



*Routledge Studies in Extremism and Democracy*

# **CIVIL DEMOCRACY PROTECTION**

**SUCCESS CONDITIONS OF NON-GOVERNMENTAL  
ORGANISATIONS IN COMPARISON**

Edited by  
Uwe Backes and Thomas Lindenberger



# Civil Democracy Protection

*Civil Democracy Protection* is an overview of attempts by organisations to oppose groups that are perceived to threaten democracy.

The book traces the history of civil democracy protection actors from the establishment of democratic constitutional states up to the present day and develops a set of systematic and comparative approaches. The central question it explores is: What significance do civil actors have for the establishment and consolidation of democratic constitutional states, especially in relation to the protection of democracy by state institutions? The volume includes contributions from historians and social scientists, who combine idiographic approaches that focus on the specifics of individual cases with nomothetic approaches that aim to provide generalisable insights, incorporating historical experiences from various European countries and the USA in the 20th and early 21st century.

This book will be of interest to scholars of democracy protection, civil society, consolidation of democracy, and anti-extremism.

**Uwe Backes** is Deputy Director at the Hannah Arendt Institute for Totalitarianism Studies and Professor of Political Science at the TUD (Dresden University of Technology). His research focuses on extremism, democracy, and autocratic rule.

**Thomas Lindenberger** is Director at the Hannah Arendt Institute for Totalitarianism Studies and Professor for Totalitarianism Research at the TUD (Dresden University of Technology). His research focuses on the comparative contemporary history of Germany and Europe and the history of communism and post-communist transformation.

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*Edited by Uwe Backes and Thomas Lindenberger*

# **Civil Democracy Protection**

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Organisations in Comparison

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We acknowledge support for the Open Access publication by the Saxon State  
Digitization Program for Science and Culture.



**Routledge**  
Taylor & Francis Group  
LONDON AND NEW YORK

First published 2024  
by Routledge  
4 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge  
605 Third Avenue, New York, NY 10158

*Routledge is an imprint of the Taylor & Francis Group, an informa business*

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Funded by Consortium of Saxon University Libraries.

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*British Library Cataloguing-in-Publication Data*

A catalogue record for this book is available from the British Library

ISBN: 978-1-032-33367-0 (hbk)

ISBN: 978-1-032-34391-4 (pbk)

ISBN: 978-1-003-32188-0 (ebk)

DOI: 10.4324/9781003321880

Typeset in Times New Roman  
by Newgen Publishing UK

**We acknowledge support for the Open Access publication by the Saxon State Digitization Program for Science and Culture.**



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# Contributors

**Uwe Backes** is Deputy Director at the Hannah Arendt Institute for Totalitarianism Studies and Professor of Political Science at the TUD (Dresden University of Technology). His research focuses on extremism, democracy, and autocratic rule. Recent publications include *Autokratien* (2022), *Europas moderner Rechtsextremismus. Ideologien, Akteure, Erfolgsbedingungen und Gefährdungspotentiale* (2021, with Patrick Moreau), and *Ideocracies in Comparison. Legitimation – co-optation – repression* (2016, co-edited with Steffen Kailitz).

**Lisa Bendiek** works for the Fachstelle Jugendhilfe (youth welfare office) at Kulturbüro Sachsen, Dresden. She studied ethnology, psychology, and gender studies and is an educator for democratic citizenship, an author, activist, and counsellor. Her areas of work are anti-racism, including further training for educators, as well as migration-sensitive education, right-wing populism, and gender. Recently, she co-authored the study *Sachsens Zukunft: Junge Menschen mit Migrationsvordergrund und diskriminierungskritische Perspektiven auf Jugendhilfe in Sachsen* (2021).

**Jean-Yves Camus** is a researcher at IRIS (French Institute for International and Strategic Affairs) as well as director of the Observatory for Political Radicalism at the Jean Jaurès Foundation, Paris. His research focuses on the French and European radical/extreme Right, neo-Nazi political violence and terrorism, and the Catholic Traditionalist movement. Recent publications include *Far Right Politics in Europe* (2017, with Nicolas Lebourg) and extensive works on the Front national/Rassemblement national. He contributed to *Key Thinkers of the Radical Right* (2019) and *Entangled Far Rights: A Russian-European Intellectual Romance in the Twentieth Century* (2018).

**Sebastian Elsbach** works as a researcher at the Research Post Weimar Republic, Friedrich Schiller University Jena. His research focuses on democracy in the Weimar Republic and its monopoly on the use of force, as well as the organisation Reichsbanner Schwarz-Rot-Gold. His dissertation on the latter has been published in 2019. Other recent publications include *Bildung und Demokratie in*

*der Weimarer Republik* (2022, co-edited with Andreas Braune and Ronny Noak) and *Vom drohenden Bürgerkrieg zum demokratischen Gewaltmonopol (1918–1924)* (2021, co-edited with Andreas Braune and Michael Dreyer).

**Sebastiaan van Leunen** is a PhD student and Junior Teacher at the Faculty of Law of the University of Groningen. He studied history and law at the Universities of Groningen and Leiden. His PhD research focuses on the judicial position of political party groups in Dutch national parliament.

**Thomas Lindenberger** is Director at the Hannah Arendt Institute for Totalitarianism Studies and Professor for Totalitarianism Research at the TUD (Dresden University of Technology). His research focuses on the comparative contemporary history of Germany and Europe, the history of communism and post-communist transformation, and Alltagsgeschichte. His recent publications include *100 Jahre Roter Oktober. Zur Weltgeschichte der Russischen Revolution* (2017, co-edited with Jan Claas Behrends and Nikolaus Katzer) and *German Zeitgeschichte. Konturen eines Forschungsfeldes* (2016, co-edited with Martin Sabrow).

**Paul Lucardie** is a senior researcher in Political Science and Sociology at the University of Groningen. His research focuses on the study of political parties in the Netherlands and Europe. His publications include *Democratic Extremism in Theory and Practice: All Power to the People* (2014) and *Populisten in de polder* (2012, with Gerrit Voerman).

**Tom Mannewitz** is Professor for Political Extremism and Intellectual History at the Federal University of Applied Administrative Sciences, Berlin. His research focuses on extremism, populism, and democracy, as well as on political sociology and social science research methods. His recent publications include *Gegen das System. Linker Extremismus in Deutschland* (2020, with Tom Thieme), *Populismus und Demokratie. Interdisziplinäre Perspektiven* (2019, co-edited with Eckhard Jesse and Isabelle-Christine Panreck), and *Politische Kultur und demokratischer Verfassungsstaat. Ein subnationaler Vergleich zwei Jahrzehnte nach der deutschen Wiedervereinigung* (2015).

**Miroslav Mareš** is Professor for Political Science at the Masaryk University in Brno. His research focuses on extremism, terrorism, and security policy in Central and Eastern Europe. He also works with the Radicalization Awareness Network (RAN). Recent publications include *Vigilantism against Migrants and Minorities* (2019, co-edited with Tore Bjørgo) and *Extremismus. Theorien, Konzepte, Formen* (2012, with Astrid Bötticher).

**George Michael** is Professor for Criminal Justice at Westfield State University, Massachusetts. His research focuses on extremism and terrorism of the Islamic and right-wing types. Recent publications include *Extremism in America* (2014; editor), *Lone Wolf Terror and the Rise of Leaderless Resistance* (2012), and

*The Enemy of my Enemy. The Alarming Convergence of Militant Islam and the Extreme Right* (2006).

**Michael Nattke** works as subject specialist at the Kulturbüro Sachsen e.V., as well as being a member of the panel of experts of the Saxonian Centre for Democracy. His activities focus on right-wing extremism and democratic development, as well as a political culture based on human rights. He studied political science, sociology, business education, and law. His publications include *Autoritärer Sog. Gefährliche Veränderungen der Gesellschaft* (2021, contribution) and *Sachsens Demokratie? Demokratische Kultur und Erinnerung, Medienlandschaft und Überwachungspolitik in Sachsen* (2012, contribution).

**Isabelle-Christine Panreck** is Professor for Political Science at the Catholic University of Applied Sciences in Cologne. Her research focuses on intellectual history, democratic theory, and populism, as well as democratic education and social participation in European comparison. Her recent publications include *Klaus von Beyme. Eine Werkbiographie* (2021) and *Populismus – Staat – Demokratie. Ein interdisziplinäres Streitgespräch* (2020, edited).

**Dominik Rigoll** is a researcher at the Leibniz Centre for Contemporary History in Potsdam. His research focuses on the history of the German Right, the early years of the Federal Republic, and anti-communism. His recent publications include *Der Antikommunismus in seiner Epoche. Weltanschauung und Politik in Deutschland, Europa und den USA* (2017, with Norbert Frei) and *Staatschutz in Westdeutschland. Von der Entnazifizierung zur Extremistenabwehr* (2013).

**Dirk Rochtus** is Associate Professor for International Politics and German History at the KU Leuven. His research focuses on German and Belgian parties, EU politics, and National Socialism. His recent publications include *Scherprechters van de geest. Duits debat tot op het bot* (2021), *Naar de hel met Hitler. Verzet in het Derde Rijk (1933–1945)* (2021), and *Kollaboration und Widerstand zwischen Seine und Oder. Täter und Opfer. Bewältigung einer Vergangenheit* (2018, co-edited with Monique Marneffe and Bernard van Huffel).

**Nikolai Wehrs** is a researcher at the Chair of Contemporary History at the University of Konstanz. His research focuses on the history of the German Federal Republic, the interwar-period, and the Weimar Republic, as well as contemporary intellectual history and university history. His recent publications include *Ernst Troeltsch. Spectator-Briefe und Berliner Briefe* (2015, co-edited with Gangolf Hübinger) and *Protest der Professoren. Der “Bund Freiheit der Wissenschaft” in den 1970er Jahren* (2014).

**Manès Weisskircher** leads a research group on far-right politics versus climate action (REXKLIMA) at the Institute of Political Science at TUD (Dresden University of Technology) and the Hannah Arendt Institute for Totalitarianism Studies. His research focuses on comparative politics and political sociology

with a special interest in the study of democracy, political parties, and social movements. His recent publications include *New Contentious Politics. Civil Society, Social Movements, and the Polarisation of German Politics* (2022, special issue edited with Swen Hutter) and *Gains and Losses: How Protestors Win and Lose* (2022, with James Jasper, Luke Elliott-Negri, Isaac Jabola-Carolus, Marc Kagan, Jessica Mahlbacher, and Anna Zhelnina).

# Abbreviations

AAS	Amadeu Antonio Stiftung (Amadeu Antonio Foundation)
ACCF	American Committee for Cultural Freedom
ACLU	American Civil Liberties Union
ACT-UP	AIDS Coalition to Unleash Power
ADL	Anti-Defamation League
ADMD	Association pour le droit de mourir dans la dignité (Association for the right to die in dignity)
AFA	Antifascist Action
AfD	Alternative für Deutschland (Alternative for Germany)
AgAG	Aktionsprogramm gegen Aggression und Gewalt (Action Programme against Aggression and Violence)
AIB	Antifaschistisches Infoblatt (Anti-fascist Information Paper)
AIVD	Algemene Inlichtingen- en Veiligheidsdienst (General Intelligence and Security Service)
AMADA	Alle Macht aan de Arbeiders (All Power to the Workers)
Antifa	Antifaschistische Aktion (Antifascist Action)
BASSAC	British Association of Settlements and Social Action Centres
BDS	Boycott, Divestment and Sanctions
BEIPI	Bulletin d'études et d'informations politiques internationales (Bulletin for International Political Studies and Information)
BMFSFJ	Bundesministerium für Familie, Senioren, Frauen und Jugend (Federal Ministry for Family Affairs, Senior Citizens, Women, and Youth)
BNV	Bund Neues Vaterland (New Fatherland League)
BVT	Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (Federal Office for the Protection of the Constitution and Counterterrorism)
BZÖ	Bündnis Zukunft Österreich (Alliance for the Future of Austria)
CCC	Cellules Communistes Combattantes (Communist Combatant Cells)
CCF	Congress for Cultural Freedom



CD	Centre Democrats
CD&V	Christen-Democratisch en Vlaams (Christian Democratic and Flemish)
CDU	Christlich Demokratische Union Deutschlands (Christian Democratic Union)
CEO	Chief Executive Officer
CIA	Central Intelligence Agency
CIAS	Comité international d'Information et d'Action Sociale (International Committee for Information and Social Action)
CIS Flanders	Civil Society Innovation Flanders
CISPES	Committee in Solidarity with the People of El Salvador
CNRS	Centre national de la recherche scientifique (French National Centre for Scientific Research)
CO Ltd	Company of Community Organisers
COINTELPRO	Counter Intelligence Programme
CP	Centrumpartij (Centre Party)
CP'86	Centre Party '86 (Nationale Volkspartij; National People's Party)
CSO	Civil Society Organisation
CSOPD	Civil Society Organisation Protecting Democracy
CSU	Christlich-Soziale Union in Bayern (Christian Social Union in Bavaria)
DCLG	Department for Communities and Local Government
DDP	Deutsche Demokratische Partei (German Democratic Party)
DDR	Deutsche Demokratische Republik (German Democratic Republic)
DES	Desiderius-Erasmus-Stiftung (Desiderius Erasmus Foundation)
DFG	Deutsche Friedensgesellschaft (German Peace Society)
DGB	Deutscher Gewerkschaftsbund (German Trade Union Confederation)
DILCRAH	Délégation Interministérielle à la Lutte Contre le Racisme, l'Antisémitisme et la Haine anti-LGBT (Interministerial Delegation for the Fight against Racism, Antisemitism and Hate against LGBT)
DLM	Deutsche Liga für Menschenrechte (German League for Human Rights)
DNVP	Deutschnationale Volkspartei (German National People's Party)
DÖW	Dokumentationsarchiv des Österreichischen Widerstandes (Documentation Centre of Austrian Resistance)
DTA	Development Trusts Association
DV	Demokratische Vereinigung (Democratic Association)
DVP	Deutsche Volkspartei (German People's Party)
ECPR	European Consortium for Political Research
EdD	Eenheid door Democratie (Unity through Democracy)

ENAR	European Network Against Racism
EP	European Parliament
ERRC	European Roma Rights Centre
EU	European Union
EVA	extern verzelfstandigd agentschap (externally privatised agency)
FARE	Football Against Racism in Europe
FBI	Federal Bureau of Investigation
FDP	Freie Demokratische Partei (Liberal Democratic Party)
FES	Friedrich-Ebert-Stiftung (Friedrich Ebert Foundation)
FIR	Fédération Internationale des Résistants (International Federation of Resistance Fighters)
FMDO	Federation of Moroccan and Mundial Democratic Organisations
FN	Front National
FNS	Friedrich-Naumann-Stiftung für die Freiheit (Friedrich Naumann Foundation for Freedom)
FOIA	Freedom of Information Act
FPÖ	Freiheitliche Partei Österreichs (Freedom Party of Austria)
FVD	Forum voor Democratie (Forum for Democracy)
G20	Group of Twenty
GAIA	Groupe d'Action dans l'Intérêt des Animaux (Action Group in the Interest of Animals)
GDR	German Democratic Republic (Deutsche Demokratische Republik, DDR)
GSS	Gustav-Stresemann-Stiftung (Gustav Stresemann Foundation)
HBS	Hans-Böckler-Stiftung (Hans Böckler Foundation)
hbs	Heinrich-Böll-Stiftung (Heinrich Böll Foundation)
HSS	Hanns-Seidel-Stiftung (Hanns Seidel Foundation)
ICFU	International Council on the Future of the University
ICUE	International Committee on the University Emergency (renamed to International Council on the University Emergency in 1971)
IDA	International Development Association
IDZ	Institut für Demokratie und Zivilgesellschaft (Institute for Democracy and Civil Society)
IfS	Institut für Staatspolitik (Institute for State Policy)
IG Metall	Industriegewerkschaft Metall (Industrial Union of Metalworkers)
INSEE	Institut national de la statistique et des études économiques (National Institute of Statistics and Economic Studies)
IPSOS	Institut Publique de Sondage d'Opinion Secteur (Public Institute for Public Opinion)
IS	Islamic State
ISP	Internet Service Provider

JA21	Juiste Antwoord 21 (Right Answer 21)
KAFKA	Kollektief Anti Fascistisch/Kapitalistisch Archief (Collective Antifascist and Anticapitalist Archive)
KAS	Konrad-Adenauer-Stiftung (Konrad Adenauer Foundation)
KOZP	Kick Out Zwarte Piet
KPD	Kommunistische Partei Deutschlands (Communist Party of Germany)
KSM	Komitee zum Schutze der Menschenrechte (Committee for the Protection of Human Rights)
LDH	Ligue française des droits de l’homme et du citoyen (French League for Human and Citizen Rights)
LGBT	Lesbians, Gays, Bisexuals, and Transgender
LGBTI	Lesbians, Gays, Bisexuals, Transgender, and Intersex Persons
LGBTIQ*	Lesbian, Gay, Bisexual, Trans*, Inter*, Queer
LGBTQ	Lesbian, Gay, Bisexual, Transgender, and Questioning
LHBTI	See: LGBTI (Dutch: Lesbisch, Homoseksueel, Biseksueel, Transgender en Intersekse)
LICA	Ligue Internationale Contre l’Antisémitisme (International League against Anti-Semitism)
LICRA	Ligue internationale contre le racisme et l’antisémitisme (International League against Racism and Antisemitism)
LKS	Landeskoordinationsstelle (State Coordination Office)
LPF	Lijst Pim Fortuyn (List Pim Fortuyn)
LREM	La République en Marche
MEP	Member of the European Parliament
MHCLG	Ministry of Housing, Communities and Local Government
MP	Member of Parliament
MRAP	Mouvement contre le racisme et pour l’amitié entre les peuples (Movement against racism and for friendship between peoples)
NAACP	National Association for the Advancement of Colored People
NATO	North Atlantic Treaty Organization
NCS	National Citizen Service
NGO	Non-Governmental Organisation
NOWKR	No WKR Ball
NPD	Nationaldemokratische Partei Deutschlands (National Democratic Party of Germany)
NSB	Nationaal-Socialistisch Beweging in Nederland (National Socialist Movement in the Netherlands)
NSDAP	Nationalsozialistische Deutsche Arbeiterpartei (National Socialist German Workers’ Party)
NSU	Nationalsozialistischer Untergrund (National Socialist Underground)
N-VA	Nieuw-Vlaamse Alliantie (New Flemish Alliance)
NVU	Nederlandse Volksunie (Dutch People’s Union)
OBS	Otto-Brenner-Stiftung (Otto Brenner Foundation)

OECD	Organisation for Economic Co-operation and Development
ÖH	Österreichische Hochschülerinnen- und Hochschülerschaft (Austrian National Union of Students)
ONG	Organisations Non-Gouvernementales (see NGO)
OSF	Open Society Fund
ÖVP	Österreichische Volkspartei (Austrian People's Party)
PEGIDA	Patriotische Europäer gegen die Islamisierung des Abendlandes (Patriotic Europeans against the Islamisation of the Occident)
PEMC	Platform of European Memory and Conscience
PLO	Palestine Liberation Organisation
PR	Public Relations
PS	Parti Socialiste (Socialist Party)
PTB	Parti du Travail de Belgique (Belgian Worker's Party)
PVDA	Partij van de Arbeid (Labour Party)
PVV	Partij voor de Vrijheid (Party for Freedom)
RAN	Radicalisation Awareness Network
REP	Die Republikaner (The Republicans)
RLS	Rosa-Luxemburg-Stiftung (Rosa Luxemburg Foundation)
RN	Rassemblement National
SA	Sturmabteilung (Storm Detachment)
SDS	Students for a Democratic Society
SED	Sozialistische Einheitspartei Deutschlands (Socialist Unity Party of Germany)
SFIO	Section française de l'Internationale ouvrière (French Section of the Workers' International)
SLAPP	Strategic Lawsuit Against Public Participation
SLATT	State and Local Anti-Terrorism Training
SPD	Sozialdemokratische Partei Deutschlands (Social Democratic Party of Germany)
SPIRIT	Sociaal-Liberale Partij (Social Liberal Party)
SPLC	Southern Poverty Law Center
SS	Schutzstaffel (Protection Squadron)
SVP	Schweizerische Volkspartei (Swiss People's Party)
UCR	Uniform Crime Reports
UCRA	University Centers for Rational Alternatives (renamed in 1980 to Campus Coalition for Democracy)
UEFA	Union of European Football Associations
UK	United Kingdom
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
US	United States
USA	United States of America
USCCR	United States Commission on Civil Rights

xx *List of abbreviations*

USPD	Unabhängige Sozialdemokratische Partei Deutschlands (Independent Social Democratic Party of Germany)
VB	Vlaams Blok (Flemish Interest; renamed to Vlaams Belang in 2004)
VdU	Verband der Unabhängigen (Federation of Independents)
VU	Volksunie (People's Union)
VVD	Volkspartij voor Vrijheid en Democratie (People's Party for Freedom and Democracy)
WACL	The World Anti-Communist League (later WLFDD)
WKR	Wiener Korporationsring (Vienna Corporation Association)
WLFDD	World League for Freedom and Democracy
WTC	World Trade Center
ZdT	Zusammenhalt durch Teilhabe (Cohesion through Participation)

# Introduction

*Uwe Backes and Thomas Lindenberger*

The importance and value of a democratic civil society is often emphasised with much verve, but civil society's achievements and limitations with regard to safeguarding and stabilising democratic constitutional states are rarely analysed empirically. Some sound foundational research into the work of civil societies has been undertaken and noteworthy attempts to standardise and quantify the quality of civil societies worldwide have been made,<sup>1</sup> yet so far this has made little impact on the international debate around democracy protection. At the centre of this debate are the state institutions which – with varying degrees of effectiveness – exert a preventive (education) and repressive (bans on association and assembly, some restrictions on civil liberties, state security) influence on society, usually within a clearly defined legal framework.

The authors of this anthology therefore seek answers to the following key questions: to what extent and in what way do associations that are independent of the state contribute to the protection of democracy? And what is the significance of civil actors for the establishment and consolidation of democratic constitutional states, especially in relation to the protection of democracy by state institutions? This anthology includes contributions by both historians and social scientists. It combines idiographic approaches that focus on the specifics of individual cases with nomothetic approaches that aim to provide generalisable insights and incorporates historical experiences from various European countries and the USA in the 20th and early 21st century.

In contrast to democracy protection by state security agencies, civil society democracy protection has so far remained largely *terra incognita*, even though there has recently been an increased interest in the role of civil society actors in such processes.<sup>2</sup> There are major gaps in the research on democracy protection by civil society actors. The connections between the genesis, effectiveness, success/failure, and importance of civil organisations for democracy protection have not yet been explored in detail. This anthology – international and interdisciplinary in outlook – aims to cut a swath through the thicket by tracing the history of civil democracy protection actors from the establishment of democratic constitutional states to the present day and by making the first attempts to outline the main issues systematically and comparatively.

Democracy protection has been a hot topic in the political sciences and jurisprudence for some years now. In view of the increasing support for right-wing extremist and right-wing populist parties in many European countries, the German concept of a *streitbare Demokratie* (usually translated as “militant democracy,” although “defensive democracy” might be a more appropriate term) has attracted attention in the international debate on democracy protection and has been the subject of intensive and contentious discussions.<sup>3</sup> A large number of studies provide comparative analyses of the practice of banning political parties and examine its effectiveness and legitimacy.<sup>4</sup> Other elements of state protection of democracy (anti-association laws, bans on public assembly, a “duty of loyalty” for members of the public service, restrictions on freedom of expression, etc.) have also been the subject of a number of comparative studies.<sup>5</sup>

International academic debate on the different means of democracy protection tends to be state-centred and neglects civilian democracy protection, especially the work of civil society actors, among them non-governmental organisations (NGOs) dedicated to democracy promotion and counter-extremism. The work undertaken by Fukuyama student George Michael for his dissertation (at George Mason University) on the role of US watchdogs in monitoring right-wing extremist activity has not been emulated within the European context,<sup>6</sup> even though such NGOs have long existed (and not just in the well-established constitutional states of Europe) and the state control of societal engagement in democracy protection (“corporatism”) criticised by Michael is by no means prevalent everywhere.<sup>7</sup> Ami Pedahzur’s observation that civil society is “historically absent”<sup>8</sup> from democracy protection studies is still valid.

Nonetheless, in recent years the international history of human rights<sup>9</sup> has increasingly been an object of research. The same applies to the scholarly reappraisal of the activities of international organisations,<sup>10</sup> including those that are focused on democracy protection. In selecting the relevant associations, the authors of this anthology started with the assumption that a commitment to universal human rights usually implies support for a political system that favours upholding such rights. Moreover, it can reasonably be assumed that these commitments were supported to no small extent by civil actors.

The essays in this anthology present the expanded proceedings of a (video) conference that took place at the Hannah Arendt Institute in Dresden in November 2020, notwithstanding the adverse circumstances of the COVID pandemic. The conference was exploratory in nature and was organised with the intention of initiating comparative studies in the still largely unexplored territory of civil democracy protection. Interdisciplinary and international in scope, it brought together scholars from different countries and different research fields.

This volume is divided into three parts. The first part is devoted to historical precursors of the current civil society associations engaged in democracy protection. Dominik Rigoll focuses on the French Human Rights League (*Ligue française des droits de l’homme et du citoyen*, LDH) formed in 1898, which found successors and imitators in other European countries, among them the German League for Human Rights (DLM), constituted in 1922. These organisations suffered severe

setbacks as a result of the wave of (re)autocratisation (beginning with Italy in 1923) and in most cases were only able to resume their activities after the Second World War. Rigoll examines the leagues' understanding of democracy, details their social function and evidences their links with political parties and their influence on the stability of the French Third Republic and the Weimar Republic. He concludes by discussing the concept of democracy protection after 1945.

Sebastian Elsbach examines the Reichsbanner Black-Red-Gold, founded in Berlin in 1924 after a period of fierce infighting. The Reichsbanner's stated aim was to counter right-wing and left-wing extremist violence and to support the poorly equipped security agencies. Both radical nationalists and communists were seen as obstacles to the stabilisation of democracy. The Reichsbanner sought to protect political gatherings of democratic parties, the pacifist movement, and the Jewish community. At the same time, the legitimacy of the Republic was to be strengthened through festivals, publications, and original – but from today's point of view rather bizarre – promotions such as the “freedom” cigarette. The omnipresence of the black-red-gold flag promoted a sense of solidarity within a democratic community in a state of siege. However, internal conflict between the Reichsbanner's 1.5 million members resulted in a predominantly defensive strategy that was not conducive to wresting political initiative from the aggressively expanding National Socialist German Workers' Party (NSDAP). The founding of the Iron Front (Eiserne Front) in 1931 did little to change this. Nevertheless, the history of the Reichsbanner is a lesson in the possibilities and limitations of civil society's role in democracy protection.

Nikolai Wehrs' contribution is dedicated to civil society associations that saw the student protest movements of 1968 as a threat to liberal democracy. (This, of course, was in direct contrast to how the student protestors saw themselves.) While the cross-border links between the student protests have been well researched, little attention has been paid to the international connections between the protective organisations, which were largely shaped by university professors. In the US, as in Germany, the goal was to organise resistance to left-wing student policies which called for radical reform of the universities with the aim of curtailing the influence of the professoriate through comprehensive “democratisation.” But fear of losing power was only one of several reasons the professors opposed the students. As a close look at the transnational academic network International Committee on the University Emergency (ICUE) shows, the professors' resistance was largely shaped by their personal experiences of totalitarian movements and ideological warfare during the Cold War. The “Cold War liberals” saw their efforts to suppress neo-Marxism in academia as a contribution to the protection of the Western model of liberal democracy.

George Michael's contribution on the Anti-Defamation League (ADL) takes us even closer to the present. The ADL was founded in Chicago in 1913 and is still one of the most important civil society watchdogs in the fight against right-wing extremism and anti-Semitism. Anti-Semitic attacks and the rise of the Ku Klux Klan, whose first branch was founded in Georgia in 1915, have guided the work of the association up to the present. The ADL developed into one of the most



successful organisations in its field primarily, according to George Michael, because of support from the American legislature which was able to send out strong symbolic messages with “hate crime” legislation, anti-paramilitary training statutes, and tough anti-terror measures – basically a no-lose proposition for lawmakers. In addition, the ADL has the ability to act effectively: it commands significant resources thanks to the support of large sections of the Jewish community. In contrast, the ability of far-right groups to mobilise remained limited for a long time, partly due to the lack of broad-based support – circumstances that changed under Donald Trump’s presidency to the detriment of democracy.

The second part of the anthology features contributions that shed light on civil society’s role in democracy protection in different European countries. Countries with an extensive history of democracy were chosen, in which civil society was able to grow over a longer period of time and develop charisma beyond national borders. The concentration on Western Europe also has the advantage of a greater density of research results on the questions at the centre. In selecting the civil society organisations (CSOs), the authors were guided by the following criteria: (1) The organisations’ engagement serves to protect democracy, that is a free, liberal, possibly “republican” constitutional/legal basic order. In other words, it is directed against dictatorship/autocracy and illiberal forms of order. (2) The CSOs have no affinity with dictatorships or organisations supporting dictatorships. Grey areas were not a strict criterion for exclusion so as not to narrow down the field of actors too much. (3) The organisations are of national/international importance. Considerations usually start with important events that threaten democracy (crises, affairs/scandals, acts of violence, etc.) and are oriented towards systematic questions such as: (1) Does the “disturbance theory”<sup>11</sup> developed by David B. Truman for interest groups apply? (According to Truman’s theory, civic associations emerge when their members are faced with a challenge that threatens their existence.) (2) Which challenges trigger a particularly strong response and why? (3) What conditions must an organisation fulfil to wield influence over an extended period of time? (4) What is the relationship between successful NGOs and democracy protection by the state? (5) Does the success of an NGO trigger a tendency towards it being incorporated (i.e., being nationalised or under increasing state influence)? Or can an NGO’s success lead to state actors delegating parts of democracy protection (surveillance, analysis, or evaluation) to NGOs (“outsourcing,” so to speak)? (6) How should the performance profile of civilian democracy protection be assessed in relation to state democracy protection?

Tom Mannewitz addresses all of these questions in his contribution on the Federal Republic of Germany. He uses the example of the influential political foundations, even though these combine aspects of both worlds: they enjoy the autonomy of an NGO but at the same time receive state funding (without losing their independence vis-à-vis the state). Mannewitz examines both the foundations’ pronouncements on democracy protection and their practice, showing that they differ widely in terms of the threats they focus on. Only the foundations with close ties to the centre-right Christian-democratic parties (CDU and CSU) focus more or less equally on right-wing extremism, left-wing extremism, and Islamism. Most of

the foundations, however, focus on the threat of right-wing extremism and right-wing populism. The Rosa Luxemburg Foundation, affiliated to the Die Linke (the Left) party, differs from all others in its explicit rejection of the concept of left-wing extremism. An analysis of websites shows that the CSU-affiliated Hanns Seidel Foundation has a similar profile as the CDU-affiliated Konrad Adenauer Foundation, while all the other foundations focus on right-wing extremism at the expense of addressing other threats. Of particular interest is the finding that it is not so much financial resources that determine how much publicity a foundation can generate but the foundation's ability to skilfully present itself on social media. Mannewitz identifies three types of foundations with regard to their commitment to democracy protection. The "Government Agency Twin" combines the thematisation of all threats with a cooperative attitude towards the constitutional protection authorities. Both the Konrad Adenauer Foundation and the Hanns Seidel Foundation are in this category. "Occasional Democracy Protectors" describes those foundations that do not prioritise democracy protection and largely limit themselves to highlighting the danger of right-wing extremism. This includes the Otto Brenner Foundation, the Hans Böckler Foundation, and the Friedrich Naumann Foundation. The "Anti-Fascist Activists" are those foundations that propagate anti-fascism instead of anti-extremism. According to Mannewitz, this type includes not only the Rosa Luxemburg Foundation but also the Friedrich Ebert Foundation, the Heinrich Böll Foundation, and the Amadeu Antonio Foundation.

Manès Weisskircher's contribution on civil democracy protection in Austria has a different focus, with the author developing his own methodological approach. He focuses on the protests against the Wiener-Korporationsrings-Ball or Wiener Akademikerball (as it has been called since 2013), examining the spectrum of civil society actors engaged in democracy protection and their public image. As it turns out, opposition was centred mainly on the two organisations associated with the ball: the well-established Freedom Party of Austria (FPÖ) and the German-nationalist "Drittes Lager" (Third Camp). According to Weisskircher, neither a strategy of inclusion (government participation) nor exclusion (refusal to cooperate) could prevent the success of right-wing populism. Further, the high level of democratic consolidation in Austria, high at least by international standards, has barely been compromised. Weisskircher's findings raise fundamental questions about the effectiveness and limitations of civil society engaged in democracy protection.

Indeed, the effectiveness of civil society engagement is difficult to measure, and this is also the conclusion Sebastiaan van Leunen and Paul Lucardie reach in their contribution on the Netherlands. They find that overall, civil society efforts to protect democracy were rather weak, which could be due to the fact that domestic extremism did not develop into a serious threat to democracy in the Netherlands. All the more important were those organisations in the 1930s that were active against the external extremist threats of National Socialism and Communism. In the 1930s, Unity through Democracy (Eenheid door Democratie, EdD) was able to recruit up to 30,000 members, while the Dutch Committee of Vigilance (Comité van Waakzaamheid), made up of anti-National Socialist intellectuals, deliberately refrained from mobilising a large number of people. It was nevertheless

able to exert influence on public opinion. After 1945, the Anne Frank Foundation (established in 1957) played an important role in campaigns against right-wing extremism, even though it, too, refrained from recruiting members. While the Anne Frank Foundation developed into a respected institution for democracy protection, KAFKA (Kollektief Anti Fascistisch/Kapitalistisch Archief), founded in 1988, came under criticism for its links to militant anti-fascists and at times even triggered warnings from the domestic intelligence service because of its left-wing extremist activities.

As Dirk Rochtus shows in his contribution, the democratisation of education in Belgium from the 1960s onwards led to an increase in the recognition of the value of civic engagement. As a result, more people got involved in civil society organisations. It is no surprise then that the rise of a radical right-wing party like Vlaams Blok (later called Vlaams Belang, VB) in Flanders in the 1990s came as a shock to society. Because of its anti-migration programme, the VB was seen to be a threat to democracy and its values. Political parties and state authorities started to consider civil society as, in the words of the Flemish sociologists Pascal Debruyne and Jan Naert, “an instrument to bring people together (think ‘social cohesion’) and to fight against ‘alienation’ and ‘bitterness’,”<sup>12</sup> which is what had driven people into the arms of the VB. Yet in the last two decades, according to Rochtus, a reduction in funding from government and a trend towards a management model have led to the depoliticising of civil society. Civil society organisations nevertheless remain strong thanks to citizens who continue to engage in advocacy for the ideas of democracy and participation.

Focusing on France, Jean-Yves Camus is much more sceptical than his Belgian colleague. He notes a decline in state funding for CSOs from 34 per cent in 2006 to only 20 per cent in 2017. CSOs working for social development and inclusion in the poorer districts and on the outskirts of the big cities have been hit particularly hard. It has become clear that many French CSOs are largely dependent on political parties and state support. They suffered from the loss of influence of the Communists and the Socialist Party at the local level as they did not consider the mainstream Conservatives and Emmanuel Macron’s *La République en Marche* (LREM) as their clientele. Above all, this development explains why initiatives directed against the Front national (FN) and racist violence have often failed. They “were set up under a top-to-bottom strategy and had little impact on marginalised communities.”<sup>13</sup>

Does this sobering diagnosis also apply to Great Britain? Isabelle-Christine Panreck focuses on the “Big Society” programme in Great Britain. Since 9/11 in 2001 and the 7/7 bombings in 2005, the fight against extremism and terrorism has been firmly on the agenda of the British government. Panreck’s chapter focuses on measures to strengthen democracy taken by successive Conservative governments since 2010 in line with the thesis that policies to make democracy work stem from an understanding of extremism as a breeding ground for terrorism. The focus is on the “National Citizen Service,” its elements, goals, and effects, and the relationship between the state and civil society. One of Panreck’s central findings is that British governments in the period under study

tended to view civil society as an executive organ of state programmes. This approach tends to undermine the independence of CSOs, while the efforts by state institutions in the field of democracy promotion remain “too weak to actually challenge ingrained hurdles to equal opportunities.”<sup>14</sup>

The authors featured in the third part of the anthology take a transnational view, working out historical continuities or lack of continuities and attempting to draw systematic comparisons with the help of appropriate categories. Miroslav Mareš focuses on the transnational cooperation of anti-extremist CSOs in Central Europe and traces developments since the end of the First World War. He notes that parties and governments clearly dominate transnational networks, now and in the past, and uses the example of the Platform of European Memory and Conscience (PEMC) to demonstrate his point. PEMC was founded in Prague in 2011 in the wake of the Prague Declaration of 2008 (which was supported by Václav Havel, among others) to ensure Europeans remain aware of the totalitarian experiences of the 20th century and to counter any current forms of political intolerance, hostility towards democracy, and recourse to totalitarian patterns. And this highlights one of the problems of anti-extremism: an equidistant position towards communism and fascism alike is rather rare and often raises suspicions of equating and moral offsetting. This explains why many CSOs dedicated to combating right-wing extremism pay little – if any – attention to left-wing extremism.

In their contribution, Lisa Bendiek and Michael Nattke focus entirely on dealing with right-wing extremism and violence motivated by it. Unlike the other authors in this anthology, Bendiek and Nattke are practitioners as well as analysts. They are trained social scientists and for many years have been working in extremism prevention and democracy promotion for one of the most important CSOs in this sector, the Kulturbüro Sachsen. The Kulturbüro Sachsen emerged in 2001 out of the Büro für freie Kultur- und Jugendarbeit (Office for Independent Cultural and Youth Work) and has become known for its mobile advisory teams. Bendiek and Nattke’s comparison is both intertemporal and interregional: on the one hand, they trace the development of civil society’s prevention scene since German unification in 1989/90; on the other hand, they shed light on the specific problems in the eastern part of Germany (the ex-GDR) in comparison to the western part of Germany. Their focus is on those initiatives that emerged out of state funding programmes to combat right-wing extremism and strengthen democratic civil society. Like Jean-Yves Camus (France), they too demonstrate the tension between CSOs striving for independence and their dependence on state funding.

The relationship of CSOs to the state and to political parties is an important issue to consider when analysing the conditions for success and failure of civil society democracy protection, and this is the subject of the concluding contribution by Uwe Backes. As we will see, at least in Europe and contrary to David Truman’s interest group theory, the initiative for founding a CSO often comes from state institutions and parties, who find it easier to mobilise resources for medium-term commitments. It is not only in Germany that civil society efforts to protect democracy often falter if they do not succeed in securing public funding. However, such funding also changes their character. Independent organisations become

semi-governmental institutions. Yet this need not be a disadvantage for the protection of democracy.

## Notes

- 1 See Michael Edwards (Ed.), *The Oxford Handbook of Civil Society*, Oxford 2013; Rupert Graf Strachwitz/Eckhard Priller/Benjamin Triebe, *Handbuch Zivilgesellschaft*, Berlin/Boston 2020; Sabine Reimer, *Die Stärke der Zivilgesellschaft in Deutschland/The Strength of Civil Society in Germany*, Berlin 2006.
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- 3 See Giovanni Capocchia, *Defending Democracy: Reactions to Extremism in Interwar Europe*, Baltimore 2007; William M. Downs, *Political Extremism in Democracies. Combating Intolerance*, London 2012; Gereon Flümman, *Streitbare Demokratie in Deutschland und den Vereinigten Staaten. Der staatliche Umgang mit nichtgewalttätigem politischem Extremismus im Vergleich*, Wiesbaden 2015; Alexander Kirshner, *A Theory of Militant Democracy*, New Haven 2014; Martin Klamt, *Die Europäische Union als Streitbare Demokratie. Rechtsvergleichende und europarechtliche Dimensionen einer Idee*, Munich 2011; Jan-Werner Müller, Protecting Popular Government from the People? New Normative Perspectives on Militant Democracy, *Annual Review of Political Science*, 249 (2016) 19, pp. 249–265; András Sajó (ed.), *Militant Democracy*, Utrecht 2004; Svetlana Tyulkina, *Militant Democracy. Undemocratic political parties and beyond*, London/New York 2015.
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- 5 See, e.g., Flümman, *Streitbare Demokratie*; Louis Greenspan/Cyril Levitt (eds.), *Under the Shadow of Weimar. Democracy, Law, and Racial Incitement in Six Countries*, Westport/London 1993; Anja Zimmer, *Hate Speech im Völkerrecht*, Frankfurt a.M. 2001.

- 6 Important exceptions: Bertelsmann Stiftung (ed.), *Strategies for Combating Right-Wing Extremism in Europe*, Gütersloh 2009; Robert Philippsberg, *Demokratieschutz im Praxistest. Deutschlands Umgang mit extremen Vereinigungen*, Baden-Baden 2015.
- 7 George Michael, *Confronting Right-Wing Extremism and Terrorism in the USA*, New York/London 2003, p. 14. On the differences regarding the role of civil society in fighting (right-wing) extremism, see: George Michael/Michael Minkenber, *A Continuum for Responding to the Extreme Right: A Comparison between the United States and Germany*, *Studies in Conflict & Terrorism*, 30 (2007), pp. 1109–1123.
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- 9 Cf. Stefan-Ludwig Hoffmann (ed.), *Human rights in history*, Cambridge 2010; id., *Ge-schichte der Menschenrechte. Ein Rückblick*, Berlin 2023 (forthcoming); Eric D. Weitz, *A world divided. The global struggle for human rights in the age of Nation-States*, Princeton 2019.
- 10 Cf. Sandrine Kott, International Organizations – A Field of Research for a Global History, *Zeithistorische Forschungen*, 3 (2011), pp. 446–450, <https://zeitgeschichte-digital.de/doks/frontdoor/index/index/docId/1641>, accessed 24 October 2020.
- 11 David B. Truman, *The Governmental Process. Political Interests and Public Opinion*, New York 1951.
- 12 Pascal Debruyne/Jan Naert, “Vlaamse middenveld moet zijn politieke functie weer voorop zetten,” *Knack*, 12 September 2019, [www.knack.be/nieuws/belgie/vlaamse-mid-denveld-moet-zijn-politieke-functie-weer-voorop-zetten/article-opinion-1508259.html](http://www.knack.be/nieuws/belgie/vlaamse-mid-denveld-moet-zijn-politieke-functie-weer-voorop-zetten/article-opinion-1508259.html), accessed 24 October 2020.
- 13 Camus, France, p. 166.
- 14 Panreck, England, p. 181.



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**Part I**

**Historical forerunners**





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# 1 On the creation, destruction, and reformation of democratic protectionism

Human rights leagues in France and Germany

*Dominik Rigoll*

## Introduction

In her book on *The Origins of Totalitarianism*, first published in 1951, the philosopher Hannah Arendt describes the Dreyfus affair that shook the French Third Republic at the turn of the 20th century as “a kind of dress rehearsal for the performance of our own time,” namely for Nazism and the Second World War. She argued that the major political crisis named after Captain Alfred Dreyfus – a 35-year-old Alsatian French artillery officer of Jewish descent falsely convicted of treason and sentenced to life imprisonment in 1894 for communicating French military secrets to the German Embassy in Paris – offered the opportunity “of seeing, in a brief historical moment, the otherwise hidden potentialities of antisemitism as a major political weapon within the framework of nineteenth-century politics and its relatively well-balanced sanity.” For Arendt, the political “performance” of “the main actors of the Affair” drew together

all the open or subterranean, political or social sources which had brought the Jewish question into a predominant position in the nineteenth century; its premature outburst, on the other hand, kept it within the framework of a typical nineteenth-century ideology which, although it survived all French governments and political crises, never quite fitted into twentieth-century political conditions.<sup>1</sup>

One of the main actors in the Dreyfus affair was leagues which had formed independently from the political parties. On the right side of the political spectrum, the Ligue des Patriotes (The League of Patriots), already founded in 1882, aimed to overthrow the Republic and to establish a nationalist monarchy.<sup>2</sup> On the left side, the Ligue française (pour la défense) des droits de l’homme et du citoyen (Human Rights League, LDH), founded in 1898, claimed to defend the Republic in the name of the Déclaration des droits de l’homme et du citoyen of 1789 (Declaration of the Rights of Man and of the Citizen), which had called for a rule by a majority of citizens, i.e., a democracy.<sup>3</sup>

In her famous chapter on the “Decline of the Nation State and the End of the Rights of Man,” Arendt also mentions the French Human Rights League and its equivalents in other European countries. She accuses these organisations of having been incapable of coping with the huge refugee problems caused by civil wars and genocides:

The only guardians of the right of asylum were the few societies whose special aim was the protection of human rights. The most important of them, the French-sponsored *Ligue des Droits de l’Homme* with branches in all democratic European countries, behaved as though the question were still merely the saving of individuals persecuted for their political convictions and activities. This assumption, pointless already in the case of millions of Russian refugees, became simply absurd for Jews and Armenians. The *Ligue* was neither ideologically nor administratively equipped to handle the new problems. Since it did not want to face the new situation, it stumbled into functions which were much better fulfilled by any of the many charity agencies which the refugees had built up themselves with the help of their compatriots. When the Rights of Man became the object of an especially inefficient charity organization, the concept of human rights naturally was discredited a little more.<sup>4</sup>

We will see whether such a harsh assessment of the leagues is justified. What is certain is that the *Deutsche Liga für Menschenrechte* (German League for Human Rights, DLM), founded in 1922, was not a “branch” of the French League but an organisation in its own right. It had a tiny but somewhat effective predecessor, the *Bund Neues Vaterland* (New Fatherland League, BNV), founded during the First World War to counter nationalist propaganda and conquest plans.<sup>5</sup>

Two narratives coexist in the historiography of the French Human Rights League. Most studies describe the League as a champion of democracy that did not always live up to its claims, namely in the fight against sex-based, racial, and social discrimination. Indeed, white males from a bourgeois background dominated the League<sup>6</sup> and the ambivalence of the LDH has been highlighted by researchers. Cylvie Claveau shows that “foreigners,” refugees, and colonised people were supposedly equal in the League’s universalist programme and propaganda but not in its political practice. William D. Irvine reminds us that the League not only defended the Third Republic but also attacked it from the far left.<sup>7</sup> The few articles that exist on the German League also point out its ambivalent attitude towards the Weimar Republic. Lothar Mertens, for example, describes the DLM as an “advocate for the preservation of human rights” but also argues, in line with Kurt Sontheimer, that the intellectuals active in the DLM could only understand “the political reality of the Weimar Republic as degeneration and decline” based on their ideas of “humanity” and “social justice.”<sup>8</sup> Finally, works that examine both leagues place great emphasis on Franco-German differences: here the French League with huge political influence, there the much weaker German League whose activists were periodically prosecuted as “traitors.”<sup>9</sup> This essay, by contrast, emphasises what both leagues had in common as protectors of democracy.

This contribution does not analyse the practices of the two leagues as “pacifism” or “human rights activism,” as is common in historical research and political science. Rather, it places them in a historical context as early forms of a civic democracy protection that emerged in France during the 19th century, found several imitators in other republics after the First World War, were crushed in many cases by nationalist regimes, and re-emerged in new forms after the Second World War. The essay situates both organisations in the political and social history of their countries by attempting to answer the following questions mainly on the basis of the research literature: What were the historical traditions of the leagues? Were they, among other things, founded because their members faced an existential threat or benefited personally from their involvement?<sup>10</sup> What understanding of democracy did the league activists have? Who did they consider to be the protectors of democracy and who did they see as a threat? What political and social functions did both organisations fulfil? What was their relationship to political parties and the state? What political impact did the leagues have in the French Third Republic and in the Weimar Republic? And to what extent was the democracy protection they practised a model for militant democracy after 1945?

To answer these questions as precisely and concisely as possible, I will historicise the two human rights leagues as modern forms of political protectionism. According to their self-conception, political protectionists aim not only to protect but also to promote a certain political order or structure of governance (*Herrschaftsordnung*). In the case of the French and German human rights leagues, the order being protected was a democratic one. But political protectionism can also apply to nationalist, liberal, socialist, conservative, Islamist, or any other political order. Political protectionism can be civilian or state organised, politically organised or socially integrated (meaning that non-organised individuals or groups can also practise or propagate it). Like economic protectionism, which aims at the defence of an economic order (*Wirtschaftsordnung*), political protectionism works in two directions: outwards, in confrontation with other political orders or movements through security policy; or inwards, to promote those in need of protection through social and other forms of political solidarity.<sup>11</sup> Security policy can be both militant or conciliatory,<sup>12</sup> i.e., aimed at struggle or compromise with rival orders and movements who then become either “enemies” or “competitors.” Political solidarity, in turn, can take the form of either political subsidies (i.e., providing social or emotional support to members of the “in-group” or “friends”) or political coalitions (i.e., forming alliances with competing groups or individuals who then become “allies”). Protectors of an order can also be called *Garanten* (persons acting to protect); offenders can be labelled as *Gefährder* (persons likely to threaten public safety).<sup>13</sup>

The political protectionism practised and propagated by the two human rights leagues demonstrates that the protection of democracy is not confined to the state limiting political freedoms. This has been the focus of research so far, perhaps because the researchers thought of this subject matter primarily in terms of the “militant democracy” of the Federal Republic of Germany (FRG), which is indeed very state-centred.<sup>14</sup> After all, the leagues were non-governmental organisations

(NGOs) and aimed not only to restrict political freedoms of monarchist and nationalist forces actually or supposedly working towards a counter-revolution, but also to extend the political and social rights for all other citizens. At the time when modern democracy protection was created during the French Revolution, these two objectives were already present. The Jacobins used “terror” against the “enemies of freedom” to enable a massive expansion of social rights for the population, as envisaged in Maximilien de Robespierre’s *Déclaration des droits de l’homme et du citoyen* (Declaration of the Rights of Man and of the Citizen) of 1793.<sup>15</sup> While the first Declaration of Human Rights had provided for representative democracy, this second Declaration promoted direct democracy. It also envisaged expropriations in the name of the common good. Its aim was to create a social democracy alongside a political one. Moreover, the king, who had promulgated the first Declaration, didn’t have the opportunity do so with the second as he had been beheaded in the meantime.

Because both human rights leagues systematically tried to rally all forces supporting the French Revolution, i.e., the entire Left,<sup>16</sup> many of their members not only defended liberal republics but also attacked them, calling for a second social revolution with the aim of establishing a socialist democracy. As the French League shifted more and more to the left, many centrists left the organisation out of concern that the League was moving towards the “extremist” positions propagated by the socialists (and later the communists).<sup>17</sup> The activists labelled as “extremists” or “radicals” would counter these accusations by arguing that it was the differences in property ownership and privileges they were fighting that were extreme, not their policies.<sup>18</sup> Whether one leans towards one position or the other is not a historical but a political question.<sup>19</sup> Therefore, I will avoid terms like “extreme” or “radical” in this chapter and replace them, where possible, with less normatively charged terms.<sup>20</sup>

The first two sections of this essay deal with the development of the two leagues, from their creation to their destruction by Nazism. Alongside the organisations, two exemplary biographies will be examined, those of Victor Basch and of Emil J. Gumbel. The final section briefly sketches the reformation of democracy protection after 1945 in France, the Federal Republic, and the German Democratic Republic (GDR) until the unification of the two Germanies in 1989/90.

### **The Ligue française (pour la défense) des droits de l’homme et du citoyen**

Until it was dismantled by the Germans in 1940, the French League for Human Rights was one of the largest and most influential political organisations in the Third Republic.<sup>21</sup> It reached its peak in 1932, when it counted almost 180,000 paying members in some 2,400 local sections. Its leadership was recruited mainly from amongst left-wing intellectuals, lawyers, and politicians, who considered themselves “true democrats” in contrast to the right-wing nationalist and monarchist camp. In terms of party politics, the LDH was initially close to the Modérés (Moderates) and the Parti radical (Radical Party), i.e., to a rather liberal or liberal-democratic programme. Over time, however, it moved to the left, towards

social-democratic and liberal-socialist positions as represented in the socialist party, the Section française de l'Internationale ouvrière (French Section of the Workers' International, SFIO). In addition to fighting for civil and international human rights, the League's activities also included working towards democratising (i.e., liberalising and socialising) reforms and mobilising the Left against reactionism. Its first presidents were, in succession: founding father Ludovic Trarieux, a liberal senator and former justice minister; Francis de Pressensé, a publicist and socialist member of parliament; and Ferdinand Buisson, a philosopher and left-liberal member of parliament.

In 1926, the socialist philosopher Victor Basch was elected the League's fourth president.<sup>22</sup> Basch's political biography – his rapid rise by the turn of the century and his temporary demise during the nationalist Vichy Regime – in many ways parallels that of the LDH. Basch's political activity was part of a tradition going back to the revolution of 1848/49 which his liberal stepfather had participated in in Austria-Hungary before migrating to Paris. As a university professor from a Jewish-Hungarian family with German as his mother tongue, Basch was one of those naturalised French nationals who were particularly dependent on protection from discrimination. The fact that in 1906 he could move from Rennes in the Bretagne to the Sorbonne to teach Immanuel Kant may be evidence of the social and liberal democratisation promoted by the League. From his rather secure social position, Basch was at the centre of the League's coalition policy. He contributed to the League's receptiveness to an alliance with the communists for the protection of the Republic and in return was rather timid in his condemnation of the crimes of the Stalin dictatorship. At the same time, he worked on an alliance between French and German democrats. As far as he was concerned, the fact that in the end no such "union of democracies"<sup>23</sup> came about contributed to the debacle of 1940 and the dismantling of the League culminating, in 1944, with the murder of the then 81-year-old as a "terrorist"<sup>24</sup> by right-wing militias.

The French League stands in the tradition of a democratic protectionism that began with the Jacobin "terror" of the French Revolution and had given birth to several – albeit ephemeral – organisations during the 19th century. The first, the Société des droits de l'Homme et du citoyen (Society for Human and Citizen Rights), was formed to promote a Jacobin social republic during the revolution in July 1830, a revolution that had led to a constitutional liberal monarchy. The human rights society was closely linked to Freemasonry. When it was banned in 1834 because it had promoted uprisings, some of its leaders fled to London.<sup>25</sup> The Société was revived in the February Revolution of 1848, with reference to Robespierre's second Declaration of Human Rights of 1793 and the explicit demand for a "social revolution."<sup>26</sup> The Société argued that the forces for "freedom" had to "organise" and "defend" themselves just as much as their opponents did, but this time without disturbing public "order" and with the possibility of "peaceful discussion."<sup>27</sup> Another reiteration was founded in 1888 by Georges Clemenceau in response to the electoral successes of General Boulanger, a right-wing populist<sup>28</sup> who advocated a plebiscitary-nationalist reorganisation of the Republic. This third Société invoked the full legacy of the revolution, i.e., of 1789 and 1793, to mobilise

the entire Left against a slide into right-wing dictatorship.<sup>29</sup> Democracy was now to be protected not only from monarchists but also from nationalists.

The founding of the French League for the Defence of Human and Civil Rights another decade later can also be interpreted as a reaction to a somewhat existential threat. The organisation's first central committee abounded with people who, in the face of the conviction and deportation of the innocent Dreyfus, felt like second-class citizens because they, too, were undoubtedly subject to state discrimination – not only as Jews or because of their Jewish background, as was the case for many *ligueurs* from the start,<sup>30</sup> but also as Protestants, Black people, workers, migrants, women and, last but not least, organised leftists. All the above were represented amongst the League's founders.<sup>31</sup> At the same time, however, involvement in the League also exacerbated the threat. Those who publicly demanded rights for national outsiders were often exposed to attacks from the Right. Nevertheless, the League decided against the organisation of "gangs" able to fight the anti-Semitic League of Patriots, as had been proposed by the only working-class founding member, a former member of the Paris Commune of 1871. With such militarisation of political practice, there was the threat of the organisation being banned.<sup>32</sup> Subsequently, however, organised workers did protected lectures by *ligueurs* and, as in a political deal, in return benefited from legal protection by the League.<sup>33</sup>

What democracy did the League want to protect, and from whom? In its first statute, the League defined itself as an "association working for the defence of the principles of liberty, equality and justice as laid down in the Declaration of the Rights of Man of 1789." The statute states that the League fights against "arbitrariness and intolerance" because both increased "social disunity" and threatened "civilisation" and "progress."<sup>34</sup> Talking to the founding committee, Ludovic Trarieux was more explicit. For him the aim was to defend human rights "against the silent threat of counterrevolution," i.e., against a nationalist subversion of the Third Republic.<sup>35</sup> The League saw itself as the defender of a liberal democratic structure of governance – against an anti-democratic Right, which had already been organising itself in political leagues since the 1880s. The Right was much better integrated into the state apparatus than the Left, particularly in the military, judiciary, and the police which therefore often took harsh action against leftists and Jews. Conversely, the League did not protest when, for example, in 1900 General Louis André, a war minister of a left-wing government, had a Masonic lodge check Catholic officers to make sure they could be relied upon politically. Over time, the League also took up the defence of social democracy and the fight against the "new feudalism"<sup>36</sup> of a few monopolies and super-rich families. However, its commitment to the Declaration of 1793 remained rhetorical.

The League's work included national and international solidarity with groups and individuals it considered subject to discrimination. It also fostered alliances to mobilise those elements of the Left that saw themselves as democratic to achieve reforms in France and abroad.<sup>37</sup> Violent struggle was not part of the League's repertoire even though its members often sympathised with workers using violence in their political and social struggles. The militancy of the League was limited to intellectual debate with political opponents. Academics, lawyers, and artists active

in its ranks added their expertise to the documenting, arguing, narrating, and propagating of the League's point of view. The precedent here was set by the Dreyfus affair, not only through Emile Zola's novel *J'Accuse...!*, but also through the reproduction of court transcripts and case analyses such as in the book *Les preuves*, in which the socialist leader and Parisian elite school teacher Jean Jaurès proves that the military tribunal in the Dreyfus case worked with falsified evidence.<sup>38</sup> Such texts were sent out a hundred thousand times to multipliers – following on from the revolutionary practice of the petition. Alongside, the League published a journal that was an early mixture of a report on the protection of the constitution and an NGO report on the violation of international and fundamental rights.<sup>39</sup>

Discussing the social function of the League, William Irvine argues that for many of its members, the League was primarily one or more of the following: “an inexpensive political club, the French equivalent of a Rotary club or civic improvement society, an inexpensive form of insurance or a well-connected patronage network.”<sup>40</sup> Indeed, the LDH was following in the footsteps of the Masonic lodges (with whom it was still heavily intertwined) but had a much broader and more diverse base. In his book, Irvine shows that the League's legal aid office was there for all its members and usually investigated any complaints with sincerity and perseverance. Many of the cases concerned members of the public service who were discriminated against because of their left-wing convictions, but cases also included workers involved in (often violent) labour disputes. Although the League was committed to defending the rights of women, migrants, and “natives,”<sup>41</sup> cases involving discrimination based on gender or race were less common. Finally, the professional politicians active in the League also profited because the League provided a cross-party network that was so advantageous for political careers that between the World Wars there were few left-liberal or socialist politicians who were *not* members.

This brings us to the political function of the League. It was an organisation in which cross-party alliances could be forged and democratising reforms could be promoted. At the national level, its foundation was one of the conditions that enabled the formation of a “gouvernement de Défense républicaine” in 1899 – a government to defend the Republic against the Right in which liberal, social-liberal, and socialist democrats were able to form a coalition because they had practised this as Dreyfusards in the LDH. The League also functioned as a political hinge in later left-wing governments of the Third Republic: from the Left Bloc (1902–1905) to the Cartels (1924–1926, 1932–1933) to the Popular Front (1936–1938). Not least through the ligueurs, first socialists and later communists were mobilised for the defence of parliamentary democracy. Also because of the League, France was one of the few stable liberal republics after the Great War. At the same time, left-wing reform projects were (partially) realised by these alliances, such as the separation of church and state, labour and public service laws, and the prohibition of nationalist associations. The League also acted as a pioneer internationally, initiating reforms by working with partner organisations in other countries towards a “Democratic International,” most prominently in the League of Nations and in Franco-German reconciliation.



