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Henry Rousso, *The Haunting Past: History, Memory, and Justice in Contemporary France*. Preface by Philippe Petit. Translated by Ralph Schoolcraft. Philadelphia: University of Pennsylvania Press, 2002. vii + 96 pp. Notes, bibliography, and index. \$29.95 U.S. ISBN 0-8122-3645-9. 3.95 U.S. (cl). ISBN 0-8166-388; \$22.95 U.S. (pb). ISBN 0-8166-3887-X.

Review by Robert Soucy, Oberlin College.

The following is a summary of some of the author's major arguments, with occasional "queries" or "comments" by the reviewer in bold type and placed within brackets.

The Haunting Past provides responses by Henry Rousso, director of the *Institut d'Histoire du Temps Présent* (IHTP) since 1994, to a series of interviews conducted by the journalist Philippe Petit on a number of controversial matters. Not the least of these was Rousso's decision (unlike Robert Paxton and other Vichy specialists) not to testify at the trial of Maurice Papon in 1997-98, when the former Vichy official was charged with crimes against humanity for having Jews from Bordeaux arrested and deported. Rousso's decision was based partly on ideas he had previously expressed in *The Vichy Syndrome* (1987) and, with Eric Conan, *Vichy: an Ever Present Past* (1994), works which lamented France's "obsession" with Vichy's crimes, the "incomplete mourning" of victims of the Holocaust, and the failure of "closure" to take place.

In *The Haunting Past*, Rousso blames the media for its part in "artificially" keeping alive old emotions and hatreds that ill-serve the future, a media which knows that "controversy works" in attracting large audiences (p. 49). This is the same media, he observes, which demands transparency from others while not practicing it itself and which publishes inaccuracies "with the arrogance of those who have taken on the mantle of doling out civil and moral lessons to the general public" (p. 22). **[QUERIES : Is it "arrogant," or need one be a saint oneself, to call for those accused of crimes against humanity to be tried in a court of law? How pertinent is it to dismiss on *ad hominem* grounds journalists who do so?]** Rousso also has little patience for "history buffs" who can only grasp history "via simple binary categories : victims and executioners, the innocent and the guilty, good and evil" and who see the past only in terms of heroes and victims (pp. 52, 83). Finally, regarding crimes under Vichy that may have gone unpunished, Rousso is critical of new tribunals whose "primary purpose" is to keep "this past open": "It is no longer a question of traditional 'history as the world's court of judgment,' which promises a form of closure for the event and shows that posterity has taken its distance with respect to the past" (p. 50).

There is also a middle chapter in the book where Rousso defends, quite effectively in my view, the IHTP and the "history of the present" against the criticisms of *Annales'* historians who favor the "long view" and a longer "waiting period" (pp. 29-34). But even this chapter has a bearing on the Papon trial and on one of Rousso's major concerns: the role of historians in contemporary political controversies and the errors they should avoid in participating in them. For "entering the sphere of public debate necessarily means accepting the vulgarization of scientific discourse" (p. 44). Rousso urges historians to resist succumbing to this vulgarization themselves.

According to Rousso, one must not confuse the rigorous practices of "history," of historians dedicated to their craft, with the looser practices of "memory," of propagandists dedicated to political ideologies or identity politics. "Militants of memory" and "agitators of memory," with their "amateur research tactics," are less concerned with pursuing the truth than serving a cause (pp. 2, 38). Rousso states, "The duty to remember becomes an agitprop that one brandishes provocatively, showing a brazen disdain for the justice that one had previously clamoured for" (p. 22). Memory tends to idealize or demonize the past, whereas history is more "ambivalent." Even Pierre Nora's *Realms of Memory*, which was intended as a "counter-commemorative" type of history, as a "tool for maintaining a critical distance," has been exploited as an "instrument of commemoration par excellence" (p. 11).

In recent times, memory in France has become associated with the Holocaust, Vichy, the Resistance, competing left and right-wing versions of the past, identity politics, and media hype—often at the expense of history, that is, at the expense of a less moralistic, less doctrinaire, and more complex understanding of the past. What memory distorts, history corrects—or *should* correct. Although scholarly history can also be a "vehicle for ideological (and thus affective) concerns" and although there "is no such thing as disinterested history," the best historians maintain a "certain remove," a "degree of detachment" from the past (pp. 9, 34, 1, 57). History makes us more aware of the distance that separates the past from the present, helps us to appreciate the changes that have occurred in the interim, and therefore aids us in dealing more realistically with the present. Memory interprets the past in terms of contemporary concerns, abetted by television images which flatten or suppress the "foreignness" of the past (pp. 15-16).

