



# The shootings of the Great War between history and memory

military-Earth thinking notebook

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**With the approach of the centenary of the First World War, the question of the rehabilitation of soldiers shot during the conflict has become a memorable issue, particularly since Prime Minister Lionel Jospin's November 1998 speech in memory of the Chemin des Dames mutineers executed in 1917. The rise in our society of an individualism that is indifferent or hostile to the primacy of the group over the individual, as well as the recourse to references to the group as a whole, is a major obstacle to the rehabilitation of soldiers who were shot during the conflict. cultural references different from those of the 1914-1918 period, tend to make the executed victims of an arbitrary authority, which is today considered unacceptable. The author proposes to determine the place occupied by the shot dead in our collective memory by placing the execution of these soldiers in the context of the Great War.**

"And then things happened and more things happened, which it is not easy to tell now, because those of today would already no longer understand," writes Louis-Ferdinand Céline<sup>[1]</sup> in 1932, thus underlining the difficulty of grasping the atmosphere of these four years of war during which the army was going to execute some 740 soldiers, including 650 for disobedience, among the 8.5 million combatants mobilized.

However, the context of this period from 1914-1918 is a determining factor in understanding the history of those executed in the Great War. All the more so as the contemporary proliferation of cinematographic or literary productions devoted to the combatants executed by mistake tends to construct a figure of the gunned down that is very different from that of the traitor or deserter. Presented as the unfortunate victim of arbitrary power, this figure of the condemned man arouses compassion.

It is therefore legitimate to question the foundations of this desire to rehabilitate, the criteria that would be used to carry out this revision of history, and the fact that this

rehabilitation is limited to those who have been shot.

A study of the facts shows that a comprehensive rehabilitation is not necessarily desirable, as it could be detrimental to the memory of the 1.5 million combatants who fell in the performance of their duty. Partial rehabilitation, on the other hand, is not necessarily synonymous with equity.

It was necessary first of all to learn more about the people who had been shot before looking at the means used by the army to justify these executions. Although, as early as 1916, some families obtained, through legal proceedings, case-by-case recognition of the innocence of their shot children, the demand for collective rehabilitation has only recently become a memorable and political issue.

### **Who are the soldiers who were shot?**

Shot combatants come from a much wider variety of backgrounds than the reasons for their conviction. Moreover, the annual rate of executions is not homogeneous.

First of all, in order to avoid any confusion of "1917, mutineers, shot", it is necessary to distinguish between the soldiers shot during the four years of the war and the mutinous soldiers of 1917. The terms shot and mutineers are not synonymous. Certainly, some mutineers were shot, but the soldiers executed during the war were shot for various reasons, sometimes very far removed from mutiny.

Subsequently, work has attempted to define the profile of soldiers who were shot. The question of the social origins of the convicts has recently been studied. It emerges that the profile and distribution of the socio-professional categories of convicted men are identical to those found in civil society in peacetime. The exceptional circumstances of the war do not therefore provide a relevant reading grid. Based on the analysis of the figures of the 1st Infantry <sup>Division</sup> [2], it was established that 24% came from the working class, 23% from the peasant world and 24% from the craft industry. Next in line were the traders and civil servants. On the other hand, this distribution does not reflect that of the French fallen at the front, mostly rural.

In addition, 96% of the defendants were from the ranks. This proportion is comparable to that of soldiers tried in peacetime [3].

Moreover, the three main reasons for executions are [4] desertion (including abandonment of post), various forms of disobedience (mutilation, refusal to obey) and crimes (homicide, theft, rape, drunkenness).

Finally, the pace of executions varies from year to year. More specifically, it depends on the intensity of the fighting, the evolution of the military situation and the rights of the accused soldiers. Thus, after the first setbacks at the beginning of the war, in 1914, around 199 men were shot (i.e. in five months of fighting almost 25% of the total number of executions over the period 1914-1918). Faced with the defeat of the frontier battle, the

command sought to limit any idea of withdrawal by condemning them without any possible recourse. On the other hand, in 1915, as the front stabilised, around 300 executions were recorded [5]. During the mutinies of 1917, the number of executions of the mutineers rose to around thirty out of the 30,000 mutineers brought before the courts [6], which makes it possible to put into perspective the weight of the mutinies of 1917 in the balance sheet of those executed during the war. Moreover, these 30 executions are to be compared with the 75 other executions of 1917 for other reasons. In the specific case of the 1917 mutinies, the weariness of a conflict that drags on, rather than cowardice, partly explains the development of insubordination to military authority.

