Students of the Lyon Faculty of Law in the First World War

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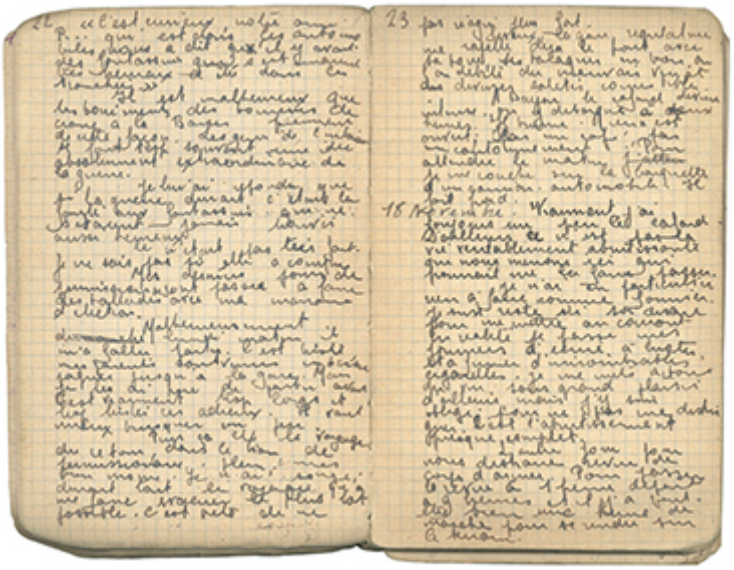

On the eve of the first world conflict, with its 15 tenured professors and 585 students, the young Lyon State faculty held an intermediate rank in the cohort of French faculties of law. Its creation, it is true, was still recent, since it had taken the law of 1875 on the freedom of higher education and the prospect of seeing the old capital of the Gauls become the seat of a Catholic law school, animated by monarchist and very conservative aldermen of Lyon, for the creation of the state faculty to finally become an apparent necessity in the eyes of republican political leaders. Hastily improvised in the fall of 1875, the young institution of higher education quickly found its audience. Its recruitment pool was quite classic for a provincial faculty, in the sense that it was essentially rooted in the bordering departments of the Rhône: Ain, Drôme, Ardèche and Loir. However, it overflowed from them a little, biting into Dauphiné and Auvergne, as

well as Burgundy and Franche-Comté. Thus was justified *a posteriori* the hostility that the Grenoble and Dijon law schools had consistently demonstrated until 1875, each time a project for the creation of a competitor based in Lyon had been brought up.

The student audience of the Faculty of Law on the eve of the conflict

Sons of lawyers, notaries, magistrates or atorneys, or sons of civil servants and merchants, but sometimes also career soldiers whose duties on a council of war made aware of the need to know more about the law, the learning jurists of the pre-1914 period came to the State law school of Lyon to obtain before all their bachelor's degree in law, an indispensable key to the functions of lawyer and magistrate. Their school records indicate that they were still willing to follow the common practice of enrolling in the Faculty of Humanities simultaneously to obtain, this time within a year, a bachelor's degree in history, philosophy or classical literature. However, few of them considered pursuing a doctorate. Unless there was an early vocation towards higher education, which their families were willing to encourage and finance for many years, those who continued their legal studies until they obtained a doctorate had often chosen to consolidate their professional status in the first few years after obtaining their bachelor's. Probably having thus attained their financial independence, they returned to law school at the age of 25 or 26, to conquer the title of doctor.

The majority of these students, either very young or a little less young, had it in common that they hailed from all the ranks of the bourgeoisie. The incomes of low bourgeoisie families, however, were fickle: therefore, it was common for its students, during their first couple of years, to be employed as clerks, solicitors or notaries, as supernumeraries in the administration or as supervisors in various local middle and high schools. It was also not uncommon for exemption from university fees to be granted to those whose families were experiencing financial difficulties, in particular following the premature death of the head of the family, as such a disappearance was likely to lead to a major drop in social standing. The student, whose material difficulties were taken into account by his faculty, then signed a written engagement to reimburse, when his professional situation allowed him, the amount of the university fees from which he had been exempted.

