THE DREYFUS AFFAIR

Kayser

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BY

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TRANSLATED FROM THE FRENCH BY
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THE DREYFUS AFFAIR



LIEUT.-COL. DREYFUS DURING THE WAR

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INTRODUCTION

THE Dreyfus Affair is something more than a trial of exceptional character. Through its reactions on politics both national and international it constitutes an important chapter in the history of France.

Twenty-four years after the foundation of the Third Republic it let loose a flood of events which placed the new order for a moment in jeopardy; but by the final triumph of justice, which was the triumph of all who had the Republic truly at heart, that order was placed on a surer basis.

Child of defeat on the field of battle, the Third Republic enthroned itself on the ruins of the Empire, and reaped advantage from its unpopularity. But France as a whole was not yet ripe for republican ideas. The Republic was accepted by many as an arrangement merely transitional, and its infancy was passed in an atmosphere of latent hostility. Its enemies were in the majority, but the liquidation of the war of 1870, the events of the Commune, the necessities imposed by a drastic peace treaty and the resolute effort of reconstruction drove political differences for the time being into the background.

If those who desired the restoration of the Empire were only a handful, there were vast numbers who desired the restoration of the monarchy. But they were divided on the question of who should be the future king of France, and their division was the Republic's opportunity.

Placed at the head of the executive, Thiers ruled as a republican; but it was his opinion that the Republic must be conservative or cease to be, and events seemed to justify him.

Indeed, when the popularly elected National Assembly

was called upon to pass judgment on the new constitutional laws which were deemed necessary for France, and to decide on the form of government, there was a majority of one vote, and of one only, in favour of republicanism. In other words the Third French Republic, established under such conditions was firmly bound in the chains which its origin and the compromise resulting from that first vote imposed on it, and had eventually to free itself from them.

The Republic was thus insecure. The clumsiness and violence of the President, Marshal MacMahon, who on 16th May, 1877, attempted a sort of *coup d'état* against the Chamber of Deputies, were necessary to confirm it.

That bid for personal power fused the Republicans into unity and established the parliamentary régime which, by its system of direct representation, became the organ of the will of the people.

The Republic had tottered. Once victorious, it gathered strength and became the rallying-point of the forces of France. The Republic was governed by republicans for republicans. Important legislative measures gave concrete expression to the desire and need of reform in every direction.

The Republic struck deep roots in the country. At every election the republican majority increased. The parties in opposition were crumbling. Since the death of the Prince Imperial the Bonapartists had been reduced to silence. The monarchists, divided among themselves and incapable of effective action, made but a show of interference. The Right was no longer led by the enemies of the régime but by those who asserted, as Thiers had done, that the Republic ought to remain conservative, and their influence, feeble in politics, was only effective in public life, among the middle classes and in the world of finance. The Left, on the other hand, was active and of growing power in the country. It asserted its pretensions and its rights and proclaimed its faith in a Republic boldly radical.

Meanwhile the stability of France was subjected to influ-

ences and rivalries which put it in constant peril. A nationalist movement took shape, a protest against the policy of carrying out the Treaty of Versailles in 1871. The younger generation was ready for mischief. The League of Patriots, whose object was to foment the spirit of militarism and disseminate the cult of Vengeance, intensified its propaganda and worked up a dangerous agitation. General Boulanger, the Minister for War, by pandering to the passions of the chauvinists and playing the demagogue, gained no little popularity. An incident on the Franco-German frontier (the Schnaebele affair) made the situation more acute. The position of Boulanger, the 'general of the *Revanche*', was strengthened by it, and demonstrations in his support were organized up and down a country seething with excitement.

In Parliament parties were in confusion. The Government, in despair, tried to discover a basis of agreement and tentatively initiated a policy of pacification. But a new crisis arose, the result of a scandal in which the son-in-law of the President of the Republic was implicated. It had to do with the sale of honours; the malcontents made the most of it; and it ended in the resignation of President Grévy.

'The Republic,' it was said, 'is the rule of nepotism and corruption.' To the diatribes of the press was added the clamour of public meetings; and all the energy, skill and integrity of the new republican leaders were needed to stand firm against this double attack, now consolidated into one, of the Nationalists and the Boulangists.

At last, however, it seemed that the Republic, which had gained strength at the new elections, was really on the point of inaugurating an era of peace and victorious prosperity. But a fresh scandal shook the régime to its foundations. This was the Panama affair, a case of corruption in which a large number of members of Parliament were involved and compromised. What a weapon this placed in the hands of those whose dream it was to destroy the Republic, and who accused the Government of complicity in dubious undertakings, may

easily be imagined. But by now the new order had struck deep roots in the soil of the country, and this perilous ordeal served as a touchstone of the soundness of its institutions.

Nevertheless, this was a time of increasing social trouble. The first great strikes were coincident with the growth of the Socialist party which Jaurès was leading into battle. From the benches of Parliament and from the columns of the press the militants sent forth their rallying cry, and the swollen ranks of their effectives became a force in the Opposition.

Besides these concerted movements, the individual acts of anarchists spread terror through Paris. To draw attention to social injustice by shocking public opinion they multiplied their outrages, and devoted themselves to direct propaganda by deed. The assassination of the President of the Republic, Sadi-Carnot, was the culmination of their efforts, which were carried on to the accompaniment of the cry, 'Society is rotten'.

Thus at the beginning of 1894 the situation was fraught with trouble. The Republic was in being; it had gained strength. But morally it was compromised and the balance of parties was difficult to maintain. The Government could introduce no measure of reform which did not dissatisfy its supporters, and found itself driven to a policy of conflict. The union of republicans which had been formed in the hour of danger existed no longer. The Socialists, the vanguard of democracy, fought no longer for the Republic and were intent only on the defence of their own obvious class interests.

A reactionary nationalist movement was taking shape, directed at once outwards against the foreigner, and especially against Germany, and inwards against the Jew, represented as a profiteer and the agent of the foreigner, and the Socialist as the creator of disorder. The army seemed to be the citadel of order. Its head, General Mercier, was obsessed by the transient glory of Boulanger and dreamed of popularity. The two great forces of resistance to democratic progress were the Church and the Army. They were in direct collusion.

The generals and the bishops were leagued in their determination to thwart the work of republican action. They were in a communion of hatred against Liberalism and the Jews. Beneath their common preoccupations were manifest the unwearying efforts of the Jesuits, those implacable and irreconcilable enemies of modern and republican ideas.

With the Republicans at loggerheads and public opinion in a state of flux, troubled and at a loss, the army and the clergy believed that the moment had come to launch a great offensive, hoping thereby to regain their grip on the country, which since 1870, and more especially since 1878, they had let slip from their control.

A case of treason gave them the opportunity which they sought; and the Dreyfus Affair was therefore no mere case for the Courts—'the great Jewish conspiracy to deliver France to the enemy'—but the most momentous political battle which the reactionary and clerical parties of the Right, in full panoply and at full strength and aided by all their technical resources, have waged against the Republic.

THE DREYFUS AFFAIR

CHAPTER I

ALL AGAINST ONE

§ 1 *The Bordereau*

On September 26th, 1894, in a lower room of the Ministry of War at Paris, a heavily built, loud-voiced officer, in a state of some agitation, called his colleagues of the Intelligence Department together as soon as they arrived. He showed them a crumpled, tattered document; it was a sheet of thin paper which had been torn across in two places and mended with gummed strips. Both sides were covered with a running handwriting, hasty and irregular in character. Heading, signature and date were lacking:

'No news as to whether you wish to see me, nevertheless, I am sending you some interesting information:

(1) A note on the hydraulic brake of the 120 and on the action of this gun;
(2) A note on the covering troops (some changes having been introduced in the new scheme);
(3) A note on the change in the artillery formations;
(4) A note on Madagascar;
(5) The draft of the handbook for the Field Artillery (March 14th, 1894).

'The last named document is extremely difficult to get hold of, and I can only have the use of it for a very few days. The Minister for War has sent a limited number to

the different corps, and these corps are responsible for them. Every officer possessing a copy must return it at the end of manœuvres. Therefore, if you would like to extract from it whatever is of interest to you and then return it to me, I will take one. Unless you would prefer that I should have it transcribed *in extenso* and send you the copy.

'I am just going on manœuvres.'

This paper was proof of treason. Those who read it were in no doubt on that point. Among the mass of trivial papers which these men read daily, for the most part in vain, in order to extract some secret from them, this one stood out as being definitely valuable.

Major Henry's colleagues examined the document eagerly, whilst he, as though reserving more important revelations for his superiors, explained briefly:

'It reached me through the usual channel.'

The usual channel! That is to say, the usual channel of counter-espionage.

For these men served in the most secret and equivocal department of the Ministry of War. The espionage, organized and at the same time dreaded by every state, had given rise to a system of counter-espionage, an unsavoury Intelligence Department which existed in every country.

Although those employed in it were officers and for the most part honourable men, the conditions under which they worked, the necessity for continual self-defence, intrigue, deception and lies were both depressing and harmful. They had to make others their dupes, in order to procure the elements of truth. Their lives were spent among a rabble of deserters, dismissed servants, dubious agents, suspect foreigners and hirelings. Officials capable of combatting such an atmosphere would have had to be irreproachable and rendered immune by a solid basis of virtue against the canker pervading their lives.

'The usual channel' mentioned by Major Henry was

that which, through the agency of the woman Bastian brought the contents of the waste paper basket of the German military attaché to the Intelligence Department. The paper baskets at the Embassy were carefully examined by secret agents, crumpled or torn papers were collected in envelopes and handed over to Major Henry at romantic rendez-vous in the shadow of churches.

§ 2 *The Receipt of the Bordereau*

But had the *Bordereau* really been received through the usual channel?

Major Henry, who had assured his subordinates that this was the case, was well aware that it was untrue.

If the document had been handed to him by the woman Bastian in the customary envelope, how easy it would have been for him to destroy this important paper, the writing on which he had recognized as that of a friend.

But he had been unable to cause it to disappear—his chief, Sandherr, had seen it before him.

One day towards the end of August, Brücker, an agent who had been dismissed from the Intelligence Branch, and who sought to reinstate himself, whilst prowling round the German Embassy succeeded in getting hold of a letter which had just been placed in the military attaché's letter-box. It was a sheet of thin paper. After a hasty perusal, Brücker realized its importance and proceeded to offer it to the Ministry of War. In the absence of Major Henry on leave, he handed it to the director of the Department, Colonel Sandherr.

But it would not do to let it be thought that this intact document had not reached the Ministry through 'the usual channel'; by tearing it into several pieces and sticking the fragments together again, it was made to look like the papers which Bastian was wont to pass on.

Sandherr was much excited by the document. He agreed

with Captain Maton, one of his subordinates, when he said, 'This seems to me a serious matter; the man who wrote that must be employed in the Ministry, and must be in the Artillery.'

When Henry came back to Paris on September 25th he advised his correspondent, the woman Bastian, of his return and instructed her to bring him without delay the plentiful harvest gathered in his absence. This was the usual method of address:

DEAR COUSIN,

'Here I am back again and in excellent health after having had plenty of sport and killed a number of partridges. Please remember me to Cousin Auguste.'

In the meantime Sandherr had handed him the *Bordereau* so that he might find out the author of it. Henry could not refuse to do so, but, anxious to prevent the true facts from becoming known since he might be compromised, he endeavoured to divert the inquiry into a channel which would render detection of the culprit impossible. His first step was to moderate Bastian's zeal. It would have indeed been calamitous for the person whom he wished to save if the 'usual channel' had brought forth further documents, perhaps affording more precise and overwhelming evidence!

'DEAR COUSIN,

'Please do nothing for the next fortnight at least. Keep very quiet and pay attention to what I tell you. Do nothing, there is plenty of time and we can quite well take a holiday for a short time. Perhaps I will tell you the reason the next time I have the pleasure of seeing you.

'My love to Cousin Auguste.

'Your loving little cousin,

'HERMANCE.'

§ 3 *Who is the Traitor?*

'Who is the traitor?' The question occurred at once to all except Henry and the hypothesis which seemed inevitably to follow after studying the list of documents mentioned, led to the reply: 'It is an officer on the General Staff, an artillery officer.'

These gentlemen were not possessed of critical minds; the discernment which their position might have led one to expect from them did not lead to inquiries into certain details or to surprise at certain anomalies. What had become of the envelope? When did the document arrive? How did Herr Schwartzkoppen, military attaché to the German Embassy, come to discard a paper of such capital importance without destroying it?

Major Henry's superiors did not raise these reasonable questions either; perhaps they did not occur to them or perhaps they regarded them as negligible since their decision had already been made.

Who were Major Henry's superiors? Colonel Sandherr, head of the Department, General Gonse, deputy chief of the General Staff; General Le Mouton de Boisdeffre, chief of the General Staff, and, at the head of this hierarchy, General Mercier, Minister for War.

The capital that might be made out of this memorandum—the *Bordereau*—was clear to them all, but especially to the Minister. At the cry of treason, and in the name of a traitor thrown to the ravenous multitude a facile popularity could be attained and a tottering prestige might be re-established.

During the ten months that he had been in office as Minister for War, General Mercier, an ambitious officer of mediocre intelligence, had more often given evidence of inefficiency than of capabllity. A campaign had recently been organized against him in the press and in the lobbies of the House and the Senate. The orthodox, nationalist newspapers

had been most violently antagonistic. He was accused of inefficiency; he was arraigned as 'an unscrupulous politician and an organizer of disorder,' and certain polemists had gone so far as to point to the danger of concerted action between Germany and Italy, emboldened by the disorganized state of the French Army.

If General Mercier were able to cry 'We are betrayed. Here is the traitor!' if he could deliver up this traitor to popular vengeance, if he could thus divert the attention of his critics to an affair in which he might prove himself energetic, he could, at the same time, put an end to these attacks.

With the *Bordereau* in his hands, he could indeed cry: 'We are betrayed!' But that was not enough. He must be able to add, 'Here is the traitor!'

The traitor, therefore, must be found. The incriminating document was photographed, and prints were distributed to all heads of departments in the Ministry, with instructions to make inquiries among their staff.

For several days, moreover, search was made in the archives and memories were taxed. The search was restricted to a certain group of officers. Without going more deeply into the matter, the interpretation on which Henry continued to insist was accepted *a priori* and the obvious conclusion that it was 'an artillery officer on the General Staff' was not disputed.

Alas! These investigations were fruitless. They accomplished nothing (in spite of the secrecy with which they were supposed to be surrounded) except to create an uneasiness among the officers attached to the Ministry, so that everyone, in order to protect himself, sought to cast suspicion on his neighbour.

The first three sections had already sent in negative reports. There remained the fourth section, the director of which, Colonel Fabre, was on the point of sending a similar report, when, on the morning of October 6th, he informed the new deputy director of the section of his unsuccessful

inquiries. This was Lieut. Colonel d'Aboville, who had been promoted the previous day; elated by his new grandeur, he boasted that he would discover the author of the *Bordereau*.

'Well, find him, then,' replied his chief.

Thus, it was essential that d'Aboville should supply a name if he did not wish to appear ridiculous. He zealously examined the various documents mentioned in the *Bordereau*, and deduced from them that the traitor was an officer well versed in technical questions, and that he must have been in touch with the first and third sections, perhaps even with the second. Inquiry should therefore be prosecuted among the probationary officers, going through their course on the General Staff; since these were not definitely attached, their duties and course of instruction brought them knowledge of technical questions and of the work in progress in the different sections.

Colonel Fabre accepted the assertions of his subordinate without question. He did not trouble to find out whether someone besides the probationary officers on the General Staff might be in a position to ascertain details of the hydraulic brake of the 120, of the covering troops or of the field artillery formations.

The essential thing was a name!

§ 4 *The Jew*

'Quick! Let us run through the lists of probationers!' Some of them had already completed their course in the 4th section. Had Colonel Fabre kept any detailed notes which might serve as a clue? A first inspection seemed to give a negative result, the reports he had given had been excellent. All of them? Yes, all . . . with the exception of that on Captain Alfred Dreyfus!

'Dreyfus?' D'Aboville interrupted Colonel Fabre. 'Dreyfus? . . . Why not?'

'A secretive fellow. His comrades disliked him.' At the

same moment a common thought brought an identical smile of triumph to the two faces. 'He is a Jew!'

Magic word! The traitor was found, it was Dreyfus, it was the Jew. Who but a Jew would betray his country?

The personnel of the Ministry of War was fundamentally antisemitic; the officers of superior rank, selected from circles in which antisemitic feeling was stronger than ever before, were permeated with this fashionable form of snobbishness and encouraged by hundreds of abusive pamphlets. It was the correct thing to declare oneself to be a hater of the Jews, to provoke duels and boast of wounds inflicted. To be mentioned in the antisemitic press meant additional glory to one's arms! The newspapers rang the changes daily on the syllogism: France is in the hands of the Jews; the Jews represent Germany; therefore, France is in the hands of Germany!

The antisemites claimed, by virtue of the most narrow-minded patriotism and the most sectarian of religious beliefs, to be defending a threatened society and an outraged morality.

La Libre Parole was their official organ and their watchword: 'Rid the French Army of the Jews.' They declared this to be the feeling among both officers and men, all of whom experienced 'an instinctive feeling of repulsion against the Sons of Israel. They recognized in them the usurer who ruins the officer in debt, the contractor who speculates on the soldier's welfare, the spy who traffics shamelessly in the secrets of national defence.' If they got a footing in the army, the enemy would be informed of the most secret mobilization plans.

It must be made impossible for them to become officers.

The generals bowed to these demands to the extent of reducing the marks gained by the Jewish candidates at the Ecole de Guerre, who were likely to appear high up in the list!

Thus, as well in the army as in fashionable society, the Jew was regarded as the agent for foreign countries; one name served for the whole race: Judas.

Dreyfus was a Jew, therefore, Dreyfus was the traitor. To

reach this conclusion but one small step further was required. Why hesitate? D'Aboville took that step and Fabre followed him.

Before passing on to their despairing chiefs the happy and consoling news, they must find some material evidence. Fabre consulted the traitor-captain's report. He jumped for joy. The two handwritings had a certain similarity, they were by the same person; they were identical!

'Look,' said d'Aboville, taking the two sheets to the window and laying one over the other against the glass, 'the words "artillery" are exactly the same.'

Victory! The die was cast. The traitor had been caught, the Jews were caught.

A hasty inspection of the archives of the Commission on the Eastern System[1] in which Dreyfus had completed part of his course, proved, naturally enough, exactly what it was intended to prove.

Colonel Fabre, armed with this supplementary evidence, which moreover had seemed to him a piece of excessive conscientiousness, informed his departmental chiefs of his discovery. In the space of a few minutes Gonse, de Boisdeffre and the Minister were acquainted with all the details. A whisper echoed through the departments of the Ministry: 'It is a Jew!' And there was great rejoicing.

When the news reached the Intelligence Department, Sandherr blamed himself for his lack of insight. 'I who distrust all Jews, I ought to have had a suspicion!' And he enlarged on certain mannerisms peculiar to Dreyfus and on certain of his remarks which should have warned him.

§ 5 *The Plot*

General Gonse entrusted to the Marquis du Paty de Clam, of the Second Section, the task of making a private inquiry.

This task must certainly have been particularly congenial

[1] Commission du Reseau de l'Est.

to the Marquis. He was an ambitious man, with a fine presence, one of the glories of that phalanx of military directors among whom he professed to practise graphology. He was also a violent antisemite. It is scarcely necessary to add that this graphologist, who had already decided that the Jew was guilty, also pronounced the two handwritings to be alike.

Armed with the report of this expert amateur, the Minister sought to bring the matter to a crisis, and at the same time to reserve for himself all the credit attached to it.

He applied to M. Gobert, an expert at the Banque de France, for an official expert opinion on the incriminating writing, and decided to inform the President of the Republic and the other ministers.

In his interview with the President, Casimir Périer, he disguised his real intentions, for he wished to have a free hand. He minimized the significance of the matter. 'The documents which have been handed over are not of great importance,' he declared.

But when he saw the Prime Minister he assumed an air of mystery and asked for a summons, not of the Cabinet, but of those ministers only who had an interest in the matter, the Minister for Foreign Affairs and the Minister of Justice. It would not do to make a sensation or to arouse any suspicion.

On October 11th before Charles Dupuy, Prime Minister, Hanotaux, Minister for Foreign Affairs, and Guérin, Keeper of the Seals, General Mercier made a vague statement of the situation and, without divulging names, explained the measures he proposed to take.

M. Hanotaux protested. They must be careful, Germany must not be implicated. Could they not hush up the affair? General Mercier opposed the suggestion. He would certainly show circumspection, but he persisted in his determination to act quickly, even suddenly. The greater the surprise to the general public, the greater would be the increase in his prestige!

On his return to the Ministry, he set about organizing the

plot. A permanent General Staff composed of Generals de Boisdeffre and Gonse, Colonels Sandherr and Fabre and of du Paty de Clam and Henry was to act as a clearing house for information, take the necessary preliminary steps and direct operations.

Mercier added to these collaborators a police representative in the person of Cochefert, whom he assured that Dreyfus's guilt had been proved by a lengthy inquiry and irrefutable documents.

The expert Gobert was urged to produce without delay, if not a definite or even a provisional report, at any rate a word of encouragement. But Gobert maintained his attitude of reserve. An expert opinion could not be given lightly, and must not be undertaken with a prejudiced mind.

In defiance of Hanotaux's insistence and of the counsels of prudence given by General Saussier, chief in command and military governor of Paris, Mercier was determined to signalize his tenure of office at the Ministry of War by the ruthless repression of treason, and refused to swerve from the line of action he had laid down.

His assistants urged Gobert to complete his task. The latter demanded, in accordance with the usual procedure, to be given the name of the person on whose handwriting he had been asked to report. From that moment he was regarded with suspicion, and his request was formally refused. In high places definite plans were already being made; it had been decided to arrest Captain Dreyfus, the stage had been set and the parts allotted. The General Staff was about to seize its prey.

The day after these final plans had been made, Gobert sent in his expert opinion:

'The anonymous letter,' he concluded, 'might have been written by a person other than the one under suspicion.'

The whole case had collapsed! No matter. Mercier and Gonse determined to proceed. The Jew was in their grasp, he must not be allowed to escape. Gobert's report was to be treated as a 'neutral opinion' which might be disregarded.

A more accommodating expert was sought; someone suggested Bertillon, a notorious antisemite, chief of the anthropometic service at the Prefecture of Police. Strange that expert advice should be sought on a question of handwriting from a man whose duties involved research in quite a different direction. Nevertheless, since the perilous way of expert opinion had been entered, it had to be followed to a favourable conclusion. After all, nothing more than a signed confirmation was required.

Photographic prints of the *Bordereau* were sent to Bertillon, with urgent instructions to submit his report in the course of the day. Du Paty de Clam, the expert amateur, sent by the General Staff to instruct him, used all his ingenuity to persuade him that overwhelming proof already existed, that the expert opinion was no more than a formality and that it was bound to agree with evidence obtained through the preliminary investigations.

Bertillon remarked some dissimilarities, but passed them by and fixed his attention on the similarities. Late in the afternoon he submitted his report. It was not the absolute confirmation that had been expected, it was modified by the expression of a doubt.

> 'Setting aside the hypothesis of the document having been most carefully forged, it seems clear to us that the same person wrote all the documents received, including the incriminating document.'

§ 6 *The Scheme*

Before the report had been received, the execution of the scheme outlined by General Mercier and his subordinates had already been begun. In the course of that day, General Gonse had had transmitted to Captain Dreyfus a summons to appear two days hence, on the Monday morning, at nine o'clock. For it was preferable to arrest the traitor at the Ministry. The secret could then be kept as long as it was

necessary, no one would know of it and the intrigue could develop in the profound mystery essential to its satisfactory conclusion.

On Sunday, October 14th, the eve of the day on which the General Staff and General Mercier looked forward to covering themselves with popularity, to hearing themselves acclaimed as the saviours of their country on account of the deadly blow aimed at Judaism—on that eve, a final meeting of the conspirators took place.

This was no conspiracy of the weak and oppressed against a government or a tyrant. It was a conspiracy of the powerful, of the heads of the army, greedy for fame, ready to sacrifice a man without hesitation and aiming through that man at a race.

Du Paty had prepared a scheme which he expounded and which met with approval. What an ingenious *mise en scène!* The guilty man was to be caught in a trap and forced to confess. If he refused that would only prove him to be even more of a knave than had been supposed.

Mercier had ordered Dreyfus to be arrested whatever might result from the tests to which he was to be submitted, and he signed the necessary document in advance; an order hastily drawn up by virtue of which du Paty was appointed to act in his capacity as officer of the police judiciaire, with instructions to proceed against Captain Dreyfus, accused of high treason.

He also signed an order for a domiciliary search of the traitor's house, a search made legal, he declared, by the discovery of '*documents*' (the word is in the plural, although he had but a single document in his possession).

On the following day, therefore, Dreyfus was to be arrested, in spite of Mercier's promise to the ministers concerned to act with discretion, in spite of a pledge given to Hanotaux to proceed no further unless other documents besides the *Bordereau* were discovered. What did promises matter! Once faced with the accomplished fact, they would all be forced to bow to

it, and the anticipated satisfaction of popular passions would excuse in the eyes of Mercier's colleagues what they might otherwise have regarded as a piece of reckless imprudence.

Thus everything was to turn out for the best. But they had reckoned without General Saussier who, in his capacity as military governor of Paris, controlled the prisons and the military courts of justice. His co-operation, therefore, was indispensable; but he, too, declared himself in favour of more deliberate measures.

But by this time the question of illegality seemed to have been set aside. Mercier officially informed Major Forzinetti, governor of the Cherche-Midi prison, of the approaching visit of a superior officer, instructed to make a confidential communication to him.

This mission was entrusted to d'Aboville, the man who had been the first to say 'Dreyfus'. He arrived at the prison on the following morning at half past seven and informed Forzinetti of the imminent arrest of Captain Dreyfus, impressing on him that it was to be mentioned to no one, not even to the military governor of Paris. Dreyfus was to be placed in the strictest confinement. Since his guilt was acknowledged, he would not have the benefit of the ameliorations usually accorded to accused persons! Forzinetti protested against these instructions with such insistence that he succeeded in obtaining some modifications. D'Aboville himself selected the cell which was to be reserved for Dreyfus.

Nothing had been left to chance, and as the most minute details had been anticipated, it was not considered necessary to hold a dress rehearsal.

Thus each one had his part allotted to him, with one exception. What task was to be assigned to Henry? Was he to do nothing? No, indeed! He had received the order of imprisonment signed by Mercier and he was to conduct Dreyfus, once he had been arrested, from the Ministry to the prison.

What visions of glory must have visited Mercier in his dreams! How his accomplices must have smacked their lips in

anticipation of their cruel vengeance on a hated race. Did Henry succeed in banishing from his mind that which he alone knew? He must have so far deceived himself as to be convinced of Dreyfus's guilt, although he, the inspirer of the espionage branch, knew well enough who was the true traitor.

§ 7 *The Dictation*

Dreyfus, he whom Henry, without remorse, had permitted to be branded traitor, spent the night of October 14th/15th serene and unsuspecting.

He had received the following summons.

'Paris, October 13th, 1894. Summons.

'The Divisional General, Chief of General Staff, will hold an examination of probationary Officers on the evening of Monday, October 15th.

'Captain Dreyfus, now attached to the 39th Infantry Regiment at Paris, is requested to present himself on that date at nine o'clock in the morning at the office of the Chief of General Staff.

'*Civilian Dress.*'

In the morning, therefore, he left his house in the Avenue du Trocadèro, and in fine autumn weather proceeded cheerfully to the Ministry. Major Picquart received him and led him to General de Boisdeffre's office.

It seemed a somewhat strange examination! At nine in the morning . . . in civilian dress. . . . At the office of the chief of General Staff! None of his comrades was present. The only persons in the room were du Paty de Clam, and three civilians who appeared to have nothing to do with the proceedings. Dreyfus had no time to express his surprise. Du Paty approached him and asked him to make the usual entry in the inspection sheet. Then, displaying his bandaged right thumb, he requested the captain, whilst awaiting his comrades, to help him by writing a letter at his dictation, an

important letter which had to be submitted immediately for General de Boisdeffre's signature.

Without the slightest suspicion, Dreyfus at once agreed to this unexpected request.

He seated himself at a small table which had purposely been placed between the desk and the window. He was totally unconscious of the evil watchful eyes that were riveted on him, the eyes of those civilians he had first noticed, the eyes of those who, artfully concealed by curtains were spying, either directly or by means of adroitly arranged mirrors, on his slightest movement in order to use it as evidence of his admission of treason!

Du Paty seated himself at his side and dictated:

'Paris, October 15th, 1894.

'As it is of great importance to me, monsieur' . . . (and du Paty, eagerly scanning every letter, thought joyfully: 'that "monsieur" is like the one in the *Bordereau*') 'to regain possession without delay of the documents which I forwarded to you before leaving for manœuvres'—(that's it, exactly. The *œ* diphthong is identical with the one in the *Bordereau*—) 'I beg you to have them returned to me immediately by the bearer of this, who is a reliable person.'

'New line!' said du Paty, mentally comparing each letter as it was written with a letter in the *Bordereau*. And by degrees a picture of the *Bordereau* arose before his fevered imagination exactly similar to the document then being taken down at his dictation, until similarity merged into a perfect identity.

He raised his voice:

'I would remind you that the matter concerns:

'(1) A note on the hydraulic brake of the 120 gun.' ('There is not the slightest difference.') 'and on the action. . . .'

But before Dreyfus could write these words du Paty suddenly exclaimed:

'What is the matter with you, captain? You are trembling. . . .', assured that by this direct attack he would rouse an uneasiness in his victim which would lead to a confession.

Dreyfus, astounded at his brusqueness of manner, replied drily:

'There's nothing whatever the matter, my fingers are cold.'

He showed, indeed, no sign of trembling. The attempt at intimidation had failed, and as Dreyfus began to complete the sentence du Paty, annoyed by the failure of his attack, added:

'Pay attention! This is a serious matter!' and continued his dictation which Dreyfus took down mechanically, his mind occupied with conjectures as to the reason for such a tone of voice . . . 'and on the action of this gun at manœuvres.'

'(2) A note on the covering troops. . . .' Dreyfus continued to write calmly, without any apparent confusion, the words which should have filled him with terror and caused him to lose his self-control. 'What cynicism! He is even more brazen than I imagined,' thought du Paty, and in a fury, he hurled at the captain a sentence which should have confounded him:

'(3) A note on Madagascar.'

The same easy, rapid, regular writing resulted. ('And it is the same as the writing in the *Bordereau!*')

The experiment had proved conclusive. It was useless to pursue it further. The traitor was impervious to all external attacks; he had an astonishing self-control; he was an actor and knew how to disguise his terror. No end could be served by continuing the test, it would be better to act at once. And, rising abruptly, du Paty flung his hand on Dreyfus's shoulder:

'In the name of the law, I arrest you. You are accused of the crime of high treason!'

Cochefert and his secretary threw themselves on Dreyfus, who was stammering incoherent protestations of innocence. He was stunned; under what misapprehension was he suffering? What had he done? Could he reproach himself with the slightest act of imprudence? Of what conspiracy was he the victim? What was this calamity which had come upon him?

In the space of a moment he reviewed his loyal, honourable existence. There was nothing in it which could afford a shadow of excuse for such treatment. There was nothing in his military career, chosen by him that he might serve his country, which did not testify to his uprightness and loyalty. His actions had always been governed by the most unswerving patriotism. He continued to utter his disconnected, monosyllabic protests.

But this would not last very long, the terrible mistake would be at once realized. An apology was due to him and it would be made.

§ 8 *The Arrest*

Cochefert had already seized him and was searching him brutally. He offered no resistance.

'Take my keys. Open everything in my house. I am innocent!' And, turning to du Paty, he said, 'Show me the proof of the crime which you say I have committed.'

Once it came to a discussion of evidence he would have no difficulty in exculpating himself, and his innocence would be clear to all. But they refused to show him the proofs of his guilt, merely asserting, 'The evidence is overwhelming!'

That, he felt certain, was untrue. He knew that he had not the slightest misdeed on his conscience, and that his entire life could testify to his innocence.

Unhappy man! He knew nothing of the *desire* to find him guilty. In his indignation he did not realize that from then onwards everything he might do, everything he might say, whether he spoke or were silent, all would be counted as evidence against him. His cries and his indignation were regarded as a theatrical protest, carefully rehearsed in view of his possible arrest. Knowing the risks he was running, what more natural than that he should have prepared the part he was to play?

Each and every gesture was observed and noted as part of

the anticipated confession. Not one of those present had the slightest feeling for him, all were actuated by the same hatred. Common sense had vanished with humanity.

A revolver was held before him.

'I am innocent; kill me if you like,' he cried, beside himself.

'It is not for us to perform this act of justice,' said du Paty, coldly; 'that is for you to do.'

'I shall not kill myself, I am innocent; I wish to live so as to establish my innocence.'

For the first time there sounded that cry which was to echo through five years of martyrdom, the cry which he was to repeat unremittingly, which was to enable him to live and was finally to save him: 'I wish to live and establish my innocence!'

Then he drew himself together. Some things are not possible. Confronting du Paty, he cried, 'I shall demand compensation for this insult!'

He had fallen into an abominable snare laid by envious and jealous colleagues, whose infamy would be unmasked, to their perpetual shame.

They had affronted his honour, he thought, unaware that they had prepared for the destruction of that honour down to the smallest detail. 'Insult,' he cried, for, in his loyalty he could not imagine such a crime.

Du Paty entered upon a preliminary interrogation.

Dreyfus declared his innocence with all the indignant vehemence at his command. Once more he demanded that the documents incriminating him should be produced and asserted that he could refute them completely. Each time he was confronted with a harsh refusal. He was told nothing about the *Bordereau* which he might have disputed, he was not even given a hint of its contents; he was deliberately misled by the statement that several documents existed in evidence against him. And Cochefert, believing what the great military chiefs had told him, could say to the captain triumphantly and in good faith that a 'lengthy inquiry' had been made con-

cerning him which had resulted in indisputable proofs, authenticated by the opinion of 'experts.'

Dreyfus repeatedly renewed his protestations with intense vehemence. He could not know that they were useless. The order of imprisonment having been signed and the cell prepared, the interrogation was a mere formality. The domiciliary visit of which he had been advised and on which he relied to furnish proof of his impeccable career, his irreproachable life, none of these things would have the smallest effect on the decision which had already been taken against him.

Du Paty summoned Major Henry who had seen, heard and noted everything.

'Major, all you now have to do is to conduct Captain Dreyfus to the Cherche-Midi prison.'

Henry and a police agent dragged the officer to a waiting carriage. In the course of the journey, Henry, du Paty's accomplice, feigned ignorance in an attempt to extract a confession. He was baffled by declarations of innocence. The only other remark Dreyfus made was:

'I cannot imagine on what documents the accusation can be based!'

In the official report made by Henry on this conversation, he had the temerity to assert that he had heard du Paty de Clam enumerate to the traitor the documents which he was accused of having delivered, and that, since Dreyfus stated he knew nothing of them, his duplicity was clearly established!

Forzinetti received the accused officially at the Cherche-Midi prison and had him locked up in the cell reserved for him. This man, who had been at close quarters with so many criminals, who had read from their faces, from their manner, from their very denials of guilt, the proof of their crime, witnessed the indignant vehemence of Dreyfus's protestations. His impression of the affair was already painful enough when d'Aboville called on him again to insist on the instructions he had given him to make no mention of this arrest, not even to his official chief, the governor of Paris.

§ 9 *The Search for Inexistant Evidence*

Dreyfus had been arrested. The General Staff was triumphant. But the victory had to be exploited and to this end evidence must be accumulated in an atmosphere shrouded in mystery; then an act of treason must be proclaimed, the name of the traitor announced and an exemplary sentence delivered.

How could the proofs be increased in number? Was Mercier's mind occupied with this problem during that 15th of October? His agent, du Paty, was keeping him advised: 'All goes well. He has not confessed, but the test of the dictation was conclusive, as much by virtue of his manner as by his handwriting.'

Cochefert acted as chorus; convinced in advance, he regarded Dreyfus, not as an accused man, not as a suspect, but as a criminal. Du Paty added that the domiciliary visit had been fruitless, a result which might have been foreseen. Dreyfus, knowing himself to be suspect had prepared his defence—which explained his behaviour—carefully concealed any compromising documents—which explained the negative results of the search made at his house—and informed his wife—which explained Madame Dreyfus's amazing *sang-froid*.

For, du Paty, baffled by the captain's silence, had endeavoured to make his wife speak. To this end he had employed his customary methods. They had proved ineffectual against a man that morning, but they would not fail later in the day when he tried them on a woman, in the course of his domiciliary visit.

As soon as he arrived he said, without preamble:

'Madame, I have come on a very sad errand.'

'My husband is dead!'

'No! Worse than that!'

'Has he been thrown from his horse?'

'No, Madame, he is in prison.'

Instead of dissolving in tears and allowing the cry to escape her which was to be interpreted as a confession, the woman stiffened under the blow. She confronted him with her faith in her husband's innocence, and demanded, for her part also, to be told the grounds for the accusation. She asked to be taken to him. Du Paty was reticent; he insisted on the grave, the very grave nature of the accusation, so grave that absolute secrecy was essential. And suddenly changing his tactics, since brusqueness had failed, he sought to ingratiate himself, to show sympathy with this desperate woman, and, with hypocritical kindness, he advised Madame Dreyfus to observe absolute silence on the subject.

'One word, one single word, might be his ruin. The only means of saving him is by silence!'

Madame Dreyfus believed in the sincerity of this man who was rummaging among papers, opening every drawer, consulting all the accounts and insisting on seeing more papers and on emptying out more pieces of furniture.

Everything, absolutely everything was laid bare before him. The house was clear as glass, there was nothing there to support the accusation. Was there nothing? Why, guilt could be argued, from the very lack of material. The absence of the documents they were seeking was proof that the traitor had transferred them to a place of safety. Order reigned in the captain's study; that order was suspicious, it became an indication of treason!

Lucie Dreyfus's indignant protestations and her stoicism in the face of those who had broken the calm tenor of her life were imputed to her as a crime, as a confession of her complicity.

Her tormentor had commanded her to be silent. She kept silence in order to save her husband, unaware that had she spoken she might perhaps have impeded the course of the scandal. She was a dutiful woman having no cause to distrust her fellows and convinced of the good faith of those

who were already playing the part of torturers. She confided in no one but her own parents. Indignation gave way to despair.

Despair descended also on the narrow cell of the Cherche-Midi prison. But here also, faith remained unimpaired.

In the Ministry of War joy reigned, but a joy not unmixed with uneasiness. The first act was finished, the others must follow quickly and unfold according to plan. The die had been cast, and it was too late to draw back. A traitor had been required; a man had been arrested; that man must be the traitor.

The battle was being waged by the military caste who had united against one man. All plans had been laid to overthrow him; nothing, neither the first elements of justice nor respect for a fellow man, could divert the General Staff from a path which seemed to them safe enough.

On the evening of October 15th, du Paty bore himself with the air of a conqueror. The traitor had been arrested, to-morrow he would expiate his crime. To-morrow? Was he to be condemned by virtue of one memorandum? The case for prosecution consisted of a single document, it was based on a similarity in handwriting admitted by one expert and denied by another. This would not suffice. It was important that the brief should be strengthened.

'Get to work,' ordered Mercier.

Both moral and material proof had to be found. Above all there must be a confession.

An attempt would be made to extract the confession by torture; material proof could be obtained from inspired experts, and moral proof by gossip and lies.

For there must be incentives to treason. To a man of Mercier's type, even Alfred Dreyfus's life was swarming with them.

§ 10 *Moral Proofs*

Alfred Dreyfus was born at Mülhausen in 1859; he came of

an Alsatian business family in easy circumstances, who, after the War of 1870-71, refused to recognize the annexation of Alsace by Germany and the treaty of Frankfort.

All the members of this family, without hesitation and as a matter of course, made the sacrifice involved by their determination to preserve their French nationality. Alfred Dreyfus was sent to Paris, where he went through his schooling with brilliant results. His inclination and his patriotism destined him for a military career. He went to the Ecole Polytechnique before he had reached his eighteenth birthday and entered the army in 1880 as a sub-lieutenant in the artillery.

His military career had been irreproachable. His reports were good; they were read and re-read in the hope of finding something in them to support the accusation:

1883—Intelligent . . . Willing . . . Zealous.

1884—Zealous . . . Conscientious . . . A great deal of energy.

1885—Very energetic.

1886—An officer full of energy, very courageous, accomplished horseman, intelligent, directs the riding class for recruits to the battery with great capability.

1887—An excellent lieutenant of horse artillery, a good commander.

1888—The best lieutenant of the group of batteries, well informed and continuing to increase his knowledge. Has the advantage of an excellent memory and a very lively intelligence.

1889—Continues to be an excellent lieutenant, a capable instructor, commands without blustering and manages those under him very well.

In 1890 he was admitted to the Ecole de Guerre, where he spent two years and brought himself to the notice of his superiors who reported on him as follows:

'Physique fairly good. Health fairly good; short-sighted. Character pleasant, education good; very receptive intelligence, conduct very good; deportment very good; general knowledge very extensive; theoretic military knowledge very good; practice very good; administration very good; knows German very well; rides very well; performs his duties well. Has obtained the certificate of the General Staff with mention: very good. A very good officer of keen intelligence; quick to understand a point, works easily and has the habit of work. Well qualified for staff duty.'

He came out of the Ecole de Guerre ninth of eighty-one candidates. He should have been placed higher still, but the powers that be were against him, because of his religion. General Bonnefond, who had said that he did not wish Jews to be on the General Staff, gave him very low marks and thus caused him to drop down several places.

But he had come through his examinations so well that he had, after all, to be admitted to the General Staff.

Like his colleagues, he went through a course in each section. What had his chiefs to say about him?

The director of the first section wrote:

'A very intelligent officer, writes with a good style, knowledge already very extensive, is capable of treating questions with originality, can and should be successful.'

Signed: de Germiny.

The director of the second section wrote:

'A very intelligent officer, quick of apprehension, works with ease and perhaps a little too sure of himself, knows German very well and has employed his time conscientiously during his course with the second section.'

Signed: de Sancy.

General de Boisdeffre, one of the later accomplices, made the following report:

> 'A good officer, alert mind, quick to apprehend matters, zealous, a worker, made a good impression wherever he went. Will make a good General Staff officer.'

The only unfavourable report to be found was that signed by Fabre, director of the fourth section, who, with d'Aboville, had set the ball rolling:

> 'Officer of uneven merit, very intelligent and highly gifted, but conceited and from the point of view of character, conscientiousness and methods of work, not fulfilling the conditions necessary for employment on the General Staff.'

The prosecutors, disappointed at finding no worse criticism than this from the pens of his superiors, sought the testimony of his comrades.

'Dreyfus is a traitor. We have the proofs. Do you recollect anything suspicious in connection with him?'

Faced by such a question, how many of Dreyfus's colleagues, jealous of his success, envious of his capability or his money, or who had perhaps been repelled by his reserved, self-sufficient personality, would not have been glad of the opportunity to vent their resentment on the Jew. Recollections were gathered haphazard and distorted, either deliberately or unintentionally. Thus, a question once asked, an impulse of quite legitimate curiosity, now became matter for suspicion.

He was a traitor because he had once endeavoured to obtain information on such and such a question, because he had looked through the pages of a certain report, held this or that document in his hands. . . .

He was a traitor. His private life supplied ample proof. He had married Mademoiselle Lucie Hadamard, a daughter of one of the most respected diamond merchants of the Paris market. Two children, one three years of age and the other eighteen months old, now gladdened his home. He was fond of a peaceful family life, of quiet evenings. . . . This, it was argued, was a stage setting, a blind deliberately thought out.

He had no material needs, since he owned a considerable private fortune. But even this was included among the incentives to treason; being a Jew, would he not wish to increase his wealth? He had travelled in Italy . . . one more aggravating circumstance! On two occasions, in order to pay a short visit to his relatives at Mülhausen he had crossed the frontier. . . . Here was decisive proof!

The course of his life appeared to be sedate and honourable. It was asserted that this served to conceal depths, significant depths. Should the police be requested to probe them? That was no good; better employ their own men. A person of ill-repute was ordered to supply a crushing report. This man, one Guénée, carried out his orders to his employers' satisfaction. Dreyfus had a passion for gambling. He did not visit the regular clubs, but those furtive gambling houses in which no records existed either of members or guests. Moreover, he had guilty relations with the women to be met with in those doubtful circles frequented by the agents of foreign powers.

Such were the overwhelming proofs supplied by Guénée. No documents were produced, nothing but assertions, the verification of which was carefully avoided. It was true that the information supplied by the Prefect of Police was in direct contradiction of Guénée's report. A memorandum from Lépine, the Prefect, stated that 'all the persons consulted are unanimous in declaring that they have never seen Dreyfus in such clubs,' and that 'he must have been confused with another man of the same name.'

This memorandum might have proved decisive in Dreyfus's

favour. Henry cold-bloodedly extracted it from the record, depositing Guénée's slanders in its place.

In this attack on a Jew, who represented all his fellow Jews, mistakes and lies were of small account so long as they could be used in the sacred cause of the army and of national honour! Guénée's report was not, however, entirely a fabrication; as soon as he had obtained some information as to the mode of life of one Dreyfus, he refrained from pursuing his inquiries for fear that he might receive confirmation of the fact that this information concerned a certain Maxime Dreyfus, and so be obliged to abandon the scent. Thus, he was free to place to the charge of Alfred Dreyfus misdeeds of which every Dreyfus in Paris might have been accused.

Of such material was the network of moral proof composed!

§ 11 *Graphologists, Expert and Inquisitorial*

It was felt that evidence on the material side should be no less irrefutable.

Among all the letters taken from Dreyfus's house, among all the documents preserved by him over a number of years, among all the pages of accounts, not a single sheet of thin paper had been found, similar to that on which the *Bordereau* was written. But that was of no account. It was clear that, to cover his tracks, the traitor had corresponded with his accomplices on paper every trace of which he had destroyed.

The most important point of all was to establish identity of handwriting. Bertillon was invited to collaborate with du Paty and Henry; he was instructed to pursue his expert examination and he taxed his ingenuity to demonstrate *scientifically* that the writing of the *Bordereau* was the writing of Dreyfus. To this end he evolved a mad theory, which the slightest critical examination would have proved to be ridiculous.

Postulating that the *Bordereau* was written by Dreyfus, he reasoned that if some vague similarities constituted a clue, the

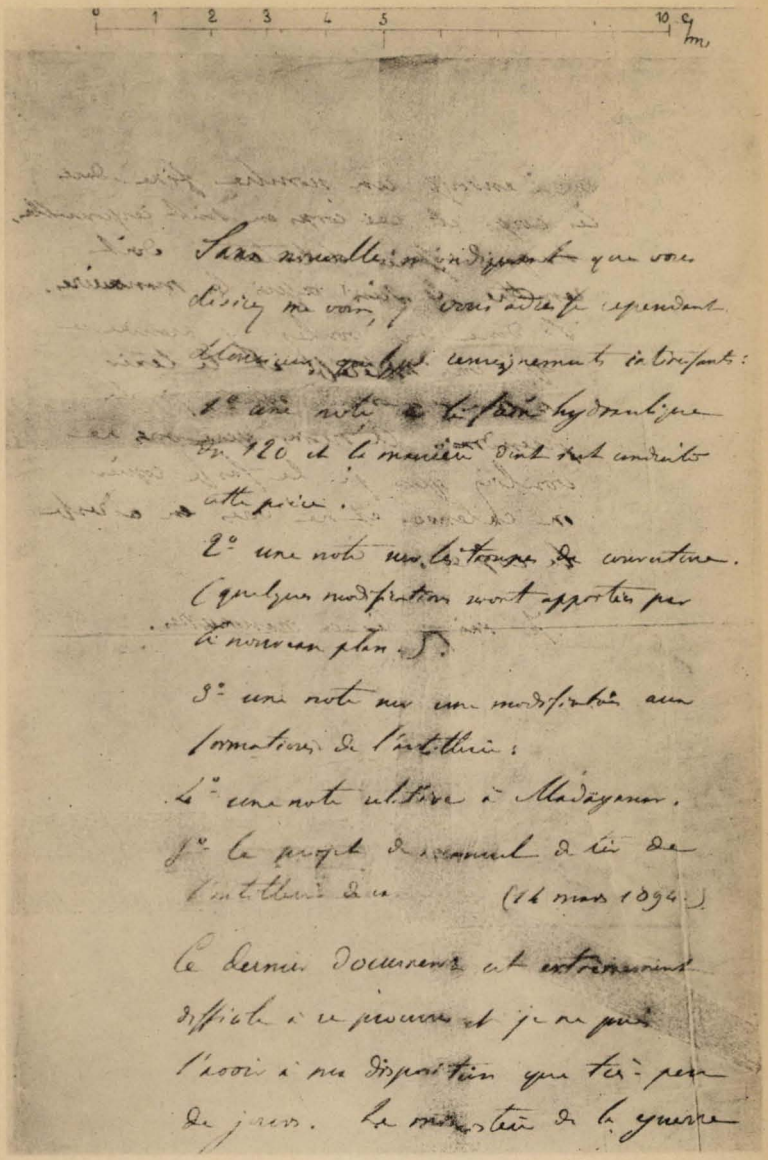
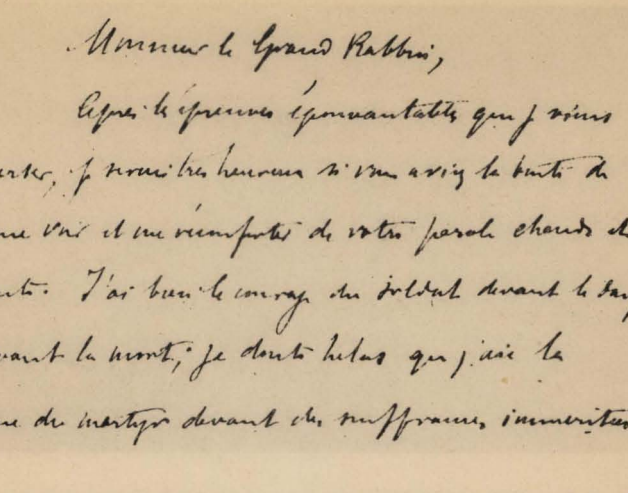
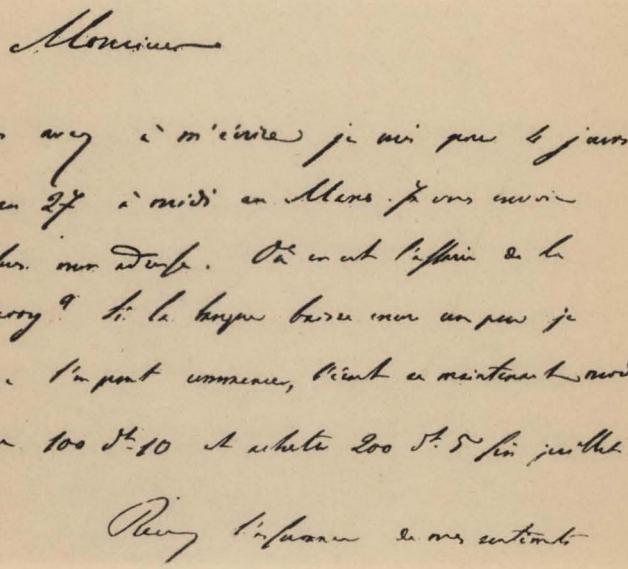


Photo: Gerschel. Paris.

PHOTOGRAPH (SLIGHTLY REDUCED) OF ONE SIDE OF THE BORDEREAU



PHOTOGRAPH OF PART OF A LETTER DREYFUS SENT TO THE GRAND RABBI FROM THE SANTÉ PRISON IN 1894 THE DAY AFTER HE WAS FOUND GUILTY



PHOTOGRAPH (REDUCED) OF PART OF A LETTER WRITTEN BY MAJOR ESTERHAZY

many dissimilarities which appeared when a comparison was made between the *Bordereau* and a manuscript page by Dreyfus constituted irrefutable proof. They were only another means of deception prepared by the traitor.

But if there had been any foundation for such an argument it would have applied also to the general character of the handwriting. Dreyfus would have endeavoured to disguise it. But he had not done so. The two writings were in a similar style. 'Why!' Bertillon exclaimed, 'he wants to be able to make out that his own writing has been traced.' 'Dreyfus,' he went on to say, 'has combined a modified disguise of his own writing with an imitation of a forged document.' Bertillon therefore submitted a report, triumphally acclaimed, which provided the 'indisputable proof' of an 'absolute, complete and unreserved' conviction.

This report would have been of far greater value if it could have been confirmed by professional experts.

One of these, Pelletier, disagreed with it, and the value and impartiality of his testimony was at once contested. The other, Teyssonnières, whose name was about to be struck off the list of experts employed by the Tribunal de la Seine, placed himself at the disposal of the General Staff and produced a report in accordance with their wishes. The third, Charavay, appeared to hesitate. As his professional conscience resisted all attacks, he was deceived by an infamous trick. A man who professed to be a friend of Dreyfus came to him and gave him to understand that the family would find means of rewarding him if he would make out a favourable report. Charavay was indignant; a question of morality put an end to his doubts, and he reported that the handwritings were identical.

Du Paty, for his part, had been by no means idle. In the cell of the Cherche-Midi prison, he had made persistent attacks on Dreyfus in order to drag an admission from him or obtain some indications of his guilt.

After having been left for three whole days in solitary confinement, alone in his despair and mental agony, the prisoner

had been subjected to innumerable interrogations. But for Forzinetti's determined intervention, du Paty would have entered the gloomy cell armed with a powerful lantern, whose sudden blinding glare was expected to throw Dreyfus into a state of agitation, under the influence of which he might have given up his secrets. But the inquisitor did not abandon the theatrical settings he had planned. When dictating to Dreyfus certain carefully selected sentences, he made him write in a variety of attitudes, seated, standing, lying down, wearing a glove, with a broad-nibbed pen!

Then he showed him words or fragments of sentences and inquired as to their source. 'Did you write that? Or this, is this yours?'

At another time he would show him photographs of words written in the *Bordereau*, or again photographs of his own writing. Not once did Dreyfus make a mistake, not once did he hesitate. 'That is in my hand. This is not my writing.' This infallible accuracy was used as one more proof of duplicity.

At every visit Dreyfus called on all his powers of self-control to maintain his calm, to silence his seething indignation, to control the rage which urged him to fly at his tormentor's throat; he never failed to demand proof of the treason of which they had dared to accuse him.

Du Paty found it impossible to extract an admission. He sought to provoke into contradiction the man who could no longer maintain complete self-control, who was suffering abominably and had no thought but to proclaim his innocence in such a manner as to put it beyond all doubt.

Dreyfus asserted, 'There is nothing in my life, nothing that I have ever done which could lead me to imagine that an accusation of this kind might be brought against me. . . .'

Du Paty replied, cynically, 'Then you know of what you are accused?' And in the verbatim report of the interrogation he recorded this dialogue which he was later to endeavour to turn to account.

Finally, at the end of a fortnight, he decided to show Dreyfus a photograph of the document which had been attributed to him. Whereupon Dreyfus protested with triumphant indignation, 'That document is not in my handwriting.'

He stated further that he could not even have inspired it. He made it clear that he could never have obtained possession of the documents mentioned. The hydraulic brake of the 120? He had never known any details concerning it. He had never taken an interest in Madagascar. He had not been aware of the existence of the proposed gunnery handbook. But du Paty had no wish to continue this detailed argument. Victory seemed less certain. Would it elude him? What gaps, what weakness, what a lack of material there now seemed to be in his case!

His visits to Madame Dreyfus were fruitless also. Du Paty put questions to her, argued over her replies, repeated his threats, hurled insinuations at her and cast doubt on her love and on her patriotism.

'One word and we shall be plunged into war!' he said, and Lucie Dreyfus kept silence.

When she admitted that her husband had been bitterly disappointed at the results of his final examination in the Ecole de Guerre, where his being a Jew had caused him to receive an obviously unfair assessment, du Paty made capital of this and held that it would in part explain his treachery.

But in spite of all, the shrewd graphologist, the hardy inquisitor, the resolute antisemite, did not consider himself sufficiently armed. Nothing had as yet been made public, the press was still silent, public opinion had not been roused. It would still be possible, therefore, to acknowledge that the wrong course had been taken. Dreyfus could still be released without fear of a public outburst; the affair could still be hushed up.

But such a prospect was acceptable neither to those who anticipated personal advantage from a denunciation of

Dreyfus, nor to those who were anxious that the culprit should not be discovered in some other military section.

§ 12 *The Press in Action*

To prevent any retreat, the affair would have to be made public, and information given to the antisemitic press. The latter would be delighted to make use of a piece of news so much in tune with its wishes and daily asseverations.

When Henry became aware of du Paty's doubtful state of mind, he decided to precipitate matters.

On October 28th the editor of *La Libre Parole* received from him this letter:

'DEAR FRIEND,

'I have already told you that it is Captain Dreyfus, the one who lives at 6, Avenue du Trocadèro, who was arrested on the 15th on a charge of espionage and who is in the Cherche-Midi prison. It is given out that he is travelling, but this is a lie because they want to hush the matter up. All Israel is in a state of agitation.

'Yours,
(Signed) 'HENRY.'

'Follow up my little inquiry as quickly as possible.'

On the next day *La Libre Parole* published the following tentative paragraph:

'Is it true that an extremely important arrest was carried out recently by order of the military authorities?

'The person arrested is said to be accused of espionage. If this is true why have the military authorities maintained complete silence? An explanation seems to be required.'

On that same day du Paty submitted his report to de Boisdeffre, summing up the state of the case:

> 'It appears certain that he will not confess . . . the very meagre evidence on which the accusation would be based might quite easily result in an acquittal.
>
> 'The officer of the *police judiciaire* therefore considers that, having regard to the information at present in his possession, it might be advisable to abandon the prosecution and, at the same time, to take what precautions may be considered necessary to prevent Captain Dreyfus from communicating with foreign agents until the new scheme is in force.'

Two days previously de Boisdeffre had received preliminary warning in the shape of a formal statement from Forzinetti: 'Dreyfus is as innocent as I am myself.'

But the moment the press had been informed and reporters began to besiege the offices of the General Staff, bandying names, inventing incidents or receiving confidences, it was no longer possible for the affair to be hushed up. Action had to be taken.

Proof of their energy was demanded of the chiefs of the army; the most virulent pamphleteers were lying in wait for them.

In the course of a few hours, indeed, every newspaper had reprinted the paragraph from *La Libre Parole*, with comments and additions.

At this stage du Paty sent to the Minister a detailed and final report on the inquiry with which he had been entrusted. He refrained from drawing any conclusion, preferring to leave to others the burden of the responsibility which he surmised would be very heavy. But his report was worded so cunningly that, although not a single definite fact was given, Dreyfus was convicted by every sentence.

It was left to Mercier to settle the question. His mind had

long been made up. They must persevere! He therefore announced a 'provisional arrest' to the press.

On November 1st *La Libre Parole* issued a special number with the sensational heading: '*High Treason. Arrest of the Jewish Officer, A. Dreyfus.*' It was stated that the paper had been informed of the matter through an anonymous letter which ran:

> 'The French officer arrested on a charge of treason is attached to the staff of the Ministry of War.
>
> 'He is supposed to be absent on duty.
>
> 'The affair will be hushed up because this officer is a Jew. Look for him among the Dreyfus, the Meyers or the Lévis and you will find him.
>
> 'He was arrested a fortnight ago, he has made a full confession and absolute proof exists that he has sold our secrets to Germany.
>
> 'Whatever may be said to the contrary, he is in the Cherche-Midi prison, but not under his own name; it is hoped that he will escape to Mülhausen where his family resides.'

The press willingly echoed all the scandalous tales. Dreyfus had long been in touch with an Italian officer. A woman spy, then in prison, had denounced him. Inquiries had been made at a café on the Boulevard Saint-Germain where he had been in the habit of meeting suspicious characters.

It was also said that he had confessed everything and that he ought to be shot, but, as the death penalty for this crime had been abolished, he could only be imprisoned for life in a fortress. Some lawyers even set to work to prove that a sentence of death would be legal.

The vociferous press, moreover, seemed inclined to accuse the government of inertia, and, sensitive to such a reproach, Mercier asked the Cabinet to authorize him to act.

'Du Paty's report,' he said, 'is crushing; the wording and

handwriting of the *Bordereau* prove Dreyfus's guilt without a shadow of doubt, and over and above this, the test of dictation was conclusive.'

Mercier's request was granted and he was authorized to open a judicial inquiry.

The affair had now become public and official. The secrecy enforced on Lucie Dreyfus by raising the spectre of possible war, had been violated by the very persons who had imposed it when it was in their interests to do so, and who abandoned it as soon as they realized that such a course would paralyse their actions.

There must be no more mystery. The battle was no longer being waged between two isolated human beings and the military chiefs, but between one united family and the army, the latter being supported by all the power of the State and of public opinion. For, from the first, the family formed a united front; they did not hesitate for an instant. To them, Dreyfus was innocent, and they would not rest until his innocence had been recognized.

Mathieu Dreyfus at once came forward to assist his brother by defending him to the last.

But, during those November days, who could have imagined the magnitude of the battle that was to be fought? The possibility of a battle was not even visualized. A speedy dismissal of the case was anticipated. At the worst a Court-martial might be held which could only result in a triumphal acquittal! Who, in those days, could doubt that justice would prevail? Were not the assurances of impartiality all the more reliable since justice was to be administered by officers imbued with the idea of honour?

§ 13 *The Examination*

The examination which the Cabinet had decided upon was entrusted to Major d'Ormescheville. Although he did not make use of du Paty's weapons, this officer obtained his

information from the same sources, provoked the same declarations, and arrived at the same conclusions. During the month of this second examination, Dreyfus was kept in seclusion. He was not permitted to communicate with his wife, nor, more serious still, with a lawyer. He was denied the most elementary support dictated by justice. Why should it have been otherwise? Were they not dealing with a traitor?

On December 3rd d'Ormescheville submitted his report recommending the trial of Captain Dreyfus 'on a charge of having delivered to a foreign power a certain number of secret or confidential documents concerning national defence and thus of having been in communication with this power or with her agents for the purpose of obtaining for this power the means of committing acts of hostility or of making war against France.

'The accusation brought against Captain Dreyfus is based on a letter written on thin paper, unsigned and undated, which is in the records and which proves that confidential military documents have been delivered to an agent of a foreign power.'

He retained, as valuable and conclusive evidence, the expert opinions on the handwritings, with the exception of that by Gobert, 'drawn up under the influence of preoccupations contrary to the course usually followed by experts on such occasions' and that by Pelletier, who had been supplied with inadequate information. An easy method of getting rid of evidence which would ruin the thesis he sought to propound!

Then, after propping up a very shaky case by quoting what he claimed to be contradictions in the interrogation, he endeavoured to prove that Dreyfus could have had knowledge of the documents mentioned in the *Bordereau*. The following is an example of his arguments and the proofs he deduced from them:

> 'As regards the note on Madagascar, which would have been of great interest to a foreign power, if, as had

been already anticipated, an expedition had been sent out early in 1895, Captain Dreyfus could easily have procured this. In February last, indeed, Corporal Bernollin, at that time secretary to Colonel de Sancy, director of the second section of the General Staff, was making a copy of a work on Madagascar, consisting of some twenty-two pages, in an antechamber next door to this officer's room.

'This copy took some five days to make, and during that time both minute and copy were left by the above mentioned corporal in a tray on his desk at the end of his periods of work. Moreover, if this non-commissioned officer chanced to be absent for a short time during office hours, his work was left open (and could therefore be read) provided no officer outside the second section or no stranger happened to be present in the room occupied by him.

'This non-commissioned officer has stated in his deposition, but without giving precise dates, that Captain Dreyfus, whom he knew, came three or four times into the antechamber to see Colonel de Sancy whilst he was going through his course in the German section. This document might also have been read by Captain Dreyfus after he had rejoined the English section, which was at that time concerned with Madagascar, because it had been temporarily placed in an unlocked drawer.'

D'Ormescheville concluded with these surprising observations:

'We would add that Captain Dreyfus, whose field of knowledge is very wide, possesses a remarkable memory; that he speaks several languages; notably German, of which he has a thorough knowledge, and Italian of which he claims only to have a smattering. Moreover, that he is by nature very pliant, even obsequious, a quality which would be much appreciated by foreign agents in matters

relating to espionage. Captain Dreyfus was, therefore, eminently suited for the wretched and shameful mission which he either initiated or accepted and to which the discovery of his deception has, very fortunately perhaps for France, put an end.'

The inadequacy and flamboyance of d'Ormescheville's statement was not lost on his superiors. They seemed to be rushing towards a calamity which had to be averted at all costs. It was essential for a sentence of 'guilty' to be obtained. Public condemnation might be evaded if the order were given for a trial *in camera*, if, between popular criticism and the trial by Court-martial, were erected the insurmountable wall of secrecy, justified for urgent reasons of national safety. The documents to be submitted to the judges had proved, they said, so compromising to a foreign power, and were of so grave a nature that international relations might be seriously affected were they to be divulged. A trial *in camera* was essential in the interests of France.

'It is not without regret,' the General Staff stated, that they had found themselves forced to bow to this necessity. They would have preferred to see Dreyfus's misdeeds exposed to the light of day, so that he might be delivered up to popular execration.

§ 14 *Antisemitism Unloosed*

During the whole of that month of November, the press exhibited extraordinary violence. It had joined forces with the prosecution. Antisemitic papers had precedence in receiving the information given out by the Ministry of War or in hearing of the indiscreet observations which some of its directors allowed to become public.

It was desired, above all to excite public opinion by causing the most improbable rumours to be circulated. Dreyfus was reported to have handed over 'the mobilization plans of the

15th Corps, series C, the plans of the Briançon Fortress, and certain information concerning the line of attack in the Alps.'

He was further said to have 'insinuated himself into the Ministry of War and sent mobilization plans to a foreign power; he had even supplied the enemy with the names of all those French officers whom he would, himself, send abroad on secret service.'

The most incredible details were supplied. On January 19th, 1894, Dreyfus had been present at the Malinski Theatre at St. Petersburg during a performance of Ruy Blas. Together with two German ladies (who were wearing diamonds of an almost regal splendour), he had occupied box No. 20. After a supper in room No. 3 of a large *restaurant de nuit* these ladies had been escorted to the Hotel de France, and Dreyfus had returned to the Hotel de l'Europe where he was occupying room No. 222. But Dreyfus had never in his life set foot in Russia.

Proof was found that he had committed treason in order to make money. The threads of this mysterious intrigue were to be traced round the green tables of Monte Carlo. It was suggested that Dreyfus should be placed in an iron cage and exhibited in the Champ de Mars; every officer might then come and spit in his face after which could follow the ceremony of degradation and the firing party.

Truth was set at naught. Any sort of gossip was welcomed, so that greater obloquy might be cast on the traitor's conduct.

The family, confident that justice would triumph, refused to grant interviews or to publish denials refuting the abuse which was being poured out upon them. Was not their silence a proof of complete faith? They would do nothing which might be considered in the slightest degree imprudent.

They let scandal have its way. The Court-martial would sweep away all these infamous rumours and brand with disgrace those who had dared to write of an honourable French officer that his crime was 'the foulest and most dastardly that could possibly be imagined,' and to say that, 'the

wretched captain, as cowardly as he is treacherous, rejected the revolver which was offered to him when he was first informed that his treason had been discovered.'

It was sought to aim through Dreyfus at the Jewish race. Dreyfus 'German by upbringing and inclination and Jew by nationality, has made use of both the German and the Jew; the tenacity of the Jew has been employed to serve the hatred of the German.'

And these 'fine and noble words' by a general were held up for admiration: 'I mark the Jews zero because I have no wish to risk the selling of France's future by a Jewish officer.'

The perpetration of this crime against his country would at least have the advantage of demonstrating the true mentality of the Jews and of making it possible to forbid them to enter the army.

In order to brace up the Government, it was considered wise to appear to cast doubts on their firmness, and to insinuate that they were powerless against the Jews.

'If Mercier has kept this matter secret for a fortnight,' wrote Rochefort, 'it is because the Jews have forced silence upon him.'

Stung to the quick, Mercier abandoned the impartial and reticent attitude demanded by his position, and asserted that guilt had been 'definitely established.'

Early in December the antisemitic press again accused the Government of attempting to hush up the affair, but it received the reassurances it required and from December 10th onwards, Government and press made common cause. *La Libre Parole* wrote: 'The Jews have been confronted by a cunning greater than their own,' and *L'Intransigeant* upheld the Minister whose dismissal 'has been anticipated in the press controlled by the expert blackmailing and in that controlled by William II.'

The alternative presented was, 'either Dreyfus or Mercier,' 'the Jews will undoubtedly demand an inquiry into General Mercier's action.'

La Li hing to provoke a fresh wave of indignation, pub. claration by the premier: 'I am aware that the o. ducting the inquiry has actually been promised a millio. if he will consent, not to find Dreyfus innocent, but simply to cast a doubt on his guilt.'

§ 15 *Defence and Prosecution*

Whilst these lucubrations were appearing in the press, M. Bexon d'Ormescheville, who, needless to say, had received an offer neither of a million francs nor of a single centime, was continuing to prosecute his inquiry. When it was completed, the accused was at last permitted to communicate with his lawyer.

In spite of the rumours disseminated by the press, a lawyer, a famous lawyer, had agreed to undertake Dreyfus's defence. This was Demange, a man respected throughout the courts of justice for his probity, his loyalty and his honourable character. When the brief was offered to him, he said that if he were unable to convince himself of the prisoner's innocence, he would return it.

The members of the Dreyfus family were aware that their cause would be lost if it became known that Demange had rejected the brief because he considered it 'bad.' Nevertheless, they did not hesitate to accept this formidable condition which amounted to a preliminary verdict. A rapid survey of the documents and a brief interview with Dreyfus were sufficient to convince Demange. He said with deep feeling to Major Forzinetti: 'I have been pleading for thirty-three years, and this is the second innocent man I have been called upon to defend!'

He was of the same mind as Dreyfus. Truth would prevail at the trial and would confound a prejudiced public opinion. What! Was there nothing but this indictment whose only weight consisted in falsehoods and implications, without a single conclusive proof?

But was not the General Staff also well aware of the weakness of their case? Their Machiavellian policy by no means obscured their judgment. Mercier, Henry, du Paty and Sandherr clearly recognized the inadequacy of the case for the prosecution; and the more so since they had gathered from intercepted telegrams that Panizzardi, the Italian military attaché, who was in intimate relations with the German military attaché, had never been in touch with Dreyfus. On the other hand, the German Ambassador, Count von Münster, in an effort to put a stop to the irritating newspaper campaign which was implicating his country, had issued an announcement declaring that no person at the Embassy had been in communication, directly or indirectly, with Dreyfus and that if that officer were guilty of treason the German Embassy had had no part in the matter.

To this protest the Ministry of War made the retort that it amounted to an admission of complicity. It would surely have been too naïve to have imagined that Germany would make an effort to save Dreyfus!

Thus the intervention of the German Embassy was explained away, and the judges took no account of it. But the case for the prosecution was extremely weak and relied solely on the *Bordereau*. It would have to be strengthened by other and more convincing documents. Such was the opinion of Mercier and his associates, and they laid their plans accordingly.

Search was made in drawers, in the records of the Intelligence Department and the cupboards where these papers were stored. After fruitless rummaging, three documents were unearthed, the only ones which, if cleverly manipulated, might be made to appear to have some reference to Dreyfus. First there were two communications from the secret French agent at the German Embassy. A telegram: 'Affairs, no sign from General Staff,' and a memo of the reply, in the handwriting of Schwartzkoppen, the German military attaché: 'Doubts, proofs. Official letter. Situation dangerous for me

with a French officer. Must not personally conduct negotiations. Bring what he has. Imperative. *Bureau des renseignements* (these three words were written in French.) No relations with army corps. Important only if coming from ministry. Already elsewhere.'

There was also a letter from the Italian military attaché to the German military attaché: 'I have just written again to Colonel Davignon; if you have occasion to speak to your friend on the matter do it privately, so that it does not come to Davignon's knowledge.'

Finally there was a letter from the Italian military attaché to the German military attaché.

'My Dear Friend,

'I was very sorry not to have seen you before you left; however I shall be back in a week's time. I attach twelve plans which that scoundrel D. . . . has handed to me for you. I have told him that I have no intention of resuming relations. He declares that there has been a misunderstanding and that he will do all in his power to satisfy you. He says that he was in the wrong and that you will forgive him. I told him that he was mad, and that I did not believe you would wish to resume relations with him.

'Do whatever you prefer. *Au revoir*, in great haste.'

Du Paty was instructed to build up a story on these three documents which would prove that they applied to Dreyfus. With incredible hardihood he concocted a report in which thanks to a sophistry which bordered on the most insane hypotheses, he claimed that Dreyfus's guilt had been made evident. It was this report which lent to these otherwise disconnected and incomprehensible documents their supposed value and significance.

All these papers formed a special record (*dossier*) with which was incorporated an attestation written by Henry, repeating statements of one of his creatures, a Spanish military attaché,

de Val-Carlos, who had drawn on the secret funds of the Ministry of War. De Val-Carlos was stated to have given to the Ministry of War information concerning the system of espionage which implicated Dreyfus in a most crushing manner.

§ 16 *The Secret Dossier and the Trial in Camera*

This *dossier* which in the opinion of Mercier, du Paty and Henry should prove conclusive to the Court-martial would, in the ordinary course, have been handed to Major d'Ormescheville so that he might include it in his indictment. But in that case the documents would have been open to the scrutiny of the defence, who would have had no difficulty in proving their futility. It was therefore necessary to contrive that they should escape examination by the defence.

'They should not be produced until the trial,' suggested one of the conspirators.

'But,' was the reply, 'they might be contested; they would not bear examination.'

'These documents must not be included in the pleadings; neither the accused nor his counsel must have any knowledge of them.'

One solution appeared possible, the only one which could save the prosecution. The documents would have to be communicated to the judges *in extremis*, after they had retired to deliberate.