What means did the army use to execute these men?

### **Councils of war: the main legal tool for sentencing to death**

Death sentences were handed down by special war councils, real tools of exceptional justice, legitimised by a desire to render "justice by example", before the political authorities finally took control of this legal tool.

Councils of war were set up at the beginning of the war in each division, in accordance with article 33 of the code of military justice [7]. Before the war, permanent war councils were already functioning in each military region to judge the most disobedient soldiers. From the very beginning of the conflict, General Joffre succeeded in imposing on the political authorities special bodies that could sentence the accused to death, with no possible recourse on his part and with execution of the sentence within 48 hours. The council met at the request of the head of the corps after the agreement of the major general.

In addition, there was another means, more direct but little known to historians, that of summary execution on the spot in case of disobedience. The only traces of this were left by the testimonies of former soldiers [8]. 8] This method dates back to the decree of October 2, 1870: "Any officer or non-commissioned officer is authorized to kill a man who gives proof of cowardice [...], or causes disorder by his flight or panic or any other fact likely to compromise the operations of the company [...]" [9].

9] [9] Moreover, political power eventually regained control by further regulating the powers of the special war councils, improving the rights of the accused and changing the composition of the judges. In 1914, when the councils were set up, consisting of three officers, they were usually chosen from among the officers of the corps. However, from 1916 onwards, executives from the legal world took over these councils. With the law of 27 April 1916 on the jurisdiction of military courts in time of war, the benefit of extenuating circumstances, recourse to presidential pardon and the compulsory presence of a defender were introduced [10].

10] Finally, it is legitimate to wonder about the motivations of the commanders for obtaining this legal blank cheque and about the notion of "justice by example". This is due to the conception of the discipline of the hierarchy. Indeed, with the advent of mass armies and the contributions of technology, since the defeat against Prussia in 1871, the

command had stressed that the cornerstone of the victory of large military units composed of mobilized citizens resided in the discipline of these masses. From then on, some officers considered that the risk of a random death in combat had to be balanced against the certainty of execution in the event of disobedience. And with the first defeats, the command, in agreement with the government which had withdrawn to Bordeaux, considered it pertinent to institute a "justice of terror" [11] to save the Fatherland in danger. The mobilized citizen then had only one outcome: obedience or death. On September 6, 1914, General Joffre's order was clear: "A troop that can no longer advance will have to keep the conquered terrain and be killed on the spot rather than retreat" [12]. The 14th<sup>corps</sup> of the 1st "Dubail" army illustrated this policy by having thirteen soldiers shot within a week, at the beginning of September, accused of seeking to leave the fighting by voluntary mutilation [13]. After the myth of the excessive offensive came the reality of the excessive defensive. In this climate of justice that was sometimes expeditious, irreversible mistakes were made.

14] From 1916 onwards, executions by mistake aroused in the families a legitimate need for justice for the memory of the victims, before becoming a more political collective issue. The novelty in the requests for pardon for the mutineers shot in 1917 lies in the fact that they were not shot by mistake.

### **The historical and memorial stakes of rehabilitation**

After the war, long rehabilitation battles were led by families, supported by veterans' associations, such as the National Union of Combatants, which was heavily involved in the case of the Vingré shootings, as well as by the Human Rights League (created in 1898, in the context of the Dreyfus affair). The League notably supported Blanche Maupas, a schoolteacher, who devoted her life to obtaining the rehabilitation of her husband who had been shot in Souain.

These commitments were facilitated by the amnesty law of 29 April 1921, which created the possibility of appealing against convictions handed down during the war by special war councils. Prior to this, a consensus aimed at pacifying the national political debate on the responsibility of military judges was reached: the Vidal amendment of 28 July 1920 ensured that they would not be prosecuted.

