



***Between Justice and Politics:
The Ligue des droits de l'homme, 1898-1945***
Roundtable Review

Reviewed Works:

William D. Irvine. *Between Justice and Politics: The Ligue des droits de l'homme, 1898-1945.* Stanford University Press, 2007. 288 pp., bibliography and index. ISBN-13: 978-0-80475-317-3. \$60.00 (cloth).

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Review by **Cylvie Claveau, Université du Québec à Chicoutimi.** (translated by Pierre Henrichon)

The *Ligue des Droits de l'Homme et du Citoyen* (LDH) is one of the more admirable institutions in contemporary French politics and community life. Established in 1898 for the defense of a single man, Alfred Dreyfus, the LDH has subsequently been able to extend its assistance to everyone who is a victim of arbitrary treatment or injustice. Furthermore, from 1898 to 1945, the organization, which defends civil liberties and human rights, endeavored to embody its role even more deeply. Essentially, the LDH presented itself as the jewel of French democracy and the upholder of the republican ideal in its noblest component: the “*Déclaration des Droits de l'Homme et du Citoyen*” (1789). Furthermore, the LDH has been frequently presented, both by its presidents and by many historians, as the guardian of Republican values, of a Republican moral or ethic. Posing as the conscience of French democracy, further enhanced by the prestige and the indisputable quality of the members of its *Comité Central* (the Central Committee or CC), the LDH has garnered enormous respect, both among *acteurs sociaux* (social actors) from 1898 to 1945, and among historians since that time.

Cylvie Claveau, Université du Québec à Chicoutimi, has written a PhD Dissertation focusing on those left aside by the Ligue des Droits de l' Homme, L' Autre dans les “Cahiers des Droits de l' Homme,” 1920-1940. Une sélection universaliste de l' altérité à la Ligue des Droits de l' Homme et du Citoyen, McGill University, 2000.

In this connection, the succession of celebrations since 1998, which was the centenary of the Dreyfus Affair¹ and, more recently, the anniversary of the definitive conclusion of the Appeal Court rehabilitating Dreyfus,² leaves absolutely no doubt with regard to the sanctified character that history and French historians have conferred on the organization. Thus, William D. Irvine is not exaggerating when he says that the LDH has been a “sacred cow” of contemporary French history. Furthermore, Irvine, an intrepid specialist of the Third Republic's political history, tackles this delicate subject with the critical detachment appropriate to the study of such an admirable organization, that is, through unexpected angles, a rigorous approach and conclusions that are, at the very least, astonishing.³

¹ Bernard Deljarrie, Bernard Wallon et al. *La Ligue des Droits de l'Homme. Un combat dans le siècle*, Paris, Études et Documentation Internationales, 1988, 150 pages and two special issues: nos. 97/98 of *Hommes & Libertés*, 1998, no. 403-404, *Après-demain*, April-May 1998. Madeleine Rebérioux, ed., *Le Mouvement social*, April-June 1998, no. 183.

² Colloque international de Paris, “Être dreyfusard, hier et aujourd'hui”, December 8-9, 2006. Symposium organized by the *Ligue des Droits de l'Homme* at the *École militaire de Paris*, proceedings to appear in Albin Michel in 2008.

³ William D. Irvine, *Boulangier Affair Reconsidered: Royalism, Boulangism and the Origins of the Radical Right in France*, New York, Oxford University Press, 1989, 239 pages and *French Conservatism in Crisis: The Republican Federation of France in the 1930's*, Baton Rouge, Louisiana State University Press, 1979, 256 pages.

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In this regard, *Between Justice and Politics* is a historiographic event for specialists in the history of the LDH. Until 2002, the LDH's archives being inaccessible, historians were unable to tackle certain questions with the assurance that the existence of verifiable primary sources provides. Irvine's work is the first published study that takes these archives into account. There exists an exhaustive study of the history of the LDH, a doctoral thesis recently submitted by Emmanuel Naquet.⁴ Its forthcoming publication will undoubtedly enable us to learn a great deal about the LDH, and will certainly enable us to measure the importance of Irvine's critical analysis. These studies, far from exhausting the subject, nevertheless enable us to confirm or invalidate the interpretations debated by historians.⁵

