return to power in May 1958 on the condition that he would keep Algeria French, these men felt betrayed when de Gaulle began exploring other options. He first signalled a shift on 16 September 1959, when he advanced the idea of a referendum on self-determination for Algeria with three possible options: Algeria could remain French (*francisation*), become independent (*sécession*) or become independent while still associated with France in a sort of Commonwealth (*association*).²¹² Then, in a speech in June 1960, de Gaulle proposed negotiations with the FLN without insisting first on a ceasefire, after which he met FLN leaders at the Elysée, the President's residence, and began talks between French and FLN negotiators.²¹³

²⁰⁹ *Ibid.*, pp. 94-95.

²¹⁰ Brunet, *Charonne*, p. 128.

²¹¹ The generals were Maurice Challe, Edmond Jouhoud, Raoul Salan, and André Zeller.

²¹² Julian Jackson, 'De Gaulle et l'Algérie : grand dessein ou adaptation empirique ?', *Pour une histoire critique et citoyenne. Le cas de l'histoire franco-algérienne* colloquium, 20-22 June 2006, Lyon, ENS LSH, 2007, <http://ens-web3.ens-lsh.fr/colloques/france-algerie/communication.php3?id_article=240> [accessed 14 February 2008].

²¹³ *Ibid.*

For some in the army, this was too much; as in May 1958, they now refused to obey the State. In January 1960, General Jacques Massu declared that the army no longer supported de Gaulle and that he would arm any paramilitary organisations set up by Algeria's settler population.²¹⁴ In January 1961, when 75 per cent of the French population approved a referendum allowing self-determination for Algeria,²¹⁵ some military deserters joined civilians to form the *Organisation de l'Armée Secrète* (OAS) to fight for *Algérie française*.²¹⁶ Deploying terrorist tactics, the OAS began trying to kill de Gaulle and his allies and exploded bombs in Algeria and France.²¹⁷ On 22 April 1961, it attempted its key objective: to overthrow the State.

Papon, for whom the events of May 1958 had been a 'baptism of fire', was now part of Debré's inner circle who tried to defend Paris against a military *coup d'état*.²¹⁸ As the army arrested civil authorities in Algeria, de Gaulle's government declared a state of emergency, arrested conspirators in Paris and rolled tanks out onto the Place de la Concorde to protect the *Assemblée Nationale*. Prime Minister Debré went on the radio to warn the population that the military was ready to fly parachutist units into airports in the Paris region in order to take power, and that the government had banned flights and landings. 'As soon as the sirens sound,' he advised, 'go [to the airports], by foot or by car, to convince the mistaken soldiers of their grave error.'²¹⁹ Appearing on television in his military uniform, de Gaulle appealed for loyalty from the army and help from the population. This he received: the generals' putsch, which had lasted five days, failed. The fallout was nevertheless devastating. Nearly 14,000 officers and enlisted men were estimated to have participated; the leaders who were caught were put on trial, sentenced and stripped of their honours; and those who had fled were found guilty and sentenced to death *in absentia*.²²⁰

With the OAS still operational, and the FLN increasingly powerful and violent in France and especially in Paris, the ban on demonstrations in the capital remained in place throughout 1961. Yet Papon was inconsistent about enforcing this ban: many small, stationary gatherings were allowed, although the police archives show that the police sometimes charged the demonstrators and made arrests.²²¹ Meanwhile, the police repressed larger demonstrations with considerable violence,

²¹⁴ Rod Kedward, *La vie en bleu* (London: Penguin, 2005), p. 342.

²¹⁵ Home, *A Savage War of Peace*, pp. 434-435. Home notes that because four in ten Muslims abstained, the true majority was just over fifty-five percent.

²¹⁶ *Ibid.*, pp. 425, 441.

²¹⁷ The OAS continued to try to kill de Gaulle after Algeria became independent. In total, it killed 2,700 people. Kedward, *La vie en bleu*, p. 346.

²¹⁸ 'I held a "war council" that would be the first of many meetings of this kind in the three days that followed. In addition to the appropriate ministers and their immediate aids, I summoned the prefect of Paris police, Maurice Papon...the essential decisions were taken or confirmed [...] A second "war council" took place at Matignon [the prime minister's residence]...at which Maurice Papon was also present [...] At the end of this second council, I went to the Elysée [the President's residence] where I briefly outlined to the General [de Gaulle] the decisions that had been taken.' See Michel Debré, *Gouverner, Mémoires 1958-1962* (Paris: Albin Michel, 1988), pp. 280-281.

²¹⁹ Full transcript of Debré's radio broadcast, 23 April 1961, 81F/892, CAOM and Home, *A Savage War of Peace*, p. 456.

²²⁰ Home, *A Savage War of Peace*, p. 462.

²²¹ At the smaller demonstrations, protestors were arrested but not subjected to the brutality of the larger demonstrations. For example, (400-500 people) on 1 and 9 November 1961, in 'Lutte contre le terrorisme, synthèses hebdomadaires du Cabinet du Préfet, 30 octobre-12 novembre 1961', Ha77*, APPP; Nine demonstrations ranging from 150 - 2,500 people in 'Lutte contre le terrorisme, synthèses hebdomadaires du Cabinet du Préfet, 13 - 21 novembre 1961', Ha77*, APPP.

leading to injuries and deaths. Historians have understandably tended to treat the larger demonstrations and their repression on an individual basis, for the history of each is complex and difficult to reconstruct. They are also distinct: the Algerian demonstrations of 17-20 October 1961 against a curfew that applied only to them have little in common with the French anti-war/anti-OAS demonstrations of 19 December 1961 and 8 February 1962.²²²

Furthermore, Papon's decision to repress these larger demonstrations, taken in consultation with Roger Frey, the Minister of the Interior, was made for different reasons. The Algerian demonstration of 17 October 1961 took him completely by surprise: he only learned of it that day.²²³ Two beliefs informed his decision to repress it: first, his determination to maintain the authority of the government, which had banned demonstrations and imposed the curfew for Algerians; second, his fear of what might happen if such a demonstration occurred in the current climate of violence. Although Papon was aware that the FF-FLN had ordered the demonstrators to be unarmed, his distrust of this order was undoubtedly influenced by his experience: this was the same organisation which had been killing Algerians and police in Paris for years, and which had shown itself capable of co-ordinated terrorist attacks on both sides of the Mediterranean and massacres of both Algerians and European settlers in Algeria. 'I was really afraid that night,' he recalled, 'that we would be completely overwhelmed by events, submerged by the members of the FLN, and I could just imagine the shops on the Champs-Élysée pillaged, massacres, cars set alight, etcetera, etcetera.'²²⁴ Moreover, he explained, 'We did not have enough men [1,658 officers], because the *Renseignements Généraux* indicated that there would be around 10,000 demonstrators, [whereas] there were 30,000.'²²⁵

