

THE AFFAIR

According to a well know historian, if one had written the plot of The Affair as fiction, no one would have believed it. The choice of The Affair as the topic of this paper, rather than The Trial, will be apparent from the description of the events that follow.

Perhaps it all began in 1891, when France lost its war with Prussia over Alsace Lorraine. The armies of Prussia and Germany had invaded France and routed the government of Napoleon III. For spoils, Prussia took most of Alsace and Lorraine. As a consequence, French animosity and deep bitterness felt against the now unified Germany became accentuated. The stage was thus set for 1894, when the French War Department learned that military secrets had been leaked to Germany.

A cleaning woman, Marie Bastian, employed by the French Intelligence Bureau, known as the Statistical Section, gathered trash from wastepaper baskets located in the offices of the German military attaché, Colonel Louis Von Schwarzkopen. In the summer of 1894, she delivered to her government a document written on both sides of thin onion skin paper. It was then given to Major Hubert Henry, assistant to the head of the Intelligence Bureau. It contained vital military data. Henry recognized the handwriting on the paper of his friend of twenty years, Major Ferdinand Walsin Esterhazy. Rather than destroy the document, Henry tore it into pieces. He then pasted the pieces back together before including them in the next batch of material received from the cleaning lady. It became known as the *bordereau*.

Major Henry, one of the villains of this story, turned the *bordereau* over to the head of the general staff and the minister of war, General Mercier. Most of the information in the document pertained to the French artillery. It consisted of a hand-written memorandum pertaining to the new short 120-millimeter cannon being developed by the French to counter the

weapons used by Prussia in the Franco-Prussian war of 1870. Thus, it was assumed that the author of the document was an artillery officer. Moreover, it had to be someone familiar with the entire spectrum of the work of the General Staff. A list of trainees was produced and the name of Alfred Dreyfus stood out. He was the only Jewish officer-trainee on the General Staff. He was disliked by his superiors, and had been given a negative review. While recognizing his talent and intelligence, he was condemned for his pretentiousness, unsatisfactory attitude, and faults of character.

A sample of his handwriting was called for and it seemed to resemble the handwriting on the *bordereau*. However, the similarity should not have been surprising since his slanted, highly cursive script was being taught in every school.

Henry and his boss were both anti-Semites. Without further inquiry they concluded that Dreyfus must be the traitor. Dreyfus, however, had a spotless record and was wealthy. He had no incentive to be a paid traitor. Esterhazy, by contrast, was Hungarian and never considered himself French. He had written a letter to his mistress stating his hatred of the French army. He offered to turn over military secrets to Schwarzkopen for 2,000 francs a month. Schwarzkopen initially hesitated about the wisdom of employing a French officer as a spy. But, afraid to miss an opportunity to obtain valuable information, he consulted his superiors in Berlin. With their approval he accepted Esterhazy's offer for the secrets.

It was a mystery that no one in the Statistique Department did not wonder why a man such as Esterhazy, notorious throughout the Army for being a drunk and perpetually in debt, might be a likely candidate to sell military secrets. Additionally, it turned out that in the mid-1890s, Schwarzkopen, the military attaché, had begun an erotic affair with the Italian military attaché, Major Alessandro Panizzardi. They wrote each other letters, stolen from a second

source, including a reference to someone who had offered “plans of Nice”-although the whole thing may have been a bantering reference to another lover.

Less than a year after General Mercier become minister, his star swiftly began to fade. He was the object of general misgivings, mingled with disappointment. Thus, he wanted speedy action in discovering the traitor so as not to have an embarrassing scandal. He proceeded immediately to charge Dreyfus with treason and on October 15, 1894, ordered him to appear before the minister of war. On November 1, a local periodical ran an article with a huge headline stating, “High Treason; Arrest of Jewish Officer, Alfred Dreyfus.” The anti-Semitic and clerical press at once broke loose with great violence. Thus, the affair began with the lie that Dreyfus was the traitor.

The Dreyfus affair split French society for many years. It became a major topic in the life of Marcel Proust. Proust was the son of a Christian father and a Jewish mother. He was baptized on August 5, 1871, at the church of Saint-Louise d’Antin, and later confirmed. Proust never practiced his faith and as an adult was best described as an atheist. Although Jews trace their religion through their mothers, he never considered himself Jewish.

At Dreyfus’ October hearing, one of the officers pretended to have an injured finger. He requested that Dreyfus write a letter for him, which he dictated, regarding the text of the *bordereau*. Having set what they thought was a trap for Dreyfus, they expected an immediate confession. A loaded revolver was placed on the table with the hope he would pick it up and take an honorable and expeditious exit. Since the trap failed, the officers charged Dreyfus with treason and he was taken to a military jail.

