

## **ENRICA ASQUER**

### **Reacting to discrimination.**

#### **Jews' autobiographical narratives and the anti-Semitic laws exemption procedures (Fascist Italy and Vichy France)**

##### **Description**

###### *Summary*

This project aims to investigate the ways in which citizens of avowed 'Jewish race' took advantage of the exemption procedures set out in the anti-Semitic legislation under the Italian Fascist and Vichy French regimes.

In common with other European anti-Semitic legislation implemented on the eve of the Final Solution, the 'Leggi per la difesa della razza' (laws for the defence of the race) (November 1938) and the two 'Statuts des Juifs' (October 1940 and June 1941) set out exemptions to certain restrictive measures for those who could demonstrate that they had rendered exceptional service to the state in documented applications. Beyond a defined whole of types of possible applicants – especially meritorious soldiers –, neither legal framework defined 'exceptional', further leaving plenty of room for discretion.

For the purposes of taking advantage of such procedures thousands of Italian and French Jews sent full-blown autobiographical texts to the authorities aimed at linking up their merits, both personal and family, into a single convincing narrative with the support of documentary appendices. What strategies were used to compile these texts and what arguments and communication styles were adopted by applicants? Which elements from their personal and family biographies did they highlight most to support their requests? How were less positive aspects dealt with, on the other hand, such as, in particular, their attitudes to the Jewish religion and/or identity? In the last analysis how did applicants measure up to the racial definition imposed on them by these regimes and what idea of citizenship indirectly emerges from their 'autobiographies'?

To date, racial law exemption procedures, of which the Italian and French dispositions are an example, have been neglected by historians on the grounds of their limited impact and thus ineffectiveness in the face of the overall scope of anti-Jewish persecution. This interpretation perspective, however, risks, on one hand, underestimating the sophisticated violence implicit in the exemption practices and on the other, the political meaning they had for those directly involved.

Continuing research begun in 2013, the aim of this project is to analyse and compare with qualitative and quantitative methods the extraordinary and to date practically unexplored documentation generated by the Italian and French exemption procedures with the objective of contributing in an innovative way to the debate on the history of anti-Jewish persecution under twentieth century totalitarian regimes.

In the first analysis, then, by investigating the impact of the discretionary mechanism on applicants' self-representations, this project aims to emphasise that, rather than mitigating the violence of this persecution, such procedures were actually an integral part of its working. With their implications of a further moral distinction within the persecuted minority and obliging those affected to subject themselves as individuals to the whims of the authorities, these exemption procedures constitute an important chapter in the history of violence in the regimes in question.

Secondly, the goal of this project is to highlight how, conversely, exemption practices offer an opportunity to analyse the reactions and resistance which those persecuted offered up to the concrete implementation of anti-Semitic policies and, specifically, to the violence implicit in the racial definition process. By analysing the rhetorical strategies by which applicants built their ideal citizen profiles, the project aims to read these texts as documenting the political conflict between the authorities and those persecuted over the definition of legal criteria for inclusion or exclusion from citizenship.

Examining the sources also from a gender category perspective, lastly, the project aims to highlight the specific difficulties and strategies used by female applicants – overall a minority within a minority – faced with the twofold male chauvinism of race and nation.

### *Description*

In the pre Final Solution phase, in various contexts however different in formula and with varied impact and duration, European anti-Semitic laws set out procedures enabling certain categories of Jews to apply for exemption from the implementation of some of the repressive measures recently enacted. From Fascist Italy to Vichy France, from Hungary to Romania, Bulgaria and Slovakia, exemption procedures principally applied to two types of Jews: a) soldiers who had distinguished themselves in the wars at the heart of the national patriotic and regime narratives; b) those who could prove, on the basis of criteria which varied from context to context, that they had integrated in an exemplary way into the majoritarian society. Military honour and assimilation were effectively the two (male) criteria on which exemption procedures were based. For women and minors, it was family bonds with these two citizenship categories which held the greatest sway.

Continuing research already under way, this project intends to focus on two case studies, France and Italy, analysing and comparing a sample of requests for individual exemption in the archives of the two bodies which played the greatest part in their respective countries' procedures – Direzione Generale per la Demografia e la Razza, set up in Italy in September 1938 and the Commissariat Général aux Questions Juives, set up by the Vichy regime in the spring of 1941.