The conditions inspiring Papon's decision to repress the anti-OAS/anti-war demonstrations were different. He met the organisers of the 19 December 1961 demonstration the day before and on the day itself and confirmed the official position: the government would tolerate a stationary gathering but not a demonstration in the streets.²²⁶ When the thousands of people assembled defied this order and took to the streets, the police charged. Hundreds of demonstrators were wounded as well as around forty officers.²²⁷ Papon also met the Communist organisers of the 8

²²² On 5 October 1961 Papon, with the support of the government, ordered Algerians had to be off the streets from 8.30pm to 5.30am, Algerian café owners to close their cafes by 7pm, and Algerians found driving would be subjected to an identity check and their automobiles impounded. See House and MacMaster, *Paris 1961*, p. 99 and Brunet, *Police contre FLN*, p. 164. These were not new tactics: for years the police had conducted identity checks in Paris; the government had ordered a curfew on 1 September 1958 in response to the FLN's wave of coordinated terrorist attacks across the country; and impounding vehicles was legal under the Ordinance of 7 October 1958. This last tactic was especially promoted by Émile Pelletier, then Minister of the Interior, who had written to all mainland prefects just a week after the law came into force: 'From now on, I want there to be a greater use of this tool [impounding vehicles], which is legal under law. It must result in a total paralysis of the automobile circulation (or circulation by any other mechanical means) of French North African suspects on metropolitan territory, in order to cause the failure of all terrorist plans.' 'Application of the Ordinance of 7 October 1958', Minister of the Interior to the prefect of Paris Police and the Metropolitan Prefects, 15 October 1958, Ha66*, APPP.

²²³ Brunet, *Police contre FLN*, p. 169; House and MacMaster, *Paris 1961*, p. 115; Brunet, *Charonne*, p. 56.

²²⁴ SH-MP Interview 4, p. 18.

²²⁵ SH-MP Interview 4, p. 19; Brunet, *Charonne*, p. 57.

²²⁶ Brunet, *Charonne*, p. 95.

²²⁷ *Ibid.*, pp. 98-99.

February 1962 demonstration. In his memoirs and in an interview Papon claimed that he personally wanted to allow this demonstration to go ahead, but that de Gaulle himself gave the order to forbid it.²²⁸ In spite of the government's position, thousands of demonstrators defied the ban.²²⁹

Despite the differences in these larger demonstrations, their repressions have a common denominator: the brutality of the Paris police. Over one thousand Algerians were injured and 30-50 killed on 17 October 1961 and in the days that followed²³⁰, around 100 French were wounded on 19 December 1961²³¹ and at least 100 wounded and eight killed on 8 February 1962.²³² Such violence was not unknown to the Paris police; as noted earlier in this chapter, at a demonstration in 1953 police had shot dead seven demonstrators (six Algerians and one Frenchman), and wounded 'journalists, women and passers-by' during the repression of the banned demonstration of 27 October 1960.²³³

True to his word, Papon covered his men and, in turn, was covered by his superiors. His defence that demonstrations were banned and thus the police had no choice but to maintain order was supported by Roger Frey, the Minister of the Interior. After the Algerian demonstrations of 17-20 October 1961, Frey informed the *Assemblée Nationale*, 'The streets of Paris will not be given over to riots, whatever their reason.'²³⁴ Papon's efforts to cover up the brutality of his officers were especially evident regarding the Algerian demonstrations of October 1961: he seriously minimised the number of casualties, claiming that only two Algerians had been killed, as opposed to the 30 to 50 now estimated by historians. With the government's full support, he fought successfully to prevent the formation of parliamentary enquiries, and even managed to secure a vote of confidence for the conduct of the Paris police from the Municipal Council.²³⁵ On 19 March 1962, the French government and the FLN's provisional government signed the Evian Accords agreeing Algeria's independence. Included in this agreement was an amnesty clause which meant that no French functionary or member of the military could ever be tried for their actions from 1954 to 1962.

²²⁸ Papon, *Les chevaux du pouvoir*, p. 400; MP-SHC Interview 4, p. 7.

²²⁹ Sources differ in the number of demonstrators: 6-7,000 according to the Paris Police Prefecture; 10-15,000 according to press agencies; 60,000 according to the French Communist party. See Brunet, *Charonne*, p. 251.

²³⁰ The police arrested a total of 13,794 Algerian men during the demonstrations of 17-19 October 1961: 11,518 on 17 October: 1,856 on 18 October and 420 on 19 October. See House and MacMaster, *Paris 1961*, p. 127 and note 59. The police also arrested a further 300 Algerians during other police operations for a total of 14,094; Papon to the Minister of the Interior, 4 December 1961, Ha111*, APPP; House and MacMaster, *Paris 1961*, p. 129. Some Algerians died on the night, others in the days that followed, in House, 'The colonial and post-colonial dimensions of Algerian migration to France'.

²³¹ Brunet, *Charonne*, p. 99.

²³² *Ibid.*, pp. 219-227.

²³³ *Ibid.*, p. 87.

²³⁴ 'Les réactions après les manifestations musulmanes à Paris', *Le Monde*, 20 October 1961, p. 6.

²³⁵ 'The municipal council of [Paris] voted a motion...which warned the public powers against the resumption of incidents, demanded a firmer repression of FLN killers, and rendered homage to the police. The Prefect of police, Monsieur Papon, completely rejected all accusations of brutalities, abuses or summary executions which had been brought against law and order agents, calling them slanderous...' in 'L'évolution du problème algérien', *Le Monde*, 30 October 1961; 'Bulletin d'Information du Préfet de Police, 1 December 1961' and 'Bulletin d'Information du Préfet de Police, 18 December 1961', H1B35*, APPP.

As for the demonstration of 8 February 1962, Papon blamed the organisers of the demonstration for what had happened at the meetings of the Municipal Council and the General Council of the Seine *département*.²³⁶ Again the government supported Papon, and maintained him in his post until December 1966. In 1968, a court judged that responsibility for the events of 8 February 1962 should be shared by both the city of Paris, whose police had used excessive violence, and the protestors, who had defied the ban on demonstrations.²³⁷ That same year, Papon was elected to a seat in the *Assemblée Nationale*, where his political career flourished for thirteen years, culminating in his role as Budget Minister in the government of Raymond Barre. Only in 1981 did his service to the State come to a halt following the publication his role in the deportation of Jews from the Gironde during the Second World War.