Military officers invaded his house and meticulously searched for incriminating evidence. Finding none, they retained Alphonse Bertillon, chief of the Identification Department of the

Judicial Police, a so called crime detection expert, who claimed also to be a handwriting expert. Bertillon then invented a ridiculous theory he called “auto-forgery”. He explained the difference between the characters on the letter written for the officer at the October 15th hearing and the characters on the *bordereau*. According to Bertillon, Dreyfus intentionally changed the characters in the letter so they did not resemble the ones on the *bordereau*. Bertillon prepared a ludicrously detailed diagram to demonstrate his proof of “self-forgery.” Other handwriting experts disagreed with Bertillon’s theory. In fact when Mercier explained Bertillon’s system to the president of the republic, he confided to the Ministry of Foreign Affairs, that this expert was not simply bizarre, but he was mad, a fugitive from an insane asylum. However, Dreyfus’ alleged crime was leaked by the military to the anti-Semitic press which were told he had confessed to treason.

With the public clamoring for quick conviction he was swiftly charged. His court martial was December 19, 1894. The trial was closed to the public. The evidence against him consisted primarily of a “secret dossier” assembled by Mercier. It encompassed about 1,000 pieces of evidence, most of them forgeries. Many of the documents were the intimate erotic letters between Colonel von Schwarzkopen and Lieutenant Colonel Panizzardi with whom he was sexually involved. One of the letters referred to someone whom Schwarzkopen called “this scoundrel of D.”

Neither Schwarzkopen nor Panizzardi had anything to do with Dreyfus. The two men’s correspondence, contained slangy allusions to sodomy, with feminized versions of their first names (“Maximilienne” and “Alexandrine”) which revealed irrefutably liaison between them. This lent an air of veracity to other documents which Dreyfus’s prosecutors forged to lend retroactive credibility to his conviction as a spy. The spy letters, real and fake, conveniently

allowed the military to justify placing the whole dossier under seal. The reasoning was that dishonoring Germany's and Italy's military attaches by uncovering their illicit entanglement could spell disaster for France's diplomatic relations with both countries.

Under French law, homosexuality was considered "an affront to decency". Thus, it seemed logical for the military to keep under wraps its proof of the foreign soldiers' transgressions. The "secret dossier" was given to the judges, but not shown to either Dreyfus or his counsel. The secret dossier evokes the work of Proust at the start of "Sodom and Gomorrah, Volume 4 of "In Search of Lost Time". The young narrator (Proust) accidentally spies on an older nobleman having oral sex with another man. Even though Proust was gay, he wrote an extended meditation on gay identity with its criminal clandestineness.

On December 22, Dreyfus was convicted. Because the death penalty for political crimes had been abolished by the 1848 constitution, he was sentenced to life in prison. General Mercier not only instructed the members of the court-martial on how to vote, but announced to the press that the guilt of Dreyfus was indisputable. The Commandant of the Paris Military prisons, commented however, that an unnamed member of Parliament had said to him, "The Dreyfus trial (was) an anti-Semitic trial, grafted upon a political trial." The commandant agreed.

Before being exiled for life to Devil's Island, he was publically degraded. On January 5, 1895, he was marched to the quad of the Ecole Militaire on the Champ-de-Mars, located in the shadow of the six-years old, Eiffel Tower. A Sergeant of the Republican Guard came up to him, rapidly ripped off his buttons, trouser stripes, the signs of rank from his cap and sleeve, and then broke his sword across his knee. He was marched around the grounds in his ruined uniform to be jeered and spit at by the crowd jammed against the railings. He piteously declared his innocence and love of France before the screaming crowd. Taken from his wife and children he

was sent to the desolate Devil's Island off the coast of French Guiana in the Atlantic where he arrived in March 1895.

He was confined in solitary to a 12-by-12 foot stone cell, which had been altered to prevent him from seeing the surrounding ocean. It was not until January of 1896, that he received his first consignment of books. Guards were not only forbidden to talk to him, but also they refused to answer any of his questions. In September 1896, when the English press erroneously stated that he had escaped from Devil's Island, he was shackled in irons to his bed every night. Described as a double boucle, the irons lasted nearly two months. The commandant of the island explained to him that it was not punishment, but "a measure of precaution." When his feet were inserted in the irons it was impossible for him to move. Thus, he was fastened in an unchangeable position to his bed. And yet, he was watched like a wild beast night and day by a guard armed with a rifle and revolver.

