

ICWA LETTERS

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Institute of Current World Affairs

The Crane-Rogers Foundation
Four West Wheelock Street
Hanover, New Hampshire 03755 U.S.A.

Jean Benoît Nadeau is a Fellow of the Institute studying "the resistance of the French to the trend of economic and cultural globalization."

War Time Memories *Part I: The Persecution of Jews*

"Anti-Semitism makes the Jew."

— Jean-Paul Sartre, in
Reflections on the Jewish Question.

PARIS, France

December, 1999

By Jean Benoît Nadeau

Jean-Jacques Fraenkel, 68, is one angry Frenchman, and he's angry against France. In fact, he wishes he was not French at all, and had never been. With reason. You see, Jean-Jacques is also Jewish. Until the summer of 1940, he did not think this mattered. Neither did his parents, who both died in the gas chambers. Exceptional as it may sound, Jean-Jacques' fate was the norm for a French Jew during the war. So he ended up hating France, a rare feeling for a Frenchman, even Jewish. He has mounted an aggressive campaign to obtain indemnities and reparations. But he really singled himself out by launching an action against the State for theft and possession of stolen goods. "They are not going to get away with it by saying they're sorry!" he says.

I met Jean-Jacques by chance at the St-Lazare train station last May. It was Sunday, and I had arrived late at the hiking club's rendezvous point. To my surprise my friends exclaimed that another Canadian was there. So they pushed me in front of a medium-size man of a brown complexion, about my height, almost completely bald but with intense black eyes. He was unmistakably French, but had been granted Canadian citizenship in 1992 and lived in Victoria, British Columbia. It was obvious from the start that Jean-Jacques was more at ease with me than with the others. We were not yet seated in the train before I realized that he had a serious beef against France. It did not take much longer to know what the beef was.

I met him a week later at his place to get his story. Although his official residence is in Canada, he uses his late grandparents' apartment on rue Pereire, in the 17th arrondissement, as a base when he travels to the Baltic States, to Israel or to North Africa — wherever business as consultant in foreign trade takes him. He told me his story and gave me his book, published in Israel, while excusing himself about five times for literary mistakes. "I have only a grade-six education and I kept redoing it every year throughout the war." The key words of the book are its title: *Abus de confiance* (Breach of Trust). "My family felt French, they were French, they trusted France, and France betrayed them. My sister and I survived because of the Resistance, because of Jewish organizations, because of the dedication of a woman we never knew, because of Catholic schools, but all along we were chased by the Germans and by our own government, or its representatives."

All societies have a dark side that is painful to contemplate, even for a foreigner. And this ugly side can reveal itself in the most unexpected moments. In the case of official French anti-Semitism during the war, this happened this past



Six hundred angry Jews at a meeting in Paris. Jean-Jacques Fraenkel is now a strong advocate to obtain compensation and indemnity from the French state, and is also suing the French State for theft and possession of stolen goods. "They won't get away with it by saying they're sorry."

May, as I drove at night on the highway while listening to a program on the France Culture channel. Its content was of Louis Aragon's *Clandestine Poems*,¹ read by himself and recorded secretly during the war, mixed with excerpts from wartime French radio clips. In one, an enthusiastic radio reporter interviews buoyant French SS troops as they board the train to the Russian front. In another, Pierre Laval, Prime Minister of the Vichy government during the occupation (1940-44), declared: "*Je souhaite la victoire de l'Allemagne* (I long for Germany's victory)."

I was driving with a friend who was born in 1940 during the mass exodus of refugees fleeing from the marching German armies. He explained to me that, in effect, he had learned two versions of the same history. As a child, he was told that France had resisted German occupation and had been a victim of German persecution. But then, in the early 1970s, revelations began to corrode the statue of *la France résistante*. Most Frenchmen had been 11th-hour Resistance fighters; many collaborated until they had to save face near the end; profiteering was rampant and people took sides only when there was a clear winner; few killed Jews at gun point, but untold

numbers blindly applied anti-Semitic laws. General Charles de Gaulle, the great illusionist, convinced everyone that the regime of Vichy was not France. To the contrary, it *was* France, just as much as it would be false to think that the secessionist confederate government of the American South was not American. It was profoundly so, as much as Vichy was France. It took 50 years before a French president, Jacques Chirac, officially recognized France's responsibility in the genocide. To clarify the issue, this newsletter will deal strictly with the persecution of Jews, the next will be about collaboration and the Resistance.

* * *

When war was declared on September 1st, 1939, few Jews realized that they would become what this was all about. Jean-Jacques' father, Roger, was a dental surgeon, one of the best in France, and a professor who had received the *légion d'honneur* at age 35 for his achievements. His mother Jeanine came from a family of Jewish Dutch bankers. This typical upper-bourgeois family viewed itself as French, first and foremost, and rarely as Israelite — a French euphemism for Jew. Only young Jean-Jacques, nine then, was being teased

¹ Louis Aragon (1897-1982) was part of the Resistance and his lyrical poetry was very critical of the open collaboration with Germany. He was also a convinced Stalinist, which doesn't make him a model of enlightenment. But the complexities of the French Left will make another topic altogether.

and hazed about being Jewish — kids' stuff...