The League's relationship to the democratic state was ambivalent. On the one hand, it incessantly attacked the state from the left. In France, human rights were "proclaimed" but not "applied," the League said on stickers advertising membership.<sup>42</sup> To be sure, this rather severe criticism also included left-wing governments who, in the League's view, had moved too far to the right – for example, when Georges Clemenceau, as interior minister, took harsh action against workers involved in a revolt.<sup>43</sup> The LDH also protected anarchists, revolutionary syndicalists, and communists who were being oppressed by the state by drawing attention to their fate and fighting state oppression through legal means. Although few ligueurs embraced anarchism or communism, many were sympathisers. They felt they belonged to the same revolutionary camp. On the other hand, the League was the state. Ligueurs were part of many governments, even as prime ministers (Léon Blum, among many others). They also played a role in international organisations such as the International Labour Organisation (ILO), which Albert Thomas, a socialist Dreyfusard, helped set up. Above all, they were involved in the state protection of democracy against the counter-revolutionary right; Eugène Frot, for example, as minister of the interior during the nationalist riots of 6 February 1934, and Roger Salengro, who as minister of the interior of the Front Populaire tried to implement the ban on right-wing leagues. Both were members of the League.<sup>44</sup>

The two left-wing interior ministers, however, did not have much success. Frot had to resign because he was one of the parties held responsible for the riots of February 1934, and Salengro took his own life while still in office after being subjected to a defamatory campaign in the nationalist press. The ban on the nationalist and monarchist leagues was also barely enforced by the police and the judiciary.<sup>45</sup> In fact, while the Human Rights League was powerful enough to protect its clientele from state discrimination time and again, it was too weak to eliminate the counter-revolutionary Right. And in the Dreyfus affair, while the League was able to get the Jewish captain released, it did not manage to put the military officers who were responsible for Dreyfus's conviction with the help of falsified evidence behind bars.

In the Third Republic, there was a political stalemate between left-wing and right-wing camps. The balance of power only shifted when the Germans occupied France and a nationalist counter-revolution – a self-proclaimed "national revolution" – became possible. The LDH was crushed along with smaller democratic leagues like the *Ligue internationale contre l'antisémitisme* (International League against Anti-Semitism, LICA). Basch's assassination by militiamen in 1944 represents the temporary victory of right-wing over left-wing protectionism.

### **The Bund Neues Vaterland and the Deutsche Liga für Menschenrechte**

The German League was tiny compared to the French one, but it pursued largely identical goals: on the one hand, the defence and expansion of democracy against an anti-republican Right that was only timidly opposed by the republic; on the other hand, the cooperation with left-wing forces abroad in order to strengthen the democracy of the Weimar Republic internationally.<sup>46</sup> The DLM never had

more than 2,000 members and, until it got into financial trouble during the Great Depression, had no interest in being more than a “committee of intellectuals” made up of “republicans without a home.” It saw its strength “not in the quantity but in the quality of these members and in their diverse connections.”<sup>47</sup> The activists of the DLM were “without a home” insofar as the League disassociated itself from the “putschists” of the Communist Party of Germany (KPD) as well as from the policy of the Weimar Coalition, which was supportive of the state (“staatstragend”) and, in the League’s view, included dangerous compromises with the “reactionaries.” The publicist Otto Lehmann-Rußbüldt served as executive director of the BNV and the League until 1926, followed by Kurt Grossmann, a bank executive, until 1933. The DLM’s image was also shaped by intellectuals, such as Albert Einstein and Carl von Ossietzky, and it received support from republican institutions – from Robert Kempner for example, a legal adviser in the Prussian Ministry of the Interior.

One of the better-known protagonists of the DLM was the mathematician and publicist Emil J. Gumbel. Gumbel was on the League’s board for years and his biography serves as an initial probe into the history of the organisation until 1945.<sup>48</sup> As a young man during the German Empire, Gumbel was influenced by the social liberalism of Lujo Brentano, under whom he studied economics in Munich, and by his uncle Abraham Gumbel, a bank director and long-time member of the Social Democratic Party (SPD) who had organised both protests against the Anti-Social-Democracy-Law of 1878 and assistance for those affected by it.<sup>49</sup> In 1919, Gumbel escaped an assassination attempt by a nationalist vigilante. Later, anti-Semite students attacked him for his anti-militarist and anti-nationalist stance. His name appeared on death lists as his publications deconstructed military propaganda and documented how lenient the justice system was in dealing with right-wing violence. His best-known work, *Four Years of Political Murder*, mixes report on the protection of the constitution and basic rights bulletin.<sup>50</sup> Gumbel described himself and his role model Bertrand Russell as “anti-Bolshevik communists,”<sup>51</sup> and the Reich he wished for was a socialist republic combining parliamentary and council democracy. In 1917, he joined the Independent Socialists and later the SPD. After 1933, he participated in Popular Front efforts in Paris and assisted political refugees. During his time in exile in the US, his work contributed to anti-Nazi intelligence analyses.<sup>52</sup>

While the LDH stood in the tradition of human rights societies starting with the July Monarchy, the precursors of the DLM are to be found in the democratic opposition to the German Empire: in the German Peace Society (DFG) which had been founded in 1892 and was represented in the League by, amongst others, the pedagogue Siegfried Kawerau (an initiator of German-French student exchanges);<sup>53</sup> in small left-wing parties such as the Democratic Association (DV), in which Hellmut von Gerlach (chair of the League during its short time in exile) had been active;<sup>54</sup> and in revolutionary socialist organisations such as the Independent SPD (USPD) founded in 1917, from which Rudolf Breitscheid came to the BNV.<sup>55</sup> The first chair of the League, Otto Lehmann-Rußbüldt, had long belonged to the free-thinking Giordano-Bruno-Bund and had spent a week in prison in 1913 for blasphemy.<sup>56</sup> But the real precursor of the Menschenrechtsliga was the Bund Neues Vaterland – an

antimilitarist network that had formed in 1914 to protest against the annexation plans of the German nationalists and their interest groups. During the 1918/19 revolution, the BNV propagated a “democratic socialist republic.”<sup>57</sup> The fact that the Weimar Republic ultimately became a liberal democracy disappointed the Bund.

The BNV was founded not because its members felt their personal existence was threatened but because, as early as 1914, they feared that the World War would claim millions of victims. For those who joined the Bund, life became more dangerous than it had been before. Lilli Jannasch and Elsbeth Bruck, who ran the BNV’s publishing house, were taken into “protective custody” for several months in 1916 on suspicion of treason.<sup>58</sup> Kurt Eisner, publicist and politician from the Independent SPD (USPD), who in 1915 published an article as a BNV pamphlet on nationalist networks as the “driving force” behind the German conquest plans,<sup>59</sup> fell victim to a right-wing assassination in February 1919 while he was serving as prime minister of Bavaria. Gustav Landauer, whom Eisner knew from the Bund and whom he had brought to Munich as a speaker promoting “revolution in the mind,” was slain in May 1919 by right-wing militias who called themselves “Freikorps.”<sup>60</sup> The independent social democrat Alexander Futran also became their victim when he organised workers’ resistance to the Kapp-Ludendorff putsch in Köpenick in March 1920. In May, the Lebensreformer (life-reformer) Hans Paasche was also shot by right-wing militias. Other leading members of the BNV and DLM – including Lehmann-Rußbüldt, Elsbeth Bruck and Helene Stöcker – received death threats from nationalist gangs (“Ordnungsgruppen”), and Gumbel, Hellmuth von Gerlach, and Magnus Hirschfeld were injured at public events.<sup>61</sup>

Already during the First World War, the Bund Neues Vaterland had advocated not only for international understanding, but also for the democratisation of the Reich. However, they could only do so in a veiled and roundabout manner – between the lines, so to speak. Anyone calling to replace the monarchy with a democracy could be prosecuted for preparing to commit high treason, and even more so during times of war. Thus, in 1915, a circular of the Bund cautiously stated that the German people should in future “take part” in discussions about the right policy so as not to be “driven into new difficulties through no fault of their own.”<sup>62</sup> It was only at the point of the revolution in 1918/19 that the BNV articulated its programme more clearly. In Berlin, it mobilised a demonstration on 10 November at which a “democratic socialist republic” was to be proclaimed and the election to a “national assembly” be announced. The aim was a “socialist society” which could only be achieved through a “democratic international” and “by fighting both white and red terror.”<sup>63</sup> Later, after the massive violence committed by state-sanctioned militias against the revolutionary Left, the League criticised the Weimar Republic as not democratic enough and focused increasingly on “inward-looking nationalism,” i.e., anti-Semitism and anti-socialism.<sup>64</sup> The DLM also rejected Bolshevism but, like the LDH, showed much understanding for communists and their goals.

According to its statutes, the DLM was an “association of men and women” who “work for the attainment and protection of human rights without commitment to a specific party programme.” To “realise this goal,” it used “pamphlets,” “scientific investigations” for “petitions,” “discussion evenings,” “rallies,” “legal advice

and, if possible, legal protection in political legal disputes,” and the “cultivation of relationships with like-minded organisations.”<sup>65</sup> Like the LDH’s democratic protectionism, the DLM’s actions were also non-violent. In his booklet *Wehrhafte Republik?* the Social Democrat Gerhart Seger, a member of the League’s advisory board, praised the Reichsbanner Schwarz-Rot-Gold (who supported the state) for the services it provided in protecting events organised by democrats against nationalist attacks. But he also criticised the “creeping poison of militarism” in the Reichsbanner’s ranks.<sup>66</sup> Like its French counterpart, the DLM wanted to be militant only in an intellectual sense – in documenting, arguing, narrating, and propagating its point of view. The main focus of its foreign policy was the League of Nations and Franco-German and German-Polish reconciliation. Domestically, the focus was initially on deconstructing nationalist war propaganda. Later, the fight against the Nationalists came to the fore. But there was also concern about social discrimination, as an article by Ernst Fraenkel, a socialist lawyer, in the journal *Die Menschenrechte* shows.<sup>67</sup>

What social function did the BNV and DLM fulfil for their members? Lehmann-Rußbüldt wrote that he saw their greatest success in the “pure joy” brought by a holiday trip for 160 workers’ children to France organised by Milly Zirker (and originally initiated by the Communist Internationale Arbeiterhilfe) in 1924 and the Franco-German student exchange that began in 1926 under the lead of Helene Leroi. In both events, Lehmann-Rußbüldt sees the realisation of “work” that “transcends the stark contrast between the bourgeoisie and the working class and between Germany and France,” work that “makes children’s hearts happy and children’s bodies healthy.”<sup>68</sup> In fact, one can assume that the benefits of this activism were also of an emotional nature: it felt good to be active in solidarity. Furthermore, thanks to financial support from the LDH and other partners abroad, the organisation was able to expand the legal counselling it provided. This benefited persons who were politically or otherwise discriminated against. According to the League, its legal team was successful in 174 cases in 1929.<sup>69</sup> There was also a complaints office (“Beschwerdestelle”) which documented right-wing attacks on the Republic.<sup>70</sup> Last but not least, solidarity also strengthened members’ inner resolve, for example when “courageous women” like Zirker fended off nationalist attacks at DLM events,<sup>71</sup> or when activists met to enjoy the Berlin nightlife despite being eyed suspiciously by the press which reported “pacifist champagne evenings” and “orgies.”<sup>72</sup>

The central political function of the German League corresponds to that of the LDH: it was a political machine for forging cross-party alliances. However, unlike its French counterpart, the German League never succeeded in uniting the Left in opposition to the right-wing camp, although it did succeed in setting an example here or there. Until it was banned in 1916, the BNV showed Germans and the world that there were organised opponents of the war, not only in the working class but also amongst the middle classes. The DLM also expanded the contacts the Bund had forged overseas. As early as 1922, it organised speeches by Victor Basch, Ferdinand Buisson, and other LDH representatives in the Reichstag. In 1924, Basch even spoke in Potsdam, “the secret capital of the secret monarchy.”<sup>73</sup>

Buisson was awarded the Nobel Peace Prize in 1927 for his pioneering pacifism together with Ludwig Quidde, the pacifist historian. The DLM also achieved respectable successes in domestic politics. In 1926, it was the driving force behind a referendum on the expropriation of the German princes which was ultimately supported by the *Deutsche Demokratische Partei* (DDP), the Social Democrats, and the Communist Party. On 19 February 1933, with the communist Willi Münzenberg, it organised one last oppositional conference – on free speech. When the Prussian police broke up the event, Wolfgang Heine, a former Prussian minister of the interior from the right wing of the SPD, was speaking.<sup>74</sup> Did the police here possibly smash an emerging Popular Front comprising (as was the case later in France) not just social democrats and left-wing liberals, but also communists?

If the “democratic socialist republic” that the BNV wanted to proclaim on 10 November 1918 had been established, the DLM might have developed a different relationship to the state, a relationship more like that of the LDH. Thanks to the revolution, the BNV had been given premises in the government quarter, right next to the Foreign Office.<sup>75</sup> Some members were offered key positions: Breitscheid became one of two Prussian ministers of the interior, von Gerlach his under-secretary, and Eisner Bavarian premier. They soon lost these posts again, however, or got killed. The security authorities of the Weimar Republic regarded the League with suspicion because it sought a “radical upheaval of domestic political conditions through a second revolution” and was causing “considerable” damage to Germany’s reputation.<sup>76</sup> However, the League was also supported from within the state apparatus. Justice Minister Gerhard Anschütz considered Gumbel’s research on right-wing murders and political justice to be accurate.<sup>77</sup> Paul Löbe, as president of the Reichstag, made the LDH speeches possible.<sup>78</sup> The SPD-led Prussian interior ministry, with the help of the Reichsbanner, provided protection while Basch delivered his speech in Potsdam.<sup>79</sup> Since 1926, the League’s legal office was headed by Robert Kempner, who organised the fight against right-wing subversion at the Prussian Interior Ministry.<sup>80</sup> Hermann L. Brill, who sat on the League’s advisory board, tried to do the same for Thuringia<sup>81</sup> and Kurt R. Grossmann, a close friend of Kempner, was active in the Jewish anti-Nazi defence.<sup>82</sup>

The efforts to prevent the overthrow of the democratic order by the nationalists through cooperation between militant democrats inside and outside of the institutions of the Republic famously failed. Nevertheless, the first expatriation list of the Nazi dictatorship dated 25 August 1933 showed how seriously the Nazis took the democrats. The list includes 33 potential protagonists from a left-wing alliance. At least 17 of them were members of or closely associated with the League;<sup>83</sup> four worked in republican security authorities (like Kempner); three belonged to Münzenberg’s communist network;<sup>84</sup> Wilhelm Pieck and Friedrich Heckert represented the Red Aid, the League’s Stalinist counterpart; Otto Wels and Philipp Scheidemann were leaders of the Reichsbanner with some 3 million members; and Max Sievers presided an association of about 600,000 German freethinkers.<sup>85</sup> In exile, many League activists participated in Popular Front and National Committee alliances.<sup>86</sup> They used their networks to help others escape and their expertise to document Nazi crimes.<sup>87</sup> Many contributed to the anti-Hitler coalition by

planning the democratic post-War order in occupied Germany: Kempner in the US State Department, Fraenkel with a Carnegie grant, and Brill as an inmate of the Buchenwald concentration camp.<sup>88</sup>

### **On the agency and the legacy of the first human rights leagues**

After all, the first human rights leagues in France and Germany were not as “inefficient” as Hannah Arendt had claimed in the passage from her book on totalitarianism quoted at the beginning of this essay. The leagues may indeed not have been able to organise the rescue of millions of refugees, but it was not their task to solve such mammoth problems.<sup>89</sup> Their aspiration, rather, was to protect and expand democratic regimes by democratising political as well as social life. The political and social rights of citizens were to be steadily expanded by the judiciary, legislature, and executive and, where necessary, the rights of counterrevolutionary opponents of such reforms were to be curtailed. We have seen that the LDH achieved visible successes, for instance in the struggle against discrimination against Jewish, Protestant, and left-wing civil servants, but also in the formation of left-wing alliances that helped ensure that fascists did not come to power in France until after the occupation of the country. The agency of the BNV and DLM, in turn, lay primarily in the area of foreign policy, where both acted as pioneers of Franco-German rapprochement.

Arendt’s interpretation of the Dreyfus affair as a “dress rehearsal” for later conflicts, though, seems plausible. In fact, not only was the word “intellectual” born from the affair, but from it also emerged the figure of the leftist scholar, educator, or lawyer committed to the “good cause” – namely the protection of a social democratic order against “reactionaries.” That figure later appeared not only in the DLM, but also in the American Civil Liberties Union (ACLU).<sup>90</sup> This form of democracy protection, which also includes political lobbying for socialising and liberalising reforms, continues to have an effect to the present day, for instance in the form of the laws on associations (1905) and the ban of nationalist leagues (1936), both of which are the result of pressure exerted by the French League and its allies. In 1946, the Resistance Alliance, ranging from the Gaullists to the Communists, also implemented the League’s demands when it proclaimed social human rights and guaranteed the rights of public servants.<sup>91</sup> In 1948, René Cassin, a ligueur, played a leading role in drafting the UN Declaration on Human Rights.<sup>92</sup> After 1944, the LDH did not regain its former size because several different parties took over many of its functions. Since the protests against torture and right-wing terror in Algeria in the late 1950s, however, it has regained a firm place in political life. The League’s militant democracy was now planned and implemented not only by socialists and left-liberals, but also by communists like the historian Madelaine Rebérioux, who in 1969 was expelled from the Communist Party for her radical views. She later went on to head the LDH in the 1990s.<sup>93</sup>

In post-War Germany, two structures of governance were established that both saw themselves as democratic. In the Soviet-occupied zone, communists initially propagated a militant democracy (“kämpferische Demokratie”) under socialist

auspices. It had been conceived by Popular Front lawyers in Paris and adopted by German exiles in Moscow.<sup>94</sup> However, the promise that socialism would finally enforce human rights all but disappeared after it became clear in 1946 that the SED – an alliance of communists and socialists but not liberals – could not win in free elections. As in France, it took some time before human rights came to the fore again. In 1959, a Komitee zum Schutze der Menschenrechte (Committee for the Protection of Human Rights, KSM) was formed in the tradition of both the DLM and Red Aid. The KSM protested (real and alleged) political and social discrimination in the West and showed solidarity with national liberation movements.<sup>95</sup> An ex-DLM activist, the historian Jürgen Kuczynski who had been responsible for *Die Menschenrechte* for some time, was a member of the Committee. Kuczynski, who had joined the KPD in 1930, belonged to a small group of communist intellectuals with a Jewish background who were part of the East German elite. They were of great importance to the regime’s “anti-fascist” self-image and, out of loyalty, only voiced their criticism of conditions in the GDR internally.<sup>96</sup> Kuczynski, who was a close confidant of Erich Honecker, remained loyal to the GDR and the Soviet Union, although as a “Westemigrant” (an emigrant from the West) he was affected by the anti-liberal and anti-Semitic purges of the 1950s and, as a historian, he was accused of “revisionism.” As a historian *and* human rights activist loyal to Moscow, he appeared as an expert in the 1964 Auschwitz trial in Frankfurt am Main. He also took part in the human rights debates of the 1970s and, in the 1980s, was among the communist reformers ready to ally with dissidents to establish the socialist democracy in the GDR which had been propagated, but not realised, in 1918 and 1945.<sup>97</sup>

While in East Germany a socialist dictatorship was established, in the West a liberal democracy emerged. One can distinguish three forms of competing political protectionism (and they are still competing): protection of the state (*Schutz des Staates*), democracy protection (*Schutz der Demokratie*), and protection of the constitution (*Schutz der Verfassung*).<sup>98</sup> Under allied occupation, democracy protection that continued the fight of the anti-Hitler alliance dominated. It was primarily directed against the Right (“Nazism and militarism”) and propagated by socialist anti-Nazis like Kempner (who participated in Nuremberg as prosecutor) and Brill (who shaped the re-democratisation of Hesse).<sup>99</sup> However, the SPD’s attempt to pass democracy protection laws that also aimed to include victims of Nazi persecution failed on a federal level in 1950.<sup>100</sup> Instead, protection of the state prevailed, pushed by former Nazi elite and right-wing Nazi opponents. It was primarily directed against the Left, not just communism but also revolutionary socialism and anyone allied with (real and alleged) communists. The post-war DLM, although even tinier than its predecessor, was also under suspicion because it supported socialism and warned against former Nazis.<sup>101</sup> Later, as a compromise between democracy protection and protection of the state, the protection of the constitution became hegemonic. This *Schutz der Verfassung* rarely banned communist organisations but excluded their members from civil service and public life in general. A large majority of the West German elite were supportive – among them Ernst Fraenkel, another former activist of the German Human Rights League who

returned from exile in 1951. Thus, both *Demokratienschutz* and *Verfassungsschutz* can claim to stand in the tradition of the first human rights leagues.

Given the current rise of nationalism not only in authoritarian regimes like Russia, Turkey, or China, but also in many liberal democracies like Germany, it seems to be time to renew our focus on democracy protection.<sup>102</sup> Studying the human rights leagues in France and Germany can help explain the strengths and weaknesses of this form of democratic protectionism.

## Notes

- 1 Hannah Arendt, *The Origins of Totalitarianism*, Orlando 1985 (first ed. 1951), pp. 10, 45.
- 2 Bertrand Joly, *Déroulède. L'inventeur du nationalisme français*, Paris 1998; Peter M. Rutkoff, *Revanche & Revision. The Ligue des patriotes and the origins of the radical right in France, 1882–1900*, Athens 1981.
- 3 *Déclaration des droits de l'homme et du citoyen. Décretés par l'Assemblée Nationale dans les séances des 20, 21, 23, 24 et 26 août 1789, acceptés par le Roi*, Paris 1789. All translations are mine.
- 4 Arendt, *Origins*, p. 281.
- 5 Erwin Gülzow, *Der Bund "Neues Vaterland." Probleme der bürgerlich-pazifistischen Demokratie im Ersten Weltkrieg 1914–1918*, East Berlin 1969; Pierre Grappin, *Le Bund Neues Vaterland (1914–1916). Ses rapports avec Romain Rolland*, Lyon 1952. A newer monograph on the BNV is a desideratum.
- 6 See especially Emmanuel Naquet, *Pour l'humanité. La Ligue des droits de l'homme, de l'affaire Dreyfus à la défaite de 1940*, Rennes 2014; Madeleine Rebérioux, *Politique et société dans l'histoire de la Ligue des droits de l'homme, Le Mouvement social* (1998) 183, pp. 3–26; Wendy Ellen Perry, *Remembering Dreyfus. The Ligue des Droits de l'Homme and the making of the modern French human rights movement*, Chapel Hill 1998.
- 7 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 en France*, McGill University 2000; William D. Irvine, *Between Justice And Politics. The Ligue des Droits de l'Homme, 1898–1945*, Stanford 2006.
- 8 Lothar Mertens, Die "Deutsche Liga für Menschenrechte" in der Weimarer Republik. In: Bert Becker/Horst Lademacher (eds.), *Geist und Gestalt im historischen Wandel. Facetten deutscher und europäischer Geschichte 1789–1989. Festschrift für Siegfried Bahne*, Münster 2000, pp. 257–269, here p. 264. See also Daniel Laqua, Reconciliation and the Post-War Order. The Place of the Deutsche Liga für Menschenrechte in Interwar Pacifism. In: id. (ed.), *Internationalism reconfigured. Transnational ideas and movements between the World Wars*, London/New York 2011, pp. 209–238.
- 9 Hans Manfred Bock, Heimatlose Republikaner in der Weimarer Republik. Die Deutsche Liga für Menschenrechte (vormals Bund Neues Vaterland) in den deutsch-französischen Beziehungen, *lendemains*, 23 (1998) 1, pp. 68–102; Otmar Jung, Unterschiedliche politische Kulturen. Der Redneraustausch zwischen französischen und deutschen Pazifisten 1924. In: Detlef Lehnert/Klaus Megerle (eds.), *Politische Teilkulturen zwischen Integration und Polarisierung. Zur politischen Kultur in der Weimarer Republik*, Wiesbaden 1990, pp. 250–292; Tristan Coignard, *Une histoire d'avenir. L'Allemagne et la France face au défi cosmopolitique (1789–1925)*, Heidelberg 2017, pp. 415–454.



- 10 Roughly following the theories of the political scientists David Truman and David Salisbury: Jeffrey M. Berry, *On the Origins of Public Interest Groups. A Test of Two Theories*, *Polity*, 10 (1978) 3, pp. 379–397.
- 11 On political solidarity, see also Dominik Rigoll, *Kommunistische Solidaritätspolitik im demokratischen, nationalistischen und kolonialen Frankreich 1920–2010*, *Archiv für Sozialgeschichte* (AfS), 60 (2020), pp. 147–181.
- 12 On political (re-)conciliarism, see also Dominik Rigoll, *Internationalismus von rechts. Deutsch-französische Annäherung unter nationalistischen Vorzeichen am Beispiel von Friedrich Grimm (1888–1959)*. In: Anne Couderc/Corine Defrance/Ulrich Pfeil (eds.), *La réconciliation/Versöhnung. Histoire d'un concept entre oubli et mémoire/Geschichte eines Begriffs zwischen Vergessen und Erinnern*, Berlin et al. 2022, pp. 241–264.
- 13 I'm linking here the theories of Carl Schmitt, *Der Begriff des Politischen*, Hamburg 1932, and Chantal Mouffe, *Über das Politische. Wider die kosmopolitische Illusion*, Frankfurt a.M. 2007. On *Gefährder* and *Garanten*, see also Dominik Rigoll, *Wie umgehen mit den rechten Gefährdern? Antinazistische Sicherheitspolitik in Westdeutschland, 1945–1960*, *Zeitgeschichte-online*, 23 October 2019, <https://zeitgeschichte-online.de/themen/wie-umgehen-mit-den-rechten-gefaehrden>, accessed 12 May 2022.
- 14 See the very useful overviews by Uwe Backes, *Limits of political freedom in democratic constitutional states. A comparative study on Germany, France and the USA*, *Totalitarismus und Demokratie*, 3 (2006), pp. 265–283; id., *Schutz des Staates. Von der Autokratie zur streitbaren Demokratie*, Opladen 1998.
- 15 *Déclaration des droits de l'homme et du citoyen proposée par Maximilien Robespierre*, Paris 1793.
- 16 See also Geoff Eley, *Forging Democracy. The History of the Left in Europe, 1850–2000*, Oxford/New York 2002. A history of the German Left is a desideratum. On the German Right, see Dominik Rigoll/Laura Haßler, *Forschungen und Quellen zur deutschen Rechten. Teil 1: Ansätze und Akteur:innen*, in *AfS*, 61 (2021), pp. 569–611.
- 17 Senator Anthony Ratier in 1909, quoted by Irvine, *Justice and Politics*, p. 37.
- 18 On this ambivalence of terms like “radical,” see Otto Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga für Menschenrechte, vormals Bund Neues Vaterland, für den Weltfrieden 1914–1927*, Berlin 1927, p. 91.
- 19 On the problem of normativity in historical narratives on German “Zeitgeschichte,” see also Dominik Rigoll, *Fünf Möglichkeiten, den Radikalenbeschluss zu historisieren. Oder warum die Bundesrepublik keine Erfolgsgeschichte haben kann*. In: Edgar Wolfrum/Birgit Hofmann (eds.), *Verfassungsfeinde im Land? Baden-Württemberg, 68 und der “Radikalenerlass” (1968–2018)*, Göttingen 2022, pp. 523–554.
- 20 On the terminology used here, see also Dominik Rigoll/Yves Müller, *Zeitgeschichte des Nationalismus. Für eine Historisierung von Nationalsozialismus und Rechtsradikalismus als politische Nationalismen*, *AfS*, 60 (2020), pp. 323–351; Rigoll/Haßler, *Forschungen und Quellen zur deutschen Rechten*.
- 21 Unless otherwise stated, this part is based on Irvine, *Justice and Politics*, and Naquet, *Pour l'humanité*.
- 22 On Basch, see Françoise Basch, *Victor Basch ou la passion de la justice. De l'affaire Dreyfus au crime de la milice*, Paris 1994; Bernard Ludwig, *Victor Basch et l'Allemagne. Esquisse d'une relation particulière*, *Revue d'Allemagne et des Pays de langue allemande*, 36 (2004), pp. 341–358.
- 23 Cited by Naquet, *Pour l'humanité*, p. 595.

- 24 The murder was committed by the nationalist “Mouvement National Antiterroriste,” which had been founded in Lyon in 1943 to answer “terror” with “terror” (Basch, *La passion de la justice*, p. 332).
- 25 Jeanne Gilmore, *La république clandestine*, Paris 1997; Xavier Sauriac, *La Société des droits de l’homme et du citoyen 1832–1834*, Paris 1974.
- 26 *Société des Droits de l’Homme et du Citoyen*, Paris 1848.
- 27 *Société des Droits de l’Homme et du Citoyen*, Sedan 1848.
- 28 Boulangerism can be considered early right-wing populism. See Paul Pasteur, Vom General Boulanger zu Jean-Marie Le Pen. Populismus und National-Populismus in Frankreich. In: Gabriella Hauch/Paul Pasteur/Thomas Hellmuth (eds.), *Populismus. Ideologie und Praxis in Frankreich und Österreich*, Innsbruck 2002, pp. 45–62.
- 29 Jean Garrigues, De Gambetta à Boulanger. Les radicaux face à la république opportuniste. In: Serge Berstein/Marcel Ruby (eds.), *Un Siècle de radicalisme*, Villeneuve d’Ascq 2004, pp. 29–48, here pp. 43–46.
- 30 In view of the comparatively large number of Jewish ligueurs, the nationalist right in France and elsewhere spread the propaganda that human rights were to be regarded as an instrument of a “Jewish world conspiracy” just like Marxism. Also see the interpretation of the League in Walter Frank, *Händler und Soldaten. Frankreich und die Judenfrage in der “Affäre Dreyfus,”* Hamburg 1933, p. 133.
- 31 See also Madelaine Rebérioux, Politique et société dans l’histoire de la Ligue des droits de l’homme, *Le Mouvement social*, 183 (1998), pp. 3–26, who draws attention to the fact that the founding board of the LDH was “carefully dosed” with regard to the groups represented in it (p. 9). Today one would speak of a deliberately emphasised “diversity.” In the League’s everyday political life, however, women were rarely present, and workers and Black people hardly ever appeared at all. See on this also Claveau, *L’autre*.
- 32 Avronsart, cited after Naquet, *Pour l’Humanité*, p. 95.
- 33 Rebérioux, *Politique et société*, p. 12.
- 34 The statute is reproduced in Emmanuel Naquet, *La Ligue des Droits de L’Homme. Une association en politique (1898–1940)*, Institut d’études politiques de Paris 2005, p. 1021.
- 35 Cited after Henri Sée, *Histoire de la ligue des droits de l’homme (1898–1926)*, Paris 1927, p. 11.
- 36 Cited after Irvine, *Justice and Politics*, p. 24.
- 37 According to the 1898 statute, the League’s “means of action” consisted of “meetings, publications, petitions to the Houses of Parliament and, if necessary, intervention with representatives of government and administration” (Naquet, *La Ligue des Droits de L’Homme*, p. 1021).
- 38 Jean Jaurès, *Les preuves: Affaire Dreyfus*, Paris 1998 (orig. 1898).
- 39 See the impressive facsimiles of selected title pages in Naquet, *Pour l’Humanité*, pp. XXVI–XXXII.
- 40 Irvine, *Justice and Politics*, p. 4.
- 41 Claveau, *L’autre*.
- 42 See the illustration on the book cover of Naquet, *Pour l’Humanité*.
- 43 Sée *Histoire de la ligue des droits de l’homme*, pp. 61–65.
- 44 Rebérioux, *Politique et société*, p. 20; Irvine, *Justice and Politics*, p. 104f.
- 45 Stéphane Kotovtchikhine, L’action juridique face aux groupements d’extrême droite à la fin de la IIIe République. In: Sophie Bourrel/Xavier Vandendriessche (eds.), *Le Front National et le droit*, Villeneuve d’Ascq 2001, pp. 19–38.
- 46 Unless otherwise stated, this part is based on Bock, *Heimatlose Republikaner*; Mertens, *Deutsche Liga für Menschenrechte*; Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*.

- 47 Bock, *Heimatlose Republikaner*, p. 72.
- 48 On Gumbel, see Dietrich Heither, *Ich wusste, was ich tat. Emil Julius Gumbel und der rechte Terror in der Weimarer Republik*, Köln 2016; Arthur D. Brenner, *Emil J. Gumbel. Weimar German pacifist and professor*, Boston et al. 2001; Christian Jansen, *Emil Julius Gumbel. Portrait eines Zivilisten*, Heidelberg 1991.
- 49 Ulrich Maier, Sozialdemokrat, Bankier, Friedensaktivist. Abraham Gumbel (1852–1930). In: Christhard Schrenk (ed.), *Heilbronner Köpfe VII. Lebensbilder aus vier Jahrhunderten*, Heilbronn 2014, pp. 111–132.
- 50 Emil Julius Gumbel, *Vier Jahre politischer Mord*, Heidelberg 1922. Also worth reading are id., *Vier Jahre Lüge*, Berlin 1919; id., *Verschwörer. Zur Geschichte und Soziologie der deutschen nationalistischen Geheimbünde 1918–1924*, Wien 1924; id., *Klassenkampf und Statistik. Eine programmatische Untersuchung*, Amsterdam 1928; id., “Verräter verfallen der Feme.” *Opfer, Mörder, Richter 1919–1929*, Berlin 1929; id., “Lasst Köpfe rollen.” *Faschistische Morde 1924–1931*, Berlin 1931; id., *Vom Fememord zur Reichskanzlei*, Heidelberg 1962.
- 51 Cited after Jansen, *Emil Julius Gumbel*, p. 14.
- 52 Franz Neumann, who played a leading role in Allied occupation planning in the Office for Strategic Services (OSS), thanks Gumbel in the preface to his “Behemoth”: Franz L. Neumann, *Behemoth. The structure and practice of national socialism 1933–1944*, New York 1966, p. XIV (orig. 1942/44).
- 53 Wolfgang Hasberg, Siegfried Kawerau (1886–1936). In: Michael Fröhlich (ed.), *Die Weimarer Republik. Portrait einer Epoche in Biographien*, Darmstadt 2002, pp. 293–304.
- 54 Christoph Koch (ed.), *Vom Junker zum Bürger. Hellmut von Gerlach – Demokrat und Pazifist in Kaiserreich und Republik*, München 2009.
- 55 Peter Pistorius, *Rudolf Breitscheid 1874–1944. Ein biografischer Beitrag zur deutschen Parteiengeschichte*, Köln 1970.
- 56 Wolfgang Gröf, Lehmann-Rußbüldt, Otto, *Neue Deutsche Biographie*, 14 (1985), pp. 99–101.
- 57 Cited after Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, p. 82.
- 58 See *ibid.*, pp. 59–61.
- 59 Kurt Eisner, Treibende Kräfte, *Flugschriften des Bundes “Neues Vaterland,”* 14 (1915), n.p.
- 60 Cited after Walter Tormin, Gustav Landauer. In: Manfred Asendorf/Rolf von Bockel (eds.), *Demokratische Wege. Deutsche Lebensläufe aus fünf Jahrhunderten. Ein Lexikon*, Wiesbaden 2016, pp. 358–360, here p. 360.
- 61 Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, pp. 99–100.
- 62 Cited after *ibid.*, p. 22.
- 63 Cited after *ibid.*, p. 81f.
- 64 *Ibid.*, p. 91.
- 65 *Ibid.*, p. 129f.
- 66 Gerhart Seger, *Wehrhafte Republik?* Berlin 1926, p. 41; Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, p. 129.
- 67 Paul Ernst Fraenkel, Soll der Unvermögende rechtlos werden? *Die Menschenrechte*, 5 February 1932.
- 68 Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, p. 132.
- 69 Bock, *Heimatlose Republikaner*, p. 76.
- 70 An impression of the range of cases dealt with is given by *Acht Jahre politische Justiz. Das Zuchthaus – die politische Waffe. Eine Denkschrift der Deutschen Liga für Menschenrechte e.V.*, Berlin 1927. See also Otmar Jung, Verfassungsschutz

- privat. Die Republikanische Beschwerdestelle e.V. (1924–1933), *Vierteljahrshefte für Zeitgeschichte*, 35 (1987) 1, pp. 65–93.
- 71 Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, p. 99.
- 72 Cited after Mertens, *Die Deutsche Liga*, p. 258.
- 73 Lehmann-Rußbüldt, *Der Kampf der Deutschen Liga*, p. 131.
- 74 See Mertens, *Die Deutsche Liga*, p. 268. A biography of Wolfgang Heine is a desideratum.
- 75 See Bock, *Heimatlose Republikaner*, p. 72. Later, the DLM moved to Monbijouplatz.
- 76 Cited after Mertens, *Die Deutsche Liga*, pp. 257, 265.
- 77 Gumbel, *Vier Jahre*, p. 6.
- 78 Jung, Redneraustausch.
- 79 Ibid.
- 80 Thomas Albrecht, *Für eine wehrhafte Demokratie. Albert Grzesinski und die preußische Politik in der Weimarer Republik*, Bonn 1999; Robert M. W. Kempner (ed.), *Der verpasste Nazi-Stopp. Die NSDAP als staats- und republikfeindliche, hochverräterische Verbindung. Preußische Denkschrift von 1930*, Frankfurt a.M. 1983.
- 81 See Andreas Schneider, Hermann Brill in der Ära Frick und die Auseinandersetzung um die Ernennung Hitlers zum Gendarmeriekommissar von Hilburghausen. In: Renate Knigge-Tesche/Peter Reif-Spirek (eds.), *Hermann Louis Brill 1895–1959. Widerstandskämpfer und unbeugsamer Demokrat*, Wiesbaden 2011, pp. 67–76.
- 82 Arnold Paucker, *Der jüdische Abwehrkampf gegen Antisemitismus und Nationalsozialismus in den letzten Jahren der Weimarer Republik*, Hamburg 1968, p. 251; Lothar Mertens, *Unermüdlicher Kämpfer für Frieden und Menschenrechte. Leben und Wirken von Kurt R. Grossmann*, Berlin 1997, p. 68f.
- 83 Alfred Apfel, Georg Bernhard, Rudolf Breitscheid, Alfred Falk, Lion Feuchtwanger, Friedrich Wilhelm Foerster, Hellmut von Gerlach, Kurt R. Grossmann, Emil Julius Gumbel, Berthold Jacob (Salomon), Alfred Kerr, Otto Lehmann-Rußbüldt, Heinrich Mann, Leopold Schwarzschild, Ernst Toller, Kurt Tucholsky, Johannes Werthauer. For the release of Max Hoelz the League had campaigned.
- 84 Willi Münzenberg, Ruth Fischer (Elfriede Gohlke), Eugen Eppstein.
- 85 Unfortunately, only a small volume with short biographical sketches is available on the first expatriation list: Klaus Pfeiffer/Joachim Rott, *Die erste Ausbürgerungsliste vom 25. August 1933*, Berlin 2016.
- 86 Gumbel, Breitscheid, and von Gerlach, for instance.
- 87 See, for instance, Kurt Grossmann (anonymous), *Menschen auf der Flucht. Drei Jahre Fürsorgearbeit für die deutschen Flüchtlinge*, Prag 1936; Gerhart Seger, *Oranienburg. Erster authentischer Bericht eines aus dem Konzentrationslager Geflüchteten. Mit einem Geleitwort von Heinrich Mann*, Karlsbad 1934. Emil J. Gumbel and Ernst Fraenkel, for example, were active in helping refugees, but so were many others.
- 88 Dirk Pöppmann, The Trials of Robert Kempner. From Stateless Immigrant to Prosecutor of the Foreign Office. In: Kim Christian Priemel/Alexa Stiller (eds.), *Reassessing the Nuremberg Military Tribunals. Transitional justice, trial narratives, and historiography*, New York 2012, pp. 23–45; Ernst Fraenkel, *Gesammelte Schriften. Vol. 3: Neuaufbau der Demokratie in Deutschland und Korea*, Baden-Baden 1999, p. 12; Wolfgang Röhl, Hermann Brill und die sozialdemokratischen Häftlinge im Konzentrationslager Buchenwald. In: Knigge-Tesche/Reif-Spirek, *Hermann Louis Brill*, pp. 105–130.
- 89 In addition, many activists not only of the German and French but also of other human rights leagues became refugees themselves in the years after 1933. Arendt is thus victim blaming here, as elsewhere with regard to the Judenräte and the Jewish resistance.
- 90 For a comparison of LDH and ACLU, see Irvine, *Justice and Politics*, pp. 221–224.

- 91 See Rigoll, *Kommunistische Solidaritätspolitik*.
- 92 Antoine Prost/Jay Winter, *René Cassin et les droits de l'homme. Le projet d'une génération*, Paris 2011.
- 93 Éric Agrikoliansky, *La Ligue française des droits de l'homme et du citoyen depuis 1945. Sociologie d'un engagement civique*, Paris 2002.
- 94 See Peter Erler/Horst Laude/Manfred Wilke (eds.), “Nach Hitler kommen wir.” *Dokumente zur Programmatik der Moskauer KPD-Führung 1944/45 für Nachkriegsdeutschland*, Berlin 1994, pp. 240–326. On the transnational activism of communist lawyers in France, see Rigoll, *Kommunistische Solidaritätspolitik*.
- 95 Ned Richardson-Little, *The human rights dictatorship. Socialism, global solidarity and revolution in East Germany*, Cambridge 2020. The KSM was renamed DDR-Komitee für Menschenrechte in 1969.
- 96 See Sonia Combe, *Loyal um jeden Preis. “Linientreue Dissidenten” im Sozialismus*, Berlin 2022, or id., *La loyauté à tout prix. Les floués du “socialisme reel,”* Lormont 2019, pp. 171–200 passim. On another telling example, not mentioned by Combe, see Daniel Siemens, *Hinter der Weltbühne. Hermann Budziszlawski und das 20. Jahrhundert*, Berlin 2022.
- 97 See also Jürgen Kuczynski, *Dialog mit meinem Urenkel. Neunzehn Briefe und ein Tagebuch*, East Berlin 1983.
- 98 On the following, see also Dominik Rigoll, *Staatsschutz in Westdeutschland. Von der Entnazifizierung zur Extremistenabwehr*, Göttingen 2013; id., *Kampf um die innere Sicherheit. Schutz des Staates oder der Demokratie?* In: Frank Bösch/Andreas Wirsching (eds.), *Hüter der Ordnung. Die Innenministerien in Bonn und Ost-Berlin nach dem Nationalsozialismus*, Göttingen 2018, pp. 454–497; id., *Zeitgeschichte des Nationalismus*. The analytical grid proposed here for the Federal Republic can also be understood as a supplement to and specification of the useful typology developed by Backes, *Schutz des Staates*.
- 99 See Pöppmann, *The Trials of Robert Kempner*, as well as the contributions of Karsten Rudolph, Stephanie Zibell, Helmut Berding und Dietfrid Krause-Vilmar in: Knigge-Tesche/Reif-Spirek, *Hermann Louis Brill*.
- 100 This central aspect is missing in the important analyses by Backes, *Schutz des Staates*, and Eckhard Jesse, *Politischer Extremismus und Demokratieschutz*, *Zeitschrift für Staats- und Europawissenschaften*, 10 (2012) 1, pp. 78–98. The same is true for the human rights leagues’ early militant democracy.
- 101 Lora Wildenthal, *The Language of Human Rights in West Germany*, Philadelphia 2013.
- 102 See also Dominik Rigoll, *Unter Generalverdacht*, *Die Zeit*, 18 January 2022.

## 2 The Reichsbanner Black-Red-Gold

### Militant democrats in the Weimar Republic\*

*Sebastian Elsbach*

#### **The logic of Weimar comparisons**

The fall of the Weimar Republic and its replacement by the so-called Third Reich are a constant object of past and current concerns about the real and imagined instability of democracy. Comparisons across cultures, times, and countries never work on a one-to-one basis, of course. There are not two, five, or ten checkboxes that could tell us whether a specific democratic state suffers from the “Weimar syndrome” or not.<sup>1</sup> But in some cases, a comparison with Weimar can be helpful as long as it is informed and differentiated. Thus, an interdisciplinary approach to Weimar history in general and to the topic of the civil protection of democracy in particular seems fruitful. Popular Weimar comparisons often struggle to get the historical or contemporary facts right or fail to make the correct link between the two time periods. For example, it is very unlikely that the specific conditions of German hyperinflation in the years of 1922–1923 will ever be repeated, hence warning of their reappearance does not make much sense.<sup>2</sup> However, the catastrophic extent of the past German hyperinflation has been repeated or even topped several times already, and comparing two versions of a similar event is potentially enlightening. Likewise, the Weimar Republic is not the only democracy that was destroyed by anti-democratic actors from within, actors who, at a time of national emergency, used constitutional loopholes to more or less silently transform the political system to serve their autocratic goals.

But this is where the pitfalls begin. What actually is the “Weimar syndrome”? Is it one strongman named Adolf Hitler who, once democratically elected, misused his power to overthrow democracy as a system of government? Many would agree, but this is in fact not what happened in the last years of the Weimar Republic. Hitler never won an absolute majority in a democratic election, and he did not take over power legally.<sup>3</sup> Instead, it was right-wing conservative President Paul von Hindenburg who began to silently dismantle the constitution step by step in his first term. From 1930 onwards, he used the Nazis to outmanoeuvre the opposition and secure his re-election by presenting himself as the “lesser evil” compared to Hitler. Having won the presidential elections in 1932 with the support of the biggest workers’ party, the Social Democrats (SPD), he then instrumentalised Hitler’s storm troopers to violently crush the workers’ parties and their power base

in Prussia. Without the SPD, Hindenburg would never have achieved his landslide victory of 53.1 per cent against Hitler's 36.8 per cent and the communists' Ernst Thälmann's 10.2 per cent. These numbers clearly show that in 1932 about 47 per cent of the voters vehemently rejected the Weimar Constitution and democracy in general; they also show that a majority of voters expressed general support for the Weimar Republic and entrusted Hindenburg with its rescue. Deceit and intrigue against the voters, both from within the state and by the government, is much closer to the core of the "Weimar syndrome" than usually acknowledged. The first German republic was destroyed by a *coup d'état* from the ruling elite and not by the Nazi party or the Communists.<sup>4</sup>

The strange truth is that, before 1930, the Weimar Republic survived not only multiple coups by militaries and political extremists but also the loss of a world war, high levels of political violence, and terrible economic conditions. It probably would have also survived the fatal crisis in the early 1930s if there had been political leadership at the federal level that respected democratic rights or operated with at least minimal integrity. Thus, counterintuitively, the Weimar Republic becomes a ragged monument to the enormous resilience of democratic systems whose overthrow proves much more difficult to accomplish than extremists of any political colour seem to imagine. Weimar can serve as an example of a resilient and even a militant democracy that, contrary to the stereotype, was not "doomed to fail."<sup>5</sup>

### **Political violence as the most dangerous threat to democracy**

The Federal Republic of Germany has not had to endure anything like even just one of the many crises survived by Weimar Germany. This is why a superficial comparison between the two German democracies is not very fruitful. The levels of threat are too different, and we cannot judge which political system is *ceteris paribus* the more defensive.<sup>6</sup> However, to ascertain that the Weimar Republic was a defenceless democracy is simply wrong. What the republic lacked on the judicial side in the fight against extremism (some judges, in their hatred of the Left, supported right-wing militants by subverting applicable law<sup>7</sup>), it was able to mobilise through the legislature and the executive while democratic majorities were in power. But this is not a view commonly held in political theory. Since Karl Loewenstein, the "father" of the political concept of militant democracy,<sup>8</sup> was a German émigré, he unsurprisingly looked with bitterness at Weimar history and lacked a sense of differentiation in his judgement. Here again, the truth is that Weimar contemporaries already were seriously concerned with the preservation of the endangered democracy – the left-liberal Hugo Preuß and the social democrat Hermann Heller even made insightful contributions to political theory on this topic.<sup>9</sup> The supporters of the Weimar democracy were facing civil war-like violence in the first years of the republic and had every reason to be concerned. But as long as democratic politicians held powerful positions, they were able to counter these threats.<sup>10</sup>

Only one month after the assassination of Foreign Minister Walther Rathenau (a liberal industrialist of Jewish origin) by right-wing terrorists, the so-called Republic Protection Law (“Gesetz zum Schutze der Republik”) was passed in record time in 1922. It gave the federal government and individual states a legal tool to quickly dismantle any extremist organisation. In the years that followed, it was used extensively.<sup>11</sup> Without such resolve from the elected officials and law makers, the crisis of 1923 would have already meant the end of the democratic republic and a likely military dictatorship in its place. Hitler’s infamous “Beer Hall Putsch” was only one of four failed coup attempts in that year alone. The fact that the Weimar Republic survived for another ten years shows that it was neither a defenceless state nor a particularly well-functioning democracy. A cancer patient who is given a life expectancy of two months by the doctors and lives for another ten years is neither healthy nor weak but strong in a very specific sense. By the same logic, the Weimar Republic was both a defensive and a defective democracy, the latter being a type of political system that is not uncommon in today’s world.<sup>12</sup>

Whether or not the contemporary United States has to be considered a defective democracy would, for example, be a matter of extensive debate.<sup>13</sup> Recent events and ongoing developments seem to indicate that the US is heading in the direction of a defunct democracy. The deadly storming of the Capitol on 6 January 2021 was fuelled by widely believed yet unsubstantiated conspiracy theories about the presidential elections of 2020. Consequent attempts at voter suppression in Republican-dominated states were also based on said conspiracy theories and had the potential to seriously damage the functioning of the electoral process.<sup>14</sup> Pointing out similarities and differences between these developments and the Weimar era is not at all far-fetched.<sup>15</sup> Then and now, the main issue is not that the state is technically incapable of addressing the most pressing problems. It is the lack of a reliable political consensus regarding fundamental questions which threatens to block the entire political system. At the very least, this comparison raises awareness of the most important aspect of this lack of consensus: the threat of internal political violence.<sup>16</sup>

While wars between countries and natural catastrophes may cause innumerable losses of human lives and wealth, such events do not automatically threaten the inner functioning of a democratic system. In contrast, the prospect of potentially lethal violence by a political rival – the unwillingness to adhere to the most fundamental rule of democratic procedure – can quickly put an end to free debate and make legislative compromise virtually impossible, thus breaking the whole political system. This was the case in Weimar. In the different uprisings, coups, and terror attacks between 1919 and 1923, around 13,000 people died and many more were injured or displaced.<sup>17</sup> The amount of human suffering that this number indicates may have been much smaller than the suffering the world war brought upon German society, but it was these violent struggles in the early days of the republic that divided the political landscape into three opposing camps, each with its own paramilitary organisations, and poisoned the fledgling democracy. In the field of external politics, in contrast, the rejection of the Treaty of Versailles was universally supported across the different camps. This contributed



to a nationalistic atmosphere in Weimar politics which, to some degree, included even the communists.

Before 1918, internal political violence was a phenomenon not well known to German society. The Prussian-led monarchy, with its seemingly rock-solid grip on the state monopoly of violence, did not tolerate a high level of internal violence. However, the military defeat and the November Revolution that followed shocked the state institutions to their core. The state monopoly on violence was not entirely broken but fundamentally questioned. This created opportunities for private actors to use violence for their personal or political ends. In the subsequent constitutional process and reorganisation of the governmental institutions, the political landscape became further polarised.<sup>18</sup> Next to a democratic centre comprised of the Social Democrats, various liberal parties and the Catholic Centre Party, fundamental opposition to Weimar democracy on the Far Right and the Far Left already existed in the 1920s. Before the ascent of the Nazi party in 1929/30, the dominant element on the Far Right was the German National People's Party (DNVP), the successor of different conservative parties of the imperial era.<sup>19</sup> The DNVP was anti-democratic, ultra-nationalist, anti-Semitic, and revanchist. Its members loyally supported the fallen monarchy and therefore rejected the democratic constitution. They denounced the democratic parties as "traitors" and had close ties to right-wing paramilitary organisations such as the Stahlhelm with its 300,000 members. During the 1920s, politically motivated clashes between Stahlhelm members and opposing groups from the Left resulted in several dozen deaths. But such acts of violence did not effectively alienate the DNVP from all the parties of the democratic centre. Plans to incorporate the DNVP in a centre-right coalition called "Bürgerblock" (citizens' bloc) already circulated after the Reichstag elections in June 1920. The centre-left "Weimar Coalition" had lost its majority even though most DNVP officials had openly welcomed the Kapp Putsch only three months earlier. In the fighting between workers' militias and militaries sparked by the coups in Berlin and elsewhere, around 3,500 people died. In the following years, continuing violence from right-wing militants (which culminated in the assassination of Rathenau) hindered plans to integrate the DNVP into the democratic system. In the Reichstag session immediately after the assassination, chancellor Joseph Wirth (Centre Party) famously called out the prominent DNVP politician Karl Helfferich as the instigator of the murder, saying: "There stands the enemy who pours his poison into the wounds of our nation. There stands the enemy – and there is no doubt: this enemy stands on the right!"<sup>20</sup>

With bipartisan support that included the left-wing socialists from the Independent SPD (USPD), Wirth's administration created the Republic Protection Law that momentarily blocked the DNVP from any real chance of participating in government. The extremists waited for their opportunity to regain a foothold in the halls of power, and they did not have to wait long. After the 1920 elections, a so-called "Great Coalition" of all centre parties had become the most viable option to form a stable government. But the differences, especially between the industry-oriented German People's Party (DVP) led by the prominent right-wing liberal Gustav Stresemann and the SPD, with its concern for workers' rights, made such

a coalition problematic. As a result, Wirth failed in his attempt to form a stable cabinet and had to resign not even six months after Rathenau's assassination. After Wirth, the political constellation on the federal level continued to drift to the right. The pressure on the communists continued, but none of the administrations that followed showed Wirth's resolve to fight against right-wing extremism within the DNVP and smaller parties. Fortunately for the stability of the republic, the Free State of Prussia was still ruled by a centre-left coalition under Otto Braun (SPD) who, like his minister for the interior Carl Severing (SPD), was a staunch defender of the constitutional order against threats from all sides.<sup>21</sup>

On the federal level however, chancellors Wilhelm Marx (Centre Party) and Hans Luther (independent) integrated the DNVP into government in 1925 and 1927 with the argument that this would moderate the DNVP's extremism and stabilise the state in the face of international pressure.<sup>22</sup> While the communists were isolated from all sides and had no chance of winning as much as even a single mayor's office, the same was not true for the enemies of the republic on the right – even though both extremes advocated for the overthrow of the constitutional order and the use of violence against their respective political enemies. At the beginning of 1924, the economy had begun to recover as a result of the introduction of a new currency and the settlement of the Dawes plan which temporarily resolved the pressing issue of war reparations. This gave the Weimar Republic much-needed breathing space after the unrest during its early years. Conservatives such as Marx and Luther argued that this volatile stability should not be put at risk by renewing the fight against right-wing extremism which by now had managed to gain a foothold in the state of Bavaria and other rural regions of the Reich. The double standard of this attitude, however, did not remain unchallenged, as the founding of the Reichsbanner Black-Red-Gold in February 1924 in the city of Magdeburg shows.

### **The Reichsbanner Black-Red-Gold as a democratic self-defence organisation**

The Treaty of Versailles not only included restrictions on the German military but also placed a limit on police forces. The idea was that militarised police should not function as some sort of shadow army or substitute for the actual ground forces. This effectively diminished the military threat that Germany could impose on even its smallest neighbours. However, the internal political situation was also gravely affected by this regulation. The military was strong enough to quash all communist uprisings in the years of 1919 and 1920, but the ongoing deployment of the forces hindered any real attempt to reform the military.<sup>23</sup> The military establishment never accepted its new, reduced role and sought to bypass the arms restrictions by cooperating with what were more or less private, right-wing militias. The generals had the support of nationalist politicians who cultivated a revanchist attitude, in particular towards France and Poland. Pacifists and politicians who advocated for European reconciliation or for a reform of the army were quickly denounced as "traitors" allegedly cooperating with the enemy or were called "un-German Jews," whether

they had a Jewish background or not.<sup>24</sup> Political gatherings were attacked by right-wing activists and even active soldiers. Nevertheless, the pacifist movement enjoyed massive support, especially in the first half of the 1920s. Many if not most of the ex-servicemen who had seen the horrors of trench warfare firsthand had adopted a pacifist attitude. For this reason, the thesis of the widespread “brutalisation” of soldiers has been questioned in recent research.<sup>25</sup>

The limitation of the Reichswehr to 100,000 men gave the military establishment an opportunity to weed out anyone who – in their view – was not reliable. The democratic officers’ association “Republikanischer Führerbund” (Republican Leaders League), which was founded by the Jewish Social Democrat Erich Kuttner, was fiercely rejected by the generals.<sup>26</sup> The reactionary leadership saw the association as undue “politicisation” of the “neutral” army. Its members were harassed and even spied on by their superiors. In some cases, soldiers or officers who had voiced democratic opinions or made complaints about misconduct were physically attacked or even murdered. After the Kapp Putsch, the conflict within the armed forces increased even further. Members of the Führerbund had actively supported the legitimate Reich government. Thus, they were seen to have “rebelled” against their superiors, many of whom had supported the putschists around Wolfgang Kapp (DNVP). Within one month of the coup, all remaining members of the Führerbund had been expelled from the Reichswehr on the account of alleged “mutiny.” Instead of becoming a pillar of the newly founded republic, the downsized army became a source of unrest and political extremism. Ironically, this development was a strong incentive for the individual states to speed up their police reforms. Many of the expelled members of the Führerbund were actively involved in this process in states such as Mecklenburg and Thuringia. The police reforms were supposed to ensure that any new uprising could be suppressed by using locally controlled resources so that a deployment of the overly violent Reichswehr would not be necessary. Thus, the police became the guardian not only against crime and political extremism but also against politically unchecked military forces who had lost credibility with large parts of the population. Here again, the restrictions imposed by the Treaty of Versailles had a negative effect on developments since the police was also limited to a size of around 100,000 men divided between the individual states.

Unlike the army, the police in most states did not boost their ranks with right-wing militias during emergencies. On multiple occasions, the police called on “law-abiding citizens” to act as auxiliary police officers. This was not a euphemism but meant that these men were actually supporting the Weimar constitution. In 1923, auxiliary police forces were primarily used in Prussia, the Free City of Hamburg, and Saxony. It is likely that without this support, the police would not have been able to regain control.

This support, however, was not provided as spontaneously as it might seem. In response to the political violence against the Weimar Republic and its supporters, multiple democratic self-defence organisations had been founded in the course of 1922/23. Most of these were connected to the social democratic unions or the SPD, but there were also bipartisan organisations and some that were linked to the pacifist movement.<sup>27</sup> The most important of these organisations existed in the Prussian

province of Saxony (not to be confused with the Free State of Saxony) under the name of “Republikanische Notwehr” (Republican Self-Defence). It was founded as a regular auxiliary police force at the initiative of the highest state official in the region, “Oberpräsident” Otto Hörsing (SPD). The impetus was a communist uprising in March 1921 that was suppressed by the Prussian police under Hörsing’s supervision and subsequent attempts by the local Reichswehr forces to spy on Hörsing. In 1923, the “Notwehr” was used by Hörsing to counter the pressure from the Reichswehr who, with the blessing of then-Chancellor Stresemann, had tried to shut down Hörsing’s civilian administration in the context of the unrest in neighbouring Saxony and Thuringia.<sup>28</sup>

On a day-to-day basis, the task of the “Republikanische Notwehr” and other self-defence organisations was not so much to engage insurgent formations in open street fighting – as had been the case with the workers’ militias in the context of the Kapp Putsch – but to protect those attending the meetings of democratic parties and affiliated organisations from harassment and assault. These democratic self-defence organisations aimed to fully cooperate with the police, which due to the lack of manpower could not perform this task on their own. Smaller meetings were usually monitored by only one officer, if at all. Larger detachments were only deployed on special occasions, such as political funerals or in cases of bigger clashes. From the point of view of the supporters of Weimar democracy, this state of affairs was unacceptable. What made the situation worse was the unwillingness of the judicial system to consistently prosecute right-wing violence. Offenders often walked free or received minimal prison sentences. In this constellation, preventing violence by means of deterrence was the most viable option for those who wanted to protect themselves and the constitutional order. Founded in February 1924 under Hörsing’s leadership, the Reichsbanner Black-Red-Gold achieved exactly this by rallying all the existing democratic self-defence organisations and mobilising additional manpower.<sup>29</sup>

Within a few months, the Reichsbanner had around one million members. Towards the end of the 1920s, this number had grown to about 1.5 million enlisted members. The majority were ex-servicemen with affiliations to the SPD.<sup>30</sup> The middle and upper ranks also included liberal politicians and ex-military officers who held liberal or Christian democratic views. The joint goal of the SPD and the leadership of the German Democratic Party (DDP) was the protection of the republic. The DDP had endorsed the cause of the Reichsbanner at its party convention in April 1924 and was encouraging its members to join the organisation.<sup>31</sup> The Centre Party was more ambivalent towards the Reichsbanner, but the party’s left wing around Joseph Wirth and its youth organisation, the Windthorstbund, were enthusiastic supporters. According to estimates by contemporaries, about 90 per cent of the Reichsbanner’s members were Social Democrats, while 10 per cent were associated with either the DDP or the Centre Party.<sup>32</sup> It may sound as if the Reichsbanner was a partisan, socialist organisation, but 10 per cent out of 1.5 million is not an insignificant number. The Reichsbanner leadership had to adopt a bipartisan model if it did not want to alienate its approximately 150,000 “bourgeois” members.