The documentation studied is the outcome of the interaction between the formal letters which applicants sent to the authorities and the documentary proof which was attached after this was presumably sourced via specific research at public offices and family archives and packaged up in a suitable graphic format and made into dossiers. Supporting documents could be very varied in nature and in addition to personal documents showing applicants' public biographies and social networks, other documents showing the family's history were also included sometimes going into considerable historical depth.

Application letters were, in fact, conceived of as autobiographical accounts capable of giving applicants a coherent narrative identity, that of deserving citizens.

Each dossier also comprised the information reports drawn up by the authorities and the correspondence which had taken place on the merits of the individual case and sometimes the final outcome of the procedure. Applicants' arguments are thus accompanied by the assessments of the authorities and any conflicts which might have emerged internally in relation to the merits of the case and interpretations of the dictates of the law.

On the basis of a random sample composed of 100 French and 100 Italian dossiers, the aim of the project is to analyse the strategies adopted by applicants in putting their dossiers together and enquire principally into the following aspects: the register and communication style chosen by applicants in their interaction with the authorities; the structural framework of application letters and thus the personal and family biography elements most highlighted to support applications; approaches to the issue of any religious affiliation and, more generally, any relationship between applicants and Jewish identity. Attention will also be paid to more material and aesthetic considerations relating to the way the

dossier was put together (size and internal breakdown; number of proofs supplied; formal appearance of the various sections).

In addition to throwing light on hitherto historically unexplored documentation, this project aims to widen its scope by means of a comparative perspective. Avoiding defining the comparability of the case studies *a priori* on the basis of their supposed historical and cultural homogeneity, the project's approach is based on the idea of identifying a problem – in this case exemption/exception from an exclusion mechanism – from the starting point of two documentary sources triggered by a comparable social practice – mobilisation of resources and personal dossier building in response to an exclusion mechanism.

Applying a comparative perspective to this problem, the project aims to analyse the shared models and, simultaneously, to assess the specific features of the two case studies with the similar objective of throwing fresh light on historic processes which, if closed within the currents of national history, could be seen as culturally specific and interpreted only as evidence of the 'national character' of the diverse Fascisms.

The project also intends to analyse the compositional strategies used in the dossiers in relation to the socio-demographic characteristics of the writers with the aim of bringing out the various reactions to the procedure and thus the different ways of relating to the persecuting authority used by those affected. In the wake of the analysis I have already carried out on the applications sent to the Italian authorities by Jews resident in Milan, I will specifically focus on the gender category. The race and nation mechanism at the core of the exemption mechanism exalted the heroic fighter and placed Jewish women in an even weaker position in making their case. For female writers, exemption applications, in fact, represented a significant and considerable controversial agency element.

## **Methodology**

### *Theoretical framework*

The intention of the project is to read and analyse the applications for exemption from French and Italian Jews on one hand in the light of historical work on the plea mechanism and on the other in the wake of cross-disciplinary literature on self-representation, autobiography and ego-documents.

a) As far as the first aspect is concerned, the project uses Natalie Zemon Davis's 1987 methodological lesson as a starting point with its convincing example of plea texts analysis and the narrative contents present in them highlighting the ways in which these are to be interpreted as the fruit of a 'narrative transaction' between the writer and the authority he or she is applying to. The narrative choices made by the former reflect narrative canons circulating in the social context in which these texts were generated thus offering an access key both to the study of the mental universe of the authorities and to that of those appealing to them.

This framework is to be supplemented by sociological analytical and interpretative research approaches. A number of studies on requests for assistance from the public institutions have identified as the core of this specific form of relationship with the authorities the existence of a twofold mechanism of subjectivisation and subjection (Fassin 2000). On one hand, these were procedures which required individuals to make themselves subjects by means of a search for a direct dialogue with the authorities and autonomous mechanisms in defence of one's rights by means of the building of a convincing self depiction. On the other hand, the same procedures imply individual subjection to the powers to whom one is applying for good will. In such procedures the authorities require subjects to put their lives in the limelight, to expose themselves and face up to defining categories.

The political significance of the rhetorical construction of pleas is also suggested by a further historiographical current which, mainly from the starting point of early modern era contexts but with

powerful comparative and diachronic ambitions, aims to highlight the demands inherent in such texts. (Cerutti, Vallerani 2015). From this specific point of view, women's petitions are sources of great value (Schmidt Blaine 2001).

