

● PSF: France, Jan. - July 1944

Frank J. ...
1-44
file
THE WHITE HOUSE
WASHINGTON

January 4, 1944.

MEMORANDUM FOR THE PRESIDENT:

Mr. Renchard of the State Department telephoned yesterday to say that Message No. 292 from Algiers, December 31, has been answered as attached.

This for your information.

GGT

NO DISTRIBUTION

Jan 3, 1944

US URGENT

AMREP,

ALGIERS.

The Department notes from your telegram no. 292, December 31, 3 p.m., that you state in your reply to Massigli that you would be happy to transmit a draft agreement dealing with the use of French forces in all theatres of war to your Government for its consideration. You should be guided by the Department's telegram no. 221, December 23, 10 p.m. in which the President directed that military matters be treated directly between General Eisenhower and the French military authorities and not on a Government or Committee basis. The proper channel for transmission of any draft agreement or French suggestions on this subject is therefore through General Eisenhower's Staff -

Hull

Eu:HFM:ELM

DEPARTMENT OF STATE

THE SECRETARY

January 5, 1944.

Memorandum for the President

I enclose a proposed joint statement on France which is self-explanatory.

I read this to Secretaries Stimson and Knox, and although Secretary Stimson had just finished a long speech in behalf of DeGaulle, under conditions, he said he saw nothing wrong with this statement. You may decide to approve it and propose its approval to the other two governments mentioned.

C.H.

C.H.
OK. Will you take up with the
Brit. & Russians?

ZM

DRAFT

December 31, 1943

STATEMENT ON FRANCE

The Governments of the United States of America, United Kingdom, and Soviet Union, in pursuit of their paramount aim, the defeat of Germany, are determined to bring about the earliest possible liberation of France from her oppressors, and the creation of conditions in which a democratically constituted French Government may be reestablished. The ultimate aim of the three Governments is the free choice by the French people of the government under which they will live.

In conducting military operations in France, and so long as military necessity requires, it is manifest that the Supreme Allied Commander must have supreme authority in order that the prosecution of the war against Germany may be pursued relentlessly with the full cooperation of the French people. It is the intention of the Allies that civil administration shall, in so far as possible, be left to French citizens.

The three Governments are confident that at the proper time all patriot*Frenchmen will rise to the aid of the Allies in ejecting the Nazi oppressors from their land. The Allies and the Supreme Allied Commander will have no dealings or relations with the Vichy regime except
for

for the purpose of abolishing it. No person will be retained or employed in any office by the Allied military authorities who has wilfully collaborated with the enemy or who has acted in a manner inimical to the cause of the United Nations.

The restoration of civil administration in France will be left to the French people in conformity with their traditional love of liberty and independence.

It is the hope of the Allies that the French people, having as their primary objective the freeing of France from Nazi domination, will subordinate political activity to the necessity for unity in ejecting and destroying the enemy.

With these objectives in mind, the Allies will count upon the assistance of all Frenchmen in the maintenance of public order and conditions which will permit the restoration of government by consent of the people.

(2328)

Ans

France folder 1-44
Carbon of this memorandum, indicating the President's approval, together with letter

DEPARTMENT OF STATE
for Hon. E. C. Wilson, sent to Secy. State,
1/6/44

THE SECRETARY

MEMORANDUM FOR THE PRESIDENT

On December 20, 1940 you addressed a letter to Admiral Leahy setting forth for his information and guidance certain basic principles on which our policy toward France was based at that time.

In our opinion it would be useful for Mr. Edwin C. Wilson, recently appointed Representative of the United States to the French Committee of National Liberation, to have the principles underlying our French policy reviewed and restated in the light of the events of the past three years. To this end the attached draft of a letter has been prepared for your signature, if you approve.

Enclosure:
Letter.

"C.H." O.K. F.D.R. C.H.

PSF: France

January 5, 1944

My dear Mr. Wilson:

On December 20, 1940, I addressed a letter to Admiral Leahy, who in the previous month had been appointed American Ambassador at Vichy, in which I set forth certain basic principles and aims which at that critical time governed our relations with France and the French Empire.

The occasion of the recent assumption of your new duties as Representative of the United States to the French Committee of National Liberation affords a similar opportunity to review those principles and aims, which have at all times been inspired by the deep-rooted friendship of the American people for the people of France and in the unshakable devotion of both peoples to democratic institutions.

In the autumn of 1940 the Axis tide was in flood although still far from its peak. A large part of Metropolitan France had been overrun and occupied by German armed forces and certain French leaders had sought and signed an armistice with the enemy. In spite of the severity of this blow, there remained intact important French assets which might still be salvaged from the wreck. It was to this end, and in pursuance of our avowed policy of rendering all possible assistance to the hard-pressed peoples of the British Commonwealth and Empire, that this Government decided to maintain official--I stress the word official--relations with Marshal Petain's regime which Hitler permitted to function in a limited way at Vichy. It was therefore to a specific task that Admiral Leahy was directed to bend his efforts, and although the fact is often overlooked, this policy had the full approval of the Government of Great Britain and was likewise pursued by the Canadian Government.

From the military point of view the two greatest assets still out of German hands were the French fleet

and

The Honorable

Edwin C. Wilson,

Representative of the United States
to the French Committee of
National Liberation,
Algiers.

and the French overseas empire. With regard to both, the views of this Government were unceasingly and forcefully kept before Marshal Pétain.

In this connection this Government impressed on Marshal Pétain the danger to Franco-American friendship if the fleet were allowed to fall under German control and likewise announced that in its relations with the Vichy regime and with the local authorities in French overseas territories the United States would be governed by the manifest effectiveness with which those authorities endeavored to protect French territory from enemy domination and control.

Furthermore, we were untiring in our efforts to combat and frustrate repeated German maneuvers designed to obtain even greater concessions from the Vichy regime than were required under the terms of the armistice. As I stated on May 15, 1941:

"The policy of this Government in its relations with the French Republic has been based upon the terms of the armistice between Germany and France and upon recognition of certain clear limitations imposed upon the French Government by this armistice. Furthermore, we have had assurances given by the head of the French State on behalf of his Government that it did not intend to agree to any collaboration with Germany which went beyond the requirements of that armistice agreement. This was the least that could be expected of a France which demanded respect for its integrity."

Finally the policy of this Government in due course made possible the laying of the groundwork for the successful landings in French Morocco and Algeria, which in turn led to the final eviction of all Axis armed forces from the continent of Africa.

So much for the strictly military aspects of our policy up to November 1942. The results speak for themselves.

However, in as much as critics of our policy have sought to raise doubts concerning the ultimate aims of this Government and its devotion to democratic principles--doubts which were joyfully seized upon and exploited by

our

our enemies--it is pertinent to recall that at no time did this Government by word or deed imply that the policies sponsored by Marshal Pétain and his collaborators had American approval. On the contrary, as early as November 1940, the Secretary of State made it clear to Marshal Pétain, through the Vichy Ambassador at Washington and our Embassy at Vichy, that we regarded the regime which he represented as being on the same plane as the Governments of Germany, Italy, and Japan. Similarly, on another occasion the Secretary of State explained at a press conference that one objective of American policy had been to give "all possible encouragement to the people of France and to keep alive the great ideals and ideas of freedom and popular institutions which made that country so great." More than once I myself pointedly disregarded the Vichy motto of "Work, Family, Motherland" and expressed the confidence with which I looked forward to the return of the French people to the principles of "Liberty, Equality, and Fraternity." In brief, it was publicly emphasized again and again that the continuance of official relations was by no stretch of the imagination based on a sympathy of viewpoint and that we never for a moment believed in the acceptance by the French people of principles so foreign to their character and traditions. That is as true today as it ever was.

Another very real advantage accruing from the continued presence of American representatives in France was the opportunity of maintaining friendly and close contact with the French people in their hour of trial and thereby serving as a source of encouragement to them in their resistance to the occupying power. This policy was amply rewarded by the evidence of many Frenchmen of all classes who were anxious to maintain a tie with the United States and who felt that as long as our representatives were in their country they would not be forgotten and deserted.

This thought was uppermost in my mind when, in my statement of November 9, 1942, following notification by Mr. Laval that diplomatic relations with this Government had been severed, I said:

"No act of Hitler, or of any of his puppets, can sever relations between the American people and the people of France. We have not broken relations with the French. We never will. This Government will continue as heretofore to devote its thought,

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its sympathy and its aid to the rescue of the 45 million people of France from enslavement and from a permanent loss of their liberties and free institutions."

In spite of frequent public pronouncements the policy pursued by this Government in North Africa since November 1942 has been even more misunderstood and misinterpreted, if that is possible, than its previous attitude toward the Vichy regime. Yet one was the logical continuation of the other and both rested on the unassailable basis of military necessity for the ultimate freeing of France. Now that our forces are no longer fighting on African soil it is easy to gloss over the difficulties of the campaign and to forget that this great venture, the successful outcome of which was one of the turning points of the war, was fraught with the gravest dangers. Who can say what failure would have meant in the way of prolonging the war and in terms of human life? One thing is certain: No people would have suffered more from our failure than the French themselves.

It would be idle to deny that many of the developments in North Africa were contrary to what we would have wished. But however it may have appeared at a distance of several thousand miles the situation in North Africa was extremely complex and we were faced with the hard fact that all the forces which we and our British Allies were able to devote to the military task were required for the battle of Tunisia. It should likewise be emphasized that our forces were sent to North Africa as friends and liberators, and not for the purpose of occupying the territory of an ally. Consequently, questions of local security, administration and the protection of our long and vital lines of communication were largely left in the hands of French officials, who had to deal with a problem of unusual difficulty. The necessary agreement which was concluded by our military authorities soon after their arrival was justified by the results in French West Africa and elsewhere, but it also bore witness to the precariousness of our military position. However, at no little risk to the success of our undertaking, I made it clear in my statement of November 17, 1942, that the military exigencies which had dictated this decision in no way affected our fundamental aims. I said, in part:

...this principle should be self-evident. It is unfortunately a fact that certain French elements have come to accept

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"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. People in the United Nations likewise would never understand the recognition of a reconstituting of the Vichy Government in France or in any French territory....

"The future French Government will be established--not by any individual in Metropolitan France or overseas--but by the French people themselves after they have been set free by the victory of the United Nations.

"The present temporary arrangement in North and West Africa is only a temporary expedient, justified solely by the stress of battle....

"Temporary arrangements made with Admiral Darlan apply, without exception, to the current local situation only."

In stressing our primary preoccupation with the military situation I do not wish to convey the impression that this Government was indifferent to other considerations. On the contrary, our influence was constantly exerted in the direction of a liberalization of conditions and although the rate of progress left much to be desired, the situation in North Africa from the time of the landing showed a steady, if unspectacular, improvement. We realized, however, that since maintenance of public order was in the last analysis a French responsibility, this Government could not properly go beyond the point of offering its advice and suggestions.

I now come to the question of our relations with the French Committee of National Liberation. It is evident from what I have already recounted that with regard to France and the French Empire this Government has been guided by two fundamental principles which formed the basis of my public statement of August 26, 1943. The first is that military considerations in the prosecution of the war against Germany are and must remain paramount. Although the soundness of this principle should be self evident, it is unfortunately a fact that certain French elements have come to accept

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an Allied victory as a foregone conclusion. They have consequently permitted their attention to be diverted from the main task and have devoted themselves primarily to political activities which retard and are a constant threat to the Allied military effort.

But if I correctly estimate the character of the French people, their most fervent wish is and has been to contribute actively to the liberation of their own country. To this end it has been our basic policy to extend assistance to every Frenchman, wherever situated and whatever his political beliefs, who is sincerely desirous of taking a part in the struggle. More than two years ago I stated that the defense of those French territories under the control of Free French forces was vital to the defense of the United States, thereby making those territories eligible under our laws to receive lend lease assistance. The scope of this assistance has been steadily extended and today a formidable French force supplied with American arms and equipment, is preparing for the day when it will take its place with its American and British Allies in the vanguard of invasion.

The battleship Richelieu and other French naval vessels have been enthusiastically received in American ports where they have undergone necessary repairs and improvements enabling them once again to assume active operations against the enemy. Similarly, French recruits have been receiving military training in this country prior to joining their fighting units overseas.

All these matters have been greatly facilitated by the French Military and Naval Missions which were established in this country last winter with the full support of this Government.

The second basic principle which has guided this Government is that sovereignty resides in the people and that as long as over 90% of the French people are not free to exercise their political rights, no individual or group will be recognized by the United States as the Government of France or the French Empire. Nor will this Government consciously take any step which may have the ultimate effect of impairing the opportunity of the French people of freely exercising their political rights after their

happily been remedied, gave further evidence of an
country
apparent

country is liberated from its oppressors.

My appreciation of the part which French men and women have played in the war, both before the Armistice and since the dark days when General de Gaulle inspired universal admiration by raising the banner of resistance, renders it all the more difficult for me to have to say that in certain fundamental respects the activities of General de Gaulle and some of his close advisers have deeply disturbed this Government. It was our sincere hope that the discussions which took place last summer in Algiers would lead to real unity among Frenchmen. What the world witnessed instead was an unrelenting struggle for political power which at the risk of seriously effecting the war effort was even carried to the point of including efforts to encourage desertions from French naval and merchant ships, thereby threatening to immobilize them at a time when every ton of shipping was urgently needed. In spite of such activities, General de Gaulle and his associates have attempted to arrogate to themselves the credit for resistance to Germany, ignoring or belittling the efforts of other Frenchmen and the enormous assistance being rendered the cause of France by the United States and the other allies.

Control of the machinery of propaganda in North Africa has resulted in a campaign to bring pressure against the United States, presumably because of its refusal to recognize the French Committee as the Government of France. This campaign is all the more incomprehensible when it is realized that the presence of General de Gaulle in North Africa today and the very existence of the French Committee of National Liberation are direct results of the successful military campaign of last spring and could not have come about without the cooperation of the American and British Governments.

Efforts have also been made through the press and radio to drive a wedge between the United States and Great Britain on the one hand, and to play off the Anglo-Saxon powers against the Soviet Union on the other. These facts are plain to anyone who reads the daily press. Such efforts were doomed to failure, as the results of the Moscow and Tehran Conferences have demonstrated, but that they were made at all is most disheartening.

The recent situation in the Lebanon, which has happily been remedied, gave further evidence of an

apparent

apparent willingness to subordinate the war effort to political considerations.

Finally there have been clear indications of a determined effort to build up a narrow spirit of French nationalism regardless of consequences. While no one in this country has anything but sympathy for the desire of the French people to regain their natural place, nothing but disaster can come from a policy which strives to unite Frenchmen by subtly inculcating in them a sense of grievance against foreign countries in general and their friends and allies in particular. True greatness cannot be achieved through such tactics, nor can lasting unity be erected on such a foundation.

I am only bringing these facts to your attention in order that you may lose no opportunity to point out to General de Gaulle and the members of the Committee the harmfulness of their present course not only to the cause of the United Nations but to France itself.

The principles motivating this Government have been clearly and frequently set forth, as well as its sincere desire to cooperate with the French Committee of National Liberation within the framework described in my statement of August 26, 1943. That desire is unchanged. If dissatisfaction exists in the minds of General de Gaulle and his advisers it is not due to any lack of sympathy with French problems or change of policy on our part. It arises from the fact that General de Gaulle and his personal supporters, having gained their immediate ends, are no longer satisfied with the role which was envisaged when the Committee was established. In this connection it is worth recalling the official message transmitted to this and other Governments by the Committee as one of its first official acts in June 1943. The message said, in part:

"In conformity with the letters exchanged between Generals Giraud and de Gaulle, the Committee will turn over its powers to the provisional government that will be established in conformity with the laws of the Republic as soon as the liberation of Metropolitan territory will permit it and, at the latest, upon the total liberation of France."

It

It is hard to reconcile this statement with the claims which are being put forth with increasing frequency and insistence from Algiers and notably with General de Gaulle's observation before the Consultative Assembly that the Committee knows and feels that it is the Government of the French Republic.

As far as this Government is concerned such claims possess no validity. We regard it as our duty to the French people, for which we will be accountable to history, to respect no other verdict than their own and to assist in bringing about conditions under which that verdict can be freely ascertained at the earliest possible date. We firmly believe that France will rise again as a great nation and, by the very force of the French love of liberty and independence, will inevitably reassert its greatness through the exercise of free governmental institutions.

It is obvious from the facts to which I have alluded that your task as Representative of the United States to the French Committee of National Liberation will not be without difficulty, but I have full confidence in your ability to uphold the policies of this Government and at the same time to convince all with whom you come in contact that those policies are inspired solely by friendship for the French people. The French nation, led by the gallant men and women who are resisting the enemy in France itself and supported by French patriots and friendly allies overseas, is stirring in its bonds. No people in the world look forward more than the people of the United States to the day, drawing ever nearer, when France will emerge from the shadows with new strength and vigor to resume its rightful place and to contribute its genius to the building of a just and lasting peace.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

AIRGRAM

FROM

ALGIERS

Dated January 12, 1944

Rec'd

P S F *Francis J. Ford*
1-44

file

Jan 17 1944

Secretary of State,
Washington.

