

# Pétain Trial Opening Marked by Disorders: Reynaud First Witness

PARIS, July 23 (CP).—Aged Marshal Pétain went on trial for his life today amid angry catcalls and disorderly courtroom uproars, and asserted that, far from betraying France, he had prepared the road to liberation. Proudly displaying the medals

France had given him, the 83-year-old former Vichy Chief of State answered charges of intelligence with France's hereditary enemy, Germany, and plotting against the security of France, by saying:

"For the French people I went so far as to sacrifice my prestige. . . . occupation compelled me to spare the enemy, but I spared him only to spare you yourselves until your territory was liberated."

In a jammed and noisy courtroom, once clear by gendarmes carrying Tommy-guns, the fallen giants of France unrolled the bitter facts of France's 1940 defeat as Marshal Pétain sat calmly before the High Court of Justice and a 24-man jury.

## Attack By Reynaud

The Marshal's assertion from the prisoner's dock that as Vichy Chief he was a "shield" protecting the French people was followed by testimony from Paul Reynaud—the Premier who brought Marshal Pétain into the French Government—that the Marshal was responsible for the armistice despite a solemn pact with Britain not to make a separate peace.

M. Reynaud's voice quivered with emotion when he described as his "monumental error" his belief that the patriotism of Marshal Pétain and Gen. Maxime Weygand "was greater than their political aims and their personal ambitions."

"I despise him," M. Reynaud said. In a clipped almost breathless voice, M. Reynaud declared that as Premier in June, 1940, he was determined to remove the French Government to North Africa and continue the war. Marshal Pétain, he charged, opposed the plan and he was afraid of Marshal Pétain's prestige and of the effect on France if the Marshal resigned as Vice-Premier.

The Marshal, his face expressionless through most of the session, stirred uneasily only when his enemy stepped briskly into the witness box within arm's reach. Their eyes never met. The old soldier cupped his ear to hear M. Reynaud more clearly.

Three times in the five-hour session between 1 p.m. and 6 p.m. the three scarlet and ermine-robed judges headed by grizzled Paul Mongibeaux, adjourned to consider defense charges levelled against themselves and to await a clearing of the disordered courtroom.

## Reynaud Still on Stand

When the tumultuous first day of the trial ended after threats to arrest the spectators, M. Reynaud, a prosecution witness, still was on the stand and his statement was only one-third completed. The trial will resume at 1 p.m. (7 a.m. E.D.T.) tomorrow.

High point of the trial's first session was a declaration Marshal Pétain asked to read after the names of the prosecution witnesses were

149  
WAR  
EUROPEAN  
1939  
FRANCE  
PETAIN

143-022-027

called. Nearly 90 witnesses have been summoned for the trial, the list including former Premier Leon Blum, Edouard Daladier, Edouard Herriot and a former French President, Albert Lebrun.

Marshal Petain said his statement would be his only words during the trial, the first of the head of a French Government since King Louis XVI was convicted and guillotined in 1793 for "treating with the enemy."

Marshal Petain asserted that it was the "French people who . . . conferred power upon me" through the National Assembly at Vichy. "It is to the French people that I have come to give explanation."

The "Hero of Verdun," who rose from an obscure army colonel at the start of the first Great War, added: "Let her (France) remember. I brought her armies to victory in 1918."

"In the most tragic days of her history, it was again to me that she turned," he said, asserting he was "heir to a catastrophe of which I was not the author" and that he only carried out the advice of military leaders when he asked the Germans for an armistice.

"Every day with a knife at my throat I fought the enemy."

Marshal Petain then called on those condemning him to ask themselves whether they "did as much."

He said millions of Frenchmen had faith in him and "by condemning me you will condemn millions. . . ."

"If you were to condemn me, you would be sentencing an innocent man. . . . I leave it to France."

#### Furor in Courtroom

Marshal Petain's statement was greeted with sneers and catcalls. Then Prosecutor Andre Mornet, one of France's most famous criminal lawyers who convicted Mata Hari, the woman spy of the first Great War, shouted the assertion:

"There are too many Germans in this room."

Protests and cries of "justice" rang out from all sides. Jacques Isorny, a defense counsel, demanded a formal apology and M. Mornet retorted: "I said there were too many people here serving the German cause. I didn't say they were Germans, but I consider them the same thing."

Again the courtroom erupted. Spectators rose from their seats and there followed 25 minutes of bedlam as black-robed lawyers and indignant spectators plunged into the screaming melee.

Marshal Petain was hustled from the dock under guard and his chair and table were knocked over as newspapermen, witnesses and court attendants climbed on desks and chairs to watch the scuffling. Judge Mongibeaux ordered the courtroom cleared.

With Tommy-guns, the police threatened arrests. Spectator-lawyers ordered ejected, battled with the police to re-enter the courtroom. After quiet was restored the trial resumed at 4:30 p.m. with some spectators and lawyers barred. No actual arrests were made.

Once previously and again later, Judge Mongibeaux and his assistant judges, Donat-Gigue and Picard, recessed the court.

At the trial opening, Marshal Petain's lawyer, Fernand Payen, contended that the Marshal never had denounced the French Republic and that under the Constitution of 1875, only the Chamber of Deputies was competent to judge him.