There appeared to be no objections to this plan. Mercier was to keep the *dossier* secret until, at the last sitting, he would have it handed to the judges at the end of the hearing. Thus the judges would see it outside the court and not in the presence of the accused and his counsel. That this was a violation of the law was a matter of small importance, the essential thing was that the Jew should be found guilty and France should be saved. Mercier and his accomplices, therefore, calmly decided to act in defiance of the sacred principles

of justice. To cause a man to be condemned by means of documents of which he knew nothing, without giving him the opportunity to dispute them and to defend himself, without permitting the other side to establish their authenticity: one might just as well dispense with even a travesty of legal procedure—this was doubtless what would have been desired and accepted by the anti-Jewish press and what would have have been in accordance with the wishes of the General Staff.

But however prejudiced public opinion might be, however gullible, it would never countenance such a flagrantly retrogressive step towards primitive methods no better than a caricature of justice. The public, therefore, must know nothing of this violation of the law. No protest would be provoked even from the prisoner, who would have no doubt that he had been found guilty on the evidence of documents which he had himself examined.

Dreyfus, therefore, could not escape. Nevertheless, as the hour of the trial approached, Mercier's uneasiness increased. The attitude of the press was certainly encouraging. He was congratulated on having succeeded in uniting against the Jews all the worthy French people of whom he aspired to be the leader. But, in spite of this, his mind was full of anxiety, whilst Dreyfus, in his bitter trouble, maintained an unfaltering confidence in the outcome of the trial. Without fear, since he was without reproach, he awaited the moment for which he had existed for nearly two months, the moment for which he had stoically endured physical and moral torture, the moment when he would proclaim his innocence to the whole world and when his loyal comrades on the Court-martial would rejoice in restoring his honour.

But there was no question of allowing him publicly to proclaim his innocence. Protests had indeed been made in the papers against the trial in camera. Maurice Barrès, scenting a drama, but casting the actors incorrectly said: 'On one side there is the Government party under Jewish thraldom and

suspected of wishing to save Dreyfus *at all costs*, on the other side is popular prejudice ready to brand him traitor *under any circumstances*'; and he demanded 'publicity for the trial.' But these voices became more infrequent, and the antisemitic papers which at first had desired to see the treason blazoned abroad so as to add fuel to the paroxysm of public indignation against the Jews, suddenly changed front. As though in obedience to a command they all began to demand a trial in camera. A public trial would involve 'the worst possible complication, war.' The Jesuit organ *La Croix* asserted that it would be 'a certain *casus belli*.'

What ferocity was displayed! Listen to the hardy reasoning of *La Libre Parole:*

'If Dreyfus had been innocent, Jews and Germans would have remained, the first unmoved, the others indifferent. If guilty, they would have disavowed him, had they not been hand in glove with him. As not even his accomplices have disavowed him, it is obvious that General Mercier has been too clever for them. . . .'

And by reason of this faultless syllogism, they demanded a sentence of death.

One paper claimed to have knowledge of the text of the incriminating document which formed irrefutable evidence, and went so far as to publish it; 'I have the honour to forward to you attached documents, as follows' . . . (these documents dealt with mobilization in the East, and the manufacture of a new shell) . . . 'I have the honour to greet you. Yours.'

During the days preceding the trial, the antisemitic press, obeying the instructions of the General Staff levied this terrible blackmail on public opinion:

'If Dreyfus is not sentenced, Mercier and de Boisdeffre will resign. As treason has been proved by the intercepted documents, there is a traitor. If Dreyfus is not the traitor then it is some other officer on the General Staff. Who? A new inquiry would have to be instituted; that would mean the disorganiza-

tion of the army, perpetual inculpations. Everyone would be suspect.'

In the face of this reiterated menace, can it be said that the military judges were morally free to make their decision?

§ 17 *The Trial*

In such an atmosphere the trial was opened on December 19th. In a cold and gloomy room, military officers were jostled by journalists. The crowd, accustomed to flock to sensational trials, did not trouble to attend; they knew that an order would be given for the hearing to be in camera. When the President of the court, Colonel Maurel, ordered the prisoner to be brought in, with what a thrill of malicious curiosity did those present await the entry of Dreyfus, the man who for the last seven weeks had occupied the thoughts of the whole of Paris and of the greater part of France.

Some sympathetic, compassionate glances were cast on him, but for the majority he was no longer an accused, and possibly innocent man, he was already a traitor. He held himself stiffly upright, as though at attention. His features were contracted to an appearance of harshness by the effort of will controlling all expression of feeling. From behind his eyeglasses his glance was clear, piercing, frank and determined. His voice was colourless, his delivery abrupt.

How would it have been possible for a presupposed traitor to make a favourable impression? Every word, every act of his was used against him. Even the will-power by which he forbade himself the slightest indication of feeling, as a sign of unworthy weakness, remained unrecognized.

From the first the hearing was a duel. When Colonel Maurel, with the sternness demanded by the circumstances, would have begun the interrogation, the Government Commissary briefly demanded that the trial should be in camera.

Demange, speaking for the defence, and legally within his

rights, rose to protest, to object, to show reason why a trial in camera appeared to him unnecessary.

But Colonel Maurel at once prohibited counsel for the defence from making any 'incursion into the domain of facts.'

Demange, therefore, confined himself to reading the conclusions which he had prepared beforehand.

'In view of the fact. . . . In view of. . . . In view of the fact that the only document exhibited. . . .'

Maurel roughly interrupted him. 'I would remind counsel for the second time that he cannot allude to any of the documents in the case.'

Demange, disconcerted, replied, 'I undertake not to reveal any document. But,' he suavely insisted, 'it is strictly within my rights to lay before you the facts upon which you have to decide whether or not a trial *in camera* is necessary. In view of the fact that the only document. . . .'

With still greater vehemence, Maurel exclaimed: 'I will not permit you to proceed.'

'Then I shall place my motion on record.'

The Government Commissary intervened to uphold the President.

'There are,' he said, 'other interests involved here, more important than those of the defence and the prosecution. It is the duty of the prosecution to see that they are respected.'

Maurel supported this strange point of view.

'A trial *in camera* might be partial.' Demange replied. 'How can the public safety be affected by an inquiry into Dreyfus's antecedents and his alleged motives?' He added vehemently, 'since an officer's honour has for weeks past been the object of public discussion. . . .'

Maurel, however, abruptly interjected, 'By virtue of my discretionary powers, the court will now retire to deliberate.'

Thus Demange's voice was silenced. There was to be a trial *in camera*; after a few minutes' deliberation the court unanimously agreed on this point.

From that time onwards the wall of secret proceedings was interposed between Dreyfus and that public opinion before which he had hoped to unfold the rectitude of his honourable career. It was easier to strangle a man in a darkness which indiscreet eyes would not be able to penetrate.

The decision to hold the trial in camera was received with satisfaction by the antisemitic press. 'The Court-martial had to choose between the trial in camera and war, they have chosen the wisest course.' But, nevertheless, the papers did not relax their efforts to inflame the public by a system of blackmail.

'If Dreyfus is acquitted,' they declared, 'the officers in the Ministry of War will immediately resign *en masse*. Every one of them will demand to be arraigned before a Court-martial, since he might be suspected of treason.'

In other quarters, traditional methods were employed, which consisted in vilifying the prisoner's family. 'The Dreyfus family is by no means a united one. As soon as Madame Dreyfus heard of her husband's arrest, she hurried to her lawyer and anxiously inquired, "Is my settlement safe?" and was reassured when her lawyer replied, "It has not been touched." '

Whilst the public was feasting on such absurdities, what was taking place in that court-room, colder and gloomier than ever, now that the seats allotted to the public had been emptied and that the humane element emanating from a large number of people no longer existed?

On the first day Dreyfus was subjected to a hurried interrogation. He opened his reply by making, in a harsh voice, a passionate declaration of innocence, which, however, was based rather on close logical reasoning than on deeper feelings. With a coolness which he might have applied to the discussion of a technical report, Dreyfus refuted the arguments of the prosecution, one by one, and demonstrated with perfect logic, not only that he was not the author of the *Bordereau*, but that he could not possibly have written it.

§ 18 *Two Depositions*

The first witnesses were called. The prosecution was relying especially on the two men who, from the first, had planned and stage-managed the whole inquiry.

Du Paty, speaking as though desirous of exciting admiration for his eloquence and dramatic talent, gave his account in a characteristic manner and accumulated false evidence with all the resources at the command of his complex imagination. In his opinion, the prisoner's guilt was proven by the dictation test, which had, indeed, shown that the handwritings were absolutely alike; it had also revealed the captain's agitation. That was sufficient evidence to justify his arrest.

And when Demange triumphantly exhibited the document written by Dreyfus at du Paty's dictation, crying, 'Where is there the slightest indication of agitation?' du Paty veered round and, having anticipated a reply to every objection, he advanced a contradictory argument: 'Dreyfus should have shown signs of agitation when I interrupted him so suddenly. He would have done so had he been innocent. The fact that he maintained his self-control is in itself a proof of his guilt.'

Then he dealt out another proof, like a blow from a club: 'When I was questioning Dreyfus in prison I waited until he had crossed his legs. Then I launched point blank a question which, if he were guilty, would agitate him extremely. I fixed my eyes on the point of the foot which was hanging loose and was almost motionless. Suddenly, at the moment when I put my question, it moved rapidly; hence, his pulse had quickened, his heart was beating harder, and Dreyfus's agitation betrayed his guilt.'

Du Paty had delivered himself of this extravagant piece of reasoning with such assurance that it did not appear absurd to the judges, but its effect was the less potent because

Dreyfus, in his defence, made use of well-founded arguments and considered replies.

'No one but Dreyfus,' declared du Paty, 'could have written, "I am just going on manœuvres." '

'But,' replied Dreyfus, 'I had known since May that I was not going on manœuvres. At that time I had been officially informed of it.'

'Well, then,' was the retort, 'the *Bordereau* must have been written, not in August, but in April!'

How was it possible to oppose an argument of this kind which was like that used by the wolf against the lamb in La Fontaine's fable. Dreyfus, however, was convinced that truth would triumph over malice.

Thus, the first hearing had not been unfavourable to Dreyfus. Major Picquart who had been instructed to attend the trial in order to keep the Minister informed, advised the latter that if the case for the prosecution was no better supplied with documents and the evidence no stronger than at present appeared, a verdict of guilty was by no means a foregone conclusion. Henry also was of this opinion, and he resolved to strike a decisive blow.

On the opening of the second hearing he said to Picquart, 'You are sitting behind one of the judges; suggest to him that I should be re-called into the box and that he should ask me whether I had not been warned last spring that there was a traitor in the second section.'

Picquart refused to act as intermediary, because he did not wish to go beyond the limits of his appointment as observer.

Although a few loyal and plucky comrades were glad to testify to the fine character and ardent zeal shown by Dreyfus and to declare him 'incapable of such a crime,' the greater number came into the witness-box to give free vent to a long-suppressed aversion and bore overwhelming evidence against him. But their testimony gave way before the unhappy captain's demand for exact details.

At this point one of the judges, having asked that Henry be re-called, put to him the following question:

'Were you advised in the spring of the presence of a traitor in the second section?'

Who, besides Picquart, could at that time have realized the collusion existing between the judges and this important witness for the prosecution?

Henry, having invented the question, had carefully prepared his answer to it.

With impressive assurance, he declared emphatically: 'An honourable person, whom I cannot name, warned me in March that an officer in the Ministry of War was a traitor. This same honourable person informed me in June that this officer belonged to the second section.' And turning melodramatically towards Dreyfus he said with raised voice and finger pointing at the prisoner, 'And there is the traitor!'

Dreyfus sprang forward, protesting indignantly. He called on Henry to name the honourable person whose testimony he had invoked, he demanded to be confronted with this infamous, unknown accuser. The hour of justice had struck for him! That slanderer was the man who had caused him to be accused, the man who had plotted his dishonour. Now they would meet face to face! The terrible mystery would at last be revealed.

'Who is the wretch who dared to say such a thing?'

'There may be secrets,' Henry replied sternly, 'in an officer's head, which must not be revealed to his *Képi*.'

If the trial had been public what applause would then have resounded! What a magnificent reply, and what honour it shed on the army!

But the defence would not allow it to pass. Demange and Dreyfus both vehemently protested. Maurel himself thought it his duty to intervene.

'We do not ask you to give the name, but do you swear on your honour that this person told you that the officer who was

guilty of treason was in the second section and that it was Captain Dreyfus?'

Raising his hand affectedly to the crucifix on the wall, he declared in a solemn and unshaken voice, 'I swear it.'

As far as the judges were concerned, the outcome was certain, the trial was finished. This oath was sufficient for them.

Conviction is often based on moral principles rather than on material facts. From that moment moral principles formed the deciding factor. Henry's denunciation seemed to some of the more sensitive officers a terrible sacrifice to military duty. But that did not diminish their admiration for the moral courage shown by the witness in delivering up one of his colleagues to justice, perhaps to death. What a lesson in patriotism!

No crime has ever been so cold-bloodedly committed.

§ 19 *The End of the Trial*

After that, what signified material facts and the analysis of handwriting?

The opinions of the experts were not unfavourable to Dreyfus. Gobert and Pelletier maintained their standpoints, but Maurel brought out certain points which made their conclusions untenable. The reports by de Charavay and Teyssonnières were not convincing. But on the third day Bertillon was called. He had continued his examination of the *dossier* and had completed and strengthened his original arguments. He brought to the witness-box an entire pseudo-scientific theory, a system which enabled him to give mathematical proof of guilt.

The *Bordereau*, Bertillon asserted, although it had the appearance of having been written in a flowing and natural handwriting, was a 'forged document.' He set himself to demonstrate this theory by means of obscure and incoherent arguments. In writing the *Bordereau* Dreyfus had made use of a

letter written by his brother Mathieu which had been found in a blotter on his writing-table during the search. He had traced certain words and certain letters. But why? So that he might be able to assert that he was the victim of a plot, because it would not be believed that he would assume the handwriting of his own brother; by virtue of this argument he had hoped to evade justice. He had also introduced a number of dissimilarities, so as to be able to say: 'This was not written by me.' Bertillon's argument may be summed up thus: 'If Dreyfus is a traitor the *Bordereau* written by him must show both similarities and dissimilarities to his writing. The *Bordereau* contains some similarities and many dissimilarities; therefore Dreyfus is a traitor!'

According to Bertillon, the fact that words had been traced was obvious because there was a small notch in the *Bordereau* serving as a guiding mark to make the lines coincide.

Dreyfus treated this ridiculous argument with contempt. He did not even attempt to contest, one by one, Bertillon's statements which his scientific mind considered grotesque, he did not examine the notch or raise questions as to the word '*intérêt*' which Bertillon endeavoured to prove was the basis of his forgery. He confined himself to asking this question, the bitter irony of which was lost on his judges, 'Will the witness swear that he saw me writing the *Bordereau?*'

'I had anticipated that question,' retorted Bertillon. 'It is the only question he could have asked me if he were guilty. He has asked it and he is therefore guilty.'

What crimes have been committed by the invocation of the merciless logic of syllogisms the premises of which have been deliberately falsified?

Bertillon succeeded only in convincing those already convinced. Picquart and Lépine asserted that they could make nothing of his demonstration. After the witnesses for the defence had been heard and they had testified to Dreyfus's loyalty and honour, his lofty character, and his keen patriotism, du Paty de Clam, who was only a witness, went to

the President's room, and handed him a closed and sealed envelope emanating from the Ministry of War. In the name of the minister he passed on to him instructions not to open the envelope until the members of the Court-martial were assembled to deliberate, and then to communicate its contents to the judges. Maurel accepted the envelope without heeding the illegality of the part assigned to him and when the hearing was resumed he informed the Government Commissary.

Brisset had based his speech for the prosecution on the indictment drawn up by d'Ormescheville, piling up all the tittle-tattle collected or overheard, laying great stress on Bertillon's demonstration and finishing by declaring the two writings to be identical.

Thus the last hearing had arrived. Dreyfus was sure of himself. In a few hours he would be set at liberty. The case for the prosecution was untenable; Bertillon's demonstration was the product of a deluded imagination. True, the speech for the prosecution had ended by condemning him, but it had proved nothing.

And besides, and above all, Dreyfus was innocent. He could not reproach himself with the smallest peccadillo. This conviction seemed to him to place a verdict of guilty beyond the bounds of possibility.

On leaving the prison he had said to Forzinetti, 'To-day I shall embrace my family,' and he repeated the same words to Demange when the latter rose to open his speech for the defence.

The advocate's task was a light one, a brief is not often so clear. The object at stake was important; but the argument was easy. At the first attack the fabric of the case for the prosecution was bound to collapse.

And Demange surpassed himself because he was sustained by that profound conviction which lends an inflection to the advocate's voice never attained by him if he harbours a doubt of the innocence of his client. He swept away the so-called moral proofs brought against Dreyfus by recalling his honour-

able life, by showing the insanity of certain pieces of gossip incapable of proof, by producing precise documents to refute certain odious insinuations, by inquiring into the possibility of a motive for the crime, a question to which, hitherto, no reply had been given.

There remained the material proof of the *Bordereau*. As to the handwriting, the experts were divided. There was no certainty, there was, therefore, a doubt which could only benefit the prisoner. Dreyfus wrote a correct and polished style; the *Bordereau* was full of incorrect terms and faults of style. The sentence, 'I am just going on manœuvres' could not have been written by him because he knew that he was not going to the manœuvres. The documents mentioned made it clear that he was not the author.

In spite of the most urgent inquiries no one had been found who remembered having given him a note on the hydraulic brake of the 120.

The covering troops? An officer had merely stated that one day in the street in the course of conversation, he gave Dreyfus some information on this point.

The note on a change in artillery formation? Dreyfus had never heard of these changes and no one had been found to deny this fact.

The note on Madagascar? How could he have obtained knowledge of this? The prosecution had not succeeded in bringing the smallest evidence to bear on this subject and the same applied to the gunnery handbook.

How, therefore, would it have been possible for Dreyfus to hand over these notes or these documents which had never been in his possession and of which he had proved himself to be ignorant?

In the opinion of Demange the putting of this question created a doubt which no assurance to the contrary could resolve. An acquittal was inevitable.

The Government Commissary made a brief reply. He set on one side all secondary proofs and confined himself to the

question of the *Bordereau*. However difficult it might be to prove that Dreyfus had received information concerning the documents enumerated, the identity of the handwriting would suffice to establish his guilt. 'Although I cannot indicate the motive for this crime, the most serious crime that it is possible to commit, although I have no other proof than the letter, that letter constitutes crushing evidence against the accused. Examine it with your magnifying glasses, and you will have no doubt that it was written by Dreyfus; if it was written by him, then he is guilty of a most infamous act of treason'.

In a final speech Dreyfus again protested against the shameful accusations and swore to his innocence; he awaited with the unshakable confidence of integrity for judgment to be given and his honour to be declared untainted.

He felt certain of his acquittal. All the evidence proclaimed his loyalty. He had confidence in the men who were about to pass judgment upon him; they were his comrades or his chiefs, they represented that army which he loved and admired, that military justice on whose perspicacity and impartiality he relied.

§ 20 *The Sentence*

Demange was feeling somewhat anxious. Before a civil court he would have felt grounds for hope, but he was too much of a psychologist and too cautious not to be aware of the unusual atmosphere in which the trial had been conducted and of the part played by certain witnesses in leading the prosecution. And the more the period of deliberation was prolonged the more his anxiety grew. An acquittal is decided upon in an instant, in the time it takes to vote. Even if the judges believe the prisoner to be guilty, there are in a case of treason no subsidiary questions to decide and the deliberation in that event also should be brief. What then was the meaning of this delay? Demange wondered, without however having

an idea of the cause, without a notion of the crime against justice which was being perpetrated in that closed room a few yards from the public court.

In that room Maurel had opened the envelope which du Paty had handed to him. No protest had been raised. Not one of those seven officers was a judge by profession; they were ignorant of the most elementary principles of law, of the articles of the Code, and had no idea of the infamy of their procedure.

Maurel read out du Paty's commentary and his neighbour read the other documents in the secret *dossier*. One or two of the judges had still remained undecided, although Henry's deposition had impressed them, but when they heard the words of the document: 'that scoundrel D . . .' their vote was carried and the prisoner's guilt unanimously acknowledged.

The court was filled to overflowing. Many of those present had anticipated a verdict of guilty, had hoped for it; they had come to hear and applaud it. But those who had followed the trial, Lépine and Picquart, were still doubtful. Lépine had ordered the police to take certain measures for the protection of Dreyfus in case he were liberated.

The buzz of talk died down and Maurel read out in an expressionless voice:

'Judgment dated December 22nd, 1894.

'In the name of the people of France.

'On this day the twenty-second day of December, eighteen hundred and ninety-four, the General Permanent Court-martial of the Military Control in Paris, having pronounced sentence *in camera*, has given in the Public Court judgment as follows:

'The following is the only question which has been put to the members of the Court-martial:

'Is Captain Alfred Dreyfus, captain in the fourteenth regiment of artillery, brevet staff officer, probationer officer on the General Staff, guilty of having delivered in 1894 in

Paris to a Foreign Power or her agents a certain number of secret or confidential documents concerning national defence and of having thus been in communication with this power or her agents in order to obtain for this power the means of committing acts of hostility or of entering on war against France?

'Votes having been taken in accordance with the law, beginning with the lowest grade, the President recording his opinion last, the Court-martial unanimously declares: Yes, the accused is guilty.

'Having agreed with the conclusions drawn by the Government Commissary and after having read to the Court-martial the articles of law indicated by him, the President again put to the vote the question of the penalty to be inflicted, beginning with the lowest grade, the President, voting last,

'Condemns Alfred Dreyfus, whose titles have been enumerated above, by unanimous vote, to the penalty of deportation to a fortified place and, applying article 76 of the Penal Code, article 5 of the Constitution of November 4th, 1848, article 1 of the decree of June 8th, 1850, and articles 189 and 267 of the Code of Military Law, which are in this sense . . . pronounces the dismissal of Captain Alfred Dreyfus and orders that the ceremony of degradation of this officer shall take place at a general parade of the Garrison of Paris;

'declares him to have forfeited his decorations and privileges and the right to bear arms for ever;

'condemns him to pay costs to the state;

'instructs the Government Commissary to read this judgment without delay to the prisoner before the assembled guard under arms, and to inform him that he has twenty-four hours in which to appeal.'

It was over, the court rose and the crowd of spectators dispersed in a hum of excited comments. They were disconcerted and opinion was divided. Some of them had anticipated a different verdict, the pronouncement of a sentence of

death, and their exclamations of approval were tempered by regretful criticism. The crime of treason ought to be punished by death!

Demange, shaken with sobs, went to inform the prisoner and to say a few murmured words of encouragement.

To Dreyfus and his family this meant ruin and despair. The judgment, so eagerly awaited, which was to have avenged for them, solemnly and magnificently, all the scurrilous abuse and vile accusations, had proved to be their most iniquitous confirmation. It was to have put an end to a period of crushing trouble; instead, it marked the beginning of a new one.

And whilst the newsvendors were shouting special editions and a clamour of execration was rising in Paris against the traitor, Dreyfus gave vent to his grief. He protested against this infamous act of injustice, and flew to thoughts of suicide, but was restrained at the last moment by the memory of his wife and children for whom he made up his mind to live.

He wrote to his wife and received letters from her, in the despairing simplicity of which there sounded but one cry of tenderness, of faith, and of love. They mutually offered each other the support of all their remaining physical and moral strength.

And whilst she was writing to him thus:

'My dear, adored one, we must, we must meet again, we must live each for the other, for we cannot exist without one another. You must be resigned to everything, you must bear the terrible trials which await you, you must be strong and proud in your misfortune. . . .' the miserable press was publishing this item of news: 'It is said that Madame Dreyfus has decided to sue for a divorce, now that she realizes what a base wretch her husband is. She is also going to request leave for her children to change their name. We hope no opposition will be raised to such a legitimate and laudable desire.'

And the campaign against the Jews flourished apace.

Dreyfus was said to have accomplices among the Jewish population, who must be found, unmasked, and punished.

A remark attributed to one of the judges of the Court-martial was also circulated: 'The unhappy man could not understand why he should be blamed, and his answers, which were stamped with the most extreme cynicism, made his whole attitude of mind clear to us. Summed up in a few words, it was: "I have been a good German. I have done my duty as a faithful subject of the German Emperor".'

§ 21 *The Degradation*

The appeal, for revision, which had been purely formal, since no irregularity could have been adduced, was rejected; the sentence came into force, and Dreyfus's calvary began. The first step was the degradation. 'This must be public' screamed the chorus of antisemitic papers. 'Let the people of Paris be summoned to witness it, let Dreyfus undergo this penalty to the accompaniment of their cries of rage and disgust.'

It was even stated that the officers on the General Staff had been the mouthpiece of this inhuman request. But the Government was not capable of this refinement of cruelty. The parade was fixed for January 5th; a Saturday had been chosen because it was the Sabbath.

Dreyfus did not wish to live to see that day. His strength had failed him. By that time he had lost the last remnant of hope. Forzinetti, who, in spite of the judgment, persisted in believing him innocent, set himself to make him understand why he should continue to live; his suicide would seem to all the world like a confession of guilt.

Dreyfus was moved by his arguments and promised his wife, who had implored him to live, that he would undergo the torture because he was innocent.

His tormentors did not cease their attacks. Now that he had been sentenced, they sought to appease their consciences

and extract a confession which would free them of a heavy load. Du Paty de Clam was their emissary and, in the prisoner's cell, face to face with Dreyfus, he bombarded him with questions and hypotheses. But each time he was repulsed by energetic denials.

'I have only one word to say to you', Dreyfus concluded coldly, 'I am innocent, and it is your duty to continue your inquiries.'

'If you are innocent, you are undergoing the most frightful martyrdom that has ever been inflicted in any age.'

'Yes, I am that martyr. And I hope the future will prove it to you, only search!'

To seek . . . to find. . . . From now on this was the one thought that occupied his mind.

He wrote to the Minister:

'SIR,

'By your order, I have received a visit from Major du Paty de Clam, to whom I have declared that I am innocent, and that I am guiltless of even the smallest act of imprudence.

'I have been sentenced, and I do not ask for mercy.

'But in the name of my honour, which I hope one day will be restored to me, I consider it my duty to beg you to continue your inquiries.

'When I have gone, let the search be carried on, that is my sole request.'

The terrible day had dawned. . . . On the morning of January 5th, Dreyfus was searched and handcuffed. He made no resistance. He did not protest. To give himself the appearance of fortitude, he endeavoured to remain impassive and to deaden his feelings by assuming the manner of an automaton. Since he had sworn to live for his rehabilitation, he would have to be prepared to traverse a way of the cross, of

which the agony of degradation was but one station. He was about to appear before officers, his chiefs and his equals, before soldiers whom but yesterday he had commanded, before journalists who represented the public interest which was centred on him. He would have to proclaim his innocence with all the strength at his command, and impress it on all present by the dignity of his bearing.

His innocence! He asserted it up to the last moment of leaving the Cherche-Midi prison. As he was about to leave he said to Captain Lebrun-Renault, who was escorting him: 'May I be permitted to ask that this business be carried out quickly?' And he added: 'I am looking you in the face, and if I dare to do so it is because I am innocent. My family will succeed in proving my innocence.'

Whilst awaiting the sinister parade at the Military School, he endeavoured to convince those around him.

For the space of an hour, with a feverishness which increased in intensity, but with a steady lucidity, he carried on a monologue, interrupted occasionally by someone coldly asking him a question.

A hundred times, a thousand times, he reiterated, now vehemently, now with resignation, that he was innocent. He argued, discussed the facts, examined the charges. No motive for treason had been discovered. The experts did not agree. Why had the trial been in camera? He expressed his surprise at du Paty's recent visit and his efforts to obtain an admission which had even led him to inquire whether Dreyfus had not handed over unimportant documents in order to obtain important ones in exchange.

And Dreyfus declared that he would cry out his innocence to the whole world.

The appointed hour arrived. . . . He was called. He emerged escorted by four artillerymen. There must be no sign of weakness, and he drew himself up stiffly. He went quickly so that his agony might be short. He strained all his will-power to the end that his look and bearing should unite

to prove that he was no traitor, that his voice should be clear and that all should hear his protest.

The general gave the words of command. 'I am innocent,' cried Dreyfus with all his strength. The general approached him and uttered the usual words. . . .'I am innocent, I swear it. . . .' They tore the stripes and buttons from his uniform.

'Long live France! Long live the Army!'

With a brittle sound, they broke his sword in two, the symbol of honour.

'By my wife, by my children, I swear I am innocent!'

And then came the horrible march along the line of troops. He accomplished it with jerking steps, but with head held high. And he continued to cry: 'I am innocent! Long live France! I am innocent! Long live the army!'

But a confused murmur dominated that one poor voice. It came from the crowd pressing against the railings and howling ferociously. 'Dirty Jew! Kill him! Kill him!'

And before long, as a final act of cowardice, the officers joined in the cries of the rabble! They overwhelmed the man who, a traitor in their eyes, was nevertheless a man, with the most abominable insults.

Confronting the journalists, Dreyfus shouted: 'You will tell France that I am innocent,' and the journalists hurled at him: 'Coward! Traitor! Judas! Kill him!'

'You have no right to insult me,' cried Dreyfus with all his remaining strength. 'Traitor! Judas!' retorted the journalists.

This poignant, unequal dialogue persisted during the whole parade. One against all. The victim against a secret power. The innocent against those who desired a scapegoat. But his cries had succeeded in penetrating the thunderous growlings, the press would not be able to stifle them. To-morrow France would know that he had protested.

The ceremony lasted ten minutes . . . it lasted years. The crowd dispersed whilst Dreyfus was conducted back to

prison and the representative of the Military Governor of Paris telegraphed to his chief:

'Parade ended: Dreyfus protested his innocence and cried "Long live France." No other incident.'

Dreyfus had been able to stand the test, to remain steadfast to the end without the slightest sign of weakness. His will had commanded, and had been obeyed.

He had spoken to France, and he knew that he would be heard, that the final answer was not this cowardly outrage by which it was sought to vilify him, but which his sorrow and dignity had surmounted; and if, in that crowd whose fury had been unchained against him, there had been one man of feeling and honour, one impartial observer, he must have discerned in his bearing the clear tokens of innocence, he must have asked himself, 'But what if these protestations are true after all?'

§ 22 *The Legend of the Admission of Guilt*

The comments in the press were characteristically base. Dreyfus's self-possession was used to denounce his cynicism, his courage, to accuse him of cowardice, the absence of tears to deduce his lack of feeling, his rage and his hatred.

'He is a poseur! He thinks of nothing but saving his own skin. He has saved it and that was all he was aiming at. He has got it!' 'Why was an end not put to that gloomy and ineffectual parade by lynching? It would have been a just punishment for a traitor who has sold his country for two millions and who, in crying, "Long live France" has given her a final kiss of Judas.'

But the papers could not ignore that ceaseless cry 'I am innocent.' In mentioning it they distorted it and hinted at a story which would contradict it. Dreyfus had confessed! Within a day this monstrous legend had spread throughout the country. How had it come about, since Dreyfus had never done anything but deny his guilt? It had arisen

because some of his remarks, passed from mouth to mouth, had been deliberately misrepresented. Lebrun-Renault, proud of the part he had played in the drama, lost no time in retailing to his colleagues what Dreyfus had said before the ceremony of degradation: 'Du Paty asked me, on behalf of the Minister, if I had handed over unimportant documents so that I might receive important ones in exchange.'

How did Lebrun-Renault repeat this remark? What interpretation did his colleagues place, or wish to place on it? In what form was it circulated? The first part of the sentence was invariably omitted, so that the remark became: 'If I handed over unimportant documents, it was so that I might receive important ones. . . .'

And that was the confession! The man who was supposed to have received it wrote on his report 'Nothing to notify' and when that same evening, in the commotion of a music hall, he gave his impressions to a journalist, he said no word of this alleged avowal. This man, moreover, whose duties bound him to silence, was censured by the Minister for War and the President of the Republic for having given information to the press and implicated Germany; but even then he made no mention to them of any admission of guilt.

No one believed it at the Ministry of War. How joyfully they would have seized on it! With what delight they would have hastened to Dreyfus in his cell, and urged him to confirm it!

But Dreyfus was not even informed of the legend which was circulating. Du Paty did not call on him again; he was not subjected to a further interrogation. If this rumour had been believed, there is no doubt that the Minister for War, however incapable, would have given orders for an inquiry and endeavoured to find out whether other documents had been handed over. That there had been no confession was clear from the inaction and silence of the Ministry.

Dreyfus was to have been sent to the Ducos Peninsular in New Caledonia, the place to which convicts were assigned

by law. But the antisemitic papers desired a more savage vengeance. The climate of the Ducos Peninsular was not sufficiently unhealthy. This 'paradise' must be exhanged for the *guillotine sèche*, the living death of a barren land. And besides, escape would be easy from the Ducos Peninsular. A 'Jewish Germanic' conspiracy would soon have effected Dreyfus's freedom.

The Government yielded to these demands and caused a law to be passed by which the Isles du Salut off the coast of Guiana were assigned for the deportation of convicts.

'But,' said the antisemitic press, 'what would happen if ever England declared war on France? She might occupy Guiana, and release Dreyfus who would then go to Germany and pose as a persecuted hero. The German press would represent him to be the victim of French chauvinism and he would be given an important command!' In that hour, when evil passions were rife, Frenchmen were actually to be found who believed in such absurdities as these and hurled abuse at anyone who had been in touch with Dreyfus, not even excepting his counsel.

Because Demange, replying to the questions of a journalist, had said, 'Since Captain Dreyfus has been sentenced, he is guilty; but for my part and as far as my own private judgment is concerned, I am absolutely convinced of his innocence,' he, in his turn, had been insulted and bespattered. 'What fees did he receive for making such declarations,' which 'constituted him an accessory to the act of treason?'

§ 23 *Germany and France*

The press, meanwhile, had for several weeks past persisted in conducting a campaign against Germany of such falsehood and violence that, on the very day of the ceremony of degradation, it gave rise to a diplomatic incident. Count von Münster, German Ambassador in Paris, had received the following telegram from his Government:

> 'I instruct you to request the President of the Republic for confirmation of the statements made by the premier according to which nothing was revealed at the trial now concluded which could have led to the conclusion that the prisoner has had relations with civilian or military members of the German Embassy. If this is correct, His Majesty the Emperor expects that the loyalty of the President of the Republic will lead him to state this fact officially and publicly, as, if it should remain any longer in doubt, it would be likely to make the residence of a representative of His Majesty in Paris more difficult.'

The telegram was couched in imperious terms. At his interview with the premier, the German Ambassador gave him a diluted version of it:

> 'His Majesty the Emperor, who has every confidence in the loyalty of the President and Government of the Republic, requests your Excellency to tell M. Casimir-Périer that, if it is proved that the German Embassy has never been implicated in the Dreyfus affair, His Majesty hopes that the Government of the Republic will not hesitate to make a statement to this effect. Unless a formal declaration is made, the rumours which the press continue to spread in regard to the German Embassy will persist and will compromise the position of the Emperor's representative.'

Casimir-Périer granted an audience to von Münster on the following day, a Sunday. The two men, who were on very good personal terms, were mutually anxious to arrange matters and to smooth over the incident.

'The German Embassy is not implicated,' said the President of the Republic. 'Dreyfus was sentenced for having obtained documents from the General Staff, for having feigned illness and having gone away. There exists besides, an anonymous letter addressed to the Embassy, but this is un-

important. That letter does not implicate the Embassy in any way.'

The ambassador replied that no one at the German Embassy had ever had knowledge of such a letter and insisted that the Government should issue a note to the effect that Germany was in no way involved in the affair.

'A denial of that kind,' Casimir-Périer objected, 'would only add fuel to the controversy, and as it would only apply to one country, it would throw suspicion on the others.'

Count von Münster then saw the premier, Charles Dupuy, who stated that he was unaware that the letter found at the Embassy had been used in evidence against Dreyfus, but that the most serious charge against him was that of having abstracted a document from the General Staff. After a lengthy discussion the premier suggested the publication of a note to which Berlin did not agree until a slight modification had been introduced. The chancellor, von Hohenlohe, telegraphed to Count von Münster that if he did not obtain this note the Imperial Government 'would take steps to safeguard its dignity, more particularly by granting its Ambassador leave of long duration.'

Finally, on January 9th, the Havas Agency published the following:

> 'Since, subsequent to the sentencing of ex-captain Dreyfus by Court-martial, certain papers have continued to implicate foreign embassies in Paris, we are authorized, in order to prevent public opinion from going astray, to call to mind the note concerning this matter issued on November 30th, 1894: Certain newspapers having insisted in various articles on the subject of military espionage in implicating foreign embassies and legations, we are authorized to state that the allegations are devoid of all foundation.'

Thus the German Ambassador had received from the

President of the Republic and the premier two entirely different versions, neither of which he was able to regard as correct. He, for his part, reiterated the truth: the Embassy had absolutely no knowledge of Dreyfus; the incriminating letter had never come into their hands.

The French authorities paid no attention to this twofold statement. Knowing that the letter had been found at the Embassy (they were unaware that it had been stolen before it had reached its destination) and attributing to Count von Münster a diplomatic lie, they declined to set the smallest value on his first denial exculpating Dreyfus.

§ 24 *The Departure*

On January 17th, Dreyfus left the Santé prison, where he had been subjected to the worst possible treatment and the most senseless annoyances. He was taken, with a train-load of convicts, to La Rochelle whence sailed the ships bound for the Island of Ré, the last French station for convicts sentenced to deportation.

Whilst Dreyfus, confined in his railway carriage, was awaiting the moment for embarkation, his guard, under the pretext of taking precautionary measures, drew public attention to him, and the rumour was spread that the traitor was there and would be taken through the town.

The crowd immediately flocked to the station, shouting: 'Death to the Jew! Death to the traitor! Throw him in the water!' By the evening the crowd had become still greater and more ferocious. Night fell, and they remained there impatient and excited, scenting their prey. Suddenly there resounded a long cry of delighted hatred. Dreyfus wrapped in a long cloak, descended from the train and, surrounded by his guard, crossed the platform to enter the waiting carriage.

The police force was not strong. The people quickly broke down the weak barriers erected against them, and shouting

in fury: 'To the water! Kill him! To the water!' they surrounded the prisoner, struck him with sticks and with their fists, and threw stones at him. Each one of the crowd wished to have his share in this disgusting attack, which the police did not trouble to stop, until at last they decided to protect Dreyfus, and dragged him to the harbour and shut him in a cabin on board the ship.

When the ship weighed anchor Dreyfus could still hear the clamours of a populace exasperated at having permitted the Jew and traitor to escape, whom they would have taken sadistic and revengeful delight in lynching.

On the Island of Ré the most rigorous treatment was accorded to Dreyfus. At last, he thought, he would be able to see his wife, his heroic companion. His joy at the thought that he would soon clasp her in his bruised arms, lightened his misery. But alas! he had been terribly mistaken! He was, indeed, allowed to see his wife, the regulations enforced it; but under what barbarous conditions! He was forbidden to approach her, to give her his hand, to embrace her. The guard was to be present, spying on all his gestures, listening to all his words.

Before his departure he had, with tragic dignity, entreated the Minister for the Interior to continue his inquiries, he had begged to be allowed to write to his wife oftener than twice a week and to be permitted to work in his cell.

The Minister for the Interior doubtless considered that if he replied to Dreyfus he would be regarded as his accomplice. He remained silent!

Lucie Dreyfus travelled twice from Paris to St. Martin de Ré. It was an exhausting journey, but it brought comfort to two tortured souls.

On February 21st, she left the island prison, already thinking of her next visit. That same evening Dreyfus was dragged from his cell; by order of the Minister of Marine and the Minister for the Colonies he was once more brutally searched, and he was taken on board a ship in which a

narrow cell with an iron grating had been assigned to him. Before long, without having received any explanation, without having been told whither he was bound, he felt that the ship was moving and that the land was receding.

His despair was shot through with gleams of hope. He was leaving Europe as a criminal; he would return to it an innocent victim. He had left to the sound of abuse, he would return to acclamations.

When would that be? He tried not to think of it too much, for the fear of the unknown was tormenting him, but he swore to himself to bear any harshness and any privations, to conquer all weakness and forbid himself any sign of faltering, whilst awaiting the day when justice would be done and a triumphant rehabilitation would repay him for all his sufferings.

It was through a newspaper that Lucie Dreyfus on her return to Paris learned of her husband's departure.



THE DEGRADATION OF CAPTAIN DREYFUS

CHAPTER II

PICQUART

§ 1 *Silence*

THE whole of France now regarded the Dreyfus affair as at an end.

Those responsible for it sometimes thought of their victim. Uneasy for their own fate, should their vile deceit be discovered, they enjoined silence on their friends; the guilty man they said, was expiating his crime in prison, let no one mention his name again! And certain confidants of the army chiefs received the impression that the affair had not been so satisfactory as they had imagined.

These chiefs, moreover, doubtless in order to lull their fears to rest, gave instructions of inhuman cruelty to those who were guarding Dreyfus in solitary confinement on Devil's Island.

But his family, so united and so confident of his innocence, were also watching over Dreyfus on Devil's Island, and using every possible means to find and unmask the real traitor.

Mathieu Dreyfus directed all the inquiries and investigations. What was the best thing to do? Open a public campaign? That would be premature. The contents of the *dossier* were known to him; he knew that it contained nothing. But he had been powerless to convince the judges of the Court-martial of this. Would he succeed better with the public, or even with a select few? Besides, if profitable use were to be made of it, would it not be better to wait until a fresh incident had revived public interest in Dreyfus? The best course to pursue in proving his innocence would be to discover the author of

the *Bordereau*. But was it possible to find a handwriting identical with that of the document of which only a glimpse had been obtained, and without possessing either the original or a reproduction?

Although no culprit had been found to be denounced, were there not at least factors which would justify a demand for a revision of the trial? On what could it be based? What legal theory could be invoked? Were there irregularities in the trial of 1894?

Mathieu had indeed become aware that his brother had been sentenced illegally, that secret documents had been shown to the judges, whilst neither the prisoner nor his counsel knew anything of them. But what proof could he give of this secret and illegal communication? If, by an extraordinary chance, a newspaper had been found bold enough to raise a corner of the veil, what crushing denials would have overwhelmed it? The Minister for War would have declared that 'Dreyfus had been justly and legally sentenced', and it would have been impossible to refute it. The defendants would have been annihilated by the controversy they had provoked and, so far from serving their cause, they would have injured it. How tempting it was, nevertheless, to disclose the illegality which would render a revision inevitable. There was no doubt whatever as to this monstrous illegality; Félix Faure, the President of the Republic, had made it known to one of his friends, Doctor Gibert, who, in his turn, had confided it to Mathieu Dreyfus.

But it would be impossible to rely on the testimony of the President; it was obvious that it would only provoke a denial which would make all subsequent action useless.

So they were helpless! They would have to continue in a state of despairing, impotent hope of an extraordinary chance, a miracle! Would this come in time? Would the innocent man survive his sufferings, ever more and more poignant?

Since his arrival on Devil's Island on April 13, 1895, he

had been a prey to the exhausting climate, privations and cruelties had been inflicted on him. His letters showed that his strength was declining, that only his burning will enabled him to overcome his attacks of despair. Every day increased his agony. This terrible situation, continuing for many months, weighed unceasingly on the members of his family and tormented them. They were impotent and he was dying. But, for the thousandth time, they asked one another what could be done to alter the course of events.

It would have to be altered, cost what it might. After deep reflection and careful weighing of the circumstances, it was decided that the deadly silence must be broken. If the press should again publish the name of Dreyfus, that would give rise to agitation and feeling, to protests and reactions, and—perhaps—something would come to light.

Yes, since silence had availed nothing, since eighteen months' methodical or haphazard research had proved fruitless, new tactics would have to be tried.

Mathieu Dreyfus was resolved. In 1894 he had been struck by the correct attitude of the foreign press, whilst the French press had been unanimously and violently hostile. The world would learn through the foreign press that Dreyfus was still alive, and through that channel his name would reappear in the French press.

§ 2 *False News of an Escape*

On September 3rd, 1896, the *Daily Chronicle* published the sensational news that Dreyfus had escaped.

A certain Captain Hunter, of the ship *Nonpareil* had made this statement on landing at Newport. The *South Wales Argus* related how Hunter, whilst taking in a cargo of phosphates at the Connétable Island, off the coast of Guiana, had heard that Dreyfus had been helped to escape by some Americans.

The *Daily Chronicle* merely reprinted this piece of news, which reached Paris the same evening.

Once again the name of Dreyfus was on every tongue and appeared in every paper. Although the family and the Minister for the Colonies issued categorical denials of the rumour, the nationalist press ignored them and inquired: 'Has Dreyfus escaped?' denounced the 'Jewish Syndicate' which, they said, was determined at all costs to rescue him and declared, if the rumour was untrue, it was no more than premature, that no special precautions had been taken and vigilance should be redoubled. 'An engineer who has been to Devil's Island states that escape is extremely easy; it is only a question of having sufficient money and a boat at one's disposal.'

The *Libre Parole*, again distorting the truth, asserted that the Jews had made a previous attempt to effect Dreyfus's escape. It was said that the brawl at La Rochelle, in which Dreyfus had been shamefully abandoned to the fury of the mob, had been organized by the Jews and that under the pretence of lynching him they had intended to enable their accomplices to throw themselves upon Dreyfus 'to seize him, and carry him off and cause him to vanish'. Five days later the same paper published an account by their special correspondent, who was said to have gone to Newport made inquiries at the offices of the *South Wales Argus* and interviewed Captain Hunter and the crew of the *Nonpareil*. A sailor was said to have stated: 'I have no doubt that Dreyfus escaped. He may have been retaken and brought back to Devil's Island. But it is none the less certain that, at one time, he had regained his freedom.'

This interview was reprinted with comments. It could have been no more than a pure invention, because Captain Hunter and the *Nonpareil* never existed except in the imagination of Mathieu Dreyfus, who was anxious to excite public feeling in the hope of thereby benefiting his brother.

A journalist, M. Calmette, thought this an opportune moment to publish in the *Figaro* an account of the life of the prisoner, of how he spent his time, pointing out that his

protestations of innocence recurred like a *leit motiv* in every one of his letters and adding that when M. Emile Chautemps was Minister for the Colonies, 'wishing to soften the deported man's lot', he had asked the Governor of Guiana to permit Madame Dreyfus to rejoin her husband.

On the following day the ex-Minister considered himself forced flatly to deny this statement which the simple dictates of humanity would have justified! He considered himself to have been vilely slandered and went so far as to threaten to bring a case in court against the over-zealous journalist. He gloried, moreover, in the 'rigorous measures' which he had ordered to be taken against Dreyfus!

To such depths had they dared to descend! A Minister regarded as a 'vile slander' the statement that he had been prepared to authorize the wife of a deported convict to visit her husband!

At the same time that this ex-Minister was displaying his inhumanity, his successor, André Lebon, yielding to the urgent demands of those who pretended to believe in the possible escape of Dreyfus, was giving instructions for measures of extreme barbarity to be taken. Although he was well aware that Dreyfus had always conducted himself irreproachably and had given his warders no cause for complaint, that there had never been any attempt to escape, André Lebon in his capacity as Minister, cabled cold-bloodedly to the Governor of Guiana 'to keep Dreyfus in his hut, with double irons during the night, and to surround his exercise ground . . . with a solid palisade and place a sentinel outside. . . .'

We shall see what this savage persecution meant. Confinement during the day; irons that bruised the flesh during the stifling tropical nights. Lebon was the torturer; Dreyfus the stoical hero, bearing his agony because he was determined to live until his innocence had been acknowledged.

And now, for the first time a French paper uttered a hint of sympathy. According to the *Jour*, all those on Devil's

Island who had seen, guarded or observed the prisoner had ended by having doubts as to his guilt.

§ 3 *'L'Eclair'*

This article and others of a similar nature were all the more alarming to the men on the General Staff because of certain grave occurrences at the Ministry of War, of which, so far, they only were aware.

For their own sakes it was important to put an end, once and for all, to the Dreyfus Affair. A clever manipulation would dispel suspicion and once more plunge the matter into the obscurity from which it should never have emerged. To this end the *Eclair* published, on September 15th, a long article entitled 'The Traitor', demonstrating by an analysis of the *dossier* the incontestable guilt of Dreyfus, and declaring that a refutation of any kind was not to be feared.

The article stated that, about September 20th, 1894, a document had been found emanating from the German Embassy and addressed to the Italian Embassy. This document was said to contain the following sentence: 'That wretch Dreyfus is certainly becoming too exacting.' Whereupon, the *Bordereau* having been discovered and expert opinion on the writing having justified its attribution to Dreyfus, it was decided to arrest him. The *Eclair*, after describing the scene of the dictation, the arguments for the prosecution and the course of the trial, concluded:

'It is true that Dreyfus did not know, and perhaps still does not know, that the Minister for War possesses a photograph of the letter exchanged between the German and Italian military attachés, the only written document in which his name appears. . . .' But this one document 'was sufficient to cause the court to convict.' Since, however, it was of an 'exceptionally confidential' nature, it had been stipulated that it 'should not be used during the trial'. . . . 'Forming irrefutable proof, it consolidated the feeling of the

members of the Court-martial. When they were called upon to pronounce on the guilt of the traitor and on the penalty to be inflicted on him, they were unanimous.'

Needless to say, the article was anonymous.

Thus the truth about Dreyfus's trial began to emerge as soon as the mystery of the proceedings *in camera* began to be unveiled. It had been stated that secret papers had been shown to the judges in the absence of counsel both for the prosecution and the defence. This was the first public assertion of a flagrant violation of the law.

Lucie Dreyfus seized upon these revelations and addressed a petition to the Members of Parliament: 'It is true, therefore,' she wrote, 'that after a trial wrapped in the most complete mystery, thanks to its having been held strictly *in camera*, a French officer has been condemned by a Court-martial on a charge produced by the prosecution without his knowledge, and that, in consequence, neither he nor his counsel could dispute it.' And she demanded justice.

Furthermore, the *Eclair* had implicated the German Embassy and the military attaché in particular, thus provoking renewed attacks against Germany.

Count von Münster again considered the possibility of putting a stop to this campaign, by requesting the French Government to cause these 'absurd and impudent attacks' to cease. But he gave up the idea, judging that Hanotaux, Minister of Foreign Affairs, being afraid of the press, would certainly declare himself powerless to control them.

In a report to his Government, Schwartzkoppen, German military attaché in Paris, declared the revelations in the *Eclair* to be compromising to the good relations then existing between the two States, although, for her part, Germany had no reason for anxiety should the affair be brought out into the open; the truth could only be to her advantage. He added that for nearly two years he had been vainly endeavouring to have the matter cleared up, and that he could only suppose one of two things: either Dreyfus had tried to get into com-

munication with the Embassy and had been found out before he had succeeded in doing so, or the *dossier* contained a forged document.

After some days, however, public curiosity died down. The papers said no more. The weakness of the argument for the prosecution and the gravity of the act in violation of the law had not escaped them. And before long the reign of silence was resumed.

§ 4 *Bernard Lazare*

Six weeks later this silence was broken by the publication of a small, yellow brochure of modest appearance entitled 'A Judicial Error—The Truth about the Dreyfus Affair.'

Its author was Bernard Lazare, a talented controversialist, a man of generous and impulsive nature, who, having observed the recent manifestations of the antisemitic party and becoming alarmed at their growing influence, had realized that the Jews were being attacked through Dreyfus and that a formidable plot was being hatched against them, based on a judicial error all the more alarming because it had been committed deliberately. He got into touch with the Dreyfus family and when he heard about the *dossier* his doubts were changed to certainty. Anxious that the world should know of his conviction, he was the first to spring, full of ardour and optimism, into the arena, the first to mark out the path of honour along which others were to follow him. He, therefore, published these sixty pages of penetrating analysis, vigorous criticism and convincing argument.

He went over the documents one by one, dwelt upon the opinions of the experts, compared one with the other and published the text of the *Bordereau* which, it had been claimed, might provoke grave international complications—a claim put forward in order to justify a trial *in camera.*

He analysed the account in the *Eclair*, pointed out its inexactitudes, denounced the clandestine communication of

documents, brought forward new facts, and demanded a revision of the trial.

Three thousand copies of the brochure were printed and sent to all the Members of Parliament and to a number of journalists, but it did not make the sensation which had been anticipated for it.

The papers in which a notice of it appeared all agreed that no 'error' could be admitted, that the judges of the Court-martial, who had been unanimous, had not passed sentence lightly or in a frivolous spirit, that the Dreyfus affair was finally closed and if a 'Syndicate' had been formed to reopen it all its efforts would be in vain.

'Dreyfus is guilty of treason, that is certain. As he has been lucky enough to escape execution, let him die in exile, but let no more be said about him.' That was the general feeling. Silence, of course, was maintained on the subject of the secret information and the press supporting the Right insisted that the author of the brochure ought to be prosecuted.

§ 5 *First Debate in Parliament*

A nationalist deputy decided to bring the sum total of these incidents before the Chamber in the form of an interpellation of the Government, then presided over by Méline.

This was the first appearance of the Dreyfus affair in Parliament. It roused the members to a passionately angry debate in which political rivalries gained the ascendant over the facts in dispute.

As soon as the sitting had opened, General Billot, Minister for War, read the following declaration in a decisive voice:

> 'The question which has been put to the Chamber is a grave one; it concerns national justice and the security of the State. Justice was done in this distressing matter two years ago, in accordance with the regulations

governing military procedure. The Court-martial pronounced sentence by a unanimous vote; the Military Court of Appeal also unanimously rejected the prisoner's appeal.

'Judgment has, therefore, been passed, and it is not permissible for any person to revert to the trial.

'Since the sentence, every precaution has been taken to prevent the prisoner from escaping. The urgent reasons which in 1894 made it necessary to hold the trial in camera are no less grave at the present time.

'The Government appeals to the patriotism of the Chamber by asking it not to open a debate which might have unpleasant consequences and, in any case, to put an end to this debate as soon as possible.'

This statement was decisive in its brevity. In his speech, the interpellator gave vent to his spite against the Jews, he echoed all the malicious tales which had appeared in the papers and heaped slanders on men who, since they were not deputies, could not be present to defend themselves.

In spite of a certain atmosphere of uneasiness, the Chamber applauded this speech which flattered its most secret passions. Politics, however, intervened and after much tumult an order of the day was passed giving a quasi-unanimous vote of confidence in the Government in its decision to uphold the judgment of 1894.

M. Yves Guyot in *Le Siècle* and the *Figaro* expressed regret that the Méline ministry should have lent itself 'with too much condescension to an undignified and unprofitable debate', and declared that it was impossible to prevent a publicist 'from issuing a pamphlet in which he gives his own account of the history of the trial'.

But others declared that those who had entered upon the miserable task of defending the traitor had been justly branded by public opinion and they denounced their 'anti-patriotic activities.'

The watchful press echoed a thousand fantastic lies. Their *leit motiv* consisted in a denunciation of the corrupt proceedings of the Dreyfus Syndicate such as offers made to experts and attempts to bribe the judges. It was demanded that repressive measures be taken and proceedings initiated against this elusive syndicate and against all Dreyfus's accomplices. His father-in-law, David Hadamard, was accused in particular of having taken to the Italian Ministry of War documents concerning the defence of the Alps and of Nice which had been stolen by Dreyfus on the eve of his arrest. The most emphatic denials were powerless against this shameful campaign.

§ 6 *The Facsimile of the Bordereau*

A new fact, however, now intervened: the *Matin* published the photographic facsimile of the *Bordereau* which the expert Teyssonnières had been so bold as to hand to them.

Thus the document on which the accusation had been based was at last laid open for all to see and consider.

For Mathieu Dreyfus this put an end to the most acute of his sufferings: he would no longer have to work in the dark, he would be able to direct his researches to a definite end, to make a triumphant comparison between the writing of the *Bordereau* and his brother's writing. The differences were so manifest that no impartial mind could fail to be impressed by them.

All those who had been concerned, directly or indirectly, in the trial, or who had cause to fear that they might be concerned in it, eagerly scanned this document and endeavoured to elucidate the mystery of its origin and destination.

§ 7 *Schwartzkoppen's Recollections*

When the German military attaché in Paris, Colonel von Schwartzkoppen, opened the *Matin* and saw the facsimile

of the *Bordereau* he was startled. He knew that writing very well indeed. Oh! there was no need for him to verify it or to obtain an expert opinion. It was the usual and natural handwriting of one of his agents, a French officer, Major Esterhazy! No! Dreyfus was not guilty. He had done right in causing his ambassador to reiterate that Dreyfus had never had any relations with him, direct or indirect.

Dreyfus was innocent! He would proclaim it everywhere, he would be the man to make it possible for a frightful miscarriage of justice to be rectified.

But how? Would he be believed? If he spoke he would be forced to prove his words, and if he attempted to prove them he would have to denounce one of his agents. That he had not the right to do. He owed a duty to his position After a rapid debate with his conscience he decided to keep silence. If remorse tormented him for allowing an innocent man to continue to suffer, he would, on the other hand, have the satisfaction of having performed his duty as an officer. He returned to his examination of the *Bordereau.* He had never had any knowledge of it, but the documents enumerated in it had been delivered to him.

Little by little he recalled the phases of his negotiations with this Frenchman, this officer, who, a stranger to him, had called on him one afternoon in July, 1894, under the pretext of asking for a passport to go to Alsace-Lorraine.

He was a man of medium height. His expression was bold, he had prominent features, a heavy, untrimmed moustache and a bilious complexion; he was enveloped in a voluminous black overcoat relieved only by the broad red ribbon of the Legion of Honour. He remembered, as though it had been yesterday, his visitor's hesitating manner, his suspicious glances and the abominable proposition he had laid before him. He had wanted to turn him out, but the other had insisted and entreated:

'I am ruined . . . my wife is ill . . . my children are in want . . . I shall kill myself . . . listen to me . . . I

possess documents concerning the state of the French army . . . they might be useful to you . . . I will let you have them . . . I will let you have others. . . .'

And he had offered him papers relating to the defence of Algiers and of the Alps; he boasted of his intimacy with deputies, with the director of the Intelligence Department at the Ministry of War.

At first Schwartzkoppen had not wished to listen, he had suspected a trap. Then he had felt an intense disgust. To sell his country! What a shameful thing! If it had been a private soldier it would have been bad enough! But an officer!

'Take back your papers. You have no right to disgrace yourself. I cannot be your accomplice or permit you to fail in your duty. Let the matter rest there. I do not know who you are. I shall forget your visit.'

Nevertheless, the officer in civilian dress had persisted. It was indeed the desperate effort of a hard pressed man.

Schwartzkoppen had finally weakened. After all, it was the Frenchman who would be the traitor.

'I will call again in a few days, the man had said.

The German had remained silent; he had not wished to forbid him to return, but neither had he wished to encourage him to do so.

How deeply he now regretted his lack of energy. Information which he had received through this channel might have been obtained through one of his other informers. He ought to have broken with him. He had not done so, and he looked through his files to see how it had come about that his visitor had become his regular agent.

The very day after that first interview he had received a note: 'I am shortly going on the journey about which I spoke to you' (this meant the manœuvres), and promising documents concerning Russia.

But Schwartzkoppen had not wished to act on his own initiative. How right he had been to protect himself, to ask

Berlin for instructions! As he had been ordered to continue the conversations he was free from responsibility.

Schwartzkoppen looked through his records. It was on July 27th that the French officer had given his name as 'Count Walsin Esterhazy, major in the 74th Infantry Regiment at Rouen, descendant of the great family of Esterhazy whose sovereign lord is the Emperor.' On the same day he handed over his regiment's *Journal de Mobilization* and asked for a monthly salary of 2,000 francs.

On that same day Schwartzkoppen had again made a feeble attempt to get rid of his visitor. The disgust with which he filled him led him to suggest that Esterhazy should deal directly with his colleagues in Berlin, but the traitor had refused to do so.

Upon this, he had started for Germany—thus ridding himself of all responsibility. He had personally informed his chief of the situation. Instructions had been given him not to let this source of information escape, but to act with caution.

Esterhazy had been persistent. On his return to Paris, Schwartzkoppen had received a note informing him that he had been transferred:

> 'Until August 10th, on the staff of the 3rd Artillery Brigade. Chalons camp.'

And on August 13th Esterhazy had returned. There was another visit on August 15th. That was the day of the betrayal! Schwartzkoppen had received the mobilization plans of the French artillery and had paid out a thousand francs.

After some time, on September 1st, the agent reappeared:

> 'I have just returned from the manœuvres of the massed artillery at Sissonne,' he had said. 'In a few days I shall give you in writing the observations I made there. But here are three important papers, the list of covering troops, a description of the short-120 gun, the

proposed new field artillery handbook, which I have copied for you. I have also to tell you that it has been decided to send an expedition to Madagascar. I think I may be able to draw up a report on this question.'

Yes, here it was! Schwartzkoppen turned again to the text of the *Bordereau:* Note on the covering troops, note on the 120 gun, gunnery handbook!

'These are the documents,' he told himself, 'which I have received. The *Bordereau* is the letter in which Esterhazy advised me of the documents he was sending. He sent me all these documents. I have received the note on Madagascar, and the note on artillery formations!

Esterhazy had continued to visit him and to supply information. On October 13th, Schwartzkoppen had made a note of the famous mechanism for adjusting the fire of the new guns. There had followed a report on the state of the French Army. He said, the blackguard: 'It is a fine stage setting, presenting a seductive and deceptive exterior; there appears to be something behind it, but strike at it, and there is nothing.'

By that time Dreyfus had been arrested on a charge of treason of which he was guiltless.

And Schwartzkoppen recalled his terrible anxiety when he had read in the *Libre Parole* on October 29th that an important arrest on a charge of espionage had been made, and the relief with which, two days later, he had learned that the traitor's name was Alfred Dreyfus, and realized that he was not implicated.

Esterhazy had kept up his visits all during the period of Dreyfus's examination and trial. And Schwartzkoppen blamed himself now for his lack of insight.

After having warned Esterhazy of the risk he was running, he ought to have been suspicious of the hardihood with which the man had declared—Schwartzkoppen remembered his words perfectly—that even if his visits were discovered they

would not arouse the slightest suspicion! Now, one question presented itself persistently to his mind: Had Esterhazy a highly placed accomplice? Had this accomplice of his attacked Dreyfus in order to save Esterhazy?

But all that was in the past, and it concerned France. His heart might, indeed, beat more rapidly at the thought of Dreyfus's sufferings, but his conscience was clear, he had done his duty as a German. His country had acted humanely in making repeated public declarations that her agents had never had any relations with Dreyfus. He had even gone further than that. In a report to his Government he had written:

> 'Dreyfus is entirely unknown to our embassy, we have never received reports from him, either directly or through an intermediary, and therefore a document written by Dreyfus and supposed to have been stolen from the German Embassy and to have caused him to be condemned was never received at the embassy.
>
> 'If Dreyfus was really sentenced because of a document alleged to have emanated from him and to have been stolen from the German Embassy, that sentence is not justified, and, after the statement made by the German Ambassador to the French Minister for Foreign Affairs to the effect that the embassy had never had relations with Dreyfus, the French Government alone, must bear the heavy responsibility for this judicial murder.'

Having written thus, von Schwartzkoppen had felt relieved of a heavy burden. By one stroke he had lifted the responsibility from Germany and from himself, and had made the whole weight of the affair fall upon the French Government.

Did he not pause for one moment to consider that he might have freed Germany and himself of responsibility more com-

pletely, if he had, in the first place, shown still greater humanity by endeavouring to snatch an innocent man from death?

§ 8 *The Petit Bleu*

Several months previously, a French officer at the Ministry of War had felt that it was his duty, whatever his instructions and the laws of military discipline might be, to speak and to reveal the terrifying discoveries he had made. His heroic determination, known or suspected only by a few officers, had convulsed the General Staff and the Intelligence Department.

At the end of 1895 the Intelligence Department had been reorganized. Its director, Sandherr, had fallen ill and had been replaced by Major Picquart.

He had been preferred to Major Henry whose rancour had been extreme. But the latter's lack of education, his vulgarity of manner and mind, his total ignorance of foreign languages had caused him to be set on one side. Picquart, on the contrary, represented the young, keen director, receptive to any innovations.

Picquart had set great store by Henry's co-operation; he appreciated his eagerness for work and believed that he could rely on his loyalty.

Henry had disguised his animosity by redoubled zeal, awaiting the hour in which he could take his revenge on the man who occupied the place he coveted.

In order to assert his authority, the new director wished to know and see everything. He had been advised by Sandherr to pursue the inquiries in regard to Dreyfus in anticipation of a renewed attack by the Jews. He deemed it necessary, therefore, to 'feed' the *dossier*.

He was interested in the Dreyfus case; he had been present at the trial in camera as a representative of the Ministry; he had noted the gaps in the case for the prosecution and he

hoped to succeed in filling them. Having been particularly struck by the inadequacy of the moral charges, he ordered a fresh inquiry which he entrusted to Guénée, Henry's creature; after several months this inquiry resulted in no more than a further tissue of gossip and tales without proof or foundation.

Picquart had quickly come to the painful conclusion that documents were disappearing, that Germany was still receiving confidential information. So the leakage was still there. The arrest, condemnation and deportation of Dreyfus had not sufficed to put a stop to this abominable traffic. There was still a traitor at large.

Picquart had given instructions that the papers collected by the woman Bastian from the waste paper baskets at the German Embassy, although seldom productive of secrets, should be brought in the first place to him and then minutely inspected by his staff.

Needless to say, Henry had always made a preliminary inspection before passing them on to Picquart. During the month of March, 1896, however, Henry, preoccupied with the health of a member of his family, handed an 'envelope' to Picquart without having made this preliminary inspection. Picquart entrusted its examination to his other colleague, Lauth. A few days later the latter came to him in indignation.

'Can there be another?' he asked, showing Picquart a document consisting of pieces of blue paper stuck together. It was an express letter-card, usually known as a '*petit bleu*', and ran thus:

> 'Sir, I await before anything else a more detailed explanation than the one already furnished by you the other day of the question which is still unsolved. I would ask you, therefore, to give it to me in writing, so that I may be able to judge whether I can continue my relations with the firm R., or not. (Signed) C.'

This card bore the following address: 'Monsieur le Commandant Esterhazy, 27, rue de la Bienfaisance, Paris.'

In Picquart's opinion, as in Lauth's, there was, therefore, 'another' traitor, Major Esterhazy.

The letter had come from Schwartzkoppen; that had been easy to ascertain by comparison with other papers, already identified, which had been received in the same manner and classified in the department. The greater number of them, moreover, also bore the signature 'C'.

Who then was this Major Esterhazy?

§ 9 *Esterhazy*

Picquart resolved to institute a secret inquiry, so that the suspect should remain unaware. It was important also that the press should not get wind of the matter. Another Dreyfus affair was not desirable!

The first items of information gathered by Picquart were not favourable. Esterhazy's private life was disreputable. From the military point of view the reports were very unequal. He had made a point of attending the Gunnery School two years running, and had gone there again for a third year without extra pay. The officer from whom Picquart obtained his information also said that he himself had given Esterhazy, at the latter's request, precise details concerning the mobilization of the artillery. The major had frequently taken documents home and copied them. Esterhazy, therefore, might be suspected, but no more than suspected Picquart did not lightly overstep the gulf dividing a plausible hypothesis from a certainty. He pursued his inquiries which led him to the fact that Esterhazy, who came of an illustrious Hungarian family, had had a very varied career.

He was born in 1847 and left an orphan at an early age. After a brief education, he entered the Papal service and, later, the Foreign Legion. In 1870 he had served in the

French Army, and having decided on a military career, he went through the courses at the Ministry of War. In 1881 he was sent to Tunis, where he remained for four years without specially distinguishing himself. On his return to France he had entered upon a life of dissipation, running after women, contracting debts, entering upon shady speculations, and frequenting disreputable resorts. Being short of money, he made capital out of the ancient glory of his name, and succeeded in marrying a Mademoiselle de Nettancourt, thus allying himself with an aristocratic family of royalist and deeply religious principles.

The essential thing for him had been the *dot* of 200,000 francs. As soon as he was married he proceeded to spend it so extravagantly that his wife was able to obtain an order for separation of the estates.

Nothing could stop the irregularity of his mode of life. Any means of obtaining money seemed to him justified; he had recourse to the lowest devices. Was Picquart aware that, at that very moment, he was begging in Jewish circles where he had offered to act as second to an officer who had been insulted and was to fight a duel, whilst, at the same time, he was encouraging Drumont in his antisemitic fury?

Esterhazy had been promoted major at Rouen in 1892, but he spent the greater part of his time in Paris where he was living with a former woman of the streets by the name of Pays.

Picquart was much edified by these personal details.

He had the '*petit bleu*' photographed and re-photographed in order to make less apparent the traces of the paper having been torn which made it difficult to read and betrayed its origin.

When he showed Henry the paper, the latter assumed an air of surprise. 'Esterhazy?' he said. 'I hardly know him.' He mastered his nervousness and preserved his usual self-assurance.

Nevertheless, in the depths of his heart, he was devoured by anxiety. He knew the terrible risks run by his friend. Any

precautions which were in his power had been taken. Had he not buried in the most obscure of the records a document several months old, the discovery of which would have been Esterhazy's ruin? This was a note from a French agent in Berlin reporting that Schwartzkoppen was receiving information in Paris from a person '*decorated with the Legion of Honour and about forty-five years of age*', who 'frequently called at the German Embassy, wearing the ribbon of the Legion of Honour in his buttonhole. This person has handed over numerous reports, the last of which deals with the manufacture of a new artillery weapon.'

This compromising note being safely hidden, there was no evidence beyond the document in Picquart's possession which could throw suspicion on Esterhazy.

Henry, in his efforts to save Esterhazy the first time, had caused Dreyfus to be condemned. To save Esterhazy the second time he determined to ruin Picquart.

When Henry informed him of the course of events Esterhazy was, at first, terrified but he quickly regained his self-possession. He knew he was being followed by a secret agent; Henry had put him on his guard, and, between them, they would set a trap for Picquart.

Esterhazy managed to get himself sent to the German Embassy by one of his chiefs. He went there ostentatiously, in the hope that Picquart would regard this visit, of the reason for which he was unaware, as positive proof and would take steps against him. Then he need only state the official object of his call in order to disarm Picquart completely!

But, having given instructions for a secret inquiry, Picquart was careful not to take action.

§ 10 *Investigations*

Picquart did not for a moment suspect that the man whom he considered to be yet another traitor was in close relations with his principal subordinate.

Thus, within the precincts of the Ministry of War two men were working together, of whom one, the chief, placed absolute trust in the other who was betraying him and seeking an opportunity to stab him in the back.

Henry used all his ingenuity to obstruct and divert the investigations, to shuffle the cards, and secure support for himself in high places, and before long he knew that he was protected from his immediate chief by the heads of the Ministry.

He opened proceedings by a system of insinuation, by attempting to discourage Picquart's collaborators. He treacherously gave matters a false appearance, ventured on allegations. Was the *petit bleu* genuine? Could it have been a ruse? He boldly gave his intimates to understand that Picquart had an idea that Esterhazy was guilty instead of Dreyfus.

A few weeks later Picquart heard through the French military attaché at Berlin that one Richard Cuers, a German spy who had been dismissed and who had formerly had relations with the French Intelligence Department, was anxious to resume these relations.

Cuers, moreover, was said to have stated that Dreyfus was unknown to the German secret service, and that the German General Staff had only made use of one French officer of superior rank, a major between forty and fifty years of age, who had delivered documents relating to the artillery and to questions of gunnery.

Picquart determined to follow up this scent, and arranged for an interview at Bâle between Cuers and Lauth.

When Henry heard of this, fearing what revelations might be made, he asked to be sent with Lauth on the delicate mission. Picquart objected that Henry had no knowledge of German, but at last, rather than disappoint his good and conscientious co-laborator, he gave his permission.

At Bâle Henry assumed an attitude of violent hostility against Cuers. He discouraged him from giving information,

forbade one of the secret agents who had accompanied him to get into touch with the spy, and returned to Paris full of satisfaction at being able to report that his mission had been fruitless.

It was not until two months had passed that Picquart heard from the French military attaché at Berlin, how astonished Cuers had been at the way in which he had been 'bullied' at Bâle, and at the strangeness of his reception.

But by that time Picquart was in need of no further evidence.

When he informed de Boisdeffre and General Billot, Minister for War, of his discovery, his inquiries and his suspicions, they instructed him to continue his inquiries cautiously, to avoid all scandal, and if necessary to get rid of the suspect officer without permitting it to get abroad that there was a second traitor in the ranks of the French Army.

§ 11 *The Discovery*

Since he had been informed that Esterhazy was endeavouring to get himself appointed at the Ministry of War, and that his application had been supported by four Members of Parliament and several influential people, Picquart was able to ask for his *dossier*, and was struck by two letters written by Esterhazy. Their writing was hasty and irregular.

He knew that handwriting, it seemed as though photographed on his memory . . . it was the writing of the *Bordereau*, Dreyfus's writing. For a moment he had a vision of the dramatic, the horrible reality. Could Dreyfus be innocent? Once more there sounded in Picquart's ears the vehement and ceaseless protestations heard during the trial of 1894. Was that unhappy Dreyfus speaking the truth when he proclaimed his innocence? Picquart was tortured by doubt. But no, his memory must have deceived him, his impressions must be wrong.

Had his memory really deceived him? He compared Esterhazy's letters with a copy of the *Bordereau*. They were absolutely identical. He went over in his mind the facts on which the condemnation had been based—the contradictory expert evidence, the abracadabra demonstration made by Bertillon, in spite of Demange's lucid argument in refutation of it.

But his scrupulous conscience led him to check the evidence. He had a photograph made of several lines of Esterhazy's writing.

'That is written by Mathieu Dreyfus,' du Paty de Clam immediately declared.

'It is the writing of the *Bordereau*,' exclaimed Bertillon, and when Picquart assured him that it had been written quite recently the infallible expert explained it by saying:

'Then the Jews have been employing someone for the past year in making an imitation of the handwriting of the *Bordereau!*'

This method of reasoning might be magnificent and shameless, but it did not convince Picquart!

Henry was at that time absent for several weeks on leave, so he could not ask for his opinion. But the proof seemed to him conclusive. The *Bordereau* had been written by Esterhazy.

