

Discretionary Power in the Hands of an Authoritarian State: A Study of Denaturalizations under the Vichy Regime (1940–1944)*

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“Is Denaturalization the Next Front in the Trump Administration’s War on Immigration?” The *New York Times Magazine* posed this question as the title of an article published on December 19, 2018. According to the article’s author, Seth Freed Wessler, the director of the US Citizenship and Immigration Services was actively hiring additional lawyers and immigration officers to staff a new unit that would help identify and seek to denaturalize immigrants suspected of fraud. Four years ago, in the wake of the 2015 terrorist attacks, France’s president François Hollande proposed to add provisions to the French constitution that would enable nationality withdrawal. The denaturalizations carried out by the Vichy regime in France between 1940 and 1944 offer an opportunity for reflection on the political and social stakes of such proposals.

This essay aims to examine the relationship between one of the major ideological goals of the Vichy regime—to strip recently naturalized foreigners of their citizenship—and the actual implementation of a denaturalization policy. The French State succeeded the Third Republic on July 10, 1940, and one of the first laws¹ issued under the leadership of Marshal Philippe Pétain, on July 22, 1940, gave the regime the authority to denaturalize any foreigner who had received citizenship in the wake of the liberal 1927 naturalization law, which had reduced the residency requirement for becoming a citizen from ten years to three. Pétain identified the projects that his government had prioritized, announcing that this “immense legislative task, a task that no other government [had] dared to tackle,” had been accomplished in the preceding weeks: “review of naturalizations, the law on access to certain professions, the dissolution of secret societies . . . the search for those responsible for our disaster, and the repression of alcoholism

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¹ The word “law” is technically inappropriate, since there was no longer a National Assembly to pass legislation. Since the Vichy regime continued to use the term, however, I retain it here.

all attest to our determination to apply a similar effort of sanitation and reconstruction across all areas.”² The review of naturalizations was a top priority.

The attempt to understand how this denaturalization policy was implemented raises several complex historiographical questions. First, how did Vichy’s denaturalization measures resemble, or differ from, the initiatives undertaken by right-wing French governments in the late 1930s? This question has spurred a debate, focused particularly on immigration issues, between those who claim there was continuity between the Vichy regime and the previous Republican government and those who argue that there was a decisive break. Gérard Noiriel and Vicki Caron contend that there was continuity between the identification procedures for Jews between 1940 and 1942 and those applied to foreigners during the Republican period.³ Daniel Gordon argues that “even Vichy’s most significant innovation in nationality legislation, the notorious mass removal of French nationality from recently naturalized ex-foreigners, was not absolutely unprecedented.”⁴ Conversely, Patrick Weil, in his comprehensive work on the history of French nationality, insists on the rupture in French policy and practice that developed around denaturalizations; he draws on material from the archives of the Ministry of Justice to show that, departing from the traditional French approach, the Vichy government adopted legislation in line with that of the Nazis.⁵ A close examination of the way the Vichy denaturalization policy was actually carried out puts these opposing views to the test by adding new perspectives.

That examination raises a second set of historiographical questions concerning the respective roles of xenophobia and antisemitism in the denaturalization policy of the Vichy regime. As Michael Marrus and Robert Paxton have shown, Vichy’s antisemitic moves were not imposed by the Nazi occupiers, even though some have analyzed the denaturalization policy as an aspect of the collaboration between the two authorities. Robert Paxton addresses the issue in a few pages based on investigations conducted during the purge trials and on German archives; he shows that the policy was a French initiative, antisemitic in its objectives.⁶ The anti-Jewish laws introduced later were unquestionably French in origin; their authors drew their claim to legitimacy from the virulent antisemitic discourse circulating in the final years of the Third Republic. In a pioneering

² Cited in *Journal des débats politiques et littéraires* 222 (1940): 1.

³ Gérard Noiriel, *Les origines républicaines de Vichy* (Paris, 1999); Vicki Caron, *Uneasy Asylum: France and the Jewish Refugee Crisis, 1933–1942* (Stanford, CA, 1999).

⁴ Daniel A. Gordon, “The Back Door of the Nation State: Expulsions of Foreigners and Continuity in Twentieth-Century France,” *Past & Present*, no. 186 (2005): 202.

⁵ Patrick Weil, *How to Be French: Nationality in the Making since 1789*, trans. Catherine Porter (Durham, NC [2002], 2008), 107–27.

⁶ Robert O. Paxton, *Vichy France* (New York [1972], 2015), 168–69; see also Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (Stanford, CA [1981], 1995), x, xx.

article, Bernard Laguerre conducted the first assessment of this policy through a meticulous examination of the eighty-eight decrees of “nationality withdrawal” enacted between November 1, 1940, and May 12, 1944. According to him, nearly 40 percent of the 15,154 individuals who were believed to have lost their citizenship owing to the law were Jews, most of them from Eastern Europe.⁷ Given that foreign Jews constituted less than 1 percent of all foreigners in France, he argues that a major aim of this legislation was to single out Jews. Yet Laguerre’s conclusion can be debated on several grounds. The law of July 22, 1940, was not explicitly tied to an antisemitic policy; its implicit anti-Jewish aim was never mentioned either in the text itself or in any pronouncements made by the commission charged with enacting the policy. Moreover, the denaturalization policy preceded the first statute concerning Jews, which was issued on October 3, 1940. In fact, the way the July 22 law was interpreted by the representatives of the Vichy regime responsible for its implementation indicates that its purpose was not exclusively antisemitic. In September 1940, the minister of the interior explained why a denaturalization law had become necessary: “The presence on French territory of many persons who have emigrated from or have been expelled from their countries, foreigners or persons without countries, Jews or non-Jews, constitute a certain danger to peace and public order.”⁸ Thus non-Jews were explicitly targeted as well.

Third, this study offers a new perspective on the controversial question of the Vichy government’s involvement in the deportation of Jews. The German proposal, in July 1942, to denaturalize Jews en masse and the French response to it point up the challenges of administrative competition between German and French authorities. Historians have commented extensively on Vichy’s refusal, on August 24, 1943, to accede to the German demand for collective denaturalization. Were the French authorities seeking to protect French Jews?⁹ Or were they trying to retain control of their denaturalization policy, and thus safeguard a semblance of national sovereignty?

Finally, denaturalization procedures offer an excellent field for examining the question of the relation between an ideological project and its administrative implementation. The project of exclusion from nationality was driven by a political will specific to the new Vichy regime, which placed itself in direct opposition to its predecessor in this arena, seeking overtly to undo what the Third

⁷ Bernard Laguerre, “Les dénaturalisés de Vichy (1940–1944),” *Vingtième siècle: Revue d’histoire* 2 (1988): 3–15; this article is based primarily on a study of the Jews of Salonika.

⁸ Cited in Caron, *Uneasy Asylum*, 323.

⁹ Léon Poliakov, *Harvest of Hate: The Nazi Program for the Destruction of the Jews of Europe* (Syracuse, NY [1951], 1954); Marrus and Paxton, *Vichy France and the Jews*, xxx; Laurent Joly, *Vichy dans la “Solution finale”: Histoire du Commissariat Général aux Questions Juives (1941–1944)* (Paris, 2006), 716–28.

Republic had done. The project was carried out, however, by an administration that conformed to a bureaucratic logic involving a certain continuity in personnel and in routine practices. The denaturalization process thus offers a window onto the confrontation between the political logic and the administrative logic of the authoritarian Vichy regime within a particular context, one in which the Germans occupied half of the national territory from July 1940 and then all of it starting in November 1942. Meanwhile, the structure of the French state was being redefined through the abolition of the legislative branch.¹⁰

The impact and effectiveness of legal measures and judicial activity in totalitarian regimes have been broadly debated.¹¹ In 1941, the German legal expert Ernest Fraenkel, in exile in the United States, theorized in his book *The Dual State* that, within Nazi Germany, a normative state (*Normenstaat*) in which traditional laws remained in effect coexisted with a prerogative state (*Maßnahmenstaat*) that functioned essentially on the basis of arbitrary power.¹² While there has been a long-standing consensus in the historiography that the trademark of Nazism resided precisely in dominating through a regime of terror and intimidation in which rules mattered little, recent studies have focused, in contrast, on the fact that laws continued to exist and on the ways those laws were applied.¹³ According to this logic, the obedience of SS guards in concentration camps can be explained by the existence of a scrupulously regulated detention system.¹⁴ Other studies on Italy and Spain have contributed to both theoretical and societal discussions on the uses of law in such regimes.¹⁵

¹⁰ “Le rôle des administrations centrales dans la fabrication des normes,” *Droit et société* 79 (2011); Marc-Olivier Baruch, *Servir l’État français: L’administration en France de 1940 à 1944* (Paris, 1997).

¹¹ Adam Podgorecki and Vittorio Olgiati, eds., *Totalitarian and Post-Totalitarian Law* (Oñati, 1996); Bertrand Durand, Jean-Pierre Le Crom, and Alessandro Somma, eds., *Le droit sous Vichy* (Frankfurt, 2006).

¹² Ernst Fraenkel, *The Dual State: A Contribution to the Theory of Dictatorship*, trans. E. A. Shils (New York, 1941).

¹³ Alan E. Steinweis and Robert D. Rachlin, eds., *The Law in Nazi Germany: Ideology, Opportunism, and the Perversion of Justice* (Oxford, 2013); Wayne Geerling, Gary Magee, and Russel Smyth, “Sentencing, Judicial Discretion, and Political Prisoners in Pre-War Nazi Germany,” *Journal of Interdisciplinary History* 46 (2016): 517–42; Luc J. Wintgens, “The Concept of Law under National Socialism,” in *European Legal Cultures*, ed. Volkmar Gessner, Armin Holland, and Csaba Varga (Brookfield, VT, 1996), 199–207; Michael Stolleis, *The Law under the Swastika: Studies on Legal History in Nazi Germany* (Chicago, 1998).

¹⁴ Nicolas Bertrand, *L’enfer réglementé: Le régime de détention dans les camps de concentration* (Paris, 2015).

¹⁵ Giuseppe Speciale, ed., *Le leggi antiebraiche nell’ordinamento italiano: Razza diritto esperienze* (Bologna, 2013). An important discussion is under way about the decision-making processes and actions of civil servants at moments of transition toward authoritarian régimes, spurred in particular by the work of Ivan Ermakoff: see Ivan Ermakoff,

The history of denaturalizations opens a field of investigation that interrogates the use of discretionary power in authoritarian regimes.¹⁶ How are ideological norms processed, absorbed, modified, or rejected when they are transformed into criteria applicable by an administration? How do ideological factors influence denaturalization decisions? What room for maneuver is left to the administration in the implementation of a denaturalization policy?

Research seeking answers to these questions in the French context encounters a major handicap, as the institution established by Vichy in July 1940 to carry out its denaturalization policy, the Commission for the Review of Naturalizations, apparently left behind no archives: no systematic records pertaining to the commission's working procedures, its deliberations, its recruitment of members, and its relations with other governing bodies have ever been found. Furthermore, the law of July 22, 1940, that initiated the denaturalization process was totally silent as to the criteria that should guide decisions. The challenge, then, is to provide an account of a policy that neither named its targets nor left behind records of the deliberations that accompanied its implementation. The dual absence of archives and criteria has made for a fascinating investigation. It is in this sense that I describe my method as quantified ethnography.

On the one hand, quantified ethnography entails immersion in the inner workings of administrative practices by searching all remaining archival traces of the decision-making processes. This method is based on observations and inferences made from the files retained by a bureaucracy. In this respect it is similar to an "ethnography of the State in everyday life" as that method has been developed recently in the fields of sociology and anthropology.¹⁷ This means observing bureaucratic practices to shed light on "the daily work and dilemmas within which

Ruling Oneself Out: A Theory of Collective Abdications (Durham, NC, 2008), and Ivan Ermakoff and Marko Grdesic, "Institutions and Demotions: Collective Leadership in Authoritarian Regimes," *Theory and Society* 48, no. 4 (2019): 559–87.

¹⁶ On discretionary power, see the classic text by Denis Galligan, *Discretionary Powers* (Oxford, 1986).

¹⁷ Anya Bernstein and Elizabeth Mertz, eds., "Bureaucracy: Ethnography of the State in Everyday Life," *Political and Legal Anthropology Review* 34 (2011): 6–7. See the pioneering work in sociology by Michael Lipsky, *Street-Level Bureaucracy: Dilemmas of the Individuals in Public Services* (New York, 1980), and in anthropology by Michael Herzfeld, *The Social Production of Indifference: Exploring the Symbolic Roots of Western Bureaucracy* (New York, 1992). See also the special issue edited by François Buton, "L'observation historique du travail administratif," *Genèses* 72 (2008); Jill Alpes and Alexis Spire, "Dealing with Law in Migration Control: The Powers of Street-Level Bureaucrats at French Consulates," *Social and Legal Studies* 23 (2013): 261–74; Vincent Dubois, "Policy Ethnography as a Combat Sport: Analyzing the Welfare State Against the Grain," in *If Truth Be Told: The Politics of Public Ethnography*, ed. Didier Fassin (Durham, NC, 2017), 184–202.

bureaucrats operate.”¹⁸ Unlike anthropologists, however, historians cannot observe the work of bureaucrats directly; thus we are obliged to devise other methods. In the present instance, the analysis is built on empirical archival materials rather than on direct observations of encounters or interactions between administrative agents and citizens. I looked for traces of the concrete work carried out by the agents of the Vichy administration, but also for signs of their hesitations, their uncertainties, their questions. This method aims to read the decisions made by these agents as social actions and not simply as by-the-book applications of regulations and other directives.