Like most men, Roger Fraenkel was drafted and waited for the Germans on the *Ligne Maginot*, that long, eastern defense line that proved so easy to turn. Teachers had been conscripted too, and school became a sort of educational daycare. This did not bother Jean-Jacques, who was a good pianist but an average student. In April 1940, his father had the good sense to phone his wife Jeanine and tell her to move the household to their country chalet, in Pontaillac, near Bordeaux. The blitzkrieg began on May 10 and the French were routed in a week. By mid-June, the German swastika replaced the Red, White and Blue flag of the Republic on Pontaillac's fort. On June 22, France signed the armistice. Like 1.5 million soldiers, Roger Fraenkel was taken prisoner, but he escaped, bought a motorcycle and a cyclist's uniform, and found his way to Pontaillac.

On July 10, the National Assembly voted the dissolution of the Republic and gave extraordinary powers to *Maréchal* Philippe Pétain, a WWI war hero who became the head of an anti-Republican, anti-parliamentary regime. Segregation began almost overnight. As early as August 1940, the Vichy government defined Jewish status, barring Jews from public offices and state jobs — even as teachers. Roger Fraenkel lost his title as officer, then his right to teach, then his driver's license, and was told he could not leave the city. Then the Law for the Exclusion of Jews from the Economy required that Jewish businesses be confiscated, that bank accounts be frozen, that Jews could not work. Eventually, any Gentile who wanted the shop of a Jew could ask city hall for a paper that gave the right to call it one's own. The government began establishing quotas for Jewish students, Jewish lawyers, Jewish doctors. And they all had to wear the yellow star.

Petty plunder was rampant. Deprived of his driver's license, Roger Fraenkel decided to sell his car. His mechanic offered him 1,500 FF. But when Roger Fraenkel explained that he was selling because he had lost his driver's license, the offer went down to 500 FF. Taking stuff from Jews became fair game.

The attitude to take in the face of such persecution was a main bone of contention between Jeanine and Roger Fraenkel. Jeanine Fraenkel saw more clearly where this was all going and would not have obeyed avoidable laws, but her husband prided himself in his trust of the State. He went so far as to flatly refuse tickets to America on board the liner *Normandie* — an offer from Jean-Jacques' godparents, Marcelle and Gino Rossi-Landi, he an antifascist Italian engineer living in Paris.

Jean-Jacques sensed that life was becoming dangerous. Hazing was getting more vicious at school. He witnessed the arrest of a poor family of Institute of Current World Affairs

foreign Jews to whom his mother had given food. He also remembers vividly the humiliating tone the French policemen used to address Roger Fraenkel during the Jewish census of October 1941, when all men had to declare their profession and status. Eventually, even Roger Fraenkel began to worry, and Jean-Jacques saw his father hide all his dental gold and platinum in the walls of their home.

Six weeks after the Jewish census, on December 12, 1942, French policemen and a German officer came to arrest Roger Fraenkel — one of the 743 Jewish people to be arrested that day. The police ordered him to pack his luggage with two days of food and underwear, but he refused.

"I'll settle this mistake at the police station!"

"You don't kiss me?" asked his wife.

"I'll be back in 10 minutes."

He never came back. Roger Fraenkel was jailed in the camp of Compiègne, 75 kilometers northeast of Paris. Jeanine Fraenkel was on the other side of the fence like hundreds of wives when their husbands were taken from Compiègne to Auschwitz on March 3, 1942. Roger Fraenkel was gassed on May 20, 1942 — his wedding anniversary.

But his fate remained unknown until 1947. In September 1942, the French government sent a letter to the Fraenkels saying that Roger was barred from the practice of dentistry — five months after his death. There was so little information that, when the rest of the family had



*Jean-Jacques Fraenkel with his yellow star.
Even to this day, it never leaves him.*



Roger and Jeanine Fraenkel at their wedding in 1930.

moved to Nice, Jeanine Fraenkel agreed to pay huge sums to a man who pretended he could get money and food to her husband in captivity.

Jeanine Fraenkel never saw her husband in the group of men being pushed around like cattle, but she swore to kill as many *Boches* as she could, and so joined the Resistance. With the help of Swiss friends, she tried to smuggle her children to Switzerland. The Swiss authorities refused to let them in — being Swiss, the friends wouldn't lie when asked who those kids were. Soon after, she too move to Nice. She stored her furniture (this vanished too), but as she moved, the concierge yelled that Jeanine could not take her furniture because city hall had put the seals on the door: the concierge stopped yelling when she realized she could ask for that nice sewing machine of Jeanine's.

The only safe haven in France at the time was Nice, which had been annexed by Italy at the time of the armistice. The city was alive with Jews because the Italian authorities showed no zeal in applying anti-Semitic laws. The French administration would regularly deliver Jews to the Italian army, which would release them. Claude Lehmann, whom I met in Les Vosges (see JBN-9) this summer, actually spent most of the occupation in Nice. "I was a friend of an Italian captain, a career officer who had been horribly wounded in Ethiopia. He knew I was a Jew, but he did not care."