Like all the other law schools, the one in Lyon awarded a diploma allowing a timid democratization of its student audience. Accessible to those who had not graduated

from high school and compatible with paid work, the certificate of capacity in law was a promise of social advancement for gifted young men, whose families did not have the means to finance the still-charged secondary education, let alone any higher education. After two years of effort, it enabled its incumbents to gain access to the functions of ministerial officer, as well as to certain careers in the public service. The educational records of some of the able-bodied students fallen in battle during the Great War keep a record of the social ascension efforts made by these often older men from very modest backgrounds. Eugène Mazière is a good illustration of this stubbornness to get out of his initial condition. He had left his initial state as a mason farmer in Saint-Moreil, Creuse to first embrace the profession of stonemason, which had brought him to Lyon. In the city, where he had married a young schoolteacher, he had begun a new career as a police officer from 1912. Probably driven by the hope of being able to progress in this new professional path, he had enrolled in law school at the faculty of Lyon; a hope that the Battle of the Marne, where he died at Courdemange on September 7, 1914 at the age of 27, destroyed forever.

To the limited social openness of the faculties of law was finally added a final characteristic: unlike the faculties of humanities or medicine, they remained strongholds of masculinity. Only a small hundred nationwide, female law students in Lyon could be counted on the fingers of one hand. If they were soon to start crossing the doors of the university palace of the Quai Claude Bernard in greater numbers during the war, their small cohort would not, however, succeed in masking the impressive hemorrhage of students produced by the order of general mobilization. In order to fill the void soon to be left by mobilized students, it was also difficult to count on reinforcements from abroad, and more specifically from the Middle East, where the faculty had focused its efforts to win over new audiences in recent years. After Professor Édouard Lambert's resignation in 1907 as director of the Khedivial School of Law in Cairo and following his stance in favor of Mustapha Kamel's nationalist movement, the Lyon Faculty of Law had welcomed a respectable number of Egyptian students (72 enrolled in 1910-1911). Although, as early as 1911, the appointment of Lord Kitchener in Egypt had marked the end of tolerance towards the Egyptian nationalist movement and, consequently, a significant decline in the number of young Egyptians present in Lyon, the initially fortuitous opening towards the Middle East had continued in a determined manner. Under the impetus of Rector Paul Joubin, not only had the Lyon Faculty of Law opened a branch office in Beirut in 1913, but it was also actively involved in the establishment of

an eastern college, intended to attract students from the Ottoman Empire between the Rhône and the Saône. By 1912, however, the Balkan wars had thwarted the development of the latter and, in 1914, the entry into the First World War not only condemned the Beirut branch to cease its activity, but also prohibited, in fact, the arrival of Turkish, Greek and Bulgarian students who had timidly begun to take the road to Lyon.

The impact of mobilization

Unsurprisingly, the impact of the military mobilization on the student population was immediately considerable. By the autumn of 1914, the Lyon Faculty of Law had already lost 75% of its students: the number of students had fallen from 585 to 184, and it dropped again to 151 in 1915-1916. Not without reasons, Dean Josserand was able, in the course of the annual reports drawn up from 1914 onwards, to deplore sadly deserted amphitheaters and to draw the consequences from them as early as 1915, as Deans Larnaude and Hauriou had been able to in Paris and Toulouse. The law school had become such a phantom hive that, in order to preserve its finances and save on the rare, precious and now very expensive coal needed to heat the premises, it was easily allowed to move and cohabit with a faculty of humanities, equally skeletal in numbers, in the wing of the university palace reserved in ordinary time for the latter. The number of students enrolled, however, increased slightly to 172 in 1916-1917 and to 284 in 1917-1918. This increase in numbers after 1916 was mainly due to France's alliance with Serbia. As part of the latter, the Lyon Faculty of Law welcomed a large number of Serbian refugee students, who would not return to their home country until 1919. About sixty in 1918, they were, with the small handful of Egyptian students who remained faithful to the Lyon law school, its only real students, as is eloquently attested by the register of examinations in which the names of the candidates were entered.