Bipartisanship was already a feature in the founding call for the Reichsbanner, which had been circulated in the social democratic and centre-left press since March 1924. The core message was that reactionary forces had tried to “unleash a civil war” in order to destroy the state of Weimar and its constitutions. Were they to succeed, this would inevitably bring about the “destruction of the unity of the state” and the “downfall of the Reich.” The men responsible for the violence and the murders of Rathenau, Matthias Erzberger – a prominent leader of the Centre Party and Wirth’s mentor – and others had held the highest offices and had sworn allegiance to the constitution. Instead of upholding their oaths of loyalty, they had committed high treason and masked their insidiousness with a patriotic sentiment (“vaterländische Gesinnung”). Their “shameful anti-Semitism” showed that they did not care for the fate of the nation and would not stop to “poison even the souls of children” with their demagogy. The fight against all enemies of the republic was laid upon the shoulders of the republican war veterans who were willing to repel any further attacks on the democratic constitution.<sup>33</sup> In the statute of the Reichsbanner it was clarified that the organisation would provide its support to the legitimate authorities in “an emergency.” The protection of the constitution also required members to “maintain and promote” a republican sentiment (“republikanische Gesinnung”) and represent the interests of ex-servicemen, especially those of the invalids and bereaved families. The statute also explicitly rejected the illegal arming of its members. This, however, did not exclude legal means of self-arming.<sup>34</sup>

It was clear that the Reichsbanner was not a standing private army or militia group but an organisation providing staff reserve to the regular police force to assist with security policing.<sup>35</sup> Because of resistance from the DVP, which had ties to the Stahlhelm and other right-wing organisations, the Reichsbanner did not have official status as an auxiliary police force even in republican strongholds such as Prussia or Hamburg. Nonetheless, many leading police reformers such as Wilhelm Abegg (DDP), Albert Grzesinski (SPD), Lothar Danner (SPD), and Bernhard Weiß (DDP) were active members of the Reichsbanner and facilitated cooperation with the authorities. Also of huge importance was the protection of gatherings (“Saalschutz”) that the Reichsbanner offered to the democratic parties, affiliated organisations, and the Jewish community. Unlike the Christian churches, the Jewish community in turn fully endorsed the Reichsbanner. The murder of Rathenau was not an isolated incident of anti-Semitic violence, and most German Jews understood that some form of organised self-defence was needed. They welcomed the Reichsbanner not only as a means of protection but also as a means of activism.<sup>36</sup> Right-wing organisations like the Stahlhelm – as was to be expected – used the Reichsbanner’s stance against anti-Semitism and the participation of prominent Jewish politicians such as Ludwig Haas (DDP) and Hugo Preuß (DDP) to brand the entire organisation as “Jewish” and “treacherous.”<sup>37</sup>

Such propaganda was far from uncommon since anti-Semitic conspiracy theories had spread widely after the November Revolution and the defeat at the Western Front. The stab-in-the-back myth (“Dolchstoßlegende”) was also applied against the Reichsbanner, which in turn attempted to dispel or ridicule the myth in

its publications.<sup>38</sup> While right-wing extremists claimed that the Reichsbanner was “financed” by “the Jews,” this was certainly not correct. The bulk of the annual budget of approximately 12 million Reichsmark (about 80 million euros) was collected through regular fees from the members of the Reichsbanner and from the many popular festivities that were held throughout Germany. The Reichsbanner – unlike its main adversaries on the Right and Far Left – was not solely a militant organisation. Instead, it displayed both a military character in its uniforms and marches and a more civil and democratic attitude in its leisure activities such as festivals, panel discussions, sports, or evening events, which should promote a republican sentiment.

### **Stabilising the republic by civil means**

The very idea of the “Wehrverbände” of the Weimar era – a term which can roughly be translated as patriotic association, military association, or defence association – may seem odd from today’s perspective. However, to contemporaries, military-like marches of uniformed men in rows with rhythmic footsteps and shouted commands undoubtedly had a certain appeal. This specific form of demonstration was clearly derived from Prussian military tradition, but less militarised versions of parades, for example by the scouts, were not uncommon throughout Europe. The basic message conveyed by the military associations was one of physical strength and masculine defensibility. But in the context of disarmament, the popularity of the “Wehrverbände” can also be seen as a substitute for a strong military and a reaction to the end of universal conscription.

The Stahlhelm, in particular, used uniformed marches in the western and eastern border regions to put on a display of military-like strength to intimidate its foreign enemies. This was the main reason why the Polish and French authorities kept a closer watch on the Stahlhelm’s activities than on those of Hitler’s storm troopers.<sup>39</sup> In hindsight, this might seem like a mistake, but the Nazis did in fact focus more on their internal enemy and used their uniformed marches mainly to temporarily “invade” working-class districts. According to Nazi ideology, the primary goal was the defeat of the workers’ movement and not the regaining of territories that were lost after the First World War (this was considered a secondary goal). In this sense, all the different military associations were communicating their respective political messages by how and when they organised their uniformed marches. The Reichsbanner’s message – the defence of the republic – was conveyed through the organisation of so-called “Republican Days” and annual celebrations of the constitution. Both types of events featured similar elements, such as speeches, poetry readings, honorary guests, music, and military tattoos such as the “Zapfenstreich” – a common military ceremony including drum music, torch bearers, and their uniformed escorts.<sup>40</sup> The celebrations of the constitution were usually much larger and could involve up to tens of thousands of participants. The goal was to bring everyone, not only ex-servicemen, closer to the republic. All in all, the Reichsbanner tried to organise events that appealed to the masses. Primarily, this meant that they focused on the emotions of both participants and

observers.<sup>41</sup> For example, the speeches that were held at Reichsbanner meetings clearly differed in content and style from those usually presented at the meetings of political parties. The Reichsbanner activists did not want theory-heavy meanderings or long and “boring” presentations about specific policy issues. Instead, the Reichsbanner speakers were supposed to give apologies of the Weimar constitution or of the life and merits of democratic statesmen like Rathenau, Erzberger, or the former President Friedrich Ebert (SPD) – the three most important “martyrs of the republic.” Rants about political extremists or the support they received from the judiciary were also common topics of Reichsbanner speeches.

In a brochure titled “Combat Breviary,” Reichsbanner activist Hermann Schützinger (SPD) – a former army captain and police officer – clarified that the “Republican Days” should affect the “hearts and minds” as well as “please the eye” and “inspire a zest for life” in the participants. Framed by music, song, and the republican flag, the speeches should be “short and sweet” and not “rehashed campaign speeches” from previous years. The speakers should “lash out” against the enemies of the republic and not speak a word about party politics. Schützinger also addressed concerns about the military character of the Reichsbanner and how this aligned with his own pacifist attitude. According to him, these practices were necessary as long as the republic was still under attack by reactionary forces. However, the fallen of the First World War and the suffering of their families should always be remembered. The republic had been born out of their “blood and pain” and offered the best protection against future wars. The mixture of military and civil elements that characterised the work of the Reichsbanner is also a feature of Schützinger’s brochure. The “Republican Day” should, in his words, bring about “the victory for the German republic of peace by frontal assault,” an assault that “penetrates the enemy lines more deeply” than any regular party meeting could dream of.<sup>42</sup> Fittingly, the breviary included detailed sketches of assault manoeuvres and regulations concerning the protection of gatherings as well as thoughts about the democratisation of the security institutions that were still strongly shaped by the past monarchy.<sup>43</sup>

The Reichsbanner further differentiated itself from the political parties in that issues relating to economics or religion were not discussed within the organisation or in its publications. This prevented arguments among Reichsbanner members who came from different social classes and denominations. The overarching topic – the protection of the republic – did however cover a wide range of topics that were addressed in brochures, speeches, leaflets, and most importantly, in the Reichsbanner journal.

Right from the beginning, the journal *Das Reichsbanner* informed members about recent republican events and the developments within extremist organisations.<sup>44</sup> In this sense, the *Das Reichsbanner* journal functioned as a private “watch dog” that offered its readers important insights into the much-fractured right-wing movement of the 1920s and the rapid Stalinisation of the Communist Party of Germany (KPD). The “watchdog” function was also important insofar as that the state authorities – unlike those in today’s Germany – did not make their findings about extremist organisations public. In contrast, every reader of *Das*

*Reichsbanner* knew early on that Hitler was a dangerous megalomaniac disguised as a law-abiding citizen. *Das Reichsbanner* also published historical articles concerning the republican movement in Germany, the world war, and the misdeeds of the nobility. Articles about the young fascist movement in Italy and the Stalinist regime in the Soviet Union stressed the ties between these regimes and extremist organisations in Germany.

Due to the success of the *Reichsbanner*, an illustrated journal was founded in November 1924 under the title *Illustrierte Reichsbanner Zeitung*. It set the *Reichsbanner* apart from all other military associations. Over the years and across the different publications, the journalistic strategy stayed the same. The *Reichsbanner* press aimed to legitimise the republic by emphasising its historical roots while delegitimising its internal enemies. The republican system was represented as the only fitting form of government for the endangered German nation. By this logic, only the republic could bring peace and prosperity to a society torn apart by war, internal conflict, and economic misfortune. Additionally, the political myth of republican nationalism was supposed to serve as a framework to unify the different republican parties.<sup>45</sup> Indeed, the *Reichsbanner* press had much more in common with the press of the left-wing liberals than that of the Social Democrats – a surprising fact for an organisation that largely consisted of workers. Liberal journalists like Wilhelm Nowack (DDP) had a strong standing within the *Reichsbanner* press organs, and the overarching idea of republican nationalism persevered in various publications until the final days of the *Reichsbanner* in March 1933.<sup>46</sup> The only clear example of socialist content that I could find in the *Reichsbanner* publications was an advertisement for the *Reichsbanner*'s own brand of "freedom" cigarettes which included collectable trading cards with pictures of Karl Marx or prominent leaders of the German labour movement.

This brings us to another important aspect of the *Reichsbanner*'s attempts to protect the Weimar Republic: the everyday display of the black-red-gold flag. The organisation strongly encouraged its members to show the national colours at every conceivable occasion. Big flags marked the buildings of the *Reichsbanner*, such as its club rooms, shooting ranges, or the *Reichsbanner*'s sports stadium in Magdeburg called "Neue Welt" (new world). The shop of the *Reichsbanner* not only sold military items such as uniforms, flags, musical instruments, protective clothing, and small weapons but also busts of republican leaders (such as Ebert, who had passed away in office in 1925), swimming costumes for men, republican-themed board games, coffee mugs, plates and glasses, said cigarettes, and other consumables such as margarine. The last item was called "Rei-Ba-Ma" and was, of course, packaged in black-red-gold.<sup>47</sup> These products, especially the cigarettes, likely accounted for a large part of the *Reichsbanner*'s earnings. They also fulfilled the dual purpose of building "team spirit" within the *Reichsbanner* and of promoting a republican sentiment towards non-members. Thus, people were engaged with the *Reichsbanner* on an everyday basis, not only at special occasions such as rallies or festivals. Individual members were obliged to display their club membership through flag pins, belts with the emblem of the *Reichsbanner*, or other black-red-gold items. The *Reichsbanner* press further told its readers that a



republican sentiment included being aware of monarchist or reactionary symbols. For example, members should not use stamps featuring the Prussian king Frederic the Second and should only spend their holidays in “republican” establishments (the Reichsbanner press regularly published updated lists of such establishments). Once at the beach, members were expected to display black-red-gold flags or towels. Furthermore, the Reichsbanner press regularly printed protests against the old coat of arms dating to the monarchy which, in the 1920s, could still be found on public buildings. The sometimes rather righteous display of the black-red-gold flag was supposed to challenge competing symbols used by the enemies of the republic. This civil aspect of the work of the Reichsbanner leads us back to the question of political violence, since it was exactly this self-confident display of republican sentiment that did not go unnoticed and led to clashes with political extremists.<sup>48</sup>

### **The Reichsbanner: a success?**

It is relatively easy to measure the impact the Reichsbanner had on Weimar politics in general but rather difficult to come to more detailed conclusions due to the lack of autobiographical sources. The Reichsbanner – by far the biggest of the veterans or military associations – was in its time widely seen as an important political player. Its leadership publicly advocated for the protection of the republic and commented on issues such as the integration of the DNVP into the Reich government or the rise of the NSDAP in the late 1920s. Attempts by the Far Left to delegitimise the republic were also challenged in the Reichsbanner press. In return, the Reichsbanner was regularly attacked in critical or inflammatory articles in the right-wing and far-left press. The DNVP, the KPD, and later the Nazis compiled and published these attacks in the form of several anti-Reichsbanner brochures.<sup>49</sup> Even an anti-Reichsbanner organisation found its place in the fractured landscape of the Far Right in the 1920s, the fittingly named “Deutschbanner Black-White-Red” which was dedicated solely to the fight against the republicans.<sup>50</sup> The communists, on the other hand, actively tried to subvert the Reichsbanner and developed specific strategies to undermine its organisations. These attempts failed utterly. The Reichsbanner leadership, in return, stressed that the organisation had succeeded in protecting especially its younger members from communist propaganda, propaganda which presented communism as the only true alternative to a rather questionable concept of “fascism” that extended from the Far Right to the SPD. Indeed, the Reichsbanner as a democratic, anti-fascist movement that continuously expressed its support for parliamentary democracy and the constitution was widely popular, as the above-mentioned numbers show. Not only was the Reichsbanner bigger than all the other military associations combined, it was also bigger than the NSDAP and KPD combined and, during the 1920s, had grown much faster than the allegedly highly seductive Nazi party. It was only in 1933, when the fate of the republic was already sealed, that the Nazis outgrew the Reichsbanner, which was then quickly destroyed by the new authorities. Its members were persecuted or simply murdered.

Indeed, this is a crucial point in the history of the Reichsbanner. In some ways, its quick demise is the strongest argument against its effectiveness as an organisation for the protection of democracy. The early debate about the Reichsbanner during the post-war era was (in my opinion wrongly) focused on the question of its military capacities.<sup>51</sup> This shows that the function of military associations in general was misunderstood. The Reichsbanner was not a fighting force in a military sense. But the same was true of the communist and Nazi organisations. After 1924, the state monopoly on the legitimate use of violence was much more stable than in the early years of the republic. The military associations, designed as voluntary clubs, were not a serious threat to the state as such. The police and Reichswehr had proven on multiple occasions that they could suppress any further coup attempts or uprisings by non-state actors. On the other hand, the militant extremists were still a threat to the democratic process in general for the reasons I have discussed above. The main purpose and value of the Reichsbanner was that it successfully countered the anti-democratic threat that had erupted from parts of the Weimar “civil society” (to use this term here in a non-normative sense).<sup>52</sup> By protecting gatherings and by also organising a wide range of civil activities, the Reichsbanner helped ensure that despite violent pressure from extremists, civil society was able to exist in a meaningful, normative sense. Due to the lack of political consensus this was something that even the Prussian state as a republican stronghold was not able to achieve on its own. It is important to note that in this time of need, many supporters of the republic rose to the occasion and showed a high level of responsibility and willingness to make sacrifices. However, the success of the Reichsbanner as a civil society organisation also had its downside by taking pressure off policy makers and the parliamentary process in general. Prussian Minister for the Interior Carl Severing, for example, tended to “outsource” his responsibility to protect the democratic process from the everyday violence of Hitler’s storm troopers to the Reichsbanner. The democratic political parties, too, initially welcomed the vital services the Reichsbanner provided. But in later years, party leaders tended to see the Reichsbanner as a competitor for scarce personnel or material resources and rejected the self-confident independence that especially Hörsing expressed in public. On several occasions, Hörsing clashed with leading Social Democrats who perceived his demeanour as presumptuous.<sup>53</sup> In late 1931, Hörsing was dispatched as leader of the Reichsbanner through a scam organised by his successor Karl Höltermann (SPD), who had the backing of the Social Democratic Party leadership. The leaders of the left-wing liberals and the Centre Party also showed no willingness to support Hörsing who had been instrumental in guaranteeing the Reichsbanner’s bipartisanship. This move delivered a heavy but not yet fatal blow to the organisation at a time of utmost danger.

While the Reichsbanner as a democratic self-defence organisation had to be bipartisan if it did not want to spark fears of a social democratic “red army,” its diversity also made it vulnerable to a more uniform organisation such as the Nazi party. Höltermann tried to address this concern through the foundation of the Iron Front in December 1931, right after his legally questionable takeover of the

Reichsbanner. However, the Iron Front was little more than an umbrella organisation for the Reichsbanner and the SPD as well as social democratic unions and sports associations. This means that the Iron Front did not have an organisational structure of its own and fully relied on local committees which were usually headed by party officials. Thus the Reichsbanner became visibly more social democratic than in the years before and new, more partisan propaganda techniques were quickly introduced. This included the “Three Arrows” as the new symbol of the Iron Front which metaphorically crush the Swastika into the ground (this is why the “Three Arrows” point downwards to the right). At the same time, Höltermann was aware of the Nazis’ renewed attempts to use “red scare” tactics against the Iron Front. For this reason, he sought connections to the Reichswehr and its minister Wilhelm Groener as early as January 1932. Höltermann reassured him that the Reichsbanner was still a strictly constitutional organisation and would never take any action against the presidential regime. This self-declared anti-fascist but pro-state strategy included Höltermann’s strong support for the re-election of Hindenburg in April 1932 as “the lesser evil” compared to Hitler.

As I noted earlier, this strategy failed quickly. The one profiting from the new, anti-fascist propaganda methods implemented by the Iron Front was ironically Hindenburg, the biggest grave digger of the Weimar republic.<sup>54</sup> The Nazis, on the other hand, were successful in exploiting the political rifts within the Reichsbanner, for example by targeting only Social Democrat and Communist Party meetings but not those of the Centre Party. By branding the Reichsbanner as a “red” organisation, the Nazis managed to present themselves as the true upholders of “law and order” against the “Marxist” threat. Even if the Nazis were not entirely believed, the lack of state legitimisation of the Reichsbanner made it look as if it was a military association no different from the others and as such a potential threat to the state monopoly on violence. Höltermann’s reassurances were (despite knowing better) not accepted by the Reichswehr generals and Hindenburg’s surroundings. The newly re-elected president even countered attempts to ban the storm troopers in April 1932 by publicly stating that in that case, the Reichsbanner also had to be banned. Since the storm troopers were at that time acting as a right-wing terrorist organisation actively murdering political opponents in the streets, this move was as preposterous as it was treacherous. As suggested above, along with the SPD the Reichsbanner had supported Hindenburg’s re-election and had on several occasions even protected his chancellor Heinrich Brüning (Centre Party) from Nazi violence. Thus, Hindenburg’s move destroyed much of the credibility the Reichsbanner still had and made its deployment as an auxiliary police force even more unlikely. Instead, on 22 February 1933 (not coincidentally the anniversary of the foundation of the Reichsbanner), the storm troopers were turned into an auxiliary police force which enabled them to quickly dismantle the democratic Reichsbanner in the name of the protection of the state.

While an exact repeat of these events anywhere is highly unlikely, if not impossible, the history of the Reichsbanner still offers us insights about the concepts

of civil democracy protection and militant democracy. In the context of today's established democracies, military associations are of course not only redundant but potentially dangerous. However, the Reichsbanner's successes and failures show the importance of political consensus about the type of government and the outlawing of political violence. At least in the 1920s, the bipartisan Reichsbanner was successful in a way that a purely social democratic military association could not have been. By unambiguously supporting a clear message of defensibility, including an unshakable loyalty to the republic and its symbols, the Reichsbanner managed to rally not only party activists but also many who were up until then indifferent to party politics. This gave the propaganda of the Reichsbanner a certain lightness and emotional appeal. People from varying backgrounds could engage in common activities and form a bipartisan group identity that bridged political gaps. In 1932, the Iron Front was still an extremely active and resourceful organisation, but its lack of bipartisan support made life harder for its supporters within the state and meant they were vulnerable to attacks by the presidential regime. And while the Reichsbanner could hold its own against the Nazis, it could not and would not dream of overwhelming the holders of the state monopoly of violence. In this sense, the protection of gatherings, while offering a much-needed defence against the Nazis, created a false sense of security that inevitably crumbled as soon as the state with its far superior resources decided to take action against the Reichsbanner. As impressive as the Reichsbanner was, without broader support for its goals and methods, the organisation was fighting a battle it was very unlikely to win.

The history of the Reichsbanner shows however that the destruction of democracy was not inevitable. In the end, it was up to democratic politicians like Carl Severing whether or not the Reichsbanner was turned into an auxiliary police force. Such a move would have been in accordance with existing laws and Severing himself had used auxiliary police forces in 1923. From 1930 onwards, the increasing violence was enough reason to support the police once more. Severing shied away from his former policy mainly because this would have meant a direct confrontation with President Hindenburg. Even after the landslide victory of the NSDAP in the federal elections of 1930, Hindenburg's secretary made it clear that armament of the Reichsbanner by Prussia was out of the question and considered "illegal" – which it was not – but Severing complied nonetheless.<sup>55</sup> This exchange again illustrates the danger of not reacting strongly to political violence, a problem already outlined by Karl Loewenstein who also highlighted the effectiveness of party bans and universal weapons restrictions.<sup>56</sup> The "Weimar syndrome" – to repeat – was curable despite the enormous political and economic problems of the Weimar Republic. But the national conservative elites supporting Hindenburg chose not to administer the appropriate medicine, and the result was the death of democracy.

## Notes

- \* I would like to thank the editors for their helpful suggestions and also Felipe Zimmermann, who gave very valuable advice.

- 1 See as exemplary articles Niall Ferguson, “Weimar America”? The Trump Show Is No Cabaret, *Washington Post*, 6 September 2020, [www.washingtonpost.com/business/weimar-america-the-trump-show-is-no-cabaret/2020/09/06/adbb62ca-f041-11ea-8025-5d3489768ac8\\_story.html](http://www.washingtonpost.com/business/weimar-america-the-trump-show-is-no-cabaret/2020/09/06/adbb62ca-f041-11ea-8025-5d3489768ac8_story.html); Marcus Gatzke/Rieke Havertz, “There is no American identity anymore.” Interview with Francis Fukuyama, *ZEIT-Online*, 25 May 2021, [www.zeit.de/politik/ausland/2021-05/francis-fukuyama-usa-donald-trump-democracy-republicans](http://www.zeit.de/politik/ausland/2021-05/francis-fukuyama-usa-donald-trump-democracy-republicans); Gillian Brockell, Candace Owens compared the Capitol insurrection to the Reichstag fire. Here’s why that is absurd, *Washington Post*, 7 April 2021, [www.washingtonpost.com/history/2021/04/07/candace-owens-reichstag-fire-tucker-carlson/](http://www.washingtonpost.com/history/2021/04/07/candace-owens-reichstag-fire-tucker-carlson/); all articles accessed 5 March 2022.
- 2 See Michael James, Michael Burry Issues Dire “Bubble” Warning, *Unseen Opportunity*, 15 June 2021, [www.unseenopp.com/michael-burry-issues-dire-bubble-warning](http://www.unseenopp.com/michael-burry-issues-dire-bubble-warning), accessed 5 March 2022.
- 3 See Alexander S. Kirshner, *A Theory of Militant Democracy. The Ethics of Combatting Political Extremism*, Yale 2014, chap. 1.1.
- 4 See Michael Dreyer, Weimar as a “Militant Democracy”. In: Jochen Hung/Godela Weiss-Sussex/Geoff Wilkes (eds.), *Beyond Glitter and Doom. The Contingency of the Weimar Republic*, München 2012, pp. 69–86. For a more theoretical and comparative perspective, see Giovanni Capoccia, *Defending Democracy. Reactions to Extremism in Interwar Europe*, Baltimore 2005, pp. 3–67.
- 5 See for a description of the change in paradigm Jochen Hung, Beyond Glitter, and Doom. The New Paradigm of Contingency in Weimar Research. In: Hung et al. (eds.), *Beyond Glitter and Doom*, pp. 9–15.
- 6 See Josef Joffe, Der Vergleich mit Weimar ist falsch, *ZEIT-Online*, 27 February 2020, [www.zeit.de/politik/deutschland/2020-02/weimarer-republik-afd-demokratie-rechtster-ror/](http://www.zeit.de/politik/deutschland/2020-02/weimarer-republik-afd-demokratie-rechtster-ror/), accessed 5 March 2022.
- 7 See Anthony McElligott, *Rethinking the Weimar Republic. Authority and Authoritarianism 1916–1936*, London 2014, pp. 99–127.
- 8 See Markus Lang, *Karl Loewenstein. Transatlantischer Denker der Politik*, Stuttgart 2007, pp. 203–221; Giovanni Capoccia, Militant Democracy. The Institutional Bases of Democratic Self-Preservation, *The Annual Review of Law and Social Science*, 9 (2013), pp. 207–226.
- 9 See Kathrin Groh, *Demokratische Staatsrechtslehrer in der Weimarer Republik. Von der konstitutionellen Staatslehre zur Theorie des modernen demokratischen Verfassungsstaats*, Tübingen 2010, i.a. pp. 31–34, 208–211, 485–487, 529–534; Anthoula Malkopoulou/Ludvig Norman, Three Models of Democratic Self-Defense. In: Anthoula Malkopoulou/Alexander S. Kirshner (eds.), *Militant Democracy and Its Critics. Populism, Parties, Extremism*, Edinburgh 2019, pp. 92–111, esp. pp. 105–109.
- 10 After the First World War, high levels of political violence were common in central and eastern Europe. See Dirk Schumann, Europa, der Erste Weltkrieg und die Nachkriegszeit: eine Kontinuität der Gewalt? *Journal of Modern European History*, 1 (2003) 1, pp. 24–43.
- 11 See Gotthard Jaspers, *Der Schutz der Republik. Studien zur staatlichen Sicherung der Demokratie in der Weimarer Republik 1922–1930*, Tübingen 1963.
- 12 See Wolfgang Merkel, Embedded and Defective Democracies, *Democratization*, 11 (2004) 5, pp. 33–58.
- 13 Since 2016, the US has been classified as an “incomplete democracy” by the Economist Intelligence Unit. See the last report at: [www.eiu.com/n/campaigns/democracy-index-2020/](http://www.eiu.com/n/campaigns/democracy-index-2020/).

- 14 See US supreme court rules against fringe legal theory in key voting rights case, *The Guardian*, 27 June 2023, [www.theguardian.com/us-news/2023/jun/27/supreme-court-north-carolina-voting-rights-maps](http://www.theguardian.com/us-news/2023/jun/27/supreme-court-north-carolina-voting-rights-maps), accessed 29 June 2023.
- 15 See Lauren Jackson, The Threat of Day X. Why democratic collapse isn't so remote as a possibility, *New York Times*, 25 June 2021, [www.nytimes.com/2021/06/25/podcasts/the-daily-newsletter-german-far-right.html](http://www.nytimes.com/2021/06/25/podcasts/the-daily-newsletter-german-far-right.html), accessed 5 March 2022.
- 16 See G. Bingham Powell, *Contemporary Democracies. Participation, Stability, and Violence*, Cambridge/London 1982, p. 154.
- 17 Author's own count. For a regional case study of the Prussian province of Saxony, see Dirk Schumann, *Political Violence in the Weimar Republic, 1918–1933. Fight for the Streets and Fear of Civil War*, New York 2012.
- 18 For an overview of the party system, see M. Rainer Lepsius, From Fragmented Party Democracy to Government by Emergency Decree and National Socialist Takeover: Germany. In: Juan J. Linz/Alfred Stepan (eds.), *The Breakdown of Democratic Regimes. Europe*, Baltimore/London 1978, pp. 34–79.
- 19 See Larry Eugen Jones, *The German Right, 1918–1930. Political Parties, Organized Interests, and Patriotic Associations in the Struggle against Weimar Democracy*, Cambridge 2020.
- 20 *Verhandlungen des Reichstags*, I. Wahlperiode 1920, Band 356, Stenographische Berichte, Sitzung 236 vom 25.06.1922, Berlin 1922, [www.reichstagsprotokolle.de/Blatt2\\_w1\\_bsb00000040\\_00027.html](http://www.reichstagsprotokolle.de/Blatt2_w1_bsb00000040_00027.html). Author's own translation.
- 21 See Hagen Schulze/Philip G. Dwyer, Democratic Prussia in Weimar Germany, 1919–1933. In: Philip G. Dwyer (ed.), *Modern Prussian History 1830–1947*, Abingdon 2014, pp. 211–229; Dietrich Orlow, *Weimar Prussia. The Unlikely Rock of Democracy*, Pittsburgh 1986.
- 22 See McElligott, *Rethinking the Weimar Republic*, pp. 51–54.
- 23 See Francis L. Carsten, *The Reichswehr and politics 1918 to 1933*, Berkeley/London 1973; Robert B. Kane, *Disobedience and conspiracy in the German Army, 1918–1945*, Jefferson 2002.
- 24 See Julian Jenkins, *Christian pacifism confronts German nationalism. The ecumenical movement and the cause of peace in Germany, 1914–1933*, New York 2002, especially chap. 6.
- 25 See Benjamin Ziemann, Germany after the First World War – A Violent Society? Results and Implications of Recent Research on Weimar Germany, *Journal of Modern European History*, 1 (2003) 1, pp. 80–95.
- 26 See (also for the following) Maximilian Ingenthron, “*Falls nur die Sache siegt.*” *Erich Kuttner (1887–1944). Publizist und Politiker*, Mannheim 2000.
- 27 See Jacob Toury, Das Reichsbanner Schwarz-Rot-Gold – Stiefkind der Republik. Zur Gründungsgeschichte republikanischer Wehren. In: Toury, *Deutschlands Stiefkinder. Ausgewählte Aufsätze zur deutschen und deutsch-jüdischen Geschichte*, Gerlingen 1997, pp. 11–92.
- 28 See *Bundesarchiv – Berlin*, R 43 I / 2703, pp. 212 (letter Hörsing to Stresemann) and 222 (letter Ernst Weber to Stresemann).
- 29 See (also for the following) Sebastian Elsbach, *Das Reichsbanner Schwarz-Rot-Gold. Republikerschutz und politische Gewalt in der Weimarer Republik*, Stuttgart 2019.
- 30 See Benjamin Ziemann, *Contested Commemorations. Republican War Veterans and Weimar Political Culture*, Cambridge 2012. Ziemann estimated that the Reichsbanner had less than one million members, but the membership ID-numbers and further contemporary documents suggest a much larger membership base.

- 31 See “Gruß und Dank.” In: *Das Reichsbanner* Nr. 1, 15 April 1924.
- 32 See Karl Rohe, *Das Reichsbanner Schwarz-Rot-Gold. Ein Beitrag zur Geschichte und Struktur der politischen Kampfverbände zur Zeit der Weimarer Republik*, Düsseldorf 1966, pp. 266–268.
- 33 See “Kriegsteilnehmer, Republikaner!” In: *Das Reichsbanner* Nr. 1, 15 April 1924, [www.reichsbanner-geschichte.de/zeitungen/1924/1924-04-15](http://www.reichsbanner-geschichte.de/zeitungen/1924/1924-04-15).
- 34 See “Die Bundessatzungen.” In: *Das Reichsbanner* Nr. 1, 15 April 1924.
- 35 The current English-speaking research on the Reichsbanner usually describes the organisation as a veterans’ association, see the above-cited work by Ziemann, and William Mulligan, German Veterans’ Associations and the Culture of Peace. The Case of the Reichsbanner. In: Julia Eichenberg/John Paul Newman (eds.), *The Great War and Veterans’ Internationalism*, Basingstoke/New York 2013, pp. 139–161. However, such views are not mutually exclusive with the security perspective described here since it were usually war veterans who served as auxiliary police officers.
- 36 See Dirk Walter, *Antisemitische Kriminalität und Gewalt. Judenfeindschaft in der Weimarer Republik*, Bonn 1999; Warren Rosenblum, Jews, Justice, and the Power of “Sensation” in the Weimar Republic, *Leo Beack Institute Year Book*, 58 (2013), pp. 35–52.
- 37 See Walter Korodi, *Kampfschrift gegen den Pazifismus des Reichsbanners. Herunter mit der nationalen Maske. Das wahre Gesicht des Reichsbanners*, Berlin [1925]. In: Bundesarchiv – Berlin, R 1501/113501, p. 89. Korodi was a prominent author and speaker for the DNVP and the Stahlhelm.
- 38 See, for example, “Vergangene Dolchstöße.” In: *Das Reichsbanner* Nr. 1, 15 April 1924, or “Am Anfang war die Lüge.” In: *Das Reichsbanner* Nr. 2, 15 May 1924. According to the conspiracy theories, the German army had remained “undefeated” and was “stabbed in the back” by the November revolutionaries, which allegedly had stood under “Jewish” leadership. Thus, the collapse of the Western front since August 1918 could be fully ignored.
- 39 As for example evidenced by numerous files in the Archiwum Akt Nowych (New State Archive) in Warsaw.
- 40 See *Bundesverfassungsfeier des Reichsbanners Schwarz-Rot-Gold vom 11. bis 13. August 1928 in Frankfurt am Main. 80 Jahre 1848–1928*, Frankfurt am Main 1928, pp. 43–45. For further reading, see Nadine Rossol, *Performing the Nation in Interwar Germany. Sport, Spectacle and Political Symbolism, 1926–36*, New York 2010, chap. 3.
- 41 According to Karl Loewenstein, the inability to express “Democratic Emotionalism” was an important reason for the downfall of the Weimar republic (see Karl Loewenstein, Militant Democracy and Fundamental Rights I, *The American Political Science Review*, 31 (June 1937) 3, pp. 417–432, here p. 428). This is in my opinion an outdated thesis which totally ignores the efforts of the democratic civil society in Weimar Germany.
- 42 See Hermann Schützing, *Der Kampf um die Republik. Ein Kampfbrevier für republikanische Frontsoldaten*, Leipzig/Wien 1924, pp. 82–85.
- 43 See *ibid.*, pp. 21–29, 66–81, and 108–124.
- 44 This source is quite valuable for present-day research and fully available in an online edition.
- 45 See Robert Gerwarth, The Past in Weimar History, *Contemporary European History*, 15 (2006) 1, pp. 1–22; Eric Bryden, Heroes and Martyrs of the Republic. Reichsbanner Geschichtspolitik in Weimar Germany, *Central European History*, 43 (2010), pp. 639–665; Erin R. Hochman, *Imagining a Greater Germany. Republican Nationalism and the Idea of Anschluss*, Ithaca/London 2016.

- 46 See Wilhelm Nowack, *Bericht des Bundesvorstandes des Reichsbanners Schwarz-Rot-Gold, Bund Deutscher Kriegsteilnehmer und Republikaner e. V., zur Bundesgeneralversammlung vom 16. bis 19. Februar 1933 in Berlin*, Magdeburg 1933.
- 47 See Petra Behrens et al., *Für Freiheit und Republik! Das Reichsbanner Schwarz-Rot-Gold 1924 bis 1933. Begleitband zur Ausstellung der Gedenkstätte Deutscher Widerstand*, Berlin 2018, pp. 74–79.
- 48 See for a micro-historic account of the street fighting in Berlin-Kreuzberg Pamela Swett, *Neighbors and Enemies. The culture of Radicalism in Berlin, 1929–1933*, Cambridge 2004, pp. 139–160.
- 49 See for example Franz Rose, *Nacht der langen Messer. Vom Klassenkampf zum Bürgerkrieg*, Essen 1933.
- 50 See Dieter Fricke et al. (eds.), *Lexikon zur Parteiengeschichte. Die bürgerlichen und kleinbürgerlichen Parteien und Verbände in Deutschland (1789–1945), Band 1*, Leipzig 1983, pp. 514–516.
- 51 See Rohe, Reichsbanner.
- 52 See Sheri Berman, Civil Society and the Collapse of the Weimar Republic, *World Politics*, 49 (1997), pp. 401–429.
- 53 See Donna Harsch, *German Social Democracy and the Rise of Nazism*, Chapel Hill/London 1993, p. 158. For further reading see Sebastian Elsbach, *Eiserne Front. Abwehrbündnis gegen Rechts 1931 bis 1933*, Wiesbaden 2022.
- 54 The “Three Arrows” are today a widespread symbol of social democratic and anti-fascist movements, that is not only known in Europe but also in the United States (see for example Eli Rosenberg, There is an anti-fascist rebellion brewing in the Pacific Northwest. And soccer is at the center of it, *Washington Post*, 31 August 2019, [www.washingtonpost.com/sports/2019/08/31/there-is-an-anti-fascist-rebellion-brewing-pacific-northwest-soccer-is-center-it/](http://www.washingtonpost.com/sports/2019/08/31/there-is-an-anti-fascist-rebellion-brewing-pacific-northwest-soccer-is-center-it/), accessed 5 March 2022). It is of course important to respect the historical origins of every symbol. The “Three Arrows” as a social democratic symbol were never “revolutionary,” even though the Nazis tried to insinuate this.
- 55 See *Bundesarchiv – Berlin*, R 43 I/2694, pp. 277–278 (letter Meissner to Pünder) and *Bundesarchiv – Berlin*, R 43 I/767, pp. 264–267 (letters Pünder to Klausener and Schleicher).
- 56 See Karl Loewenstein, Militant Democracy and Fundamental Rights II, *The American Political Science Review*, 31 (August 1937) 4, pp. 638–658, here pp. 648–650. For a more up-to-date view of the problem of party bans, see Svetlana Tyulkina, *Militant Democracy. Undemocratic political parties and beyond*, London/New York 2015, esp. Part II.



### 3 University in an emergency?

#### Transnational networks of professors' counterprotest against the student movement of 1968

*Nikolai Wehrs*

The history of the student movement of 1968 is full of dialectical twists. For people who took an active part in these political struggles in their youth, it is not always easy to acknowledge that these struggles can be perceived in historical research in a very different way than they did at the time. It is often even more difficult for them to recognise how contrary to their own perception these struggles were already judged back then by others. With regard to 1968, many former activists still find it difficult to accept that the movement, which they themselves had experienced as a fundamental advance in the extension of democracy, had been experienced by others as a real threat to liberal democracy. This factor may explain why those political and intellectual forces that gathered in the wake of 1968 under the label of protecting democracy against the student movement have so long been neglected by historical research.

This is particularly true with regard to historical research on the international dimension of the student movement. Numerous books have been written about how student protests in the Western world in the 1960s were connected not only through similar patterns, but through direct transfers of motives, forms of expression, and organisational arrangements.<sup>1</sup> But so far, little research has been done on the international dimension of the backlash that followed 1968. In the late 1960s and early 1970s, counterprotest movements against the student movement developed in various countries. In particular, the opponents of the student movement from within the universities have so far hardly been considered. Given that student protests in the 1960s in almost all cases started on university campuses, it is not surprising that the counterprotest against this movement was essentially driven by professors and other academics. This chapter intends to take a closer look at the opposition against the student movement from within the academic world, especially comparing motives and patterns of counterprotest from professors in the United States and West Germany. Furthermore, special attention will be paid to transnational networks of this counterprotest. To this end, the chapter will focus on an international academic association hitherto largely neglected by historical research, the International Committee on the University Emergency (ICUE).<sup>2</sup>

Founded in 1970, the ICUE formed the international association of academic interest groups, assembling academic opponents of the student movement in

various Western countries. The intention was to provide members with transnational channels of communication for the exchange of experiences and diagnoses of local developments. In addition, the ICUE was meant to boost the member groups' political influence in their respective countries by providing an international platform for their demands. In its heyday in the mid-1970s, the association pooled around 150 professors and other academics from 15 different countries, most of them by far from the United States and West Germany but also from other Western European countries like Austria, Belgium, Denmark, France, Italy, the Netherlands, Sweden, and the United Kingdom, as well as from Australia, Canada, Israel, and even Japan.<sup>3</sup> However, as will be shown in this chapter, this achievement in figures did not automatically translate into institutional strength. Also, the degrees of institutionalisation of the academic interest groups involved in ICUE varied greatly on the national level. In some countries, the academic opponents of the student movement were organised at university level only or met exclusively in informal circles. In line with the stereotype, the best organised group was in West Germany where, in the 1970s, the Bund Freiheit der Wissenschaft (League for the Freedom of Science) was an influential player in the field of educational politics.<sup>4</sup> But institutionalised interest groups of academic opponents of the student movement also existed in the United States, both at the university and national level. Focusing on the ICUE therefore provides a unique opportunity to compare how academics on both sides of the Atlantic dealt with the challenge of 1968.

### **1968 as disturbance of the academic equilibrium**

What were the reasons that, in the late 1960s, so many academics on both sides of the Atlantic joined interest groups based on opposition to the student movement? Of all the theories on the origins of public interest groups on offer from the political sciences, David B. Truman's "disturbance" theory is particularly instructive here. This is not, however, because Truman was himself part of the story to be told in this chapter. As vice president and provost at Columbia University in New York, Truman played a key part in how the university dealt with student protests during the "Columbia Crisis" in the spring of 1968, when radical student activists repeatedly stormed and occupied university buildings and on one occasion even took a university administrator hostage for about 24 hours.<sup>5</sup> In fact, Truman formulated his disturbance theory long before it received its practical test in 1968, most comprehensively in 1951 in his book *The Governmental Process*. Here, Truman defined "disturbance" as a force that changes the "equilibrium" of different elements within society. Interest groups develop when stakeholders are confronted with a disturbance strong enough to alter their relationship with other groups or institutions disadvantageously. Subjectively, the disadvantaged stakeholders may perceive this disturbance as an existential threat. The purpose of forming an interest group, then, is to collectively overcome the threat and to again stabilise the group's relationship with other elements of society so that a new equilibrium may be reached.<sup>6</sup>

There is certainly no question that the student movement of the 1960s constituted a major disturbance in the equilibrium of the university system. The relationship

between students and professors in particular was deeply affected, to the disadvantage of the professors whose traditional authority was being challenged. Given the force of the student protests, it is no surprise that many professors perceived this disturbance as an existential threat. In the late 1960s, scores of professors both in the United States and in Western Europe were exposed not only to vociferous interruptions in their classes and lectures, but they were humiliated by mockery and verbal abuse, sometimes on a daily basis. They had students throwing eggs or tomatoes at them, and in some cases witnessed actual physical violence, such as blows, kicks, or broken glasses. A junior law professor at the University of Frankfurt was swept away from his lectern by jets of water from a fire hose. Psychological abuse in the form of graffiti, hate mail, and even threatening phone calls must be considered too.<sup>7</sup> Sure, it was only on very rare occasions that professors actually had to fear for their physical safety; 1968 was not an existential threat to professors in this sense. But many professors and other academics experienced these events as a kind of emotional shock that seriously challenged their relationship with the university as their place of work. Thus, for professors who in one way or another felt threatened by the student movement, forming alliances – initially primarily at university level – was in the first instance an expression of solidarity amongst the aggrieved party. This was often combined with practical self-defence measures, for instance when professors collectively safeguarded the lectures of an afflicted colleague.

However, Truman's disturbance theory is less about informal groupings on a local level. It asks for the creation of organised interest groups on a bigger scale, ideally on a national level, and for this, according to theory, it takes more than just the collective sum of individual grievances. Rather, the disturbance has to be substantial enough to put at risk vital interests of the affected social group as a whole. In this respect, it is important to also consider the potential threat to the dominant position of the professoriate within academia by the – back then hotly debated – issue of university reform. On both sides of the Atlantic, the issue of university reform had certainly been discussed before, but the student movement in the late 1960s intensified this debate.<sup>8</sup> The focus of media and academic research on more spectacular events in the context of 1968, above all the protests against the Vietnam War, has at times overshadowed how important the call for “participatory democracy” within universities was as an undercurrent motive for the student movement – from the Port Huron Statement of the American “Students for a Democratic Society” (SDS) in 1962 right to proposals from West German student activists for equal representation of students, assistants, and professors (*Drittelparität*) in the universities' governing bodies in 1968.<sup>9</sup> These demands not only put the professors' overriding authority in matters of the curriculum on the line, but potentially also their autonomous decision-making in matters of research and even their prerogative in the recruitment of new academic staff. This was certainly a disturbance that challenged the equilibrium within the university system. To the professors as the “establishment” of this system, this disturbance also clearly represented a threat to their shared interests that was powerful enough to trigger a strong collective response. Furthermore, since the topic of university reform was not confined to the

local university level but was related to matters of political legislation, any appropriate response required a political alliance on a nationwide level.

But to what extent was the professors' counterprotest also driven by aims beyond individual worries and calculated group interests? What ideals and political attitudes shaped these alliances? Since the student movement of the 1960s is usually considered a movement of the progressive Left, their opponents were often automatically labelled as conservatives. However, the real picture was much more complex. In fact, it could be argued that the events of 1968 fundamentally redefined our general understanding of what the terms "conservative" and "progressive" stand for. Looking at the key figures of the professors' counterprotest against the student movement, it is striking how many of them were generally regarded as liberals or progressives, at least until the late 1960s. Certainly only a very few of them would have labelled themselves conservatives prior to 1968. This, of course, was a period in history when political ideologies were essentially shaped by the geopolitical context of the Cold War. In this period, Western liberal political thinking was as strongly devoted to democracy and social reform as it was fiercely opposed to communism. The political doctrine of anti-totalitarianism was closely tied to "Cold War liberalism," which contrasted liberal democracy with a rather undifferentiated model of "totalitarianism." It strongly emphasised the similarities between left-wing and right-wing dictatorships.<sup>10</sup> But for all its intellectual deficiencies, anti-totalitarianism drew much strength from the wealth of biographical experiences of its academic proponents. Many of them had personally suffered from at least one, if not successively from both fascist and communist regimes. Interestingly enough, those intellectuals with first-hand experience of totalitarianism were often the ones most willing to compare the behaviour of the protesting students in the 1960s with the goon squads of totalitarian movements in the recent past. While it is understandable that such comparisons created anger among student activists, it seems inexplicable that they in turn were so often unaware of whom they were attacking and what biographical traumas they touched. With this in mind, it is not surprising that many professors considered their resistance to the student movement's radical tendencies as an act of democracy protection. And since in the Cold War liberal democracy was considered a joint project of the transatlantic alliance between the United States and Western Europe it made perfect sense to apply this transatlantic model also to the academic alliances against the student movement.

#### **Four biographical sketches: Stern, Fraenkel, Löwenthal, Hook**

Indeed, the four short biographical sketches in this section demonstrate just how similar the reasons for opposing the student movement were for academics on both sides of the Atlantic. In the course of this, it will become clear again that the different reasons described in the previous section never appeared in isolation but were connected with each other in very unique ways.

*a.* The German-born American historian Fritz Stern (1926–2016), professor at Columbia University in New York, spent much of the 1960s and 1970s in Western

Europe on academic exchange visits, mostly at Oxford University and at the Free University in West Berlin. This placed him in a particularly good position to watch the gradual escalation of the student movement on both sides of the Atlantic.<sup>11</sup> In his study *The Politics of Cultural Despair* (1961), Stern had famously located the ideological roots of National Socialism in the inability of German intellectuals of the early 20th century to come to terms with modern society.<sup>12</sup> This perspective also clearly shaped his perception of the student movement in the United States, which reminded him early on of “the pathetic, serious fling of German youth before the First World War.” Already in the Free Speech Movement at Berkeley University in 1964, he sensed “for all its pseudo-Marxist rhetoric – an upsurge of cultural grievances, couched in political terms.”<sup>13</sup> At the same time, Stern watched with concern the radicalisation of American politics over the Vietnam War and urgently felt the need for “moderates” to raise their voice. In 1966, he brought together a group of Columbia professors (among others the sociologists Robert K. Merton and Daniel Bell, the historian Richard Hofstadter, and David B. Truman) to send a joint letter to US President Lyndon B. Johnson protesting American warfare in Vietnam. A second, stronger, and this time public resolution from the same faculty group was just in preparation when in the spring of 1968 Columbia University plunged into crisis.<sup>14</sup> In his memoirs, Stern recalled how on 21 May 1968, the day radical student activists had for the second time occupied Hamilton Hall, one of the university’s main buildings, he was spending the night with David B. Truman in the provost’s office when suddenly bricks came sailing through the window and both professors had to crouch behind Truman’s desk: “The sound of shattering glass was frightening.”<sup>15</sup> Stern, who had emigrated to the United States in 1938 to escape the Nazi persecution of Jews in Germany, was not shying away from comparing the violence of leftist student activists during the “Columbia Crisis” of 1968 with the actions of Nazi student activists at German universities in the early 1930s. He confronted Marc Rudd, the local leader of the SDS, with this accusation on 9 April 1968, after the SDS had disrupted the University’s memorial service for Martin Luther King. He repeated the argument at a Columbia faculty meeting on 30 April 1968, when he crucially prevented the faculty from passing a resolution in solidarity with the students’ strike.<sup>16</sup>

This episode indicates another key reason why Stern expressed his outrage at the events of 1968. Still, in his memoirs in 2006, Stern was eager to emphasise that his personal rapport with the protesting students had been “good in any case.” His scorn was mainly reserved for those colleagues who, in his view, “came close to pandering to students.” He considered that a betrayal of the “patrimony” of the university: “We teachers had been entrusted with something ancient and precious and were allowing it to be violated.”<sup>17</sup> When in 1968 his Vietnam group fell apart over the issue of the “Columbia Crisis,” Stern soon brought together a new faculty group, this time one of opponents to the student movement. At Columbia University, this group was ironically labelled the “Stern Gang,” alluding to a Jewish paramilitary group in Mandatory Palestine in the 1940s.<sup>18</sup> During the restructuring process at Columbia University in the aftermath of the spring crisis of 1968, the group’s paramount objective was to warn their fellow faculty members

and the university's trustees against submitting to the students' demand for "participatory democracy." They collected more than 800 signatures for a statement on "The University as a Sanctuary of Academic Freedom" that was published in March 1969 as a full-page ad in *The New York Times*.<sup>19</sup> Yet Stern was also well aware that the "Columbia Crisis" had to be judged against the background of the student movement's international dimension. He wrote to a German friend in 1968: "Columbia students must hurl bricks at windows and policemen in order to show that they are no less revolutionary than their comrades in Paris and Berlin."<sup>20</sup> At Thanksgiving 1968, Stern hosted an international academic colloquium on the theme of the student movement at the Rockefeller Foundation's Villa Serbelloni in Bellagio, Italy, which was attended by, among others, the British historian Alan Bullock, the German sociologist Ralf Dahrendorf, and Kingman Brewster Jr, the president of Yale University.<sup>21</sup> In retrospect, this conference can be seen as the first international gathering of academic counterprotest against the student movement.

b. Those academics of Jewish heritage who had witnessed Nazi persecution but had returned to Germany after 1945 often experienced the student movement very similarly to Stern but probably even more acutely as a revival of their traumatic experiences in the 1930s. This was true for Ernst Fraenkel (1898–1975), Professor at the Free University in West Berlin and one of the "founding fathers" of political sciences in post-war Germany. Twenty-eight years older than Stern, Fraenkel was already established as a lawyer in Weimar Germany and from 1926 was employed by the German Metal Workers' Union. On 2 May 1933, he had personally witnessed the raiding parties of the SA storming the office building of his union.<sup>22</sup> Three decades later, he, of all people, was among the first academics in West Germany to compare the actions of the protesting students in the 1960s with the Nazi terror of the 1930s. When, in September 1967, activists of the German SDS interrupted a panel discussion on the Vietnam War in America House in Frankfurt, Fraenkel claimed in the *Berliner Morgenpost*: "These are exactly the same methods that the SA raiding parties used a generation ago." Hinting at his personal experience, he added (using a German proverb): "A burnt child dreads the fire – a burnt man should do everything possible to prevent the outbreak of a new conflagration."<sup>23</sup>

It did not help Fraenkel with the protesting students that he, unlike Stern, was not prepared to publicly criticise American warfare in Vietnam. For him, it appears, this was a matter of loyalty to the United States, the country that had given him asylum when he had to flee Germany in 1938 and whose citizenship he had acquired in 1944 and kept ever since, even when he returned to Germany in 1953. In any case, Fraenkel's relationship with his students at the Free University in the late 1960s was tense already. Fraenkel was an old-fashioned academic instructor and not prone to encouraging discussions with students in his classes. He reacted with outrage when, in 1967, a student magazine published an unattributed review of one of his lectures. In response, he even went so far as to cancel all outstanding oral exams in the term. Soon after his retirement, he completely retreated from academic life at the Free University. In his last years, many friends and acquaintances witnessed him full of anger and bitterness. Time and again he

contemplated a “second emigration” to the United States and claimed it was only the anti-communist spirit of the German working class that saved him from total despair.<sup>24</sup>

Certainly, Fraenkel’s particularly harsh rejection of the student movement in some ways conflicted with his liberal credentials as a political scientist. After all, his lasting contributions to political theory were not confined to his groundbreaking analysis of the political structures of the Nazi regime in *The Dual State* (1941).<sup>25</sup> In his post-war academic career, he had also developed a most influential though deliberately normative theory of pluralism that highlighted the acceptance of heterogeneity and the necessity for autonomy in the forming of a political will in a liberal democracy.<sup>26</sup> Interestingly enough, even in January 1967, he had praised the statute of the Free University in West Berlin, which gave the students at least some representation in its governing bodies, as a model example of pluralistic democracy.<sup>27</sup> Only months later, in October 1967, he declared the same statute to have failed and blamed this on the students’ failure to act in accordance with the university’s “bonum commune.”<sup>28</sup> In his view, things only got worse in the years following. In July 1969, implementing West Berlin’s new university law, the Free University introduced a new statute that gave equal representation to students, assistants, and professors (*Drittelparität*) in the university council, the body designated to elect the president of the university. In November 1969, against the votes of most professors, the university council elected Rolf Kreibich, a 30-year-old assistant from the sociology department who had in the past cooperated with student activists, as the new president of the Free University.<sup>29</sup> From then on, Fraenkel considered the Free University a lost case. The struggle now had to be continued from the outside, he told his friends.<sup>30</sup> In the winter of 1969–70, a group of professors from the Free University founded an academic interest group, the *Notgemeinschaft für eine freie Universität* (Emergency Association for a Free University), with the sole purpose of mobilising public opinion against the “new order” at West Berlin’s universities. Besides Fraenkel, this group included the legal scholar Roman Herzog (who in 1994 became the Federal President of Germany), the historian Thomas Nipperdey, and the art historian Otto von Simson, among others.

c. Richard Löwenthal (1908–1991), like Fraenkel a professor for political sciences at the Free University, was even less prepared to end his political vita as a critic of a left student movement. He had started this vita on the extreme left, as a student activist in the Communist Party in Weimar Germany. After he was expelled from the party in 1929, having fallen victim to severe party-internal fighting, he joined various socialist splinter groups and participated in the left underground resistance in the early days of the Nazi regime. In exile in the United Kingdom since 1935, Löwenthal’s political allegiances eventually shifted from communism to social democracy, a shift brought about as much by his impressions of Stalinist terror in the Soviet Union as by his experience of liberal democracies in Western Europe.<sup>31</sup> In 1946, still under his *nom de guerre* from the resistance, “Paul Sering,” he published *Jenseits des Kapitalismus* (Beyond Capitalism), proposing a democratic version of state-directed economy as a “third way” alternative to capitalism

and communism.<sup>32</sup> The book was influential with young social democrats for many years, but its author steadily became more “reformist.” In the 1950s, during the heyday of the Cold War, Löwenthal was deeply involved in the ideological agencies of “Cold War liberalism.” He was an influential figure in the Congress for Cultural Freedom (CCF), a transnational network of liberal intellectuals which promoted liberal democracy and socially reformed capitalism as the common ground of “the West” in its ideological conflict with Soviet Communism. He also regularly contributed to Melvin Lasky’s magazines *Der Monat* and *Encounter*.<sup>33</sup> During this time his academic writing also shifted from Marxist analysis of fascism to political science research on communism.<sup>34</sup>

Given his own past as leftist student activist, Löwenthal watched the student movement in the 1960s with much sympathy at first. Like Stern (but unlike Fraenkel), he was an early public critic of American warfare in Vietnam.<sup>35</sup> He also had a soft spot for Rudi Dutschke, the most prominent leader of the German SDS who had attended his classes at the Free University. Dutschke himself liked to joke with his teacher by quoting publicly from anti-capitalist passages in “Paul Sering’s” (i.e., Löwenthal’s) earlier writings.<sup>36</sup> Ironically, it was the attempted murder of Rudi Dutschke by a right-wing extremist in April 1968 that saw Löwenthal for the first time seriously at odds with the student movement. When the students reacted to the assassination attempt with violent protests on the streets of West Berlin, Löwenthal warned against a “vicious circle of violence.”<sup>37</sup> In the two years that followed, the student movement in West Germany split into various splinter groups who tried to outdo each other by ever more radical action. Löwenthal’s critique became more and more fundamental. When in December 1969 a leftist student faction at the Free University held a “tribunal” for philologist Walter Pabst accusing him of wrongdoings during the Nazi regime, Löwenthal publicly denounced this action and compared it to the methods of Nazi student activists. With this attack he burnt his bridges like Stern and Fraenkel had done before. The American diplomat William B. Bader, who regularly visited the Free University on behalf of the Ford Foundation, was stunned when in 1971 he found Löwenthal, whom he had perceived as particularly eloquent on previous occasions, “reduced to a stuttering incomprehensible attack” on the “red” students.<sup>38</sup>

In his writings on the student movement dating from the early 1970s, however, we find Löwenthal as eloquent and sharp-tongued as ever. In his 1970 essay *Der romantische Rückfall* (The romantic regression), he portrayed the student movement along similar lines to Stern, describing it as a revival of the anti-modern spirit of the conservative youth movements in the early 20th century. Like their right-wing predecessors, the left-wing students of 1968 preferred pursuing utopian ideals rather than recognising the realities of industrial society. And like their predecessors, they showed little tolerance for individual freedom.<sup>39</sup> Löwenthal also spoke out against West Berlin’s 1969 university law, just as sharply and along similar lines as Fraenkel. In January 1970, in the newspaper *Tagesspiegel*, he was quoted predicting that the new law would “ruin” the universities within two years but would hopefully at least have a deterrent effect on university legislators elsewhere.<sup>40</sup> In November 1970, Löwenthal was a founding member of the Bund



Freiheit der Wissenschaft (League for the Freedom of Science), the first formal association of academic opponents to the student movement on a nationwide level in West Germany. In early 1971, Löwenthal became the league's chair.

d. The University Centers for Rational Alternatives (UCRA) were the closest academics from the United States came to founding a formal association of opponents to the student movement on a national level. The UCRA were founded in 1969 on the initiative of Sidney Hook (1902–1989), professor of philosophy at New York University. Hook's political vita was strikingly similar to that of Löwenthal. Born in Brooklyn, New York, to Jewish immigrants from Austria, Hook, like Löwenthal, was already a socialist while still at high school. Though he never formally joined the Communist Party, he had supported Communist candidates in elections right up to 1932, had written enthusiastically about the Soviet Union, and in 1929 even spent time as a researcher at the Marx-Engels-Institute in Moscow. But, like Löwenthal, Hook parted with communism in the 1930s after witnessing Stalinist terror in the Soviet Union. Instead, he, together with James Burnham, was instrumental in founding the American Workers Party in 1933.<sup>41</sup> For the rest of his life, he identified himself politically as a democratic socialist, but anti-communism arguably became the defining facet of his political views. Hook was a "Cold War liberal" long before the Cold War had started. Already in 1939, he and his academic teacher, the political philosopher John Dewey, launched the first (but only short-lived) "Committee for Cultural Freedom." The committee was devoted to fighting the "tide of totalitarianism" which, according to its manifesto, was rising "under varying labels and colors, but with an unvarying hatred for the free mind" in countries like Germany and the Soviet Union likewise.<sup>42</sup> This already anticipated much of the anti-totalitarian vocabulary of "Cold War liberalism" after the Second World War. It was not by chance that Melvin J. Lasky, a disciple of Hook, took the lead in the organisational efforts of "Cold War liberalism" in the 1950s. Hook was himself substantially involved in the formation of the Congress for Cultural Freedom (CCF) and was particularly influential in the CCF's American branch, the American Committee for Cultural Freedom (ACCF). Naturally, he contributed even more frequently than Löwenthal to Lasky's magazines *Der Monat* and *Encounter*.<sup>43</sup> (In contrast, Fritz Stern also joined the ACCF in 1954, but quit membership after only a few months because he was afraid of associating himself to closely with "McCarthyism.")<sup>44</sup>

Typically for anti-totalitarian intellectuals in the 1950s and 1960s, Hook considered his own political attitude as non-ideological, much along the lines of the sociologist Daniel Bell (himself an active member of the CCF) and his theory on the "end of ideology."<sup>45</sup> This went hand in hand with an explicitly normative concept of universities' responsibility "to pursue the truth" in a pure, non-ideological way: "Anyone who understands the meaning of a university and the meaning of an ideology, either in the Marxist or in the more popular sense, knows that the American university has no ideology." He therefore strictly rejected the student movement of the 1960s which he interpreted as a "crusade to politicize the universities." Already in 1965, at the time of the Free Speech Movement at Berkeley University, he was almost provocatively clear that in his view students by principle

did not enjoy “the right of academic freedom.” Theirs was only the “freedom to learn,” and this was best ensured by guaranteeing the “academic freedom for those who teach them.”<sup>46</sup> Apparently, in the late 1960s, it came as a surprise to Hook how many of his academic colleagues did not seem to share this view but instead supported the students’ protest activities. “The overwhelming reaction of American faculties to these sustained and systematic outrages was initially one of complacency, then of compromise (...), and finally in most cases retreat and craven capitulation.” In his memoirs, he recalled an incident where student representatives addressed a faculty meeting at New York University in a deliberately disrespectful and offensive manner, yet afterwards an alleged “two thirds of the faculty present rose to their feet in a standing ovation.” The way he saw it, there was no reason for this failure to address the students’ violation of academic norms other than simply the fear of many professors of becoming unpopular, “of being criticised in the student press” or of “being denounced at student meetings as reactionaries.”<sup>47</sup>

It was to rally those other academic colleagues who, like himself, were prepared to speak out publicly against the radicalisation of student protest, that in 1969 Hook took the steps to establish the UCRA. This attempt was, he himself admitted subsequently, an almost complete failure. The UCRA was not able to win over more than a handful of senior academics.<sup>48</sup> Yet the editorial that Hook wrote for the first issue of the UCRA newsletter *Measure* in April 1969 can still be read as one of the most comprehensive descriptions of the reasons that motivated opponents of the student movement to unite in academic interest groups:

As news of campus bombings, beatings, seizures of university buildings, threats of arson and coercion flooded the press and were graphically featured on television, a small group of scholars and teachers met to consider the situation. They concluded that the time had come to rally the faculties of the nation to their common interest. This was to resist the mounting violence on university campus, to end the disruption of education by physical confrontations and other techniques of fomenting disorder... . The most enthusiastic expressions of support have come from individuals and groups who have felt isolated and fearful of eruptions of irrationalism among student bodies and sometimes administrators as well. They have acquired strength through awareness of the existence of other individuals and groups fighting to keep channels of rational communication open in the intellectual and academic life of the nation.<sup>49</sup>

This, almost word-for-word, could just as well have been written by the Bund Freiheit der Wissenschaft or the “Notgemeinschaft.” It was this broad consensus across the Atlantic that enabled the academic opponents of the student movement in 1970 to establish the ICUE.