Jeanine Fraenkel took the false identity of Aline Francel, and gave false names to her children. The keys to survival were not to follow rules, to get false IDs, and to have acting talent. "It required a lot of cool to get away

with accusations," remembers Claude Lehmann, who traveled regularly between Nice and Cannes as mailman for the Resistance. He too lived under a false name. The Gestapo questioned him once. "I was very red-headed at the time, and they asked me if I was a Jew. I had an answer ready and I took their question as an insult. 'Me, a Yid?!' I yelled. 'Are you crazy? Come off it! Kill the Jews!'"

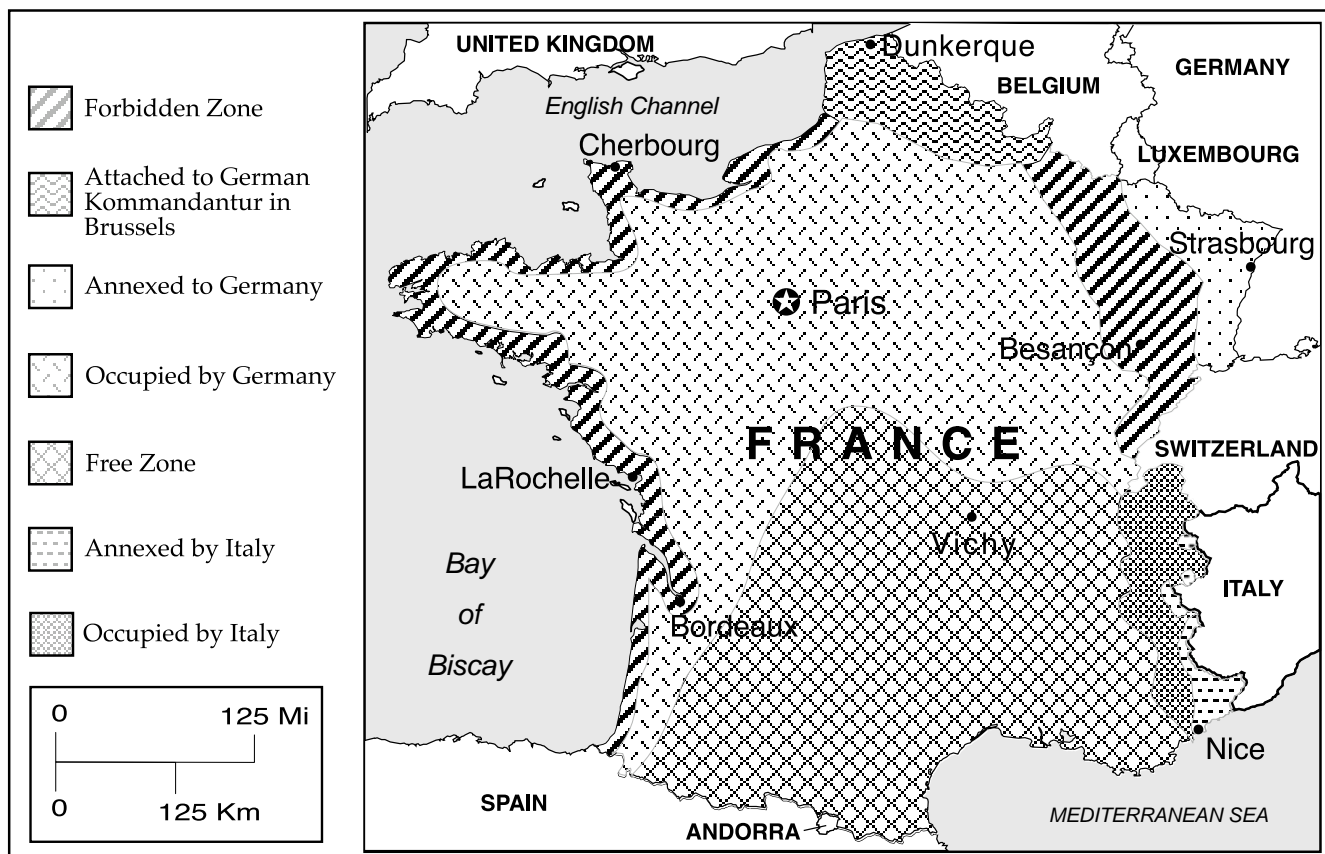
Throughout the year 1943, Aline Francel was busy gathering intelligence for the Resistance. Her job consisted of watching seaside installations and compiling her observations in crossword puzzles. The children spent their days at home in silence, without ever going out — to make the neighbors believe that they were at school like good French kids.

Nice became unsafe toward the end of the war in September 1943. Italy signed the armistice with the allies and Germany immediately occupied what was left of Italy to hold off the enemy. In December, the German army decided to crack down on Jews in Nice. "There were hundreds of soldiers, and screams everywhere," recalls Claude Lehmann. "One woman threw herself out the window. People yelled insults at the Jews being rounded up and I screamed louder than they. It was horrible, but you couldn't survive otherwise."