Starting in the fall of 1914, therefore, the small audience of the law school consisted, in addition to the rare foreign students, only of French students whose health was too poor to make soldiers, and of those under 20, too young to be summoned. The latter two categories of students were not expected to grow much during the conflict. To make up for the colossal loss of life in August 1914, the French army began drafting men in as early as September. To those exempted from military service for health reasons or to young men classified before the war in the auxiliary services of the army, it inflicted

repeated passages before boards of revisers which, in complete disregard of their peacetime counterparts, very often declared them fit for armed service. Thus Jean Cortot, a third-year bachelor's student, and Joanny Mallet, a capacity certificate student, found themselves donning the uniform, although the former had been reformed in 1913 on suspicion of tuberculosis, and the latter classified as auxiliary service because of a deformation of the left hand. They were both to fall in battle in 1915, victims, like many of their Lyon comrades, of the absurd "nibbling" strategy so dear to Marshal Joffre.

In addition, starting in December 1914, the army decided to make an anticipate call of men as young as 19. Extended until 1918, this decision helped to further melt the number of law students, particularly in the second year of the bachelor's degree. Most of the young people of French nationality enrolled in the Lyon Faculty of Law after 1914 were, moreover, only very ephemeral and almost theoretical students: they had only had little time to enroll and to follow a few weeks of class before being thrown into the inferno of war.

It is an understatement to say that most of them were ill-prepared for the soldier life. Although military service had been increased from two years to three years in 1913, the military training of the great majority of Lyon students in August 1914 was by no means superior to that of the ordinary soldiers of the Great War, and perhaps less so. Since law students generally tried to postpone the time of the compulsory passage through the barracks after obtaining the degree, only students enrolled in doctoral or capacity certificate studies, because they were generally older, had received military training prior to the declaration of war. They had sometimes even won their first stripes on that occasion. For elder students, the ascension in the hierarchy had indeed been allowed to continue due to the "military periods" of a few weeks that they had to complete, as reservists, at regular intervals, after their release from the barracks. However, like all students, law students were in many ways singular soldiers.

Students, singular soldiers

In this war, which from the outset was even more deadly for non-commissioned officers and field officers than for the ordinary soldier, students formed a privileged breeding ground from which the army drew to reconstitute subordinate officers too often decimated.

As they had graduated from high school, all of them, even the youngest who had not received any military education before August 1914, had an exceptional intellectual background for their time. The latter was translated by the famous fifth level of education which invariably appeared on their military personnel records. It explains how many of these very young Lyonnais law students, mere 2nd class soldiers at the time of their incorporation, ended the war, dead or alive, with the rank of deputy lieutenant or lieutenant, or even, for those who had just obtained their doctorate, with the rank of captain. Of course, they were required to survive the violence of battle for at least a couple of years… But it is significant to note that only a quarter of these Lyon students who fell on the field of honor remained mere soldiers at the time of their death. Those who had begun to assume these command functions clearly saw them as normal. It was indeed, with great natural, that in their letters and notebooks, these young men, often in their early twenties, mention “leurs poilus”, men often older than them, sometimes husbands and fathers, placed under their authority. Some, however, had no illusions about the additional risks that such military promotion entailed. They had rightly understood, even before being exposed to fire, that courage and contempt for danger were the qualities expected of those in a position to command others. Thus young Jean Fontaine, a 2nd year student, wrote to his parents on March 3, 1915:

“C’est une grande tristesse de se dire, comme je le fais parfois en contemplant cette jeunesse d’élite qui forme le peloton, que bien peu en reviendront indemnes, que beaucoup n’en reviendrons pas. On ne nous cache pas que notre tâche sera rude et périlleuse, que nous surtout, officiers de fortune et de peu d’expérience, c’est surtout de l’entrain, du bon sens et du dévouement que l’on nous demandera… Nous aurons plus grande part à la gloire, mais aussi au danger… J’accepte avec joie ces dangers, car je considère que c’est la contrepartie nécessaire de la situation d’élite que me confère mon instruction [It is a great sadness to observe, as I sometimes do while contemplating this elite youth who form the platoon, that very few will come back unharmed, that many will not come back. They do not hide from us that our task will be difficult and perilous, that we especially, makeshift officers of little experience, will be asked above all for enthusiasm, common sense and dedication… We will have a greater share of glory, but also of danger… I gladly accept these dangers, for I consider it to be the necessary response to the privileged situation my instruction confers on me]”. The commitment the young man undertook during his period of instruction was kept. Quoted to the order of the army, “jeune officier plein d’ardeur et de bravoure

confiante a trouvé une mort glorieuse au moment où il excitait ses hommes à venger la mort de leur capitaine [young officer filled with ardor, confidence and bravery found a glorious death as he roused his men to avenge the death of their captain]", Deputy Lieutenant Fontaine fell on August 3, 1917 at the Chemin des Dames.

While their academic training distinguished students in a positive way within the military hierarchy, it also signaled them to the mass of combatants, but this time in a much more ambivalent way. The rapid adoption of the trenches slang and the community of survival shared with the peasants, the workers, the employees, who made up the majority of their combat unit, did not always succeed in removing the privileged social origin of most of the law students. It was constantly reminded by little things: the rich content of the packages sent by their families, their obsessive need to read, and sometimes even, their attempts to resume the too long interrupted course of their studies. It was therefore difficult to fit in with the men, when they did not know how to play manille and were not used to drinking wine… However, the more or less vivid social resentment felt by comrades from the working classes could sometimes give way to admiration, even deep affection, for the budding scholar that was at their head. This was notably the case of Paul Lintier, who dedicated his quill to immortalizing the greatness of the humble men of his battery. Like many youths of his generation who were also attracted to literature, Lintier had seen in this war, which had taken him by surprise while he was performing his military service in Le Mans, a tremendous opportunity to exercise and reveal his talent. A sergeant of the 44th Field Artillery Regiment, author of *Ma Pièce*, published the day after his death in 1916, and of *Tube 1233*, published posthumously, he was a noted writer.

Eighty Lyon students whose studies were interrupted shared Paul Lintier's tragic fate. The mortality peak for this population was reached in 1915, which saw the disappearance of 26 of them during the pointless offensives of Flanders and Artois. However, it cannot be absolutely certain that the dean was informed of all the deaths of Lyon law students: he was not, moreover, informed at the time of the inauguration of the commemorative plaque, since some names were added to it later. Our ignorance is even greater as to the exact number of those who, having left to fight during these four years, managed to resume the tragically interrupted course of their education. Jean Tournassus, a student in the class of 1913, delivered a speech on the occasion of the first day of class on November 8, 1919, on behalf of his classmates who were drafted,

suggesting that they were hardly a handful. The survivors who had returned to the faculty were surprised to meet again after so many years of dispersion and, too often, they were distraught by the return they had hoped for to civilian life, to life before, to life at all. And the author of the speech did not hide it: for those, like him, whom the war had taken too early, at the age of uncertainty and transition at which most students enroll in university, it was necessary to relearn almost everything: to relearn to “vivre par nous-mêmes après avoir trop vécu en masses [live by ourselves after having lived too much in a mass]”, to relearn “à se reconstruire et à vivre… vivre par notre cœur et par notre esprit. Vivre de désirs, d’espoirs et de jeunesse [to rebuild and to live… to be driven by our own heart and our own mind. To live on desire, hope and youth]”: a program undoubtedly much more difficult than that of law studies, for those who, for more than four years, had learned only two things: “à détruire et à bien mourir [to destroy and to die well]”.

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