If adapted to the specific context analysed here, these analyses allow us to go beyond two tendencies in the interpretation of the texts examined. The first of these is the tendency to consider them mere fruit of narrative and rhetorical strategies of no importance for the purposes of historical analysis because they say nothing of the social context in which they were generated nor of the personal stories of those writing; the second is the tendency to think in a dichotomous way of the relationship between agency and violence of which such texts are the result: examples of self-fashioning which are fruit of definition-imposition and as such the violent logics of the authorities, these texts are also actions, active demands for belonging whose political significance is in no way diminished by the limited potential for success in exemption applications or the limited significance of this in relation to the Final Solution.

b) In the wake of certain suggestions coming from the international debate on the use of personal narratives as historical sources, this project intends to go beyond a merely post-structuralist perspective in its analysis of the exemption dossiers. If, in fact, on one hand, fertile research on ego-documents has now amply demonstrated the importance of such documents as much more than straightforward extrapolations of anecdotal facts on writers' lives (Dekker 2002), on the other hand a perspective which considers personal narratives as contingently generated discourses inherently free of relevant substance for the purposes of historic analysis is now to be overcome (Maynes, Pierce, Laslett 2008). The project starts from the assumption that these texts are to be understood as 'social' products resulting from a work of composition and meaning-making which are influenced as much by the specific situation in which writers generate and assemble texts (the conditioning they are subject to, the goals pursued and the contributions of the people and collective context faced) as by the more general conditions (social, generational, gender based, etc.) they are writing in.

#### *Research methodology*

On the basis of a random sample of 100 French and 100 Italian exemption dossiers, the project intends to apply a quantitative dimension to qualitative and in-depth analyses of the dossiers. To that end a database will be built containing all the information relevant for the purposes of comparative analysis for each dossier.

In the first place, then, and in the light of the previous research I carried out on the exemption dossiers sent to the Direzione Generale Demografia e Razza in Milan province, I will proceed to a first reading of the sources focusing in particular on the following aspects:

- a) the primary and secondary subject matter chosen by the writers of the exemption dossiers as the grounds for their applications (for example military merit, professional merit, cultural type merit, family type merit, residence and rootedness in the country, etc.);
- b) the way in which Jewish identity and the racial argument was dealt with (for example whether the former was not touched or mentioned as a straightforward accident of birth with no implications for the subject's real life; understood as a private religious circumstance or family cultural fact not conflicting with loyalty to the nation, etc.);
- c) the communication register used in the text (for example aimed at prompting compassion in the reader or claiming dignity for the writer; based on objective merit and hinging on the evidence of the documents, etc.);
- d) the style of writing chosen (for example the use of first or third person, objective, restrained writing style or a more narrative style, etc.);
- e) formal choices relating to the packaging of the dossier (size, number of proofs, structure and format of the dossier, appendix presentation method – presence of binding, decorations, etc.).

In the second place, after this preliminary reading has taken place, a database will be put together. For each dossier, in addition to the above information, the database will contain a range of biographical information on the applicants and especially nationality, gender, age, socio-professional category, indications on political orientation where these can be drawn from the letter and any relevant proofs attached to the dossier (in the Italian case, for example, membership of the Fascist party and date joined). The formalisation of the information and its incorporation into the database will provide a less subjective and partial database for a qualitative analysis of the sources. This will specifically allow for an assessment of:

- a) the presence of recurring combinations in dossier content and style elements capable of providing an overall framework of the way applicants approached the administration;
- b) the weight of the various subjects used in applications for the purposes of analysing the ideas of citizenship and integration mobilised by exemption applicants and any correspondence or shortfall between their arguments and the legal norms;
- c) the weight of gender, generation, professional status and political orientation differences. The goal is to identify any connections between different dossier compilation strategies and writers' personal stories.
- d) analogies and differences in subject matter and communication styles in the Italian and French contexts.

### **State of the art**

In the context of the boundless historical debate which has analysed the practical and ideological genesis of the anti-Semitic policy in the Italian and French contexts as well as the application of restrictive policies adopted on the eve of the Final Solution (De Felice 1993, Sarfatti 2007<sup>2</sup>, Pavan 2004, for Italy; for France, Marrus and Paxton 1981; Wieworka 1998; Joly 2006) the exemption mechanisms have been kept to the sidelines on the grounds that they applied for limited periods and have rightly been considered of limited impact especially if viewed in the light of the Final Solution.