Contemporary pressures on historians to toe one party line or another can make correcting memory an unpopular task. Rousso found this to be the case when he participated in a symposium sponsored by the journal *Libération* to clear a Resistance couple, Lucie and Raymond Aubrac, of slander. Although Rousso agreed that the accusation that Raymond Aubrac had betrayed Jean Moulin to the Germans "did not hold water and was in truth disgraceful," he decided that, because Raymond Aubrac had made contradictory statements and his wife had taken "liberties with the truth," he (Rousso), as a historian, would "refrain from drawing any conclusions whatsoever" (pp. 77, 80). Since many people viewed the left-wing Aubracs as beyond reproach because of their Resistance heroism, Rousso found himself being accused of "flagrant anticommunism" and, "worst yet," of "tearing down legends deemed today necessary" (p. 77). Scholars, he writes, should not be intimidated by such tactics. Nor should they allow themselves to be "instrumentalized" by groups with political agendas. Freedom of investigation must be preserved. The Aubrac affair, Rousso observes, is only one example of how a certain memory of the Resistance prefers sacred history to critical history, mythology to truth.

However, "one does not write history with the goal of defending a particular set of values. The writing of history, a free and critical writing that restores the breadth and complexity of the past, is a value in itself and merits defending" (p. 82). The role of the historian is not to be an evangelist, "an attitude which to my mind is as objectionable as that of judge or prosecutor" (p. 83). One also weakens the legacy of the Resistance by defending it with slanted information, since the Resistance itself was opposed to "lies." **[*QUERIES: Political correctness—whether of the Left or the Right—can indeed be intimidating, and intellectually-honest scholars should indeed put truth before ideology. But why—as long as one does not cave in to doctrinaire, simplistic, mythological, binary, or blind-to-inconvenient-evidence thinking—need one forgo "defending a particular set of values"? Have not hundreds of superb scholars done both? Do more detached historians have a monopoly on truth or scholarly integrity?*]**

Rousso believes that it is the job of the historian to serve the truth rather than the "good cause" (p. 55). The opposite standard, he points out, can be seen in newspaper campaigns against intellectuals who dare take issue with flawed aspects of the duty to remember. He states, "It is an old reflex among some intellectuals on the Left, a carry-over from the Stalinist period. They seek to silence any opinion that

strays from the party line under the pretext that defending 'the cause' requires suppressing all internal dissonance" (pp. 22-23). Rousso is even-handed, since he also criticizes anti-Communists such as Stéphanie Courtois whose *The Black Book of Communism* claimed in the "most unscientific manner" that 85 million people had been killed under Communist regimes. "Moralism does not mix well with the historical truth. In order to maintain its edifying power, it ends up cutting corners with the facts and slipping into a narrative divorced from reality" (p. 22). **[QUERY: This certainly does happen, but does all moralism end up this way ?]**

Rousso condemns the "excesses," "contradictions," "abuses" and "lies" put forth in the name of the duty to remember and identity politics, both of which, he writes, reached a "paroxysm in the early 1980s, only to be exceeded by the commotion surrounding the Papon trial" (pp. 12, 38). Minorities—"be they regional or local, religious, ethnic, or sexual (especially with the emergence of women as a distinct and unique category)"—used the past to construct particularistic histories that neglected general history. These groups also had a "tendency to write their own history outside of the usual research ranks" and therefore were not as alert, as well-trained scholars are, to the "complexity and incompleteness" of any analysis of the past (pp. 12, 13). **[QUERY: Was this lack of alertness also characteristic of minority and feminist scholars within the usual research ranks?]** The rise of identity politics has coincided with the "decline of the great political, national, and union traditions, and their loss of relevance and appeal have contributed to the current tendency to deal with the past in terms of memory rather than history" (p. 14).

