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

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At last the Ligue des Droits de l'Homme—the first sustained human rights organization in the world, the largest and most influential group of its kind in the first half of the twentieth century, and a central player on the stage of French left-wing politics—has received due attention in a scholarly book. William D. Irvine deserves much credit for taking on a subject that is undisputedly worthy and elusive at the same time. Founded in 1898 at the height of the Dreyfus Affair and still in existence today, the League has worked to defend civil liberties and uphold the “spirit” of the French Revolution’s Declaration of the Rights of Man almost continuously for more than a century. Although significantly weaker since World War II, in its heyday in the Third Republic the League boasted as many as 180,000 members in over 2,500 local sections, ranking it likely larger than all French left-wing political parties combined (6). Not only strong in numbers but also in status, the League counted most major left-wing politicians, at least in the interwar years, as members or former members.

Irvine’s purpose is not to write a comprehensive history of the League, but rather to reveal the problematic contradiction inherent in the League’s mission of defending both human rights and French republican ideals. He examines an important facet of the League at its acme while depreciating elements that gave the group its identity and cachet. As Irvine explains, the majority of League members agreed that the group’s self-defined mandate as the “conscience of democracy” necessitated broadening the definition of human rights in an ongoing fashion as society evolved. In so doing, however, the League involved itself in nearly all of the political issues of the day, including foreign policy, adopting positions that reflected the left-wing political orientations of its leaders, thus undermining its self-proclaimed political detachment. Although League militants repeatedly, ardently, and obstinately insisted that the organization remained “above politics,” the group just as often found itself embroiled in electoral and parliamentary politics that risked compromising its charter principles and, hence, disillusioned some of its members. The tension between defending human rights and championing republican principles culminated in the 1935 Rassemblement Populaire. The League played the leading role in the movement as unifier of the French Left, paving the way for the Popular Front Government the following year, the closest the League ever came to political power.

With his characteristic sarcasm and flair for irony, Irvine masterfully argues his case. His work is elegantly written and thoroughly researched, especially with respect to the interwar period, which appears to interest Irvine more than the League’s early years.
Irvine was among the first scholars to comb through the recently discovered archives of the League, repatriated from Moscow in 2001 and deposited at the Bibliothèque de Documentation Internationale Contemporaine in Nanterre. He also digested the League's voluminous serial publications, the Bulletin officiel de la Ligue des Droits de l’Homme and the Cahiers des Droits de l’Homme, the published minutes of the group’s national congresses, countless contemporary newspapers, and hosts of other primary and secondary literature.

Irvine examines principal cases and crises throughout the League’s history prior to World War II to expose what he sees as the organization’s fatal flaws: the looseness of its basic principles, its “shop-worn” motto of republican defense, and its politicization of human rights issues. He does so with force. He analyzes the League’s treatment of several specific issues, such as women’s rights, freedom of association, and freedom of the press, to accentuate the League’s Jacobin double standard in favor of left-wing republican political interests at the expense of pure civil liberties. (Interestingly, Irvine is somewhat forgiving of the League’s position on the press in the 1930s). From the affaire des fiches at the turn of the twentieth century to the Spanish Civil War and the Moscow trials in the late 1930s, the League selectively applied its founding principles, choosing its moments and allies carefully, always with the added goal of protecting the republic as the form of government it believed necessary to a flourishing, just society.

The newly found League archives allow Irvine to make one of the freshest and enlightening contributions of his work: an analysis of the relations between the League at the local level and its headquarters in Paris in handling individual civil liberties cases. Here also is where Irvine sees the League’s greatest value. He begins by introducing a sampling of cases presented by local sections to show that many rank and file members misperceived the League as a sort of patronage society, submitting petty, self-interested cases (e.g. regarding pensions and fines), wasting staff time, and trivializing the League’s essential function. He faults League leaders in Paris for devoting considerable time to responding tactfully to this correspondence—as he understands it—to keep membership totals high. Irvine then reveals that most of the cases originating at the local level, as many as 20,000 in 1930, indeed had real merit as matters of injustice. Addressing them required tremendous resources. The League’s leaders and its nearly 50 employees painstakingly worked to seek due process. Communicating with impatient local militants unversed in the intricacies of the French legal code sometimes proved challenging and thankless for the inured legal experts in Paris. Irvine provides a balanced assessment of the indefatigable energy the League devoted at both the local and national levels to this end.