A-15, January 12, 11 a.m.

News of the placing of some American troops under the command of French General Juin on the Italian front was welcomed by the Depeche Algerienne in an editorial on January 11 which was more warmly friendly toward the United States than anything noted in the local press for some time.

The Depeche commented that "America, which has already put at our disposition the means of resuming the fight against Germany by arming and supplying us goes farther in its homage" by placing some American troops under our command, and declared that the significance of this gesture is much more than a demonstration of simple military solidarity.

"This new proof of the confidence that the United States has in France at a tragic epoch of her history," the Depeche added, "is a solemn denial of enemy propaganda to the effect that the French Empire is being exploited as a victim. America has demonstrated, at the moment when all the Allied nations are being called to gather the fruits of victory, that she has never ceased to consider France her ally, and that the spirit of 1918 reigns always in the fraternity of arms which unites the two nations. Better than any speech, this transfer of a part of the American Command to French Command, shows that a single and noble thought demonstrates the gigantic fight into which the United States is bringing without restriction, without a backward thought, all her power, all her resources, all her prestige -- the annihilation of the common enemy and the reestablishment of liberty in the world."

The

-2-, A-15, January 12, 11 a.m.

The Echo d'Alger also described the announcement as "great and good news," describing the putting of some American troops under French Command as an "honor and a step which can have great consequences." The Echo dealt at length on the technical difficulties involved in merging the French and American military systems in such a command, and asserted that "on the verge of the invasion of the continent, this fraternity of arms and of command realized on Italian territory can lead to greater developments." The editorial added that "it is to be hoped that the honor conferred on General Juin may be a prelude to a greater participation by the French Command in the Allied Combined Chiefs of Staff."

The Alger Republican did not comment immediately on the announcement, devoting its editorial of January 11 to the demands in the Provisional Consultative Assembly for arming the resistance elements in Metropolitan France.

WILSON

Copy to American Embassy, London.

897

GDH:des

PSF France folder
1-44

THE WHITE HOUSE
WASHINGTON

January 14, 1944.

MEMORANDUM FOR

THE SECRETARY OF STATE:

Please see that this dispatch from Algiers - No. 124 - is brought, very confidentially, to the attention of General Eisenhower, who has just left on his return to London.

F.D.R.

Confidential telegram to President and Secretary of State, 1-12-44, from Wilson, Algiers, regarding Gen. de Lattre de Tassigny.

France folder
1-44

C O P Y

February 1, 1944

Dear Admiral Glassford:

The receipt is acknowledged of your letter of 24 January to the President, transmitting a note addressed to you by General Barrau in regard to M. Boisson.

I am pleased to tell you that we have received information to the effect that no further action will be taken against M. Boisson prior to the establishment of a government in France.

Sincerely,

/S/ William D. Leahy

Vice Admiral Glassford
The American Mission
Dakar, West Africa

THE WHITE HOUSE
WASHINGTON

January 31, 1944.

MEMORANDUM FOR

ADMIRAL LEAHY:

How do you think I should reply
to this via Admiral Glassford?

F.D.R.

THE AMERICAN MISSION
DAKAR, F. W. A.

January 24, 1944.

~~SECRET~~

Dear Mr. President:

I have just received by secret messenger from ALGIERS a letter from General L. Barrau, the original and a free translation of which are forwarded to you herewith for such consideration as may to you seem proper. I have not acknowledged or replied to the letter.

General Barrau, for whom I have the highest regard, was Commander-in-Chief of all French forces (Army, Navy and Air) in French West Africa during most of Governor General Boisson's tenure of office.

With all good wishes,

Faithfully yours,

William Glassford
WILLIAM GLASSFORD

The President,
The White House.

Franklin D. Roosevelt Library

DECLASSIFIED

5522.2 (9/27/58)

Date- 2/6/1972

Signature- RHP

Alger, le 16 Janvier 1944

Amiral,

Je viens faire part de vus vus dimanche que m'autorise, me semble-t-il, la sympathie que vous avez témoignée au Gouverneur Général Boisson. Vous n'ignorez certainement pas qu'il a été arrêté sous l'inculpation de trahison. Nous avons assez souvent, Monsieur Boisson et moi-même, parlé librement avec vous pour que vous ayez pu apprécier la loyauté de notre attitude ; seule la conscience de servir notre Pays a dicté tous nos actes, tant avant le mois de Novembre 1942 qu'après cette date.

En souvenir des quelques services que nous pourrions avoir rendus à l'Armée Américaine, je viens vous demander si le Commandement Américain ne peut pas intervenir en faveur du Gouverneur Général Boisson. C'est sans doute à l'ami que vous avez lui-même voulu être pour nous que je m'adresse d'abord, mais c'est

Alger, le 16 Janvier 1844
aussi au représentant de la Nation américaine
que je me permets de demander son intervention
en faveur de Monsieur Baissou.

Je vous demande, Amiral, de croire
à mes sentiments toujours fidèlement dévoués.

L. Banau

Général d'Armée Banau

16 - Rue Richelieu

Alger.

THE WHITE HOUSE
WASHINGTON
(TRANSLATION)

Algiers, January 16, 1944.

Admiral:

I approach you to take a step which is warranted, it seems to me, by the sympathy which you have shown for Governor General Boisson. It certainly does not escape you that he has been arrested on a charge of treason. We have spoken to you freely rather often, Mr. Boisson and I, so that you might be able to appreciate the loyalty of our attitude; only conscientiousness in serving our Country has guided all our actions, both before and after November 1942.

Recalling certain services which we may have been able to perform for the American Army, I write to ask you if the American Command cannot intervene in favor of Governor General Boisson. It is of course to the friend of ours which you were good enough to be that I address myself first of all, but it is also to the representative of the American Nation that I presume to request his intervention in favor of Mr. Boisson.

I beg you to believe, Admiral, in my faithfully devoted sentiments.

(signed) L. BARRAU

General of the Army Barrau,
16 - Rue Richelieu,
Algiers.

THE WHITE HOUSE
WASHINGTON

January 27, 1944.

MEMORANDUM FOR:

Miss Tully.

I cut the attached envelope before I realized it was for the President. I have not read the letter.

W. B.
WILSON BROWN.

France folder
1-44

THE WHITE HOUSE
WASHINGTON

January 31, 1944.

MEMORANDUM FOR

ADMIRAL LEAHY:

How do you think I should reply
to this via Admiral Glassford?

F.D.R.

Secret letter, 1-24-44, to the Pres. from
Adm. Wm. Glassford, American Mission, Dakar,
F.W.A., encl. a ltr. and free translation,
dated 1-16-44, to the Admiral, from General
L. Barrau, who was Commander-in-Chief of all
French forces in French West Africa during
most of Gov. Gen. Boisson's tenure of office.
Gen. Barrau asks intervention in favor of Gov.
Gen. Boisson, who has been arrested on a charge
of treason.

Francis Ford 1-44
hms
THE WHITE HOUSE
WASHINGTON

February 7, 1944.

MEMORANDUM FOR

MR. SUMMERLIN:

FOR PREPARATION OF REPLY FOR
MY SIGNATURE.

F.D.R.

Letter and enclosures from Alexis Leger, 3120 R St.,
N.W., Washington, D. C., 1/31/44, to the President,
together with translation of same. Copy of
translation retained for our files.

[TRANSLATION]

Washington, January 31, 1944.

Mr. President

Will you permit me again to take advantage of your high benevolence for an entirely personal communication?

The hour is near when military convenience, in the preparation of the invasion, may impose upon the Allies the heaviest moral responsibilities toward the French people. Whatever modality it may be necessary to use for the provisional administration of liberated French territories, it is important that the role devolving, in such case, on the French element shall always remain fully compatible with respect for the Constitutional Law of 1872, on which it was the intention of the French people itself to base its democratic guaranties.

In fact as in law, this fundamental law provides for the necessities of the present situation. No provisional French administrative organism could refuse to apply it without breaking with the French constitutional legality, nor without abuse of power toward a national will which cannot be expressed. No Allied Government could lend itself to such action without itself bearing this twofold responsibility, political and moral.

The American Government, more than any other, is interested in this. Any final surrender of principle would cause it to lose, retrospectively, the justification of a policy always placed, from the beginning, on the highest conception of principle; would expose it, in the immediate future, to the unforeseeable reactions of French national opinion; would associate it, in the future, with the responsibilities of a French internal evolution perhaps initially warped.

Against these risks and many others, a strict application of the law of 1872, called the "Treveneuc Law", would opportunely furnish the best safeguard: political, legal and moral. I hope I am not indiscreet in taking the liberty to place before your eyes the text of that law, with a summary note on the essentials of the question at issue.

I beg you to accept, Mr. President, with my most fervent good wishes, the expression of my most respectful sentiments.

(S) Alexis Leger

Alexis Leger
3120 R Street, N. W.

[TRANSLATION]

Law of February 15, 1872, relative to the part that may be played by the Councils General under exceptional circumstances.

Article 1. If the National Assembly or those succeeding it should be illegally dissolved or prevented from meeting, the councils general shall assemble immediately, automatically, and without necessity of any special convocation, in the capital of each department. They may assemble anywhere else in the department if the habitual place of their meetings does not seem to offer them sufficient guaranties for the liberty of their deliberations. The councils are validly constituted only by the presence of the majority of their members.

2. Until the day when the Assembly which will be spoken of in article 3 shall have advised that it is regularly constituted, the council general shall provide as a matter of urgency for the maintenance of the public tranquility and the legal order.

3. An Assembly composed of two delegates elected by each council general, in secret committee, shall meet in the place where the members of the legal Government and the deputies who have been able to escape the violence have gone. The Assembly of delegates is validly constituted only when one half of the departments, at least, are represented in it.

4. This Assembly shall be charged with taking, for the whole of France, the urgent measures which are necessitated by the maintenance of order and especially those whose purpose it is to return to the National Assembly the fullness of its independence and the exercise of its rights. It sees to the general administration of the country provisionally.

5. It must dissolve as soon as the National Assembly shall have been reconstituted by the meeting of the majority of the members thereof at any point of the territory. If such reconstitution can not be accomplished in the month following the events, the Assembly of delegates must decree a call to the nation for general elections. Its powers shall cease on the day when the new National Assembly is constituted.

6. The decisions of the Assembly of delegates must be executed by all officials, agents of the authority and commanders of the public force, subject to being deemed guilty of maladministration.

TR/FGH:WLB

[TRANSLATION]

N O T E

On the application of the Constitutional Law of 1872, called the "Treveneuc Law", and on the counter projects of the Algiers Committee for the constitution of a provisional Government or Administration in liberated France.

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The will of the French people, in its last and free constitutional expression, undertook to assure itself, in case of national disaster, of the necessary guarantees against a dual risk: absence of administration and usurpation of powers. These guarantees are incorporated in the Constitutional Law of February 15, 1872, called the "Treveneuc Law".

The policy of the American Government with respect to occupied France, in keeping with international law, the democratic tradition and the well understood interest of enduring relations between the French people and the American people, aims exactly at not weakening or compromising those guarantees in any way, until the liberated French people has been put in a position to dispose freely, itself, of its constitutional order.

Respect for the French legal order prior to the Armistice and for the 1872 Constitutional Law in particular had been proclaimed many a time by the controlling authorities of fighting France:

1. By General de Gaulle, as early as November 16, 1940, in the Organic Declaration of Brazzaville ("despite the assaults committed at Vichy, the Constitution remains legally in force". "In the absence of a free Parliament, functioning regularly, France could have made its will known by the great voice of its General Councils; the General Councils could even, under the Law of February 15, 1872, and in view of the illegality of the Vichy organization, attend to the general administration of the country, but the said organization, by a so-called decree of August 20, 1940, prohibited them from meeting, and by the alleged Law of October 12, 1940, it replaced them by Commissions appointed by the central power . . .")

2. By

2. By Generals de Gaulle and Giraud, in an exchange of open letters and memoranda, on the assurance of which the Allied Governments agreed to favor the establishment at Algiers of a regime of French administrative unity. (Explicit reference to the 1872 Law).

3. By the Algiers Committee, in the Organic Ordinance of June 3, 1943, establishing the "French Committee of National Liberation" (Article 4: "The French Committee of National Liberation shall exercise its duties until the date when the state of the territory will allow of the formation, in accordance with the laws of the Republic, of a provisional Government to which it shall turn over its powers").

That same legal order is now repudiated by the Algiers Committee, under the absolute authority of its sole Chairman, General de Gaulle.

Such repudiation already appeared, by implication, from the Ordinance of September 17, 1943, on the appointment of a provisional Consultative Assembly. It appears, expressly, from all the projects officially worked out for the constitution of a provisional Government or Administration on the territory of metropolitan France that can be liberated. The Constitutional Law of 1872 is rejected formally by Mr. de Menthon, Commissioner for Justice, in his official report of December 18, 1943, to the President of the Consultative Assembly. This will be done fundamentally in all new projects, more or less revamped, that may be submitted to the Allied Governments for approval, for what the Algiers Committee, under de Gaullist direction, can no longer agree with in the pursuit of its political views is precisely that system of guarantees instituted by the Legislator of 1872: postponement of any organization of central power until at least half the Departments have been liberated; inauguration by right, at that time, of a Provisional Assembly of delegates of the General Councils elected prior to the national crisis; the exercise, before that date, of all local administrative authority by the General Council of each Department.

As long as General de Gaulle believed that he had to guarantee himself against the danger of non-Gaullist despotism, he loudly invoked the unavoidable precepts of the 1872 Law; he breaks away from it as soon as he need concern himself only with imposing his own despotism.

What

What he very justly condemned as a violation of constitutional law on the part of the Vichy organization, is precisely what that Algiers Committee presided over by him already has to its credit: the dissolution of the General Council of Corsica by Ordinance of December 4, 1943 - or on its program: the replacement in metropolitan France of the General Councils by arbitrarily constituted Commissions.

II

Mr. de Menthon's report claims, for the Algiers Committee, an immediate seizure of power in France, from the first stage of partial liberation.

The contradiction is flagrant between that proposal and the provision of the Constitutive Ordinance of June 3, 1943 (Art. 4), which formally limited the scope of the Committee of National Liberation (by subjecting any possible formation of a provisional Government to "the laws of the Republic"). So the Reporter [Rapporteur] would allege, first of all, that "no text of the 1875 Constitution covers the formation of a provisional Government". But he immediately contradicts himself by invoking, on another point, the opinion of Professor Duguit (the highest authority on French constitutional law): "The Assembly of 1875 thought it advisable to provide for the case of illegal dissolution and to organize a system intended to maintain, in that eventuality, a regular government: such is the aim of the Law of February 16, 1872, known under the name of the Treveneuc Law" (Droit Constitutionnel, Vol. IV, p. 584).. He again contradicts himself, farther on, by himself invoking the Treveneuc Law as "the only legal text having contemplated the establishment of a provisional government."

The Reporter then strives (a further contradiction) to contest only the particular case in view: "We are not under the circumstance contemplated by the Treveneuc Law, which was that of an illegal dissolution of the Parliament". It is the fact, however, that the case is certainly that of an "illegal dissolution" of the Parliament, at least since the suppression of the offices of the two Chambers, at a time when their sessions were only suspended. That fact is formally established by the official protest of Presidents Jeanneney and Herriot, in their official letter to Marshal Pétain of August 31, 1942. Furthermore, "the

circumstances

circumstance contemplated by the Treveneuc Law", is not even limited to the case of an "illegal dissolution of the Parliament"; Article 1 of that Law also covers the case in which the National Assembly should be merely "prevented from meeting". So General de Gaulle, in his organic declaration of Brazzaville, denouncing the illegality of the measures adopted at Vichy against the General Councils, had himself recognized the application of the Treveneuc Law in any situation created by force, such as that created by the regime of Marshal Pétain.

The Reporter further cites the fact, against the application of the Treveneuc Law, that the mandate of the General Councils had expired. This argument can not be maintained under French republican doctrine, according to which the Assemblies are extended for the whole duration of the war. And how could the mandate of the General Councils expire, under the exceptional conditions under which the Constitution intended to substitute their powers for those of the Chambers themselves? It is the assembly of their delegates which is to "see to the legal administration of the country provisionally", pending the "reconstitution of the National Assembly", or "if such constitution cannot be accomplished within a month after the occurrences", that is, pending the general elections which it and it alone is entrusted with organizing!