### **The transatlantic academic networks of ICUE and ICFU in the 1970s**

The key impulse for the establishment of a transatlantic association for academic opponents of the student movement came in the summer of 1970 from

the two American Professors Charles Frankel and Paul Seabury. Despite their well-documented liberal political views before the events of 1968, both were in 1970 already involved in other efforts to rally academic opponents of the student movement. Charles Frankel (1917–1979), professor of philosophy at Columbia University, was previously a board member of the Civil Liberties Union. He had served as Assistant Secretary for Educational and Cultural Affairs in the Johnson Administration from August 1965 until December 1967, when he resigned in protest of the Vietnam War. At Columbia University, Frankel was an active member of Fritz Stern’s “Stern Gang” in the late 1960s.<sup>50</sup> Paul Seabury (1923–1990), professor of political sciences at Berkeley, had been a member of the national executive committee of the progressive policy group Americans for Democratic Action until 1968. In 1969, he had become vice president of Sidney Hook’s UCRA.<sup>51</sup>

To launch their initiative, Frankel and Seabury received technical and financial support from the non-governmental organisation Freedom House in New York. This meant that another influential agency of “Cold War liberalism” was involved in the professors’ counterprotest. Freedom House had been established in 1941 (among others by the then First Lady Eleanor Roosevelt) to mobilise public support for the United States’ entry into the Second World War. Since the end of the war, the NGO had supported democratic opposition movements in dictatorial states all over the world, but especially in communist Eastern Europe. At the same time, Freedom House had been critical of “McCarthyism” and had supported the civil rights movement in the United States in the 1960s. The NGO first intervened in the public debate on student violence on university campuses in May 1969 with a full-page ad in the *New York Times* under the headline “Non-Negotiable.”<sup>52</sup>

In July 1970, Frankel and Seabury sent a circular letter on Freedom House stationery to selected recipients at European Universities, proposing “international scholarly consultations” on the formation of an academic association. They already offered rather detailed suggestions for the association’s purpose: “Given the swift moment of assault on our academic world, a working group, functioning properly, could quickly transmit from place to place important diagnoses of local and general situations and a flow of detailed information about week-by-week developments.”<sup>53</sup> With funding from Freedom House, the proposed consultations took place from 12–14 September 1970 in Norwich, England, with 19 participants from the United States, West Germany, the United Kingdom, France, and Italy. Beside Frankel and Seabury, participants from the United States included the sociologists Seymour Martin Lipset (Harvard) and Edward Shils (Chicago), the historian Martin E. Malia (Berkeley) as well as Fritz Stern. West Germany was represented by Richard Löwenthal and the historian Ernst Nolte (Marburg), both key figures in the Bund Freiheit der Wissenschaft, and the historian Wolfram Fischer for the “Notgemeinschaft.” Other attendants included the British sociologists Robert McKenzie and David Martin (both from the London School of Economics), the Italian political scientist Giovanni Sartori (Florence), and the French economist Jean-Claude Casanova (Paris-Nanterre). Except for Freedom House Executive Director Leonard R. Sussman, all participants were full professors.<sup>54</sup> The meeting agreed to establish the International Committee on the University Emergency

(ICUE) and appointed a steering committee with Frankel as chair.<sup>55</sup> The establishment of the ICUE was publicly announced on 19 November 1970 at simultaneous press conferences in New York, Bonn, Paris, and Rome. The press conferences in New York and Bonn were connected live via a transatlantic telephone link.<sup>56</sup>

The ICUE steering committee also produced a manifesto on “the University Emergency,” for which they recruited further signatures among academics in Western Europe and the United States. At the end of 1970, at least 95 professors had signed the manifesto, among them sociologists Daniel Bell (Harvard) and Friedrich Tenbruck (Tübingen), political scientists Zbigniew Brzezinski (Columbia University) and Wilhelm Hennis (Freiburg), political philosophers Paul Kurtz (Buffalo) and Hermann Lübbe (Bielefeld), the economist Milton Friedman (Chicago), the Protestant theologian Helmut Thielicke (Hamburg), the writer and journalist Irving Kristol (also Professor of Urban Values in New York) as well as five Nobel laureates, all physicists, namely Hans A. Bethe (Cornell University), Werner Heisenberg (Munich), Isidor Isaac Rabi (Columbia University), Charles Townes (Berkeley), and Eugene P. Wigner (Princeton). Of course, Sidney Hook also signed the manifesto. By far most signatories came from the United States and West Germany.<sup>57</sup>

After this quick and successful launch, however, little really happened with the ICUE for a long time. In November 1970, Frankel and Seabury were still full of ambitious plans: an international conference in spring 1971, transatlantic “blue ribbon” panels “to visit victimized areas and study university situations on the scene”; both an academic journal and a regular news bulletin, etc. Of course, a full-time executive and office facilities were needed. Altogether, they calculated a yearly budget of \$200,000.<sup>58</sup> Yet fundraising soon proved to be the main obstacle. An ICUE delegation was politely received by the Ford Foundation, but the executives made it clear that Ford was not in the business of financing public interest groups and would only contribute to purely scholarly events. Informal applications from West German professors to the Krupp Foundation didn’t fare much better. When the ICUE steering committee met again in Paris in May 1971, they hadn’t been able to make any progress.<sup>59</sup>

But the disappointing fundraising campaign was not the only reason for the ICUE’s lack of activity so soon after its establishment. In fact, it seems that in the early 1970s the formerly broad consensus of academic opponents to the student movement across the Atlantic quickly began to dissolve. This had less to do with political differences than with a gradual divergence in the professors’ assessment of the situation regarding the student movement. This again was the result of visibly diverging trends, both in academic everyday life and in educational policies, in the United States on the one hand and in Western Europe, especially in West Germany, on the other. In the heyday of student protests, the outbursts of violence (both from students and from the police) on university campuses in the United States had been much more severe and more disruptive to the universities’ everyday life than those at European universities. The last (and possibly largest) eruption of violence on campuses in the United States occurred in May 1970 in response to the American invasion of Cambodia. Yet after these dramatic events (which tragically

culminated in the Kent State shootings where four students were killed by the Ohio National Guard), the student movement seemed to dwindle fast and surprisingly quietly. While the cultural impact of “the Sixties” continued to affect American society for a long time, everyday life at universities went back to normal almost everywhere. Also, almost nowhere had the student activists’ call for “participatory democracy” led to any fundamental reforms of the university system.<sup>60</sup> For West German academics visiting the United States in the early 1970s, these differences were clearly visible. When Ernst Nolte held a visiting professorship at Harvard University in the summer term of 1971, he was impressed by how orderly university life had become again. But he also noticed a downside, namely that among his American colleagues the motivation to engage in academic counterprotest had more or less ceased to exist and that there was also little interest in “the new *omnia Germanica*.”<sup>61</sup>

In contrast, while in the early 1970s the student movement in West Germany had also lost much of its former scope, it had not disappeared from university campuses. Instead, various splinter groups had emerged out of the initial movement. These groups ensured that student protest was continued at a considerable level and constantly tried to outdo each other by engaging in ever more radical action. Thus, not only was there no return to normality in everyday campus life but on some campuses, for instance at the Free University in West Berlin, student protest seemed to enter a new phase of radicalisation.<sup>62</sup> Even more importantly, in West Germany the students’ call for “participatory democracy” had in many places resulted in actual reforms. Between 1968 and 1972, many state legislatures (education policy in Germany is traditionally under the sovereignty of the federal states) passed laws concerning the governance of the universities that considerably extended students’ rights of participation within the universities’ self-administration. In some cases, student representatives were granted “equal representation” with professors and assistants (*Drittelparität*) on central governing bodies. A decision of the Federal Constitutional Court (i.e., the supreme court) eventually stopped this policy in May 1973.<sup>63</sup> But until then, the “democratisation of the universities” continued to threaten the authority of the professoriate in matters of curriculum and research. This threat also kept the professors’ counterprotest, organised by the Bund Freiheit der Wissenschaft, alive into the early 1970s.

The divergence of the professors’ assessment of the situation became evident in 1973, when after an interval of more than one and a half years the ICUE was revived. In January 1973, the steering committee met in Den Haag for the first time since May 1971. For unknown reasons, the ICUE was calling itself now the “International Council on the University Emergency” (instead of “Committee”). Organisationally, it still depended on Freedom House, which not only had made office space available in their New York headquarters but technically also employed the ICUE’s executive director, Nicholas H. Farnham. But in 1973, thanks to grants from the Volkswagen Foundation and the Andrew W. Mellon Foundation, the ICUE was finally able to hold the big international conference it had aspired to since its foundation. The conference took place on 14–17 October 1973 on San Giorgio Island in Venice, hosted by the Cini Foundation.<sup>64</sup> Ninety-four academics

from 49 different universities in 13 countries participated. The United States (29 participants) and West Germany (16 participants) again made up the largest numbers by far. Other delegates came from the United Kingdom, France, Italy, Belgium, Denmark, Sweden, the Netherlands, Austria as well as Israel, Australia, and Japan. Apart from Ralf Dahrendorf (who represented the European Commission), all German participants were members of the Bund Freiheit der Wissenschaft.<sup>65</sup>

The conference was titled "The Crisis of the University." Yet the national reports on the situation in specific countries, which formed the largest part of the conference programme, turned out to cause so little alarm that the steering committee (now called "Board of Trustees") put on record in a final statement that in most countries "the acute emergency" of the universities was "past inasmuch as violence has dwindled." Consequently, the board decided to focus the council's activity henceforth on the broader issues of university reform and international trends in university legislation. The ICUE was therefore renamed the "International Council on the Future of the University" (ICFU).<sup>66</sup> Two countries, however, were explicitly excluded from the "all-clear signal." The conference resolution stated: "We note with special anguish the state of affairs in Germany and Denmark, where legislatures have imposed or endorsed rules for the governance of universities which, if they remain in effect long-term, condemn these countries, in our opinion, to intellectual debasement."<sup>67</sup>

The international professors' network thus acknowledged their German colleagues' divergent assessment and marked West Germany (next to Denmark) as a special case. This acknowledgement was clearly due to the national report the historian Thomas Nipperdey, chairman of the Bund Freiheit der Wissenschaft, delivered at the Venice conference. His gloomy picture of "terrorist activities" by radical students and appeasing policies by university legislators was met by the audience with shock and dismay, as Rudolf Walter Leonhardt, who attended the conference as press correspondent of the German liberal-left *Die Zeit*, noted.<sup>68</sup> Here, the international network clearly worked for the German professors as was intended, namely as a high-profile platform to boost their political influence at the national level. But this brief 1970 glimmer of hope that there could be a united international counterprotest movement of professors was already fading in 1973.

Nonetheless, transatlantic networking continued to be useful to the academic opponents of the student movement in Germany. To have political allies in the United States at their disposal turned out to be of particular value in the business of international evaluation that has flourished in educational politics since the 1960s. Fritz Stern, for instance, as part of a four-member OECD evaluation panel in 1971, saw to it that during their visit to review the West German educational system he and his colleagues met not only interlocutors selected by university administrations but also many of his allies from the Bund Freiheit der Wissenschaft and the "Notgemeinschaft."<sup>69</sup> It comes as little surprise, then, that the OECD report from November 1971 included a strong-worded warning that in some places in West Germany "university life has come close to complete disruption" due to radical student activists who were trying to "transform universities into training grounds for a new and revolutionary type of society."<sup>70</sup> In 1977, the ICFU sent its own evaluation

panel to Germany, sponsored by the Fritz Thyssen Foundation. Carefully instructed by the Bund Freiheit der Wissenschaft, the panel visited the Free University in West Berlin and the universities of Heidelberg, Marburg, and Bonn (as well as informal short visits in Mannheim and Düsseldorf).<sup>71</sup> The ICFU Report on German Universities was first presented in August 1977 at the ICFU's second international conference in Toronto with the theme of "Universities and Governments in Democratic States." Once again, the gloomy picture was met with bewilderment by the international audience. "West German universities are in danger of being taken over by Communist students, just as Nazi youth groups did 40 years ago," the *Toronto Globe and Mail* summarised for its readers.<sup>72</sup> Subsequently, the report was printed both in English and German. Among other things, it recommended to reinvigorate hierarchical differences in the university system and to again enhance the prestige of the academic title "professor."<sup>73</sup>

This, however, was the ICFU's last engagement with the German university system. In the late 1970s, the council's activities diminished again, especially after Charles Frankel, chairman since 1970, died in 1979.<sup>74</sup> The historian C. Vann Woodward from Yale University and then Paul Seabury took over the chair.<sup>75</sup> But in the early 1980s, the ICFU seemed to be reduced to an appendage of Freedom House, which was still the council's sole provider of staff and office space. In accordance with Freedom House's then focus on supporting the new Iberian democracies, the ICFU selected Lisbon as the site for its third (and last) international conference which took place in April 1981 on the theme of "The Pursuit of Truth in a Changing World."<sup>76</sup> In 1982, in accordance with Freedom House's long tradition of support for anti-communist opposition in Eastern Europe, the ICFU tried to organise an international commission on conditions at Polish universities after the declaration of martial law in Poland in December 1981. But the project seemed to have failed to materialise.<sup>77</sup> One year later, in February 1983, Paul Seabury informed all members that due to financial problems the ICFU had suspended all its activities indefinitely.<sup>78</sup>

### **Summary: the professors' counterprotest and the redefining of liberalism after "1968"**

To conclude, let us look back at the reasons for academic opposition against the student movement of 1968 which were outlined in the first section of this chapter. The different ways in which these reasons affected the professors' networks of counterprotest in the late 1960s and early 1970s have become clearer now. Outrage about student violence on university campuses was clearly a uniting factor and helped form alliances between academics across disciplines, universities, nations, and even oceans. The professoriate certainly shared an interest in protecting their status and a concern about university reforms imposed by state legislators that accommodated the students' demand for "participatory democracy" in the governance of the universities. Yet as soon as violence on campuses dwindled and the acute "emergency" of the universities seemed to be over, the factor of status interests turned out to be insufficient to keep the professors' transatlantic networks

together. Different approaches to university reform taken by different countries soon led to a lack of coherence and therefore to a drop in activity in the just-formed ICUE. However, it needs to be pointed out that the trend of university legislation in West Germany in the early 1970s clearly constituted a unique approach even in comparison to the path taken in other Western European countries.

Interestingly enough, the most enduring element uniting the academic opponents of the student movement seems to have been a political one, namely a shared concern for the protection of liberal democracy. The leading figures of the professors' counterprotest obviously came from very different backgrounds with different political vitae up to and including Richard Löwenthal's and Sidney Hook's flirtation with communism before the Second World War. But in the post-war period, all of them adopted moderate left-leaning political attitudes and actively supported liberal causes in their respective societies, in some cases up to the early stages of the student movement in the mid-1960s. However, their advocacy for liberal democracy was accompanied by a strong rejection of communism, making them intellectual role models of "Cold War liberalism." It is therefore plausible to interpret the professors' counterprotest against the student movement as a continuation of "Cold War liberalism" during a decade when the intellectual climate in the Western world had changed again. With the rise of the "New Left" in the 1960s, anti-communism ceased to dominate the political attitudes of intellectuals and even got a touch of reactionary. Yet, in turn, many liberal intellectuals who up to the mid-1960s had regarded conservative sentiments as the greatest obstacle to democracy began to see the rise of neo-Marxism as an even greater threat to liberal political thinking. This may also explain why so few genuine conservative intellectuals were engaged in the academic opposition to 1968. It is not that there weren't enough conservative professors at that time, but arguably they were less inclined to get themselves absorbed in ideological battles for the common ground of liberalism.

It can therefore be seen as a formidable dialectical twist that the change in the intellectual climate of 1968 also led many former "Cold War liberals" to convert to neo-conservative political thinking during the 1970s. This intellectual shift can also be seen among the leading figures of the professors' counterprotest, though certainly not in all cases. Löwenthal, for example, remained firmly on the moderate left. In 1978, he resigned his membership of the Bund Freiheit der Wissenschaft after the association he had helped to establish eight years earlier began to publicly attack his Social Democratic Party's educational policy.<sup>79</sup> Fritz Stern even retracted a section of his harsh rejection of the student movement in the 1960s. In his memoir from 2006, he conceded that he may have "overreacted" in 1968: "perhaps with the European past in mind, I saw things too starkly."<sup>80</sup> Then again, Sidney Hook got deeply entangled in the networks of neo-conservatism in the United States. His UCRA, established in 1969 and renamed "Campus Coalition for Democracy" in 1980, became the National Association of Scholars in 1987 and is still regarded as perhaps the most influential interest group of conservative academics in the United States. Hook also joined the neo-conservative Committee for the Free World and was, in the 1980s, widely perceived as "philosopher king" of the Reagan Administration (something he denied). In 1985, Ronald Reagan



awarded him with the Presidential Medal of Freedom.<sup>81</sup> Paul Seabury even served officially for the Reagan Administration as a member of the President's Foreign Intelligence Advisory Board.<sup>82</sup> Post 1968, other ICUE professors, for example C. Vann Woodward and Seymour Martin Lipset, similarly involved themselves with conservatism, as did Ernst Nolte, Thomas Nipperdey, Wilhelm Hennis, and Hermann Lübke in Germany.<sup>83</sup>

It is certainly ironic that in the 1970s, with their intellectual shift from liberalism to conservatism, these academics in some respects became the "reactionaries" the students of 1968 had considered them to be all along. For historical research, however, it is important to acknowledge both this shift and its causes. The professors' counterprotest against the student movement in the late 1960s was at first a movement of liberal academics who held real concerns for the protection of democracy. Any approach based on the assumption that all the professors cared about was defending their privileges fails to take their political motives seriously. And any approach based on the assumption that these scholars had been conservatives all the time anyhow, at least in secret, risks to precisely miss the dialectical twists which are the most interesting part of the history of 1968. The same political movement that brought about the rise of the "New Left" also provoked a fundamental shift in the political attitudes of liberal intellectuals, thereby effectively leading to an unexpected revitalisation of political conservatism.

## Notes

- 1 Cf. Martin Klimke, *The other alliance. Student protests in West Germany and the United States in the global sixties*, Princeton 2010; Norbert Frei, *1968. Jugendrevolte und globaler Protest*, Munich 2008; Michael Schmidtke, *Der Aufbruch der jungen Intelligenz. Die 68er Jahre in der Bundesrepublik und den USA*, Frankfurt 2003; Carole Fink/Philipp Gassert/Detlef Junker (eds.), *1968. The World Transformed*, Washington D.C. 1998.
- 2 This chapter is based to a great extent on my examination of the professors' counterprotest in West Germany, cf. Nikolai Wehrs, *Protest der Professoren. Der "Bund Freiheit der Wissenschaft" in den 1970er Jahren*, Göttingen 2014 (ibid., pp. 257–261, on the ICUE).
- 3 Paul Seabury (ed.), *Universities in the Western World*, New York/London 1975, p. vii.
- 4 Cf. Wehrs, *Protest der Professoren*.
- 5 Cf. Jerry L. Avorn et al., *Up Against the Ivy Wall. A History of the Columbia Crisis*, New York 1968.
- 6 David B. Truman, *The Governmental Process. Political Interests and Public Opinion*, New York 1951; cf. Wyn Grant, David B. Truman: The Governmental Process. In: Steven J. Balla et al. (eds.), *The Oxford Handbook of Classics in Public Policy and Administration*, Oxford 2015, pp. 22–34; Jeffrey M. Berry, On the Origins of Public Interest Groups: A Test of Two Theories, *Polity*, 10 (1978), pp. 379–397.
- 7 Cf. Wehrs, *Protest der Professoren*, pp. 69–71.
- 8 Cf. especially for West Germany: Anne Rohstock, *Von der "Ordinarienuniversität" zur "Revolutionszentrale"? Hochschulreform und Hochschulrevolte in Bayern und Hessen 1957–1976*, Munich 2010.
- 9 Cf. Andreas Keller, *Hochschulreform und Hochschulrevolte*, Marburg 2000; Terry H. Anderson, *The Movement and the Sixties*, New York/Oxford 1995.

- 10 Cf. Jan-Werner Müller, Fear and Freedom: On “Cold War Liberalism”, *European Journal of Political Theory*, 7 (2008), pp. 45–64; Robert Booth Fowler, *Believing Skeptics: American Political Intellectuals 1945–1964*, Westport, CT. 1978.
- 11 Cf. Fritz Stern, *Five Germanys I Have Known*, New York 2006; id., Reflections on the International Student Movement, *The American Scholar*, 40 (1970–71), pp. 123–137.
- 12 Id., *The Politics of Cultural Despair. A Study in the Rise of the Germanic Ideology*, Berkeley 1961.
- 13 Id., Reflections, p. 123.
- 14 Cf. Stern, *Five Germanys*, pp. 245–251.
- 15 Ibid., p. 256.
- 16 Ibid, p. 251–254; Avorn, *Up Against the Ivy Wall*, p. 210.
- 17 Stern, *Five Germanys*, pp. 254 and 260.
- 18 Ibid, p. 255f.
- 19 *New York Times*, 11 March 1969; Stern, *Five Germanys*, p. 258.
- 20 Cited from ibid, p. 258. Stern’s recipient was here the German politician Bernhard Vogel from the centre-right CDU.
- 21 Stern, *Five Germanys*, pp. 256–257.
- 22 Cf. Simone Ladwig-Winters, *Ernst Fraenkel. Ein politisches Leben*, Frankfurt/New York 2009; Rudolf Wolfgang Müller, “...wenn es morgens um 6 klingelte, war es der Milchmann” – Ernst Fraenkel und die West-Berliner Studentenbewegung. In: Hubertus Buchstein/Gerhahrd Göhler (eds.), *Vom Sozialismus zum Pluralismus. Beiträge zu Werk und Leben Ernst Fraenkels*, Baden-Baden 2000, pp. 97–113.
- 23 *Berliner Morgenpost*, 17 September 1967. The most common English equivalent is: “Once bitten, twice shy.”
- 24 Cf. Müller, “...wenn es morgens”; Götz Aly, *Unser Kampf. 1968 – ein irritierter Blick zurück*, Frankfurt 2008, pp. 131–135; Hans Maier, *Böse Jahre, gute Jahre. Ein Leben 1931ff.*, Munich 2011, p. 161.
- 25 Ernst Fraenkel, *The Dual State. A Contribution to the Theory of Dictatorship*, New York 1941.
- 26 Id., *Deutschland und die westlichen Demokratien*, Stuttgart 1964.
- 27 Id., Universitas litterarum und pluralistische Demokratie. In: id., *Universität und Demokratie*, Stuttgart 1967, pp. 11–35.
- 28 Id., Der Konflikt an der Freien Universität. In: ibid., pp. 36–70.
- 29 Cf. James F. Tent, *The Free University of Berlin. A political history*, Bloomington 1988, pp. 349–356.
- 30 Cited from *Süddeutsche Zeitung*, 19–20 June 1971.
- 31 Cf. Oliver Schmidt, “*Meine Heimat ist – die deutsche Arbeiterbewegung.*” *Biographische Studien zu Richard Löwenthal im Übergang vom Exil zur frühen Bundesrepublik*, Frankfurt 2007.
- 32 Paul Sering (i.e., Richard Löwenthal), *Jenseits des Kapitalismus. Ein Beitrag zur sozialistischen Neuorientung*, Lauf bei Nürnberg 1946.
- 33 Cf. Michael Hochgeschwender, *Freiheit in der Offensive? Der Kongreß für kulturelle Freiheit*, Munich 1998. Not until 1966 was it revealed that the CCF had been secretly funded by the CIA right from the start. This revelation came as a veritable shock for many of its members. Cf. Frances Saunders, *Who Paid the Piper? The CIA and the Cultural Cold War*, London 1999.
- 34 Richard Löwenthal, *Faschismus – Bolschewismus – Totalitarismus. Schriften zur Weltanschauungsdiktatur im 20. Jahrhundert*, ed. by Mike Schmeitzner, Göttingen 2009.

- 35 Id., Amerikas Irrweg in Vietnam (1965). In: *ibid.*, *Weltpolitische Betrachtungen. Essays aus zwei Jahrzehnten*, ed. by Heinrich August Winkler, Göttingen 1983, pp. 109–129.
- 36 Cf. Heinrich August Winkler, Ein Denker der Extreme. Zum 100. Geburtstag des Politologen und Publizisten Richard Löwenthal, *Die Welt*, 15 April 2008.
- 37 Cited from Hajo Funke, *Das Otto-Suhr-Institut und der Schatten der Geschichte. Eine andere Erinnerung*, Berlin 2008, p. 64.
- 38 Tent, *The Free University of Berlin*, pp. 364–366 and 382.
- 39 Richard Löwenthal, *Der romantische Rückfall. Wege und Irrwege einer rückwärts gewendeten Revolution*, Stuttgart 1970.
- 40 Cited from *Tagesspiegel*, 20 January 1970.
- 41 Cf. Cornelia Kunkat, *Sidney Hook. Intellektueller zwischen Marxismus und Pragmatismus*, Frankfurt a. M. 2000; Christopher Phelps, *Young Sidney Hook. Marxist and pragmatist*, Ithaca, NY 1997.
- 42 Cited from Sidney Hook, *Out of step. An unquiet life in the 20th century*, New York 1987, pp. 271–274.
- 43 Cf. Kunkat, *Sidney Hook*, pp. 252–286.
- 44 Cf. Stern, *Five Germanys*, pp. 216–217.
- 45 Daniel Bell, *The End of Ideology. On the exhaustion of political ideas in the fifties*, Glence, IL. 1960.
- 46 Sidney Hook, *Out of step*, pp. 548–565; *id.*, Freedom to Learn But Not to Riot, in: *New York Times*, 3 January 1965; *id.*, *Academic Freedom and Academic Anarchy*, New York 1970, pp. 205 and 231.
- 47 *Id.*, *Out of step*, pp. 550 and 555.
- 48 *Id.*, *Out of Step*, p. 590; cf. Kunkat, *Sidney Hook*, p. 315.
- 49 Sidney Hook, What are the University Centers for Rational Alternatives, *Measure No. 1*, April 1969.
- 50 Cf. Obituary to Charles Frankel, *New York Times*, 11 May 1979.
- 51 Cf. Obituary to Paul Seabury, *New York Times*, 19 October 1990.
- 52 *New York Times*, 4 May 1969.
- 53 Circular letter Charles Frankel and Paul Seabury with Proposal for International Scholarly Consultations, 20 July 1970. In: *Richard Löwenthal papers*, Box 76 (Archiv für soziale Demokratie, Bonn).
- 54 List of participants, Norwich Conference 12–14 September 1970. In: *ibid.*
- 55 Report on Organization and Goals, Norwich Conference 12–14 September 1970. In: *ibid.*
- 56 ICUE Press Release, 19 November 1970. In: *ibid.*; cf. *Süddeutsche Zeitung*, 20 November 1970.
- 57 Manifesto “The University Emergency” with list of signatories. In: *Löwenthal papers*, Box 76.
- 58 Circular letter ICUE Steering Committee (sign. Frankel and Seabury), 25 November 1970. In: *Ibid.*
- 59 Circular letter ICUE Steering Committee (sign. Frankel), 19 March 1971. In: *Löwenthal papers*, Box 64; Circular letter ICUE Steering Committee (sign. Frankel), 21 April 1971. In: *ibid.*; Letter Walter Rüegg (University of Frankfurt) to Berthold Beitz (Alfred Krupp von Bohlen und Halbach-Stiftung), 5 July 1971. In: *Löwenthal papers*, Box 76.
- 60 Cf. Anderson, *The Movement and the Sixties*, pp. 355–410.
- 61 Letter Ernst Nolte to Richard Löwenthal, 10 May 1971. In: *Löwenthal papers*, Box 65.
- 62 Cf. Wehrs, *Protest der Professoren*, pp. 265 and 279–294; Gerd Koenen, *Das rote Jahrzehnt. Unsere kleine deutsche Kulturrevolution 1967–1977*, Cologne 2001, pp. 132–145.

- 63 Cf. Wehrs, *Protest der Professoren*, pp. 61–67 and 354–371.
- 64 Cf. Nicholas H. Farnham, Continuing Crisis in the University. In: *Freedom at issue*, No. 23, January–February 1974, p. 22.
- 65 Conference List “The Crisis of the University,” Venice, 14–17 October 1973. In: *Notgemeinschaft records*, 8.1.4-0001 (Hoover Institution Archives, Stanford University). This Conference List lists 94 “participating scholars” next to 14 observers (mostly representatives of political and scientific institutions), six press correspondents, and three ICUE officials. In his conference report in *Freedom at Issue*, Nicholas H. Farnham reports the number of “100 scholars from 50 universities and 15 countries” (cf. Farnham, *Continuing Crisis*, p. 22). Paul Seabury (ed.), *Universities in the Western World*, New York 1975, p. vii, gives the obviously false number of “more than 200 distinguished academic figures.”
- 66 Statement ICFU Board of Trustees, 17 October 1973. In: *Notgemeinschaft records*, 8.1.4-0001.
- 67 Conference Resolution “The Crisis of the University,” October 17, 1973. In: *ibid.*
- 68 Thomas Nipperdey, Report on conditions in universities in the Federal Republic of Germany. In: *Notgemeinschaft records*, 8.1.4-0001; cf. *id.*, The German University in Crisis. In: Seabury, *Universities in the Western World*, pp. 119–142; Rudolf Walter Leonhardt, Radikalinskis unerwünscht, *Die Zeit*, 26 October 1973. There was no national report on Denmark at the conference. But cf. Mogens Blegvad/Steen Leth Jeppesen, Danish Universities in Transition. In: Seabury, *Universities in the Western World*, pp. 181–194.
- 69 Cf. Stern, *Five Germanys*, pp. 272–275.
- 70 OECD, *Reviews of National Policies for Education. Germany*, Paris 1972, p. 86.
- 71 Cf. the extensive correspondence between Nicholas H. Farnham, ICFU Executive Director, and Thomas Nipperdey, chairman of the *Bund Freiheit der Wissenschaft*. In: *Thomas Nipperdey papers*, Map “International Council on the University Emergency” (property of Vigdis Nipperdey, Icking).
- 72 “German universities threatened by Communists, scholars report,” *Toronto Globe and Mail*, 31 August 1977.
- 73 ICFU German Universities Commission, *Report on German Universities*, New York 1977; *id.*, *Bericht über deutsche Universitäten*, Stuttgart 1978, cited from pp. 62–66.
- 74 Cf. ICFU Newsletter Vol. 6, No. 4 (November 1979), “A Tribute to Charles Frankel.” Frankel and his wife were tragically killed during a robbery in their home in New York in May 1979.
- 75 Circular letter ICFU Board (sign. C. Vann Woodward), 19 September 1980. In: *Löwenthal papers*, Box 77; Letter Seabury to Löwenthal, 14 May 1982. In: *ibid.*
- 76 Cf. John W. Chapman (ed.), *The Western University on Trial*, Berkeley et al. 1983.
- 77 Letter Seabury to Löwenthal, 14 May 1982. In: *Löwenthal papers*, Box 77.
- 78 Circular Letter ICFU (sign. Seabury), 7 February 1983. In: *Notgemeinschaft records*, 8.4-0006.
- 79 Cf. Wehrs, *Protest der Professoren*, pp. 418–419.
- 80 Stern, *Five Germanys*, p. 260.
- 81 Cf. Kunkat, *Sidney Hook*, pp. 315 and 340–353.
- 82 Cf. Obituary to Paul Seabury, *New York Times*, 19 October 1990.
- 83 Cf. Wehrs, *Protest der Professoren*, pp. 452–475.

## 4 The role of the Anti-Defamation League in combating extremism

*George Michael*

Political extremism in one form or another has long been a feature in American history. Numerous radical protest and dissident movements have emerged in response to crises that have bedevilled the nation. What constitutes extremism depends in large part on both public and elite opinions at a particular point in time; thus, the concept of extremism is essentially socially constructed. Extremism can be defined statistically with attitudes towards particular issues arranged on a left–right continuum. The left and right labels are believed to have originated in the French National Assembly of 1789, when radicals sat on the left side of the presiding officer and the conservatives on the right. In this scheme, those people who favour positions on the far left and right of the continuum would be labelled extremists, whereas those identifying with positions in the middle would be identified as moderates. Second, extremism can be described in terms of style, rather than any specific ideological substance. Such a definition is reminiscent of Eric Hoffer’s notion of the “true believer,” that is, someone who is totally consumed by his cause and will not consider any criticism of his ideology. Finally, extremism can be understood as being socially defined. In any society at a given time, certain social and political views are considered normal and acceptable, while others are not. The range of acceptable views may be broad or narrow and change over time.

Usually, these movements have been ephemeral in duration and, historically, the United States has evinced a centrist political culture that accommodates many different interests. However, growing extremist subcultures both on the political left and the political right seem to be gaining traction in contemporary America. Moreover, a concatenation of recent events – COVID-19 and the ensuing lockdown, urban unrest unprecedented in US history, a contentious presidential election in 2020, and economic uncertainty – could contribute to ongoing radicalisation in the foreseeable future. Although the dictum “never bet against America” is convincing considering that nation’s resilience in the past, only the most sanguine observers would not concede that the American system has arrived at an acute crisis.

As the United States becomes more congenial to extremism, the spectre of anti-Semitism looms large. Anti-Semitism is endemic to right-wing extremism, as the subculture has long identified Jews as the primary agents of white racial demographic decline and dispossession in America. But in recent years, some

elements of the progressive coalition, such as the Black Lives Matter movement and Palestinian activists, have occasionally demonstrated anti-Jewish hostility under the guise of opposition to Zionism.

Historically, the most prominent Jewish defence organisation in the United States has been the Anti-Defamation League (ADL). This chapter examines its role in countering extremism with particular emphasis on safeguarding Jewish interests. First, it looks at the origins of the ADL and how it developed into the premiere Jewish interest group in the United States. Next, it looks at various initiatives that the ADL has undertaken to combat extremism, primarily on the political right, including sponsoring statutes proscribing paramilitary training, hate crime legislation, training and educational programmes, combating extremism in cyberspace, and intelligence sharing with government agencies. After that, it explains reasons why the ADL has been so effective in countering extremism. Finally, the conclusion discusses new challenges that the ADL could face in the future as the fabric of America changes significantly.

### **Historical background**

The ADL was founded in late September of 1913 in Chicago, Illinois, when a prominent German-born Jewish attorney, Sigmund Livingston, persuaded the Independent Order of B'nai B'rith to establish a defence agency for Jews in the United States.<sup>1</sup> Although mild strains of anti-Semitism had hitherto occurred throughout American history, it began to emerge for the first time in significant fashion as large numbers of Eastern European Jews arrived in the United States. As with virtually all newcomers, the native host population met the Jewish immigrants with some degree of hostility. Furthermore, unlike previous Jewish immigrants from the nineteenth century who were primarily German in national origin and well-established in their communities, many of the new Jewish immigrants were from Eastern Europe and tended to be economically and socially marginalised. They brought with them their own unique dress and customs, which were viewed as peculiar and with suspicion by some Americans. Jews were frequently caricatured in vaudeville routines and in the fledging motion picture industry.<sup>2</sup> Thus, a chief aim of the ADL was to counter negative stereotypes of Jews in the media. These developments coincided with a period of renascent nativism in America. In 1915, the Ku Klux Klan was resurrected at Stone Mountain, Georgia, and a wave of white Anglo-Saxon Protestant nationalism swept virtually all regions of the country. Finally, the Leo Frank affair of 1913–1915 shocked the Jewish community and added a sense of urgency for the creation of new Jewish defence agencies.<sup>3</sup> In this newly charged and potentially hostile atmosphere, the ADL set out to protect Jewish interests. This pattern of organisational development fits the “disturbance theory” of interest group formation as described by David Truman and James Q. Wilson. In this instance, the emergence of widespread anti-Semitism for the first time in the United States impelled the formation of Jewish defence organisations.<sup>4</sup>

The ADL quickly expanded its operations and soon attained considerable respectability and political clout. Much of the organisation’s resources were

dedicated to one of its highest priorities, *viz.* exposing and countering right-wing extremists. In 1931, then ADL National Director Richard Gutstadt founded the fact-finding department, which gathered intelligence on extremist organisations.<sup>5</sup> By the inter-war years, the ADL had gained access to various law enforcement agencies, including the US Department of Justice with which it developed a good working relationship and, by its own admission, supplied information on native fascists and right-wing extremists.<sup>6</sup> The ADL sought to conceal this cooperation it had with law enforcement authorities from the press so that it would not fuel hostility from some quarters of the public.<sup>7</sup>

As an ADL publication once explained, the organisation has not depended on rigid formulae to pursue its interests and goals; rather it has adapted its tactics to meet the changing threat to Jews and other minority groups.<sup>8</sup> One technique, however, that has been frequently applied is public exposure of its extremist opponents. The purpose of this tactic is to isolate and marginalise the extremist from the society at large.

The ADL's effectiveness in countering right-wing extremism stems in large part from its ability to control much of the information about this subject. Toward this end, the ADL moved its national headquarters from Chicago to New York in 1947 in an effort to take advantage of the mass media of communications.<sup>9</sup> To this day, the ADL continues to publish numerous profiles and reports on extremist groups and their leaders. By doing so, the ADL has greatly influenced the perception of extremism in the eyes of policy makers and academic researchers.

Over the years, the ADL established itself as the leading Jewish advocacy group in the United States, gaining considerable strength and accumulating substantial resources. In the post-Second World War era there has been an increasing professionalisation of its staff as qualified individuals perform specialised tasks.<sup>10</sup> Concomitant with this development has been the compartmentalisation of its functions. Several departments concentrate on specific issues and areas including fact-finding, civil rights, research, international affairs, government affairs, legal affairs, and education. Moreover, the ADL is very well financed; for the year 2021, the ADL recorded total assets of \$238,263,730 and reported total operating revenues of \$62 million, the vast majority of which came from contributions and grants.<sup>11</sup> The funding for the ADL has remained relatively stable over the years. However, high-profile incidents of anti-Semitism can attract increased media attention and public outcry, thus leading to enhanced support. The ADL employs over 400 people, including an extensive legal staff. Finally, it maintains 25 regional offices in various US cities as well as foreign countries including Austria, Canada, and Israel.

Much of the ADL's strength and effectiveness can be explained by the fact that many American Jews – their material and social success notwithstanding – still feel a strong sense of insecurity and believe that anti-Semitism remains a serious problem in the United States.<sup>12</sup> Despite the relative weakness of the contemporary American Extreme Right, many American Jews believe that under certain conditions, an anti-Semitic movement could become stronger.<sup>13</sup> Consequently, many Jewish Americans are willing to make generous donations not only to the ADL and other Jewish defence organisations, but to other monitoring groups

as well. The ADL has pursued numerous initiatives to counteract right-wing extremism.

### **Anti-paramilitary training statutes**

One obvious concern to both monitoring groups and the government alike is paramilitary training by extremist groups. Even prior to the emergence of the militia movement in the 1990s, other segments of the Extreme Right have occasionally gained notoriety for this type of activity. For example, during the 1980s, Louis Beam's Texas Knights of the Ku Klux Klan, Glen Miller's North Carolina-based White Patriots Party, and the Illinois-based Christian Patriots Defense League gained notoriety for their occasional paramilitary training drills.<sup>14</sup>

These activities quickly caught the attention of watchdog groups, and they wasted no time in looking for ways to counter this trend. The ADL took the lead in this effort by crafting legislation which proscribed paramilitary training by unauthorised groups. The Southern Poverty Law Center (SPLC) followed suit and introduced its model legislation as well. When the contemporary militia movement surfaced in 1994, more attention was brought to this issue. In 1994, the ADL issued a highly critical report titled *Armed and Dangerous: Militias take aim at America*. A renewed legislative initiative to ban paramilitary training in all states of the country ensued. The campaign has proven to be very successful as virtually all US states have enacted such statutes, many of which are based on the ADL's model.<sup>15</sup> The thrust of the legislation is to make it illegal to operate paramilitary camps.<sup>16</sup>

### **Hate crime legislation**

Hate crime laws are occasionally used to prosecute perpetrators of right-wing violence. Essentially, a "hate" or "bias" crime is one that is directed against a victim because of some immutable attribute such as race, ethnicity, or some affiliation (religion) or particular lifestyle (gay and lesbian orientation, interracial marriage). Because of the organisational fragmentation of the American Extreme Right, the distinction between terrorism and hate crimes is often blurred. For example, the notion of leaderless resistance or lone-wolf terrorism is in effect a call for individuals to act on their own initiative and commit acts of violence as they see fit. Such acts, divorced from any direct involvement of an organisation, more often resembles a hate crime than an act of terrorism. And although very few right-wing groups regularly commit terrorism, some advocate violence and can presumably influence the lone wolves that do.<sup>17</sup> Thus, hate crime laws can be used to counter right-wing violence. Most offenders arrested for hate crimes do not formally belong to organised extreme-right groups, and even those that do belong to such groups usually act independently without any directive from their organisations.<sup>18</sup> Be that as it may, watchdog groups, such as the ADL and the SPLC, have done much to link organised Extreme Right with the issue.<sup>19</sup>

The hate crime legislative drive consists primarily of two categories of criminal law. First are hate crime reporting statutes. In 1990, the US Congress enacted the Hate Crime Statistics Reporting Act, which directed the Attorney General to



collect data and issue annual reports on predicate crimes that demonstrate “manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.”<sup>20</sup> The law also instructed the US Attorney General to establish guidelines for data collection and the necessary evidence and criteria for determining bias. The Federal Bureau of Investigation’s (FBI) Uniform Crime Reports (UCR) Section now has responsibility for this programme. Several private groups, most notably the ADL, the SPLC, and the National Gay and Lesbian Task Force Policy Institute, release data and research reports on the topic as well. Public officials often prevail upon them for their expertise in this area of public policy. Advocates for hate crime legislation argue that data reporting highlights important trends in hate crimes and gives law enforcement agencies and public policy makers important information to help them deal with this problem.

The second area of hate crime legislation is sentence enhancement. This legal measure in effect redefines conduct that is already criminal as an aggravated form of an existing crime.<sup>21</sup> In effect, “enhancement legislation” seeks to increase the punishment of those crimes for which there is a biased motive. The rationale for the enhanced penalty is that the whole group to which the victim belongs suffers from the hate crime insofar as it is intended to cause the entire group fear and intimidation. Moreover, such crimes are said to undermine communal harmony and could possibly lead to retaliatory attacks on the part of group members of which the victim is a part. Finally, there is evidence to indicate that on average, hate crimes tend to be more violent than other criminal incidents.<sup>22</sup>

The ADL has by far been the most important advocate of hate crime legislation and began its lobbying campaign in the 1970s. Its model statute, or a close facsimile thereof, has been adopted in all but three states.<sup>23</sup> Watchdog groups have been effective in influencing public opinion through their reports and expert testimony that they provide to the media, educators, legislators, and law enforcement officials. Some local police departments have developed close working relationships with them in this area.<sup>24</sup> The FBI has also given increasing attention to this issue. In 1996, the Bureau created a Civil Rights Division which investigates, among other things, hate crimes.<sup>25</sup> This office offers assistance to local police departments which lack the resources to adequately investigate hate crimes on their own. More recently, the ADL was instrumental in lobbying for the Matthew Shepard and James Byrd Jr Hate Crimes Prevention Act, which was passed in 2009. The law expanded federal hate crime legislation to include crimes motivated by a victim’s actual or perceived gender, sexual orientation, gender identity, or disability. As these initiatives demonstrate, the ADL has succeeded in bringing greater attention to the issue of hate crimes.

### **Training and educational programmes**

Training and educational programmes are yet other vehicles for the ADL to influence public policy toward extremism. For example, it periodically presents lectures on extremism at the FBI academy in Quantico, Virginia.<sup>26</sup> In 1980, the US Commission on Civil Rights (USCCR) contracted with and paid the ADL \$20,000

to produce a report on extreme-right groups titled *Hate Groups in America*.<sup>27</sup> In June of 2000, the ADL and the US Holocaust Museum started a training programme for incoming FBI recruits.<sup>28</sup>

Perhaps the most significant training programme is the State and Local Anti-Terrorism Training (SLATT) course. Founded by Dr Mark Pitcavage, a historian who formerly served as the head of the ADL's fact-finding division and is now a senior fellow, SLATT is a joint programme between the FBI and a private organisation, the Institute for Intergovernmental Research. It is funded through a grant from the Department of Justice's Bureau of Justice Assistance.<sup>29</sup> The SLATT programme is conducted by the FBI, National Security Division Training Unit, and is designed to foster "pre-incident awareness" and "pre-incident preparation," and interdiction training to state and local law enforcement personnel in the areas of domestic anti-terrorism and extremist criminal behaviour. The training staff is composed of law enforcement and research personnel who specialise in the area of extremism.<sup>30</sup> According to Pitcavage, the programme was formed as a result of the Oklahoma City bombing. However, unlike other programmes, this one was designed to help prevent such events from ever happening in the first place. In sum, the main idea behind the programme is to provide extensive training on criminal extremism to state and local police officers because they are almost invariably the first on the scene to handle such incidents.<sup>31</sup>

In recent months, the ADL has been active in promoting educational programmes for the wider public. For example, in late December 2022, the US Congress passed an appropriations bill that provided funding for several programs designed to combat anti-Semitism and extremism.<sup>32</sup>

### **Combating the Extreme Right in cyberspace**

The expanding medium of the Internet presents the opportunity for groups and individuals that would otherwise not have access to the marketplace of ideas to have their views heard. The Extreme Right was quick to take advantage of the new medium, seeing it as a powerful vehicle through which to spread its message. The Aryan Nations was one of the first far-right organisations to enter cyberspace when, in the early 1980s, it launched the "Aryan Nations Liberty Net," which was a computerised bulletin board network of like-minded groups and individuals. For the most part these bulletin boards were unsophisticated and did not reach many people. That changed, however, in 1995 when Don Black, a close associate of David Duke, created Stormfront.<sup>33</sup> Over the years, Stormfront has come to host many right-wing websites and serves as an important entry point for those curious web surfers who seek them out. Many extremist websites now proliferate the web.

To be expected, the growing presence of extremist sites in cyberspace caused much consternation for the ADL. Since 1985, the ADL has released several reports on the topic.<sup>34</sup> In 1999, the ADL created HateFilter® – a software that blocks access to far-right websites. The programme also has a "redirect" feature, which allows users who try to access a blocked site the chance to link directly to the ADL or a related watchdog site, to access educational material. HateFilter® runs on

Mattel's CyberPatrol®, a software-blocking program that has been distributed to many private and public libraries, schools, and universities.<sup>35</sup> Somewhat related to this issue, pressure is occasionally exerted on Internet Service Providers to prohibit offensive discourse on bulletin boards and dissuade various dot-com merchants to restrict the sale of items with extremist themes.<sup>36</sup>

Indicative of the high priority that the ADL ascribes to cyberspace, in July 2015, Jonathan Greenblatt, a former Silicon Valley tech executive and Obama administration official, became the organisation's national director. The ADL has expressed concern about the potential of social media platforms to be used as vehicles to spread extremist propaganda. ADL officials have characterised social media as a virtual "24/7 neo-Nazi rally."<sup>37</sup> In an effort to counter this trend, in 2017, the ADL established the Center for Technology and Society in Silicon Valley. The centre uses machine learning and artificial intelligence to track hate speech.<sup>38</sup> This programme was followed by the "#StopHateForProfit" campaign launched in 2020, which pressured over 1,000 businesses to pause buying ads on Facebook because of the latter's reluctance to take down "hate speech." According to estimates, Facebook lost \$56 billion in market capitalisation in one day.<sup>39</sup>

### **Intelligence sharing**

Arguably, the most effective effort in countering the Extreme Right has been in the area of intelligence sharing. FBI documents obtained under the Freedom of Information Act (FOIA) indicate that the ADL has made considerable efforts to cultivate a close working relationship with the FBI.<sup>40</sup> However, early efforts to encourage cooperation were not wholly successful. The legendary director J. Edgar Hoover, for instance, kept the ADL at arm's length and resisted its blandishments for further cooperation.<sup>41</sup> However, when William Webster became FBI director in 1978 cooperation between the two agencies expanded. And in 1985 the ADL won a remarkable coup when the FBI issued a memorandum instructing its field offices to "contact each [ADL] Regional Office to establish a liaison and line of communication."<sup>42</sup>

Some critics believe that the intelligence sharing between the FBI and monitoring groups, such as the ADL and the SPLC, constitutes a circumvention of the Attorney General's Guidelines. These guidelines were implemented in 1976 by US Attorney General Edward Levi in an attempt to de-politicise the FBI. In 1971, details of a secret and highly controversial FBI programme – COINTELPRO (Counter-Intelligence Programme) – were leaked to the press. The basic thrust of COINTELPRO was for the FBI to disrupt and undermine extremist groups on both the Far Left and Far Right of the political spectrum. Critics charged that it amounted to political spying on activities that should have been protected by the First Amendment to the Constitution (free speech).<sup>43</sup> According to the new guidelines, in order to commence an investigation of a dissident group, there must first be evidence of a criminal predicate. An investigation could not be opened solely on activities protected by the First Amendment. The upshot was that terrorism cases would henceforth be treated as traditional crimes without a clearly

defined preventive strategy.<sup>44</sup> The overall results of these changes were dramatic. The number of domestic intelligence cases initiated dropped from 1,454 in 1975 to only 95 in 1977.<sup>45</sup>

There was nothing in the Attorney General's Guidelines, however, that prevented the FBI from receiving information from private organisations, such as the ADL. Monitoring groups do not have to concern themselves with strict civil liberties restrictions to which the FBI must adhere when gathering information on its subjects of investigation. Finally, another area of concern is the circulation of personnel between law enforcement and the watchdog groups. For example, Neil Herman, a retired high-ranking FBI official who once led the agency's Joint Terrorist Task Force,<sup>46</sup> became the head of the ADL's Fact-Finding Division upon his retirement from the Bureau in 1999. Not long after assuming this position, he lobbied senior Justice Department officials to relax the constraints that inhibit the FBI from investigating extremist groups.<sup>47</sup> He resigned from this position in 2000. Not long after the 9/11 terrorist attacks, the guidelines were re-calibrated.<sup>48</sup>

Related to the issue of intelligence sharing is the use of informants. On many occasions, watchdog groups have sponsored informants who have infiltrated far-right organisations. Furthermore, on occasion, it has transpired that the ADL has spied on representatives of the political Left as well, which damaged its relations with progressive organisations with which it shares positions on many issues including civil rights, immigration, LGBTQ rights, abortion, and the separation of church and state. One example that gained notoriety occurred in January 1993, when rumours began to surface in San Francisco that its police department had illegally leaked confidential information on numerous political activists and organisations in the state of California. On 8 April 1993, the San Francisco Police Department carried out a five-hour raid on the ADL's San Francisco and Los Angeles regional offices because of information that the ADL had received some of this data – and seized ten boxes of information. At the centre of the controversy was Roy "Cal" Bullock, an informant who had worked for the ADL since 1960.<sup>49</sup> Bullock infiltrated numerous political organisations and, all totalled, his files contained information on 12,000 individuals and over 950 groups of all political orientations.<sup>50</sup> The investigation revealed that he had passed his information on to the San Francisco regional ADL office. Surprisingly, the groups on which he spied were not confined to the Far Right, but also included many far-left, Arab American, and anti-Apartheid organisations as well. Bullock is alleged to have received much of his information from San Francisco Police Detective Tom Gerard with whom he began working in 1987. Gerard supplied Bullock with numerous confidential police records on various left-wing, right-wing, and civic organisations in California. What's more, Gerard and Bullock sold information on anti-Apartheid activists and the Arab American community to the governments of South Africa and Israel, respectively.<sup>51</sup> To avoid prosecution, Gerard fled to the Philippines in November 1993.

The scandal nearly developed into a major disaster for the ADL. The *San Francisco Observer* newspaper ran many critical articles on the scandal, one of which reported that investigators had found evidence of similar illicit contacts with

20 other law enforcement agencies nationwide. The story quoted one police official as saying: “This Gerard-Bullock thing is the tip of the iceberg – this is going nationwide.”<sup>52</sup> However, the ADL was ultimately able to do skilful damage control. It reached an agreement with San Francisco’s District Attorney’s Office to avoid prosecution. As part of the agreement, the ADL denied any wrongdoing but paid a \$75,000 fine, which went to a hate crime prevention programme. In a controversial ruling, a California State Court of Appeal decided in 1998 that the ADL did not have to turn over the impounded records to the plaintiffs because it had “journalistic privilege” as a news-gathering organisation and as such did not have to reveal information even if it had been obtained under illegal circumstances.<sup>53</sup>

From the perspective of the ADL, it appeared to have weathered what seemed to be a potential major crisis without much of a setback. News of the story did not reach far beyond the environs of San Francisco. Still, the whole affair severely damaged its standing with the American Left. Prior to the scandal, the Far Left – including its civil libertarians – for the most part ignored the ADL’s spying on the Far Right. However, many progressives were shocked and dismayed to discover that the ADL had compiled dossiers on them as well.<sup>54</sup>

### **Why has the ADL been so effective?**

The cumulative effect of the various efforts discussed above has done much to neutralise the Extreme Right in the USA. Why has the ADL been able to set so much of the agenda in this field of public policy? First, unlike other public policy issues, this area is basically a no-lose proposition for lawmakers. By supporting policies such as hate crime legislation, anti-paramilitary training statutes, and tougher counter-terrorist measures, lawmakers send symbolic messages that they are taking a tough stand against bigotry and support law and order. By doing so, they please the interest groups that advocate these policies. Furthermore, with the exception of some of the post-9/11 counter-terrorist initiatives, these policy measures usually do not involve significant fiscal costs and hence they do not really raise issues of tax increases or sacrificing money from other programmes to implement them.<sup>55</sup>

Second, there really is not much competition or countervailing power on the other side of this issue. The Extreme Right, although it episodically experiences spurts of growth, is still small, organisationally fragmented, and has little popular support. And overall, the movement is considered to be beyond the pale of respectability in American society. Thus, the contemporary Extreme Right finds itself with very few friends outside of its movement as even the American Civil Liberties Union now seems to be less enthusiastic in supporting unpopular causes associated with right-wing extremism than it was in the past. In contrast, the ADL has formidable resources at their disposal, including several of what Norman J. Ornstein and Shirley Elder identified as crucial for ensuring success, to wit, money, membership size, leadership, political expertise, motivational resources, and political reputation.<sup>56</sup> By contrast, virtually all far-right organisations are poorly financed. Furthermore, the success of interest groups depends largely on their position in

the social structure and access to powerful political institutions.<sup>57</sup> Several of the watchdog groups – most notably the ADL, the Simon Wiesenthal Center, and the SPLC – have received access to and support from high-level public figures including politicians, celebrities, and other influential opinion makers. Because of this imbalance, watchdog groups dominate this area of public policy unimpeded by strong opponents. As Graham K. Wilson explained, the strength of an interest group is measured in part “by the strength or weakness of the other political forces and institutions which [it] encounters.”<sup>58</sup> And the Extreme Right is much weaker than the various groups arrayed against it.

Third, as the political scientists Edward S. Malecki and H. R. Mahood have pointed out, one way that interest groups can enhance their success is by framing their concerns as part of the larger national interest.<sup>59</sup> Watchdog groups, such as the ADL and the SPLC, have effectively persuaded much of the US public and policy makers that their agenda is consistent with the national interest. Representatives from the ADL and SPLC are often called upon to give expert testimony and advice on such issues as terrorism and hate crime legislation. By doing so, they have raised the salience on these issues about which they feel strongly and influenced public opinion.<sup>60</sup> The ADL has done much to brand the Extreme Right as beyond the bounds of acceptability in American society and depict them as a threat to be contained. The anti-terrorist measures advocated by these monitoring groups are seen as dovetailing with domestic security. Slighting the civil liberties of unpopular groups is seen as an acceptable price for increased national security.

Until recently, the US had a *sui generis* approach to political extremism vis-à-vis Western European states. Cas Mudde once identified the German and US approaches as two ideal types. With the former, the defence of the democracy at the expense of civil liberties is paramount. With the latter, the state provides for as much freedom as possible. Although on paper, many Western democracies are closer to the American model, in practice they tend to follow the militant route.<sup>61</sup> What is more, in the wake of 9/11 and the enactment of anti-terrorist legislation such as the USA PATRIOT Act, the US government has taken on a more strident approach to countering extremism. And of course, these efforts are augmented by various NGOs, the most notable of which are the ADL and the SPLC. In short, what historically has been unique about the US model is the large role of NGOs in this area of policy.