On the other hand, my approach is based to a large extent on quantification, which has proved to be an extremely useful tool for analyzing the implementation of the denaturalization policy as a whole. As Charles Tilly reminds us, “a common prejudice, to be sure, divides the social world into phenomena that are suitable for quantification (population distributions, social mobility, etc.) and those that are irreducibly qualitative: conversation, narratives, biography, ethnography, and history often serve as examples. Formalisms clearly can and do apply, however, to these phenomena as well.”¹⁹ The traces left by the denaturalization procedures followed under Vichy are scattered across the hundreds of thousands of naturalization files conserved in the French National Archives.²⁰ The mass is overwhelming: an official report from the Commission for the Review of Naturalizations dated October 30, 1940, stated that there were “approximately 450,000” files to be investigated.²¹ At his purge trial in 1944, when he was ordered to explain his role as commission president during the war, Jean-Marie Roussel declared that “850,000 individual cases” had been examined.²²

I selected, examined, and entered the data from a sample of 931 files at the Ministry of Justice dating from the period 1927–40 inclusive.²³ This material

¹⁸ Anya Bernstein and Elizabeth Mertz, eds., “Symposium on Bureaucracy: Ethnography of the State in Everyday Life,” special issue, *Political and Legal Anthropology Review* 34, no. 1 (2011): 7.

¹⁹ Charles Tilly, “Observations of Social Processes and Their Formal Representations,” *Sociological Theory* 22 (2004): 597.

²⁰ The French National Archives keep the naturalization files from 1803 to 1973 at the Pierrefitte-sur-Seine site.

²¹ Cited in Weil, *How to Be French*, 178–79.

²² Jean-Marie Roussel’s defense memoir, Fall 1944, p. 3, French National Archives (Archives Nationales, AN), BB/30/1740. After his case was discussed at length by the purge commission of the Council of State during the session of October 23, 1944, he was suspended from his position.

²³ On sampling techniques, see Claire Lemerrier and Claire Zalc, *Quantitative Methods in the Humanities: An Introduction*, trans. Arthur Goldhammer (Charlottesville, VA, 2019), 38–49.

is organized by date of arrival at the ministry and archived in boxes containing between 50 and 100 files each. In order to construct a principle of random selection insofar as possible without having to move a thousand boxes, I chose to draw, at random, file numbers corresponding to naturalization decrees dated between August 10, 1927 (the date specified to the commission by Vichy as the starting point of its review) and May 1940. Then I consulted all the other files in the same box. The resulting sample includes 740 applications for naturalization, 73 declarations of French nationality for children born in France to foreign parents, 4 requests for name changes, 69 requests for information, and 45 miscellaneous files. Of the 740 naturalization application files, 544 cases had resulted in a naturalization decree issued between August 10, 1927, and July 1940 and were therefore subject to review under the law of July 22, 1940; 23 more were granted decrees after July 1940; 173 other cases were postponed or rejected.²⁴ Of the 544 files resulting in a naturalization decree, 488 were reopened by 30 different members of the commission. The remainder remained unopened—an indication that while the commission managed to review 90 percent of the files, it failed to complete its work. Because the naturalization files were compiled on the basis of entire families, my sample includes more than 1,200 individuals whose cases were examined by the commission. I systematically compared the information from the files in my sample with a separate archival record of denaturalized individuals, which includes a form for each person whose naturalization was withdrawn.²⁵

Proceeding collectively through quantification takes into account any variations in decision making. I began with the files themselves in order to evaluate the scope and meaning of the project of national exclusion and to attempt to analyze how it was implemented in practice. Engaging in a quantified ethnography of the naturalization files contributes to a more general analysis of the spaces of state violence by introducing areas of uncertainty from the perspective of both the agents tasked with denaturalizing and the victims of the measures, who reacted, contested, or endured in silence. An ancillary goal of this article, then, is to demonstrate, from an epistemological standpoint, that ethnographic and quantified methods can be employed to shed light on historical fields that can no longer be observed directly.

²⁴ The way this sample was composed makes it possible, incidentally, to estimate the success rate of naturalization applications submitted between 1927 and 1940 at around 75 percent. This estimate does not take into account the variable waiting times it took to obtain naturalization, however.

²⁵ BASE DÉNAT, AN BB/27/1422 à 1445, withdrawal of French nationality file (1940–44). For a complete description of the source, see Annie Poinot, “Retrait, maintien, enquête”: La Commission de révision des naturalisations (1940–1944): Un instrument de la politique xénophobe et antisémite de Vichy? (master’s thesis, University of Paris 1 Panthéon-Sorbonne, 2013), 38–43.

THE EARLY DAYS: THE THIRD REPUBLIC IN THE CROSSHAIRS

“The Commission for the Review of Naturalizations created by the law of July 22, 1940, rapidly set about its work in Paris. It undertook a systematic examination of the files of all persons who had been naturalized since 1927,” according to the Vichy correspondent for the newspaper *La Croix* on November 5, 1940.²⁶ The date of 1927 was not chosen at random, for it referred to the law of August 10, 1927, which had significantly lowered the residency requirement for requesting French nationality, thereby becoming “one of the most open and liberal” measures in the history of French nationality legislation.²⁷

The commission was instructed, however, to begin its work in September 1940 by examining the files of individuals who had been naturalized in 1936, under the Popular Front. The symbolic intent was clear, as the Popular Front was being attacked from all sides in the summer of 1940. In the 1930s, the French far right was led by a new generation of dynamic young antisemitic writers and speakers who drew on new rhetorical arguments coming out of Germany. This group concentrated its criticism on Prime Minister Léon Blum, a Socialist and a Jew.²⁸ Popular Front leaders were held responsible for the defeat in the “Phoney War” of 1939–40 and were accused with great fanfare in the Riom trial in 1942, which publicly dramatized the condemnation of the Third Republic.²⁹ The same dynamic applied to naturalizations, with the period of 1936 fixed in the crosshairs owing to the Blum government’s allegedly lax immigration policy. For instance, Joseph Barthélemy, minister of justice from January 1941 to March 1943, declared that “under the influence of the Popular Front’s mystique, a veritable barbarian invasion poured in. . . . The accents of the old French provinces no longer resonated beneath the venerable arches of the Palais de Justice, built on the banks of the Seine by Saint-Louis; instead, there were all the accents of tribes from the Balkans, North Africa, and Asia Minor.”³⁰ The inspector of judicial services, Jean Dautet, who drafted a report on the functioning of the commission in 1944,

²⁶ *La Croix*, November 5, 1940, 1.

²⁷ Weil, *How to Be French*, 144.

²⁸ Tal Bruttman and Laurent Joly, *La France antijuive de 1936: L’agression de Léon Blum à la Chambre des députés* (Paris, 2006).

²⁹ The trial did not have its intended effect; on the contrary, it became a space for condemning the Pétain regime: see Alain Baucaud, “Le procès de Riom: Instrumentalisation et renversement de la justice,” in *Justice, politique et République: De l’affaire Dreyfus à la guerre d’Algérie*, ed. Marc Olivier Baruch and Vincent Duclert (Brussels, 2004), 221–41.

³⁰ Joseph Barthélemy, who was minister of justice at the time: “Préface à une enquête sur la législation française sous le Gouvernement du Maréchal,” *L’Information juridique*, Madrid, April 1, 1941, cited by Jacques Maupas, *La nouvelle législation française sur la nationalité* (Issoudun, 1941), 7–8.

explained that “in keeping with the decision of the Commission’s president, reviews dealt first of all with the naturalizations granted during the year 1936.”³¹

The first decree of nationality withdrawal, dated November 1, 1940, was published on November 7 in the *Journal officiel de la République française*, which had not yet become the *Journal officiel de l’État français*.³² It was signed by Philippe Pétain and Raphaël Alibert, minister of justice, and it stated that “the quality of Frenchman is withdrawn” from 445 persons.³³ Half of this first group had obtained French nationality in 1936. By way of comparison, of all the withdrawals recorded between 1940 and 1944, only 6.5 percent concerned persons naturalized in 1936. As we have seen, it was clearly a priority at the outset to undo what the Popular Front had done. This political logic was soon jeopardized, however, by material considerations that led to procedural changes. From 1941 on, the basis for selecting files for review was no longer the date of the decree granting naturalization, but rather the date the initial application for naturalization was registered.³⁴ It was much easier to collect the files in reverse chronological order of creation: after those opened in 1936, the commission dealt with those opened in 1940, then 1939, and so on, working back to 1927. Rationalization of the working procedure thwarted the political objectives.

Every form of acquisition of French nationality was targeted. To take one example, Fatima Bent El Houssine Ben Ali, married name Dantes, born in Marrakech and residing in Oujda, Morocco, had “become French through marriage”; she was denaturalized.³⁵ So were others who had become French through parental declaration.³⁶ And, as the 1940 law stated, denaturalization “could be extended to the wife and children of the individual concerned.”

In addition to the manifest intent to reverse naturalizations granted under the Popular Front, a second clear intent was to punish all persons who had benefited from a positive recommendation by an agent of the Third Republic. According to commission president Jean-Marie Roussel, this was one of the chief criteria in decision making; Roussel lamented that naturalizations under the Third Republic were “clearly inspired more by individual interests than by the interest of the country.”³⁷ In taking this approach, the commission was looking to settle a score

³¹ Dautet report, AN BB/30/1741.

³² *Journal officiel de la République française, Lois et décrets*, November 7, 1940, 5587–95.

³³ *Journal officiel de la République française, Lois et décrets*, November 7, 1940, 5593.

³⁴ Aubry statement cited in Dautet report, 1944, AN BB/11/1741.

³⁵ *Journal officiel*, November 7, 1940, 5590.

³⁶ The law of August 10, 1927, made it possible for children born in France to foreign parents to acquire French nationality through a simple declaration made by the parents at the district court before the child became an adult.

³⁷ Roussel, defense memoir, p. 6, Fall 1944, AN BB/30/1840.

with the “Republic of Favors” that was so often denounced during the 1930s.³⁸ Tracking down recommendations also responded to a practical concern, as they were relatively easy to spot in the files. It was customary for local elected officials of the Third Republic—and the Popular Front was no exception—to support large numbers of individual requests.³⁹ Evidence of such support appears in concrete form in individual files: a letter, a loose note mentioning a telephone call, a capital “R” stamped in purple on the front cover of the folder, even “RR” when a recommendation was deemed very important.⁴⁰

When signaled by a stamp on the file folder, a recommendation served as a negative marker, resulting almost systematically in a decision to withdraw nationality. More discreet recommendations, letters by prominent local citizens that had been slipped into the files, also spurred negative decisions. For Paul Eisenberg, a Polish itinerant second-hand-goods dealer living in Montreuil, a letter of support sent in 1930 by Paul Poncet, a Socialist representative for the Seine, was removed from the file and attached to the notice of nationality withdrawal issued by the commission on November 29, 1943, as if to put on display proof of an ill-gotten naturalization.⁴¹ In cases like this, the review was based on a strict inversion of values: a recommendation that had been a facilitating element in a naturalization application during the interwar period became a motive for denaturalization under Vichy.

A COMMISSION UNDER PRESSURE

It is interesting to note that the Germans were absent from the process during the early stages. In the summer of 1940, the minister of justice made the following announcement: “A special commission is going to be instituted. It will work independently and publish its opinion on each case.” For Vichy, it was a way to promote—and defend its control of—nationality policy, through an “independent” administrative structure. The stakes were high in the summer of 1940: with the Germans occupying half the country, nationality policy was an area of sovereignty par excellence for the Vichy regime. In 1945, when Jean-Marie Roussel was called to account for his actions during the Occupation, he stated

³⁸ Frédéric Monier, “La République des faveurs,” in *Une contre-histoire de la IIIe République*, ed. Marion Fontaine, Frédéric Monier, and Christophe Prochasson (Paris, 2013), 339–51.

³⁹ Frédéric Monier, *La politique des plaintes: Clientélisme et demandes sociales dans le Vaucluse d’Édouard Daladier (1890–1940)* (Paris, 2007).

⁴⁰ This supposition, which has not been confirmed by those responsible for the archives at the Ministry of Justice, has proven accurate for all of the naturalization files consulted.