Lastly, by a final contradiction, which consists in discussing the opportuneness of the Treveneuc Law after having denied its validity, the Reporter raises the following factual point: that the General Councils will include numerous members who have been compromised, "either as members of the Parliament who voted full powers to the Pétain Government, or by their participation in the Departmental Assemblies constituted by the Laval Government". Nothing is more legitimate, to be sure, than care regarding purging. But such purging can and ought to be accomplished by the Councils themselves. It is a strict principle in democracy that when an assembly is the organ of the national sovereignty it and it alone has the power to remove its unworthy members or to permit the prosecutions which will establish their unworthiness. And such assemblies, in the midst of a national crisis, necessarily develop under the most immediate pressure of public opinion. The most ferocious purging, that of the Terror even, organized during the French Revolution by the Committee of Public Safety, affected the members of the Convention only by a vote

of that

of that assembly, responding to the movements and manifestations of opinion. The General Councils will be in a good position to respond to the demands of opinion: the number of their members facilitates curtailments and guarantees, at all events, the largest choice for the selection of two Delegates only to be designated, in each Department, to the provisional Assembly. Then too, the mere fact that they were brutally dissolved by the Vichy Government in itself appears to show that the majority of them was not favorable or indulgent to that regime. They will be still less so, in the latest state of the national atmosphere. Essentially regional assemblies, and for that reason most directly subject to the behests of public sentiment, they reflect their evolution to such a point that, under the Third Republic, their biennial declarations always provided the most authentic indications of the national will of the country before the renewal of the Legislative Assemblies.

III

In reality, the Algiers Committee had already broken with the French legal order, by its Ordinance of September 17, 1943, on the creation of a Consultative Assembly (particularly its Article 20, on the method of constituting a provisional government). Substituting the arbitrary idea of legitimacy for the idea of legality, it then strikes out resolutely in the revolutionary concept of "a taking of power by the French [forces of] resistance", that is, in reality, by the Committee of National Liberation, based at its own pleasure on what it calls, for its needs, a "Superior Council of the Resistance".

Is there need to emphasize the complete contradiction that there has always been, at bottom, between this actual desire of the Fighting France movement to be a revolution and its formal protestation that "despite the assaults committed at Vichy, the Constitution remains legally in force" (Organic Declaration of November 18, 1940)?

The Algiers Committee would like, at least, to be able to justify morally an illegal assumption of power. Mr. de Menthon cites "the authentic republican tradition of provisional governments". That is forgetting the essential difference between the present circumstances

and

and those of 1848, or even 1871. The national revolution, prepared for and accomplished at that time within France itself, on free territory, confronting the French nation, was that of a whole free people, freely informed for a long time, the will of which was finally expressed with a full understanding of the matter by mandates that were incontestable in fact, even when they were irregular. National representation was then declared under the open sky and not by the voices of clandestine groups; the leading spirits then were within the nation itself, real political leaders, publicly recognized and followed as such, whose political ideas and practice had been able to display themselves clearly under the critical gaze of public opinion; lastly, no legal procedure such as that provided by the 1872 Law then existed, which could be imposed as a republican guarantee previously established.

What is recognized by the best qualified representative of the semi-official de Gaullist press, Mr. Quilici (editor of "La Marseillaise" of Algiers and of the former "Marseillaise" of London) is that a true national representation can not be founded today on clandestine groups: "The Consultative Assembly does not possess any portion of the national sovereignty. It can not possess it. For it is not the result of an election. The former (members) of Parliament were coopted by representative elements of their respective parties, just as the delegates of the Resistance were coopted by representative elements of the organizations in which they fought, under the mysterious and often precarious conditions imposed by clandestinity" (Jan. 1, 1944).

And it is indeed true that the groups of resistance can not become political forces, in a renaissance democracy, before their structure itself can have become democratic: under that control by the adherents, at least, and in a broader way by public opinion, which it is absolutely impossible to insure "under the mysterious and often precarious conditions of clandestinity". In short, real freedom of expression must first have been restored. The system of Assemblies provided for by the 1872 Law is eminently favorable to such restoration.

IV

The application of the Law of June 15, 1872, authoritatively, in spirit as well as in letter, is needed.

In

In its literal application, it guarantees the continuity of the republican legal order, the last one which the will of the French people gave itself freely; it is the legal guardian of the law, for that people which is on the way to being liberated and to liberating itself from the Vichy regime. In its spirit, it tends to reduce to a minimum the risk of despotism resulting from acts of violence against national representation and sovereignty; it undertakes to place under the authority of Assemblies normally elected beforehand the maintenance, first of all, "of public tranquillity and the legal order" in each Department; then a "general administration of the country", one of the principal objects of which shall be to give to national representation "the fullness of its independence and the exercise of its rights". Such a spirit agrees with the very spirit of the American policy of liberation, as it has been repeatedly and formally proclaimed, to the French people by the highest representatives of the American people.

The fact that the Algiers Committee now feels hampered by the provisions of that Law is the very justification for its application, for the fundamental idea of all the projects worked out in Algiers for the arrival in France is the very one of the immediate assumption of illegal power or the immediate exercise of a de facto administration preparatory to such assumption of power. To those direct ends, Article 2 of the Law opposes its provisions: responsibility for the first measures of local administration entrusted only to the General Council in each Department pending the regular meeting of the Delegates of the General Councils of half of the Departments, that is, without deciding beforehand on any of the measures of general administration reserved to that first Assembly.

Such provisions exclude, in the first Departments liberated, the appointment of Prefects prepared by the Algiers Committee, that is, the appointment of agents of governmental policy. The French Legislator did not want precisely any possibility of there being Prefects before the orderly constitution of a provisional Government, as the administrative duties of the Prefect could be performed during that initial period by a Delegate or a delegation in each Department designated by the General Council. This guaranty of the Treveneuc Law would therefore apply immediately against the prefects of the usurping Government of Vichy and also

against

against all others. Any central organization which should appoint prefects prior to the regular meeting of the Assembly of Delegates of the General Councils would thereby violate constitutional legality and thus would abuse the confidence of the French people, to which it would be presented de facto as a "Government". The application of the 1872 Law would, on the contrary, show the nation that it does not yet have a Government, and that its choice remains to be made, under its full responsibility. That is the best psychological barrier against a usurpation by modern propaganda (radio) and the surprises of the fait accompli (proclamations). Need it be observed, moreover, that the first, and perhaps even the second phases of the operations of liberation will not give rise to any administrative problem in the first Departments liberated, much less a political problem? Differing from the case of North Africa, Corsica or Italy, the Germans have already been able to evacuate all the population from the coast of France, and that evacuation will be continued further in depth with their first withdrawals.

In conclusion, only strict application of the Law of February 16, 1872 can guarantee any honest reconstitution of democratic life such as the will of the French people, in its last constitutional expression, undertook to guarantee it.

That is, for the same reason, the best safeguard against the dangers of surprise or abuses of confidence. To the General Councils of France the will of the French people has freely delivered the supreme guarantee of its liberties: that will remains sacred until it has been able to express freely its new will with regard to its institutions.

TC/C:JWF:WLB



THE WHITE HOUSE
WASHINGTON

DEPARTMENT OF STATE
WASHINGTON

February 4, 1944

MEMORANDUM FOR GENERAL WATSON:

In compliance with the President's memorandum of
February 2, 1944, there are returned herewith the originals
and copies in translation of a letter, with its enclosures,
from Alexis Leger of 3120 R Street, (New York.) *(Mr. Washington AC)*

G. T. Summerlin
George T. Summerlin

Enclosures:

Original letter from Mr.
Leger, with enclosures.
Translations of above.

FOR DEFENSE



BUY
UNITED
STATES
SAVINGS
BONDS
AND STAMPS

THE WHITE HOUSE
WASHINGTON

February 2, 1944.

MEMORANDUM FOR

MR. SUMMERLIN:

FOR TRANSLATION AND RETURN
TO ME.

F.D.R.

**THE WHITE HOUSE
WASHINGTON**

February 1, 1944.

MEMORANDUM FOR THE PRESIDENT:

The Attorney General called to say that Mr. Alexis Leger, a distinguished Frenchman, has brought to him a memorandum that he wishes you to see. It deals with the recognition of DeGaulle. He makes no recommendation, but is just passing it on.

GGT

Personnel

Monsieur
le Président Roosevelt

Frank folder
1-44

February 15, 1944

Dear Mr. Leger:

I am grateful to you for your letter of January 31, 1944 with which was enclosed an interesting study of the application of the Treveneuc Law to the situation in France at the time of liberation:

I am always glad to have the benefit of your views on matters affecting the interests of our two countries.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

Mr. Alexis Leger,

3120 R Street NW.,

Washington, D. C.

DEPARTMENT OF STATE
OFFICE OF
COORDINATION AND REVIEW
February 15, 1944

Mr. Latta:

Attached is the letter from Mr. Alexis Leger which should have accompanied the Department's memorandum to the President dated February 14.

B. Halla

(TRANSLATION)

Washington, January 31, 1944.

Mr. President

Will you permit me again to take advantage of your high benevolence for an entirely personal communication?

The hour is near when military convenience, in the preparation of the invasion, may impose upon the Allies the heaviest moral responsibilities toward the French people. Whatever modality it may be necessary to use for the provisional administration of liberated French territories, it is important that the role devolving, in such case, on the French element shall always remain fully compatible with respect for the Constitutional Law of 1872, on which it was the intention of the French people itself to base its democratic guarantees.

In fact as in law, this fundamental law provides for the necessities of the present situation. No provisional French administrative organism could refuse to apply it without breaking with the French constitutional legality, nor without abuse of power toward a national will which cannot be expressed. No Allied Government could lend itself to such action without itself bearing this twofold responsibility, political and moral.

The American Government, more than any other, is interested in this. Any final surrender of principle would cause it to lose, retrospectively, the justification of a policy always placed, from the beginning, on the highest conception of principle; would expose it, in the immediate future, to the unforeseeable reactions of French national opinion; would associate it, in the future, with the responsibilities of a French internal evolution perhaps initially warped.

Against these risks and many others, a strict application of the law of 1872, called the "Treveneuc Law", would opportunely furnish the best safeguard: political, legal and moral. I hope I am not indiscreet in taking the liberty to place before your eyes the text of that law, with a summary note on the essentials of the question at issue.

I beg you to accept, Mr. President, with my most fervent good wishes, the expression of my most respectful sentiments.

(S) Alexis Leger

Alexis Leger
3120 R Street, NW.

(TRANSLATION)

Law of February 15, 1872, relative to the part that may be played by the Councils General under exceptional circumstances.

Article 1. If the National Assembly or those succeeding it should be illegally dissolved or prevented from meeting, the councils general shall assemble immediately, automatically, and without necessity of any special convocation, in the capital of each department. They may assemble anywhere else in the department if the habitual place of their meetings does not seem to offer them sufficient guaranties for the liberty of their deliberations. The councils are validly constituted only by the presence of the majority of their members.

2. Until the day when the Assembly which will be spoken of in article 3 shall have advised that it is regularly constituted, the council general shall provide as a matter of urgency for the maintenance of the public tranquility and the legal order.

3. An Assembly composed of two delegates elected by each council general, in secret committee, shall meet in the place where the members of the legal Government and the deputies who have been able to escape the violence have gone. The Assembly of delegates is validly constituted only when one half of the departments, at least, are represented in it.

4. This Assembly shall be charged with taking, for the whole of France, the urgent measures which are necessitated by the maintenance of order and especially those whose purpose it is to return to the National Assembly the fullness of its independence and the exercise of its rights. It sees to the general administration of the country provisionally.

5. It must dissolve as soon as the National Assembly shall have been reconstituted by the meeting of the majority of the members thereof at any point of the territory. If such reconstitution can not be accomplished in the month following the events, the Assembly of delegates must decree a call to the nation for general elections. Its powers shall cease on the day when the new National Assembly is constituted.

6. The decisions of the Assembly of delegates must be executed by all officials, agents of the authority and commanders of the public force, subject to being deemed guilty of maladministration.

from
the Als

Washington, 31 Janvier 1944

Monsieur le Président

Voulez-vous me permettre encore de
m'autoriser de votre haute bienveillance pour
une communication toute personnelle ?

L'heure est proche où les convenances
militaires, dans la préparation de l'invasion,
peuvent imposer aux Alliés les plus lourdes
responsabilités morales face au peuple français.
A quelque modalité qu'il faille recourir pour
l'administration provisoire des Territoires français
libérés, il importe que le rôle dévolu, dans l'occurrence,
à l'élément français demeure toujours pleinement
compatible avec le respect de la loi constitutionnelle
de 1872, sur laquelle le peuple français a entendu

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lui-même fonder ses garanties démocratiques.

En fait comme en droit, cette loi fondamentale pourvoit aux nécessités de la situation actuelle. Aucun organisme d'administration provisoire française ne saurait se refuser à son application sans rupture avec la légalité constitutionnelle française, ni sans abus de pouvoir envers une volonté nationale inexprimable. Aucun Gouvernement allié ne saurait s'y prêter sans supporter lui-même cette double responsabilité, politique et morale.

Le Gouvernement Américain, plus qu'aucun autre, y est intéressé. Toute compromission finale lui ferait perdre, rétrospectivement, la justification d'une politique toujours placée, dès l'origine, sous la plus haute conception de principe, l'exposerait, dans l'immédiat, aux réactions imprévisibles de l'opinion nationale française; l'associerait, pour l'avenir, aux responsabilités d'une évolution intérieure française peut-être initialement faussée.

Contre ces risques et bien d'autres, une application rigoureuse de la loi de 1872, dite "loi Terverne", fournit opportunément la meilleure sauvegarde: politique, juridique et morale. J'espère n'être pas indiscret en prenant la liberté de mettre sous vos yeux le texte de cette loi, avec une note sommaire sur le fond même de la question en cause.

Je vous prie d'agréer, Monsieur le Président, avec mes vœux les plus fervents, l'expression de mes sentiments les plus respectueux.

M. Alexis LEGER
3120 R. Street, N.W.

Alexis Leger

*un organ
refuse a
75. 1872*

chale

LOI du 15 février 1872, relative au rôle éventuel des Conseils généraux dans des circonstances exceptionnelles.

Art. 1er. Si l'Assemblée nationale ou celles qui lui succéderont viennent à être illégalement dissoutes ou empêchées de se réunir, les conseils généraux s'assemblent immédiatement, de plein droit, et sans qu'il soit besoin de convocation spéciale, au chef-lieu de chaque département.--Ils peuvent s'assembler partout ailleurs dans le département, si le lieu habituel de leurs séances ne leur paraît pas offrir de garanties suffisantes pour la liberté de leurs délibérations.--Les conseils ne sont valablement constitués que par la présence de la majorité de leurs membres.

2. Jusqu'au jour où l'Assemblée dont il sera parlé à l'article 3, aura fait connaître qu'elle est régulièrement constituée, le conseil général pourvoira d'urgence au maintien de la tranquillité publique et de l'ordre légal.

3. Une Assemblée composée de deux délégués élus par chaque conseil général, en comité secret, se réunit dans le lieu où se seront rendus les membres du Gouvernement légal et les députés qui auront pu se soustraire à la violence.--L'Assemblée des délégués n'est valablement constituée qu'autant que la moitié des départements, au moins, s'y trouve représentée.

4. Cette Assemblée est chargée de prendre, pour toute la France, les mesures urgentes que nécessite le maintien de l'ordre et spécialement celles qui ont pour objet de rendre à l'Assemblée nationale la plénitude de son indépendance et l'exercice de ses droits.--Elle pourvoit provisoirement à l'administration générale du pays.

5. Elle doit se dissoudre aussitôt que l'Assemblée nationale se sera reconstituée par la réunion de la majorité de ses membres sur un point quelconque du territoire.--Si cette reconstitution ne peut se réaliser dans le mois qui suit les événements, l'Assemblée des délégués doit décréter un appel à la nation pour des élections générales.--Ses pouvoirs cessent le jour où la nouvelle Assemblée nationale est constituée.

6. Les décisions de l'Assemblée des délégués doivent être exécutées, à peine de forfaiture, par tous les fonctionnaires, agents de l'autorité et commandants de la force publique.

N O T E

Sur l'application de la Loi constitutionnelle de 1872, dite "Loi Treveneuc", et sur les contre-projets du Comité d'Alger pour la constitution d'un Gouvernement ou d'une Administration provisoire en France libérée.

I

La volonté du peuple français, dans sa dernière et libre expression constitutionnelle, a entendu s'assurer en cas de désastre national les garanties nécessaires contre un double risque : de carence administrative et d'usurpation de pouvoirs. Ces garanties sont intégrées dans la Loi constitutionnelle du 15 février 1872, dite "Loi Treveneuc".

La politique du Gouvernement américain à l'égard de la France occupée, conforme au droit international, à la tradition démocratique et à l'intérêt bien entendu des relations durables entre peuple français et peuple américain, tend précisément à n'affaiblir ni compromettre en rien ces garanties, jusqu'à ce que le peuple français libéré ait été mis en situation de disposer lui-même, librement, de son ordre constitutionnel.