Rousso is opposed to Jewish identity politics that dwells endlessly on victimization. Asserting that "the memory of Auschwitz is indisputably the principal cause of the dawning of the age of memory," he is critical of both the repression of memories of the Holocaust from the 1950s through 1970s and the turning of these memories into "a sort of lay religion" in the 1980s and 1990s (pp. 17, 12). "This boiling over of our past strikes me as just as worrisome as the denial of the past" (p. 12). He believes that grounding Jewish identity, especially that of the younger generation, in the persecutions of the past rather than in the possibilities of the future is a mistake. Being "haunted" by the past can also affirm the singularity of the Holocaust in a way that denies comparisons with other mass murders in the twentieth century, separating contemporary Jews from the rest of humanity.

None of this means that Rousso condones the crimes against Jews committed by certain officials of the Vichy regime or that he is a defender of other aspects of that regime; "for myself, as for the majority of the French population today, legitimacy was with de Gaulle and the Resistance" (p. 71). He sides with the "nearly 75 percent" of the French public today who, he says, regard Vichy as one of the darkest moments in French history and who condemn the role it played in the Final Solution. However, he also maintains that precisely because public opinion today overwhelmingly condemns Vichy there is no need for further trials to awaken a public to what it already believes. Rousso states, "Personally, I feel that there was something incongruous about reopening one or several cases. It gave the impression, obvious during the Papon trial, that it was necessary once more to examine a dossier that was already largely settled in the public mind" (p. 72).

According to Rousso, the French public expects more from such trials than they can possibly provide. Many saw Papon as representing "*by himself*" the criminal acts of an entire regime. "If he ended up being acquitted or received a light sentence, would this mean that Vichy was acquitted or partially relieved of responsibility?" (p. 73). But Papon only represents his own case, which is "secondary" to how the administration functioned as a whole. "The fact that a particular individual was head of a particular department certainly has importance, but it cannot constitute the ultimate objective of a research project or inquiry" (p. 60).

Rousso does acknowledge that under "normal" circumstances a criminal trial can be "precedent-setting by the contribution it makes to a politics of punishment and prevention of crime," that it can help

reestablish "the boundaries between good and evil, the tolerable and intolerable, the permissible and the punishable" (p. 56). However, in "historic" trials, like those of Klaus Barbie, Paul Touvier, and Maurice Papon, the "declared goal is to illuminate an entire era and its politics" (p. 56). The public also views these trials as "a form of belated reparation" (p. 56). They are "imagined as a catharsis on a national scale, a means of proclaiming to the world that France is capable of facing up to its past" (p. 57). Such expectations burden the trials with "an unbearable load."

For Rousso, the Touvier and Papon trials were also the result of a growing "judicialization" of society, which increasingly expects the judicial system to resolve matters "previously settled or regulated by other means" (p. 57). Indeed, they represent a second "purge," the first being the Liberation tribunals of 1945 (pp. 67, 70). A French law of December 1964, which removed previous deadlines on holding trials for crimes against humanity, opened the gates for a new series of purge trials. Rousso asserts, "It is better to try criminals as soon as possible after the events than to allow them to slip off secretly into the forgotten realms of history, realms from which it is very difficult, and in the long run hardly desirable, to uproot them" (pp. 70-71). "Though glaring in retrospect, the problems posed by the postwar purge and its imperfections cannot be fixed fifty years later" (p. 71).

Rousso maintains that holding new trials "in an anachronistic context lacking any notion of urgency or political and moral reconstruction will not resolve anything. What France is having a difficult time accepting today is not so much its past but the fact it must live with a rupture that no trial, no commemoration, or speech can redress. In my opinion the real issue for our generation and future ones is to face and accept the irreparable" (pp. 71-72). **[COMMENTS: The Vichy regime represented only certain parts of France, and other parts, most notably supporters of the Resistance, need not view it as "their past" or as a past they have to "resolve." France is not indivisible. As for characterizing the Vichy regime itself as a "rupture," it was hardly a complete one since its intellectual origins go back to the Dreyfus Affair and earlier (see, for example, the influential writings of Hippolyte Taine, Gustave Le Bon, Paul Bourget, Edouard Drumont, Paul Déroulède, Maurice Barrès, Charles Maurras, and the Catholic newspaper *La Croix*, which boasted in 1890 that it was "the foremost anti-Jew journal in France"). Many of the ideas expressed in these writings achieved renewed success in the late 1930s, fueled in part by the right-wing backlash to the Popular Front (see, for example, the publications and speeches of Colonel François de La Rocque's *Croix de Feu/Parti social français*, which became the largest movement on the French right in 1937). Moreover, as Michael Marrus and Robert Paxton have pointed out, where French refugee policies in the late 1930s were concerned (policies which negatively affected many persecuted Jews fleeing Nazi Germany and many leftist Spaniards escaping Franco's Spain), "Vichy policies toward refugees were not strikingly different from those of the late Third Republic. They were rather a continuation and reinforcement of them." [1] It was the Third Republic that created the first concentration camps for refugees, and it was the Third Republic that saw a sharp rise in public anti-Semitism after 1935, an anti-Semitism which even found voice in the "moderate" press (Pius XII's lifting of the interdict on the *Action Française* in 1939 made anti-Semitism on the far right more respectable as well). Vichy represented continuity as well as rupture, the Third Republic having prepared the ground for some of its most distasteful actions.]**