But then Dreyfus was innocent? The veil was about to lift, but still he refused to admit the drama. The *Bordereau* was not the only charge against Dreyfus. Esterhazy was indeed a traitor. But so was Dreyfus. Besides the *Bordereau* there was that important secret *dossier*, and for his own satisfaction he asked for it. In Henry's absence the archivist, Gribelin, gave it to him. Picquart opened it eagerly, ran through it from beginning to end, turned back and studied it carefully. Then only did the truth dawn on him. He was dumbfounded! What! Had Dreyfus been condemned on these few documents which, had they been seen by counsel for the defence and argued by him would have been reduced to nothing? The monstrosity of the proceedings became clear to Picquart. The

whole fabric had given way, and the terrible plot was laid bare. Recourse had been made to a secret communication of documents to the Court-martial, in order to ensure Dreyfus's conviction.

Of the four main documents, one consisted of gossip collected by a private agent, another might have applied equally to Esterhazy or Dreyfus, a third did not relate to the matter at all, and as for the fourth, 'that scoundrel D', it was absurd to say it referred to an officer. As for the explanatory note, originating from du Paty's imagination, it was drawn up with partiality and relied on the flimsiest hypotheses.

Hence, the 'traitor' Dreyfus did not appear to be guilty, his protests of innocence might have been genuine. He had been condemned without proof!

Picquart immediately reported his discoveries to de Boisdeffre—informing him of the charges which could be brought against Esterhazy, the reasons for attributing the *Bordereau* to him, and the insignificance of the charges against Dreyfus contained in the secret *dossier*.

Boisdeffre listened calmly to this announcement, which might have been expected to provoke indignant exclamations. He said no word on behalf of Dreyfus, who might possibly be a victim. This greatly astonished Picquart, but he did not suspect Boisdeffre of any secret reservation, nor had he any idea that he might have knowingly consented to the sacrifice of an innocent man. Boisdeffre referred Picquart to General Gonse, deputy-director of the General Staff.

§ 12 *'Gonse—Pilate'*

The interview took place on September 2nd. Picquart, who had condensed the results of his inquiry into a lucid memorandum, made verbal comments on it.

'So there must have been a mistake,' Gonse replied indifferently. He seemed no more upset about it than Boisdeffre, and he added, 'My opinion is that the two affairs should be

treated separately: the Esterhazy affair and the Dreyfus affair.'

And Picquart was asked to continue his inquiries without undue haste. As Gonse was in the country, Picquart wrote to him to ask for authority to consult a legal expert.

'Proceed with extreme caution. . . . Beware of first impressions,' answered General Gonse, and told him to give up the idea of submitting Esterhazy's handwriting to an expert and to await his approaching return to Paris.

In the meantime, Picquart had received the original of a letter addressed to Dreyfus. It consisted of a few lines of no importance, between which it was possible to read some badly disguised words written in sympathetic ink: 'Impossible to decode last communication. Resume original procedure in answering. Indicate exactly where documents concerned are to be found . . . and the combination for the safe. Performer ready to act at once.

This document, known later as the 'Weyler forgery,' had been concocted by an agent of the Intelligence Department at the Ministry of War in order to mislead and alarm Picquart and to give some foundation to Bertillon's theory that the Jews had hired a 'man of straw' who would confess himself to be the author of the crimes imputed to Dreyfus.

Picquart, believing the letter to be authentic, wrote at once to Gonse that 'a number of indications and a fact of a serious nature' had proved to him that the Dreyfus family was about to act, that they would prove that a mistake had been made and create 'a great scandal.' 'If justice is done quickly,' he added, 'a vexatious crisis will be averted.'

Picquart, who had opened the way to an act of reparation, had now placed the General Staff in a position to take the initiative, and recommended the most simple, loyal and honourable step.

There is no self-abasement in acknowledging a mistake. But to refuse to admit it, to be deliberately blind to it, is to court the worst possible disasters. That, however, was the

course chosen by Gonse. In his reply to Picquart his desire to hush up the matter is evident: 'Act with the very greatest circumspection. . . . Prudence! Prudence! That is the word you must always keep before you.'

On September 14th Picquart saw the sensational article in which the *Eclair* made known some of the secrets of the trial of 1894. He hastened to inform Gonse. He felt that this was the bomb prepared by the Dreyfus family to provoke a scandal. It was essential, he wrote to act 'without delay.' 'Otherwise we shall be outflanked, trapped in a position from which we cannot escape, and we shall be unable either to defend ourselves or to establish the real truth.'

Gonse had returned to Paris, and Picquart called on him on September 15th. He represented the matter as urgent. A guilty man was at liberty, and an innocent man was expiating his crime. Action would have to be taken without delay, as much in the cause of justice as for the honour of the army. But Gonse refused to listen. There must be no new affair, and, above all, the Jew must remain in prison. 'Why do you bother yourself about getting him out of Devil's Island? The thing is done and cannot be undone. . . .'

'But he is innocent!'

'What does it matter? Such considerations as these should not be taken into account.'

With the obtuseness of a base and limited mind, he looked Picquart in the eyes and said: 'If you say nothing no one will be any the wiser.'

Picquart was startled. His indignation got the better of his military habit of restraint. As he was leaving the room he exclaimed: 'What you have just said, General, is abominable. I do not know what I shall do, but I do not mean to carry this secret with me to the grave.'

§ 13 *The Forgery*

For some weeks past Picquart had been under suspicion,

but from that time he was regarded by the General Staff as a dangerous adversary who must be got out of the way.

The General Staff relied for the accomplishment of their purpose on Henry, who all this time had secretly but surely been conducting a departmental campaign against his chief.

This fact rendered Picquart powerless. All the measures which he suggested should be taken against Esterhazy were inoperative. When he was authorized to cause a domiciliary visit to be made on Esterhazy, the latter was warned beforehand and he either removed his documents to a safe place or burnt them so that nothing of them remained but some fragments of charred paper.

When it was decided to supervise his correspondence, Esterhazy was informed of it, and caused letters to be addressed to himself which were designed to mislead his inquisitors.

As the time approached for the parliamentary debate which was to take place when the Chamber reassembled, the machinations directed against Picquart became more intense. Henry repeated everywhere that Picquart was neglecting his duties, that he had communicated secret documents to outsiders and had been guilty of a number of grave acts of indiscretion.

By the end of October, however, he realized that he had not gained his object, that Picquart was not sufficiently compromised and might still get the better of him. He decided, therefore, to add to those proofs of Dreyfus's guilt which were already known and were under discussion, a further proof, and one which should be irrefutable.

Early in November, the Minister informed Picquart that a document had just been discovered which definitely established the fact of an act of treason on the part of Dreyfus. But this document was carefully withheld from him, and Picquart, still unconvinced, expressed his doubts to Gonse, who replied drily: 'When a minister tells me anything I always believe it.'

Henry had told his chiefs that the new document, which he

gave them, had been found by the woman Bastian in the paper-basket at the German Embassy. It was written in blue pencil, and ran as follows:

> 'My dear friend, I have read that a deputy is going to make an interpellation on the subject of Dreyfus. If they ask me in Rome for further explanations I shall say that I have never had relations with this Jew. That goes without saying. If they ask you, say the same. Because no one must ever know what happened about him.
>
> (Signed) Alexandrine.'

The letter was addressed to Schwartzkoppen. 'Alexandrine' was the usual signature of Panizzardi, the Italian military attaché in Paris.

In order to prove the authenticity of this document, Henry had attached to it an earlier letter in the same handwriting and on the same paper.

This new *dossier* seemed conclusive to those who saw it. Its nature, however, and the style in which it was written, ought to have given cause for reflection. The intercepted telegram of November, 1894, had already made it plain that Panizzardi had never been in touch with Dreyfus. What, then, was the meaning of this note? No one thought of obtaining expert opinion, which would have revealed that it was false and made up of two pieces of quite different origin.

For the letters were, in themselves, so welcome! They had come at the right moment, and were exactly what could have been desired. There was no necessity to inquire into them.

The General Staff breathed freely again. The uneasiness felt in September had been banished. A piece of definite, irrefutable evidence now existed, and to make the victory complete all that was needed was to get Picquart out of the Intelligence Department and even out of Paris. His zeal in following up the scent he had found might endanger Esterhazy—the honest man.

The *Bordereau* was printed in the *Matin* on November 10th, and Esterhazy gave himself up for lost. But Henry, who was not one to be upset by events or taken unawares, reassured him.

§ 14 *Picquart Disgraced*

There was only one person to be feared: Picquart. It was Picquart whom he proceeded to attack: Picquart, who was seeking, at all costs, to ruin an honest man, who, to attain his end and save Dreyfus, had sent the facsimile of the *Bordereau* to the *Matin*, supplied the *Eclair* with material for its revelations and caused an anonymous letter to be addressed to Esterhazy which was designed to disconcert him. . . . Henry quickly convinced his chiefs of all this. His insinuations and baseless accusations took effect, and they decided to rid themselves of the too dangerous Picquart. Gonse, Boisdeffre and Billot were all agreed on this point and, on November 16th, Picquart was sent on a tour of inspection in the Eastern district. It meant disgrace under cover of an urgent mission which was not supposed to last more than a few weeks.

When Picquart had completed his inquiries concerning the 6th Army Corps, he announced his intention of spending some hours in Paris before proceeding to the 7th Corps. He knew that he was under suspicion, but he was not aware that his presence was undesirable. He was forbidden, by telegram, to return to Paris, and he was urged to carry on with his mission 'without interruption.' 'There is not a minute to lose,' they told him, and he sought vainly for the cause of this sudden urgency. His duties were nearly finished when he was sent to the South of France to inspect the 14th and 15th Corps. He was requested to 'inquire into things in detail,' and to take not less than 'five or six weeks' in doing so.

The feebleness of the pretext was not lost on Picquart. But he was a soldier, trained to discipline, and he obeyed.

His journey was followed, stage by stage, by General Gonse, who had received orders to keep him at a distance from Paris.

He was requested to go to Marseilles, on the pretext that the Minister might be going there, and to collect all the information possible.

By December 26th there was no longer any question of a ministerial journey! Gonse wrote to Picquart informing him of the 'wider scope' given by the Minister to his mission. He was charged with the immediate organization of the Intelligence Service in Northern Africa in the province of Constantine, in Algeria, and in Tunis.

His instructions were to date from that moment, he was to start on December 29th, the day after the receipt of the letter! He was not even allowed time to return to Paris, put his affairs in order and take leave of his family. He was to be removed, exiled, as quickly as possible.

But even Algiers was too close to France. As soon as he arrived he was told that the most important part of his mission concerned Tunis and that to facilitate the carrying out of his duties, he had been provisionally attached to the 4th regiment of *Tirailleurs*.

Thus he had been entirely removed from the General Staff, he had even been detached from the home troops. That meant disgrace. With his usual hypocrisy, Gonse, whilst informing him of these measures, assured him of his affection, adding, 'Good health to you on your fine journey!'

His appointment in Tunis definitely taken up, Picquart was able to return to Paris for a few days. Convinced now that even viler plots would be hatched against him and that no obstacles would be allowed to stand in the way of his ruin, he drew up a codicil to his will as follows: 'In case of the death of the undersigned forward this envelope to the President of the Republic who alone should be made cognizant of its contents.'

This envelope contained a brief but exact resumé of all his investigations. In it he supplied proofs of Esterhazy's treachery, showed that 'certain of the acts attributed to Dreyfus agree perfectly with acts with which Esterhazy is

connected,' and expressed his indignation at the incredible levity with which the trial of 1894 had been conducted. He then described the attitude assumed towards him by Generals Gonse and de Boisdeffre and gave the reasons for his disgrace.

Picquart felt keenly the ambiguity of his position. He knew that if people asked after him at the Intelligence Department in Paris, they would be answered treacherously and evasively. He preferred to have his position defined; if he was in disgrace, let them say so! For this reason he sent Henry on May 18th, this official letter:

'Personal. Major Henry. Let people be told once and for all that I have been relieved of my duties, or that I no longer hold the appointment. I have nothing to blush for. What I do blush for are the lies and mysteries with which my real position has been surrounded for the last six months.'

When in the course of his duties Picquart had endeavoured to penetrate the mystery of the net of intrigues in which he found himself caught, it had never occurred to him to suspect that Henry had resolved to ruin him and that he was the instigator of the whole of this dark conspiracy.

It was Henry, however, who after having caused Dreyfus to be condemned, was using every effort to throw suspicion on Picquart and to discredit him. To this end, he made use of the weapon at which he was a past master: forgery. In the course of opening Picquart's correspondence, he had come across the lucubrations of a colleague, then acting as secretary to one of his friends, Countess Blanche de Comminges. In these letters, which were full of allegories and symbols, everyone had a nickname. There was a 'Cagliostro,' a 'Robert Houdin,' and a 'Demi-Dieu.'

Henry was inspired by this easily imitated style and concocted the following letter:

'Paris, 12.35 midnight. I have just left the house, our friends are in a state of consternation, your unfortunate departure has upset everything! Hasten your return, come

back quick . . . quick! As the time of the festivities is very favourable to the cause, we count on you for the 20th. She is ready, but she cannot and will not act until she has spoken to you. Once the Demi-Dieu has spoken it will be done. Speranza.'

On the envelope he had written: 'Urgent. Please forward.' And he had filed it in the Picquart *dossier* which he was endeavouring to 'feed' with reports from secret agents.

In ignorance of his infamous machinations, it was to this man that Picquart had written.

When Henry received this urgent letter which permitted of no further evasions, he prepared to strike the final blow. He drew up a reply which was submitted to Gonse and de Boisdeffre. It was coldly insolent. The word 'mystery' which Picquart had felt justified in using was employed by Henry in his turn and applied to three different charges which had been made against Picquart as the result of an 'inquiry'. These were the supervision of Esterhazy's correspondence, the opening and revealing 'from motives foreign to the department' of the secret *dossier* of the Dreyfus affair, and the attempt to suborn witnesses.

Henry concluded: 'The material proofs of these facts are in existence here. As for the word "lies" (which Picquart had also used) inquiry has not yet determined where, how, and to whom this word should be applied.'

On receiving this letter from one of his subordinates whom he had trusted Picquart was confounded and enraged.

So they had gone to such lengths as these! Not content with having sent him out of France they were preparing weapons with which to strike him down! A few more secret *dossiers*, a few more forgeries! Was he also to expiate in some Devil's Island the crime of having lived a blameless life?

But he was still at liberty, still free to act. He would not let himself be strangled or struck down without resisting. He sent Henry a denial by telegram:

'Received letter of 31st May. I protest in the most formal

manner against the insinuations it contains and the manner in which the facts are set forth.'

He then took ship for Paris, where he arrived on June 20th. He was anxious to ascertain on the spot the extent of the plot hatched against him and to put in a safe place the documents in his possession, and particularly the letters from Gonse which he relied on to protect him.

He applied to one of his oldest friends, his schoolfellow at Strasbourg, the lawyer Leblois, and asked him to act for him should it become necessary, and to safeguard his interests in his absence. He had often consulted Leblois on delicate matters relating to his department and he had always found that he had done right to follow his advice. Now, for the first time, he conferred with him on a personal matter; he entrusted his papers to him and gave him certain particulars about the investigations he had made, but, in deference to military discipline, he refrained from revealing all that he knew. Finally he authorized him generally to act in his defence; he left it absolutely to Leblois to decide when he should intervene, but he forbade him to give any information to Dreyfus's brother or lawyer. He then returned to Tunis, where he spent an uneventful period until the time drew near when he had counted on taking his annual leave. Acting on instructions from Paris, his chief told him on October 23rd that he was to carry on his duties without interruption, and a week later, still under instructions from Paris, he ordered him off to the borders of Tripoli.

Many an officer had gone to that disturbed region and had never returned. They wished to rid themselves of Picquart, but this time for ever.

What could have happened?

CHAPTER III

THE TRUE CULPRIT

§ 1 *Scheurer Kestner*

EVENTS in Paris had taken a disconcerting turn. Certain influential personages had begun to interest themselves in Dreyfus.

Those whose first care it was to keep the affair in a deep and endless obscurity, had become alarmed and had made up their minds to risk everything in their endeavour to prevent anyone who might have a suspicion of the truth from throwing light on their dark secrets.

To their very great alarm, Scheurer Kestner, Vice-president of the Senate, was one of the first to move. A permanent senator, he was the last representative of French Alsace in Parliament. This fact gave him great authority over his colleagues, who respected him as much for his intelligence as for his modesty and the simplicity and integrity of his life.

Early in 1895 Mathieu Dreyfus, wishing to convince him of his brother's innocence, sought him out and obtained from him a promise to inquire into the matter. After this interview, Scheurer Kestner had questioned his friend General Billot, who at that time was not yet a Minister and the latter, after consulting Gonse and Boisdeffre, had said: 'Do not follow up this affair. It will spoil the pleasure of your trip to Alsace. Take my advice, leave this business alone.'

Although Scheurer was not satisfied with this answer, he told Mathieu Dreyfus that it would not be possible for him to take any steps.

But after certain interviews with fellow-countrymen, who were troubled with doubts, he also began to doubt and to ease his own conscience he entered upon a private inquiry.

One of the first persons whom he questioned informed him that there were heavy charges of a moral character against Dreyfus; that it had been discovered that he owned a house in Paris which had cost him over two hundred thousand francs, and that no trace of such a sum could be found in his books. This statement reassured Scheurer. He passed it on to those of his friends who believed Dreyfus to be innocent. One of these friends was Joseph Reinach, who, after making inquiries for himself, had no difficulty in proving the falseness of these allegations. Confronted by Scheurer Kestner's reproaches, the man who had repeated them merely excused himself by saying: 'I was only speaking from hearsay.'

This incident and others of a similar nature, stimulated Scheurer's interest. He in turn became anxious to get to the bottom of the affair, to understand it fully, so that he also might feel certain of Dreyfus's guilt. For he endeavoured to satisfy the doubts which had arisen in his mind by the reflection: 'They would never condemn an innocent man; it would be too abominable.'

He therefore pursued his investigations, and the further he advanced in his painful task, the more his doubts took definite shape and the greater became his desire to lay them to rest by finding definite proof of treason. He had obtained specimens of Dreyfus's handwriting, and on comparing them with the *Bordereau* he was struck by the many dissimilarities between the two. He interviewed one of the experts who had been employed in 1894 and, in the first instance, accepted his explanation; his mind was set at ease, but on reflection the weak points of the argument became apparent to him. The expert, summoned a second time, was unable to reply to certain objections which were put to him and Scheurer again became a prey to misgivings. He was tormented by the idea that an act of injustice might have been done.

His friend Billot had, by that time, been appointed Minister for War. 'He,' he reflected, 'will be able to give me conclusive proof of Dreyfus's guilt.' But Billot declined to furnish this proof. He abused Dreyfus, declared that his sentence was well deserved and only gave utterance to vague statements which were quite unconvincing. In the meantime, Scheurer received a visit from a man who was to put him on the right track.

§ 2 *Leblois*

Leblois called at Scheurer's office on July 13th, 1897. At a dinner party a few days previously, the lawyer had heard the politician give expression to the doubts which were tormenting him. After his interviews with Picquart, the lawyer had been haunted by the thought of the sufferings being endured by an innocent man, whilst the guilty man was flaunting his impunity. He had, indeed, been bound to secrecy, but a certain freedom of action had been permitted him. Scheurer was a man of honour. Leblois could confide in him—it was his duty, and he felt commanded by his conscience to do so.

Under the seal of secrecy, Scheurer was told of Picquart's documents. He subsequently declared that he had been 'overwhelmed' by the information. He could not bring himself however, to believe in a conspiracy. It would, surely, only be necessary to denounce the legal error for it to be rectified. There was not a moment to lose. The undeserved martyrdom must not be allowed to continue. But how was he to set about it? To accomplish the end which every hour that passed reproached him for not yet having attained, he would have to make use of Picquart's name. But Leblois had made him swear not to mention that name.

He sought, in vain, to convince Leblois that the laws of humanity had a prior claim to that imposed by him. Twenty times Leblois felt tempted to yield, so greatly was he obsessed by the thought of the innocent man's sufferings, but he too was bound to silence.

Unable to declare publicly, 'Dreyfus is innocent; Esterhazy is the traitor,' since he possessed no proof, Scheurer Kestner decided to take advantage of the moral strength of his position. He would make his friends believe him by the sheer force of his own conviction. He would doubtless succeed in bringing round the majority of them to his point of view and by this means effect a change in public opinion, and perhaps, even give rise to some revelations. He wrote: 'It is impossible to tell you with what joy I contemplate the happiness which is to be restored. My heart leaps at the thought of it.'

From that time Scheurer Kestner, without supplying proofs, and considering his own impeccable character to be sufficient guarantee, announced his conviction at every opportunity. He endeavoured to make his intimates, his colleagues at the Senate, his political friends share it with him. Before leaving for Alsace, where he was to spend an agitated holiday, he authorized an announcement to the Dreyfus family that he also was resolved to fight for justice.

At Mülhausen he procured some specimens of Esterhazy's writing and compared them minutely with the *Bordereau*. He scrupulously raised a number of objections to what seemed to him the clearest evidence. He ended by accepting that evidence; the *Bordereau* was the work of Esterhazy.

After that, how he longed to let the truth shine forth! But to do so he would have to speak, to say all that he knew and how he had come to know it. He was, however, prohibited from stating the true facts in all their simplicity. He had promised Leblois not to implicate Picquart, and the clue, the keystone to the affair was in Picquart's hands.

Incapable of preserving a silence which seemed to him like an act of cowardice, on August 11th he decided on a further step. He wrote to Leblois: 'I would rather cut out my tongue. . . . But Picquart is certainly a man of honour; he has proved it. He must not allow his honour to halt on the way! There is an immense responsibility resting on him.'

Leblois, in his reply, assured him that he would 'do all he

could' with Picquart, and that in the meantime, since as far as Dreyfus was concerned 'it was not so much the date that mattered as the final result,' it would be wiser to postpone definite action until October.

Scheurer was forced to yield to this advice, but in order to take action in October, to *compel* a revision of the trial, he would have to be released from his vow of secrecy.

§ 3 *Billot* versus *Scheurer*

Before the close of the parliamentary vacation, the rumour had spread in political circles that Scheurer was going publicly to intervene. Billot, Minister for War, was alarmed and in order to find out the thoughts and intentions of his childhood's friend whom he was now determined to oppose, he sent his emissary to him; this messenger was impressed by the decision of the language used in reply to his questions and by the frankness of Scheurer's 'steely glance'.

'Nothing,' said Scheurer at the close of the interview, 'nothing will stop me once I have started . . . but if the Minister does his duty I need not appear at all.'

On hearing this the Minister requested his '*old friend*' to do nothing until he had seen him.

So be it! But Scheurer wished the whole world to know of his conviction and he wrote to Joseph Reinach: 'You will have helped me if you cry *urbi et orbi*, Scheurer Kestner is convinced!'

As he was unable to act immediately, he wished at least to bring about an amelioration. Let the unhappy man, whose every letter was a cry of tortured innocence and patriotic faith, be told that the Vice-president of the Senate was going to intervene in his favour, so that he might have some definite cause for hope.

The Minister for the Colonies, Lebon, the man who had ordered the double irons, played his part of odious torturer to the last, and sent an immediate, brusque and formal refusal to

this request, which had been prompted by the simple dictates of humanity! 'I entreat you,' wrote the Minister to the senator, 'for the sake of the highest interests, not to take any further step on the path along which you have been led, until you have spoken with those of my colleagues who are qualified to deal with the matter.'

Scheurer wished to reply at once: 'If the Minister or the Ministry will not do their duty, I shall do mine. . . . Even if it causes me to lose my worldly position, I shall carry out my duty.' But Leblois raised objections to the sending of a retort of this kind which contained, moreover, hints too obvious for his liking.

Billot had only one aim, to gain time. Scheurer must not speak until he had seen him, and their inevitable meeting must be delayed as long as possible.

Boisdeffre, who had been warned that the shadows which he had helped to darken were about to be dissipated by the Senator of Alsace, suddenly began to realize the extent of the responsibility borne by him. He informed Gonse of the circumstances.

§ 4 *The New Conspiracy*

Within the space of a fortnight—the period of postponement to which Scheurer had consented—it was essential that Boisdeffre, with Gonse and the General Staff, should concoct a plan of campaign, an elaborate conspiracy. All those who had been, closely or remotely, mixed up in the affair had to form a united front and be prepared to resort to any devices to prevent the truth from being known about their crimes, their intrigues or their complicity.

To be effective, their efforts must be directed to instructing Esterhazy so that he might work in concert with the General Staff, to removing those who had no part in the conspiracy and who might give away information it was desired to conceal, and to reinforcing once again the charges brought against Dreyfus, and strengthening his *dossier*.

Thus, there entered once more upon the scene the persons who concocted the intrigues of 1894. We see again du Paty de Clam, Henry and Lauth busily at work. Gonse repeated to them practically word for word the version of the case which Henry had already given him:

'For months and months past we have known that the Jews are preparing an action of vast extent in order to save Dreyfus. They claim to have discovered the true culprit whom they wish to substitute for the traitor. The man on whom their choice has fallen is a loyal officer, a member of a noted family, he is a former Papal Zouave and his convictions are the same as ours. They have chosen him because his private life has occasionally left something to be desired, and they anticipate that a charge of certain moral delinquencies could be brought against him. These delinquencies, however, are not important! The Jews are going to denounce him, the accusation is shameful and odious! Measures must be taken to prevent it, or to refute it without delay.'

Would it not be best, in the first place, to warn Esterhazy of the danger with which he was threatened? If he received the shock of the denunciation, his highly nervous temperament might lead him to react in an unfortunate manner. He might think it his duty to fly, or even to do away with himself. At all costs a desperate act must be averted! Such an act, indicating a delicate, morbid and outraged conscience, might be exploited by the Jews and claimed to be an admission of guilt. It would not do to leave weapons, however feeble, in the hands of the enemy.

Thus Esterhazy, who at his own request had been removed from active service, must be warned. Henry was instructed to visit Esterhazy.

Henry himself continued to feign ignorance even to the chiefs whom he had initiated into the game. For a long time past, however, he had been keeping Esterhazy informed of the phases of an affair which concerned them both and with which their interests were intimately connected. Esterhazy

had a premonition of danger, and he had but one idea: flight. But his flight, equivalent to an admission of guilt, would be the ruin of the General Staff. They had to keep firm hold of him, to restore his confidence, and assure him of the united support of the heads of the army. Henry, moreover, had taken his own precautions. Whilst allowing it to be believed that Esterhazy was still on his farm at Dommartin, he had caused him to return to Paris.

But events were moving too slowly for Henry's taste. To clinch them he had recourse to one of his customary tricks, the anonymous letter.

On the morning of October 19th General Billot found this letter in his mail. It urged him to act without delay against Scheurer Kestner and Picquart, otherwise Esterhazy would be denounced. There was an immediate reaction in the Ministry and the Intelligence Department. Esterhazy would have to be warned at once.

Du Paty, pleased to have a part assigned to him, to be taking the initiative and to be brought to the notice of his chiefs, drew up a draft letter, a copy of which was carefully made by Henry, who appended the initials of the colonel, 'P.D.C.' so that, if it came to a question of responsibility, he should not be involved.

Although the Minister, informed of the despatch of the letter, was opposed to it, his wishes were disregarded, so that Esterhazy, once warned, might realize the extent of the plot supposed to have been hatched against him. And as Henry could not correspond with him directly, he again had recourse to the vile expedient of an anonymous letter.

Esterhazy, therefore, received a letter, signed *Espérance*, warning him that his name 'was about to become the centre of a great scandal,' that he was to be 'publicly accused of being the author of the paper on which the trial of Dreffus (sic) had been based,' that specimens of his writing had been forwarded to the Dreffus family by a Colonel M. Picart, that the Dreffus family intended to inform the newspapers, counting on his

losing his head and taking flight to Hungary. 'That will indicate,' added the unknown correspondent, 'that you are the guilty man.'

Esterhazy had thus been supplied with a document to which he could refer, which implicated nobody and which proved that he had been warned of his approaching denunciation.

The next thing was to get rid of troublesome people. A few weeks previously Henry had tried to have a perfectly sane secret agent shut up in a lunatic asylum as a madman. This was Lajoux, who had reported the treasonable behaviour of a 'gentleman wearing a decoration, tall, thin, with long, slightly grizzled moustache.' Lajoux had knowledge of a number of other compromising details. Henry supplied funds to purchase his silence and for his expatriation to Brazil.

But the most dangerous and formidable man of all was Picquart. We have seen that the Ministry of War had sent instructions that he was to continue his duties in Africa without interruption, and that he was to proceed to Tripoli.

Thus, two out of the three objects had been attained. Esterhazy had been warned and Picquart had been removed. There remained the loading of the Dreyfus *dossier*. It would be possible to attempt this by inventing an admission of guilt (this was the pet theory and desire of du Paty de Clam), by producing irrefutable evidence, or by concocting fresh charges.

As regards an admission of guilt, what better witness could there be than the man who had been in charge of Dreyfus on the day of his degradation and had been alone in his company for a long period? Captain Lebrun-Renault was summoned by General Gonse and, in Henry's presence, he agreed to become an accomplice in the new conspiracy. Yes, he remembered quite well how Dreyfus had confessed to him! His memory was revived as though by magic. It was true; Dreyfus had indeed said to him: 'I am innocent. In three years (and here exactly was the end of that period of three

years) my innocence will be proved. The Ministry knows that, if I have handed over unimportant documents, it was to obtain important ones from the Germans.' Lebrun-Renault made capital out of that remark which Dreyfus had let fall, he wrote it down on a sheet of paper and swore to its truth. Besides, he had a memorandum book, it would be easy for him to find a note of this confession.

Thus was a new charge forged against Dreyfus!

All efforts to increase the amount and value of the direct evidence were in vain. An emissary was even sent to a small town in Central France to invite the confidences of a woman who had been nurse to the captain's daughter. But this woman of the people, in spite of pressing invitations, insisted on speaking the truth.

At last the moment arrived when it was deemed opportune to add to the secret *dossier* an ultra-secret *dossier!* The forgers set to work. Thanks to an inexhaustible imagination and with the help of existing documents, they concocted a new *dossier.* In this were placed photographs of letters from Dreyfus to the Emperor William II (nothing less!) and a letter from the Emperor to his Ambassador in Paris concerning Dreyfus (this letter was supposed to have been discovered by accident at the German Embassy); it also contained the photograph of a document bearing marginal notes in the Emperor's hand, the original of which was supposed to have been restored to the German Ambassador by General Mercier in 1894, in order to avert a war (nothing more!).

§ 5 *The Plot*

So many proofs favourable to their designs ought to have reassured both the conspirators and the guilty man; but, in spite of all, they were still very uneasy. Esterhazy, incapable of any self-discipline, alternated between the wildest exaltation and the lowest depths of despair. He would groan and murmur amid lamentations that he would commit suicide

and then he would suddenly assume an air of bravado and cry that he would chastise his denunciators. He threatened his friends with a revelation of the whole affair because they seemed about to abandon him and then he would hasten to ask their advice, thank them for their protection and follow their suggestions.

When had Esterhazy ever been sincere? His mistress, who believed him capable of anything, even, in a moment of frenzy, of suicide, took precautions to protect herself. The lease of her flat was made out in Esterhazy's name. She hastened to have it transferred to herself, so that she might have no difficulty. But Esterhazy preferred to live, and to fight his adversaries with all the strength and all the means at his command. He tried, first of all, the classic method of intimidation by causing an anonymous letter (yet another!) from Lyons to be sent to the father-in-law and brother of Dreyfus: 'One step further and death awaits you.'

At the Ministry of War, meanwhile, Henry was endeavouring to force his chiefs into action. He understood them sufficiently to know that nothing would stimulate them more than an anonymous letter. On October 22nd General de Boisdeffre received an express letter-card: 'Esterhazy will not stand up against the blow. As soon as it is struck he will commit some irreparable folly.'

Hesitation therefore, was no longer possible; the General Staff would have to advise Esterhazy that his fate was linked up with theirs!

How could this best be done? A letter would be too compromising. *Scripta manent, verba volant.* A meeting with Esterhazy would have to be arranged. Henry offered to be the messenger of the General Staff, 'but' he added, after having boldly proposed himself, 'I have already had dealings with Esterhazy; he might recognize me, and for the affair to be successful it is advisable for the whole business to be carried through anonymously.'

This advice, which seemed to be dictated by reason and

common sense, was approved, and du Paty de Clam offered himself as the intermediary.

Officers were now transformed into police-agents. They invented an intrigue in order to deepen the mystery with which they sought to surround themselves. Blue spectacles, black beards and women's garments were got ready; disguises and subterfuge were employed. The most grotesque of romances, the most absurd drama, was staged.

A member of the Ministry staff was to send Esterhazy a summons—anonymous as usual—for two days hence at five o'clock in the evening in the neighbourhood of the Parc Montsouris.

When Esterhazy, the same morning, received this message of which he had already been advised, he wondered, nevertheless, whether a trap had not been laid for him. He was anxious to protect himself and was determined to let nothing prevent him from attaining his end. He called on Schwartzkoppen to implore his assistance. He begged the military attaché to seek out Madame Dreyfus, to declare to her that her husband was a traitor and that all her attempts to save him would be in vain.

Schwartzkoppen, disgusted by this shameful suggestion, haughtily refused to comply, whereupon Esterhazy threatened to kill himself at the Embassy and finally broke down and wept. He vainly attempted the well-worn trick of blackmail. Von Schwartzkoppen was unmoved by the threat to reveal papers which might compromise him.

This visit should have aroused suspicion. At the Ministry the only comment was: 'a strange proceeding.' Astonishment was expressed at Esterhazy's imprudence but admiration at his boldness. It was hardly thought necessary to tell him not to offend again!

Since Esterhazy had failed in this attempt, he had no choice but to go to the rendezvous at the Parc Montsouris, where two men in disguise awaited him. They told him of the formation of a vast Jewish conspiracy to ruin him, in order to prove that

Dreyfus was innocent. But, added his mysterious interlocutor, as there were in existence absolutely irrefutable proofs of Dreyfus's guilt, the General Staff would be prepared to defend him. But if they were to do so he must obey the instructions which would be conveyed to him through a means of communication (every evening at the Cercle Militaire) arranged between the General Staff and himself. Du Paty, who met him again on the following day, urged him to take the first step by requesting the Minister for an audience, so that he might give an explanation.

On receiving this request, the Minister caused Esterhazy to be interviewed, on October 25th, by the officer in command of the infantry, General Millet. Esterhazy presented himself with an air of arrogance.

He said that, whilst in the country, he had been warned by an anonymous letter that he was to be the subject of a slanderous denunciation. He was within his rights in demanding the protection of the heads of the army. He said that he had returned to Paris with the intention of killing Picquart before he should speak, but that Picquart had been away. He had seen the *Bordereau* which he was accused of having written. His writing had been traced from papers written by him, in particular from a long manuscript memorandum on the battle of Eupatoria which he had sent to an officer who had asked him for it.

With extraordinary hardihood, he analysed the *Bordereau* and, alike on technical and on moral grounds, he asserted that he could not possibly have written it. Oh! he knew very well the argument they would use against him: his relations with Schwartzkoppen. But his relations with him were those of friendship, of which he had never made any secret. Had he not called at the Embassy only three days ago, when he already knew that he was suspected and watched? Was not that the best possible proof that he had nothing on his conscience?

Esterhazy sent a resumé of this statement to the Minister,

concluding arrogantly: 'Must I rely solely on myself, or are you prepared to defend my honour? I have a heritage of glory to defend. If necessary I shall appeal to the German Emperor. Although he is an enemy, he is a soldier.'

This letter, the text of which had been revised by the confederates of the Intelligence Department, did not have the immediate effect anticipated for it. Henry, therefore, sent a note to Esterhazy: 'Du Paty ought to have told you to send General B. the letter at once; he can do nothing without it. So hurry up! It is urgent. He is waiting for it.'

Esterhazy then wrote to General de Boisdeffre asking that an inquiry should be made concerning his memorandum on the battle of Eupatoria. The plan had been well thought out. This memorandum had never existed. The officer to whom Esterhazy stated he had sent it declared that he had neither asked for nor received it. It was clear, therefore, that Dreyfus must have procured it under a false name, and made a tracing of the writing when he was concocting the *Bordereau!*

No one appears to have suspected this extravagant piece of invention.

Relations between the General Staff and Esterhazy became closer than ever. Means of communication were assured through the woman Pays, Esterhazy's mistress, whom these aristocratic gentlemen did not hesitate to visit, accompanied by their wives, and to receive in their own houses. They submitted to this intercourse, against which they would have revolted in normal circumstances, to save the honour of the Army.

§ 6 *The Plotters* versus *Scheurer*

Whilst these skilful and abominable machinations were being planned, in order to ensure impunity to the criminal, Scheurer Kestner, 'the enemy,' had returned to Paris to put into execution the scheme he had projected. He wished to acquaint the head of the State and the competent ministers

with his discoveries and bring them round to his views, feeling certain that these men, whom he believed to be animated by a passionate love of justice, would listen to his arguments, in their turn institute inquiries similar to those he had conducted, as far as he could do so unaided, and that they would arrive at the same conclusions as he had. But if, unhappily for their country, these men should remain deaf to his appeal, Scheurer had made up his mind to act with all the vigour of his ardent and indignant belief.

This splendid and honest man was to realize, to his great grief, that those in whom he had placed such confidence could not, like himself, stand the fiery test of a pure conscience!

Scheurer's return to Paris had not passed unnoticed. An effort was made to find out his plans. He merely replied with unshaken firmness that he was convinced that Dreyfus was innocent, but refused to make known the facts upon which his conviction was founded. He soon fell a prey to the journalists. Having, unfortunately, no idea of the strength of the press, which had already become a 'fourth power,' he denied himself to all the reporters who came to see him. These men took sides against him with all the more energy because, at the Ministry of War, they had a warm reception and were given documented information which was none the less opportune because it was false and tendencious.

The Dreyfus affair was again the subject of general discussion and the newspapers devoted to it the columns of their front pages. Hence, when Scheurer presented himself before Félix Faure, the President of the Republic, the atmosphere would be troubled, passions would have been let loose. It would be too late to act, as he had wished, calmly and with an untroubled mind.

Esterhazy was informed by his confederates on the General Staff of the request for an audience made by the Vice-president of the Senate to the President of the Republic, and in order to influence Félix Faure beforehand, he wrote a

threatening letter, of which it is inconceivable that any notice should have been taken:

> 'My house is sufficiently illustrious in the annals of history . . . for my country's Government not to permit my name to be dragged in the mud. . . .' He demanded justice against the 'infamous instigator of the plot,' reserving for himself the right, if his appeal was not heeded, 'to apply to his 'feudal chief, the suzerain of the family of Esterhazy,' to the German Emperor. 'He is himself a soldier and will place a soldier's honour, even if he be an enemy, above the paltry and dubious intrigues of politicians. He will dare to speak openly and firmly in defence of the honour of ten generations of soldiers. It is for you, Monsieur the President of the Republic, to judge whether you are to force me to carry the matter into this sphere. An Esterhazy fears no person and no thing, only God.'

A President of the Republic conscious of the dignity of his position would have had no hesitation as to the kind of answer to be made to this Major Walsin Esterhazy. But du Paty de Clam and Henry were, on occasion, sound psychologists, and they realized that such language would make a very deep impression on Félix Faure. What a cynical cleverness they showed in setting the scene! The head of the State received Scheurer Kestner whilst still under the influence of the agitation which they had excited, and the reception he accorded him was icy. He refused to hear anything about the *dossier*, and uttered a few neutral, meaningless remarks of no importance.

On the following day, October 30th, Scheurer went to the Ministry of War. General Billot, his lifelong friend, tried every means to change the conversation; Scheurer Kestner persisted in turning it back into the desired channel. Billot then took refuge in ambiguities and evasions, invented pretexts and reasons, but was frequently only able to escape from

Scheurer's merciless logic by having recourse to lamentable shifts!

His reply to all objections was: 'Dreyfus is guilty!' And Scheurer retorted: 'Give me the proofs. If you give me the proofs, I will cry it from the housetops.' But no proof was forthcoming, and at the conclusion of this deceptive interview which Scheurer could not, would not believe to be entirely fruitless, he implored the Minister to order a new inquiry to be made and to take the necessary steps to avoid the frightful scandal which was threatened.

Two hours would have been sufficient time for the inquiry. In exchange for false promises Scheurer allowed two weeks. 'For these two weeks,' he said finally, 'I shall keep silence, leaving it to you to take the initial steps and give the necessary instructions. But if, at the end of those two weeks you have neither said nor done anything, I shall speak.' And Scheurer, a voluntary captive to his word of honour, given so generously, took his leave. He held his peace for two weeks.

Esterhazy, who had been anxiously awaiting the result of the interview, was quickly reassured by this note: 'The Minister has just left Scheurer Kestner with whom he has been lunching—long confidential interview—everything quite satisfactory. The enemy is checked. But stay where you are. Be this evening at eight o'clock in the garden of the Trocadéro in the little path to the left.'

As for Billot, he was rejoicing over this new respite of a fortnight of which the conspirators might be able to make use, since their adversary had thus disarmed himself. Their first care was to cast the worst aspersions on this upright and honest man. He had hardly left the Ministry of War when certain publicists were summoned there and were told to begin to hunt down their quarry immediately.

§ 7 *The* Document Libérateur

Thus Esterhazy and his friends had two whole weeks before

them and they were anxious to take every advantage of their position. The President of the Republic had given way before their blackmail; that method was therefore a sound one and should be continued. Esterhazy decided to send him a second letter by which, killing two birds with one stone, he hoped both to rid himself of the danger which menaced him and to injure Picquart, the most dangerous of all his adversaries because he was the most fully informed. Esterhazy's letter ran thus:

> 'I am forced to use all the means at my command. The generous woman who warned me of a horrible plot which was being hatched against me by the friends of Dreyfus with the assistance of Colonel Picquart, has since succeeded in obtaining for me, amongst other documents, a paper which she managed to extract from that officer. This paper, stolen from a foreign legation by Colonel Picquart, is highly compromising to certain diplomatic personages. If I receive neither support nor justice and if my name is mentioned, this photograph which is now in a safe place abroad will immediately be published.
>
> 'Forgive me, M. le President, for being forced to have recourse to means so little in keeping with my character, but recollect that I am acting in defence of far more than my life, of far more than my honour, of the honour of a family without stain, and in this desperate struggle in which all help has failed me and under the stress of which my mind is almost giving way I am obliged to make use of any weapon.'

Strange as it may seem, the President of the Republic continued to take this correspondence seriously and he took action upon this singular communication.

Without making any inquiry, without a shadow of justification, the Minister for War telegraphed on the following day to Colonel Picquart's chief that the latter 'had allowed a woman to steal from him the photograph of a secret document of the

highest importance and compromising a foreign military attaché,' and giving orders that he should be interrogated without delay.

What was this mysterious and formidable document which was to be known as the *'document libérateur'?* How could Esterhazy have obtained possession of it? Futility is here added to fraud; it was supposed to have been given to him by a 'veiled woman,' one of Picquart's friends.

Esterhazy triumphantly pursued his policy of blackmail to which Félix Faure had succumbed without resistance. He now represented himself as a hero of Peace, as the bearer of a terrible document, which, if revealed, would plunge France into humiliation or war, and which he was prepared to restore if his outraged honour was defended.

In a third letter to the President of the Republic he was still more insistent and he wrote with that grandiloquence which can only impress a weak nature.

Recalling the danger already referred to, he said:

> 'The woman who informed me of the horrible conspiracy against me has handed to me, among others, a document which is a protection for me, since it proves the villainy of Dreyfus, and a danger to my country, because its publication with a facsimile of the writing would force France to humble herself or to go to war.'
>
> He concluded:
>
> 'All the letters I have written will be in the hands of one of my relations, who, this summer, has had the honour of receiving two emperors.
>
> 'What will the world think when the cold and dastardly cruelty with which I have been left in my misery to defend myself without support, without advice, is known? My blood will be on your heads, and when the letter is published which the Government knows of, and which is one of the proofs of Dreyfus's guilt, what will the world have to say to the miserable political tactics

which failed to impose silence by a few decisive words on this baying pack?

'I utter the ancient French cry "Haro, à moi, mon prince, à ma rescousse!" I utter it to you, M. le President, you who, besides being head of the State, are an honest man and who, in the depths of your heart, should feel a profound disgust at such baseness.

'Let me be defended and I will return the document to the Ministry of War without anyone having set eyes on it, but let me be defended quickly for I can wait no longer, and I shall stop at nothing in my endeavour to defend or avenge my honour which has been so shamefully sacrificed.'

Although the Government had taken provisional measures against Picquart, such as seizing his correspondence, they were nevertheless forced to interrogate Esterhazy on the subject of his own revelations.

Before obeying the summons to appear before the Military Governor of Paris, he had received precise instructions from the usual quarter: 'Refuse to speak, say that you have the document in a safe place. In any case, the general will not insist. It will be all right.'

And the interview passed off precisely as had been foreseen and planned.

§ 8 Versus *Picquart*

The next move was to tighten the network of trumped up charges and false proofs with which Picquart had been surrounded. When the scheme had been planned out Esterhazy sent Picquart an insolent demand:

'I have recently received a letter in which you are formally accused of having initiated the most abominable plot against me in order to put me in the place of Dreyfus.

'In this letter it is stated, among other things, that you have bribed non-commissioned officers to obtain for you specimens of my handwriting; this statement is true, I have verified it.

'It also states that you have abstracted from the Ministry of War documents entrusted to your honour, so as to make of them a secret *dossier* which you have delivered to the traitor's friends.

'The statement about the secret *dossier* is correct, because I have now in my possession one of the papers taken from this *dossier*.

'In the face of such a monstrous accusation, and *in spite of the proofs* which have been given me, I hesitate to believe that an officer of high rank in the French Army could be capable of trafficking in the secrets of his department in an endeavour to cause one of his comrades to be substituted for the miserable wretch of whose crimes he has proof.

'You cannot possibly decline to give me a clear and frank explanation.'

As Henry had learned that one of Picquart's regular correspondents was Countess Blanche de Comminges, the forgery factory was set to work again!

First of all a letter, of course unsigned, counselled Picquart to 'retire quietly'. Two telegrams followed:

'Colonel Picquart, Tunis.

Stop the demi-dieu; all is discovered; very serious matter. Speranza.'

'Colonel Picquart, Sousse, Tunis.

There is proof that the bleu was forged by Georges.—Blanche.'

These telegrams, which were intercepted as may well be

imagined, were added to the Picquart *dossier*, the papers which were increasing rapidly.

Picquart, in Tunis, had a relatively clear insight into the plot being hatched against him. To him the strangest part of it was the fact that Esterhazy boasted of the possession of a secret document. He asked the Minister for War to make an inquiry into the case of this officer who had apparently obtained and kept a secret document which he was not qualified to possess.

Henry immediately invented a mysterious romance according to which Esterhazy had patriotically restored the '*document libérateur*', under a threefold sealed cover, to the Ministry of War.

§ 9 Versus *Scheurer*

Scheurer Kestner, for his part, kept his promise; he maintained silence, but General Billot had no compunction in speaking.

A semi-official newspaper reported that the Minister had offered to show Scheurer all the proofs upon which Dreyfus had been sentenced. 'M. Scheurer Kestner would not hear of it, and replied by refusing the Government's offer.'

It was also stated that a wide-spread plot had been discovered, that the Dreyfus family had found 'a man of straw' who 'had consented to have heaped upon him the terrible responsibility of the crimes committed by Dreyfus. He was ready to accept everything: espionage, the theft of documents, treason, and the curses of the people into the bargain.' To ensure his safety he had prudently left France and taken refuge in Switzerland.

In a letter to General Billot, Scheurer Kestner complained that some of these stories had obviously been inspired:

> 'Read yesterday's *Matin*. You must have read it. Who is guilty of this indiscretion I do not know, but it

is not I. Who is it then? Someone is not serving you well, or rather doing you a disservice. I promised you I would be silent; you gave me the same promise. But I cannot become a victim to my discretion, and that is what may happen if you do not impose silence on the rash people about you.'

The letter closed with this moving objurgation:

'You have not told me anything likely to shake my conviction. I have not told you all I know, but I have shown you the way and that seems to me enough for the moment. Seek, seek, and you will find.

'How could it affect the army if the generals themselves should acknowledge that there may have been a judicial error? They would seem all the greater, both General Mercier and the others. Public opinion would be on their side, you may be sure of it!

'If, however, a matter is hushed up which, in our country of France, should not have been hushed up, at the risk of truth being triumphant later on, prepare for disaster, not only to yourself, my dear friend, but to that army which we admire and for which we care so much.

'We must, therefore, use our united efforts to avert such a misfortune, and, as you have seen, I am prepared to do so with all my heart.

'But old friend, do listen to me!'

But General Billot did not listen to his 'old friend', whom the press, by his orders, attacked all the more vigorously.

Scheurer, 'a remnant of the stone age', whose name would become 'an object of opprobrium', had performed a 'demoralizing and essentially anti-patriotic deed . . . which deserved to be brought before the High Court', but which would dissolve in a 'general shout of laughter' because it was a 'hoax'. The whole affair was being conducted by a 'syndicate of Jewish financiers, doubtful individuals who

looked as though they had taken shares in a company for the rehabilitation of the traitor . . . and who had got together more money for the revision of the spy's trial than he, probably, ever received from William II!' . . . The safety of the country, threatened by a gang of traitors, would have to be defended.

Another paper printed in large characters the following energetic statement which was put into the mouth of General Billot: 'You tell me a new campaign has begun. I am waiting for them; let them come. I shall smash them with the blow of a hammer.'

§ 10 *Three Isolated Voices, and an Official Communication*

But above the tumult, too strong to be stifled, there resounded at last three generous voices. Clemenceau spoke in *L'Aurore:* 'Scheurer's attitude seems to me so frank, his speech so decisive, his confidence in his ability to make the truth shine out so firm, that I cannot help being impressed by him. . . . I do not ask Scheurer to give us the startling proof he has declared he possesses. I merely say that if there is any real cause to suppose an error has been made, the trial ought to be revised!'

Gabriel Monod, President of the Ecole des Hautes Etudes, and Director of Conferences at the Ecole Normale Supérieure, threw himself courageously into the battle in an open letter to the press: 'Several months ago I came to the conclusion that Captain Dreyfus had been the victim of a judicial error.' He went on to give the moral reasons for his inner conflict: 'It is demanded of me by my conscience, a pure love of justice forces me to seek enlightenment . . . I should be glad if it could be proved that I am mistaken, for I should then escape from the tormenting thought that my country has condemned an innocent man. . . . But I do not believe I am mistaken. . . .' and if a revision were to establish his innocence 'there would be no shame attached

to a mistake conscientiously made and conscientiously rectified.'

And Paul de Cassagnac in *L'Autorité* asked whether, under cover of the trial *in camera*, mistakes of which Dreyfus was the victim, had not been made 'in good faith.' Such an idea 'horrified' him, and he demanded a revision of the trial.

Scheurer, for his part, went unobtrusively to the premier, Méline, whom he found immovable. The Minister of Justice, Darlan, accorded him a more encouraging reception. He seemed, indeed, to be anxious to inspect the whole *dossier*, but the Cabinet decided against it and through the Minister of the Interior, M. Barthou, they sent a communication to the press in which the French Government stated, for the first time, that Captain Dreyfus had been 'regularly and justly condemned by Court-martial', a statement terrible in its brevity and bearing such weight that many people who had been undecided were hypnotized by it.

§ 11 *The Name!*

This communication did not put an end to the controversy.

Bernard Lazare published a new pamphlet, containing a new analysis of the handwriting of the *Bordereau* and of Dreyfus's writing, and some significant statements by qualified experts. Newsvendors in the boulevards sold leaflets reproducing the *Bordereau* and letters from Dreyfus, thus making clear the fundamental differences between the two handwritings.

It happened by chance that a banker, M. Castro, having bought one of these facsimiles, noticed the striking resemblance between the writing in the *Bordereau* and that of one of his clients. He felt uneasy, and looked up this client's files. The writings were identical! So Major Walsin Esterhazy was the author of the *Bordereau*. There could be no doubt

about it. Not only were the two hands alike in style, but they had the same irregularities and peculiarities.

Friends whom he informed of his discovery made it known to Mathieu Dreyfus who, in his turn, compared the writings with passionate eagerness.

At last he had a name! At last he knew the traitor. He knew, however, that another beside himself was aware of the traitor's identity and that he had arrived at his discovery by other means than the comparison of the handwritings. But Scheurer had refused to divulge to him the name of the man for whose crime Alfred Dreyfus was suffering. Mathieu Dreyfus had to know this name, at all costs. Everything would crumble in ruins if it did not correspond to the one he had obtained. On the other hand, he would be justified in all his hopes if Scheurer also had come to the conclusion that Esterhazy was the traitor.

Trembling with anxiety, Mathieu Dreyfus hastened to Scheurer's house and, brushing aside the servant who had opened the door to him, he rushed into the senator's study.

'Esterhazy!' he cried in a voice broken by anxiety and hope.

'That is the man,' answered Scheurer, embracing him.

Tears of joy were shed.

It seemed to Scheurer, as to Dreyfus, that the affair was practically at an end. It only remained to discover the best method of procedure for justice to be at last carried out.

A journalist friend agreed to publish in the *Figaro*, under the signature *Vidi*, an article foreshadowing the new direction which the affair was about to take. Scheurer, for his part, decided to break silence and to give the reasons for his conviction in an open letter.

The *Vidi* article appeared on November 14th. It gave Scheurer's analysis of the *dossier:* 'It not only exculpates Dreyfus from having written the famous *Bordereau*, but it formally designates the author of it' who was 'in garrison in



MAJOR WALSIN ESTERHAZY

the country', was 'well known in Parisian society, 'titled, married, and very highly connected.'

On the day on which this article appeared, Scheurer Kestner published an open letter in the *Temps*:

> '. . . Whilst regretting the illegality, of which there seems to be no doubt, of the production to the judges in council of a document which had been communicated neither to the accused nor his counsel, I have never, either in thought or word, doubted the loyalty or independence of the officers who sentenced Captain Dreyfus. But new facts have come to light which prove the innocence of the condemned man, and if, convinced as I am that a judicial error has been committed, I had kept silence, I could never have lived in peace with the thought ever present in my mind that the prisoner is expiating the crime of another.
>
> 'I have, therefore, stated my conviction, reserving the communication, in the first place, of the grounds for it to the Government. It seemed to me best for every reason that the Government should have all the honour and credit for the act of reparation.
>
> 'On October 30th, in a semi-official interview with the Minister for War, I demonstrated, with the documents in my hands, that the *Bordereau* attributed to Captain Dreyfus was not by him, but by another. I begged him to make inquiries about the true culprit. The Minister without, however, asking me to leave these documents with him, promised that an inquiry would be made which would refer only to events subsequent to the sentence. I was careful to warn him against incriminating documents of more or less recent date, which might be the work of the real criminal or of persons interested in the misdirection of justice and of public opinion. He, for his part, asked me to say nothing about our conversation for the space of a fortnight, and undertook

to advise me of the result of his investigations. From that day I have waited in vain, and the fortnight is now over. This was the reason for the apparent delay.

'Moreover, my request to see the documents establishing Captain Dreyfus's guilt was not granted. Nothing was offered to me, nothing was shown me, in spite of the fact that I stated voluntarily that, in the face of such proofs, I would hasten to make a public acknowledgment of my mistake . . . I would not have hesitated to retract if honour had called upon me to do so.

'I repeat, therefore, without fear of refutation, that a fortnight ago I submitted to the Government documents showing that Captain Dreyfus is not the guilty man. An organized inquiry, which it is the place of the Minister for War to institute and to carry through, would prove without difficulty that another man is guilty.'

This dignified and moderate letter, which concluded by asking for an inquiry, appeared just as the *Libre Parole* published an article written by Henry and signed *Dixi*. This article was aimed at Picquart who was indicated by the initials 'X.Y'. *Dixi* declared that Dreyfus had kept in touch with his family, that he had been able to give them the name of the man whose writing he had traced in the *Bordereau* which was the name of that very officer whom up to the present it had been found impossible to compromise, and that the Dreyfus *dossier* was packed with evidence against him. As for the intended victim, he was 'unmoved', without fear as without reproach.

§ 12 *The Denunciation*

The article in the *Figaro* and Scheurer's letter unloosed the passions of the nationalists, who denounced 'the insult to the army!' 'Kestner has shown himself to be a scoundrel.'

One deputy wrote: 'These folk are bandits! Criminals who insult their country!' Such vague denunciations as these tended to throw suspicion on all those who corresponded with the few conditions given in the *Vidi* article:

'All retired officers bearing the particle before their names . . . residing in fashionable quarters of the town, may be suspected of having sold their country to Germany.'

And the *Liberté* at once announced: 'The officer is Captain de Rougemont.'

Scheurer protested indignantly against 'such an unjustifiable insinuation'.

The conservative press seized the opportunity to say: 'The gang who are defending Dreyfus . . . mean to disgrace one officer a day.' An 'odious suspicion' had been laid on all officers.

All the papers agreed in saying: 'May we be delivered from this nightmare!'

On the morning of November 16th they were delivered from this nightmare. Mathieu Dreyfus sent the following letter to the Minister for War:

'SIR,

'The only ground for the accusation made against my unhappy brother in 1894 is a letter, unsigned and undated, showing that confidential military documents had been delivered to an agent of a foreign power.

'I have the honour to inform you that the author of this document is Count Walsin Esterhazy, Major in the Infantry, removed last spring from active service by reason of temporary disabilities.

'The writing of Major Esterhazy is identical with that of this document. It will be a simple matter for you, sir, to obtain this officer's handwriting.

'Moreover, I am prepared to indicate to you where you will be able to find letters written by him, the

authenticity of which is indisputable, and which were written at a date prior to my brother's arrest.

'I cannot doubt, sir, that having been informed of the name of the perpetrator of the treasonable act for which my brother was sentenced, you will see that justice is done without delay.

'I beg to remain, sir,

Your obedient servant.'

It seemed to Mathieu, to Scheurer, to Monod, to Bernard Lazare and to Joseph Reinach that, the name of the traitor having been made public, the Dreyfus affair was at an end. There remained only the usual, swift procedure.

The Dreyfus affair at an end? It had only just begun.



LIEUTENANT-COLONEL PICQUART

CHAPTER IV

I ACCUSE

§ 1 *The Veiled Woman*

ESTERHAZY's retort to the direct denunciation made by Mathieu Dreyfus was a demand for an inquiry:

'Sir,' he wrote to the Minister, 'I have read in this morning's papers the shameful accusation made against me. I now request you to cause an inquiry to be made, and hold myself in readiness to reply to all accusations.'

The letter was curt, it had a satisfactory 'ring'. The press praised its severity, its bold and peremptory style. But those who were well-informed realized that an inquiry would make possible all kinds of intrigue and that, confronted by a definite charge, Esterhazy ought to have claimed his legal rights, namely, a full, public trial at the Court of Assizes in which each side could state its case.

But Esterhazy preferred to take refuge in the secrets and subterfuges of an inquiry from which he had been assured he would emerge whitewashed. There was no need for him to feel anxious, no search was to be made at his house. Public opinion was to be worked upon and prepared for the outcome of the inquiry, which would raise Esterhazy above all suspicion.

To those who cared to listen to him, Esterhazy supplied the most complete and voluble explanations. He had long ago been warned of the denunciation . . . he had prepared his reply. A veiled woman, one of his admirers no doubt, had given him one day a terrible and conclusive document, proving Dreyfus's guilt. If he had made this document known

it might have provoked a war. Listening only to the dictates of his patriotism and ignoring his personal interests, he had sent it to the Minister for War. He would then display an official letter from the Minister for War which confirmed the story of the veiled woman:

> 'The Minister for War to Major Walsin Esterhazy in Paris.
>
> 'Major,
>
> 'I have the honour to acknowledge receipt of your letter of November 14th, in which you send me the photograph of a document which was handed to you by an unknown woman, and which came originally from the Ministry of War.
>
> 'Private Secretary: TORCY.'

The press was full of the most romantic stories; but the episode of the 'veiled woman' excited their imagination most. Efforts were made to discover her identity. The journalists vied with one another in giving picturesque descriptions and relating thrilling tales of mystery. Demi-mondaines fought for the honour and glory of being taken for this veiled woman!

Not satisfied with being a national hero, Esterhazy tried his best to become a hero of romance as well!

Public feeling of so wide-spread a nature is bound to have an echo in Parliament. Replying to a deputy's question, General Billot, obviously embarrassed, indicated the intention of the Government 'to call upon the author of the denunciations to produce justification for them. A decision would then be made in accordance with the law.'

This formal reply satisfied no one. The Minister had not protected Esterhazy with the full weight of his authority; neither had he expressed his conviction of Dreyfus's guilt.

There was an outburst of exasperation. Rochefort accused

Billot of 'infamy'. 'He is openly betraying the army', and Esterhazy ought to 'punch his head'.

But, in order to save Esterhazy, it was not sufficient to oppose Billot, the attacks on Dreyfus and the incitement of public opinion against him had to be continued.

It was announced with admiring comments that 'Esterhazy is looking for Mathieu Dreyfus in order to blow his brains out', and that the traitor's brother certainly deserved some chastisement, such as 'a public whipping'.

As for Dreyfus, he was guilty, guilty a thousand times. If the *Bordereau* was not in his usual handwriting, that was because he had traced Esterhazy's writing! Moreover, since he had been sentenced, innumerable, irrefutable proofs had been added to his *dossier*. The *Libre Parole*, the recipient of Henry's confidences, announced that Dreyfus had, in particular, given away 'the plan for the concentration of the first line troops on the Eastern frontier' and 'the plan of the forts in Savoy, and that of the entrenched camp of Nice.'

Rochefort reported that he had been told by an officer of high rank that the Ministry had in its possession documents 'completely vindicating' Esterhazy and giving 'crushing' evidence against Dreyfus.

Who was this officer of high rank? Before long the name was published. It was Major Pauffin de Saint-Morel, General de Boisdeffre's private secretary! Censure was bound to be passed on him, however reluctantly. Such a breach of discipline could not be allowed to pass unreprimanded. Rochefort's informant was given thirty days' close arrest.

A counterstroke was required by the ravening pack, so that justice might be dealt out to all! As Forzinetti, governor of the military prisons in Paris, had never concealed his belief in the innocence of Dreyfus, and, as he also had been in communication with Rochefort, the next blow, a blow of great severity was aimed at him. He was relieved of his duties.

Public opinion, whilst acclaiming the conduct of Pauffin de Saint-Morel, fell upon Forzinetti with fury. It was even reported that he ran a gambling hell and was in the pay of the 'Jewish Syndicate'.

And whilst the press accepted the most contradictory rumours and devoted their energies to filling whole columns with the most fantastic stories about the affair, the agitation spread to the streets; some students made a demonstration against Scheurer Kestner. Parliament hummed with excitement.

§ 2 *The Advance of Justice*

So widespread a movement inevitably drew the attention of thoughtful men. The majority continued to believe in Dreyfus's guilt which had been acknowledged by the Court-martial and confirmed by the Government. But there were others whose original conviction had been shaken, and who entertained doubts. The confusion under which their minds were struggling was unbearable. 'Either we must remain silent and thus become a party to the gagging of justice—or we must speak and dash ourselves against established order and an infuriated public.'

To those possessed of the fighting spirit it was good sport to range themselves deliberately on 'the other side of the barricade' with the small minority against the overwhelming majority; this was the kind of defiant attitude which they liked to assume. But to the scholars, the professors, whose lives were spent in laborious research and peaceful study, it was not the exaltation caused by taking action, by the fever of social or political warfare, which forced them to take part in the battle. They were urged on by a moral and scientific passion for truth, a thirst for justice.

In the press there resounded the great, implacable voice of Clemenceau and the powerful arguments of Yves Guyot. The one sought to rouse indignation, the other appealed to

reason, and, on December 1st, Zola joined them, Zola descended into the arena and sketched a magnificent pen-portrait of Scheurer Kestner:

'The most open, the most upright of lives, a life of crystal. Not a blemish there, not the slightest weakness.'

And in the last sentence of his first article he declared the whole of the ardent belief with which he sought to imbue all those whose hearts beat in unison with his: 'Truth is on its way, nothing now can stop it.'

Six days later his second article appeared:

> 'The syndicate? Yes,' he thundered, 'there is a syndicate. Men of good will, of truth and equity, in all quarters of the globe, working at a distance from and unknown to one another, but all marching by various roads towards the same destination, advancing silently, excavating their way, to arrive one fine day at the same goal. All have, inevitably, come to stand together, hand in hand at these cross-roads of truth, at this last rendezvous of justice. . . . A syndicate to cure public opinion of the madness into which it has been driven by the shameless press . . . a syndicate to demonstrate that all judicial errors are rectifiable . . . a syndicate to conduct a campaign so that the truth may be made known, so that justice may be done in spite of all obstacles, even if it is necessary to fight for years. Yes, I am, indeed, a member of this syndicate as I hope all the honest men in France intend to be!'

The article was greeted by a storm of abuse. The syndicate was a 'Jewish syndicate', and its evil influence and attempts at corruption were increasing daily.

Gold was flowing like water. Scheurer Kestner had been bought! Zola had been bought! Clemenceau had been bought! All those were bought who, with complete self-abnegation and a dogged faith in the face of blows and

insults, had thrown themselves into the fight. The calumnies increased in virulence.

The syndicate was said to have paid out two millions. Each of its members had advanced 30,000 francs. A Catholic banker, G. D. . . . had charge of the funds. 'A whole secret police service is being devoted to it.' The Government for the last two years, had had a list of the members of the syndicate, which included the names of all those who had refused to subscribe to Esterhazy's explanations.

§ 3 *De Pellieux*

De Pellieux, who had been appointed to conduct the inquiry demanded by Esterhazy, carried it through hastily and with a biased mind. He had to arrive at two results: to prove the innocence of the man who had voluntarily demanded the inquiry, a fact which would be noted in his favour, and to crush Picquart, the man who had given rise to all this agitation and whose possible actions and revelations were to be regarded with apprehension.

De Pellieux interviewed Mathieu Dreyfus who informed him of the documents in his possession and established the *identity* of Esterhazy's writing with that of the *Bordereau*. 'In short, he produced nothing . . . ' de Pellieux wrote in his memorandum, adding, 'after the futility of his answers the inquiry may be considered to be virtually at an end.

He was obliged, however, to summon the 'denouncee', Esterhazy. This interview consisted in a long and friendly conversation at the end of which General de Pellieux took the trouble to escort Esterhazy on his way out, to shake hands with him ostentatiously and, in the presence of witnesses, to say words of encouragement to him which were reported in the press with flattering comments.

For form's sake, de Pellieux summoned Scheurer Kestner and Leblois, who handed him their *dossier*. But the Ministry of War kept its own *dossiers* as a weapon in reserve—those

dossiers which were stuffed with forgeries and of which de Pellieux made use to declare Esterhazy to be innocent and Picquart guilty! What a clever judge, to arrive at precisely the two conclusions which had been indicated to him!

> 'Esterhazy seems to me free from all suspicion. However little he may be esteemed by reason of grave transgressions in his private life, he cannot, *in my opinion*, be accused, as matters stand, of the crime of treason.
>
> 'Picquart appears to be guilty. I think that, unfortunately, the documents now in the possession of the General Staff do not permit of any doubt on this question (intercepted letters and telegrams) . . . .'

General de Pellieux had carried out this rapid, preliminary inquiry opened on November 17th and closed on the 20th, so competently that he was entrusted with the second, the 'preliminary judicial inquiry'.

This inquiry had been insisted on by the confederates at the Ministry of War in order to make sure of saving Esterhazy.

General de Pellieux heard fresh witnesses, but he declined to do the essential and logical thing, the thing on which the formal denunciation by Mathieu Dreyfus depended; he refused to submit the *Bordereau* to experts and to have it compared with Esterhazy's writing. De Pellieux supported his refusal with an argument which sounded strange coming from the lips of an examining officer: 'I have no proofs—a photograph of the *Bordereau* taken from the *dossier* does not constitute a proof. I do not wish to ask the department to give me the original of the *Bordereau*. If I did so it would look as though I were casting doubt on the thing adjudged (*chose jugée*) which attributed the *Bordereau* to Dreyfus.'

De Pellieux's aim was deeply to compromise Picquart, the man who knew the facts and who was paying for his wish to remain loyal by a life of semi-exile.

Picquart left Tunis on November 23rd in obedience to the

summons which had been sent to him. Even before his arrival in Paris the 'conspirators' had carried out their plan. De Pellieux had to be supplied with the weapons which would enable him to crush Picquart. For this purpose, Henry offered to give him his *dossiers* and to assist him in his investigations. He carried through the duties with which he had asked to be entrusted with complete success. After a few cleverly conducted consultations, de Pellieux admitted that Picquart had abstracted documents from the Ministry and he was inclined to believe also that the *petit bleu* had been concocted by the ex-director of the Intelligence Department in order to ruin Esterhazy.

To win him over completely, Henry sent him the usual anonymous letter threatening him with a press campaign if he did not take energetic action against Picquart.

The General Staff maintained relations with Esterhazy through the intermediary of his cousin, Christian Esterhazy. Moreover, du Paty himself went to see Tézenas, whom Esterhazy had chosen as his counsel, to make before him a solemn declaration of Dreyfus's guilt and his client's innocence. Foreseeing that he would be called as witness, he took care that Esterhazy's deposition should coincide with his own and sent him precise instructions in a letter, the first part of which was written in a feminine hand and which became known as the 'note in two handwritings'.

In this letter du Paty gave a summary of the replies he proposed to make if he were interrogated, concluding with:

> 'That is the stand which I shall take up; make a special mental note of all that I have marked in red, and destroy it. You will realize how important it is for us to agree absolutely, for you as much as for me.'

It was in complete agreement with du Paty that Esterhazy, taking the offensive, requested de Pellieux to lose no time in causing a search to be made at Picquart's house. In spite of

the illegality of the act, this was actually done in Picquart's absence.

Although most careful search and numerous seizures were made, no document of importance was found; but the press had been forewarned, and when Picquart reached Paris on November 26th he found the countless abusive voices of the papers directed against him.

He had been instructed to communicate with no one. He was not yet, as many had hoped, 'between two policemen', but he was being shadowed and spied on.

De Pellieux interrogated this witness with a brutality which would not have been justified in the case of a prisoner on trial, and he was about to terminate his inquiry when an unexpected event caused a sudden interruption in the proceedings.

§ 4 *The Friend of the Uhlans*

Madame de Boulancy, one of Esterhazy's former mistresses, had shown to some of her friends certain old letters from her lover. Scheurer Kestner read them and hastened to show them to General de Pellieux. The latter turned pale after reading the first few words. For he saw, in the handwriting of this hero of his, such sentences as these:

> ' . . . I am absolutely convinced that these people (the people of France) are not worth the cartridges to kill them with; and all those petty meannesses, worthy of besotted women, to which the men abandon themselves confirm me more and more in my opinion.
>
> 'There is only one human quality which I value and it is completely lacking in the people of this country. If I were told this evening that I would be killed tomorrow whilst putting Frenchmen to the sword as a Captain of Uhlans, I should be perfectly happy.
>
> ' . . . At the present time exasperated, embittered,

and enraged as I am, in a perfectly atrocious position, I am capable of doing great things if I had the opportunity or of committing great crimes if they could avenge me.

'I would not hurt a dog, but I would with pleasure have a hundred thousand Frenchmen put to death. . . .

'. . . Ah, the "*they say's*", with the cowardly, anonymous "*they*", and the foul creatures who go from one woman to another with their vile tales to which everyone listens! What miserable figures they would cut under the red sun of battle, in a Paris taken by assault and abandoned to the pillage of a hundred thousand drunken soldiers.

'I dream of such a day of rejoicing.

'So may it be!'

Obviously, in the face of such words as these, worse than all the charges, General de Pellieux could not refuse Scheurer Kestner's request for a search to be made at Madame de Boulancy's house so that these incriminating letters might be formally seized. When Esterhazy heard of this search two days later, his confidence deserted him, and he again wished to fly or to commit suicide. His friends held him back; any such action would have amounted to an admission of guilt!

The *Figaro* reproduced the facsimile of the letter known as the 'Uhlan letter' side by side with the *Bordereau*, thus giving the public an opportunity to compare and pass judgment, not only on the writings, but also on the different sentiments expressed by Dreyfus, to whom patriotism was like a religion, and by Esterhazy! The test seemed convincing, and optimists were ready to admit that the publication of these documents had put a closure on the affair.

But after a short spell of despair, Esterhazy pulled himself together. He announced that the published letter was a forgery although the writing resembled his. He knew under what conditions his writing had been traced in order to

compose this infamous document. It had been after hours of 'laboratory' work, for which 17,000 francs had been paid!

Madame de Boulancy, who had, he said, lent her name to the conspiracy was a 'drab, bought by the syndicate', 'a female Judas' . . . and the confederates caused the nationalist papers to say that if Esterhazy had allowed some regrettable expressions to escape him, these were to be attributed to his very reasonable state of nervousness. Is there a man existing who has never been moved by anger and spite?

Thus, the professional patriots, the uncompromising and jealous guardians of national honour found excuses for such phrases as: 'The Germans will put all these folk in their place before very long. . . . Just look at the fine French army! It is a disgrace!'

Moreover, in order to avoid the righteously severe judgment of public opinion, the papers under their control abstained from publishing the text of these letters. 'They are fabrications . . . we do not wish to become accomplices in a forgery by reproducing them.'

§ 5 *Esterhazy demands a Trial*

Esterhazy, once more master of his fate, assured of his impunity, began to play the heroic game of injured virtue. He really could not bear it any longer. His wretched enemies deserved an exemplary corporal punishment. He would 'cane' them at the first opportunity. But, meanwhile, he intended to assume the offensive by legal procedure.

De Pellieux was to conclude his inquiry with a denunciation of Picquart and a complete exoneration of Esterhazy, and he intended to say that there was no case against the latter.

Esterhazy might have been expected to be satisfied with such a result, which was more than a man with his past

history and his reputation could have hoped for. But he dreamed of a more complete victory, of a triumph which should clear away the clouds produced by the publication of his letters to Madame de Boulancy.

The conspirators, therefore, planned out an elaborate scenario. General de Pellieux was to announce his intention of concluding the inquiry by a refusal to commit Esterhazy. The latter was to protest against this procedure and publicly to demand the right to appear before judges so that he might receive at their hands a solemn attestation of his probity. Thus, at one blow, he would regain any favour he might have lost and he would retrieve his honour. But this audacious scheme was somewhat risky. To ask to appear before a Court-martial meant giving an opportunity for argument on the other side, in the course of which the truth might emerge and crush him!