Le respect de l'ordre légal français antérieur à l'Armistice, et en particulier de la Loi constitutionnelle de 1872, avait été maintes fois proclamé par les Dirigeants de la France combattante :

1° - par le Général de Gaulle, dès le 16 novembre 1940, dans la Déclaration organique de Brazzaville ("Malgré les attentats commis à Vichy, la Constitution demeure légalement en vigueur" "A défaut d'un Parlement libre et fonctionnant régulièrement, la France aurait pu faire connaître sa volonté par la grande voix de ses Conseils Généraux; les Conseils Généraux auraient même pu, en vertu de la Loi du 15 février 1872, et vu l'illégalité de l'organisme de Vichy, pourvoir à l'Administration générale du pays, mais ledit organisme, par soi-disant décret du 20 août 1940, leur a interdit de se réunir, et par la prétendue Loi du 12 octobre 1940, il les a remplacés par des Commissions nommées par le pouvoir central ...".)

2° - par les Généraux de Gaulle et Giraud, dans un échange de lettres publiques et de memoranda, sur la foi desquels les Gouvernements Alliés ont entendu favoriser à Alger l'institution d'un régime d'unité administrative française. (Référence expresse à la Loi de 1872)

3° - par le Comité d'Alger, dans l'Ordonnance organique du 3 juin 1943 portant institution du "Comité Français de la Libération Nationale" (Article 4 : "Le Comité Français de la Libération Nationale exercera ses fonctions jusqu'à la date où l'état du territoire permettra la formation, conformément aux Lois de la République, d'un Gouvernement provisoire auquel il remettra ses pouvoirs".)

Le même ordre légal est aujourd'hui répudié par le Comité d'Alger, sous l'autorité absolue de son unique Président, le Général de Gaulle.

Cette répudiation résultait déjà, implicitement, de l'Ordonnance du 17 septembre 1943 sur la nomination d'une Assemblée Consultative provisoire. Elle résulte, expressément, de tous les projets officiellement élaborés pour la constitution d'un Gouvernement ou d'une Administration provisoires sur territoire libérable de la France métropolitaine. La Loi constitutionnelle de 1872 est formellement rejetée par M. de Menthon, Commissaire à la Justice, dans son rapport officiel du 18 décembre 1943 au Président de l'Assemblée Consultative. Elle le sera foncièrement dans tous projets nouveaux, plus ou moins remaniés, qui pourront être soumis à l'approbation des Gouvernements Alliés, car ce dont le Comité d'Alger, sous la direction gaulliste, ne peut plus s'accommoder pour la poursuite de ses visées politiques, c'est précisément du système de garanties institué par le Législateur de 1872 : ajournement de toute organisation de pouvoir central jusqu'à libération de la moitié au moins des Départements; investissement, de droit, à cette date, d'une Assemblée provisoire de délégués des Conseils Généraux élus avant la crise nationale; exercice, avant cette date, de toute autorité administrative locale par le Conseil Général de chaque Département.

Tant que le Général de Gaulle a cru avoir à se garantir lui-même contre des risques d'arbitraire non-gaulliste, il a hautement invoqué les prescriptions inéluctables de la Loi de

1872; il s'en affranchit du jour où il n'a plus souci que d'imposer son propre arbitraire. Ce qu'il a très justement condamné, à la charge de l'organisme de Vichy, comme violation de la légalité constitutionnelle, c'est précisément ce que le Comité d'Alger, sous sa présidence, compte déjà à son actif : dissolution du Conseil Général de la Corse par Ordonnance du 4 décembre 1943 - ou à son programme : remplacement, en France métropolitaine, des Conseils Généraux par des Commissions arbitrairement constituées.

II

Le rapport de M. de Menthon revendique, pour le Comité d'Alger, une prise immédiate de pouvoir en France dès le premier stade de libération partielle.

La contradiction est flagrante entre cette proposition et la disposition de l'Ordonnance constitutive du 3 juin 1943, (art. 4) qui a limité formellement la portée du Comité de Libération Nationale (en soumettant à l'application "des lois de la République" toute formation éventuelle de Gouvernement provisoire). Aussi le Rapporteur voudrait-il alléguer, tout d'abord, qu' "aucun texte de la Constitution de 1875 ne vise la formation d'un Gouvernement provisoire" - Mais il se contredit aussitôt en invoquant, sur un autre point, l'avis du Pro-

fesseur Duguit (la plus haute autorité française en Droit Constitutionnel): "L'Assemblée de 1875 a cru utile de prévoir le cas de dissolution illégale et d'organiser un système destiné à maintenir, dans cette éventualité, un gouvernement régulier : tel est le but de la Loi du 15 février 1872, connue sous le nom de Loi Tréveneuc" (Droit Constitutionnel, Tome IV, p. 584). Il se contredit encore plus loin en invoquant lui-même la Loi Tréveneuc comme "le seul texte légal ayant prévu la Constitution d'un Gouvernement provisoire."

Le Rapporteur s'efforce ensuite - nouvelle contradiction - de contester seulement le cas d'espèce envisagé : "Nous ne nous trouvons pas dans l'hypothèse prévue par la Loi Tréveneuc, qui était celle d'une dissolution illégale du Parlement." Il est de fait, pourtant, que l'on se trouve bien dans le cas de "dissolution illégale" du Parlement, tout au moins depuis la suppression des Bureaux des deux Chambres, à un moment où leurs réunions étaient seulement suspendues. Ce fait est régulièrement établi par la protestation officielle des Présidents Jeanneney et Herriot, dans leur lettre officielle au Maréchal Pétain du 31 août 1942. Au surplus, "l'hypothèse prévue par la Loi Tréveneuc" n'est même pas limitée au cas de "dissolution illégale du Parlement" : l'article 1 de cette Loi l'étend encore au cas où l'Assemblée Nationale serait seulement "empêchée de se réunir." Aussi bien le Général de Gaulle, dans sa déclaration organique de Brazzaville, en dénonçant l'illégalité des mesures prises à Vichy contre les Conseils Généraux, avait-il lui-même reconnu l'application de la Loi Tréveneuc dans toute situation de force comme celle créée par le régime du Maréchal Pétain.

Le Rapporteur invoque encore, contre l'application de la Loi Tréveneuc, que le mandat des Conseils Généraux se trouverait expiré. Argument insoutenable dans la doctrine républicaine française, d'après laquelle les Assemblées sont prorogées pour toute la durée de la guerre. Et comment le mandat des Conseils Généraux pourrait-il expirer, dans les conditions exceptionnelles où la Constitution a voulu substituer leurs pouvoirs à ceux des Chambres elles-mêmes ? C'est l'Assemblée de leurs Délégués qui doit "pourvoir provisoirement à l'administration légale du pays" en attendant "que l'Assemblée Nationale se soit reconstituée", ou "si cette constitution ne peut se réaliser dans le mois qui suit les événements", c'est à dire en attendant les élections générales qu'elle est elle-même, et seule, chargée d'organiser ?

Enfin, par une dernière contradiction, qui consiste à discuter l'opportunité de la Loi Tréveneuc après en avoir nié la validité, le Rapporteur soulève le point de fait suivant: que les Conseils Généraux comprendront de nombreux membres compromis, "ou comme parlementaires ayant voté les pleins pouvoirs au Gouvernement Pétain, ou par leur participation aux assemblées départementales constituées par le Gouvernement Laval". Rien de plus légitime, certes, que le souci d'épuration. Mais cette épuration peut, et doit, être opérée par les Conseils eux-mêmes. C'est un principe strict en démocratie que, lorsqu'une assemblée est l'organe de la souveraineté nationale, il lui appartient, et à elle seule, de retrancher ses membres indignes, ou, de permettre les poursuites qui établissent leur indignité. Et de telles assemblées, en pleine crise nationale, évoluent forcément

sous la pression la plus immédiate de l'opinion publique. L'épuration la plus farouche, celle de la Terreur, organisée sous la Révolution française par le Comité de Salut Public, n'atteignit elle-même les membres de la Convention que par un vote de cette Assemblée, répondant aux mouvements et manifestations de l'opinion. Les Conseils Généraux seront bien en situation de répondre aux exigences de l'opinion: le nombre de leurs membres facilite les retranchements, et garantit, en tout cas, le plus large choix pour la sélection des deux seuls Délégués à nommer, dans chaque Département, à l'Assemblée provisoire. Aussi bien le seul fait qu'ils aient été brutalement dissous par le Gouvernement de Vichy semble-t-il déjà indiquer qu'ils n'étaient pas, en majorité, favorables ou indulgents à ce régime. Encore moins le seront-ils, dans le dernier état de l'ambiance nationale. Assemblées essentiellement régionales, et par là-même le plus directement soumises aux injonctions du sentiment public, elles en reflètent à ce point l'évolution, que, sous la IIIème République, leurs manifestations bisannuelles ont toujours fourni les indications les plus autorisées sur la volonté nationale du pays avant le renouvellement des Assemblées législatives.

III

En réalité, le Comité d'Alger avait déjà rompu avec l'ordre légal français par son Ordonnance du 17 septembre 1943 sur la création d'une Assemblée Consultative (notamment à son

article 20 sur le mode de constitution d'un gouvernement provisoire). Substituant à la notion de légalité la notion arbitraire de légitimité, il s'engage désormais résolument dans la conception révolutionnaire d'une "prise de pouvoir par la Résistance française", c'est à dire, en fait, par le Comité de Libération Nationale s'appuyant à son gré sur ce qu'il qualifie, pour ses besoins, un "Conseil Supérieur de la Résistance" * *La prise de pouvoir par des groupes clandestins, c'est*

Faut-il souligner toute la contradiction qu'il y a toujours eu, au fond, entre cette volonté réelle du mouvement de la France combattante d'être une révolution et son attestation formelle que, "malgré les attentats commis à Vichy, la Constitution demeure légalement en vigueur" (Déclaration organique du 16 novembre 1940) ? *une question, les mandats*

Le Comité d'Alger voudrait, au moins, pouvoir justifier moralement une prise de pouvoir illégale. M. de Menthon invoque "l'authentique tradition républicaine des gouvernements provisoires". C'est oublier la différence essentielle entre les circonstances actuelles et celles de 1848, ou même de 1871. La révolution nationale, préparée et accomplie alors au sein même de la France, en territoire libre, face à la nation française, était celle de tout un peuple libre et librement informé depuis longtemps, dont la volonté s'exprimait finalement en toute connaissance de cause, par des mandats en fait incontestables même quand ils étaient irréguliers; la représentation nationale s'affirmait alors à ciel ouvert et non par la voix de groupes clandestins; les dirigeants alors étaient, au sein même de la nation, de véritables chefs politiques, publi-

quement reconnus et suivis comme tels, dont les conceptions et l'action politiques avaient pu se manifester clairement sous le regard critique de l'opinion populaire; enfin, aucune procédure légale, comme celle prévue par la Loi de 1872, n'existait alors, qui pût s'imposer comme une garantie républicaine antérieurement établie.

Qu'on ne puisse aujourd'hui fonder une véritable représentation nationale sur des groupes clandestins, c'est ce que reconnaît lui-même le représentant le plus qualifié de la presse officieuse gaulliste, M. Quilici (Directeur de "La Marseillaise" d'Alger, et de l'ancienne "Marseillaise" de Londres): "L'Assemblée Consultative ne possède aucune parcelle de la souveraineté nationale. Elle ne peut la posséder. Car elle n'est pas issue d'une élection. Les (membres) anciens parlementaires ont été cooptés par des éléments représentatifs de leurs partis respectifs, de même que furent cooptés les délégués de la Résistance par des éléments représentatifs des organisations où ils militaient, dans les conditions mystérieuses et souvent précaires qu'impose la clandestinité". (1^{er} Janv. 1944)

Et il est bien vrai que des groupes de résistance ne peuvent devenir des forces politiques, dans une démocratie renaissante, avant que leur structure elle-même ait pu devenir démocratique : sous ce contrôle au moins des adhérents, et plus largement de l'opinion, qu'il est précisément impossible d'assurer "dans les conditions mystérieuses et souvent précaires de la clandestinité". Il faut, en un mot, qu'ait pu

d'abord être restaurée une véritable liberté d'expression. Le régime d'Assemblées prévu par la Loi de 1872 est éminemment favorable à cette restauration.

IV

L'application de la Loi du 15 juin 1872 s'impose, avec autorité, dans son esprit comme dans sa lettre.

Dans sa lettre, elle garantit la continuité de l'ordre légal républicain, le dernier que se soit donné librement la volonté du peuple français; elle est gardienne légale du droit, pour ce peuple en voie d'être libéré, et de se libérer du régime de Vichy. Dans son esprit, elle tend à réduire au minimum le risque d'arbitraire résultant d'actes de violence contre la représentation et la souveraineté nationales : elle entend placer sous l'autorité d'Assemblées antérieurement et normalement élues, le maintien, tout d'abord, "de la tranquillité publique et de l'ordre légal" dans chaque Département; puis une "Administration générale du pays", dont un des principaux objets sera de rendre à la représentation nationale "la plénitude de son indépendance et l'exercice de ses droits". Un tel esprit s'accorde avec l'esprit même de la politique américaine de libération, telle qu'elle a été, maintes fois et solennellement, proclamée, face au peuple français, par les plus hauts représentants du peuple américain.

Que le Comité d'Alger trouve aujourd'hui une gêne dans les dispositions de cette Loi, c'est la justification même de son application : car l'idée fondamentale de tous les projets élaborés à Alger pour l'arrivée en France, c'est précisément la prise immédiate de pouvoir illégal ou l'exercice immédiat d'une administration de fait préparant cette prise de pouvoir. A ces visées immédiates, l'article 2 de la Loi oppose ses prescriptions immédiates : responsabilité des premières mesures d'administration locale confiée au seul Conseil Général dans chaque Département, en attendant l'Assemblée régulière des Délégués des Conseils Généraux de la moitié des Départements, c'est à dire sans préjuger en rien des mesures d'administration générale réservées à cette première Assemblée.

De telles dispositions excluent, dans les premiers Départements libérés, les nominations de Préfets préparées par le Comité d'Alger, c'est à dire les nominations d'agents de politique gouvernementale. Le Législateur français a précisément voulu qu'il ne pût y avoir de Préfets avant la constitution régulière d'un Gouvernement provisoire, les fonctions administratives du Préfet, pendant cette première période, pouvant être remplies dans chaque Département par un délégué, ou une délégation, du Conseil Général. Cette garantie de la Loi Tréveneuc vaudrait donc, immédiatement, contre les préfets du Gouvernement usurpateur de Vichy, aussi bien que contre tous autres. Tout organisme central qui, avant la réunion régulière de l'Assemblée des Délégués de Conseils Généraux, nommerait des Préfets, violerait par là même la légalité constitutionnelle,

et abuserait ainsi de la confiance du peuple français, auquel il se présenterait en fait comme un "Gouvernement". L'application de la Loi de 1872 manifesterait au contraire à la nation qu'elle n'a pas encore de Gouvernement, et que son choix reste à faire, sous sa pleine responsabilité. C'est la meilleure barrière psychologique contre une usurpation par la propagande moderne (radio) et les surprises du fait accompli (proclamations).

Faut-il observer, au surplus, que la première, et peut-être même la deuxième phase, des opérations de libération, ne laisseront, en fait, dans les premiers Départements libérés, place à aucun problème administratif, encore moins politique ? A la différence du cas de l'Afrique du Nord, de la Corse ou de l'Italie, les Allemands ont pu déjà évacuer toute la population du littoral de la France, et cette évacuation se poursuivra encore en profondeur avec leurs premiers reculs.

En conclusion, l'application rigoureuse de la Loi du 15 février 1872 peut seule garantir une honnête reconstitution de la vie démocratique telle que la volonté du peuple français, dans sa dernière expression constitutionnelle, a entendu la garantir. C'est, par là même, la meilleure sauvegarde contre les risques de surprise ou d'abus de confiance. Aux Conseils Généraux de France la volonté du peuple français a librement remis la garantie suprême de ses libertés : cette volonté demeure sacrée tant qu'il n'a pu, librement, exprimer une volonté nouvelle sur ses institutions.

DEPARTMENT OF STATE
WASHINGTON

February 14, 1944

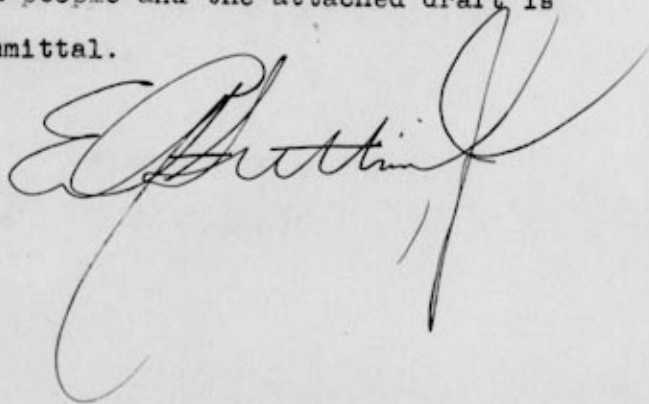
MEMORANDUM FOR THE PRESIDENT

In accordance with the instructions contained in your note of February 7 there is attached for your signature a draft of a reply to Mr. Alexis Leger's letter of January 31.