#### Defense Move Fails

The defense move failed, however, after the judges deliberated and ruled that they were competent. M. Payen read the text of Marshal Petain's letter to Hitler asking permission to return to France last April.

The prosecution then read the indictment which asserted that Marshal Petain had been in contact with the Germans, including Otto Abetz, Germany's representative in occupied Paris, and that Marshal Petain's assumption of rule as Chief of State was the "final realization of a long-prepared plot against the Republic and regime of France." The indictment was based mainly on the public acts of the Vichy Government which Marshal Petain headed.

Marshal Petain's face was crossed by a faint smile. He sniffed audibly. Several times his shoulders shrugged and he pursed his lips.

After the 25-minute uproar, one of the defense lawyers caused the judges to retire again. He accused both Judge Mongibeaux and Prosecutor Mornet of having made inflammatory statements against Marshal Petain months before the trial.

Both Judge Mongibeaux and M. Mornet denied the accusations, but the court was forced to confer to deliberate whether it should admit as evidence statements which had been attributed to Judge Mongibeaux and M. Mornet to French newspapers.

The indictment referred to signing of the armistice with Germany, June 22, 1940, and the summoning, in Pierre Laval's intervention, of deputies and Senate as a National Assembly to invest Marshal Petain with full powers of Government and the task of preparing a new Constitution. It said the Marshal issued three Constitutional decrees which went far beyond or even against the powers conferred on him by the National Assembly.

#### Decrees Were "Conspiracy"

"These decrees were the result of a conspiracy long-fomented against the Republic, the ultimate success of which could only be assured provided that France's defeat was not questioned."

In a document seized at the Hotel du Parc in Vichy, Marshal Petain expressed his desire to see France return to the principles of a hereditary monarchy, the indictment said.

He was in personal contact with Fernand de Brinon, who became Vichy Ambassador to the German occupation authorities in Paris, and with the leading members of the Fascist organization known as the "Hooded Men," whose aim was to

overthrow the Republic and replace it by a dictatorial system on the model of those of Rome and Berlin," the indictment continued, adding, "for this operation considerable dumps of arms of Italian and German origin were assembled."

A document in the hands of the examining magistrates — a statement of disclosures made by Francois Alibert, former Minister of Justice in Marshal Petain's Cabinet — showed that the late Admiral Darlan, Gen. Huntziger, Marcel Deat and Pierre Laval were members of the "Hooded Men" organizations and Marshal Petain acted as its standard bearer, said the indictment.

"The document shows that it was their intention to seize power in order to establish a regime after the pattern of Gen. Franco, making use of the services of Gen. Franco, and, if necessary, of the support of Hitler."

"Using his post as Ambassador to Madrid, according to disclosures of Alibert, Petain got into touch with Hitler through the intermediary of Franco. Hitler was in favor of the plan of the plotters, gave them financial support and promised military help. The development of the plot against the internal safety of the State was bound to end in intelligence with the enemy, since its aim could only be attained by favoring the enemy's undertakings."

#### Claim Charges Proved

"The charge of conspiracy against the internal security of the State has been established beyond a doubt."

"The charge of intelligence with Hitler during the period preceding the war has also been established."

The indictment then went on to speak of Marshal Petain's policy in 1940:

"France blames the marshal firstly for having made a definite acceptance of defeat a fundamental article of his policy. France further blames him for the Montoire Agreement, which meant collaboration of the vanquished with the victor, as an affront to her dignity. France also blames him because he not only approved a humiliating collaboration, but the subservience of France to Germany."

"Petain did not blush when he congratulated Frenchmen for having put on a German uniform and when he paid homage to Hitler as the savior of Europe and civilization."

"We cannot forget that Petain had our navy locked up in Toulon where it had no choice but surrender or self-destruction."

M. Reynaud spoke for an hour explaining why he took Marshal Petain and Gen. Weygand into his Cabinet in the spring of 1940 and what took place when he met Prime Minister Churchill and Lord Halifax at Tours, June 13.

The prestige in France of both Marshal Petain and Gen. Weygand was immense, and had been for years, M. Reynaud explained. "I there is an accused in this case there is also a victim. That victim is France . . ."

"When Petain and Weygand entered my Government they were aware of the Anglo-French agreement not to sign a separate armistice of peace."

#### Consistently Anti-British

"The fundamental issue in this case is what line of conduct did the honor of France demand from her. Weygand's plan could not be carried out because the British Army retired 25 miles (a reference to the British withdrawal forced by the Belgian surrender which exposed the British left flank.) For four years Vichy propaganda claimed that Britain betrayed the French. 'This allegation is not worth more than most other Vichy allegations . . .'

"To my surprise I found Petain and Weygand acting together in urging an armistice."

"When I wanted to prepare for war from North Africa, I found that the General Staff had nothing but objections to put forward . . ."

M. Reynaud said there was no ground for a demand for an armistice by France. "When I saw Churchill and Lord Halifax in Tours, I told Churchill I would never capitulate, but begged him, in view of France's tremendous sacrifices, not to abandon France if another Government should capitulate."

"The generous, great-hearted Churchill said yes. If Britain wins France shall be restored in all her former greatness. But this did not mean that the British Government authorized the French to conclude an armistice. That is not true."

146  
WAR  
EUROPEAN  
1939  
FRANCE  
PETAIN

trial