

1943-1944

in order to assure the triumph of the Allies." And Maurice de Jean, Commissioner for Foreign Affairs, stated a few days later that one of the first measures of a restored France would be to break down the barrier erected against the Jews by the Nazis and to restore liberty and equality to the Jews.

### French North Africa

North Africa, the first battleground upon which American and Axis troops met, has for many months been the focal point of world attention and controversy. Even while the fighting progressed, one of the major topics of discussion was the fate of the more than 330,000 Jews there, who joyfully welcomed the American forces on November 7, 1942, as the herald of liberation. These hopes, however, were not completely fulfilled. Although some of the oppressive measures instituted by the Vichy rulers were gradually abrogated in those areas occupied by the combined British and American armies, the status of the Jews was not yet fully restored to that of free French citizens living in a French protectorate. (As the period of review ended, however, further improvements appeared possible.)

Initial official statements seemed very promising indeed. President Franklin D. Roosevelt and General Dwight M. Eisenhower spoke of the early abolition of anti-Jewish discriminatory measures. Desirous of allaying fears which arose out of Eisenhower's choice of Admiral Jean Darlan as Chief of State in French Africa, the President on November 17, 1942, stated: "I have accepted General Eisenhower's political arrangements made for the time being in Northern and Western Africa. I thoroughly understand and approve the feeling in the United States and Great Britain and among all the other United Nations that, in view of the history of the past two years, no permanent arrangement should be made with Admiral Darlan." The reason for the choice, he stated, was one of expediency only for it contributed in making a "mopping-up period" unnecessary, and then added: "I have requested the liberation of all persons in Northern Africa who have been imprisoned because they opposed the efforts of the Nazis to dominate the world and I have asked for the abrogation of all laws and decrees inspired by Nazi

governments or Nazi ideologists." On the same day, the American-controlled Algiers radio announced that Eisenhower had made a similar promise to a delegation of Jewish representatives of North African Jewish organizations.

Darlan immediately abrogated legislation barring Jews from service in the armed forces. Accordingly, on November 22, authorities ordered all men who had reached the age of twenty in 1938 or 1939 to report immediately for military duties, and summoned officers and specialists of all ages. Several days later, however, Pierre Bloch, former Socialist member of the French parliament, charged in London that Darlan had called up only Jews holding war decorations for military service. That discrimination continued with the tacit approval of the High Commissioner was apparent from an anti-Semitic broadcast, as late as December 16, over the Darlan-controlled Radio Maroc at Rabat, Morocco. On the other hand, Darlan sought to assure British and American correspondents in Algiers that he had "begun the restoration of rights of those persons from whom these had previously been taken because of race," — a statement which Fighting France characterized as a "masterpiece of impudent hypocrisy."

Whether Darlan really was sincere and merely progressed slowly to appease the Arab population, as critics of the policy in North Africa were assured, will never be known. Darlan was assassinated on December 24; two days later General Henri Honoré Giraud succeeded him.

Under Giraud's regime some — but by no means all — rights were restored to the Jews in spite of the machinations of Axis propagandists who tried to stir up the Arab population by spreading the belief that they would be dominated by the Jews unless the Nazis were victorious. In order to curb such propaganda, the authorities suspended two anti-Semitic publications, *Intransigeant Marocain* and *La Voix Française*. Allied headquarters in North Africa on January 15, 1943, also announced that laws sequestering property of Jews, and excluding them from the professions and from high schools and colleges were being relaxed. Although Jews were permitted to enroll in high schools and colleges for the first time since 1940, their enrollment was limited by a *numerus clausus* of 2 per cent. Also, a month later, Gen-

eral Giraud announced that Jewish community schools would receive a subsidy from the government. Radios which had been confiscated by the Vichy regime were returned to the Jews. An attempt was made, furthermore, to return confiscated property. The bureau in Algiers which had been in charge of the registration of "aryanized" Jewish businesses, however, reported in February that 65 per cent of these concerns had been re-sold by the new owners who had disappeared with the money.

Meanwhile, the Darlan mobilization order was changed; Jewish officers and men were admitted to service with combat units of the French forces. On February 16, this practice was made official in an order by Giraud, which also covered Jews who had served in the French Pioneer Corps. They were to be admitted to all fighting forces which do not include Muslims. Jewish officers and non-commissioned officers, however, were to be restored to their previous rank only if they had been wounded or cited in action or were "favorably known to the military authorities." This latter provision was again denounced by the Fighting French who in their organ, *France* (London), of February 18, called it incompatible with "the ideals of the French and the Allies." Documentary evidence of the sophistry of the new rulers was offered in the United States on April 26 by Paul Jacob, secretary general of the French Republican Committee, and was confirmed three days later by R. Maillard Stead, the *Christian Science Monitor* correspondent with the Allied Forces in North Africa. The text of secret instructions of January 30, 1943, allegedly issued by Giraud's High Command in Algiers, provided that, "envisaging a new status for the French population of Jewish faith after the war," Jewish commissioned and non-commissioned officers and men in reserve would generally be assigned to special non-combatant work; and that this measure was held necessary to avoid "having the entire Jewish population gain the title of war veterans, which might prejudice the status to be given to these people after the war." However, discrimination against Jews in the armed forces ceased as of May 15, the French Military Mission in the United States on June 2 informed Henri Torres of the French-Jewish Representation Committee of the World Jewish Congress.