Conclusion

Although Papon was one of the two most senior prefects in the *corps préfectoral* from March 1958, the constraints of crises and hierarchy he faced as prefect of Paris police meant that his autonomy was more restricted than ever. In addition to the thousands of fractious officers under his command and the violence of the FLN, which opened a second front with a wave of attacks across France in August 1958, the State he served was in severe crisis. In May 1958, the Fourth Republic collapsed under threat of open rebellion from its own army, and in April 1961 the Fifth Republic faced another attempted military *coup d'état*. Henceforth, Papon had to contend with two terrorist organisations: the FLN and the *Organisation de l'Armée Secrète*.

Nevertheless, within these constraints Papon was given room to manoeuvre by the government of de Gaulle, which fully supported his efforts to repress Algerian nationalism in the capital. This repression was incontestably brutal, but Papon's responsibility for it is far more nuanced than most scholars and critics have argued. It is misleading to designate Papon as the 'architect' of a so-called 'Papon System' to repress Algerians, as the State began constructing a system of North African-specific police practices from 1925, a process it elaborated over the years, especially after the outbreak of the nationalist rebellion in November 1954. By the time of Papon's appointment, the State had already installed a repressive apparatus targeting Algerians: dedicated police units for 'North African crime' in Paris; an intelligence body to monitor the country's North African population; and the law of 26 July 1957, which increased the scope for internment, created camps for Algerian detainees, and permitted day and night searches and the deportation of Algerians. Papon extended and modified this system to better fight a counterinsurgency against the FLN, but this was hardly an autonomous act, for contemporary documents show that de Gaulle's government approved his proposals at every stage.

²³⁶ Brunet, *Charonne*, p. 280.

²³⁷ *Ibid.*, p. 295. Brunet notes that on 3 December 1969, an appeal court confirmed the original judgement.

By contrast, Papon's leadership style contributed to the brutality of the Paris police in the repression of Algerian nationalism. This is not to say that the Paris police refrained from violence prior to Papon's appointment, for the police killing of seven demonstrators in July 1953, to give but one example, indicates otherwise. But Papon's promise to 'cover' his men in exchange for their obedience, though intended to calm and reassure his officers, had grave consequences: gradually he went from covering them to *covering up* for them. Thus, Papon defended the use of police violence, denied the use of torture by the *Force de Police Auxiliaire*, instructed his men to ensure that weapons were planted on the corpses of unarmed North Africans killed by the police, denied that the police had killed at least 30 to 50 Algerians during the demonstration of 17 October 1961 and rejected his officers' responsibility for the deaths of eight Frenchmen and women during the demonstrations of 8 February 1962.

Papon's tolerance of violence influenced the Paris police even after the Algerian War had ended. In May 1963, nearly a year after Algeria became independent, Papon wrote to his men:

Brutalities and violence are never excusable...I have nothing to add to the orders given countless times on this subject [...] For five years, I always covered the actions of the police force because it was justified by events. Today, I am aware that I need to remind some of you of a proper understanding of your mission...²³⁸

It is perhaps unsurprising that his 'countless orders' on this subject were not obeyed by all his men, who had become accustomed to deciding for themselves when violence was justified, secure in the knowledge that their Prefect would protect them.

Yet Papon's words must not be divorced from the circumstances. He believed he was a war leader fighting a brutal, dirty war. This was scarcely an exaggeration, and there is every indication that his political masters took the same view. They accepted that repressive measures must be taken against groups that threatened the State, and found in Papon a functionary who was capable of displaying initiative and willing to shoulder responsibility for the frequently brutal actions of the Paris police. The State demonstrated its regard for these qualities when it awarded Papon the Commander of the *Légion d'Honneur* in July 1961, when the FPA's use of torture was well known. Papon reciprocated by intensifying his defence of the State's authority during the repression of various demonstrations in late 1961 and early 1962, with the consequences already described. He fully believed that the State deserved to be obeyed, and in applying its directives, made his own distinct contribution. As Papon commented during an interview on the subject of the senior administration and the State in November 1958, 'The role of a man can be so decisive.'²³⁹

²³⁸ Papon to the Directeur Général de la Police Municipale, Directeur de la Police Judiciaire, Directeur Inspecteur Général des Services, the Sous-Directeurs Chefs de District, 9 May 1963, H1B5*, APPP.

²³⁹ Delmas, interview with Maurice Papon, *La Haute Administration et l'Etat*, p. 1645.

Conclusion

This thesis has explored the career of the French civil servant Maurice Papon during the crises of the Occupation and the Algerian War in order to determine his role in applying State policy which, on several occasions, resulted in abuses of human rights and deaths. In doing so, it tested Papon's defence – that his actions were the result of his civil servant's 'duty to obey' the State – by exploring his autonomy *as a civil servant*, with emphasis on his little-known but pivotal role in the Algerian War. This revealed a functionary forced by the circumstance of national crisis to navigate between the constraints of war and a State whose value system was, at times, at odds with his own.

This conclusion will reflect on the three main themes of the thesis. First, it considers what Papon's career reveals about the concept of a civil servant's 'duty to obey' and why justice has proved such an inadequate lens through which to examine his responsibility. Second, it explores how this inadequacy can be addressed by further historical enquiry into the role of the State in Papon's career. Third, it summarises the findings of this thesis that offer a new historical portrait of France's most controversial civil servant.

Inconsistencies and imbalances in the legal arguments against Papon

'Every society has the criminals it deserves,' Albert Camus, the French-Algerian writer, asserted in 1957.¹ However, Papon's career in the *corps préfectoral* suggests that it would be more accurate to argue that every society has the criminals it *desires*. For decades after the Second World War, French leaders had no desire to acknowledge that the Vichy State and those who served it bore some responsibility for the deportation of Jews from France. However, by the 1970s attitudes in both French society and the State had evolved, allowing charges to be filed against some former Vichy functionaries. Of these, Papon had been the most junior-ranking, so much so that Serge Klarsfeld – historian of the Holocaust, lawyer and head of the Association of the sons and daughters of the deported Jews of France – suggested that Papon simply issue a statement expressing his regret, since it was preferable to bring to trial more senior Vichy officials such as René Bousquet and Jean Leguay.² Papon declined Klarsfeld's offer, but even so, until 1992, Klarsfeld considered Papon's role to have been 'almost anecdotal' compared to Bousquet's.³ However, after Leguay's death in 1989 and Bousquet's murder in 1993, Papon was the only living Vichy functionary against whom charges had been brought. It was now *desirable* to bring him to trial, and so Papon became the only Vichy official to be tried, and convicted, of crimes against humanity.

¹ Albert Camus, 'Reflections on the Guillotine' in *Resistance, Rebellion and Death*, trans. Justin O'Brien (London: Hamilton, 1961), p. 206.

² Eric Conan, *Le procès Papon, un journal d'audience* (Paris: Gallimard, 1998), pp. 19, 152; Papon confirmed this in Maurice Papon and Michel Bergès, *La vérité n'intéressait personne* (Paris: Francois-Xavier de Guibert, 1999), p. 311.