Irvine is adept at situating the League’s impassioned rhetoric in its broad political context. He argues that the group’s revolutionary discourse attracted buy-in from a wide array of political persuasions of the Left but was ultimately a hindrance to cohesion and effectiveness. For some members, primarily the moderate socialist majority in the interwar years, this rhetoric veiled a conventional political platform, whereas others took it literally, namely the growing dissident minority that expected the League to adopt a more
radical stand on issues. Not only did this rhetoric fuel tensions and misunderstandings within the group, it invited strained exchanges among people who shared very little fundamentally in common—hence the coexistence in the League of those who would go on to collaborate with the Vichy Regime, some body and soul, and others who would resist it.

Compelling is Irvine’s concluding assertion that liberal principles themselves are inherently vulnerable—“notoriously demanding, precisely because there is no guarantee that they will yield a desirable (or ‘progressive’) outcome” (224). Liberty at all its costs is often too costly in practice, and examples abound among liberal governments and organizations that have cut such costs to champion what they interpret as policies for the greater good. The League was far from unique in this way, but what disturbs Irvine about this group is its false claim of political detachment.

Would the League have done better to stick exclusively to defending civil liberties as defined by law? In Irvine’s opinion, yes. But even he questions how this narrower purpose would have impacted the group’s popularity and membership. It is highly unlikely that the League would have attracted large numbers with such a purely legalistic function, particularly in early twentieth-century France. Moreover, one can imagine League militants past and present taking exception to the rather circumscribed label “civil liberties organization,” which fails to translate fully the broad symbolic power of “les droits de l’homme” in French society.

What drew people to the League? Readers, especially those unfamiliar with French history, may come away from Irvine’s book scratching their heads on that question. Irvine himself is admittedly “less clear” on it. The reasons he cites most frequently reveal his cynicism about the group. He maintains that for most members the League functioned as “an inexpensive political club, the French equivalent of a Rotary club or civic improvement society, and inexpensive form of insurance, or a well-connected patronage network” (4). Could it not be that League members actually believed that they were taking part in a movement that could make a difference for the common good? Even if one acknowledges that self-serving motives came into play at times, could not multiple interests motivate a single individual to participate in the League’s efforts? It is difficult to accept the League as a sham of its mission after learning the individual histories of some of its leaders and most prominent members—Presidents Ludovic Trarieux, Francis de Pressensé, Ferdinand Buisson, and Victor Basch, prominent members Séverine, Jacques Hadamard, Léon Blum, Marius Moutet, to name only a few at the national level alone. In reading their testimonies and the details of their lives, one gains a rich (though not uncritical) appreciation for people who exhausted their personal time and fortunes riding trains to speak in big cities and in small towns, defending the wrongly accused, serving the public and supporting causes they deemed worthy, all without the benefit of 20/20 hindsight, which Irvine admits comes in awfully handy. For them, the League was hardly inexpensive.

Irvine’s expectations of the League are not unrealistic in theory, but it is hard to imagine a critical mass of contemporary French men and women who would have met them, let alone
sustained such an initiative over the long term. Irvine seems to want consistency and narrow focus at a time when the events of the day made both very difficult. Although Irvine sets out to balance his criticism with recognition of the League’s “real strengths,” his pervasive acerbic tone overrides that effort. He minces no words in repeatedly depicting League leaders as pompous windbags who paid lip service to liberal ideals for personal gain, an image he chooses not to humanize. The chapter devoted to Vichy exposes the dark histories of the League’s collaborationists, whereas those who engaged in Resistance activities receive little more than a footnote. Irvine’s treatment is askew. The Dreyfus Affair, the League’s defining moment, receives cursory attention. The lack of institutional archives for this period in the League’s history perhaps only partly explains why Irvine passes over it so quickly. In shining a bright spotlight on the League’s flawed defense of civil liberties, Irvine leaves a very real and human aspect of the group in shadows. Dreyfusards led the League for 60 years. The group functioned within the French Left as the “site of remembrance” of the Affair and sought to perpetuate its practical role as a unifying force of the republican Left. The League owed its moral authority not only to its claim of political detachment but also to its birth amidst the upheaval over Dreyfus, an event that marked many for life.