Thus, rehabilitation was initially an individual issue, that of family memory, and was dealt with on a case-by-case basis. Some forty soldiers were thus rehabilitated. On 29 January 1921, the Court of Cassation thus rehabilitated the soldiers shot at Vingré: six soldiers were shot on 4 December 1914 after having been drawn by lot from among the soldiers who had retreated in the face of a German attack, even though they had in fact obeyed an order to withdraw. On 12 July 1922, soldier Bersot was rehabilitated, having been shot on 13 February 1915 for refusing to obey a superior who ordered him to put on the blood-stained trousers of a dead man. The sentence was irregular, the refusal not having taken place in the presence of the enemy. The special court of military justice (created in March 1932) rehabilitated on 3 March 1934 the four corporals of Souain, including Maupas, who had been shot on 17 March 1915 following a refusal to leave the trenches. Then, on 29 June 1934, this court also rehabilitated Flirey's shootings. The latter had been executed on 20 April 1915 after being drawn by lot from among those who refused to attack.



But with their irruption in the public space, notably through literature (novels [16], comic strips[17]) and cinema, rehabilitation and its stakes became collective and political. In 1957, Stanley Kubrick directed *Paths of Glory*[18], inspired by several cases of people shot in the French army (Flirey, the Corporals of Souain, Sub-Lieutenant Chapelant). Followed by the films *Pour l'exemple* [19] in 1964, *Capitaine Conan* [20] in 1996, *Un long dimanche de fiançailles* [21] in 2004. The approach of the shot, often pathetic, appeals both to the sensitive fibre and to the spontaneous revolt of the spectator. Certain political currents and associative movements have exploited this sense of injustice to demand reparation.

The voices raised in favour of the rehabilitation of those who had been shot nevertheless met with opposition, often coming from right-wing circles, giving rise to a debate analysed by the historian Nicolas Offenstadt[22]. 22] For the currents unfavorable to reintegration, the gunmen were traitors who threatened the territorial integrity of the nation, or even its unity, whose fate in the war was the logical response to their acts. For others, these soldiers, in wanting to escape or put an end to the killing, to mass death, are considered precursors of the peace movements and visionary heroes who had understood the futility of butchery. This partly explains the media focus on the mutineers of 1917, particularly at the time of Lionel Jospin's 1998 speech[23], which attempts to reconcile divergent positions by honoring the memory of the mutineers shot in 1917.

The proposal to reintegrate into the collective memory of men who were often courageous and who punctually demonstrated their desire to no longer die needlessly can be understood from the point of view of the national collective memory. Thus, in 2008, President Nicolas Sarkozy declared in the name of the Nation[24]: "...that many of those who were executed at that time had not disgraced themselves, had not been cowards, but had simply gone to the extreme limit of their strength. The Republic therefore honours all its dead by showing understanding for those who showed weakness. Should we go further by rehabilitating those who were shot, as called for by the National Federation of Free Thought and the Republican Association of Veterans? If it is a question, on the one hand, of revisiting our history on the basis of contemporary values in a logic of repentance condemning the use of the death penalty in our past, on the other hand, of revisiting our history on the basis of contemporary values in a logic of repentance condemning the use of the death penalty in our past then why limit ourselves only to the mutineers of 1917, or more broadly to the only rebels of the <sup>First</sup> World War who refused this hecatomb, when there were, for example, a certain number of similar cases of deserters shot during the wars of the Empire[25]? On the other hand, if the objective is to overturn court decisions a posteriori, why limit ourselves only to the shot mutineers, when the majority of the 30,000 mutineers brought before a council of war were sentenced to sentences ranging from a few days of detention to forced labour[26]? Finally, the term "rehabilitate" is very strong because it means to acknowledge someone's innocence. However, the rehabilitation of mutinous or deserted soldiers constitutes a negation of military duty and implicitly means that the Republic admits that national defence has not been and is no longer, today, an obligation of all citizens.