³ Conan, *Le procès Papon*, p. 19.

By contrast, the State has shown no desire to depart from its position, enshrined in the decree of 22 March 1962, which amnestied 'acts committed in the framework of operations for maintaining order directed against the Algerian insurrection'.⁴ Considering that it took until 1999 for the *Assemblée Nationale* to redefine these 'operations to maintain order' as a 'war'⁵, it is perhaps unsurprising that the State was, and remains, unwilling to consider any of these "acts" as war crimes. As a result, Papon was never called to account for the abuses and killings that occurred under his authority in Eastern Algeria and in Paris, even though he was far more senior in the Algerian War than he had been in the Second World War, and thus had far greater responsibility.

The way in which Papon's career has been assessed from a legal perspective highlights inconsistencies in how French law determines the responsibility of those who have a 'duty to obey' the State in the matter of crimes against humanity. At present, the persecution and deportation of French and foreign Jews in the Second World War are considered to be crimes against humanity, whereas that of Algerians during the Algerian War is not. This suggests an area for future research: without the amnesty decrees, could the State's persecution of Algerians both before and during the Algerian War qualify as crimes against humanity? These crimes are defined as:

Namely murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crimes within the jurisdiction whether or not in violation of the domestic law of the country where perpetrated."⁶

Many French actions in Algerian War appear to meet much of this definition. First, murder: as this thesis and other works have established, the French army and police force summarily executed Algerians *suspected* of being nationalists. Second, deportation: from 1931-1945, the *Brigade Nord-Africaine*, the North African-specific unit of the Paris police, had the power to deport Algerians from France, where they had a legal right to live, a power that was reinstated in 1957, when Algerians were full French citizens. Third, other inhumane acts: again, this thesis and other works have demonstrated the widespread use of torture by the French army and the police, *prior to and during* the Algerian War. Also, only Algerians – some two million – were forced to leave their villages, which were often destroyed, to live in camps surrounded by barbed wire, enduring harsh weather conditions and malnourishment that could lead to death. This was supposedly for their own protection, but it is striking to note that European settlers were not 'protected' in this way; rather, they were given flares and radios with which to contact the army in case of trouble. Fourth, political persecution: Raphaëlle Branche has shown how the army came to consider *all* Algerians as possible nationalists, a transition she describes as going 'from "Algerian suspects" to "suspect

⁴ See also Stéphane Gacon, *L'amnistie: de la Commune à la guerre d'Algérie* (Paris: Editions du Seuil, 2002), pp. 255-296.

⁴ Barry James, 'General's Confessions of Torture Stun France', *International Herald Tribune*, 5 May 2001 <http://www.ihf.com/articles/2001/05/05/france_ed3_.php> [accessed 1 June 2008].

⁵ Law of 10 June 1999.

⁶ Constitution of the International Military Tribunal at Nuremberg.

<<http://www.yale.edu/lawweb/avalon/imt/proc/imtconst.htm#art6>> [accessed 6 June 2008].

Algerians.”⁷ Once considered a nationalist or a nationalist supporter – a matter open to interpretation, for an Algerian could desire nationalism but not support the FLN or its methods – Algerians’ civil liberties could be suspended and they could be arrested without trial, interned for prolonged periods, deported from France to Algeria, tortured and summarily executed. In sum, during the Algerian War, nationalism – a political position – became criminalised. Finally, religious persecution: because they were Muslim, Algerians were denied full political rights both before and during the Algerian War, and as Muslims, they were assumed to support the nationalists, which made them eligible for the aforementioned abuses.

Thus, Amnesty International, the human rights group, has argued that ‘if France is able to bring to trial war criminals from the Vichy period, it must also be possible for France to live up to its legal obligations in relation to the Algerian War.’⁸ However, any future investigation into the State’s inconsistent recognition of crimes against humanity must bear in mind that laws are neither created nor applied in a vacuum; they reflect their creators and their time. Under de Gaulle, the State tried to protect those who served it, first in 1962, when it amnestied acts committed by its civilian and military agents during the Algerian War, then in 1964, when it incorporated crimes against humanity into law with the intention of prosecuting Nazis, not Frenchmen.⁹ This has important implications for Papon’s place in French history, for the State he served never intended for him to face prosecution for his actions in either the Second World War or the Algerian War.

It seems likely that it never occurred to those who created the laws that the State itself would evolve in its assessment of its civil servants’ conduct in the Second World War. Could the State shift in how it judges the actions of its civil servants and military personnel during the Algerian War? At present, the amnesty decree of 1962 still outweighs the 1964 crimes against humanity law, as the case of Paul Aussaresses demonstrated. In 2001, the 83-year-old Aussaresses, a former soldier, published an account of his torture and killing of Algerians during the war, and defended torture as a legitimate tactic of war.¹⁰ Although the amnesty decree of 1962 protected him from prosecution for his actions, the *Ligue des droits de l’homme*, a French human rights group, succeeded in bringing him to trial for *defending* those actions. In 2002, Aussaresses was convicted of apology for war crimes, stripped of his *Légion d’Honneur* medal and fined €7,500; two of his publishers were fined €15,000.

This decision suggests that the current French legal position on crimes against humanity with regard to the Algerian War is muddled. As this thesis and other works have shown, the governments from 1955 to 1957 – the period in which Aussaresses committed his actions – knew

⁷ Raphaëlle Branche, *La torture et l’armée pendant la guerre d’Algérie, 1954-1962* (Paris: Gallimard, 2001), pp. 42-51.

⁸ Amnesty International, ‘France/Algeria: France must now live up to its legal obligations’, May 2001 <<http://www.amnesty.org/en/library/asset/EUR21/002/2001/en/dom-EUR210022001en.html>> [accessed 1 June 2008].

⁹ Leila Sadat, ‘The Legal Legacy of Maurice Papon’ in Richard J. Golsan (ed.) *The Papon Affair* (New York and London: Routledge, 2000), pp. 131, 133-4.

¹⁰ Paul Aussaresses, *Services Spéciaux, Algérie 1955-1957* (Paris: Perrin, 2001).

that the army was using torture as a counterinsurgency tactic, did not sanction those who used it, and ignored and even punished those who protested against it. In defending his actions, Aussaresses was simply defending wartime tactics that the State itself had allowed and later amnestied. As such, the conviction of Aussaresses in 2002 was groundbreaking, as he was found guilty not for what he did, but what he said. This signalled to France's civil servants and military personnel that to the end of their lives, they must speak with care about the actions they committed in their service to the State, for even if their actions were and remain free from prosecution, they could face punishment *simply for talking about it in a way that some find offensive*. After all, General Jacques Massu, who was Aussaresses's direct superior during the Battle of Algiers, had defended the use of torture in the Algerian War until 2001, when he changed his mind and expressed regret.¹¹ As a result, the penitent Massu could not be charged with apology for torture; the unrepentant Aussaresses could.