By that time, Jeanine Fraenkel and her children were gone. Her resistance work had begun attracting attention in the summer. Jean-Jacques had been smuggled back to Paris by a woman known only as Jacqueline — her



Claude Lehmann, hiking in Les Vosges. "We could only get away with it by not playing the rules."



real name remains unknown. She took him to his godparents, Marcelle and Gino, the antifascist Italian engineer. In October, the godparents received a desperate message from Jeanine Fraenkel asking that another smuggler come and take her daughter.

When the smuggler arrived in early November, Jeanine Fraenkel had been arrested at the train station. After questioning (torture), she was sent to the infamous deportation station of Drancy, in Paris, on December 7, 1943, and gassed on her arrival at Auschwitz five days later — on the second anniversary of her husband’s arrest.

As for Josette Fraenkel, left alone in her mother’s Nice apartment, she had been taken in by her cousin Stella, whom the smuggler eventually found. Josette was smuggled back to Paris and finished the war in a college without seeing her brother once.

Back in Paris, Marcelle and Gino began feeling the heat when their house became the refuge of a parachuted resistance fighter from London who had missed his rendezvous. Jean-Jacques was sent to a Catholic school where he finished the war. It was in fact a *maison de redressement* (reformatory), but this was exactly what little Jean-Jacques needed at 12. Not that life was easy: he had a fist fight with one teacher-priest and another sexually abused him repeatedly. “But I was a real screwed-up kid by then.”

Jean-Jacques’ grandparents from both sides survived, as well as some uncles and aunts and his godparents, Institute of Current World Affairs

but nobody rushed to care for Jean-Jacques and Josette, who were 13 and 11 at the end of war. “I was violent, undisciplined and doing pretty much as I pleased. I did not accept my parents’ disappearance. I had not passed grade six yet. Throughout the war, we had no house, no youth, no friends. We were being hounded. We had to live in hiding. We could not talk about what we did. We could not speak. When we spoke, we spoke lies, and truth was always bad. And my sister and I had become strangers to one another.” Jean-Jacques owes his moral rehabilitation to a group called *Revivre* (Living again) that helped orphans of Resistance fighters and political deportees.

His father’s brother, also a dental surgeon, was finally appointed trustee for Jean-Jacques and got his nephew a job as dental mechanic, which allowed Jean-Jacques to get out of his home as soon as he reached 18. “I turned into a Jack-of-all-trades, changing jobs sometimes every week.” He eventually got an engineering degree by taking correspondence courses. Married twice, divorced twice, he had two sons, now aged 48 and 30. He has lived in Peru, in Canada, in Africa, and in Israel — where for a time he tried to grow gladiolas. He sold piping, farm machinery, ambulances. And on the whole, he managed to pull it off.

In all, 75,600 of 300,000 Jews in France died in Nazi death camps — a minimal figure, according to David Douvette, a historian working for Jewish organizations. “When railway cars were not full, the police and the army would round up Jews in the street to fill them — without



Jean-Jacques lost his mother in 1943 and father in 1942, but the news was not confirmed before 1947. "I was a screwed-up kid."

were victims of German aggression, and not participants." He admits he had to read many books to clear away the propaganda.

Over the last six months, my wife Julie and I have become friends with Jean-Jacques, who likes nothing better than being around Canadians. Canadians are everything he says the French are not: open-minded, fair, understanding, etc. This is a hot topic of debate with English-speaking Julie, who views Canadians differently. "I agree that I don't get the bad side; my English is far from perfect," agrees Jean-Jacques. "Nonetheless, that leaves me a place I can believe is nice."

At 68, Jean-Jacques has earned the right to have some illusions about the kindness of men. In a way, it is easy to think that a place like Victoria, BC is nice: it was hardly a place at all 100 years ago when France was on the brink of civil war over the fate of one single Jew named

bothering to take names. The star of David was enough. Many Jews died in camps before being sent, and many more died in non-Jewish Nazi convoys as hostages or Resistance fighters."

* * *

What happened after this story is no less striking than the story itself. Indeed, it took years for people, even for Jews, to realize the involvement of France in the genocide. This arose from the fact that most surviving Jews did not want to be singled out, and preferred to be identified as Resistance fighters and political deportees — and forget about the persecutions. Besides, Jean-Jacques was busy starting a new life and did not look too much behind at first.

Yet the overall ambiguity toward the holocaust is obvious when considering one incident that took place in Austria in 1946. The trip to Tyrol was a summer vacation for 40 members of *Reviore*. At the Austrian chalet, the kids had a fine time — until they found 20 cavalry guns hidden in a swamp and an SS uniform in a closet. The kids sacked the entire inn.

"Nowadays, you would think it was a very odd idea to take 40 victims like us across Bavaria to Austria, which had been annexed to Germany in 1938, and where the vast majority of people welcomed Hitler," says Jean-Jacques. "But this takes us to the heart of the Big Lie. Austria, like France, successfully imposed the idea that they

Dreyfus.