Thus, in the context of exceptional justice intended to dissuade soldiers from breaking discipline in general and abandoning combat in particular, soldiers of all origins were shot. The special war councils were progressively better supervised, so that the number of French soldiers shot fell within a low European average: 330 shot in the United Kingdom and 750 in the Italian army (a high proportion compared to the number of mobilized soldiers). Although the shots were mostly for desertion or disobedience, some were for common crimes. A collective rehabilitation of all those shot would therefore not be

desirable. A collective rehabilitation of only the mutineers shot in 1917 would be unfair. A request for individual rehabilitation seems very late in coming, whereas the opportunity was offered to families as early as 1921, and raises thorny legal difficulties. As for the media coverage of the 1917 mutinies, it is perhaps, if not regrettable, at least exaggerated to focus on the thirty or so mutineers shot rather than on the one and a half million killed in action. Consequently, the issue of rehabilitating the mutineers seems to be more a matter of ideological than historical considerations. Therefore, the most realistic solution would be to favour an educational approach to explain our history to the new generations rather than a revision of it. This is what is proposed in the report[27] on the shootings of the Great War by the historian Antoine Prost.

In 2014, the anniversary year of the commemoration of the Great War, two types of commemorations will therefore be possible: either historical commemorations with an educational vocation to help people understand and learn about the past, or memorial commemorations that allow a subjective selection of personal or collective memories. In this episode, as in so many other circumstances, history and memory will benefit from complementing rather than opposing each other.

1] Louis-Ferdinand Céline, "[1] Louis-Ferdinand Céline, "Journey to the end of the night" Paris, Gallimard, 1932.

2] Emmanuel Saint-Fuscien, "[2] Emmanuel Saint-Fuscien.À vos ordres : The relationship of authority in the French Army of the Great War" Paris, EHSS, 2011, p. 328-330.

3] Ministry of War, Table of general statistics on the administration of military justice for the year 1912, Paris, Imprimerie nationale, 1914.

4] Emmanuel Saint-Fuscien., Op. cit. p. 141.

5] André Bach, op. cit. p. 415.

6] Guy Pédroncini, "[6] Guy Pédroncini.The mutinies of 1917" Paris, PUF, 1967, p. 66.

7] André Bach, Op. cit. p. 41.

8] André Bach and Guy Pédroncini. «The [hairy](#) have the floor" Paris, Complexe, 2003, p. [26](#).

9] Nicolas Offenstadt, "The Great War Fusiliers and Collective Memory 1914-1999" Paris, Odile Jacob, 1999, p. 32.

10] André Bach, "Military Justice 1915-1916", Paris, Vendémiaire, 2013, p. 160.

[11] André Bach, "Shot for example». Op. cit. p. 189.

[12] Jean-Baptiste Duroselle, "[12] Jean-Baptiste Duroselle.The Great War of the French, 1914-1918: the incomprehensible" Paris, Perrin, 1994, p. 84.

[13] André Bach, ".Shot for example». Op. cit. p. 378.

14] Jean-Yves Le Naour, "....Shot: Investigating Crimes of Military Justice" Paris, Larousse, 2010, p. 52.

15] Frédéric Mathieu, "14-18, the shootings». Malakoff, Sébirot, 2013, p. 60.

[16] Roland Dorgelès, ".The wooden crosses». Paris, Albin Michel, 1919.

[17] Jacques Tardi, "It was trench warfare", Paris, Casterman, 1993, p. 41-52.

[18] Stanley Kubrick, Paths to Glory, 1957, based on Humphrey Cobb's 1935 novel.

[19] Joseph Losey, For Example, 1964.

[20] Bertrand Tavernier, Captain Conan, 1996, based on the novel by Roger Vercelet.

[21] Jean-Pierre Jeunet, Un long dimanche de fiançailles, 2004, based on a novel by Sébastien Japrisot.

[22] Nicolas Offenstadt, Op. cit.

[23] Lionel Jospin, Prime Minister, speech at the Chemin des Dames, on the occasion of the commemoration of the 1918 armistice, at Craonne (Aisne), November 5, 1998.

[24] Nicolas Sarkozy, President of the Republic, speech in Douaumont, in **honour of the veterans of the First World War, 11 November 2008**.

[25] Master's thesis on Les régiments de réfractaires et la répression de la désertion dans l'armée impériale (1808-1814), by the author of this article under the direction of Catherine Duprat, University of Paris 1 Panthéon-Sorbonne, 1998, p. 32.

[26] Guy Pédroncini, op. cit. p. 66 .

[27] Antoine Prost. Rapport sur les fusillés de 1914-1918, presented to the Minister Delegate for Veterans Affairs, October 2013.

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