This affects more than the freedom of speech. By establishing a pattern of using retroactive laws to right the wrongs of its history, France risks hypocrisy. Its State expects obedience from those who serve it, and as this thesis has demonstrated, received this in most cases during the Second World War and the Algerian War. But will French functionaries and members of the military continue to carry out orders that, though morally questionable, are permitted at the time, and risk that the State could turn on them in the future?

François Mitterrand, then President of France, raised this very question in 1994, while dining with Georges-Marc Benamou, a journalist. Spotting Papon at a nearby table, Benamou said to Mitterrand, 'And to think that that bastard is dining in town.'¹² Receiving no reply, Benamou continued, 'And to think that [Papon] had the same zeal for sending the first trains of deportees from Bordeaux in 1942 as he did for getting the Algerians thrown in the Seine on 17 October 1961.' Seeing that he now had Mitterrand's attention, Benamou pressed on. 'Imagine, Mr President, the police who massacred the Algerians in 1961 were young enough to have been at the Vel d'Hiv roundup in 1942. And all that was under the orders of the same senior functionaries! Happily, [Papon] will be judged soon.' According to Benamou, Mitterrand turned to him with a 'terrible air' and replied, 'You don't know what you're talking about...young man,' infusing the 'young man' with all his scorn.

Young man, you don't know what you're talking about. Here, calmly, in a time of peace. Fifty years later, you are judging without knowledge, without having known the context of the period, without knowing that one had to save one's skin....Fifty years later, it's too late. If now, fifty years later, one goes after civil servants, where will it end?¹³

For Mitterrand, who had also served the Vichy State, resisted, and was a minister (including Minister of Justice) during the Algerian War, the problem with retroactive laws for those who served

¹¹ Florence Beauge, 'Le général Massu exprime ses regrets pour la torture en Algérie', *Le Monde*, 22 June 2000.

¹² Georges-Marc Benamou, *Jeune homme, vous ne savez pas de quoi vous parlez* (Paris: Plon, 2001), p. 59.

¹³ *Ibid.*, pp. 60-63.

the State was that they failed, due to the time elapsed, to respect the context of the time in which the actions in question were committed. Whether or not this is an adequate reason for excusing them, it seems profoundly unjust to make functionaries and soldiers *fully* responsible for actions that are the result of orders from the State they serve. Even the Constitution of the International Military Tribunal at Nuremberg recognised this in article 8, which stated that a defendant who had acted in the service of the State, while not devoid of individual responsibility, could also be judged not wholly responsible for his actions; instead, the responsibility could be shared between the defendant and the State or superior the he obeyed.¹⁴

French justice's assessment of Papon's individual responsibility for his role in the arrest, internment and deportation of Jews is well known: guilty as charged. Less well known is that the State itself recognised that Papon's responsibility was mitigated because he had acted in his capacity as a civil servant. In 2002, the *Conseil d'Etat* (Council of State), which advises the government on administrative matters, ordered the State to pay half of the total compensation and legal costs (€719,559) that Papon owed to the civil parties.¹⁵ Was it simply a coincidence that this decision was taken the same year that Papon was released from prison after serving just three years of his ten-year sentence, the first person to benefit from the Kouchner law, which allows the early release of prisoners in poor health? Until the legal discrepancies on crimes against humanity in the Algerian War are resolved, perhaps the *Conseil d'Etat* should order the State to pay half of the fines of Aussaresses and his publishers as well.

The role of the State in supporting Papon during his career in the *corps préfectoral*

Papon, for his part, criticised Aussaresses not for what he had done, but for talking about it. 'He would have done better to keep quiet,' Papon said in an interview. 'There were perhaps some wrong-doings, but he was also at the service of France. He had only to keep quiet.'¹⁶ This was consistent with Papon's belief that those who had acted out of a 'duty to obey' the State could have a clear conscience. It was possible and even reasonable for him to think this because during his career in the *corps préfectoral*, Papon – like Aussaresses, who ended his career in the army as a general – was well rewarded for his obedience. The message these men received from their superiors was that the human cost of their actions did not matter, so long as it occurred during their service to the State.

¹⁴ Article 8: "The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires."
<<http://www.yale.edu/lawweb/avalon/imt/proc/imtconst.htm#art6>> [accessed 6 June 2008].

¹⁵ Le Conseil d'Etat statuant au contentieux, sur le rapport de la 1ère sous-section de la Section du contentieux – N° 238689 – Séance du 5 avril 2002, lecture du 2002 – M. Papon at
<http://www.conseil-etat.fr/ce/jurispd/index_ac_Id0205.shtml> [accessed 2 June 2008]; Jean-Michel Dumay, 'Le Conseil d'Etat oblige l'Etat à payer la moitié du montant des condamnations civiles prononcées contre Maurice Papon', *Le Monde*, 14 April 2002.

¹⁶ SH-MP Interview 3, p. 10.

Why did the State not hold those who served it accountable for their actions concerning Jews in the Second World War and Algerians in the Algerian War? Any enquiry into this matter must examine France's leaders, especially Charles de Gaulle. De Gaulle's support of Papon from the Liberation through the Algerian War, despite the deaths and abuses that occurred under his administration, is in striking contrast to his decision on 3 February 1945 to allow the execution of Robert Brasillach, the editor of a fascist weekly newspaper who had been a prolific publisher of pro-Nazi and anti-Semitic articles. Because of his pro-Nazi stance, Brasillach received the death penalty for his treason; as per the Purge criteria, his anti-Semitism was not questioned.¹⁷ In her study of Brasillach, Alice Kaplan notes a passage in de Gaulle's war memoirs about his decision not to pardon an unnamed writer which, Kaplan is convinced, refers to Brasillach: 'If they hadn't served the enemy directly and passionately, I commuted their sentence on principle. In the opposite case – the only one – I didn't feel I had the right to pardon. For in literature as in everything, talent confers responsibility.'¹⁸

In de Gaulle's opinion, did talent confer responsibility for functionaries and soldiers too? This thesis has shown that what mattered to de Gaulle was that Papon had not been an ideological supporter of the Vichy State or the Nazis, that he had aided the Resistance, and that he had loyally served the State, including de Gaulle's own governments, during in the Algerian War; the abuses and deaths that occurred under his administration seem to have counted for little. To better understand what de Gaulle considered to be the responsibility of French functionaries, future research could link an exploration of why his Liberation government omitted the persecution of Jews from its administrative purge with the failure of his governments from 1958-1962 to take serious action within the administration and the army to halt the abuses and deaths of Algerians in both Algeria and France, as well as to protect these servants of France from prosecution for these acts through the amnesty decrees.