Although not within Irvine’s purview per se, the Dreyfus Affair is a missing piece of this puzzle. It shaped the League’s tradition of militancy, created strong bonds that were painful to sever, and conditioned many Dreyfusard League members (though not all) and their allies to see issues in a certain light. Irvine argues that for the majority of League leaders republican defense was an “intellectually lazy shortcut serving no purpose but to spare them the possibly inconvenient political consequences of living up to their professed beliefs” (110). Surely such an assessment ignores the full context of the League’s experience. No doubt, by the interwar years the League’s rhetoric came across as outdated to some younger elements. Generational conflicts were endemic to the ageing League, and they warrant more than the occasional mention Irvine gives them.

For the League’s Dreyfusard old guard, justice was political. From time to time, they would acknowledge the inherent contradiction in their founding claims, but always with the disclaimer that the League engaged in “pure politics,” “public policy,” or some other version thereof, all of which were equally stretching the truth. In moments of lucid reflection, the League was self-aware, but it did not disengage from the political arena because few members really complained, as Irvine points out. Fewer still cared that joining the 1935 Rassemblement Populaire violated the spirit of the League’s statutes. Members were bothered by the League’s political involvement not so much in principle but rather when they disagreed with a given stand. As Irvine argues, “when members of the League decried the nefarious effects of creeping politics, what many of them really deplored was the wrong kind of politics” (39), in other words, not theirs.

Are we to consider the contradiction a weakness then? What were the League’s strengths? According to Irvine, at the local and national levels the group excelled at its impressive energy in taking on civil liberties cases. He would prefer the League to have confined itself
to this business. He also admires the League’s unparalleled transparency in making public stenographic records of its national congresses, complete with personal attacks and squabbles, at least until the late 1930s. On the other hand, Irvine does not appreciate the League’s lofty rhetoric and fetish for the French Revolution, its ritualized memorialization of the Dreyfus Affair and the Dreyfusards, its tendency to overplay the republican defense card, and its conflation of civil liberties with left-wing republican political interests. While problematic, these practices also gave the League strength. It is amazing that the organization could hold together such disparate elements for any length of time, to say nothing of its longevity in such turbulent times. A large number of left-wing activists were attracted to the looseness of the League’s rhetoric. Its artful appropriation of the French Revolutionary and Dreyfusard pasts, the twists of its selective memory and logic, these characteristics may have frustrated the League’s doctrinaire elements (and Irvine), but the majority of the group’s members consistently approved. The League created a rare forum for open discussion among often widely divergent perspectives. It welcomed the act of questioning and challenging on paper; in practice it valued progressive reform, republican institutions, and uniting the Left to keep that open exchange going.

The League deserves credit for blazing a trail for other human rights organizations. League leaders had no effective models to follow. They made the first mistakes and learned the first lessons. From tolerating the absurd petitions presented to headquarters by local sections, to suspending activities at the local level during legislative elections, to instituting ministerial incompatibility with Central Committee membership, and so on, the League proved capable of adapting to its growth and experiences, even if that adaptation had its limits.

Irvine gives his readers a surprise ending with the sentimental image of a “little” female provincial League member taking a long bus trip to save an innocent man from the death penalty. This glimpse at the human side of the League is refreshingly redemptive but eclipsed by the overarching unfavorable image presented. Irvine adroitly tackles one aspect of a big topic in this excellent work well-suited for graduate courses on the political divisions in French left-wing politics or the general history of human rights worldwide. To be sure, his provocative assessment will spur debate.