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

Roundtable Review

Reviewed Works:


Roundtable Editor: Joel Blatt
Reviewers: Sylvie Claveau, Bertram Gordon, Talbot Imlay, Norman Ingram, Wendy Perry, David L. Schalk
H-Diplo Roundtable Editor: Diane Labrosse

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Review by Bertram M. Gordon, Mills College

I wish to thank the editors of H-Diplo and the organizers of the roundtable for the invitation to comment on William D. Irvine’s book, *Between Justice and Politics: The Ligue des Droits de l’Homme, 1898-1945*. Because my own work concentrates on Vichy, I was asked to focus on the latter portion of *Between Justice and Politics*, where the author traces the political trajectories of a small but significant number of League leaders who ended up supporting Vichy and the pro-Axis collaboration during the 1940-1944 Occupation. Accordingly, after some general comments about the book, this review focuses on the tangled League-Vichy connections. More detailed and general comments are offered by my colleagues in this roundtable and in the very thorough review by J. P. Daughton, published by H-France in July 2007.¹

*Between Justice and Politics* is a first-rate book, the kind to be expected from Professor Irvine, whose prior writings on the Boulanger Affair, and the 1930s Republican Federation of France, and many additional articles and papers, extensively expanded our knowledge of the nineteenth and twentieth century French political right. Well-written and documented, *Between Justice and Politics* also contains a useful bibliography of primary and secondary sources relating to the League. The editing is marred by only a few minor lapses: a description of Ernest Lafont as a “left-wing Socialists” in the plural rather than singular (51), use of “premiere” rather than “premier” in reference to André Tardieu (103), and a gratuitous apostrophe bestowed upon ‘Bastille’ on page 162. Of far greater significance is that Professor Irvine, who has used the League’s archives, available only since their return from Russia in 2001, tackles a topic that heretofore drew little scholarly attention. He tells his story well. *Between Justice and Politics* is likely to remain the standard on its subject in any language for some time.

Composed largely of lawyers, doctors, journalists, schoolteachers, and civil servants, mostly male (9), representing the social groups most strongly identified with the Third Republic, the League played a significant role in French political life during the first half of the twentieth century. At the peak of its influence, during the interwar years, it was considerably larger in proportion to the French population than its analogue, the American Civil Liberties Union (ACLU) in the United States (1). *Between Justice and Politics* focuses

on the continuing tension between the civil libertarian impulses of the League and the pull of politics, largely toward towards the French Republican left. Established to defend civil liberties in the era of the Dreyfus Affair, the League was confronted by the political consequences of clashes between civil liberties and left-wing politics. There was “something problematic,” however, Irvine indicates, about being a defender of civil liberties and a political activist for the political left. The book’s purpose, he adds, is to examine these tensions from a sympathetic point of view (4). The League, in other words, claimed to be the conscience of democracy but it became instead the conscience of the political left (52). In 1935, for example, following the Stavisky Affair, the League abandoned any non-partisan mission of protecting civil liberties to join the leftist Rassemblement Populaire (pages 57 and 161).

With the Communists forced to choose between their party and the League, the latter became after 1922 an association essentially of the non-Communist left (42). Irvine cites debates within the organization over women’s suffrage, freedom of association for religious congregations, and a selective view of freedom of the press (81). League discussions of women’s suffrage focused on the political consequences rather than the basic civil libertarian principle involved in granting women the vote (91). Many League members were “intellectually lazy” in failing to live up to their professed ideals regarding press freedom (page 110).

Two major failures of the Third Republic were its failure to enfranchise women and its maintenance of an undemocratically elected Senate. On both these issues, Irvine notes, the League took an essentially conservative stance, supporting the status quo (47). Women were underrepresented in the League (7), though there were a few outstanding female members, such as Marie-Françoise Bosser and Odette René Bloch, who crossed swords in the widely publicized case of Guillaume Seznec, accused of murder in the 1930s. Irvine depicts the Seznec Affair in considerable detail (27-130), performing a great service in making the stories of the two female protagonists better known.

Together with the tension ‘between justice and politics,’ reflected in the book’s title, was an ongoing conflict between the League’s idealistic civil rights mission and its growing function as a source of political patronage as the Third Republic consolidated itself, then became the “establishment during the early twentieth century and interwar years. Often, its members used the League as a vehicle for personal advancement and political favors” (117), in a mirror image of the “republic of pals” (120), the unflattering sobriquet given the late Third Republic by some of its domestic enemies. Its political career reflecting many of the strengths and weaknesses of the Third Republic as a whole, the League, as Irvine is careful to emphasize, was open and “transparently democratic” (17).