The hut in which he was confined was surrounded by a stockade over eight feet high and located five feet from the hut. Outside the first palisade was a second palisade which hid everything from his sight. After three months of absolute confinement to his hut, he received permission to go outside during the middle of the day, always accompanied by armed guards. The little plot between the two stockades contained no shadow or cloud cover from the burning sun. From September 4, 1896, he was shut out from view of the sea.

He was given paper with which to write. But that September, his papers were seized from him. He was required to number each piece of paper and turn them over to the guards with the penalty that he could not receive an additional supply until he did. From September until August 1897, the hourly surveillance became more vigorous. At the beginning, the number of guards, besides the chief, was five; it was raised to six, and then to ten, and later even more.

Among the books he read were Balzac and the complete works of Shakespeare. But, after a while the books were in wretched condition. Insects laid eggs in them and devoured them. Vermin hatched everywhere in his hut. Mosquitoes swarmed in the rainy seasons, ants in all seasons in such number that he had to protect his table by placing its legs in cans filled with petroleum. Water was no barrier because the ants formed a platoon across the surface and passed over it like a bridge.

The most harmful creeping pests were spider-crabs with poisonous bites. Resembling crabs, they had long wide-spread legs like a spider and were as big as a man's hand. Dreyfus killed a number in his hut, but still they came through holes in the walls and roof.

Beginning in March, 1897, he had to wait until the 28th of each month to receive letters from his wife, Lucie. Further, they were only copies from her, and he could not tell whether the text had been altered or even omitted. In August, 1897, Lucie wrote that she had not received any letter from him for seven weeks although he wrote almost daily. Letters and packages were withheld from him, sometimes for months.

What saved him from insanity was reading Tolstoy, Nietzsche, and the French classics. More than anything he read Shakespeare, laboring through the great tragedies in their original English.

Meanwhile, Dreyfus' brother, Mathieu, who believed his brother was innocent, sought a new trial. Even Proust, who had many aristocratic friends, when he was forced to take sides during the Dreyfus affair, chose to sign a petition calling for a retrial. He did so, not because Dreyfus was Jewish, but because he was innocent.

The first break occurred when the anti-Semitic chief of intelligence resigned because of poor health. He was replaced by the first hero of this story, Major George Picquart, soon to be promoted to lieutenant-colonel, bypassing Major Henry.

Picquart was born in Strasbourg in 1854. A decorated soldier, he spoke six languages and was meticulous and discreet. Intensely patriotic, this devout Roman Catholic, with anti-Semitic leanings, was the last person one would expect would challenge the Dreyfus verdict. Like the staff around him, he at first believed Dreyfus was guilty.

In the spring of 1896, not long after he was appointed chief of intelligence, Picquart received a special delivery card (called a *petit bleu* in Paris) from the German Embassy to Major Esterhazy. At first, Picquart believed he had uncovered another traitor. But having studied Esterhazy's file, and recognizing his handwriting, Picquart realized that none other than Esterhazy was the real traitor and that Dreyfus was innocent. To confirm his belief, he obtained a copy of Esterhazy's handwriting and found it was identical, not just similar, to that of the *bordereau*.

Armed with this information, Picquart began to make inquiries about Esterhazy. He found that Esterhazy was staggered by gambling debts, and was the debauched son of an illegitimate woman. Although a brave soldier, he had defrauded his wife to live with his mistress, robbed his relatives, was partner in a brothel and was harassed by dishonorable debts and law suits.

Picquart reported his findings to his superiors. They told him to drop the matter as a whistle blower less he humiliate the General Staff. Nevertheless, Picquart continued his investigation and soon became convinced that the wrong man had been sent to Devil's Island. But his superiors, concerned they would be embarrassed by Picquart's findings, removed him as

head of Intelligence and replaced him with Major Henry, recently promoted to Lieutenant-Colonel.

When Picquart reported his findings to the Army deputy chief of General Staff he was advised that the case was over and he should forget it. But Dreyfus is innocent, he insisted. He was then told not to link any other case with that of Dreyfus. Picquart, loyal to the General Staff, reluctantly obeyed. He subsequently learned that his correspondence was being tampered with, that false rumors were being circulated about his personal life, and that Henry had taken his place as chief of Intelligence.

Concerned about what was happening, Picquart began to fear for his own safety. Thus, while on leave in Paris in June 1897, he consulted with an old friend, a brilliant lawyer and also friend of the vice-president of the French Senate. Picquart gave his lawyer a sealed envelope containing all the data about his findings. Unfortunately, his meeting was leaked to the military.