Mr. Leger strongly advocates the application of the Treveneuc Law of 1872 at the time of the liberation of France. The applicability of this Law is at least open to question and opinion against its use seems to be almost unanimous in Algiers. In any event, it would seem wise to avoid taking a position on a matter which primarily concerns the French people and the attached draft is consequently noncommittal.

Enclosure:

Draft reply to
Mr. Leger.

A large, stylized handwritten signature, likely of E. D. Dutton, is written over the bottom right portion of the document. The signature is in dark ink and features a prominent, sweeping flourish that extends downwards and to the left.

Mr Latta

will you ask State
Dept where Mr Legu's
letter etc is? DJB

France folder 1-44

THE WHITE HOUSE
WASHINGTON

File

March 3, 1944

MEMORANDUM

RE: RECOGNITION OF THE FRENCH
NATIONAL COMMITTEE

Mr. Stettinius was asked about this committee yesterday in his press conference. He answered: "This is something the President himself is giving his personal attention and he is the only one who can comment at the present time."

When queried on the Herald-Tribune story that British and U.S. had agreed on recognition but that matter was held up at the White House, Mr. Stettinius replied "off-the-record" that is was true that the matter was before the White House but it was not true that it was being held up at the White House; the matter was still under discussion and investigation.

THE WHITE HOUSE
WASHINGTON

March 6, 1944.

MEMORANDUM FOR

THE ACTING SECRETARY OF STATE:

Please get the true facts to Chapin in answer to his 714 from Algiers. Reuter's dispatch was, of course, wholly false. I said no such thing.

F.D.R.

Telegram, 3-4-44, from Chapin in Algiers, quoting Reuter's item, in re statement by the President at his press conference, concerning question of recognition of the French Committee of National Liberation.

DEPARTMENT OF STATE
DIVISION OF PROTOCOL

*France folder
1-44*

*file
personal*

April 10, 1944.

MEMORANDUM FOR GENERAL WATSON:

In compliance with your memorandum of April 8, 1944,
I am returning herewith the original document addressed
to the President by Marshal Petain, together with a photo-
static copy thereof.

G. T. Summerlin
George T. Summerlin
Chief of Protocol

Enclosures:

Original document,
with photostatic
copy.

Department of State

BUREAU
DIVISION

PR

ENCLOSURE

TO

Letter drafted 4-10-44

ADDRESSED TO

General Watson

Handwritten:
By the Member
Nov 5/1942

LE MARÉCHAL DE FRANCE
CHEF DE L'ÉTAT

VICHY, le 8 novembre 1942.

MESSAGE DU MARECHAL PETAIN
au Président ROOSEVELT.

C'est avec stupeur et tristesse que j'ai appris cette nuit l'agression de vos troupes contre l'Afrique du Nord.

J'ai lu votre message. Vous y invoquez des prétextes que rien ne justifie. Vous prêtez à vos ennemis des intentions qui ne se sont jamais traduites en actes. J'ai toujours déclaré que nous défendrions notre Empire s'il était attaqué; vous saviez que nous le défendrions contre tout agresseur, quel qu'il soit. Vous saviez que je tiendrais ma parole.

Dans notre malheur j'avais, en demandant l'Armistice, préservé notre Empire et c'est vous qui, agissant au nom d'un Pays auquel tant de souvenirs et de liens nous unissent, venez de prendre une initiative si cruelle.

La France et son honneur sont en jeu.

Nous sommes attaqués. Nous nous défendrons. C'est l'ordre que je donne.

J. P. Pétain

*Signed and handed to me
By the Marshal at 9:10 am
Nov 8/1942.*

D. F. [unclear] Tully

Signed and Travelled to me
At the Mansard at 9¹⁵ am
Nov 8/1942.

D. Fickensack

au Président ROUSSELT.

Ph. Pétany

7

April 8, 1944

MEMORANDUM FOR: HON. GEORGE T. SUMMERLIN,
Chief of Protocol,
Department of State.

Dear Sunny:

The President thought that this document from Marshal Petain should go to the State Department to be photostated, and then returned for his files. Will you be good enough to see that this is done.

Many thanks.

EDWIN M. WATSON
Major General, U.S. Army,
Secretary to the President.

LD:rlk
Encl.

message to the Pres. from Marshal Petain

P.S. Incidentally, this was sent to me in a personal letter from Kippy Tuck.

E.M.W.

THE WHITE HOUSE
WASHINGTON

April 7, 1944.

MEMORANDUM FOR

GENERAL WATSON:

I think this had better go
to the State Department to be photo-
stated and then returned for my files.

F.D.R.

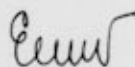
THE WHITE HOUSE
WASHINGTON

4-6-44

DEAR MR. PRESIDENT:

Pinckney Tuck, our late Charge'
d' Affaires in France, has sent me this
signed statement from Marshal Petain.

It is yours, and I agree with
Tuck that it has real historical value.



E.M.W.

O
P
Y

RACQUET & TENNIS CLUB
370 Park Avenue

April 4th

Dear Pa.

I am enclosing the letter which Marshal Petain handed me on Nov. 8, 1942, and signed in my presence. It is addressed to the President and therefore should go to him. Please explain to him that I had no way to get it to him earlier for our confidential files were destroyed by then and it remained with me during the 15 months we were detained. I got it safely over the Spanish Border by hiding it in my shirt and it has just turned up in my luggage here. It is a document of some historical significance and I would like to have it reach the President without further delay.

We are off to a place called Hobe Sound, Fla. where we will spend part of one time with Ernie and Josephine Kauzler - returning here about the 27th of April and then coming to Washington to learn what lies in store for me.

I can't tell you how glad I was to see Frances and you again and Ray is looking forward to her visit greatly. She is still pretty tired and the dentists - oculists and doctors have given us a pretty hard beating. She joins me in affectionate regards to Frances and the best to yourself.

As ever,

Kippy

P.S. A translation of the text of the enclosed was of course to be graphed to the Dept. on Nov. 8/42.

K.

~~SECRET~~
WAR DEPARTMENT
WASHINGTON

France folder 1-44

file
April 17, 1944.

Dear Mr. President:

I am sending you enclosed copy of an important letter which I have received from Frank McCoy, together with a statement from Brigadier General T. Bentley Mott, Retired, who you doubtless remember was our attache in France for many years and who has only recently been exchanged and returned from France on the Gripsholm. I think you will find General Mott's opinion as to the present situation in France very interesting.

I hope you are having a good trip.

Faithfully yours,

Henry L. Stimson

Secretary of War.

Franklin D. Roosevelt Library

DECLASSIFIED

DOD DIR. 5200.9 (9/27/59)

The President,
The White House.

Date- 2-16-70

Signature- *JRB*

~~SECRET~~

~~SECRET~~

FOREIGN POLICY ASSOCIATION

22 East 38th Street, New York

April 12, 1944

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DECLASSIFIED

DDO Wk. 5200.9 (9/27/58)

Date- 7-16-70

Signature- *FM*

Personal

The Honorable Henry L. Stimson
Secretary of War
War Department
Washington, D. C.

Dear Harry:

One of the things that I had hoped to talk to you about, had I had the good fortune to find you home and free, was the recent arrival of General T. Bentley Mott, who was exchanged recently and returned home on the Gripsholm.

Sensing his age and probable condition after being in a German concentration camp, I eased his way from the ship to my apartment, where Frances and I kept him for about a week with great interest and much talk, naturally, about his recent experiences in France.

I am sure you remember his background in France for most of the forty-four years since he first went there as military attache in 1900. There also may come back to you a time when you were his best friend and did him the greatest service in enabling him to return to France at a critical time in what turned out to be a successful courtship, so that he has always had a most devoted feeling toward you.

To cut a long story short, he is still here in the hospital since leaving us and not yet able to report back to Washington. He sends me from the hospital the attached notes which so much interested me as the considered opinion of one fresh from occupied France that I have felt you would be very much interested also in having his opinion - which seems rather different from the one accepted by our newspapers and the critics of our foreign policy with regard to France.

With best wishes,

Faithfully yours,

(Signed) Frank McCoy

Enclosure

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The following badly written notes come from my sick bed, for I have been much worried since my return from France three weeks ago by the ignorance that seems prevalent regarding that country. I have lived in France - both zones - since before 1939, except for seven months absence in 1941-'42. I know intimately people in every walk of life - very old friends who trust me as one of themselves. From October 1943 to February 17, 1944, I was in Paris, where I tried especially to get an idea of what Frenchmen thought about the government set-up in Algiers under General Giraud and then under General de Gaulle and then under the Committee of Liberation.

T. Bentley Mott
Brig. Gen. U.S.A., Ret.

April 11, 1944

Future notes on:

Underground activities

Banditism

M. Marty

M. Pierre Cot

French journalists:

- in France
- in America

German officers opinions
of American Army

French manufacturers
peasants
shop keepers

Collaborationists

Food

Delation

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DDO DIR. 5200.9 (9/27/58)

Date- 2-16-70

Signature- Juk2

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- 1 -

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In reading the New York newspapers, one would suppose that the people in France were very unhappy because the President refused to accept General de Gaulle's Algiers Committee as the supreme authority over continental France. This is in no sense true. Most French people are afraid of the Committee. They regard it as a body of self-appointed ambitious politicians, and not solely as patriots striving unselfishly for France's liberation. They are deeply concerned over the purges and executions carried out. They fear that if given full authority as French soil is liberated they would occupy themselves with revenge, rather than dispassionate reconstruction. One hears on every side in France, "these men seem to be giving us a repetition of 1793."

There is now no longer any Frenchman whom the French look upon as a savior or even as the symbol of salvation. For two years they felt that way about Marshal Petain. They surrounded him with the mysticism that people who have no hope from earthly sources instinctively create for themselves. They have never felt this way about General de Gaulle - not many nor for long. His noble attitude and dramatic appeal in June 1940 were admired. He was a rallying point for the ardent and adventurous; he showed the way to those still eager to fight. But he had neither the personal magnetism nor the political intelligence that were needed to feed and fortify his first appeal. His speeches over the London Radio and the daily tirades of his mouthpiece gradually convinced most Frenchmen that he was not much of a fellow. They were asking for bread and during two long years they got only a stone. They felt he ought to have

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-2-

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surrounded himself with good men; he chiefly chose politicians with grievances, the ambitious and the vengeful. His committee in London filled the air with hatred instead of hope. It seemed like Mr. Blum and his "Populaire" once more turned loose.

The above is the briefest possible sketch of the reasons why very few people in France look to de Gaulle to save, guide or reconstruct their country. And there is nobody else. Petain has entirely lost his hold. A few hate him, most feel sorry for him. The personal attacks upon his honor and his patriotism by General de Gaulle have done more harm to de Gaulle than to Petain. No Frenchman who served in 1914 - 1918 can forgive him for it. One of those errors that are worse than crimes.

But the more the French lost their faith in Petain the more they became inspired by a new belief. And their hopes no longer go forth to a mere symbol; they lift their prayers to a mighty nation in arms. This faith of broken men and women in American power and willingness to help them has grown in intensity since November 1942 and today it stirs the hearts of even the collaborationists. In the common people it is like the vision that came to Paul as he neared Damascus. Their faith in "The Americans" is now as ardent - as unreasoning if you like - as his became in the Jesus he had persecuted.

The great mass of Frenchmen believe and pray that it will be the Americans who are going to drive the Germans out of France, the Americans who are going to occupy and administer the country. It is not the Algiers Committee nor General de Gaulle nor even the French Army from North Africa that they want to do this thing. Time was when they dreamed of seeing Giraud and his Moroccans pouring into their

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country; with that General's eclipse and the Committee's recent actions this dream has faded (like so many others). Ninety per cent of all Frenchmen are deadly afraid of two things happening when the Germans leave: the handing over of their country to de Gaulle's Committee and the arrival of Russian troops. The one means, in their eyes, persecution, revenge, anonymous denunciations, a reign of terror; the other pictures to them the return of Leon Blum and his followers, with Communists in the saddle as in 1936, only far worse. It is not just the Right elements that feel this way but the humbler classes, many workingmen and every soul that owns somewhere a tiny house or a speck of land. Dyed in the wool Communists (they are comparatively few) and the anarchists who fled from Spain, along with every-day French bandits (they are comparatively numerous), are the men who want the Committee to exercise power. It would suit their book. They would be able to fish in troubled waters.

Whatever has happened in North Africa during the past year which Frenchmen did not understand or did not like has been accepted (by all but the intellectuals and professional skeptics) in terms of this blind faith in America. "It would not have been done if the Americans had not wanted it;" "if they allowed it, there must be a reason for it." The daily flood of German propaganda all over France concerning North Africa broke harmlessly against the rock of this faith. Living in the midst of it, I was astonished at its strength. This blind faith has enabled the French, cut off from all real news, calmly to accept many disturbing things. It made them hail enthusiastically General Eisenhower's appointment of Giraud to supreme command; it excused later on the sharing of that command by de Gaulle; it

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softened the regret when their paladin, whose feet turned out to be of clay, was ejected from the control of affairs. Even when we publicly proclaimed that we had no intention of telling the Algiers Committee what it might or might not do, the French people consoled themselves with the belief that "those politicians" would not be allowed by the Americans to really put over anything very harmful. "You have a million soldiers in North Africa; do you want us to believe that you are turning over their base of operations to a committee of self-appointed ex-congressmen who six years ago represented a tiny fraction of France?"

I was not in France when de Gaulle's recent defiance of America and his assumption of complete power was asserted; but judging by my experience of the last eighteen months, I should say that it would have gravely disturbed all Frenchmen, except for President Roosevelt's announced policy regarding civil administration after we have landed. I believe that his plan satisfies more Frenchmen than any other could, short of declaring that as Allied troops occupy France, civil affairs will everywhere be under the control of Americans. Such a thing would be hailed with delight by over nine-tenths of the people. However divided may be their belief in our competence, their faith in our honesty and our unselfishness is entire. This faith does not extend to the British (an easily explainable fact), and as for the Russians, Frenchmen are simply scared to death of them. A year of ceaseless Vichy propaganda has fortified their dread of Communism; - remember they had a taste of it from 1936 to 1939.

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~~SECRET~~

- 5 -

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This fact, then, has got to be faced: Whatever takes place in North Africa is considered in France as done with the approval of the American Army. All Frenchmen are too militarily minded to conceive of anything else. If we want to enlist the full support of the French population for our invading armies, we must find some way of assuring them that these armies are not bringing with or behind them the Algiers Committee. That way does not seem easy to invent except by crash-bang methods. At present the average man in France has no means of learning what goes on in America or in North Africa. The BBC for French listeners at 9 p.m. is and has always been pure de Gaulle propaganda; Radio France from Algiers gives nothing except what helps the Committee; Broadcasts from America, even when in English, give only war news. Absolutely nothing is received in France to offset the flood of propaganda poured out from London and Algiers on the subject of the French Committee. This has been very confusing to the French; they want to know the truth and they have no means of learning it. And the subject interests them passionately. It means "who is going to organize and govern us, who is going to protect us, to whom are we to look for justice?" And to people whose spirit has been broken, these are terrible questions. We alone can answer them. Algiers can now no more reassure continental France than can Brazzaville. Most everything the Liberation Committee has done so far has excited the distrust of well over ninety percent of the French population. The claims of de Gaulle to absolute power over

~~SECRET~~

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- 6 -

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continental France seem to them ridiculous unless he has the Allies behind him. Vichy they say is still the de facto government of France because the German Army supports it, not because the French people want it; the Algiers Committee is the de facto government of North Africa because the American Army supports it; it can become the de facto government of continental France only by the same means. Its authority over France rests on no legal grounds and if a vote were taken it would be seen that it has little popular backing. Frenchmen want to choose their new governors under the auspices of the American Army, not under the manipulation of the Algiers Committee. It is purely a matter of confidence.

No information goes from France to North Africa except that which is favorable to de Gaulle; none goes to London except what the deGaulle organization and the Communist cells in France send. Nobody outside of these categories has facilities for transmitting his opinions. Even if he did, he would be afraid to express any ideas except those favorable to the Algiers Committee; for his name would be set down by them on their list of criminals booked for punishment.

It is, therefore, not surprising that American newspaper men in Algiers, in London, and in New York should know practically nothing of what Frenchmen in France think of de Gaulle. All of their information comes from sources favorable to him. All other sources of information are closed by fear of death or persecution. These men have to cable the news; none but what lauds de Gaulle is

~~SECRET~~

~~SECRET~~

- 7 -

available. The de Gaulle organization for the control of news concerning him and his committee is air tight.

In a long conversation in Lisbon on March 4th last, with Colonel Soldorg, our military attache, we touched upon this subject. He confirmed entirely the statements made above. He had just returned from North Africa and he told me he was "most uneasy". Neither of us thought on March 4th that the subject we were discussing was going to become critical on April 4th.

Some newspaper men doubtless want to harry the President over "refusing the French people what they so ardently desire"; may it not be that others, perhaps a majority, simply don't know the truth and have no means of learning it?