On the whole, the situation was such that in January, Harold MacMillan, British Minister in North Africa, felt justified in stating that "the attitude toward the Jews must be changed because the present attitude will never be acceptable to the British and American peoples." During the same month Giraud, seeking to explain his cautiousness, allegedly told a press conference that the liberation of the Jews was an internal affair of the French administration and must progress gradually so as not to cause economic dislocations or political unrest. Several days later, this statement was formally denied in Algiers, and it was asserted that the journalists had misinterpreted Giraud's words.

An additional disappointment for the North African Jews and liberals everywhere was the appointment on January 18 of Marcel Peyrouton as Governor General of Algeria. His past record, as Minister of the Interior in the Vichy Government and, earlier, as Secretary General of the Government General in Algeria in 1930, indicated that he would favor the Arab population and retain anti-Jewish regulations under the pretext that their abolition might cause Arab disturbances.

Finally, on March 7, Giraud took a step which on the surface seemed to promise the complete restoration of Jewish rights. He formally severed all connections with Vichy and Marshal Pétain by declaring that decrees signed in Vichy were not valid in French North Africa. At the same time he confiscated the March 2, 1943, issue of the *Journal Officiel* of Algeria, which had published two Vichy decrees of October 19, 1942, on the status of Algerian Jews, and dismissed M. Maurice Bouni, Director of the General Government.

The repudiation of Vichy, the abolition of the department dealing with Jewish affairs and the dismissal of Bouni definitely were interpreted as a step toward the purging of Vichy elements in the regime. Under Secretary of State Sumner Welles the next day hailed Giraud's action as a return to the principles of individual liberty that made France great. Even the Fighting French hesitatingly admitted that it was a step in the right direction.

Following this severance from Vichy, Giraud in a speech to the Alsace Lorraine Society on March 14, laid down the

major points of his program. The first one said that an order was being promulgated which would revoke all Vichy laws and decrees, 62 in number, as well as the Crémieux Decree of 1870. He emphasized that it would be impossible to annul all the Vichy laws at once because of the effect upon internal affairs. On March 17, laws were issued "wiping out discrimination against Jews and Masons," acts which, according to Drew Middleton of the *New York Times*, restored "representative government" and confirmed "the authority of the French Republic."

Of the two major ordinances affecting Jews, the first provided for the eradication of any distinction in civil status, and gave free access to the professions and educational institutions. The Governors and Residents General of Tunisia, Algeria, Morocco and French West Africa were empowered to fix conditions for the reinstatement of Jews in public functions, their re-employment in public services and re-entry into the professions and commerce. They were also to determine conditions for the return of requisitioned property to Jews, who were permitted to claim indemnity for such losses.

It was the first article of the second decree which gave ample justification to the Jews for distrusting the intent of Giraud's policy. This stipulation read: "The decree of October 24, 1870, concerning the status of the native Israelites of Algeria is abrogated." The implication of this measure was obvious when considered in the light of the text of the Crémieux decree: "Native Israelites of the departments of Algeria are declared French citizens. Consequently, their real and personal status will, from the promulgation of the present decree, be governed by French law. All rights acquired to this day remain immune. All legal dispositions, decrees, and regulations to the contrary are abolished."

Giraud defended his action as an attempt to offset Axis propaganda among seven million Arabs in the two French departments which constitute Algiers. As a prerequisite, he felt relations of Muslims and Jews must be such that "neither is superior to the other, since France has guaranteed to both security and peace."

This apparently fair presentation aroused great perplexities which were shared by the statesmen of Great Britain

and the United States. At first the two governments endorsed Giraud's policy. Prime Minister Churchill expressed the agreement of his government in particular with the "abolition of French legislation subsequent to June 22, 1940," and the "abrogation of all race distinctions between native Moslems and Jewish inhabitants . . ." Secretary of State Cordell Hull backed Churchill by expressing his country's "heartiest accord with this timely and splendid statement of the British Prime Minister" and his "satisfaction in strongly commending this further step toward French unity." Expressions of approval of the scrapping of anti-Jewish legislation came from many sources. At the same time there was bitter disappointment at the act which deprived 40,000 to 50,000 Algerian Jews of their French citizenship. Such expressions came from many quarters, including the Jewish bodies in Algeria, the United States, and especially from the Fighting French who termed the abrogation a racial measure and a "fascist act contrary to the laws of the French Republic." Most critics of this measure felt that it did nothing to improve the position of the Arabs. It was merely an attempt to aggravate the status of the Jews without benefit to anyone else, they said.