Hitler’s accession to power in 1933 and the growing threat Nazi Germany posed to France divided the League as it did the broader political class in France. Distinctions between Dreyfusard-type activism for individual justice and political action, already blurred by 1933, became even more so as some League members accused colleagues who wanted to
stand up to Hitler as in reality wishing to fight a war for the Jews. Pointing to the nearly total silence about League members who adopted anti-Semitism in the 1930s and pro-German collaboration after 1940, Irvine notes that while Vichy's Milice was assassinating former League leader Victor Basch in 1944, other pre-war League members were supporting the Pétain government (3-4).

The author expresses surprise (195) and shock (213) at even the modest number of League activists who followed Vichy into pro-Axis collaboration and anti-Semitism after 1940. As he points out elsewhere, however, these minoritarian former League members all 'had in common a set of values they had inherited from their years in the League' (208). These values included the belief that the Second World War was unnecessary and was the fault of the West, a faith in European integration to avoid future wars, and a condemnation of the Third Republic's politics, the latter two positions, as Irvine notes, common also to many in the Resistance (208).

Sorting out the evolving political beliefs of League members during rapidly changing times can be a daunting task as many examples show. The political trajectories of Maurice Weber and Georges Valois, for example, are described in Between Justice and Politics in some detail. Weber had been criticized in the early 1930s for calling Édouard Herriot a “fascist,” the term apparently used as one of opprobrium. Valois, a Dreyfusard, had created the Faisceau in hopes becoming France's Mussolini in the mid-1920s but subsequently shifted to an anti-fascist stance. He died in Bergen-Belsen after having fought in the Resistance after 1940. Weber, for whom ‘fascism’ had been the equivalent of a political curse, ended up in Marcel Déat’s pro-German Rassemblement National Populaire (RNP) after 1940 (77-78).

In another example cited by Irvine, Georges Michon and Francis Delaisi shared most political positions in the 1930s but did not follow a similar course after 1940 when Delaisi ended up in the collaboration, more specifically in Déat's RNP2 whereas Michon did not (215). As Irvine concludes, “the subsequent political evolution of Dreyfusards defied prediction” (215). Even if prediction is impossible, the discussion of political trajectories in Between Justice and Politics invites a systematic synchronic and diachronic taxonomy in which the evolving political positions of an identifiable statistical sample of League Central Committee members, or section heads, or perhaps both, could be laid out over time. The political patterns of League members could be compared to those of other organizations over time in France and elsewhere.

Such a taxonomy might help situate the evolving career of Léon Emery, a prominent League member, who by the mid-1930s had adopted some of the methods of fascism. Attempting to capture Emery's evolution, Irvine calls him “a protofascist in the making” (48) but a phrase such as this calls for clarification and fails to place him into a taxonomical context.

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The case of Félicien Challaye, addressed in detail in the book, is striking. During the interwar years, Challaye argued against the common French view depicting France as a victim of German aggression in 1914 (139). Challaye took this position in the context of a League discussion of the causes of the war. Here was another case of the League involving itself in politics rather than confining its activities more narrowly to civil liberties and of League members defining civil liberties in varying degrees of breadth. Challaye, a pacifist in the parlance of the day, found some legitimacy in Hitler's demands even as early as 1931 (143). He also saw some of the contradictions between the League's defense of civil liberties and French colonial rule abroad (144).³

Challaye's discourse turned anti-Semitic in the 1930s as some both within and outside the League noted that its majority and Hitler's victims both contained prominent Jews (151). Some League members began referring to a Jewish "ethnic pride" and "a sense of superiority," in the words of Jean Florac, a contributor to the League's national student auxiliary, the League d'Action Universitaire Républicaine et Socialiste [LAURS] (152). Challaye expressed similar sentiments (152), reflecting a current in French political thought still evident in the aftermath of the 1967 Six-Day War when General de Gaulle called the Jews, "an elite people, sure of themselves and domineering."⁴ Irvine reminds the reader that while these sentiments might seem sinister in the light of post-1940 developments, they were calculated to appeal to a sizeable proportion of League members in the mid-1930s (154). Challaye would become more anti-Semitic in his writings after 1940 (196-197).