Rousso gives several reasons why he felt it best not to testify at the Touvier and Papon trials (while noting that his was not the only ethical approach that historians might take and that he did not reproach colleagues who did take the stand):

- "None of the French trials for crimes against humanity helped further scientific knowledge of the period" (p. 66). **[COMMENT: Perhaps not, but furthering justice is also a worthy**

goal.]

- Most of the scholars asked to testify "had not themselves experienced the Vichy period" (p. 62). [**QUERY: Were the understanding and perspective of those who had experienced Vichy necessarily better? Were people of that period less affected by ideological bias? Are their advantages to historical hindsight?**]
- Like the symposium devoted to the Aubracs, the Papon trial sought to instrumentalize historians by seeking their endorsements for interpretations that were essentially irrefutable. To ask historians to state self-evident truths was to act "as if the truth had more weight in the mouths of historians than in those of lawyers and magistrates" (p. 59). A historian's testimony cannot furnish "the same order of certainty as that provided by the laws of ballistics or genetics" (p. 61) [**QUERY: According to Rousso, are not historians supposed to be more committed to truth-seeking than advocates and more expert on historical matters than judges? If so, why should their testimony not carry more weight on questions of history? Why deprive the court of their knowledge, which, while not as certain as that of the physical sciences, is more certain than that, say, of "agitators of memory"?**]
- Historians are often denied access to all the documents in a court trial and often play no role in the preliminary investigations, although this was less true in the Touvier than in the Papon trial. [**COMMENT AND QUERY: Rousso concedes that even if he had been asked to participate in the preliminary investigations in the Papon trial he "probably would have refused" since he "strongly believed in the separation of roles and domains of knowledge" (p. 69). By this standard, should ballistic and genetic experts and experts on other matters refuse to testify in order to preserve the integrity of their separate domains?**]
- Although the court summons scholars on behalf of ends that are "clearly legitimate (the judgment of criminals)," the ends themselves have little to do with a "scientific method which seeks to understand rather than to judge and even less to absolve or condemn" (p. 53). Scholars should not take on the role of "inquisitors" or consider themselves "potential auxiliaries of the Justice Department" (pp. 76, 69).
- The "prosecutor-historian" who becomes the bearer of "the vengeance of nations" exceeds his calling, especially if he or she "succumbs to the intoxication of the media spotlight or judicial posturing" (p. 49). Serge Klarsfeld, whose constant objective has been to bring to trial Vichy officials who were never punished for their roles in the Holocaust, has "set out to be the armed wing of a form of vengeance" and his "commingling of vengeance and justice, memory and history" is to be deplored (p. 68). [**QUERY: Can it be that what motivates Klarsfeld and others is more a sense of responsibility to the victims and a desire to discourage future crimes against humanity than a desire for vengeance, the intoxication of the media spotlight, or courtroom posturing?**].
- When "historical inquiry is turned into criminal investigation, and the intellectual and moral assessments that all historians are free to formulate become more like 'verdicts,' without any

possibility of appeal for those found guilty," history has moved into the realm of memory (p. 52). **[COMMENT: Rousso himself--despite his previous defense of a "scientific," "detached," non-moralistic approach to history--feels free to formulate his own moral assessments from time to time. For example, in pointing out that during the Papon trial some scholars contested whether Papon was aware of the Final Solution when he assumed his duties, Rousso comments that "even if the French official did not know the true fate of deported Jews, putting entire families onto trains and subjecting them to horrifying fates, already constitutes a 'crime against humanity'" (p. 63). (One wonders why Rousso places the last phrase in quotation marks.) The overwhelming thrust of his argument, however, is to warn historians against confusing their role with that of a prosecuting attorney or courtroom judge, since "in fact [they] cannot answer the fundamental question: Is the individual guilty or innocent" (p. 60)?]**