Apparently unperturbed by these disputes, Giraud made it clear that two months would be required to reinstate completely the rights of Jews. By an official decree, reported on May 14, organizations were given the right to resume religious, social and political activities. The Kehillah Council and the authority of the Rabbinical Courts were also restored by Giraud's order a few days later. At the same time Jewish officials ousted in June 1940 were reinstated and were paid full back salary for the time they were out of office. Meanwhile, a purge of reactionary and pro-Nazi officials, ordered by Giraud in April on the advice of the Allied authorities, resulted in the dismissal of many officials who were unquestionably identified with the Vichy collaborationists.

## Refugees

As we have observed, President Roosevelt and General Eisenhower promised the release of all political prisoners in North Africa. Among them were, according to statistics

released by General Giraud's Imperial Council, 5,200 Jews from Germany who were interned in Algeria and Morocco, and 13,730 Jews from other European countries working on the Trans-Sahara railroad to Dakar, many of whom had fled to Algeria after the landing of Allied troops. The release of those still interned was extremely slow and, by the middle of January 1943, the only hope for them was Giraud's assurance given to a deputation of Jewish leaders in Algeria and Morocco that the internees would be liberated. The deputation sought an improvement in the position of Jews and the release of the slave workers on the Trans-Sahara Railway and in the Kenadza coal mines. On January 14, it was announced that a joint Anglo-French-American Commission for Political Prisoners and Refugees had been set up in an advisory capacity on the question of political prisoners and refugees. The Commission was to visit all places of internment, to ascertain why prisoners were detained, and to recommend measures for their release and disposal.

Earlier, in December, the Jewish Refugee Committee in Algeria stated that Jews would be released provided Jewish relief organizations would assume the responsibility for their maintenance. As an initial step the J. D. C. made provisions for the liberation of 650 refugees in Algeria and 950 in Morocco. As a result of pressure by American military authorities in Algiers, four hundred French Jews who had escaped to this territory after the occupation of France, were released late in January. Due to the intervention of the Polish Consulate in Casablanca in February, five hundred Polish Jews in Morocco were freed. Following the example of the Polish Government, various other governments-in-exile, during the same month, demanded equal rights for their Jewish nationals in North Africa. Simultaneously, Jews of Portuguese, Spanish and Swiss nationality were likewise freed and promised permission to return to their native countries. A number of refugees received immigration visas for the United States under existing quota regulations.

Reports in March indicated that French authorities in charge of internment camps offered to liberate a number of the Jewish internees on condition that they join the Foreign Legion. They refused but expressed their willingness to enter instead the regular Allied armies or the Jewish Bat-

talions of the Palestine Regiment. The French authorities interpreted this refusal as organized resistance to their wishes and, in reprisal, allegedly sent 10 per cent of the Jewish internees to the prison of Ain El Ourak, in Morocco. At the beginning of April, about nine hundred Jewish internees of German and Austrian origin, held in six labor camps, declared a two-week hunger strike. They declined to receive representatives of the American Red Cross who called at the camps with food and medicaments and tried to persuade the internees to abandon the strike. Subsequently, these Jews were joined by 280 more hunger-strikers, mostly of Rumanian and Hungarian origin. A week later, however, the strike was terminated, following an official announcement that the internees would be released on condition that they emigrate from North Africa within six months. The latest reports by the J. D. C. dated May 17, 1943, gave the following figures on release from camps: in Algeria — 620 refugees, as well as all Polish Jews who have been incorporated in the British and Polish armed forces; in Morocco — 200 internees, as well as all refugees in labor camps; of the latter, 220 had already arrived in Casablanca and other cities; 156 were working for American occupation forces and 53 in private industries.

### Tunisia

Most horrible was the fate of the sixty-three thousand Jews living in Tunisia, where they were exposed to the wrath of retreating Axis troops whose behavior was nothing short of barbarous. As the British forces advanced from Libya, the Jews were rescued, but in most instances deliverance came too late. Many of the cities were in ruins and the majority of the Jews massacred.

The reign of terror was especially severe in the city of Tunis. The entire able-bodied Jewish population was ordered by the Nazi military authorities in January to forced labor constructing fortifications and clearing the docks of the debris left by Allied bombings. The London *Daily Mail* reported that the city had been completely evacuated except for these workers. Charges of aiding the Allied troops led to the execution of a number of Jewish leaders, a collective