## **Conclusion and outlook**

From its inception, the ADL has been chiefly focused on countering right-wing extremism. The far-right subculture has long advanced a “white genocide” theory that Jews are in the forefront of an effort to reduce the white population to minority status. Based on this reasoning, the Jewish community sees whites as their primary “enemy” and thus seeks to diminish them by promoting an open borders immigration policy and multiculturalism. In recent years, this sentiment has gained traction not only in America but in Europe as well under the name of

the “Great Replacement.” Popularised by the French writer Renaud Camus, this theory posits that European Union elites carry out a deliberate plan to erase the autochthonous people of Europe. Indicative of the cross-fertilisation within the international Far Right, the Great Replacement narrative has acquired currency not only in European discourse but in other parts of the world as well. For instance, the slogan “You Will Not Replace Us,” which gained infamy as a result of the debacle in Charlottesville, Virginia, in August 2017, can be seen as a nod to Camus.<sup>62</sup> And the Christchurch shooter in New Zealand, Brenton Harrison Tarrant, entitled his manifesto *The Great Replacement* which he uploaded online just prior to commencing his attacks.<sup>63</sup>

There is certainly an element of faculty to the Great Replacement narrative in the sense that white ethnic demographic groups have been declining vis-à-vis non-whites in the West. Liberals often celebrate this development, claiming that it will lead to a more diverse, inclusive, and harmonious polity. And indeed, some Jews have been in the forefront in promoting policies that seek to make the population more diverse. In a quote frequently cited by far-right commentators, the late Earl Raab, who once served as the executive director of the Perlmutter Institute of Jewish Advocacy and an associate of the ADL, commented in 1993 on what he saw as the Jewish role in promoting diversity in the United States:

The Census Bureau has just reported that about half of the American population will soon be non-white or non-European. And they will all be American citizens. We have tipped beyond the point where a Nazi-Aryan party will be able to prevail in this country.<sup>64</sup>

Jewish identity in America has historically been paradoxical and contradictory. On the one hand, Jews have often perceived themselves as an outsider group and a persecuted minority. But on the other hand, over the course of a few decades, Jews have attained tremendous success becoming an important part of the US establishment.<sup>65</sup> Indeed, the history of Jewish life in America has been a great success story. According to a 2016 Pew Research study, Jews ranked at the top of all religious groups for highest household income.<sup>66</sup> And although according to the ADL’s most recent survey on anti-Semitic attitudes, more than half of American adults (61 per cent) agreed with at least one or more anti-Semitic canard, that same survey showed that the level of US-Americans who hold “pernicious and pervasive anti-Semitic attitudes” has remained at historical lows.<sup>67</sup>

Despite this success, American society is rapidly changing, and as a consequence, the ADL could face significant challenges in the years ahead. Throughout its history, the ADL has positioned itself as part of a progressive coalition in America. On that note, for the most part, the ADL was highly critical of Donald Trump throughout his presidency. For example, the ADL accused Donald Trump of using anti-Semitic tropes on a number of occasions. Moreover, the ADL sharply criticised President Trump’s anti-immigrant rhetoric. And in the spring of 2020, the ADL condemned Trump for labelling COVID-19 as the “China virus” which it saw as a form of anti-Asian animus. But on the other hand, the ADL praised President

Trump's decision to recognise Jerusalem as the capital of Israel. The ADL has long supported Israel as a Jewish and democratic state.

However, after the 6 January 2021 attack on the US Capitol building during which protestors sought to keep Trump in office by preventing a joint session of Congress from counting the Electoral College votes that would formalise Joe Biden's victory, the ADL came out unequivocally against Trump. For the first time in its over 100-year history, the ADL called for a President to be removed from office, either by the means afforded by the US Constitution or through his own resignation.<sup>68</sup>

At the present time, the American Extreme Right remains a marginalised and stigmatised movement and as such does not appear to be an existential threat to US Jews. Moreover, there continues to be a significant chasm between the Extreme Right and mainstream conservatism. But with the emergence of Trumpism, that gap appears to be narrowing. Trump's electoral success illustrates the acute dissatisfaction that many American conservatives have with the establishment wing of the Republican Party. Many voters feel as though the surrounding culture has abandoned them. With this growing reservoir of discontent, it is conceivable that under a certain constellation of factors the Extreme Right could emerge as a significant mass movement in America, most likely with a populist tenor.

Although the ADL has sought to make common cause with racial, ethnic, and religious minorities, at times relations have been strained between them. For example, the ADL has long sponsored Holocaust education and awareness programmes. Historically, the Holocaust has been treated as a singularity in American historiography that is unique and without precedent. What could perhaps be viewed as what has come to be known in social psychology as "competitive victimhood" – that is, the tendency to see one's group as having comparatively suffered more relative to an outgroup<sup>69</sup> – the ADL for years resisted Armenian lobbying efforts to recognise the Armenian genocide. In 2007, ADL national director Abraham Foxman came under fire for initially failing to unequivocally recognise the Armenian genocide which he had described in the past as a "massacre" and an "atrocious." But in an interview with *The Boston Globe* later that year, he characterised this episode in history as "tantamount to genocide."<sup>70</sup> Finally, in 2016, ADL national director Jonathan Greenblatt unambiguously acknowledged the Armenian genocide in a blog post. Moreover, he urged the US government to take a public position formally recognising the genocide. Although the US Senate passed such a resolution, which was supported by the ADL, in December 2019, the Trump administration declined to support it because of pressure exerted by Turkey's President Recep Tayyip Erdogan.<sup>71</sup>

In a similar vein, some Black Nationalist groups have depicted the transatlantic slave trade as more tragic than the Jewish Holocaust, which has strained Black–Jewish relations. An example *in extremis* is a book released by the Nation of Islam in 1991 – *The Secret Relationship between Blacks and Jews* – whose main thesis was that Jews, more than any other group, were the primary force behind the African slave trade.<sup>72</sup> Critics such as the ADL decried the book for utilising a highly selective reading to argue its thesis. As the Jewish scholar Ralph A. Austen pointed



out, the anti-Semitic character of the book emerged not so much from its substantive content, but rather from the tone of its narrative which binds together sources with the theme that Jews are uniquely greedy and untrustworthy.<sup>73</sup> Prominent and respected Black scholars, such as Henry Louis Gates Jr, condemned the book, thus making it easier for Jewish critics to dispense with the study.<sup>74</sup> Nevertheless, the influence of the book should not be understated insofar as it popularised a worldwide Jewish conspiracy among Black activists and college students who cited it in books, articles, and research papers and complained of censorship when it was dismissed.<sup>75</sup>

In 2010, the Nation of Islam released the long-anticipated *Volume Two*. According to this volume, Jews were instrumental in constructing the Jim Crow codes that kept Blacks in an inferior position in the post-war American South. Jewish bankers are blamed for keeping Blacks in a state of financial enslavement after the Civil War. Jews in the labour movement were accused of excluding Blacks from unions. To make matters worse, Jews were even accused of supporting the Ku Klux Klan.<sup>76</sup> These episodes were emblematic of the conflicted relationship between the ADL and the Nation of Islam's leader Louis Farrakhan who has stridently criticised Jews over a period of decades.

The ADL has condemned other prominent African American leaders in the past for perceived anti-Semitic statements. For instance, the noted Civil Rights Movement leader Jesse Jackson was criticised for referring to New York City as "Hymietown." He was also condemned for meeting PLO leader Yasser Arafat in 1979.

There appear to be some strains between the ADL and the other elements of the progressive alliance in recent years. For instance, the ADL has accused the Black Lives Matter movement of anti-Semitism for the organisation's support of the Palestinian cause.<sup>77</sup> For their part, some progressives have impugned the civil rights bona fides of the ADL. Instead, they see the organisation not so much as a civil rights organisation but rather as a pro-Israel lobbying group that seeks to protect Israel from left-wing criticism by co-opting the language of anti-racism and smearing Israel's progressive critics as bigots.<sup>78</sup> Ominously, as violence erupted in Gaza between the Israeli Defence Forces and Hamas in May 2021, there were numerous episodes of retaliatory attacks against Jews in the United States which could presage further conflict in the future.<sup>79</sup>

As the American population becomes more diverse, the fabric of US culture and society is likely to become complicated. The perils to the Jewish community are likely to evolve beyond what has historically been perceived as the threat of right-wing extremism and white racism. Anti-Semitism is not the sole province of the Extreme Right. There is potential that anti-Jewish hostility could take hold in the progressive coalition as well. Moreover, the growing popularity of critical race theory, which often posits that white people are morally inferior and enjoy unearned privilege, could portend greater hostility for Jews *qua* whites, as they have been among the most materially successful in America. For these reasons, the ADL is sure to find more challenges in the years ahead.

## Notes

- 1 Anti-Defamation League, *Not the Work of a Day: The Story of the Anti-Defamation League of B'nai B'rith*, New York 1965, p. 5.
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- 3 The Leo Frank affair began in 1913 and involved a Jewish factory owner in Atlanta, Georgia, Leo Frank, who was convicted for the rape and murder of a 14-year-old girl, Mary Phagan, whom he employed at his factory. In this highly charged case, Frank eventually had his death penalty sentence commuted to life imprisonment by Georgia Governor John H. Slayton in 1915. When word of Governor Slayton's leniency reached the public, an angry vigilante crowd stormed the jail in which Frank was incarcerated and hanged him. The public in Georgia by and large greeted news of this story with jubilation. The fear that this struck in the local Jewish population cannot be overstated, as the memory of the affair remained vivid for quite some time. It is generally accepted by contemporary historians that Mr. Frank was wrongly accused and convicted of this crime. For more on the Leo Frank affair, see Gustavus Myers, *History of Bigotry in the United States*, New York 1943, pp. 258–264.
- 4 Ronald J. Hrebener, *Interest Group Politics in America*, Third Edition, New York 1997, p. 17. It is worth mentioning that there was an overseas antecedent to the ADL. The ADL is in some ways reminiscent of a German Jewish defence organisation that was active from 1893 on, the Central-Verein deutscher Staatsbürger jüdischen Glaubens (Central Association of German Citizens of Jewish Faith). This organisation employed similar tactics of the ADL such as lobbying the government and using libel and slander laws to undercut the effectiveness of anti-Jewish organisations. In short, it sought to make anti-Semitism a “disreputable, unsavory enterprise.” See Kevin MacDonald, *Separation and Its Discontents: Toward an Evolutionary Theory of Anti-Semitism*, Westport, CT 1998, p. 190.
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- 13 *Ibid.*, p. 107.
- 14 For more on the paramilitary activities of the Far Right in the 1980s, see Kathleen Belew, *Bring the War Home: The White Power Movement and Paramilitary America*, Cambridge, MA 2019.
- 15 ADL Press Release, *ADL Commends President for Domestic Anti-Terrorism Initiative Calls on 26 States to Enact Anti-Paramilitary Training Statutes*, 24 April 1998; “Are Citizen Militias Legal?,” *npr*, 30 August 2020, [www.npr.org/2020/08/30/907720068/are-citizen-militias-legal](http://www.npr.org/2020/08/30/907720068/are-citizen-militias-legal), accessed 20 March 2021.
- 16 ADL, *The ADL Anti-paramilitary Training Statute: A Response to Domestic Terrorism*, New York 1995, p. 3.

- 17 According to two researchers, hate crime perpetrators rely upon far-right organisations for “slogans, mottoes, and guidance,” which can persuade them to commit hate crimes. Jack Levin/Jack McDevitt, *Hate Crimes: The Rising Tide of Bigotry and Bloodshed*, New York 1993, p. 104.
- 18 In 1995, the Southern Poverty Law Center reported that 15 per cent of those offenders arrested for hate crimes belonged to organised far-right groups. Morris Dees/Ellen Bowden, “*Taking Hate Groups to Court*,” [www.splcenter.org/legalaction/la-3.html](http://www.splcenter.org/legalaction/la-3.html), accessed 20 March 2021.  
This statistic must be taken with some caution in that these links are often very tenuous and consist of little more than subscribing to and reading extremist newsletters and literature, etc. The amorphous nature of the American Far Right makes such claims of affiliation very difficult.
- 19 Just a sampling of some of the titles of reports that watchdog groups release is illustrative of this effort to link the Far Right with hate: High-Tech Hate: Extremist use of the Internet; Explosion of Hate: The Growing Danger of the National Alliance; Hate Groups in America; Hate and the Law: Kirk Lyons, Esq.; Liberty Lobby: Network of Hate; Louis Beam: Dedicated to Hate; When Hate Groups Come to Towns; Tom Metzger’s Long March of Hate; The Church of the Creator: Creed of Hate; Shawn Slater: The Hate Movement’s New Face.
- 20 From the Hate Crimes Statistics Act of 1990, in James B. Jacobs/Kimberly Potter, *Hate Crimes: Criminal Law and Identity Politics*, New York 1998, p. 39.
- 21 Jacobs/Potter, *Hate Crimes: Criminal Law and Identity Politics*, p. 33.
- 22 Levin and McDevitt cite a study that examined hate crimes committed in the city of Boston, which found that fully half of them were assaults. Moreover, almost three-quarters of these assaults resulted in at least some physical injury to the victim. Levin/McDevitt, *Hate Crimes*, p.11.
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- 25 FBI, Justice makes hate top priority, *Jewish News of Greater Phoenix*, V (51), 39, 25 June 1999.
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- 27 The USCCR ultimately declined to publish it because Paul Alexander, the acting counsel of the USCCR, believed that it was “too rhetorical” and “bordered on jingoism.” John George/Laird Wilcox, *Nazis, Communists, Klansmen, and Others on the Fringe*, Buffalo, NY 1992, pp. 238–239.
- 28 This programme focuses on the role of law enforcement in the 1930s and 1940s in abetting the Holocaust. Recruits are required to tour the US Holocaust Museum in Washington, DC, after which they write an essay on the relevance of this experience as “a human being and as a law enforcement officer.” FBI Press Release, 30 June 2000.

- 29 According to one report, SLATT received \$2 million in government grants for fiscal year 1999 alone. William Norman Grigg, A Watchdog in Fedgov's Kennel, *The New American*, V 16 (19), 11 September 2000.
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- 31 Interview with Dr. Mark Pitcavage, 6 September 2000.
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## 5 Germany

### Promoting democratic values – political foundations as actors of civil democracy protection

*Tom Mannewitz*

#### Introduction

Democracy protection in Germany and abroad is generally associated with the concept of “militant democracy.” To be precise, democracy protection refers to the state’s efforts to protect the democratic constitutional state from political extremists by resorting to measures such as the banning of parties and associations as well as the restriction of fundamental rights. The roots of this focus can be traced back to the role played by political science and constitutional law. It was political scientist and constitutional expert Karl Loewenstein who, having experienced the National Socialists’ rise to power, elaborated the concept of militant democracy during his exile in the US and made it accessible to the public. Thereby, he significantly contributed to the formation of the concept of a democracy willing to defend itself against its enemies on German ground after 1945.<sup>1</sup>

Yet, the focus on the state tends to overlook civil society as a protagonist in the *reality* of democracy protection.<sup>2</sup> Whether it is intended by the constitution or not, civil and human rights NGOs, pro-democratic associations, as well as think tanks and political foundations all contribute to the promotion of democratic and participatory norms and to the information of the public concerning extremist, racist, and/or anti-Semitic incidents as well as giving advice to decision makers.

Germany’s political foundations are unique. They are a legacy of the young Federal Republic [...]. The political foundations were established [...] with the hope that they would help to stabilise German democracy. Their mission was to carry the political parties’ democratic values out into civil society and promote democratic culture.<sup>3</sup>

Against this background, political foundations are apparently relevant actors of civil democracy protection, something political science can hardly ignore. What kind of contribution do they make to the protection of democracy? This is the main question examined in this essay. As the “protection of democracy” is an equivocal task that leaves room for strategic, substantial, and organisational discussion, the foundations’ own interpretation of this task deserves attention. As one cannot talk

about the protection of democracy without a clear notion of what the threats facing democracy are, the concepts and terms the foundations employ matter, as they might tell us something about their political provenance and their role in the protection of democracy. Since paper does not blush (as the proverb says), it is not only the foundations' conceptual documents (bylaws and mission statements) that must be considered but also their practices. This aspect is of particular interest as it might provide an answer to the question of which challenges trigger particularly strong reactions – and why. In view of the foundations' impact on the public as well as the state, it can also be asked what conditions a foundation must meet to be able to exert influence over a longer period. Last but not least, what is the relationship between the foundations' and the state's protection of democracy, particularly the institutions concerned with that task (namely the *Verfassungsschutz*)? By merging all of these aspects, this essay concludes with an outline of a typology of foundations working to protect democracy.

First, a clear idea of the central concepts is required. Therefore, the following section will partly revolve around definitions, concepts, and the case selection. While the third section presents and compares the foundations' self-defined roles in the field of democracy protection, the fourth section aims to disentangle their priorities as specified in conceptual documents (such as bylaws and mission statements) as well as the concepts and terms they apply. This part of the chapter is therefore dedicated to the exposure of what the foundations see as the prior challenges to constitutional democracy. The fifth section looks at the practice. The sixth section presents a discussion of what makes a foundation successful in terms of its public impact. The penultimate section, in turn, discusses the foundations' relationship to the *Verfassungsschutz* which, as will be shown, ranges from precarious to supportive. The final section summarises the findings in a typology.

### **Neither state nor society – political foundations as actors *sui generis***

Considering the prominence and role played by political foundations in the field of civic education, it seems remarkable that they lack a legal definition. As non-profit organisations subject to private law, political foundations deliver services which are in the public interest but cannot be rendered by the state. As such they work independently, on their own responsibility and in the spirit of political openness.<sup>4</sup> Their emergence in the post-war period traces back to the events of the period of the Weimar Republic (1918–1933), especially the republic's demise through the rise of National Socialism. As the parties at that time had obviously failed to convey basic democratic values to much of the electorate, high hopes were pinned on the creation of political foundations as stabilisers of the young democracy in the Federal Republic after 1945.

Today, six organisations are regarded as party political foundations. The oldest among them, the Friedrich-Ebert-Stiftung (FES), was founded in 1925, the year of death of the former President of the Reich. Having been banned under the National Socialist regime in 1933–1945, it was reinstated shortly after the end of the Second World War. The foundation is affiliated to the Social Democratic

Party of Germany (SPD). The formation of the Friedrich-Naumann-Stiftung für die Freiheit (FNS), affiliated to the Liberals (FDP), followed in 1958; that of the Konrad-Adenauer-Stiftung (KAS), affiliated to the Christian Democratic Union (CDU), in 1964; that of the Hanns-Seidel-Stiftung (HSS), affiliated to the Christian Social Union (CSU), in 1967; that of the Heinrich-Böll-Stiftung (hbs), affiliated to Bündnis 90/Die Grünen, in 1996; and that of the Rosa-Luxemburg-Stiftung (RLS), affiliated to Die Linke, in 2000.

The fact that the foundations mentioned tie their work to the political core values of “their” parties should not mislead us to conclude that they work at the parties’ behest or are public agencies. Instead, it is their economic, organisational, and personnel autonomy (authenticated by the Federal Constitutional Court in 1986) that defines them as private, i.e., non-public agencies that nevertheless perform a service for public benefit. Not even the fact that the foundations mentioned are mostly state-subsidised organisations which depend on public funds to a share of about 90 per cent changes this. What also speaks for the “foundations-are-part-of-civil-society argument” is that – unlike parties – their events and publications must address the interested public (not only party members and officials). As the state subsidies are only due to foundations with ties to a party that is represented in the Bundestag, discontent is frequently voiced over what critics call a method of covert party funding (recently: the Alternative für Deutschland [AfD]<sup>5</sup>) or even an “abnormity of the democracy of the Federal Republic of Germany.”<sup>6</sup>

Although the Desiderius-Erasmus-Stiftung (DES), affiliated to the AfD since 2017, is currently still denied public funding, there are no substantial reasons that speak against its classification as a political foundation and for it to be considered in this essay. Of a somewhat different nature are organisations which pursue political objectives but exhibit no affiliation to a party – such as the Otto-Brenner-Stiftung (OBS), the Hans-Böckler-Stiftung (HBS) and the Amadeu Antonio Stiftung (AAS). The OBS, founded in 1972 as the non-profit foundation of the Industrial Union of Metalworkers (IG Metall), has devoted itself not only to industrial law but also to issues of public interest, such as “social justice” and “international understanding.” This pertains to the HBS, too. Founded as a non-profit foundation in 1977 by the German Federation of Trade Unions (DGB), it is centred on the ideas of (worker) participation, social justice, future labour, and globalisation. The AAS, in turn, was founded in 1998 as a non-profit organisation with the motto “Advocacy. Training. Funding.” The foundation aims to “reinforce a democratic civil society that promotes pluralism and human rights while opposing right-wing extremism, racism and anti-Semitism.”<sup>7</sup> It has neither close ties to a political party nor to any other major organisation, but it is one of the most active political foundations in Germany. That is why it is included in this study – as are the OBS and the HBS (Table 5.1).

All foundations mentioned share a literal and/or practical commitment to the protection of democracy, are active nationwide, are autonomous relative to the state and/or political parties and have a non-profit and public character. They can be understood as acting in the “intermediary space” between society and the governmental system. In this way, they have a lot in common with parties, the mass

Table 5.1 Foundations included (in order of seniority)

	<i>Abbreviation</i>	<i>Year established</i>	<i>Affiliated organisation</i>
Friedrich-Ebert-Stiftung	FES	1954 (1925)	SPD
Friedrich-Naumann-Stiftung	FNS	1958	FDP
Konrad-Adenauer-Stiftung	KAS	1964	CDU
Hanns-Seidel-Stiftung	HSS	1967	CSU
Otto-Brenner-Stiftung	OBS	1972	IG Metall
Hans-Böckler-Stiftung	HBS	1977	DGB
Heinrich-Böll-Stiftung	hbs	1996	Bündnis 90/Die Grünen
Amadeu Antonio Stiftung	AAS	1998	/
Rosa-Luxemburg-Stiftung	RLS	2000	Die Linke
Desiderius-Erasmus-Stiftung	DES	2017	AfD

Source: Author's own compilation.

media, NGOs, and social movements, which all serve to mediate and transform policies (top-down and bottom-up). What separates the former from the latter is that foundations, or at least the party political ones, join aspects of two worlds: the autonomy of an NGO on the one hand and the state funding of a public authority on the other. Therefore, they are best understood as actors *sui generis*, not only in the field of democracy protection (where they compete with and complement NGOs as well as state actors), but also in the intermediate system (due to their hybrid character) and the area of civic education (with the state and NGOs as central actors). To summarise, the fact that political foundations are not subject to directives from state authorities allows placing them not in the sphere of the state but in civil society.

The nature of the organisations mentioned supports labelling them as “political foundations,” even though common parlance reserves that term for party political foundations. Yet, other designations seem ambiguous or one-sided. “Public foundation,” for example, ignores the political ambitions of the organisations mentioned; “social foundation” in turn creates the impression of a charitable club or public welfare and fails to express the ideological commitment of the foundations. For reasons of clarity, I will speak of “party political foundations” when the seven organisations with party affiliations are referred to; in all other cases I will use the term “political foundation.”

### Self-images and objects compared

What do the foundations see as their task in the field of democracy protection? Do they define democracy protection as a part of their mission at all? To put it in a nutshell: it depends. To start with, it is not so much the protection of democracy per se that the foundations put to the fore but rather the promotion of democracy and several of its values by means of civic education. There are (Table 5.2) (1) foundations that are explicitly committed to democracy; (2) foundations that are committed

Table 5.2 Promotion of democracy as an object

Explicit references to the promotion of democracy in general	Explicit references to the promotion of several democratic values/principles	Marginal references to the promotion of several democratic values/principles
FES, DES, KAS, HSS, hbs, AAS	RLS, FNS	OBS, HBS

Source: Author's own compilation.

to the promotion of selected democratic values; and (3) foundations that do not refer to the protection or promotion of democracy in a noteworthy way – neither explicitly nor indirectly. (However, this does not mean that they do not dedicate a significant part of their practical work to the promotion of democracy.)

The first group consists of the FES, the DES, the KAS, the HSS, the hbs, and the AAS, with significant differences regarding the detail of the democracy-related passages. The FES' statute briefly and succinctly stipulates: "The purpose of the Society is the democratic education of the German people and to promote international cooperation and the development of society within the spirit of democracy."<sup>8</sup> Its guiding principle is "social democracy" with the values "liberty, justice and solidarity."<sup>9</sup> Only the statute of the DES is similarly taciturn. It states only that the foundation will "promote democratic body politic and provide civic education" as well as "international understanding and among nations, tolerance in all areas of arts and culture and the idea of international understanding."<sup>10</sup> Whereas both foundations do not seem to prioritise the promotion of democracy in their official documents, it is undeniably part of their concept of self.

The KAS also refers to democracy, however in greater detail and in a more general way than the FES and the DES. Information on the foundation's goals is provided in several places: on its homepage, in the mission statement, and in the foundation's statute. The most detailed information is given by its mission statement ("Shaping. Democracy. Together"): "We stand for personal responsibility, justice and solidarity. We are firmly committed to liberal, representative democracy, the rule of law, the social market economy and European unification. [...] Through our committed work, we strengthen the democratic and constitutional forces and institutions."<sup>11</sup>

Like the KAS, the HSS feels obliged to democracy, as underpinned by its maxim: "In the service of democracy, peace and development." And like its "big sister," the HSS decided not to pack its central statements into the officially binding documents. Its homepage ("Our Mission"), in contrast, comments unmistakably on the commitment to the proliferation of democratic values, mentions "democracy" no less than seven times.<sup>12</sup> To give an example: "Democracy requires civic education. Part of these efforts at persuasion to the benefit of our democracy and the liberal, constitutional and social order is the reassurance and embedding of our polity's norms in the citizens' minds."<sup>13</sup> This leaves no doubt about the object of promoting democracy in Germany.

It is the exhaustiveness of their deliberations relating to democracy that sets the hbs and the AAS apart and that deserves to be quoted at length. The purpose reads as follows:

[T]he Foundation's work shall be oriented towards [...] ecology, democracy, solidarity and non-violence. [...] The [...] Foundation shall promote mutual respect between people of all ages, different origins, cultural and sexual identities, and political views, as well as political and cultural equality for migrants.<sup>14</sup>

Consequently, the hbs not only commits to democracy as a general object, but also spells out several democratic elements, such as gender democracy, human rights, tolerance, and equality. Also, it is the only foundation that explicitly refers to Germany's totalitarian past (and thereby, but only indirectly, to the necessity of democracy protection) in its statute.

The AAS has similarly lengthy statements in its web presence and statute:

The foundation acts as a patron of education in general, national and vocational education, youth services as well as transnational communication, tolerance and the idea of international understanding. [...] In addition, the foundation is supposed to document and mediate democratic culture and measures to counter right-wing extremism and youth violence.<sup>15</sup>

On its website, the foundation states that it is

brings [...] support to victims of hate-based violence and promotes alternative youth cultures and community networks to weaken the social structures that intolerance and racism need to survive. Furthermore, the Foundation engages with hate and other forms of group-focused enmity online while promoting the development of a democratic digital civil society.<sup>16</sup>

The second group of foundations includes those which relate to democracy and its promotion only in an indirect way – mostly by quoting selected principles or values of democracy. In this vein, the RLS is a peculiar case due to its decidedly leftist goals. It relates to the “engagement for a society that grants everybody socially equal participation,” the “ability of people to shape their own way of life in a democratic and solidary manner,” “the peaceful resolution of internal and international conflicts on the basis of the right of self-determination of the peoples,” “fostering gender and intergenerational justice,” “overcoming all forms of national, racist, and sexual suppression and discrimination” and “ideological tolerance.” This is underpinned by how the foundation presents itself online. Here, “democracy” (or “democratic,” to be precise) always occurs in combination with “socialism.”<sup>17</sup>

Just like the statute of the RLS, that of the FNS lacks a word-for-word reference to democracy. But unlike the RLS, the FNS emphasises freedom and liberty, as the addition to its name “for Freedom” (since 2007) signals: “The foundation acts on the basis of liberalism. [...] It is its purpose to impart knowledge in accordance

with the liberal, social and national objects of Friedrich Naumann to interested people, especially young adults, to perpetuate personal values and to consolidate moral essentials in politics.”<sup>18</sup>

To the third group of foundations. The OBS is one of two foundations within the scope of this study that does not directly reference democracy, except in a quote from Otto Brenner, who the foundation is named after and whose ideals it feels committed to: “Rather than silence and subservience to authority, it is criticism and democratic vigilance which constitute a citizen’s first obligation.” The foundation’s democracy-related objects include “the idea of international understanding” and “social justice,” its fields of action “social integration and diversity management (e.g., right-wing extremism [...]),” but also “media criticism and public life.”<sup>19</sup> The foundation’s self-image and self-set objects can thus only be subsumed with difficulty under the wider aim of democracy protection. This applies to the HBS as well. Its mission statement includes aiming for social and economic circumstances that allow every person to live with dignity and make equal use of the opportunities offered by a social democracy.<sup>20</sup> Not a word is wasted talking about democracy *per se*.

### **Self-defined specialisations and concepts**

A core concept in the German debate on the protection and promotion of democracy is “extremism.” For decades state authorities and a number of political scientists have used it for the description and analysis of ideas and movements of various political provenances that oppose constitutional democracy. This includes (inter alia) left-wing extremism, right-wing extremism, and religious fundamentalism. For this very reason, however, the term “extremism” is also under constant fire. Critics (mainly from the political left) take exception to the notion that under certain conditions political currents with an emancipatory claim are allegedly equated with racists, fascists, and neo-Nazis which are identified as the true contenders of democracy. Consequently, these critics often prefer an alternative terminology to “extremism” – one that does not assume that anti-democratic resentments (which democracy must be protected from) can be found in various political camps.

Against this background, the foundations can be split into three groups (Table 5.3): (1) foundations that cover multiple forms of hostility to democracy (left-wing, right-wing, fundamentalist anti-democracy); (2) foundations that focus on one sort of extremism; and (3) foundations which do not define or conceptualise democracy’s enemies at all. Interestingly, in most cases it is not the official statutes alone which comment on this aspect.

The first group, which claims to attend to several forms of extremism (and makes use of this very term), consists only of the KAS. Unfortunately, the KAS’ statutes contain no significant information on political extremism and the like. That, however, does not mean that the KAS remains completely silent on that topic. Its mission statement stipulates: “We resolutely oppose all forms of extremism, anti-Semitism and racism.”<sup>21</sup> The foundation has a separate, comprehensive homepage dealing with extremism (“Our democracy ought to be militant and vigilant.”), leading to



Table 5.3 Terms and self-set specialisations

	Right-wing extremism	Left-wing extremism	Islamism
FES	<b>Right-wing Extremism</b>	Left-wing Extremism	Islamism
FNS	Right-wing Extremism	Left-wing Extremism	Islamism
KAS	<b>Right-wing Extremism</b>	<b>Left-wing Extremism</b>	<b>Islamism</b>
HSS	Right-wing Extremism	Left-wing Extremism	Islamism
OBS	<b>Right-wing Extremism + Right + Right- wing Populism</b>	?	?
HBS	Right-wing Extremism	?	Islamism
hbs	Right-wing Extremism + Right-wing Populism + Racism	?	Islamism
AAS	<b>Right-wing Extremism + Neo-Nazism, anti-Semitism, racism and other forms of bigotry and hate</b>	Left-wing Extremism	Islamism
RLS	<b>Fascism + Right + Neo-Nazism + Right Terror + Neo-Fascism + Ethnic Nationalism + Racism + Right-wing Populism</b>	X	Islamism
DES	?	?	?

Source: Author's own compilation.

Note: X – term is deliberately refused; ? – no (clear) statement on the respective terms; bold – foundation's self-set specialisation.

extensive subpages for left-wing extremism, right-wing, extremism and Islamism (using these very labels).<sup>22</sup> In that respect, the KAS is an exceptional case.

The largest group of foundations consists of those which – according to their self-images – focus only on one form of political extremism. Some accept the “extremism” term, while others do not. Whereas the FES appears to consent at least tacitly to the validity of the term for all anti-democratic phenomena (left, right, religious), it promotes its use only in the context of right-wing extremism. The author found no indication that the fight against Islamism and left-wing extremism plays a major role in the foundation's self-set goals regarding the protection of democracy. Rather, the FES's thematic portal “Democracy, Involvement, Rule of Law and Local Politics” presents the project “Against Right-Wing Extremism” (“Gegen Rechtsextremismus”) as a priority of the foundation's work. Since 2005, it supports several current social trends and debates around right-wing extremism, including “right-wing extremism as an international challenge, right-wing extremism as a challenge for centrist society as well as the international networking of drop-out programmes.”<sup>23</sup> At the same time, left-wing extremism and Islamism are frequently mentioned in publications and the like, signalling the foundation's acceptance of the terms at least in principle. Why left-wing extremism is conceptualised as an anti-democratic force and – at the same time – not dealt with in practical work can

only be speculated about. As the foundation does not comment on this matter, the subjective political relevance of different forms of extremism remains only one possible explanation among others.

The AAS and the RLS are the only foundations that have codified the focus of their work in formally binding documents: The RLS has incorporated the fight against right-wing extremism into its statute – namely in the shape of “consequential antifascism.”<sup>24</sup> Accordingly, “Neo-Nazism and Structures/Ideologies of Inequality” are among the foundation’s foci of activity. It aims to monitor, analyse, and transform “right movements,” “neo-Nazism” and “right terror,” “neo-fascist parties,” “right-wing populism” and “racist, ethnic-nationalist and inhuman ideologies” into civic educational opportunities. “Part of this focus is the analysis of the historic National Socialism, the political remembrance of the Holocaust and the war of extermination as well as anti-fascist traditions just as anti-Semitism and antiziganism.”<sup>25</sup> At the same time, the foundation is very negative about the use of the term “left-wing extremism” (and only “left-wing extremism” – “Islamism” is used affirmatively). This is reflected by the fact that the handful of references on its website addresses and frames it in a negative, adverse, and hostile way, usually using the term in quotation marks. The refusal to even use the term “extremism” in conceptual documents shows this reluctance; any reference to “extremism” could suggest a similarity between right-wing and left-wing extremism. This stance is exemplified in an article by Wolfgang Wippermann published in 2010 in one of the RLS’s journals.<sup>26</sup> Still, in its blogs, news, and event calendar the foundation turns out to be less rigorous – the term “right-wing extremism” is frequently used here.

Just like the RLS, the AAS has incorporated the fight against “right-wing extremism” (and also “youth violence”) into its statute. But, unlike the RLS, which refuses and studiously avoids the “extremism” vocable at least in conceptual documents, the AAS accepts the term. Yet, it uses it in combination with the battle against “neo-Nazism, [...] anti-Semitism, racism and other forms of bigotry and hate.”<sup>27</sup> Whereas neo-Nazism exclusively falls within the rubric of right-wing extremism, this is not necessarily true for the other concepts. Although anti-Semitism is usually associated with the Far Right, there are clearly left-wing (and Islamist) manifestations of anti-Semitism as there are various forms of bigotry and hate; and racism in turn is not necessarily exclusively assigned to the sphere of right-wing ideologies. Still, the foundation’s guiding principles and its self-concept leave no doubt that it is the Extreme Right (and only the Extreme Right) it keeps an eye on. This is underpinned by the fact that the foundation mentions “left-wing extremism” in an affirmative way, albeit only in the context of its examination of right-wing strategies (especially the AfD) to discredit the AAS. In the same vein, “Islamism” is apparently an accepted concept, but still not considered a clamant task of the foundation which, regarding the foundation’s self-concept, comes as no surprise.

Although neither the protection of democracy nor the battle against some form of extremism is part of the OBS’s guiding principles, the foundation has devoted itself to – what? The foundation subsumes the fight against “Right-wing Extremism” under its focus “Social Integration and Diversity Management.” At the same time,

its “Science Portal” cites “Civil Society Pressed by the Right” as one of the major studies funded by the OBS.<sup>28</sup> Furthermore, the foundation frequently grapples with the topic “right-wing populism” (among others mentioned in the study) and the AfD as right-wing populism’s major exponent in Germany while also conceding that right-wing populism, however problematic it may be, does not question the fundamentals of liberal democracy.<sup>29</sup> The OBS seems to unwittingly blur the conceptual boundaries of “right,” “right-wing populism,” and “right-wing extremism” with the result that its conception of “democracy enmity” remains somewhat unclear. Also, due to the lack of relevant statements, it remains unclear whether the foundation accepts or rejects the terms “left-wing extremism” and “Islamism.”

The third group of foundations is characterised by a lack of references to the fight against political extremism in conceptual documents. Yet this does not mean these issues are completely ignored in practice (see below). This holds true for the HBS, which not only attaches no value to political extremes in its conceptual documents but is also an exemplary case of the blurring of terms. In its concentration on what can be subsumed under the rubric “political right” it mentions “right-wing radicalism,” “right-wing populism,” “racism”<sup>30</sup> (see “calendar of events”), as well as “right-wing populism and right-wing extremism”<sup>31</sup> (name of an online dossier) all in the same breath so that the terms appear to be used synonymously. Its stance on related words is difficult to identify, at least when it comes to left-wing extremism. Whereas “Islamism” is frequently (and affirmatively) referred to, left-wing extremism has no more than three mentions on the foundation’s website. In one case the term (plus the respective concept) is denied,<sup>32</sup> in the second and third cases it is used affirmatively.<sup>33</sup> The foundation’s attitude towards the term remains obscure.

In accordance with its self-conception, the HBS, in turn, places no great value on the battle against political extremism, be it left, right, or religiously motivated. Still, the foundation, its representatives, and its projects deal with right-wing extremism (and only right-wing extremism) every now and then. In doing so, the term is apparently used in an affirmative way as the studies “Masculinities and Right-Wing Extremism”<sup>34</sup> and “Unions and Right-Wing Extremism”<sup>35</sup> clearly show. Competing concepts are not to be found among the foundation’s contributions and studies. However, whereas the search for “left-wing extremism” and “left-wing extremist” remained without result, “Islamism” and “Islamist” are clearly used in an affirmative way from time to time.

The HSS also lacks any reference to political extremism in its official documents and even on its website. However, from his own experience, the author knows that the foundation’s practical work addresses all forms of political extremism (the same as the KAS). Besides the rich body of publications, a typical example of this commitment is the annual conference in Kloster Banz which is dedicated to all forms of political extremism and hosts specialists, practitioners, and journalists working in the field. Similarly, the FNS, too, keeps a low profile when it comes to democracy’s enemies. Not a word about “extremism” or the like in its official documents. Yet it can be concluded from its publications that the foundation feels committed to the principle of equidistance. In their web presence, the menu item “open society” is introduced with the following preface: “An open society is the counter model to totalitarian forms of government, such as National Socialism and

Communism. In an open society, everybody has the freedom to be as they are. And therefore, the chance to choose their way of life.”<sup>36</sup> Also, the foundation frequently publishes contributions by prominent liberal voices, such as Sabine Leutheusser-Schnarrenberger, Karl-Heinz Paqué, and Gerhart Baum, who in their articles indirectly stand up for the principle of equidistance and, like the KAS and the HSS, accept the term “extremism.”

It may be due to its lack of seniority in combination with COVID-19 that the DES has not yet managed to develop a full programme and detailed information concerning its foci of activity. For this reason, it is still impossible to make a clear statement about the foundation’s definition of “democracy enmity,” its preferred concepts and its core themes. It hence must be ignored for this part of the analysis.

In summary, it can therefore be said that whereas most foundations seem (through their affirmative use of the relevant terms) to acknowledge the existence of various forms of political extremism, most of them intentionally prioritise one or two variants. In this sense, five out of ten foundations reveal a basically equidistant attitude – at least as far as their self-image is concerned. Out of the five foundations mentioned, two aim to concentrate on right-wing extremism (FES, AAS), two prioritise no form of political extremism (FNS, HSS), and one (KAS) distinctly addresses all three forms of extremism. The OBS in turn speaks of nothing but right-wing extremism, be it in the conceptual documents which comment on the foundation’s strategic focus or elsewhere. The HBS and the hbs acknowledge the existence of both right-wing extremism and Islamism, but do not specialise in one of them unlike the RLS, which acknowledges Islamism but focuses on “Fascism.” Also, it is the only foundation that ascribes major importance to the correct use of wording. For this reason, it is apparently not unfair to conceptualise it as a truly antifascist organisation. All in all, right-wing extremism is dealt with the most, left-wing extremism the least.

### **Priorities and instruments in practice**

What the foundations claim to be their priorities is one thing, what their everyday business looks like is another. This chapter therefore looks not only at the foundations’ preferred instruments in the field of democracy protection/promotion but also at their priorities in practice.

To this end, the foundations were compared with respect to the relative importance of the different issues in question. An external Google web search of all foundations’ homepages was conducted using the search terms “rechtsextremismus OR rechtsextremistisch,” “linksextremismus OR linksextremistisch,” and “islamismus OR islamistisch.” The operator “OR” was used to identify all sites displaying at least one of the two words. Due to the RLS’s self-image as an antifascist organisation and its preference for the term “Faschismus,” the first search term was amended by “OR faschismus OR faschistisch” to ensure contextual equivalence of the terms and thus comparability among the cases.

The detailed results (Figure 5.1) suggest that the foundations can be split into two groups in relation to the weighting of different themes: (1) foundations which endeavour to address all three forms of political extremism (KAS, HSS)

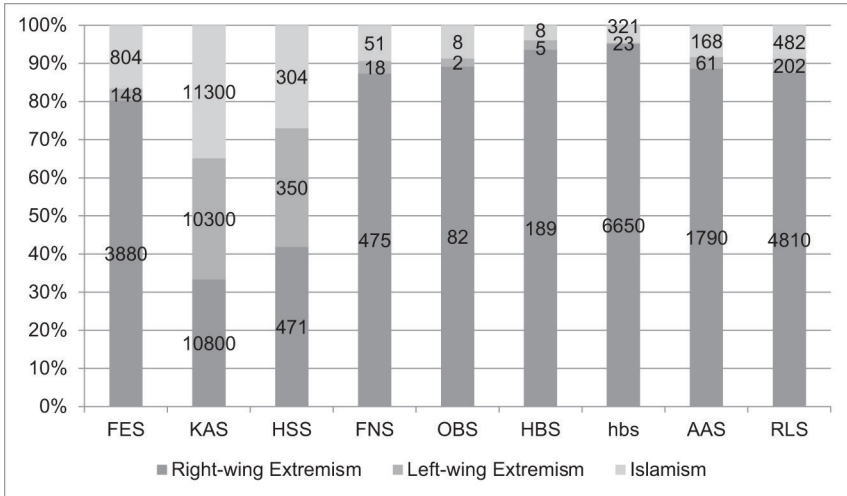


Figure 5.1 Percentage of Google search hits on the foundations' websites.

Note: Due to the lack of sufficient search hits the DES has been excluded from this part of the analysis.

Source: Author's own compilation.

and (2) foundations which in practice clearly prioritise the fight against right-wing extremism (all other cases). There were some small differences: the FES, for example, addresses Islamism to a minimally larger extent than the hbs, but the difference is virtually immaterial. And left-wing extremism is almost completely disregarded by most foundations (except for the KAS and the HSS). This result is magnified by the fact that, for example, left-wing extremism is referred to only in an unfavourable way by the RLS and in contexts where the AAS dispels any suspicions (mainly from the right) about its loyalty to democracy.

Against this background (and in the light of the foundations' self-set foci) it is especially right-wing extremism which triggers strong reactions from the political foundations. Two explanations come into question here, a general one and one that only applies to the anti-right-wing foundations. According to the general explanation, the foundations' work only reflects the social (Figure 5.2) and media (Figure 5.3) attention paid to the phenomena. It is presumably because of several terrible extremist assaults in the recent past (Halle, Hanau, Munich, case "Lübcke," "NSU") and the generally increasing relevance of that topic (e.g., due to the rise of the PEGIDA protests, the refugee crisis, and the AfD's advancement) that especially right-wing extremism raises so much public interest. Only very rarely does the public and media interest in left-wing extremism and Islamism exceed the attention given to right-wing extremism. Most often this was the case after terrorist attacks and riots such as the G20 protests in Hamburg in 2017.

At the same time, it is not clear whether this correlation reflects a causal relationship. Germany's historical background could be another factor. The fact that

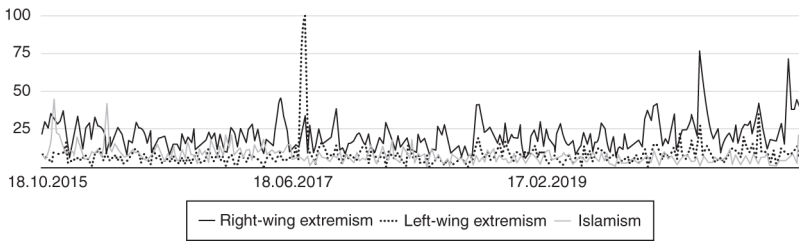


Figure 5.2 Google Trends query (web searches of the last five years).

Source: Google Trends <https://trends.google.de/trends/explore?date=today%205-y&geo=DE&q=rechtsextremismus,linksextremismus,islamismus> (15 October 2020).

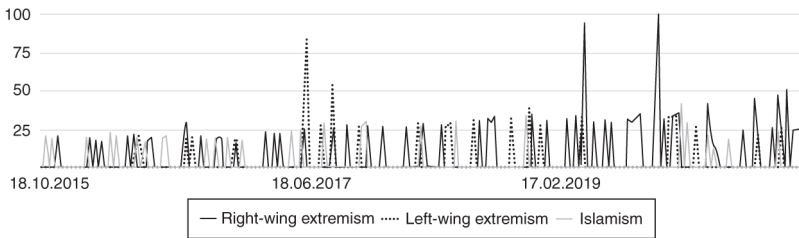


Figure 5.3 Google Trends query (news searches of the last five years).

Source: Google Trends <https://trends.google.de/trends/explore?date=today%205-y&geo=DE&gprop=news&q=rechtsextremismus,linksextremismus,islamismus> (15 October 2020).

the foundations' general orientation is often codified (and therefore not subject to thematic cycles) speaks for the latter causal pattern. And as to the four decidedly anti-right-wing foundations, their focus is apparently an expression of their very identity as a civic organisation, which might also result from the historical legacy as well as profound experiences (such as the wave of right-wing extremism in the early 1990s that indirectly led to the AAS's name).<sup>37</sup>

When it comes to the preferred instruments of the foundations, it seems to be a matter of course that it is a simple task for a large, well-equipped, and moneyed foundation to offer a wide range of educational material in order to promote democratic values, whereas a smaller foundation needs to be more economical with its funds. However, some notable cases question this correlation.

The two most generously funded foundations are the FES and KAS. With an annual budget of over one hundred million euro, they offer the greatest variety of civic educational programmes. The FES puts strong emphasis on the fight against right-wing extremism (just as the foundation's self-image already suggests). Its central tools are policy publications, studies, conferences, expositions, a separate online dossier ("Gegen Rechtsextremismus"),<sup>38</sup> and larger projects. A crucial part

of this is the foundation's long-time sponsorship of the "Mitte-Studien," a series of studies about right-wing attitudes in German society conducted by Leipzig University (2006–2012 – under the direction of Elmar Brähler and Oliver Decker)<sup>39</sup> and by Bielefeld University (since 2014 – with Andreas Zick responsible).<sup>40</sup>

The KAS is one of the two foundations which address all three varieties of extremism reasonably equally. Like the FES, it does so by means of analytical and normative contributions (e.g., in *Analysen und Argumente, Die politische Meinung, Zukunftsforum Politik*), numerous talks, expositions, conferences, workshops, congresses, readings, and seminars, but also through a separate online portal dedicated to political extremism<sup>41</sup> as well as with frequent empirical studies.<sup>42</sup>

The medium-sized foundations (RLS, HBS, HSS, hbs, FNS), with an annual budget of between ten and one hundred million euro, employ their funds differently: Some restrict the variety and/or number of instruments available, others strive to sustain various and numerous educational offers.

The first group (reduced variety and/or number of educational offers) includes the HSS, the FNS, and the HBS. While the HSS addresses political extremism in numerous publications (e.g., articles in *Argumente und Materialien zum Zeitgeschehen, Politische Studien*), educational workshops, and the above-mentioned annual expert conference, it dispenses its own empirical studies and independent online offers. The FNS takes a similar approach. Due to limited resources, it comes as no surprise that its instruments are basically confined to (online) articles, lectures, and excursions. The HBS, in turn, concentrates its resources for democracy promotion on interviews, articles, and reports in one of its periodicals (*Magazin Mitbestimmung*) as well as working papers and other small projects.<sup>43</sup>

Considering both the large number and great variety of educational offers, the RLS and the hbs seem to have more in common with the "top dogs" FES and KAS than with the other medium-sized foundations. Not only does the RLS frequently publish analytical contributions and columns (separate publications as well as articles in "Manuskripte," "RLS Papers," "Materialien," "Studien"), but it periodically hosts (online) seminars, workshops, conferences, congresses, book launches, movie showings, excursions, readings, concerts, and expositions. The foundation even has a permanent discussion group ("Gesprächskreis rechts") and an online portal ("Neo-Nazism and Structures/Ideologies of Inequality").<sup>44</sup> In 2019 and 2020 (until August), the RLS was the foundation with the most extremism-related events among the cases analysed. Also, the RLS, along with the OBS and the hbs, has been involved in the funding of the "Mitte-Studien" by Leipzig University since 2014 and is therefore, all in all, one of the most bustling foundations in the field of (right-wing) extremism. In a similar way, the hbs operates an extensive online dossier ("Right-wing Populism and Right-wing Extremism"),<sup>45</sup> which hyperlinks online articles, contributions in the foundation's periodicals (e.g., *böll.brief*), other publications, lectures, exhibitions, cinema shows, symposia, and workshops. Also, since 2014, the hbs has been funder (along with the OBS and the RLS) of the "Mitte-Studien." In its level of activity, the hbs resembles the RLS. The DES in turn, the youngest and presumably financially weakest of the political foundations, lists no more than a handful of lectures and seminars referring to anti-Semitism,

Islamism, and (!) right-wing populism in the last months. It is, for this reason, the foundation in the case group that is in the weakest position.

The OBS and the AAS, the smallest foundations with an annual budget far below ten million euro, are difficult to reduce to a common denominator. This is because – unlike the AAS – the OBS in fact resembles most of the medium-sized foundations when it comes to its preferred instruments. Its restricted resources manifest in a small number of publications (mainly a few thematically relevant contributions to a series of working papers) and the funding of two projects: the “Mitte-Studien”<sup>46</sup> and the study *Bedrängte Zivilgesellschaft von rechts*.<sup>47</sup> The AAS, however, turns out to be an atypical organisation, presumably due to its explicit focus on right-wing extremism. Its website lists no less than 26 projects (e.g., “Kompetenznetzwerk Rechtsextremismus,” “Mut gegen rechte Gewalt,” the “watchblog” “Belltower News,” the IDZ), numerous publications (different ones as well as contributions to its periodical *Ermutigen*), podcasts, and events. Finally, it frequently initiates empirical studies through its research institute IDZ. Although the foundation has no independent online portal dedicated to political extremism, it would be unfair not to acknowledge its comprehensive efforts to inform the public online about its activities in the six provinces of racism, democratic culture, right-wing extremism and populism, anti-Semitism, hate speech, as well as gender and the Far Right. As the foundation as a whole is devoted to the fight against right-wing extremism, its web presence is evidence of a considerable online offering.

As the comparison shows, instrumental diversity does not seem to be a matter of financial resources: the FES, the KAS, the hbs, the AAS, and the RLS represent a group of foundations with a large variety and number of civic educational offers (Table 5.4). However, limited resources seem to be a necessary condition for a

Table 5.4 Instruments of civic education

	<b>Publications and studies</b> ( <i>working/policy papers, articles in foundation journals, columns</i> )	<b>Separate online offers</b> ( <i>podcasts, dossiers</i> )	<b>Own empirical studies</b> ( <i>surveys, analyses</i> )	<b>Events</b> ( <i>workshops, conferences, talks, seminars, lectures, excursions</i> )
FES	x	x	x	x
FNS	x			x
KAS	x	x	x	x
HSS	x			x
OBS	x		x	
HBS	x		x	
hbs	x	x	x	x
AAS	x	x	x	x
RLS	x	x	x	x
DES				x

Source: Author's own compilation.



constrained catalogue of educational opportunities: it is the small and medium-sized foundations that concentrate on only a few instruments and disregard others. Also, the comparison visualises that publications and events are among the most popular devices in a political foundation's toolbox, whereas separate online offers and own research (units) seem to represent the proverbial "icing on the cake."

### **What is (and makes) a successful political foundation?**

What does "success" mean in the area of democracy protection? Identifying the success of a single measure for preventing extremism is probably one of the most demanding endeavours in the social sciences. This pertains all the more to measuring the success of a bouquet of diverse prevention measures and measuring an organisation's overall success. The decline of extremist attitudes, the active commitment to democratic values by a majority in society and similar indicators are apparently inappropriate as they are subject to numerous confounders. Against this backdrop, the media attention a foundation receives in connection with extremism prevention might be an alternative for measuring success. Even though this measure neglects the general media attention a foundation gets as well as social media as an increasingly relevant channel for (political) organisations to reach the masses, it arguably embraces at least the potential coverage (albeit not its efficacy).<sup>48</sup>

What, then, makes a successful political foundation? One of the most promising predictors should be its resources. It is its staff, the professionalism of the organisation, and liquid funds that allow a foundation to raise interest by entertaining large PR and social media offices, launching campaigns, carrying out spectacular empirical studies, inviting prestigious keynote speakers, and hosting public events. As, at the end of the day, staff and organisation are all dependent on a foundation's assets, its annual revenues should serve as a good indicator of the general resources.

The combination of both variables (Figure 5.4) shows that – against all expectations – it is not the well-to-do foundations per se which are able to raise the most media attention when it comes to "extremism." Instead, the "midget" AAS and the medium-sized hbs turn out to be most successful. The KAS and the FES, by far the most powerful organisations in the case group, finish only third and fourth, respectively. However, this somewhat vexing result is easily rectified by excluding the two statistical outliers AAS and hbs. By doing so, the meagre negative correlation ( $R^2=0.0107$ ) between financial resources and media coverage is quickly turned into an almost perfect, positive one ( $R^2=0.7911$ ). Therefore, financial assets do seem to make a difference when it comes to public attention. This, in turn, makes it all the more necessary to get to the bottom of the two outliers' secret – how do they, despite limited resources, manage to achieve this immense media coverage?

Instead of the pure number of resources a foundation commands, it could be the way it employs these resources or, to be more precise, the way it engages in PR work which explains how visible it is in the field of extremism prevention. Unlike the other cases, the AAS and the hbs are first and foremost active in social media.<sup>49</sup> Each has about as many Twitter followers as the KAS and the FES taken together (Table 5.5).<sup>50</sup> At the same time, both foundations frequently attract public attention

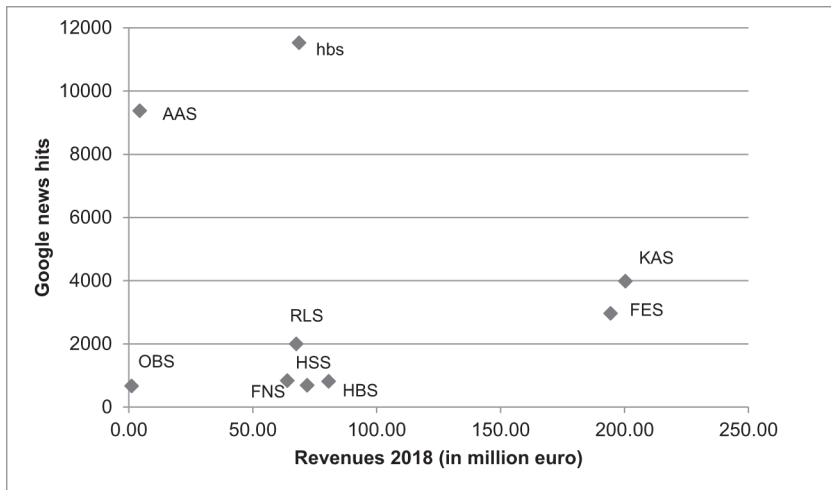


Figure 5.4 Media interest and budget.

Source: Google news search (15 October 2020) and the foundations' annual reports (2018).

Table 5.5 Social media activity

	Twitter followers	Tweets
FES	25,776	2,264
FNS	14,796	10,607
KAS	20,651	8,447
HSS	3546	1,881
OBS	3531	2,491
HBS	12,835	11,808
hbs	45,457	12,232
AAS	45,752	16,057
RLS	30,215	25,745
DES	No account	/

Source: Author's own compilation (date of retrieval: 16 October 2020).

by their interventions – be it the AAS's chronicle of victims of far-right violence in cooperation with the *STERN*,<sup>51</sup> its much discussed brochure concerning online hate speech against refugees,<sup>52</sup> its "Kita" brochure for pre-school teachers to identify right-wing extremist households,<sup>53</sup> or its cooperation with Ben & Jerry's ice cream and the FC St. Pauli ("Melting Pot").<sup>54</sup> For each campaign the foundation received both credit and criticism, which is also why the foundation and its chair, Anetta Kahane, serve as stereotypical enemies for many right-wing extremists. This is best illustrated by the fact that Kahane was, among others, on the death list of Franco A., a right-wing terrorist. The foundation is also subject to criticism

every now and then – not so much because of its projects per se but because of Kahane’s background as an unofficial Stasi collaborator (1974–1982), a fact she had not made public on her own, and because the foundation is suspected (mostly by conservative politicians, journalists, and the AfD) of being home to left-wing extremists and of overshooting (e.g., by naming the CDU as a representative of the New Right on the website *neue-rechte-net*). If any press is good press the AAS cannot complain – it frequently receives nationwide attention due to its constant interventions.

This does not apply to the hbs to the same extent. Whereas its social media activity also clearly goes beyond that of other foundations, it does not hit the headlines every few weeks like the AAS does. Instead, it is its “digital pillory” for antifeminists in 2017 which made massive waves (*agentin.org*). Plus, as one of the funders of the “Mitte-Studien” by Bielefeld University, it receives massive publicity every two years (the study’s publication interval). However, apart from this, the foundation does not appear periodically in the media due to spectacular projects or campaigns. Instead, it has apparently turned into a reliable contact on matters of right-wing extremism in the eyes of media and society over recent years.

In addition, what unites both foundations beyond an obviously offensive PR policy is the facts (1) that both are explicitly committed to the promotion of democracy as a whole (according to their self-concept); (2) that, nevertheless, it is the fight against right-wing extremism which both have prioritised in practice; and (3) that their civic educational “toolboxes” are among the largest. Yet, since all these factors are also found in other cases, they seem to serve merely as prerequisites (in terms of Boolean Algebra: necessary conditions) of a successful foundation.

### **The political foundations and the *Verfassungsschutz***

The question of how the foundations see the state’s protection of democracy tells us something about their self-concept and their notion of militant democracy, as both address similar socio-political challenges but start from different premises (state responsibility versus societal responsibility). There is no evidence that the *Verfassungsschutz* which, as the domestic intelligence service, is the central state actor in the area of democracy protection, has focused on one of the foundations in its work. And as for the foundations, many of them only cite the *Verfassungsschutz* every now and then as a source of information, for example to underline the relevance of an extremist actor they deal with.<sup>55</sup> To accept this type of reference as evidence for a serious, enduring relationship would, however, dilute the very meaning of the term. Apart from that, the foundations approach the *Verfassungsschutz* in two fundamentally different ways: critical solidarity (critical, yet overall positive references and cooperation) or critical scepticism (critical and generally negative references, with no cooperation).