French Jews had been granted full civil rights during the French Revolution, in 1791, and they had been enjoying full equality for a century when *capitaine* Alfred Dreyfus was accused of providing intelligence to Germany in 1894. After a mock trial, Dreyfus ended up in a prison camp in French Guyana; this calmed the strident anti-Semitic circles. There would have been no Dreyfus affair if, two years later, an intelligence officer had not realized that Dreyfus was not guilty and that someone else was. Without going into the subtleties of the affair², Dreyfus became the pretext for the worst political crisis of the third Republic. It opposed a coalition of Republi-



Historian David Dowdette thinks that many more than 75,000 of France's 300,000 Jews died as a result of persecutions and extermination policies.

² Dreyfus was judged again and found guilty again, while the other suspect was found innocent. Writer Émile Zola published an article titled *J'accuse* (I accuse) that got him a one-year jail sentence for defamation. Zola exiled himself to England. It was found that the main proof against Dreyfus was a forgery, and its author committed suicide. The Dreyfus trial was revived, but the War Council declared him guilty again and sentenced him to 10 years. Then the new President granted Dreyfus a pardon. Meanwhile, Zola died mysteriously in his home, and Dreyfus was found innocent and rehabilitated in 1906. The Dreyfus affair is generally regarded as the first manifestation of the power of international public opinion; the trials were reported in detail by the foreign press.

Maréchal Philippe Pétain (left) was France's head of State from 1940 to 1944. He rubber-stamped all persecution policies and never voiced a criticism. For him, the primacy of French authority over that of Germany's was paramount, even if this excused the worse. Prime Minister Pierre Laval (right) who was in power in 1940 and then from 1942 to 1944, declared on the radio that he wanted the victory of Germany. He died before a firing squad in 1945 claiming that he had let foreign Jews die to save French Jews. That set the standard.



cans, radicals, socialists and anti-militarists, labeled *Dreyfusards*, versus a coalition of Conservatives, anti-Semites and Catholics that made the *anti-Dreyfusards* camp. This was exactly the same fault line you would find in 1940, but in 1899, the country barely escaped civil war.

Aside from stirring up international public opinion, the Dreyfus affair was the inspiration for the anti-Semitic laws of Vichy. France did not have a monopoly on anti-Semitism during the war, but its ways of being anti-Semitic were idiosyncratic.

The first idiosyncrasy of French anti-Semitism, compared to the Germans' and the Poles', was the distinction made between good Jews and bad Jews. When French authorities had to choose, preference was always given to a good Jew. A good Jew was one who had been in France long enough to be integrated (two to five generations), who had fought in World War I, who had distinguished military service in the 1940 Battle of France, or who had rendered exceptional civil services to France. In short, a Jew anointed by Frenchness was better than a non-French Jew. Oddly enough, this mirrored exactly the French colonial model: natives were treated differently when they were regarded as "*évolués*" (evolved). According to French Senator Robert Badinter, himself a Jew and the author of *Un Antisémisme ordinaire*, some French Jewish lawyers, being no less xenophobic than the Gentiles, tried to exclude themselves from anti-Semitic laws by arguing that foreigners, including immigrant Jews, were much more of a threat than French Jews. By 1942, the Germans ordered that all Jews must wear a yellow star, thus all Jews became bad Jews, without possibility of redemption. After the war, many anti-Semites defend their actions by arguing that this ranking of

Jews allowed them to save some from deportation.

The other idiosyncrasy of French anti-Semitism comes from the role of the government and the Administration. It is true that France is the European country where the fewest Jews, in proportion, were killed during the Nazi years, thanks to the self-sacrifice of some segments of the population. However, after the armistice in June 1940, France set up a legitimate government that produced 168 anti-Semitic laws and regulations. The first roundup of Jews in the 11th arrondissement, in 1941, involved no less than 2,400 French police. Even though there was not even the shadow of a German soldier in Algeria (then a department of France), the harshest treatment was in fact given to Algerian Jews there.

Comparisons are useful and possible at the State level. Italy, although fascist, did not impose as harsh a treatment of Jews as France and refused to deport them — which explains why only 8,000 Italian Jews died in extermination camps. But the most impressive case was that of the minuscule state of Denmark. King Christian X never accepted racist laws, and neither did the administration. When the German occupation government asked that all Jews wear a yellow star, Christian X threatened to wear one himself. When it became clear that the Germans would deport Jews anyway, the Danes organized the escape of the last 7,000 Jews across the Oresund Channel to Sweden. So it was possible to say no.