As far as the specifically Italian exemption procedures ("discriminazione") are concerned, the silence is resounding. This overall panorama, however, does include precious references which merit further research attention. In the framework of a fundamental innovative interpretation which has seen Italian Fascism and its anti-Semitic policies as an independent trajectory which cannot simply be attributed to the supposed subordination of the Italian Fascist regime to Nazi Germany, Enzo Collotti (Collotti 2003) has recognised the importance of studying the effects of exemption mechanisms from the point of view of those directly affected by them. In particular, perceptions of the 'moral' implications of applying for exemption and the risk of internal divisions being created within the Jewish community emerge from Collotti's considerations as precious pieces in a jigsaw which has still to be fully completed.

Some attention has also been paid to the subject by historians interested in the legal aspect of the issue. In particular Silvia Falconieri has shown that the 'discrimination' encompassed by the Italian anti-Semitic laws were exploited in the post World War Two period in a climate of generalised amnesty in which it was felt necessary to scale down the criminal responsibility of the bureaucrats involved in persecution (Falconieri 2012). The 'good Italian' myth of an imperfect totalitarian regime generally more lenient than German Nazism (Focardi F. 2014) thus found in the exemption mechanism a theoretical and practical foothold.

As far as France is concerned, references to exemption procedures are present in work done from a legal (Lochak 1993) or administrative history approach. In particular, Laurent Joly's extraordinary micro-history work on the functioning of the French state under Vichy and the work of the administrative structures specifically dedicated to the implementation of the anti-Semitic policy (Joly

2006 and 2011) have highlighted the central ideological and political part played by sections whose role was to define personal statutes and supply solutions to contentious and doubtful cases. On the back of sociological categories borrowed in particular from Pierre Bourdieu, the author highlights that in those sections whose contact with individual Jews was the most direct and visible to bureaucratic eyes, it was the discretionary dynamic which was the true foundation stone of the anti-Semitic policy in its impact on victims' lives. The management of the exemption procedures falls within this context.

Valuable references to the exemption procedures are also present in work on the history of the French Jewish institutional elite under Vichy (Laffitte 2003) highlighting certain aspects of the debate raised by this issue (Laffitte 2010). Two approaches emerge from archive papers: on one hand, that of those who argued for the moral obligation of refusing to apply for exemptions which would have divided the community; on the other hand, that of those who saw it as pragmatically necessary to combat racial prejudice precisely in well-prepared dossiers which demonstrated the total integration of the French Jews. For this reason, several cases of collaboration in drawing up exemption dossiers have been identified in the Concistoro and Union Générale des Israélites de France (UGIF) context. Similar behaviour has also been identified in the case of the apex of the Italian Jewish institutions (Matard-Bonucci 2007).

The exemption mechanism is also mentioned in accounts of expulsions from specific professional categories (Nahum 2008; Joly 2008) but in such cases the focus is generally on the outcomes of such procedures and their significance in the framework of analyses designed to assess the rigidity with which anti-Semitic laws were implemented. As in the Italian context, interest in the concrete ways in which such mechanisms were used by the persecuted – and within them by women – and what impact they had on the personal and collective identities of those involved is entirely absent.

Moreover, the perspective adopted by this project, focusing as it does on exemption applications writers, clearly intersects with more wide ranging historical considerations on the integration/assimilation processes affecting the Jewish minority in the period following legal emancipation. These considerations were the starting point for my previous analysis which has thus far considered the Milan case study and the documentation concerning exemption requests sent to the Direzione Generale per la Demografia e la Razza by Jews living in the city of Milan (Asquer 2016). In this perspective, in fact, a great deal of work has been done since the early years of the new millennium to overturn the assimilation paradigm current up to that time (Schwarz 2005; Foa 2007). This paradigm also suited the distorted reconstruction of Fascist anti-Semitism which tended to minimise the scope and rigour of the anti-Semitic measures set in motion in 1938 (Flores, Levis-Sullam, Matard-Bonucci, Traverso 2010). In the light of the renewal favoured by the culturalist reading of the nation-building process and in particular in the wake of nation-racism nexus considerations (Banti 2000; Banti and Ginsborg 2007; Banti 2011), a more careful analysis of the period comprised by legal emancipation and the onset of anti-Semitic persecution has been achieved in the Jewish history perspective. It has been underlined (Armani 2012) that any analysis of 1930s anti-Semitism requires taking account of the powerfully racial connotation present right at the start of radicalisation in the identity processes at the heart of Italian nation building processes. Following this, renewed attention has also been paid to the complex and changing relationship between feelings of national belonging and Jewish identity and the implications of this nexus on the Italian Jewish self-representation plane (Ferrara Degli Uberti 2011). Such analyses highlight the fact that there was nothing new about the need for the Jewish minority to combat suspicions of disloyalty to the nation in the public representation field too at the time of the onset of the anti-Semitic legislation. This historical perspective, however, should not obscure the radical change in perspective in Jewish self-consciousness represented by the introduction of restrictive measures in 1938 (Asquer 2016).