The first group consists of foundations which do not relate to state protection of democracy in a way worth mentioning. This applies to the OBS and the HBS, neither of which concern themselves continually and fundamentally with the

Table 5.6 Relationship with the Verfassungsschutz

	<i>Relating to Verfassungsschutz?</i>	<i>Relationship</i>
FES	yes	critical solidarity
FNS	yes	<b>critical</b> solidarity
KAS	yes	critical solidarity
HSS	yes	critical <b>solidarity</b>
OBS	no	
HBS	no	
hbs	yes	critical scepticism
AAS	yes	critical scepticism
RLS	yes	critical scepticism
DES	(yes)	critical scepticism

Source: Author's own compilation.

domestic intelligence service. The author found no indication of in-depth analyses or cooperation.

The attitude of the second group of foundations towards the Verfassungsschutz is best described as “critical solidarity,” with the relevance of both aspects in a state of flux (Table 5.6). The foundations principally accept and affirm the agency’s *raison d’être* but still they offer criticism about its practice and lapses in the past (especially with regard to the disclosure of the NSU) and debate on needs to reform. This stance is evidenced, amongst others, by the nature of the main thrust of the publications and events as well as by cooperation with former and/or present representatives of the Verfassungsschutz (e.g., interviews, talks, and lectures). Typical of this group are the older foundations: the FES, the FNS, the KAS, and the HSS. The FES, for example, hosted a discussion about right-wing extremism and left-wing extremism in 2010 and one of the speakers was then-head of the Saxonian Verfassungsschutz Gordian Meyer-Plath.<sup>56</sup> In 2017, a discussion was held about the Verfassungsschutz’s need to reform which was based on a book written by two of the intelligence service’s former employees (Thomas Grumke and Rudolf van Hüllen). The foundation not only invited one of the authors, but also the head of the Thuringian Verfassungsschutz for a commentary.<sup>57</sup> At the same time, harsh criticism had been levelled at the agency for its failure to detect the NSU.<sup>58</sup> Despite criticism of some of the detailed work, all in all there is no doubt about the foundation’s acceptance of the Verfassungsschutz.

The KAS’s stance is similar. This is expressed in critical yet affirmative publications<sup>59</sup> as well as the frequent cooperation with the agency’s representatives (e.g., the president of the Hessian agency,<sup>60</sup> the former<sup>61</sup> and the present<sup>62</sup> president of the Federal Office, the president of the Saxonian agency,<sup>63</sup> and the president of the Brandenburgian agency<sup>64</sup>).

The HSS, too, maintains a similar relationship with the Verfassungsschutz. Former and present employees frequently give interviews,<sup>65</sup> and they contribute to the foundation’s periodicals<sup>66</sup> and to conferences.<sup>67</sup> The character of

the contributions proves that the approach that dominates is one of solidarity. It outweighs critical aspects of the relationship. This is also reflected by the fact that representatives of the agency primarily serve as experts on extremism who are asked for advice in matters of prevention, not as defendants who must account for the agency's failures. The HSS' relationship to the state protection of democracy is probably the most positive (and thereby the least indiscriminate) among all cases.

The FNS is a somewhat different case in the sense that the state protection of democracy is not a priority in the foundation's practical work. Still, from a few examples, it can be inferred that the relationship is probably all but overly hostile. For instance, the foundation seems to be far from loath to cooperate with the agency, as the author knows from a public discussion the FNS hosted in 2017 in Halle concerning the Identitäre Bewegung. Still, what dominates the relationship is criticism, not solidarity. First and foremost, this harks back to former Justice Minister Sabine Leutheusser-Schnarrenberger's relentless campaign for a reform of Germany's security architecture which she writes about on the foundation's website. A total of 20 out of 30 contributions on the FNS' homepage which relate to the *Verfassungsschutz* in some way originate from her or at least represent her opinion. They revolve around the "patchwork character" of *Verfassungsschutz* due to German federalism, wrong priorities, unclear competencies, and inconsistent standards.

The remaining foundations hbs, AAS, RLS, and DES, in turn, represent a third type of relationship which is best characterised as distanced, critical, or even adverse. The author is not aware of any cooperation between these foundations and representatives of the *Verfassungsschutz*. The hbs's stance seems to oscillate between fundamental criticism and critical solidarity, as an online article about "models for a reform and abolition of the intelligence agencies" and a conference volume exemplify.<sup>68</sup> The positions here vary between moderate reform proposals and demands to abolish the agency – as they do throughout other publications. Of an exceptionally offensive nature are only a few articles the online dossier "Surveillance, Intelligence Agencies and Democracy" ("Überwachung, Geheimdienste und Demokratie") hyperlinks to<sup>69</sup> and an exhibition on the *Verfassungsschutz* ("Versagen mit System") which interprets its failures as a result of structural deficits (overestimation of left-wing extremism, underestimation of "militant neo-Nazis," the use of the "extremism model" as a working basis, lack of "effective, democratic control").<sup>70</sup> It is financed, amongst others, by the hbs, the AAS, and the RLS.

The AAS's position is rather ambiguous, too. Unlike the hbs, it tends to monitor the *Verfassungsschutz*'s work in a more regular, periodical way. This finds expression in the regular press releases which accompany the Annual Report on the Protection of the Constitution (*Bundesverfassungsschutzbericht*). In most cases, the releases serve as an occasion to undergird the necessity of the foundation's prevention work. But every now and then, the AAS uses the date as an opportunity to voice its disagreement with the assessments of the *Verfassungsschutz*. For example, in 2016, it argued in favour of closer surveillance of the Reichsbürger movement.<sup>71</sup> In 2018, it made a case for a greater focus on the right-wing movement "One Per

cent” (“Ein Prozent”) and on *Compact*, a far-right magazine.<sup>72</sup> Apart from that, the AAS also supports the aforementioned exhibition and voiced public criticism after the Verfassungsschutz’s failure to disclose that the NSU had become known to them.<sup>73</sup> All in all, it seems to accept the Verfassungsschutz’s basic mission (Stephan Kramer, president of the Thuringian Office for the Protection of the Constitution, is a member of the foundation’s board of trustees), while at the same time being very critical of the intelligence service’s practice, which it thinks underestimates the relevance of right-wing extremism.

The RLS’s and DES’s attitude towards the state protection of democracy is anything but ambiguous. Both foundations take the most negative stance. In fact, they are exceedingly critical not only of the practical work but also of the mission of the Verfassungsschutz. In the case of the RLS, this is not only documented by the detailed chronology and annotation of the NSU scandal,<sup>74</sup> but also by the disapproval of the Verfassungsschutz’s evaluations concerning several left-wing extremist groups (such as “Ende Gelände”) and, most notably, of the underlying use of the extremism concept which, in the eyes of the foundation, unjustifiably equates left and right.<sup>75</sup> This position correlates with the decidedly radical left identity of the foundation, recognisable by its very name which refers to one of the founders of the KPD, by its unconditional solidarity with the Antifa scene,<sup>76</sup> and by its reference to the Fascism vocable. It is not so much any one of these characteristics but all of them together which might lead one to conclude that instead of a protector of democracy, the RLS is more of an antifascist actor who is at war with the Verfassungsschutz.

The DES’s deliberations on the Verfassungsschutz are, probably due to its lack of seniority, restricted to a newsletter from June 2020. Here Erika Steinbach, head of the foundation, accuses the Verfassungsschutz of abusing its power, of protecting the government instead of democracy, and of harassing the AfD.<sup>77</sup> What sparked this reaction was the decision of the Verfassungsschutz to observe the Institut für Staatspolitik (IfS) as a suspected case (“Verdachtsfall”). The DES’s fear was that due to a personnel overlap, it too would soon be subject to intelligence surveillance. This assumption was certainly far from erroneous as the person concerned, Erik Lehnert, was not just any “backbencher,” but chairman of the IfS and member of the board of the DES. For this reason, Lehnert was voted out of office. As a result, the two foundations with the most adversarial relationship with the domestic intelligence service, the RLS and the DES, are the ones which have close ties to political parties (Die Linke and AfD) that are at least partially under the Verfassungsschutz’s observation due to their ambiguous stance on constitutional democracy.

## A typology

“Careful work with typologies gives structure to empirical comparison.”<sup>78</sup> This feature predestines the construction of a typology for a study on political foundations as actors of civil democracy protection. A consideration of the central variables results in three types:<sup>79</sup>

1. *The “Government Agency Twin”*: This type of foundation is characterised by an almost perfectly equal weighting of all political extremes in its practical work. It consciously sees itself to be an actor of democracy protection with the duty to consider all forms of political extremism (equidistance). It does not hesitate to criticise but also to cooperate with the *Verfassungsschutz*, whose *raison d’être* it fully accepts and whose expertise it appreciates. It thus can be considered a civil society duplicate of the agency. This type is represented by the centre-right party political foundations KAS and HSS.
2. *The “Occasional Democracy Protector”*: The protection of democracy is not a priority of this type of foundation. Rather, it is one area of work among others as the self-image and the working reality underpin. For this reason, this type restricts its activity to a few educational offers relating to extremism. In practice, it focuses on the fight against right-wing extremism (probably due to its limited resources) and has a tenuous relationship with the state’s protection of democracy at most. It is represented by the trade-union-affiliated foundations OBS and HBS as well as the liberal FNS.
3. *The “Anti-Fascist Activist”*: This type of foundation is characterised by its focus on and seeing itself primarily as anti-fascist. It explicitly embraces radical and moderate leftist readings of the term “fascism.” The difference between both is illustrated by divergent motives. The former is by and large driven by the commitment to (and thus the protection of) the norms and procedures of constitutional democracy, whereas the latter is grounded on a Marxist-Leninist interpretation of social conflicts, according to which the central cleavage is between the proletariat and the phalanx of bourgeoisie and fascism.<sup>80</sup> This type unites both readings and pools a significant portion of its resources for the fight against right-wing extremism.

The impact of these foundations overall is remarkable, and so are their efforts. All four types offer a wide range and large number of projects, publications, studies, and so on, that all deal with right-wing extremism and related phenomena. The two most successful (in terms of public impact) foundations are “anti-fascist activists.” The fact that they prioritise this area of work (according to their own expectation and their practice) might explain their reserve towards the state’s equidistant efforts to protect democracy: It can basically never meet the foundations’ demands. During his research, the author has come across only a few expressions of appreciation about the *Verfassungsschutz* (in this case, mainly by the FES). In the case of the RLS, this could also relate to its identity as a far-left organisation. When the *Verfassungsschutz* monitors left-wing extremist groups, the foundation seems to take offence and expresses solidarity. This type is represented by the FES, the RLS, the hbs, and the AAS.

## Notes

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- 40 See the most recent study: Andreas Zick/Beate Küpper/Wilhelm Berghan, *Verlorene Mitte – feindselige Zustände. Rechtsextreme Einstellungen in Deutschland 2018/19*, Berlin 2019.
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- 42 Such as Viola Neu, Rechts- und Linksextremismus in Deutschland: Wahlverhalten und Einstellungen, in: Konrad-Adenauer-Stiftung (ed.), *Zukunftsforum Politik*, Nr. 98, Sankt Augustin/Berlin 2009.
- 43 See Katharina Debus/Vievien Laumann, *Rechtsextremismus, Prävention und Geschlecht*, Arbeitspapier 302, Hans-Böckler-Stiftung, Düsseldorf 2014; Seddik Bibouche/Josef Held/Gudrun Merkle, *Rechtspopulismus in der Arbeitswelt. Eine Analyse neuerer Studien*, edition der Hans-Böckler-Stiftung 238, Düsseldorf 2009; Gunnar Winkler, *Einstellungen zu Ausländern und rechtsextremistischen Auffassungen in den neuen Bundesländern*, Arbeitspapier 133, Hans-Böckler-Stiftung, Düsseldorf 2007; Richard Stöss, *Gewerkschaften und Rechtsextremismus*, Berlin 2004.
- 44 [www.rosalux.de/themen/ungleichheit-soziale-kaempfe/rassismus-neonazismus](http://www.rosalux.de/themen/ungleichheit-soziale-kaempfe/rassismus-neonazismus), accessed 31 October 2020 (author's translation).

- 45 [www.boell.de/index.php/de/rechtspopulismus](http://www.boell.de/index.php/de/rechtspopulismus), accessed 31 October 2020 (author's translation).
- 46 See Oliver Decker/Elmar Brähler, *Flucht ins Autoritäre. Rechtsextreme Dynamiken in der Mitte der Gesellschaft*, Gießen 2018.
- 47 See Wolfgang Schroeder/Samuel Greef/Jennifer Ten Elsen/Lukas Heller, *Bedrängte Zivilgesellschaft von rechts. Interventionsversuche und Reaktionsmuster. Ein Projekt der Otto Brenner Stiftung*, Frankfurt a.M. 2020.
- 48 The Google news search was conducted on 15 October 2020 focusing on media coverage (not search requests in the news category) with the search items “[foundation's name] rechtsextremismus,” “[foundation's name] linksextremismus,” “[foundation's name] islamismus.” In the case of the RLS, the first search item was “[foundation's name] rechtsextremismus faschismus.” At the end, all results of a foundation were added up to a general index.
- 49 Until now, the DES has no Twitter account at all and thus was excluded from the analysis.
- 50 Date of retrieval: 16 October 2020.
- 51 [www.mut-gegen-rechte-gewalt.de/](http://www.mut-gegen-rechte-gewalt.de/), accessed 31 October 2020.
- 52 See Amadeu Antonio Stiftung, *Hetze gegen Flüchtlinge in sozialen Medien. Handlungsempfehlungen*, Berlin 2016.
- 53 See Amadeu Antonio Stiftung, *Ene, mene, muh – und raus bist du! Ungleichwertigkeit und frühkindliche Pädagogik*, Berlin 2018.
- 54 See [www.presseportal.de/pm/79049/4387549](http://www.presseportal.de/pm/79049/4387549), accessed 31 October 2020.
- 55 See, for example, [www.fes.de/landesbuero-niedersachsen/artikelseite-landesbuero-niedersachsen/default-02332c08c0](http://www.fes.de/landesbuero-niedersachsen/artikelseite-landesbuero-niedersachsen/default-02332c08c0), accessed 31 October 2020; Susanne Kailitz, Sie kommen aus der Mitte der Gesellschaft, *Magazin Mitbestimmung* 02/2020, [www.boeckler.de/de/magazin-mitbestimmung-2744-22900.htm](http://www.boeckler.de/de/magazin-mitbestimmung-2744-22900.htm), accessed 31 October 2020.
- 56 See <http://library.fes.de/pdf-files/do/07500.pdf>, accessed 31 October 2020.
- 57 See [www.fes.de/oas/portal/pls/portal/filefunctions.download/PLAKON/VERANSTALTUNG/211448/F73749507/Einladung-Streitfall-Verfassungsschutz.pdf](http://www.fes.de/oas/portal/pls/portal/filefunctions.download/PLAKON/VERANSTALTUNG/211448/F73749507/Einladung-Streitfall-Verfassungsschutz.pdf), accessed 31 October 2020.
- 58 See, for example, [www.fes.de/oas/portal/pls/portal/filefunctions.download/PLAKON/VERANSTALTUNG/185390/F1321011078/NeueDimens\\_Behoerdenversagen.pdf](http://www.fes.de/oas/portal/pls/portal/filefunctions.download/PLAKON/VERANSTALTUNG/185390/F1321011078/NeueDimens_Behoerdenversagen.pdf), accessed 31 October 2020.
- 59 See, for example, Maryam Kamil Abdulsalam, *Der Verfassungsschutz unter Verdacht*, Berlin 2020.
- 60 See [www.kas.de/de/veranstaltungen/detail/-/content/kampf-gegen-extremismus-in-hessen-wie-verfassungsfeinde-unsere-gesellschaft-herausfordern](http://www.kas.de/de/veranstaltungen/detail/-/content/kampf-gegen-extremismus-in-hessen-wie-verfassungsfeinde-unsere-gesellschaft-herausfordern), accessed 31 October 2020.
- 61 See [www.kas.de/de/statische-inhalte-detail/-/content/-wir-brauchen-mehr-quellen-in-der-terrorisusbekaempfung-](http://www.kas.de/de/statische-inhalte-detail/-/content/-wir-brauchen-mehr-quellen-in-der-terrorisusbekaempfung-), accessed 31 October 2020.
- 62 See [www.kas.de/de/veranstaltungen/detail/-/content/der-rechtsextremismus-im-fokus-des-verfassungsschutzes](http://www.kas.de/de/veranstaltungen/detail/-/content/der-rechtsextremismus-im-fokus-des-verfassungsschutzes), accessed 31 October 2020.
- 63 See [www.kas.de/de/veranstaltungen/detail/-/content/anarchie-online](http://www.kas.de/de/veranstaltungen/detail/-/content/anarchie-online), accessed 31 October 2020.
- 64 See [www.kas.de/de/veranstaltungen/detail/-/content/extremismus-in-brandenbu-1](http://www.kas.de/de/veranstaltungen/detail/-/content/extremismus-in-brandenbu-1), accessed 31 October 2020.
- 65 See [www.hss.de/news/detail/keine-macht-dem-volke-news5531/?searchQuery=verfassungsschutz](http://www.hss.de/news/detail/keine-macht-dem-volke-news5531/?searchQuery=verfassungsschutz), accessed 31 October 2020.
- 66 See Rudolf van Hüllen, Politisch motivierter Extremismus in Deutschland, *Politische Studien*, 69 (2018) 477, pp. 35–48.

- 67 See [www.hss.de/news/detail/extremismus-in-deutschland-schwerpunkte-perspektiven-vergleich-news165/?searchQuery=verfassungsschutz](http://www.hss.de/news/detail/extremismus-in-deutschland-schwerpunkte-perspektiven-vergleich-news165/?searchQuery=verfassungsschutz), accessed 31 October 2020; [www.hss.de/news/detail/mehr-sicherheit-ist-moeglich-news869/?searchQuery=verfassungsschutz](http://www.hss.de/news/detail/mehr-sicherheit-ist-moeglich-news869/?searchQuery=verfassungsschutz), accessed 31 October 2020; [www.hss.de/news/detail/jung-voelkisch-radikal-news5974/?searchQuery=verfassungsschutz](http://www.hss.de/news/detail/jung-voelkisch-radikal-news5974/?searchQuery=verfassungsschutz), accessed 31 October 2020.
- 68 See [www.boell.de/index.php/de/2014/07/25/modelle-zur-reform-und-abschaffung-der-geheimdienste](http://www.boell.de/index.php/de/2014/07/25/modelle-zur-reform-und-abschaffung-der-geheimdienste), accessed 31 October 2020; Weiterdenken – Heinrich Böll Stiftung Sachsen/Kulturbüro Sachsen (eds.), *Wer schützt die Verfassung? Erweiterter Tagungsband*, Dresden 2013.
- 69 See Heribert Prantl, *Wer schützt die Verfassung vor dem Verfassungsschutz? Eine Anklage*, [www.boell.de/index.php/de/2014/07/25/wer-schuetzt-die-verfassung](http://www.boell.de/index.php/de/2014/07/25/wer-schuetzt-die-verfassung), accessed 31 October 2020; Stefan Schönfelder, *Helft Sachsen! Mischt Euch ein!*, [www.boell.de/index.php/de/2018/09/10/helft-sachsen-mischt-euch-ein](http://www.boell.de/index.php/de/2018/09/10/helft-sachsen-mischt-euch-ein), accessed 22 October 2020.
- 70 <https://vs-ausstellung.tumblr.com/ausstellung>, accessed 31 October 2020 (author’s translation).
- 71 Cf. Amadeu Antonio Stiftung, *Verfassungsschutzbericht 2016: Amadeu Antonio Stiftung warnt vor rechtem Terror – Hass richtet sich zunehmend gegen Staatsvertreter*, [www.amadeu-antonio-stiftung.de/pressemitteilungen/verfassungsschutzbericht-2016-ama-deu-antonio-stiftung-warnt-vor-rechtem-terror-hass-richtet-sich-zunehmend-gegen-staa-tsvertreter/](http://www.amadeu-antonio-stiftung.de/pressemitteilungen/verfassungsschutzbericht-2016-ama-deu-antonio-stiftung-warnt-vor-rechtem-terror-hass-richtet-sich-zunehmend-gegen-staa-tsvertreter/), accessed 31 October 2020.
- 72 Cf. Robert Lüdecke, *Verfassungsschutzbericht 2017: Amadeu Antonio Stiftung warnt vor erstarkender Rolle der AfD als parlamentarischer Arm der Neuen Rechten*, [www.amadeu-antonio-stiftung.de/pressemitteilungen/verfassungsschutzbericht-2017-ama-deu-antonio-stiftung-warnt-vor-erstarkender-rolle-der-afd-als-parlamentarischer-arm-der-neuen-rechten/](http://www.amadeu-antonio-stiftung.de/pressemitteilungen/verfassungsschutzbericht-2017-ama-deu-antonio-stiftung-warnt-vor-erstarkender-rolle-der-afd-als-parlamentarischer-arm-der-neuen-rechten/), accessed 31 October 2020.
- 73 See Amadeu Antonio Stiftung, *Rechtsextreme Frauen – übersehen und unterschätzt*, Berlin 2015; [www.amadeu-antonio-stiftung.de/versagen-mit-system-7775/](http://www.amadeu-antonio-stiftung.de/versagen-mit-system-7775/), accessed 31 October 2020.
- 74 See [www.rosalux.de/dossiers/nsu-komplex](http://www.rosalux.de/dossiers/nsu-komplex), accessed 31 October 2020.
- 75 Cf. [https://bayern.rosalux.de/veranstaltung/es\\_detail/TGOCW/extrem-unbrauchbar-%E2%80%93-%C3%9Cber-die-kriminalisierung-der-klimabewegung-durch-den-verfassungsschutz?cHash=853b33fc861a136ebbfd6296537af7a](https://bayern.rosalux.de/veranstaltung/es_detail/TGOCW/extrem-unbrauchbar-%E2%80%93-%C3%9Cber-die-kriminalisierung-der-klimabewegung-durch-den-verfassungsschutz?cHash=853b33fc861a136ebbfd6296537af7a), accessed 31 October 2020; Rosa Luxemburg Stiftung, *Auf ein Wort. Extremismus*, 2nd ed., Berlin 2012.
- 76 Cf. Christin Jänicke/Benjamin Paul-Siewert (eds.), *30 Jahre Antifa in Ostdeutschland. Perspektiven auf eine eigenständige Bewegung*, Münster 2017. The book was financed by the RLS. Additionally, its discussion group “Gesprächskreis rechts” explicitly includes “Antifa activists.”
- 77 Cf. <https://erasmus-stiftung.de/rundbrief-nr-16-aktuelle-informationen-der-erasmus-stiftung/>, accessed 31 October 2020.
- 78 David Collier/Jody Laporte/Jason Seawright, *Typologies: Forming Concepts and Creating Categorical Variables*. In: Janet M. Box-Steffensmeier/Henry E. Brady/David Collier (eds.), *The Oxford Handbook of Political Methodology*, Oxford 2008, pp. 152–173, here p. 162.
- 79 Due to the widespread lack of information, the DES has been excluded.
- 80 Cf. Armin Pfahl-Traugher, *Antifaschismus – Antikommunismus*. In: Gereon Flümann (ed.), *Umkämpfte Begriffe. Deutungen zwischen Demokratie und Extremismus*, Bonn 2017, pp. 301–318.

## 6 Austria

### “Protecting democracy” in the context of an established far-right *Lager* – counterprotest against a far-right ball

*Manès Weisskircher*

#### Introduction

After 1945, civil society actors in Austria typically understood “democracy protection” as opposition to the far right.<sup>1</sup> In recent decades, such activism has mainly targeted the subcultural milieu of the (German-) nationalist *Drittes Lager* (Third Camp) in general and the Freedom Party of Austria (Freiheitliche Partei Österreichs, FPÖ) in particular. Of all the “populist radical right” parties in Western Europe,<sup>2</sup> a party family usually defined by the core feature of nativism,<sup>3</sup> the FPÖ has been one of the most successful. The fact that the FPÖ has now been in parliament for more than half a century also reflects the strength of its subcultural milieu. It underlines that the far right is not only a phenomenon of party politics but is organised more broadly<sup>4</sup> and constitutes a part of civil society itself.<sup>5</sup> This has important implications for understanding counter-mobilisation against the far right in Austria and beyond.

This chapter analyses mobilisation against the far right, linking the well-known case of Austria to insights from the literature of comparative politics and political sociology. The first section provides an overview of the setting: Austria’s political system is marked by a relatively calm protest arena and the presence of an established far-right *Lager*. The country still sees occasional protest against the FPÖ, usually to express rejection of their nativism which is understood as a threat to the principles of liberal democracy. The second section analyses the most prominent recent protests against the far right: mobilisation against the Wiener-Korporationsrings-Ball (from 1952 to 2012)/Wiener Akademikerball (from 2013 onwards), a ball that is currently organised by the Vienna branch of the FPÖ and which serves as an international networking event for far-right politicians and activists. The venue has been a bone of contention: The ball takes place annually in the Viennese Hofburg, the Imperial Palace of the Hapsburg era where the Austrian President, the head of state, resides. Insights gained from the study of social movements examine the conditions for the activists’ (lack of) success or, more precisely, their gains and losses. The third section discusses the strengths and weaknesses of civil democracy protection in Austria in general and also in relation to party politics, pointing to the difficulty of identifying both “civil society” and

political efforts of “democracy protection” in the context of a stable real-existing democracy that has regularly seen the FPÖ in national and regional government. Moreover, and to further complicate the picture, political corruption – not only in far-right circles but also beyond – is one of the issues that have become a significant challenge to the functioning of democratic institutions.

### **Civil society and the “protection of democracy” in Austria: a calm protest arena and an established far-right Lager**

The role played by civil society and social movement activism in Austrian politics has usually been regarded as relatively modest. After 1945, the Second Republic was long shaped by consociationalism and the extraordinary dominance of political parties and organisations close to them, such as the Catholic church, the employer associations, and trade unions, with political competition only slowly intensifying.<sup>6</sup> The authors of the most comprehensive recent publication on Austrian politics – more than a thousand pages long and covering a great variety of subjects – even refrained from including a chapter on the country’s protest arena.<sup>7</sup> Unsurprisingly then, empirical studies have found that protest behaviour is less common in Austria than in some other Western European states.<sup>8</sup> In the 21st century, Austria’s protest arena has been dominated by moderate forms of political action and a focus on environmental issues.<sup>9</sup>

While Austrians are hardly known for protesting on the street, they have indeed been known for protesting at the ballot box. Austria has been a “pioneer” of what is usually understood as the populist radical right. After the Second World War, a “nativist” – in fact German nationalist – party quickly established itself in the Austrian parliament,<sup>10</sup> unlike the post-fascist Federal Republic of Germany but similar to post-fascist Italy. In 1949, the year it was founded, the *Verband der Unabhängigen* (Federation of Independents, VdU) entered parliament with 11.7 per cent of the vote. After it transformed into the *Freiheitliche Partei Österreichs* (Freedom Party of Austria, FPÖ) in 1955/56, the party stayed in parliament. At times, it entered not only local and regional, but even national, government. The FPÖ’s continuous parliamentary presence also mirrors the established position of the Third Lager in Austrian society more broadly. The Third Lager, despite being much smaller than the two main Lager of social democrats and Christian conservatives, has been well-organised, inside the FPÖ, but also inside the many long-established fraternities which have been key for the far-right subcultural milieu.<sup>11</sup>

Even before the surge of support for the FPÖ in the 1990s, a range of civil society actors were already engaged in “democracy protection,” mainly targeting Nazi criminals and sympathisers as well as opportunists not necessarily part of the Third Lager. The following examples show that the concept of civil society encompasses a multitude of heterogeneous actors with different ideologies, organisational forms, tactical repertoires, and with stronger or weaker ties to the state.<sup>12</sup> Simon Wiesenthal’s remarkable one-man band tracking down Nazi criminals is a crucial early example from the decades after 1945.<sup>13</sup> Another example is

the Documentation Centre of Austrian Resistance (Dokumentationsarchiv des österreichischen Widerstandes, DÖW), an organisation founded in 1963 that conducts scientific research on past and current far-right politics in Austria. Also, in the 1960s, left-wing student protests prominently targeted Taras Borodajkewycz, a professor of economic history who praised National Socialism and made anti-semitic statements during his lectures.<sup>14</sup> Among the activists were a future finance minister and a future president of Austria, both social democrats. In 1986, the election of former Secretary General of the United Nations Kurt Waldheim as president of Austria made international headlines. In the context of the electoral campaign, Waldheim's National Socialist past was a matter of controversy. Most likely a career opportunist rather than a committed Nazi in the early 1940s, Waldheim was later reluctant to reflect on his SS membership and involvement in the Nazi invasion of the Balkans. The most infamous of his awkward statements – "I did nothing else during the war than hundreds of thousands of Austrians, namely fulfilling my duty as a soldier" – led to domestic but especially international outcry.<sup>15</sup>

In 1986, the year of Waldheim's election, an outspoken defender of Waldheim, Jörg Haider, became leader of the FPÖ. Crucially, he managed to turn the long-established party into one of the most successful "populist radical right" parties in Western Europe. The FPÖ attracted more than 20 per cent in support at multiple federal elections both during (1994, 1995, 1999) and after (2013, 2017) Haider's reign. This period of the FPÖ's rising popularity was characterised by a strong focus on restricting immigration, regular discriminatory statements by leading party representatives and, especially in the early period, justifications (if not outright support) for the country's National Socialist past. Moreover, for some time in the 1990s, Haider actively pushed the idea of a "Third Republic," calling for a stronger role of the Austrian presidency.<sup>16</sup> When Haider's FPÖ joined the centre-right Austrian People's Party (Österreichische Volkspartei, ÖVP) in national government in 2000, another international outcry followed: The governments of the then 14 other EU member states, many of them dominated by social democratic parties, responded with measures questioning the democratic credentials of the new Austrian government.<sup>17</sup>

Not only international critics but also domestic opponents responded to the rise of the FPÖ, primarily criticising the party's stances as incompatible with *liberal* democracy, i.e., minority rights and the rule of law. In 1993, the "Austria first" ("Österreich zuerst") direct-democratic initiative by the FPÖ calling for more restrictive immigration and integration policies was signed by more than 400,000 people. It was met with the "sea of lights" ("Lichtermeer") demonstration with up to 300,000 protestors in Vienna, and some more in other cities. In 2000, the FPÖ's inclusion in government resulted in a massive demonstration on the day of the swearing-in ceremony. This was followed by regular but ever-smaller radical-left "Thursday demonstrations" ("Donnerstagsdemos"). In 2016, when Norbert Hofer almost clinched the presidency of the country, there were small-scale street protests in opposition. However, mass protests mainly occurred in response to (potential) political turning points – less so as a permanent fixture alongside FPÖ rallies, party congresses, and other events.

Therefore, while activism against racism and the far right has been *relatively* significant in the Austrian protest arena,<sup>18</sup> it is important to note that such protests have not been as strong as in Germany. Indeed, as David Art<sup>19</sup> emphasises,

Austrian civil society did not react to the FPÖ with the same vigour as German civil society did to the “Republikaner.” Recall that when the REPs gained 7.5 per cent in the Berlin state elections, tens of thousands of protestors took to the streets. When the FPÖ captured nearly 10 per cent in national elections, there were no protests in Austria. Haider faced little protest from Austrian civil society until he was winning over 20 per cent of the vote in national elections.

In the context of such limited civil society activism and an established far-right Lager, a campaign against a ball has recently become one of the key regular protest events targeting the far right in Austria.

### **A key campaign and its conditions of success: activism against the “Wiener Akademikerball”**

The bone of contention has been the Wiener-Korporationsrings-Ball (WKR ball from 1952 to 2012)/Wiener Akademikerball (from 2013 onwards) – a ball that for a long time was organised by far-right student fraternities with “excellent personal and substantive linkages to” the FPÖ.<sup>20</sup> The ball has been held in Vienna at the beginning of each year and has been a key annual international networking event for the far right, with up to several thousand guests attending. These have included the *crème de la crème* of the international far right: people such as Patrik Brinkmann, Philip Claeyns, Alexander Dugin, Filip Dewinter, Kent Ekeroth, Bruno Gollnisch, Matthias Faust, Tatjana Festerling, Björn Höcke, Marine Le Pen, Martin Sellner, and Geert Wilders, to name just a few. However, the aspect most strongly criticised by the protestors was the venue of the ball. Since 1968, the ball has been held at the Viennese Hofburg, the former Imperial Palace of the Hapsburg dynasty and the current official residence of the president of Austria. The ball has been described as an example of the “dark sides of public space, i.e., the instrumentalization of public space by racist and anti-pluralist populism and extremism” and as providing “an essential link between institutionalized right-wing politics in Europe, student fraternities (as perpetrators of institutionalized modes of discrimination), and the organized neo-Nazi scene.”<sup>21</sup>

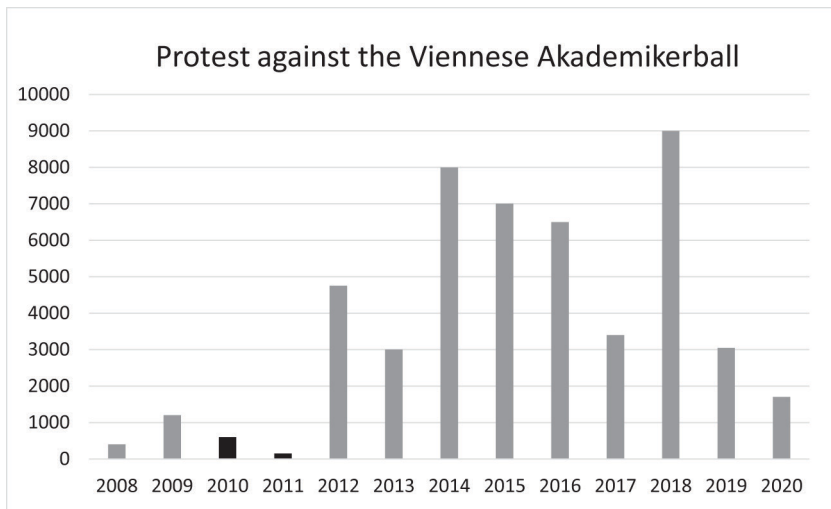
For a long time, the ball was not in the public limelight – it was not considered relevant by the broader public. Since 2008, however, there have been regular protests. The main goal of the protestors was to put an end to the ball, particularly at its current venue, the Hofburg. At some point, it looked like activists would succeed but ultimately, they did not achieve their goal. Beyond that narrow aim, the protestors also aimed to make a more general statement against the strength of the far right in Austria. These protests constitute a major example of a rare case of broader and regular civil society mobilisation against far-right players. While Herbert Kickl, a leading FPÖ politician, called the protest a “a smear campaign of

the self-proclaimed civil society,” author Elfriede Jelinek, Nobel laureate in literature, called the ball “a slander of Austria.”<sup>22</sup>

To assess how the protests against the ball developed, I conducted a protest event analysis<sup>23</sup> based on the coverage in the centre-left Vienna-based newspaper *Der Standard* which reported about the topic particularly often. In doing so, I collected all articles that referred to the ball (“WKR-ball” and “Akademikerball,” respectively) from 2008, the year of the first protest, to 2020, as the ball did not take place in 2021 and 2022 during the COVID-19 pandemic. Then I coded the number of reported protestors (I calculated the average if diverging figures, for example by the protestors and the police, were provided), the organisations or groups behind the protests, the occurrence of violence, police restrictions such as bans, and relevant quotes by actors. For the first years in particular, I used additional online sources as early counterprotests were not yet (comprehensively) covered in the newspaper.<sup>24</sup> I also used the websites of the organisations involved. A database is available upon request. Figure 6.1 shows the number of participants at these protests over time. The following analysis distinguishes between two periods of protest: (1) radicalisation and state repression (2008–2014) and (2) moderation and state tolerance (since 2015).

#### *Period 1: radicalisation and state repression (2008–2014)*

At the outset, the protests were initiated and dominated by far-left groups – it was them who acted as political entrepreneurs and put the issue on the political agenda.



*Figure 6.1* Number of protestors against the ball. Protest events in black were banned by the police.

Source: Data collected by the author.



Initially, protests were small-scale events that involved regular clashes with the police, with violence from both sides, arrests of protestors, and the banning of events. The first protest took place in 2008. It was initiated by a Task Force against the WKR (Arbeitskreis gegen den WKR) which included the Austrian Students' Association (Österreichische Hochschülerinnen- und Hochschülerschaft, ÖH), the green student group, and autonomous leftists. The ÖH even wrote an open letter to the Austrian President:

In our opinion, the fundamental anti-fascist consensus of the Second Republic and democratic-political engagement itself demand that we take an unconditional stance against the attitudes reflected by the fraternities assembled at the WKR and the fraternities' push for social influence.<sup>25</sup>

In 2008, only about 400 activists protested in the city centre. The second protest in 2009 was bigger and, like the first, made it into the annual report of the Austrian domestic intelligence service:

In 2009, the extreme-left scene focused primarily on protests and actions against the "right." Events and appearances as well as objects with a right-wing extremist connotation became the target of protests and counteractions that partly involved violent acts. In January 2009 in Vienna, as part of a protest rally by about 1,200 people against the Wiener Korporationsring (WKR), acts of violence against property and against police officers were committed.<sup>26</sup>

These 2009 protests were led by the newly formed NOWKR (No WKR Ball) alliance. However, after the instances of violence referred to above, the police controversially banned demonstrations by the NOWKR activists in 2010 and 2011. This decision was sharply criticised by representatives of the Austrian left. Karl Öllinger, then MP for the Greens, noted that "[t]he ban by the Viennese police on an anti-fascist demonstration throws a terrifying light on the political situation in Austria. [...] Right-wing extremists are offered public space while the police takes action against anti-fascists."<sup>27</sup> The 2011 ban was also later deemed unconstitutional by the Austrian Constitutional Court. Nevertheless, despite these bans, NOWKR activists took to the streets in both years, with some engaging in violent confrontation with the police.

Notwithstanding the controversy surrounding the still relatively small protests, activists' claims soon had widespread resonance. Support came from a broader left-wing network of green and social democratic politicians as well as human rights NGOs like SOS Mitmensch. Importantly, key pressure also came from Casino Austria, a (state-owned) gambling company that owned a small share of the firm that operated private events in the Hofburg. Already in 2011, public pressure was so great that these operators announced that they would not allow the fraternities to host another ball *after* 2012, the year the contract with the ball organisers would expire. Even though it temporarily looked like the protestors were winning, the situation quickly changed.

The protest in 2012 saw a record 4,750 participants protesting against what many thought was the last ball at the venue. One reason for the high number of protestors was the participation of additional groups – the more moderate *Jetzt Zeichen setzen!* (Set a sign now!) and the left-wing *Offensive gegen Rechts* (Offensive against the right). The ball took place on 27 January, i.e., International Holocaust Remembrance Day. Marine Le Pen was the most prominent international guest; her presence led to sharp criticism by political opponents in France. Albrecht Konecny, a social democratic politician, was beaten up near the protest scene. Some demonstrators attempted to block guests from entering the ball. Ball organiser Guggenbichler strongly criticised the police for allowing this to happen, accusing them of having caused a “democratic scandal”: “This is a complete failure by the police leadership which apparently underestimated the potential for aggression.” It would undermine “a wonderful festival for freedom and democracy.”<sup>28</sup> At the same time, the ÖH, too, criticised the police, arguing that “the police are clearly on the side of the fraternity. The fact that easy access to the Hofburg is considered more important than legitimate protest is outrageous.”<sup>29</sup> Along with these conflicts, a statement by FPÖ leader Strache portraying the ball guests as victims of the counter-protestors (“We are the new Jews”<sup>30</sup>) guaranteed that the ball got widespread attention.

It wasn’t the last ball in the Hofburg, though. Fraternities and the FPÖ attempted to keep the ball in the prominent venue. Therefore, in 2013, the Viennese party branch of the FPÖ started to organise the ball, just under a different name: the “Ball des Wiener Korporationsrings” became the “Akademikerball” – a ball with the same venue, tradition, guests, and chief organiser. The company operating events at the Hofburg said that they could not refuse an event hosted by a parliamentary party. In 2013, the number of counterprotests declined. After some clashes, both sides again criticised the police. 2014 saw another peak of counter-mobilisation, with about 8,000 participants and escalation. Violent clashes between some NOWKR activists and the police led to many injuries, property damage in the city centre, and arrests. The legal proceedings against individual activists occupied courts for some time. This escalation was also a result of police action: before the ball, it had banned protests (including by moderate activists) in central parts of the city as well as the wearing of face coverings in large parts of Vienna.

### *Period 2: moderation and state tolerance (since 2015)*

The escalations of 2014 were a critical moment for the organisation of counterprotests against the ball. Afterwards, more moderate and to some extent new actors became dominant. In 2015, the demonstration by NOWKR was again banned – and some potential allies such as then high-profile Green politician Peter Pilz criticised the group for at least rhetorically playing with the option of violence. It was NOWKR statements such as the following which attracted widespread criticism:

The space and the organiser of the ball, Viennas [sic!] National Association of the Austrian Freedom Party (FPÖ), mirror societies [sic!] acceptance of fraternities

and its ideological clichés such as anti-Semitism, sexism, male bonding, homophobia and racism in Austria. ... Let's kick some balls! ... Here the silent force to be utilisable and productive predominates; those who cannot contribute to an economic system, which has the sense and purpose to create value out of surplus value are attributed to the superfluous and treated accordingly. The freedom of [sic!] violence of the civil society is nothing more than the transfer of power to a state monopoly, a prerequisite for the free and undisturbed exchange of goods. This freedom from violence is nothing other than the permanent threat of violence against those who cannot or don't wish to fulfil their needs within the capitalist mode of production. The deaths at the militarized outer borders of Europe are sad examples of this. When we talk about violence, we mean these violent relations, and when we call for an end to violence, we demand an end to these relations. The violent normality can be challenged, and a piece of emancipation can be reclaimed (as the Stonewall- and Haymarket-Riots have proven) by means of civil disobedience, militancy and a left, that will not let their actions be dictated by codes of law.<sup>31</sup>

Ultimately, NOWKR lost support among the left and dissolved, while less radical groups took over. Since then, the protests have by and large been peaceful. Blockades were no longer used as a tactic and demonstrations were now the dominant form of action. The number of participants declined from 2015 to 2017. However, in 2018 the controversy over the ball intensified again. 2018 marked the first protests in the context of the newly formed ÖVP-led Kurz government, which included FPÖ as a minor coalition partner. About 9,000 protestors – a new record – took to the streets to protest against the ball and the government. Julia Hess from Offensive gegen Rechts linked the protest to the new government: “In Austria there is a new anti-fascist movement emerging against the ÖVP-FPÖ government and their extreme right friends in the student fraternities. We will stop right-wing extremism, which has been strengthened massively in recent years.”<sup>32</sup>

Vice Chancellor Strache's opening speech at the ball had an unusual focus. He criticised anti-Semitism in his Lager, claiming to make the ball “a stage against anti-Semitism”: “The responsibility and the commemoration of the victims of the Holocaust are our duty and responsibility for the coming generations. Those who see this differently should stand up and leave. ... We have a clear position: anti-Semitism, totalitarianism, racism – these contradict the idea of the fraternities.”<sup>33</sup>

After reaching a new peak in 2018 due to the FPÖ's return to national government, protest significantly declined. In 2019, only 3,500 protestors attended. In 2020, after IbizaGate had led to the end of the FPÖ's stint in government, 1,700 protestors faced 1,600 police officers. It was the attendance by Martin Sellner (not his first), the head of the Identarian Movement in Austria, that dominated media coverage. At the same time, the number of guests was likely even smaller than the number of protestors: While the organisers reported that 2,000 tickets had been sold, the newspaper source estimates that less than 1,000 actually attended. The new crisis of the FPÖ coincided with the crisis of the ball. Quotes from guests at the

ball included statements such as "When it was still called WKR ball, it was always packed. But the left-wingers destroy everything" and "[t]he left has managed to politicise the ball."<sup>34</sup>

***Rather success or defeat? The gains and losses of the protestors***

How to analyse political contestation over a ball? Clearly, the protestors did not achieve their goal of moving the ball out of the Hofburg. From an analytical perspective, this does not come as a surprise. Social movement scholarship emphasises that the reality of social movements and civil society activism is not one of major wins, but one of small gains and losses.<sup>35</sup> Protest groups, like political actors in general, hardly ever get exactly what they want (and they hardly ever lose completely). Instead, political conflict is a long-term endeavour. Uncontested and final outcomes are rare. The story of the mobilisation against the Wiener Akademikerball underscores this: even though for a short period of time it seemed like protestors were successful in ending the Hofburg-based ball, ultimately the event reappeared, just under a different label. And the protests continued too, with more participants, but further from "victory" than before.

Still, while the protests can hardly be described as "successful" in terms of achieving their ultimate goals – whether that means putting an end to the ball or even limiting the strength of far-right political actors in Austria – they also did not come without any gains. First, and perhaps most importantly, the protests raised awareness of the ball's existence and problematised its venue. This meant mainstream political parties recognised the issue. Before the emergence of counterprotest, the public did not think that the event had any significance. The protests clearly changed that: the ball has quickly turned into a politicised event. Second, in 2012 the Austrian UNESCO commission removed all Austrian balls from its list of intangible cultural heritage because it had included the WKR ball – a small symbolic gain that contributed to the broader delegitimisation of the WKR ball. Third, the protests contributed to the creation of a civil society network that can be, and was, mobilised in other contexts as well, for example for small-size protests against the FPÖ candidate for the Austrian presidency in 2016. However, these protests, too, did not influence the outcome of the presidential election. Fourth, due to the protests, attending the ball seems to have become a hassle for guests, and this may have contributed to the overall decline in the numbers attending. The quotes by guests referred to above seem to indicate this. However, whether another surge of popularity for the FPÖ would boost attendance numbers at the ball, irrespective of the protests, remains to be seen. Like many instances of social movement activism, activism against the ball can hardly be described as "successful" in terms of their overarching goals, but activists can claim some gains – most importantly the raising of awareness of the event.

Typologies of responses to far-right non-party activism highlight exclusionary strategies and counterdemonstrations as potential options.<sup>36</sup> However, empirical research is ambivalent about the effects of counterprotest against the far right.

A recent analysis of Patriotic Europeans Against the Islamisation of the Occident (PEGIDA) in Germany casts doubt on whether counterprotests led to demobilisation but instead finds the opposite effect: counter-mobilisation leads to higher numbers at successive PEGIDA events, probably strengthening the collective identity of those targeted.<sup>37</sup> And indeed, Lothar Höbelt, historian at the University of Vienna, FPÖ expert and close to the party, states that since the protests began, the ball has become “an event that helps to create a sense of identity.”<sup>38</sup> Still, other research indicates that small far-right groups do indeed feel discouraged when they are facing counterprotest.<sup>39</sup> This is what happened to the PEGIDA spin-off in Sweden, for example, which was heavily outnumbered at its first demonstration and fell apart soon after.<sup>40</sup> During my own interviews with far-right activists in Germany, I talked to an individual who had attended the ball. According to his perception, large counterprotests at demonstrations do indeed have an effect because of the rather unpleasant feeling of being insulted and massively outnumbered. Other German interviewees who had not been to the ball made similar comments about counterprotest. And an interviewee in Austria, a regular visitor at the ball, emphasised that he was a “victim” of counterprotest.<sup>41</sup> In addition, counter-mobilisation may also raise state actors’ awareness of far-right activism, forcing governments to respond to it.<sup>42</sup>

Importantly, however, counterprotest against a ball is something different from counterprotest against demonstrations. Demonstrations take place on the public stage and may end up visibly outnumbered, with targets losing the battle for the most effective media coverage. The ball, however, is a private, formal event that takes place behind closed doors in the premises operated by another private entity. In such a context, it is even more difficult to intervene – direct confrontation is hardly possible but in this case was tried by attempting to prevent access to the premises.<sup>43</sup> The nature of the arena matters for the outcomes of activism: when someone other than the activists or their allies decides the rules of the game, making gains becomes particularly difficult.<sup>44</sup>

To be sure, gains and losses are never stable. Even though there was no ball in 2021 and 2022 due to the COVID-19 pandemic, another ball is set for 2023. In the post-COVID-19 period, the event can be expected to be again part of the routine of the *Drittes Lager* – while the same will be true for the political activities of the counterprotestors. A third period of conflict over the event will probably be a regular feature for the next few years of Austrian protest politics – most likely with new gains and losses for the actors involved.

### **Strengths and weaknesses of civil democracy protection in Austria**

The case of the protest against the ball also points to the broader challenges for counter-mobilisation against the far right in Austria, including in the electoral arena. The literature on party politics discusses a wide range of response options for opponents of far-right parties, ranging from inclusion or engagement to exclusion or disengagement from formal and substantive responses.<sup>45</sup> Still, empirical studies have indicated modest effects. In Europe, independent of the response

option chosen, both left-wing and centrist actors have failed to find a "magic formula" to prevent the electoral rise of the far right.<sup>46</sup> In Austria, no strategy tested by political parties trying to combat the rise of the FPÖ has proven successful: neither excluding the party nor including them in coalition government had significant middle-term effects on its electoral success.<sup>47</sup> Importantly, and similar to the protest arena, it seems that a *cordon sanitaire* may only work when the targeted party is still small and has not yet achieved its electoral breakthrough.<sup>48</sup>

Overall, there are strong indications that civil society counterprotest is more likely to be effective in curbing the rise of *small* far-right groups. However, given the degree of strength of the far right in Austria, the country might not be promising territory for directly targeting far-right actors like the FPÖ or events organised by them. The organisers behind the ball are hardly political outsiders but members of a political party that was at times a party in government. Therefore, "protection of democracy" in Austria takes place within a particularly difficult context. Preventing the rise of far-right parties has been a challenging undertaking in most Western European countries – the past decades have shown that their electoral breakthrough may not be a question of if, but of when.<sup>49</sup> As outlined above, Austria was among the countries where the electoral breakthrough happened earliest.

The evaluation also points to analytical challenges when trying to make sense of what constitutes "civil democracy protection." The case of Austria underlines that "civil democracy protection" in a real-existing democracy involves a multitude of actors and requires a broad understanding of civil society and social movement mobilisation. In such a constellation, categories such as "the state" also need to be broken down analytically as states are most certainly not homogeneous actors.<sup>50</sup> One of the most fundamental state institutions, the police, stood between counterprotestors and their target. The latter included members of parliament and at times even members of government. And the protestors also included politicians in parliament. In short, the political conflict over the Akademikerball is a case where state actors (the police) police state actors (left-wing politicians) that target state actors (FPÖ politicians including, at times, the vice-chancellor of Austria) in an attempt to protect democracy. Indeed, this setting points to the limits of a strict empirical distinction between "civil society" and the "state."

Another important question is to what extent the concept of "civil democracy protection" even makes sense in a stable democracy such as Austria – stable at least when measured by the standards of mainstream political science.<sup>51</sup> Democracy indices such as Freedom House, Polity, and V-Dem constantly award high scores to Austria. According to these indices, the FPÖ presence in government did not impact the stability of the system. Moreover, some research indicates that even on the sensitive issue of immigration, the direct influence of the FPÖ in Austria specifically or the populist radical right in Western Europe more generally should not be overestimated.<sup>52</sup>

Recently, political corruption proved an issue particularly harmful for the quality of democracy in Austria. The early ÖVP government coalitions with the FPÖ (2000–2005) and its spin-off Alliance for the Future of Austria (Bündnis Zukunft

Österreich, BZÖ) respectively already had important judicial consequences, with representatives from both ÖVP and FPÖ/BZÖ facing long-running investigations and even convictions related to political corruption. When the FPÖ rejoined government in 2017, IbizaGate led to the breakup of the ÖVP/FPÖ coalition in 2019. A video recorded in Ibiza in 2017 showed that FPÖ leader Strache accepted granting political influence for party donations and wanted an oligarch to take over a major newspaper in the hope of favourable coverage. In addition to the FPÖ, however, the ÖVP also continued to be regularly involved in major corruption scandals. Most drastically, chancellor Sebastian Kurz had to resign in 2021 after being accused of having financially supported newspapers (through ads) in exchange for favourable coverage. He was also accused of publishing fake poll numbers illegally paid for with government money. After the Kurz scandal became public, Christian Kern, the social democrat who lost his position as chancellor of Austria against Kurz in 2017, even refused to call the 2017 Austrian federal election free and fair.<sup>53</sup> Unlike in 2017, however, when the FPÖ had to leave national government, the ÖVP and many of Kurz's closest associates, stayed in government. Despite the challenges to the functioning of democratic institutions posed by the ÖVP affairs, the country has not seen mass street mobilisation in this context.

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- 52 Rainer Bauböck/Bernhard Perchinig, Migrations- und Integrationspolitik. In: Herbert Dachs, Peter Gerlich, Herbert Gottweis, Helmut Kramer, Volkmar Lauber, Wolfgang Müller, Emmerich Tálos (eds.), *Politik in Österreich: Das Handbuch*, Wien 2006, pp. 726–742; Tjitske Akkerman, Comparing radical right parties in government: Immigration and integration policies in nine countries (1996–2010), *West European Politics*, 35 (2012) 3, pp. 511–529.
- 53 Der Falter, “*Es war Sabotage von der ersten bis zur letzten Minute*,” 12 October 2021, [www.falter.at/zeitung/20211012/kern-ueber-kurz-es-war-sabotage-von-der-ersten-bis-zur-letzten-minute](http://www.falter.at/zeitung/20211012/kern-ueber-kurz-es-war-sabotage-von-der-ersten-bis-zur-letzten-minute), accessed 10 May 2022.

## 7 Netherlands

### Civil democracy protection and the marginal role of anti-extremist organisations

*Sebastiaan van Leunen and Paul Lucardie*

Anti-extremist organisations have been, and still are, a relatively marginal phenomenon in the Netherlands. Although the Netherlands is traditionally regarded as having a strong civil society, organisations that actively oppose anti-democratic extremism have been rather rare. This chapter provides an overview of arguably the most important anti-extremist organisations in the Netherlands over the last 100 years and attempts to provide an explanation for the relatively marginal role and influence of these organisations. We will concentrate on three waves of extremism and the reaction against them: the rise of national socialism and communism in the 1930s, the brief heyday of the Communist Party after the Second World War, and the emergence of national populism and anti-institutional extremism since 1970.

The selection of organisations was made on the basis of two criteria: firstly, the organisation should be a civil organisation, not affiliated with the Dutch state or government. Secondly, these organisations must explicitly fight anti-democratic extremism: we did not discuss organisations fighting discrimination or terrorism. In the first period, two organisations clearly meet our criteria: Unity through Democracy (Eenheid door Democratie, EdD) and the Dutch Committee of Vigilance of anti-national-socialist intellectuals (Comité van waakzaamheid van anti-nationaal-socialistische intellectuelen). It is less clear if any organisation meets our criteria in the second and third periods, but we decided to select two potential candidates: the Anne Frank Foundation and the anti-fascist research group Kafka.<sup>1</sup> We conclude the chapter with a few remarks on the influence of the organisations discussed.<sup>2</sup>

Before dealing with the three periods, a few comments on the way the Dutch state handles political extremism and protects democracy are called for.

#### **Dutch government and extremism**

Like in other countries, the Dutch state has always kept a close watch on extremist revolutionary groups and persons. The General Intelligence and Security Service (Algemene Inlichtingen- en Veiligheidsdienst, AIVD) and its predecessors investigate and monitor various forms of extremism within the Netherlands.<sup>3</sup>

Traditionally, the Dutch government has been reluctant to regulate political parties, including the possibility of banning a political party.<sup>4</sup> However, this

tradition of “non-interventionism” is expected to be broken soon, with the introduction of an upcoming Act on Political Parties.

Yet currently, Dutch law includes only a rather generic provision on banning organisations or legal personalities in general: article 2:20 of the Dutch Civil Code.<sup>5</sup> When a legal personality strives for goals or is engaged in activities that are against public order, a Dutch judge can ban and dissolve such an organisation. The possibility of banning legal personalities has been used with great caution by the Dutch judiciary. Examples of banned organisations are the neo-nazi Dutch People’s Union (Nederlandse Volksunie, NVU) and the (in spite of its name rather extreme) Centre Party ’86 (CP’86).<sup>6</sup> Immediately after the Second World War, the National Socialist Movement in the Netherlands (Nationaal-Socialistische Beweging in Nederland, NSB), was banned, but this was based on a decree by the Dutch Government.<sup>7</sup>

The government is currently preparing an Act on Political Parties and a proposal went into public consultation in December 2022.<sup>8</sup> This proposed Act includes a new provision on banning political parties that constitute an “actual and serious threat to one or more fundamental principles of the democratic rule of law.”<sup>9</sup> The government decided to include such a provision on the advice of the State Committee on the Parliamentary System, which in its 2018 report argued that the criterion from 2:20 Dutch Civil Code (public order) is too vague for political parties. The Minister of Internal Affairs and Kingdom Relations decided to adopt this advice, since “the democratic rule of law asks for continuous maintenance.” The influential position of political parties within the democratic system needs “clarity on the boundaries.”<sup>10</sup> The announcement received a great deal of attention in the Dutch media, both because of its novelty and because of the anti-democratic statements of the far-right political party Forum for Democracy (Forum voor Democratie, which will be discussed more elaborately later in this chapter) and the question of whether the party ban would be used against this party.<sup>11</sup>

### **The first wave of extremism: the 1930s**

In the 1930s, the Netherlands experienced an economic crisis like most other European countries, but not a political crisis. The pillarised party system remained quite stable: almost all Catholics continued to vote for the Catholic Party, most Protestants remained loyal to the Protestant parties, and secular workers voted for the Social Democratic Party, though a small section shifted to the Communist Party which won a little over three per cent of the popular vote in 1933 and 1937. The pillar parties could rely on the support of a network (pillar, *zuil* in Dutch) of trade unions, women’s clubs, youth clubs, farmers’ associations, newspapers, and the new broadcasting associations.<sup>12</sup> Only the secular middle class largely escaped the pillarisation process, hence its loyalty to liberal parties turned out to be more fragile. Fascist and other anti-democratic parties managed to recruit members and voters from this class.<sup>13</sup>

At provincial elections in 1935 the National Socialist Movement captured eight per cent of the popular vote, which caused a shock in the Dutch media. The NSB

had been founded in 1931 and although initially it was mostly inspired by Italian Fascism, from 1935 onwards it started to copy the German party and became more radical, racist, and anti-Semitic.<sup>14</sup> At the parliamentary elections of 1937 it received only four per cent of the popular vote. The rapid decline of the NSB could be attributed to many factors, one of them being its increasingly negative image in public opinion. Two civil organisations played an important role here.