⁴¹ AN BB/11/11326 art. 80615X28.

that he had acted with complete independence as president of the commission and that he had even made this a condition for accepting the position: "I had even specified that, if there were any intervention whatsoever in the Commission's operations by the Occupation authorities, those operations would have to be suspended immediately; I was firmly determined to reject any German control in this matter where the sovereignty of the State MUST REMAIN WHOLE AND UNCONTESTED."⁴²

This "independence" was challenged, however, by a number of actors and events during the period in question. The Office of the High Commissioner on Jewish Affairs (CGQJ), established in March 1941 to manage Vichy's anti-semitic endeavors, sent a representative to serve on the Commission for the Review of Naturalizations. A close associate of the committed antisemite Xavier Vallat,⁴³ Félix Colmet-Daâge was appointed to the commission in early May 1941, although there is no evidence that he actually participated in its meetings.⁴⁴

"No control was ever exercised; no intervention was made by the German authorities, who seemed to be paying no attention to us and would probably not even have been aware of our existence if, under a circumstance to which I shall return, the Government had not imprudently revealed it . . . during the second half of 1943." In making these claims, Roussel was again seeking to stress the commission's independence and thus to exempt himself from the administrative purge undertaken after the Liberation.⁴⁵ It is true that, in the early stages, the commission set up solely on the initiative of the Vichy regime seemed to benefit from relative indifference on the part of the Germans. One report, probably from 1941, suggests that its three principal members were under some slight degree of surveillance.⁴⁶ The situation changed in 1942 under the pressure of two new factors: the launching of mass deportations of Jews from France toward the east in the spring, and the German occupation of the free zone in November. The Gestapo archives, preserved in France by the Center for Contemporary Jewish Documentation, show that by then the Germans were closely observing the actions of the Review Commission. The archives include several reports on the members of the commission: an internal note written by Heinz Röthke, SS Obersturmführer, deals with the directors of the Ministry of Justice and the members

⁴² In capital letters in the original text. Roussel, defense memoir, p. 6, Fall 1944, AN BB/30/1840.

⁴³ On the relations between the CGQJ and the German authorities, see Joly, *Vichy dans la "Solution finale."*

⁴⁴ Order of May 7, 1941, published in the *Journal officiel de l'État français*, May 8, 1941, 1960.

⁴⁵ Roussel defense memoir, p. 6, Fall 1944, AN BB/30/1840.

⁴⁶ Centre de Documentation Juive Contemporaine (hereafter CDJC), Paris, xxvii-2, Gestapo France archives, Report (1941).

of the “service of naturalizations and denaturalizations [*sic*].”⁴⁷ One informant, a lawyer formerly employed by the Ministry of Justice whom Röhke deemed “reliable,” transmitted a list of the heads of the principal divisions of the Ministry of Justice, the personnel of the Bureau of Seals, and the members of the Commission for the Review of Naturalizations (which was part of the Ministry of Justice until 1945). He included information about their careers, the positions they held, their relations with the world of politics, with Jews, and with Freemasons, and their attitudes toward the Germans.

From July 1942 onward, in order to speed up the deportation process, the Germans were pressing Vichy to adopt a law withdrawing French nationality from all Jews who had been naturalized starting in 1927.⁴⁸ But Marshal Pétain refused to sign the proposed law because of its “collective character,” and he reaffirmed the quality of the commission’s work, indicating that it was ruling “on each particular case.”⁴⁹ Nonetheless, the commission was soon ordered to accelerate the pace of denaturalizations of Jews. But this was easier said than done. As one bureau chief in the Ministry of Justice reminded the Vichy authorities, there was no way to know just how many naturalized Jews there were, since the applicants had not been asked about their religion. The question thus remains: did this pressure from the Germans have consequences for the work of the commission’s reviewers, or not?

WHAT MOTIVATED NATIONALITY WITHDRAWAL?⁵⁰

The decision to create a commission was not politically neutral. It established an indisputable form of rupture with the Republic, since it put “new men” in charge of the naturalization files. The ad hoc committee reflected the Vichy authorities’ desire to emphasize the novelty of the policy pursued.

Given the eminently politicized context of the summer of 1940, questions naturally arise regarding the motivations of the individuals who agreed to serve on the Commission for the Review of Naturalizations. What were the respective roles of personal conviction, ideological indoctrination, and simple administrative obedience?

⁴⁷ CDJC, xxvii-9, Gestapo France archives, May 1943.

⁴⁸ See Joly, *Vichy dans la “Solution finale,”* 716–28; Marrus and Paxton, *Vichy France and the Jews*, xxx; Claire Zalc, *Denaturalized: How Thousands Lost Their Citizenship and Lives in Vichy France*, trans. Catherine Porter (Cambridge, MA [2016], 2020), 65–69.

⁴⁹ Serge Klarsfeld, *Vichy-Auschwitz*, vol. 2, *Le rôle de Vichy dans la solution finale de la question juive en France, 1943–1944* (Paris, 1985), 106.

⁵⁰ Here I am indirectly echoing Nicolas Mariot’s wording in the title of an essay about interpreting the behavior of ordinary combatants: “Faut-il être motivé pour tuer? [Must one be motivated to kill?]: Sur quelques explications aux violences de guerre,” *Genèses: Sciences sociales et histoire* 53 (2003): 154–77.

Between September 1940 and August 1944, the Vichy regime appointed thirty judges as reviewers for the commission, calling on them to implement the law of July 22, 1940. Like ambassadors and secretaries general of the ministries, commission members had to swear loyalty to Marshal Pétain and promise to “carry out the duties of their office for the good of the State, in accordance with the laws of honor and probity.”⁵¹ Yet this oath was introduced after the earliest reviewers had assumed their duties on the commission in September 1940, since the constitutional act requiring it went into effect on January 27, 1941, and the obligation to swear allegiance to Pétain and the new regime became mandatory for judges only on August 14 and for civil servants on October 4 of the same year. Some judges avoided the oath altogether, because they were retired and had been called back into service; this was the case for commission vice president André Mornet. Mornet had a particularly impressive and controversial career. He served as vice president of the commission from 1940 to spring 1944; after the Liberation, he was appointed by General de Gaulle as prosecutor for the High Court of Justice, and in that capacity he oversaw the Laval and Pétain trials as well as the purging of the judiciary in the immediate aftermath of the war. He explained his own position during the Pétain trial in 1945: “I had been retired for eighteen months when the oath was imposed on civil servants in September 1941. I thus did not have the occasion to ask myself: Would I have taken the oath? Perhaps. Perhaps, I say without hesitation, because I consider that an oath imposed on civil servants by the holders of an authority exercised under the control of an enemy has no value whatsoever.”⁵²

The only judge in France who refused to swear allegiance to Pétain in September 1941 was Paul Didier, who had served as the head of the Third Bureau of the Direction of Civil Affairs and Seals at the Ministry of Justice since August 1937, and who was in charge of the office that processed naturalizations. In early October 1940 he was appointed to a judgeship in the Seine department, a sidelining that was most likely a punishment for his refusal to take part in applying the denaturalization policy.⁵³ Pierre Brack, who had been continuously present in the services of the Ministry of Justice since 1933, decided to leave the institution in 1940, and he committed himself to the Resistance by joining the Libération-Nord movement and aligning himself with the Free French forces in 1942.⁵⁴ Leaving one’s position in the government was a way of demonstrating one’s

⁵¹ *Acte constitutionnel*, no. 7, January 27, 1941.

⁵² *Le Procès Pétain, Compte-rendu sténographique* 1 (Paris, 1945), 20.

⁵³ On Paul Didier, see Baruch, *Servir l’État*, 312, and Weil, *How to Be French*, 303, n. 16.

⁵⁴ On Pierre Brack, see the obituary delivered in October 1954 by Antonin Besson, public prosecutor at the Cour de cassation, during the court’s opening hearing: https://www.courdecassation.fr/evenements_23/audiences_solennelles_59/debut_annee_60/annees_1950_3336/octobre_1954_10489.html.

opposition to the regime; it is harder to assess the degree of acceptance of those who remained in their posts.

The commission's reviewers were not really representative of the judiciary overall: they were chosen from a select group, in a sense, as agreeing to work for the Vichy authorities implied at least a minimal level of support for the principles of the National Revolution. This raises the issue of the continuity of personnel between Vichy and the previous regime. Most of the judges on the commission itself had had successful careers under the Third Republic. The selection of reviewers tasked with examining the files soon came to be based on principles of efficiency and continuity, since most of these individuals (twenty-two of the thirty) had been employed in the naturalization service of the Ministry of Justice under the Third Republic and thus were familiar with the material that was now to be "reviewed." Georges Coupillaud, for example, had been assigned to the Bureau of Seals in Paris between September 1926 and 1933 as head of the naturalization service; thus he was quite familiar with the files.⁵⁵ His signature appears very frequently in files from the interwar period; it was stamped in blue on the outside of the file folders. As a result, the name Coupillaud sometimes appears twice within the same file, the first time to naturalize, the second to denaturalize. The careers of the other judges mirror Coupillaud's to a large extent.⁵⁶ Most of them worked in the ministry between 1926 and 1935; only three in addition to Brack had been employed in the Ministry of Justice under the Popular Front.

Little is known about the procedures or criteria used in appointing reviewers, although political considerations were undoubtedly in play. In exceptional cases, judges took the initiative and offered their services. Georges Coupillaud, who was recruited in October 1940, worked very actively as a reviewer until 1942. When he learned of impending staff cuts following the law of September 4, 1942, relating to Compulsory Work Service (STO),⁵⁷ he wrote to offer his help once again, on February 15, 1943, despite his age (sixty-nine): "I have the honor of putting myself entirely at your disposal as a volunteer, should you deem that I might be of some use in alleviating the difficulties your services may encounter."⁵⁸

The evaluations found in the career files of Review Commission judges demonstrate unwavering support for the new regime. In May 1942, there was praise for the "qualities of method and clarity" of a particular individual, a "judge with

⁵⁵ The Bureau of Seals was the division of the Ministry of Justice charged with questions of nationality. Career file for Georges Coupillaud, AN 19770067/114.

⁵⁶ *Zalc, Denaturalized*, 43–75.

⁵⁷ Under this program, hundreds of thousands of French workers were requisitioned and sent against their will to Germany, where they were forced to participate in the German war effort.

⁵⁸ AN 19770067/114

a fine education and perfect conduct” as well as an “upright and firm character,” while “there was no reason to doubt his adherence to the principles of the new order and [his] loyalty to the person of the head of State.”⁵⁹ Except for specific references to Vichy and Pétain, the reports rarely departed from the standard style that prevailed in routine administrative evaluations. Jean Trannoy, who was appointed commission secretary, distinguished himself through “his working methods and his spirit of initiative,” “his qualities of intelligence and thoughtfulness”; he was said to have “enjoyed the esteem of his colleagues and superiors.”⁶⁰ Continuity of career seems to have been a more consistent explanatory factor than ideological conviction. Moreover, searching career files for clues regarding political affiliations often proved fruitless. As a result, the only way to understand these judges’ actions is to observe their practices and the annotations they left in the files, with the classifications they devised and the decisions they made.

THE ETHNOGRAPHY OF ROUTINE BUREAUCRATIC WORK

While the objectives pursued in the commission’s early stages were relatively clear, their implementation proved more complex, as we have seen. Revisiting naturalizations granted on the basis of recommendations was not sufficient, and it was out of the question to annul indiscriminately all the decrees issued in 1936. Every file had to be reopened; a ruling had to be made on each individual case. The process adopted was thus the inverse of the one used in naturalization decisions; there, a series of criteria based on available information were considered and ultimately a discretionary decision was made. No detailed written explanations were left for the denaturalization decisions, but hewing closely to the traces left by the preliminary investigations allows us to discern the reviewers’ working procedures.

The process was collegial. The commission was divided into three subcommissions, with a set of reviewers attached to each one. These subcommissions met frequently to consider the decisions proposed by the reviewers. When there was doubt or disagreement, the case was sent to the full commission, which met occasionally in plenary session. Each file went through the same steps: a senior staff member would bring it up from the archives to one of the reviewers, who would examine its various elements and make notations on a small white slip of paper (paper being a rare commodity in wartime). The reviewers jotted down their notes in telegraphic fashion so as to have the information they deemed particularly important at their fingertips when they presented the case and justified their proposed decision to the subcommission. Since a large number of

⁵⁹ Career file for Gabriel Papon (no relation to Maurice Papon), AN 19890074 art. 164.

⁶⁰ Report from July 24, 1942, AN 19890074/191.

naturalization files were handled in each subcommission session, the essentials had to be addressed quickly. In Arthur Stern's file, presented in session on October 12, 1940, the following details were noted:

Czech born in 1896
 In France since 1920
 Married to a Fr. Woman, one Fr. child
 Industrialist earning 100,000 fcs per year
 Of no great interest for naturalization
 However, proposal to maintain?⁶¹

Studying the annotations and scribbles left by reviewers reveals the range of variations that could arise in the way the criteria were brought to bear. While deeming the Stern case "of no great interest for naturalization," the reviewer nevertheless issued a hesitant "proposal to maintain?" The notation "Intervention Brack" was added at the bottom left of the small slip of paper. It is difficult to determine why and how Pierre Brack intervened in this file, although the mention of his support might have induced second thoughts: as Deputy Director of Civil Affairs and Seals, the office in charge of naturalizations in the Ministry of Justice, Pierre Brack was the reviewers' hierarchical superior in September 1940. It may not be irrelevant to note that, in the meantime, Pierre Brack had left the service and joined the Resistance. In any event, the reviewer's hesitations did not stand up to examination by his colleagues: the withdrawal of Arthur Stern's French nationality was pronounced on November 1, 1940.

