

Law of 2 June 1941 replacing the law of 3 October 1940 on the status of Jews.

We, Marshal of France, Head of the French State, having heard the Council of Ministers, decree:

Article 1 "[definition of a Jew]"

The following shall be considered Jewish:

1. A person, regardless of current religious affiliation, who is descended from at least three grandparents of the Jewish race, or from just two if his or her spouse descends from two grandparents of the Jewish race. A grandparent who practiced the Jewish religion is considered to have been of the Jewish race;
2. A person who practices the Jewish religion, or practiced it on 25 June 1940, and who descends from two grandparents of the Jewish race.

Non-affiliation with the Jewish religion shall be established by proof of membership in one of the other denominations recognised by the State prior to the law of 9 December 1905.

Disavowal or withdrawal of an acknowledgement of paternity for a child considered to be Jewish shall have no effect with regard to the above provisions.

Article 2 "[public offices denied]"

Access to and exercise of the public functions and authorities listed below are forbidden to Jews:

1. Head of State, members of the Government, the Council of State, the Council of the National Order of the Legion of Honor, the Court of Cassation, the Court of Auditors, the Mining Corps, the Corps of Bridges and Roads, the General Inspectorate of Finance, the Corps of Aeronautical Engineers, the Court of Appeal, the courts of first instance, the justices of the peace, the criminal courts of Algeria, all juries, all professional orders and all elected assemblies, and arbitrators.
2. French ambassadors, secretaries-general of ministerial departments, directors-general, directors of the central administrations of ministries, officials of the Department of Foreign Affairs, prefects, sub-prefects, secretaries-general of prefectures, inspectors-general of administrative services in the Ministry of the Interior, officials of all grades attached to all police services.
3. Residents-general, governors general, governors and secretaries-general of colonies, inspectors of colonies.
4. Members of the teaching profession.
5. Officers and non-commissioned officers of the army, the sea and air forces, officials of the war, navy and air force central command corps, members of the civilian corps and staff of the war, navy and air forces, created by the laws of 25 August 1940, 15 September 1940, 28 August 1940, 18 September 1940 and 29 August 1940.
6. Administrators, directors, general secretaries of companies that benefited from concessions or subsidies granted by a public authority, Government appointees to public-interest companies.

Article 3 "[prohibitions and exemptions]"

Jews shall not occupy, in public administrations or companies benefiting from concessions or subsidies granted by a public authority, functions or positions other than those listed in Article 2, unless they meet one of the following conditions

- * a) Holders of the veteran's card instituted by Article 101 of the law of 19 December 1926;
- * b) Recipients during the 1939-1940 campaign of a citation entitling them to wear the Croix de Guerre as instituted by the decree of 28 March 1941;

- * c) Members of the Legion of Honour or holders of the Military Medal for acts of war;
- * d) Wards of the nation or orphans, widows or forebears of those who have died for France.

Article 4 "[professions denied]"

Jews may not exercise a licensed or unlicensed profession, a commercial, industrial or artisanal profession, hold a public or ministerial office, or be invested with functions devolved to auxiliaries of justice, except within the limits and under the conditions fixed by decree of the Council of State.

Article 5 "[other forbidden occupations]"

The following professions are forbidden to Jews:

- * Banker, money-changer, salesman;
- * Broker in stock exchanges or in commodity exchanges;
- * Publicity agent;
- * Real estate or business loan broker;
- * Business loan broker, real estate trader;
- * Wholesaler, shipper;
- * Lumber industry;
- * Gaming operator;
- * Publisher, director, manager, administrator, editor, or even local correspondent, of newspapers or periodicals, except for publications of a strictly scientific or religious nature;
- * Operator, director, administrator, manager of enterprises whose object is the manufacture, printing, distribution, or presentation of cinematographic films, director, director of photography, composer of scripts;
- * Operator, director, administrator, manager of theatres or cinematographic halls;
- * Entertainment promoter;
- * Operator, director, administrator, manager of all enterprises related to broadcasting.

Public administration regulations shall lay down the conditions for the application of this Article for each category.

Article 6 "[forbidden membership on licencing boards]"

In no case may Jews belong to the bodies responsible for representing or disciplining the professions referred to in Articles 4 and 5 of this Act.

Article 7 "[civil servants]"

The Jewish civil servants referred to in Articles 2 and 3 shall be entitled to the rights defined below:

1. Civil servants subject to the law of 14 April 1924 shall receive a retirement pension with immediate effect if they have completed the number of years of service required to qualify for this pension.