Picquart was then sent by the General Staff, first to Italy, then to Algiers, and finally on a dangerous mission to Tunis. Before leaving for Africa, he wrote the Vice-President of the Senate telling him of his findings. The Senator advised him to be careful, that there were powerful individuals who were not interested in the truth.

From Africa, Picquart wrote the Prime Minister asserting that he had proof that the documents that convicted Dreyfus were forgeries.

The General Staff then made a big mistake. It had the national press publish a facsimile of the *bordereau* and post it all over the Paris walls. In November, a securities dealer, J. de Castro from South America, upon seeing the published facsimile, recognized the handwriting as that of his client, Esterhazy. This corroborated Picquart's conclusion. De Castro then contacted Dreyfus' brother, Mathieu, who, on November 14, 1897, accused Esterhazy of high treason.

Simultaneously, an officer of the General Staff, Major du Paty de Clam, began feeding the press about a so called Jewish syndicate that had bribed Picquart into forging the *petit bleu* in order to blame Esterhazy. He claimed that Dreyfus had copied Esterhazy's handwriting.

He also alleged that a forged memorandum was then sent to the Kaiser who returned the document to the Embassy where it was seized by French Intelligence. The original could not be disclosed without creating an international problem. Esterhazy was then requested by the General Staff to make a copy imitating Dreyfus' handwriting. Major Henry and his new collaborator, Paty de Clam forged more evidence of Dreyfus' alleged crime.

If not enough, Major Henry then forged another telegram, this time from the Italian Military Attaché to his government and a wire to the German Embassy. The tissue of lies and forgeries being leaked to the press became so intricate, no one could figure them out.

The military now became actively complicit in its efforts to hide the identity of the actual traitor. Major Henry, who had perjured himself at the 1894 court-martial by giving testimony against Dreyfus, created a piece of false evidence, later known as the *faux* Henry. It was a phony letter from the Italian military attaché to Schwarzkopen incriminating Dreyfus. Henry gave the fake letter to the General staff. Now the Army turned against Picquart claiming that although he had a distaste for Jews, he was a puppet of Dreyfus' brother, Mathieu.

On November 13, the vice president of the Senate, published a letter in *Le Figaro* declaring that Dreyfus was innocent and that the true culprit was known to the Statistics Section. At about the same time, evidence of Esterhazy's involvement was discovered by a friend of Dreyfus' brother, Mathieu. When the information about Esterhazy became known to the military it had no choice but to order a court-martial of both Picquart and Esterhazy.

The next episode in this bizarre tale occurred when the general who had been serving as minister of war, resigned to become the military governor of Paris. A staunch anti-Semite and supporter of the General Staff, he launched a vicious persecution of Picquart. His grounds were that Picquart had given secret information to his attorney-friend and that he had forged the *petit bleu*. Picquart was ordered back from Africa to testify. Upon arriving in France he was imprisoned. Esterhazy, meanwhile, remained free and proceeded to remove his papers to London.

Picquart, who had been arrested by civil authorities, was now transferred from a civilian jail to a military prison. Fearing for his life he boldly told the press that if he were found dead, it would not be suicide. The announcement that Picquart would be court-martialed created an international sensation. The *Philadelphia Press* editorialized that “not even the Dreyfus case itself is an example of so flagrant a case in injustice, malign and fanatical” that should Picquart be condemned, “the verdict will sound throughout the world as the funeral knell of individual liberty and security, creating in France such anger and hatred as nothing can appease.”

In January, 1898, Esterhazy’s court-martial began. The presiding judge ruled that since the *bordereau* was part of the Dreyfus file it could not be used in the Esterhazy case. The court only considered Esterhazy’s deposition and would not review those of Mathieu Dreyfus or Picquart. Esterhazy was acquitted.

The staged court-martial prompted the great French novelist, Emil Zola on January 13, 1898, to write his now famous *J'accuse* which was published in George Clemenceau’s daily newspaper. It was not until Zola’s later trial in February, 1898, that Picquart’s discovery of the *petit bleu* became public knowledge. Picquart was the chief witness against Esterhazy at the

Zola trial. He described the efforts of his superiors to block his investigations. Colonel Henry was produced by the prosecutors and testified that Picquart had forged the *petit bleu*.

In *J'Accuse*, Zola argued for the court martial of Esterhazy, notwithstanding his recent so called "vindication" in the shabby court-martial conducted behind closed doors. He denounced the general staff for shielding the true traitor. The next day, Clemenceau ran a manifesto supporting both Dreyfus and Zola.