Analysis of the small summary sheets brings to light the categories considered in the decision-making process. According to commission president Jean-Marie Roussel, "every proposal for withdrawal must include a special and justifiable report by the reviewing judge providing full information about the military, professional, and familial situation, as well as the moral value and loyalty, of every concerned party."⁶² It is interesting to observe that the categories mentioned are largely the same ones used in naturalization procedures.⁶³ The passage of time made a difference, though, as denaturalization decisions were often based on outdated information. For instance, Arthur Stern's file was registered at the ministry on March 30, 1935;⁶⁴ when the Review Commission addressed it, it was more than four years old.

⁶¹ AN 1970889/169 art. 16560X36.

⁶² Roussel defense memoir, p. 3, Fall 1944, AN BB/30/1840.

⁶³ Alexis Spire, *L'administration de l'immigration en France (1945–1975)* (Paris, 2005), and Mary D. Lewis, *The Boundaries of the Republic: Migrant Rights and the Limits of Universalism in France, 1918–1940* (Stanford, CA, 2007).

⁶⁴ The naturalization certificate was dated August 7, 1936, and published in the *Journal officiel* on August 15 of the same year.

The judges, who had internalized the discreet, unwritten norms of evaluation prevalent under Vichy, served as agents of the administration's discretionary power, transforming their interpretation of documents into a statement, positive or negative, regarding the qualities of each case. This power was exercised at a distance from the individuals whose nationality was at stake, as summonses were rare and difficult to implement in a France that was split in two and ultimately occupied, despite the spread of a series of new voice-based technologies for exercising control at a distance, such as the telephone.⁶⁵

Among the traces left behind, the slips indicating the commission's decision sometimes—up to the summer of 1941—mentioned a reason for it. On the Abramowicz file, the comment "ROMANIAN ISRAELITE DOCTOR" is registered in capitals and in blue ink. Yet this file was examined on September 27, 1940, a week before the Vichy regime adopted the first statute defining who would henceforth be considered Jewish and identifying some professions from which they were to be excluded.⁶⁶ It is clear, then, that the Commission for the Review of Naturalizations had tacitly adopted the objective of denaturalizing Jews as a priority even before the statute was enacted.

THE ADMINISTRATIVE ROUTINIZATION OF EVERYDAY ANTISEMITISM

In addition to "Romanian Israelite doctor," other similar notations justified some of the earliest nationality withdrawals as "Israelite of no national interest" or "Israelite communist." Clearly, the term "Israelite" served to identify, single out, and stigmatize, as a way of justifying the commission's decision. This practice was made explicit in a note from the Bureau of Seals in 1943: "The Commission for the Review of Naturalizations has undertaken highly important work that is continuing today. The situation of numerous jews [*sic*] has been examined with particular attention, owing to the danger that some of them pose for public safety."⁶⁷

Understanding what elements the reviewers used to assign Jewish identity is not a simple matter, for the question of how to tell whether someone was Jewish or not prompted much philosophical and theological reflection. My aim is to take a strictly pragmatic historical perspective on the way the criteria for inclusion in, or exclusion from, Jewishness were socially and temporally situated. It is

⁶⁵ For a comparison between "remote orders" and "orders in person" during the twentieth century, see Yves Cohen, *Le siècle des chefs: Une histoire transnationale du commandement et de l'autorité (1890–1940)* (Paris, 2013), 563–623.

⁶⁶ Tal Bruttman, "La mise en œuvre du statut des Juifs du 3 octobre 1940," *Archives juives* 41 (2008): 11–24. About antisemitism targeting Romanian doctors, see Donna Evleth, "The Romanian Privilege in French Medicine and Antisemitism," *Journal of the Society for the Social History of Medicine* 11, no. 2 (1998): 213–32.

⁶⁷ Note from the Bureau of Seals to the minister of justice regarding the bill on nationality, 1943, AN 19960100/1.

important to recall that the category “Jew” in contemporary France eluded any form of stable or cohesive definition, whether religious, community-based, ethnic, or familial. Religious affiliations had disappeared from the census in 1872, during the early years of the Third Republic.⁶⁸ Under the Vichy regime, the definition of a “Jew” remained unstable.⁶⁹ The Commission for the Review of Naturalizations could not focus on reviewing the files of “naturalized Jews” because no files are identified as such. After the debacle in the spring of 1940 and the signing of the armistice on June 22, the Nazi authorities set out to establish a census of Jews; however, as we have seen, the Vichy statute defining Jews was not passed until October 3.⁷⁰ How, then, did the commission’s members go about identifying naturalized Jews when they set to work in September?

The reviewers came up with an onomastic solution, attempting to identify Jews using first and last names. The procedures relied on lists of persons who had been granted naturalization decrees. A selection was then made based on the family names of those persons. First names could also serve as markers of Jewishness.⁷¹ As a slip of paper in Frédéric Barber’s file pointed out, “his father’s first name is Isaac and his mother’s Judith. Became a Protestant when he married, but is of the Jewish race.”⁷²

Two given names were thus decisive in the attribution of a “race.” It is interesting to note that the reviewer’s opinion of “race” transcended any self-declared religious identification. The principle of onomastic identification is all the more noteworthy in that the official documents remained silent on the subject. The withdrawal of Frédéric Barber’s nationality, which was decided upon on November 13, 1941, was justified neither in religious nor in racial terms; rather, it was noted that there was “nothing in his favor, minimally assimilated along with his wife.”⁷³ One cannot help wondering whether the reviewers were uncomfortable using the onomastic criterion, for the document justifying Barber’s denaturalization decision made no mention whatsoever of Jewishness, drawing instead on the more common rhetoric of “assimilation.”

⁶⁸ There are two major exceptions to this rule: the department of Algeria, in which censuses distinguished the Jews and their descendants who became French in 1870 thanks to the Crémieux decree, and the departments of Alsace and Lorraine, where the question of religious affiliation continued to be raised between 1918 and 1962 owing to the Concordat system. For a comparison with the US census, see Paul Schor, *Counting Americans* (Oxford, 2017).

⁶⁹ See Nicolas Mariot and Claire Zalc, *Face à la persécution: 991 Juifs dans la Guerre* (Paris, 2010), 38–64.

⁷⁰ “Les évictions professionnelles sous Vichy,” special issue, *Archives juives* 41 (2008).

⁷¹ Baptiste Coulmont, *Sociologie des prénoms* (Paris, 2011).

⁷² Both first names are underlined.

⁷³ AN 1990875/275 art. 24118X32.

Onomastic stigmatization certainly predated the war, for antisemitism had already crystallized around Jewish-sounding names during the 1930s.⁷⁴ In invective combining xenophobia and antisemitism, members of the far right brandished names like banners that spoke for themselves. In the Chamber of Deputies in 1935, Xavier Vallat—a deputy from Ardèche who was an antisemitic Catholic on the far right—said that he was “highly struck by reading the names of those convicted or charged in the affair for which Alexander Stavisky and his band were tried in 1926.”⁷⁵ At the Paris Municipal Council, Arnaud Lanote,⁷⁶ a publicist and an elected official from the 2nd arrondissement, deplored the “disloyal competition” of those “uprooted from Germany and elsewhere, with the affinities of their race for everything having to do with trade.” In support of his claims, the speaker passed around a list of members of the trade union of leather goods manufacturers, adding that “all you have to do is scan this list: the names will enlighten you more than anything I could say.”⁷⁷ This method was also common among intellectuals. In 1938, Lucien Febvre advised Marc Bloch not to present his candidacy to succeed Célestin Bouglé, one of Émile Durkheim’s collaborators, as the director of the *École normale supérieure*: “While it isn’t a problem for me or for a few others, fewer and fewer, the onomastic problem does come up.”⁷⁸

Beginning in 1940, the question of family names spread not just in the press and among the far right but also as an administrative means of identifying individuals.⁷⁹ This practice reflected to some degree the ideological and intellectual antisemitism of Armand Bernardini, a professor of “Jewish onomastics” in 1943 at the Institute for the Study of Jewish and Ethno-Racial Affairs, which succeeded the Institute for the Study of Jewish Questions (IEQJ) that had been directed by

⁷⁴ Claire Zalc, “Trading on Origins: Signs and Windows of Foreign Shopkeepers,” *History Workshop Journal* 70 (2010): 133–51.

⁷⁵ The Stavisky affair, generated by the actions of the Russian Jew Alexandre Stavisky in 1934, caused an outbreak of antisemitism. See Ralph Schor, *L’antisémitisme en France dans l’entre-deux-guerres, prélude à Vichy* (Brussels, 1995), 96.

⁷⁶ See the obituary published in the *Bulletin Municipal Officiel de la Ville de Paris* 13, February 15, 1991, 257.

⁷⁷ Paris Municipal Council, *Procès Verbaux, 1938-2*, December 15, 461.

⁷⁸ Letter from Lucien Febvre to Marc Bloch, *Correspondance*, vol. 2 (Paris, 2003), 47. On December 5, 1938, Bloch responded: “My name is indeed Bloch. For some, that may be an objection. Yet I believe that I myself am entitled to take that objection, whatever its motive, into account today less than ever.” See André Burguière, *L’École des Annales: Une histoire intellectuelle* (Paris, 2006), 59–63.

⁷⁹ Laurent Joly has interpreted the shift from national norms specific to “republican” identification, on the one hand, to racial norms specific to identification by the French state or the Paris Prefecture of Police, on the other, as “a mental and practical shift arising from a kind of spontaneous sociology.” See Laurent Joly, *L’Antisémitisme de bureau: Enquête au coeur de la préfecture de police de Paris et du commissariat général aux questions juives (1940–1944)* (Paris, 2011), 48.

Bernardini's colleague Georges Montandon.⁸⁰ But this onomastic antisemitism was not merely a textual matter, an attitude expressed by published writers;⁸¹ it also reflected an everyday antisemitism that associated family and given names with ancestry. We should recall that the Nazis instituted the practice of requiring Jews to include uniform markers of identity in their names: following the German law of August 17, 1938, men had to update their personal records by systematically including the name "Israël," and women by adding the name "Sara."⁸² For the Commission for the Review of Naturalizations, onomastic discrimination was not based on any text; it was nevertheless practiced in a confined bureaucratic context, seeping in as a quick and easy way to select Jews from among the larger group of naturalized persons.

First and last names became frequently used indicators of Jewishness for commission reviewers. In 1942–43, when under German pressure there was talk of adopting a law to collectively denaturalize Jews, the method for identifying them was a subject of discussion in the Bureau of Seals. André Levadoux, deputy director of civil affairs and seals, suggested examining all decrees of withdrawal very closely, "in view of selecting the names of Jews included there."⁸³ When his immediate superior asked him on August 26, 1943, to provide estimates of the number of individuals who would be affected by the law, Levadoux declared that it was "absolutely impossible [to provide exact numbers] without proceeding to do research that would be excessively time-consuming," since "no element in the file makes it possible to assert or even to indicate with some certainty that the applicant was Jewish. Only family name or the given names of the concerned party would make it possible to presume his race."⁸⁴ Here again, an individual's name stood as an indication of Jewishness for this Vichy civil servant.

For all that, Levadoux estimated that the commission "had proposed to withdraw French nationality from 7,053 Jews . . . that it had delayed its decision regarding 1,200 files, or approximately 4,800 Jews, whose situation could not be studied at the present time owing to the circumstances."⁸⁵ Clearly, then, even while noting the approximate nature of his estimates, he used the means available to him for counting Jews: onomastic identification. Traces of this practice can be found in the files themselves. On each copy of the report mentioning

⁸⁰ See Alice Conklin, *In the Museum of Man: Race, Anthropology, and Empire in France, 1850–1950* (Ithaca, NY, 2013), 311–18.

⁸¹ Pierre-André Taguieff, ed., *L'antisémitisme de plume, 1940–1944* (Paris, 1999).

⁸² A list of supposedly Jewish first names was also prepared by Hans Globke, the Nazi administration's specialist in name changes, who served as an adviser to Konrad Adenauer during the 1950s.

⁸³ Note from July 8, 1943, addressed to the director of civil affairs of the Ministry of Justice, AN 19960100/1.

⁸⁴ Note addressed to the minister of justice, August 26, 1943, AN 19960100/1.

⁸⁵ Note dated August 26, 1943, AN 1190100/1.

a decree of nationality withdrawal, the word “Jew” is written at the top left in pencil; these notations were added after the fact in the late summer of 1943 when the Bureau of Seals was ordered to count the number of denaturalized Jews.