Before going any further he took certain precautions. After having received all the assurances he could possibly require, he published this blustering letter, the draft of which had been corrected by de Pellieux himself!

'SIR,

'As an innocent man, the torture to which I have been subjected for the past two weeks has been superhuman.

'I believe that you have in your hands all the proofs of the infamous plot hatched for my ruin. But these proofs must be produced at a judicial inquiry with the widest possible references, and light must be thrown on the whole matter.

'Neither a refusal to commit me, nor a decision that grounds for prosecution are lacking will now suffice to assure me the reparation which is my due. As an officer publicly accused of high treason, I have the right to a Court-martial, the highest form of military justice; nothing but a judgment acquitting me, emanating from such a court, could brand these most dastardly slanderers

in the eyes of the public to whom they have dared to appeal.

'Your high sense of justice leads me confidently to await my acquittal before the Court-martial of Paris.'

On the following day, December 3rd, de Pellieux sent his report to the Governor of Paris. It was overwhelming—for Picquart, who, he said, had 'a strange conception of military honour and of his professional duties.' He advised 'the immediate summons of this officer before a council of inquiry called to decide whether there is cause to cashier him by reason of certain dishonourable acts, or at all events, by reason of grave delinquencies of duty.'

The military Governor of Paris granted Esterhazy's request by signing, the next day, an order to institute an inquiry concerning him; he entrusted the direction of the inquiry to Major Ravary. Esterhazy, of course, remained at liberty.

The curtain rose on a new act. Those who wished for a revision of the trial saw in this succession of events, in spite of the mass of deceptions and the wilful delays, a promise of victory. They had no knowledge of the scandalous collusions which had taken place, and believed in the good faith of the heads of the army.

Those mighty ones meant to benefit by the wave of popularity which was about to reach Esterhazy. A feeling in favour of General de Boisdeffre, therefore, was set on foot. He it was, so the report went, whom the Jews intended to make their target.

To frustrate any 'revelations' they might make in order to weaken his authority, Boisdeffre had but one course open to him—to compel the Government to protect him energetically. A group was formed round him and he became the very incarnation of the army and, over the heads of the Government, the pivot of the fight against the revisionists.

§ 6 *In Parliament*

Parliamentary opinion had been shaken by these events and when the Government was interpellated Méline said shamelessly: 'There is no Dreyfus affair.' The accusation against Esterhazy, he said, had no connection with the treason committed by Dreyfus!

Amid acclamations from a large majority, the leader of the Right, Count Albert de Mun, urged the Government 'solemnly to avenge the outraged army'; he denounced the syndicate as 'a secret and mysterious power' which was endeavouring to 'throw the country into confusion'.

General Billot replied that 'Dreyfus had been sentenced and rightly sentenced', that the 'Dreyfus affair had been regularly and justly considered', that in his opinion the judgment was 'correctly given and Dreyfus was guilty'.

Then Méline, anxious to secure for himself a parliamentary success, had the melancholy courage to break a proved and established friendship by protesting 'in the name of honesty and rectitude' against the suggestion that there existed an alliance between Scheurer Kestner and himself.

Finally, the Chamber 'respectful of the thing adjudged,' did homage to the army and denounced 'the leaders of the abominable campaign which had been entered upon in order to trouble the public conscience.'

In the face of these statements by the premier and the Minister for War, in the face of the vote by the Chamber, Scheurer Kestner, whose zeal in the cause of justice was unshaken, determined to carry the debate to the Senate.

He had no illusions; he knew that he was about to plead a lost cause. His weapons had been blunted. In order to win, he ought to have been able to use the whole of his *dossier* and Leblois' revelations. But he had given his word not to implicate Picquart, not to mention his name, nor to make use of the proofs in his possession. The only argument he

could offer to his colleagues was his absolute conviction as a man of honour.

The most firmly established reputations are apt to fall in ruins when passions are excited. This bitter lesson was to be learned by Scheurer Kestner. The campaign of slander conducted against him had borne fruit. The German Ambassador in a telegram to his Government gave a correct account of the situation: 'It is believed that, although Scheurer Kestner is acting in good faith in declaring Dreyfus to be innocent, he has been the victim of cleverly applied pressure on the part of the Dreyfus family.'

His speech, which was punctuated by heated interruptions, contained nothing new. This was a great disappointment even to his friends, who had breathlessly awaited his intervention. The whole of his argument turned on the similarity of the handwritings; it was a weak and inadequate basis for a parliamentary discussion. Few among the senators perceived the aura of rectitude that surrounded him, the proud and melancholy nobility of his glance, the warm simplicity of his language. General Billot and Méline with a few facile words and a martial air, succeeded in forming the great majority of the Senate into a group against him. Trarieux, the former Minister of Justice alone upheld him, and warned his colleagues against the attempts which were being made to set up a new doctrine of infallibility!

Scheurer, in a brief reply, demanded that the *Bordereau*, which Pellieux had considered unnecessary to have examined by experts, should be produced at the trial.

Who then had any idea of the moral torture suffered by Scheurer, whose loyalty had paralysed his actions, who realized with dismay the impotence to which he had been condemned?

His failure stimulated the nationalist press which loaded him with abuse:

> 'Scheurer the scoundrel', 'is now a nonentity, a piece

> of human rubbish sullied by every kind of dishonour.' 'The impudent senator and his gang of Jews ought to be chastised. . . . Soon, perhaps, the mob will be able to greet the scoundrels who are so loudly demanding the truth with cries of "Hang them! Hang them!" (*A la lanterne!*)'

The whole Dreyfus family was said to be steeped, like Scheurer, in treason. Did they not own an estate at Belfort, a few kilometres from the German frontier? This 'château', they said, was situated, 'at the exact spot where the German General Staff proposes, should occasion arise, to attempt a sudden attack on Belfort.' The drainage system was to be transformed into 'mine chambers'. As for 'the attic in the roof of the turret, it is a perfect observation post, facilitating communication with the enemy by signals'.

There were actually people to be found who made use of these ridiculous tales and demanded that the Government take steps against the Dreyfus family, and especially against Mathieu, who 'should be made to feel the point of an officer's sword', otherwise 'all the Jews will be lynched in the streets of Paris just as thieves are lynched on the ranches in the Far West, or in the mines of Colorado and Montana'.

Whilst these attacks were being made with a violence which should have given food for reflection, the papers were publishing long, eulogistic articles about Esterhazy, invariably treating his acquittal as a foregone conclusion.

A few members of the university, convinced of Dreyfus's innocence, endeavoured to win over to their side Cardinal Richard, Archbishop of Paris, and through him the prominent Catholics.

But the prelate refused to listen. 'The Church,' he said, 'cannot intervene; you must make your appeal to the national courts. And when it was insisted that intervention by the Church would bring her into more friendly relations with the Republican parties, the cardinal repeated: 'This is a matter

for the French courts. . . . We shall bow to the decision of the courts.'

Thus, at a moment when her pacifying voice might still have been heeded, the Church preferred to keep silence. She was to pay dearly for her inaction.

The daily battle became so bitter that one paper, the *Figaro*, which had been among the first to enter the lists, abandoned the fight. 'Every one of us is now able to form a cool judgment on the incidents (sic) of these last few weeks. . . .' And the author of the article announcing the paper's secession undertook to 'bow unhesitatingly before the judgment of the State,' all the more easily because he realized that 'public opinion was not with him.'

§ 7 *The Advance Guard*

This defection was compensated by the fine efforts of *L'Aurore* and the *Siècle*, and by the ardent apostleship of Zola, who issued his first pamphlet, entitled *Letter to Youth*, on December 13th.

> 'Where are you going to, you young people, who run about the streets in bands, demonstrating in the name of your indignation and enthusiasms? We are going to hoot at . . . an old man . . . who fancies that he can uphold a noble cause with impunity, who desires the truth to prevail . . . for the honour of the French nation.'

In spite of Zola's fiery appeal to 'humane and generous youth, which hurls all the bravery and hope of its twenty years into the thick of the fight . . . . to what will this youth attain?', that youth continued to demonstrate against the free spirits and the small phalanx battling for truth!

A few weeks later, on January 7th, Zola published a second pamphlet, the '*Letter to France*' in which he explained how 'the good-hearted, sensible people' had been misled into 'this

ferocity of fear, these shades of intolerance,' and denounced both 'the lies uttered by the press and the régime of foolish tales, low abuse and moral perversion' to which the country had abandoned itself.

On the same day Yves Guyot published in the *Siècle* the indictment of 1894 signed by d'Ormescheville which led to the sentence against Dreyfus. The public were thus enabled to see the insignificance of the charges contained in it. Some men were impressed. Thus Duclaux, who had taken Pasteur's place at the head of the Institute, was one of the first to give his support to the 'Dreyfusards'. The affair had troubled him ever since the previous November. 'It must be a very serious matter,' he had said at that time to a friend, 'because I can no longer sleep.' He now wrote publicly: 'If an inquiry into scientific questions were to be conducted, as the inquiry seems to have been conducted in the Dreyfus affair, it would only be by pure chance that the truth would be ascertained.'

On the point of offering whole-hearted co-operation he had a moment of grave hesitation:

'I can still see myself,' he wrote later, 'going up the rue d'Assas about mid-day, holding in my hand my letter to Scheurer Kestner, and saying to myself all the way: "My friend, you are at a turning-point in your life. This step, which no one has asked you to take and which you can still renounce, once made, may lead you very far indeed." But I did not look back, and I heaved a sigh of relief when my letter had been placed in the hands of the man to whom I had brought it.'

Henceforward he was to fight without rest, in the forum as in his laboratory, for the truth.

§ 8 *The Esterhazy Trial*

Meanwhile, Major Ravary was holding a rapid inquiry, in the course of which the General Staff, who were vitally concerned in bringing about an acquittal, gave orders to the examining magistrate and advice to Esterhazy. In

order to calm the latter, reassuring notes were conveyed to him:

'Do not be anxious. Ravary will be sent for and told what to say. Of course everything will turn out satisfactorily.'

or:

'Carry out your instructions exactly, and do not go beyond them.'

Ravary sent Gonse a daily resumé of the depositions of the witnesses he had heard. Henry and du Paty, who were kept informed, hastened to acquaint Esterhazy with the course of events, and he was thus able, on the following day, to reply to questions which he knew would be put to him.

Communications of this nature were, indeed, received by him: 'You will be questioned to-morrow on your relations with Schwartzkoppen. Keep to the standpoint which has been agreed upon and do not give away a single detail.'

One could always manage to hold one's own in the face of an examination and of evidence by witnesses; but an expert's report was a more delicate matter!

Esterhazy was obviously nervous, but he soon received soothing messages. 'The experts have been appointed, you will know their names to-morrow. They will be interviewed, do not be alarmed.'

The experts were asked to give their opinion on two documents, the 'Uhlan' letter, and the *Bordereau*.

As regards the first, the experts Charavay, Varinard and Belhomme, adopting Esterhazy's theory, decided that it 'might be the work of a forger.'

As for the *Bordereau*, the experts Couard, Belhomme and Varinard declared it to be a 'suspicious document' and affirmed 'on their honour and conscience' that it was not the work of Major Walsin Esterhazy.

The total absence of charges therefore seemed to make it inevitable that there should be no case to bring into court. But Esterhazy was about to repeat the comedy which he had played so successfully the previous month.

As soon as Ravary decided there was no case Esterhazy made a public protest; he persisted 'in demanding to appear before the Court-martial which alone was competent to declare his innocence and annihilate all the accusations of his calumniators.'

For the second time, the Military Governor of Paris acceded to Esterhazy's request. On January 2nd, 1898, he gave orders that Esterhazy should be tried before the first Court-martial. . . . 'Seeing,' he said, 'that the inquiry has not thrown sufficient light on all the points at issue to justify a declaration, with full knowledge of the case, that the accused is not guilty.'

'Seeing also, that, by reason of the definite nature and the publicity of the accusation and the popular feeling it has aroused, arguments on both sides must be heard during the proceedings.'

An event in diplomatic circles ought to have attracted Major Ravary's attention. Colonel von Schwartzkoppen, German military attaché in Paris, had requested to be recalled and he had left Paris during November, after having given his personal assurance to the President of the Republic that he had never had any dealings with Dreyfus. What was the meaning of his sudden departure? It is customary in diplomatic circles for a military attaché to relinquish his post if one of his agents is discovered. When Dreyfus was arrested Schwartzkoppen had said: 'He is not my man!' and he had remained in Paris. When Esterhazy was denounced, on the other hand, he applied for a command in Germany, and had openly returned to his country. The indication was very clear. But his departure was ingeniously turned into an admission of Dreyfus's guilt. Schwartzkoppen, it was said, had left rather than join in the game which the syndicate were endeavouring to make him play.

About this time the German Ambassador, and subsequently the Italian Ambassador, Count Tornielli, who had both been implicated by the French press, declared to

Hanotaux, the Minister for Foreign Affairs, that Dreyfus was entirely unknown to the personnel of their embassies, that Colonel Panizzardi in particular, had never had relations with Alfred Dreyfus, either direct or indirect, intimate or distant, and that he had only heard of his existence through the trial.

Schwartzkoppen resumed his duties in command of the 2nd Regiment of Grenadier Guards in Berlin, but he continued to receive news from Paris of the progress of the Dreyfus Affair.

At the end of December his colleague Panizzardi informed him that the French Government had decided 'to have Esterhazy's innocence proved at all costs,' and that 'the interests at stake were too great for it to be otherwise,' and when the Esterhazy trial was opened on January 10th, his acquittal was, indeed, generally anticipated.

But was this to be the outcome of a public hearing or of a trial *in camera?*

Complete publicity meant running the risk of Esterhazy being forced to appear in his true colours, and might end by establishing Dreyfus's innocence!

A trial *in camera* would be unpopular. The accused had been turned into a kind of national hero from whom the public were impatiently expecting vehement speeches and patriotic tirades.

A middle course had therefore to be found. The hearing was to be public for those witnesses, such as Mathieu Dreyfus and Scheurer Kestner, who had nothing new to produce, but 'in high national interests' the hearing would be *in camera* when the depositions of soldiers and that of Picquart, which might be important, were taken. The experts would also be heard *in camera*!

The thought that questions of national defence and diplomatic secrecy should have been invoked, in a matter of the comparison of handwritings, is amusing, but when it is realized that such a demand was acceded to, amusement changes to indignation.

The hearing, therefore, opened on January 10th, 1898. Labori and Demange, in the names of Lucie and Mathieu Dreyfus, made the necessary applications to intervene, as they were entitled to do, in the course of the trial.

Labori was appearing for the first time in the Affair; for the first time his eloquent words, full of ardour and emotion, vibrated through the court, whilst Demange in simple language invoked 'the eternal laws of justice and natural right which alone direct the lofty consciences of the judges.'

Their applications having been refused, the hearing proceeded in the looked-for manner. Whatever declarations the witnesses might make, they were swept aside by Esterhazy's statements. 'I consider,' said Leblois, concluding his deposition, 'that for the honour of the Court-martial, even for the national honour, it would be preferable if the truth came to light through the judgment rather than subsequently to it.'

But the dispositions for the Court-martial had been made. The hearing was not really impartial, since the judges, the prosecution and the accused man formed a united front. The other side, the defenders of Dreyfus, had been prohibited from taking part in the argument.

It never appeared for an instant as though Esterhazy were the accused man. All the witnesses were united against Picquart, concerning whom de Pellieux, Gonse and Henry made abominable and lying depositions.

The Government Commissary, it is needless to say, renounced the prosecution.

And when, after a clearly superfluous speech by Esterhazy's counsel, the judges withdrew to deliberate, no one doubted what their verdict would be.

Counsel had not yet arranged his papers when the judges reappeared. They had acquitted Esterhazy by a unanimous vote.

There was a wave of enthusiasm, first in the court and then outside in the street. There were acclamations and cries of 'Long live France! Down with the Jews!' And when Esterhazy

emerged, a free man, he was warmly greeted and congratulated, and everyone hastened to shake the hand of the hero whose acquittal signified that the honour of the army was safeguarded.

On that evening Major Walsin Esterhazy, the shameless spy, the depraved man, the professional forger, stood as the symbol of France, as the flag of national honour!

§ 9 *'I Accuse'*

The duty of the patriots was, now, to avenge the attacks of which Esterhazy had been the object. 'There are,' cried Rochefort, 'some accounts to be settled.' Mathieu Dreyfus was said to be about to 'have himself naturalized as a Prussian,' 'the hand of military justice will hurl Picquart into a cell in the Cherche-Midi Prison,' 'the incompetent Billot will be turned out of the Ministry.'

This was a command accompanied by a threat. Billot became alarmed and decided to arrest Lieutenant-Colonel Picquart.

Just at the time when the gates of the fortress of Mont-Valérien closed on that officer, all Paris was shaken by a revolutionary report. Hundreds of newsvendors were distributing, even in the most remote districts, a special number of *L'Aurore*, on which blazed in large capitals:

'I ACCUSE. . . !

Letter to the President of the Republic

by Emile Zola'

This was the greatest day in the history of the Affair! All Paris, all France, the whole world were to become acquainted with Zola's accusations.

He had written them in fiery language which gave expres-

sion to his furious indignation. And Clemenceau had given them a fiery title, which struck like a bullet, reverberated, caused the most vacillating to hesitate no longer, sounded the alarm in many a conscience!

'I accuse!' It was simple and formidable, this revolutionary word which was to overthrow the coalition of calumnies and lies. Did Zola protest against Esterhazy's acquittal? Did he reveal documents hitherto unknown? Did he demand a new inquiry? Did he bring forward proofs of the innocence of Dreyfus? All this he did, but he did far more.

He had written an ardent, passionate indictment, a violent denunciation of the baseness of mankind, and had cast opprobrium on the methods of criminal procedure. He had acknowledged the existence of a syndicate, but of a syndicate of traitors whose aim was to bring about the ruin of an innocent man, to dishonour those who were defending him and to save themselves, the guilty, the conspirators!

'A Court-martial has dared, by order, to acquit a man like Esterhazy, thus dealing a blow of supreme insolence to all truth and all justice. It has been done, France bears this stain upon her cheek. . . . Since they have dared, I will dare also. . . . It is my duty to speak, I do not wish to be an accessory. My dreams would be haunted by the spectre of the innocent man who is suffering the most frightful agonies over there, for a crime he did not commit.'

Tracing the Affair to its source, Zola said:

'. . . . Ah! The feebleness of this indictment! It is a monstrous iniquity that a man should be condemned on such a charge. I defy any honest men to read it without being filled with indignation and exclaiming in horror at the thought of the unbounded sufferings over there on Devil's Island. Dreyfus knows several languages, a crime; no compromising papers were found at his house, a crime; he sometimes pays a visit to the country of his birth, a crime; he is industrious, he wishes to know all about everything, a crime; he is not nervous, a crime; he is nervous, a crime. . . .'

He then compared the tales which were going round with the emptiness of the indictment. The only charge against Dreyfus was the *Bordereau* 'on which the experts have not agreed.'

'It is said that the judges, when in the council chamber, were about to acquit him as a matter of course. And one can understand the desperate tenacity with which, in order to justify the sentence, it has been declared that a secret and irrefutable document exists. . . . I deny the existence of this document, I deny it with all my strength! An absurd document, yes, perhaps the one mentioning some little ladies, or speaking of a certain D. . . who was becoming too exacting . . . but a document concerning national defence which could not be produced without war being declared tomorrow, no, no! That is a lie; and it is all the more vile and cynical because it is a lie told with impunity which no one is able to refute. They have stirred up France and are hiding behind her legitimate feelings, they have closed the mouths, whilst disturbing the hearts and perverting the minds of the people. I know of no greater civic crime.'

And Zola dwelt on Picquart's revelations:

'A year ago General Billot and Generals de Boisdeffre and Gonse knew that Dreyfus was innocent, and they have kept this frightful thing to themselves. And these men are able to sleep, they have wives and children whom they love!'

He went on to expose all the machinery of the Esterhazy affair and to denounce the 'sentence, which, henceforward, will brand with suspicion all the decisions of the Courts-martial.'

'The first Court-martial may have been unintelligent, the second is necessarily criminal. Its excuse is, I repeat, that the supreme chief has declared the thing adjudged to be unassailable, sacred, and superior to man, so that inferiors cannot contradict it. They have talked to us of the honour of the army, of how we should love it and respect it. Ah! Yes, indeed, that army which is ready to rise at the first threat,

which would defend the soil of France, that army is the people itself, and we feel nothing but tenderness and respect for it. But it is not a question of that army, the dignity of which we are endeavouring to preserve when we demand justice. It is a question of the sword, the master who may perhaps be our ruler to-morrow. Shall we devoutly kiss the hilt of the sword, the god? No!'

Zola concluded with this eloquent protest:

'. . . . It is a crime also to have relied on the foul press, to have allowed oneself to be defended by all the riff-raff of Paris, so that now the riff-raff is insolently triumphing in the defeat of justice and simple honesty. It is a crime, whilst hatching an impudent plot to deceive the whole world, to bring an accuation of disturbing France against those who long to see her a noble leader of free and righteous nations. It is a crime to mislead public opinion, to make murderous use of that opinion, after having perverted it to the point of delirium. It is a crime to poison the minds of the obscure and humble, to rouse to fury the passions of reaction and intolerance, whilst sheltering behind the vile antisemitism of which the great liberal France of the Rights of Man will die, if she is not cured. It is a crime to exploit patriotism in the cause of hatred, and, finally, it is a crime to make of the sword a modern divinity, when the whole of human science is working in the growing cause of truth and justice.'

And after having demonstrated the unsuspecting honesty of Picquart and Scheurer, 'two honest, simple-hearted men, who left matters in God's hands, whilst the Devil was having his way,' Zola summed up. 'This, then, is the simple truth, Monsieur le President, and it is frightful, it will be a stain on your presidency. . . . When truth is put underground it grows there, it assumes explosive strength, and when it bursts forth it shatters everything.'

He condensed this truth into eight paragraphs, taking 'revolutionary means to hasten the explosion of truth and justice':

'I accuse Lieutenant-Colonel du Paty de Clam of having been the diabolical instrument of the judicial error—an unconscious instrument, I am willing to believe—and of having subsequently defended his fatal deed, for the past three years by the most outrageous and wicked plots.

'I accuse General Mercier of having been a party, through weakness in any case, to one of the greatest iniquities of the century.

'I accuse General Billot of having had in his hands the sure proofs of the innocence of Dreyfus and of having suppressed them, of having committed a crime against humanity and against justice for political ends and to save a compromised General Staff.

'I accuse General de Boisdeffre and General Gonse of being parties to the same crime, the one owing doubtless to religious ardour, the other, perhaps, out of that *esprit de corps* which would make the Ministry of War the sacred, unassailable ark.

'I accuse General de Pellieux and Major Ravary of having conducted a villainous inquiry, by which I mean an inquiry of the most monstrous partiality, the report of which has afforded us an imperishable monument of naïve audacity.

'I accuse the three handwriting experts, the men Belhomme, Varinard and Couard, of having made untrue and fraudulent reports, unless a medical examination should prove them to be stricken with an affection of the sight and judgment.

'I accuse the officials of the Ministry of War of having conducted in the press, and particularly in *L'Eclair* and *L'Echo de Paris*, an abominable campaign in order to lead the public astray and cover themselves.

'Finally, I accuse the first Court-martial of having violated justice by condemning an accused man on a document which was kept secret, and the second Court-martial of having, by order, sanctioned this illegality, and of having in its turn, committed the juridical crime of deliberately acquitting a guilty man.'

Zola knew that he would have to justify these accusations, and that was why he had formulated them. He himself pointed out the articles of the law under which the proceedings he courted could be initiated against him.

'I have but one desire, for the truth to be made clear, in the name of humanity which has suffered so greatly and has a right to happiness. My burning protestation is but a cry from my heart. Let them dare arraign me before the Court of Assizes, and let the case be heard in the open!

'I am waiting.'

'I accuse!' . . . 'I am waiting!' This was the thunderclap which shook the world, raised hopes, increased fears, and excited remorse. Yes, Zola had cause to say:

'The affair is only now beginning, because only now is the situation clear: on the one side stand the criminals who do not wish justice to be done; on the other, the lovers of justice who would give their lives to see it triumph. . . .'

What matter if Zola was mistaken in this or that detail, if here, he believed the truth to be less evil than it was in reality, if there, on the other hand, he had made the reality seem blacker and more sinister than was actually the case? Zola's letter was neither a formal indictment nor a literary essay. It was a charter, a ruthless, insurrectionary charter, a call to the people. It was a breast bared, an indignant conscience calling other consciences to its aid, a cry of despair in the realm of reason, the flag of outraged truth brandished above the outrage. 'It was,' says Anatole France, 'a moment in the conscience of mankind'.

The Dreyfus Affair had begun! The period of prudent action, when a few were pitted against all, had been succeeded by the period of unbridled action. And that handful of men, whose number was henceforward to be daily augmented, abandoning the tactics of moderation and caution, of patient appeals to reason, right feeling and logic, renouncing

calm argument, threw themselves into the tumult of passions, the conflict between idealism and hatred.

It was no longer the despairing struggle of an innocent man against criminals and torturers. It was a battle in which two different conceptions of honour, of life and of mankind confronted each other. It was the battle so often dreamed of by poets eager for symbols, the battle between evil social forces and benevolent social forces, between reaction unmasked and dishonoured and endeavouring to the last to resist and to save itself, and the invincible spirit of freedom and justice.

And whilst France was to be transformed into a battlefield, whilst neither the bonds of friendship nor even those of family were to be strong enough to resist the force of passions let loose, the man for whom those who were strangers to him were ready to sacrifice their lives, remained unaware of the advance of truth and suffered the martyrdom of redoubled cruelties.

CHAPTER V

THE ZOLA TRIAL

§ 1 *The* Dossier *of Admissions of Guilt*

How would the Government face the attack made upon it in the article 'I accuse'? Méline's political instincts prompted him to allow the storm to pass over. If Zola were brought into court, as he demanded, they would be playing his game. On the other hand, an unmoved and contemptuous attitude would give the effervescence time to die down. Zola's letter would then be no more than a thrust in the air.

But although, in the abstract, in a world free from passion, this reasoning would have been undeniably sound, it could not be upheld in public before an excited parliament.

As soon as Méline got in touch with the Chamber, he realized that silence on his part, however contemptuous, would mean his downfall. Many of the deputies were expecting him to make a resounding and threatening speech to avenge the honour of the army. 'The army cannot wait much longer,' Count de Mun threatened. Méline replied weakly that Zola's 'abominable attacks' would be dealt with by law. This was not sufficient for Count de Mun who continued energetically to protest. In accordance with the demands of the leader of the Right benches, the Minister for War announced that the Government had decided to defend the army, which was immune from all attacks, and to enforce respect for the decisions of the Court-martial.

Jaurès, the Socialist leader, then rose, not to express his opinion of the affair, but to defend violated principles, and to protest against the 'irregularities in procedure' which might

have been committed, against the 'secrecy and mystery' with which the 'trial for treason' had been surrounded, and against the 'subordination of civil to military power.'

'Let us beware,' he concluded, 'we are about to deliver the Republic into the hands of the generals!'

Cavaignac, one of the leaders of the Left, taking advantage for political ends of a weak reply by Billot, pointed out the course of action to be taken by the Government which had failed to defend the irreproachable chiefs of the army. By one word, by the revelation of one fact, Méline might have silenced the abominable campaign at its inception. Since the premier had not uttered that word, he considered it his duty to do so: 'There is in existence a piece of evidence written at the time of the Dreyfus trial which proves that the prisoner admitted having delivered unimportant documents to a foreign nation in order to obtain documents of greater importance in exchange. Did not the officer who was in command at the parade for the ceremony of degradation forward this confession to the Ministry for War? Why has it never been made public?'

Thus Cavaignac brought before Parliament the alleged 'admissions' of Dreyfus to Lebrun-Renault. Among the deputies who heard him were men who had been ministers in 1894: Charles Dupuy, Poincaré, Barthou. They had never heard of these 'admissions'. They considered the whole thing to be an invention, but they did not think it their duty to protest in the face of the sensation in the Assembly.

Méline replied meekly that he had kept within his 'scope and rights,' that he had done no more than 'hand over to the law an affair of an exclusively judicial nature'. The Chamber signified approval of his attitude by 312 votes to 122.

At the same time the Senate indirectly made clear their attitude concerning the affair by refusing to allow the great Alsatian, Scheurer Kestner, to continue to be their Vice-president.

Out of 229 votes, he only obtained 80, among whom he had the consolation of seeing two future Presidents of the Republic, Loubet and Fallières; a future President of the Senate, Antonin Dubost, and two future premiers, Waldeck-Rousseau and Emile Combes.

On the day after the debate in the Chamber, Lucie Dreyfus, armed with proofs, replied to the story of the 'admissions' by 'a categorical and absolute denial.' Cavaignac coldly replied: ' You are mistaken.' Lucie Dreyfus insisted and showed the impossibility of any such admission. Major Forzinetti, for his part, stated that Captain Lebrun-Renault had said to him six months before, 'I never received any admission from Captain Dreyfus.'

The press called upon the Government to confirm Cavaignac's statement. An official reply to this demand was given.' Several papers,' it ran, 'have asked that the declarations made by Dreyfus to Captain Lebrun-Renault should be published. If the Government authorized such publication, it would be discussing and appearing to cast doubt on the authority of the thing adjudged.

'Furthermore, the Government is actuated by the same reasons which decided the Court-martial of 1894 to order a trial in camera.'

That note contained everything, the confirmation of the admissions, the refusal to publish them, the appeal to national defence and the menace of danger from outside.

Meanwhile, efforts were being made at the Ministry of War to strengthen the *dossier* of 'admissions' which was ludicrously meagre, since it consisted solely of the story dragged out of Captain Lebrun-Renault and was contrary to the logical probability of the facts. Du Paty, Henry and Gonse combined once more and devoted themselves to their criminal task.

Capital was made of a declaration by General Mercier that he remembered 'perfectly' the admissions reported by Lebrun-Renault. Then du Paty's first report, dated

December 1894, was replaced by a new note, which was antedated.

Gonse manufactured a report to General de Boisdeffre which he dated January 6th, 1895, and in which he mentioned the admissions, as though by chance. He was clever enough to take the precaution of implicating Germany by name in the report, thus supplying an excellent pretext for refusing to publish this sham document.

The number of direct witnesses had also to be increased. Officers came to testify either to having heard Dreyfus make these admissions, or to having been told, at the time, by reliable persons that Dreyfus had confessed.

Thus, the *dossier* of admissions was prepared. The General Staff were ready for the fray. France was already divided into two opposing, but very unequal, camps, whilst the Government was still hesitating to take action against Zola. This was not done until January 18th.

§ 2 *The Army of Justice*

The ringleaders and their confederates did their best to rouse public opinion against Zola, against Dreyfus, and against the Syndicate, and to provoke violent demonstrations calling for direct action.

A group was forming round Zola, on the other hand, of ardent, active, disinterested sympathizers. Some of them may have disapproved of the form taken by Zola's protest, they may have thought it inopportune, too violent, and excessive to the point of injustice. But it had attained its end. A united front was formed, speedily and spontaneously, under Zola's banner. It was not sufficient to congratulate Zola on his courage in a private letter, he had to be publicly supported with all the more ostentation because there was some risk in doing so in defiance of the threats of the snarling pack.

The invectives against Zola became ever more violent. He was a dealer in filth . . . a sinister nightman . . . scavenger

of the pen . . . who has struck at the heart of his mother-country with a pen as sharp as the stiletto of an assassin,' who 'with his foul hands has slapped the face of the whole army'; 'in all the prisons there could not be found two criminals who have committed a more abominable offence against French society.' But the invectives were useless, the petitions in the cause of Justice and Truth were crowded with signatures.

The object of these petitions was to stigmatize the illegal acts which had been committed. The official acknowledgement, made at last, of the existence of a secret document was seized upon. For the report concerning Esterhazy had contained this sentence: 'One evening when Lieutenant-Colonel Henry entered M. Picquart's room unexpectedly, he saw Maître Leblois . . . seated at the desk and examining with him the *secret dossier*.'

This fact, in addition to the 'mystery surrounding the Esterhazy affair,' the 'procedure in the judicial inquiries,' and the 'illegal domiciliary visits,' formed the legal basis of the petitions which were distributed throughout the whole of France. Names were added to names. The most obscure signatories were the most valiant. M. Maillard, commercial representative at Mans, must doubtless have required more courage than did Anatole France in giving his signature, since he was likely to suffer for it. And the fine devotion of idealistic students was no more worthy of admiration than that of the provincial tradesmen, of the small artisans who, by joining the cause, by demanding the publication of their names—whatever it might cost them—knew that they were laying up serious trouble for themselves, that they would be boycotted in their little town and brought to ruin. But they willingly threw themselves into the fight. A wave of feeling had swept through France and the whole people shared breathlessly in the drama unfolding before it.

It was a resurrection for this nation, whose wings had seemed to be clipped after the Commune, at the end of the war of 1871 and finally after the proclamation of a conserva-

tive Republic, meanly bourgeois, and bent on serving those in possession!

'How fine the Republic was under the Empire!' said the sincere republicans, the ardent democrats, demoralized by the feebleness of opinion of a public entirely preoccupied in the satisfaction of its own material interests. The country had abandoned itself to the exaggerated excitement of the Boulanger crisis and become weary and disgusted by such scandals as the Panama affair. The current words were 'Money! Extortion! Intrigue! Interest! Scandal!' And now men had arisen who were reviving a forgotten language, recreating mysticism, upholding an ideal, speaking of Justice and Truth.

It was to many a revelation of their own weakness, a salutary tonic! They went proudly to enrol themselves in the army of the Ideal.

This army had its chiefs in command. Let us take them at haphazard from the petitions.

Here is Anatole France, and with him a whole following of writers: Ajalbert, Robert de Flers, Marcel Prous', Courteline, Gustave Geffroy, Mirabeau, Jules Renard, André Gide, Tristan Bernard.

Here are Claude Monet, Carrière, Pissaro.

And the scientists: Grimaux and Delbet, J. Ch. Roux, Langevin and Charles Richet.

Here are the professors: Lapie, afterwards Warden, and V. Bérard, afterwards President of the Commission on Foreign Affairs in the Senate; Lucien Herr, afterwards Director of the Musée Pédagogique; Gustave Lanson; Durckheim; Charles Gide; Charles Rist; Louis Havet.

And there is Psichari, Renan's son-in-law, and Charles Péguy, the symbol of a generation.

Among the lawyers is J. Paul Boncour. Here is the veteran of the struggle for peace, Frédéric Passy. And, next to one another, here are the Pastor Monod and the anarchist Sébastien Faure who was the first to organize a big public meeting of protestation in Paris. 'Dreyfus,' said the anarchist,

'as a captain, is my enemy and I would oppose him. As a victim of the absurd conflict between two races which we are witnessing, he has my sympathy and I shall take up his defence in the name of humanity.'

§ 3 *The Two Camps*

Thus, Clemenceau was able to write proudly 'the Syndicate is growing. The cause of human justice admits of no compromise. You must be either for or against it.'

Against it, were all the agitators, the hirelings, the noisy students, people who had been bribed or were under orders, and a number of profoundly sincere men whose narrow patriotism refused to admit that the army could make a mistake and who shouted 'Down with the Jews! Down with Dreyfus! Down with Zola!', and in their insane fury burned effigies of Zola or figures representing Dreyfus.

For it, as Halévy wrote, were 'the jurists fastidious about formalities, women who wept over the martyr, good Catholics scared at their own boldness, Jews trembling for their race, logicians outraged by so much false reasoning, sceptics exasperated by so much credulity, anticlerics scenting the priest, anarchists scenting the soldier, honourable men who refused to countenance so much dishonesty.'

How many of these, intent, above all, on defending justice, hoped to find proof of Dreyfus's guilt and to acquit the heads of the army of the frightful responsibilities that rested upon them?

The socialists, in order to 'destroy the monstrous and equivocal military machine which is seeking to create enemies for the Republic' issued a manifesto to the country, but they declined to interfere in questions concerning the bourgeoisie and disclaimed all interest in the fate of Dreyfus, a member of 'the capitalist class, the enemy class'.

Charles Péguy, in the name of the young socialists, protested against this egoistic attitude. 'The socialists should

support all possible just causes. They ought not to take into consideration the persons for whom justice is to be done, for they are either disinterested or they are not. Neither ought they to make past injustices the pretext for refusing to do justice in the present, because that is revenge and retaliation, not justice.'

Jaurès endeavoured to disengage socialism from the conflict, he refused to differentiate Zola's 'human act' from the 'social surroundings in which it arose. But such a position, at once in the fight and outside it, was untenable for those whose radical principles were based on the pursuit of a lofty ideal.

A number of people were immediately converted to the cause on reading one morning in the *Siècle* some of the letters which Dreyfus had written to his wife in the past three years. Eyes grew moist, hearts swelled and minds finally protested: 'No! The man who can utter such protestations of innocence is not guilty! No! The man who can speak with such sincere love of his country is not a traitor!' There are words and expressions which cannot deceive. And men of pure and simple hearts were shaken. Before definitely taking sides they waited for the revelations which were to come to light in the course of the Zola trial.

§ 4 *The Trial Gagged*

That was just what the Government feared. They prosecuted Zola because a large parliamentary majority had demanded that they should do so, but they endeavoured to restrict the pleadings and reduce them to a minimum. The important thing was to prevent any discussion of the affair as a whole, or any light being thrown upon it. It was necessary therefore to limit the case for the prosecution to a single point.

Was Zola to be arraigned before the courts for having defamed du Paty de Clam, Lieutenant-Colonel in the French army, General Mercier, ex-Commander-in Chief, General

Billot, actually Minister for War, Generals de Boisdeffre and Gonse, General de Pellieux, the staff of the Ministry of War? No!

'Chiefs and subordinates,' wrote Billot, 'are above such outrages, and the opinion of parliament, of the country and of the army has removed them from the possibility of any attack.'

The case for the prosecution, therefore, was limited to a charge of defamation of the Court-martial, which Zola had accused of having 'given, under instructions, an iniquitous judgment and of having committed the juridical crime of deliberately acquitting a guilty man.'

Zola and Perrenx, the sub-editor of *L'Aurore*, were summoned to appear before the Court of Assizes on February 7th to reply to that one point. The trial was being gagged. Zola was to be muzzled. It would only be possible for him to furnish proofs relative to the special charge made by the prosecution. The full light of day was to be avoided, and refuge to be taken amid the shadows. Zola retorted in a stinging letter:

> 'You cannot have read my indictment, *Monsieur le Ministre*. Some clerk must have told you that I had only accused the Court-martial of "having given an iniquitous judgment" of having, under instructions, concealed an illegality by committing the juridical crime of deliberately acquitting a guilty man.
>
> 'This statement would not have satisfied my desire for justice. If I wished for full publicity for the discussion, it was because I wished the truth, the whole truth to blaze in the eyes of France.'

And he again set forth his accusations with precision.

> 'Read, these words again, *Monsieur le Ministre*, and whilst thinking what you please about my audacity, acknowledge that I have not sinned either by lack of detail or of clarity.

'And if you are forced to acknowledge it, and if, whilst you are cautiously silent, all the world has joined me in acknowledging it, tell me why, to-day, after five days of meditation, consultations, hesitations, and evasions, you have suddenly retreated.'

But Zola was determined, he said, to break through the walls with which they were seeking to surround him.

'In desperation it has been decided to force me to fight an unequal battle by fettering me beforehand so as to make sure, by proceedings worthy of the *basoche*, of the victory which would not be so certain in the event of a free discussion.

'You have forgotten that my judges will be twelve French citizens in all their independence.

'I shall conquer by virtue of justice, I shall bring light to men's consciences by the blaze of truth. You shall see, from the very first words, how the legal quibbles will be swept away by the imperious exigency of proof. The law commands me to produce this proof, and the law would be false if, after imposing on me this duty, it refused me the means of execution.

'How can I produce proof against the accusations you have made against me, if I am not permitted to show how the facts are linked together, and if I am prevented from throwing light on the whole affair?'

The conspirators had allowed themselves three weeks in which to get up the case, excite public opinion, rehearse their parts, collate the *dossiers* and make inevitable an unfavourable judgment.

Zola's principal witness was to be Picquart—Picquart, who had not yet appeared on the scene, whom the defence represented to be a hero, and who might impress the popular imagination by the mysterious part he had played up to the present.

Now Picquart knew all; the General Staff were obliged

to take steps to prevent him from making a deposition which would be their undoing. To this end, discredit was thrown on him in advance by subjecting him to disciplinary measures. Picquart, however, was only amenable to the officers commanding the 4th Regiment of Tirailleurs to which he belonged, they alone could form the board of inquiry which could pass judgment on his case. These officers had not been influenced; in what sort of spirit would they consider the case? They must have men on whom they had a hold, creatures of the Government. The difficulty was solved by asserting that Picquart, an 'officer on the General Staff,' was only 'attached provisionally to the 4th Tirailleurs' and that he therefore came under the jurisdiction of a Court-martial composed of officers of the General Staff. One more illegality was nothing. The end justified the means!

Picquart, therefore, was brought before judges who were already prejudiced against him, and one of whom was an intimate friend of General de Boisdeffre's. His interrogation was conducted with bias. Traps were set for him, and he was not allowed to justify himself. Accused of having communicated secret *dossiers* to Leblois, he proved that he had only asked his friend's advice on the open *dossiers*. If his friend were called he would be able to prove his good faith; this was denied him.

One of his chiefs, General de Gallifet, came forward to bear witness in his favour. 'If Picquart has done wrong, I am sure he was only led to do so by his love of truth and he was certainly not actuated by any unworthy motive.' Picquart, much moved, ardently proclaimed his innocence. 'The court will consider whether Lieutenant-Colonel Picquart should be cashiered whilst Major Esterhazy is still at large in enjoyment of his decoration and his rank.'

By four votes to one the Court-martial decided that M. Picquart was 'liable to be cashiered for a grave offence whilst on duty.' This decision was made public. It merely represented an opinion to which the Minister was not obliged to

conform. It was for General Billot either to confirm it or invalidate it. He deferred his decision until the close of the Zola trial, thinking that by awakening in Picquart hope of a light penalty, the latter would consent to have recourse to a half-silence favourable to the Government schemes.

§ 5 *Preliminaries*

The prospect of the Zola trial had caused intense excitement in parliamentary circles. Cavaignac badgered Méline about the question of the admissions, until the latter was forced to acknowledge their existence and was driven to denounce Zola in abusive language.

Thereupon, Jaurès, confronted by the excited Right benches, took up Zola's defence and denounced the duplicity and cowardice of the Government in having decreed incomplete proceedings for the prosecution. Accused of being in the pay of the Dreyfus Syndicate, struck on the back by a royalist deputy, he stood up to his insulters and, two days later, in a relatively peaceful atmosphere, he was able to ask definite questions on the employment of secret documents and the procedure of trials in camera.

Méline refused to reply to him. 'The Government has not the right to debate in parliament an affair of a judicial nature.' And the majority approved of this pitiable subterfuge.

At the same time the Dreyfus Affair had been mentioned within other legislative precincts. Replying to a question which had been put to him before the commission on the budget in the Reichstag, the Chancellor von Bülow had again asserted, 'in the most formal and categorical terms that there had never been any relations or connections of any kind whatever between Dreyfus and any German agent of any sort.'

In regard to Esterhazy, von Bülow stated that he had only heard his name six weeks ago. As for the 'tale of a letter found

in a wastepaper basket,' 'it would look well between the covers of a novel!'

It must be noted that von Bülow did not employ the same language when referring to Esterhazy as in referring to Dreyfus, and that he had taken good care not to say 'in the most formal and categorical terms that there had never been any relations or connections whatever between Esterhazy and any German agents.'

Once again, the true meaning of this declaration was not appreciated in France; it was said that it had been made to protect a spy. 'Germany has raised the diplomatic lie to the dignity of a principle'; 'William II has been very cute. He has heartened his spies by proving to them that the Emperor never gives them away.'

No greater importance was attached to the official declaration made in Rome by Count Bonin-Longare, Under-Secretary of State for Foreign Affairs: 'I am able to state explicitly that neither our military attaché nor any other agent or representative of the Italian Government has ever had any relations, direct or indirect, with Dreyfus.'

France was entirely concentrated on herself, occupied with her own convulsions. She was deaf to the warnings, to the voices which might have enlightened her. Passions were rising to a climax.

Some deputies proposed that the grant assigned to the Chief Rabbi in the budget for Public Worship should be suppressed. In any event the latter should be asked by the Government to 'advise his co-religionists to abandon a campaign prejudicial to the interests of France.'

Demonstrations in the streets became more numerous and increasingly violent. The newsvendors who cried the papers which were supporting Dreyfus were attacked and roughly handled, their papers were torn from them and burned. The paid, professional agitators, who were joined by some misguided students, obeyed the commands of the anti-Jewish ring who advocated the use of violence against

'the international Jewish combine which is ruining the country.'

In Rennes, Lyons, Grenoble and St. Malo, the cry of 'Down with the Jews!' was raised nightly, and this shameful cry often penetrated the walls of cemeteries and troubled the sad serenity of funeral rites.

In Algeria there was open rioting. Shops owned by Jews were plundered, and organized massacre took place. The *Antijuif* published repeated incitements to murder: 'Death to the Jews!' Timid tradespeople put notices in their shop-windows, 'Catholic firm'—'There are no Jews here,' and took shelter behind them.

The aggression of the press was redoubled in Paris. Drumont and Rochefort rivalled each other in the publication of gross and vile insults. 'The people realize who is the contriver of all these rascalities, the weaver of all these plots, the stirrer-up of all this filth . . . the Jew . . . they can perceive the Jew, such as he has always been . . . essentially antisocial, a destroyer by nature, a sower of calumnies, skilled in intrigue and lies, a maker of ruins. Organizer of panics, financial crises and conspiracies, he is endeavouring to destroy another country after having sacrificed his own.'

The attitude of the Jews, they said, was a provocation to war. 'This continuous shower of offensive pamphlets which is being projected from the other side of the frontier, has, and can have, no other aim than to stir up against us the powers already anxious to mobilize their forces and only awaiting a favourable opportunity.' The Jews would not attain their end, but 'What does that matter! However small the injury they may do to France they will say to themselves that it is always something.'

'Why do all the malcontents and incompetents support Dreyfus? . . . Why is the man branded for the stain on his name, why is the vulgarian, the snob, the German, the Englishman, the Italian, the foreigner, the mongrel ready to side with Dreyfus? Why does whoever is anti-French or suffers

from a taint, a madness, a sore, a mental deformity or a moral suppuration of any sort, defend Dreyfus? Why are all those for Dreyfus who are venal, embittered, tainted, contaminated, or damaged in reputation?'

On the eve of the trial a proclamation was posted on the walls of Paris addressed 'To Frenchmen' and signed by Edouard Drumont and the directors of the Antisemitic League of France. It was a call to insurrection.

'The rumour has spread that, in order to influence the jury, Jewish money, stolen from the French during twenty years of robbery with impunity, is being used to excite demonstrations in the street and even in the court in favour of the traitor's defenders.

'They have gone too far! The foreign agents who have been organizing this monstrous campaign, this international conspiracy, have had at their disposal the courts and the press, they have had the Court-martial also.

'They have not produced one proof, not one single proof of the innocence of the man who has been *lawfully and justly* condemned by his peers.

'Now these same agents, determined evil-doers, are prepared to assist in any attempts which may tend to disturb public peace and the consciences of the judges. The honest and patriotic population of Paris will not stand such provocations. *They will be their own police force.* . . .

'France will never submit to the insulting instigations of the foreign Jews who, after having taken her money, are now seeking to injure her national honour. She desires to see an honest Republic and a country freed from the yoke of cosmopolitans, corrupters, agitators and spies.

'Let our motto be adopted by all:
'*Long live the France of the French people!*'

To the echoes of this cry the agitator, Jules Guérin, mobilized his forces. At the opening of the first hearing of the Zola case, they and their leaders were ready in the court,

their noisy General Staff was in the corridors of the Palais de Justice, their troops were massed in the neighbouring streets, shouting, shaking their fists and brandishing cudgels.

§ 6 *The First Hearing*

For the next fortnight, an impassioned France, an anxious Paris, a frenzied court-room, were to be the focus of the whole world's attention.

Björnstjerne Björnson wrote to Zola: 'How I envy you! How much I should like to be in your place, to render to my country and to humanity a service such as you have rendered . . . the government which refuses to permit a revision of the trial of Alfred Dreyfus is the most conscienceless that has ever been at the head of a civilized people That is the opinion of the whole of Europe.'

Mark Twain declared that Zola, fighting his splendid battle alone to save the remnants of France's honour, was a grand figure. 'I am filled with the deepest respect and the most boundless admiration for him', he said. 'Ecclesiastical and military courts made up of cowards, hypocrites and time-servers can be produced by the million every year, and there would still be some to spare. It takes five centuries to produce a Joan of Arc or a Zola.'

Emile Vandervelde expressed, in the name of the liberal and socialist Left party of Belgium, the ardent wish that France would remain true to the principles of the Revolution.

Moving testimonies of sympathy, admiration and support were sent to Zola from all parts of the world on that February 7th, the day of the first hearing of his case.

What a hearing! In an overheated court-room where passions rose to fever-heat and clashed violently, where witnesses mingled with the public after having given evidence in fear and hatred, and amused themselves by uttering strident cries and applauding inanely.

The President, Delegorgue, a tool of the powers that be

rather than an independent magistrate, carried out to the letter the orders he had received, so that, in return, the press might sing his praises and congratulate him on his tact and skill. A weak man, for that matter, withou authority and unequal to his task.

The prosecution was conducted by the advocate-general, Van Cassel, a speaker of mediocre talent and a man of coarse and hard nature. His inadequacy was compensated for by his servility, and his passive attitude made it possible for the military witnesses practically to direct the whole course of the trial.

And the accused, who were they? An obscure employé of *L'Aurore*, Perrenx, responsible, as sub-editor, for the article. His defenders were the brothers Clemenceau; Albert, an experienced lawyer, subtle, incisive and determined; Georges, who, although not a barrister, had obtained special authorization to plead on behalf of his paper.

By the side of Perrenx stood Zola; Zola, whose quick and piercing glance flashed through his glasses, now on the magistrate and jury to whom he had offered himself for judgment, now on the public for whom he was either a hero or an object of execration. The words used by him in describing a character in his novel, '*Paris*,' could rightly have been applied to himself:

> 'One single idea occupied him, this idea of justice with which he was so deeply obsessed that all thought was banished from his mind except the desire for the flaming act of justice by which wrong was to be righted and the eternal good to be established.'

Behind Zola was his counsel, a man not content with pleading his case, but who lived and suffered in it. A man full of ardent passion, an athlete ready to hurl himself into the fight: Labori of the lightning thrusts.

The arbitrators in this titanic conflict between an army

united in defending the wrong and a single champion of justice, were twelve jurors, men of the people or the lower middle-class, little shopkeepers and tradespeople, or artisans. Invested for the time being with the sovereignty of the people, they were about to pass the people's verdict.

The trial opened. Witnesses were called. But how many failed to answer the summons! The military witnesses were not there. De Boisdeffre had vanished, du Paty de Clam had sent excuses, General Mercier had refused to appear. Esterhazy had slipped away!

These prearranged tactics had for their object the limitation of the debates already limited by the indictment, to stifle the truth and, under cover of darkness, to slip the noose round Zola's neck. General Billot, a Minister, had set the example; he had arranged for the Keeper of the Seals to deny him the right to bear witness.

Did they really believe that this vast conspiracy of silence would gain the mastery over all, even over truth itself? It was too late! Truth was advancing and nothing could stop it. They might set up one obstacle after the other, they might prevent Zola from proving his honest intention, they might restrict the argument to points of detail. All this would be of no avail! The truth would shine forth; the vigilant defence would seize every opportunity of taking a step forward.

If the jurors had had time to reflect at leisure, they could not have failed to be edified by the paradoxical spectacle of a defence eager for the fray and a prosecution which had made itself scarce!

The first tussle arose when the defence made a last effort to bring the fight into the open, whilst the prosecution refused to emerge from their fortified retreat. The court rejected Labori's demands and set rigid limitations to the scope of the arguments on either side.

A sinister shadow prowled about the corridors; it was Esterhazy, anxious for news. No hand was offered to him in greeting and Guyot could justly write 'he is the accused.'

Esterhazy, with Henry's assistance, at once set about scheming for a triumphant revenge.

§ 7 *The Question is not Allowed*

At the second hearing the defence scored a point. The court whilst maintaining the arguments within the limits immovably marked out, refused to allow certain witnesses to absent themselves and issued a summons compelling the defaulters de Boisdeffre, du Paty de Clam, Mercier and their friends, to appear. But they went into the witness-box under orders to keep silence, and when Labori and Clemenceau showered questions on them, seeking to extract from them certain revelations, the president stopped them with the words, 'the question is not allowed' and the sentence fell sharply and finally, like the knife of a guillotine, putting to flight all chances of a vindication of the truth.

The first witness, Lucie Dreyfus, came forward in a state of agitation which no one thought of increasing and in which many shared. Labori asked, 'What is your opinion of Zola's good faith?' The president would not allow it. Zola uttered an indignant protest which shook the court and divided it. Whilst Lucie Dreyfus remained in the box, doomed to silence, a battle on procedure and motions raged between the defence and the advocate-general. After a passionate protest against 'hypocritical procedure' it was terminated by an order of the court that 'the president has justly refused to allow the questions asked by the defence to be put to Madame Dreyfus.' Thus, Lucie Dreyfus was obliged to leave the court without having moved the jury by the sight of the sufferings she was enduring and without having proclaimed her conviction of her husband's innocence.

After Leblois had made a strong and effective deposition, Scheurer Kestner asked, in tones of honesty and sincerity which should have won the respect even of his adversaries, to be allowed to read out the correspondence between Gonse

and Picquart in order to explain the genesis of his conviction. The president refused to permit him to read these relevant documents to the jury.

Casimir Périer, who, in 1894, had been President of the Republic, might have invoked the immunity pertaining to his office had he wished to keep silence, but he chose to attend and to speak. 'I am,' he said quietly, 'a plain citizen, at the service of my country's laws.' Long applause greeted this sharp rebuke to the group of General Staff officers who had claimed to be above the laws and above justice.

But the court closed Casimir Périer's mouth, and, by means of another order, refused to allow the questions prepared by the defence.

When the court rose that evening there was fighting in the streets round the Palais de Justice. Zola, who was being escorted by a few friends, was hooted and threatened. Hands were raised against him. There was some brawling. Jules Guérin, constituting himself commander of the streets, gave orders to his gang; those who did not give way must be struck. Blows rained down, and bodies were trampled underfoot. Had it not been for the tardy intervention of the police, men would have been thrown into the Seine.

§ 8 *The Clandestine Communication of Documents*

By the time the third hearing had opened, a new fact had come to light. All the world had been enabled to read the letters exchanged between Gonse and Picquart, the recital of which in the Court of Assizes had been improperly disallowed. The *Siècle* had published them on its front page.

This time the heads of the army were present, in uniform, prepared to intervene. So far from avoiding Esterhazy as on the previous occasion they pressed round him, shook him by the hand and showed, ostentatiously, that they were all supporting him. This was the officers' day. Boisdeffre, Gonse and Mercier gave evidence, and no limit was put to the scope of

their depositions. They were allowed to say anything they wished, irrespective of whether it was relevant to Zola's case or not; they were the masters. A former President of the Republic had been told to be silent; these gentlemen of the General Staff were invited to speak.

Boisdeffre, whose harsh, guttural voice was intended to display his self-confidence, held forth on the Picquart trial and haughtily refused to reply to the searching questions put by the defence. Gonse, with his first blundering words, let loose the storm. Labori asked him a question to which he replied, 'This is a trap.' For the space of several minutes Labori vainly demanded that the advocate-general should enforce respect for the rights of the defence. The incident was not closed until Gonse had withdrawn his words.

The next witness was Mercier who, emerging from the obscurity into which he had sunk during the past two years, sought to regain his lost authority by the use of his thunderous parade voice. Here was Mercier in the witness-box; this was surely an opportunity to solve the main problem, the solution of which might attain the end desired by Zola, the revision of the Dreyfus trial! Were there or were there not illegal acts committed in 1894?

Labori quickly came to this crucial point. But Mercier shuffled, equivocated and quibbled over words. The lawyer then shot his bolt in an assured voice: 'Does General Mercier say that it is not true that a secret document was communicated, or does he say that it is not true that he has told anyone about it?'

Disconcerted by the pitiless precision of the question, the witness replied: 'I am not bound to reply to the first question, but as to the second I say that it is not correct.'

This was an admission. There was a flutter of joyful surprise and annoyance in the court. Mercier endeavoured to repair his slip by making a diversion: 'Dreyfus,' he said, 'is a traitor. He has been justly and legally sentenced.' But this testy statement was obviously no more than an attempt to retrieve a mistake.

In the course of this and the subsequent hearings the defence brought the all-important question of the secret document before the court several times.

Thus, when the barrister Salles was in the box, Clemenceau in spite of the President's opposition, was able to say: 'This witness had it from the lips of a judge of the Court-martial that a document was communicated. . . .' and he added swiftly and insidiously, 'let the witness deny this by a word. . . .'

The witness remained silent, and his silence was broken hastily—but too late—by the President, who said: 'Do not reply, monsieur!'

And when Demange, Dreyfus's counsel, came with simple confidence to make his deposition, Clemenceau raised the question again: 'Does the witness know whether a judge of the Court-martial told M. Salles, who repeated it to him, that, in 1894, a secret and illegal communication of documents took place?'

'Yes, indeed!' Demange replied without hesitation, whilst the President, powerless to prevent the witness from giving this evidence, said no more than: 'Maître Demange, it is not for you to speak,' and took refuge in the byways of procedure by refusing openly to put the question to which he had just received so apt a reply.

Honest folk, therefore, could no longer doubt that there had been a secret document. Zola would have liked the question of the admissions of guilt to have been settled also. But the court, faithful to its instructions to gag the trial, refused to hear Forzinetti and Lebrun-Renault. A dramatic scene then took place, not in the court, before the jury, but in the room reserved for witnesses. Forzinetti went up to Lebrun-Renault and said contemptuously, 'Less than six months ago you told me that Dreyfus had never made any admission of guilt. If, since then, you have said the opposite, you are a liar.'

Lebrun-Renault had not the audacity to answer him. With bowed head, he accepted the rebuke.

§ 9 *Battles*

In the court-room, meanwhile, the witnesses of the General Staff were reciting the lesson they had learned by heart. Du Paty de Clam entered the witness-box with measured tread and, making the regulation half-turn, as though on parade, he automatically saluted first the court and then the jury, provoking a general outburst of ironic laughter. After his deposition had been given in stilted, formal language that matched his bearing, Henry came forward; he was wearing a monocle, and was of fine presence although heavily built and stout. In an unctuous voice he deposed what he alleged he knew, without fear of refutation. But under a rapid fire of questions he lost himself in a maze of contradictions, and the defence scored an advantage.

The defence had expected to score still greater advantages by the interrogation of the ministers of 1894. But as soon as Labori began to question them the President intervened: 'The question is not allowed.' They were, indeed, mere civilian ministers, not officers.

During the fifth hearing General de Pellieux affected to give Zola some lessons in patriotism. The latter was furious at his arrogance.

'There are various ways of serving France. She can be served with the sword and with the pen. General de Pellieux has, no doubt, won some splendid victories! I have won victories also. Posterity will choose between the name of General de Pellieux and that of Emile Zola.'

Violently attacked by de Pellieux, Picquart, the real prisoner in the dock, against whom public opinion had been inflamed, and on whom all the feelings of hatred and bitterness had been concentrated for several months past, came forward ready for the fray. He stood there, a young man, his face reflecting the light of his noble mind, calm, and dignified. He was not afraid to speak. He had only to tell what he knew, without raising his voice, without indulging in provocative

speeches. He could speak with sincerity, his deposition was based on the truth. He could give exact answers and did not need to retreat behind ambiguities. He could energetically reject all accusations.

The simple force of a truth unshackled by affectation struck his hearers, who could not refuse to listen, and evoked applause. There were cries of, 'Long live the Republic!' A young law student called out, 'Long live the army, but not all its leaders.' Officers in uniform flung themselves upon him and struck him. Disciplinary measures were to be taken against him later.

That evening riot reigned in the narrow streets around the Palais de Justice, on the *quais* and in the neighbouring squares. Isolated revolver shots were heard. The antisemites were seeking to regain by force and threats the ground which reason and good sense had that day caused them to lose in the court.

An acquittal seemed to them possible. In order to prevent it they would have to influence the jury. Their papers printed every day, in large type, a list of the jurors with their addresses. If Zola were acquitted, therefore, they would know where to go to administer the necessary reprisals. The papers also stated that the jurors were no longer independent agents, but that attempts were being made to bribe them by the Syndicate. If they pronounced an acquittal it would be because they had been bought. If they brought in a verdict of guilty, they would have listened to the dictates of conscience, they would have shown themselves to be free and independent men!

The General Staff had decided to defeat Picquart on his own ground. Henry was instructed to question him and a long cross-examination ensued in the course of which each one of Picquart's replies increased his advantage.

In order to stem the tide which was carrying him away, Henry suddenly interrupted the examination by saying brutally, 'Colonel Picquart is lying when he says that.'

Colonel Picquart paled at the insult, he raised his arm in a threatening gesture and then let it fall. 'You have no right to say that,' he said, and he justified himself with vigour and indignation. He had been urged by 'his duty as a man of honour' to render to his country and to the army the great service of speaking for truth and justice.

The President, Delegorgue, made a feeble effort to stop this dramatic contest. 'You are not in agreement with one another,' he remarked timidly. Henry longed to take revenge for his defeat. No scruples could hold him back. He announced that he had something to reveal. 'I shall explain all about the *dossier*. Here goes!'

Here goes! And Henry let himself go, reciting in a melodramatic voice mysterious tales of secret *dossiers* and ultra-secret *dossiers* designed to impress the jury and convince them that formidable charges existed against Dreyfus.

But there came a pure and generous breeze to sweep away all these miasmas. Jaurès was present and he compelled the attention of the whole court, even of the officers who had come in large numbers to support Henry against Picquart.

The deputy, radiating generosity and good-will, appealed to the jury and through them to the people of France. It was not a deposition, it was an impassioned harangue which drew applause even from his adversaries.

His peroration contained two portraits, those of Mercier and Zola.

> Mercier 'has taken upon himself to cast into the scales a document, the value of which he alone dares to estimate. . . . I say that this man, in spite of the brilliance of his record, and of his gold lace, in spite of the splendour of power, that this man is a man, that is to say a miserable, weak being made up of darkness and pride, of weakness and error, and I cannot understand how, in this republican country, one single man dare take it upon his conscience alone, upon his judgment alone, upon his

head alone to make a decision affecting the life, the liberty and the honour of another man; and I say that if such principles, such usuages were to be tolerated in our country there would be an end of all liberty and all justice.'

As for Zola, 'he is about to pay for the noble service he has rendered his country with hatred and violent attacks, and I know why certain men hate him and persecute him! They are persecuting in him the man who upholds the rational and scientific interpretation of the miracle; they are persecuting in him the man who announced in *Germinal* the budding of a new humanity, the pressure of the wretched proletariat germinating in the depths of suffering and ascending towards the light; they are persecuting in him the man who has snatched the General Staff from the fatal and magnificent irresponsibility in which all the disasters that have befallen our country are being brewed. Let them persecute him and defame him, I believe I am expressing the feelings of all free citizens when I say that we bow before him in reverence.'

§ 10 *The Experts*

As in the best romantic dramas, the sublime was followed by the ridiculous. The ineffable M. Bertillon appeared on the scene, and, to the accompaniment of laughter, vainly endeavoured to justify his infallible and transcendant methods of graphology, which had led him to the conclusion that the *Bordereau* emanated from Dreyfus because it bore no traces of the special peculiarities of his ordinary handwriting. He tried in vain to demonstrate in greater detail than in 1894 with graphs and tables, that his method was scientific and therefore infallible.

'The writer of the *Bordereau* made use as a guide of a kind of transparent oiled paper which at each line was

slipped under the thin paper of the *Bordereau*. This transparency consisted of a double chain. The first chain was composed of the word "*intérêt*," traced end to end right across the line and imbricated, that is to say, written so that the initial "i" overlapped the final "t" which preceded it. The second chain was identical with the first but moved back by 1 millimetre 25.

'The transparency has been traced from the word "*intérêt*" which concludes a line in the letter found in Dreyfus's blotter. The word itself is not written in a natural hand, but is *made up geometrically. The letter in the blotter and the minutes written by Dreyfus at the Ministry of War were written with the help of the same transparency.* This explains why the same words in the different documents coincide when placed one over the other. Since the minutes written at the Ministry of War are certainly by Dreyfus, Dreyfus and the author of the *Bordereau* have made use of the same transparency, hence they are one and the same person.'

Only a few officers in uniform appeared to be amazed at so much ingenuity and applauded the expert when he evaded the common-sense questions put to him by the defence.

The other experts sought to rival Bertillon in the cleverness and force of their arguments and one of them went so far as to declare that, as the writing of the *Bordereau* was dextrorsal it must be Dreyfus's, because the traitor's habitual handwriting was sinistrorsal!

All these ridiculous systems were pulverized by the clear and detailed depositions, the logical methods and the searching analyses of such learned men as M. Paul Meyer, a member of the Institute, professor at the Collège de France and director of the Ecole des Chartes, a Catholic by birth and belief; M. Louis Havet, a member of the Institute, professor at the Sorbonne; old M. Grimaux, professor at the Ecole Polytechnique. This last-named informed the jury, with pathetic

simplicity that, because he had signed a petition in favour of respect for justice and in protestation against illegal acts, the Government were considering the issuing of an order to rescind his appointment as professor at the Ecole Polytechnique, to dismiss him after he had 'served the State and science for thirty-four years.' But his mind was made up. 'Insults, threats, dismissal, nothing can touch me; truth has clothed me in impenetrable armour. . . . We want a revision and we shall have it'

The prosecution was losing ground; they sought to regain it outside the precincts of the court.

§ 11 *Pressure on the Jury*

General Billot, who had refused to appear at the hearing, now decided to carry the fight into another sphere where there would be no defence.

Whilst the case was being tried, he spoke in the Chamber. Conscious of the extreme delicacy of his position, he took the precaution of declaring in his speech that he would decline to reply to any interpellations, so that justice might not be interfered with. But just at the time when Demange was confirming the facts of the illegal communication of documents, the Minister for War dared to state: 'Dreyfus has been legally tried and justly condemned; he is a traitor and criminal.'

No more direct method of governmental pressure on independent justice can be imagined!

In other directions efforts were made to discredit Zola's lawyers. Their attitude, their close reasoning, and the strength of their conviction were gaining greater advantage over their adversaries every day; they would have to be discredited.

'Who is this Labori?' asked the *Libre Parole*. 'A lawyer of teutonic origin, a naturalized Frenchman married to an English Jewess. His father is still a German and is an inspector in a German railway company!'

As for Picquart, it was said that he had been divorced and that his two children were being educated in Germany.

None of these allegations were true or had any foundation whatever. But it was sufficient for them to be seen in print for a certain number of people to believe them and to be disturbed by them, in spite of contemptuous denials.

The mystery of the secret *dossier* was also exploited. At a public meeting a deputy, Millevoye, professed to know the text of the material document, and read it out: 'I request that that scoundrel Dreyfus shall hand over to you as soon as possible the documents he promised. Signed: William II.' The commonsense of the people who formed his audience forbade them to allow the speaker to continue; his voice was drowned in laughter and hooting.

It was essential that a verdict of guilty should be given. All means to this end were justifiable. 'An acquittal means war,' Rochefort reiterated. Esterhazy had himself interviewed by an English paper. 'If Zola is acquitted, scenes of violence will result. Very probably the streets of Paris will be strewn with a hundred thousand corpses before this wretched business is finished. For my part, I ask for nothing better than to be able to lead my regiment against the Jews of Paris, I would slaughter them without anger or hatred, but simply in the interests of public welfare and as readily as if they were rabbits.'

Finally, the General Staff once more resolved to strike a decisive blow in the Court of Assizes. They thoroughly understood the mentality of the jurors: they would be inclined to acquit Zola whom they admired, but they would also want to cry 'Long live the army!' The General Staff directed all their efforts to placing these men on the horns of a dilemma. 'Either Zola or us,' 'Zola or the army'; 'if you acquit him you will be condemning the French Army.'

General de Pellieux had been charged with this important mission. Behold him, therefore, before the court, resolute of mien, endeavouring to impress his audience by his grandi-

loquent language and his theatrical manner. 'It is wrong, it is criminal, to endeavour to destroy the confidence of the army in its leaders. What do you think will happen to this army in the time of danger, which may be nearer than you imagine? What will those unhappy soldiers do when they are led under fire by commanders whom you have sought to discredit in their eyes? You will be sending your sons to be butchered, gentlemen of the jury! M. Zola will have gained a new victory, he will write a new *Débâcle!*'

Shifted to this new field, the battle now assumed a different aspect. It was no longer Delegorgue who was presiding at the assizes, but General de Pellieux. Henceforward it was he who conducted the trial. He was the actual mouthpiece of the prosecution.

§ 12 *Here Goes!*

At the tenth hearing Picquart was recalled. An argument arose between him, Gonse and Pellieux. Discrepancies became evident. Gonse and Pellieux asserted that the *Bordereau* dated from September, 1894, but in the indictment against Dreyfus the date of origin had been fixed as February. Which was the truth? The generals were embarrassed, and showed it by their replies. They felt that, in order to reinstate themselves, the argument would have to be diverted to other grounds. This could only be possible by means of a *coup de théâtre*. De Pellieux had no qualms about adopting a desperate remedy. With the peremptory manner of one who believed himself already the victor, he copied Henry's words. 'They want an explanation. Here goes!'

When, in November, 1896 the interpellation was made on the agitation which was being caused by the Dreyfus case, 'there existed at the Ministry of War absolute proof of Dreyfus's guilt. Absolute! And I have seen this proof! . . . A paper had been received of indisputable origin on which was written: "There is to be an interpellation on the Dreyfus

Affair. Never say anything about the relations we have had with that Jew. . . ." and the note is signed!'

The court vibrated with delight. The bolt had been shot. All was over, the trial was ended. Irrefutable, authentic proof was about to be given that Dreyfus was guilty.

Labori did not waver under the blow. So the document was authentic? Let that be argued, let the paper be produced so that it might be contested. 'So long as we have not argued it, so long as it has not been publicly produced, it is of no value.' It was of no value to the defence, but it carried weight with the jury.

It was not desirable to contest it; Gonse and Pellieux objected . . . their word ought to suffice. When Labori insisted, Pellieux turned to the body of the court and gave an imperious order: 'Major Ducassé, kindly find General de Boisdeffre. Take a carriage, and go at once!'

The President of Assizes permitted a mere witness thus to conduct proceedings. This was a court of law . . . and the army was in command!

So that the chiefs of the army might concert together, the hearing was adjourned, amid the wildest excitement, until the following day. Thereupon a set battle took place, with throwing of stones, striking of fists, and vociferations. Leblois was assaulted and threatened with death. Zola was insulted and attempts made to attack him. Above the uproar there sounded the cries: 'Death to the traitors! Death to the Jews!' and louder still, 'Long live Pellieux! Long live the army! Long live Esterhazy!'

But Pellieux had not convinced the savage defenders of the truth. They vied with one another in saying, 'It is a forgery . . . they will refuse to produce the document . . . if they were to produce it their whole theory would fall to pieces.' Rumours went round about the origin of the document. 'It was intercepted in the mail destined for the German military attaché . . . it came from the Italian military attaché.'

In view of the wave of folly which threatened to overwhelm

the country, one of Zola's staunchest partisans, the ex-minister of Justice and moderate republican Trarieux, assembled his friends in the room reserved for witnesses. They would have to unite, to link arms and breast the current. He proposed to form a league having for its object the safeguarding of individual rights, the liberty of citizens and the enforcing of respect for the equality of everyone in the eyes of the law. The proposal was approved, they all offered to join and promised their support. Thus, amid the rumour of civil war, was born the League for the Defence of the Rights of Man and the Citizen, which was to play so magnificently the part imagined for it by Trarieux in the hour when all hope of justice seemed gone.

The adjournment had given de Boisdeffre a night in which to prepare his evidence. As soon as the hearing opened he made his brief but decisive deposition with great self-assurance. He confirmed de Pellieux's statement and added: 'You are the jury, you are the nation. If the nation has no confidence in the chiefs of its army, in those who are responsible for national defence, they are prepared to hand over this heavy task to others; you have only to say the word.' And de Boisdeffre withdrew.

Henceforward the jury could no longer be in doubt. They were caught in the dilemma from which they had hoped to escape. It was a dramatic alternative. They had to choose between Zola and the chiefs of the army. If Zola were acquitted the chiefs of the army would resign, and disorganization and confusion would ensue. Germany, they were made to believe, would take advantage of this state of affairs to declare war. Zola would have to be sacrificed to the army, to peace, to France!

Labori wished to ask some questions, but Delegorgue would not permit it. He was not going to allow General de Boisdeffre's words to be discounted, and the court signified its approval by an order recognizing that he 'was right to deny permission to the defence to put questions

to Generals de Pellieux and de Boisdeffre concerning the incident.'

The President paralysed the defence and, in defiance of the strict impartiality demanded by his office, made common cause with the prosecution.

Picquart had no difficulty in showing in a few words that the document which had been read to him 'which was concocted and brought to the Ministry in Esterhazy's interests', was a forgery.

Esterhazy succeeded him as witness and made a declaration denouncing the conspiracy of which he was the object, 'the most terrible that has ever been plotted against a man.' He invoked his sufferings, greater than those of any of his contemporaries, and concluded by saying that he declined to answer any questions whatever that might be put to him by the defence. The public applauded him. Albert Clemenceau, however, asked his questions all the same, and for the space of an hour he harassed Esterhazy, asking him whether he knew the author of this shameful letter, which he read aloud, or the perpetrator of that act, which he revealed, whether he was aware of such and such a delinquency, which he denounced. The whole business was thus gradually unfolded, deed by deed, whilst Esterhazy stood silently with his back to Clemenceau, feigning indifference. And when the President in the name of 'national honour and safety' cut short this merciless interrogation, so valuable to the defence, there was a burst of applause and Esterhazy had a real ovation. The Prince of Orléans publicly shook him by the hand. At an anti-Jewish meeting one of the speakers exclaimed: 'The tree of liberty will be watered with Jewish blood.'