Rousso does believe that it is permissible to judge agents of history who are still alive today as long as the judgment addresses "not their past acts but their statements made today" (p. 78). In other words, the spin they put on their past acts may be judged but not their past acts themselves. As for the latter, "we should let history be the judge" (p. 83), by which Rousso presumably means judgment by an emotionally detached, intellectually scrupulous, and unvengeful body of historians, a judgment free of ideological bias and based on well-established facts--or perhaps a judgment made many years later by a large and well-informed majority of the public (as in the case of today's 75 percent who regard Vichy as having been illegitimate).

For Rousso, history as judge is less categorical and guilt-focussed than criminal trials as judge. Since the Holocaust has become "the standard by which all historical approaches are measured, people today expect to see the guilty parties clearly designated for each of the century's tragedies.... When we speak of guilt, the words court and trial are soon to follow" (p. 50). As a result, historians become "hostage to the court's line of questioning: guilty or innocent," which is at odds with the historian's desire to "restore the truth of an era in its context, complexity, and ambiguities" (pp. 62, 57). Although Rousso claims not to "pass judgment" on the historian Michel Bergès, who sparked the Papon affair by making public certain documents he came across in local archives, Rousso regards Bergès choice as a difficult one: "I do not know what I would have done had I been in his place, even though one of the historian's duties is to find the right path between the necessary disclosure of the truth and an elementary respect for private individuals. On occasion, the path is quite narrow, especially when the aforementioned individuals are suspected of crimes against humanity" (p. 64). **[QUERY: Why is the path quite narrow instead of quite wide? Should not the disclosure of all the truth possible where crimes against humanity are involved override the privacy of suspected perpetrators?]** The argument of Papon's lawyers that Bergès had "confused his role as historian with that of judge" fits well with Rousso's own position.

Rousso also is troubled by the "extent to which the rules and practices of such trials have very little to do with scientific research" (p. 65). He cites the example of the Touvier trial in which the crime the defendant was accused of was executing seven Jewish hostages in 1944 "as an accomplice of the Third Reich." This charge, he says, was false, "since [Touvier's] actions were in the service of the French milice who were eager at that moment to avenge Philippe Henriot who had been assassinated by a member of the Resistance. In other words, Touvier's act was intended to settle internal scores and thus was neither directly related to the 'Final Solution' nor ordered by the occupying powers" (p. 58). To accept the official indictment would have betrayed "what I believe to be the historical truth" (p. 58). Rousso adds: the Touvier trial was "nothing but a belated avatar of the postwar purge" in which nearly 1500 people were put to death for being "in collusion with the enemy, that is, for collaboration or complicity with the Nazis" (p. 59). **[COMMENT: Rousso's critique of the official indictment against Touvier may have merit, but surely the "nothing but" is a terrible simplification, one that devaluates the crime itself and the desire to discourage similar crimes in the future.]**

Rousso concludes *The Haunting Past* with a final plea for closure: "The legacy of the French and foreign opposition to Nazism and fascism does not need defending today, nor does Vichy need to be summoned before a court born of today's preoccupations. The Resistance has won the battle for posterity quite handily, and it has imbued our democratic societies with its ideals, ideals which go much further back in time than World War II. Vichy clearly has been defeated by history, and there is no need to build it back up into an imaginary adversary with the sole objective of comforting ideological postures announcing themselves anachronistically as antifascist. If new dangers threaten, rather than resuscitate ghosts we should invent new forms of action and resistance that will enable us to face the battles of today and tomorrow" (p. 83). **[QUERY AND COMMENT: Does not an understanding of the nature, appeal, and tactics of France's anti-democratic traditions also help the public face the battles of today and tomorrow? As previously suggested, many of Vichy's ideals also go back much further in time than World War II. The same can be said of certain sizable proto-fascist and fascist movements in France before 1940, such as the *Ligue des patriotes* during the *belle époque*, the *Jeunesses patriotes* and the *Faisceau* during the 1920s, and the *Solidarité française*, the *Croix de Feu/Parti social français*, and the *Parti populaire français* during the 1930s.]**[2]