The method was easy to use, as last names were the first pieces of information that appeared in the naturalization files, and its use was consistent with the bureaucratic routine of denaturalization inquiries. However, onomastics did not serve as proof of Jewishness in judicial decisions issued between 1940 and 1944 with respect to belonging to the “Jewish race.”⁸⁶ In the spring of 1942, the appellate court of Aix noted that a family name itself could not be taken into account, in that the “the law attaches . . . to its form or etymology . . . no presumption of Semitism.”⁸⁷ The question also arose at the Ministry of Justice. What should be done with the naturalization request submitted by a woman “who bears a Jewish name—Rojsha Sznajdleder?”⁸⁸ And what of the wife of a prisoner of war still in captivity who asked to acquire her husband’s nationality, a man whose “family name and given names [and those] of his father and mother seem to indicate Jewish origins?”⁸⁹

Sometimes attributions were questioned. The Abram family of Grenoble was denaturalized on October 27, 1942, in all probability because the family name was similar to the given name “Abraham.” The family was of Italian origin, and no element in the file suggested they should be designated as “Jewish.”⁹⁰ The daughter of the family, Maria, wrote a letter of complaint to the Prefecture of Grenoble, indicating that she was stunned by the measure.⁹¹ The decision appeared to be incomprehensible even to the agent at the Grenoble prefecture, who added the comment “reasons unknown” when he registered the decision. The gradual transformation of onomastic antisemitism into routine bureaucratic practice took concrete form in denaturalizations. The initial absence of a legal definition for proof of Jewishness did not prevent identification; on the contrary, this lack of proof reinforced the commission’s discretionary power, although it also left room for contesting the attribution of Jewishness. As the category was clarified in texts and began to spread in administrative circles, “extralegal” practices of identification were concealed by reviewers.

In sum, the political logic on which the commission based its decisions to withdraw French nationality during its early implementation of the law of July 22,

⁸⁶ Philippe Fabre, “L’identité légale des Juifs sous Vichy: La contribution des juges,” *Labyrinthe* 7 (2000): 23–41.

⁸⁷ Judgment of May 12, 1942, in the case of Mademoiselle Weinthal, cited by Fabre, “L’identité légale,” 35.

⁸⁸ Request dated November 30, 1943, sent to the director of civil affairs of the Ministry of Justice, AN 19960100/1.

⁸⁹ Request dated November 30, 1943, sent to the director of civil affairs of the Ministry of Justice, AN 19960100/1.

⁹⁰ Archives Départementales de l’Isère (AD38), 129 M1.

⁹¹ AD38 129M1, Abram file, letter from November 16, 1942.

1940, conformed to new, highly politicized principles. The naturalization decisions made by the Popular Front were the first to be targeted, and Jews had to be denaturalized as a priority in the name of a “national interest” characterized by new reactionary and antisemitic values. The process of deducing an individual’s origin or race from first or last names had its roots in earlier periods: faced with the absence of population records indicating origin, along with the ban on religious declarations in administrative forms under the secularist policies of the Third Republic, names became the primary indicator for singling out Jews. The vagueness, imprecision, and approximation of these attributions, reflecting the political logic of an administrative antisemitism backed up by discretionary power, made it possible to cast a wide net. Still, there is evidence that the political objectives characteristic of the commission’s early operations became less influential.

THE EFFECTS OF BUREAUCRATIC RATIONALIZATION

As of June 1, 1941, the commission had held 294 sessions, during which over a thousand withdrawal decisions were issued.⁹² This figure is well below the number of files examined, which came to roughly one hundred per session.⁹³ After a few weeks of meetings, the enormous scope of the task became clearer. In order to keep up the pace and make review procedures more efficient, the order and logic of the process was modified. Bureaucratic rationality prevailed over the political logic that had initially guided the commission’s reviewers. Scientific organization of the work—an approach well known in the industrial world during the first half of the twentieth century—was introduced in the commission’s headquarters on the rue Scribe in Paris. In March 1944, an investigative report estimated that 269,450 files had been examined by the commission, corresponding to 650,687 individuals.⁹⁴ By June 30, 1944, the commission had apparently examined 278,967 dossiers.⁹⁵

The law of July 22, 1940, had disrupted the operations of the Bureau of Seals and had brought about a deterioration in material working conditions: the premises were cramped and gloomy, the equipment rudimentary. “The magistrates were crammed together in groups of 7 or 8 in dark rooms, and they did not have a single piece of furniture that could be locked with a key. . . . It wasn’t unusual

⁹² Exactly 1,058, according to Maupas; see *La nouvelle législation*, 30.

⁹³ In August 1943, the deputy director of seals indicated that the commission had already held “1,127 sessions, and that in each session the number of files examined varied between 1,169 and 100.” This is obviously a misprint: the intended number in all probability was “between 69 and 100.” Note addressed to the minister of justice from August 26, 1943, AN 19960100/1.

⁹⁴ An average of 2.4 individuals per file; Dautet report, p. 42, AN BB/11/1741.

⁹⁵ Note dated September 8, 1944, addressed to the director of civil affairs and seals, Ministry of Justice, p. 1, AN BB/11/1741.

TABLE I
 WITHDRAWALS OF NATURALIZATION BY THE COMMISSION
 FOR THE REVIEW OF NATURALIZATIONS, 1940–43

Date	No. of Withdrawals	Percentage
1940	1,166	8.1
1941	6,625	45.8
1942	4,251	29.4
1943	2,432	16.8
Total	14,474	100.0

SOURCE.—AN, BASE DÉNAT. The dates refer to the decisions of the commission, not to the decrees. This database, created by the French National Archives from a file discovered in 2012, brings together the records of withdrawals of French nationality (BB/27/1422 to 1445). It has 15,096 entries, but only 14,153 that clearly mention a date of the commission's decision. I have added withdrawals for which the decree was issued in 1940 since in these cases the decisions were, by definition, made in that year, yielding a total of 14,474.

for the high officials who showed up frequently at the rue Scribe to express astonishment at the situation.”⁹⁶ The Bureau of Seals had only one telephone line. Files were stored on the ground floor, but the offices were on the fifth floor, and there were no working elevators. The procedures were redefined, rationalized, and divided into segments, leading to changes in staff. The new division of labor was accompanied by a reduction in skill levels in the bureau: the number of judges decreased markedly between 1939 and 1943 (from 42 to 25) and stabilized at 35 in 1944, while the number of staff members doubled between 1939 and 1944, increasing from 41 to 82.⁹⁷ The more than 40 percent increase in overall staff numbers between 1943 and 1944 was also a result of German and Vichy pressure on the Bureau in 1943 to accelerate the commission's activity.

Rationalizing the procedures also altered the decision-making methods. In the early stages, the commission manifested increasing severity. The first four months of work (September–December 1940) resulted in 1,166 withdrawal decisions, or 291 per month on average. During the sessions held in 1941, 6,625 withdrawal decisions were issued, an average of 552 per month. The pace slowed noticeably during the sessions held in 1942 (354 withdrawal decisions per month on average) and 1943 (202 per month; see table 1).

⁹⁶ Unsigned note dated May 24, 1944, p. 5, AN BB/11/1741.

⁹⁷ The trend increased immediately after the war, as on January 1, 1945, the services of the rue Scribe counted 38 judges, in addition to 105 agents, 20 typists (all women), 53 secretaries, and 3 office security guards (AN BB/11/1741). On the gender effects of the rationalization of work, see Sharon Hartman Strom, “‘Light Manufacturing’: The Feminization of American Office Work, 1900–1930,” *Industrial and Labor Relations Review* 43, no. 1 (1989): 53–71.

The commission's activity does not follow the prevailing chronology of state collaboration observed in the Vichy regime, which accelerated especially with the return of Pierre Laval, who was appointed head of the government on April 18, 1942. With regard to denaturalizations, the winds were blowing in the opposite direction, as more than half of all decisions to withdraw were made between September 1940 and December 1941. The pace of withdrawals later decreased, although this in no way signifies a reduction in commission activity. Quite the contrary: the number of files examined per year increased considerably over the period from 1940 to 1943, a trend reflected in our own sample (table 2).

The bureaucratizing of the denaturalization policy was accompanied by fragmentation of the decision-making process. When there was the slightest doubt, the commission asked prefectural agents, the Ministry of the Interior, the Ministry of War, or other state offices for additional information. Decisions were deferred in nearly 40 percent of preliminary examinations of files in 1942 and 1943 through requests for investigations. Conversely, decisions to withdraw nationality during the initial proceedings came to a halt (see table 2). The standardization of tasks was accompanied by a relinquishment of responsibility on the commission's part, and it also resulted in longer processing times. The median time between a withdrawal decision made in a session and the issuing of the decree was 167 days over the entire period; it extended from 141 days in 1941 to 199 days in 1943 (see table 3).

The ethnographic approach applied at the level of the files themselves made it possible to observe the time frames of decision making with respect to procedures, file transfers, the creation of lists, and the preparation of decrees. The rhythms of the administrative procedures did not always correlate with political developments. Abraham Epstein's file was presented for the first time by the reviewer Maurice Darras before the third subcommission on March 11, 1941.

TABLE 2
DECISIONS OF THE COMMISSION FOR THE REVIEW OF NATURALIZATIONS ISSUED
DURING THE FIRST EXAMINATION, BY YEAR (1940-43)

	Investigation (%)	Maintain (%)	Withdraw (%)	Unknown Decision (%)	Total
1940	0	50	50	0	16
1941	29	50	20	2	66
1942	39	60	0	1	100
1943	37	63	0	0	306

SOURCE.—Sample of 488 files opened by the commission. The chi-squared test (also denoted χ^2 test) was used to determine whether there is a statistically significant difference between the expected frequencies and the observed frequencies of this contingency table, and it shows that the probability that the date of the review and the decision of the commission are independent is less than 1 percent.

TABLE 3
NUMBER OF DAYS BETWEEN THE WITHDRAWAL
DECISION AND THE DECREE (1940–43)

	Median	Average
1940	151	182
1941	141	162
1942	188	225
1943	199	202
Average	167	190

SOURCE.—AN, BASE DÉNAT. These figures represent 13,995 cases of denaturalization for which the date of the commission's decision and the date of the published decree are both known.

Epstein, a Russian hotel manager living in Juan-les-Pins, had been naturalized in 1935. The commission decided to request “general and military information” on his case.⁹⁸ The file was examined again on August 21, 1941, and this time the commission sought further information on his family and more details regarding his military service.⁹⁹ On February 10, 1942, on its third appearance at a sub-commission session, the file was forwarded to the plenary commission, which ordered yet another inquiry on February 21, 1942. The decision to withdraw nationality was finally made during the session of November 14, 1942, and the decree, which was dated April 24, 1943, was published on May 2, 1943.¹⁰⁰ The file's preliminary proceedings had taken more than two years. With an increase in the number of inquiries, such cases became more and more numerous, while the bureaucratization of decision making brought slower procedures, as, with rare exceptions, withdrawal decisions were no longer issued in initial proceedings. After examining the file in a subcommission session, if the reviewer proposed denaturalization, an inquiry was ordered to obtain more information regarding the individual. As a result, the choice was no longer between a decision to “withdraw” or to “maintain,” but instead between a decision to investigate or to maintain the individual's French nationality.

Under the altered bureaucratic procedures, the earlier categories of evaluation in effect during naturalization procedures came back into fashion; they tended to include the notion of worthiness for nationality, in which Jewishness had served as one of the underlying criteria leading to negative decisions. Under Vichy, this notion was couched in the Republican language of “national interest,” or in categories presumed to indicate degrees of “assimilability,” such as profession or country of origin.

⁹⁸ AN 19770886/49 art. 18524X35.

⁹⁹ On the role of military service, see Zalc, *Denaturalized*, 177–84.

¹⁰⁰ AN BB/27/1428.

PROXIES FOR ASSIMILABILITY

The notion of assimilation came into play as a key political concept in France during the last third of the nineteenth century. While I shall not revisit here the controversial genealogy of the notion as explored by historians such as Michelet, sociologists such as Durkheim, and, later, the politicians of the Third Republic, it is useful to note the extent to which the concept was used to describe colonial and foreign populations. Defined as a quasi-anthropophagic process in which one living being absorbs another, it was characteristic of an ethnocentric vision: the differences marking indigenous populations and foreigners were destined to disappear upon contact with the French nation.¹⁰¹ The process was seen as being unequivocal and positive; French society was the initiator, and successful assimilation was to the credit of the Republic and its institutions (the army, schools, and so on), while failure was ascribed to the original differences of populations deemed too distant from the French. The notion of assimilation was used to justify classifications in which specific “mentalities” were attributed to various populations based on their origin. These “ethnic” analyses of the social world were widespread in France during the first half of the twentieth century, and they were not the sole prerogative of racist thinkers.¹⁰² Assimilationist theses were shared by most immigration experts, above all by the highly influential geographer Georges Mauco, but also for example by the demographer Alfred Sauvy, whose influence at the highest levels of the Republican administration in the late 1930s has been demonstrated.¹⁰³

Ranking foreign populations according to their supposed assimilability was practiced as a matter of course by French administrative personnel. In 1944, for example, Review Commission president Roussel presented the hierarchy of origins that guided the commission’s “jurisprudence.” Atop the pyramid were naturalized persons “from countries of similar culture and civilization whether bordering France or not”; next were those “from countries considerably different from ours in overall culture, habits, and customs.” The third category included foreigners “from all countries across the world.” Finally, in fourth position, there was

¹⁰¹ Emmanuelle Saada, *Empire’s Children: Race, Filiation and Citizenship in the French Colonies* (Chicago, 2012); Carole Reynaud-Paligot, *La République raciale, 1860–1930* (Paris, 2006).