This is not to say that de Gaulle was the only leader to signal to France's functionaries and military that human rights were not a priority in war. The names of other French leaders who shared this view feature throughout the pages of this thesis. Within the historiography of the Algerian War there is room, and more importantly, a need, for a reassessment of these other leaders and their reasons for dismissing the human rights of Algerians, both civilians and nationalists, especially given France's tradition as the country of the rights of man (*le pays des droits de l'homme*). This would enable a study of how the State's values evolved over the latter half of the twentieth century to a legal position that acknowledged the human rights of Jews in the Second World War, but not those of Algerians during the Algerian War.

¹⁷ Alice Kaplan, *The Collaborator* (Chicago: University of Chicago Press, 2000), pp. 78, 83.

¹⁸ *Ibid.*, p. 212.

In addition, this thesis has shown that de Gaulle was not the only leader to appreciate Papon's service to the State. Papon owed his rapid progression to the support of a remarkably diverse range of patrons. The first to talent-spot him was Maurice Sabatier, a senior prefect who worked with Papon under the Third Republic and the Vichy State. Papon was then embraced as a resister by Gaston Cusin, Jacques Soustelle, and Maurice Bourgès-Maunoury, all Free French Commissioners of the Republic in Bordeaux who defended Papon in 1981 when he was first accused of crimes against humanity.¹⁹ During the Fourth Republic, René Mayer, deputy of Constantine, minister and prime minister, advised and supported Papon as he advanced through the ranks of the *corps préfectoral*. Jean Baylot, the prefect of Paris police from 1951 to 1954, gave Papon the glowing assessment cited in Chapter 5. From 1955 to 1958, Maurice Bourgès-Maunoury encouraged Papon to develop his ideas on how to solve the "Algerian Question", incorporated some of those ideas into the Special Powers Act and the *loi-cadre*, sent him to the United Nations and put him forward for his two greatest promotions: IGAME of Eastern Algeria and prefect of Paris police. In this last role, Papon enjoyed the support of six Ministers of the Interior – Bourgès-Maunoury, Maurice Faure, Jules Moch, Émile Pelletier, Jean Berthoin, Pierre Chatenet, and Roger Frey – as well as Pierre Messmer, the Minister of the Armed Forces and Michel Debré, Minister of Justice and Prime Minister.

These leaders consistently gave Papon opportunities, solicited his opinions and, in the domains of French policy in Algeria or security in Paris, adopted many of his ideas. They also promoted him, particularly to difficult roles in Algeria, Morocco and Paris where the authority of the State was under threat. They protected him when his conduct was questioned, and decorated him with France's highest honours. This was not because Papon somehow fooled his superiors, or reinvented himself in order to seem more appealing to whatever personality was in power. What critics of Papon must accept is that France's leaders valued, esteemed and respected him. As this thesis has demonstrated, this was not simply because Papon was a loyal functionary. Rather, these leaders valued Papon as a person.

A new historical portrait of Papon

In 1988, Roger Samuel-Bloch, the French Jewish resister whom Papon had assisted and sheltered in Bordeaux, described Papon as 'solid...a brilliant, competent civil servant, but perhaps impetuous, courageous in any case....a risk-taker.'²⁰ The findings of this thesis confirm Bloch's assessment, and reveal a far more complex personality than was previously understood.

There are myriad examples to support Papon's claim that he acted out of a 'duty to obey' the State. Papon went where the State sent him, implemented its policies, and remained true to the

¹⁹ 'MM. Bourgès-Maunoury, Cusin et Soustelle: Des attaques scandaleuses', *Le Monde*, 8 May 1981.

²⁰ Testimony of Roger Samuel-Bloch, 20 Octobre 1988, cited in Catherine Erhel, Mathieu Aucher and Renaud de La Baume, *Le procès de Maurice Papon 8 octobre 1997-2 avril 1998* (Paris: Éditions Albin Michel, 1998), vol. 2, pp. 608–09.

French civil servant's ethos of professional neutrality, serving the governments of the Third Republic, the Vichy State, and the Fourth and Fifth Republics. Like the majority of his colleagues, he accepted the authority of the Vichy State when he returned to France at the end of 1940 and did not protest against its policies, even though this included the arrest, internment and deportation of Jews. In his efforts to save some Jews from internment or deportation, Papon worked only within the law, unlike some of his colleagues who flouted the law at great personal risk. In 1954, although reluctant to go to Morocco, Papon accepted his orders '*en service commandé*' and, a year later, took the punishment of being sidelined professionally for five months after the mission ended badly through no fault of his own. After his applications for posts in mainland France were unsuccessful, Papon resigned himself to a post in Algeria, a territory under insurrection 'where no one wants to go', in order to reignite his stalled career. There he was forced to operate under genuine constraints, lacking the necessary resources and manpower to implement the administrative reforms for which he was responsible and in which he believed, and was forced to compromise in his dealings with an army that was increasingly out of control. As prefect of Paris police, he served the State even as it collapsed around him in May 1958, radically altered its policy on Algeria, and made him responsible for fighting the terrorism of Algerian nationalists in the capital.

However, as this thesis has shown, Papon was not a myrmidon but a civil servant with an explicit value system that often differed from his peers and the State he served, capable of altering his thinking and initiating change. This was apparent even as he served the Vichy State, which he did with increasing reluctance from 1943. From that year, Papon declined promotions and aided the Resistance, decisions that would win him support from some of France's most respected resisters and propel his career.

But the most compelling, and least well-known, example of Papon's autonomy was his thinking on Muslim societies and cultures and how they related to France, and the initiatives he took to share his ideas. Had he worked only in France, Papon might have embraced the conventional French wisdom that Islam was an inferior civilisation and Muslims inferior people, but Papon's travels to Morocco, Libya, the Levant and Algeria had opened his mind to a broader way of thinking. From his 'discovery' of Islam in 1938, Papon embarked on a personal journey. Although he never lost his Orientalist appreciation of the texture of socio-cultural life in Muslim societies, Papon brought an immediate practical focus to his study, learning everything he could about Algeria during his tenure as Director of Algerian Affairs and Prefect of Constantine. In this last role, he revealed a distinct independence of thought by befriending the moderate nationalist Ferhat Abbas, supporting the assimilation of Algerians and journeying to Algiers to file a complaint against a French administrator who had cheated in an election, a common practice used by his peers to deny Algerians a political voice.