There is a big difference between popular anti-Semitism and that of a State: a State makes the laws and decides on moral standards for all. Only a tiny minority has the moral stamina or the temperament to challenge this. What was the French head of State thinking? To this day, historians are still disputing whether Pétain was

sane, or whether he played a double game with Germany. One anecdote, in Pierre Bourdel's book *Histoire des Juifs de France* (History of French Jews) leaves no doubt about the perversion of nationalism that drove him:

In 1941, a doctor was asked to become president of the Order of Physicians: his mandate would be to apply a quota on Jewish doctors. The doctor protested to Pétain that he couldn't do it. And Pétain replied: "If you don't do it, the Germans will. *But we must not let German authority substitute French authority.*"

In *Un Antisémitisme ordinaire*, Robert Badinter tells how the French Bar never protested the treatment of Jewish lawyers whereas the Belgian Bar did. In the French tradition of *légalisme*, judges obey the law in spite of their personal convictions. They cannot declare a law unconstitutional: they apply the law and the legislature deals with its constitutionality. But then France's motto was no longer *Liberté, Égalité, Fraternité*, but *Travail, Famille, Patrie* (Work, Family, Nation).

This goes far in explaining the apparent blindness of the State machinery, and of many people and institutions in general. When banks were asked to turn over names and account balances of Jewish clients, they just did so. They froze and confiscated 68,000 accounts. Five American banks, operating in France when the United States was still neutral, also complied, according to the report of the Mattéoli Commission on the Spoliation of Jews.

In the Museum of Deportation and Resistance in

"This high!" says Jean-Jacques as he shows the height of the pile of coal in his maternal grandparents' apartment, now his. They had to get the coal out of their cellar and into the bedroom when the owner of the bar downstairs simply asked for it. He had one cellar and they had two. "The lease says they are ours," argued the grandfather. "You're in no position to argue," replied the bar owner. "Where will we put the coal?" asked the grandmother. "You can put it there..." The matter was settled for a pound of coffee.



Kids' games can be cruel, and even worse when adults play it too. The sign reads, "PLAY YARD – reserved for kids – FORBIDDEN TO JEWS."

Besançon, near the Swiss border, you can read an impressive amount of documents that testify to the *légalisme* of the state machinery. Instructions regarding the rounding up of Jews go so far as to establish a procedure in cases where Jews had a pet. One letter, from a *Préfet* to the *Commissariat général aux question juives* (Ministry of Jewish Affairs) is hair-raising. "I am honored to acknowledge receipt of your July 31st letter regarding the trains scheduled to leave in August for the purpose of deporting foreign Jews to eastern territories." There ensues a rather long congratulation, and the *Préfet* proceeds to explain which trains will leave from where. "Numbers 19, 21, 24 and 26 will be for children."

Popular looting lasted until there was nothing anymore to take. "Jews became a general source of unearned income," says Jean-Jacques Fraenkel. The State showed the way: there was a violent legal battle between Vichy and the Germans to know who would have the monopoly on the realization of Jewish goods. The Germans settled for 10 percent, the rest went in the French treasury or was distributed to individuals. Many did not wait, and helped themselves. Rich Jews were victimized, and so were poor Jews, the vast majority. People took furniture, sewing machines, children's books.

Protest against the treatment of Jews began slowly in the general population, and only when there was not much more to take. Decency began

in Protestant and Resistance circles at first. On the whole, though, not much was said and done until 1942, when Catholic bishops preached that Jews were people after all.³

* * *

“How I wish the American army had purged occupied France and purged the whole system instead of letting in de Gaulle!” says Jean-Jacques Fraenkel, who is not afraid of unpopular ideas. At the Liberation in August 1944, many high-profile collaborators were sentenced and judged, but relatively few were tried for anti-Semitism or crimes against humanity in spite of the obvious involvement of the Administration. The American army had plans to take control of France, but General Charles de Gaulle, head of the Free French Forces and of the Resistance, was quicker in establishing his legitimacy. This effectively prevented the installation of an occupation government like the ones that were set up in Holland, Germany, Italy and Japan in 1945. The Resistance was *Gaulliste* and the French administration bought itself moral virginity by becoming *Gaulliste* too. This is why a man like socialist François Mitterrand, who held office in Pétain’s government until 1943, could become president of France and run the country from 1981 to 1995 although his *Pétainiste* past was known in elite circles.⁴

To this day, the overall ambiguity remains. Julie and I had ample proof of this on the very first week of our stay, in January 1999, when we attended a show by actor Fabrice Luchini, reading from famous French authors (see JBN-1). Among these was Louis-Ferdinand Céline. An odd choice, Céline. The author of *Voyage au bout de la nuit* (Journey to the End of Night) was such a strong anti-Semite that he fled to Germany when the Americans liberated France in 1944. Céline is regarded as a literary genius in France and very few people will agree that this author should be condemned for his ideas.

This kind of double moral standard occurs constantly. Another case, often quoted now, is that of Commandant Jacques-Yves Cousteau, who was the little brother of Pierre-Antoine, the editor of a virulently anti-Semitic paper called *Je suis partout* (I am everywhere). In 1941, Jacques-Yves complained in a letter that it was hard to



Marcel Trajster found out that indemnities of 400 million DeutscheMarks paid by Germany in 1961 for the benefit of French Jews were never redistributed by the French government.

find an apartment when there were still so many Jews to get rid of. This did not prevent him from becoming a member of the *Académie française* in 1988 — under Mitterrand.