T. BENTLEY MOTT

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DECLASSIFIED

DDO DIR. 5200.9 (9/27/58)

Date- L-16-70

Signature- Jv2

~~SECRET~~

(2989)

PSF: France folder 12-44

THE JOINT CHIEFS OF STAFF
WASHINGTON

20 May 1944.

MEMORANDUM FOR THE PRESIDENT:

Subject: Financial guide for France.

General Eisenhower, after preliminary discussions with the French Committee of National Liberation, has submitted the enclosed statement of his views on French financial matters to the Combined Chiefs of Staff for their consideration (Enclosure "A"). Paragraph 3 concerns United States lend-lease policies and is not believed to be a proper matter for consideration by the Combined Chiefs of Staff. A War Department cable is being separately prepared for dispatch to General Eisenhower as Commanding General, European Theater of Operations, U.S. Army, in clarification of paragraph 3.

Enclosure "B" is a draft reply from the Combined Chiefs of Staff to General Eisenhower which the Joint Chiefs of Staff submit to you for approval prior to submission to the Combined Chiefs of Staff. This cable is concurred in by the State and Treasury Departments.

For the Joint Chiefs of Staff:

WILLIAM D. LEAHY,
Admiral, U.S. Navy,
Chief of Staff to the
Commander in Chief of the Army and Navy

Enclosures.

DECLASSIFIED

JCS memo, 1-4-74

By RHP, NLR, Date

FEB 19 1974

(Copy to accompany original)

W.D.L.
pic.
J.R.
original submitted
by this President 5/23/44
returned to Adm. Leahy
5/24/44

ENCLOSURE "A"

From: Supreme Headquarters, Allied Expeditionary
Forces London, England

To: War Department for Combined Chiefs of Staff

No: S51235 4th May 1944
VOG 32

1. Preliminary discussions with French Military Mission indicate that they consider that the financial problem could best be met by solution on following lines:

A. French authorities will organize or provide financial services and facilities to be expected in any well ordered administration.

B. SCAEF should rely on French authorities to operate economic and fiscal system.

C. French authorities will make necessary advances to public authorities and to banking systems through established French channels.

D. To meet inflation situation, French plan to continue price control and rationing systems and to soak up purchasing power by use of so-called "Corsican scheme" applicable both to currency in circulation and bank deposits.

E. To carry out above, it would be necessary for French to use our supplemental francs.

2. All of above would be subject to over-riding power for emergency action by Allied commanders in absence of, or failure of French authorities.

3. Following policy indicated by intended extension of Lease-Lend arrangement with FCNL to include metropolitan France, we are prepared to agree in principle to the above programme. We feel that definite plan with some French authority is necessary, and that FCNL is the only body with which satisfactory arrangements can be made prior to arrival.

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DECLASSIFIED per JCS
Regrading Memo 28-71

Date- 8-26-71

Signature- RHB

[REDACTED]

4. Consider that there are strong psychological arguments against SCAEF alone declaring supplemental francs legal tender. We should prefer that FCNL should issue primary declaration and that SCAEF should support this by statement for information if necessary. Thus French would be fully responsible for success of their financial programme. SCAEF would retain such notes as he requires against proper accounting, though the whole issue would be the responsibility of FCNL.

5. In our view, these arrangements would achieve the essential purpose of putting the French authorities in a position adequately to carry out the financial functions of civil administration.

6. The only alternative is of SHAEF directly to undertake in the initial period all financial arrangements, which we should in any case adjust as far as possible to procedures desired by French, and emphasizing that our intervention is temporary. This could be done in a limited operational area, but once hiatus areas develop to any important size, control by SHAEF would not be possible and French authorities must operate. It is most desirable that there should be one uniform authority and that this authority should operate from the commencement, undertaking full financial administrative responsibilities, subject to our requirements. Your approval is urgently requested.

Franklin D. Roosevelt Library

DECLASSIFIED per JCS
Regarding Memo 28-71

Date- 8-26-71

Signature- RHP

[REDACTED]

ENCLOSURE "B"

DRAFT CABLE FROM THE COMBINED CHIEFS OF STAFF
TO SCAEF

Financial guide for France is subject (from CCS to SCAEF in answer to VOG 32).

We approve in principle the program set forth in paragraphs one through five of VOG 32 subject to the conditions outlined in sub-paragraphs a and b below:

a. It must be made clear to the French Military Mission and other representatives of the FCNL with whom you may deal that any arrangements made with them must be considered tentative and not preclude consultation with and assistance from other elements of the French people with whom you may feel it necessary or advantageous to deal while your forces are in France.

b. It should be made clear also that the basis of authority for the issue of supplemental francs is vested in SCAEF and that FCNL should not be held out as the issuing authority. The decree proclaiming supplemental French franc currency legal tender will be issued by SCAEF. This declaration need be given no further publicity than necessitated by minimum legal requirements to be determined by SCAEF. Proposals to you from FCNL or other French groups would be approved at your discretion whereby FCNL or other approved French groups would make supporting announcements that supplemental French franc currency should be considered legal tender. SCAEF will insure that description of design of supplemental French franc currency notes, sufficient to identify the notes, will be included in such supporting announcements.

DECLASSIFIED

JCS memo, 1-4-74

By RHP, NLR, Date FEB 19 1974

22 May

Send to President via
first pouch

W.A.L.

memo to President
prepared by Lt. Chapman
cur

PSF: France

~~via Correo "D"~~

3-44

May 29, 1944.

My dear Darlan:

Ever so many thanks for your nice letter. I am enclosing copy of a letter I sent to you last December, but which I fear you never received.

I am glad all goes well with you and I do hope I shall see you one of these days soon either in Washington or Warm Springs.

My very best wishes to you, your mother and your wife.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

Ensign A. Darlan,
Georgia Warm Springs Foundation,
Warm Springs, Georgia.

Enclosure.

C
O
P
Y

December 29, 1943.

My dear Darlan:-

It was good of you to send me that
Christmas and New Year's greeting.

I am especially happy that you are
making real progress. I hope to come down to
Warm Springs in the Spring of 1944, and I shall
be delighted to see you there.

Please give to your wife and your
mother my sincere regards, in which Mrs.
Roosevelt joins.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

Ensign A. Darlan,
Georgia Warm Springs Foundation,
Warm Springs,
Georgia.

(Orig. copies filed - Gen Corres "D", 3-43.)

GEORGIA WARM SPRINGS FOUNDATION
WARM SPRINGS
GEORGIA

9 Mai 1944.

Monsieur le Président,

j'apprends votre retour à Washington,
et je tiens à vous exprimer ma joie de
savoir que vous avez pu prendre quelque
repos, et que votre santé est complètement
rétablie.

Je vous aussi vous témoigner à
nouveau, toute ma gratitude à
l'occasion de l'anniversaire de mon
arrivée en Amérique.

Grâce à vous, Monsieur le Président,
j'ai reçu depuis un an à Warm
Springs, des soins merveilleux et
efficaces qui m'ont permis de faire
des progrès considérables.

Je viens de subir deux opérations, qui, j'en ai la certitude, me permettront de progresser encore.

Je ne sais Mamein le Président, si vous avez reçu la lettre que je m'étais permis de vous écrire de Baltimore.

Là encore, grâce à votre générosité, le Docteur Young m'a prodigué ses soins. et j'ai pu rejoindre Warm Springs, complètement rassuré sur mon état, et reprendre mon traitement.

Je vous disais dans cette lettre, que ma reconnaissance pour vous, espère pouvoir s'exprimer dans un proche avenir, autrement que par des paroles, et que je n'aurai jamais de devoir plus sacré, que de mettre à votre disposition et à votre service toute l'activité que j'aurai pu recueillir, grâce à vous.

GEORGIA WARM SPRINGS FOUNDATION
WARM SPRINGS
GEORGIA

je me permets, Monsieur le President,
de vous le redire aujourd'hui.

je vous prie d'accepter, Monsieur
le President, l'expression de mon
profond respect.

A. Darlang

Francis folder
1-44

file
personal

DEPARTMENT OF STATE
WASHINGTON

May 29, 1944.

MEMORANDUM FOR THE PRESIDENT

You may be interested in the report of two conversations held by a member of Mr. Murphy's staff at Algiers with M. Orselli, the Governor of Tahiti who is temporarily in North Africa on consultation, and M. Georges Picot of the Commissariat of Foreign Affairs.

Governor Orselli stated that he had been instructed by the highest authority in Algiers to cooperate fully with the British and American military and civil authorities in the Pacific upon his return to his post, but to protect most zealously French sovereignty at all times. He was also instructed to emphasize to our authorities that on the conclusion of the war in Europe the French fleet would proceed immediately to the Pacific to assist in the struggle against Japan and the liberation of French possessions in the Far East. When the American representative remarked that this program represented nothing particularly new, Governor Orselli stated: "We understand from certain of our Anglo-Saxon friends that there has been some talk of other dispositions being made of France's Far Eastern possessions."

M. Georges Picot stated that Generalissimo Chiang Kai-shek had recently received the French representative, General Pechkoff, and made it clear to him that China had definite interests not only in Indo-China but in Siam, Burma and Malaya. Chiang Kai-shek had added that he did not desire to annex French territory in spite of the fact that this suggestion had been made by a certain Western power. When the American representative inquired what M. Georges Picot meant by his last statement he replied: "I don't think there is any use in my trying to conceal from you the fact that the French National Committee has received from a very high source in London the information that the United States had very definite plans about the division of Indo-China after the war between China and the United States." M. Georges Picot added that in spite of the source of this information he could not believe that the United States, which had decided to give the Philippines their independence, could be interested in acquiring territory even further from the United States and populated by an oriental people.

C.H.

DEPARTMENT OF STATE
WASHINGTON

June 12, 1944

MEMORANDUM FOR THE PRESIDENT

I am enclosing a copy of secret telegram no. 1886 of June 7, from Algiers relating to the prohibition of the use of the term "provisional government" by the Psychological Warfare Board.

The Department will await your instructions before replying to this message.

I have

Enclosure:

Telegram no. 1886
dated June 7, 1944
from Algiers.

DECLASSIFIED
State Dept. Letter, 1-11-72
By J. Schauble Date FEB 8 1972

~~DEPARTMENT~~
OF
STATE

INCOMING
TELEGRAM

DIVISION OF
COMMUNICATIONS
AND RECORDS

CONNECTED COPY

EOC-307

This telegram must be
closely paraphrased be-
fore being communicated
to anyone. (REDACTED)

Algiers

Dated June 7, 1944

Rec'd 11:11 p.m.

Secretary of State,
Washington.

US URGENT

1886, June 7, 8 p.m.

FROM MURPHY

Please note (refer my 1656, May 19, 1678, May 21,
17(*) May 30 and Department's 11589 May 22) Agwar tele-
gram W45518, June 3 from Elmer Davis et al conveying
President's directive forbidding use on PWB facilities
of references to PCNL as "provisional government" even
in quoting communiques et cetera, as well as last para-
graph NAF 690 and PWB messages of June 5 and 7 to Agwar
for OWI on this subject.

Application of this strict ban on "provisional
government" term raises many operational problems about
which PWB have consulted me:

One. It necessitates either avoiding entirely any
use of French communiques, official statements and
speeches of de Gaulle and other leaders in which the

term "provisional

DECLASSIFIED

State Dept. Letter, 1-11-72

By J. Schauble Date

FEB 8 1972

-2-#1886, June 7, 8 p.m., from Algiers.

term "provisional government" occurs or reporting such texts inaccurately by using another term.

PWB feels such practice lessens the value of its entire radio propaganda output to France by destroying faith in its accuracy of reporting. PWB also says the ban necessitates abandoning the use of French guest radio speakers since such speakers could be expected to refuse to appear if they were not permitted to use the "Provisional Government" terminology.

Two. The French Commissariat of Information has been participating in PWB leaflet operations to France, contributing to "Courrier Des Nations Unies" and co-operating in production of other leaflets. Upon notification by PWB that the words "Provisional Government" could not be mentioned on PWB leaflets henceforth, Commissioner of Information Bonnet advised PWB that he was withdrawing the participation of his services in these leaflet operations. Bonnet said he anticipated considerable pressure upon him to withdraw also French facilities which have been made available to PWB including a printing plant for leaflet production and French personnel used in radio monitoring. I do not believe such withdrawals actually would be made particularly

-3-#1886, June 7, 8 p.m. from Algiers.

particularly in view of the French dependence on us for newsprint and other supplies but the situation does constitute a considerable setback in cooperative effort which has been developed between WPB and the French propaganda authorities.

Three. It shows up what appears to be marked divergence in British and American policy since the BBC presents French official speakers as spokesmen of the French Provisional Government. Some of these BBC programs are relayed as a matter of routine by PWB's United Nations radio.

Four. Since PWB is a joint Anglo-American organization, there is considerable embarrassment internally in applying a prohibition against its use of a term which is used over British home facilities.

Five. An immediate urgent problem involves de Gaulle's speech of June 6 the text of which PWB feels it is necessary to include in any leaflet dropped over southern France marking the Allied landing in France. PWB has asked OWI directly for permission to so use this speech which included reference to the "French Government".

The entire question obviously hinges upon how
important

-4-#1886, June 7, 8 p.m., from Algiers,

important we consider the avoidance of any semblance of acquiescing in the change in name of the French Committee to "Provisional Government" as compared with the maintenance of some show of cooperation with the French authorities here and Anglo-American unity on the point and to what extent, if any, American policy might be compromised by limited non-editorial use of the new terminology in PWB propaganda output.

PWB here believes the problem could be met by continuing to avoid any reference to the "Provisional Government" in its own editorial output but permitting use of the term on its radio or in leaflets when quoting official documents and communique issued by French authorities or speeches by de Gaulle and other French leaders.

Bonnet came to me last night and this morning with the urgent plea that a sensible solution of this problem be found promptly not because, in his opinion, the details of the PWB joint operations might be of first importance but because failure to solve the problem immediately might lead to deterioration of what has been a satisfactory working relationship.

I informed

-5-#1886, June 7, 8 p.m. from Algiers.

I informed Bonnet that under our present directive, we had no discretion to deviate from the rule laid down but that I would recommend a review. It is recommended that a distinction could well be made between utterances of the French themselves whether by radio or in printed form and those made by the Allies. Yesterday, for example, General de Gaulle was permitted to broadcast by BBC from London making reference to the "French Government" but here today PWB is obliged to refuse permission to send in leaflet form the text of the broadcast.

Under the circumstances I concur in PWB'S foregoing recommendation.

An urgent reply would be appreciated.

Sent to the Department as 1886. Repeated to London as 201.

JRL

CHAPIN

(*) apparent omission

DEPARTMENT
OF
STATE

INCOMING
TELEGRAM

France folder 1-44
DIVISION OF
COMMUNICATIONS
AND RECORDS

FBM-707

This telegram must be
closely paraphrased be-
fore being communicated
to anyone. ()

Algiers

Dated June 15, 1944

Rec'd 6:53 p.m.

Secretary of State,
Washington.

2025, June 15, 3 p.m.

FROM MURPHY.

With reference my 1886, June seventh and related
telegrams, PWB yesterday asked my advice as to whether
the news that Belgium, Luxembourg and Czechoslovakia
have recognized the "Provisional Government of the
French Republic" could be reported on the United Nation's
radio. I advised them that under our directive, we had
no discretion in the matter and could not use the item.
Today PWB informs me that OWI itself in broadcasts from
the United States to Europe and relayed by the new
American station in England broadcast the item yesterday.
The OWI representatives in PWB feel they are placed in
an extremely invidious position. Regardless of its use
elsewhere, PWB will not (repeat not) use the term
"Provisional Government" in any way until it receives
a directive clearly authorizing it.

Repeated to London.

DECLASSIFIED

State Dept. Letter, 1-11-72

CHAPIN

LMS WMB

By J. Schauble Date

FEB 8 1972

France fed up 1-44

MEMORANDUM FOR THE PRESIDENT

*OK in principle
Let me see the
agreement first
Z/S*

We should like to suggest to you a fresh approach to the French situation.

OK This new approach would be to deal with the French Committee as the "Civil Authority", "Administrative Authority", "De Facto Authority", or "French Authority" and to reach agreements on civil affairs administration along the lines of those reached with Belgium, the Netherlands and Norway. Those agreements, reconciled in the Combined Chiefs of Staff, were signed on behalf of the United States by General Eisenhower as U. S. Theatre Commander and on behalf of Great Britain by the British Foreign Secretary.

The agreements with the French Authority would be based on the following principles:

(1) The agreements should be essentially practical and temporary pending the selection of a French Government by the free choice of the French people. The agreed arrangements would be based on the acceptance of the French Committee as the authority which should assume leadership and responsibility for the administration of civil affairs during the period of liberation. However, the continuing status of the Committee must be based upon the support which it has of the majority of Frenchmen who are fighting for the defeat of Germany and the liberation of France. The agreements would be designed to avoid prejudicing the right of the French people to choose their own government and would be so drawn as to avoid any expression of preference or political support for the Committee.