The last witnesses were heard on the following day. Before Duclaux and Anatole France bore testimony to their admiration for Zola and their adherence to his cause, Pellieux, after having again evaded all the questions put to him, made this insulting declaration, which was applauded by his friends who filled the court: 'I have to say to Colonel Picquart that

what seems to me most strange about this affair is the attitude of a gentleman still bearing the uniform of the French army who has come before this court to accuse three generals of having forged a document or of having made use of such a document.'

The press greeted this apostrophe with frantic acclamations and termed it a 'swift and terrible execution'.

§ 13 *The Verdict of the Terror*

Feeling during the last hearings rose to fever heat. The court-room was invaded by the army. Du Paty de Clam had made application to a famous lawyer to have the majority of the seats reserved for his *claque* of officers.

Van Cassell, the Advocate General made a very brief speech for the prosecution, ill-composed and ill-read. He demanded a verdict of guilty for the honour of the army.

Zola rose. In drawing up his manifesto he had dipped his pen in the ink of *J'ACCUSE*. But he read badly, his colourless voice, without expression or depth, did not carry. In his efforts to raise his voice, he seemed to be regretting that each of his sentences was not a deed. He threw his whole personality into the struggle. 'I swear that Dreyfus is innocent! May my works perish if Dreyfus is not innocent!' He uttered this righteously arrogant cry, 'I may be struck down here. One day France will thank me for having helped to save her honour.'

Finally, the mightiest voice of all was raised for the defence. Labori pleaded during nearly three hearings. In the course of the trial he had 'fought tooth and nail, overthrowing and trampling' upon his adversaries. Now he had to bring proof, to convince the court. 'What he knows he says. What has been said, he recalls. What he does not know, he deduces. . . . Relying on facts he ascends to ideas.' Nothing was omitted, all was in logical order. Every argument told and was given its full value. Sure of himself, calm in his state-

ments, warm in his appeals, Labori's pleading was at once searching in argument and logical and convincing by virtue of the radiant power of his sincerity. But he was no more than a man; what was needed was a miracle!

Neither could Clemenceau perform a miracle by a few words of bitter satire.

'The thing adjudged?' he cried. 'Look there, gentlemen, look at that Christ on the cross. There is the thing adjudged. . . .'

The trial was over. The jurors retired to deliberate, and their terrible dilemma became apparent and overwhelmed them. Ah! If they had only been required to answer the question, 'Is Zola guilty?' How easy that would have been! If an acquittal would have affected no one in the army but Esterhazy, the friend of the Uhlans, how satisfactory that would have been, how right an acquittal would have been!

But was it not essential to the peace of society that they should condemn him?

The *Matin*, a neutral paper, had written: 'An acquittal will not disarm the belligerents. A condemnation will put a stop to the dangerous demonstrations in the streets; it will do away with the reason for stormy meetings. . . . Trade and labour in Paris, ruined by Zola, will not soon forgive him for the winter season they have lost. . . . If Zola is condemned people will turn their attention again to business, to work, to social amenities.'

Was it not essential also to external peace that they should condemn him?

They read every day such passages as: 'In the interests of the country France must be delivered.' 'Even if an acquittal does not mean war, it will at least bring in its train complications dangerous to the Republic and to France.'

The appeals made by Rochefort and Drumont were still fresh in their memories, or there before their eyes.

'The object is to drag the French army in the mud and

exalt Dreyfus. Jurors of the Seine Court, will you commit this double crime? You, whose lofty mission it is to chastise criminals?'

But if they had to choose between the army and Zola, they had also to choose between their own peace of mind, their own lives and Zola.

What would happen to them if they acquitted him? Means would be sought to bring dishonour upon them. Calumny had already been busy and a rumour had been circulated that every juror had been promised 10,000 francs in case of an acquittal. Their lives were in danger, their houses had been marked down as prey for the madness, evil instincts and hatred of the mob.

For the last time, in the shadow of this double menace, they argued together. 'If you acquit him the General Staff will resign. If you acquit him, it will be a proof that you have been bought by the syndicate.'

These honest and patriotic jurymen entertained fears for France, for themselves, for their families, for their honour. They were about to give the verdict of the Terror.

Eight members of the jury were for condemnation, four for an acquittal. They were divided on the question of admitting extenuating circumstances.

At the end of thirty-five minutes the jury returned to the court and the foreman of the jury announced a verdict of guilty.

The timid, tremulous voice of the foreman of the jury was followed by a tumult of wild acclamations. The chiefs of the army, relieved and radiant, were surrounded and overwhelmed with congratulations. The crowd then turned against Zola, who had remained standing, proud of his condemnation which amounted to a victory, and in reply to the execrations hurled at him he said contemptuously: 'Cannibals!'

'In the court,' wrote Séverine, that splendid woman, who was more devoted than any man, 'a handful of men with

blazing eyes, tragically pale, threw themselves into one another's arms in an embrace which was like a solemn oath.'

The court paid Zola the additional honour of inflicting on him the maximum penalty of one year's imprisonment and a fine of 3,000 francs.

§ 14 *Penalties*

The victors were anxious to exploit their triumph. Méline, in the Chamber of Deputies, delivered a pompous eulogy of General de Boisdeffre who had been placed 'on the stool of repentance, treated with scorn, regarded as a suspect, almost as a criminal', and who had been fain to utter the cry of his conscience before the court. He went on to denounce the would-be 'intellectuals' who were responsible for the crisis which was holding up the activities of the country and who 'seem to take a delight in inflaming murderous hatred'.

After having thus, as head of the Government, caused the men who were the glory of France to be ostracized, he had recourse to threats. 'If the campaign continues after to-day, there can be no further question of good faith. Internal peace will have been deliberately disturbed and the country exposed to troubles from outside. The utmost rigour of the law will be applied to these people. If the weapons we now hold do not suffice, we shall ask you for others.'

Salvos of applause greeted this speech, and a vote that it should be placarded throughout France was enthusiastically passed. Méline proceeded to take the first measures of reprisal. Picquart was placed on half-pay for 'a grave dereliction of duty'. Professor Grimaux was given leave of absence until the date of his retirement. Lieutenant Chapelain was removed from active service for having written a congratulatory letter to Zola. Leblois, joint-mayor of the VIIth *arrondissement* was relieved of his office.

A few days later the Council of the Order of Advocates,

acting under the combined instructions of the press and the Government, took steps against certain of its members. The student who had shouted, 'Long live the army, but not all its leaders!' was suspended for six months. Leblois had the same penalty dealt out to him because of his relations with Scheurer Kestner! Demange, too, was summoned to appear before his peers for having revealed the existence of the secret document. But, in spite of the demands of the press, they shrank from the scandal which a penalty inflicted on him would evoke.

§ 15 *The World's Verdict*

That press overwhelmed Zola with abuse, raging at him as a 'burst bladder, a disembowelled pumpkin henceforward to be trampled underfoot', whilst from every quarter of the globe the most touching evidences of sympathy were being sent to him.

The outside world could no longer recognize the France of the Revolution. From all sides, intellectuals and politicians ranged themselves with the French intellectuals and the defence on Zola's side.

Maeterlinck summed up his views by reminding 'those who are blindly censuring this grand act of a heroic conscience, of the terrible words of de Sieyès: "They wish to be free, they do not know how to be just." '

The mighty poet of the people, Verhaeren, wrote: 'In this Dreyfus affair, henceforward a part of history, the whole of Europe has defended the spirit of France against France herself. The idea that justice should dominate racial and religious conflicts was implanted in the mind of the world by the Revolution. Mankind has become the greater for it; its gratitude was poured out on the people who had announced and expounded it.

'But it has come to pass that this same people has violated its own teaching as one might violate an oath. The world

has not yet recovered from its surprise; protest is, and should be, universal.

'It is useless to say that this is a national question. France herself made it universal a hundred years ago. These matters affect us because the French themselves wished it to be so.

'Let us defend and admire Emile Zola as one in whom, at the present time, the very life of justice is concentrated. Those men are rare who, in the course of their lives, have personified an idea to such a degree that they have become its symbol. By his clear and simple deed Emile Zola has joined the ranks of these men.'

The President of the Russian Supreme Court of Appeal in St. Petersburg, Senator Sakrevsky, declared that: 'The Dreyfus-Esterhazy affair will always be memorable because it has given rise to protests in the name of the most lofty principles of justice against the courts and against the intrusion of the sword into a domain over which Themis alone should rule; against secret proceedings worthy of the Inquisition; against a contempt for essential procedure on the plea of consideration for international amenities. This trial has also shown us what brutal instincts still lie hidden in a people who are reckoned among the most civilized of nations, and how easy it is, in the very midst of modern civilization, to arouse bestial passions, not only in the masses but in the middle classes of society.'

The most important Russian papers declared the affair to be 'a symbol of the decadence of a people hypnotized by a terror of truth', that Paris had become a 'small town far away in Asia or Africa . . . where justice is equivalent to the right of the strongest'.

Tolstoi, who was 'far from admiring Zola as a writer', considered it a point of honour to proclaim that 'in his act there is a noble and beautiful idea, namely, to oppose the chauvinism and antisemitism which prevails in certain political circles and to show that things are not so bad in France as might be supposed judging from recent events.

Antisemitism and chauvinism are worse than frightful; they represent savage passions unworthy of the French nation'.

In Warsaw dismay was expressed at the impossibility of recognizing France any longer as the traditional lover of justice. 'By a strange irony, it has now become incumbent upon other nations to take up the defence against the French of the principles of liberty and justice—a spectacle which makes an extremely painful impression on all sincere friends of the French people.'

In Prague it was stated that 'the civilized peoples of the world have not for a long time shown such a passionate interest in any occurrence as in the Zola trial. This interest and the trial itself do credit to the human mind, for they are a proof that, above all the material needs of the nations, there exists a superior ideal which is as indispensable to each individual as to the people as a whole if they are not to be defeated in the struggle for life; that ideal is the belief in Justice and the irrepressible desire for Truth'.

The English press was unanimous.

'M. Zola's real offence,' said *The Times*, 'is that he has dared to stand up for truth and civil liberty at a moment when many saw the peril but no other was ready to brave the extremity of personal danger in order to aid in averting it. For that courageous vindication of elementary civil rights he will be honoured wherever men have free souls. . . . The civil trial, like the military ones, degenerated into a travesty of justice and the court . . . administering the civil law was as absolutely dominated by the military element and by military ideas as the Courts-martial themselves. That is the appalling outcome of the whole affair which must to-day cause the profoundest misgivings among all Frenchmen capable of serious reflection.'

In the opinion of the *Daily Graphic*, the sentence 'reveals to us France delirious with anti-social passion and political

bugbears, deprived of all the guarantees of an equitable administration of justice, and dominated by a military caste which openly mocks at the law. It is an ominous picture.'

The *Daily Mail* concluded its article in these words:

' . . . France drops out of the list of civilized countries until she awakens to the gross enormity of this judicial farce.'

And The Personal Rights Association of Great Britain published a manifesto in which they said that there were elements of evil in every nation which were held in check by the good sense of the majority. When this restraint no longer existed, public services were corrupt, guarantees of justice between citizen and citizen were destroyed and the nation became decadent. Spain had fallen into decay in this manner.

' All self-respecting nations,' said the New York *Journal of Commerce*, 'have a right to demand justice. . . . It is a sign of a nation's decadence when it falls into a panic because the justice of a Court-martial held in camera has been called in question and a writer has declared that the condemned man is innocent and his trial ought to be revised. The French Republic cannot and should not continue if a military caste, a few Jew haters or a mob of students can bring her to a state of hysteria which drives her to trample the liberty of her citizens underfoot.'

In Switzerland the *Genevois* uttered a vehement protest. '. . . this sentence was passed under the insolently brutal pressure of the chiefs of the army, who have assumed the right to violate the law and to crush constitutional rights under their spurred heels. The generals have taken the place of Louis XIV who went booted to Parliament; but that Parliament protested and was exiled. Nowadays the councillors in their red robes bow down in submission.

'Poor France, what a retrogression!'

And the *Journal de Genève* said: 'It was a question of the honour of a military officer and the honour of the army—which has been often placed in a position where it has no business to be, for instance, as the upholder of an act of injustice—the honour of the army and the moral stability of each one of its members whether of high or low grade are directly interested in the establishing of the truth.'

The Hungarian deputy, Hock, a Catholic priest, wrote: 'I feel certain that Captain Dreyfus is innocent and that he is suffering an unmerited martyrdom. Neither Dreyfus nor any other man has committed an act of high treason against France. The whole thing is simply a *piece of blackmailing* of considerable magnitude, the authors of which, in order to divert attention from themselves, have made use of diabolical machinations to throw suspicion on Captain Dreyfus. They have literally enveloped him in it, so that his condemnation was inevitable.'

In Italy, in the Netherlands and in Turkey public opinion was staggered.

In Germany the *Kölnische Zeitung* said: 'The Republic will alienate the intellectual leaders of the nation if the Government does not hasten to right violated justice.'

Protests were thus pouring in from all sides, and were unanimous.

Björnstjerne Björnson declared sadly, but justly: 'France has become the object of universal exasperation.'

And the miserable Méline, glorying in his attitude, said, 'We are defending the good name of France abroad!'

CHAPTER VI

THE FIRST VICTORY

§ 1 *Consequences*

THE Affair might, thus, be considered finished. Dreyfus continued to be immured on Devil's Island, Esterhazy boasted of his triumphal acquittal, Zola had been sentenced, the 'intellectuals' were being mocked and threatened; the army had placed itself beyond the law and enforced its will upon a servile government.

Nevertheless, the Affair was still being carried on with immense energy. There was not a single defaulter in the ranks of the defenders of justice, each one of them had preserved untainted his will to fight and his certainty of victory. But to all of them it seemed that the fight would be very long and beset with difficulties.

On February 28th Lucie Dreyfus applied, in accordance with the law and not as a favour, for authorization to rejoin her husband on Devil's Island. The publication of her letter, so impressive in its dignity and restrained feeling, was greeted with the most perfidious comments. The Government must not fall into this 'obvious trap' and grant the request of the 'quasi-widow' whose sole object was to enable the traitor to escape.

Although old Count d'Haussonville, a nobleman of ancient family, who had been instrumental in introducing the law on which Lucie Dreyfus was relying, as well as Joseph Reinach, who supported her claim in an authoritative juridical thesis, and a large number of lawyers, were agreed that Lucie Dreyfus was well within her rights, the Minister

for the Colonies, André Lebon, and the Government refused to listen to her request, thus deliberately violating the law. They endeavoured to justify themselves by declaring that 'as the right to escape was not included in the legal code' they had no right to facilitate an escape!

The brutality of the refusal and the cynicism of the reason given, excited comment. Some courageous and independent women, of whom Renan's daughter was one, took the initiative in a petition on behalf of Lucie Dreyfus. 'We have,' they wrote, 'lost our pity and our energy, our tears and our courage, the two noblest incentives of the heart. We have been silent. Oh, women! It is your turn now. Let the great cry of love be heard of which our age stands so much in need. Let ten of you respond, let twenty, or only two, or if you like only one. One among you will suffice if her heart contains human pity and, if in the name of conscience, she will speak the living word.'

Meanwhile, the close of the Zola trial had not brought calmness to men's minds. Ardent passion was evident in the incidents arising out of the case; honourable amends were demanded by the widespread accusations and calumnies. Clemenceau fought a duel with Drumont. Picquart, who had refused to cross swords with Esterhazy, met Henry, the man who had insulted him. The whole army, with de Boisdeffre at its head, trooped theatrically to call on Henry when he was slightly wounded.

The antisemitic movement was growing and assuming such dimensions that a massacre seemed imminent. In certain towns the Jews were denounced as malefactors who should be exterminated, they were hooted in the streets, and their houses were marked down. Stones were thrown at their shops and the vilest calumnies were circulated about them. They were boycotted. Notices were posted bearing these simple words: 'Buy nothing from the Jews!' In Algeria the trouble rose quickly to a climax. There was rioting, assassination and scenes of pillage and incendiarism. The

local authorities helped on the movement and took unprecedented measures. No one was allowed to employ Jews. At Constantine matters went further still; the municipal authorities decided to prohibit the 'Jewish vermin' from entering the schools.

§ 2 *First Decree of the Cour de Cassation*

Events in the French legal world followed their normal course. Zola, in accordance with the usual procedure, had appealed against the decree of the Court of Assizes.

His counsel, Mornard,[1] in a remarkable speech for the defence of great legal weight, brought out, among other things, the fact that the indictment by the Ministry of War which had given rise to the proceedings against Zola was illegal.

The Judge Advocate, Chambareaud, and the *procureur-général*, Manau, approved of this argument. For the law clearly laid down that in a case of defamation of the Courts and Tribunals, proceedings could only be instituted after these Courts and Tribunals had deliberated. The Ministry of War, therefore, had not the right to take the place of the Court-martial defamed by Zola, it was for the Court-martial and for the Court-martial alone, to make the indictment.

The proceedings had, therefore, been instituted illegally, the trial became void, and the judgment with which it had terminated would have to be annulled. Moreover, since the members of the defamed Court-martial had brought no indictment against Zola there was no method by which proceedings could be instituted against him, and it was

[1] There are, in France, two classes of barristers, or advocates: the advocates in the Court of Appeal who plead in the first instance at the assizes (as in the case of Labori and Demange), and the advocates at the Cour de Cassation, or supreme Court of Appeal, who may only plead before this tribunal (as in the case of Mornard).

(Author's note)

juridically and legally impossible to bring Zola before the Court of Assizes again. The Cour de Cassation was bound to annul the judgment without retrial.

With all the authority of his career as an upright magistrate and eminent lawyer, Manau, in his address to the court, reflected sadly on the situation in France. 'What? In this country of France, so noble and so generous, it is not possible to hold an opinion different from one's neighbour's . . . without being suspected of corruption or treason? Will a whole life of honour and integrity not suffice to protect the most deserving against such a disgrace . . . those who, with an irony which is considered witty, have been called "intellectuals", and whom we call men of intelligence and an honour to our country.'

Such language, uttered by one of the greatest judges in France, avenged—and more than avenged—those men of 'honour and integrity' for the paltry insults of a Prime Minister.

General Billot did all in his power to obtain a decree of the Cour de Cassation in accordance with his views. He even went so far as to exercise direct pressure on the President of the Criminal Court[1]—all to no purpose except to his shame. The judges of the Supreme Court were honourable men who gave judgment in accordance with the dictates of their conscience. The law had been violated and nothing would stop them from saying so in their decree. Thus, on April 2nd, the Criminal Court of the Cour de Cassation quashed the trial in the Assize Court without retrial.

The Right press immediately opened an attack of the most shameful description on the judges. They were 'corrupt judges' in the pay of the syndicate and under subjection to

[1] The Cour de Cassation is divided into three sections: the Court of Requests and the Civil Court for civil suits, and the Criminal Court. Each court has its President, and there is also a President of the court as a whole.

(Translator's note)

the German Jews. Two deputies saw fit to interpellate the Government on the subject of this decree 'which holds justice up to scorn'. Méline saved his face by turning on Manau, whose 'unfortunate remarks' he was not afraid to censure.

The Government thus abandoned the independent judges to make common cause with certain leaders of the army and the reactionary party.

But before long a fresh blow was dealt them. The *Siècle* published the text of the statement which Count Casella had not been allowed to make in the Assize Court. Count Casella had expressed a wish to give the jury the substance of the conversations he had had with his friend Panizzardi and with Schwartzkoppen.

The Italian military attaché had told him that he had never known Dreyfus and that he had never sent Schwartzkoppen the famous note: 'That scoundrel D . . . is getting too exacting.'

The German military attaché, for his part, had assured the Count that he 'had never had anything to do with the ex-captain Dreyfus', that the *Bordereau* had not been written by him, that 'he knew he was not guilty' and, moreover, that 'Esterhazy was capable of anything'.

No denial of this statement appeared in spite of the fact that the reactionary press had announced that a denial would certainly be published and had declared the revelations to be lies.

As a matter of fact they proved decisive. An impartial government would have endeavoured to obtain official confirmation from the two diplomats of their statements and would have instituted an inquiry concerning the document. 'That scoundrel D . . .', the existence and authenticity of which had been contested.

The German Ambassador in Paris, on the other hand, struck by the statement made by his former subordinate, Schwartzkoppen, wrote to Berlin for further details. His

application was met by a refusal 'on principle' from von Bülow.

Once again the French Government had refrained from seeking the truth and the German Government had taken good care to afford no facilities for its revelation.

§ 3 *The Second Zola Trial*

On April 8th the judges of the Court-martial which had been defamed by Zola held a meeting lasting over eight hours. The question before them was whether they ought to bring an indictment against Zola and reopen the trial, or whether they should rest content with the sentence already passed which, although it had been declared null and void by law, was still an actual fact and had afforded them complete moral satisfaction. By five votes to two, they decided to bring an indictment, not because they felt that Zola's statements had injured them, but for the sake of the honour of the army. In their indictment the passage in which Zola denounced the illegal proceedings was suppressed and the only offence for which penalty was demanded was the sentence: 'A Court-martial has dared, by order, to acquit a man like Esterhazy, thus dealing a blow of supreme insolence to all truth and all justice.'

The scope of the trial had been restricted on the first occasion but it was still more rigidly restricted on the second, it was, indeed, stifled. The judges of the Court-martial, moreover, expressed the wish that Zola's name should be struck off the rolls of the Legion of Honour.

Zola was summoned to appear again before a Court of Assizes; this time the Court of Versailles was chosen. The trial was fixed for May 23rd, that is, the day after the parliamentary elections. The first ballot had taken place on May 8th after a violent electoral campaign, in which, however, the 'Affair' had not been very frequently mentioned. The antisemitic Right party was triumphantly successful

and their leaders, Drumont, Millevoye, and Déroulède, were elected. 'It is the death of Jewry, and the rebirth of France!' was the victorious cry of the *Libre Parole.*

Hardly any candidates declared in favour of Revision. It needed courage to do so, and those who had dared to take such a stand were deserted by their party. A Jew, who wished to be elected, publicly denounced 'the odious campaign instituted against the army of the Republic', and 'undertook to vote against Revision'.

Jaurès who had made his appeal to the spirit of justice, and Joseph Reinach who had, in his manifesto, denounced the illegalities committed, were rejected. Thus the supporters of Revision were the poorer by two ardent defenders in the Chamber, and the opposition was increased by an army of vituperators.

When Zola appeared before his new judges, the final statistics had not yet been completed. He proceeded to challenge these new judges. His place of residence was in Paris and he was being prosecuted for an article published in a Paris newspaper; he, therefore, claimed to come under the usual jurisdiction of the Court of Assizes held in Paris. Labori's demurrer was to that effect. The court declared that it was competent to try the case, but Zola appealed to the Court of Cassation against the order and the trial had to be adjourned until that Court had given its decision. The Advocate General and the President of the Court of Assizes denounced Zola who, they said, had been reduced to 'flight' but whose unjust cause had already been judged. The President, although his office bound him to be impartial, turned to the jury when the court rose, and said to them: 'Gentlemen of the jury you are released . . . since Zola will not face the trial!'

§ *A New* Dossier *for the Prosecution*

At the Ministry of War, however, a revision did take place, but not a revision of the Affair; they were too well

informed on that subject. But there was a revision of the *dossier.*

The General Staff had already managed to get rid of an accomplice likely to compromise them. Early in March one of Henry's usual agents, Lemercier-Picard, his confidant and advisor, the supervisor of forgeries, had been found hanged in most mysterious circumstances, on which care had been taken that no light should be thrown. He had had his finger in everything, and his past career as a skilful blackmailer had caused his employers to feel uneasy. Suicide, they averred. Murder, was the retort. At any rate, the voice of one who knew had been silenced. Some of the secrets were buried with him in his grave.

The *dossier*, full as it was of false documents, still did not seem adequate. Accusations of every kind must be made, proofs of treason prior to 1894 invented, evidence subsequent to 1894 forged which would also confirm the charge of treason. The countless moral proofs with which Dreyfus's defenders had armed themselves would have to be counterbalanced by moral proofs of a different kind.

For this purpose, General de Dionne, who had given an excellent report on Dreyfus in 1892, was asked to make a statement contradicting it, using such phrases as: 'character objectionable, language intemperate, private life unworthy.

For this purpose, also, Gonse, in defiance of the findings of the official inquiry, made use of a private inquiry report which he knew to be false. 'The Prefecture of Police', he wrote (knowing that he was quoting a private inquiry agent) 'states most emphatically that Dreyfus used to frequent the Cercle Washington, the Betting Club and the Cercle de l'Escrime. He owed large sums at these places.' The impression given by this statement was that the Prefecture of Police had precise and definite information. But the report from the Prefecture, on the contrary, stated that Dreyfus had never been seen in the clubs. This barefaced lying was not used in one document only but in a number of others.

Gonse added to the *dossier* a conversation which M. Painlevé, Professor at the Ecole Polytechnique, was supposed to have had with M. Jacques Hadamard, Professor at the Sorbonne, in the course of which the latter, a connection by marriage of the 'traitor', was said to have admitted that there had been extremely unpleasant rumours about Dreyfus's private life. The actual fact being that M. Jacques Hadamard had told M. Painlevé that, quite apart from the question of his private life, he was convinced that Dreyfus was innocent. Gonse filed the statement distorted by him, and made no note of the true statement.

He also added to the *dossier* some documents which would make it possible to impute to Dreyfus the betrayal to Germany of the Robin shell. Finally, he inserted a new version of the telegram of November 2nd 1894, sent by Panizzardi to the Italian Government, in which the Italian military attaché had denied that he had ever had any relations with Dreyfus: 'Captain Dreyfus has been arrested. The Minister for War has proof of his relations with Germany; every precaution has been taken.' Could more obvious language be imagined?

But besides all this, anything which might be favourable to Dreyfus had to be suppressed. Thus no mention was made of a petition which the prisoner, unaware of all that had happened and in all the good faith of his innocence, had addressed to the deputies and senators.

When the Minister for the Colonies read this petition which it was his duty to pass on to Parliament, he refused to forward it, thus committing a further offence against justice.

Who could have resisted the dignity of the protest? 'Higher interests than mine . . . could not demand the sacrifice of a woman, of children, of an innocent man . . . I am submitting the undeserved and tragic horror of this situation to you, gentlemen, the deputies and senators, to your lofty sense of justice, to demand justice for my family, life for my children

and the termination of this frightful martyrdom of so many human beings.'

Such words could not have failed to touch even the most callous conscience; they were therefore suppressed. The petition was not forwarded; the voice of Dreyfus was not heard.

§ 5 *Abominable Manœuvres*

Even this was not enough. The voice of his defenders had to be stifled, and particularly Picquart's, on whom abuse was still being showered. One day the antirevisionist press stated in chorus that Picquart had met Schwartzkoppen at Carlsruhe in Germany and that there existed a photograph showing the two men together.

Neither did the General Staff shrink from the baseness of intruding on Picquart's private life and employing the most abominable machinations against him. A note dated January 21st 1898, bears these words in General Gonse's writing: 'Picquart's mistress. . . . Number . . . rue de la Pompe.' Pressure was used on this woman, Madame Monnier, to force her to acknowledge that she was the 'veiled woman,' that it was she who had obtained from Picquart the famous '*document libérateur*,' and that subsequently, after relations with him had been broken off, she had sent the document to Esterhazy by way of revenge.

But Madame Monnier protested against the insulting suggestion that she could consent to give false evidence. Whereupon Gonse wrote this shameful note: 'Action will be taken against the husband.' And when Madame Monnier, shadowed by an agent of the General Staff, went to General de Pellieux to protest against thus being spied on, the General wrote to M. Monnier that his wife had represented to him that she was 'a relation and friend (*amie*) of Colonel Picquart's and that unless he received an explanation of this 'strange proceeding' he would be justified in regarding as well-founded

'the rumours which have been and are still current in regard to the part Madame Monnier has played.'

In order to prove to her husband that Blanche Monnier was the 'veiled woman,' de Pellieux did not hesitate to implicate a third person, who had nothing to do with the Affair. When this person heard of the part she was supposed to have played, she wrote:

'Pellieux is at the back of this, and it is all done to cast doubt on Picquart's morality; he has behaved in the basest manner. It is abominable.'

This harsh and well-founded judgment applies equally to those who were the movers in the shameful campaign instituted against Zola.

On the day on which Zola was to appear before the court at Versailles M. Judet, one of Henry's creatures, published a disgraceful article in the *Petit Journal* in which he attacked the memory of the great writer's father. Judet made use of documents preserved at the Ministry of War which had been given to him by Henry after the latter had put his mark on them, that is to say, had doctored them in such a way that they were completely distorted. With the help of these Judet went so far as to accuse François Zola of embezzlement, dishonour and crime.

As for Reinach, the day after his failure to be elected he was brought before a Board of Inquiry for having published 'an abusive article against his superior officers.' He was an officer in the territorial army; at the instance of the anti-semites and in defiance of all the laws of justice, he was deprived of his rank by order of the Board of Inquiry.

At the time when Billot ratified this order the Cabinet was only competent to deal with current affairs. The Ministry had, in fact, been forced to resign after a vote had been passed against it in the Chamber by an ephemeral and anomalous majority; the Left and the extreme Right had temporarily combined. Méline relinquished office, as he had filled it, without distinction.

§ 6 *Cavaignac*

After wearisome consultations, a Ministry of the Left, presided over by Henry Brisson, was formed. To please the extreme Right, he chose as Minister for War Cavaignac, who had more than once intervened ostentatiously on behalf of the honour of the army of which he had constituted himself an uncompromising defender. 'A Brisson Ministry, and therefore a guarantee of justice and republicanism' said the supporters of the Left. 'Brisson is a puppet whom Cavaignac will manipulate' retorted Rochefort, Drumont and Déroulède, who were fighting for the new Government in which they felt sure Cavaignac would be the preponderating influence.

The first debate at which he was to intervene was fixed for July 7th. By way of introduction the revisionists published a testimony written by the English scholar, Conybeare: 'Schwartzkoppen will not deny that he has been paying 2,000 francs a month to his regular informer, Esterhazy.' And Schwartzkoppen made no denial of this statement.

Lucie Dreyfus, in consideration of all these events, addressed a petition to the Minister for Justice for the annulment of the judgment of 1894. In support of her request she cited the illegal communication of documents without the prisoner's knowledge. The papers of the Right denounced this new 'manœuvre' and recommended the Government to reply to it by a plea in bar, urging that an end should be put to an agitation so detrimental to the country. For this they counted on Cavaignac who could give his opinion clearly and boldly. If he did not make an end, once and for all, of the 'gang of traitors' said the organ of the General Staff, the *Libre Parole*, it would be because 'like the others, he had succumbed to the Israelitish milliards.' And Rochefort added that the Minister would be able to put a stop, 'without hesitation or reserve' to these 'criminal but lucrative schemes.'

Cavaignac had made up his mind to display his energy and decision. The weakness of his predecessor, he thought, arose from the fact that he had done no more than uphold the thing adjudged. Such an attitude was inadequate to end the campaign he had condemned. He would have to find more decisive arguments. Having seen the *dossier* of the Affair, but being convinced *a priori* of Dreyfus's guilt, he did not examine the text of the documents very critically, and only remembered those which supported his theory. He was determined to give prominence to the 'admission', and sent for Lebrun-Renault who, before presenting himself, had been interviewed by Henry, Gonse and de Boisdeffre. Lebrun-Renault confirmed the story of the 'admissions' and supported his word by the production of the only page he had preserved out of his memorandum book of 1895, which happened, providentially, to be the one recording the admissions. A few days later Lebrun-Renault had the hardihood to tear up this page, which ought to have been his most precious possession.

In the course of his inquiry Cavaignac had come to realize Esterhazy's fundamental immorality, and the striking resemblance which his writing bore to that of the *Bordereau*. Could Esterhazy be the guilty man? Possibly. But if he were, his guilt was neither a proof nor a presumption of Dreyfus's innocence. An attack on Esterhazy, however, would show him to be impartial and strengthen the position he proposed to take up against Dreyfus. Protected by the Cabinet, Cavaignac resolved to make a speech—a dramatic, bludgeoning speech.

Before an attentive, angry, excited Chamber he asserted his respect for the thing adjudged which demanded of him a declaration of the whole truth. He began by turning on Esterhazy 'who, to-morrow, will suffer the disciplinary penalties which he deserves.' But proof of Esterhazy's crime would not constitute proof of Dreyfus's innocence. Why not? The Chamber had the right to be informed; the truth could only strengthen the prestige of the army and disarm a minority of honest men who had been deceived by trickery. He would

tell them everything because 'France is at liberty to manage her own affairs as she chooses.'

He was, he said, 'absolutely sure that Dreyfus was guilty,' the proof existed among the innumerable documents composing the *dossier*. He read, in particular, two documents of an earlier date than the *Bordereau*. and in which mention was made of 'D. . . .' (one of them the 'that scoundrel D. . . .' letter) and finally a third, most important of all (which he did not know had been forged by Henry), of a date subsequent to the *Bordereau*, in which Dreyfus's name appeared in full; this was the document to which Pellieux and de Boisdeffre had referred at the Zola trial. The Minister for War added with great solemnity: 'I have considered both the material and the moral authenticity of this document, and I find them to be irrefutable.'

But, according to him, the most positive proof of guilt was to be found in Dreyfus's admissions, and in support of this point Cavaignac produced the whole *dossier:* Lebrun Renault's statement, and statements made by various witnesses. Counting on the effect these revelations would make, he concluded his speech with a brief reference to the respect due both to the national interests which were in his keeping, and to the power and honour of the army.

The enthusiasm was so great that the placarding of this speech was decided unanimously by 545 votes, and on the following day the citizens of France were able to read and re-read on the walls of every commune that Dreyfus was a traitor who had confessed to his treachery.

Once again the Affair seemed to be closed. The nationalists were exultant: 'A day of happiness and good cheer'; 'the full light of day has come . . . the case has been judged. *E finita la commedia.*' Drumont rejoiced over 'the showing up of the business' which had enlightened those who had been ignorant of 'the cunning and impudence of the Jews.'

Rochefort announced that the Jews would realize their cause was lost and would refuse to 'go on paying the bills of

the literary drunkards and swindlers who were making a living out of the Dreyfus Affair.'

§ 7 *Counter-Strokes*

He was wrong, for at the very moment when his article appeared the revisionists were also greeting Cavaignac's speech with delight. They were all exclaiming joyfully, 'This means a revision!'

They were adopting Jaurès's method of reasoning, who, addressing Cavaignac in the *Petite Republique*, said, 'By yourself quoting the documents on which our conviction should be founded and which did not form part of the indictment, you have admitted and proclaimed the monstrous iniquity of the procedure in the military court and have supplied the elements of proof required to bring about a revision.'

The revisionists were determined to follow up their advantage without delay.

Picquart, who had held back for such a long time, now threw himself wholeheartedly into the battle, disgusted by the intrigues at the Ministry of War and by the totally erroneous speech made by its deluded leader. Repeating differently but in the same spirit of self-sacrifice the gesture made by Zola, he sent the following letter to the premier:

> 'Up to the present it has not been in my power to give a full explanation in regard to the secret documents on which the guilt of Dreyfus is said to be founded.
>
> 'As the Minister for War has quoted three of these documents in his speech in the Chamber, I consider it my duty to inform you that I am in a position to prove before any competent tribunal that the two documents dated 1894 cannot have any reference to Dreyfus and that the one bearing the date 1896 has all the characteristics of a forgery.
>
> 'It would seem to be clear, therefore, that the good

faith of the Minister for War has been imposed upon, and that the same thing applies also to all those who believe in the importance of the two first documents and the authenticity of the third. . . .'

At the same time Demange sent a letter to the Minister for Justice to notify him that, at the trial of 1894, he had had no knowledge of the documents of an earlier date which Cavaignac had read in the course of his speech, and to remind him that the Court-martial had *legal* knowledge of the *Bordereau* alone. He included in this letter the memorandum sent to him by Dreyfus on December 31st, 1894, dealing with the strange suggestions made to him by du Paty de Clam on his final visit. This memorandum showed that there had never been any admission of guilt, and also supplied the explanation of the remark which might perhaps have given rise to the legend; for Dreyfus informed his counsel that 'the Minister had caused him to be interrogated as to whether he had not *handed over some unimportant documents in order to receive documents of greater importance in exchange.*'

Under the pressure of public opinion excited by the nationalist press, Cavaignac brought a charge against Picquart of having communicated to an unsuitable person papers or documents concerning national defence, and a charge against Leblois for complicity in the act. In spite of a clear record, Picquart was arrested.

Judge Bertulus had been appointed to direct all the criminal cases arising out of the Dreyfus Affair, and for several months past he had been conducting the inquiries entrusted to him most carefully and impartially. When Christian Esterhazy brought a charge of embezzlement against his cousin Bertulus had a search made in the house of the woman Pays and caused her and Esterhazy to be arrested.

Just when, to give an air of impartiality to the proceedings, both Picquart and Esterhazy were being attacked, and the

latter, moreover, had been summoned before a Board of Inquiry, Zola was about to be tried again by the Cour de Assizes of Versailles, as the Court of Cassation had rejected his appeal.

When the hearing opened on July 18th, Labori made a demurrer to the effect that, instead of being limited to the single charge for which Zola was being prosecuted, the trial should embrace all relevant facts and its scope be amplified accordingly.

Upon the rejection of this demurrer, Zola, convinced that his trial would be gagged and could not possibly help the cause to which he had devoted himself, left the court declaring his intention to default. He was immediately sentenced to the maximum penalty, one year's imprisonment and a fine of 3,000 francs.

Zola asked himself whether he ought not now to follow up his line of action and pay the penalty. He would have liked to do so and to glory in paying by a temporary loss of liberty the price of his independence of thought and love of justice. But his counsel thought otherwise. Not because he wished, at all costs, to spare Zola the sufferings of imprisonment, which, in such a case, are no more than the reverse side of an unparalleled glory; but because if Zola escaped from justice he could return to France at the moment most propitious to the cause he was championing. Zola was distressed at this point of view. He who had offered himself, he who, baring his breast, had voluntarily thrown himself into the fight, he who had made a sacrifice of his literary activities and his peace of mind, did not wish to appear as though fleeing from the consequences. He cared little for the execrations of his enemies, but his conscience was not at ease, and Labori had to be very insistent in order to conquer his scruples. He sacrificed himself once more, however, and consented to become an exile. He left for London, where, first as Doctor Pascal and later as M. Beauchamp, he was to remain for several months.

As soon as he reached London he wrote to his counsel: 'When, from the steamer, I saw the lights of France fade into the night, my eyes filled with tears. Ah! What an abominable thing! One day I shall tell the full tale of my anguish. But truth and justice must triumph.' He was in London when he learned, during the month of August, that the Cour de Cassation had rejected his last appeal. It was there also that he heard of the defeats and victories sustained for the Cause, that Cause which, by his magnificent gesture, he had carried from the field of secret debate between a few initiates, into the arena of public passions.

The weeks following the arrest of Picquart and Esterhazy were used by the two examining magistrates for the pursuance of exhaustive inquiries.

§ 8 *The Bertulus Inquiry*

Apart from the Esterhazy case, Bertulus had before him a charge brought by Picquart against du Paty, in whom Picquart believed he had discovered the author of the telegrams sent to him in Tunis.

In the course of his impartial inquiry, Bertulus obtained proof of the continuous collusion between the General Staff and Esterhazy and of the meetings in the Parc Montsouris.

He considered Esterhazy the guilty man and du Paty his accomplice. He was not able to make up his mind about Henry; he supposed him to be implicated, but he had no proof of it, and his intuition was not a sufficient substitute.

He had some dramatic interviews with him. Henry, uneasy as to what a search at Esterhazy's house might reveal, had managed to get himself appointed by the Minister for War to assist the examining judge in reading the documents.

At their first interview Bertulus allowed it to be understood that he knew a great deal and Henry began to lose confidence. Then Bertulus made a direct accusation. 'After Esterhazy and du Paty . . . there is yourself! You have

relations with Esterhazy! It would be quite possible to go so far as to maintain that the man who has been keeping Esterhazy posted is none other than yourself!'

Henry collapsed under these blows and burst into tears. He believed himself to be unmasked; he thought he was lost. He threw himself on Bertulus and embraced him, repeating 'Save us! Save us!'

Bertulus then said, 'Esterhazy is the author of the *Bordereau.*'

'Do not insist, do not insist,' cried Henry in great distress, 'the honour of the army before all.' And Bertulus did not insist!

The important thing for Henry was that he should leave the examining magistrate's room a free man. This was all the easier because Bertulus believed that Henry had merely been a tool in the hands of others.

Once outside, Henry soon regained his spirits. He was free, that was the main point! He had had a narrow escape, but he had estimated the danger. He would have to think how to avoid it, to ensure his safety and get rid of the too acute judge. He made a false report to his chiefs, who were assured that it was Bertulus who had broken down and that Henry had succeeded in calming him. Pressure was brought to bear on Bertulus so that he might declare himself to be incompetent and hand over his papers to the military court. But he refused to give way, and issued an order dealing with the main points of the proceedings against du Paty which gave conclusive proof of his competence.

This order, owing to pressure from without, was invalidated by the *Chambre des Mises en Accusation*, who considered there were no grounds for prosecution.

The hopes of the revisionists were partly shattered. But there still remained the proceedings against Esterhazy. Bertulus issued an order summoning him and the woman Pays to appear before the Court of Assizes on a charge of having forged documents and made use of forgeries. But the

Chambre des Mises en Accusations showed its servility for the second time and again considered there were no grounds for prosecution.

Esterhazy came out of prison triumphant, uttering threats against his enemies and boasting of his victory.

The revisionists' cause seemed lost. The progress made by the Bertulus inquiry in revealing the truth had been stultified. Worse still, Bertulus had been discredited and his action was now suspect.

Esterhazy's triumph was of short duration. Cavaignac had pronounced him deserving of penalties, it was for a Board of Inquiry to decide the question.

Considering the nature of Esterhazy's letters to Madame de Boulancy, the chairman was amazed that ' a Frenchman should use such language ' which ' revolted ' him. He regretted that Esterhazy's 'patriotism' had not 'restrained his pen' when he wrote his open letters to the President of the Republic. He denounced his private life, his 'compromising financial transactions with a procuress', which indicated 'a moral degradation incompatible with the dignity of an officer', and censured his 'cohabitation with a former prostitute'.

The board had to make a decision on three points: Was Esterhazy guilty of habitual misconduct, had he committed 'grave offences against discipline', and 'against honour'?

Drumont threatened the Board of Inquiry. Let them not dare to lay a finger on Esterhazy. His former attitude was 'quite excusable'; it would never have been remarked upon if Esterhazy had not been denounced by the syndicate. To attack Esterhazy was to play into the hands of the Dreyfusards.

Esterhazy took the offensive, and repeated Drumont's arguments. Upheld by his witnesses, notably by General de Pellieux, Esterhazy took shelter behind the General Staff, who, he said, had instigated him to write the letters to the President and had laid down his course of action. He forced

du Paty de Clam to give himself away by disclosing to the Board the famous 'note in two handwritings' which showed they were 'hand in glove'.

Confronted by these revelations the Board unanimously set aside the charge of grave offences against discipline and, by four votes to one, that of offences against honour, but upheld, by three votes to two, the charge of habitual misconduct.

These weak decisions were made by officers whose minds were anxious and uneasy. General Zurlinden, Military Governor of Paris, forwarded the result of their deliberations to the Ministry of War, requesting 'indulgence' for Esterhazy. But Cavaignac, jealous for his independence, was resolved to take action, and Esterhazy was cashiered for habitual misconduct on August 31st, 1898.

Six days previously the examining magistrate, Fabre, had decided to bring Picquart and Leblois before the criminal court after an inquiry in which arguments were heard on both sides and at which the prosecutors on the General Staff had combined to overthrow their most formidable enemy.

§ 9 *Repression*

According to Cavaignac these inquiries should have resulted in the final settlement of the Affair. He had considered his speech of July to be conciliatory. It had been nothing of the kind. Arguments were being carried on more violently than ever before.

The League of the Rights of Man had begun its campaign of public meetings. The nucleus of intellectuals was increasing steadily. Jaurès in his turn, vibrating with passion for humanity, threw himself into the fight in order to stir up the working classes. He had made a generous response to the appeal of his conscience, but he realized also how much the socialist cause would gain if he placed himself deliberately on the side of the victim and against the eternal enemies of the

proletariat and the weak, the combined reactionism of the military, social and clerical classes. He published in the *Siècle* a series of articles entitled 'The Proofs', which were as eloquent as his speeches.

But the extremists of his party did not agree with him and the sectarian, Jules Guesde, published a manifesto which was acclaimed by the nationalists of the Right. 'The proletarians', he said, 'have no business to take part in this fight, which has nothing to do with them.' As though 'the man wrongfully condemned were not,' according to Jaurès's magnanimous words, 'by the very extremity of his sufferings, stripped of all class distinctions ' becoming 'humanity itself on the highest plane of despair and misery it is possible to imagine.'

The more vehement the revisionists became, the more violent were the replies of their adversaries, who not only made use of gross abuse, of treacherous slander and unceasing threats but demanded that legal and personal measures of reprisal should be taken against the 'syndicate'.

The poet Coppée, of the *Académie Française*, vaunted the merits and virtues of the 'liberating sword'; Didon, presiding at a distribution of prizes, said to the school-children: 'The enemy to be feared is intellectualism which professes to despise force, and civilism which seeks to subordinate the military service.' And he added these impious words: 'When persuasion has failed . . . we must brandish the sword, cut off heads, inflict the utmost penalties . . . woe to the government that allows the sword to become blunt! The country, abandoned to its agony, will dishonour them for not having known how to defend and save her even at the cost of bloodshed.'

Drumont's response to this appeal was a demand for a massacre of the Jews, a second St. Bartholomew!

The local political assemblies, in the course of their official deliberations, demanded that the 'most energetic measures' should be taken against those who were participating in a

campaign which they considered 'scandalous, injurious and odious'.

These injunctions could not fail to make an impression on a Minister for War anxious for popularity and on the look out for acclamation, and on a government which was being led, not by its nominal head, Henri Brisson, but by its actual leader, Cavaignac. In their alarm they took punitive measures, but not against those who were inciting to civil war, to pogroms and to murder.

The Government had decided to celebrate the centenary of the great romantic historian Michelet. In connection with these celebrations, the Minister ordered the popular poet, Maurice Boucher, to omit from his poem the verse in which he had invoked the spirit of Michelet to help the French 'to make the world realize once more that France is the champion of justice'. Such expressions as these were considered seditious and had to be forbidden.

On the death of the Director of the Faculté des Lettres of Bordeaux, Stapfer, the Dean, in his funeral speech recalled that the deceased 'had felt positively terrified at the acts of violence committed in the name of sectarianism, at the complete confusion of men's ideas, distracted by a storm of insane irrationality'. Léon Bourgeois, the Minister for Education, caused Stapfer to be temporarily deprived of his appointment.

The celebrated educationalist, Pécaut, resigned all his high appointments so as to be free publicly to champion Dreyfus. On his death Ferdinand Buisson, at that time professor at the Sorbonne, recorded on Pécaut's tomb, at the express wish of the family, the conviction he had held so firmly: 'There is no disgrace in making good an error. But it would be an irreparable disgrace to support an iniquitous act even though it had not been deliberately perpetrated.' The nationalist press were unanimous in demanding that the Minister should take vigorous action against Buisson.

Foreign newspaper correspondents who sent information

from France favourable to Dreyfus were deported; French consuls abroad who gave expression to such sentiments were recalled.

Zola had been deprived of his right to the decoration of the Legion of Honour, a ridiculous proceeding which had provoked many protests from eminent persons.

Instead of suppressing the revisionists, all these harsh measures stimulated their zeal, so much so that Cavaignac decided to put an end to the whole business.

At an informal meeting of ministers round a table at a restaurant, Cavaignac announced, calmly and firmly, that he wished to institute proceedings for conspiring against the safety of the State and to bring before the High Court, Mathieu Dreyfus, Picquart, Leblois and Zola, all the leaders of the opposition movement, politicians like Scheurer Kestner, and Trarieux, journalists like Clemenceau, Jaurès, Yves Guyot and Reinach, and even the lawyers Demange and Labori!

Here was a fine holocaust to offer for the satisfaction of the howling multitude! In spite of his eager insistence, Cavaignac did not succeed in persuading his colleagues to take his view. Some of them objected because it seemed to them he was exceeding all bounds, others owing to legal scruples, and because they were unable to discover a sound reason for the proceedings. The scheme was abandoned, but the situation remained as uncertain as ever.

'You would not believe,' Zola wrote at that time to Labori from London, 'the horror I feel at the echoes which reach me from France. . . . We can no longer rely on justice. . . . I have hope only in the unknown and the unexpected. What we need is a thunderbolt dropped from heaven, or else the slow workings of infinitely small events which will gradually gnaw through everything. . . .'

At the very moment when Zola was writing this letter the 'thunderbolt' was on the point of falling.

§ 10 *The Thunderbolt*

After the receipt of Picquart's letter declaring the documents which Cavaignac had read to the Chamber to be forgeries, the latter instructed Captain Cuignet to examine the *dossier* of the Affair and to verify the authenticity of all the documents.

In the course of his work, Cuignet came to the decisive document of 1896: 'I shall say that I have never had any relations with that Jew. . . .' It was signed by the Italian military attaché and the name of Dreyfus was written out in full.

This was the document constituting absolute proof of guilt. Cuignet examined it eagerly. Here in his hands lay the vital paper with its pieces joined together by gummed strips, showing clearly that it had come from the intelligence department, through the usual channel. As he had done with all the others, and to satisfy his conscience, he took it to the lamp so that he might testify to its authenticity. He started, then feverishly turning the document over with shaking fingers he stared at it in horror. Could this decisive document be false? It was made up of two different pieces of paper; the cross lines in one were a bluish-grey, in the other they were light mauve. Could it be possible? Were they really not the same? Could it be a forgery? Luckily, there were other papers in the file, notably that of 1894 which had been used to establish the fact that the signature of 1896 was Panizzardi's. Cuignet anxiously took out this paper and held it against the lamplight. The result of his examination was the same as before. The document of 1894 was also made up of different pieces; the bluish-grey and the light mauve cross lines were both visible!

Cuignet was horrified at his discovery. He informed General Roget, Cavaignac's private secretary. They re-examined the papers together and arrived at the same con-

clusion. They felt bound to go together and inform Cavaignac that the document which he had declared in the Chamber to be both materially and morally genuine beyond possibility of doubt, that the document which had been posted up all over France as positive proof of Dreyfus's treachery, that this very document was a forgery!

Cavaignac was not too dismayed. He resigned himself to the fact that the letter was a forgery. The forger could be no other than Henry, because it was he who had said that he had received it in pieces and stuck it together. Very well, he would punish Henry as he had punished Esterhazy, and thus prove once again that the principles of justice were respected. But this terrible revelation which ought to have enlightened him did not affect for a moment his conviction of Dreyfus's guilt. The document of 1896 was worthless, but all the others remained and were sufficient to prove the act of treason.

Cavaignac chose his own time to strike, he did not wish to precipitate matters and he waited until Henry's return from leave on August 30th.

On that day, at two o'clock in the afternoon, Gonse brought Colonel Henry to the minister's room, in which, beside Cavaignac, General de Boisdeffre and General Roget were awaiting him. Without a word or gesture, coldly and impassively, Gonse and Boisdeffre witnessed the downfall of their accomplice and friend.

Cavaignac conducted the interrogation with pitiless severity. An examining magistrate could not have been more persistent or acute. He was anxious to demonstrate the power of the civil service to the chiefs of the army who were his auditors. He posed in his own eyes as the implacable administrator of justice.

He struck his blow suddenly, without warning or preamble. 'The documents of 1894 and 1896 are forgeries. When and in what manner did you make them up?' This was a direct and brutal attack. Henry conquered his agony of fear. He summoned sufficient control to enable him to fight, to seek to

evade, to invent justifications and excuses. At first he hesitated and gave evasive answers, endeavouring to gain time in order to construct a solid plan of defence. He, who was usually clad in an armour of effrontery, stammered, 'I don't know how that can be. . . . What do you want me to tell you?'

Pressed by Cavaignac and forced to give definite answers, he admitted that he had inserted a few words in both the document of 1894 and that of 1896, but only a few words. He had done it out of pride in his work, to replace an obscure sentence by one in which the meaning was clear.

'No, I did not concoct the document . . . I only added a few words at the end.'

He floundered, and clung to the essential point. 'The name of Dreyfus was there. I swear it.'

'I swear,' he repeated, 'that I did not concoct this document. . . . The beginning was written by Panizzardi . . . I added the last sentence.' He grew bewildered in the face of Cavaignac's persistent questions and resorted to evasions: 'I could not have written the signature.'

In his confusion, and sensing his danger he tried to clear himself by invoking extenuating circumstances. 'I wished to reassure my chiefs. I did it in the interests of the country.'

Cavaignac continued to question him, implacably and sternly. He paid no attention to Henry's contradictions but plied him with questions. He wanted to extract an admission and he was determined to do so. One more short struggle and he would succeed.

'Come, speak the truth. You concocted the document? You made up the beginning as well?'

Suddenly he struck the final blow. 'The cross lines of the paper do not bear out what you say. Some pieces have been inserted. Which pieces?'

Henry, driven into a corner, tried to escape by denial: 'I swear I did not concoct the letter . . . I found the first part; the second was inserted . . . I acted in the interests

of the country . . . I cannot say I did what I have not done . . . I received the heading and the first part . . . I received the heading and a few words!'

He began to give way and to contradict himself. Whereupon Cavaignac said, 'In 1896 you received an unimportant letter. You suppressed the genuine letter and forged another?'

The tremulous answer, 'Yes,' was hardly audible. Henry had broken down.

Cavaignac sent him into an adjacent room, under the supervision of General Roget, and ordered him to be taken to the fortress of Mont Valérien under military arrest.

Boisdeffre, who had maintained silence, immediately handed in his resignation to Cavaignac. Cavaignac refused to accept it and hastened to inform the premier of what had occurred. At the cabinet meeting one of the ministers voiced what seemed to be the general opinion: 'Well! This means revision!' 'Less than ever,' replied Cavaignac, to whom Henry's admission was no more than an incident; a serious and most regrettable incident, but one which did not affect either the course of the Affair or the position he himself had taken up.

Cavaignac urged de Boisdeffre to withdraw his letter of resignation and to remain at his post so as to 'control the results of the mistake made by him in all loyalty and good faith'. But Boisdeffre was not to be persuaded and Cavaignac finally gave way.

De Pellieux, for his part, sent an indignant letter to Cavaignac:

> 'Having been the dupe of dishonourable people, I cannot hope to retain the confidence of my subordinates without which it is impossible to have authority; having, for my part, lost confidence in those of my superiors who have made me base my work upon forgeries. . . .
>
> 'I have the honour to request you to be so good as to arrange for me to retire on the grounds of seniority of service.'

De Pellieux, at the urgent request of Zurlinden who had intercepted the letter, consented to withdraw his application.

Events followed upon one another with great rapidity. France learned with amazement of Henry's admission through this famous '*communiqué*':

> 'To-day, at the office of the Minister for War, Lieutenant-Colonel Henry has been acknowledged, and has acknowledged himself to be the author of the letter dated October, 1896, in which the name of Dreyfus appears.
>
> 'The Minister for War immediately gave orders for the arrest of Lieutenant-Colonel Henry, who has been taken to the fortress of Mont-Valérien.'

This dramatic event was to be followed by another. Twenty-four hours later the Havas agency published this note, almost brutal in its brevity:

> 'It has just been stated that Lieutenant-Colonel Henry has committed suicide this evening at Mont-Valérien.
>
> 'He has cut his throat with a razor which he had taken with him into his cell.'

Henry had been his own executioner. That, at least, was the common report and the decision given at the post-mortem. Police court doctors may have special qualifications, but their decisions are still open to doubt. There were certain sceptical minds who declared that in cases of murder, suicide by persuasion or force and voluntary suicide, there are symptoms which, bearing a resemblance to one another, are capable of more than one interpretation. At all events, Henry had been allowed to keep his razor. No prisoner had ever been permitted to do such a thing before.

'We shall never know the truth about this,' said Brisson.

§ 11 *Revision! Revision!*

Victory was to the revisionists. A revision was imperative since the documents on which Dreyfus's sentence had been based were forgeries. Revision! Revision!

Picquart who was in prison for having said that the documents of which Cavaignac had made use were forgeries, ought to be released immediately.

As for Esterhazy, as soon as he heard of Henry's suicide, he felt that all was lost and feared for his liberty. That same day, with all possible speed, and without informing his accomplices on the General Staff, he fled first to Belgium and then to England. His flight was a notable admission of guilt.

Once more the Affair seemed to have come to an end.

The nationalists were indeed crushed. Certain of their papers frankly disavowed Henry, who had been guilty of 'the most abominable of all crimes'. Others considered the incident as 'melancholy but of secondary importance' and asserted that 'Dreyfus's guilt remained as clear as day'. The *Libre Parole*, to whom Henry had given precedence in the receipt of news he desired to have published, considered there were no grounds for a revision, because the forged document was of a date two years subsequent to the trial, and made excuses for Henry, 'a simple soul, full of zeal for the service, driven distracted by the Jewish campaign'.

But such testimonies as these were the exception. The general opinion was that a revision was necessary, and many considered that Cavaignac's resignation would be a natural consequence. Cavaignac, however, was unmoved. Henry's admission and suicide, Boisdeffre's resignation, Esterhazy's shameful flight had not opened his eyes. He was still obstinately convinced of Dreyfus's guilt, and did not see that his own position had been compromised. To his mind, the fact of his revelation that the document, guaranteed by him to be genuine, was a forgery, had increased his prestige. And

he maintained intact against Dreyfus the *dossier* of Admissions, as the basis of his own conviction. He, therefore, opposed a revision with all his might, and he proposed to do so by means of a counter-offensive, renewing his plans for the revisionist campaign.

But the premier, Brisson, had himself been shaken by all these sudden events. His whole long career as an honest, loyal republican rose up before him and forced him in one direction. He could not oppose a revision.

He informed Lucie Dreyfus semi-officially that she could lodge a petition for a revision by virtue of recent events and the failure of certain proofs.

In these circumstances, there was nothing left for Cavaignac but to resign his office of Minister for War. 'I still feel certain,' he wrote, 'of the guilt of Dreyfus and I am as determined as ever to oppose a revision of the trial.'

Brisson thought that a soldier should fill Cavaignac's place and he appointed the Military Governor of Paris, General Zurlinden, to the office. That officer, without stating definitely whether he was for or against revision, asked for time in which to examine the *dossier*. This was granted him. Every day's delay enabled the opposers of revision to gather themselves together and prepare new plans of attack and defence. The question of a revision, which might perhaps have met with no opposition in the first confusion caused by Henry's admission and suicide, was now being opposed with the same vigour and animosity as before these events had taken place.

A revision had to be avoided. The press did its best to this end, whilst the General Staff set itself to circumvent the new Minister, who was quite ready to allow himself to be circumvented.

The forgers had recovered their assurance and now considered an amazing scheme for rehabilitating Henry and turning him into a national hero. Admiration was expressed for this gallant 'disciplined soldier' who had desired to save

the army and who by his 'patriotic forgery' had intended to remove a document which could not be produced publicly and replace it by another. After Judet had thus eulogized Henry who, he said, had succeeded in giving a 'fiduciary value' to the guilt of Dreyfus, Charles Maurras, in the *Gazette de France*, undertook the apologia of the forgery and the forger. He asked all patriots to hang Henry's portrait on their walls. Our 'bad education', he continued, prevents us from 'appreciating' as we ought 'so much intellectual and moral nobility'. 'National feeling,' he cried, addressing Henry and his 'martyrdom', 'will awake, it will triumph and avenge you. In life as in death you led the way. Your unhappy forgery will be reckoned among your finest deeds as a soldier.' Henry had become the symbol of patriotism!

Zurlinden examined the *dossier* with the firm intention of finding Dreyfus guilty. In order to appear impartial, he considered it necessary to attack one of the confederates on the General Staff. His choice fell on du Paty de Clam, who could be accused of collusion with Esterhazy. A brief inquiry, lasting four days, was held, and resulted in du Paty de Clam being placed on half-pay.

Considering himself sufficiently 'covered' by this act, Zurlinden informed Sarrien, the Minister for Justice, on September 10th that he was not only convinced that Dreyfus was guilty but that he had serious charges to make against Picquart. The new Minister wished to prove that Picquart was guilty of forgery. It was he who had 'scratched' the *petit bleu* in order to substitute the name of Esterhazy for that of Dreyfus. Here was a new fable and an opportune one. Picquart's forgery would counterbalance and even excuse Henry's, because it was done at an earlier date and, therefore, Henry's had merely been a counter-stroke.

Dreyfus was on Devil's Island, Henry had vanished and his memory had been rehabilitated, du Paty de Clam had been punished and Picquart dishonoured, Zola and Esterhazy

had fled: there was no need for alarm, truth was 'under the bushel'.

At the Cabinet meeting of September 12th, no decision was arrived at. In opposition to Zurlinden, who had gone so far as to send a note to the Minister for Justice informing him that 'there is no trace at the Ministry of War of secret documents having been communicated to the Court-martial that sentenced Dreyfus', Brisson advocated a revision and proposed to wait until another meeting which had been fixed for five days later, before coming to a definite decision.

The Government's hesitation to take prompt action was an incitement to agitation. Paris became excited. Demonstrations and counter-demonstrations were organized. Public meetings were being held constantly. Lack of authority caused the agitation to grow rapidly.

§ 12 *The Decision*

The Cabinet meeting of September 17th decided, by a large majority, to transmit Lucie Dreyfus's request, in accordance with the law, to the commission then sitting on the question of a revision. Zurlinden resigned and was immediately replaced by General Chanoine.

Zurlinden's resignation, because he was 'too firmly convinced of the guilt of Dreyfus to accept any other solution than the maintenance of the judgment in its integrity' was, of course, exploited. 'An act of high treason,' thundered Drumont. 'Revision means war,' said a rival thunderer. 'The Dreyfus affair will always be a Jewish affair; it began with treason, it will continue by trickery. Let us hope it will end *à la française* (sic), by the hanging of the corrupt ministers who are in league with the Jews and are prepared to hand our military secrets over to the enemy.' And Rochefort predicted the 'fall of the traitor ministers' and foresaw that the 'vile' Dreyfus would be 'recondemned, redegraded, reexecrated', in spite of 'twelve million skulking Jews'.

Brisson had chosen Chanoine, although previous experience ought to have led him to appoint a civilian minister. Chanoine was unable to oppose the revision because his colleagues had accepted it in principle, but he could obstruct and delay it, and above all, satisfy the hatred and desire for vengeance against Picquart felt by the General Staff.

Picquart was to be tried at the Criminal Court on September 21st. The Public Prosecutor would ask, as was only logical, for an adjournment of the trial until a decision had been promulgated in regard to a revision of the Dreyfus trial.

To avoid such an adjournment the matter would have to be removed from the jurisdiction of the Civil Court and placed within the jurisdiction of the Military Court. Why not revert to the charge of forgery and use of forged documents prepared by Zurlinden, which Brisson had had suspended? Without referring the matter to the premier, Chanoine signed the indictment drawn up by his predecessor and forwarded it for execution to the Military Governor who was Zurlinden again. Brisson had, indeed, weakly reinstated him in the office which he had filled when he was invited to join the Cabinet.

The announcement of these new proceedings instituted against Picquart was a 'painful surprise' to Brisson, who, however, permitted them to take their course. When the Criminal Court met on the following day the fact of the new military proceedings for forgery and the use of forged documents made it possible to ask for an adjournment. But Labori wanted to fight, he insisted that the trial should be brought on at once and in a burst of fine eloquence, sweeping away all the calumnies with which his client had been overwhelmed, he demanded that he should be permitted to speak face to face with his adversaries.

Then Picquart rose. All eyes were riveted on the man who would soon be in solitary confinement. The whole court shared his emotion and was profoundly touched by the tragic simplicity of Picquart's words.

'This is the last time I shall be able to speak in public. . . .' His words rang like a last will and testament. 'I wish it to be known, if there be found in my cell Lemercier-Picard's noose or Henry's razor, that I shall have been murdered, for a man like myself could never entertain for a moment the idea of suicide. I shall face this accusation with head held high and with the same serenity with which I have always faced my accusers.'

The court disallowed Labori's application and adjourned the case. The military juridical authorities then stepped in and Picquart was arrested, thrown into Cherche-Midi prison and kept in solitary confinement.

Whilst these events were taking place, the Revision Commission, which was bound to be affected by them, met to consider Lucie Dreyfus's petition. After deliberations lasting three days, the commission split in two parts, three votes being in favour of revision and three votes against it. As there was no majority, the opinion in the negative was adopted.

The Minister for Justice considered that he was bound by this opinion and opposed a revision; Brisson, however, maintained that the commission was only acting in an advisory capacity and that the Government had to bear its own responsibilities. As no agreement was reached, the Cabinet meeting again adjourned until September 26th, when it was decided by six votes to four to bring the request for a revision before the Cour de Cassation.

§ 13 *The Battle Continues*

The official decision to hold a revision was the first victory gained by the revisionists on legal ground. They believed their task to be completed and that they need only leave justice to take its course. But their infuriated enemies would not permit them to rest on their laurels. The nationalist deputies assumed an air of great indignation and insisted on the immediate summoning of the two Chambers. By decree-

ing that a revision be held, Brisson, they asserted, had 'broken his word', since, in July, he had given his approval to Cavaignac's categorical statements. In their rage they forgot the 'new facts' which had subsequently come to light.

Some of the agitators thought that the moment had arrived for a blow to be struck against the Republic either in favour of the Duke of Orléans, who published a manifesto denouncing the 'leaders of the vile conspiracy against the honour and safety of the country', or for a Republic ruled by plebiscite with a popular general at its head. Paul Déroulède, who, with a great deal of talk, had reconstituted his League of Patriots, attached himself to this latter part.

The revisionists were roused by this opposition. Jaurès and de Pressensé—a moderate republican who had been led by the Affair to renounce his religious preoccupations and take up socialism—held meeting after meeting. They deemed the support of the people indispensable to the cause of truth and that the challenges uttered by the opposers of revision had to be answered at the street corners.

Thus the battle had become a mortal combat in defence of republicanism. The cries, 'Long live Justice!' and 'Long live the Republic!' were synonymous. But the advantage still lay with the reactionaries whose battle-cry continued to be: 'Down with the Jews!' until the day should come when it could change into 'Down with the Republic!'

For mysterious meetings were being held in secret; there was an atmosphere of conspiracy. On October 14th, the *Matin* stated that a *coup de force*, a sort of '*pronunciamiento*', was imminent which would spare, for the time being, the President of the Republic. The announcement of the conspiracy was sufficient to cause it to collapse and to calm to some extent the feverish agitation. But on October 25th, at the assembly of the two Chambers summoned by Brisson, feeling was still troubled.

How did matters stand at that date? Captain Tavernier had been entrusted with the inquiry into the Picquart affair. He

was wholly under the influence of the General Staff and took no step un ess it had been previously approved by them, and the measures approved were of a particularly rigorous kind. He refused to comply with Picquart's entreaties to be told the nature of the charges made against him. He kept him continuously in solitary confinement. Even his counsel, Labori, was denied the usual permission to communicate with him; the military authorities thus denied the accused the freedom to act in his own defence!

The civil judges whose task it was to pronounce on the request for a revision, acted with great conscientiousness and independence. The Criminal Court had to decide on its admissibility. This court was presided over by Loew, an upright and honourable Alsatian. Manau, who once before with such loyal self-sacrifice had defended the cause of outraged law, was the *procureur-general.* Loew appointed as Chairman Councillor, Bard, a man still young who had distinguished himself by the vigour and learning of his interventions.

In order to have complete knowledge of the facts of the case, Manau requested the Keeper of the Seals to communicate to him the secret *dossier* which was at the Ministry of War. General Chanoine in the first place and then Sarrien refused to hand it over to him. Manau, by virtue of his authoritative position, declared his request to be admissible and Bard supported him in his view.

The hearing had been fixed for October 27th. As soon, however, as the rumour went round that the decree was likely to be favourable, the press, acting on instructions, abused the judges of the High Court. They said that the judges had been bribed by the Syndicate and were in league with Germany. Extreme tortures were invented for them and Rochefort went so far as to say: 'A torturer should cut off the eyelids of the members of the Cour de Cassation, their eyeballs should be devoured by the most poisonous species of spider and these men, thus hideously made blind, should be dragged to the

pillory displaying on their breasts these words: "This is how France punishes the lawyers who attempt to sell her to the enemy." '

Cavaignac was the first to make a suggestion publicly, through the press, proving how great was the disturbance of people's minds at that time. He suggested that the case should be withdrawn from the Criminal Court. 'In the name of the sovereignty of universal suffrage, the *dosssier*, which should never have been brought under civil jurisdiction, must be withdrawn from the Cour de Cassation.' Cavaignac's suggestion found no support at the time, not because of its nature but because it seemed, unfortunately, impossible to carry it out.

When Parliament reassembled on October 25th, public feeling was much agitated. The neighbourhood of the Palais Bourbon was besieged by crowds who shouted their hatred or their delight. Guérin and his gang annoyed passers-by and maltreated any Jews they happened to come across.

Eighteen interpellations had been lodged. The first speaker, Déroulède, rose amid considerable excitement; deputies interrupted him, threatened each other and almost came to blows. The Ministry was brutally and clamorously assailed. He accused Chanoine, who thus directly attacked, sprang to his feet as soon as Déroulède had ceased speaking. The Left applauded him, but he deserted them. 'I have a right to my opinion,' he declared. 'It is similar to that of my predecessors. . . . Now that the representatives of the country are reassembled I place in their hands the treasure which has been entrusted to my care, the honour of the army, and here, before this house, I resign from the Ministry of War.'

The Minister had thus betrayed his chief, he had stabbed him to the joyous acclamations of the entire Right and of Déroulède, who had only insulted him to give him a pretext for deserting. The applause redoubled when Chanoine suddenly left the Chamber.

But the acclamations thus obtained quickly changed to the very opposite. Brisson rose and confronting those who were insulting him, who were crying 'Resign! Resign!' he censured his Minister's behaviour 'contrary to all custom,' and reiterated his determination to 'cause the supremacy of civil over military power to be maintained.'

In face of this grave situation, all the republican groups were ready to give him the confidence he asked of them. They were no longer debating a simple question of home politics, but one concerning the defence of the constitution. But instead of closing the debate by a vote of confidence, which would have been solid, it was allowed to begin again, to drag on and finally to die down. The solid block of unanimous republicans formed in the moment of danger was dissolved. Political passions once more predominated. The Ministry had been shaken, and a good opportunity offered to give it the final thrust. There was no more talk of the constitution which had been said to be menaced. Deputies voted and revoted. Brisson withstood all attacks, but parliamentary procedure has inexhaustible resources. Votes were taken again and again on points of detail and at one of these doubtful ballots the Ministry was defeated. Men like Méline, Poincaré, and Barthou had ensured success to such men as Déroulède and Drumont by voting with them!

On the following day this same Drumont dared to write: 'M. Brisson, that smooth lackey of the Prussian Syndicate has gone down the drain. . . . We have assisted at the defeat of a bandit on whose head a price might have been put by all those who have the slightest love for France.

§ 14 *The Decree of the Court*

On October 27th, when the ministerial crisis was at its height, the Criminal Court of the Cour de Cassation met. It had to decide whether the request for revision was admissible and, in the case of an affirmative decision, whether there were

or were not grounds for a new inquiry. This kind of case which merely consists in the reading of an explanatory report, an address to the court by the public prosecutor and pleadings is not generally very much to the public taste. On this occasion, however, it was attended by a feverishly excited crowd. Jules Guérin had bidden his gang, Déroulède his adherents. The revisionists were there in large numbers. But there was no disturbance during the three lengthy sittings. The serenity of the judges had its effect even on the friends of Drumont, who persisted in denouncing the representatives of the law as having 'disgraced' themselves, and given the impression of a 'collective prostitution'.

Bard, councillor and chairman, was the first to read his report. This was a frank, precise and uncompromising speech in which everything was elucidated and the truth at last became evident; most of the documents produced consisted of revelations which caused the revisionists to rejoice and filled their adversaries with consternation. It was obvious that a revision would be decided upon, but the court was not sufficiently instructed to pronounce there and then on the grounds; an order for an inquiry had to be made and it was left to the Criminal Court to bring the case to its rightful conclusion.

On the following day Manau made his romantic address to the court; the discovery of the truth had moved him profoundly and he sought, in the most touching language, to communicate his emotion to the court.

Towards the end of this hearing and again on the following day, October 29th, Mornard pleaded with admirable lucidity for Madame Alfred Dreyfus. He marshalled his facts soberly and impressively. He annihilated Esterhazy calmly and unemphatically. Going over the succession of events since 1894, recalling the various indictments and giving a vivid sketch of the psychology of Dreyfus, he made his innocence clear. He also asked for a new inquiry so that truth might finally triumph.

The magistrates deliberated for over three hours before they decided, by ten votes against four, in favour of the motions introduced by the chairman and counsel. The court declared the petition to be admissible and decreed that a new inquiry be instituted.

The court had the power to pronounce Dreyfus's final acquittal or to send him once more before a Court-martial. They did not wish to solve the question by acquitting him, as that would not have permitted the whole truth to be made known; neither did they desire the alternative solution which would have given jurisdiction to military judges who might be deceived in the same manner as those of the preceding trials. The decision of the court was dictated by wisdom and justice and enabled *L'Aurore* to print in gigantic letters 'VICTORY!' on the page where, nine months before, the revolutionary word 'I ACCUSE!' had been blazoned.

'It is a victory for truth and for France,' cried Jaurès. 'The clericals and cæsareans must bow their heads. They know their cause is lost.'

They knew their cause was lost! For that very reason they had recourse to insults all the more brutal because they were dictated by despair.

'It would be hard to collect a greater number of dangerous and faulty decisions into a single decree.'