¹⁰² Lewis, *Boundaries*; Saada, *Empire’s Children*.

¹⁰³ See Patrick Weil, “Georges Mauco: Un itinéraire camouflé, ethnoracisme pratique et antisémitisme fielleux,” in *L’Antisémitisme de plume 1940–1944, études et documents*, ed. Pierre-André Taguieff (Paris, 1999), 267–76; Paul-André Rosental, *L’Intelligence démographique: Sciences et politiques des populations en France (1930–1960)* (Paris, 2003).

TABLE 4
 TYPES OF DECISIONS PER COUNTRY OF BIRTH OF THE HEAD OF HOUSEHOLD (1940–43)

Decision of the Commission	Maintain	Investigation	Withdraw	Total
France	19	5		24
Belgium	18	3		21
Northern Europe (Germany, Austria, Luxemburg)	22	10		32
Italy	161	59	3	223
Southern Europe (Spain, Greece, Portugal, Monaco)	36	9	1	46
Eastern Europe (Bulgaria-Romania- Poland-Russia-Hungary- Czechoslovakia)	19	63	13	95
America	2	1		3
Africa	10	9		19
Asia (including Ottoman Empire)	2	11	4	17
Total	289 (65%)	170 (35%)	21 (5%)	480

SOURCE.—Sample of 480 files examined by the commission in which the country of origin is clearly indicated for the head of household. Bold numbers indicate statistically significant differences.

a last and very important last category of naturalized persons that has presented the most serious difficulties: . . . refugees. The wars, revolutions, and social unrest that shook the world before 1939 drove many individuals out of their countries. Most of the nations of Europe have pushed these emigrants away. The generous traditions of France made it a duty to welcome them; but it seems that in many cases we have gone further, and have too readily opened up access to French nationality to people whose mentality and culture were very remote from ours—especially people from the countries of Eastern Europe (Russians, Hungarians, Czechs, Poles) or even the Orient (Levantines, Syrians, etc.).¹⁰⁴

Geographic proximity was thus equated with a “cultural” proximity that served as a positive sign of assimilability. This ranking based on country of origin supported the antisemitic orthodoxy according to which Jews were unassimilable. In statistics one would speak of a “proxy” variable, one that is closely correlated with another variable and can stand in for a phenomenon that is difficult to observe or measure.

In their review of naturalizations, commission members used nationality of origin and/or country of birth as indicators for the potential to assimilate. In the sample I studied, for naturalized couples in which the head of household was born in France, decisions to maintain nationality were clearly in the majority (19 out of 24; table 4). Similarly, naturalized individuals of Belgian origin maintained their nationality in 18 cases out of 21, as opposed to 2 out of 17 for those originally from Asia. For naturalized individuals from Eastern Europe,

¹⁰⁴ Roussel, defense memoir, pp. 6–7, Fall 1944, AN BB/30/1840.

two-thirds were objects of inquiries, and 13 percent had their nationality withdrawn immediately. Distrust of this sort had no equivalent in the practices of agents before the war: four-fifths of all files submitted by Eastern Europeans led to favorable decisions, comparable to the average proportion for Belgians.¹⁰⁵ The situation changed under Vichy, as Jews were associated with Eastern Europeans and vice versa.¹⁰⁶ In a volume devoted to naturalizations in France published in 1942 by the office of public statistics, the statistician Pierre Depoid commented on the influence of national origin in the first statistics available on withdrawals of nationality. For him, “nationality is preferably withdrawn from individuals from distant countries, for whom assimilation is difficult,” citing as proof the example of Romanians, who “include a significant portion of Israelites.”¹⁰⁷ No numbers were provided as support; the remark was a vague estimate tinged with a certain everyday antisemitism. Under Vichy, the notion of assimilability was associated with national rankings, as before, but it now included a substantial degree of administrative antisemitism, crudely half-hidden behind the preexisting categories of administrative evaluation deployed in the Bureau of Seals. The same was true of socioeconomic criteria.

The applicants’ professions were systematically indicated in the files and automatically included on the evaluation sheets prepared by reviewing judges. While the criterion of profession was not officially taken into account in the naturalization process, in practice it unquestionably played a key role. As Patrick Weil has shown regarding the interwar period, “having a rural occupation might allow someone to escape the veto that applied to people seeking exemption from military service; conversely, candidates in business or invested in a financial enterprise could find their applications deferred if the tax information they supplied was unsatisfactory.”¹⁰⁸ A foreigner who applied for naturalization in France in the 1930s had every reason to conceal his status as a “shopkeeper.” Rejections indeed increased for artisans and shopkeepers, who presented “no interest from the perspective of the national economy.” While professional status had no legal value as a criterion of distinction, it became a useful means of differentiating between “good” and “bad” immigrants.¹⁰⁹

¹⁰⁵ In a sample consisting of 625 naturalization request files registered between 1927 and 1939, the average success rate was 84 percent. Italians were the most highly favored group, with a success rate of 93 percent.

¹⁰⁶ See Caron, *Uneasy Asylum*.

¹⁰⁷ Pierre Depoid, *Études démographiques*, no. 3, *Les naturalisations en France (1870–1940)* (Paris, 1942), 58.

¹⁰⁸ Weil, *How to Be French*, 82.

¹⁰⁹ Claire Zalc, “Élite de façade et mirages de l’indépendance: Les petits entrepreneurs étrangers en France dans l’entre-deux-guerres,” *Historical Reflections* 36 (2010): 94–112.

This practice maintained the classifications associating national origin and profession that had been applied during the initial naturalization reviews and that continued uninterrupted from the late 1930s to the 1950s.¹¹⁰ In Mauco's writings, economic arguments, social considerations, and ethnic explanations combined in a rhetoric that fleshed out the distinction between "good" and "bad" immigrants.¹¹¹ The ethnic question was grafted onto arguments that professional qualifications made some immigrants more "assimilable" than others, in a shortcut that was widespread during the first half of the twentieth century. The hierarchical classification of foreign populations according to their supposed capacity to assimilate was reinforced by the context of economic crisis. In February 1939, Georges Mauco presented to the High Committee on Population the bottom line of the naturalization policy that had been followed since the end of the war, and he expressed with clarity the policy's scale of values relating to foreigners' professions. He thus placed at the top of the pyramid foreign "workers" and rural residents, whose "unsophisticated" character was considered a token of good "assimilability."¹¹²

Roussel, the commission president, explained quite clearly that the first, most desirable category, that of naturalized persons "from countries of similar culture and civilization, whether bordering on France or not," consisted of those who performed "useful trades (farmers, masons, stove fitters), and thus filled the gaps in the workforce resulting from our decreased birth rate and the exodus of the French toward cities." The second included "workers needed for our economy, recruited officially through work contracts (miners, factory workers, farm workers) but who come from countries very different from ours in terms of general culture, behavior, and customs." The third covered "foreigners from across the globe who have come of their own will to France to continue their studies, practice an art, set up an industry or a business, or represent foreign firms." According to Roussel, this last category warranted particular scrutiny, "taking into account the morals, conduct, family background, and social utility of each individual involved."¹¹³

The "national interest" was generally gauged on the basis of profession; the commission rejected "dubious elements or those who, exercising an already very crowded profession, were bringing in competition dangerous for our compatriots and compromising legitimate French interests; this was the case most notably for

¹¹⁰ Spire, *L'administration de l'immigration*; Paul-André Rosental, *L'intelligence démographique* (Paris, 2003); Greg Burgess, "The Demographers' Moment: Georges Mauco, Immigration, and Selection in Liberation France, 1945–1946," *French History and Civilization* 4 (2011): 167–77.

¹¹¹ Georges Mauco, *Les étrangers en France: Leur rôle dans l'activité économique* (Paris, 1932).

¹¹² Cited in Weil, *How to Be French*, 83.

¹¹³ Roussel, defense memoir, pp. 6–7, Fall 1944, AN BB/30/1840.

certain practitioners of liberal professions (such as doctors or dentists)."¹¹⁴ Roussel's claim is borne out empirically in the files through evidence of systematic suspicion directed toward naturalized doctors.

An individual's profession thus came to be viewed as a proxy for morality and fidelity: "manual laborers in useful trades offered guarantees of honesty and loyalty," whereas "the unworthy, those who, having rendered no service, practiced trades with no social utility and often presented certain dangers (junk dealers, peddlers, hustlers, bartenders, etc.), or who were employed in already-crowded professions (tailors, hairdressers, etc.)."¹¹⁵ Roussel's views were backed up by his immediate supervisor, Joseph Barthélemy, who served as minister of justice from January 1941 to March 1943, and who expressed the desire to denaturalize peddlers of secondhand goods as a priority, his remarks betraying a disdain tinged with distrust and antisemitism: "At the time of the great scare in June [1936], in my modest mayor's office I watched a veritable horde arrive, speaking I don't know what Oriental gibberish, screeching, demanding, and they would even have taken over altogether if I had allowed it, all puffed up with a global naturalization acquired just a few months before. They were rag-pickers from Saint-Ouen [a flea market]. I ask you, what interest can France have in taking on a battalion of junk dealers?"¹¹⁶

Professional status was clearly a discriminating factor during the naturalization review procedures. French nationality was maintained for more than four out of five farmers (table 5), reflecting the agrarian orientations of the French. Laborers also enjoyed a certain goodwill, as in two out of every three instances their French nationality was maintained.

In contrast, independent professions were subject to great suspicion, in keeping with the press campaigns of the 1930s against "unfair competition" by foreign artisans and shopkeepers.¹¹⁷ Étienne Gullier, a dealer in collectible postage stamps in Marseille who was born in Constantinople in 1901, was denaturalized on November 1, 1940. After Gullier challenged the decision, the commission justified it for professional reasons, proclaiming that "French nationality should be withdrawn from Gullier Étienne given that he practiced a profession without interest for the collectivity."¹¹⁸ Tailors were also targeted,¹¹⁹ in keeping with the common antisemitic presupposition that associated tailoring with Jewish

¹¹⁴ Roussel, defense memoir, p. 7, Fall 1944, AN BB/30/1840.

¹¹⁵ Roussel, defense memoir, p. 7, Fall 1944, AN BB/30/1840.

¹¹⁶ "Préface à une enquête sur la législation française sous le Gouvernement du Maréchal," *L'Information juridique*, Madrid, April 1, 1941, cited by Maupas, *La nouvelle législation*, 24.

¹¹⁷ Claire Zalc, *Melting Shops: Une histoire des commerçants étrangers en France* (Paris, 2010), 196–232; Caron, *Uneasy Asylum*.

¹¹⁸ The commission also criticized him for being single: AN 1970889/169 art. 16536X1936.

¹¹⁹ In the sample gathered, only 3 of 19 had their nationality maintained after examination by the commission.

TABLE 5
 TYPES OF DECISIONS PER PROFESSION OF THE HEAD OF HOUSEHOLD (1940–43)

	Investigation	Maintain	Withdraw	Total
Agricultural worker	15	17		32
Farmer	4	27		31
Laborer	61	127	4	192
Driver	9	10		19
Foreman	2	6		8
Employee	9	17	1	27
Intellectual profession	5	6	4	15
Tailor	13	3	3	19
Artisan-shopkeeper	43	41	8	92
Miscellaneous	5	9		14
No profession	3	9		12
Total	169	272	20	461

SOURCE.—Sample of 461 files examined by the commission in which the profession of the head of household is clearly indicated. Bold numbers indicate statistically significant differences.

immigration.¹²⁰ Professional characterization became established as a euphemized form of antisemitic identification. The rhetorical shifts in the justifications given for withdrawals transitioned from “Israelites of no national interest” in the fall of 1940 to “uninteresting professions” in the spring of 1941.

The implementation of antisemitic legislation and with it the elaboration of a legal definition of a “Jew”—and later the establishment of antisemitic laws through the Office of the High Commissioner on Jewish Affairs, whose representative held a seat on the commission beginning in May 1941—paradoxically offer an explanation for this change in justifications. It was as though the legal formalization of the category “Jew” and the disadvantages that move entailed led to a silencing or a veiling of racial attribution through the use of administrative language to hide the fact that the commission’s attributions did not necessarily correspond to the criteria defined by the statutes on the Jews. Richard and Lejb Abramovicz were both deemed “Israelites” by the commission in its decision to withdraw their nationality after their cases were examined in the fall of 1940.¹²¹ Idel Abramovicz, an itinerant Parisian merchant who was born in Odessa in 1895 and whose file was examined by the first subcommittee on June 26, 1941, was also subjected to nationality withdrawal, along with his entire family. The same name, the same verdict, but this time the note in the file simply states

¹²⁰ Nancy L. Green, *The Pletzl of Paris: Jewish Immigrant Workers in the Belle Epoque* (New York, 1986), 147, 152–53, and Green, *Ready-to-Wear and Ready-to-Work: A Century of Industry and Immigrants in Paris and New York* (Durham, NC, 1997), 189–92. For England, see David Feldman, *Englishmen and Jews: Social Relations and Political Culture, 1840–1914* (New Haven, CT, 1994), 185ff.