This is why it took so long before ex-Finance Minister Maurice Papon was tried. In 1981, the weekly *Canard enchaîné* published an investigation into the role of Maurice Papon in the deportation of Jews when he was Deputy Préfet of Bordeaux under the Vichy government. It took 18 years to try him, and the trial seemed to start going somewhere only when Mitterrand’s successor, President Jacques Chirac, came into the picture. But Papon’s sentence, 10 years for Crimes against humanity,⁵ is a triumph of ambiguity!

In conversation, many French people, including Jean-Jacques, make the connection between this past that was never exorcised in France and Austria and the rise of the far right in both countries — the extreme right recently won 27 percent of the electorate in Austria and entered a coalition government. They use the same old rhetoric of *La France aux Français* (France for the real Frenchmen), and denounce the plot of immigrants against France. Ultra-Rightist Jean-Marie Le Pen said that the gas

³ There is no link as such between French Catholicism and anti-Semitism since in Germany, anti-Semitism came mostly from Protestants. In France, where Catholics tended to be anti-Protestant, Protestants and Jews developed a sympathy and a quiet complicity. But there is no debating the fact that, until Pope John XXIII’s Vatican II Council, the catholicism identified Jews as deicide people, or God-killers. Jesus himself had been the only Jew to get away with having a Jewish mother, but this was just one more leap in logic on the part of anti-Semites.

⁴ Strangely, Austria went through a similar controversy. In 1986, the World Jewish Congress revealed that the presidential candidate Kurt Waldheim, who had been Secretary General of the UN from 1972 to 1981, had been heavily involved in the German Army and possibly in the persecution of Jews. In the face of such foreign interference, the electorate closed ranks and elected Waldheim, who held office until 1992.

⁵ Papon was also in charge of the Parisian police in 1961 when 100 to 300 Algerians were beaten to death and thrown from bridges. The number is vague because the issue was never properly investigated; it was the end of the Algerian war and the authorities, which had some far-right sympathies, were somewhat nervous.

chambers were a mere detail in World War II's history. And the guy is still around in spite of the fact that the government has laws against the propaganda of hatred, but they did not apply them in his case!

* * *

It took 50 years for a French president to admit publicly that France was responsible of the persecution of Jews, and another 50 years might be necessary before indemnities and reparations might be paid to the victims.

When president Chirac declared the responsibility of France in the genocide in July 1995, he added that France had *une dette imprescriptible* (a imprescriptible debt, meaning that it could not be taken away by any external authority). This did not fall on deaf ears. Now numbering 700,000, the French Jewish community is the world's second biggest Diaspora after the United States.

"I don't care for excuses. I want reparations," said Fraenkel on June 24 to an attendance of 600 angry Jews assembled at the city hall of the 13th arrondissement. It was an old crowd: the youngest of them, born in 1944, are now 56. The 30,000 French survivors of the *Shoah* (Holocaust) have never been compensated as such. All put their hopes in Jean-Jacques' *Coordination des enfants juifs survivants de la Shoah* (Committee of the Jewish Children Survivors of the Holocaust).

Jean-Jacques' committee and an increasing number of organizations are asking for four years of social security, plus interest, plus retirement money, and that the money be managed by the State. "The government pays compensations to civil victims of bombardment, to war veterans, to orphans of war veterans, to prisoners of war, to Resistance fighters, to ex-prisoners of war, and to political deportees. But no community was persecuted like Jews."

A case in point is an indemnity of 400 million Deutsche Marks paid by Germany to France (and all other occupied countries) for the benefit of French Jews in 1961. "The French government took the money but never redistributed it," says Marcel Trajster, a member of the *Coordination* and head of another association, *Enfants oubliés* (Forgotten Children). "As a result, a French Jew born after 1927, and therefore not a French citizen according to the laws of Vichy, is entitled to German compensation, whereas a French Jew born before 1927, receives nothing from France." Paradoxically, the reason for this may be a French regulation against racism by which it is illegal to ask of someone's origins or faith, even in a national census (see JBN-3). Legislators meant well, but the perverse

effect is that Jews who would be entitled to an eventual compensation cannot be asked whether they are Jewish or not! Once again, *légalisme*.

Finally, in March 1997, the French government decided to move — slowly — by creating a commission to evaluate the spoils, presided over by Jean Mattéoli, an ex-Resistance fighter and political deportee. It began as a narrow exercise of accounting for looted spoiled goods still in possession of the State — it was found that many paintings at the Prime Minister's office were war spoils. In fact, these works of art were officially registered as belonging to Jews, whose names were known, but the ministry of Culture never showed any enthusiasm for letting the fact be known to those involved!⁶ The investigation has now been extended to all banks, insurance companies and professions. The commission has yet to estimate the cost of the contents of the thousands of households that were looted of their furniture, records, children's books and beds. At first, the commission repeatedly explained that it excluded the notion of a global indemnity to survivors. Last fall, however, its president changed his mind and recommended that the government pay 3,000 FF per month as an indemnity to orphans of persecuted Jews.