'The high dignitaries of the Cour de Cassation have turned themselves into naturalized subjects of the German Emperor. . . . When, thanks to Loew and Manau, the enemy has invaded our territory, the Chairman Bard will not be in a hurry to drive them out. . . . The generals will have to join in the fray shouting "You pack of scoundrels!" '

Justice, weakly defended by the new Premier, Charles Dupuy, who was Premier at the time of Dreyfus's arrest, by the new Minister for War, de Freycinet, by the new Keeper of the Seals, Lebret, who had publicly declared himself to be against revision, followed its course, the pursuance of which according to M. Dupuy himself, demanded 'calm and respect.'

CHAPTER VII

LEGAL PROCEEDINGS

§ 1 *The Picquart Affair*

THE scanty information concerning the health of Dreyfus, transmitted at long intervals by the Minister for the Colonies to the Dreyfus family, was far from reassuring. His strength was declining. He needed a new incentive to encourage him to continue his struggle; it was possible to supply this by permitting him to live in the hope, henceforward justifiable, of an approaching termination of his sufferings. To this end Lucie Dreyfus applied for permission to inform him by cable of the decree granting a revision of his trial. No more legitimate or natural petition could have been made, but it was harshly rejected.

Joseph Reinach went in person to the Premier to appeal against the Minister's incomprehensible decision. M. Charles Dupuy took upon himself the grave responsibility of refusing, in his turn, to grant the request.

Feeling ran high when Reinach revealed this further act of inhumanity and the Criminal Court of the Cour de Cassation gave a severe lesson to the Government by issuing an order by virtue of which Dreyfus was to be informed as quickly as possible of the decree made by the court and invited to find the means for his defence.

This very reasonable measure roused the indignation of the nationalists who denounced 'this arbitrary legal proceeding carried out by officials rotten with age.' The *Libre Parole* used disgraceful language: 'When the martyr receives his parcel from Loew, Manau, Bard and Co., he will probably burst into

such immoderate laughter that all the buttons will fly off his breeches, which are too tight already.'

But although Dreyfus was to be informed of the first just decision made during the last four years, Picquart was still in solitary confinement in his cell at the Cherche-Midi prison. Labori was still prohibited from communicating with his client. The General Staff, who did not shrink from making yet another martyr, anticipated that Picquart, after a semblance of legal proceedings, would be condemned and thus a dangerous witness would no longer be able to harm them.

Public opinion, however, was now on the alert, and would not permit this further iniquity to be perpetrated. Even in Parliament an important majority was against the principle of solitary confinement. De Freycinet thought it politic to temporize, but a member succeeded in carrying a proposal to make the law on juridical inquiries applicable to the military tribunals also, the result of which would be to do away with this practice.

The General Staff retorted by ordering Tavernier to conclude his inquiry immediately, so that such interviews as were now permitted between Labori and Picquart would serve no practical purpose, because the proceedings would be at an end. Tavernier also received instructions to recommend that Picquart should be brought before a Court-martial. In spite of the difficulty of his task, he accomplished it. He placed a tendencious interpretation on a report made by experts who were inclined to agree with Picquart's statement in regard to the *petit-bleu*, and he ended by saying:

> 'In our opinion, there is justification for concluding that the *petit-bleu* is a document made up of different fragments with the object of causing Esterhazy's downfall.
>
> 'Expert examination has, it is true, established that this document, which we believe ourselves justified in denouncing as fraudulent, is not in the writing of

Lieutenant-Colonel Picquart; but, given the peculiar circumstances in which this paper came into our hands, we find it hard to believe that the prisoner could have known nothing about its fabrication.'

He also charged Picquart and Leblois with the communication of secret documents affecting national defence.

In consequence of this report Picquart was arraigned before the second Court-martial and the hearing was fixed for December 12th.

In view of the absolute lack of evidence in the *dossier*, the Minister for War might have stopped the proceedings, but he took good care not to do so. If, moreover, he had had any respect for justice he would not have permitted Picquart to be tried until the Cour de Cassation had completed its inquiry.

The Cour de Cassation was cognizant of the whole of the affair; the Court-martial had only to pronounce on one particular point. If the Court-martial was to make its decision with a full knowledge of the case, it was essential that it should be informed of all the points to be revealed at the inquiry held by the Cour de Cassation, and that it should not confine itself to the fragmentary information it then possessed.

Moreover, to permit military judges to deliberate before the judges of the Supreme Civil Court had come to a decision, was equivalent to enabling them to prejudice the decision of that supreme court, to influence it and to detract from its supremacy. Until the last moment it was not believed possible that the Government would disregard these moral and juridical objections. But when it was realized that no scruple would deter them, the revisionists, made wise by experience, and convinced that the military judges would 'meet a verdict by a verdict,' convinced also, whatever Clemenceau might think, that there must not be another martyr, increased their protests, both written and verbal.

There followed several days of great excitement, opening with the reading of angry articles and closing at noisy meet-

ings. The mighty voice of the lovers of justice was heard. New petitions were circulated in which, in addition to those of the earlier ones, there appeared the names of eminent people who had afterwards joined in the battle or who had that moment hurled themselves into it. By the side of Gaston Paris, Sully Prudhomme, Lavisse, Painlevé and Victor Basch there appeared the signatures of Marcel Prévost, Edmond Rostand, Abel Hermant, Alfred Capus, Porto-Riche and of two magnificent actresses, who, fire and flame, had also joined in the fray: Sarah Bernhardt and Réjane!

They were, of course, spared no insults. 'The treasury of the Syndicate,' it was said, 'is well supplied; the adjournment of the Picquart trial will deplete it by 1,200,000 francs.'

§ 2 *A Conscience is Cleared*

Certain Members of Parliament also wished to take cognizance of the Picquart affair, and they intervened at the sitting of November 28th.

Millerand showed that it was legally possible to suspend the Picquart trial and that it was the duty of the Government to take the responsibility of doing so. M. Raymond Poincaré then addressed the Chamber. He had been a member of the Cabinet in 1894 at the time of the first trial. His intervention, which had been already announced several times, was awaited with the liveliest interest. Although tardy, it was decisive. 'If some among us were to maintain silence at this moment we should be guilty of cowardice.' He protested both against measures which bore the stamp of reprisal and persecution, and against the scandalous manner in which some offenders had been permitted to remain exempt. He declared that, although he was a minister in 1894, he had 'only learned of the arrest of Dreyfus through a newspaper article a fortnight afterwards,' that the only charge made against Dreyfus at that time and the only one mentioned to him was the *Bordereau* and that he had never had any know-

ledge of a diplomatic or secret *dossier* or of the alleged admissions of which Lebrun-Renault had made no mention when he was summoned before the Premier.

Now the man who had been Premier at that time was again Premier at this date. He was in his place, listening to his former colleague; he did not interrupt him or offer to deny any of his allegations. This was proof of the truth of M. Poincaré's testimony.

Smarting under these revelations the Right persistently interrupted Poincaré with cries of 'Too late! . . . your intervention is too late! . . . . Why did you not speak before?'

Poincaré replied that he had postponed his public declaration 'because the competent legal authority was not cognizant of the facts' and that he was glad to 'break a silence which had been weighing on his mind, and to seize this long-awaited opportunity to clear his conscience.'

M. Poincaré had not thought fit to clear his conscience a few months earlier, at the sitting, for instance, when Cavaignac supported his statements by citing the admissions made by Dreyfus—admissions which Poincaré knew to be non-existent. At that time he had kept silence . . . more than that, he had voted for the placarding of Cavaignac's speech. At that time, it is true, the 'competent legal authority' had not been instructed. But Picquart and Zola and many others did not wait to act until the 'competent legal authority' had been instructed. It was thanks to them that this court had been instructed and that M. Poincaré had thus been enabled to clear his conscience. Without the help of these men, these magnificent defenders, Dreyfus would have been believed to be guilty and would have ended his days on Devil's Island.

Even after his tardy revelations, M. Poincaré might have thrown himself into the fray and fought passionately for the triumph of justice. There were still blows to be sustained, a crusade to be led, pamphlets to write, speeches to make. But he preferred to be silent.

His intervention, however, and a short speech by Barthou confirming it, were received with delight by the revisionists as supporting the doctrine they had always upheld.

The Minister for War declared his respect for 'the independence of the military courts.' The Premier refused to order the suspension of the Picquart trial. If the Cour de Cassation, he added, found a means of causing it to be adjourned the Government would bow to its decision. In this way he rid himself of the responsibilities which were his by right and laid them on the officers of the law. In spite of this, a vote of confidence was passed by a large majority. On the following day, when a definite question was put in the Senate, Charles Dupuy again answered by an evasion and carried off his supreme cowardice with an air of supreme cleverness.

It seemed as though nothing further could now be done to obtain a postponement of the Picquart trial. Waldeck-Rousseau, that great lawyer and politician, intervened at this point with all the weight of his authority. He moved that a law be passed giving the Cour de Cassation the power to cause any proceedings before any court whatsoever to be adjourned if these proceedings envisaged facts relative to an appeal brought before the Cour de Cassation.

The Keeper of the Seals objected to an emergency debate and the proposal was rejected by 113 votes to 113.

§ 3 *The Silence of Schwartzkoppen*

Thus, Picquart was to be tried and, doubtless, condemned. On what grounds? Among other reasons, for having fabricated the *petit-bleu*. There was one man who might have saved Picquart, whose evidence would have been decisive and indisputable and would have overcome all obstacles. This was the man who had written the *petit-bleu*, Colonel Schwartzkoppen.

For several months past Mathieu Dreyfus had been endeavouring, through the intermediary of a friend, to

persuade Schwartzkoppen to break his long silence and bear witness to the truth.

Mathieu Dreyfus wrote in the late summer to M. Sandoz of Mülhausen who had consented to get into touch with Schwartzkoppen.

> 'In a few days' time,' he said, 'Picquart will be regarded by us and by our friends as a victim; to the majority of Frenchmen, however, he will have been branded, disgraced, covered with shame and mud.
>
> 'Will Colonel Schwartzkoppen allow this fresh crime to be committed, when he could intervene by declaring openly, like a true soldier, that the famous *petit-bleu* did indeed emanate from him and that Esterhazy was his agent?
>
> 'If he does this, and he could do it in a variety of ways, either by writing direct to the French Government or by making a statement to the French Ambassador in Berlin, he will merely be doing his duty as a man of honour.
>
> 'The whole of civilized Europe will be grateful to him for having borne witness in this poignant drama in which the part he has played has been an important, but, up to the present, a silent one.
>
> 'It is a moral obligation, a duty he owes to his conscience, which he must fulfil; if he does not do so it may be said that his responsibility for the crimes now being committed is even greater than that of the Government of France.'

In the course of the autumn Mathieu Dreyfus wrote even more urgently:

> 'The General Staff has accused Colonel Picquart of having fabricated the *petit-bleu*. This accusation is absurd and will not stand against argument. But the fury of the

General Staff is so great that there is every reason to fear the worst from a Court-martial and we must expect the most iniquitous acts, even a sentence passed by order.

'This scaffolding of lies will collapse if von Schwartzkoppen will state quite simply that *he* wrote the *petit-bleu*.

'It seems to me that Schwartzkoppen cannot possibly maintain silence. To do so would compromise his honour to such a degree that I cannot believe him capable of it.

'Shall we witness that abominable, monstrous thing, the degradation of Picquart on the very spot on which another suffered degradation, whom he knows to be innocent and whom he has endeavoured to save?

'I now beg you urgently to take all possible steps so that the German Emperor may authorize Colonel von Schwartzkoppen to give evidence.'

But Schwartzkoppen refused to speak. His superiors had forbidden him to do so.

Prince von Hohenlohe, in his turn, endeavoured to move him:

'There is now this simple question to be answered: Did Picquart forge the address on the *petit-bleu* or did he not? Was this address written by you or by another? Everything now turns on these simple questions.

'I have been wondering whether, as matters stand and in view of the complete change in public opinion, it might not be possible to do something on our side for the establishment of the truth and whether this would not make a good impression. Surely the greater proportion of French public opinion must recognize the chivalrous nature of our action.

'Supposing, for instance—this is only a hypothesis—you wrote a letter to the judge-advocate of the Court-martial something to this effect: "You are a soldier like myself, so you will understand why I feel obliged to declare to you, on my word of honour, that the address to

Esterhazy on the *petit-bleu* is not a forgery, but was written by me. Signed: "Schwartzkoppen".

'What impression would be made by this or a similar letter? In my humble opinion it would be excellent. Yes, in my opinion, you would be the most popular man and the German Government the most popular government in France.

'How long would it last? That is another question. How long does anything last in France? But certainly for twenty-four hours and even for several days. And by that time there would no longer be a Picquart affair and Picquart would have been brilliantly acquitted.

'On the other hand, if Picquart is found guilty his condemnation will give rise to a new Dreyfus Affair under the name of a "Picquart" affair and to a new campaign for revision, perhaps even more violent than the last. Anarchy, conflict and discord will increase in France, the army may be even more discredited and it will be impossible to predict the end of all this.'

But Schwartzkoppen remained unmoved. No argument, either on humane or patriotic grounds could induce him to break the silence imposed on him by his superiors, to which discipline forced him to resign himself.

His former chief, Count von Münster, the German Ambassador at Paris, also intervened. Five days after the opening of the Picquart trial he wrote direct to Schwartzkoppen:

'I am writing to you with reference to the unfortunate Lieutenant-Colonel Picquart who is to be made a victim of the vengeance of the wretched General Staff. The main question is the *petit-bleu*. The charge against Picquart is based on this and on the question whether this document really emanated from you and is in your handwriting. If that can be proved Picquart will be saved, otherwise he may be sentenced to five years' imprisonment. A con-

firmation of this fact could not possibly compromise you; every child knows that you had relations with Esterhazy and that he has been a spy. It is particularly important for counsel for the defence to know whether you wrote the *petit-bleu* yourself or caused it to be written. The defence has specimens of your writing, but before presenting their case and before consulting experts, it would be of the greatest assistance to them to know whether the *petit-bleu* is in your own handwriting or whether you caused it to be written. Once I know this I shall take care that no one finds out from whom I obtained the knowledge or that the information has been supplied by me.

'I beg you, therefore, to send me by return—I shall see that my letter gets safely over the frontier—a telegram to this effect : "Glad servant has arrived, he is satisfactory" (if you wrote the *petit-bleu* yourself) or "he is fairly satisfactory" (if you caused it to be written). For Picquart's sake I am hoping for "satisfactory", as in that case it will be possible to save him. If neither of these two suppositions is correct and the *petit-bleu* really did not emanate from you, wire me: "Know nothing about him". Sign the telegram "Polterer".

'Dreyfus, I hope, will be saved by the Court of Cassation; if Picquart, who has helped to save him, were to be condemned it would be a monstrous piece of injustice.'

Once more acting under orders, Schwartzkoppen asserted his ignorance of the matter, and Count von Münster believed him. When he learned, through a side-issue, that the *petit bleu* had in fact emanated from Schwartzkoppen, and that he had lied to him, he wrote sternly to him:

'If you wrote this *petit-bleu* I have the right, as your former chief, to demand that you should tell me so frankly and not deceive me, as you have done to my

great regret in the whole of this business. If I have certain knowledge of it I can arrange matters so that we are not mixed up in the affair at all. If I admit in confidence that this conclusive proof emanated from you, that will suffice for the defence, more especially since the experts have recognized the handwriting as yours. If, however, you decline to make any statement, if you *lie deliberately*, I shall consider it to be a dishonourable act, because you cannot but be aware that on this question depends the liberty and future career of an officer whom you should regard as a comrade, whether he be French or German.

'As for myself, you have already placed me in the *most unpleasant situation possible* in regard to the whole business. I am sick of it and I must ask you to make a frank statement. If I know the truth my position will be quite different from what it is at present, when I must either appear to be a fool who does not know what is going on under his command, or a liar. In that case I could adopt a much firmer attitude and I would see that no official question was put either to us or to you. I know my duty as an Ambassador. I hope and I expect that you will agree with me and that you will *do your duty as a man of honour* and be frank with me; no one could forbid you to do that. I felt bound to say this to you and I feel that I have the right do so, because I have clearly shown that I do not feel any resentment against you for your behaviour to me and that I attach great importance to the continuance of our friendly intercourse.'

Schwartzkoppen, disturbed and unhappy at this appeal, decided to tell his former chief, with whom he had always been on affectionate terms, the true state of affairs and his reasons for feeling obliged to keep silence:

'As soon as I came back from Paris, I told my new

chiefs the whole truth about the part I had played in the Dreyfus affair. They instructed me to say nothing without first consulting them. I have had more than one opportunity of discussing the matter with His Highness Prince von Hohenlohe, with H.E. the Secretary of State von Bülow, and the Chief of the General Staff (von Schlieffen). On each occasion my instructions have been that I must not intervene in any way in the inquiry, whoever might ask me to do so. I have rigidly obeyed these instructions in accordance with my duty.

'Before receiving your Excellency's letter asking me to admit that I had written the *petit-bleu* I had already seen H.E. Prince von Bülow and asked him whether I could not do something for the unhappy Colonel Picquart. H.E. commanded me to do nothing as any intervention by me might do as much harm to Picquart as to myself.

'In consequence of this interview I considered it my duty to inform Your Excellency by telegram and letter of the reasons why it was impossible for me to make a statement likely to influence the course of the inquiry.

'Your Excellency will understand, from what I have just told you, that I also feel that something should be done about the Picquart affair. If this officer had already been found guilty, or is now to be found guilty, I can no longer be considered responsible. Besides, nothing was ever done for the unfortunate Captain Dreyfus, who is as much an officer and a comrade as Colonel Picquart. Nothing was done to save him from his sad fate either; in this case also the interests of the State forbade any intervention.

'As regards the *petit-bleu*, I have sent several to Esterhazy. It is quite possible, it is indeed probable, that the *petit-bleu* of the *dossier* is from me. I could not state this with absolute certainty, as I have not seen it and because

a number of documents have been forged in connection with this affair. But, as I say, it is quite probable.

'I have made this statement in response to Your Excellency's grave reproach that I have deceived you and have acted dishonestly and deceitfully in refusing to give it to you.

'I must confess that a more bitter reproach has never been made against me in all my life!

'Your Excellency tells me that you wish to inform Colonel Picquart's counsel of my statement. As I have made it without receiving authorization from my chiefs, I cannot answer for the consequences if it is made public. Should this occur I would ask Your Excellency to state that you expressly requested me to make it.

'I have never deceived Your Excellency deliberately. Although, for a time, I have maintained silence in regard to certain matters, the idea of saying what is not true or of acting dishonourably has never entered my mind. I have told Your Excellency the whole truth. I have, therefore, not deserved Your Excellency's bitter reproaches, and they have deeply pained me.'

§ 4 *Picquart Saved*

At the date when Count von Münster received this sad confession, Picquart was, for the moment, out of danger. One of his lawyers had discovered an ingenious legal argument which, if it were admitted by the Cour de Cassation before whom it would have to be brought, would result in an adjournment of the trial.

This consisted in a demurrer based on the practice of reassignment or *règlements de juge*. The Code provides that if a prisoner is arraigned before two different courts for interrelated offences, the Cour de Cassation can either state which one of the two courts is alone competent to try him, or assign the case to a quite different court. This applied to Picquart's

case, against whom proceedings had been initiated in the civil and military courts simultaneously. A trial in both courts might have resulted, paradoxically, in his being acquitted by the Criminal Court and found guilty by the Court-martial, an impossible situation which would have called for such an assignment as has been mentioned by the Cour de Cassation. For its information, this court ordered the two authorities concerned to forward their *dossiers*.

This happened on December 8th. Picquart's trial was to have opened on the 12th. The court ordered its suspension and Picquart, for the moment, was saved from his military judges. Here was a second victory to the revisionists.

The victory was complete, for some months later the court acknowledged that in the majority of the points raised by Picquart the two suits were related and that a re-assignment was necessary. The court instructed the *Chambre des Mises en Accusation* to decide on a substitute for the two courts originally instructed.

§ 5 *The Court Inquiry*

The members of the Criminal Court of the Cour de Cassation began their inquiry into the Dreyfus affair by obtaining expert opinion on letters from Esterhazy dating from 1892; they thus received proof that as early as 1892 Esterhazy was using paper in which the watermark, ruling, crosslines, colour, thickness, surface and weight were the same as that used for the *Bordereau*.

They then took a large number of depositions. They summoned the five Ministers for War. Mercier, curt and abrupt, entrenched himself behind the need for secrecy, replying to any embarrassing questions with: 'I do not think the court need consider that question.' Billot, brief and vague in his answers, Cavaignac, wordy, and behaving rather as counsel in his own defence than as a witness. Zurlinden and Chanoine, playing the part of supers.

General Roget was the chief exponent of the argument advanced by the General Staff, and demonstrated the guilt of Dreyfus in accordance with the pre-arranged plan.

Boisdeffre and Gonse gave no evidence of value, but they impressed the court with their sinister personalities.

Compared with these taciturn and embarrassed officers, with their shifting glances, how convincing Picquart's clear account seemed, and his ready answers, so simple and spontaneous. The judges quickly recognized the accents of truth.

They placed no value whatever on the laborious deposition made by Lebrun-Renault, and, after having heard and interrogated him, they came to the conclusion that the business of the Admissions had better be definitely dropped.

There remained the question of the secret *dossier*. The Cour de Cassation demanded the communication of the *dossier* in full. The Minister for War and the General Staff, anxious that its extreme weakness should not be exposed, took refuge in excuses on the ground of national safety. As a very last resort, the judges could inspect it, but the defence would not be allowed to examine these documents. As the President of the Court refused to countenance such an arrangement, a nationalist deputy decided to interpellate the Government and ask for an assurance that there would be no communication of the secret documents.

The Premier undertook to allow only those documents to be produced which did not affect national safety; when he was asked whether the defence would have cognizance of them, he made no reply.

Captain Cuignet had been appointed to communicate the secret *dossier* to the court, to explain it and keep guard over it. Cuignet's deposition was like a novel; it was drawn up with the double object of proving the guilt of both Dreyfus and Picquart. Everything was disposed to these ends. There were 374 papers divided into three categories; 116 papers referred directly to the Dreyfus affair, 247 papers were intended to

be used for purposes of comparison, and 11 papers were either forgeries or doubtful.

See what had happened to the official *dossier!* Originally, at the time of the arrest, it consisted of one single document, that is, the *Bordereau;* at the time of the trial, besides the *Bordereau*, there was the police report; at the time when the judges at the first trial retired to deliberate, the *dossier* was increased by four secret documents. Now, it consisted of 374! And yet people still existed who were honestly opposed to a revision!

Cuignet's account and his flagrant inaccuracies did not make the desired impression on the court. The magistrates realized more and more the abominable game which was being played by the General Staff. Determined to put an end to it, they carried out their task, their plain duty, in spite of the slanders which were heaped on them daily, in spite of murderous threats.

The nationalists maintained a state of uneasy agitation in the country. The very men who had laid such stress on the necessity to guarantee France against attacks from beyond her frontiers, never ceased to implicate foreign powers and to abuse them to such an extent that on one occasion, when the lies had been particularly shameful, M. Delcassé, Minister for Foreign Affairs, was obliged to make an apology to the German Ambassador.

§ 6 *The Henry Memorial*

At this time Reinach, whilst carrying on the revisionist campaign, accused Henry of having been Esterhazy's accomplice. Henry's widow, urged on by Drumont, brought an action for libel against him.

Drumont then initiated a scheme which should have been rejected in scorn by those to whom he appealed. He opened a public subscription for 'the widow and orphan of Colonel Henry, in opposition to Reinach'. In one month 15,000

subscribers, anxious to participate in the rehabilitation of the forger, paid out 131,110 francs. The list of subscribers reflected feelings of the bitterest hatred. An abbé sent five francs 'for a bedside rug made of the skin of a Yid, to be trampled on morning and evening'; an officer subscribed 50 francs 'awaiting the order to test the new guns and explosives on the 100,000 Jews who are poisoning the country'; another would like to 'hang up the Jews' heads in a pork-butcher's window, and make drums of their skins', or to 'prick them with pins until they died'.

'There was', wrote Quillard, 'an unparalleled outburst of ferocity, folly and vile abuse.'

Among the subscribers to these disgraceful lists were men of the *haute noblesse*, numerous officers, four senators, fifty-three deputies, a mere handful of the academic class, but no diplomats. General Mercier subscribed 100 francs, thus associating himself with a traitor.

Maurice Barrès, François Coppée, Pierre Louys and Paul Valéry[1] did not shrink from besmirching their fame by associating themselves with this degrading action.

A league was formed against the 'traitor-intellectuals', the defenders of the truth whose leaders were Anatole France and Emile Zola. This league was intended to serve the purposes of the General Staff and was called the 'League of the French Nation'.

A manifesto couched in careful and moderate language deceived a number of people as to the real aims of this league, which was joined at its inception by Coppée, de Heredia, Bourget and Jules Lemaître, but the real directors of which were Guérin, Drumont and Déroulède.

§ 7 *Quesnay de Beaurepaire*

Meanwhile the magistrates of the Criminal Court, heedless

[1] Paul Valery's signature ran thus: 'Valery (Paul Ambroise) not without reflection . . . 3 francs.'

of the agitation outside, proceeded honourably to carry out their inquiry, whilst efforts were made to cast suspicion on them, to discredit them and to obstruct them in their work. The essential thing was to prevent them from coming to a decision. But how? By withholding the *dossier* and refusing all information. There was, however, no legal means of doing this. The law is the law. The Criminal Court would prosecute their inquiry and promulgate their decision whatever happened. Nothing could prevent them. Nothing! Even if a new law were passed it could not possibly be made to apply to the case then pending, since a law cannot take effect retrospectively. Such an idea could not be entertained, unless the violent measure were taken of introducing a retrospective law, an emergency, an exceptional law. This outrageous idea had already been germinating in the mind of the President of the Republic, and Félix Faure had caused one of his friends in parliament to move that the inquiry, so far as it concerned revision, should be carried out not by the Criminal Court alone, but by the combined courts of the Cour de Cassation; it was hoped, in this way, to get a majority prepared to submit to governmental pressure.

To achieve this, the magistrates of the Criminal Court had to be disqualified by making definite charges against them which would deprive them of the authority necessary for the pursuance of their inquiry.

A secret organization was cleverly conceived to this end. The leaders of the fight against truth made use of an embittered judge, a man who was burning to play some prominent part; this man was Quesnay de Beaurepaire, President of the Civil Court of the Cour de Cassation.

Without the honest judges, the conscientious servants of justice being aware of it, a formidable plot was hatched against them. A whole workshop of espionage, shadowing and informing was set up.

A captain of military police in command of Picquart's guard whilst he was at the Palais de Justice, was instructed

to report to General Zurlinden every incident he might have noted or imagined which might throw suspicion on the good faith and impartiality of the magistrates.

A violent attack was suddenly launched. One morning the *Eclair* threw suspicion on Bard, accusing him of collusion with Picquart and systematically distorting the truth in a number of improbable stories.

The most ridiculous accusations were circulated against Loew. It was said that one day, when he could not interrogate Picquart until a late hour, he requested the Clerk of the Court to go and tell him that he would have to keep him waiting, and to express the regret of the court. This act of courtesy was another proof of collusion. But the real offence, the crime of crimes, was this: After Picquart had made a long deposition and was feeling ill and exhausted, he was given hot grog instead of a glass of *eau sucrée*. This was too much! The collusion between the judges and Picquart was definitely established!

Quesnay de Beaurepaire made use of all this rubbish, commented on it and accused his colleagues of being 'deserters'; and as he said that silence on his part would 'border on treason', he sent a memorandum to Mazeau, the First President of the Court, accusing Bard and Loew. Those who read it were indignant at its folly, and were agreed that the writer should be immediately censured.

But this was by no means the case. The Minister for Justice took a decision damaging to the insulted judges, and ordered an inquiry to be instituted into the points raised in the memorandum. The inquiry resulted in the recognition that Quesnay de Beaurepaire had made slanderous imputations for which there was no foundation; the Keeper of the Seals, however, made Bard and Loew understand that, hence-forward, they must act with the greatest discretion.

But Quesnay did not consider this step sufficiently drastic He had heard of the indignant protests made to the First President Mazeau by the two judges whom he had attacked,

and he drew up a second memorandum citing new facts against his colleagues and casting suspicion on all the members of the Criminal Court.

As the First President Mazeau and the Minister for Justice had recourse to temporization, Quesnay, now wholeheartedly a member of the anti-revisionist clan, ostentatiously sent in his resignation and published daily in the *Echo de Paris* articles tending to prove Loew's partiality and the worthlessness of certain judges, and challenged Loew and Bard to deny the accusations.

An interpellation on these matters was to be made in the Chamber, and Lebret, Minister for Justice, took fright and instructed Mazeau and the senior members of the Civil Court and the Court of Requests to hold a second inquiry.

The Government defence of the judicial authority attacked was weak. The nationalists repeated de Beaurepaire's imaginary grievances against the judges, and abused them. One excited member called the judges 'scoundrels'. Another demanded that they should be brought before a Court-martial.

Quesnay spread himself in the newspapers, allowed himself to be interviewed, signed slanderous articles and posed as an honourable man, a super-patriotic defender of the army. He went so far as to accuse one of the judges of the Criminal Court of retiring frequently to the urinal, and of remaining there for long periods in order to hold conversations with Picquart.

'The decision which is being formulated,' wrote Quesnay, 'is already suspect, it is not worthy of French justice.' 'A red-hot iron must be applied to the wound.' The red-hot iron was the disqualification of the Criminal Court! Apostrophizing the deputies, he conjured them to pass 'a law retrospectively assigning the competence of that court in regard to the proceedings to the combined courts of the Cour de Cassation.'

§ 8 *Disqualification*

The Government was prepared to demand the disqualification of the court. It was not considered essential to obtain a positive result from the enquiry held by the senior members. This inquiry dealt with the most insignificant accusations. It even sought to discover whether Bard, at the time of the Zola trial, had really asked a clerk why he had allowed a colonel to gain admittance to the body of the court. Every person was interrogated who might be able to report a suspicious remark or denounce any ambiguous behaviour.

The report arising out of the inquiry was negative, but Mazeau did his best to satisfy the Government. Instead of making a definite statement on the grounds of the inquiry, he confined himself to a vague dissertation, in the course of which he expressed the opinion that as his colleagues had been working for the past three months 'in the midst of an unparalleled outburst of conflicting passions', they were no longer in possession of the 'serenity and moral freedom indispensable to the carrying out of their duty as judges' and that 'the responsibility of the final decision could not be left to the Criminal Court alone.'

There was a Cabinet meeting on January 27th. Dupuy, in obedience to de Quesnay's injunctions, proposed the terms for the disqualification of the Criminal Court. These were approved by eight votes to three.

Rochefort immediately gave vent to the remark: 'The Premier has realized the unworthiness of the barmaids of the Cour de Cassation.'

Three days later Lebret asked the Chamber to accelerate the passing of the law, which he called a 'law of necessity and alleviation'.

The Commission appointed to consider it in the first instance and to report to the Chamber, requested the Government to supply them with the full text of the Mazeau

inquiry. They found in it some significant omissions, and asked for and obtained a supplementary inquiry, as the result of which they rejected the Government's proposal by nine votes to two, and vindicated the integrity of all the judges of the Criminal Court.

The debate on the emergency law was opened in the Chamber during the month of February. A certain number of republicans condemned the proposal and published a 'Manifesto', the signatories to which included Brisson, Léon Bourgeois, Barthou, Jonnart and Poincaré. They thought it sufficient, in this great battle of principles, to lend their names instead of throwing themselves into the arena and taking part in the fight. Camille Pelletan and Millerand were the only democrats to make speeches formally and energetically protesting. 'This measure', said Millerand, 'will prolong for an indefinite period a crisis which ought to be ended; the strength of democracy lies in refusing to tolerate arbitrary action.'

To carry a vote obviously distasteful to the majority, the Government made appeal to the lowest sentiments. The Keeper of the Seals, addressing the deputies who, in a debate on legal questions, ought to have weighed the pros and cons calmly and judicially, had recourse to the base arguments of a demagogue: 'Consider your constituencies!' that is to say, bow to the passions of the mob. The law was passed by 324 votes to 207.

The conflict was even more bitter in the Senate and Waldeck-Rousseau did not spare himself in his efforts to save the principles of law and justice compromised by the Chamber. For the space of three sittings the republicans opposed the unspeakable project which would cause a citizen to be judged by virtue of a law passed subsequent to his offence.

Aged senators bestirred themselves in the defence of the law, and uttered their righteous protests against the attack on the Supreme Courts. It is the duty of the republicans,

they said, to uphold the dignity of the Senate and to face unpopularity in obedience to the dictates of conscience and reason.

'Decree of disqualification, decree of suspicion, decree of weakness', cried Waldeck-Rousseau. 'This means giving way before threats and calumny, before a kind of secret inquisition.' At the very moment when a firm stand ought to have been taken an attempt was being made to 'diminish the authority of justice.'

'The fear lest a mistake has been made is called a denial of one's country. The wish to repair this mistake is a crime. . . . Public opinion has been invoked. . . . I say let us invoke justice. Let us consider the future. What public opinion is least ready to forgive are mistakes made because its representatives have allowed it to make them.'

This magnificent and noble appeal met with no response. The law had to be passed. By 158 votes to 118 the Senate followed the lead of the Chamber in an abdication of power the shamefulness of which is without precedent in parliamentary history. This incredible measure of violence had succeeded. The cowardly parliament had bowed to the demands of an excited public.

At the very time, however, when the Criminal Court was being disqualified, the members of that court had concluded their inquiry. They had heard diplomats, caused the prisoner on Devil's Island to be interrogated by *commission rogatoire*, and had procured a safe conduct for Esterhazy enabling him to come from Brussels to give evidence without risk to himself. Bertillon's foolish demonstrations had been compared with the lucid explanations made by scientists. When the judges came to the technical examination of the *Bordereau* they called before them officers who proved, among other things, that certain incorrect terms appearing in the *Bordereau* could not have been used by Dreyfus. Again the answer made by the opposition to this was that the inexactitudes were intentional and had been used as a disguise. It

was plain that efforts were still being made to show that the incriminating document was written by Dreyfus. If the writing was his, then that was sufficient proof; if it was not his writing, that was because he had disguised it so as not to be found out. At a time when the critical spirit was beginning to awaken after having been dormant for several years, such arguments only had power to convince those already fixed in their belief. On February 9th Loew declared the inquiry of the Criminal Court to be concluded.

§ 9 *The Storming of the Republic*

All these political and judicial events had taken place in an atmosphere of excitement and conflict. Never, perhaps, in the whole history of the Affair had so much feeling been roused.

The hearing in the Court of Assizes of the case brought by Madame Henry against Joseph Reinach took place in an atmosphere which recalled that of the Zola trial. In order that the course of justice might not be influenced and the main point at issue, that of revision, might not be prejudiced by arguments on points of secondary importance, Reinach asked, in vain, for an adjournment of the hearing until after the Cour de Cassation had promulgated its decision. He could only obtain the postponement he desired by having recourse to every possible legal expedient.

This was the time when Viollet, as a protest against the attitude of the leading clergy and laity of the Catholics in France, founded the gallant 'Catholic Committee for the defence of justice'.

This was the time when the 'intellectuals' who had thought they could remain neutral, but who wished to show their desire for a peaceful settlement between the opposing parties, issued an 'Appeal for Unity', which contained expressions of regard both for the legal authorities, the 'guardians of justice', and for the army, that 'school of devotion and sacrifice'.

The nationalists denounced this timid appeal as a manœuvre on the part of the revisionists. 'In these lists,' wrote François Coppée, 'we see once more the names of the very men who have sown discord in the country.'

The hostile attitude of the League of the French Nation and a speech by Déroulède, forced the signatories to the Appeal for Unity, in spite of their moderate views, into the thick of the battle and changed them into ardent revisionists. An unexpected event was to bring these heated passions to a climax.

On February 16th Félix Faure, President of the Republic, died suddenly in circumstances which were not, at first, known to the public. The fact was that Félix Faure succumbed to such an appalling hæmorrhage that the young woman who was with him at the time had been forced to fly precipitately in a costume which admitted of no doubt as to the nature of her visit.

Drumont seized the opportunity to declare that Félix Faure's death could be attributed to the Jews.

The Congress assembled at Versailles on the following day and, in spite of the efforts made by Déroulède, Drumont and their followers, Méline, the reactionary candidate for the presidency was rejected and Loubet, the President of the Senate, was elected President of the Republic by the united votes of the republicans who had combined in the face of danger.

An abusive and menacing campaign was immediately started against Loubet, a moderate but staunch republican, whose wisdom and judgment were acknowledged by all. It was said that he had been returned by the Syndicate of Jews and 'Dreyfusards'.

'His election is a provocation which must be met', they wrote, and the President of the League of the French Nation, taking his stand in the name of law and order beside the partisans of rebellion, declared: 'We may be on the eve of a battle.'

Why should not the solemnity and pomp of Félix Faure's funeral be used, they thought, to make an attempt by force of arms? The generals were to be there. The army would be there in force. Then or never was the time to carry out the scheme desired by all the enemies to revision; to set up a military dictatorship and to make the General Staff the all-power authority.

Déroulède felt that his day had dawned. He informed his faithful followers of the League of Patriots that he intended to carry his schemes through by violence. He relied on popular enthusiasm and the might of the army, and hoped to obtain his power from the people, thanks to the support of the army.

He thought his eloquence was sufficiently great to carry the masses with him, and looked for a leader who could carry the army with him. De Pellieux, who, at the time of the Zola trial, was regarded with favour by the excited population of Paris, seemed to him worthy of his trust. He sounded him. He gathered his friends near the spot where the funeral procession would have to break up and, surrounded by a number of nationalist deputies, including Marcel Habert and Maurice Barrès, wearing the tricolour scarf of a Member of Parliament, he waited.

A general came along at the head of his troops. Déroulède, his brawling followers in his train, hurried forward. Was it Pellieux? It was Roget. Pellieux had vanished, because the risky nature of the undertaking was not at all to his taste. Déroulède seized the bridle of Roget's horse and cried, 'General, follow us! Have pity on our country! Save France! To the Elysée, General!' But Roget would not trifle with discipline. Déroulède seemed to him a dangerous fanatic, and he forced him to let go his bridle. The agitator and his gang followed him through the streets crying 'Long live the army! To the Elysée!' in the vain hope of rousing the population to violence. Roget refused to be distracted from his duty and returned with his troops to the Renilly barracks, taking

with him against his will the mob which escorted Déroulède and Marcel Habert. They declined to leave the barracks once they had succeeded in getting into the courtyard. Their conspiracy had been a pitiable failure, and to avoid ridicule they sought in vain to strike magnificent attitudes.

Finally, after much discussion, they were arrested by order of Charles Dupuy, who, although he had been warned of what would happen, had taken no steps to prevent it. The instigators of this *coup d'état* were charged with having 'entered the barracks at the head of a band of demonstrators and having refused to leave in spite of the commands of the military authority.' Dupuy obstinately refused to prosecute the two factionists for conspiracy against the security of the State, to order a general inquiry to be made or to seek out their accomplices. It was important for him to limit the affair, and not to make trouble for himself with the nationalist elements on whose support he relied. In order to conciliate them, he took proceedings against those who were fighting for the republican régime, the members of the League of the Rights of Man. Then, true to the see-saw policy he had adopted, he also took proceedings against the League of the French Nation. He arranged matters so that the Déroulède case should come before the Court of Assizes on May 29th, the same day on which the three courts of the Cour de Cassation were to meet in solemn conclave to hear Ballot Beaupré, appointed President of the Civil Court in place of Quesnay de Beaurepaire, read his report on Dreyfus's request for a revision of his trial.

§ 10 *The Assembly of the Combined Courts*

The report on the inquiry held by the Criminal Court was printed on March 4th and distributed to the 47 members of the Cour de Cassation.

The members of the Criminal Court had mastered the subject of the inquiry down to the last detail. They won-

dered whether a mere reading of the report would make sufficient impression on their colleagues of the Civil Courts and lead them also to decide in favour of a revision. This question was ever present in the minds of the revisionists who asked themselves what they could possibly do to bring about, to enforce, a favourable decision.

It was suggested that Zola should be brought back and the conflict reopened in the Court of Assizes. Zola was ready for action. But this did not seem the right moment. It seemed preferable to reserve this final weapon to the last minute, when all hope of justice had been shattered. The wise defenders of Dreyfus were agreed on this point and gave up the idea of seeking support by any other means than a simple appeal to reason. What better appeal could there be than the publication of the report on the inquiry held by the Criminal Court? Dreyfus's innocence was here established by the contradictions and reticences of his superior officers, by the expert technical analysis of the *Bordereau*, by the impossibility of maintaining the story of the Admissions. But it was a secret document. Whoever published it would be transgressing the law and would be brought to justice. Whoever printed it would be accessory to the offence and would run the risk of being prosecuted.

Now Mathieu Dreyfus held the documents. He had had some of them copied when the court authorized the defence to have the documents used in the inquiry produced to them. As for the others, Labori's *dossier* was at his disposal and this contained duplicates of the documents used in the inquiry. He employed some Russian Jews who worked night and day at the copying of the voluminous depositions. When he decided to publish all these documents he had those he wished to have printed the next day taken every evening by various and picturesque agents (the revisionists also had their veiled woman!) to the office of the *Figaro*. The police were on the alert, but could discover nothing and were unable to prevent the revelations being made, in spite of the anger of the

Government and the General Staff and the mockery and sarcasm of the revisionists who thought themselves victorious. Whoever read these documents, published *in extenso* by the *Figaro*, impartially, became a convert.

The *Figaro* was fined 500 francs. The Minister for War punished one of the editors, Georges Duruy, Professor at the Ecole Polytechnique, by removing him from his lectureship on the pretext that some pupils had demonstrated against him. On an interpellation being made in the Chamber concerning his action, de Freycinet was unable to justify it and resigned. His successor reinstated Georges Duruy.

In the meantime Esterhazy, at the end of his resources, was making money out of his reminiscences. Both French and foreign papers were eager to publish this farrago of revelations and lies, of insinuations and abuse, out of which there emerged only one significant fact, namely, Esterhazy's close and continuous collusion with the General Staff.

The combined courts of the Cour de Cassation decided to hold a supplementary inquiry. They also inspected the famous secret *dossier* and were struck by its incoherence and lack of substance.

The crucial point of the discussions was marked by an epic conflict between diplomacy, represented by Paléologue, who desired truth and justice to triumph, and the army, represented by General Chanoine and Captain Cuignet who persevered in their efforts to save the forgers at the expense of martyrizing an innocent man.

The conflict centred round a telegram in cipher which Panizzardi had sent to his chief in Rome on November 2nd, 1894, and which had been intercepted. The Ministry of Foreign Affairs had supplied the following translation:

> 'If Captain Dreyfus has had no relations with you it would be advisable to instruct the Ambassador to publish an official denial, so as to prevent comments in the press.'

At Henry's instigation, the General Staff had never accepted any translation except the one which had been made up from memory by du Paty:

> 'Captain Dreyfus has been arrested. The Minister for War has proof of his relations with Germany. Every precaution has been taken.'

The difference between the two versions was startling. The official version made by the Ministry of Foreign Affairs constituted one more point in favour of Dreyfus's innocence. This was sufficient reason for the General Staff to produce a faked version.

Paléologue's reply to the statements made by various officers, and notably to that made by Cuignet, who had even thrown doubt on the good faith of the diplomats, was a categorical denial on behalf of the Ministry for Foreign Affairs. Delcassé, Minister for Foreign Affairs, sent a letter to his colleague of the Ministry of War, protesting against these accusations. A fairly acrid correspondence ensued between the two ministers. Finally, it was decided to decode the telegram again. This was done in the presence of Cuignet and Paléologue and the result was an exact reproduction of the translation made by the Ministry of Foreign Affairs. The General Staff declined to admit defeat and maintained that the tracing of the telegram which had been preserved by the Post Office authorities was a faked tracing, in spite of the fact that every indication was there of the authenticity of the document.

By way of avenging his defeat, Cuignet divulged information received by him in the course of his duty and, in particular, the correspondence which had passed between the two ministers. Through the agency of a judge of the Court of Versailles (who was suspended from office for six months) he had extracts from these letters published in the *Petit Journal*. At Delcassé's request Cuignet was punished for this

offence and was removed from active service by dismissal from his post.

Thus Cuignet's part in the Affair was over. After having discovered and revealed Henry's forgery he had not, like Picquart before him, considered it his duty to follow the dictates of his conscience, and, choosing to play the same game as that played by his chiefs for the past four years, after having helped to establish the truth he became one of the essential cogs in the wheels of the conspiracy.

The Cour de Cassation had, in the meantime, received a statement from de Charavay, one of the experts who had been employed in 1894, acknowledging that he had then been mistaken, and attributing the *Bordereau* to Esterhazy. But the most important deposition of all was that made by Captain Freystaëtter who had been one of the judges at the trial of 1894. He had been on service abroad and as he gradually became aware through the newspapers of the course of events, he was seized first of all with doubts and finally with remorse. He had had no idea that the communication of documents to the judges in council was an illegal act. Henry's evidence had seemed to him conclusive. Now he learned that Henry was a forger! His direct and moving indictment of Dreyfus was therefore suspect. Freystaëtter could not remain insensible to the urgings of his conscience. He was highly respected and his life had followed a steady and tranquil course. If it must be, he thought, let his future be shattered, but truth must prevail. He obtained permission from his chief to make an explanation to the court, and appeared before it. He described the decisive impression made on him by Henry's deposition and wished to give an explanation concerning the communication of the secret documents. But the court did not consider that it was within its scope to inquire into events which had occurred at the Court-martial, and when a judge, desirous of obtaining official assurance that there was, in fact, communication of secret documents, put certain questions, Mazeau prudently

replied in his turn, 'the question is not allowed'. Freystaëtter was able, nevertheless, to declare that 'the *Bordereau* alone had been the subject of argument during the four hearings of the Court-martial.' Thus, by implication, the existence of the secret *dossier* was acknowledged.

All these facts made an impression on those judges who were still in a state of uncertainty.

§ 11 *Solemn Conclave*

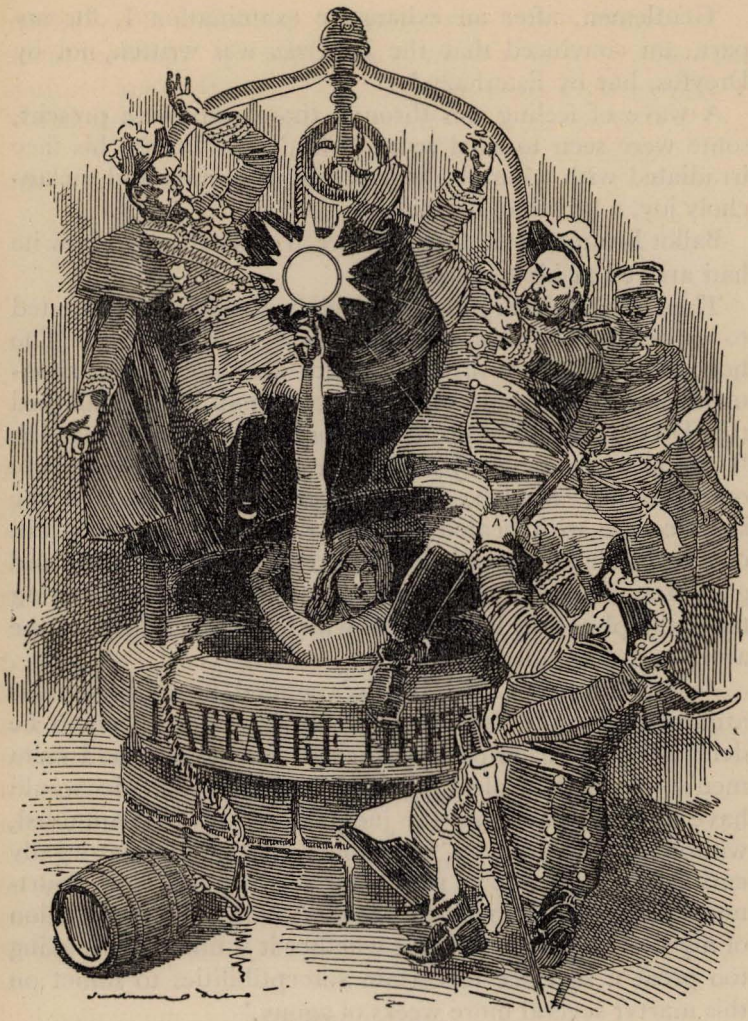
The report read by Ballot Beaupré on May 29th to the members of the combined courts of the Cour de Cassation, met in solemn conclave, was destined to be the determining factor.

He stated the arguments for the defence one by one in a loud, vigorous voice, emphasizing certain phrases, bringing out the essential points, giving life to events, laying stress on certain revelations. With scrupulous honesty and complete impartiality he then stated, one by one, the arguments for the prosecution.

To what conclusion was his speech leading? He had spoken during more than one hearing; the silence had been intense, the attention of his hearers had not wandered for a moment. He had not yet permitted his own personal opinion to become apparent, but at certain moments the tones of his voice had assumed a warmth which caused the lovers of truth to tremble with hope.

Suddenly he ceased, then, in a slightly shaken voice he asked, 'Was the *Bordereau*, the main foundation of the indictment and the condemnation, written by Dreyfus, or was it not?'

This was the decisive moment for which so many men had fought, for which some, whilst awaiting it, had even ceased to follow the usual course of their lives! Many had come there full of hope but now, at this tense moment, they were breathless with suspense.



À BAS LA VÉRITÉ!

Truth. "I MUST COME OUT." *French Generals.* "NOT IF WE KNOW IT!"

'Gentlemen, after an exhaustive examination I, for my part, am convinced that the *Bordereau* was written, not by Dreyfus, but by Esterhazy.'

A wave of feeling ran through those who were present, some were seen to shed tears. 'This,' said Jaurès, his face irradiated with triumph, 'is a breath of intense and melancholy joy, a breath of new life.'

Ballot Beaupré continued his speech and explained how he had arrived at his conclusions.

Then raising the argument, which he had himself restricted to a discussion of facts, on to a higher plane, he cried: 'The honour of the army surely does not demand the imprisonment on Devil's Island of an innocent man.' He demanded that Dreyfus should be brought before another Court-martial. 'I would be denying my conscience if I were to suggest any other course.' Manau, the *procureur général*, advocated the same course with heated eloquence. He, however, did not confine himself to facts, he expressed his personal feelings and gave free vent to his indignation in describing in withering tones the plots and intrigues to which certain leaders of the army had descended.

As for Mornard, Lucie Dreyfus's counsel, he marshalled his arguments for the defence in a lucid speech in which he demanded the triumph of justice which alone would calm men's minds. His pleading was a vindication. He would have liked to move that the judgment of 1894 be annulled, without any retrial by a new Court-martial. He was legally entitled to do so. But he moved for a retrial by a new Court-martial. 'I do not make this motion without a constriction of my heart, because I doubt whether it is not really making too great a sacrifice to certain susceptibilities to inflict on this martyr several more weeks of agony.'

He had adopted this attitude not for lack of arguments but 'under instructions from his client.' Lucie Dreyfus, certain that she was thus correctly interpreting the wishes of the man she was representing with such lofty patriotism, had requested

that should the judgment be annulled, her husband should be retried by a Court-martial so that he might receive at the hands of his peers—who had unjustly condemned him the first time—the glorious proclamation of his innocence.

§ 12 *The Decision*

After a day of lively discussion, the court promulgated its decision on Saturday, June 3rd.

The decision was annulment with retrial, and was based by the court on the secret communication of the document 'that scoundrel D . . .' which could not refer to Dreyfus, and on the recent expert opinions concerning the *Bordereau*. The court did not retain the question of the admissions in the indictment against Dreyfus.

'. . . For these reasons and there being no necessity to pronounce on other grounds:

'The Court annuls the sentence of condemnation given on December 22nd, 1894, against Alfred Dreyfus by the first Court-martial of the military command of Paris;

'And summons the accused before the Rennes Court-martial, specially appointed to sit in council for this purpose, to be tried on the following question: Is Dreyfus guilty of having, in 1894, entered into intrigues or maintained communication with a foreign power or one of its agents to induce it to commit hostile acts or enter upon war against France, or to supply it with the means of doing so by handing over the notes and documents mentioned in the *Bordereau*?'

On the same day that the decision was made the *Matin* published a sensational statement by Esterhazy, who had taken refuge in England, acknowledging that he was the author of the *Bordereau*!

So justice was at last triumphant. Again the Affair seemed bound to end in an atmosphere of peace. The Supreme Court had spoken. The anti-revisionists had caused the Criminal Court to be disqualified in favour of the combined courts.

And it was that authority, the assembly of combined courts, which had unanimously given a solemn decision before which the protagonists of a disgraceful law had agreed to bow.

The fight had been carried on in conditions fixed by the enemy. The enemy refused to accept the results, and true to their tactics, started to insult the judges of the Civil Courts and to accuse them also of having been corrupted by the Syndicate. Their decision was denounced as a 'black broth made of suspicious sauce.' Quesnay de Beaurepaire who five months previously had been President of the Civil Court had the audacity to write: 'This is the victory of lying and illegality. But there is One above human judges. There is God!'

The climax was reached when the judges were accused of having yielded to 'intimidation, threats and blackmail.'

The streets were again invaded by gangs of nationalists and antisemites. Violent demonstrations were organized the day after the decision. At the Auteuil races, the President of the Republic was struck with a stick by a follower of Déroulède.

Charles Dupuy's government remained passive, and republicans of all shades of opinion, indignant because the Republic was not being defended, organized their own revenge. A week after the affront to Loubet a hundred thousand Parisians greeted the head of the State with cries of 'Long live the Republic!' Two days later the Chamber notified by 296 votes to 159 that it intended only to support a Government 'determined energetically to defend republican institutions and to maintain public order.' Dupuy resigned.

The first consequences of the decision of annulment followed quickly. Zola returned from England; Picquart was set at liberty; the Chamber discussed the indictment of General Mercier for an offence committed whilst in office (the illegal communication of documents) and adjourned its decision until the day after the Court-martial at Rennes should have passed judgment. The Chamber also voted that the decision

of the Cour de Cassation should at once be placarded in every commune, thus repairing the error committed when it voted for the placarding of Cavaignac's speech.

§ 13 *The Opinion of the World*

The whole world was again hopeful. Every nation had taken a passionate interest in the Affair. Confined at first within national bounds, its scope had become immense, and it had grown into a vital question for the solution of which the whole of humanity was waiting in suspense. An entire literature had arisen, documentary, dramatic or romantic. In every country, even in Galicia, the Dreyfus Affair had been presented on the stage and was greeted nightly with ovations and tears. In the bookshops and libraries books were displayed with flamboyant titles like the title of this German 'sensational novel': '*Separated for Eternity?* Or, *Captain Dreyfus and His Wife. His moving Fate and Terrible Exile.*'

The art of caricature is a terrible weapon and it was widely used against the French General Staff.

In a Hungarian paper a priest and an officer were depicted slyly offering the Republic the wine of antisemitism to the words: 'If Marianne gets drunk she will be ours.'

A Viennese magazine had a picture of a general saying to a ragged beggar: 'Come, my good fellow, don't beg any more, I have a splendid post for you.'

'For me? But I'm blind!'

'All the better, you can be an expert on handwriting to the Court-martial.'

The New York paper, *Life*, represented France as Lady Macbeth endeavouring to wipe from her hand the marks of the blood of remorse.

In Russia, where the 'intelligentsia' made use of the arguments raised by the Affair in their struggle against autocracy, the verdict condemning Zola had as much effect as though Tolstoy had been exiled to Siberia.

In Germany all classes had taken Dreyfus's part. In the music halls the audience joined in this refrain:

'When one is like Esterhazy, one is ashamed of being a man!

'When one is like Dreyfus, one is proud of being a man!'

But the Emperor, William II, the leaders of the army, and von Bülow, the Secretary of State for Foreign Affairs, were determined not to be compromised. They knew the truth; Schwartzkoppen had told it to them, but they had forbidden him to divulge it. Anxious, above all, that no window should be opened on the German secret service organization, the chief of the General Staff, von Schlieffen, had stated: 'In my opinion, no conclusive proof of Esterhazy's guilt can be found in the papers we have here.' Bülow, later, expressed approval of this attitude: 'The alleged relations between Schwartzkoppen and Esterhazy, even if they existed, cannot be acknowledged by us, because an indiscretion of this kind would make it very difficult for us to procure further information and agents in future.' The Emperor, who at first had been attracted by the nobility of the cause and had written 'Bravo!' in the margin of a telegram announcing a revisionist victory, allowed himself to be persuaded by von Bülow's argument. When his *chargé d'affaires* in Paris, after a gloomy description of the situation in France wrote these words: 'There are moments when to rejoice in the misfortunes of others is almost excusable,' the Emperor emphasized them by an energetic 'Yes.'

Although certain German politicians urged Germany to adopt a chivalrous attitude in the hope that France, after her quarrel with England over the Fashoda question, would favourably consider an alliance, von Bülow advocated an impassive attitude. 'Our first duty in regard to the Dreyfus Affair is to remain out of it.' Germany need not lament the discredit which the triumph of the revisionists would cast on the most active and chauvinist elements of the General Staff. 'But it is not desirable for France, by the swift and ostentatious rehabilitation of Dreyfus, to regain liberal and Jewish

sympathies. It would be best', added Bülow, 'for the Affair to continue to fester, to divide the army and to scandalize Europe.' This was abominable language from the point of view of humanity, even if reasons of State excused it. Fortunately it was an isolated case.

For it was with feelings of the deepest sadness that many men of liberal and high moral principles deplored the scandals and the shameful acts which seemed to indicate the irremediable ruin of the French army and the end of France as a great nation.

The decision of the Cour de Cassation, however, came as a relief. The world hoped for the revival of France and the triumphant reinstatement of an innocent man, and read with approval the letter addressed by the Prince of Monaco to Lucie Dreyfus:

'Madam,

'You have defended your husband's honour with admirable courage, and the triumph of justice has brought you the compensation you deserve.

'In order to help all honest men to make you forget so much sorrow and suffering, I invite your husband to my château at Marchais as soon as the sacred work of justice has been accomplished.

'The presence of a martyr towards whom the hearts of all humanity have turned in his anguish, will be an honour to my house.

'Of all the expressions of sympathy which you are receiving, madam, none will be more sincere or respectful than mine.

'Albert,

'Prince of Monaco.'

And the great philosopher, William James, gave a perfect expression of the universal feeling when he wrote:

'Yes, the daylight that now seems shining through the Dreyfus case is glorious, and if the President only gets his back up a bit, and mows the whole gang of Satan, or so much of it as can be touched, it will perhaps be a great day for distracted France.'

Day seemed really to have dawned at last. A solid republican Ministry was formed. With Waldeck-Rousseau at its head, the man who had fought so energetically against disqualification and whose conception of the authority of the State was so lofty, it comprised, besides the socialist Millerand, radical socialists, ardent moderate republicans and General de Gallifet as Minister for War.

For the first time since the Dreyfus Affair began, a democratic Government, determined to enforce respect for its rights, was in power.

In spite of taking immediate and energetic action, such as the appointment of a new Prefect of Police in Paris and of new judges and military chiefs; in spite of the strict instructions given by him to the prefects, Waldeck-Rousseau, after a lively session, only obtained a majority of 25 votes, and this only thanks to 60 members having refrained from voting.

It was a poor majority but sufficient to carry on the Government. Waldeck-Rousseau was determined to let nothing deter him from performing his duty as a republican—a duty which was also dictated by morality and justice.

CHAPTER VIII

THE MARTYRDOM

§ 1 *Devil's Island*

At mid-day on June 5th, 1899, the Chief Warden of Devil's Island hastened to Alfred Dreyfus's hut and handed him the following note:

> 'Kindly inform Captain Dreyfus immediately annulment to take effect as follows: . . .
>
> 'Withdraw military guard Devil's Island. . . .
>
> 'Cruiser *Sfax* leaves Fort de France to-day with orders to go to Devil's Island and take prisoner to France.
>
> 'Communicate to Captain Dreyfus effect of decision and departure of *Sfax*.'

He had been expecting this news for months, assured that he would at last receive it, that he would be rescued from the tortures to which he was a prey and his honour triumphantly reinstated. His steadfast faith in reason and justice, which could not for ever be silent, had never failed him, and he had pictured to himself, down to the smallest details, the moment when he would learn of his freedom, the moment when he would leave this present hell, the moment when an undeceived France would tenderly receive him; he had pictured the long peaceful days during which, before taking up his work again, he would rest in the midst of his family and, esteemed by all, enjoy the serenity of his reinstated honour.

After so many years of suffering, happiness was a stranger to him. Joy, to which that poor body was so unaccustomed,

shook him and made him tremble. When, later in the day, his guard came to bid him good-bye and to ask him for some souvenirs, he listened to their farewell speeches like a man in a dream—but his dream had come true! He was no longer a traitor. He had resumed before all the world his identity and his rank. He was Captain Dreyfus!

He anxiously awaited the arrival of the *Sfax*. On the evening of the third day he saw in the distance the smoke of a war-ship. On the following morning he left that accursed island which for four years and three months had been the sinister stage of so much suffering and such cruel tortures.

What a terrible life it had been! A life? An agony rather: but the agony of a man who may not die, because his will has forbidden it.

He had reached the Iles du Salut on March 12th, 1895, after an atrocious passage lasting a fortnight, during which he was imprisoned in a cell forward, unprotected from the icy north wind at the start and from the tropical heat and burning sun a week later. He did not know his destination or what would happen to him; he only knew that he was suffering in the place of the real criminal for a crime which filled him with horror.

Since an iniquitous and shameful sentence had represented him in the eyes of France as an abominable traitor, his own nobility of character enabled him to understand an animosity which he shared and which in his case was directed against the unknown traitor. The mob was savagely inimical to him.

'It is only just,' he wrote; 'there can be no pity for a traitor, he is the most unworthy of wretches. So long as I represent that wretch I can only approve. . . .'

As soon as he landed he was put in solitary confinement in a cell of the prison on Royale Island, and was later transferred to Devil's Island which had been specially prepared to receive this most formidable of prisoners.

Devil's Island, the smallest of the three islands of the Salut Archipelago, is a narrow tongue of land, shrunk together as

though ashamed of its miserable barren soil which barely suffices to nourish the sparse stunted brushwood dried by the fierce rays of the sun. Its bleached rocks crumble away under the united assaults of a frequently stormy sea and a sky for ever blazing pitilessly. The waters surrounding it are infested with sharks and beset with rocks. It looks so small, so meagre, so infinitely sad that 'even if there were no prison or palisade it might still be regarded as a cell.'

The island, already isolated, had become the leper-house of the convict prisons, and so doubly accursed. It was to prepare for the reception of a monster 'whose hideousness was a thousand times more appalling than that of the miserable wretches' who had been hitherto lodged there, that their fifteen poor huts were burned.

§ 2 *Imprisonment*

Dreyfus was taken to the hut destined for him on April 13th. After thirty days of absolute confinement, during which, in a room with closed shutters, alone but for his gloomy thoughts, his agony and indignation, he thought that he must lose his reason and longed to die, Dreyfus imagined that he would be accorded at least a semblance of liberty. But on Devil's Island he was to undergo not only the exile to which he had been sentenced, but the punishment of solitary confinement.

His stone hut was no more than a cell with iron gratings to the windows; its latticed door opened on to an anteroom in which a guard was stationed night and day.

During the day, when he was permitted to walk in the rocky part of the islands he was followed, step by step, by a guard who had been instructed to 'blow his brains out if he attempted to escape.' He was forbidden to seek the shade of the sparse coco-palms which stood scorching on the other side of a little valley, where the recently destroyed leper encampment had been. Severe penalties were threatened for the

crime of overstepping the limits assigned to him for his daily walk.

When he was informed of the treatment to which he was to be subjected 'he swore on his honour, for his honour was still untainted, to await with resignation the hour when his innocence would be acknowledged.'

Night and day the military guard, relieved every two hours, stood silent and motionless watching his every movement. Those eyes, seeking to detect every change of expression in his sad face, those eyes, for ever fixed on him, that silent presence, always there without a moment's respite, without a second which he could call his own and his alone, prohibited any sort of relaxation in his solitude. It was months before he could get even a little accustomed to this ever present shadow. In the morning a long grinding of keys turned in the enormous locks told him that he could go out. All night, every two hours, the same grinding sound of locks being unbolted which meant the relieving of the guard, made him start up on his bed. He was attacked by innumerable vermin; poisonous insects swarmed over him.

His nerves were at breaking point, his brain, tormented and agitated by the perpetual 'Why?' to which there was no answer, drove him gasping to the little window overlooking the sea. Through the bars he felt it, the liberator, the consoler, drawing him irresistibly, even when, shining glaucous under the moon, its heavy breakers rolled ceaselessly against the shore. How often he pictured himself leaping in, being drowned and lost in the whiteness of its surf! But the vision of his wife and children made him draw back and follow the path of duty.

The interminable nights merged into days no less endless, and the hours seemed leaden as they went by.

When his guards saw him shaking with fever in the early morning, they could no longer restrain their pity and they secretly gave him some of their coffee. For these guards were, for the most part, honest but unfortunate men, also suffering

from the excessive rigours of the deserted island. The implacable enmity of their superiors against their unhappy prisoner forced them into measures which they deprecated and which they gradually allowed to lapse. In the face of such resignation they confined themselves to carrying out their orders, without undue vexation or provocation. But their superiors, the men who had given the orders, were not to be moved by any considerations of pity or humanity.

The Minister for the Colonies, in his room at the Ministry, had planned calmly and remorselessly, down to the smallest detail, the régime under which Dreyfus was to live. Now that France had hold of this Jew it was incumbent on her to close round him her iron hand, to crush him, to stifle him, so that he might never be heard of again. Whilst awaiting the best that could happen, whilst awaiting his death, he had to be buried alive in this land of exile, and the arrival of the 'better' liberator hastened. To this end, he was spared no single bodily or mental torment.

His ration for the day was thrown to him at ten o'clock each morning as though he were a dog. It consisted of a piece of meat or a fragment of pickled pork, frequently uneatable, a few grains of rice, unroasted coffee, a piece of bread. He had to manage the cooking of this food for himself in old rusty pots. When he was out of his hut he gathered pieces of wood for his fire and old bits of sheet iron which he used as plates. But the fire refused to burn and his eyes were merely affected by the thick smoke.

He had requested, as he had a right to do, that supplies should be sent to him, at his expense, from Cayenne. No answer was made to him. When, conquering his disgust, he succeeded in swallowing a few mouthfuls of this revolting food, his stomach refused to digest it and he writhed for hours in the agonies of colic. But after frequently resigning himself to the pangs of hunger, he set to work again at his sinister task, for the fight for life required that he should keep up his bodily strength and take food, however horrible, whilst he

sought to distract his mind from madness and his heart from despair.

§ 3 *The Struggle*

As soon as paper had been placed at his disposal—initialled, numbered paper of which he had to render account—he began to set down in his diary the most trifling events of each day. Without news of his family, without books, his life was a vast emptiness in which he might lose his reason; by concentrating his thoughts and describing his sensations he sought to keep his hold on reality.

'I have to-day begun the diary of my sad and terrible life.' Without skill or cunning he noted down from day to day, at haphazard, all those little monotonous and heartbreaking incidents and the outcries of a tortured soul.

'I used to believe that justice was inevitable, I used to believe in men's justice! Anything fantastic or extravagant hardly had a place in my thoughts. Alas! What a collapse of all my beliefs, of all my reason and sanity. . . .'

He knew that letters had come for him from France, that they were at Cayenne and that the authorities refused to forward them to him. But so that he might ascend his terrible calvary he forced himself to attempt mental exercises under which his brain often reeled.

The days, however, though long and dismal, slipped away one by one. But the nights, those appalling nights which fell suddenly, all at once, like a blanket! The light of the guards' lantern was too feeble for him to write by. He tried to sleep, to rest; he sought to stupefy himself with physical labour, but his nerves would not relax and sleep refused to come. The enervating heat alternated in the rainy season with torrid winds and heavy downfalls of rain, bringing with them an unrefreshing humidity which made the air more stifling than ever.

Each morning he rose more feeble and exhausted than the morning before. His will was unshaken, but would his body

hold out, would it be strong enough to keep up the struggle? He was shaken with violent fevers, and when, as occasionally happened, he was overcome by an attack of nervous prostration or tears, the thought that perhaps the traitor would soon be discovered, that perhaps the news was that very moment coming to him across the ocean to set him free, supported and consoled him.

As he realized that he was unable to conquer his bodily weakness alone, and as he was not allowed to leave his hut even to go into hospital, he sent for the doctor. Quinine conquered the fever and a course of condensed milk at last enabled him to take nourishment.

Twice every month the steamer from Europe passed within sight of his hut and each time hope was revived. But after three days the post from Cayenne would bring him nothing but a new and bitter disappointment. Nothing ever came for him. On June 2nd he wrote, 'No letters, no information about my affairs. Nothing but the silence of the grave.' On the following day he saw, as he looked out to sea, the mail boat on its way to France, France, his adored country! 'His heart was shaken and beat as though it would break!' Every post carried from him to his wife pages and pages of mingled agony and hope.

He reproached himself for having allowed himself in his early letters to give way to his distress and 'increase the sorrow' of his wife, but he had felt obliged to unburden his heart, swollen with grief. He regained mastery over himself, however, and inspired in his family a courage equal to his own. The duty before them was to work ceaselessly, and never to give up hope. He wrote:

> 'When my honour has been reinstated, and then only, my darling, we shall be justified in seeking retirement. We shall live for one another, far from the world. We shall take refuge in our mutual affection, in our love, made greater by these tragic events. We shall help each

other to staunch the wounds in our hearts, we shall live in our children to whom the remainder of our days will be devoted. We shall try to make them good and simple, strong physically and morally; we shall uplift their hearts so that they may ever find in them a refuge against the realities of life.'

It was for his children that he felt bound to continue the struggle. He wished them to remain ignorant of his fate for some time to come. They were still young enough to believe in the tales they were told, with a forced smile, and in the letters sent to them by their father. 'When papa comes home, you will come and meet him at the station, dear little Pierre, with little Jeanne and mamma, and everybody.'

But to his wife he wrote:

'You see, a mother at the bedside of her sick child, fighting death with savage energy, does not require as much courage as you, because you have to fight for more than your children's lives, you must fight for their honour. . . .'

At last, in the middle of June, he received his first letters. They had taken three months to reach him!

He also obtained several cases of tinned foods and cooking utensils. 'I am indifferent,' he wrote, 'to material things, but they will help me to keep up my strength.'

The days were terribly alike, they only differed one from the other by the introduction of a new penalty or a new vexation.

When, for the purpose of making some repairs at the guards' barracks, some convict labourers were brought to the island, the 'traitor' was confined to his hut as long as the work lasted. Could anyone believe that by signalling with his eyes, since speech was forbidden him, he would be able to agree on a plan of escape with those unfortunate men who, like him, were closely guarded? It was a piece of gratuitous cruelty

without reason, and this cruelty took many different forms. Why was he forbidden to sit in the shade of his hut, facing the sea? Why were his rations docked of coffee and sugar? Why, when he walked quickly along the space of 200 metres reserved for him, was he suspected of wishing to tire out the guard who escorted him, when all he sought was to stupefy his nerves? Why was he threatened with punishment when he wished to remain in his hut and not to go out? His docility was rewarded by a savage hostility which drove him to desperation.

On July 14th he wrote in his diary:

> 'I saw the tricolour flying everywhere, that flag which I have served, honourably and loyally. My grief is so great that the pen falls from my hand; there are feelings which no words can express.'

The heat became frightful. Two guards left the island, shattered by the infernal climate. But he had to remain there a prey to fever, devoured by insects, a martyr to cruelty. His only refuge lay in the vision of his honour, of the honour of his dear ones which bound him to endure the most bitter sacrifices and to forgo the death of which he dreamed as a deliverance.

He waited in silence, forgetting the use of words. With no new books, no possibility of manual work (he had been denied the carpentering tools he had asked for), he filled the terrible emptiness of his days with the study of English, and when the winter rains forced him to stay in his hut, haunted as he was by the grimacing despair which was for ever beside him and sat at his table like an evil spirit, his only salvation lay in the constant invocation of his 'talisman': Lucie, Pierre, Jeanne.

§ 4 *'Rejected Without Comment'*

For a long time past the rare letters he received from his wife had caused him to give up all hope of her being able to

come and share his exile; this right had been denied her. Every letter Lucie received from her husband contained words of consolation. Her highest and most urgent duty was to try every means, to 'move heaven and earth,' to try one measure after the other, to refuse to be defeated by any lies in her efforts to unmask the guilty man and to re-establish their honour.

He sent a petition to the President of the Republic:

> 'Accused and sentenced on evidence of handwriting, for the vilest crime a soldier could commit, I have declared and I declare again that I did not write the letter imputed to me, that I have never forfeited my honour.
>
> 'For the last year I have been fighting, alone with my conscience, against the most terrible fate that could befall any man.
>
> 'I do not speak of physical sufferings, they are nothing; the sufferings of the heart are everything.
>
> 'To suffer like this is terrible, but to feel that my dear ones are suffering with me is horrible. A whole family is in agony for an abominable crime which I have not committed.
>
> 'I do not ask for mercy or favours, or moral convictions; I demand, I entreat that full and complete light be thrown on this plot of which I and my family are the wretched, unhappy victims.
>
> 'If I am still alive, *Monsieur le Président*, and if I continue to live, it is because the sacred duty I bear towards my family fills and rules my heart. Otherwise I should already have succumbed under a load too heavy for human shoulders to bear.
>
> 'In the name of my honour, wrested from me by a terrible mistake, in the name of my wife, in the name of my children—oh, *Monsieur le Président*, that last thought alone causes my paternal heart, the heart of a Frenchman and an honourable man to groan and shriek with

anguish—I ask for justice, and this justice for which I entreat you with all my soul, with all my heart, with hands joined in one last supplication, is that light shall be thrown on this tragic history, and thus an end put to the frightful martyrdom of a soldier and a family to whom honour is everything.'

'Rejected without comment': such was the reply. If, up to that time, he had been able to maintain hope of an early release, on reading these three words in all their aridity, that light of hope was quickly extinguished. But he did not lose heart. Reason still reigned in that brain, though tortured and distracted. Reason had had undisputed sway on that last Sunday of October, 1894 when, surrounded by his family, he had enjoyed the happiness which comes from the deep wisdom of the middle-classes, who accept things as they are. It reigned still in spite of the error that had been made as though in defiance of reason, an error which might well have destroyed belief in the logical order which stood for him in the place of a religious faith. That error could only have been the work of a man with an illogical, perverse and morbid mind, who had built up a pyramid of lies which would not withstand the attacks of the seekers after truth. And when justice had at last been rendered, it would be rendered under the banner of reason triumphant.