***Unity through Democracy (Eenheid door Democratie)***

In June 1935, directly after the electoral success of the NSB, a diverse group founded Unity through Democracy (Eenheid door Democratie, EdD).<sup>15</sup> Famous members were the historian Pieter Geyl, the socialist leader Koos Vorrink, and Willem Schermerhorn, professor of civil engineering at Delft. The latter was one of the founders of EdD and later served as Dutch Prime Minister for a short period after the Second World War. EdD tried to mirror the NSB by building a mass organisation (with around 30,000 members at the peak of its popularity) to exercise political influence.<sup>16</sup> To some extent, the members of EdD also mirrored the electorate of the NSB: EdD consisted mostly of people who were less attached to a pillar, in particular liberal bourgeois circles close to the political centre. They might have differed from the voters of the NSB in so far as they were probably less affected by the economic crisis.<sup>17</sup>

The goals and ideology of EdD were summed up in a programme of seven points. The main point was the constitutional guarantee of a democratic form of government. Moreover, EdD advocated a kind of civic nationalism and criticised Dutch pillarisation because it detracted from national unity. EdD reacted against the international, and therefore “non-Dutch,” character of fascist but also of communist ideology.<sup>18</sup>

EdD tried to spread its ideas and critique of the NSB through public meetings, national conferences, and especially through publicity in its own propaganda magazine, brochures, and pamphlets. It also published polemics and advertisements in the regular press.<sup>19</sup> Later, EdD started to mobilise political pressure, for example in support of Jewish refugees from Germany after the Kristallnacht.<sup>20</sup> EdD existed until the start of the German occupation of the Netherlands. During the war, some members of EdD were arrested, interrogated, and imprisoned, although most of its members were left undisturbed, partly because of the effective destruction of its membership register.<sup>21</sup>

***Dutch Committee of Vigilance of anti-national-socialist intellectuals***

The Dutch Committee of Vigilance of anti-national-socialist intellectuals (Comité van waakzaamheid van anti-nationaal-socialistische intellectuelen) was modelled after the French Comité de vigilance des intellectuels antifascistes and established by the Dutch writers Menno ter Braak and Eduard du Perron. The latter lived in Paris during the 1930s and was in close contact with members of the French committee.<sup>22</sup> Although the writers had already attempted to establish the Committee before

1935, it was the success of the NSB that helped them to win over intellectuals who initially were reluctant to join an organisation which included communists.<sup>23</sup>

The Committee's main goal, according to its statement of principles, was to defend spiritual and cultural liberty and to combat National Socialism because it was a threat to this "essential cultural good." In a later version of the statement, the Committee focused more on democracy as the only acceptable form of government and struck "anti-national-socialist" from the name in 1938.<sup>24</sup>

The Committee could be regarded as a more intellectual counterpart of EdD and never became the mass organisation EdD was, although it tried to establish branches throughout the Netherlands.<sup>25</sup> Besides organising public meetings and lectures by prominent members, the Committee published a series of brochures – 24 to be exact. In these brochures, it criticised fascism from different angles, emphasising its dangerous and irrational aspects. Perhaps the most important brochure was written by Menno ter Braak which was entitled *National Socialism as a Doctrine of Rancour* (Nationaal-Socialisme als Rancuneleer).<sup>26</sup>

In contrast to EdD, the Committee did not agitate against communism. This is one of the reasons EdD and the Committee never collaborated, as EdD had rejected communism explicitly. However, after the German–Russian pact in 1939 the discussion on communism within the organisation became quite heated with some members demanding communists be expelled from the Committee. This conflict led to the dissolution of the Committee in the same year.<sup>27</sup>

### *Influence*

It is difficult to assess the actual influence of both EdD and the Vigilance Committee given the paucity of data. According to historian Ernst Kossmann, both organisations had some influence on public opinion, which became increasingly critical of the NSB after 1935.<sup>28</sup> However, condemnation of the party by the Catholic bishops and the Calvinist (Gereformeerde) Church and the prohibition of party membership in the civil service might have had more of an impact.<sup>29</sup> Perhaps the provincial election result of 1935 was just a very atypical election outcome and "corrected" in 1937.

### **The second wave: post-war communism**

After the Second World War, the Communist Party initially benefited from its role in Dutch resistance against the Nazis and from the prestige of the Soviet Union. In 1946, it won almost 11 per cent of the popular vote and ten seats (out of 100) in parliament, while its newspaper *The Truth* (*De Waarheid*) sold more copies than any other paper. Yet, within two years support started to decline rapidly: eight per cent in 1948, six per cent in 1952, five per cent in 1956, two per cent in 1959. Dutch communists were not allowed to participate in government, unlike their comrades in Belgium, France, Finland, and many other European countries. Their isolation was due not only to pillarisation but also to their firm opposition to the colonial war in Indonesia.<sup>30</sup> Anti-communism seemed quite strong in public opinion, fostered

by the pillarised media of the Catholic and Protestant parties but also the Social Democrats and Liberals. A few attempts were made to encourage anticommunism through civil organisations independent of the pillars, but their impact seems to have been marginal. In 1951 an association was founded called Peace and Freedom (Vrede en Vrijheid) which published a newspaper entitled *The Real Truth (De Echte Waarheid)* and distributed anti-communist posters and pamphlets – addressed specifically to shopkeepers advertising in the communist newspaper. It was succeeded in the 1960s by the more academic East-West Institute (Oost-West Instituut), which published periodicals and organised conferences.<sup>31</sup> However, both organisations were sponsored by the Dutch Intelligence Service and funded (at least partly) by the CIA. Therefore, they do not clearly meet our criteria of an independent civil organisation. The Dutch Intelligence Service was probably more active in investigating and combating communism than its counterparts in other countries.<sup>32</sup>

### **The third wave: the emergence of nationalist populism**

Meanwhile, fascism and National Socialism had become dirty words and had contaminated concepts like nationalism, conservatism, and even “right-wing.” The NSB was banned in 1945. Some former National Socialists joined the conservative (and populist) Farmers’ Party (Boerenpartij) which won three seats (out of 150) in parliament in 1963. Others joined the Dutch People’s Union (Nederlandse Volksunie, NVU), founded in 1971 by young ethnic nationalists, and managed to gain increasing influence within the small party.<sup>33</sup> As a consequence, (relatively) moderate nationalists from the NVU (which had never won a seat) set up a new party in 1980, named Centre Party (Centrumpartij, CP), to emphasise its moderateness. The CP won a seat in parliament in 1982 (with 0.8 per cent of the popular vote). It soon fell apart due to internal strife but its offshoot, the Centre Democrats (Centrumdemocraten), won 0.9 per cent of the vote in 1989 and 2.5 per cent in 1994. A smaller and more radical offshoot, CP’86, won only a few local seats and was banned in 1998.<sup>34</sup> Though both the CP and the CD remained small and isolated parties, their presence triggered several anti-fascist actions at both the national and local level.

By 2002, these parties had ceased to function, while their supporters flocked to a new party founded by a maverick intellectual named Pim Fortuyn. In May 2002, his List Pim Fortuyn (Lijst Pim Fortuyn, LPF) entered parliament with 26 seats (out of 150; 17 per cent of the popular vote) with a moderately nationalist and populist programme – nine days after Fortuyn had been assassinated by an animal rights activist.<sup>35</sup> Though some politicians like GreenLeft (GroenLinks) leader Paul Rosenmöller had called Fortuyn a right-wing extremist, academics generally would not apply this label to him and his party.<sup>36</sup>

More controversial was the Party for Freedom (Partij voor de Vrijheid, PVV) which had entered parliament in 2006 with nine seats (six per cent of the popular vote), while the LPF had lost all seats at the same election. The PVV was founded by Geert Wilders when he left the Liberal Party (Volkspartij voor Vrijheid en Democratie, VVD) but retained his seat in parliament. Wilders remained a liberal with respect to socio-economic issues, but the core of his ideology became

increasingly anti-Islamism, combined with nationalism and populism.<sup>37</sup> Unlike the LPF, the Party for Freedom did not have a democratic structure; all decisions were taken by Wilders who was formally its only member. In the media and in parliament, Wilders has often used provocative language, for example calling the house “a fake parliament.”<sup>38</sup> After co-operation with a centre-right coalition of Liberals and Christian Democrats failed in 2012, the PVV became more and more isolated in parliament (and in society) while continuing to attract between 10 and 13 per cent of the popular vote.

In 2017, the PVV had to compete with a new nationalist populist party, Forum for Democracy (Forum voor Democratie, FVD) founded by another maverick intellectual, Thierry Baudet. FVD won two seats in parliament. At first, the FVD appeared more moderate than the PVV and attracted quite a few cadres from the conservative wing of the Liberal Party. Its main enemy seemed to be the established “party cartel” rather than Islam. However, within a few years the party radicalised and lost most of its conservative liberals. Baudet made statements (in speeches, privately, or on social media) which seemed to evidence anti-Semitism, racism, and a Spenglerian nostalgia for a reactionary regime. Rejecting the principles of the French Revolution (equality, liberty, and fraternity) as well as modern art, he wanted to “turn the clock back” and called for a “renaissance” of European civilisation led by a “new elite.”<sup>39</sup> While Baudet showed sympathy for authoritarian leaders like Putin, he did not advocate an authoritarian regime in the Netherlands, quite the contrary: he favoured more direct democracy.<sup>40</sup> At the 2021 elections the FVD obtained eight seats (five per cent of the popular vote) after a rather militant campaign against the globalist “COVID conspiracy,” while its moderate offshoot, the Conservative Liberal Party JA21, won three seats (two per cent of the vote).<sup>41</sup> Yet increasingly FVD seemed to grow sceptic of elections and began to concentrate more on building a “parallel society” with its own media and schools – inspired also by Orania and the Afrikaner Solidarity Movement in South Africa.<sup>42</sup>

The ideology of the FVD may overlap to some extent with the new “anti-institutional extremism” analysed by the AIVD in a recent report.<sup>43</sup> It defines this relatively new variety of extremism as the belief in an evil global elite which aims at total control over society through manipulation of the media and the judiciary as well as the organisation of the COVID pandemic, the war in Ukraine, and other disasters.<sup>44</sup> This belief might undermine democracy indirectly, by eroding public support for its institutions and confidence in the public media. The AIVD does not mention FVD explicitly.

The rise of new nationalist and populist parties as well as anti-institutional extremism since 2000 has so far not triggered the founding of new anti-extremist organisations but it has attracted the attention of the existing ones, in particular the Anne Frank Foundation and the Research Group Kafka. Both will be discussed here.

### *Anne Frank Foundation (Anne Frank Stichting)*

The Dutch Anne Frank Foundation (Anne Frank Stichting) was established in 1957, initially to save the house where Anne Frank hid during the Second World



War, *het Achterhuis*, from demolition. Anne Frank became a symbol or icon of the fate of Dutch and other European Jews during the Shoah through her posthumously published diary.<sup>45</sup> Having saved the *Achterhuis* from destruction, the foundation also wanted to spread the ideals that were expressed in the diary of Anne Frank, specifically the promotion of democracy and dialogue as well as a peaceful co-existence of different religions from a non-partisan perspective.<sup>46</sup> The Second World War functioned as a sort of “negative” stimulus for the activities which consisted mainly of lectures, conferences, and other forms of discussion.

From the 1970s onwards, the Anne Frank Foundation has taken a firmer stance in the public debate, reacting against discrimination of immigrants in Dutch society and the rise of neo-Nazism and ethnic nationalism. The Second World War is still a benchmark, but the focus has shifted from dialogue to actively fighting against discrimination and prejudice.<sup>47</sup>

In the 1980s, right-wing extremism became the central point of attention, especially after the emergence of the CP. The Anne Frank Foundation tried to get the CP banned.<sup>48</sup> Expressing its views in publications and through the media, the foundation continued to warn of the dangers of right-wing extremism.

By the late 1980s, the Anne Frank Foundation was concentrating more on research and analysis of extremist and racist tendencies in the Netherlands.<sup>49</sup> In the 2000s, its researchers began to study and criticise the PVV, which they regarded as a right-wing extremist party. They had been reluctant to apply those terms to the LPF.<sup>50</sup> The anti-Islamism of the PVV seemed to be sufficient reason for Jaap van Donselaar and his colleagues to classify the party as extremist. They had also detected authoritarian tendencies in the PVV. By 2018, Willem Wagenaar, a researcher at the Anne Frank Foundation, had a more nuanced view of the PVV but voiced his concern about the FVD. The FVD maintained contacts with extremist fringe groups and at times flirted with racist and anti-democratic ideas.<sup>51</sup>

In 1997, as part of its role as a “moral watchdog,” the foundation started publishing an annual report or “monitor” on racism, anti-Semitism, and the extreme right in the Netherlands.<sup>52</sup> However, education on the Second World War and themes such as racism and extremism continue to make up an important part of the foundation’s work. The Anne Frank Foundation does not receive any structural government subsidies, and depends on private donations, museum revenues, and incidental subsidies.<sup>53</sup>

### ***Kafka and the Anti-Fascist Action***

Anti-fascist research group Kafka was set up in 1988 in response to the emergence of extreme right organisations in Dutch society with the aim of providing reliable information on these organisations and their members.<sup>54</sup> It does this with an outspoken anti-fascist signature and therefore could be characterised as an anti-extremist organisation. Although at the beginning, the organisation presented its name as an acronym for “Collective Anti-Fascist/Capitalist Archive” (Kollektief Anti Fascistisch/Kapitalistisch Archief, KAFKA), nowadays it states on the website that the name is a reference to the writer Franz Kafka and the critique of totalitarian

regimes in his work. Between 1993 and 2013, it regularly published its research results in *Alert!*, the magazine of the Antifascist Action (Antifascistische Actie) in the Netherlands, and later on its own website as well as in other media. Although Kafka cooperates with AFA in the Netherlands, it is an independent organisation, with different goals and activities than AFA.<sup>55</sup>

The research by Kafka concerns extreme right organisations such as the NVU, the Identitarian Movement, and Pegida in the Netherlands, but also less extreme right-wing parties such as the CP and its offshoots as well as the PVV and FVD.<sup>56</sup>

While Kafka researches right-wing extremist movements, the organisation itself has been accused of left-wing extremism. The AIVD stated in 2010 that there is a “related threat” from the AFA and Kafka as they pursue anti-democratic goals, such as removing everything that is right-wing from the public domain, at times by using intimidation and by inciting violence.<sup>57</sup>

Kafka does not receive any subsidies from the government and depends on private donations.

### ***Influence***

In their fight against right-wing extremism, both the Anne Frank Foundation and Kafka adopted the strategy of doing research and sharing the outcomes with the general public, by which both organisations try to warn of the dangers of the extreme right. It seems plausible, though hard to prove, that both organisations have had some actual impact on public opinion and helped stop the growth of organisations like the NVU and the CP and its offshoots.<sup>58</sup> They seem to have been less successful in containing the growth of the PVV and FVD. Of course, several other factors may be involved here: both party-internal factors such as leadership and cohesion of the party and external factors such as Islamist terrorism. The decline of traditional media and the rise of social media may also have played a role: the voice of far-right parties has become more present in the public debate due to these social media platforms. However, radical statements of both the PVV and FVD are still often heavily criticised in the public debate. Research by the Anne Frank Foundation and Kafka is frequently used as a source by regular media and therefore could be regarded as a booster of this critical public opinion on radicalism and extremism, although their research is probably not the only cause: pressure from other parties and investigative journalism also play roles in shaping public opinion.

### **Concluding remarks**

Four organisations have been described here as more or less relevant in the protection of civil democracy in the Netherlands: Unity Through Democracy, the Dutch Committee of Vigilance of anti-national-socialist intellectuals, the Anne Frank Foundation, and Kafka.

Although it is difficult to measure the precise influence of these organisations, it is very likely that all of them have had some impact, although in different ways. Unity Through Democracy “socialised” its members and mobilised the masses – at

least to some extent – while the Committee spread its ideas in brochures and lectures. Both post-war organisations, the Anne Frank Foundation and Kafka, tended to focus on research. The Anne Frank Foundation operates more in an academic context, while Kafka concentrates on investigative journalism.

However, most organisations only made an impact over a short period. Only the Anne Frank Foundation may have exerted some influence over a longer period because of its reputation as a serious research organisation – and perhaps to some extent also because of its connection with Anne Frank.

What were the exact challenges that triggered the establishment of these organisations? This may be rather difficult to answer given the relatively marginal role of anti-democratic extremist organisations in the Netherlands, both before and after the Second World War. As a consequence, there have been few significant Dutch organisations engaged in fighting anti-democratic extremism. Civil organisations combating left-wing extremism seem totally absent, whereas the organisations fighting right-wing extremism have been relatively small. Moreover, the major post-war organisation, the Anne Frank Foundation, has concentrated more on education and research than on political activism.

None of the organisations described cooperated with the Dutch government. Even the (relative) success of the Anne Frank Foundation has not led to its incorporation but quite possibly to a tacit or informal division of labour with the Dutch intelligence service while the latter has continued to do its own research. Nevertheless, the Anne Frank Foundation does not receive any structural government subsidies.

So far, the involvement of the Dutch state in democracy protection has also been rather modest. One might explain this in terms of a deeply rooted liberal tradition that goes back to the era of pillarisation and possibly even further, to the Dutch Republic of the 17th and 18th centuries where a very weak central state had to negotiate with semi-sovereign provinces and cities. Another plausible reason might be the relatively modest success of anti-democratic extremist parties and movements in The Netherlands, compared to many other European countries – at least until recently.<sup>59</sup>

The new legislation on political parties that is being prepared does not seem the (visible) result of pressure from an NGO but has been advised by a committee appointed by parliament.<sup>60</sup> Therefore, we conclude that the Dutch state may be trying to adopt a more assertive position towards political extremism, but also that extremism and hence anti-extremist organisations continue to play a relatively minor role on the Dutch political stage.

## Notes

- 1 As already stated in the text, we did only study organisations that explicitly fight political extremism. We do not discuss organisations fighting discrimination or terrorism, or providing civic and political education (such as ProDemos), although some of our organisations operate as educators or fight discrimination as well. We also excluded secret anti-communist “stay behind” organisations (Gladio) and obscure pre-war organisations

- like the National League Against Revolution. Also, modern anti-racist organisations like Kick Out Zwarte Piet (KOZP) and The Netherlands confesses colour (Nederland bekend Kleur) are not treated in this contribution.
- 2 The research for this chapter consisted of a study of secondary sources: mainly books, articles in academic journals, and websites.
  - 3 See [www.aivd.nl/onderwerpen/extremisme](http://www.aivd.nl/onderwerpen/extremisme), accessed 29 October 2020.
  - 4 Remco Nehmelman, De regulering van politieke partijen in Nederland, *Tijdschrift voor Constitutioneel Recht*, 4 (2013) 2, pp. 130–150.
  - 5 Joep Koornstra/Berend Roorda/Jan Brouwer, Antidemocratische rechtspersonen op ondemocratische wijze verbieden: wetsvoorstel artikel 2:20 BW innerlijk tegenstrijdig, *Nederlands Juristenblad*, 25 (2019) 1430, pp. 1786–1795, here 1787. See Letter on anti-democratic groups by the Minister of Interior and Kingdom Affairs and the Minister of Social Affairs and Employment, 2 March 2015, p. 6 (online: <https://zoek.officielebekendmakingen.nl/kst-29279-226.html>, accessed 20 March 2021).
  - 6 District Court Amsterdam, 8 March 1978, ECLI:NL:RBAMS:1978:AC0252 and Supreme Court of the Netherlands 9 March 1979, ECLI:NL:PHR:1979:AC0769, as well as District Court Amsterdam, 18 November 1998, ECLI:NL:RBAMS:1998:AN6055. Due to judicial procedural errors the NVU was declared a forbidden organisation, but was never dissolved.
  - 7 Paul van Sasse van Ysselt, Democratie en antidemocratische groeperingen, *Tijdschrift voor Constitutioneel Recht*, 6 (2015) 4, pp. 356–369, here 362.
  - 8 Public Consultation Act on Political Parties (online: [www.internetconsultatie.nl/wpp/b1](http://www.internetconsultatie.nl/wpp/b1), accessed 9 June 2023).
  - 9 Dutch text: “indien de partij door haar doelstelling of werkzaamheden een daadwerkelijke en ernstige bedreiging vormt voor een of meer grondbeginselen van de democratische rechtsstaat.” Draft Act on Political Parties, article 86 (online: [www.internetconsultatie.nl/wpp2/b1](http://www.internetconsultatie.nl/wpp2/b1), accessed 9 June 2023).
  - 10 Draft explanatory memorandum Act on Political Parties, p. 34 (online: [www.internetconsultatie.nl/wpp2/b1](http://www.internetconsultatie.nl/wpp2/b1), accessed 9 June 2023).
  - 11 Tobias den Hartog, Kabinet: politieke partij moet verboden kunnen worden als democratie gevaar loopt, *Het Parool*, 22 December 2022; Wilfred Scholten, Een partijverbod, moet je dat wel willen? Met die vraag worstelt de politiek al meer dan honderd jaar, *Trouw*, 7 February 2023.
  - 12 The system has been analysed brilliantly by the Dutch-American political scientist Arend Lijphart, *The Politics of Accommodation. Pluralism and Democracy in the Netherlands*, Berkeley 1968.
  - 13 Robin te Slaa/Edwin Klijn, *De NSB. Ontstaan en opkomst van de Nationaal-Socialistische Beweging, 1931–1935*, Amsterdam 2009; Peter Mair, Electoral Volatility and the Dutch Party System: A Comparative Perspective, *Acta Politica*, 43 (2008), pp. 235–253.
  - 14 Robin te Slaa/Edwin Klijn, *De NSB. Twee werelden botsen 1936–1940*, Amsterdam 2021, pp. 256, 276ff., 440–445.
  - 15 Frits Rovers, *Eenheid door Democratie. Een analyse van een burgerlijk-democratische volksbeweging in de jaren dertig*, Utrecht 1986, p. 13f.
  - 16 *Ibid.*, pp. 14–21.
  - 17 *Ibid.*, pp. 59–60.
  - 18 *Ibid.*, pp. 1–32, 43; Frits Rovers, “Naar wijder horizon” De Nederlandsche beweging voor Eenheid door Democratie, de crisis van de Westerse cultuur en het verlangen naar een Nieuwe Gemeenschap 1935–1940. In: Ed Jonker/Maarten van Rossem (eds.), *Geschiedenis en cultuur. Achttien opstellen*, The Hague 1990, pp. 131–138, here 132.

- 19 Ibid., pp. 42–46.
- 20 Ibid., p. 21.
- 21 Ibid., pp. 23f.
- 22 Maaike Koffeman, Het Comité de vigilance des intellectuels antifascistes. In: Helleke van den Braber/Jan Gielkens (eds.), *In 1934. Nederlandse cultuur in internationale context*, Amsterdam 2010, pp. 145–153, here 145, 149–150.
- 23 Ibid., p. 150; L.R. Wiersma, Het comité van Waakzaamheid van anti-nationaal-socialistische intellectuelen (1936–1940), *BMGN – Low Countries Historical Review*, 86 (1971) 1, pp. 124–160, here 128.
- 24 Koffeman, Het Comité van de vigilance des intellectuels antifascistes, p. 151; Wiersma, Het comité van Waakzaamheid, pp. 129–131.
- 25 Wiersma, Het comité van Waakzaamheid, p. 135.
- 26 See Frits Rovers, Intellectuelen in het “roze decennium.” Het Comité van Waakzaamheid en de strijd om de menselijke waardigheid, 1936–1940. In: Alexander van der Haven/Frank Hendrickx/Jan Weerdenburg (eds.), *Intellectuele kringen in de twintigste eeuw*, Utrecht 1995, pp. 49–64, here 57.
- 27 Wiersma, Het comité van Waakzaamheid, pp. 144f.; Koffeman, Het Comité van de vigilance des intellectuels antifascistes, p. 152.
- 28 Ernst Kossmann, *De Lage Landen 1780–1940*, Amsterdam 1982, p. 485.
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## 8 Belgium

### Civil society and the protection of democracy – the case of Flanders

*Dirk Roelants*

#### Introduction

Discussing the importance of civil society organisations for the protection of democracy is not without a certain historical irony with regard to Belgium. At the time of its foundation in 1830, the country had one of the most liberal constitutions in the world, notwithstanding the fact that the universal right to vote and other achievements of democracy were not yet realised (the same was true for other parliamentary democracies). Nineteenth-century Belgium served as an open haven for writers and intellectuals who were persecuted or repressed in their own country, for instance, Victor Hugo and Karl Marx. This liberal atmosphere created a climate in which not only intellectuals but also broader political movements were able to take root. They would start from within society and use organisations to gain their rights from the state.

In Western countries, the labour movement prevailed. Concurrently, 19th-century Belgium also experienced the rise of the Vlaamse beweging, the Flemish movement which strove for cultural and linguistic rights for the Dutch-speaking majority of the Flemings. Although it was a romantic-nationalist movement, the Vlaamse beweging was also guided by social considerations. Only when Dutch was recognised as an official language, could the Flemings become citizens in the full sense of the word.

This is not the place to discuss either the labour movement or the nationalist movement, except to note that the latter left its mark on the structure of the state. Founded as a unitary state, Belgium went through several stages before becoming a federal state in 1970. This affected the way that civil society was shaped from the second half of the 20th century. The two big linguistic groups or communities, Flemings and French-speaking Belgians (from Wallonia and parts of Brussels), found themselves in their own regions. For that reason, they live segregated in different regions – the Flemish, the Walloon and the Brussels-Capital Region – with their own parties, their own government, and their own media in a different language (Dutch and French, respectively).<sup>1</sup> In that sense there are two different “cultural networks,” and as a consequence, also two civil societies.

There are two aspects that limit the scope of this chapter. Civil society encompasses a broad spectrum of organisations dealing with cultural, linguistic,



social, and environmental issues. The research project CIS Flanders defines civil society organisations as “organisations which have a social or societal aim (striving more after a societal added value than profit), fulfil a ‘political’ role (striving after societal or political change) or organise societal services and hark back to a private initiative (not to authorities).”<sup>2</sup> Here, we will deal only with those civil society organisations that commit themselves to the protection of democracy.

To discuss the issue of civil society in Belgium as a single entity is not possible for the above-mentioned reason, namely that the Belgian federation consists of two civil societies. The scope of this chapter is limited to civil society in Flanders as this is the region where extremism to which these organisations were a reaction developed much more strongly than in Wallonia. At the same time, Flanders has invested much more in diversity policy as due to its own history of cultural emancipation it strives to integrate newcomers also in a cultural-linguistic way, as Dr. Ilke Adam described in an interview with the Flemish daily *De Standaard*.<sup>3</sup>

The researchers of the above-mentioned project noted that within the Flemish region, one-quarter of civil society organisations play “a strong political role in the sense that they explicitly focus on societal or political change.”<sup>4</sup> As there is not much in the way of academic literature on civil society in Flanders, I had mainly to make use of op-eds and essays. The first part is a general discussion of the history and political structure of Belgium. The second part deals with actions of the Flemish civil society against xenophobia and racism, and the third part sheds some light on the relationship between the civil society and the Flemish Government.

### **Structural changes in state and society**

Until the 1970s, Belgium was characterised by the so-called phenomenon of *verzuijing*. There may not be an equivalent for this term in English. Possibly, a “system of pillars” could be considered to describe a structure that was built on the three traditional political movements, namely Christian democracy, social democracy, and liberalism. They dominated state and society not only in the form of parties but also through trade unions, schools, hospitals, and the media. The civil society was thus characterised by pillarisation. The “system of pillars” in society declined at the same time that the federalisation process started to shape the structure of the state.

From the 1980s, two other movements appeared on the political scene and started to exert more influence on society: the Greens and the Flemish nationalists. Unlike the Greens, the Flemish nationalists were not a new phenomenon. Apart from during the inter-war period, they had not played a very significant role in party politics since the end of the Second World War. It is, however, true that the Flemish movement as an overarching name for several civil society organisations in defence of the Dutch language influenced the thinking about the future development of the state structure. This movement was seen not so much as a threat to democracy but, on the contrary, as a threat to the interests of the establishment which saw any move towards regionalisation or federalism as something that endangered the unitary character of the state. It was only the Walloon labour movement’s push

for regionalisation of the big industrial sectors in the 1960s that, combined with the striving of the Flemish movement for cultural autonomy, would lead to several state reforms that turned Belgium into a federal state.

As long as the Flemish movement found its political expression in the Volksunie (literally People's Union), the threat to Belgium was of a secessionist nature. The Volksunie was not very well "liked" by the political establishment, but it was nevertheless a democratic party with progressive views on the economy and ecology. It was only when a certain part of the Flemish movement started to radicalise and link separatism to extreme right-wing ideas that the threat to democracy became apparent. In 1978, elements on the Extreme Right split from the Volksunie and founded the Vlaams Blok (Flemish Bloc, VB).<sup>5</sup> It was a minor party that did not have any success in the following elections. This changed at the end of the 1980s, when a group of young men within the VB took over and tackled the issue of multiculturalism. As far as the integration of migrant workers from Morocco and Turkey was concerned, there was an awareness that "integration was important, yet it has never been a big priority for the Belgian authorities" as Tom Naegels, the author of the book "Nieuw België. Een migratiegeschiedenis 1944–1978" (2021) tells in an interview with Avansa, a civil society organisation.<sup>6</sup>

The VB, on the contrary, addressed the grievances of white working class people living together with migrant workers in impoverished districts of bigger cities. The "answer" of the VB was not integration but a radical halt in migration and even the expulsion of migrants from Belgium. This was spelt out in the racist 70-Point Plan which proposed severe measures against migrants. The Vlaams Blok (VB) has been controversial from the beginning because of its 70-Point Plan. In 2004, it changed its name to Vlaams Belang (VB) for reasons that are explained below.

In the meantime, the Volksunie started to struggle with internal tensions due to the question of how far to go with new state reforms (once again after a previous struggle in 1978). At the beginning of the 2000s, the Volksunie split into the left-wing SPIRIT (which disappeared after a few years) and the liberal-conservative Nieuw-Vlaamse Alliantie (New-Flemish Alliance, N-VA). The N-VA has been part of the Flemish Government since 2004. From 2014 to 2018, it was even in the federal government and since 2014, two prime ministers belonging to the N-VA have led the government of Flanders.

Apart from the party system, civil society has been developing and has become more dynamic in character since the decline of the "system of pillars" in Flanders. Civil society has traditionally been strong in Flanders. This can be understood as a reaction to the lack of statehood this part of the country has known over many centuries. Instead, Flanders existed as a small entity within bigger empires. The fact that newly founded Belgium in 1830 was the project of a Francophone capitalist bourgeoisie triggered the emergence of a civil society within the labour movement as well as the Flemish movement.

Civil society in Flanders has become more depoliticised in the sense that its organisations are rarely affiliated to a party. The role of civil society had changed in two ways. (1) It focused on social cohesion and the performance of services. (2) The democratisation of education in the 1960s resulted in people starting

to value democracy as a way of organising themselves. They expressed this by getting involved in civil society organisations. Academics Pascal Debruyne (Odisee University College) and Jan Naert (Artevelde University College and Ghent University) comment that party politics and the state authorities in the 1990s considered the civil society no longer as a “political space” that weighed on policy, but as “an instrument to bring people together (think ‘social cohesion’) and to fight against ‘alienation’ and ‘bitterness.’”<sup>7</sup>

### **The answer of civil society to right-wing extremism**

At the beginning of the 1990s, a threat to democracy emerged that would give a new boost to certain segments of civil society. When discussing threats to democracy, three in particular must be mentioned: right-wing extremism, left-wing extremism, and Islamic fundamentalism. Right-wing extremism is at the forefront of concern in society – and not only in Belgium and Flanders – because of the memory of how fascism has manifested itself.

Another issue of concern, as it feeds right-wing sentiments in society, was the so-called “Syrian fighters”: young Muslim men from cities like Brussels, Vilvoorde, and Mechelen, who volunteered for the Islamic State (IS) in Syria, and young Muslim women who accompanied them. The problem was how to deal with them on their return. The Flemish Government has set up deradicalisation programmes to prevent young Muslim men from radicalising or to integrate them back into society. The Vlaams Vredesinstituut, the Flemish Peace Institute of the Flemish Parliament, has conducted a lot of research on the phenomenon of radicalisation and polarisation, which is not restricted to just young Muslims.<sup>8</sup> Indirectly, Islam in general remains a sensitive issue because of the role it plays in the discourse of right-wing extremism.

This leads us back to the shocking event that took place at the beginning of the 1990s. *Zwarte Zondag* (Black Sunday) on 24 November 1991 was the day of the breakthrough of Vlaams Blok (as Vlaams Belang was still called then). The word “black” relates back to the memory of the black shirts of the fascist movement: Flemish nationalists who had collaborated with Nazi Germany during the German occupation were therefore popularly called *de zwarten*, literally meaning “the blacks.”<sup>9</sup>

VB – as mentioned above – was the right-wing breakaway from the moderate Flemish Nationalist Volksunie. It became increasingly successful in the mid-1980s by responding to migration and multiculturalism with what was seen as a racist approach. It polled especially well in big cities among blue-collar workers. Until then, these workers had voted for the social democrats, but they increasingly felt abandoned trying to cope with the growing problems of a multicultural society. On “Black Sunday,” the VB got 405,247 votes (6.6 per cent of the votes nationally), increasing their presence in the parliament from two to 12 seats (out of 212 at that time). Together with the French-speaking parties Front National (FN) and Agir, right-wing extremist parties in Belgium gained a total of 497,917 votes.

The concern was twofold: on the one hand, the rise of the right-wing parties was seen as a threat to democracy and its values and, on the other hand, as a threat to the state. The secessionist VB was uncompromisingly striving for the dissolution of the Belgian state. Reactions from the state as well as from civil society followed, the latter basing its fears on the analysis that there was a rift between the citizens and the political system.<sup>10</sup> The problem for the democratic part of the Flemish movement was that with the growing success of the VB, Flemish nationalism became equated with racism and the rejection of democracy. Benjamin De Cleen, associate professor at the Vrije Universiteit Brussel, shed light on the matter in his research on the “discursive struggle against the Flemish radical right from within Flemish nationalist civil society as it was fought in debates about the Flemish National Songfest in the period of 1991 to 1995.”<sup>11</sup> The *Nationaal Zangfeest* (National Songfest) is a yearly gathering where Flemish nationalists from different political strands sing songs from the repertoire of Flemish nationalism and culture and where they articulate demands concerning the reform and even the abolition of the Belgian state. De Cleen analyses how the radical right around the VB and the democratic forces within Flemish nationalism competed with each other for the upper hand in this mass event which carries such a huge symbolic weight for Flemish nationalism. He concluded that “the articulation of nationalism with the signifiers democracy, tolerance, peace and openness does not question the Flemish nationalist principle, namely that there is a limited and sovereign Flemish people with the right to self-government and protection of its identity.”<sup>12</sup>

After “Black Sunday,” the Belgian state started to invest in impoverished suburbs (for example with the 1995 Sociaal Impuls Fonds) and also gave subsidies to civil society to provide services in the “problematic” suburbs of the bigger cities. These services took the form of education and employment initiatives and included engaging community workers. By taking on these tasks, civil society worked towards creating social cohesion and closing the gap between the citizens and the political system.

Here the disturbance theory of David B. Truman came to the fore.<sup>13</sup> Engaged individuals saw the democratic system disturbed by a radical right-wing party and so they responded with actions to press for policy changes to counter the rise of the VB. Charta 91 was one of these citizens’ movements. It stated: “Charta 91 brings together people from different social milieus, spheres of interest, professional activities and cultures, citizens with different dreams and expectations who want to cooperate in a pluralistic way for freedom, equality and solidarity.”<sup>14</sup> With the Objectief 497,917 (Goal 497,917) they aimed to collect as many signatures from anti-racist citizens as the extreme-right parties had gained votes on “Black Sunday.” They wanted to reach this goal by 24 November 1992, the first anniversary of the landslide victory of the VB. The more ambitious aim was to get equal rights for migrants and to convince politicians to grant them Belgian citizenship automatically after five years of legal residence. The reasoning behind the action was that as long as the government had not found an adequate response to the challenges of the multicultural society, democracy would remain under threat. The

petition was carried out with the help of 12,000 volunteers and got the support of 1,500 personalities from all walks of society. It did not stop after one year but carried on and, by 14 March 1995, the initiative managed to secure over a million signatures – 1,007,704 to be precise.

There was also debate within the trade unions on how to tackle the rise of the Extreme Right. The underlying idea was that “the syndical movement is the best barrier against the Extreme Right.”<sup>15</sup> Under the motto “Bedrijf zonder racisme” (Enterprise without racism) alternative, non-official elections were being organised in 1994/1995 in 20 cities.<sup>16</sup>

As early as 1989, the Greens politician Jos Geysels pleaded for a *cordon sanitaire* to keep the VB out of power. The politicians of the other parties had to promise that they would never build a coalition with the VB on any level. Since then, the VB has remained in the opposition, never having had the chance to participate in a coalition. This cordon was meant to be extended to the media to never give the floor to representatives of the VB. However, his *cordon médiatique* has never been strictly observed: politicians of the VB have been invited to political debates and talk shows on a regular basis.

The *cordon sanitaire* triggered a discussion on the question of whether it would be counterproductive, in that it would strengthen the VB by making it a “victim” of the establishment. The party might gain the sympathy of those citizens who despise the ruling elite or who would like to punish them for their political “misdeeds.” Indeed, the cordon sanitaire did not hinder the VB’s steady growth from election to election. Some observers, however, believe that a strict adherence to a *cordon médiatique*, such as that observed in Wallonia, would help reduce the appeal of the VB. This comparison is not a valid one. The reasons why the Extreme Right has failed to become more popular in French-speaking Belgium has to do with the fact that all regionalist strivings have been absorbed by the French-speaking social democrats of the Parti Socialiste (PS), the dominating force in Wallonia. In recent years, there have been renewed fears that the VB might become too strong – in the polls it already gets 25 per cent of the Flemish votes – that one or another democratic party might be tempted to form a coalition with the VB or might not have any choice other than to do so due to the VB’s overwhelming success. The VU politician Herman Lauwers was one of the instigators of the cordon sanitaire, yet in 1996 he questioned its validity because the democratic parties would reject any proposal about the VB just because it stems from this party.<sup>17</sup>

The question of whether the VB might be “burnt” if it was allowed to participate in government has also been raised. The fact of being in opposition makes it easy to criticise the “system” without ever having to take responsibility. Austria might be an example where the right-wing extremist Freiheitliche Partei Österreichs (FPÖ) lost credibility after having been in government. France delivers a counterexample; there, the Rassemblement National (RN) remains an institutional counterpower in the local field.

Another argument in favour of the cordon sanitaire, which is more strategic than moral in nature, is that it might lead to internal frictions within the VB. Yet under Tom Van Grieken, VB’s president since September 2014, the party has continued

to close ranks. With his strong leadership, Van Grieken has managed to reverse the fortunes of the party which had been suffering under his predecessor in the mid-2000s. At that time, there was a feeling amongst supporters that a vote for the VB was a “lost vote.” Many preferred to vote for the rising star, the conservative N-VA. But the nimbus of N-VA has faded since its participation in the “system” and so a certain percentage of its voters, those who do not like a “party of the system,” are returning to the VB.

Another tactic adopted by representatives of civil society at the turn of the century in their fight against the VB was to attack the party itself on the basis of the Law against Racism of 30 July 1981 (the so-called Law “Moureaux”). Fearing that the growing support for the Extreme Right would further disrupt democracy, they demanded the prohibition of the VB.

According to the constitution, parties cannot be prohibited as they are factual organisations which have no legal personality.<sup>18</sup> Therefore, some civil society organisations, like Centrum voor Gelijkheid van Kansen (Centre for Equal Opportunities, now called Unia) and the Liga voor de Mensenrechten (the Human Rights League), lodged a complaint against some of the organisations which were linked to the VB. On 21 April 2004, the Court of Appeal in Ghent sentenced these organisations to a fine for racism. Vlaams Blok renamed itself Vlaams Belang (Flemish Interest) in order not to be “contaminated” by the verdict. It was also tactically clever in adopting a name with the same initials so that continuity with the “old” VB remained intact.

None of the strategies aiming at diminishing the appeal of the VB have worked. Antoon Roosens, who was a Marxist who believed in Flemish autonomy, saw the theory of the *Modernisierungsverlierer* (the German concept for the “losers of modernity”) confirmed. Already, in 2000, he had explained the failure of the cordon sanitaire as follows: “The paradox now is that the Vlaams Blok [...] is becoming the refuge for the victims of global capitalism [...]. This paradox is the direct consequence of the exclusion policy that the ruling classes exert against it.”<sup>19</sup>

Roosens’ analysis was prophetic as far as the different backgrounds of the VB voters are concerned. What disturbs civil society is that in recent years, support for the VB has shifted from the suburbs of the big cities to the rural areas where there are less or hardly any migrants, a sign that right-wing populism is rooted in society as a whole. The gap between the political system and citizens has not been closed. Among citizens, feelings of anger because of *malgoverno* (bad government), the mismanaged integration of migrants, and a fear of Islamism linger.

Civil society organisations and left-wing parties fear the normalisation of anti-democratic ways of thinking. They therefore consider fighting racism as being equivalent to fighting for democracy. Below, some non-governmental organisations (NGO) against racism are listed:

- (1) Hand in Hand fights structural racism.<sup>20</sup> This NGO is creating networks in which volunteers and organisations of civil society can cooperate. It tries to influence the public, politicians, and the media. One of its more visible actions is “Straat zonder Haat” (Street without Hate) in which people can put a poster

with this slogan on the window of their houses or apartments. So far, approximately 200,000 households have taken this action.

- (2) KifKif (Berber language for “It is equal”) is a member of the Federatie van Mondiale Democratische Organisaties (FMDO, Federation of Mundial Democratic Organisations).

In addition, there exists an independent public institution, called Unia (the former Centrum voor Gelijkheid van Kansen mentioned above), which fights discrimination and aims to promote equal opportunities. It has a board of 21 directors. The Flemish Parliament is entitled to four seats in this federal body: according to the election results, two for N-VA, one for the Christian democrats of CD&V, and one for the VB. It goes without saying that the latter is sensitive due to the cordon sanitaire as well as the aims of the organisation. As a consequence of the discussion, these four seats remain empty, while at the same time there are plans to establish a Flemish counterpart of Unia. VB considers this to be a manoeuvre to exclude its participation.<sup>21</sup>

### **A critical relationship of civil society organisations with the government**

A *burgeriniatief* (Citizens’ Initiative) called Hart boven hard (Heart over hard) was founded in September 2014 by about 400 people from the socio-cultural sector. These people protested against the austerity policy of the Flemish Government which was at that time presided over by Geert Bourgeois (N-VA). As a party of the centre right N-VA tends to conduct a more liberal policy in the field of economics and to be critical towards the left-wing-orientated cultural sector and civil society.

The citizens’ movement Hard boven hart won the “Prijs voor de Democratie 2015” (the Award for the Democracy 2015) for its engagement in “participation, broadening of the civil society, democratisation of the society and another world view.”<sup>22</sup> Hart boven hard was also critical of the next Flemish Government under Jan Jambon (N-VA). The organisation blamed the government for appropriating some of the points from the infamous *70-Punten-Plan* of the VB, for instance a *burgerschapstoets* (citizen test) that migrants must pass in order to obtain Belgian nationality and a trial period of five years for the recognition of a new mosque (the VB had demanded that no more mosques be constructed).<sup>23</sup>

Debruyne and Van Bouchaute make a case for politicisation of civil society, not in the sense that its representatives should act like politicians but in the sense that it should disturb the normal system of law and order in the name of emancipation and the fight for rights and equality in a democratic society.<sup>24</sup> Debruyne and Naert also call it “a process of cultivating contradiction, of dissent about how to shape democracy into a feasible society.”<sup>25</sup> The march of Afghan refugees from Brussels to Ghent followed by a closing event in De Vooruit in January 2014 was an example of putting fundamental equality into practice.<sup>26</sup> The building in which the progressive centre of arts, Kunstencentrum VIERNULVIER, is located, has its roots in the labour movement.<sup>27</sup>

In an op-ed on 11 October 2019 in the influential Flemish daily *De Standaard*, Stijn Oosterlynck, associate professor for Sociology at the University of Antwerp, criticised the Flemish Government for not believing that civil society should play a role in fighting the Extreme Right.<sup>28</sup> He called the federal and regional elections of 26 May 2019 another “Black Sunday” as VB got 18 per cent of the (Flemish) votes. Oosterlynck noted that the way the political elite was dealing with this new “Black Sunday” was different from how they dealt with the one on 24 November 1991. Back then, the politicians invested in programmes in the poorer city districts to remove the breeding ground for right-wing extremism. The civil society created a stronger social cohesion there. These measures helped to make these districts more resilient. But the VB shifted its field of action from these districts to parts of the region that are predominantly middle class. These voters supporting the VB are different from those that supported VB in the 1980s and ‘90s. They fear uncontrolled migration and Islamism in society in general. Here, the old recipe of supporting civil society organisations does not work. According to Oosterlynck, the government believes that it does not need civil society to any great extent anymore to deal with the problem and instead is relying on policy adjustments. The Flemish government cut the subsidies to civil society by as much as 900 million euros (out of a total budget of 81.7 billion euros) and abolished or phased out some advisory boards of civil society organisations. Thus, the state elected to focus on policy instead of on the social cohesion that civil society could provide. The austerity measures put pressure on civil society. The problem is: what does the system of subsidies mean for civil society organisations? Semantically, the word subsidy is related to subsidiarity: higher authorities should not perform tasks that are the responsibility of lower authorities or, in this case, of actors from civil society; they should support these tasks but without organisations becoming a mouthpiece of the authorities. Yet some of the organisations have a strong ideological profile and are dependent on subsidies at the same time, whereas others are financially independent from subsidies but apolitical, for instance the animal rights organisation GAIA.

The principle of subsidiarity is superseded by the New Public Management approach. Under this approach, as Debruyne and Van Bouchaute note, the authorities as principals monitor the “agents” in civil society and link the granting of subsidies to efficiency and effectiveness.<sup>29</sup> Debruyne and Van Bouchaute critically remark that if the interaction between authorities and civil society organisations is reduced to this, the organisations’ political value shrinks.<sup>30</sup> The notions of “good governance” and “better spending” of public money would lead to a shift whereby a potentially critical civil society with, e.g., the integration sector, is locked up by an entity which in Flanders is called an *extern verzelfstandigd agentschap* (EVA), literally an “externally privatized agency.”<sup>31</sup>

Since July 2013, as part of the framework of the decree on “Integratie- en inburgeringsbeleid” (Integration Policy), the Flemish Government has agreed to cooperate with so-called *participatieorganisaties* (participating organisations) like the Minderhedenforum (Forum for Minorities) to ensure “empowerment and emancipation of persons of foreign descent.” The subsidised tasks of this organisation



consist of representing these “persons of foreign descent” in front of the Flemish authorities, drawing up policy recommendations, and raising awareness among local actors for support of initiatives that foster the participation of these persons in policy activities. In March 2020, a controversy arose about the Minderhedenforum as participatieorganisatie.<sup>32</sup> The Forum is an umbrella organisation of recognised ethnic-cultural associations in Flanders. Bart Somers, the liberal democrat Flemish minister of the Interior and of Integration Policy, withdrew the recognition of Minderhedenforum as a participatieorganisatie, stating: “Those who continue to organise people of the second and third generation on the base of the ethnic-cultural origin of their parents and grandparents are at risk of locking these people into stereotypes.”

Director Landry Mawungu reacted as follows: “For many years we have taken on the role of an advocate for the rights of ethnic-cultural minorities. A constructive, yet critical and independent voice with twenty years of expertise. Unfortunately, these are qualities civil society organisations are not being thanked for.” This reaction illustrates the fact that tensions between a centre-right Flemish Government and civil society continued to exist over the years.

## **Conclusion**

The rise of a radical right-wing party like Vlaams Blok (later called Vlaams Belang, VB) since the 1990s created a shock in Belgian society. Because of its anti-migration programme, the VB was regarded as a threat to democracy and its values. The fact that it moreover is an uncompromisingly secessionist party also alarmed the establishment of the Belgian state.

The state as well as civil society organisations tried to counter the VB, on the one hand with political and juridical measures, and on the other by mobilising the people themselves through street actions and other manifestations. Civil society organisations came to life as instruments to bring people together (inspired by “social cohesion”) and to fight against “alienation” as a feeling of migrants towards society as well as against “bitterness” in those suburbs where ordinary people had voted for the VB as a result of daily frustrations.

After “Black Sunday” – that day in November 1992 when the VB experienced its breakthrough in bigger Flemish cities – the Belgian state started to invest in its neglected suburbs, where frictions between blue collar people and migrants had created a breeding ground for the radical right-wing party. The state also subsidised civil society organisations in these “problematic” suburbs aiming at education and employment initiatives. The civil society organisations saw it as their task to foster social cohesion and close the gap between the political system and those citizens who felt alienated from it.

There are sociologists, like the above-mentioned Pascal Debruyne and Bart Van Bouchaute, who deplore that in the last two decades the political role of civil society has diminished. They – almost as activists – stand up for a politicisation of civil society, not in the sense that its representatives should take up a role that matches with that of politicians, but in the sense that the mere existence of civil

society organisations should disturb the normal system of law and order in the name of emancipation and the fight for rights and equality in a democratic society.

Yet there are tendencies which stimulate the depoliticising of civil society. As far as Flanders is concerned, reduced financing by the Flemish government has exerted an external pressure on civil society organisations that work on the integration of migrants and newcomers. There also internally exists an inclination towards a management model that rewards efficient and effective performance.

The civil society organisations that were highlighted here are active and diverse. They can rely on strong support from engaged citizens against right-wing extremism. Although many of them are depoliticised, they nevertheless remain strong and active, as issues of democracy and participation remain acute.

## Notes

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- 12 *Ibid.*, here p. 50.
- 13 See David B. Truman, *The Governmental Process. Political Interests and Public Opinion*, Berkeley 1962.
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## 9 France

### Civil society and the protection of democracy

*Jean-Yves Camus*

This chapter aims to discuss the role of civil organisations in the protection of French democracy since the time they were granted legal status (1881). The underlying theoretical question is whether such organisations, which are known today in France as “associations” or *organisations non-gouvernementales* (ONGs) (non-governmental organisation, NGOs), fit into David Truman’s disturbance theory.<sup>1</sup> According to Truman’s theory, interest groups form primarily in opposition to other interest groups so as to counteract influence in their respective political domains. The answer is that civil organisations, and especially non-economic groups presenting themselves as public interest groups, were key players in the long-lasting period when the Republic, as a regime, had to consolidate and win the final battle against the Royalists and the Conservative Right (1870–1914). They even continued this fight until the defeat in 1940 resulted in the Vichy regime banning most of the NGOs and setting up its own network of organisations. This author, being a specialist of the Extreme Right and racism/antisemitism, must admit that he has put the emphasis on the role of civil organisations in those domains, that is civil rights groups, but a look at the broader picture of NGOs in different domains shows that “associations” have significantly contributed to the protection of democracy (and still do). However, those who are active on such topics as the environment, participative democracy, and even helping immigrants/refugees or monitoring police violence against citizens, do so with a strong dimension of opposing the state and not other interest groups with an opposite agenda. This is a consequence of France being a highly centralised state, with a growing number of laws which make NGOs a necessary tool for the citizen to navigate in this ocean of administrative constraints.<sup>2</sup>

#### **Civil society organisations as messengers of Republican values: a historical look at their organic link with the Left**

A brief look at history shows that civil society organisations existed before the period of 1870 to 1914. Indeed, the French Revolution had granted citizens the right to form associations (1790) but both Napoléon I (in 1810) and Napoléon III imposed restrictions on forming civil organisations, such as having to ask permission from the authorities in order to be authorised. As a consequence of those restrictions, the real bringing to life of what is known today as civil society can be

DOI: 10.4324/9781003321880-12

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traced back to the beginning of the Third Republic (1870–1914). One noteworthy but barely known historical fact is that after 1830, when the legitimist faction of the Royalists was defeated by the liberal faction of King Louis-Philippe, members of the legitimist nobility who no longer wanted to serve a government they believed was a usurper returned to private life on their estates and played a significant part in creating associations devoted to the welfare of the needy, new techniques in agriculture, and local history.<sup>3</sup>

The Republic was proclaimed in 1870 and was in the hands of Conservatives who, from 1871 onwards, had to deal with a monarchist majority in the lower house of Parliament, so much so that the possibility of the King coming back to the throne existed until 1883, when the legitimate heir of the dynasty decided not to accept any compromise with the Republicans. The period up to the First World War was that of an intense *Kulturkampf* between the Republicans from the Centre Left (Parti Radical) and the Socialists on the one hand, and the Catholic Church and its Conservative allies on the other hand. The Republicans wanted to eradicate religious influence in education and among civil servants, especially in higher administration and the army. Therefore, legislation passed in 1881–82 gave a monopoly to the State-run school system. But the goal of the Republicans, who were faced with intense agitation from the nationalist *Ligues* (Leagues) aiming at establishing an authoritarian regime, was broader: they wanted to build a secular State, separate Church and State, and get rid of the “reactionary” influence of the clergy. It is in this specific context that civil organisations emerged as the allies of the Republicans in disseminating the ideas of democracy, freedom of the press, free thinking and educating children in line with the values of the French Revolution. The Ligue de l’Enseignement (League for Teaching, 1866), the Ligue des droits de l’Homme (League for Human Rights, 1898), the Grand Orient de France (a branch of Continental Freemasonry, founded in 1773) and the Fédération française de la Libre-Pensée (French Federation of Free-Thinkers, 1890) were the backbone of progressive thinking and paved the way for the Law on Associations (1901, still in force) and the separation of Churches and the State (1905). Without the help of civil organisations, the political goals of the Republicans would not have been achieved, if only because the Conservatives and the Church also maintained their own network of grassroots organisations, especially in the rural regions. Civil organisations emerged in the broader context of a fight between the Centre Left (“Radicaux”) and the Socialists on the one hand; and the Conservatives on the very meaning of Republican values and this seems to support Truman’s theory: the secular Left and Centre Left wanted to launch a war of ideas in order to get rid of what they believed were the “superstitions” of the Church. The Church’s teachings, they believed, prevented the individual citizen from achieving his destiny as a man who obeys only reason.<sup>4</sup> The Left used the aforementioned civil organisations as a way to spread their philosophy into the regions where free-thinkers and secularists were not in the majority and to boost their influence where they were. The goal of these organisations was to counter the influence of the Church and of those grassroot organisations that were faithful to the Catholic teachings on political and social issues, some of which were akin to a right-wing political party (e.g., the Fédération

Nationale Catholique during the interwar period and the Action française until the Vatican disavowed Maurras in 1926). Civil organisations were at war with those on the opposing side, and socioeconomic change, especially in rural areas and with the working-class trying to organise itself, provided the context for interest group organisation. But the emergence of such groups was also a consequence of a ferocious fight for political legitimacy between the Republican Progressives and the Church-aligned Conservatives in what was really a time of intense civil strife when the future of the Republican regime could not be taken for granted.

In terms of political influence, the golden age of civil organisations for the Progressives was certainly the period between 1870 and 1914. The Right included many different factions, from Conservatives who favoured the Republican regime to Counter-Revolutionary Catholics; Royalists and supporters of the Bonaparte imperial dynasty. All of them were conservative in the sense that they supported the post-1870 anti-German, Nationalist consensus and valued the social role of the Army and the Church as bulwarks against the emerging Socialist “threat.” The major means of counterinfluence of the Right was the press – daily newspapers with a big circulation such as *La Croix* (the non-official organ of the Church), *Le Soleil*, *L’Echo de Paris*, *Le Gaulois*, and many more local newspapers in the regions. The 1881 Law on Freedom of the Press gave a new impetus to politically minded publications, the more so because, until 1939, there was no legislation against hate speech, meaning nothing stood in the way of very strident, injurious, often anti-Semitic articles as well as ferocious attacks on “the corrupt politicians” or on those arguing for the necessity to eradicate religion. The Catholic Church had some difficulties adapting to the rise in the number of civil associations, if only because Catholic congregations were forced to disband (1880 and 1900).<sup>5</sup> Nevertheless, a significant number of Catholic-minded civil associations were formed, mostly to the effect of helping the needy in line with the social doctrine of the Church.<sup>6</sup> After the 1905 law on separation of Churches and the State, the Catholic Church – now no longer bound to the authorities because the Concordate of 1801 had been denounced – was free to launch grassroot associations devoted to re-evangelising the masses and setting up its own network of private schools. It should also be mentioned that in the French context of the late 19th century, the Right invented a type of civil organisation which stood halfway between an “association” and a political party, the *Ligues*. Ligues such as the Ligue des Patriotes (1882), the Ligue de la Patrie française (1898), and the Ligue d’action française (1899), were the main channel for disseminating the ideas of the anti-parliamentarian, nationalist, authoritarian Right. At a time when political parties as we know them today were slowly emerging, the Right was still reluctant to form parties which were seen as “factions” undermining the unity of the nation and the Conservatives were still clinging to the social hierarchy of old, in which the local notables believed they had a moral right and duty to represent the population and keep the masses at bay.

Assessing this period in relation to our topic, it is clear that civil organisations from the Left were a tool used by the political leaders of the Progressives to achieve their ultimate goal of secularising the French population and spreading the values of 1789 in areas where the Monarchist Right was still in the majority. For the

Progressives, such groups were beneficial to French society because they played the role of the intermediate bodies Montesquieu and Tocqueville said were necessary to avoid absolutism<sup>7</sup> as well as the cult of the individual citizen – a trademark of Jacobinism. The ideologues of the French Revolution wanted the individual to have no other loyalty than the one he owes to the nation-state.

### **The long march towards constitutional recognition of civil organisations as actors of democracy**

Despite having been instrumental in confirming the Republic as the only legitimate form of government and in winning the fight for the secular State, civil organisations were still not mentioned in the Constitution. It was not until the Constitution of 1946,<sup>8</sup> the preamble to which, in article 6, recognised the trade unions, that civil organisations were mentioned. To some extent, this was a reward for the key role they played in the French Resistance, fighting both the Nazis and the Vichy regime, which promoted Corporatism. The Socialist and Communist Left, which in 1946 was in the majority, also aimed to counteract the powerful influence of business associations which had, under the previous Republic, tried to undermine the progressive reforms of the Cartel des gauches (1924–1928) and the Front populaire (1936–1938). A further pivotal development in the role of civil organisations came in 1956 when a ruling of the higher administrative court, the Conseil d'Etat, confirmed that “freedom of association” is a “fundamental principle of the Republic” in the sense of the 1946 Constitution.<sup>9</sup> In a 1971 decision, the Constitutional Court followed in the footsteps of the administrative jurisdiction and proclaimed that the freedom to form civil organisations is implicitly part of the preamble of the 1958 Constitution.<sup>10</sup> Civil organisations were now recognised as being necessary in a democracy of checks and balances. Yves Mény divides civil organisations into three categories: political-social organisations such as political parties; trade unions and business associations representing a specific occupation/activity such as trade chambers, agriculture chambers, bar associations, medical doctors' corporations; and “associations” proper, working in a wide range of areas such as sports, education, environmental concerns, and welfare.<sup>11</sup>

Since 1946, we have seen an evolution in the kind of challenges that trigger a particularly strong reaction from civil society. The Cold War era gave birth to many civil organisations which sided either with the Communists and their “compagnons de route” (second-circle followers) in the intellectual elite, or with the anti-Communist Right. This is why in this section, we will deal with the main NGOs which represented the pro-Communist fight for human rights on the one side, and those NGOs from the Far Right which tried to fight Communist influence by explaining that the Communists' interest in human rights was a scam, designed at hiding the subversive action of the party against the French colonial empire and the “free world.”

In the late 1940s, the 1950s, and well up to 1968, the Communist Party was instrumental in launching, financing, and staffing civil organisations which pretended to

be trans-partisan but were, in reality, front organisations for the party itself to reach out to Progressive intellectuals or Catholic modernists. Organisations such as the *Mouvement de la Paix* (1948) and *Mouvement contre le Racisme et pour l'amitié entre les peuples* (MRAP, 1949)<sup>12</sup> were created in order to fight the spread of nuclear weapons and racism, respectively. However, it is doubtful that they were founded with the goal to counteract interest groups with opposite goals. *Mouvement de la Paix* was obviously a propaganda tool of the Communists launched after they broke with the governmental coalition (1947). Its real purpose was the dissemination of the Soviet's anti-NATO, anti-American, and anti-European unification agenda (NATO was founded in 1949 and the European Defence Community was being discussed then). In other words, these civil organisations do not match Truman's criteria. One could argue that they fit into the framework of Robert Salisbury's theory<sup>13</sup> that group organisers represent a set of benefits which they offer to potential members for the cost of joining the group, the benefits being material, solidary, and expressive. In terms of entrepreneurial skills, the Communist-backed civil organisations had an edge, offering jobs to militants who became permanent staff members, owning premises in many cities, and giving both militants and permanent staff the option of becoming elected officers on a local or even national level. This does not imply that the Right ignored civil organisations: in 1950, with the financial help of the French secret service, anti-Communist activists launched *Paix et Liberté* (Peace and Freedom) whose goal was to foster the cause of French Indochina and the US war in Korea. With money from the business community and later on from the United States, the former collaborationist Georges Albertini (1911–1983) set up a powerful lobby known as the *Bulletin d'études et d'informations politiques internationales* (BEIPI), which was not only an anti-Communist publication but also a kind of private intelligence consultancy group whose task was to gather data about Communist subversion and its agents. With the broader goal of educating the country's elites, including army officers, in the social teachings of the Catholic Church, a group of laymen influenced by Charles Maurras formed the *Cité catholique* (Catholic City) in 1946 and soon became very influential in Conservative circles supporting French Algeria. In the case of BEIPI, entrepreneurial skills and potential rewards were significant, and the organisation played a key role in whitewashing former collaborationists and Vichy regime supporters. *Cité catholique*, on the other hand, was a very close-knit, low-profile movement whose cells in the army were semi-clandestine. *Cité catholique* offered few rewards and being associated with it was viewed very suspiciously by the hierarchy, at least once de Gaulle had taken control of the State (1958). The same can be said about the many civil organisations which, both prior to the 1958 Constitution and after, took side with the liberation movements in the French colonies. In a sense, they rose to prominence at a time when the newly born Fifth Republic tried to silence civil society actors – whether they were Communists, Christian Progressives, or French citizens of Arab and Berber descent who publicly supported the independence of Algeria. The liberation movements were targeted by the State because they undermined the actions of the army,<sup>14</sup> were close to the Communist party, and were labelled as “treasonous.”