If, without fulfilling this condition, they have completed at least fifteen years' actual service, they shall receive with immediate effect a pension calculated at the rate of one thirtieth of the minimum retirement pension for

each year of category A service, or one twenty-fifth for each year of category B service or military service. The amount of this pension shall not exceed the minimum retirement pension plus, where appropriate, remuneration for bonuses for service outside Europe and for campaign benefits

2. Civil servants subject to the national pension fund scheme for old age shall, if they have completed at least fifteen years' service, be entitled to immediate payment of an annual allowance equal to the amount of the old-age pension which would have been payable to them at the time of leaving the service if their statutory payments had been made from the outset with outside funds. This allowance will cease to be paid as of the date on which their pension from the national pension fund becomes payable;
3. The civil servants of the departments, communes or public establishments which have a special pension fund will benefit, with immediate effect, from the seniority pension or the proportional pension fixed by their pension regulations, if they fulfil the conditions of length of service required for to have the right to one of these pensions;
4. Staff members subject to the social insurance scheme who have completed at least fifteen years' service shall receive from the local authority or institution to which they belong an annual allowance equal to the fraction of the old-age pension constituted by the payment of the double contribution during the entire period during which they remained in service. This allowance will cease to be paid as of the date on which the pension becomes payable;
5. Civil servants dependent on the inter-colonial pension fund or on local funds, and having at least fifteen years' effective service, shall receive a pension under conditions to be determined by a public administration regulation;
6. Civil servants and agents who do not fulfil the conditions required for entitlement to the above pensions and allowances shall receive their salaries for a period to be determined by a public administration regulation;
7. The situation of workers in military and industrial establishments of the State shall be regulated by a special law.

Jewish civil servants or agents referred to in Articles 2 and 3 of the law of 3 October 1940 are considered to have ceased their functions on 20 December 1940.

Civil servants or agents who are affected by the new prohibitions laid down by the present law shall cease to perform their duties within two months of its publication.

The application of the provisions of the present law to prisoners of war is deferred until their return from captivity.

The Jewish officials or agents referred to in Articles 2 and 3 and currently prisoners of war shall cease to exercise their functions two months after their return from captivity.

The provisions of this law shall not apply to the parents, spouse or descendants of a prisoner of war until two months after the release of the prisoner.

With regard to personnel in overseas service, a decree issued on the proposal of the Secretaries of State concerned shall determine the conditions for the termination of their duties.

Article 8 "[exemptions]"

The following may be exempted from the prohibitions provided for in this law:

Jews

1. Who have rendered exceptional services to the French State;
2. Whose family has been established in France for at least five generations and has rendered exceptional services to the French State.

For the prohibitions provided for in Article 2, the decision is taken by individual decree issued by the Council of State on the report of the General Commissioner for Jewish Affairs and countersigned by the Secretary of State concerned.

For the other prohibitions, then a decree by the General Commissioner for Jewish Affairs will decide other prohibitions.

The decree or order must have good cause.

Exemptions granted under the above provisions are of a individual nature only and shall not create any rights in favour of the parents, descendants, spouse or collateral relatives of the beneficiaries.

Article 9 "[penalties]"

Without prejudice to the right of the prefect to order internment in a special camp, even if the person concerned is French, shall be punished:

1. By imprisonment of six months to two years and a fine of 500 F to 10,000 F, or by one of these two penalties only, any Jew who has engaged or attempted to engage in an activity which is prohibited to him by application of articles 4, 5 and 6 of the present law:
2. From one year to five years imprisonment and a fine of 1,000 F to 20,000 F, or one of these two penalties only, any Jew who has evaded or attempted to evade the prohibitions enacted by this law, by means of false declarations or fraudulent manoeuvres.

The court may, in addition, order the closure of the establishment.

Article 10 "[reinstatement of certain civil servants] "

Civil servants who have ceased their functions by application of the law of 3 October 1940 and who may avail themselves of the provisions of the present law shall be entitled to apply for reinstatement under conditions to be laid down by decree in the Council of State.

Article 11 "[geographical scope]"

This law is applicable to Algeria, the colonies, protectorate countries, Syria and Lebanon.

Article 12 "[laws superseded]"

The law of 3 October 1940, amended by the laws of 3 April and 11 April 1941, is repealed; the regulations and decrees issued for its application are maintained in force until they are amended, if necessary, by new regulations and decrees.

Article 13 "[enactment and publication]"

The present decree shall be published in the Journal Officiel and executed as a State law.

Done at Vichy, 2 June 1941.

Philippe Pétain.

By the Marshal of France, Head of the French State:

- * The Admiral of the Fleet, Vice-President of the Council, Minister of State for Foreign Affairs, the Interior and the Navy, Admiral [[François Darlan | Darlan]].
- * The Keeper of the Seals, Minister of State for Justice, [[Joseph Barthélemy]].
- * The Minister of State for National Economy and Finance, [[Yves Bouthillier]].
- * General [[Charles Huntziger | Huntziger]], Minister of State for War.
- * The Minister Secretary of State for Agriculture, [[Pierre Caziot]].