'Rejected without comment'. . . . His martyrdom was to be a long one, he was certain of that now, but he was equally certain that it would not be vain.

From that time, with incredible energy and undeviating tenacity, he organized his whole life to the end of preserving it in face of the calamities which threatened to overwhelm him. He carried on his daily struggle methodically; each evening he was 'proud to have gained another day.'

He forced himself to follow a rigorous physical régime. However tired he might be he walked for a certain period of time. He often chopped wood for hours so as to attain to that state

of wholesome insensibility which would enable him to pass a comparatively quiet night. He denied himself any rest or siesta during the day as it only spoilt his night's rest. He contrived to have something to do every minute of the day. When new books reached him he read them again and again, translated them and wrote long and detailed criticisms of them. After having made this frightful effort to harness himself to the daily task, he brought a serene detachment to the writing of his criticisms which he marshalled with perfect logic and profound thought. Thus his sufferings and the horrors by which he was surrounded were as much apart from and independent of his work as though they had been the sufferings of another man.

Those methodical pages might equally have been written by another 'self' seated in a comfortable armchair in a pleasant study, surrounded by beautifully bound books, pictures and flowers! But he wrote them when worn out with grief, tormented by fever, at a table the legs of which, to ward off the attacks of insects, were placed in old meat tins full of petroleum. Doubtless he found in Shakespeare's tragedies, which had become the beloved companions of his misery, an echo from his own sorrowful heart. He had, indeed, quoted to his wife these words from *Othello:*

'Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed.'

Shakespeare, Montaigne's Essays, a number of books on history, and a few volumes of literary and artistic criticism formed the main part of his library. Shabby books, destined to be the prey of insects and upon which the damp encroached more and more every day, until the pages became illegible.

With the help of technical journals he kept up with the progress of science and the changes going on in the world, whilst for him on his rock time seemed to stand still.

But, so far from losing himself in his books and allowing his mind to wander among them, he applied his clear intelligence to studying them, in order to escape from the haunting, unanswerable questions and the long, inevitable nightmare.

When he was deprived of books he summoned sufficient strength out of his own mental resources to work out mathematical problems with the help of his memory and his powers of reasoning, and he succeeded in reconstructing all the elements of the integral and differential calculi.

If he was unable to apply himself to purely mechanical work, he covered many pages with geometrical figures and diagrams which were always the same and were repeated again and again. The warder took them to his chief who tried to discover some 'meaning in these mysterious symbols.'

But his sufferings, instead of being lessened, increased and became more acute. He scanned the horizon for hours at a time; he felt sick and faint at the sight of a plume of smoke, and his nights were spent in agonizing expectation of the post which he knew must have reached Cayenne; at last he would receive letters from which all intimate details or information about the 'Affair' had been expunged. If ever he was betrayed into making a gesture of despair, he recovered himself quickly, because an innocent man could only behave in one way. An innocent man owed it to himself to be calm and proud and to accept all his sufferings in the certainty that truth would prevail.

The guards were themselves amazed that Dreyfus was able physically to support his agony. Early in the summer of 1896, during a 'tragic night of anguish and fever' he fell senseless to the ground, overcome by cerebral congestion. He was covered with blood when they lifted him up. For many days afterwards he was unable to feed himself, and the whole of that summer was one long struggle against the frightful humid

heat which sapped his strength as much by reason of its duration as by its intensity.

His will-power finally triumphed and after a silence of two months he resumed his diary and the depths of his suffering found an echo there in long, agonized cries of despair.

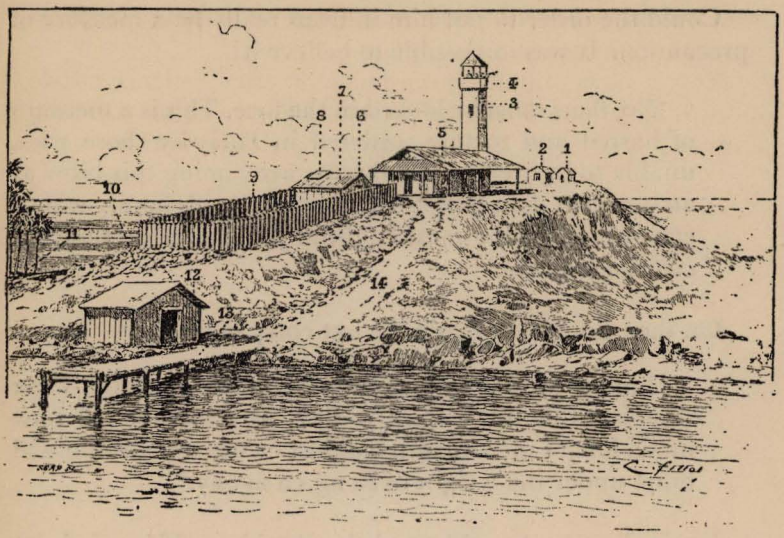
§ 5 *Double Irons*

Then, on September 7th, he made this entry:

> 'I was put in irons last night!
>
> 'I do not know the reason.
>
> 'Since I have been here I have always rigorously followed the course marked out for me; I have carried out any instructions I have been given.
>
> 'Why did I not go mad during that long, atrocious night? What strength we derive from our conscience, from a sense of the duty we owe to our children!
>
> 'I am innocent, and it is my duty to use my strength to the last ounce, if they do not end by killing me. I shall do my duty.
>
> 'As for those who have become my torturers, ah! I leave them to be judged by their own consciences when the whole thing comes to light and the truth is known; because, sooner or later, everything in this world becomes known.'

Why? Why had this been done?

On the following evening the commandant of the islands entered the hut. This, he said, was a 'measure of precaution' and not a punishment. The authorities had 'no complaint to make'; the order had come from Paris. The commandant, forced to carry it out, was obliged to admit the horror he felt at the new, incomprehensible torture which seemed quite motiveless.



DREYFUS'S HUT ON DEVIL'S ISLAND

1 and 2. Warders' huts. 3. Observation tower, about 30 ft. high and about 100 ft. above sea level. 4. Covered platform for the warder on duty. A hotchkiss gun is mounted on this platform and the warder has orders to fire on any suspicious craft. This order was carried out several times. 5. Hut for the watchmen; about 26 ft. square, with verandah. Three doors or windows on each side. 6. Dreyfus's prison. A wooden hut with a whitewashed iron roof; 7. 13 ft. square. The ridge of the roof is 9 ft. 10 ins. above the ground. 8. Ventilator above the anteroom of the hut where a warder was always on watch behind a grating. 6. Barred French window opening from the eastern side of the hut into the palisaded yard. 9. Rectangular enclosure measuring about 25 ft. by 18 ft., forming the prisoner's exercising ground. The fence is composed of smoothed stakes 8 ft. high, pointed at the top and fitting closely, without interstices. 10. Foundation of red stones, in dry masonry to correct the declivity of the ground. 11. Southern beach of the island, where, in a clump of some twenty coco-palms, Dreyfus's first prison was situated; a hut which had formerly been a goat shed. 12. Hut for sentry. 13. Little pier for whalers. 14. Road from the landing-stage to the prison.

Could the order to put him in irons really be a measure of precaution? It was impossible to believe it!

> 'No, facts must be looked in the face. This is a measure of hatred and torture, ordered in Paris by those who, unable to injure a whole family, are aiming this blow at an innocent man because neither he nor his family will or can submit to the most frightful judicial error that has ever been made.'

On the next day he made the last entry in his diary.

> 'I am so weary, so broken in body and soul that I am stopping this diary from to-day, as I cannot tell how much longer my strength will last or when my brain will burst under the weight of so much agony.'

In one last cry he addressed the President. If he died, let this diary be sent to his wife.

> 'I will only declare again that I am innocent of this abominable crime; I only desire one thing, the thing I have always desired, that the real culprit, the author of this villainy shall be discovered.
>
> 'And when the truth is made known I ask that my dear wife and children shall receive all the pity which such a misfortune could inspire.'

Dreyfus on his rocky island had discerned the truth. Not only had this barbarous measure been inspired by hatred—the savage hatred of strong men for a weak, isolated man who persistently refuses to be crushed and continues to annoy them by the simple act of continuing to exist—but by the cold cruelty, the weakness of character and the pusillanimity of André Lebon, the Minister for the Colonies.

When, in September, 1896, the French nationalist press had published the false news of Dreyfus's escape, which had been

given out by Mathieu in order to attract the attention of all the world to his brother, and the announcement had been followed by an official denial, it was declared that Dreyfus's escape had only been postponed, that it was still likely and that if it occurred the Minister himself would be held responsible. The traitor, it was stated, was leading a pleasant life under the shade of the palm-trees in a comfortable bungalow looking on to the beach upon which the silent canoe would be drawn up which was to rescue him! Measures of extreme rigour were necessary if the monster was to be kept on Devil's Island!

André Lebon, a timid man, did not need to be told twice. He read these articles in the morning; by mid-day he had dispatched a cable:

> 'Keep Dreyfus until further orders in his hut, with double irons at night, surround his place of exercise round his hut by a solid palisade with a sentinel outside.'

A vessel was to be permanently stationed in the harbour, to prevent any sort of access to the island.

But André Lebon was haunted by another fear. If Dreyfus should die, would it be believed? Would they not say that he had escaped, and begin a campaign against him? To guard against the possibility of any such accusations he wished to be able to supply proof of Dreyfus's death and he had materials for embalming sent to Devil's Island so that, if necessary, Dreyfus's body might be sent to France to vindicate the truth of his statement.

But Dreyfus remained alive. He did not leave his hut for forty-four days; for the work of constructing a double palisade proceeded slowly as the heat was intense and the guards complained that 'their heads were bursting.' Every night during those two months Dreyfus suffered the martyrdom ordained by Lebon. Double irons was the punishment reserved by the authorities for cases of 'extreme insubordina-

tion'. . . . An innocent man, whom official reports declared to be perfectly submissive, was subjected every night to this frightful barbarity.

The double irons consisted of two irons in the form of a U joined to a metal stem which was fastened to the bed. The feet were placed in the loop which was fastened, so that the smallest movement was impossible. It was an image of crucifixion.

For the space of forty-four nights—and they were tropical nights—he suffered this agony of tortured flesh and rigid limbs. Watched 'like a wild beast' by a guard armed with a rifle and a revolver, covered with suppurating sores made septic by vermin, he could not sleep, and in the morning, broken by fatigue, in agonies of cramp, he was obliged to remain shut up in a cell which became ever darker, hotter, damper and more full of pestilential odours. Sometimes the guards, overcome with pity and in spite of their instructions, wrapped his bleeding ankles in wet rags.

The first palisade, built close to the hut and almost reaching to its roof, kept both air and light from the prisoner. Between this and the second palisade a narrow bare space, quite without shade, made a ' promenade' for the damned.

And the sea, the great consoler, his only friend, was hidden behind two rows of pointed stakes.

Dreyfus, already set apart from living men, felt this rampart closing in on him day after day and isolating him still more. No longer might he gaze out to sea, no longer tremble with hope at the sight of a plume of smoke, no longer refresh his eyes with the pale green of the coco-palms. Henceforward there would rise before him, immovable, terribly hostile, nothing but the wall! Above him, nothing but a scrap of hard and inexorable sky.

§ 6 *New Torments*

Such excessive barbarity affected the guards. The Governor

of Guiana sent a report to the Minister showing the uselessness of these measures, both by reason of the topography of the island and of the vigilant guard kept over the prisoner.

André Lebon was seized with new apprehensions. Supposing the authorities at Guiana became soft-hearted and did not carry out his instructions to the letter, supposing they reduced the punishment, how far would he be responsible? He dismissed the Chief Warden, who had carried out his instructions correctly but with moderation, and nominated as his successor a savage and zealous brute by the name of Deniel. Furthermore, alleging the possibility of a clandestine correspondence through the medium of sympathetic ink, Lebon ordered that the traitor should not be permitted to receive letters. After months of suspense, during which Dreyfus, without news of any kind, almost went mad with anxiety and grief, they brought him some letters, copied out in the colourless hand of an official; the sweet consolation of reading a beloved handwriting was denied him.

All these torments had caused a terrible depression to overwhelm him and such a depth of despair that it was long before he could recover from it.

> 'During one of those long nights of torture', he writes, 'when nailed to my bed, sleep far from my eyes, I sought a guiding star, a guide for my faltering will, I suddenly perceived it shining luminously before me and informing me of my duty. "You have now, less than ever before, the right to desert your post, or to shorten even by one day your sad and miserable life. Whatever tortures may be inflicted on you, you must go on until you are cast into your grave, you must remain erect in the face of your torturers so long as you have an atom of strength, a living wreck to be maintained before their eyes by virtue of the intangible sovereignty of the soul." From that time I resolved to struggle harder than ever against my fate.'

The will to live, alone kept him alive. His confinement became increasingly rigorous. The number of guards was increased to ten, and they had instructions to take the 'most decisive' steps to prevent an escape or a rescue.

One night Dreyfus was awakened with a start by the sound of shots fired at an English schooner which had, by accident, come too close to the island. From his bed he could see his guard, his arms at the ready, looking fixedly at him. No reply was made to his question 'What is the matter?' and Dreyfus lay down again. 'Fortunately, perhaps, for me,' he says. 'One may well ask whether the guard would not have fired . . . if, startled by these unusual sounds, I had got out of bed.'

The prisoner was reduced to a condition of extreme weakness. He could no longer take exercise and he existed in a stifling atmosphere, for the first palisade shut out the air from his hut so that in the winter it was a cellar in which everything was covered with mould and in the summer it was a furnace.

The only compassionate human being whom he saw was the doctor, who, touched by his condition, demanded that a new hut should be built for him.

At the end of August, when they moved him to the plateau, barren of all vegetation, on which his new prison had been erected, he caught sight for an instant of the sea. Then the heavy bolts were shot with a grinding sound and for two more years he was immured behind the same palisade and crushed by the same sky. Although the windows were high and narrow they were protected by iron grills; the hut was divided into two by iron bars, and the sentries who mounted guard over him could keep a closer watch than ever on his every movement. They did so all the more diligently because Deniel had ordered every sentry to give an exact and detailed account of the manner in which the prisoner employed his time. Deniel, obsessed almost to the point of mania by the idea of an escape, interpreted these reports in his own way,

but always to the detriment of Dreyfus. He had, however, taken every possible precaution, for, at the side of the hut and overlooking it there stood a look-out tower, its high platform bearing a Hotchkiss gun kept perpetually loaded. In spite of all this, Deniel knew that Dreyfus would only leave the island in a dignified manner and on the assurance that his honour would be restored him, that he would not attempt to escape and that his family in Paris had indignantly rejected all the suggestions for an escape which had been made to them.

At the end of the year Dreyfus was prostrated by another attack of illness and, feeling his exhausted heart cease to beat, he again thought of death as a benefactor. He told himself that he had a right to put an end to an 'agony which is continuing as though intentionally'. The doctor, bending over his poor body, whispered to him, 'Do not let yourself be defeated, keep up your hope!' But Deniel said brutally, 'No one has bothered about your affair for the last three years. You are forgotten'.

A few days later, however, in the midst of fresh trials, he received from his wife the first words of encouragement. In the obscure sentences, made almost incomprehensible by the censor's omissions and alterations, he thought he could discern a ray of hope.

Another time he overheard, through the palisade, a conversation between two of his guards: 'Ah! If *he's* not acknowledged to be innocent, no one will be!'

This slight encouragement enabled him to bear the treatment inflicted upon him for many months.

§ 7 *The Dawn of Hope*

He no longer received any news from France. This was the time of the Zola trial, and the whole of his correspondence, which betrayed the tremulous hopes of the writers, was withheld from him. In his solitude a thousand con-

tradictory thoughts filled his mind, and the continual tension exhausted his nerves. Would the message of freedom come to-day? He stiffened himself against the shock or against renewed disappointment. And in July, when illness once more attacked him, one of his guards—distressed at the sight of the agony of this man in whose guilt he could no longer believe—whispered in his ear: 'There is a man who is interested in you.' These words sufficed to revive his sinking courage and to enable him to recover from his fever.

The man who was interested in him might be one of the chiefs of the army; no doubt it was Boisdeffre. Yes, he would be the man to devote 'all his goodwill and all his heart' to his rehabilitation. He recalled that happy occasion in July 1894 when, during a tour made in connection with his work on the General Staff, preferred before his vexed and jealous comrades, he had walked with Boisdeffre after dinner along the banks of the Moselle and discussed with him the most important military problems. Boisdeffre thought highly of him. Yes, the man who was interested in him, could be no other than Boisdeffre.

Nevertheless, the requests for revision, the petitions and entreaties sent by him received no reply. And each time Deniel tried to slay the hope which he discerned in the heart of his prisoner. But, although vague, the letters from Paris which he had again been allowed to receive impressed him by the breath of new life which animated them, and the new tortures inflicted on him by Deniel, which were growing ever severer and more senseless, confirmed him in his hopes. This augmented brutality must indicate that events of importance to him were happening in France.

By degrees he became convinced that his release was not far off, and he lived in a constant state of anxiety and excitement, his ears strained and his heart leaping at the infrequent sounds that came to break the inexorable silence.

At last, in October 1898, he learned that he was about to receive a definite reply to his requests for revision, and one

morning in the following month Deniel entered his hut and, without a word, handed the prisoner this telegram:

> 'You are informed that Criminal Court of Cour de Cassation has formally declared admissible request for revision of your trial and decreed that you should be advised of this decision and invited to provide means for your defence.'

The dark clouds were being dispelled. The assurance which had never left him, the conviction that truth would prevail, was stronger than ever. He knew nothing of the events which had occurred in France since the trial in camera of 1894, and he was ' absolutely stupefied' when he read the *procureur général's* opening address to the Cour de Cassation. He knew no more than that sentence had been passed condemning him in the place of the real criminal. He now learned the name of this criminal, whose identity had been unknown to him, and at the same time he read of his acquittal by the Court-martial, and of the forgeries, confession and suicide of his chief accuser, Henry. All these facts were inadequate to fill the terrible gap of four years and they whirled round in his mind until he was incapable of setting them in order or of finding answers to the innumerable questions to which they gave rise. He sought in vain to unravel the intrigue, to put his ideas in some sort of order, to understand.

His astonishment and indignation were great when, by virtue of a *commission rogatoire*, the President of the Court of Appeal at Cayenne came to interrogate him in regard to the alleged admissions, into which his vehement protestations of innocence had been transformed.

Although he had permitted him to walk in the 'intrenched camp' which surrounded his hut and the barracks provided for his guard, Deniel continued to torment him. To this callous, debased nature, the martyrdom of his prisoner had

become a kind of need, a pleasure. But now that he felt certain that his Calvary was about to end, Dreyfus remained stoical to the last.

He was doubtless one of those exceptional men capable of enduring such a martyrdom, thanks to his amazing capacity for dissociating his 'ego' from what would destroy it, of rendering it immune against the blows of fate, of weighing all his sufferings in the scales of reason. By rejecting all that was not logical, positive and objective he had managed to save himself from those outbursts of unrelieved despair, to which a man of more sensitive nature or more subtle imagination would inevitably have succumbed.

All his powers of reasoning led him to the conclusion that society, which like him had been tricked and deceived, like him was the victim of a terrible mistake, would welcome with joy the first rays of truth and would restore to the innocent man the happy existence from which he had been torn.

He passed those last months in the expectancy of that day, in the expectancy of his return to France, banishing from his thoughts his fading fears and apprehensions.

§ 8 *The Return*

He had now regained his serenity. On board the *Sjax* which was taking him back to France, and where he was placed under arrest, he had some beautiful visions of the future. 'He was expecting to see his dear ones again, and then to see his comrades holding out their arms to him with tears in their eyes.' Justice would then be brilliantly vindicated and all possible and impossible compensation made to him for his five years of suffering. He would resume his career, interrupted but not broken, and it would not be long before it expanded. Now that day had dawned again, the last shadows of the terrible nightmare by which he had been visited would soon be dispersed.

When the coast of France appeared, his heart, filled with

love and devoid of rancour for a past which he had already banished from his mind, overflowed. But a terrible disappointment awaited him; precautions were taken on board, there was a mysterious coming and going. Finally, he was informed that a steamer would take him on shore. In the middle of the night, during a storm, the trans-shipment was effected. The waves made the operation difficult and when descending the ladder, Dreyfus lost his footing and seriously injured his legs. The cold, to which he had been a stranger for five years, caused his teeth to chatter and brought on a severe attack of fever. He felt the curious and hostile glances of the officers and men resting upon him. No one spoke to him and the silence, under which he had so long been crushed, still continued.

The steamer came at last into the calm waters of a little port. The strong wind had dropped. On the shore there were a few lights and some dark shadows which hastened forward and formed a motionless group in the rain. Curt orders were given; ropes were thrown; sailors called out.

Dreyfus felt nothing but the beating of his heart. What an effort it cost him to retain control over himself when his foot touched French soil! The quay was deserted, save for a platoon of soldiers. That was all! He looked anxiously for a face whose expression might reassure him. The soldiers' faces were expressionless. He climbed the hill overlooking the port with difficulty. A carriage, in which were seated two policemen, took him to the station. He entered a railway carriage for a journey of several hours.

He saw the anxious consultations and the impassive faces about him through the heavy veil of his own sadness. So this was his triumphal return, these were the brothers joyfully greeting the martyr. The whole of his strength, trained in a sufficiently hard school, barely sufficed to prevent him from bursting into bitter weeping.

On the morning of the following day he was lodged in the military prison at Rennes. He was told that his wife awaited

him. He could no longer master his feelings, he was overcome with emotion; his tears flowed, those tears so obstinately kept back after having waited so long to be shed. Then, recovering himself by a great effort, he went into the room where she was waiting and threw himself into her arms.

They gazed at each other for a long time without speaking, seeking to divine the terrible sufferings concealed by the heroic expression of the faces which they covered with kisses and caresses. Dreyfus stammered some incoherent words. They wept together in mingled joy and sorrow. Their hopes were set on the trial about to be held.

Dreyfus, whilst awaiting in his cell the first hearing, endeavoured to become acquainted with all that had happened in his absence. Every new fact of which he learned confounded him. His clear mind sought to understand and to retain all the details. The extraordinary proportions which his unhappy history had assumed filled him with amazement.

CHAPTER IX

RENNES

§ 1 *The Dilemma*

THE first hearing of the Rennes trial had been fixed for August 7th.

After a moment of confusion, on the day after the decision of the Cour de Cassation had been made, the General Staff had recovered itself.

Even though some fifty civil judges had shown themselves insensible to the zealous desires of the General Staff, the latter had reason to hope that the seven officers composing the Court-martial would be more amenable. They knew that they could not count this time on the complicity or the neutrality of the Minister for War, so they made their plans without consulting him. Mercier took the lead with Roget as his assistant. Gonse and Boisdeffre played a secondary part and remained in the background. Du Paty, who had been imprisoned the day after the decision of annulment and released on the eve of the Rennes trial owing to lack of grounds for prosecution, took no further part in the proceedings. Thus, as at the first trial, Dreyfus found Mercier against him, bent on his ruin, even more full of hatred than he had been five years ago, more determined to use every possible means to triumph a second time.

The former Minister for War was not troubled by any scruples. As the decision of the court, in condemning the communication of secret documents, had aimed a blow at him, he was resolved to have his revenge. He skilfully let it be known in society, and in journalistic circles where it was

soon repeated, that he was certain that Dreyfus's guilt was firmly and unshakably established and that he would prove it. He stated in a public speech that Dreyfus would be condemned in 1899 as he had been in 1894. For the proofs were even more crushing than in 1894. An ultra-secret document had been added to the *dossier!*

He caused newspapers friendly to himself to publish these words: ' This secret document cannot be produced, it would implicate too many prominent people in Germany.' Insinuations were made that the document would compromise the daughter of the German Ambassador, and the story of the *Bordereau* 'annotated by William II' was revived. The *Bordereau* which formed the grounds for the judges' sentence in 1894 was said to have been only a tracing made by Esterhazy of the real *Bordereau*, the latter bearing annotations in the margin in the hand of the German Emperor himself. General Mercier was said to be in possession of this document and to carry it in his bosom. There was, therefore, not the faintest chance of Dreyfus being acquitted !

Even if, as a last resort, the document had to be divulged, they would not shrink from doing so. And if war ensued, so be it! There would be war!

Coppée, Honorary President of the League of the French Nation, wrote these menacing words:

'We wish to see the truth face to face, even if it is hideous and terrible, and if it means war that may perhaps bring forth a rebirth and salvation. . . . But to suffer all, yes, all even a new disaster, rather than be shamed and dragged in the mire!'

As the day of the hearing approached, the nationalists made more and more capital out of the alternative which they had made their stalking-horse. 'Either Mercier or Dreyfus; Dreyfus's acquittal would amount to a condemnation of the former Minister for War and the leaders of the army.' Such a treacherous and elementary argument could not fail to make an impression on the military judges, imbued with

discipline and respect for authority. Déroulède also made his voice heard on several occasions. He was wicked enough to say: 'If the innocence of Dreyfus is established no punishment will be fearful enough for the ministers who have accused Dreyfus or permitted him to be accused; any reprisals would be excusable, any penalties legitimate. . . . Our people will have to ask pardon of the people of Israel. . . . If Dreyfus is innocent, then the generals are scoundrels!'

What! The army was said to be directed and commanded by scoundrels, and the Jews would have to be bowed down to? No! No! That was impossible. Dreyfus was guilty, he must be guilty! In order to demonstrate this fact, sophistries and false reasoning were employed. 'The doubt is in favour of the accused; but the accusation is really being brought against the author of the judgment under revision, that is to say, society. Any doubt cannot therefore be favourable to Dreyfus.' And again: 'If he is innocent, his innocence will be a crime against France.' A deputy had the audacity to say: 'Whether innocent or not, Dreyfus ought to remain on Devil's Island.'

The majority of the officers accepted this outrageous point of view, and it was the one held by the men who were about to conduct Captain Dreyfus's retrial!

§ 2 *Preparations*

On the civil side Quesnay de Beaurepaire, on whom modesty should have imposed complete silence after the rebuke administered to him by the decision of the court, desired to continue to assist the General Staff with his foresight and patriotism. He set to work to prepare a Dreyfus *dossier* all by himself, to conduct an inquiry, to obtain evidence and, on the eve of the Rennes trial, to cause his conclusions to explode like a bomb.

One, Lalmand, who knew that he was on the look out for witnesses and who had estimated him at his true value,

called on him and said that he possessed 'written proof' of Dreyfus's treachery, by means of which it would be possible to 'annihilate the Dreyfusards.' These documents, he said, were at Bâle. He was prepared to go and find them in return for a certain number of notes. Quesnay could not contain his joy; he handed over the money and announced in the *Echo de Paris* the imminent production of decisive proofs. Lalmand kept him waiting, asked several times for more money and obtained it. Quesnay took the matter very seriously. When Lalmand thought he had sufficiently bamboozled him he overwhelmed Quesnay with ridicule by publicly revealing the swindle by which he had taken him in.

But even this did not discourage the dogged amateur detective. He pursued his inquiries blindly, accepting every rumour without question, noting as proof every piece of gossip. And on July 30th he published in the *Echo de Paris*, with a great deal of commotion, the amazing and conclusive results to which his remarkable inquiry had led. On thirty distinct points he had interviewed thirty-one witnesses who had all proved Dreyfus to be guilty.

The first point made by him was that the movement in favour of Dreyfus did not aim at proclaiming his innocence but at bringing about the triumph of the Jews. He adduced two proofs, in particular, of the truth of his statement. The Jews in Turkey and Roumania had had a tax levied on them by way of subscription to the cost of the campaign; the Jews in certain towns of the United States had illuminated their houses on hearing of the decision of the court.

A second group of facts tended to prove that his family knew Dreyfus to be guilty; this was shown more especially by the voluntary deposition of a witness connected with someone who was supposed to be in touch with the Dreyfus family.

The third set of facts were intended to show Dreyfus's bad previous history. For instance, when he was at the Ecole de Pyrotechnie at Bourges, Dreyfus was supposed to have had some 'sachets' made which he wore on his chest. 'So as to

keep warm' he is reported to have said, but in reality they were intended to conceal documents!

The fourth series concerned Dreyfus's extravagant expenditure. In particular, he was said to have kept a Bavarian Jewess, to have given her some property in Touraine and 300,000 francs to be used in financial speculations.

Finally, there were nine conclusive proofs of treason two of which emanated from German officers, and some sworn statements of this kind: 'Thirtieth witness: about three months ago the witness declared that he had received from a reliable source an assurance of Dreyfus's guilt.'

Here, therefore, was the evidence, proving, according to the ex-President of the Civil Court of the Cour de Cassation, that Dreyfus was guilty.

His article in the *Echo de Paris* ought to have been received with universal derision. Some people, however, took it seriously, in spite of the fact that every alleged piece of evidence was followed by a more detailed and emphatic denial.

As August 7th, the date of the hearing, approached, however, a grave problem arose; could the Court-martial consider the whole affair or was it only competent to decide on the one question allowed by the Cour de Cassation, namely, that concerning the *Bordereau*. Did the *Bordereau* emanate from Dreyfus; did Dreyfus hand over the documents mentioned in it?

The military authorities desired all the questions to be debated. If the argument were limited to the *Bordereau*, they would be defeated by the evidence of the facts. If, on the other hand, the scope of the trial were enlarged to include all aspects of the Affair, thus being open to all insinuations and tricks, there was a possibility that they would be the victors once they had regained entire freedom of action.

For once, the defence was in agreement with the army. They wished for the fullest possible elucidation, and rejected the idea of a restricted acquittal in favour of a triumphant one. They wished all the witnesses to be heard so that every

possible question might be asked, and the answers successfully refuted.

The exiled Zola also held this point of view. At the end of the year 1898 he had written to Labori from London: 'On the day when they try Dreyfus over again my heart will stop beating, for that is really the dangerous day . . . you ought all to have but one thought, to contrive so that the evidence given on that day may be so startling that any scoundrelly juggling will be impossible.'

He added later: 'We have often said, in speaking of the bandits who are our adversaries, "they would not dare!" And they have always dared. So why should they not dare the worst crime of all, the stifling of truth, the condemnation of an innocent man for the second time? . . . You will see, they will put out the sun. They would prefer eternal night to descend on the universe if it would cover up their crime.'

It was to prevent this rayless night from overwhelming the world that the defenders of justice demanded 'the full light,' never dreaming that by opening wide the gates of argument they were permitting shades to enter which would shut out that light.

The premier, with his clear prevision of events and logical deductions, realized the danger. He would have preferred the trial to be kept within the scope of the decree of annulment and his instructions, which de Gallifet transmitted to Carrière, the Government Commissary, were to this effect. But he did not wish to appear to be exercising the slightest pressure on the latter and although asked to do so, he even declined to give him the name of a lawyer who might guide him through the procedure and explain important legal points. Carrière, given absolute freedom, took the advice of Auffray, legal adviser to the leaders of the army. He was in good hands, Mercier's mind could be at rest!

The question of the defence was still in doubt. Which should it be, caution or daring? Demange or Labori? They both offered to act for Dreyfus, but they were not in agree-

ment. Demange had thoughts for his client alone. He proposed, by persuasion and argument, by a calm and gentle obstinacy, to convince the court. If necessary he would manage to obtain an acquittal on grounds of mercy and compassion; it was essential, therefore, to avoid the noise and tumult of the Zola trial. Labori, however, saw before anything else the magnificence of the cause. For him, the man he wished to save was overshadowed by the ideal he desired to see triumphant. He thought only of bringing the whole truth to light by any possible means, even at the expense of disturbed hearings and a clashing of words; there must be a fight, he must assume the offensive.

Demange's considered advice prevailed. Everything was done to avoid untoward incidents, so that justice might rule, impartially and serenely, over peaceful hearings. In order to remove all pretext for disturbances, Zola, Clemenceau and Reinach did not go to Rennes.

§ 3 *Human Contacts Renewed*

The Festival Hall of the Lycée, a vast, well-lit room, had been transformed into a court of justice, and at seven o'clock on the morning of August 7th a dense crowd surged there; the ranks of those zealous for the cause, and of the witnesses, had been joined by journalists from all quarters of the globe.

A few relations had come, and Dreyfus's former chiefs, desirous of testifying against him for the second time.

All were possessed by the same anxiety. The man against whom so much hatred and cruelty had been united, around whom, unknown to himself, one of the most poignant dramas had been enacted, was about to appear. Would the mere sight of his martyred form confound his accusers, and overwhelm them with boundless remorse?

For those who had been fighting for him for years, who had sacrificed everything for him because he was the incarnation

of an idea, this moment was intensely moving. As yet he was a stranger to them; the symbol was about to materialize.

How many had endeavoured for years in a flood of painful emotion to picture to themselves the longed-for moment when Dreyfus would renew intercourse with humanity, when they would see and hear 'a man who had returned from that bourn whence no traveller returns.'

'Bring in the prisoner,' commanded Colonel Jouaust, President of the Court-martial, in a harsh voice.

All eyes were turned on the small side door through which Dreyfus appeared behind a guard. Controlling an emotion which almost paralysed him, he compelled himself to make only essential gestures. He advanced to his place with jerky steps, saluted the court stiffly, and sat down. He had to use all his strength to hide his disturbance. He was too proud to allow himself any outward manifestation which would seem to him a weakness. His determination was proudly, triumphantly evident in his worn face, in the tragic emaciation of his body, which a new uniform did nothing to conceal. That strong will of his had enabled him to live for five years and would again uphold him for over a month without a sign of weakness.

Those who had done battle for him, generously and impetuously, were expecting a miracle of spontaneous eloquence to spring from his tormented heart. They had imagined the most grandiose scenes of classical drama. They had pictured avenging gestures and tragic accents. But there was nothing of the sort.

Dreyfus replied to Colonel Jouaust's brusque interrogation curtly and abruptly. He denied calmly and with self-possession. But he kept control over himself; he uttered no cry. His whole being was stretched to the uttermost tension to keep back that cry. 'It is conceivable,' he said, 'that a man might seek to excite pity if he were in the wrong. But an innocent man should only make an appeal to reason.'

So, whilst so many hearts which had devoted themselves to

him were his for the asking, he made his appeal to reason alone. Whilst they anticipated speeches which would overwhelm his enemies and force tears even from their eyes, which would rouse feeling to a state of frenzy, he replied in a colourless voice in the fewest possible words:

'No, Colonel.'

'No, Colonel.'

'Never.'

'I do not remember.'

'Never.'

These clear, laconic replies were a disappointment to those who had been expecting a romantic hero and saw before them a simple officer, subject to discipline, who during the whole course of the hearing seemed a stranger to the Affair of which he was the centre.

The fact that he remained true to himself was resented, as though the rigidity of his character, the inflexibility of his principles and the rectitude of his mind had not been his salvation. They had expected him to return transfigured, that his experiences would have made him in tune with the drama of hatred and cruelty. But if his will had not restrained his emotions, if his clear reasoning powers had not stemmed his imagination, he could never have won the battle, he could never have survived.

He had been hurled into the mêlée at the last moment, his poor, tormented brain had only a few weeks in which to grasp the course of events of which he was the central point and which, cut off as he had been from mankind, had hitherto been unknown to him. Only Dreyfus knew nothing of the Dreyfus Affair. The other people had lived in it step by step, intrigue by intrigue. He only knew of it from incomplete accounts, from lifeless printed matter. All he knew about it was his frightful, solitary martyrdom by which he was still obsessed, but to which he was determined not to make a single reference during his trial.

'I know,' said one of his lawyers, 'that heart which some

have declared to be unfeeling and which suffered cruelly in the suppression of all evidences of its sufferings. When, on hearing Captain Dreyfus's letters read aloud, all eyes were wet with tears, almost the only one to control his feelings was the prisoner himself, and that same evening, in conversation with his counsel, he congratulated himself as on the winning of a victory, because, although tears had been shed at the Court-martial, not one had fallen from his eyes!'

Whatever his sufferings might have been, whatever he might have endured furnished no sort of proof of his innocence; he knew, nevertheless, that if he were to describe his torments he would be saved. He did not refer to them, because he did not wish to have it said that he had moved his judges to pity by an appeal to their feelings. His innocence had to be established by argument and by argument alone.

He was unable to present these arguments as effectively as he could have wished, for, his knowledge being confined to the *Bordereau*, he was compelled to restrict himself to this and to events prior to 1894. The proceedings, however, concerned events subsequent to that date—the secret communication of documents, the forgeries, Picquart's revelations, du Paty's intrigues, Henry's crimes. He had only acquired knowledge of all this a few days ago and, in spite of his acute brain, facts and dates were still confused in his mind.

§ 4 *Mercier*

The first hearings were devoted to the reading, in camera, of the some four hundred documents of which the secret *dossier* was now composed. Paléologue, representing the Ministry of Foreign Affairs, and General Chamoin, representing the Ministry of War, again examined texts and dates, obtained statements from ambassadors, and summoned before the court some of the mysterious individuals employed in the secret service.



Photo: Gerschel. Paris

DREYFUS LEAVING THE PALAIS DE JUSTICE
AT RENNES



Photo: Gerschel. Paris.

MDE. DREYFUS LEAVING THE PRISON AT RENNES

The trial was not resumed in public until August 12th, when Dreyfus had to face the witnesses for the prosecution. He awaited them proudly and confidently. The truth, he thought, was bound to prevail, spontaneously, no doubt, for he had refused to credit the plots of which he had been informed. An officer who has faith in the army does not willingly believe in the deliberate villainy of his chiefs. These, he thought, have been deceived, those others are mistaken, but they are all loyal men of honour, and confronted by the victim of their misapprehensions, they will not hesitate to acknowledge their mistake. Mercier, one of the first witnesses, would make honourable amends.

But, from the very beginning, Dreyfus was bewildered. Mercier had not been discomfited by the evidence, and persisted in stating that Dreyfus was guilty. The whole scheme for the prosecution depended on him. It was he who had taken up the challenge to the army thrown down by the Cour de Cassation. It was he who had declared, 'the judges must decide. There is certainly a guilty man in this affair, and he is either Dreyfus or myself. As I am not guilty it must be Dreyfus.' It was he who had announced that his deposition would be the final, decisive blow.

He appeared in court to the accompaniment of all these sensational declarations. His deposition lasted four hours. As the time went on his hearers listened to his blunt, scornful answers with increasing impatience and scepticism, awaiting the bomb which was never to explode. He made a long and venomous address, which often provoked protests in the court. In particular, he gave an account of a so-called 'night of tragedy' on January 6th, 1895, when officials were supposed to have waited at the Elysée 'from eight in the evening until half-past twelve at night, to know whether peace or war would result from an exchange of communications with the German Ambassador.' He also said that, acting under orders from him, General de Boisdeffre had held himself in readiness, should the necessity arise, to send telegrams ordering prepara-

tions to be made for mobilization. He added melodramatically, 'We were within an ace of war.' Casimir Périer, who had already made his deposition with scrupulous moderation of language, denied the truth of this new legend.

There was not a single fact of any weight to support Mercier's accusations, which collapsed in the face of the slightest argument. He made use of all the tittle-tattle proved to be false, and held anything contrary to his immovable opinion to be non-existent.

Finally, he turned to Dreyfus. 'If,' he said, 'I had had the slightest doubt in my mind, I would have been the first to say to Captain Dreyfus himself, "I have been honestly mistaken." '

At these words Dreyfus sprang to his feet and urged by an irresistible impulse he uttered a cry which evoked general applause. 'That is what you ought to say!'

It was a tragically brief scene which left the accuser quite unmoved but made a deep impression on those present. Everyone was moved by that righteous, vibrant cry, only too curt and too quickly suppressed and referring to which Antoine, the great actor, remarked, 'If I had said that, all the judges would have been in tears!'

Mercier was about to be interrogated and challenged; it would then be more difficult for him to make false statements. Casimir Périer had already notified that he wished to speak; Demange and Labori had already risen to cross-examine. But the hearing was at an end.

Labori, in particular, was mightily armed. His duel with Mercier at the Zola trial had been interrupted by the President, Delegorgue, who had refused to put his questions. He would have a free hand at Rennes. His questionnaire was ready, the last links were in place. Mercier would not escape from him unharmed.

Zola said of Labori that he was 'the chastisement of the guilty, that he alone would be able to place them in the pillory, quite apart from saving the innocent.'

He set himself to do this on the following day, when the hearing had been fixed for half-past six. Accompanied by Picquart, his formidable *dossier* under his arm, he made his way to the court-room discussing the incidents of the day before and those about to occur. Suddenly a shot fired at his back caused him to fall. His assailant, a young man wearing a cap, fled, revolver in hand. Labori was only wounded; the bullet had not touched any vital organs, but had missed the spinal column by a few millimetres. After a few days of the utmost care and complete rest, therefore, his magnificent voice was once more heard.

In consequence of this dastardly attempt the Court-martial was adjourned. The President, overcome by his feelings, could say no more than 'It is profoundly regrettable!' The news was received in Paris with dismay and roused the greatest indignation. Then the press and the controversialists made use of it. The Left declared 'Labori's assailant is one of the General Staff's accomplices,' whilst Mercier's friends endeavoured to disseminate the fable that Labori had arranged to be shot at by a confederate!

§ 5 *Conflicting Witnesses*

The proceedings were soon resumed. The court would not agree to the adjournment demanded by Dreyfus until Labori's return, and Demange prepared to carry on alone the task which the two lawyers were to have divided between them. Each one had prepared his own brief, so that Demange was obliged to improvise a portion of the defence, which he did with great skill.

After a lively series of questions and answers, Casimir Périer scored several points against Mercier, who was forced to give the 'historic night' a character more in conformity with the truth and to accept the just rebuke administered to him by the former President of the Republic. Finally, a pitiful evasion enabled him to avoid making a reply to Demange's

direct question, 'Why did you give orders for the secret communication of December, 1894, if the tragic night which made such a great impression on you only took place a fortnight later?'

Mercier's successors at the Ministry of War, who came, one after the other, to give evidence, had nothing new to say. They were all animated by the one desire, to confirm their agreement with the military authorities and to avoid the appearance of any differences between them.

Dreyfus replied to Cavaignac's particularly spiteful deposition by a retort stinging in its very moderation: 'I am surprised that after having publicly stated your opinion in regard to a forgery, you should come here to-day to argue on a matter already settled by the Cour de Cassation.'

Another man drew from Dreyfus a haughty and contemptuous reply, displaying all his stoicism and moral courage. This was when Lebon, his torturer, the Minister for the Colonies who had coldly ordered Dreyfus to be subjected to a cruel régime, made a calmly cynical excuse for his attitude. Amid a wave of suppressed indignation in the court Dreyfus said to him: 'I am not here to speak of the atrocious sufferings which have been inflicted on a Frenchman and an innocent man for the last five years. I am here solely to defend my honour, and shall say nothing, therefore, about what occurred on Devil's Island.'

But later, when General Roget again recited in court the same pitiable tale of hatred, he was unable to control himself. This speech, made up of scraps and pieces, of audacious lies and misapprehensions, filled Dreyfus with indignation and just as the court was rising he exclaimed, 'I cannot submit to spend hours listening to depositions by which my heart and my soul are wrung. No loyal soldier and innocent man has ever been placed in such a terrible position.'

Nothing could shake Roget who, with Mercier, played henceforward the part of a Government Commissary. He interpellated witnesses, constantly addressed the court, even

sought to direct the hearing. By these means he was able to follow to the letter the plan drawn up every afternoon at the Cercle Militaire by his confederates for the hearing on the following morning. Needless to say, the Government Commissary was careful to submit to the liberties which Roget thus dared to take.

Roget and Mercier, however, were to receive a rebuff which, in destroying a part of their argument, ought to have thrown suspicion on all their statements. They alleged that Colonel Schneider, military attaché at the Austro-Hungarian embassy in Paris, had, on November 30th, 1897, stated in writing his conviction that relations had existed between Dreyfus and the German agencies. The document was read in court at General Mercier's request. The following day General Schneider denied this statement by letter and by telegram; he had never held any such views. The report attributed to him was a forgery !

Judge Bertulus gave an account of the results of his inquiry in moderate terms, and he was the first man since the trial had opened to declare his conviction of Dreyfus's innocence.

'Judas!' cried Henry's widow. This retort was prearranged and she had been incited to it by the military authorities. She had already appeared in her widow's veil and recited by heart certain sentences in defence of her husband's honour.

Picquart in a clear and illuminating deposition touching in its simplicity, gave an account of the events in which he had been concerned. The President, who had listened so patiently to the tales of the prosecution, grew impatient when the defence was speaking, and interrupted Picquart brusquely on several occasions.

This was the first meeting between Picquart and Dreyfus. The onlookers expected to hear affecting speeches, or a cry of gratitude from Dreyfus. Dreyfus often wished to express to him his admiration and intense gratitude, but modesty held him back and he said nothing, maintaining a silence which cost him greater effort and distress than he would have

suffered in uttering the words which were in his heart but which he believed it to be his duty to withhold.

In order to counteract the strong impression made by Picquart's evidence, the General Staff produced at the next hearing three chosen witnesses.

Cuignet exceeded his own chiefs in hatred and lying. Dreyfus in disgust burst into a denunciation of his villainy. But Cuignet was quite unperturbed and continued implacably to address the court.

De Boisdeffre followed him. This was the superior officer on whom Dreyfus had fixed his confidence and his hopes. He had imagined him to be the one who had brought about the revision. What a disillusionment! Boisdeffre was like the others, just as violent, just as treacherous, just as embittered. He had reserved for himself the task of proving that Esterhazy had been in the pay of the Jews, Dreyfus's 'man of straw'!

Cochefert, who had originally arrested Dreyfus, declared that if, in 1894, he had known Esterhazy's writing, he would have given General Mercier to understand that he was on the wrong track. But this evidence was considered by the judges to be unimportant in comparison with the long speeches which their chiefs, the military chiefs, had made to the court.

Colonel Jouaust listened respectfully to his superior officers when they asked to be called again in order to put a finishing touch to their evidence, whilst he could not repress an impatient exclamation of 'Again!' when Picquart wished to rectify a misleading suggestion or to deny an incorrect statement.

And then, one by one, there came the company of former jealous comrades to launch their venom against their brother-in-arms. The court listened without a sign of disgust to the endless stories, but they drew from Dreyfus words which effectually swept away all the pitiable gossip. 'Yes, I love the army, I love my country, France. You have only to read what I wrote during those nights passed by me in fever and agony, that is to say the letters which I acknowledged to be mine, and

not the words which everybody is so inexcusably eager to ascribe to me.'

§ 6 *The Trial of* 1894

After an absence of ten days Labori returned and with his coming the battle assumed a different aspect. He questioned, he probed by voice and gesture, he did not release his prey until he had elicited either a plain answer or an obvious evasion. He frequently stood up to the President and some lively dialogues took place in which Labori was obliged eventually to give way, but not before he had energetically established his rights as counsel for the defence and insisted on the wide scope permitted to him.

When he first appeared, still weak from his injury, he attacked Mercier and scored a point. How had it been possible for General Mercier, in the course of his deposition, to give information concerning documents which were still secret and had reached the Ministry of War two years after he had left? This implied detention of documents constituted an offence.

A brusque refusal to give any explanation confirmed the lawyer's triumph. He gained still further points when arguing with Gonse about the deposition written by Esterhazy. That great man, that patriot who had once been acclaimed as a symbol of the army's honour, was now abandoned, denied and condemned by all; even those who had saved him on several occasions now confined themselves to saying that his guilt was no sort of proof of Dreyfus's innocence.

With Colonel Maurel's appearance the trial assumed an air of tragedy. For the first time, the incidents of the 1894 trial were to be sifted to the bottom, for the President of that first Court-martial had come to give evidence and haughtily to recite his lesson. Mercier came to his aid. Labori harassed first one and then the other; it was an unequal duel between a clear-minded, exact, and merciless lawyer and two men who

stammered over their speeches, evaded or refused to reply and became entangled in flagrant self-contradictions.

The argument concerned the communication in 1894 of secret documents. Mercier asserted that he had 'suggested as strongly as possible' that the secret *dossier* should be communicated to the judges when they were assembled in the court room. And as a prevarication can never stand alone, it transpired in the course of the hearing that a few days before, during the discussion in camera at Rennes, General Mercier had handed to General Chamoin, the representative of the Minister for War, a memorandum drawn up by du Paty de Clam concerning the interpretation to be placed on one of the secret documents.

This memorandum was not in the *dossier*. General Mercier had requested his colleague to make it known to the members of the court and General Chamoin had done so; but he came forward to admit to the court the irregularity of which he had been guilty and to express his regret.

The trial of 1894 was not yet done with so far as General Mercier was concerned, for Captain Freystaëtter entered the witness-box. His remorse at having unwittingly been associated in the condemnation of an innocent man made his voice vibrant with indignation. Both Maurel and Mercier were shown up by him. Maurel had declared that he had only read one document to the judges in council; Freystaëtter replied, 'You read seven,' and he enumerated them. Maurel endeavoured to defend himself by an elaborate quibble. 'I maintain that I only read one document. But I did not say that others were not read to the judges in council. When I had read the first, I handed the *dossier* to my neighbour, saying, "I am tired,"and I did not listen very attentively to the reading of the other documents.'

Such was the defence made, when he had been caught in the act of lying, by the President of the Court-martial which had sentenced a man to life-long exile in a fortress. He 'had not listened very attentively' to the reading of the documents!

This pitiful collapse excited the indignation of honest men; but there were others who persisted in attaching greater weight to his evidence than to Freystaëtter's, and still greater weight to Mercier's. Freystaëtter also maintained, in opposition to the former Minister for War, that the translation of the Panizzardi telegram: 'Dreyfus arrested, forger warned' was one of the documents communicated secretly. Mercier argued in vain, endeavoured to close the question by evasion and, feeling that the responsibility placed on him was becoming too heavy, he took refuge behind a dead man. 'The file containing the secret *dossier* did not emanate from me,' he said, 'but from Sandherr.' Labori exclaimed, 'Another dead man! Sandherr is dead! Henry is dead! Du Paty de Clam is not present!'

That was the last of the 1894 trial. The defence had scored a considerable advantage, but to what extent would this advantage profit them on the final day?

§ 7 *Experts' Opinions and the Admissions*

Of all the reports made by experts would that one, at least, be retained which demonstrated the absolute identity of Esterhazy's writing with the writing of the *Bordereau*—the report made by Gobert, who had denounced the hasty action taken in December, 1894, by which the conscientious examination of the writings had been impeded or interfered with? Would preference rather be given because of his reputation as a scientist, to Bertillon's insane deposition, which no one could understand? Bertillon had declared the *Bordereau* to have been written by Dreyfus. Since 1894 and since the Zola trial, he had discovered new and amazing arguments in support of his declaration. The *Bordereau* was said to have been written by Esterhazy because of the absolute identity of the handwritings; but no man, he said, ever writes the same word twice in identically the same manner, so the

identity of handwriting was a proof that Esterhazy did not write the *Bordereau.*

In support of this theory and under oath, Bertillon declared that the *Bordereau* was by Dreyfus, and that Esterhazy was doubtless a 'man of straw' who had endeavoured, since 1894, to adopt the handwriting of the *Bordereau.* When Demange asked him whether he had compared the handwriting of the *Bordereau* with letters written by Esterhazy before 1894, that is, before the date when Esterhazy was supposed to have begun to imitate the writing of the *Bordereau,* Bertillon replied with superb imbecility, 'No, Esterhazy's handwriting is no concern of mine!' Both he and his disciple, Captain Valério, insisted, in the face of all the evidence, that the *Bordereau* was a scientifically forged document, that it was not written in an ordinary handwriting, and that if Esterhazy were to come forward and say 'I wrote the *Bordereau* in my natural handwriting,' he would be testifying falsely, because it could be clearly and geometrically demonstrated that the *Bordereau* was forged!

Ah! If the writing of the *Bordereau* and Dreyfus's writing had been identical, no doubt the General Staff would not have suspected him at all, and he would have had no cause for uneasiness. M. Bertillon's beautiful theories would doubtless have saved him; unless, of course, his pseudo-scientific theories had been rejected in favour of others dictated by common sense!

This was the argument put forward, not only by the expert Charavay, who acknowledged that he had been mistaken in 1894 and now declared that the *Bordereau* was written by Esterhazy, but also by skilled draughtsmen like Paraf Javal, who exposed the fallacy of Bertillon's calculations and measurements, and by engineers such as Maurice Bernard, who, by applying Bertillon's argument to any page of writing taken up at random, succeeded in demonstrating geometrically and infallibly that that page was a forgery. To the accompaniment of the laughter of the whole court, he made

use of a page of M. Bertillon's own report for his demonstration! Learned members of the Institute and professors at the Ecole des Chartes also gave evidence which completely destroyed Bertillon's deposition, and all were agreed in declaring once again that the *Bordereau* was written by Esterhazy.

As for Henri Poincaré, the leading French scientist, he declared, 'it is impossible for M. Bertillon's arguments to make an impression on any unprejudiced man who has received a sound scientific education.'

When de Freycinet was called, he shuffled and refused to reply to the questions put to him. When, however, the defence reminded him that General Mercier had said he had been informed by de Freycinet that thirty-five million francs had been sent either from Germany or England in support of the Dreyfus campaign, thus officially acknowledging the existence of the Syndicate and the interference of a foreign country in French affairs, he cautiously gave the lie direct to his predecessor.

And then the stage was set for the admissions. Lebrun-Renault, whilst making a speech which he had learned by heart, again became confused and was able neither to answer the questions to which he was urged to reply, nor to explain the large number of inconsistencies contained in his story. Why had he never told anyone about these admissions, not even the President of the Republic although he had been received in private audience by him? Why had he denied them to Major Forzinetti? Why had he concluded his report with the words 'No incident'? Why had he torn up the page of his personal memorandum book in which he had recorded them? A moving protest by Dreyfus completed his discomfiture and the favourable evidence of a few of Lebrun-Renault's friends or Dreyfus's enemies did not detract from the deep impression made by Dreyfus's denials which was strengthened by Forzinetti's generous deposition. The description made by the Director of Prisons of Dreyfus's attitude, of his unceasing protestations of innocence during his

imprisonment, evoked from the latter, tormented by the memory of those first terrible days of martyrdom, a cry which overwhelmed the court:

'After my condemnation, I made up my mind to kill myself and not to suffer the ignominy of having my insignia of honour as a soldier torn from me. Well, I bore that ignominy, thanks to Madame Dreyfus, who pointed out to me where my duty lay and told me that, being innocent, I ought for her sake and the sake of my children to suffer this penalty with head held high. It is to her that I owe my presence here!'

Tears flowed from all eyes. In one moment countless miasmas, innumerable base and unworthy thoughts were dispelled.

Labori made a final point, by way of closing the question of the admissions. How was it that Gonse had not triumphantly confronted Picquart with them, when the latter informed him that he had discovered the real traitor and that Dreyfus was innocent? The silence observed at that time by Gonse proved that the admissions had not yet been invented.

§ 8 *Final Manœuvres of the Prosecution*

The court next proceeded to make a technical examination of the *Bordereau*. The prosecution sought to prove that it would have been possible for Dreyfus to deliver the documents mentioned. This was refuted by several officers, one of whom stated that Esterhazy had endeavoured to obtain the gunnery handbook from him, and that he had never returned a firing table which had been lent to him.

As these clear and emphatic depositions had made a strong impression, a general belonging to the General Staff tried to discount them by asserting that 'even if they are largely accurate they do not give an impression corresponding to fact.' In other words, a number of accuracies must result in an erroneous impression! Depositions disastrous to the prosecution followed one after the other.

The inquiry made by the Cour de Cassation had shown that the date of the *Bordereau* was the summer of 1894. It had previously been alleged that it was written in April. Why had this date in spring been selected? So that it might have been possible for Dreyfus to say 'I am just going on manœuvres,' for he did not know that he was not to attend the manœuvres until informed of the fact by a ministerial minute dated May 17th. If therefore the date of the *Bordereau* were subsequent to May 17th it could not have been sent by Dreyfus. It was in order to get round this argument, which was disastrous to their theory, that the General Staff had put back the date of the *Bordereau* to April.

As soon as the Cour de Cassation had established that the *Bordereau* had been written in the summer of 1894, the General Staff had taken precautions to conceal the minute of May 17th and to leave the court in ignorance of its existence. But a witness came forward to read this minute at the Court-martial and the defence was triumphant. Since the *Bordereau* was written in August and since at that date Dreyfus had been officially informed that he was not going to the manœuvres, he could not have written it.

Trarieux, in a long deposition of the most vigorous and frank description, went over the whole history of the Affair point by point; he dissected the intrigues to prevent the revelation of the truth, brought all the facts out clearly, and showed that 'Esterhazy had been acquitted but not tried,' and that Dreyfus was innocent. He, too, by virtue of his position as an ex-Minister for Justice, brought forward the evidence of foreigners, the solemn and reiterated declarations of the Italian Ambassador, testifying that Dreyfus had never had any relations with Panizzardi. Paléologue, for his part, announced that the German Ambassador had acknowledged in a diplomatic note that Schwartzkoppen had sent a certain number of *petit-bleus* to Esterhazy and that he probably sent Esterhazy the famous *petit-bleu* discovered by Picquart.

Finally, at one of the last hearings, M. Painlevé came for-

ward to protest against a paper written by General Gonse, ascribing opinions to him which he had never held. The eminent savant, whom the Affair had drawn into the arena of politics, exclaimed indignantly: 'This remark is an invention! That sentence is monstrous! This is the exact opposite of the truth!'

Gonse beat a retreat before such determined denials. 'The paper I signed was not intended to be a legal document, or to be used as evidence . . . it is merely a page of notes written according to instructions.' Under cross-examination he admitted, as though it were a perfectly natural proceeding, that from 1896 to 1898 he had made up five or six secret *dossiers* 'completing, improving and modifying them,' and thus succeeded in bringing the number of documents from four to a hundred odd.

This was too much! Was the prosecution about to break down? During the last few hearings they had felt weighing upon them the menace of an acquittal. They had endeavoured to find fresh witnesses whose evidence would be decisive—last hour witnesses. They brought forward M. Cernusky whom the Intelligence Department had produced *in extremis*.

This officer, who said he was a retired officer in the Austrian army and claimed descent from an ancient Serbian dynasty, stated that one of his friends, the director of a branch of the Ministry for Foreign Affairs of a Central European Power, had given him to understand that Dreyfus was a spy, and that this information had been confirmed by an officer of high rank on the General Staff of another Central European Power; he also said that he had seen a certain number of documents which had been sent by Dreyfus.

Cernusky was even heard in camera. But when the defence had been able to trace the record of this person, proving that he had been mentally deranged, that he had perpetrated frauds all over the world, and that he was crippled by debt, Cernusky was suddenly taken ill and refused to reappear in

court where he was to have come to repeat his statements under oath.

One among the witnesses collected by Quesnay de Beaurepaire, whose lamentable parade and clumsy inventions had to be listened to, stated that at Potsdam on November 5th, 1894, he saw in the Emperor's bedroom, which he was supposed to have entered, a copy of the *Libre Parole* on which was written in blue pencil, ' *Der Kap. Dreyfus ist gefangen*' (Captain Dreyfus has been caught). When he was asked whether he was sure it was the Emperor's bedroom he had entered, he replied that he had been told so, that he knew nothing about it, that it was a room measuring five metres by four! So of course Alfred Dreyfus was a traitor.

Cernusky's deposition had made a great impression on the judges, and Labori, in order to counteract it moved that statements should be obtained, by *commission rogatoire*, from Schwartzkoppen and Panizzardi, and that they should be asked on what date they received the documents mentioned in the *Bordereau*, of what these documents consisted, and up to what date they had maintained relations with the sender of the documents. The court rejected the motion by five votes to two, a result hailed by some optimistic 'Dreyfusards' as showing that five judges were sufficiently enlightened and convinced of his innocence to consider it unnecessary to probe the evidence more deeply.

But Labori did not interpret the decision in this sense and determined to leave nothing undone that would throw light on the matter at this crucial moment. He telegraphed direct to the German Emperor and the King of Italy entreating them 'in the name of justice and truth' to permit the two officers to go to Rennes and to give evidence.

After the reading of a deposition written by du Paty de Clam, who also, feigning illness, had not appeared in person before the judges at Rennes, and just as the Government Commissary was about to address the court for the prosecution, General Mercier rose to make his speech.

In order to strike more surely at Dreyfus, he attacked the witness who had been most valuable to the cause of truth: Freystaëtter. He had been careful not to make his attack in the presence of this witness, but now that Freystaëtter had left Rennes and there was no danger of being opposed, he gave rein to his hatred and vented his wrath on that brave and honourable officer with the utmost ferocity.

§ 9 *Before the Verdict*

The trial was over and the last decisive hour had come.

What would the verdict be? Logically speaking, if the evidence of the trial were weighed there could be no doubt of an acquittal. It had been proved, and more than proved, that the *Bordereau* was not written by Dreyfus but by Esterhazy; but as far as the majority of those present at the trial was concerned, the die was cast—Dreyfus would be sentenced. The military judges would fulfil the expectations of the military authorities.

Who had taken a leading part in the case, and conducted the arguments? Mercier.

Who had interrogated the witnesses, contradicted them, and given pointers? General Roget.

Who had been the real Government Commissary? That absurd Major Carrière? Of course not! The great General Staff itself had directed the whole campaign. It had placed all its weight on one side of the scales; on the other was the innocence of Dreyfus. In the eyes of the judges the spirit of solidarity and discipline was certain to turn the scale. It was vain for Demange to reiterate at the close of the interrogations that the question was not one between General Mercier and Captain Dreyfus, that there was only one question to be considered, namely, the question of Dreyfus's guilt. Legally he was right, but in actual fact the true, the only question was: the army or Dreyfus?

There was only one new factor capable of affording escape



Photo: Gerschel. Paris

JAURES



DEMANGE AND LABORI AT THE RENNES TRIAL

from this dilemma, and of bringing about an acquittal, and that was a public and definite statement by Germany in regard to the *Bordereau.*

Waldeck-Rousseau, Delcassé and Gallifet had been endeavouring to obtain this statement ever since the opening of the Rennes trial. On August 12th Waldeck-Rousseau had informed the German Ambassador, Count von Münster, that, if he were sure of his request being accepted, he would apply to the German Government for particulars of the documents mentioned in the *Bordereau*, then in Berlin, and for information as to whether the German records contained reports by Esterhazy subsequent to Dreyfus's arrest.

Bülow caused an answer to be given to the effect that he could go no further than the statements already made, and that the people of France who had attached no weight to his first statement in 1898 would certainly pay just as little heed to another statement by him. But, above all, he considered that, by sacrificing one of his agents, he would make the future work of the German Intelligence Department very difficult to carry out.

Waldeck-Rousseau returned to the charge. He considered that a second condemnation 'would be a great misfortune for France' and in order to avoid it he inquired whether it would not at least be possible to forward to him a document written by the author of the *Bordereau* which would prove that the delivery of documents had continued after Dreyfus's arrest. But he was met by a refusal from Bülow, who declined to intervene in a matter concerning France alone.

The Premier repeated his application to the German *chargé d'affaires* in Paris. A document of a date subsequent to Dreyfus's arrest would, he said, produce a decisive effect, 'as one of the judges, tormented by doubts, had expressed the wish for such a proof to be produced, even if it were to come from abroad.' But the same reply was received as before, and he was referred as ever to the note of January, 1898.

On the receipt of Labori's telegram entreating him to per-

mit Schwartzkoppen to give evidence at Rennes, the Emperor instructed a member of his suite to write: 'This is insolence. It is out of the question that this request should be granted.'

Gallifet, taking advantage of an incident which had occurred during the German manœuvres, entered into conversation 'as man to man' with the German military attaché in Paris in the hope that he might report it to the Emperor. He expressed a hope that the Emperor would not refuse to grant the request which Labori had made; he said he would 'answer with his head' for Schwartzkoppen if he came to give evidence at Rennes. At all events the Emperor could allow him to make a deposition to a *commission rogatoire*. 'His Majesty would have done a great deal to restore peace and order to France.' But the Emperor wrote in the margin: 'I am not Emperor of the French! This is no concern of mine!'

But Gallifet had concluded by congratulating himself on the lucky chance which had enabled him to lay at the Emperor's feet the deepest wishes of his heart. Perhaps this formula made a favourable impression on William II. Be that as it may, he gave orders that the *Reichsanzeiger* should again publish the note of January, 1898 stating that 'no one at the Paris embassy had ever had relations with Dreyfus.'

This note, which was read to the Court-martial by Paléologue, made not the slightest impression.

Whilst awaiting the verdict, all France, the whole world, was quivering with impatience. Everyone had read the verbatim reports of the trial in special editions of the newspapers, and had formed his opinion. The ranks of the 'Dreyfusards' were increasing daily.

During the French Revolution Kant abandoned his daily routine in order to keep himself posted with the news from Paris.

During the Rennes trial William James wrote:

> 'The still blacker nightmare of a Dreyfus case hangs

over us; and there is little time in the day save for reading the *Figaro's* full reports of the trial. . . .'

In the same letter he added:

'The various human types that succeed each other, exhibiting their several peculiarities in full blossom, make the thing like a novel. Esterhazy seems to me the great Hero. How Shakespeare would have enjoyed such a fantastic scoundrel—knowing all the secrets, saying what he pleases, mystifying all Europe, leading the whole French army (except apparently Picquart) by the nose, a regular Shakespearean type of villain, with an insane exuberance of rhetoric and fancy about his vanities and hatreds that literature has never given yet. It would seem incredible that the Court-martial should condemn. Henry was evidently the spy, employed by Esterhazy, and afterwards du Paty helped their machinations in order not to stultify his own record and the original trial —at least this seems the plausible theory.

'And such is the prestige of caste opinion, such the solidarity of the professional spirit that, incredible as it may seem, it is still quite possible that the officers will obey the lead of their superiors, and condemn Dreyfus again. . . . Picquart is a real hero . . . he ought to be made Minister of War; though that would doubtless produce a revolution.

'I suppose that Loubet will pardon Dreyfus immediately if he is recondemned. Then Dreyfus and perhaps Loubet will be assassinated by some antisemite and who knows what will follow?'

Fortunately William James's predictions were only partly realized.

§ 10 *The Second Condemnation*

When the speech for the prosecution was about to be made, the defence had no more illusions. They were well aware that

a daily conference took place which, through the intermediary of Auffray, dictated to Carrière the line of conduct laid down for him by the generals.

They knew also that the effect of Cernusky's deposition—although it had in the main been invalidated—had been so tremendous as to cause the representative of the Minister for War to report to de Gallifet that after this unexpected intervention 'which has caused confusion in our minds' the chance of an acquittal had diminished.

Finally, they knew the minds of the judges were obsessed by the 'annotated *Bordereau*,' that ultra secret document which contained proof of Dreyfus's guilt supplied by Emperor William II!

No document of this kind had been submitted to the judges, but Mercier had given them to understand by mysterious hints that it might possibly exist. Whilst the last hearings were being held, the one topic outside the court was this sensational document which many declared they had seen—seen with their own eyes. The *Libre Parole* and other papers subsequently announced that only considerations of a diplomatic nature had prevented Mercier from producing this conclusive document, from delivering the final blow.

The defence could not argue a point which the prosecution declined to present to them and which, it was declared, could not be raised without implicating a foreign monarch; they could not dispute an intangible document, the mention of which, however, had impressed the judges and might be a determining factor.

Should Demange and Labori have carried on their defence by probing, destroying and accusing? Or should they rather have endeavoured, by a persuasive moderation, to touch the consciences of the judges?

In order to obtain Dreyfus's acquittal it would have been sufficient for three out of the seven officers composing the Court-martial to pronounce in his favour; in such a case he would have 'benefited by virtue of the minority in favour.'

The task to which Demange applied himself was to create doubt in the minds of three officers. Labori declined to plead. It had been decided to obtain an acquittal by gentle means; his method of address, apt to be violent, might frustrate this attempt. Of his own accord, he made a great sacrifice and decided to say nothing.

After a weak address for the prosecution by Carrière, which drew from General Chamoin the remark that its 'inadequacy was altogether too exaggerated,' which brought forward no proof and consisted merely in a setting out of arguments already repeated many times, Demange's fine voice, full of feeling and conviction, was heard for the space of two sittings.

In 1894, at the trial in camera, the futility of the 'moral' proofs had been acknowledged and the Government Commissary had said: 'Happily there is still the *Bordereau*, and the *Bordereau* was written by Dreyfus.' The *Bordereau*, and the *Bordereau* alone, had been the determining factor in the verdict. On this occasion it had been proved that the *Bordereau* was not written by Dreyfus but by Esterhazy. What accusation against Dreyfus remained?

With perfect lucidity and ease Demange examined one by one the arguments adduced and the facts cited, and by simple methods of reasoning he dismissed them all. He replied to the lying insinuations of certain witnesses, by an illuminating analysis of Dreyfus's psychology; he read passages from the diary written on Devil's Island, and from letters written to his family and his chiefs, in which, amidst repeated and tragic protestations of innocence, his unshakable devotion to his country was always in evidence.

And Demange concluded by declaring once again his own conviction and, feeling the outcome to be uncertain, by claiming for his client at least the benefit of the doubt. 'When you are deliberating you will say that he is no traitor, that this writing is not his. There will at the least be a doubt in your mind. That doubt is sufficient. That doubt is an acquittal.

That doubt will not permit an honest conscience to say that this man is guilty!'

Carrière, the Government Commissary, however, at Auffray's suggestion, had his reply postponed until the afternoon session. The judges thus had three hours in which to forget Demange's moving peroration.

When the court was about to retire to deliberate, Dreyfus rose and with all the force at his command, but still restraining his deep emotion, swore before the country and the army to his innocence. He had remained alive so as to save the honour of the name borne by his children. 'I feel convinced that I shall reach this goal to-day, thanks to your loyalty and justice.'

At last the judges retired for the final deliberation. The minutes went by in agonizing suspense; as they passed, heavy with anxiety, condemnation became certain. If the verdict had been an acquittal ten minutes would have sufficed, if a discussion had arisen it could only be over the penalty.

The judges deliberated for an hour and a half. Five votes were given in support of the theory of guilt, two—those of de Bréon, an ardent Catholic who spent many evenings at prayer in church and of the President Jouaust—were in favour of an acquittal. Divided into two camps, these officers sought to find common ground in the unsatisfactory compromise of a modified condemnation.

On the resumption of the hearing, the President read the judgment in a harsh voice.

Yes, Dreyfus was guilty of having been in communication with a foreign power by delivering to it the notes and documents mentioned in the *Bordereau.*

Yes, there were extenuating circumstances.

He was therefore condemned to ten years' imprisonment.

An incomprehensible judgment; how could extenuating circumstances be admitted in a case of high treason!

A judgment recording the doubts of the judges. Doubt

should have meant acquittal, but it had ended in an iniquitous condemnation.

The indignation in France and in the whole world reached its climax. Even the victors themselves were ashamed of their victory. The most moderate revisionists had never believed that the military judges would go so far as to condemn an innocent man for the second time. That Dreyfus should again suffer degradation and again be taken to Devil's Island was unthinkable! No! It was impossible!

The judgment would have to be annulled. But there were some formidable legal obstacles to this.

Then there was only one course left—the course, not of justice, but of pity—a presidential pardon.

§ 11 *The Pardon*

Pardon in this case would be mainly a political measure, a response made by the Government to the Court-martial; but if its true significance were to be apparent it had to be swift.

The Government was prepared to accord pardon, the country was prepared to countenance it. But the leaders of the movement which had brought about the revision were hostile to it. Clemenceau objected to it; he wished the fight to continue.

Others, whose humanity was greater than their political sense, were inclined to accept it. Mathieu Dreyfus himself bowed to it as an inevitable misfortune, for he knew his brother's weakness to be so extreme that he would not survive a renewal of his sufferings and that a rejection of the pardon would be equivalent to a sentence of death.

The prisoner, however, at first rejected the offer made to him with all the strength of his pride. Prostrated by the iniquitous judgment given in the face of blinding evidence, no entreaties could move him. He had expected full justice, and would have nothing to do with pity.

To the man who had risen to such heights, a pardon seemed like a fall, an impossible concession for one who had desired his innocence to be established beyond all dispute. A man cannot compromise with his honour, and a pardon would not restore it to him.

Mathieu implored him, adjured him to live so that he himself might cause his innocence to be revealed. If he were free he would attain his end more quickly. Overcome by his insistence, and by the considerations involved which he knew to be essential, Dreyfus finally yielded. But, whilst accepting the pardon, he published this proud declaration.

> 'The Government of the Republic has given me my liberty.
>
> 'It means nothing to me without my honour. From now onward I shall persistently seek to obtain reparation for the frightful judicial error of which I am still the victim.
>
> 'I wish all France to know that I am innocent through the promulgation of a judgment to that effect. My heart will not be eased until there is not a single Frenchman left who could impute to me a crime committed by another.'

Ten days after the verdict President Loubet pardoned Alfred Dreyfus.

General de Gallifet had said in his report:

> 'It appears also from information received that the health of the prisoner has been so seriously affected that he could not go through a long imprisonment without grave risk.
>
> 'Apart from these considerations, of a kind calculated to arouse anxiety, there are others of a more general nature which lead to the same conclusion. High political interests, the necessity of recovering full power, have always, after a difficult crisis, led governments to take

measures of mercy or annulment in respect to certain matters. The Government will not be adequately fulfilling the desire of the country for peace if it does not by the means within its power, either on its own initiative or through parliament, obliterate all traces of this unhappy conflict.

'It is for you, *Monsieur le Président*, to pay, by an act of mercy, the first tribute to the work of appeasement which the public desires and the good of the Republic ordains. . . .'

As for the army, General de Gallifet issued the following order to it on the following day:

'The incident is closed! The military judges, respected by all, have given their unbiassed and independent judgment. We unhesitatingly bow before their decision. In the same way we bow to the act which the President of the Republic has been led by a sense of deep pity to perform. There can now be no question of reprisals of any description.

'I repeat, therefore, the incident is closed.

'I ask you and, if necessary, I will command you to forget the past and think only of the future.

'With all of you, my comrades, I cry with a full heart, "Long live the Army!" the army which belongs to no party but to France alone.'

The incident was closed.

The army and the country were satisfied.

The leaders of the army had obtained the condemnation their hatred had demanded.