(2) The agreements must be such as will give the Supreme Commander the full authority he needs for the unimpeded conduct of military operations.

(3) With respect to currency the French Committee would become the issuing authority for the supplemental franc currency, with appropriate safeguards so as not to prejudice in any way our military operations.

If this meets with your approval, the matter will be referred to the Combined Chiefs of Staff to take the necessary action.

France freedom 1-14

OFFICE OF WAR INFORMATION

WASHINGTON

6/18/44

*JFK said
not to
issue*

June 17, 1944

file

The Honorable
Samuel I. Rosenman
Special Counsel to the President

Dear Sam:

Here is the statement
proposed for the Anniversary
which we hope might appear in
tomorrow morning's papers. I
should appreciate it if you
could put it on the wire for
the President's approval, after
which I presume Tom Blake or
someone could give it out at
the White House.

Cordially,

Elmer Davis

Elmer Davis
Director

~~SECRET~~

REGRADED UNCLASSIFIED

OFFICE OF WAR INFORMATION
WASHINGTON

June 17, 1944

MEMORANDUM

TO: Mr. Elmer Davis

FROM: Wallace Carroll

Attached is the draft statement for June 18. I have cleared it with the State Department.



~~SECRET~~

Draft Statement for the President to Issue on
June 18—The Fourth Anniversary of the French
Resistance Movement

Four years ago, at a dark hour in the history of
France, General de Gaulle told the French people, "France is not
alone."

Now that the hour of liberation has struck, it is clear
to all that France is not alone, that she has never been alone.
Her fleet, refitted in British and American shipyards, her armies,
equipped with American and British weapons, are advancing with
their comrades of the United Nations toward the inevitable Victory.

The forces of freedom have gone far in these four years.
There have been difficulties and sometimes misunderstandings, but
now that the gallant men of Canada, Britain and the United States
and the forces of French resistance are fighting on French soil
for the liberation of a great nation, there can be only unity of
purpose and of effort.

With all working together, on les aura!

REGRADED UNCLASSIFIED

~~SECRET~~

DEPARTMENT
OF
STATE

INCOMING
TELEGRAM

DIVISION OF
COMMUNICATIONS
AND RECORDS

*file
de Gaulle*

AMT-971

This telegram must be
closely paraphrased be-
fore being communicated
to anyone. (~~SECRET~~)

London

Dated June 26, 1944

Rec'd 5:20 p.m.

Secretary of State,
Washington.

DECLASSIFIED
State Dept. Letter, 1-11-72

By J. Schauble Date FEB 8 1972

U.S. URGENT

5058, June 26, 7 p.m.

PERSONAL AND ~~SECRET~~ FOR THE SECRETARY

I have just received an informal and unofficial memorandum on the progress of civil affairs discussions with the French which I promised you last night in my No. 5045. I was asked that it be treated in confidence. These exchanges should be over the middle of the week. The conclusions are then to be sent up to Mr. Eden and the Prime Minister and simultaneously forwarded to you and the President. No decision is to be taken until after you and the President have had an opportunity to consider the proposed arrangement.

In a message to the President sent by the Prime Minister yesterday this procedure was outlined and agreed to by the Prime Minister and concurred in
by Mr. Eden.

-2- #5058, June 26, 7 p.m., from London.

by Mr. Eden.

I thought you might also like to know that in discussions with Robert Sherwood, General McClure, Bruce Lockhart, and Mr. Eden and myself we are trying to bring about greater agreement and a common front on radio programs and other propaganda directed to France.

The text of the memorandum follows:

"The talks have gone well and in a very friendly atmosphere. The French have, however, shown themselves very suspicious of AIGOT and have referred several times to their treatment in administrative matters, in particular control of broadcasting stations, in North Africa.

"To meet this state of mind we have made some departures from the model agreement with the Belgian and other Allied Governments. We have also included in our negotiations questions (publicity, censorship, property, and relief supplies) which were not dealt with in the agreements with the Belgian and other Allied Governments.

"The present position is as follows, all discussions being of course on the official level and not committing Governments,

-3- #5058, June 26, 7 p.m., from London.

Governments.

"(1) We have reached agreement upon clauses defining the respective powers of the Commander in Chief and the French authorities as regards civil administration proper. The basis of these arrangements is the division of France into 'forward' and 'interior' zones. This is necessitated by the large area which France covers as compared with the smaller Allied countries, but it is provided that the Commander in Chief's requirements must be met in the 'forward' zone and his forces shall have all the facilities which they require in the 'interior' zone.

"(2) Provisions on the complicated question of jurisdiction have been agreed subject to two points which it is hoped to settle today.

"(3) In the matter of finance, discussions are proceeding on the basis that a 'mutual aid agreement' would be concluded by which we would give the French forces 'Lend-Lease' and the French would give us supplies, facilities, et cetera, within France free of charge as 'mutual aid'. The currency problem would be settled within this framework by a provision whereby the French are recognized as the issuing authority

-4- #5058, June 26, 7 p.m., from London.

authority of the 'supplementary francs' and then proceed to put at our disposal all the currency required by the Allied forces. This arrangement, which would be an extension of the existing system in North Africa, would be retroactive to D-Day.

"(4) Provisions regarding the restitution of French property in liberated France and the custodianship of enemy property, both matters to which the French delegation attach the highest importance, are being prepared.

"(5) Certain other miscellaneous provisions-- publicity and censorship, fiscal, immunities of Allied forces, civil claims, et cetera, are at an advance stage of negotiation.

"None of the texts drafted contains any mention of 'The Provisional Government of the French Republic'. Our idea is that there should be four separate documents on (A) civil affairs and jurisdiction, (B) finance, (C) publicity, and (D) property, all of which could be turned into an agreement later by an exchange of letters. This would, on the British side, be the same procedure as was adopted in the case of Belgium. There would be no mention of the Provisional Government in the documents themselves

-5- #5058, June 26, 7 p.m., from London.

themselves or in the British note covering them. We contemplate that on the American side, if the arrangements on which we hope to agree with the French commend themselves to the United States Government, the agreement would take the form of a military agreement signed by General Eisenhower."

WINANT

DU
EJH

hmo

CH, yes, please.
7/2/44

Carbon included
by the President's
6/27 & returned to this
Secretary of State - 6/28/44

France folder
1-44

DEPARTMENT OF STATE
WASHINGTON

June 27, 1944

MEMORANDUM FOR THE PRESIDENT

Present State of French Supply and
Lend-Lease Plans

On May 3 you requested us to obtain your personal approval before completing any agreement with the French Committee of National Liberation in regard to lend-lease in the French Colonies or in Continental France. Within the week we hope to be able to submit to you drafts of lend-lease agreements which would settle outstanding lend-lease questions for the French Colonies, and establish the agreed principles on which our supply agencies can base plans for those programs of supply to France which the course of the war may require.

There are two lend-lease agreements in contemplation, and a program of war mobilization and production in France, designed to supplement the military program of civilian relief, and to include requirements both for military production and for essential civilian production and consumption.

Please

Please inform me if you would like a summary statement of the essential points of these plans, in advance of the submission of the final texts, for the purpose of preparing for your talks with General de Gaulle.

C K

PS7: France folder 1-44

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confidential

DEPARTMENT OF STATE
WASHINGTON

July 4, 1944.

Memorandum for the President.

I am transmitting herewith copies of the arrangements in tentative form, reached between the British Government and the French Committee of National Liberation, on the following subjects:

1. Administrative jurisdictional questions.
2. Currency and mutual aid.
3. Property in Metropolitan France.

There are also notes on the following subjects:

- a. Distribution of relief supplies for the civil population in liberated Metropolitan France.
- b. Relating to publicity arrangements.

These copies have just been received from the British Embassy in accordance with arrangements requested by Ambassador Winant.

The covering note of these documents states: "In accordance with our terms of reference we hereby jointly submit the accompanying texts for the consideration of the authorities concerned."

I am having these documents given immediate study and will be prepared to discuss the matters with your at your convenience.

CH

Enclosures as stated.

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COPY NO. 7

To: Joint Staff Mission.

From: War Cabinet Offices.

Dated: 1st July, 1944.

O.T.P.

SECRET

NOD 228

Covering minute (dated 30th June 1944) by Sir Henry MacGeagh and M. Vienot. BEGINS:

The discussions which have taken place between the British and French Delegations, over which we have respectively presided, and in which other experts have assisted, have resulted in the attached three memoranda of agreement:-

Memorandum No. I relating to administrative jurisdictional questions (Nod 229).

Memorandum No. II relating to currency and mutual aid (Nod 230).

Memorandum No. III relating to property in Metropolitan France (Nod 231).

The text is also attached of an agreed minute (Nod 233) regarding the distribution of relief supplies for the civil population in liberated Metropolitan France.

At the request of the French Delegation discussions have also taken place relating to publicity arrangements. This question was discussed by a separate Anglo-French Committee which reached agreement upon the memorandum No. IV relating to publicity arrangements, the text of which is also attached (Nod 232).

In accordance with our terms of reference, we hereby jointly submit the accompanying texts for consideration by the authorities concerned.

(Initialled) H.M. P.V.

ENDS.

T.O.O. 012115Z

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J.C.S. Regrading Memo SM-522-71
By RT Date APR 10 1973

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COPY NO. 7

To: Joint Staff Mission.

From: War Cabinet Offices.

Dated: 1st July, 1944.

O.T.P.

NOD 229.

Memorandum No. I relating to Administrative and Jurisdictional Questions.

The present agreement, relating to the administrative and jurisdictional questions which will arise in the course of military operations for the liberation of Metropolitan French territory, is intended to be essentially temporary and practical. It is designed to facilitate as far as possible the task of the Allied Commander-in-Chief and to further the common purpose, namely the speedy expulsion of the Germans from France and the final victory. It will provide the means for the direction and co-ordination of the assistance which the French authorities and people will be able to render to the Allied Expeditionary Forces in Metropolitan territory liberated by those forces, and the adoption in that territory of all measures necessitated by the military operations.

1. In areas affected by active military operations the necessity is recognised for the Allied Commander-in-Chief to possess the necessary authority to ensure that all measures are taken which in his judgment are essential for the successful conduct of his operations. The necessary arrangements for this purpose are set out in Articles 2 to 6 below.

2. (i) Liberated French Metropolitan territory will be divided into two zones: a forward zone and an interior zone.

(ii) The forward zone will consist of the areas affected by active military operations referred to in Article 1; the boundary between the forward zone and the interior zone will be fixed in accordance with the provisions of paragraph (iv) below.

(iii) The interior zone will include all other regions in the liberated territory, whether or not they have previously formed part of the forward zone. In certain cases, having regard to the exigencies of operations, military zones may be created within the interior zone in accordance with the provisions of Article 5 (ii) below.

(iv) The delegate referred to in Article 3 below will, in agreement with the Allied Commander-in-Chief, effect the delimitation of the zones in accordance with French law. It is understood that this delimitation shall meet the requirements of the Allied Commander-in-Chief, as dictated by military necessity, in regard to the extent of the forward zone.

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By 16T Date APR 10 1973

3. (1) In accordance with Article 1 of the ordonnance made by the French Committee of National Liberation on March 14th 1944 a delegate will be appointed for the present theatre of operations. Other delegates may be appointed in accordance with the development of operations.

(11) The delegate will have at his disposal an administrative organisation, a military delegate and liaison officers for administrative duties. The delegate's task will be in particular to centralise and facilitate relations between the Allied Military Command and the French Authorities.

(111) When the powers conferred on the delegate by French law are transferred to higher French authorities, it will be for those authorities to execute the obligations of the delegate under this agreement.

4. In the forward zone:

(1) It will be for the delegate to take, in accordance with French law, the necessary measures to give effect to the provisions of Article I and in particular to issue regulations and to make appointments in the public services.

(11) In exceptional cases, where no French authority is in a position to ensure the operation of the administrative services, the Commander-in-Chief may, as a temporary measure and pending the designation of a French authority by the delegate, take such urgent measures as are required by military necessity.

(111) The powers under the state of siege will be exercised by the Allied Commander-in-Chief through the French military delegate in accordance with French law.

5. (1) In the interior zone the conduct of the administration of the territory and responsibility therefor, including the powers under the state of siege, will be entirely a matter for the French Authorities. Special arrangements will be made between the Allied Commander-in-Chief and the competent French authorities in order that all measures necessary for the conduct of military operations may be taken.

(11) Moreover, in accordance with Article 2(111) and by agreement between the Allied Commander-in-Chief and the delegate, certain portions of the interior zone (known as military zones) may be subjected to a special regime on account of their vital military importance, for example ports, fortified naval areas, aerodromes and troop concentration areas. In the military zones, the Allied Commander-in-Chief may request the French authorities to take all measures resulting from the state of siege which he considers necessary. The conduct of the territorial administration and the responsibility therefor will nevertheless be solely a matter for the French authorities.

6. The liaison officers referred to in Article 3(11) will be placed by the military delegate at the disposal of the French Administration, and will ensure liaison between the said Administration and the Allied forces.

7. (1) Members of the French Armed Forces serving in French units with the Allied forces in French territory will come under the exclusive jurisdiction of the French courts. Other Frenchmen, who at the time of entering France as members of the Allied Forces are serving in conditions which make them subject to Allied Naval, Military or Air Force law, will not be regarded as members of the French Armed Forces for this purpose.

(11) Persons who are subject to the exclusive jurisdiction of the French Authorities may, in the absence of such Authorities, be arrested by the Allied Military Police and detained by them until they can be handed over to the competent French Authorities.

8. (1) In the exercise of jurisdiction over civilians, the delegate will make the necessary arrangements for ensuring the speedy trial, in competent French courts in the vicinity, of such civilians as are alleged to have committed offences against the persons, property or security of the Allied forces.

(11) For this purpose the military delegate will place at the disposal of the Allied Commander-in-Chief military tribunals as laid down in the ordonnance of June 6th 1944. The Allied Commander-in-Chief will designate the military formations to which he wishes a military tribunal to be attached. The military delegate will immediately take the necessary measures to set up these tribunals accordingly. The Allied Commander-in-Chief will be kept informed of the result of the proceedings.

9. (1) Without prejudice to the provisions of Article 13, Allied Service courts and authorities will have exclusive jurisdiction over all members of their respective forces.

(11) British (or American) nationals not belonging to such forces who are employed by or who accompany those forces, and are subject to Allied Naval, Military or Air Force law, will for this purpose be regarded as members of the Allied forces. The same will apply to such persons, if possessing the nationality of another Allied state provided that they were not first recruited in any French territory. If they were so recruited they will be subject to French jurisdiction in the absence of other arrangements between the authorities of their state and the French Authorities.

(111) The Allied military authorities will keep the French Authorities informed of the result of proceedings taken against members of the Allied forces charged with offences against persons subject to the ordinary jurisdiction of the French courts.

(iv) The question of jurisdiction over such merchant seamen of non-French nationality as are not subject to Allied Service law will require special treatment and should form the subject of separate arrangements.

10. Persons who, in accordance with Article 9, are subject to the exclusive jurisdiction of Allied Service courts and authorities may however be arrested by the French Police for offences against French law, and detained until they can be handed over for disposal to the appropriate Allied Service authority. The procedure for handing over such persons will be a matter for local arrangements.

11. A certificate signed by an Allied officer of field rank or its equivalent that the person to whom it refers belongs to one of the classes mentioned in Article 9 shall be conclusive.

12. The necessary arrangements will be made between the Allied military authorities and the competent French Authorities to provide machinery for such mutual assistance as may be required in making investigations, collecting evidence, and ensuring the attendance of witnesses in relation to cases triable under Allied or French jurisdiction.

13. Should circumstances require provision to be made for the exercise of jurisdiction in civil matters over non-French members of the Allied forces present in France, the competent French Authorities will consult the Allied military authorities regarding the measures to be adopted.

14. (1) The Allied forces, their members and organisations attached to them, will be exempt from all direct taxes, whether levied for the state or local authorities. This provision does not apply to French nationals, nor, subject to the provisions of paragraph (iii) below to foreigners whatsoever their nationality, resident in France and recruited by the Allied forces on the spot.

(ii) Articles imported by the Allied forces or for their account, or by members of those forces within the limit of their personal needs, will be exempt from customs duties and from all internal dues levied by the customs administration, except insofar as imported articles are re-sold later to the civilian population.

(iii) The application of the above provisions will form the subject of later negotiations, which, at the request of either party, may be extended to cover taxes which are not referred to in this Article.

15. The immunity from French jurisdiction and taxation resulting from Articles 9 and 14 will extend to such selected civilian officials and employees of the Allied Governments, present in France in furtherance of the purposes of the Allied forces, as may from time to time be notified by the Allied military authorities to the competent French authority.

16. (1) The respective Allied authorities will establish claims commissions to examine and dispose of any claims for compensation for damage or injury suffered in Metropolitan France against members of the Allied forces concerned (other than members of the French forces), exclusive of claims for damage or injury resulting from enemy action or operations against the enemy.