In the 1950s, the failure of French policy in North Africa challenged Papon's thinking. In contrast to various governments and the army, who argued that repression was needed to quell the burgeoning nationalist movements, Papon maintained that political, social and economic reforms were necessary to keep French North Africa. In 1955, when even a committed liberal like Jacques Soustelle was hardened by the massacre of Algerians and European settlers in Eastern Algeria, Papon made several radical proposals: the State should implement in Algeria 'a policy of integration taken to the extreme', abolish all colonial symbols, and reform the administration of the territory. In 1956, he openly defied the proponents of France's civilising mission by publishing an article in which he argued that Islam and the West were 'complementary, not contradictory'.

That year, when he returned to Eastern Algeria, he did his best to implement the reforms of the Special Powers Act by improving the infrastructure, attempting to increase the number of Algerian civil servants – leading by example by appointing to his cabinet Mehdi Belhaddad, the only Algerian sub-prefect in Algeria – and reforming the *communes* so that Algerians had more say in local affairs. Despite his exposure to the climate of violence engendered by both the nationalists and the French army, Papon continued to advocate liberal reforms, using his initiative to present specific ideas to ministers, contribute to the *loi-cadre* and help defend it at the United Nations. Years later, when asked how he would like to be remembered for this assignment, Islam was still the heart of Papon's response:

I would say...not thinking uniquely of France. Of course, I was the representative of France. I want to integrate what that was. Fine. But I also integrated in this image Islam and Muslims. Who we did not make enough effort to understand. Who we did not help enough to evolve, perhaps. Or in any case, we helped them evolve, yes, that is true, but it was according to rational methods, Cartesian methods... and these are not methods that work in the Muslim world. We should have helped them evolve on the basis of Islam. You see? It's delicate.²¹

But it was during his mission as IGAME of Eastern Algeria that Papon began to shut down the part of himself that had dared to think differently. Papon, who was on record as rejecting racism and the army's abuse of Algerians as a form of control, fell silent after his early efforts to make the army respect the human rights of Algerians failed. Where previously he drew strength from his identity as a civil servant, Papon was now isolated from the State, whose leaders tolerated internment, torture and summary execution as tactics of war. Disempowered, he was forced to make a choice: resign, as his colleague Paul Teitgen did in 1957, or try to focus on the bigger picture and transform Algeria from within through the implementation of reforms he believed in. He chose the latter, but by the end of this role Papon's faith in the viability of his choice had eroded as the State proved too weak to implement the *loi-cadre* and allowed the army to dominate the administration and alienate most of the Algerian population. By the time he left Algeria for Paris, Papon had temporarily set aside his efforts to find a political solution to the "Algerian Question", convinced by the number of Algerians murdered by the nationalists for working with the French that security must come first.

²¹ SH-MP Interview 1, p. 75.

Thus, Papon was a changed man when he arrived in Paris to take command of the police. Hardened by his experiences as IGAME, dismayed by the weakness of the governments of the Fourth Republic and alarmed by the insubordination of the French army, he was ready to fight when the FLN opened a second front in France in August 1958. Now his autonomy took on a different light, harnessing his experience of the previous two years of working with the army to propose changes to the Paris police in order to enable it to defeat the FLN, whose state-within-a-state threatened the authority of the State. Working with his superiors, Papon expanded the existing structures and practices for the repression of Algerians, militarised parts of the Paris police, and tolerated a culture of brutality that had deadly consequences for both the Algerian and French population in the capital.

Where French justice failed to call Papon to account for his responsibility in the abuses and deaths that occurred during his tenure as prefect of Paris police, history has taken up the gauntlet. Books, articles and even films²² portray Papon as the symbol of French repression of Algerians in Paris, just as his trial for crimes against humanity transformed him into the public face of Vichy's persecution of Jews. Yet as this thesis has shown, Papon's *individual responsibility* was mitigated in both instances by his *responsibility as a civil servant*. As we condemn his actions with their terrible consequences, we must acknowledge that they do not define him and, more importantly, we must question the State that ordered him to act.

Rather than a symbol of repression, Papon represents a significant transformation within French society and the State. He did not begin his career in the civil service in order to repress French citizens, but because he believed in its professionalism, discipline and ability to fulfil the objectives of the State, no matter which parties formed the government. This outlook was shaped by Papon's conviction that the French civil service stood above politics, was incorruptible, efficient, and resourceful, and open to talent, thus attracting many France's best and brightest. Ironically, it was Papon's very commitment to these laudable ideals, and his very professionalism, that led to his promotion from an early age and responsibility for policies that, in later decades, came to be questioned and condemned. As a result, the man who was rewarded in his day by a succession of governments and believed his civil service career was without blemish ended by being condemned as a criminal. In this way, Papon has mirrored the huge changes in *mentalité* of his century.

²² In *Caché*, directed by Michael Haneke (2005), the protagonist, played by Daniel Auteil, tells his wife, 'In October 1961, the FLN called all Algerians to a demonstration in Paris. 17 October 1961. Enough said. Papon. The police massacre. They drowned about 200 Arabs in the Seine.' The film won the Best Director prize at the Cannes film festival and also Best Film and Best Actor at the European film awards.

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Glossary

Académie française: the official authority on the French language.

administrés: the administration's term for the population, which it administered.

Algérie française: French Algeria.

Assemblée Nationale: the lower house of the French parliament.

assigner à résidence : to order administrative internment,

assignation à résidence: administrative internment.

arrondissement: the local administrative district,

astreindre à résidence: to place under house arrest or intern.

baccalauréat: secondary school leaving certificate.

bled: Algerian countryside.

Brigade Nord-Africaine (BNA): North African Brigade, a branch of the Paris police responsible for gathering information on the capital's North African population, especially the Algerian nationalist groups, created in 1931 and disbanded in 1945.

Bureau de Renseignements Spécialisés (BRS): Office of Specialised Information, the first point of contact for any Algerian requiring non-emergency services from the Paris police department, created in 1958.

caïd: a local Arab official.

centres d'hébergements: internment camps in Algeria run by the French civil authorities

centre de renseignement et d'action (CRA): a combined police and military operations centre that provided a model that was adopted throughout Algeria.

centres de triage et de transit (CTT): internment camps in Algeria run by the French military

centres d'assignation à résidence surveillée (CARS): internment camps run by the military for Algerian detainees in mainland France, created from 1957 to 1959.

Centre de diffusion française, a branch of the French secret service whose mission was counter-propaganda.

compagnies d'intervention, specialised riot units created in 1953 and located in police stations across Paris.

Comité de coordination d'action psychologique (CCAP) to coordinate the State's 'psychological action' to win over the Algerian population and counter the Algerian nationalists.

commune: village, town, or district.

communes mixtes: commune in Algeria with an Algerian majority, governed by a European settler administrator.

communes de plein exercice: commune in Algeria with a European settler majority, governed, as in France, by a mayor and an elected municipal council.

compagnies d'intervention: specialised riot units of the Paris police, created in 1953.