Rousso presents a masterful case for not participating in the Papon trial, but I find parts of it unconvincing and believe that Paxton and other historians were right to testify. In my view, a recently published book by Samantha Power, *"A Problem from Hell": America and the Age of Genocide*[3], whose scholarship is as scrupulous as Rousso's, gets the better of the argument when it comes to supporting trials for crimes against humanity, including trials in the Balkans, Rowanda, and at the Hague. To be sure, Power deals not only with the Holocaust but with a wide range of mass murders: those committed by Turks against Armenians, Pol Pot against his own people, Iraqis against Kurds, Serbs against Muslims, and Hutu against Tutsi. She argues that one of the most important reasons for trying the perpetrators (one which Rousso mentions in passing but then submerges beneath a host of counter arguments) is that "the punishment that these courts dole out may help deter genocide in the long term" (514). Deterrence, not vengeance, is the motive.

Highly critical of the United States for its failure at times to support such trials, as well as for not intervening against crimes against humanity in the first place, Power observes that the perpetrators of twentieth-century genocides have been "quick studies who were remarkably attuned both to the tactics of their murderous predecessors and to the world's response. From their brutal forerunners, they learned lessons in everything from dehumanizing their victims and deploying euphemisms to constructing concentration camps and lying about and covering up their crimes. And from the outside world they learned the lesson of impunity. ... Hitler was emboldened by the fact that absolutely nobody 'remembered the Armenians.' Saddam Hussein, noting the international community's relaxed response to his chemical weapons attacks against Iran and his bulldozing of Kurdish villages, rightly assumed he would not be punished for using poison gases against his own people. ... Milosevic saw that he got away with the brutal suppression of an independence movement in Croatia and reasoned he would pay no price for committing genocide in Bosnia and Kosovo. Because so many individual perpetrators were killing for the first time and deciding daily how far they would go, the United States and its allies missed critical opportunities to try to deter them." [4]

Power also notes that in the United States "so little noise" was made about these genocides at the time and public indifference was so great that U.S. policy makers could claim that they could not intervene because it was not "domestically possible." During World War II, the small minority of "screamers" in the U.S who spoke out against Nazi atrocities against Jews were "usually branded 'emotional,' 'irrational,' 'soft,' or 'naïve,'" [5] including some in the State Department who saw their careers destroyed by their protests. **[COMMENT: Nor can Power be pleased by the May 2002 decision of the Bush administration, supported by majorities in Congress, to renounce the treaty creating a permanent international tribunal to hold war criminals accountable for their actions, a treaty ratified by more than 60 nations.]**

In his criticisms of the Papon and Touvier trials, Rousso regrets the additional noise, urges historians to resist behaving like evangelists, judges, or prosecutors, and is less concerned with the possibilities of deterrence than with achieving closure, getting on with the future, and preserving scholarly integrity. Power discusses crimes against humanity beyond the Holocaust, berates American indifference, makes 516 pages of noise, calls for perpetrators to be brought to justice whenever possible, and believes that such trials can benefit the future. She is also—as a former Balkan war correspondent, graduate of Harvard Law School, and present executive director of the Carr Center for Human Rights Policy at the John F. Kennedy School of Government at Harvard University—more than a history buff.

Although I personally side with Power on the issue of trials, I find Rousso a brave and refreshing voice in an era when different kinds of political correctness, whether liberal or conservative, left or right, Muslim or Jewish, can threaten the professional careers—and, in some cases of religious fundamentalism, even the lives—of those who remain true to their craft.

NOTES

[1] Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York: Basic Books, 1983), pp. 50-58, 64-68, 70-71. Quotation on pages (pp. 67-68).

[2] Robert Soucy, *Le fascisme français, 1924-1933* (Paris: Presses universitaires de France, 1989); Robert Soucy, *French Fascism: The Second Wave, 1933-1939* (New Haven and London: Yale University Press, 1995).

[3] Samantha Power, *"A Problem from Hell": America and the Age of Genocide* (New York: Basic Books, 2002).

[4] Power, pp. 506-507.

[5] Power, p. 516.

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