Furthermore, quite surprisingly, there are two things we can learn from Irvine's work. We first discover that the LDH is a "*maison de verre*" (glass house), that is, a truly democratic organization. Both through its publication *Le Bulletin Officiel de la Ligue des Droits de l'Homme* (1902-1920), which subsequently became *Les Cahiers des Droits de l'Homme* (1920-1939), the Federations' *Bulletins* (newsletters), and through the *in extenso* reports of its annual conferences, the LDH provided its members with a complete portrait of the day-to-day activities and discussions of the LDH from its *Comité Central* to the humblest provincial Section (16). The LDH was thus completely transparent! There is cause for rejoicing in this reassuring fact with regard to the scientific value of those works prior to 2002, as they are strongly based on these published sources. Thus the works of William D. Irvine, dealing with questions of freedom of the press, the freedom of association of congregations, women suffrage (Chapter 4) or even of the "*Affaire des fiches*" (Chapter 2), fall smoothly within the framework of his current interpretation of the LDH, preserving all of their scientific value and their critical scope.

But, just as surprisingly, Irvine's work leads us to discover that the archives in no way answer the questions left hanging in historiography, but that they even suggest new questions. In fact, the most troublesome questions in the history of the LDH are found at the heart of W. D. Irvine's study: What were LDH members' reasons for membership? How was the LDH able to maintain its credibility despite this evident contradiction between its mission to defend victims of injustice and arbitrary treatment and its frequenting of the corridors of power, its participation in electoral politics and in the exercise of power in the

⁴ Emmanuel Naquet, *Pour la défense de l'humanité. La Ligue des Droits de l'Homme une association entre éthique et politique, 1898-1940*, 2008, Fayard, 650 pages. coll. "Nouvelles études contemporaines". from the thesis: *La Ligue des Droits de l'Homme, une association en politique, 1898-1940*, doctoral thesis under the direction of Serge Berstein, IEP de Paris (Sciences Po), 2005, 5 vol., 1349 pages.

⁵ Cylvie Claveau, "L'Autre dans *les Cahiers des Droits de l'Homme, 1920-1940*. Une sélection universaliste de l'altérité à la Ligue des Droits de l'Homme et du Citoyen", PhD thesis, McGill University, 443 pages; Wendy Perry, "Remembering Dreyfus: The Ligue des Droits de l'Homme and the Making of Modern French Human Rights Movement", PhD. dissertation, University of North Carolina at Chapel Hill, 1998, 949 pages and XXXVI.; Éric Agrikoliansky, "Biographies d'institution et mise en scène de l'intellectuel. Les candidats au Comité Central de la LDH", *Politix*, no. 27, 3, 1994, pp. 94-110.

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thirties? Finally, how was it possible that, within the LDH, old Dreyfusites forming the pacifist minority were able between the two wars to sustain a fascist conception of the regime, subsequently passing into collaboration under Vichy?

The answers to these questions make the work a singular contribution. Its interpretation will henceforth allow us to understand, beyond the shock of the Second World War, the causes of the decline of the most important organization defending civil liberties and human rights in the world between 1898 and 1945 (1). Irvine demonstrates to us in this tightly-knit essay of 269 pages that: the LDH is a comfortable political club, a sort of easy-to-afford collective insurance located somewhere between a social service, a bureaucrats' unionism and a legal aid service on the basis of a powerful network of patronage reaching right up to the highest levels of the State, an "intergroup" of France's parties of the left, and then finally, the architect of the Popular Front. In this, the LDH constitutes the quintessence of culture and of political sociability under the Third Republic (220). Presented in this fashion, the LDH appears in a whole other light, and the members' reason for joining, as well as the reason for leaving, become perfectly comprehensible: personal interest and politics.

Incidentally, the *tour de force* of this work is in making understandable the process by which the Dreyfusites became admirers of fascist regimes during the thirties, then, under the Vichy regime, fervent collaborators. These Dreyfusites, who had been the "*conscience de la démocratie*" (conscience of democracy) for a considerable time, had chosen to become the "*conscience de la Révolution nationale*" (conscience of the National Revolution) under the Vichy regime (202). The author explains this phenomenon, ironic in its paradoxical nature,⁶ by referring to the debates and to the divisions between minority and majority of the CC surrounding questions of war and peace (Chapter 6), of the specific relationship to politics and to the power of the LDH (Chapters 2, 3 and 7) and to the problem of Collaboration under the Vichy regime (Chapter 8). The author's analysis on these subjects is particularly dazzling and innovative in more than one respect.