In the French context, the need to read Vichy anti-Semitism from a historical perspective is equally crucial not simply because explosions of anti-Semitism were more significant than in Italy well before the Vichy laws but above all because anti-Semitism had been an integral part of the political weaponry

of a current of thought which came to the fore in 1940 since the late 19th century (Galimi 2010; Joly 2010). It has been highlighted that this aimed principally at casting doubt on the Jewish presence in the context of the action of the French state and their political influence drawing on and renewing a by then well established political tradition (Birnbaum 1988). Thus in the light of its consolidated place at the apex of the French state, the powerful identity bond between French Jews and the République's emancipation project underwent a powerful attack (Wievorka 1998). Favouring integrated 'Israelites' in particular and categorically excluding recently naturalised 'foreigners', the exemption mechanisms introduced by the two statutes directly impacted on that part of Jewish consciousness which self-identified as strongly rooted in French society and the Republican institutions (Bruttmann 2010).

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### **Work schedule and Gantt Chart**

This project is the concluding phase of an archive research process which began in 2013. The work already done on exemption applications by Milanese Jews will enable me to conclude the research proposed here in twelve months from the study bursary focusing above all on the French case study and the comparison between the two. Research will be divided up into the following work packages:

#### **WP1. Archival research on communitarian sources – 2 months (1 month in France; 1 month in Italy)**

From the starting point of the Union générale des Israélites de France (UGIF, 1941-1944) fund kept at the Centre de documentation Juive Contemporaine, Mémorial de la Shoah (CDJC, Paris) and the Attività dell'UCII dal 1934 (1934-1948) fund kept at the Archivio Storico dell'Unione delle Comunità Ebraiche Italiane in Rome I will proceed to re-examine the papers relating to the period in which the anti-Semitic laws were introduced. The focus of the analysis will be to retrace the debate prompted in the respective Jewish communities by the introduction of the exemption mechanism and identify certain recurring themes in the way the mechanism was seen. This will enable me to highlight any synergies between these debates and the themes chosen by those writing exemption requests and the lion's share of the project will focus on this.

#### **WP2. Archival research on the French exemption dossiers: preliminary analysis and database building – 1 month**

A random sample of 100 French applications will be identified and filed under sub-series *AJ/38 : Commissariat général aux questions juives (C.G.Q.J.) et service de restitution des biens des victimes des lois et mesures de spoliation* kept at Archives Nationales (Paris) together with the *Commissariat général aux questions juives* fund kept at CDJC. The database [milestone 1 (M1)] to be used to index the sources will be compiled on the basis of a preliminary reading of the sources.

#### **WP3. French archive research: insertion of data into the database – 3 months**

I will then proceed to a systematic indexing of the dossiers and insertion of the data into the database [milestone 2 (M2)].

#### **WP4. Italian archive research: insertion of data into the database – 2 months**

With the same methodology used for the French sample, I will proceed to sourcing and analysis of a sample of 100 Italian applications drawn from the *Direzione Generale Demografia e Razza, Divisione Razza, Fascicoli personali* fund at Archivio Centrale dello Stato (Rome). I will then insert the data into the database [milestone 3 (M3)].

#### **WP5. Data analysis and writing of article – 4 months**

On the basis of the database compiled, I will proceed to a quantitative and qualitative comparative analysis of the sources and write a first article draft [deliverable 1 (D1)] containing the results of the research to be submitted to an international journal.

Gantt chart

month	1	2	3	4	5	6	7	8	9	10	11	12
WP1												
WP2			M1									
WP3				M2								
WP4							M3					
WP5									D1			