Conseil d'Etat: Council of State, advises government on administrative matters.

corps préfectoral: functionaries under the command of the Minister of the Interior who implement State policy in France's *départements* or in ministerial cabinets.

cour d'assises: Assize court, the highest criminal court.

cour de cassation: the main court of last resort in France, based in the *Palais de Justice* of Paris, which judges final appeals with respect to the "normal" system of justice, excluding cases of administrative justice, which go before the *Conseil d'État*.

département: French territorial division roughly equivalent to an English county.

député: elected representative to the *Assemblée Nationale*.

détachements opérationnels de protection (DOP), military intelligence personnel who were particularly known for their use of torture.

douars: villages.

équipes mixtes: mixed teams, a specialist police squad that operated in Paris while Papon was prefect of Paris police.

équipes spéciales de district : special district teams, a police counter-terrorist squad that operated in Paris while Papon was prefect of Paris police.

évolué: educated Algerian whom the State deems 'evolved' enough to hold French citizenship.

état-major: a military or political staff.

l'état-major general de la Défense nationale: the headquarters for the National Defense.

Fédération de France du FLN (FF-FLN): A branch of the *Front de Libération Nationale* (FLN) with presence in France, West Germany, Belgium and Switzerland.

Force de Police Auxiliaire (FPA), a unit of 400 Algerian men divided into three companies, began functioning in the Paris region.

Front de Libération Nationale (FLN) : National Liberation Front, one of the Algerian nationalist group from 1954.

gendarme: a military police officer

gendarmerie: the national military police force.

groupes de choc: the FLN's paramilitary branch, also known as the *Groupes Armés* (GA), which engaged in 'defensive' operations and carried out death sentences ordered by the FLN.

Groupe de travail et d'action psychologique (GAP): a steering group that met in the summer and autumn of 1958, encompassing representatives from the Ministries of the Interior, of Information, of the Army, of *Anciens Combattants*, as well as the Secretariat-General for Algerian Affairs (SGAA).

Gouvernement Provisoire de la République Algérienne (GPRA): Provisional Government of the Algerian Republic.

Groupes Armés (GA): the FLN's paramilitary branch, also known as the *groupes de choc*, which engaged in 'defensive' operations and carried out death sentences ordered by the FLN.

hadj: the annual Muslim pilgrimage to Mecca.

Inspecteur-General de l'Administration en mission extraordinaire (IGAME): General Inspector of the Administration on special mission, one of the most senior members of the *corps préfectoral*, the civilian equivalent of a regional military commander.

Inspection des finances: the public finances corps, responsible for ensuring the integrity of public finance spending.

Instruction: preparation of a case for eventual judgement.

Intendance de Police: Police Service.

Istiqlal: the Moroccan nationalist party.

justice de paix: justice of the peace.

khouan: secret brotherhoods of Algeria's Berbers.

Légion d'Honneur: France's premier order for the military or civil service.

loi-cadre: the law of 5 February 1958, the French attempt at Home Rule in Algeria.

lycée: high school.

marabouts: living holy men who were revered as saints by some Berber and Arab tribes in Algeria.

Metropole: France.

Milice: paramilitary arm of the Vichy State.

milicien: member of the *Milice*.

mokhaznis, the local Muslim militiamen who provided village security under the direction of the Officers of Algerian Affairs.

Mouvement National Algérien (MNA): Algerian National Movement, one of the Algerian nationalist groups from 1955.

Organisation de l'Armée Secrète (OAS), a French paramilitary organisation whose members were determined to keep Algeria French.

Organisation Politico-Administrative: Used a network of cells to control every aspect of the lives of the Algerians under its domination: it monitored the comings and goings of inhabitants, enforced Sharia law, and collected "dues" or a "revolutionary tax" to support FLN activities.

Organisation Spéciale (OS): the FLN's other paramilitary branch, which engaged in 'offensive' operations that targeted French political and economic interests.

pieds noirs: European settlers in French Algeria.

Police Judiciaire: detective division of the French police.

Police Municipale: city police.

préfecture: administrative headquarters of a French *département*.

Présidence du Conseil: In the Third and Fourth Republic, the President of the Republic exercised largely formal functions, leaving the *Président du Conseil* with far more responsibility and autonomy than is the case for the prime minister in the Fifth Republic. He presided over the *Conseil des Ministres*, the council of ministers.

Procureur Général: public prosecutor.

Procureur de la République: state prosecutor.

quadrillage: a grid system of zones it had employed in Indochina.

rédacteur: parliamentary draftsman, an entry-level position in the *corps préfectoral*.

Renseignements Généraux: branch of the French police force dealing with political security.

Sections Administratives Spécialisées (SAS): specialised administrative sections, networks in Algeria staffed by army officers, known as Officers of Algerian Affairs, who helped the civil authorities to implement social, economic and political reform during the Algerian War.

Sections administratives urbaines (SAU): urban administrative sections, the SAS for urban areas in Algeria during the Algerian War.

Service de coordination et d'information nord-africaines (SCINA): to act as a national intelligence agency focused solely on the North African population in France.

Service d'assistance aux indigènes nord-africains (SAINA): the name, from 1931, for the *Service de surveillance et de protection des indigènes nord-africains (SSPINA)*. Disbanded in 1945.

Service d'assistance technique aux Français musulmans d'Algérie (SAT-FMA): Service for technical assistance to French Muslims of Algeria, created in August 1958 to assist Muslims living in France while recording their personal data and possible nationalist affiliation.

Service de coordination des affaires algériennes (SCAA): Service of Co-ordination of Algerian Affairs, the command centre within the Paris police prefecture created in August 1958 to coordinate police activities relating to the Algerian population in the Paris region.

Service de documentation extérieure et de contre-espionnage (SDECE): The French national intelligence and counter-espionage agency.

Service de Liaison Nord-Africain (SLNA): North African Liaison Service, first created in 1935 as the *Centre d'Information et d'Etudes* (1935), renamed in 1945 as the *Centre d'Information et de Documentations Musulmanes* (1945), and became the SLNA in 1947. Monitored the activities of the indigenous population in French North Africa.

Service de surveillance et de protection des indigènes nord-africains (SSPINA): created in 1924 to monitor and assist the North African population in the capital, renamed the SAINA in 1931.

statut personnel, which allowed Algeria's Berbers and Arabs to be judged by Islamic rather than French law in non-criminal jurisdiction.

Sûreté générale: national police.

travaux d'intérêt commun: small-scale projects in Algeria organised by the administration that gave the Algerian population a stake in the construction of schools, healthcare provisions, and communal buildings.

tribunaux correctionnels: correctional tribunals.

ultras: conservative European settlers in North Africa.