In this central part of his work, Irvine analyzes the aspects by which the LDH greatly exceeded the mandate of defending civil liberties and human rights and was thus directed toward an inevitable decline. The author shows us how, since the founding of the LDH, the so-call apolitical league members, by virtue of the LDH's statutes, were in fact leading politicians under the Third Republic. Until the Great War, their politics were Republican and, in a way, reactionary. The league members, flying constantly to the rescue of the "*République en danger*" (Republic in danger), reacted to the occult machinations of congregations that threatened secularism, or to the powers of the Army of the State with

[6] Irvine does not refer to these works. But it seems to us his work must be associated with this thinking surrounding the constitutive paradox at the origin of "the Rights of Man". Jeffrey N. Wasserstrom, Greg Grandin, Lynn Hunt, and Marilyn Young, eds., *Human Rights and Revolutions*, Lanham, MD, Rowman & Littlefield Publishers 2007, 228 pages. Joan Wallach Scott, *Only Paradox to Offer: French Feminists and the Rights of Man*, Harvard, Harvard University Press, 1996. 229 pages. Olwen Hufton ed., *Historical Change and Human Rights*, The Oxford Amnesty Lectures 1994, New York, Basic Books, 1995, 288 pages.

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regard to surveillance and national security. This dynamic continued after the Great War. The LDH reacted to attacks brought against the Republican regime by what they called “*fascisme français*” (French Fascism), to “*fauteurs de guerre*” (warmongers) and to “*marchands de canons*” (arms merchants) in the twenties, and to the machinations of the “*ligues factieuses*” (seditious leagues) in the thirties. Busy defending the threatened Republic, league members had pushed aside, provisionally, fundamental principles like defending civil liberties and human rights. Even more decisive, in Irvine’s opinion, would have been the proximity of the LDH, with the power, from the Dreyfus Affair to the Popular Front.

Essentially, somewhat in the manner of the French Colonial Party, the LDH maintained a Parliamentary Group of league members who were senators, Members of Parliament and ministers, the list of which the LDH’s official newsletter published proudly at every legislative election. The majority of these Members of Parliament and ministers had been members of leftist parties from the Radical Party to the *Section Française de l’Internationale Socialiste* (SFIO). Until the *Cartel des gauches*, in 1924, radicals and socialists rubbed shoulders on the list as comfortably as the LDH members who walked the corridors of power. The Stavisky Affair, ten years later, would considerably modify this way of functioning. Several parliamentarian league members found themselves compromised in the Affair and, by ricochet, so was the LDH brand name. Also, these lists were no longer to be published.

In the interval, the socialists took the initiative in political action at the LDH. Since the days of February 1934, the LDH had become an “intergroup” of the parties of the left that would produce, in 1935, the *Rassemblement Populaire*, then the *Front Populaire*, brought to power in 1936. W. D. Irvine considers that, as an anteroom for the politics of the left in the halls of power, and as principal architect of the Popular Front in power, the LDH would have constantly had its hands tied. Its inability to properly defend what is basically a matter of civil liberties and human rights is solidly demonstrated. The author provides several proofs. In internal politics, the author analyzes the position of the LDH in cases of purges of bureaucrats, the riots in Place Clichy and the strikes and factory occupations in the summer of 1936. With regard to foreign policy, the author shows us how the LDH held to the positions of the Popular Front government at the time of the Spanish Civil War, and especially on the occasion of the Moscow Trials in 1936.