This did not include all survivors, but Jean-Jacques was quite happy that the government was finally moving his way. Even so, two months later, in December, the administration tried to undercut the government's commission. The administration's report, signed by the five chief inspectors of Defense, of the Interior, of Foreign Affairs, of Finance and of War Veterans, concluded that France had been the most generous country in the world regarding the treatment of Jews. This report is clearly aimed at undermining the Mattéoli commission, but the facts put forward do not distinguish between persecuted Jews and other categories of victims like civil victims of bombardments, political deportees, orphans of Resistance workers and war veterans. Most persecuted Jews do not fall in those categories. Concludes Jean-Jacques: "This just goes to show you that the administration can act when it's really against something..."

* * *

Parallel to the battle for indemnities and reparations, Jean-Jacques Fraenkel has launched a personal legal action against the French government for theft and possession of stolen goods. "They stole my family's furniture, my father's cabinet, even his patents!" He can sue because of the clairvoyance of his mother who saved every paper sent by the government for the purpose of depriving the family of every right and possession. "Few survi-

⁶ Journalist Hector Feliciano blew the whistle in a book published seven years ago, *Le Musée disparu (Lost Museum)*. Feliciano explains that the Ministry of Culture has a catalogue of the Jewish art in custody, with the owner's initials, and another list listing robbed owners by their full names. The Ministry never matched both lists.

⁷ In the meantime, Jean-Jacques has also launched another action against the national railroads for complicity in Crimes against humanity for deporting his parents to their death. However, in this case, he has no papers: the national railroads, although public, can keep documents secret for 30 to 150 years! "If nothing works, I will launch a class action suit from abroad."

vors have such documents. Some don't even have pictures of their parents!"⁷

At this stage, the issue is before a *juge d'instruction* (investigating magistrate), a particularity of French criminal law. The *juge d'instruction*, who examines the evidence in favor or against the case, also enjoys police powers to obtain evidence by force if necessary. Once the *juge d'instruction* is convinced that there has been a crime, the case is formally brought to the court for trial.

The obstacles are daunting in Jean-Jacques' case. Nobody has ever launched criminal charges against the French government on the question of spoliation. The French never admit a fault, and the State even less. In a system where it's pretty much up to the accused to prove his or her innocence, the situation of having the State investigate itself for a crime is not without irony, and a *juge d'instruction* will investigate with great care before bringing such a case to court. How do you try a State, criminally? Finding a lawyer was not easy either, and Jean-Jacques had to change once. "The first lawyer wanted me to sue for Crimes against humanity, but this was a trap because the proof is harder to make, whereas the documents I have prove a simple matter of theft and possession of stolen goods. So I changed lawyers. The new one is better inclined. His father was deported and his mother lived in the Balkans."

So far, the case is loaded with ironies: the name of the *juge d'instruction* is Jean-Paul Vallat, namesake of Xavier Vallat, the first head of the *Commissariat général aux questions juives* — the system doesn't allow one to check whether there is a potential conflict of interest. As to the appointed policeman, to whom *juge d'instruction* Vallat delegated his police powers, his name is... Christ!

* * *

Jean-Jacques' frontal attacks on the French Administration attract little sympathy from most French people. Many, including Jews, think he has an attitude. "I do,"

he says. Jean-Jacques is especially hard on French Jews, in particular those who prefer accommodation with the State. "The top brass of the Rabbinate insists that French Jews are no different from other Frenchmen and they even argue that the persecutions we suffered were not different from those suffered by most of the population, or even Resistance fighters," says Jean-Jacques. He calls Jews with such a line of argument *Juifs de cour* (Jews of the court) because they bow to humiliations in order to get privileges. "No matter how hard we try to be like other French people, the genocide showed that we should never forget that we are Jews — because others always remember anyway. My parents died for wanting to be too much like the others."

Three years ago, he received anonymous death threats. But until recently, Jean-Jacques did not worry too much about making enemies, although he frowns every time he reads kill-the-Jews graffiti in the subways or in the street. On the whole, his feeling of personal safety went undeterred, but this also changed, as I learned in December.

Jean-Jacques was coming to have supper at our place for the first time and, as he came in, he handed me an article published a few days earlier. It explained how, when returning from a business trip in Israel, he found a narrow hole, big enough to insert a pipe, in the wall of his office. "Who ever did this drilled forty centimeters through a stone wall. The marks show that they drilled from the inside out and left no dust inside."

He complained to the *Prefecture* that he was probably being watched and that the matter should be investigated, but nobody came. Just as I was writing this newsletter, Jean-Jacques phoned to tell me that the *Prefecture* answered his query in writing. Their letter says that he should consult the prefecture's psychiatrist, Dr. Xiang.

"I am glad to return home this week," he said. "To Canada." □

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Phone: (603) 643-5548 E-Mail: ICWA@valley.net
Fax: (603) 643-9599 Web Site: www.icwa.org

Executive Director: Peter Bird Martin
Program Administrator: Gary L. Hansen
Publications Manager: Ellen Kozak

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