(ii) If the claims commission concerned is unable to settle any claim referred to it, the matter shall be referred to the competent French Authority, who will deal with it as if the claim were one preferred against a member of the French military forces. The Allied Authorities concerned agree to accept liability in respect of any claim so referred to the French authority in the same way and to the same extent to which the French Government would be liable in similar circumstances for damage or injury caused by a member of the French Armed Forces.

(iii) The competent Allied and French Authorities will later discuss and determine the detailed arrangements necessary for examining and disposing of the claims referred to in this Article and the machinery for referring contested cases to the competent French authority.

17. (1) The Allied forces may obtain, within the limits of what is available, the supplies, facilities and services which they need for the common war effort.

(ii) In the forward zone, the Allied Commander-in-Chief may requisition labour, goods, the use of land and buildings, means of transport and other services necessary for military operations. Save in the exceptional case referred to in Article 4(ii) above these requisitions shall be made in accordance with French law, in particular as regards prices, wages and forms of payment, and through the French Authorities.

(iii) In the interior zone, the delegate will specify the administrative authorities who will be responsible for procuring for the Allied Commander-in-Chief the supplies, facilities and services needed by the Allied forces, decisions being taken by mutual agreement; nevertheless, the French Authorities shall have the right of final decision, subject to their undertakings with regard to the conduct of the war.

(iv) In exceptional cases, especially when it is a matter of small quantities of supplies, facilities and services the Allied forces may procure these by direct purchase made in accordance with current French prices and wages.

(v) The French and Allied Military Authorities shall jointly take the measures necessary to ensure that the provisions of this Article are carried out.

18. Other questions arising as a result of the liberation of French territory by the Allied forces (for example, inland transport) which are not dealt with in this memorandum or covered by other agreements shall form the subject of separate arrangements. In particular, special arrangements will be made to secure the observation by the Allied forces of the French regulations concerning the exchange of currency and export of capital.

T.O.O. 012120Z

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COPY NO. 7

To: Joint Staff Mission.

From: War Cabinet Offices.

Dated: 1st July, 1944.

O.T.P.

NOD 230

Memorandum No. II relating to Currency and Mutual Aid.

1. Subject to Articles 2 and 7 below, the provisions of the Protocol of Mutual Aid between the Government of Great Britain and Northern Ireland and the French Committee of National Liberation signed at Algiers on February 8th, 1944, shall apply to Metropolitan France. For this purpose the French Armed Forces shall be such French forces wherever constituted, including the French forces of the Interior.

2. (1) The competent British and French Authorities shall consult together immediately to determine the modifications and adjustments of the provisions of the above mentioned Protocol which are necessary in order to adapt the said provisions to the circumstances and conditions in Metropolitan France. Whilst each party retains the right of final decision, in the light of its own potentialities and responsibilities, decisions as to the most effective use of resources shall, so far as possible, be made in common, in pursuance of the common plans for winning the war.

(11) Whenever, in accordance with the provisions of Article 17 of Memorandum No. I, the British Armed Forces procure supplies, facilities and services as mutual aid within Metropolitan France, by way of requisition or direct purchase, payment will be made:-

- (a) By the French Authorities for articles requisitioned;
and (b) By the British Armed Forces for articles directly purchased, in which case they will use the funds in French currency placed at their disposal in accordance with Article 3 of this Agreement.

3. (1) The competent French Authorities will place at the disposal of the British War Office such funds in French currency as are required in Metropolitan France by the British Armed Forces. The detailed application of this paragraph will be settled by an agreed exchange of letters.

(11) No reimbursement shall be made by the Government of the United Kingdom of any funds provided in accordance with paragraph (1) above and used for the procurement of supplies, facilities or services which would normally be provided by the French Authorities as mutual aid.

(111) In so far as such funds are used for the pay, allowances and other emoluments of the British Armed Forces in Metropolitan France, the Government of the United Kingdom shall set aside quarterly to the credit of the competent French Authorities in London the sterling equivalent of the funds so used. The

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By RT Date APR 10 1979

Government of the United Kingdom shall also set aside the sterling equivalent of such funds as are used for other purposes which do not fall within the scope of paragraph (ii) above.

(iv) On the termination of this Agreement, the British War Office shall return to the competent French Authorities any such funds which have not been used.

4. In order that the satisfaction of the local requirements of the British Armed Forces may have the least possible disruptive effect on the economy of France, the British Military Authorities and the French Authorities will consult together, whenever operations permit, as to the stores and supplies which British Army Procurement Agencies and individual officers and men are permitted to obtain locally. The British Military Authorities will place such restrictions as are agreed to be necessary on purchases, whether by agencies or troops.

5. The Government of the United Kingdom undertake to replace or to refund in sterling the cost of any articles requisitioned or purchased with francs by the British Armed Forces, which require replacement from abroad. This does not apply to component parts or component material.

6. In order to facilitate financial settlements between the United Kingdom and France, a separate agreement will be concluded at the appropriate time to govern the monetary arrangements between the two countries.

7. This Agreement shall be regarded as having come into force on June 6th, 1944.

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COPY NO. 6

To: Joint Staff Mission.

From: War Cabinet Offices.

Dated: 1st July, 1944.

O.T.P.

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NOD 231

Memorandum No. III relating to Property in Metropolitan France.

1. (i) War material falling into the hands of forces operating under the command of the Allied Commander-in-Chief, shall subject to the provisions of para. (iii) below, be excluded from the operation of the succeeding articles of this memorandum, but indisposing of such war material the Allied Commander-in-Chief will take into account any representations made to him by the competent French Authorities. The French Authorities will be responsible for accounting, as may be necessary, to the other United Nations for all such war material handed over to them by the Allied Commander-in-Chief.

(ii) The term "war material" means any arms, equipment or other property whatsoever belonging to, used by or intended for use by any enemy military or para-military formations or any members thereof in connection with their operations.

(iii) The Allied Commander-in-Chief may release any war material as defined in paragraph (ii) above and not required by him, in which case it shall be treated in accordance with the succeeding Articles of this memorandum. Where he requires any such war material, other than arms, which prima facie appears to the French Authorities to have been in French private ownership, it shall be requisitioned in accordance with Article 17 of Memorandum No. I.

2. The Allied Commander-in-Chief shall, as soon as practicable, release all property which comes into the hands of the forces operating under his command in Metropolitan France, and the competent French Authorities shall then resume in respect thereof their normal administrative functions and powers.

3. The French Authorities will accept responsibility for the protection and, in the event of the owner or his accredited agent not being present, the administration of any property referred to in Article 2 above which is not in public or private French ownership, and does not belong to any state or national of a state with which any of the United Nations has been at war at any time since the 1st September, 1939.

4. The French Authorities will assume responsibility for the custody, in accordance with French law, of any property referred to in Article 2 above, which belongs to any state or national of a state with which any of the United Nations has been at war at any time since the 1st September 1939. It is understood that the French Authorities will be responsible for account, as may be necessary, to the other United Nations for all property referred to in this Article.

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By RT Date APR 10 1973

5. Nothing in this memorandum shall affect the right of the Allied Commander-in-Chief to requisition any property in accordance with the provisions of Article 17 of Memorandum No. 1.

6. Nothing in this memorandum shall affect the arrangements already agreed between the competent British and French Authorities concerning the use and disposal of vessels captured or found by Allied forces in the course of operations for the liberation of Europe.

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COPY NO. 2

To: Joint Staff Mission.

From: War Cabinet Offices.

Dated: 1st July, 1944.

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NOD 232.

Memorandum No. IV relating to Publicity Arrangements.

1. The functions, which at the beginning of the war were exercised by the French Information Commissariat in respect of all that concerns publicity in France (press, radio, cinema, news agencies), will be exercised in liberated Metropolitan France by the French Services designated for the purpose by the delegate referred to in Article 3 of Memorandum No. I.
2. (1) In the forward zone the Allied Commander-in-Chief will exercise the right of strictly military censorship of the press, radio, cinema, news agencies and in general all publications.
(11) In the interior zone the French Services will consult the censorship authorities of the Allied Commander-in-Chief on all matters relating to military operations and will carry out the military censorship instructions communicated by him.
3. Newspapers and publications intended for Allied troops other than French shall not be subjected to any control resulting from the application of Article 1, except in cases where such newspapers or publications are distributed or sold to the French public.
4. Equipment used or intended for use by the various organs of publicity enumerated in Article 1 above, e.g. premises, plant, supplies etc., will not be requisitioned by the Allied Commander-in-Chief except on grounds of urgent military necessity or by agreement in each case between the delegate and the Allied Commander-in-Chief or their representatives.
5. The French Services responsible for publicity will facilitate in every possible manner the task of the Allied Commander-in-Chief. They will be instructed to collaborate with him in regard to the issue of notices to the population necessitated by the conduct of operations or by the security requirements of the Allied forces or of the population itself.

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J.C.S. Regrading Memo SM 422-71

by RT Date APR 10 1973

COPY NO. 7

To: Joint Staff Mission.
From: War Cabinet Offices.
Dated: 1st July, 1944.

O.T.P.

NOD 233.

Agreed Minute regarding the distribution of Relief Supplies
for the Civil Population in Liberated Metropolitan
France.

The French Delegation have requested that Memorandum No. I should provide that:-

(a) The places where the French Administration take over supplies imported for the civil population, and the arrangements for this purpose, shall be determined by agreement between the Allied Commander-in-Chief and the delegate.

(b) From the moment of taking over these supplies, the French Administration shall be responsible for their distribution to the civil population.

The British Delegation are able to state that they agree in principle that the detailed distribution of relief supplies in liberated Metropolitan France should be handled by the French Administration. Detailed arrangements for this purpose would, of course, be made after consultation between the Allied Commander-in-Chief and the delegate. It is recognised, however, that military necessity may in certain circumstances require that relief supplies are distributed direct to the civil population by the Allied Military Authorities.

In view, however, of the fact that a large proportion of the civil relief supplies imported into France by the Allied Commander-in-Chief will come from sources other than British, the competent British authorities do not feel that it would be appropriate to include the provisions proposed by the French Delegation in Memorandum No. I.

T.O.O. 012145Z

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J.C.S. Regrading Memo SM-172-71
By RT Date APR 10 1973

Carbon initialed "C.H. OK F.D.R." and returned
to Secretary of State, 7/18/44.

France folder 1-44



DEPARTMENT OF STATE
WASHINGTON

July 15, 1944

MEMORANDUM FOR THE PRESIDENT

In dealing with the French representatives here, they insist upon having an outline of what we expect to do in respect of mutual aid for Continental France. The attached is a revised memorandum on the subject, for presentation to the French, which has received the approval of State, War, Treasury, and FEA. We believe this program will fully promote war objectives and at the same time protect United States interests. We hope for early consideration and decision as the French will delay agreement on civil administration and currency arrangements until mutual aid question is clarified. In any event, final texts for lend lease and mutual aid will have to be worked out in detail and submitted to you for approval before closing with the French.

On July 8 I submitted for your information a memorandum outlining the general basis on which we suggested lend lease arrangements with the French would be negotiated. It is my understanding that you did not discuss the contents of the July 8 memorandum with General de Gaulle. The revised memorandum which is attached outlines the lend lease arrangement along somewhat narrower lines than were proposed in the July 8 memorandum. Specifically, the eligibility of consumable industrial goods under lend lease is tightened, and in point of time the proposed arrangements are tied generally to the end of the war in Europe rather than to the end of hostilities with all our enemies.

While as stated above, FEA approves the attached memorandum, FEA states that it still prefers the July 8 draft.

Attachment:

Memorandum dated
July 15, 1944.

DECLASSIFIED
State Dept. Letter, 1-11-72
By J. Schauble Date FEB 8 1972

MEMORANDUM

I. The United States Government proposes that aid be made available for Continental France on the following basis:

1. Equipment and supplies for the French armed forces and short-life industrial and maintenance articles and materials for employment in French war production or communications, to the extent approved as necessary military aid, would be furnished under straight lend-lease until such time after the end of hostilities in Europe as the President may determine to be necessary in the war effort. Thereafter, such equipment, supplies, articles, and materials, to the extent that the United States Government had agreed to make them available and had them either in inventory or under contract, would be delivered and paid for on credit arrangements under Section 3(c) of the Lend-Lease Act.

2. Long-life

2. Long-life industrial articles and materials for French production essential to the prosecution of the war in Europe or to the support, supply, and protection of Allied armed forces in the immediate period following the end of hostilities in Europe would be furnished on credit arrangements under Section 3(c) of the Lend-Lease Act.
3. All other supplies furnished by the United States Government would be paid for currently in dollars. These would include supplies furnished under Plan "A". If the amount of dollars acquired by the French authorities on account of troop pay is inadequate to pay for such supplies, the French authorities will use for this purpose the gold now held in the territories under the control of the French authorities and such other gold and dollar assets as may be or may become available to the French authorities.

II. It

II. It is proposed that the following types of assistance would be made available as reciprocal lend-lease aid from France, and all territory under the control of the Committee, to the extent that they can be most effectively procured therein:

1. Military equipment, munitions, supplies, materials, services, projects, and facilities for the United States armed forces, except for the pay and allowances of such forces;
2. Such materials required for use in war industries of the United States, as the Committee may be in a position to supply;
3. In exceptional cases, and particularly in cases of local procurement of supplies, where it is more practicable to secure such reciprocal aid by direct purchase, French francs will be used for this purpose, and the goods so purchased will be considered as reciprocal aid.

III. It

III. It would be agreed that the United States would undertake to replace or refund in dollars, the cost of any articles obtained from the Committee as reciprocal aid which have been imported at the cost of the Committee and which can only be replaced from sources other than France and territories under the control of the Committee. This does not apply to component parts or component material.

THE WHITE HOUSE
WASHINGTON

July 13, 1944.

MEMORANDUM FOR THE PRESIDENT:

I believe the Treasury gave you a memorandum on the civil affairs administration of France. Also, I understand the State Dept. sent you a memorandum of proposed French Lend Lease arrangements, copy of which is attached.

Mr. Bell says the Treasury feels this latter should be a subject of separate conversation.

They understand that you read the State Dept. memo to Gen. DeGaulle telling him that the contents of this memo is what this Government had in mind and intended to proceed on. General DeGaulle is supposed to have said "that is fine" and therefore I think the State Dept., together with the French, insist on going ahead on this basis.

Can you let me have a word for Mr. Bell to straighten out the whole matter as to what you really want done?

GGT

7/13/44.

The president directed me to tell Secretary Bell that he did not read the memorandum to Gen. deGaulle and for him to straighten the matter out with the State Department.

G. G. T.

MEMO FOR THE PRESIDENT:

On the 27th of June the Secretary of State sent a memo to you re French Lend Lease arrangements & asked if you would like him to submit a detailed summary. You indicated that you would. Herewith is the summary which they thought you would like to see before Gen. DeGaulle has his appointment with you today.

GGT

France folder
1-4-44

DEPARTMENT OF STATE
WASHINGTON

July 8, 1944

MEMORANDUM FOR THE PRESIDENT

Subject: Summary of Proposed French Lend-
Lease Arrangements

The following arrangements, approved by the State Department and the Foreign Economic Administration, are designed to establish a foundation for the supply program now being planned for France, in the event that the French Committee is called upon to act in France.

It is proposed that aid be made available to the French as follows:

A. All civilian supplies would be paid for currently in cash, including those made available by the Army during the military period.

B. Industrial supplies which can reasonably be expected to have a post-war usefulness or a substantial post-war value, together with consumable industrial supplies not required for military production, would not be furnished on straight lend-lease but would instead be sold to the French on a long-term basis of payment as provided in the draft Lend-Lease Liquidation Agreement (under Section 3(c) of the Lend-Lease Act) recently proposed to the Russians.

The broad principles of this agreement were approved by you on March 7.

C. Supplies required by the French forces and consumable industrial supplies and equipment required for such French military production as may be desirable would be transferred to the French as straight lend-lease during hostilities. After the cessation of hostilities, however, such supplies and equipment, to the extent that we had agreed to make them available and had them either in inventory or under contract, would be delivered and paid for on the same basis as items in B above.

On their part, the French would make aid available to us as follows:

A. Supplies, services, and facilities required by our forces either in French territories or elsewhere (to the extent that French territories are the most practical source of supply) would be furnished as reverse lend-lease aid.

B. Strategic materials from French Colonies required by our war industries would also be made available as reverse lend-lease.

C. French currency, in amounts judged necessary by appropriate American officials to provide reverse lend-lease aid by means of cash purchase whenever

official methods of requisitioning are inadequate, would also be provided by the French under provisions similar to the franc deposit account set up under the terms of the Modus Vivendi in French North Africa. If desirable, liability for all currency expended in France to procure items qualifying as reverse lend-lease, including currency issued under the authority of the Supreme Allied Commander, would be assumed by the French Committee as a part of the currency and deposits to be made available as reciprocal aid.

If you approve these arrangements, discussions with the French Committee in regard to the agreements necessary to put them into effect could start in the near future.

CH