It is on this basis that the author places in perspective all of the debates that animated the life of this organization, which experienced a moral crisis in 1937 with the departure of the minority. Historians are very interested in these debates surrounding pacifism,⁷ as well as in the evolution of the *pacifistes intégraux*, who shifted from Dreyfusism to Collaboration

[7] Norman Ingram, *The Politics of Dissent: Pacifism in France 1919-1939*, Oxford, Clarendon Press, N.Y., Oxford University Press, 1991, 366 pages.; “Defending the Rights of Man: The Ligue des droits de l’homme and the Problem of Peace”, Chapter 8 in Peter Brock and Thomas Paul Socknat, *Challenge to Mars: Pacifism from 1918 to 1945*, Toronto, University of Toronto Press, 1999. 474 pages.

between 1898 and 1945.⁸ We now understand well enough the moral imperatives of the new-style French pacifism born following the Great War. We also better know those first-rank league members at the LDH who, starting in 1933, placing peace above all, descended into primary anti-Semitism from the fact that the desire for war was attributed to the Jews, “*aux puissances d’argent*” (to the power of money), to arms merchants, all responsible for the “*guerre à outrance*” (war to the end) that Western democracies would have wished to bring against Germany. We also know that, to many of them, this anti-Semitism of the pen was not at all incompatible with Dreyfusism and membership in the LDH, ever since the Dreyfus Affair. Essentially, many “philo-Semites” Dreyfusites descended cheerfully into anti-Semitism between the Dreyfus Affair and the German occupation.

Furthermore, what has been less demonstrated is that this anti-Semitism was accompanied by a virulent condemnation of the Third Republic for its political sterility, its social immobility, and its foreign policy. Similarly, everyone loathed parliamentary democracy and liberal capitalism, or Liberalism. In addition, however, they all opted for economic integration in Europe and called for the creation of an authoritative supranational European State, the only defense against war. Irvine paints a group portrait of these league-member collaborators, anti-Semites of the pen, pacifists, Members of Parliament, and ministers, the best-known of whom are: Félicien Challaye, Gaston Bergery, Maurice Thiolas, Robert Jardillier, Marcel Déat, Pierre Laval, Léon Émery, René Château, Eugène Frot, Camille Planche, René de Marmande, Francis Delaisi, and Armand Charpentier.

In our opinion, Irvine provides the proof that this group well and truly possessed a structured ideology, a world vision, of which anti-Semitism was one of the central pieces (Chapter 8). The ideology discussed at the LDH throughout the period between the wars meant that the shock of the French Occupation was not a shock to them, any more than was the establishment of the Vichy regime that they supported unanimously, including its anti-Semitic legislation. Irvine also demonstrates that these minority league members at the LDH were in other respects excellent and leading league members, frequently presidents of important Federations of the LDH, who were able to amass, conference by conference, strong percentages of support for their ideas, and who continuously benefited from editorial space and from public platform to express their point of view and distill their ideology among all of the league’s members.

However, we are compelled to recognize that the measure of this impact on the league members as a whole remains quite difficult to grasp. In this regard, there is every reason to presume that the league members are scarcely different from union militants or members of professional associations of the French *mouvement social* in the context of the community culture of the time. Historians of the French *mouvement social* have amply demonstrated this dynamic of frequent dissociation between the militants in Paris and the militants in the provinces on one hand, and on the other hand, the essential distinction

[⁸] Simon Epstein, *Les Dreyfusards sous l’Occupation*, Paris, Albin Michel, 2001, 358 pages. “Bibliothèque Albin Michel Histoire”.

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between the Parisian directors, the militants and the members. Thus, we must ask ourselves what was the actual scope of these debates between Parisian militants of the minority and the majority with regard to peace, foreign policy, and anti-Semitism among members of the LDH? We don't know at the time when these debates were held at the LDH. We can only assess their historical impact *a posteriori* in light of the destinies of all these minority league members who became collaborators at the time of the Second World War under the Vichy regime. What judgment should be then made about this political route taken by the LDH since its establishment? "entirely understandable but also perfectly regrettable", the author tells us in the epilogue (p. 217).

Let us conclude with the form chosen by the author: the critical essay. It enables the author to accomplish one of the fantasies most deeply rooted in historical science: transgressing the prohibition on passing judgment. Such as a "*juge des Enfers*" (judge from Hell), in Marc Bloch's apt turn of phrase, William D. Irvine approves or disapproves the ideas of the social actors and passes judgment on the political orientation, the wanderings, and the shortcomings of the LDH, on its patronage practices and on the dilemma between justice and politics that it was unable to overcome or to resolve because it had followed the politics of the left. This is joyously invigorating throughout these very well-written chapters, right up to the epilogue, where the author demonstrates such mastery of the political history of contemporary France that the exercise of the critical essay, which is often similar to the controlled skidding of a car on ice, finds its justification even though the passengers are shaken.

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