¹²¹ AN 19770873/107 art. 17710X31.

“uninteresting profession.”¹²² Economic designations stemmed in large part from antisemitic stigmatization. The details regarding “particularly crowded professions” in industry, crafts, and trade unquestionably targeted sectors of activity associated in the public imagination with Jews.¹²³

In keeping with the same logic, the commission’s decisions show pronounced suspicion of naturalized persons in intellectual and liberal professions. The file of an investigative sports journalist who was born in Chile in 1895 and naturalized French in 1929 was forwarded for investigation in April 1943. Still, the medical profession was stigmatized above all others. Three medical students? Two withdrawals, one inquiry. Three doctors? Two withdrawals, one inquiry. Here we can recognize the administrative internalization of the persistent press campaigns against foreign doctors during the preceding years.¹²⁴ The xenophobic backlash was especially virulent among the liberal professions owing to the crisis of the 1930s. Doctors and lawyers mobilized in large numbers to call for measures against foreigners and naturalized persons intending to practice their professions. Politicians met these demands with sympathetic ears: the Armbruster law of April 21, 1933, reserved the practices of medicine and dental surgery to individuals of French nationality who held French doctoral degrees. The law of July 26, 1935, added a series of “staggered ineligibilities” for naturalized individuals who planned to become doctors; these measures were designed to delay the entry into the profession of naturalized doctors who had not completed their military service, even for reasons of health, sex, or age. It was difficult in any case for doctors and medical students to obtain naturalization decrees during the 1930s. “I am led to note that many foreign medical students are seeking naturalization in order to be able to practice in France. Although they may be the object of favorable information and may be good elements, would it not be in the interest of our own nationals to be circumspect in naturalizations of this type?” This question was raised by a police commissioner in February 1934 regarding the case of Osjacz Steiner, a Polish medical student whose request was eventually denied.¹²⁵

Medicine was a central issue for the Vichy regime. The law of August 16, 1940, reserved the profession to individuals “who were original holders of French nationality, being born of a French father.” The second statute on Jews on June 2, 1941, established a *numerus clausus* of 2 percent for Jewish doctors (as for those in other liberal professions), without regard to their nationality. Then the law of November 22, 1941, excluded all individuals not “born of a French father” from

¹²² AN BB/11/11326 art. 80614X28.

¹²³ Caron, *Uneasy Asylum*.

¹²⁴ Julie Fette, *Exclusions: Practicing Prejudice in French Law and Medicine, 1920–1945* (Ithaca, NY, 2012).

¹²⁵ AN 1970889/169 art. 16568X36.

the professions of doctor, dental surgeon, and pharmacist.¹²⁶ In November 1940, Serge Huart, Vichy's secretary general of health since July 18, 1940, confirmed in *Les Cahiers de la santé publique* that "the question of foreign doctors will be quickly settled by the commission set up to review naturalizations."¹²⁷ And the commission's practice conformed to this policy: in a sample of six doctors, four immediately lost their nationality, while two others were subject to inquiries.¹²⁸ "Doctor in medicine nat without national interest" was the formula noted by the judge in the decision on David Rubin's case, examined during the session held on October 5, 1940.¹²⁹ The withdrawal of Tomel Albrecht's nationality was justified in the same way: "His naturalization did not present enough national interest, and furthermore he exercised the particularly crowded profession of medical doctor."¹³⁰ The justifications drew directly on the polemics of the 1930s against naturalized individuals that invoked overcrowded professions. Powerful pressure groups (chambers of commerce, associations of legal or medical professionals) pushed for limitations on citizenship, as Vicky Caron has shown.¹³¹ In 1938 and 1939, the xenophobic mobilization of the independent middle classes focused on these "scandalous naturalizations."¹³² Increasing portions of the public had come to view naturalized persons as second-class citizens. The commission's decisions thus showed a certain continuity not only with the rhetoric but also with the administrative practices of the 1930s.

Nevertheless, some criteria that had previously been major factors in naturalization decisions were no longer relevant. In the 1930s, military considerations, such as an applicant's potential for military service, or his having sons of (or close to) military age, had played a key role;¹³³ now, they did not count. Especially during the first months of the commission's operation, many men who had been called up as nationals and had served in the French army during the 1939–40 campaign saw their nationality withdrawn. Certain cases began to arise, however,

¹²⁶ AN 19960100/1, and Henri Nahum, "L'éviction des médecins juifs dans la France de Vichy," *Archives Juives* 41 (2008): 41–58.

¹²⁷ *Les Cahiers de la santé publique: Hygiène publique. Hygiène et médecine sociale* (November 1940), 169.

¹²⁸ One of these also resulted in a withdrawal; we have no information about the other.

¹²⁹ AN 19770884/257 art. 37371X34.

¹³⁰ AN 1970889/169 art. 16567X36.

¹³¹ Vicki Caron, "French Public Opinion and the 'Jewish Question,' 1930–1942: The Role of Middle-Class Professional Organizations," in *Nazi Europe and the Final Solution*, ed. David Bankier and Israel Gutman (Jerusalem, 2003), 374–410, and Caron, "The Antisemitic Revival in France in the 1930s: The Socioeconomic Dimension Reconsidered," *Journal of Modern History* 70, no. 1 (1998): 24–73.

¹³² Zalc, *Melting Shops*, 214–17.

¹³³ On this subject, see Mary D. Lewis, *The Boundaries of the Republic*, and Caron, *Uneasy Asylum*, 223–27, 287, 297–98.

that posed problems for the Vichy authorities, cases for example in which a person whose nationality had been withdrawn turned out to be a French prisoner of war held in Germany. From 1941 on, it became mandatory to check the military service status of naturalized individuals under review in order to avoid such awkward situations.

To sum up, one can observe continuity in the Review Commission's use of profession and origin as proxies for being a "good" or a "bad" foreigner. Nevertheless, the text of the July 22, 1940, law allowed the commission to go significantly further. Given that the administrative files dating from the Third Republic were most often silent with regard to ethnic, racial, or religious categorization, commission members had to rely on other criteria to determine Jewishness. In addition to profession and origin, these criteria included new ones such as allegedly Jewish names.

THE DETERMINING FACTORS IN DECISION MAKING

The attempt to identify the various criteria that came into play in denaturalization decisions has made it clear that the variables studied did not all have uniform impact. A sample of files can be used to model the specific effect of a particular characteristic of a naturalized person—country of origin, profession, conjugal status, file examination methods (subcommission number, date of review, and so on)—in an effort to understand which factor, all else being equal, had the most impact on decisions to maintain or withdraw French nationality. (The model, realized with Pierre Mercklé, is reproduced as an online appendix to this article.) This effort can help us determine whether the criteria on which such decisions were based were the ones officially acknowledged by the commission, or whether other criteria were more influential in practice without being publicly acknowledged.¹³⁴

The model, known as logistic regression, reveals two highly explanatory variables, all else being equal: first, the birthplace of the head of household, which was particularly determinative in decisions; second, and more surprising, the identity of the judge charged with reporting on the file. Other variables can be considered as having little or no significant impact, all else being equal, although they sometimes had a direct and isolable impact, as we saw with the criterion "profession."

First, all else being equal, the country of origin was one of the most significant criteria in the decisions made by the Commission for the Review of

¹³⁴ It is clearly impossible to include the criterion "Jew" in this model, because it does not appear as such in the files. These attributions were the result of a series including onomastic, professional, national, and other criteria: they appear only rarely in the files, and then only in cases of withdrawal.

Naturalizations. Naturalized heads of household who were born in Asia Minor were thirty-one times less likely to obtain maintenance of nationality than those born in Italy, and those originally from Eastern Europe were sixteen times less likely. Discrimination against these two origins is very clear, and both were used as indicators for singling out Jews from Constantinople or Eastern Europe. Interestingly, individuals born in France were three times more likely than people from elsewhere to have their nationality maintained.¹³⁵

More surprising is the second effect, which appears very clearly in this model: the identity of the judge. In fact, all else being equal, the chance of obtaining a decision maintaining nationality varied quite significantly according to the judge examining the file. Similar results were found in a study of judges' sentencing decisions in the People's Court in Nazi Germany from 1933 to 1939.¹³⁶ In the case of the Review Commission, the risks varied significantly depending on who was examining the file. The impact was general: in other words, the particular characteristics of individual judges played a statistically significant role. Upon detailed observation, two of the commission's reviewers stand out in their leniency and in their activity: these two issued significantly more decisions in favor of maintenance. Pierre Sire issued decisions to maintain nationality 90 percent of the time, and the files he examined were twenty-four times more likely to be granted maintenance than the files examined by judge Henri Berthelemot. Albert Vielledent issued a decision to maintain 93 percent of the time; all else being equal, the cases he reviewed were nineteen times more likely than those reviewed by Berthelemot to receive favorable decisions. In contrast, Nicolas Moussard issued decisions of maintenance only 23 percent of the time. Variations in attitude were not simply substantial, but absolutely decisive. Thus one of the central results of this modeling is to show the impact of the reviewer, all other things being equal, on the ultimate decision made by the Review Commission.

COLLABORATION OR BACKSTAGE RESISTANCE?

The three reviewers that stand out most clearly in their attitudes are markedly different from one another in their career paths. On the side of extreme severity

¹³⁵ These were by and large women who regained the French nationality they had lost before 1927 upon marrying a foreigner, or children who acquired nationality through parental declaration.

¹³⁶ Wayne Geerling, Gary B. Magee, and Russell Smyth, "Sentencing, Judicial Discretion, and Political Prisoners in Pre-War Germany," *Journal of Interdisciplinary History* 46 (2016): 517–42. The authors used regression on a sample of 1,114 individuals to model sentences in cases of high treason. They found that some judges were significantly more likely to sentence defendants to jail than to a high-security prison, whereas others were more likely to sentence defendants to death. They concluded that "judicial autonomy can sit, at least for a while, side by side with dictatorship."

was Nicolas Moussard, who was born in 1866 in Bône, in the department of Constantine. He was one of only two judges working for the Commission for the Review of Naturalizations who was born in Algeria, and the only one who spent the bulk of his career in the colonial empire. After a series of posts as judge in isolated areas of Algeria, he was appointed as deputy judge in Constantine in 1899. Later, he served in Tunisia and then Morocco, where he was made a knight of the French Legion of Honor in 1925.¹³⁷ Then, after more than thirty years in colonies and protectorates, Moussard was appointed to the Paris Court of Appeals in 1931; he retired in 1934 but was later recalled to conduct investigations for the commission.¹³⁸ His career path sharply distinguished him from the other investigators: in the colonial settings where he had practiced he formed categories of judgment that bore little resemblance to the bureaucratic *savoir-faire* of judges who had been employed for part or all of their careers in the naturalization service or in other divisions of the Bureau of Seals.

Unlike Moussard, at first glance Pierre Sire had the typical profile of a bureaucratic judge, much like those who constituted the large majority of commission appointees, as we have seen. Born in Pas-de-Calais in 1889, this son of a high school teacher held a bachelor's degree in law. He began his career at the age of 27 as an intern at the Ministry of Justice during the First World War. He became a permanent employee in March 1919 and successively held the position of drafter (1920–24), senior drafter (1924–30), and assistant bureau chief (1930–35). He became bureau chief in October 1935, then left the ministry in October 1936 to serve as judge in the Seine department. This last appointment appears to have been a promotion, as a few months earlier, in April 1936, Sire had been made a knight of the Legion of Honor. He requested that Pierre Brack, who at the time was the director of civil affairs and seals, “give him the accolade” at a ceremony held on April 29, 1936. There was clearly a connection between the two men.¹³⁹ As we have seen, Pierre Brack left his post as director of civil affairs and seals in the fall of 1940 and joined the Resistance. “His judge’s office was not only a meeting place but also a repository for documents. Because ‘he had a *peaceful* look,’ . . . he was tasked many times with transmitting secret messages destined for London to clandestine radio stations as far away as l’Oise.”¹⁴⁰ Apart

¹³⁷ AN, Legion of Honor file, LH/1957/39.

¹³⁸ We do not know on what date he was appointed, but his name appears in files beginning in January 1943.

¹³⁹ In a letter dated March 27, 1937, Pierre Sire himself communicated “the name of the delegate whom [he] designated to receive [him]: Mr Brack, officer of the Legion of Honor.” AN 1980035/977/13181.

¹⁴⁰ Obituary delivered in October 1954 by Antonin Besson, public prosecutor at the Cour de cassation, during the court’s opening hearing: https://www.courdecassation.fr/evenements_23/audiences_solennelles_59/debut_annee_60/annees_1950_3336/octobre_1954_10489.html.

from his connection to Brack, nothing supports the assumption that Pierre Sire belonged to a resistance network. Still, one did not need a network to engage in practices intended to slow the pace of denaturalizations.