The country breathed freely again.

Legally, Dreyfus was guilty of treason, but he had been released and no one now felt any concern at knowing that he was at liberty.

'The incident is closed.'

For all?

No, and above all not for Dreyfus the 'traitor', who had vowed to devote his life to the restoration of his honour.

CHAPTER X

REPARATION

§ 1 *War or Truce?*

THE Rennes judgment had roused universal indignation. When the amazing facts became known, violent demonstrations at once occurred in most of the large towns. Hostile cries were uttered outside French consulates, tricolour flags were publicly burned, and articles appeared urging the boycotting of the Exhibition to be opened in Paris in 1900.

Queen Victoria telegraphed to the Lord Chief Justice, whom she had specially appointed to go to Rennes and attend the trial, that she had learned with horror of the frightful verdict and that she hoped the poor martyr would appeal to better judges against it.

The German *chargé d'affaires* in Paris wrote to the Emperor: 'It will always be regarded as a monstrous thing, and as such the judgment will be condemned by public opinion in the whole of the civilized world, with the exception of France, who has thus cut herself off from civilized nations.'

The Emperor enforced by a 'Yes' his representative's remark. He added that the conflict was not only between the civil and military authorities, but between 'the curés and the Jews'.

How did France react? For the last two years she had been the centre of a drama; within the space of a few days peace had descended on her.

Although the sentence had been mitigated by reason of extenuating circumstances, the leaders of the army derived satisfaction from it; for it enabled them to claim that they

had won a victory at Rennes. They were victorious but dishonoured; according to the American *Mail Express:* 'The most celebrated perjurers in history were models of sincerity compared with those at Rennes'.

The pardon had had a calming effect on popular opinion. The innocent man had again been unjustly condemned, but he was free. He no longer required to be snatched from death. He would be able to see to his own rehabilitation. Public feeling died down.

But was the matter really at an end, for everybody? 'Nothing could be more surprising', wrote Camille Pelletan, one of the leaders of the radical socialist party, 'than the action of this hierarchical commander who has ordered his subordinates to forget as though memory were amenable to military decrees. 'Shun, by the left, dress; lose: Memory! These orders should have been included in the words of command.'

A number of the more ardent 'Dreyfusards' were not content with the pardon, that 'provisional exoneration', as they called it. A kind of revolution was in process. A formidable coalition of the army, the social order and the Church had been formed against the civil powers. The people were prepared to destroy this coalition which had stooped to the basest and most criminal practices.

A few more months of struggle, and it would have been accomplished. Hence, those who had foreseen the approaching triumph considered the pardon to be an impossible armistice, crippling the energies of ardent youth.

'After having roused the whole populace in defence of justice,' wrote Clemenceau, 'it is immoral to ask them to be content with the pardon of one person.'

It may readily be understood that, emerging from the heat of a conflict in which they knew, sooner or later, victory would crown their unselfish efforts, many of the men who had devoted their intelligence, their ardour, their time and their honour in the service of a just cause, would have pre-

ferred to go on fighting, and not to regard a pardon as their final goal; that these men, some of whom had seen their careers broken and their future compromised, would not rest until they knew themselves to be undisputed victors.

Dreyfus became increasingly a symbol to them and nothing more. The notion that a human being thus crushed might long for a period of indispensable rest before renewing the struggle did not even occur to them. They could not realize that it was fate alone which had brutally seized this man and made him the centre of a terrible drama, and that his rational and peaceable nature forbade him to play the parts of a hero and a symbolic figure which they required of him. They desired not only to obtain without delay a formal acknowledgement of his innocence, but also to see the guilty punished.

With these ends in view they did not wish public opinion to grow apathetic. But the public desired a truce. They had been dragged involuntarily into the Affair; the cyclone of passions had devastated families, interfered with business and ravaged the country.

The pardon marked the end of the Dreyfus epic, and the Affair had once more become a private matter. The majority of the people in France were agreed in hoping that the storm would never recur.

They were, indeed, willing to draw certain conclusions from the calm which reigned at last. The Affair seemed to them to indicate the final subordination of the military to the civil power. And since, as each intrigue was laid bare, the shadow of the Jesuits had been apparent, traces of Jesuit methods had come to light and arguments drawn from Jesuit ethics had been heard, the civil state would also have to be protected from the dangerous encroachments of the obscure, secret but tryannical forces of the clerics. The Dreyfus Affair had given rise to the admirable lay movement which resulted in the emancipating laws concerning Associations, the suppression of education by members of religious orders and the separation of Church and State.

§ 2 *The Lull*

Public opinion, under its regained calm and in spite of everything, was not satisfied with the judgment and wished Dreyfus could have had his innocence proclaimed. But, if new proceedings were to be opened, it was thought desirable that they should be conducted in a peaceful atmosphere.

This was also Dreyfus's own opinion. He had shown by his proud protest that he did not intend to give way. A solemn compact had been made with his conscience and with the army and the country to seek reparation for this new judicial error and to obtain a final judgment which would perpetuate his innocence.

But before resuming the fight, it was necessary for him to renew contact with life, to recruit his physical strength and relax his tense nerves. Just as, on Devil's Island, his will had enabled him to overcome physical tortures in order to live, so, after his pardon, he had to preserve his life in order to complete his task and attain rehabilitation. He needed rest and quiet, he had to recover moral peace in the bosom of his family, he had gradually to renew relations with his kind, with humanity, to digest the phases of his affair and endeavour to understand the genesis of many of the events which had been unfolded before his astonished eyes at Rennes. For he, of all Frenchmen, knew least about the Dreyfus Affair.

He went to his sister's house at Carpentras in the Rhone valley at the foot of Mt. Ventoux, where the pure breeze is wafted from the mountains; there, in peace and quiet, far from crowds and the noises of the town, he sought to recover his health.

His children had been kept in ignorance of all that was happening and had passed their childhood in the belief that their father was away on a long journey in distant lands which they had found on the map; he now related to them

himself the terrible adventures he had experienced. With the help of the notes he had made, he told the story of his life of anguish and torture. This simple, impersonal account appeared under the title *Five Years of My Life*. The book was moving, not because it made an appeal to pity but because it was written with a deliberate crudeness and any comments likely to detract from its simplicity were avoided; it was soon distributed throughout the world.

One man was missing from the ranks of the revisionists, the man who had been the first to throw himself into the fight with all the ardour of his patriotic soul. On the very day that Dreyfus was pardoned Scheurer Kestner died, wasted by an incurable malady, and by mental sufferings nobly endured.

Some of Dreyfus's earliest and most faithful friends reproached him for his inaction. Clemenceau, Picquart and Labori were of the number who would have liked the conflict to be followed by another conflict. They had thoughts only for the cause and none for the man; they would have liked, by renewing the fight, to have continued to control events.

Joseph Reinach, in one of his speeches, declared that France could not continue to be in debt to a man 'for the honour of which he had been unjustly deprived', and that this sacred debt must be paid. He was ready to agree to an armistice so long as the Exhibition continued, provided it still remained possible for the fight for justice to be resumed. But Parliament had no wish for an armistice, it desired 'final peace', and at the first opportunity declared its wishes in the passing, by a large majority, of an unequivocal order of the day by which the Chamber called upon the Government 'energetically to oppose a resumption of the Dreyfus Affair from whatever quarter the proposal might come.'

Quite apart, however, from the question of a renewal of the Dreyfus Affair, the Government was bound to take notice of the lessons which it had taught them. The army had

to be rid of the canker of Jesuitism. All the high commands in the army were held by members of the reactionary and antisemitic nobility. The clergy were masters of the army. It was urgently necessary to allow a breath of pure air to penetrate and to change the methods of appointment of officers to the higher ranks. There was a classification commission composed of officers of high rank, and, for several years past, the members of this commission had only nominated those men for promotion to the rank of general who belonged to their own circle, shared their prejudices and were devoted to their aims. By this method of selection the army remained in the hands of a camarilla which was prepared to suppress the Republic. General de Gallifet realized the state of affairs and issued an order, furiously attacked by the Right, reserving henceforward to the Minister alone the duty of nominating generals.

The various trials had also revealed the evils existing in the Intelligence Department of the Ministry of War. General de Gallifet notified his intention of suppressing it and causing its work to be carried out under the direction of the Police Service attached to the Ministry of the Interior. In view, however, of the protests of the army chiefs, de Gallifet offered them a compromise which was eagerly accepted. The department remained attached, with restricted powers, to the Ministry of War. This was to give rise in the future to perpetual disputes, to departmental intrigues and the setting of traps. The Intelligence Branch of the Ministry of War was to conduct with the help of the press supporting the Right, an implacable campaign against the Police Service, plotting intrigue after intrigue, shrinking from no sort of insolence, involving the Minister for War and the premier in the ignoble conflict, betraying documents to Members of Parliament, and, by means of an interpellation, bringing about the dismissal of General de Gallifet who was replaced by General André, an ardent republican.



A FRENCH CARICATURE PUBLISHED AT THE TIME OF THE RENNES TRIAL

The names of those on the omnibus are: (inside) Reinach. de Presseusé. Clémenceau and Zola: (outside) Picquart. Forzinetti. du Paty (and on the left of Truth) Mercier. Cavagnac de Beaupaire. Casimir Périer and Paléologue.

§ 3 *The Amnesty*

Waldeck-Rousseau's Government having fearlessly taken the heavy responsibility of pardoning Dreyfus and thus appearing to renounce the army, considered it their duty in the interests of the country, now that the irreparable disaster, the death of an innocent man in a convict prison, was no longer to be feared, to achieve a peaceful settlement by legal means. Peace was necessary to carry out the delicate task of secularization and to enable the Great Exhibition of 1900 to be held in a calm and happy atmosphere, undisturbed by even passing troubles.

The Government, therefore, asked Parliament to vote an amnesty. An amnesty for all the acts relating to the Dreyfus Affair. An amnesty for all with the exception of Dreyfus, to whom the right to seek revision of an iniquitous judgment could not be denied.

What could this mean if not that none of those responsible could be prosecuted, that General Mercier would remain unpunished, that Boisdeffre, Gonse and Billot would evade justice, that the proceedings entered upon against Picquart would be abandoned without any verdict having been given, that Zola would not appear before the Court of Assizes, that the case brought against Reinach by Henry's widow would relate strictly to questions of material damage and compensation and would be tried before the civil court without the hearing of witnesses? The amnesty would save the army chiefs and disarm the leading revisionists; it would probably prevent the discovery of new facts which alone could supply grounds for the essential revision.

The League of the Rights of Man had joined forces with Zola, Picquart and Reinach, and made energetic protest against the weakness and fallacy of an amnesty having no foundation in justice and classing together 'the criminals and their victims, the forgers and the heroes devoted to duty'.

They circulated a petition and collected more than 20,000 signatures.

When the projected amnesty had been laid before the Senate, Dreyfus sent a vehement protest:

> 'The amnesty puts an end to the lawsuits by means of which I had hoped revelations would be made enabling me to bring the matter before the Cour de Cassation. . . . No one desires peace, the reconciliation of honest Frenchmen and the termination of the dreadful passions of which I was the first victim, more ardently than I do. But only justice can bring peace. The amnesty strikes me to the heart. It can benefit no one but General Mercier. . . .'

Picquart also protested: 'The law would be striking me twice over, since it would be granting me an amnesty for an offence which I did not commit and including me with General Mercier and his accomplices in the same decree.'

Zola was no less vehement: 'Parliament has been asked to say that there are no longer any judges. . . . They are befouling us by placing us on a par with ruffians!' In a letter to Labori he wrote: 'They have broken us, besmirched the work of justice and the work of humanity which we were carrying out in the name of an ideal.'

The Senate voted in favour of the amnesty by 231 votes to 32. The debate on the matter assumed a particularly painful aspect when General Mercier took part in it. He had recently been elected Senator by one of the most reactionary departments in France, which only elected men of good family. The royalists had themselves voted for this general who was by way of being a republican, because it suited them to show their approval of the man who had led the campaign against the Jew and boasted of being an object of execration to the Syndicate.

General Mercier thought himself obliged, therefore, to

speak before the Senate in his own justification and to declare that, by his action in 1894, he had rendered a service to his country.

While speaking in defence of his proposal, Waldeck-Rousseau treated General Mercier with lofty contempt.

> 'There is no duty higher than that law of civilization by which an accused man, even if he is guilty, may not be attacked without his knowledge, in the dark, from behind. . . .
>
> 'There are more severe penalties than those decreed by law, the justice which presides in the court is not the only form of justice. There is another created by the public conscience which has existed through the ages, which is administered by the people and has already made history.'

The placarding of this solemn indictment of General Mercier was voted for by more than half the members of the Senate.

One of the most ardent of the republicans in the Senate exclaimed in indignation: 'Why don't you grant an amnesty to Esterhazy as well? He will find a constituency among the Chouans to make him a colleague of ours!'

The debate was resumed in the Chamber where, before the vote was taken, Waldeck-Rousseau expressed his respect for those who were about to oppose him because they could not reconcile themselves to the obstruction of justice. 'The wound made by certain acts, either too arbitrary or too inhuman, has been reopened and you have listened only to the voice of your conscience and the counsels dictated by your indignation. . . . I shall not condemn the feelings which I myself have experienced.'

When the law had been passed Picquart made a public protest against the measure by which he had benefited against his will. He only wished to rejoin the army by virtue

of the verdict of his peers, and not through the by-way of an armistice which classed him with his accusers. He attacked Waldeck-Rousseau and the tactics adopted by Dreyfus at Rennes. He made publicly apparent the essential discord existing between himself and the man for whom he had fought with heroic self-sacrifice. He reproached him for having accepted the pardon, for without the pardon there could have been no question of an amnesty and the battle would have been reopened the day after sentence was passed.

§ 4 *Dreyfus Takes Action*

The press, meanwhile, had commented on the debates in Parliament and the incidents which had accompanied them. And now an old legend cropped up again, the legend of the *Bordereau* annotated by the German Emperor. A former sub-prefect, an ardent royalist, stated that General Mercier had had the annotated *Bordereau* with him at Rennes and had intended to make use of it. Upon which Rochefort supported him by declaring: 'Yes, the annotated *Bordereau* does exist.' Was this not a new fact of which Dreyfus could avail himself. Yes, indeed, and on the day after the promulgation of the decree of amnesty, Dreyfus wrote to Waldeck-Rousseau to ask for an inquiry to be made into this strange document of which everybody talked but which no one had seen.

Dreyfus sent this letter from Paris to which he had returned after an absence of six years—five years of agony and one year of rest. Ah! that year of legitimate rest had been imputed to him by some who had fought for him as a culpable indifference to his own cause, which they regarded not as a personal cause but as an ideal. They went so far as to speak of his ingratitude and lack of feeling. Labori, who since the Rennes trial had acted independently of Mathieu Dreyfus, was the most bitter in his reproaches. These men, who had fought and were prepared to go on fighting, could not realize that their 'hero' did not share their combative ardour and

merely desired to hasten the coming of the hour when he would finally obtain justice in a calm judicial atmosphere and not in the tumult of the streets.

They were unjust to Dreyfus, for if the latter had only heeded his own inclinations he would immediately have devoted himself to the discovery of new evidence which would make a revision of the Rennes trial legally possible. His family's entreaties outweighed his impatience. He consented to take the rest without which he could not have carried on the work of his rehabilitation.

Jaurès, with his warm human sympathy, understood him and tried to explain an attitude which many obstinately refused to comprehend. 'Dreyfus', he said, 'has not given up the idea of obtaining justice. The pardon was merely an emotional anticipation of the full legal acknowledgment to come.'

In Paris, Dreyfus met those who had defended him so admirably and whom he did not know or had only glimpsed in the confusion of the trial.

The meeting was profoundly moving on both sides. Those who had imagined an overflow of feeling, emotional greetings and abundant tears, who had desired external evidences and a stage setting, went away disappointed and did not seek to fathom the psychology of this man, who had been reinstated among his fellows after having been tried in the fire of martyrdom.

He had a horror of romantic sentimentality. His will, hard as a rock but stretched to breaking-point, was flawless and endowed him with a rigid stoicism which was sometimes disconcerting, but which was the outward sign of the strength and greatness of his character.

He said but little; his bearing was a far better testimony to his gratitude than any words of his, uttered with difficulty, might have been.

No! It was not just to cast a stone at him. He was no hero of legend or fiction, but a reasonable, logical man. His life should have been happy and beautiful and he desired only

to live calmly and worthily, as though nothing had happened; he wished his career to be like that of any other man and ordered on the same lines. If he had so desired, his life might have been passed in a publicity, a fullness, a resonance equalled by none. But he would never permit his misfortunes to become a spring-board from which he might leap into fame.

He had one single aim, his rehabilitation. He meant to attain it by legitimate means and not by striking dramatic attitudes. He set about his search for new evidence in voluntary retirement.

When he assisted for the first time at a public demonstration, he who had been the object of the wrath of a furious populace was not greeted by a single hostile cry. On that occasion, overcome by grief, he followed through the streets of Paris the coffin of the man who, by transforming the Affair into a revolution, had been the finest instrument of justice of them all.

Zola was struck by death when in the full stride of his work. A stupid accident caused the fumes of gas from his fireplace to poison him in his sleep. A commonplace end to the life of this strong and famous man who had always felt pity for the cruel, everyday incidents in the lives of those who struggled and suffered.

Zola was of those who had understood Dreyfus's character and had felt for him 'a great affection'. He was accompanied to the grave by a procession of admirers whose homage was paid even more to the man and the citizen than to the writer. The Government associated itself with this public recognition, and Anatole France, who had been a severe critic of Zola as a writer, found a descriptive expression for him which will be applied to him for all time: 'He gave an impulse to the conscience of mankind.'

§ 5 *The Annotated* Bordereau

Dreyfus sought to discover new evidence. The amnesty

had made it impossible for him to appear in court. He sought, therefore, to obtain particulars of the annotated *Bordereau*. The existence of this document had undoubtedly had its effect on the judges at Rennes. It was possible that the offence of 1894 had been repeated and that the document had been communicated to the judges without the knowledge of the prisoner or the defence. Certain remarks which some of the judges had let fall implying that the whole truth had not been made known, declarations made by certain people that they had seen photographs of the annotated *Bordereau*, and General Mercier's statement that he was in possession of irrefutable proof of Dreyfus's guilt, all confirmed the hypothesis of the annotated *Bordereau*.

But how could these declarations and rumours be made to constitute new evidence? Even if the existence of the annotated *Bordereau* were established, how could it be proved that it had been produced to the judges at Rennes, or that it had affected their decision?

'I Accuse' had quickened the rhythm of the Affair. It was desirable to provoke, by different methods, an analogous demonstration which would set it going again. In place of the revolutionary path of the press, the legal parliamentary path was chosen.

Parliament had just been re-formed. The elections of 1902 had signalized the fall of the nationalists and the triumph of the republicans. Three hundred and forty-two deputies had availed themselves of Waldeck-Rousseau's policy of the union of the parties of the Left. The conservative opposition had only 250 representatives. Waldeck-Rousseau, suffering from an illness of which he was to die immediately after his policy had received the sanction of the people for whom it had been constructed, voluntarily resigned from office and was replaced by Emile Combes, a radical socialist senator who, supported by a united majority of the Left, continued to pursue and to strengthen the fruitful anti-clerical policy of his predecessor.

Jaurès had again been returned to the Chamber of Deputies, and he offered to reopen the Dreyfus Affair by speaking on the subject of the annotated *Bordereau*.

But the Chamber was not willing to hear him. During the election campaign the Affair had hardly been mentioned, it seemed to be finished, and a calm that was almost oblivion had fallen on it after years of turmoil verging on civil war. The new Chamber wished to ignore the Affair, to have nothing to do with it. They had not experienced it and took no interest in it. At a time when difficult laws were to be debated and votes taken on them, they were not anxious to give cause for an agitation which would affect the debates and prevent a conclusion from being arrived at.

But Jaurès, impressed with the strength of his *dossier*, felt confidence in the warmth of his conviction and the skilfulness of his dialectic. He resolved, therefore, to take advantage of the first opportunity. The Chamber was debating the validity of the election of Syveton, one of the leaders of the nationalist League of the French Nation, who during his electoral campaign had issued posters boldly denouncing the Waldeck-Rousseau ministry as the 'ministry for foreign countries' and asserting that this title had been bestowed upon it in an official letter by one of its members, General de Gallifet!

Syveton's election was invalidated because of this action, but only after a debate which went beyond the scope of its subject. The whole Dreyfus Affair was revived by Jaurès's powerful and decisive voice: 'I wish to follow step by step the history of the monstrous legend which has been created round this forgery (the annotated *Bordereau*); I wish to follow the history of the forgery itself.' Jaurès opened with these words a speech which lasted for two sittings. And he did, indeed, plead his cause, in the midst of tumult, lucidly and passionately. Comments and exclamations were mingled with his words, but violent interruptions did not prevent him from drawing the conclusions he desired, from denounc-

ing the 'dangerous and scoundrelly tale' which had had its effect on the later phase of the Dreyfus Affair, and from demanding the truth, the whole truth to be revealed by means of an inquiry.

General André was willing, on behalf of the Government, to facilitate the search for truth and to accept instructions to 'proceed officially with an inquiry'.

Oblique political manœuvres were employed in the debate which followed, weakening its effect and causing it to drag on for several hours to the accompaniment of violent personal incidents. Jaurès's proposal was rejected, but the Chamber passed a vote of confidence in the Government so that the Dreyfus Affair might not pass beyond the bounds of judicial control.

A fortnight later Dreyfus demanded of the Minister for War an inquiry into two different matters.

The first was the false evidence given at Rennes by the Serbian Cernusky. The subsequent inquiry made concerning him by the Police Service had been nullified by the opposition of the Intelligence Department of the Ministry of War. A new inquiry was called for. It was necessary, above all, in regard to the annotated *Bordereau*. What use had been made of the document? What effect had it had on the decision of the judges at Rennes?

§ 6 *André's Inquiry*

General André, thus directly approached by Dreyfus, was enabled to undertake the inquiry which he had suggested to the Chamber, but which the Chamber had rejected.

With the help of Captain Targe, his aide-de-camp, he himself studied the entire *dossier* of the Affair. He caused search to be made in all departments for anything which might be connected with it or explain its origin. A soldier himself, he was disturbed for the honour of the Army; he hoped to acquire a firm conviction of Dreyfus's guilt. Such

had been the opinion of his predecessors and he wished it to be his also. He was a loyal and honest man and carried out his inquiries without prejudice, considering the authenticity of the documents and tracing their origin; he was anxious to omit nothing, to find an explanation for everything and finally to clear up all doubts.

From the first his discoveries led him to add to the original *dossier* documents favourable to Dreyfus which had never appeared there. These were: a declaration on oath by Panizzardi that neither he nor Schwartzkoppen had ever had relations with Dreyfus; a note by Henry giving a description made by one of his agents in 1895 of a French officer in Schwartzkoppen's service, which might refer to Esterhazy and not to Dreyfus. Notes by Schwartzkoppen on documents received by him ranging from 1892 to a date subsequent to Dreyfus's arrest.

On the other hand, one of the charges against Dreyfus was based on the fact that a secretary at the German Embassy had obtained knowledge of some of the lectures given at the *Ecole de Guerre*, and there was a note testifying that these very passages were missing from the course of lectures seized at Dreyfus's house at the time of the domiciliary visit in 1894. André found, however, that the course in question was that of 1892-94 and that Dreyfus had left the *Ecole de Guerre* by that time; moreover, a witness to the domiciliary visit, the archivist Gribelin, stated that the course of lectures seized at Dreyfus's house had been intact.

Indignant at this first discovery, André continued his inquiry anxiously and meticulously. He made other and still more amazing discoveries. A note from Panizzardi to Schwartzkoppen had been inserted in the secret *dossier:*

> 'My dear friend, I have received it. Thank you. You must be so good as to send me at once what you have copied, for I must finish, because I have to send to Rome by the 31st and before then you have to copy the

part copied by me. I may tell you that I shall have the organization of the railways.'

This document, numbered 26, bore the date 'April 1894' written in Colonel Henry's writing in red ink. That date might be taken as presumptive proof against Dreyfus who, a few months earlier, had completed his course in the fourth section where questions relating to the railways were dealt with.

André saw, however, that the exact date of receipt of document 26 was mentioned in other official documents, and notably in the letter of advice by which the director of the Intelligence Department informed the chief of the General Staff of the text of this important document.

What was the date of the letter of advice? April 1st, 1895. What date was mentioned in the attached copy of the letter signed 'Alexandrine'? Was it 'April 1894' as Henry had written? By no means; it was 'March 28th, 1895, 3 p.m.'

Could more conclusive proof be desired of another falsification by Henry? Yet another falsification was revealed to the astounded and indignant André. This was document 371, also written by Panizzardi to Schwartzkoppen:

'My dear friend, yesterday evening I had to call in the doctor who has forbidden me to go out. As I cannot go to you to-morrow I ask you to come to me in the morning, for D. has brought me a number of interesting things, and we must share the work as we only have ten days. Try, therefore, to tell them at the embassy that you cannot go. Always yours, A.'

Cavaignac had read this letter in the course of his speech in the Chamber and, like the document afterwards made famous as the Henry forgery, it had received the doubtful honour of being posted up throughout the country.

At the Rennes trial it had indeed been remarked that the

letter 'D' had been rewritten and that the original letter had been scratched out. But as that great scientist Bertillon had asserted that the new 'D' replaced a former 'D', this ridiculous statement had been accepted.

André, however, seeking to verify it, sent for the records, among which he found the copy of this important document in which the letter appeared not as 'D' but as 'P'.

The erasure was thus explained; Henry had again been guilty of a fraud. But that was not the end. Gribelin, the archivist who was helping in the inquiry, and who at one time had been Henry's assistant, wished also to 'clear his conscience' wholly or in part, and he volunteered his contribution.

At the trial of 1894, the man from whom Henry stated he had received information proving Dreyfus's guilt—the man of whom he had spoken to Picquart—was the Marquis de Val Carlos, a lieutenant-colonel in the cavalry and Spanish military *attaché*.

After the discovery of the *petit-bleu* when Henry was working against Picquart, he was afraid that Picquart would make inquiries about Val Carlos. Why was he afraid? Because Val Carlos was merely an agent in Henry's pay, and because Picquart might have found his name entered in the pay book of the Intelligence Department for a monthly payment of a few hundred francs.

That would have been too obvious. Henry had the pay books for the years 1896 and 1897 rewritten to suit his object, and contrived that this new record should be initialled by General Gonse. The earlier records could not be rewritten, for Colonel Sandherr was dead, and the pages could not be initialled by him. So Henry substituted for the initials of his agent Val Carlos, some initials without significance. In support of his amazing statement, Gribelin produced the old paybook (1896-97) which had not been destroyed.

These three sensational discoveries constituted new evidence. The date of the document, the mention of railways,

the initial in Panizzardi's letter, the evidence of an honourable military *attaché*, had all been suppressed at the Rennes trial by the witnesses for the prosecution and the Government Commissary; they could not have failed to affect the judgment.

A revision was inevitable. It was, moreover, warranted by reason of a number of discoveries of secondary importance. The Ministry of War was at last giving up its secrets.

At Rennes a number of generals had accused Dreyfus of having supplied Germany with important documents which had not been used up to that time in evidence against him.

General André's researches established that it was not Dreyfus but the spy Boutonnet who had given information about the filling of the melinite shell; that it was not Dreyfus but the spy Grenier who had revealed the secret of the Robin shell.

Dreyfus had also been accused of delivering the original text of the memorandum on heavy artillery which was said to have vanished from the Ministry of War. This document, however, was found intact among the files of the first section. Thus the prosecution failed on this point also.

It failed again in regard to the story of the admissions.

At Rennes Major Guérin had stated, after Lebrun Renault, that the most important event on the morning of the day when the degradation took place had been Dreyfus's admission of guilt, of which he had been aware before the parade. But the text of the telegram was found in which at 9.20 a.m. Guérin had sent the Military Governor of Paris a report of the duty carried out by him. If there had been any admissions he would have mentioned them; but he had said 'Dreyfus protested his innocence', which was a positive contradiction by Guérin of his own words and those of all the others who had made up the tale of the admissions.

§ 7 *The Second Revision*

General André concluded his inquiry. From his first dis-

covery his opinion had been formed. On October 19th, 1903, he sent a report to the premier notifying him of the 'discoveries of a serious nature' to which he had been led by his full and unbiassed researches.

> ' . . . I am convinced that the army should pledge its honour in order that the truth may finally emerge and that the uneasiness which has been aroused in so many consciences by the decision admitting extenuating circumstances in a case of high treason may at last be dispelled.
>
> 'The Ministry for War intervened in the trial at Rennes by producing the so-called "secret" *dossier*. That ministry had compiled this *dossier*. It was laid before the judges and commented on by a general specially appointed by the Minister. It was, therefore, the work of the Ministry of War itself that was laid before the court. I have personally examined all the documents in our archives, some of which have been used in compiling the secret *dossier*. I have thus been able to ascertain that important documents favourable to the prisoner were not produced and that, on the other hand, certain documents in the *dossier* have been subjected either to material alterations or to erroneous comments which have distorted their meaning. Incorrect statements have been made to the court by officers and by the Government Commissary. . . .'

He then enumerated, lucidly and systematically and without further comment, the facts justifying his statement.

A month later, Dreyfus, having been informed of the result of the inquiry, applied to Vallé, Keeper of the Seals, for a revision, adducing in particular Cernusky's false testimony and the new evidence arising out of recent statements made by Panizzardi and Schwartzkoppen and, above all, by Count von Münster, German Ambassador at Paris,

which revealed that the spy who had given Schwartzkoppen information was indeed Esterhazy. 'My condemnation', he said in conclusion, 'extracted with such difficulty from judges who gave expression to their doubts by admitting extenuating circumstances, is therefore the outcome of forgeries and lies. I ask for a revision of my trial because I desire my honour to be completely vindicated for the sake of my children and for my own sake, because I have never failed in any of my duties as a soldier and a Frenchman.'

The Keeper of the Seals made an inquiry on his own account and then, supported by the unanimous recommendation of the commission appointed to consider the question of revision, he officially brought to the notice of the Cour de Cassation the judgment at the Rennes Court-martial.

What had become of the abusers and demonstrators who, five years before, had greeted an analogous decision with outcries, and denounced it as treasonable?

The Dreyfus Affair—that national drama—was indeed at an end. Popular feeling was no longer excited by it. In this atmosphere of new-found calm, justice was able successfully to carry out its work.

The Criminal Court appointed to inquire into the admissibility of the request for revision no longer had to suffer each one of its members to be taken to task. The scandalous practices of espionage, the fantastic denunciations, the casting of suspicion on any and every one of the judges were things of the past.

Baudoin, the *procureur général*, who could not believe that a judicial error could be made twice, was horrified at what the *dossier* revealed to him. He had hardly run through the first documents when he became certain of the legal necessity for a revision and for the annulment of the judgment of 1899.

His written report, which he submitted to the judges of the Criminal Court was so emphatic that he seemed to be

expressing in it his remorse for having joined so late the workers in the cause of justice.

'The decree of the court', he said in conclusion, 'will pave the way for the triumph of truth and justice which, although sometimes obscured or misunderstood owing to human weakness, is never really destroyed.'

Alfred Dreyfus himself drew up a memorandum 'giving a resumé of the proofs of his innocence', and allowing the facts to 'speak for themselves'. Consistently impersonal, as though making a report on a matter in which he was not concerned, still anxious to prove his case and not to excite pity, still desiring a decision dictated by reason and not by feeling, he again made a technical analysis of the *Bordereau*, dissected the secret *dossier*, severely criticized certain testimonies given at Rennes, cited seven important charges against General Mercier and enumerated the new facts which had come to light since the Rennes trial. Without a single emphatic word, he ended his memorandum with four lines demanding a revision of his trial.

The Criminal Court held public session on March 3rd, 1904. The hearings were only attended by lawyers or by some of the 'early revisionists'. The revelation of the series of forgeries and the countless plots no longer seemed to excite astonishment and those present appeared indifferent to them.

Boyer, the judge-advocate, in a brief but pregnant survey, admitted the application for revision and asked for supplementary information. In his speech the *procureur général* showed the futility of the charges brought against Dreyfus. The whole case for the prosecution collapsed under the cumulative weight of the forgeries and lies.

'Revision is essential, an inquiry is necessary'.

'An inquiry is necessary'. This was also the opinion of the man to whom Dreyfus again entrusted the honourable task of defending him before the Cour de Cassation—Mornard. Mornard had not known his client until he had pleaded for



THE REHABILITATION

him at the previous trial. But now he 'suffered in his sufferings'. Now he understood 'this upright and loyal nature, whose moral strength the torturers were unable to shake; this spirit, whose so-called haughtiness and coldness is really the result of a diffident mind combating its diffidence; this heart, accused of lack of feeling, which suffers cruelly in making it a point of duty not to reveal its sufferings'.

This, however, was the only incursion made by Mornard into a sphere which Dreyfus had forbidden him to enter. His pleading was based on a fine logical sequence: an inquiry was necessary in the interests of Dreyfus, in the interests of justice and truth and in the interests of the public and the honour of the army.

The court ordered a supplementary inquiry.

§ 8 *A New Inquiry*

The court began its work the next day, and for five whole months it collected all the evidence which seemed to have any bearing on the case.

In connection with the technical questions raised at Rennes by an examination of the *Bordereau*, the Minister for War nominated a commission of four generals who had never had anything to do with the Affair.

This commission found that it was 'practically impossible' to believe that the sentence relating to the 120 gun and brake could have been written by an artilleryman. As for the gunnery handbook, they asserted that the author of the *Bordereau*, in making out that it was difficult to procure, was trying to 'increase the value of his goods'.

The court entrusted the examination of the writing of the *Bordereau* and Bertillon's system to three scientists nominated by the Académie des Sciences, to whom was added, for the purposes of taking measurements, the Director of the Paris Observatory. The report was crushing for Bertillon. It accused him of 'prejudice', of 'an absolute lack of critical

capacity and scientific thought', of a 'taste for the ridiculous' which was evident throughout his system.

These great scientists, Darboux, Appell and Henri Poincaré apologized for making a voluminous report in which every point was scrupulously examined and discussed. Because of the historic importance of the Affair they treated the matter 'as though it were serious'. They summed up the system thus:

> 'When a coincidence can be shown, it is overwhelming proof; if it is lacking it is a still more overwhelming proof because it shows that the writer has endeavoured to divert suspicion.
>
> 'The results he has obtained by this method need not surprise us. The naïveté with which he has revealed its secrets lead one to believe in his good faith.
>
> 'To sum up, all these systems are absolutely lacking in scientific value:
>
> '1. Because the application of the calculus of probability is not legitimate in matters of this kind.
>
> '2. Because the reconstruction of the *Bordereau* is false.
>
> '3. Because the rules of the calculus of probability have not been correctly applied.
>
> 'In a word, because the authors have applied bad logic to false documents'.

The court heard a large number of witnesses, many of whom had already appeared before it in 1899. In spite of the new evidence which had destroyed their theories, all of them, du Paty and Cuignet, Gonse and Mercier, Boisdeffre and the Ministers for War like Billot and Cavaignac, so far from admitting their mistakes, persisted in asserting that Dreyfus was guilty.

The court also tried to clear up the mystery of the annotated *Bordereau*. All the depositions were in agreement; Casimir Périer, Hanotaux, and Charles Dupuy had never

heard it mentioned. Those who had set the story going evaded a direct answer or pleaded the necessity for professional secrecy. General Mercier stated that he had never had 'official' knowledge of it and tried to take refuge behind the evidence of a former French military *attaché* in Berlin, who contradicted several of his statements. The fable of the annotated *Bordereau* was dead. But it had done a great deal of harm and had seriously affected the decision of the judges at Rennes.

The court heard the evidence of a French officer who repeated the remarks made in 1899 by a Major Dame, Deputy Director of the German Intelligence Department, asserting the innocence of Dreyfus and the guilt of Esterhazy and an accomplice who at that time was 'dead'. Could he have been Henry?

As for Cernusky, whose strange appearance at the close of the Rennes trial had perhaps been a determining factor, he acknowledged that the essential part of his deposition could not relate in any way to Dreyfus.

Dreyfus was heard at his own request. He again amazed those who listened to him. The martyr of Devil's Island deliberately refused to permit his feelings to appear. His very first words showed how it was that his strength had enabled him to survive. 'That the man who is in the wrong should seek to excite pity is understandable because in certain cases, the heart is ready to pardon many faults. But at Rennes, in the first place, the matter concerned an innocent man; and afterwards judgment was passed on an abominable crime which nothing could excuse, and yet surprise has been expressed that this innocent man did not seek to move the judges to pity. I had but one duty: to appeal to the intelligence and consciences of the judges. . . . There was no reason for appealing to feelings of humanity and pity for the sufferings endured, because only the question of justice had to be settled. . . . It is I who feel pity for the men who brought dishonour on themselves by using

the most criminal devices to cause an innocent man to be condemned.'

After having refuted certain imputations with arguments of mathematical precision, he concluded by saying that the 'invincible strength' which had upheld him through all his misfortunes consisted in the fact that he 'had nothing to fear from anyone', because his past life was blameless.

The Criminal Court concluded its inquiry with this proud declaration by Dreyfus, the moderation of which disappointed those who had expected the victim to speak with the tongue of a victim. By virtue of the decree of disqualification, the *dossier* was laid before the united courts of the Cour de Cassation, whose President was now Ballot Beaupré, the former judge-advocate.

§ 9 *Final Documents in the Case*

In the spring of 1905 Baudoin, the *procureur général*, lodged his written opinion and Mornard an important memorandum.

The question of primary importance was whether the Cour de Cassation would annul the Rennes judgment and bring Dreyfus before another Court-martial, or whether, as the law permitted, it would simply and solely annul the judgment.

Clemenceau had said that another Court-martial was necessary: 'Soldiers should make good the mistakes committed by other soldiers'.

But was not the civil law supreme? Was not the assembly of the courts of the Cour de Cassation an instrument of solemn justice endowed with the highest guarantees of authority? Was it not preferable for Dreyfus himself to be in a position to profit by a well-founded decree rather than to receive an affirmative or negative sentence such as would be passed by the Court-martial?

Dreyfus did not shrink from appearing before his fellow officers, but Mornard pointed out to him that as the court

had the legal power to annul without any further proceedings, it was before this body that he ought to plead.

Article 445 of the Code, indeed, expressly lays down that there can be no rehearing when the annulment of the decree leaves nothing which could be classified as a crime or a misdemeanour. From the moment that all the charges against Dreyfus collapsed, nothing more subsisted which could be classified as a crime or a misdemeanour, and annulment without rehearing was indicated.

This was what Baudoin had written in his opinion and what Mornard had clearly shown in his memorandum.

Baudoin's opinion was an eloquent critical history of the Affair. It reached its climax in a passionless denunciation of the proceedings of the General Staff, restricted to a recital and description of their actions. He cited as new evidence:

1. The discovery of Guérin's telegram which finally did away with the alleged admissions.
2. The discovery of the original of the note on the heavy artillery, which had been alleged to have been handed over by Dreyfus.
3. Cernusky's false evidence.
4. The story of the annotated *Bordereau.*
5. The impossibility of retaining Val Carlos's denunciation which had been reported by Henry.
6. The proof that the notes on the course at the *Ecole de Guerre* in Dreyfus's possession were intact.
7. The falsification of the 'railways' letter.
8. The falsification of the document containing the initial 'P'.

Baudoin asked for an annulment of the judgment without rehearing, so as to put an end to this Affair which, 'owing to an initial judicial error has become a public drama, finally attaining the dimensions of an outrageous attack on truth, justice and the rights of man.'

'There must be an end; reason dictates it, justice decrees it, public interest demands it.'

Mornard, for his part, presented a synthetic history of the Dreyfus Affair. He examined the various incarnations of the prosecution body by body. He showed them vanquished one after the other, but always reappearing in another shape.

The prosecution had brought forward four main contentions, every one of which collapsed. In 1894, the prosecution had relied entirely on the *Bordereau*; the alleged similarity between the writing in this document and Dreyfus's writing had been their basic argument.

After the discovery of the author of the *Bordereau*, the second argument of the prosecution, the one employed at the Zola trial, relied on the Henry forgery and the secret *dossier*, which was its chief support. This was Cavaignac's contention in his speech to the Chamber.

After the detection of the Henry forgery a third contention was brought before the Court of Cassation founded on the admissions of guilt and strengthened by the alleged delivery of documents prior to 1894 (the Robin shell, the melinite shell, the course of lectures at the *Ecole de Guerre*, the note on heavy artillery).

In 1899, when the Cour de Cassation destroyed the theory of the admissions, the prosecution had to present its charge in another form. It then relied on a technical and cryptographic analysis of the *Bordereau*, on the secret *dossier* supplemented by Cernusky's deposition, and on the story of the annotated *Bordereau*.

Point by point, Mornard demonstrated that none of these charges could be upheld, and that they were frequently found to be based on the fraudulent or criminal procedure of the defendants.

After his demonstration, the lawyer cited thirteen new facts capable of inducing a revision, adding to those enumerated by Baudoin:

9. The technical discussion of the *Bordereau.*
10. The proof that the Robin shell and the melinite shell had not been betrayed by Dreyfus.
11. The cryptographic examination of the *Bordereau.*
12. The numerous official testimonies from abroad.
13. The connivance existing between Esterhazy and Henry.

Mornard concluded by proving that a rehearing of the Affair before another court would be 'as absurd as it was contrary to law'.

Dreyfus could have claimed a large compensation. It would have been a just demand and an act of amendment to public morality. Dreyfus, however, declined it. 'A soldier before all else, he considered that, since he had consecrated his life to his country, the country had a right to dispose of him and to inflict unmerited sufferings on him. . . .' All he desired was his honour. Would the solemn deliberations of the Cour de Cassation restore to him that honour?

§ 10 *Final Deliberations*

The court did not assemble until June 15th, 1906. It was thought better to postpone the discussion until after the election which would mark public approval of the work of an actively republican legislature.

The Prime Minister Combes had fallen from office after having completed Waldeck-Rousseau's work. He was replaced by Rouvier, who in turn was succeeded by Sarrien, minister at the time of the 1906 election; this election increased the gains of the parties of the Left.

Under Sarrien's ministry, with Clemenceau as Minister for the Interior, the assembled courts of the Cour de Cassation opened their solemn deliberations.

A hearing was first held in camera to inquire into the secret *dossier.*

On June 18th Counsellor Moras began the reading of his report which was deliberately couched in moderate language, restricted to a statement of facts presented truthfully and exactly, unhampered by useless comment. He concluded by asking for a rehearing before another Court-martial.

This was not the conclusion arrived at in the address to the court made by Baudoin who occupied eight hearings in a restatement of the arguments of his written opinion. He threw himself ardently into the conflict, and opposed the enemies of the truth, who had become his own enemies, with pitiless energy.

For the fourth time, on Captain Dreyfus's name being called, Mornard appeared before the court to demand justice. He surpassed himself in these final pleadings. Not wishing to refer again to unhappy facts which were already known to the court, he divested the Affair of all its countless incidents and retained only the essential framework, the cause of its origin, its development, and its disturbing effect on the country.

By means of irrefutable legal arguments, he demanded annulment without rehearing, and, in a final appeal, he recalled the terrible words uttered by a bishop investigating the trial of Pontius Pilate:

> 'There is no injustice which the public good does not justify; it seems that public welfare and safety can only be maintained by crime; that the peace and order of empires are always due solely to injustice and iniquity and that devotion to one's country means a renunciation of virtue.'

Before the final decree could be given, however, a few fanatics made a last effort to avert defeat. How could the man who had ordered the condemnation and directed the prosecution keep silence? In the name of a large number of his countrymen Drumont adjured General Mercier to speak

while there was yet time. Mercier obeyed once more. But the springs were broken, all his magnificent confidence had disappeared. He sent Ballot Beaupré a feeble letter of protest, rectifying certain details, demanding a public re-trial, correcting his previous evidence and insisting on his conviction of the guilt of Dreyfus, 'a traitor to his country'. Drumont's reply to this pitiable evasion was:

> 'You have not spoken. You have only pretended to speak.'

§ 11 *The Decision*

The judges were unanimous in declaring Dreyfus to be innocent. They were only divided on the question of a re-trial; but finally by 31 votes to 18, they admitted the arguments of Ballot Beaupré and Baudoin in favour of annulment without re-trial.

At midday on July 12th, Ballot Beaupré, the President of the court, read a long judgment, in a grave, decided voice and with a dignity and earnestness which recalled the attestation he had made in 1899 on his 'soul and conscience' that the *Bordereau* was written by Esterhazy.

The judgment summed up the whole Affair in legal form but with complete lucidity. It decreed that the Rennes judgment should be annulled, by virtue of three new facts: the letter referring to the railways the date of which had been altered; the letter in which the initial 'D' had been substituted for the original initial 'P'; the discovery of the note concerning the heavy artillery which Dreyfus had been accused of having taken.

The judgment having been annulled, there remained the question as to whether any charges were still standing against the prisoner which might be regarded as crimes or misdemeanours.

The case for the prosecution had been based on the *Bordereau*. The writing was not Dreyfus's but Esterhazy's.

The text could not have emanated from Dreyfus. The *Bordereau* could not, therefore, be upheld. The same applied to all the accessory charges and to the alleged admissions.

The secret *dossier* had not furnished a single proof. The story of the annotated *Bordereau* was a mere fabrication which had been proved to be false.

At this point Ballot-Beaupré ceased, cast a glance round the court and in a voice vibrating with emotion he said solemnly:

'In as much as, in the last analysis, none of the charges brought against Dreyfus can be upheld,

'And that the annulment of the judgment of the Court-martial leaves no charge remaining against him which can be regarded as a crime or a misdemeanour,

'In as much as, by application of the last paragraph of article 445, therefore, no re-trial is called for,

'On these grounds, I

'Annul the judgment of the Court-martial held at Rennes which, on September 9th, 1899, condemned Dreyfus to ten years' imprisonment and degradation from military rank, by virtue of articles 76 and 463 of the Penal Code and article 1 of the decree of June 8th, 1850;

'Declare that this condemnation was erroneously and wrongly given;

'Place on record that Dreyfus has declared his intention to refrain from claiming the financial compensation to which, according to article 446 of the *Code d'Instruction*, he has a right;

'In accordance with that article, decree that the present decision shall be placarded in Paris and Rennes and inserted in the *Journal Officiel* and in five other newspapers to be selected by Dreyfus;

'Authorize Dreyfus to publish it, at the Government's expense and at the legal rates, in fifty Paris and provincial newspapers, to be chosen by him;

'Decree that the present decision shall be entered in the records of the Rennes Court-martial and that the decision of annulment shall be noted in the margin.'

§ 12 *Acts of Atonement*

Thus the legal side of the Dreyfus Affair was at last definitely closed. The innocence of the victim has been acknowledged with all the solemnity that could be desired. There were no demonstrations in the streets; the whole of France, at one time divided, was now united in agreement with this final decision.

But such a decision brought consequences with it. It had denounced certain crimes for which the criminals ought to have been punished. They were not, they could not be punished. The decree granting an amnesty had rendered them immune. Certain acts of atonement were called for. As soon as the decision had been promulgated the Senate decided that busts of those two fine citizens, Scheurer Kestner and Trarieux (who had also died before victory had been achieved) should be erected in the lobby outside the session chamber in honour of their civic courage.

On the following day the Minister for War proposed the adoption of two decrees by which the names of Picquart and Dreyfus were reinstated on the rolls of the army. Picquart was to receive the rank of general and Dreyfus that of major. Thus Picquart was promoted to the rank to which he would have attained in the ordinary course. Dreyfus, however, did not receive the rank to which he had a right to aspire. His contemporaries were now colonels; he was only made a major.

The proposed decrees concerning Dreyfus and Picquart were passed by the Chamber by a majority of over 400, and Brisson, who was presiding at the session, proudly recorded this vote perpetuating the triumph of justice.

The Chamber then did honour to Brisson for 'having been the first, the most clear-sighted and the most courageous member of the Government instrumental in bringing about a revision.' After a heated debate, in which Maurice Barrès sought to cover up the evil deeds of the leaders of the army, the Chamber passed an order of the day 'paying honour to those instrumental in bringing about a revision' and 'condemning the perpetrators of the crimes which had been denounced by the decision of the Cour de Cassation.'

The two decrees of reinstatement were passed in the Senate by very large majorities, but not without incident. General Mercier had the audactity to make a speech in his own defence and attacking the conditions under which the Cour de Cassation had issued its judgment. He invoked 'his conscience' and his unshaken 'conviction' of Dreyfus's guilt. A senator of the Left immediately replied that, strictly speaking, the place in the convict prison of the victim whose innocence had been proclaimed should be taken by one of the criminals who had accused him, 'By you, Sir!'

The Government decided to acquaint the nation with the decision of the Court by having it posted up in every commune; thus all Frenchmen would know that Dreyfus had been unjustly condemned and that he was innocent.

On July 22nd, Dreyfus received the insignia of the Legion of Honour at a military parade in the grounds of the *Ecole Militaire*. Twelve years before in grounds close by, he had gone through his Calvary of degradation to the murderous cries of a deluded mob.

Now, in all the dignity of restored tranquillity, in the presence of only a few witnesses, he was the hero of a ceremony of rehabilitation.

What memories assailed and haunted him! He seemed to be taking part in the solemn rite mechanically, with jerky gait and a fixed but distant gaze. His mind was plunged into the past.

'On behalf of the President of the Republic and by virtue

of the powers conferred on me, I constitute you, Major Dreyfus, Chevalier of the Legion of Honour.'

And General Gillain bestowed on him, with the noble insignia, the accolade of the honour.

CHAPTER XI

§ 1 *After the Dénouement*

> 'Now that the last word has been spoken . . . we are delighted with the verdict and we may congratulate ourselves and the hero of it. . . .
>
> 'We pass judgment on those who, for secret reasons and for fraudulent ends, have falsified documents, concealed the truth, made use of imposture and trickery in their attempts to carry out their dubious schemes. . . .'

Such was the belated expression of opinion of the *Osservatore Romano*, the official organ of the Vatican. It voiced the opinion of the whole world, even of France, which had regained her equilibrium splendidly, and desired that the dawn of Justice, even if it could not bring punishment to the guilty, should signalize the glory of those who had been the memorable instruments of its triumph.

Clemenceau, now Prime Minister, made General Picquart Minister for War, thus fulfilling William James's prophecy.

A solemn act of homage was paid to Zola. Parliament decided to have his ashes transferred to the Panthéon, so that he might lie with those great men who are the pride of the nation.

> 'Men have been known,' said Clemenceau on this occasion, 'to oppose the most powerful kings; few men have been known to oppose the multitude, to stand alone face to face with the misguided mob, excited to

the worst excesses of fury; to challenge implacable rage, weaponless and with folded arms: to dare, when a "Yes" is demanded, to raise their heads and utter "No".'

During the ceremony a journalist fired two revolver shots at Dreyfus and wounded him slightly in the right forearm: the journalist said he had made a symbolic gesture of protest against a proceeding which he considered insulting to the army. It was, in fact, the outcome of an implacable campaign conducted with fierce hatred against Dreyfus and his defenders by a small group of royalists of the *Action Française*.

They alone still sought to disturb the country by reviving this Affair which everyone was now agreed in regarding as finally and satisfactorily settled.

The Affair was finished. Its heroes were disappearing one by one.

Picquart died from the effects of a fall from his horse. Jaurès was assassinated on the threshold of the war by a fanatic who thus deprived France in her hour of danger of a strength which would have helped to save her. Clemenceau, during that same war, attained the extremes of popularity accorded even by those who had denounced him as a confederate of traitors, a servant of a foreign country, and a German agent; he died, as he had lived, in the thick of the fight.

Mercier, Roget, Gonse and Boisdeffre, on the other hand, passed their lives in an unhappy isolation; Esterhazy, equally devoid of shame or remorse, ended his contemptible career in England under assumed names.*

As for Dreyfus, he employed his active and fertile brain in the service of his country during the war, and was finally promoted to be Lieutenant-Colonel and an Officer of the Legion of Honour.

The memory of the Dreyfus Affair has bitten deep; his-

* He died at Harpenden in 1923—ED.

torians have made it their own; archives have given up some of their secrets and memoirs have been published. But some mysteries still remain unsolved.

Wickham Steed relates in his reminiscences how the Italian Prime Minister, General Pelloux, on learning of Henry's arrest, exclaimed, 'Henry is one of the chief *traitors*, or, at any rate, it is he who is responsible for Dreyfus's condemnation,' and how Panizzardi told him that Henry had been in close relations with Schwartzkoppen, and that the latter had received from him and from Esterhazy some 170 documents.

Was Henry a traitor? However strong the presumption may be, it must in fairness be acknowledged that there is still no definite proof of his guilt; no new fact has come to light, however, to contradict the supposition of treason to which Reinach was the first to give expression in 1898.

A conclusive answer can be given to this tragic question only by the publication of the secret records of the German and Italian Ministries of War, showing the nature of the documents forwarded by Schwartzkoppen and Panizzardi.

Schwartzkoppen, crushed by the silence which had been imposed on him, swore once more on his deathbed to the innocence of Dreyfus and authorized the printing of his notes and correspondence.

The German Ministry for Foreign Affairs published the most important of the documents concerning that period, and the German lawyer Bruno Weill saw to their effective distribution.

These two series establish the complete innocence of Dreyfus and Esterhazy's treason, so far as Germany is concerned. They are a striking proof of the harm that may be done to mankind and to the cause of peace by a system of secret diplomacy, by the lies, trickery and reservations of diplomats. Had there been a little frankness, the Franco-German conversations of 1894 would have led to a knowledge of the truth. Had there been a little humanity, the advances made by the French in 1899 would not have been rejected.

But what a number of obscure points still require elucidating! We are too near to the Affair as yet for it to have become a legend and too near also for it to reveal to us all its secrets.

It still has its effect on French politics, for it has been the cause of the split between the advanced republicans and the moderates and conservatives. It has been a touchstone, and the antagonism it aroused still exists in a latent state.

Amazing conversions have been witnessed. The Church, ashamed of the part she played, has sought to excuse and justify herself. Père Le Canuet has undertaken this difficult task and has attempted to ascribe to certain prominent laymen the Church's passive hostility, the treacherous violence of her official organ, *La Croix*, and the unbridled fury of the clerical party.

The little group of the *Action Française* alone persists in ignoring the facts recently come to light and in abusing Dreyfus and all those who took part in the triumph of truth and justice. In 1930 Charles Maurras, who has forgotten everything and learned nothing, again, as in 1898, uttered his apologia for the 'stern, ill-starred courage' of the forger Henry, on whose behalf he demanded 'the gratitude and pity of intelligent patriots.'

Thus the Affair still has its irreconcilable professional fanatics, and this has served to perpetuate its character of moral, religious and intellectual passion, by virtue of which it is not only an international, political and social drama but also, and above all, a human drama.

It embodied the conflict between justice and the coalition of lies and self-interest.

In seeking its symbol, should we accept Dreyfus himself, his wife, his brother, Scheurer Kestner, Zola, or Picquart as such? Should we not rather take the picture as a whole with its baseness and its heroism, its crimes and its martyrs, its horrible machinations and its pathetic beauty?

Taken as a whole it was, like one of its heroes, 'an impulse to the conscience of mankind'.

It has become a part of history.

It will become a legend.

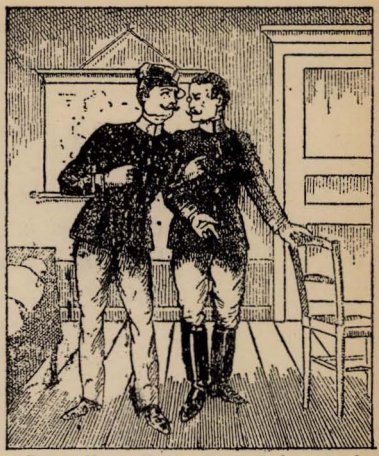
APPENDIX

'HISTOIRE D'UN INNOCENT'

The prints on the following four pages were widely distributed in France about 1898 *in the form of a single broadsheet, crudely coloured with the above title.*



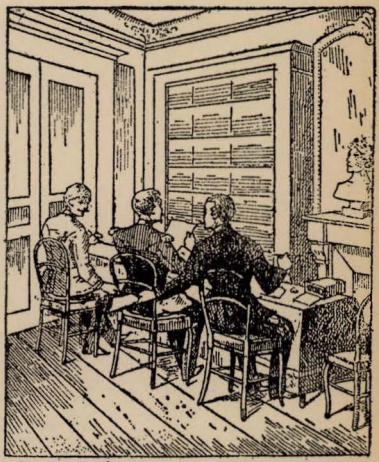
Il y avait en 1894, à l'État-Major français, un jeune officier alsacien très savant, patriote et de bonne conduite appelé Dreyfus.



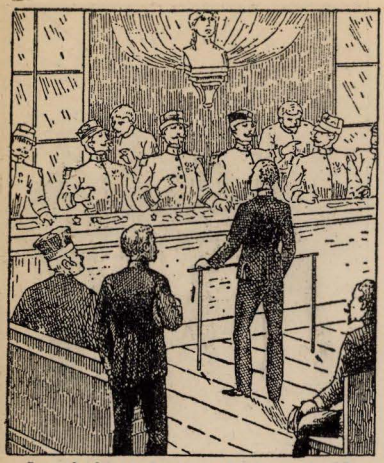
Par malheur, il y avait aussi, dans son bureau, deux autres officiers : Du Paty de Clam et Henry, jaloux, intrigants, fourbes. Ils complotèrent de le perdre à la première occasion.



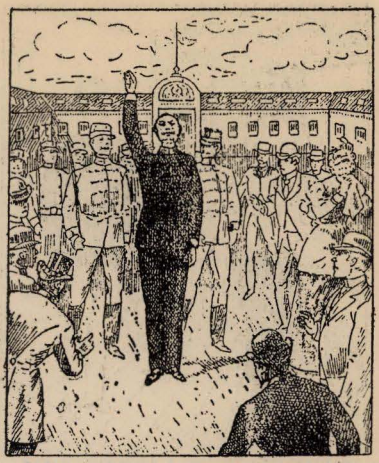
Un jour, un agent dévoué à la France réussit à dérober un papier chez l'ambassadeur prussien. C'était justement une lettre d'un Français qui offrait de vendre sa patrie à l'Allemagne.



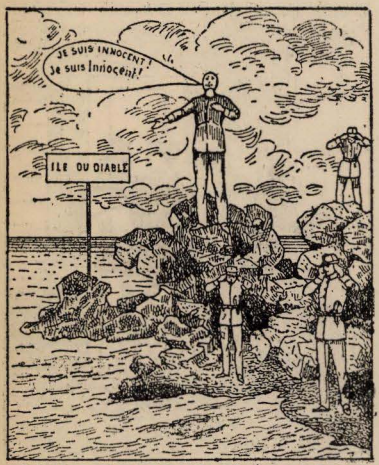
Du Paty et Henry en profitèrent aussitôt pour faire croire à leurs chefs et à la France que ce traître était Dreyfus.



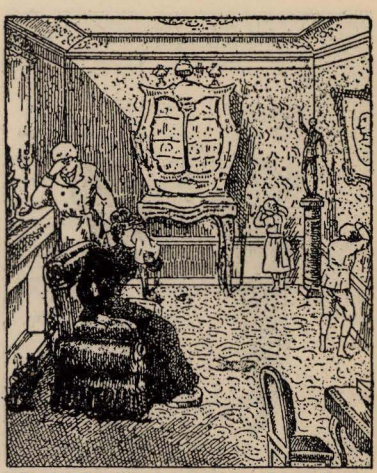
Les chefs, confiants en leur parole d'honneur, se laissèrent tromper et, croyant venger la patrie, condamnèrent Dreyfus.



Il fut condamné à perpétuité, mais le jour où on lui arracha ses galons il cria fièrement: « On dégrade un innocent, vive la France! » Et beaucoup de gens versèrent des larmes.



Voilà quatre ans qu'un brave et honnête officier alsacien, qui ignore pourquoi on l'a condamné, vit désespéré sur un rocher au milieu du grand Océan.



Pendant ce temps, sa pauvre jeune femme pleure toutes les larmes de son corps et ses deux orphelins crient: « Maman! où est mon papa? »



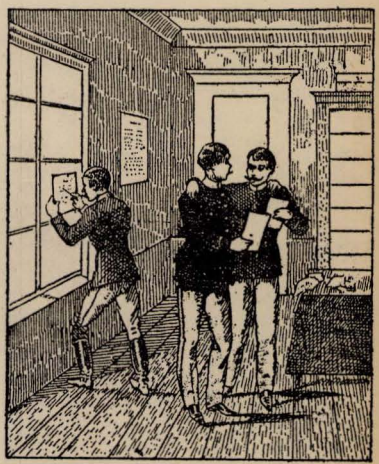
Un beau matin, un colonel d'État-Major, le brave et magnifique colonel Picquart, découvrit le vrai traître. Il s'écria alors: « Il faut sauver l'innocent et punir le coupable! »



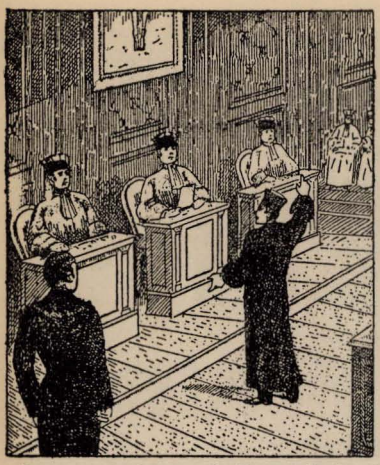
Il y eut aussi des civils comme Zola, Bernard Lazare, Jaurès, Duclaux (celui qui guérit la rage), qui réclamèrent la justice pour l'innocent, car eux aussi avaient découvert le vrai traître.



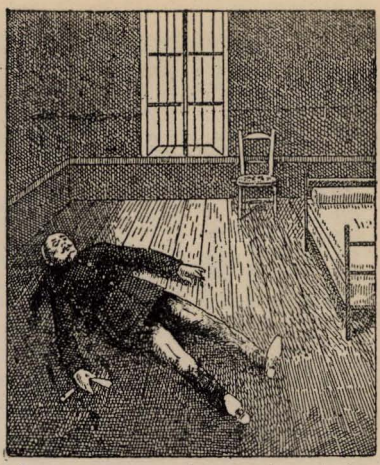
C'était un autre officier, le pire des mauvais sujets, appelé Esterhazy, à la solde de la Prusse et qui voulait se faire uhlan pour massacrer des Français.



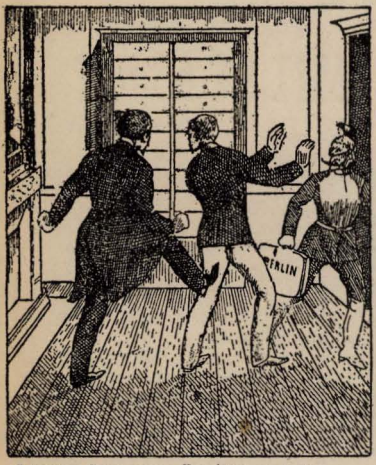
Mais Du Paty et Henry, qui ne voulaient pas voir revenir Dreyfus, se mirent à fabriquer de faux papiers qu'ils mirent sur son compte et protégèrent Esterhazy, le traître.



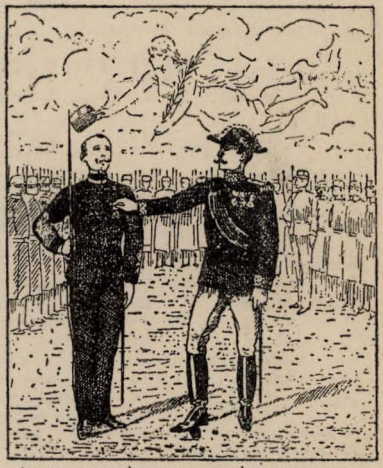
Pour mieux tromper la France, ils firent emprisonner le colonel Picquart et voulurent faire condamner Zola, sous prétexte d'insultes à l'armée, mais ils n'y réussirent pas



Les mensonges ont les jambes courtes. Henry, pris la main dans le sac, avoue avoir fabriqué les faux papiers. On l'arrête, mais ses remords sont si terribles qu'il se coupe la gorge



L'autre faussaire, Du Paty, fut chassé de l'armée. Quant au vrai traître, Esterhazy, il s'enfuit en Allemagne. Bon voyage ? monsieur le uhlan !



Au jour prochain, on rendra ses galons à Dreyfus et la France glorieuse réparera noblement l'injustice faite à un de ses soldats les plus dévoués.

SALLE CHAYNE, 12, Rue d'Allemagne

SAMEDI 10 DECEMBRE, à 8 Heures 1/2 du soir

GRAND MEETING

en l'honneur

DU LIEUTENANT-COLONEL PICQUART

SOUS LA PRESIDENCE DE

M. DUCLAUX

de l'Institut

ORDRE DU JOUR :

LA JUSTICE MILITAIRE

ORATEURS ASSURÉS :

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Maurice BOUCHER
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VALERY, etc.

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CHRONOLOGICAL TABLE

1894

20th July	Esterhazy calls on Schwartzkoppen.
July-August	Negotiations between Esterhazy and Schwartzkoppen.
1st September	Esterhazy delivers the documents enumerated in the *Bordereau*.
24th September	Henry learns of the *Bordereau*.
6th October	The name of Dreyfus is mentioned.
14th October	General Mercier signs the order for the arrest of Dreyfus.
15th October	Dreyfus is arrested.
1st November	The *Libre Parole* reports the arrest.
2nd November	Telegram from Panizzardi to his superiors.
3rd November	Order given for inquiry to be made concerning Dreyfus.
3rd December	D'Ormescheville's report.
19th December	1rst hearing of the Dreyfus trial.
22nd December	Dreyfus is sentenced.
31st December	du Paty visits Dreyfus.

1895

5th January	Degradation.
6th January	The German Ambassador approaches the President of the Republic.
18th January	Dreyfus is taken to the Ile du Ré.
21st February	Dreyfus sails for Devil's Island.
15th March	Dreyfus arrives at the Iles du Salut.
13th April	Dreyfus on Devil's Island.
1st July	Picquart is appointed director of the Intelligence Department.

1896

March	Discovery by Picquart of the *petit-bleu*.
5th August	Picquart informs de Boisdeffre.
6th August	Interview between Cuers and Henry at Bâle.
1st September	Picquart sums up the charges against Esterhazy.
3rd September	False report of the escape of Dreyfus.
8th September	Dreyfus is put in double irons.
3rd-15th September	Picquart-Gonse correspondence.
14th September	Revelations published in the *Eclair*.
26th October	Picquart sent on duty to the East.
1st November	Henry's forgeries.

6th November	Bernard Lazare's pamphlet.
10th November	*Le Matin* publishes the *Bordereau* in facsimile.
18th November	Castelin's interpellation in the Chamber.
21st November	Picquart instructed to continue his duties without interruption.

1897

6th January	Picquart is attached to an Algerian regiment of *tirailleurs*.
2nd April	Picquart draws up a statement of the Affair in the form of a will.
18th May	Picquart writes a letter of protest to Henry.
31st May	Threatening letter from Henry to Picquart.
29th June	Picquart confides in Leblois.
13th July	Leblois confides in Scheurer Kestner.
17th August	Esterhazy is removed from active service.
16th October	Gonse, du Paty and Henry are informed of Scheurer Kestner's action.
From 20th October onwards	Collusion between the General Staff and Esterhazy.
29th October	Esterhazy's first letter to the President of the Republic.
30th October	Scheurer Kestner calls on Billot.

7th November	Esterhazy sends a threatening letter to Picquart.
9th November	'Dreyfus has been legally and justly condemned' (official communiqué).
10th November	Forged telegrams signed *Speranza* and *Blanche*.
14th November	Scheurer Kestner's open letter.
15th November	Esterhazy asks for an inquiry to be made by General de Pellieux.
20th November	du Paty sends Esterhazy the 'letter in two handwritings'.
26th November	Picquart returns to Paris.
27th November	Seizure of Esterhazy's letters to Madame de Boulancy.
28th November	Publication of the 'Uhlan' letter.
1st December	Zola's first article.
2nd December	Esterhazy requests to appear before a Court-martial.
4th December	The inquiry into the Esterhazy affair is entrusted to Ravary.
7th December	Scheurer Kestner's interpellation in the Senate.
13th December	Zola publishes his 'Letter to Youth'.
24th December	The experts declare that the *Bordereau* is not written by Esterhazy.
31st December	Ravary arrives at the conclusion that there are no grounds for prosecution.

1898

2nd January	Order for Esterhazy's trial.
7th January	The *Siècle* publishes d'Ormescheville's report.
10th January	The Esterhazy trial.
11th January	Esterhazy is acquitted.
13th January	'I Accuse'. Picquart is arrested.
17th January	Statement by the Government on the existence of Admissions of guilt.
18th January	Charge made against Zola.
19th January	The *Siècle* publishes the 'Letters of an Innocent Man'.
24th January	Bülow states in the Reichstag that the German Embassy has never had relations with Dreyfus.
31st January	Count Bonin Longare makes a similar statement in the Italian Parliament.
1st February	The Board of Inquiry recommends that Picquart be placed on half-pay.
7th February.	First hearing of the Zola trial.
17th February	de Pellieux's revelations.
20th February	Foundation of the League of the Rights of Man.
23rd February	Zola is sentenced.
24th February	Debate in the Chamber.

	Leblois is deprived of his official appointment as joint mayor.
25th February	Grimaux is dismissed.
26th February	Picquart is placed on half-pay.
28th February	Madame Dreyfus asks to rejoin her husband.
3rd March	Suicide (?) of Lemercier-Picard.
15th March	Leblois is suspended for six months.
2ndApril	The Cour de Cassation annuls the decision condemning Zola.
8th April	The Court-martial brings charges against Zola.
23rd May	The Zola affair at Versailles. Zola's application for suspension of trial.
4th June	First meeting of the League of the Rights of Man.
15th June	Méline resigns.
16th June	The Cour de Cassation rejects Zola's application.
28th June	Formation of the Brisson Ministry.
7th July	Cavaignac's speech (Henry's forgeries—admissions). The speech is placarded.
9th July	Protest by Picquart.
12th July	Esterhazy is arrested. Domiciliary visit made on Picquart.
13th July	Picquart is arrested.
18th July	Zola is sentenced. He leaves for London.

28th July	Bertulus declares himself to be competent to inquire into a charge brought by Picquart against du Paty.
5th August	The *Chambre des Mises en Accusations* annuls its decree.
13th August	Cuignet discovers Henry's forgery.
24th August	Esterhazy appears before the Board of Inquiry.
30th August	Interrogation, admission and arrest of Henry.
31st August	Henry's suicide. Esterhazy is cashiered. Boisdeffre resigns.
3rd September	Cavaignac resigns. Madame Dreyfus asks for a revision.
5th September	Zurlinden appointed Minister for War.
12th September	du Paty is removed from active service.
17th September	Zurlinden resigns. Chanoine becomes Minister for War. The Government appoints the Commission on Revision.
20th September	Inquiry opened concerning Picquart.
23rd September	The Commission on Revision gives a recommendation in the negative.
26th September	The Government, nevertheless, lays the matter before the Cour de Cassation.
25th October	Chanoine resigns. Brisson is defeated.
27th October	The Criminal Court assembles.

29th October	The request for revision is declared admissible. It is decided to open an inquiry.
31st October	Charles Dupuy is Prime Minister.
7th November	Reinach accuses Henry of being Esterhazy's accomplice.
24th November	Picquart is brought before the Court-martial.
28th November	M. Raymond Poincaré 'clears his conscience'.
2nd December	Picquart demands the assignment of his case to another court.
31st December	Foundation of the League of the French Nation.

1899

January	Quesnay de Beaurepaire denounces the members of the Criminal Court.
7th January	The premier instructs the First President Mazeau to hold an inquiry.
15th January	The subscription for Henry's widow is closed.
16th January	New inquiry concerning Quesnay de Beaurepaire's accusations.
27th January	President Mazeau's report.
30th January	The Government moves the proposal of an act of disqualification.
10th February	The proposal is passed by 324 votes to 207.
6th February	Death of Félix Faure.

18th February	Loubet elected President of the Republic.
1st March	The Senate passes the act of disqualification.
3rd March	The Cour de Cassation admits the assignment demanded by Picquart.
21st March	Communication of the secret *dossier* to the Cour de Cassation.
31st March	Publication of the inquiry made by the Criminal Court.
24th April	Freystaëtter's deposition.
27th April	Cuignet and Paléologue confront one another on the matter of the telegram of November 2nd, 1894.
5th May	Freycinet, Minister for War, resigns.
12th May	Cuignet is removed from active service.
29th May	Opening of the deliberations of the Cour de Cassation.
3rd June	Decision in favour of revision.
5th June	Zola returns to France.
9th June	Dreyfus leaves Devil's Island. Picquart is released.
12th June	The premier, Dupuy, is defeated.
22nd June	Waldeck-Rousseau becomes premier.
30th June	Dreyfus lands in France.
7th August	First hearing of the Rennes trial.
14th August	Labori is attacked.

5th September	Labori appeals to the German Emperor.
8th September	Statement in the German *Reichsanzeiger*.
9th September	Dreyfus is sentenced.
19th September	Dreyfus is pardoned.
21st September	Gallifet's order of the day: 'The incident is closed.'
17th November	Proposal for an amnesty is moved.

1900

28th January	Mercier a Senator.
22nd May	The Chamber opposes a revival of the Dreyfus Affair.
28th May	Gallifet resigns. André is Minister for War.
24th December	Decree of Amnesty.

1901

May	Publication of *Five Years of My Life*.

1902

30th September	Death of Zola.

1903

6th-7th April	Jaurès asks in the Chamber for an inquiry on the annotated *Bordereau*.
May-October	André's inquiry.

19th October	André's report on the results of his inquiry.
26th November	Application for revision made by Dreyfus.
25th December	The case is laid before the Cour de Cassation.

1904

5th March	The Criminal Court orders a new inquiry to be held.
15th November	André resigns.

1906

18th June	Deliberations of the Cour de Cassation.
12th July	Decision of the Court.
13th July	Acts passed to reinstate Dreyfus and Picquart.
20th July	Dreyfus is made a Chevalier of the Legion of Honour.

1908

4th June	Zola's ashes are transferred to the Panthéon. Gregori outrage.

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