Three weeks later, Zola was tried for defaming the army. Zola requested and was granted a trial by jury. On the way to the trial his defense lawyer, Fernand Labori, was shot in the back. As he fell to the ground, his wife rushed to his side. A doctor was summoned who gave him smelling salts. Colonel Picquart and Labori's brother-in-law, who was walking with him, chased the fleeing assassin into the woods who was never found. Fortunately, Labori had not been seriously injured and recovered quickly.

At Zola's trial, his attorney, was not permitted to cross-examine Henry or Picquart's other accusers. Zola was found guilty of libel and was sentenced to one year in prison. Major Esterhazy, who also had been tried, was acquitted. He was hailed by the public as a national hero. Also tried was Lieutenant Colonel Picquart who was found guilty. He was sentenced, expelled from the army and jailed.

Following Zola's protest, internal tensions broke into violence. In many French cities huge crowds plundered Jewish stores, beat up Jews, publicly burned Zola's article, and hung Zola in effigy. In Paris, the mob paraded along the boulevards carrying standards : "Death to Zola, Death to the Jews, Long live the Army." But in universities in Belgium, Italy and Switzerland resolutions were passed hailing Zola's stand for justice. Life in France was upset from top to bottom by the affair. Families became disunited, oldest friendships were broken,

people argued and cursed each other in meetings, on trolley platforms, in cafes, theatres, clubs, in alleys and at tables. With demonstrations overflowing onto public squares and threats of military *coups d'état*, a near state of civil war existed.

Everything was now moving swiftly. On May 23, 1898, Zola's second libel trial began in Versailles. He was convicted once again, sentenced to one year in prison, and ordered to pay a fine. In response, he fled to London.

Over the course of the summer, Colonel Henry admitted to having forged the *faux* Henry. He was arrested and confined to the Mont Valerien fortress. On the last day of August, Henry slit his throat. His suicide, in effect a confession, prompted Mme. Dreyfus to petition for a full judicial review of her husband's conviction.

On September 4, 1898, Esterhazy fled, first to Belgium, then to England. His nephew revealed evidence of forged telegrams his uncle had sent in an effort to frame Picquart. Afterward he lived in Hertfordshire under a pseudonym.

On September 31, France's great Socialist leader, published a series of unanswerable arguments for the innocence of Dreyfus.

Neither the suicide of Henry nor Esterhazy's flight put an end to the Dreyfus affair. On November 24, 1898, Picquart's court-martial on baseless charges of forgery and espionage began. One of the signators to a petition in Picquart's favor was Marcel Proust.

As perhaps the result of world opinion, the Court of Cassation, France's highest appeals court, ordered the Picquart case to be returned to a civil court. The following April, the court decided there was no case against him and he was released from prison. In July, 1906, he was restored to the army as a Brigadier General. He had become one of the real heroes of the Dreyfus case.

Meanwhile, on June 3, 1899, the Court of Cassation reversed the 1894 verdict against Dreyfus. A new court martial was ordered to take place in Rennes. One day later Zola returned from his exile in England. Four days later, Dreyfus began his journey back to France from Devil's Island. He arrived at Port-Haligan on July 1, where he was transferred to Rennes.

On September 11, despite overwhelming evidence of his innocence, he was reconvicted by a vote of five to two, but with "extenuation circumstance." This time he was not subject to a public degradation as he had been in 1895. Ten days later, the newly installed liberal government offered him a pardon. Although the offer contained an implication of guilt, his clearheaded brother, Mathieu, convinced Dreyfus that amnesty was as close to an admission of wrongdoing that he could hope to obtain. So he accepted.

On October 10, the Chamber of Deputies voted against reopening the case, and on December 1, passed a law granting amnesty to all involved.

Slowly, the entire web of injustice became unwoven. Subsequent trials reinstated both Dreyfus and Picquart in the Army. Both were both given promotions.

One of the consequences of the Dreyfus affair was the role played by Theodore Herzl, a Viennese journalist who was present in Paris in 1895, when Dreyfus was publicly degraded. Herzl became convinced that Jews could never find a safe home in Europe. He, among others, began the quest for a Jewish state. Following the Second World War, it was recognized in 1948 with the establishment of Israel.

In due time, Dreyfus received the Legion d'Honneur, France's highest decoration. When the first World War broke out, Dreyfus served as an artillery Colonel in Paris and Verdun.

During the second World War his favorite granddaughter, Madeline, who like all Jews was forced into hiding, became a resistance fighter. She was deported by the Vichy government, and died in Auschwitz in 1943 at age twenty-five.

Dreyfus died in 1935. He was 75, a man honored and respected both as a French soldier and a martyr for freedom. In December, 1999, the City of Paris named a square after him at the corner of Avenue Emile-Zola in the 15th Arrondissement.

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