The case of judge Albert Vielledent was even more remarkable. Like Sire, he was highly educated, and he began his career in some of the most prestigious sites of French intellectual education: after completing courses at l'École pratique des hautes études in 1918–19, he joined l'École nationale des Chartes, the preeminent school for training French archivists.¹⁴¹ While Sire was the son of a high school professor, Vielledent had a taste for history and sociology that he developed in parallel with his career as judge. Indeed, even after entering the judiciary in 1930, he did not abandon his intellectual activities. In 1933, he served as director of the *Revue des provinces de France*, a literary journal published in his native Lozère.¹⁴² He was especially drawn to the social sciences, demonstrating his enthusiasm for sociology by transcribing a course taught by Paul Fauconnet called “Legal and Moral Institutions, the Family: A Sociological Study”; the text was published in 1933. The Dreyfusard Paul Fauconnet was a contributor to *L'Année sociologique* and taught at the Faculté des lettres in Paris; starting in 1932, he developed a series of sociological analyses of penal responsibility from a Durkheimian perspective. Vielledent also published “The Major Movements of Social Economy in France,” a volume of notes on a course taught by Célestin Bouglé, one of Durkheim's collaborators.¹⁴³ Judge Vielledent was thus a Durkheimian sociologist! To a certain extent, an examination of his career offers a counterpoint to Gérard Noiriel's analyses of the marginalization of academics—most notably Durkheim's students—during the interwar period; according to Noiriel, those intellectuals were kept “increasingly at a distance” from political power.¹⁴⁴ Judge Vielledent was of course not an academic in the strict sense, but he was close to that world. Should the relative benevolence of a judge who became a reviewer for the Commission for the Review of Naturalizations be credited to his particular education, his training in the social sciences, and his appetite for sociology? In any event, judges Sire and Vielledent clearly stood

¹⁴¹ His name appears on the list of students and regular auditors of l'École pratique des hautes études: *Annuaire. 4e section, Sciences historiques et philologiques: École pratique des hautes études* (Paris, 1961), 55, as well as among those admitted for their first year at l'École nationale des Chartes, *Bibliothèque de l'École nationale des Chartes*, vol. 80 (Paris, 1919), 354.

¹⁴² *Annuaire général des Lettres*, n.d., vols. 1933–34, p. 1357.

¹⁴³ Paul Fauconnet, “Les institutions juridiques et morales, la famille: Étude sociologique,” course notes assembled and transcribed by Albert Vielledent, unknown bookbinder, 1932; Célestin Bouglé, “Les grands courants de l'économie sociale en France,” course given at the Faculté des Lettres de Paris: course notes assembled by Albert Vielledent, holder of a bachelor's degree in philosophy and deputy judge at the Tribunal of Versailles (Paris, n.d.).

¹⁴⁴ Noiriel, *Les origines républicaines de Vichy*, 261.

apart from the others by opposing the policy of denaturalization through their acts.

The individual characteristics of judges thus played a decisive role in the outcome of decisions at the Commission for the Review of Naturalizations. Some were indisputably collaborators and relentlessly tracked Jews among the files, seeking out elements that supposedly indicated Jewish origin; others slowed the pace and increased the number of decisions to maintain nationality without openly criticizing the measure or the procedure. The latter might be said to have practiced a form of underground or backstage resistance to the order to denaturalize.¹⁴⁵

More is at stake here than the incidental impact of a few individuals: all else being equal, the identity of the judge recommending for or against maintenance of nationality is a crucial explanatory factor. This observation indicates a shift from explicable and reproducible decisions (in the sense that, once it had been decided that a given criterion—profession, for example—would determine a negative outcome, that criterion would be applied more or less routinely in subsequent cases) to idiosyncratic decisions made by individuals with highly contrasting attitudes and career paths: they selected their own—divergent—criteria for passing judgment, operating in an extremely tense political and institutional environment. In a paper on migration control in France, Maybritt Jill Alpes and Alexis Spire note that street-level bureaucrats “are able to draw on legal frameworks in a flexible and instrumental manner. Yet, in the field of migration policy, their scope for discretionary decision making is wider and influenced by their belief that they are acting to defend the national interest. This gives a more political dimension to the way such agents deal with law.”¹⁴⁶ My own study has made it possible to see how the use of discretionary power that characterized the implementation of naturalization policy in republican France from 1889 onward evolved, in an authoritarian context, into a much more individualized process, paradoxically allowing wider latitude for agents of the administration to define and defend “national interest” in their own ways.

CONCLUSION

The policy of denaturalization served the Vichy regime, in the end, as a way to characterize what it considered “good citizens,” and also as a way to exclude its political opponents. The defeat in June 1940 and the advent of the policy of collaboration gave rise to a newly specific characterization of the enemies of the

¹⁴⁵ James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CT, 1992).

¹⁴⁶ Maybritt Jill Alpes and Alexis Spire, “Dealing with Law in Migration Control: The Powers of Street-Level Bureaucrats at French Consulates,” *Social and Legal Studies* 23, no. 2 (June 2014): 261.

French state. Examining the files to determine what criteria were used as of September 1940 to select the victims of this policy confirms the supposition that Jews were the primary targets, despite the fact that not a single word anywhere designated them as such. The law had been silent in this regard, as neither religious nor racial affiliations were indicated in the records of the Third Republic. In the summer of 1940, the first denaturalization measures preceded the implementation of antisemitic legislation and its definitions of “Jews.” My research has thus helped to show the instability that persisted around the category of “Jew” in Vichy France. Although the term was used repeatedly by Vichy officials, its definition varied according to the place, the time period, the type of authority involved, and even the identity of the individual decision makers.¹⁴⁷ In practice, the silence of the law and of the archives increased the degree of freedom available to Vichy’s agents in choosing which individuals would be defined as Jews and thereby excluded from the nation. The lack of precision made it possible to cast a wide net by advancing nonobjectifiable identifying criteria. The assessment of each naturalized person’s Jewishness was carried out at a distance, using a series of indicators based on criteria derived from popular understanding. The antisemitism implemented by members of the Review Commission drew on interpretive categories found in daily life, which it then disguised under the popular rhetorical justifications of assimilation and national interest. There was nothing new in proceeding according to “national interest,” although its political meaning was newly combined with the tendencies of the National Revolution. Increased administrative control over the procedures modified not the criteria themselves, but rather the way they were interpreted. Some of the judges tasked with carrying out the denaturalization policy provided unfailing support for this change in criteria, while others sought to resist it by increasing the number of decisions to maintain nationality. The importance of individual variations in the application of the law of July 22, 1940, is a crucial finding of this study, as it demonstrates that there were different ways of obeying orders that were in large part dependent on individual backgrounds. Some judges engaged in backstage resistance without openly opposing directives, while others demonstrated a zeal bordering on collaboration. It does not seem as though their superiors in the hierarchy were aware of these differences in the behavior of the judges: no traces of reprimands or other penalties have been found in the archives, nor is there even any evidence that these judges were noticed or distinguished by anyone at all after the war. In fact, among all the members of the commission, only two

¹⁴⁷ See Mariot and Zalc, *Face à la persécution*; Tal Bruttman, *Au bureau des affaires juives: L’administration française et l’application de la législation antisémite (1940–1944)* (Paris, 2006); Enrica Asquer, “Rivendicare l’appartenenza: Suppliche e domande di deroga allo Statut des Juifs nella Francia di Vichy,” *Quaderni storici* 160, no. 1 (2019): 227–60.

were subject to purging measures. Jean-Marie Roussel's case was debated at length by the purge commission of the Council of State at a meeting on October 23, 1944; one commission member drew attention to the fact that "it would be unusual to punish M. Roussel when neither M. Mornet nor M. Cournet and his deputies [could] be put in jeopardy." He was nevertheless suspended from his position. In the second case, Lucien Chéron was dismissed without a pension on December 28, 1944. This was punishment not for his participation in the Review Commission, however, but for his role as adjunct cabinet head of the Keeper of the Seals starting in 1943. Let us not forget that André Mornet, vice-president of the Review Commission until March 1944, presided over the central purge commission of the Magistrature. From one commission to another—might the role played in the one explain the judgment reached in the other?

The crucial question, which crystallizes historiographical and societal expectations, remains: did the denaturalizations precipitate Jews toward deportation and thus participate in the implementation of the Final Solution? This question requires several answers. First, denaturalizations promoted an original way of identifying the Jewish population and in so doing unquestionably exposed naturalized Jews to the authorities, making them particularly vulnerable by depriving them of the relative statutory protection of French citizenship. It thus seems wrong to interpret Marshal Pétain's refusal, in August 1943, to sign the bill dictated by the German authorities that would have denaturalized Jews collectively as a sign of a desire to protect naturalized Jews. Pétain's refusal can be explained, rather, by a desire to protect the system of denaturalization on a case-by-case basis, which left his administration in control of nationality issues—a prerogative under threat owing to the occupation, after November 11, 1942, of the entire metropolitan territory by a foreign power. Vichy sought above all to assert its control over the procedures and pace of denaturalization.

The intensive study of the denaturalization policy and the men responsible for its implementation has also led to an amendment of the usual opposition between resistance and collaboration that has structured part of the historiography of authoritarian states during the Second World War. The absence of criteria for denaturalization in the law of July 22, 1940, gave a critical margin of maneuver to the actors responsible for implementing the denaturalization policy.¹⁴⁸ The fault lines were first of all chronological: a decision to exclude someone from French nationality varied in meaning depending on the moment. Decisions made in the fall of 1940 demonstrated support for the will of the national community to purify the community, as decreed by Marshal Pétain. They did not mean the same thing when they were made during the summer of 1942, when nearly 13,000 men, women, and children were arrested in the Vel d'Hiv roundup

¹⁴⁸ For a study on the variations in police behavior under Vichy, see Ivan Ermakoff, "Police et arrestations," *Genre humain*, no. 52 (2012): 213–43.

during the night of July 16–17 in the Paris region alone, or in September 1943, after the Germans increased direct and indirect pressure on the commission to increase the number of denaturalized Jews. Nevertheless, the paradox consists precisely in the disjunction between the practices of agents and the effects of their behavior.

Some civil servants, who may well have begun to realize the consequences of their actions in 1942, chose to defer and delegate their decisions by multiplying the number of surveys requested of other administrations. Yet in doing so, they were in fact participating in the extermination machine by directing police chiefs to search for people who were at that point trying to hide. The ways in which events were read, internalized, and interpreted varied over time; they also depended on the social itineraries of the actors. The denaturalization decisions that were made do not seem to have been the result of lengthy internal deliberations, nor were they made in full knowledge of the facts. Some actors tried to protect naturalized Jews; others exposed them. Mornet's career—he was vice-president of the Naturalization Review Board from 1940 to 1944 and then attorney general at the High Court during the Laval and Pétain trials at the end of the war—illustrates the impossibility of a unilateral interpretation of his intentions and positions. The professional itineraries of the judges on the commission unfolded in an impressive continuity, embellished with promotions and decorations.¹⁴⁹ It is on this level that one can unquestionably observe a certain continuity among the various regimes: not only between the personnel in charge of this policy under the Third Republic and Vichy but also, later, between Vichy and the Fourth Republic. Mornet's career, with his appointments as honorary prosecutor general at the High Court of Justice and honorary prosecutor general at the Cour de Cassation in the 1950s, attests to this. Still, this does not lead me to come down on the side of the thesis of continuity. In fact, several points of rupture are evident. Nourished by individual files, my undertaking has made it possible to account for the complexity of the workings of the French state, caught between the logic of government and that of administration and articulating, sometimes with difficulty, the various levels of power. Beyond the debate over rupture as opposed to continuity, the history of the denaturalizations brings to light the diverse ways in which the rule of law was applied under Vichy.

Closing one's eyes, forging ahead without taking appeals into account, continuing to denaturalize the wives and children of deportees, not worrying about the consequences of one's actions because they seemed so ordinary: the "arts of

¹⁴⁹ As noted above, only one of them, Lucien Chéron, was penalized: he was dismissed without a pension in 1944 because of his participation in the cabinet of the minister of justice. On the continuity of the administrative staff after the Second World War, see François Rouquet, *L'épuration dans l'administration française: Agents de l'Etat et collaboration ordinaire* (Paris, 1993); Marc-Olivier Baruch, ed., *Une poignée de misérables: L'épuration de la société française après la Seconde Guerre mondiale* (Paris, 2003).

collaboration” can take a variety of forms, as this study has helped to show. The power relations that were at play in denaturalizations call to our attention the ordinary forms of state violence, acts that were in no way extraordinary: opening and examining a file, scribbling a word in the margins, stamping a date, writing a letter. On one side, we find no murderers, no executioners, nor any heroes; on the other side, we find countless individuals whose futures were at stake—the naturalized persons who from one day to the next lost their status as French nationals, and those among them who, as a result, lost their lives.