The same Challaye, however, an "excellent Leaguer," in the author's words, took more highly principled stands on major issues of the 1930s and would be more open to Algerian independence in the 1950s and 1960s than many of his former colleagues who had not embraced Vichy (213-214). Although some of Challaye's perspectives, for instance a hardening of his anti-Semitism, changed after 1940, Irvine shows a logical development of his politics through the entire period covered by the book.

A constituency of the socio-political groups that supported the Republic and the League emerged under Vichy and many of them either found their way to the RNP or allied with it, once Déat had purged his party of Eugène Deloncle and his right-wing followers by the end of 1941.⁵ Déat himself had been a member of the League (44 and 211) and his political

³ See Ibid., pp. 51-52.


⁵ Regarding the formation of the RNP, the purge of Deloncle, and the socio-political composition of the party thereafter, see Bertram M. Gordon, Collaborationism in France during the Second World War (Ithaca, New York: Cornell University Press, 1980), pp. 109-110.
evolution resembled Challaye’s, especially regarding the role of the Jews in French life.\(^6\) Having defended the rights of German Jews in 1935, Déat moved to a post-1940 position that became increasingly anti-Semitic as the war went on. By 1942, he considered Jews to be an alien race though he was still willing to allow exceptions to French Jewish war veterans as “honorable allies.”\(^7\)

Former League members who allied with Déat, sometimes only briefly after 1940, in addition to Challaye and Delaisi, included Emery, Eugène Frot, and, more importantly, René Château (199-200) and Gaston Bergery (201). Emery and Bergery had opposed collaborating with the Communists in the 1936 Popular Front government (162-163). Bergery drafted a manifesto in July 1940 that called for the establishment of a one-party state led by those parliamentary members who had opposed going to war in 1939. Déat did much of the lobbying for Bergery’s manifesto but it ultimately failed. As Irvine notes, the July 1940 manifesto showed how far a minority of League veterans had moved in their abandonment of the League’s civil liberty mission. Château became one of Déat closest associates in the RNP but the two men later quarreled over “pacifism.” Château took a less selective view of it than Déat and he was expelled from the RNP when he refused to support the latter’s idea of arming the collaborationist parties in 1943. Arrested and imprisoned by the Germans, Château was subsequently arrested as well by the Provisional Government after the Liberation.\(^8\)

As Irvine states, partisans of liberal democracy could cite the First Republic as precedent but so also could partisans of an authoritarian state (215). Émile Guerry referenced the French Revolution selectively to justify Stalin’s purges (174-175 and 187) whereas Challaye used it to justify Hitler’s anti-Semitic purges (187).\(^9\) The symbolic use of the First Republic by League veterans on various sides of the political spectrum parallels the symbolic use of Joan of Arc, who appeared in collaborationist as well as Resistance literature and who continues to be claimed by a wide variety of political spectra in France.

In short, it is probable that most of those who sided with Vichy during the war were not former League members and, as Irvine makes clear, most League members did not embrace pro-Axis collaboration, even if many, as was true of the French population at large,
welcomed the advent of Marshal Pétain after the defeat of 1940. Nonetheless, the reality of even an important minority of League members embracing Vichy, as Irvine suggests, indicates how far the League had evolved from its Dreyfusard origins in the 1890s (212). A vague mandate and imprecise language in the pre-World War I and interwar years allowed the League to incorporate a broad variety of people, who followed different political directions after 1940 and, to some extent, stained its reputation after the Second World War (220). Unlike the ACLU, the League evolved into a large patronage organization (221) and to some -- and arguably a significant -- extent, lost its soul.

Following the Liberation, eleven former members of the League’s Central Committee, including Delaisi and Château, were purged for their activities during the Occupation (195 and 250, footnote 6). Although one of the eleven, Marc Cassati had played a “provocative” role during the League’s last prewar convention, but the reasons for expelling him after 1944, according to Irvine, were anything but clear (250, footnote 7). The careers of the League members discussed in the earlier sections of Between Justice and Politics show how correct Irvine is to argue that the future political evolution of the 1890s Dreyfusards defied prediction. This was equally true of their successors in the 1930s and 1940s. Hopefully, future research will produce a taxonomic grid prepared by a team of historians charting the course of all the League members, or at least those for whom documentation is available over the course of their political careers, contextualizing the outlying cases of Challaye, Château, Emery, Delaisi, and the others who ended in support of Vichy. Until then, Professor Irvine’s book is likely to be the gold standard in its field.

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