### **The blossoming of civil society organisations in a time of decline of political parties**

After the colonial period and the 1968 student riots, new concerns emerged which gave birth to a huge number of civil organisations. One reason is that, overall, French society became more liberal, ultimately leading de Gaulle to leave power in 1969. His successor, Georges Pompidou, was replaced after his death by a right liberal, Valéry Giscard d'Estaing, who, with limited success, initiated the trend of appointing figures from the "société civile" to Cabinet positions.<sup>15</sup> With reference to Mény's categories, the late 1970s and the 1980s are also an era when what he calls "associations proper" gained prominence over traditional political parties and trade unions. The number of members of parties and trade unions in France is low. Scholars Dominique Andolfatto and Dominique Labbé have shown that until 1976, the proportion of unionised workers was between 28 and 30 per cent. Between 1978 and 1987, the proportion sunk to 15 per cent and in 1988–2009 reached its lowest level with 7.5 per cent.<sup>16</sup> The figures for membership in political parties cannot always be trusted when they come from party sources but in 2017, an estimated 71,000 took part in the online vote that was set up by Macron's *La République en marche* (LREM) to pass the party's bylaws. At the same time, 240,000 participated in a similar vote within Mélenchon's radical Left France insoumise. The mainstream Conservative *Les Républicains* had 145,000 paying members in 2017, while the Socialist Party and the then *Front national* (FN) had 111,450 and 40,000 respectively.<sup>17</sup> In contrast, figures from the State Institute of Statistics (INSEE) show that in 2018, there were 1.3 million "associations" for a population of 67.1 million. Among them, 170,000 employed 2.2 million people and 1.1 million employed none, which means that they must rely on the dedication of the 21 million citizens who are active on a voluntary basis.<sup>18</sup> At the same time, the amount of public funding allocated to civil organisations dropped from 34 per cent to 20 per cent of the organisations' budgets between 2006 and 2017.<sup>19</sup>

Exerting influence under such financial constraints, which hit those organisations working in the field of social development and integration in the poorer districts of big cities especially hard, is no easy task. In order to be successful in achieving their objectives and securing a minimum of public subsidies, civil organisations have to publish regular reports justifying the use of public funds and detailing what they have accomplished. They also have to adjust to a fast-changing political landscape in which the Communist Party retains few municipalities and the Socialist Party, the traditional ally of NGOs and associations, is losing ground to the Centre Right (LREM) and even to the mainstream Conservatives. In order to stay viable, associations need to maintain a working relationship with whatever city council majority they are faced with. Associations can no longer align themselves with one political faction only as this would, in the longer run, threaten their very existence.

Here, we need to mention the specific situation that prevailed in the 14 cities that were run by mayors from the FN/*Rassemblement national* from 2014 to 2020. The left-wing opposition points to politically motivated decisions by the municipalities to make cuts of up to 50 per cent in the public funding of associations and welfare

structures. Although it is too early to tell how the only large city, Perpignan, run by RN since 2020, will manage to work with civil organisations, it is clear that Mayor Louis Aliot is clever enough to avoid discriminating against those who do not support his policies. But he also firmly supports a particular ideology, leading him to promote and fund a series of events in June 2022 commemorating the repatriation of the *pieds-noirs* from Algeria – a bias in favour of those who stood for *Algérie française*.<sup>20</sup> This raises the question of how much civil organisations are able to contribute to sustaining democracy.

Over the last two decades, there has been a considerable amount of activity from organisations that support causes such as fighting climate change (e.g., Extinction Rebellion) and fighting for the preservation of the environment on a local level, with ordinary citizens mobilising on issues such as protecting the sea-shore and protesting against 5G antennas and wind farms. Associations/NGOs in the field of human rights have also burgeoned within some specific contexts (e.g., the campaigns in support of the Uyghurs and, since 24 February 2022, in support of Ukraine) while other traditional causes of the Left, such as support for fighting Palestinian factions, boycotting Israel,<sup>21</sup> and being propagandists for such authoritarian Leftist regimes as Venezuela and Nicaragua, have lost support. There is no doubt that in the field of antiracism and the fight against anti-Semitism, civil organisations have lost the impetus they had in the 1980s when the FN came to the forefront of French political debate. Organisations such as SOS Racisme, le Manifeste contre le Front national, and the far-left Ras'l Front network covered the whole territory with active local branches and, at least in the case of SOS Racisme, enjoyed political and financial support from the Socialist government.<sup>22</sup> In some cases, Robert Salisbury's theory of interest groups seems fit to describe the role of the aforementioned groups: the entrepreneur/organiser invests in a set of benefits which they offer to potential members, at the prize of joining the group,<sup>23</sup> the reward being, in many cases, opening the door to a political career or high civil service position which would have been more difficult to attain. I would like to make two points here with regard to Truman's disturbance theory. The first is that the aforementioned organisations formed in response to a political threat: the rise in racist incidents<sup>24</sup> and the success of FN in the polls, not as a response to a threat from civil organisations supporting the "French to the French" policy of FN, which in fact are very few and have a very limited membership. The second point is that the NGOs which burgeoned in the 1980s with the intent of stopping the rise of FN missed their goal because they believed FN was seen by voters as a fascist or even Nazi party, and they subsequently rallied around the condemnation of the party on the ground of moral values, thus keeping the response of civil society away from what seems to be the most effective answer to extreme-right parties: countering the proposals of FN with public policies, legislation, and effective grass-roots *political* action that fosters dialogue and implements educational or social engineering actions.

Finally, one needs to keep in mind the difference between the means used in Germany in order to counter extremism, and those used in France. While both countries are democracies, the German legal framework draws a clear-cut line

between those who accept democracy and those who oppose it. As Laumond shows,<sup>25</sup> the institutional framework (polity) includes instruments of public action (policy) such as the *Verfassungsschutz*, and those means of public action feed the debate on extremism within the political arena. On the opposite, according to the same author, in France the definition of extremism is not specified in constitutional law and depends on what political parties define as such. The instruments of public action, e.g., the police and the intelligence agencies, do not fight extremism *as such* but focus on law enforcement, that is preventing and cracking down on violence. In such a context, there is little will from the Government to cooperate with antiracist NGOs, unless they are totally aligned with the broader political agenda of the party in power. The decline of antiracist NGOs can partly be explained this way: without recognition and rewards, militants drop out or switch to another form of militancy.

### **A growing political rift between civil society organisations: the case of the antiracist movement**

Antiracist organisations were set up under a top-to-bottom strategy and had little impact on marginalised communities. A minority within the Muslim population in particular was quite reluctant to trust leaders of organisations they saw as being a tool of the State to control them and starting around 1981, when the Left came into power, grassroots NGOs emerged which were often launched by social workers who understood the need for the generation of immigrants who were born in France to fight for equal rights and citizenship.<sup>26</sup> Those organisations were in competition with NGOs operating nationwide, such as SOS-Racisme, with the support of the Socialist Government. One specificity of SOS-Racisme was that among its founders and leaders were people from various ethnic, social, and political backgrounds, with a high proportion of young Jews and the support of prominent Jewish intellectuals such as Bernard-Henri Lévy. SOS-Racisme was thus seen as a “Jewish-dominated” organisation by some disgruntled activists with an immigrant Muslim background<sup>27</sup> and, starting with the Second Intifada, a deep and lasting rift divided the antiracist movement on the issue of the Israeli–Palestine conflict.<sup>28</sup> The various antiracist NGOs remained in good terms and launched common actions as long as the FN was their common enemy. The anti-FN coalition encompassed very diverse organisations from the Far Left (Communist-led) *Mouvement contre le Racisme et pour l’Amitié entre les Peuples* (MRAP) and the traditionally Socialist-leaning *Ligue des droits de l’Homme* (LDH) to the moderate to the pro-Israel *Ligue internationale contre le Racisme et l’antisémitisme* (LICRA). However, the rise of political Islam, the controversy over the topic of the rise of anti-Semitism,<sup>29</sup> the issue of anti-Semitism among immigrants of the second and third generations,<sup>30</sup> and the controversy surrounding the use of “Islamophobia”<sup>31</sup> as a legitimate concept have torn the antiracist movement apart to the point where cooperation among those associations is now non-existent. The emergence of civil organisations from the Muslim community,<sup>32</sup> covering the whole spectrum of activities from religion to welfare, sports, and support for discriminated people such as the Rohingyas, is also a new challenge for the protection of democracy, as those NGOs are often

suspected of being connected with radical Islam and several of them have been banned on that ground.<sup>33</sup> This is to be understood in the specific context of French “laïcité” (secularism), which is a hotly debated topic, the more so because, so far, the French State has failed in its attempts to organise the Muslim religion along the lines which have been successful with Christianity and Judaism after the Law on Separation was passed.<sup>34</sup>

The rise in Salafi/Wahabi/Muslim Brotherhood-oriented activity and the massive terror attacks in 2015–2016 have triggered two opposing responses affecting NGOs. On the one side: the State and the intelligence community keep an eye on supposedly radical organisations<sup>35</sup> and on the other side, civil rights organisations such as MRAP and Ligue des droits de l’Homme, together with left-wing political parties, incriminate State Islamophobia as the cause of repression of the allegedly radical NGOs.<sup>36</sup> The demonstration against “Islamophobia” which took place in Paris on 10 November 2019 at the initiative of personalities from the Green Party and Radical Left and the now-banned Collectif contre l’islamophobie en France (CCIF) was the culmination of strife between the antiracist NGOs, so that the ideological gap between “secularists” and “multiculturalists” seems to be unbridgeable and weakens the civil rights movement.<sup>37</sup>

## Conclusion

The contribution of civil organisations to democracy is huge. They are partners of the State in agencies that are in charge of fighting racism such as the Commission nationale consultative des droits de l’homme and the Délégation interministérielle à la lutte contre le Racisme, l’antisémitisme et la haine anti-LGBT (DILCRAH). They are included in each and every national consultation of economic, social, and cultural actors, either prior to enacting legislation or in case of a social crisis. The question is, do they still represent the expectations of the citizens? Do they still attract those who want the State to listen to their grievances and expectations for change? The Gilets jaunes (Yellow Vests) movement which started in October 2018 and the anti-vaccination protests which emerged in 2020 following the lockdown were not structured along the traditional line of civil organisations leading protests. They did not have a leader nor, in case of the Yellow Vests, a clear agenda. Civil organisations are challenged by more spontaneous forms of mobilisation, and this is also a challenge for the State as the usual doctrines of keeping law and order do not apply to the new forms of demonstrations and contestation.

## Notes

- 1 See David Truman, *The Governmental Process: Political Interests and Public Opinion*, New York 1951.
- 2 See Georges Hispalis, Pourquoi tant de loi(s)?, *Pouvoirs*, 3 (2005) 114, pp. 101–115. DOI: 10.3917/pouv.114.0101, online: [www.cairn.info/revue-pouvoirs-2005-3-page-101.htm](http://www.cairn.info/revue-pouvoirs-2005-3-page-101.htm)
- 3 Stéphane Rials, *Le légitimisme*, Paris 1983, pp. 49–50.

- 4 Speaking at a public meeting in Tréguier on 13 September 1903, Émile Combes, the former seminarist who, as head of the government, proposed the Law on the Separation of Churches and the State, said: “We claim that in all domains, we are seeking the lights of reason and we are following their path” (Nous faisons profession de consulter et de suivre en toute chose les lumières de la raison). Émile Combes, *Le sens du processus de laïcisation*, <http://clioweb.free.fr/dossiers/1905/combes.htm>, accessed 12 March 2021.
- 5 Jean Sévillia, *Quand les catholiques étaient hors-la-loi*, Perrin 2005.
- 6 Jean-Marie Mayeur, *Le Catholicisme social en France à la fin du XIXe siècle, Le Mouvement Social*, 57 (1966), pp. 211–216.
- 7 Montesquieu, *L'esprit des lois*, 1748, Book II, chapter 4, and Tocqueville, *De la démocratie en Amérique*, 1840, Book 2, chapter 4.
- 8 See Conseil Constitutionnel, *Préambule de la Constitution du 27 octobre 1946*, [www.conseil-constitutionnel.fr/le-bloc-de-constitutionnalite/preambule-de-la-constitution-du-27-octobre-1946](http://www.conseil-constitutionnel.fr/le-bloc-de-constitutionnalite/preambule-de-la-constitution-du-27-octobre-1946), accessed 22 March 2021.
- 9 See Conseil Constitutionnel, *Conseil d'Etat – Décision du 11 juillet 1956*, [www.conseil-constitutionnel.fr/centenaire-loi-1901-relative-au-contrat-d-association/conseil-d-etat-decision-du-11-juillet-1956](http://www.conseil-constitutionnel.fr/centenaire-loi-1901-relative-au-contrat-d-association/conseil-d-etat-decision-du-11-juillet-1956), accessed 22 March 2022.
- 10 See the ruling here: Conseil Constitutionnel, *Decision no. 71-44 DC of 16 July 1971*, [www.conseil-constitutionnel.fr/en/decision/1971/7144DC.htm](http://www.conseil-constitutionnel.fr/en/decision/1971/7144DC.htm), accessed 22 March 2021.
- 11 Yves Mény/Yves Surel, *Politique comparée: les démocraties. Allemagne, États-Unis, France, Grande-Bretagne, Italie*, Paris 2009.
- 12 On MRAP, a sister-organisation of the Communist Party, see: Erik Bleich. Histoire des politiques françaises antidiscrimination: du déni à la lutte. In: *Hommes et Migrations*, n° 1245, September–October 2003. France–USA: agir contre la discrimination. I – Philosophies et politiques, pp. 6–18.
- 13 See Robert H. Salisbury, An Exchange Theory of Interest Groups, *Midwest Journal of Political Science*, 13 (1969) 1, pp. 1–32.
- 14 The army in Algeria (1954–1962) was one of the draftees and the informal organisation that revolved around the intellectual's “Manifeste des 121,” in 1960, was a call to desert and an outspoken support of those among the French who helped the Algerian independence fighters raise money and evade the police.
- 15 Appointed as Minister of Reforms in June 1974, journalist Jean-Jacques Servan-Schreiber resigned after 12 days. His wife, journalist Françoise Giroud, held two junior Cabinet posts in 1974–1977, including as Secretary of State in charge of women's rights, resigning from her position and returning to her job as a journalist but also founding an NGO, Action contre la faim (Action against hunger, 1979) and supporting the then-controversial association pour le droit à mourir dans la dignité (ADMD), which fights for legislation legalising assisted suicide. Giscard is also known for asking a former unionised wood industry worker, Hubert Maigrat, to become the Chief of Staff of Minister Lionel Stoléru, a graduate of the elite Ecole Polytechnique. This kind of pick, which remains very unusual in high administration, resulted in Maigrat (born 1942) holding top positions in a number of public, semi-public, and private corporations until his untimely passing in 2004.
- 16 See Dominique Andolfatto/Dominique Labbé, Combien de syndiqués en France?, *Institut Supérieur du Travail*, 11 June 2019, [www.istravail.com/actualites-etudes/les-etudes-sociales-et-syndicales/11226-combien-de-syndiqués-en-france.html#:~:text=-%20Moins%20de%20%20syndiqués%20pour,en%20moins%20de%2040%20ans](http://www.istravail.com/actualites-etudes/les-etudes-sociales-et-syndicales/11226-combien-de-syndiqués-en-france.html#:~:text=-%20Moins%20de%20%20syndiqués%20pour,en%20moins%20de%2040%20ans), accessed 22 March 2021.

- 17 Ronan Planchon, Combien les partis comptent-ils vraiment d'adhérents?, *Ouest-France*, 20 October 2017.
- 18 Associations are allowed to make profit under certain conditions. 25 per cent of those registered are active in the domain of sports. 74 per cent of those who make profit are active in the health/day-care/welfare sector. See Sylvie Dumartin/Sandrine Firquet, 1,3 million d'associations: des hôpitaux et Ehpad aux associations de parents d'élèves et aux clubs de gym, *Insee Première*, 1857 (2021), [www.insee.fr/fr/statistiques/5365639#:~:text=En%202018%2C%20en%20France%2C%201,%C3%A9quivalent%20temps%20plein%20\(ETP\)](http://www.insee.fr/fr/statistiques/5365639#:~:text=En%202018%2C%20en%20France%2C%201,%C3%A9quivalent%20temps%20plein%20(ETP),), accessed 22 March 2021.
- 19 See the survey carried out by Viviane Tchernogog (CNRS) for the Banque des Territoires and the Fondation Cr dit coop ratif. Caroline Meggl , Associations: "Les financements publics ont pour la premi re fois baiss  en volume," *Banque de Territoires* 2019, [www.banquedesterritoires.fr/associations-les-financements-publics-ont-pour-la-premiere-fois-baisse-en-volume](http://www.banquedesterritoires.fr/associations-les-financements-publics-ont-pour-la-premiere-fois-baisse-en-volume), accessed 22 March 2022.
- 20 Perpignan is a city of 120,000 close to the Spanish border. For the event commemorating the forced exodus of the Pieds-Noirs, see *L'Express*, *A Perpignan, deux regards distincts sur 1962, les rapatri s et la M diterran e*, 24 June 2022, [www.lexpress.fr/actualites/1/societe/a-perpignan-deux-regards-distincts-sur-1962-les-rapatriees-et-la-mediterranee\\_2175864.html](http://www.lexpress.fr/actualites/1/societe/a-perpignan-deux-regards-distincts-sur-1962-les-rapatriees-et-la-mediterranee_2175864.html), accessed 22 March 2022. A counter-event in the form of a festival putting the emphasis on the exchange of cultures in the Mediterranean, whose title was "Nostre Mar," was set up by the antiracist NGO SOS-Racisme with the advice of historian Nicolas Lebourg. The peaceful coexistence of both events, which were reported by the national and local media, stands in contrast to the very tense context of opposition between FN and its opponents in the period of 1995–2002, when the party won municipalities for the first time. The new mindset shown in Perpignan is in tune with Marine Le Pen's strategy of making her party mainstream.
- 21 On 20 October 2015, the higher criminal court, or Cour de Cassation, outlawed the BDS campaign and confirmed that boycotting Israel is liable to prosecution as being a call to discrimination on the grounds of religion and ethnicity. The European Court of Human Rights overturned the ruling in 2020, but the BDS movement suffered a huge setback.
- 22 On SOS-Racisme, see Robert Gibb, Constructions et mutations de l'antiRacisme en France, *Journal des anthropologues*, 94–95 (2003), pp. 165–179.
- 23 Robert H. Salisbury, An Exchange Theory of Interest Groups, *Midwest Journal of Political Science*, 13 (1969) 1, pp. 1–32, <https://doi.org/10.2307/2110212>, accessed 16 September 2022.
- 24 The increase in racist incidents is documented by the annual report of the Commission nationale consultative des droits de l'Homme (National Consultative Commission on Human Rights, CNCDH), which was founded in 1947 and relaunched in 1984 with a broader mission, including a report whose first edition was published in 1990. Some reports can be accessed at Publications/CNCDH (retrieved 14 September 2022).
- 25 Laumond, B n dicte, La r gulation du radicalisme de droite: une comparaison franco-allemande, *Raisons politiques*, 78 (2020) 2, pp. 109–122.
- 26 Jocelyne C sari, De l'immigr  au minoritaire: les Maghr bins de France, *Revue Europ enne des Migrations Internationales*, 10 (1994) 1, pp. 106–126.
- 27 The first pamphlet targeting the alleged "manipulation" of SOS Racisme by the Socialist Party and the Union des  tudiants juifs de France (French Union of Jewish Students, UEJF) is Serge Malik's *Histoire secr te de SOS-Racisme*, Paris 1990. In 2011, Omar Djellil, a former member from Marseille who also was a leader of a local mosque, supported this claim in a widely circulated video published by Alain Soral's fiercely

- “Anti-Zionist” extreme-right movement, *Egalité et réconciliation* (see Omar Djellil sur SOS-Racisme – Vidéo Dailymotion, accessed 14 September 2022). Farida Belghoul, a leader of the antiracist movement known in 1983 as “Marche des beurs” and a rival of SOS Racisme, also joined Soral’s movement and supported the claim that SOS was a “Zionist”-driven movement, see the daily *Libération*, *Farida Belghoul, la croisée antiscolaire*, 30 January 2014 ([liberation.fr](http://liberation.fr)). For an academic work which explains the history of SOS Racisme and the controversies around it, see Philippe Juhem, *SOS-Racisme, histoire d’une mobilisation “apolitique.” Contribution à une analyse des transformations des représentations politiques après 1981*, Thesis, Université de Nanterre, Paris 1998.
- 28 Taguieff, Pierre-André, *Retour sur la nouvelle judéophobie*, *Cités*, 12 (2002) 4, pp. 117–134.
- 29 The issue at stake is: what is the respective responsibility of the Extreme Right, the Islamists, and second-generation Muslim immigrants in the unprecedented wave of anti-Semitic actions, including terror attacks and homicides, which started in 2000 with the second Intifada? On this topic, see Pierre-André Taguieff, *Rising From the Muck: The New Antisemitism in Europe*, Chicago 2004.
- 30 See Fondation pour l’innovation politique, *Les juifs vus par les musulmans. Entre stéréotypes et méconnaissances*, May 2017, [www.fondapol.org/etude/france-les-juifs-vus-par-les-musulmans-entre-stereotypes-et-meconnaissances/](http://www.fondapol.org/etude/france-les-juifs-vus-par-les-musulmans-entre-stereotypes-et-meconnaissances/), accessed 22 March 2022.
- 31 The issue is that in the French context of laïcité, which goes far beyond the secular State, criticism of religions is allowed, thus criticism of Islam is not of a racist nature. See Pascal Bruckner, *Un Racisme imaginaire. Islamophobie et culpabilité*, Paris 2017. Other authors contend that Islamophobia is a surrogate for the anti-Arab racism of colonial times, and that proof of it lies in the discrimination against Islam and Muslims by the State. See Thomas Deltombe, *L’Islam imaginaire. La construction médiatique de l’islamophobie en France, 1975–2005*, Paris 2005. For a balanced account on the controversy: Houda Asal, *Islamophobie: la fabrique d’un nouveau concept. État des lieux de la recherche*, *Sociologie*, 5 (2014) 1, pp. 13–29
- 32 Amel Boubekeur, *Islam militant et nouvelles formes de mobilisation culturelle*, *Archives de sciences sociales des religions*, 139 (2007), pp. 119–138.
- 33 See: La dissolution des associations en lien avec l’islamisme radical: une lutte contre le double discours, *Conflits: Revue de Géopolitique* ([revueconflits.com](http://revueconflits.com)).
- 34 The Separation Law did not deal with Islam, which in 1905 had little existence outside of North Africa and the overseas territories of Africa and the Indian Ocean.
- 35 Since 2016, and especially since the presidential election of 2017, 20 Muslim civil organisations have been banned by the Government under article L.212-1 of the Security Code. Among these are two whose announced goal was to fight “Racism and Islamophobia” and one whose goal was to raise money for oppressed Muslim minorities.
- 36 See the article on the Trotskyite NPA’s website: *L’expulsion d’Hassan Iquioussen est un pas supplémentaire dans l’islamophobie d’État*, *NPA* ([nouveauantiparticipantcapitaliste.org](http://nouveauantiparticipantcapitaliste.org)), accessed 14 September 2022.
- 37 Debono, Emmanuel, *Crise de paradigme dans l’histoire du mouvement antiraciste*, *Pouvoirs*, 181 (2022) 2, pp. 35–45.

## 10 England

### Strengthening democracy between the state and society – the example of the Big Society programme

*Isabelle-Christine Panreck*

#### **From role model to cautionary tale?**

Parliamentary democracy in England has deep historical roots. Unsurprisingly, the English system has been regarded as exemplary for the continent, particularly after the disaster of the Second World War. In the 1960s, it was the German scientist and intellectual Dolf Sternberger who saw England as the birthplace of liberal democracy. The Federal Republic of Germany, founded in 1949, should – according to Sternberger – be modelled on the English system’s main tenets: the voting system, parliamentary methods, and the commitment to liberal and democratic values in society.<sup>1</sup>

Some 50 years later, David Cameron arrived at a very different conclusion; he spoke of a “broken British society” in need of being “mended” which reflected the Conservatives’ pessimism towards the current constitution. He believed liberal democracy in the United Kingdom was clearly being tested, among other things, by the terrorist attacks from inside and outside the country which, in his view, not only threatened the political system but also social cohesion. Cameron’s “Big Society” programme highlighted the importance of a strong civil society and its task to shape liberal democracy in the UK, first and foremost in England. He envisioned a renewed British society shaped by civic actors and a rather lean state<sup>2</sup> which was based, as I will argue, on the assumption that terrorism evolves from extremism as a symptom and consequence of deep-rooted societal and political factions and a lack of social cohesion in British society.

The idea of the Big Society did not come from nowhere, as England has a long history of volunteering and shared responsibilities between state and society. Still, the relationship between state and society has been a long-standing subject of conflict. The historian Geoffrey Finlayson has described this relation as a “moving frontier” initially introduced by Lord Beveridge.<sup>3</sup> In the 19th and 20th centuries, volunteering came to be seen as a citizen’s duty as well as a pillar of the liberal welfare state: “[W]ith a view to the military constitution as well as to social charity, the British liked to define the willingness to volunteer as a national virtue.”<sup>4</sup> With the aim of overcoming social divisions and motivating young people to serve



the community, the initiative “Volunteering Matters” (before 2015: Community Service Volunteers) was launched as early as 1962.<sup>5</sup>

Though political visions are mainly promises with rather vague roadmaps, the Big Society is a discursive condensation of political ideas concerning the influence of governmental efforts to make democracy work. The vision offers insights into the Tories’ vision of a future Britain which has been shaped by former ideological battlefields, particularly Thatcherism versus New Labour from the 1980s to 2000s, and past key events such as riots and terrorist attacks which called into question the constitution and condition of society and democracy. As such “troubles” de-escalated in the 1990s and the Good Friday Agreement was reached in 1998, British democracy benefited from a temporary respite, but the Islamist-motivated terrorist attacks in the first decade of the new millennium brought the question of the stability of democracy back into focus.

My main argument is that the Big Society is a continuation of efforts to contain threats to democracy from inside and outside the country. Yet Cameron’s Big Society is also a product of Conservative thinking in the long term and a reaction to cumulative national debt in the short term – a situation worsened by the financial crisis of 2009. Whereas the fight against terrorism from the outside was initiated by 9/11, the 7/7 bombings in 2005 brought about a shift in perspective in England. The August riots in 2011 were tailwind to the then-prominent idea of Big Society. Since 2001, the state has tried to embrace an anti-terrorism strategy aiming to strengthen governmental and non-governmental efforts to counter terrorist threats. In 2010, the strategy was expanded to look not only at terrorism but at extremism as the breeding ground for terrorism. The state’s efforts to protect democracy were two-fold: it sought to deradicalise those already drawn into terrorist networks and to develop a more general strategy to strengthen democracy, mainly on the local level.

The following argumentation is outlined in four parts: I start with a brief look at the relationship between state and society under New Labour, a turning point as well as a link between Thatcherism in the 1980s and Cameronism after 2010. Then I turn to Cameron’s Big Society and analyse the central ideas of strengthening democracy as well as criticism directed at the programme. Finally, I analyse to what extent the ideas of the Big Society have survived their political advocate by giving a brief outlook at the follow-up programmes of the Shared Society under Theresa May.

### **New Labour’s Third Way and communitarian approach in 1997**

Amidst the structural crisis of welfare and democracy in the 1990s, New Labour took over the government from exhausted and internally torn Tories. New Labour’s campaign for a communitarian understanding of society also found support beyond party lines. What went down in history books as the “Third Way” took key aspects of Conservative politics from the 1980s – free market individualism, duties of active citizenship – and gave them a new, social democratic veneer: civil responsibility and partnership with the state, listening to the needs and views of others, and working for a “fair” society.<sup>6</sup>

Despite the Conservative Party's benevolence and imitation of the Third Way in Europe (here I am thinking of the Social Democrat and Chancellor of the Federal Republic of Germany from 1998 to 2005, Gerhard Schröder), New Labour's attempt to create a partnership between state and society can be considered one of the most contested visions after the fall of the Iron Curtain in 1989. Jane Lewis' assessment of 2005 stands for many:

Currently, partnerships are not equal and may increasingly involve providers that are not particularly different; indeed it is very hard for it to be otherwise in the context of a market-driven mixed economy of welfare, where the role of local partnerships may consist largely of managing the local market for services.<sup>7</sup>

The debate on state and society gained momentum when the 2005 London bombings and the debate on home-grown terrorism led the Labour government to make further efforts to strengthen and protect democracy. The government decided to combine its programmes to strengthen democracy with its counter-terrorism measures. It comprises the four steps: "Pursue" (thwarting terrorist attacks), "Protect" (expanding protective measures), "Prepare" (minimising the excesses of terrorist incidents if they are not prevented), and "Prevent."<sup>8</sup>

The Labour government's Prevent directive implemented in 2006/2007 was particularly controversial in that it sought to remove the breeding ground for terrorist tendencies while at the same time strengthening social cohesion and the commitment to democracy.<sup>9</sup> Under Prevent I, local decision-makers under the auspices of the Department for Communities and Local Government (DCLG) received substantial amounts of funding, most of which they could allocate to civil society actors at their own discretion.<sup>10</sup> The primary goal was to prevent young people from slipping into terrorism by offering extracurricular education – the extent to which the state-funded civil society actors respected basic democratic values was of secondary importance. The programme was met with criticism: Because it linked "internal security," "integration," and the goal of promoting a "mainstream" Islam, it roused the fear that the state was striving for police surveillance of Muslim communities. Secondly, it seemed grotesque to some voices that the state should promote civil society groups that had little in common with the much-vaunted democratic values. For example, under Prevent I, support had been extended to Salafist groups, provided they had not come into conflict with the law and did not show any propensity to violence, as they were seen as having the potential to save young people from terrorism.<sup>11</sup>

## **From Big Government to Big Society: David Cameron 2010 to 2016**

### *Turning to the breeding grounds: strengthening of democracy to combat extremism*

The Prevent policy took a new direction after the change of government to the Liberal-Conservative coalition in 2010. Responding to criticism that it was too focused on (violent) Islamism, the government broadened the conceptual

understanding of extremism under Prevent II. The 2015 counter-extremism strategy defined extremism as “the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs.”<sup>12</sup> The strategy is explicitly directed against neo-Nazism, Islamophobia, anti-Semitism, and Islamist extremism. The latter is considered the most significant. Many scholars have criticised this understanding as vague, subjective, and opaque.<sup>13</sup> Until today, the criticism is loud that the strategy is particularly focused on Muslim communities and leads to the monitoring and surveillance of Muslim students under the Prevent duty in schools ignoring the growing threat by extreme right-wing ideologies.<sup>14</sup>

The value-driven definition understands extremism as the negation of liberal-democratic values, but the close link between terrorism and extremism remains strong to this day: extremism is considered dangerous because it creates an atmosphere in which terrorism can flourish. Islamism still carries weight today, especially in the public debate.<sup>15</sup> In addition, the coalition separated state measures to protect democracy: measures of de-radicalisation were distinguished from measures to promote democracy.<sup>16</sup> The latter was supported by a new vision for the country which was to disperse power to civil society – Cameron coined the term “Third Sector”<sup>17</sup> – and to redefine the state’s role in the strengthening of democracy and its preventive protection.

### *Making democracy work: the Big Society*

As early as 2005, Tory leader Cameron hinted at his vision of a relationship between state and society based on the diversification of power and the valorisation of the local level.<sup>18</sup> He wanted to counter Labour’s “Big Government” with “Big Society.” Underpinned by the works of think tank chairman Phillip Blond<sup>19</sup> and Tory MP Jesse Norman,<sup>20</sup> Cameron developed the idea of Big Society in the course of the campaigns before the 2010 general election. Only a renewed commitment to fairness, social responsibility, and participation would be able to mend the “broken” British society.<sup>21</sup>

As Cameron explained, the aim is not to shrink the state but to redefine its role in the political sphere. To help get the programme started, the state would activate and motivate small communities to fulfil the democratic promise of equality and freedom:

We will use the state to help stimulate social action, helping social enterprises to deliver public services and training new community organisers to help achieve our ambition of every adult citizen being a member of an active neighbourhood group.<sup>22</sup>

The Big Society was designed to “mend” the “broken” British society by addressing the threats to social cohesion but also everyday crime, referred to as “anti-social behaviour.”<sup>23</sup>

The attempted valorisation of the local went hand in hand with a reform of public service and local accountability. In the original plan, social initiatives were given the opportunity to found schools (“free schools”) or to run public institutions such as libraries. Once a year, the achievements were to be celebrated during a “Big Society Day.”<sup>24</sup> Emphasis was placed on young people, whom the state was now supposed to actively enable to participate democratically and to assume responsibility:

We will introduce a National Citizen Service. The initial flagship project will provide a programme for 16-year-olds to give them a chance to develop the skills needed to be active and responsible citizens, mix with people from different backgrounds, and start getting involved in their communities.<sup>25</sup>

The Liberal-Conservative government’s paper “Building the Big Society” reaffirmed the goal of vitalising “disconnected” regions in particular and counteracting social deprivation. One strategy was to train community organisers to help newly formed neighbourhood groups get started with local projects. To finance them, the government initiated the bank Big Society Capital, which was funded by dormant bank accounts.<sup>26</sup>

### *The National Citizen Service (NCS)*

When large numbers of people, especially young people, took part in violent protests in London, Bristol, Birmingham, Liverpool, and Manchester between 6 and 11 August 2011, the prime minister’s concern for social cohesion came to the fore.<sup>27</sup> The National Citizen Service was supposed to counteract discontent and social polarisation and strengthen the commitment to democracy. What started as a pilot project in 2010 was consolidated as a permanent component of youth policy in 2017.<sup>28</sup>

Financed and initiated by the state, nine civil society project partners put the idea into practice.<sup>29</sup> They worked together with around 300 local organisations specialising in youth work. Although the number of participants fell short of expectations in the first few years, the programme has recorded high growth rates. Between 2015 and 2016, the number of participants jumped by 23 per cent to 93,000. For the 2020/21 funding phase, the programme aimed to attract 360,000 young people from England and Northern Ireland. The cost per person was considered high: in 2016, it was £1,863. The level of awareness for the NCS among young people was 55 per cent in the same year. A total of 32 per cent were from “minority ethnic groups.” Further, compared to the general population, the proportion of young people from disadvantaged contexts is high.<sup>30</sup>

The programme created opportunities for meetings and interactions in four steps which all took place mainly in the holidays after grade 11: a five-day summer camp that focused on building physical and team skills; a five-day stay

at a university campus to equip youth with skills for an independent life; 60 hours spent on a social project in the local community, often involving fundraising or organising a festival; and finally a two-hour celebration for participants and their families.<sup>31</sup>

The government's objective was to anchor the NCS as an element of civic education in the lives of all young people, so the NCS claimed to be nothing less than a rite of passage to responsible citizenship:

The Trust is working hard to ensure NCS becomes a rite of passage that is a normal part of growing up, helping to equip and empower generations of young people. This is achieved by bringing young people together in a shared experience for two or four weeks to design and deliver their own community action projects – building their confidence in what they can achieve, developing their character and bridging social divides. By offering young people an innovative and engaging shared experience, NCS helps them to become better individuals and, in turn, better citizens.<sup>32</sup>

In spring 2023, the government announced a realignment of the programme which includes in addition to the away from home experiences, also local community experiences and online experiences.<sup>33</sup>

### *Community Organisers Programme*

As a pillar of the Big Society, the Community Organisers Programme (2011–2015) was designed to prevent social polarisation and fragmentation and to open up space for local initiatives, especially in deprived communities. The starting point was the government's observation that many local communities were not sufficiently organised to address their problems and challenges on their own. People shared similar concerns but were pessimistic that the shared concerns could be tackled together. The Community Organisers Programme was designed to fill this gap. Different from the NCS, it is aimed mainly at adults.<sup>34</sup>

The state's role was to help get the programme started: it provided the idea and financial support for the community organisers in the first year, after which they were supposed to find their own sources of funding. In practice, however, the majority of community organisers continued to receive state funding after the initial period. The 500 community organisers and 4,500 community volunteers also received training to prepare them for their practical work. Although the idea of community organisers is widespread in the USA and South America,<sup>35</sup> the design of this programme and the state involvement within the framework of the Big Society went beyond existing concepts.<sup>36</sup>

The two central candidates to implement the programme were Citizens UK and Locality. Founded in 1989, Citizens UK defines itself as a corrective to politicians, a forum for new ways of participation, and a cultivator of activist strategies. Locality, which emerged in 2011 from a merger of The British Association of Settlements and Social Action Centres (BASSAC) and the Development Trusts Association

(DTA), had already been active in the community for years and focused on building relationships and setting processes in motion. In the end, Locality was awarded the contract together with its training partner RE:generate.<sup>37</sup>

As the state maintained small-scale supervision, the community organisers' actual working practices in the communities varied although there was a general emphasis on "listening."<sup>38</sup> Shared activities were part of the programme's four-stage approach: First, community organisers made contact with different people, for example through door-to-door visits, by approaching people in cafés, or by networking through friends and family. In this first stage, listening was the central task in order to get an overview of pressing problems in the neighbourhood. During this process, the contact details of the individuals were recorded. From the numerous individual conversations, community organisers were able to form clusters. In the third stage, the clusters were invited to meet in small groups at one of the participants' homes or at a community venue and were encouraged to exchange ideas. The main idea was to listen to the other members of the community. It was only in the fourth stage that a community holding team was formed from the smaller groups. The team was to develop concrete plans for future events or small projects.<sup>39</sup>

After the end of the programme in 2015, the initiative led to the legacy organisation, The Company of Community Organisers (COLtd), which supported at least 27 neighbourhood projects and was to take over the training of community organisers. From 2017 to 2020 the project had been funded by the Office for Civil Society as part of the Community Organisers Expansion Programme which aimed to establish a community organising network in England and promote neighbourhood projects:<sup>40</sup> "We want to see a future where community organising underpins a vibrant democracy and is sparking a diversity of local conversations in the most 'left behind' and socio-economically deprived communities."<sup>41</sup> To achieve its goal, the registered charity relied not only on state funding but also on cooperation with actors from civil society and business.<sup>42</sup> During the lockdown periods in 2020 and 2021, the project shifted its focus to digital offerings to support initiatives which aimed to cushion the social inequalities as a consequence of the COVID-19 pandemic. From 2022 on, a more international perspective was adopted as well as a campaign to listen to the needs of those organised in the network. The network's projects are thereby influenced by cross-border crises, e.g. the war in Ukraine and the related cost of living crisis. Funding was received by varying sources, e.g. the National Lottery and the Joseph Rowntree Foundation.<sup>43</sup>

### ***Criticism: an extended Third Way in a new guise?***

Criticism of the Big Society vision was manifold. Some found it to be merely a convincing campaign manoeuvre preceding the elections in 2010. Others complained about a "neoliberal" agenda which extended and amplified New Labour's Third Way. This agenda was hidden in the shadow of the 2009 financial and sovereign debt crisis and the associated austerity measures introduced by the British

government.<sup>44</sup> The temporal overlap of the two sets of measures gave rise to the suspicion that the aim was not so much to promote social cohesion and democracy but rather to dismantle the state and leave the costs of social reproduction to the unpaid forces of civil society.<sup>45</sup> Some authors even challenged the government's definition of the problem, claiming that England did not face a crisis of social participation but of state responsibility. In this view, the Big Society ran the risk of further weakening isolated regions through the withdrawal of the state.<sup>46</sup>

For Alain Finlayson, the Big Society was a consequence of Cameron's scepticism of the state's competences to solve social challenges. According to Finlayson, Cameron's Big Society decentralised state power even though the state was in charge of initiating the transformation of society.<sup>47</sup> As Nicholas Deakin reflects, the Big Society is an idea too narrow to actually change society. The individual programmes might strengthen volunteering but do not address society as a whole. He finds that the programme lacks vision.<sup>48</sup> Peter North is less pessimistic. He recognises advantages in the vision of Big Society but considers the financial underpinning for implementation to be slim regarding the programme's ambitious aims.<sup>49</sup>

The stigma of high costs is attached to the National Citizen Service in particular.<sup>50</sup> Its ability to promote social cohesion and fundamental British values is undermined by the devolution that has taken place in the UK since the late 1990s. While devolution was hardly a factor in relations between the state and civil society during the Labour governments, this changed with the change of government in 2010. According to Pete Alcock, Scotland, Wales, and Northern Ireland have since oriented themselves less towards England, which has increased the heterogeneity of politics in the field of civil society.<sup>51</sup> This seems to hold true at least with regard to the dissemination of the National Citizen Service. When it was launched in 2011, it was only accessible to participants in England; it only became accessible in Northern Ireland in 2015. Wales ventured a pilot project in 2014, but Scotland was not planning to implement it. However, if parts of the country fail to join the programme, the meaning of the word "national" in National Citizen Service remains open to interpretation.<sup>52</sup>

Further, the state is suspected of having an inappropriate influence on the content of the programme. In the eyes of critics, young people learn social commitment but not how to intervene in the political process as responsible citizens. In short, the Big Society fosters docile and streamlined citizens.<sup>53</sup>

Like the Big Society in general, the Community Organisers Programme has been criticised as yet another means to exploit local initiatives in a neoliberal manner, one which has already been used by New Labour. Fisher and Dimberg emphasise, however, that secondary to the government's intention, it was the Community Organisers Programme that opened up space for civil society exchange at the micro level to bring about grassroots change. Unlike New Labour's Third Way, the programme had after all also trained and (at least temporarily) employed people. Because of the enormous freedom in implementation, there were opportunities for individual community organisers to bring about change.<sup>54</sup> The authors do not entirely dismiss the criticism of the neoliberal slant when they say it "was

obviously put together and implemented with great haste by a regime hoping to buffer the fallout from austerity cuts.”<sup>55</sup>

In practice, problems appeared when the individual conversation was to be transferred into a social framework. While participants were happy to talk to community organisers or to participate individually, they were less willing to invite groups to their homes or to become active members. Community organisers also found it difficult to network with other social projects in the local community. Because of their lack of knowledge of the specific social space, there was a risk that duplicate structures would be established or already-existing relationships disrupted.<sup>56</sup>

Can it be said that the Community Organisers Programme was a success? The evaluation carried out by IPSOS for the government in 2015 concluded that while the programme had mobilised many people and celebrated successes on a small scale, it had not brought about the promised social change on a large scale. The research team therefore recommended lowering expectations for future projects and building on the strength of concrete, small-scale projects.<sup>57</sup>

### **Did the Big Society survive its political advocate? From Cameron’s “Big Society” to May’s “Shared Society”**

Did the Big Society survive Cameron? The Big Society already had implementation problems during Cameron’s first term in office. Plans for a national “Big Society Day” were dropped by the coalition government.<sup>58</sup> The proposal of giving workers time off for volunteering was occasionally brought up but has not caught on.<sup>59</sup> In addition to a few Free Schools,<sup>60</sup> what has survived from the Big Society’s grand vision are the initiatives to educate young people in citizenship through the National Citizen Service – at least in England – and (with some limitations) the Community Organisers Programme.<sup>61</sup>

The Big Society slowly disappeared from the Tories’ rhetoric. While their programme for the 2015 elections still clung to the idea of the Big Society, for example via the promise of three days off for the purpose of volunteering,<sup>62</sup> the term was missing from the post-Cameron 2017 and 2019 programmes<sup>63</sup> despite the fact that Cameron’s successor in office, Theresa May, was a close companion. He had appointed her between 2005 and 2010 as Shadow Home Secretary and during his terms in office as Home Secretary. Though she supported the Big Society during that time, she did not take it up as acting Prime Minister. Her vision of a “Shared Society” was based on a strong volunteering sector which should certainly receive support from the state. Pride in the long tradition of volunteering in England shines through when she says: “We are a country built on the bonds of family, community and citizenship and there is no greater example of the strength of those bonds than our great movement of charities and social enterprises.”<sup>64</sup> Like Cameron, May distanced herself from Thatcher’s individual-centred policies when she insisted on the communitarian character of British society. In order for citizens to be able to take on responsibility in their communities, there is now a need for a state that fights structural inequality. Here she seemed to be poaching, perhaps even more strongly than New Labour, from the left:



Governments have traditionally been good at identifying – if not always addressing – such problems. However, the mission I have laid out for the government – to make Britain a country that works for everyone and not just the privileged few – goes further. It means more than fighting these obvious injustices. It means acknowledging and addressing the everyday injustices that too many people feel too.<sup>65</sup>

Like Cameron, May aimed to overcome divisions and strengthen social cohesion. More clearly than her predecessor, she was targeting families and the lower middle class who fear deprivation. She also did not want to forget the younger ones, which is why she promised to (and eventually did) strengthen the National Citizen Service.<sup>66</sup> Unlike Cameron, she saw the new role of government not only in initiating but also in managing social processes:

This means a government rooted not in the laissez-faire liberalism that leaves people to get by on their own, but rather in a new philosophy that means government stepping up – not just in the traditional way of providing a welfare state to support the most vulnerable, as vital as that will always be. But actually in going further to help those who have been ignored by government for too long because they don't fall into the income bracket that makes them qualify for welfare support.<sup>67</sup>

She understood her “great meritocracy”<sup>68</sup> as a society in which commitment to one's own well-being as well as to the well-being of one's neighbours pays off, whether in the family or in the local community. To put it briefly: where the market fails, the state must intervene.

May's short time in office makes it less fruitful to examine to what extent her vision has translated into concrete programmes. As mentioned above, she kept her word and continuously anchored the National Citizen Service in extracurricular democracy education. While her idea of the state went beyond Cameron's in that she saw it not only as an initiator but also as a manager – parallels to New Labour are evident here – the basic idea of a society that tackles social problems through volunteering and local organisations is a similar one, which is why the programme has been accused of having a neoliberal slant similar to that of the Big Society. Despite the rhetorical differences, Espiet-Kielty recognises a line of continuity from Thatcher to Cameron to May with regard to individual responsibility and the state's treatment and definition of the “poor.”<sup>69</sup> Still, only fragments of the grand vision of the Big Society survived the resignation of its advocating Prime Minister. Closely associated with the person David Cameron, the programme was neither revived by May nor by the following Prime Ministers – despite the fact that Boris Johnson, Liz Truss, and Rishi Sunak all formed Conservative governments. Only the scaled-down version of the NCS and the Community Organisers Programme survived Cameron, and their significance is much less influential than originally planned.

## Conclusion

The protecting and strengthening of democracy is a permanent task which transcends generations. As democracy not only relies on governmental programmes but also on a strong and vibrant civil society, the relationship between the state and civil society, and its continuities and changes are of particular interest. This chapter analysed this unstable relationship using the example of the “Big Society.”

Under Cameron, the efforts to protect democracy were split into programmes to deradicalise extremists and to build community and make democracy stronger. He thereby continued New Labour’s efforts to tackle “home-grown” and “external” terrorist threats to the UK. Still, this separation was distinct from Labour’s measures which intermingled anti-terrorism policies with community building and social cohesion. This development went hand in hand with the Conservative’s strategy to expand the definition of terrorism to extremism, which is understood to be the breeding ground of terrorism. The Tories’ visions in the field of the strengthening of democracy – Cameron’s Big Society and (though less prominent) May’s Shared Society – tried to enhance the feeling of togetherness, responsibility for oneself and others, and the capacity to act in the local community to dry up the breeding ground for hostility to democracy. But the Big Society was not much more than a “castle in the air,” had only little impact in practice, and was met with huge criticism in the academic discourse, particularly because of its neoliberal impregnation and the state’s strong role in defining the programme’s goals.

This chapter could not paint the whole picture of measures to strengthen and protect democracy in the UK, but with its focus on England and Cameron’s Big Society it outlined the historical and cultural background as well as the consequences for the relationship of civil society and the state in this particular case study. While Cameron focused more on the reorganisation of local engagement and volunteering with the state helping to get programmes started, May addressed social inequality and the resulting hurdles more strongly, but without emphasising power relations along the lines of “race,” “class,” and “gender.” She focused on the hurdles predominantly facing the lower middle class. In abstract terms, the state’s role can be described as providing help to get started (Cameron) and to manage capacities (May): the state is the author of a broad idea (both) and a civil society which organises and carries out programmes. In consequence, civil society appears rather an executive organ of state programmes than an independent actor. While this approach decreases civil society’s autonomy, the state’s efforts are too weak to actually challenge ingrained hurdles to enable equal opportunities.

## Notes

- 1 Cf. instead of many Dolf Sternberger, *Parlamentarische Regierung und parlamentarische Kontrolle*, *Politische Vierteljahresschrift*, 5 (1964) 1, pp. 6–19.
- 2 Cf. David Cameron, Big Society. Hugo Young Lecture. Transkript, <https://conservative-speeches.sayit.mysociety.org/speech/601246>, accessed 7 June 2021.

- 3 Cf. Geoffrey Finlayson, A Moving Frontier. Voluntarism and the State in British Social Welfare 1911–1949, *Twentieth Century Brit Hist*, 1 (1990) 2, pp. 183–206.
- 4 Cf. Nicole Kramer/Christine G. Krüger, Einleitung. In: Nicole Kramer/Christine G. Krüger (eds.), *Freiwilligenarbeit und gemeinnützige Organisationen im Wandel: Neue Perspektiven auf das 19. und 20. Jahrhundert*, Historische Zeitschrift, Beihefte, Berlin/Boston 2019, p. 21.
- 5 Cf. Christine G. Krüger, *Dienstethos, Abenteuerlust, Bürgerpflicht: Jugendfreiwilligendienste in Deutschland und Großbritannien im 20. Jahrhundert*, Göttingen 2016, pp. 214–255, 318–322.
- 6 Cf. David Kerr, Citizenship Education in England: The Making of a New Subject, *Online Journal of Social Sciences Education*, 2 (2003), without pagination.
- 7 Jane Lewis, New Labour’s Approach to the Voluntary Sector. Independence and the Meaning of Partnership, *Social Policy & Society*, 4 (2005) 2, pp. 121–131.
- 8 Cf. Home Office, *Prevent and Channel Factsheet*, <https://homeofficemedia.blog.gov.uk/2019/12/19/prevent-and-channel-factsheet/>, accessed 10 August 2020.
- 9 Cf. Isabelle-Christine Panreck, Zulasten zivilgesellschaftlicher Freiräume? Staatlich geförderte Demokratiebildung in Großbritannien, *Zeitschrift für Politik*, 67 (2020) 4, pp. 437–454.
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- 12 Cf. The Secretary of State for the Home Department by Command of Her Majesty, *Counter-Extremism Strategy*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/470094/51859\\_Cm9148\\_PRINT.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/470094/51859_Cm9148_PRINT.PDF), accessed 11 June 2020; Joel Busher/Tufyal Choudhury/Paul Thomas, Surveillance and Preventing Violent Extremism: The Evidence from Schools and Further Education Colleges in England. In: M. Kwet (ed.), *The Cambridge Handbook of Race and Surveillance*, Cambridge 2023, p. 270.
- 13 Cf. David Lowe, Prevent Strategies. The Problems Associated in Defining Extremism: The Case of the United Kingdom, *Studies in Conflict & Terrorism*, 40 (2016) 11, pp. 917–933.
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- 15 See, for example, the former Prime Minister David Cameron in his foreword to the Count-Extremism-Strategy. The Secretary of State for the Home Department by Command of Her Majesty. *Counter-Extremism Strategy*, p. 5.
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# 11 Transnational cooperation between anti-extremist civil society organisations in Europe

*Miroslav Mareš*

## **Introduction**

Anti-extremist policy has become a matter of international and transnational cooperation in which civic society organisations are also active. The reason for this is that extremism in its various forms has a significant transnational dimension and various countries, nations, and transnational entities share similar anti-extremist values. In this contribution, I will describe and analyse transnational cooperation of civil democratic organisations in the field of countering extremism in Europe, an issue whose significance has been underestimated in the research into counter-extremism and protection of democracy as well as into transnational and international relations. Research on international relations deals intensively with the role of non-governmental organisations (NGOs),<sup>1</sup> however, not in the field of counter-extremism and protection of democracy.

In this chapter, I will first outline the analytical framework which reflects the complicated character of how counter-extremism, transnational relations, and ties between the governmental and non-governmental sphere are conceptualised. I will then summarise the historical development of how extremism is countered transnationally and describe the most significant recent forms. Finally, I will present a case study to provide a deeper explanation and understanding of the contemporary challenges of transnational anti-extremist cooperation.

## **Conceptualisation of transnational cooperation of civil society against extremism**

If we want to conceptualise the term anti-extremism within the context of civil society engagement, we should first briefly define the term extremism. In this chapter, extremism is understood as the antithesis to the democratic constitutional state.<sup>2</sup> Anti-extremism, then, means activities specifically aimed at weakening or eliminating extremism or a specific form of extremism. Anti-extremist activities can be provided at the governmental as well as non-governmental level and by repressive (e.g., the limitation of freedom of speech for extremists), accommodative (e.g., inviting an extremist party into government with the aim of disrupting its protest potential), or discursive means (e.g., narratives against extremist

DOI: 10.4324/9781003321880-15

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propaganda). In my conceptualisation, anti-extremism does not require acceptance of the term extremism. One significant criterion for the labelling of anti-extremism (anti-Communism, anti-Fascism, etc.) is a focus on phenomena that can be subsumed under this term by independent researchers. Anti-extremism can be part of the broader category of democracy protection if the anti-extremist actors act in favour of democratic constitutional statehood. Democracy protection includes activities to maintain and strengthen the democratic constitutional order, including supporting a constitutional “checks and balances” system, democratic education, external alliances with democratic states, etc. Supporting and protecting human rights can also include specific elements aimed directly at extremist actors who have violated human rights.

Specific activities against extremism can be part of a broader agenda of various organisations and initiatives. However, some organisations and initiatives can be entirely focused on countering extremism or its specific (sub)forms and interconnected phenomena (such as hate speech, for example). Within national and international NGOs focused on one (sub)form of extremism, we can sometimes observe the involvement of extremists from the opposite side – for example, a left-wing extremist fighting against a right-wing extremist and vice versa. In such cases, it is questionable whether such an organisation can be labelled as a civil society organisation. Cas Mudde and Petr Kopecký use the term “uncivil society” or the “dark side of civil society,” respectively.<sup>3</sup> From a normative point of view, a credible declaration of anti-extremism requires rejecting all forms of extremism equally. From the point of view of traditional comparative extremism research, it is also impossible, for example, to label left-wing extremist engagement against right-wing extremism or right-wing extremist engagement against left-wing extremism as civic societal anti-extremism, including at the transnational level of anti-extremism.<sup>4</sup> However, if these activities significantly weaken the opponent stream of extremism without the growing impact of another stream of extremism, they can be considered as beneficial from the point of view of protection of democracy.

The interconnection of anti-extremism and transnational activities also requires specific conceptualisation. In general terms, the key dimensions of the contribution of NGOs to world politics, according to Davies, are: “a) advocacy targeting non-state actors, b) transnational service provision, c) transnational governance, and d) facilitating a parallel transnational society to the international society of states.”<sup>5</sup> In the case of contemporary anti-extremist policy, the first two of these dimensions are most relevant – advocacy targeting non-state actors in the sense of protecting the target groups of extremist activity and transnational service provision in the sense of countering extremist activity as such.

Anti-extremism as a transnational phenomenon can be categorised in various dimensions defined by specific criteria. The cooperation can be ad hoc (one workshop or counter-demonstration against an extremist rally, for example), short-term (temporary, limited project), or long-term (stable, formalised structure). It can be aimed directly at an extremist action (blockade of an extremist march), it can serve as a guideline for practitioners and decision makers, it can be focused on a broader audience, or it can provide an academic background for anti-extremism.

We can further distinguish between bilateral, trilateral, and multilateral cooperation and between sub-regional, regional, and global cooperation. Sometimes, a specific cultural environment can be the driver of cooperation (e.g., countering extremism in the Muslim world). Cross-border cooperation is sometimes carried out by an NGO from one nation, an ethnic group, or a religious group whose members live in more than one country (e.g., Jewish cross-border activism against anti-Semitism<sup>6</sup>).

We can also consider whether the transnational dimension is governmental or non-governmental. Possibilities include the cooperation between governmental institutions from one or more countries, cooperation between governmental institutions from two or more countries, and NGOs from one or more countries and, of course, cooperation between various NGOs from two or more countries. International governments as well as international NGOs can formulate or support anti-extremist policy. Typically, the EU can support a network of NGOs – the Radicalisation Awareness Network (RAN) is one such example (see below).<sup>7</sup>

Whether an organisation is non-governmental or governmental in nature is sometimes difficult to determine. In many cases, organisations have significant links to governmental structures in a broader sense, as in the case of the German party-political foundations which are active internationally, including in the field of promoting anti-extremism.<sup>8</sup> These organisations are funded from the budget of the German government and their level of funding depends on the electoral gains of their associated political parties. Generally, the funding of NGOs from national governmental sources (including regional bodies and municipalities) and by international organisations is a typical example of anti-extremist policy.

In the case of “independent” transnational NGOs (NGOs without party-political or governmental involvement), we can distinguish between transnational or cross-border cooperation of national NGOs and national branches of international NGOs (if, for example, we consider Amnesty International as an anti-extremist organisation due to certain aspects of its agenda<sup>9</sup>).

### **Outline of the historical development of transnational non-governmental anti-extremist cooperation in Europe**

The historical development of anti-extremism is accompanied by various activities against specific forms of extremism. However, the civic democratic engagement is only one part of this struggle. In the first half of the 20th century, we can see party political fights against the rise of fascism as well as fights against communism, in which satellite organisations of political parties, trade unions, and intellectual circles were also involved, as well as, in a certain way, churches and religious communities.

Usually, party affiliation played the most crucial role. Within the democratic political spectrum, it was the social democratic struggle against fascism and partially also against Bolshevism which dominated in the 1920s and 1930s. The Labour Movement and the Socialist International internationalised and globalised these activities. They also supported the German Social Democratic Party (SPD) in

its fight against the National Socialist German Worker's Party (NSDAP). Socialist trade unions and other parts of social democratic/socialist movements also followed this political line.<sup>10</sup>

The Communist International also promoted the fight against fascism, however, its relationship with social democracy was characterised by several changes in position (this included using the defamatory term "social-fascism" to label social democracy).<sup>11</sup> Facing the imminent threat of the growth of Hitler's National Socialism in 1932, Antifascist Action (AFA) was formed by the communists in Germany as a common platform of the Communist Party of Germany (KPD) and SPD. It profiled itself as a front organisation<sup>12</sup> but was not successful at that time. Later, AFA gained an international dimension; however, not as a representative of civil society but of militant movements. In 1933, an international leftist campaign was organised to support imprisoned Bulgarian communist Georgi Dimitrov who was charged with setting the Reichstag on fire. Various leftist entities were involved in this campaign (besides extremist communists led by the Comintern, socialists from the party political and non-partisan sphere were also involved). The International Week in Support of the Victims of Fascism was held in the week of 17 to 25 June 1933 and it incorporated the European Antifascist Workers' Congress (an organisation under the influence of the Communist International; however, many non-communists also participated in the activities of the congress).<sup>13</sup>

From the point of view of civil society, the countering of left-wing extremism is problematised by the engagement of right-wing extremists and by the fact that some actions made little impact. An international campaign against Bolshevism was organised by, among others, the Catholic Church,<sup>14</sup> which in several statements also criticised the Nazi rule and anti-Semitism (with no relevant impact in formalised transnational relations outside of church structures).<sup>15</sup> Anti-Bolshevism also featured in the propaganda of various right-wing extremist political forces<sup>16</sup> which were not representatives of the "good" civic society.

Certain post-war non-governmental transnational structures with anti-communist orientation were also affected by right-wing extremist legacies, such as the Anti-Bolshevik Bloc of Nations. The Anti-Bolshevik Bloc of Nations was formed in 1946 in Munich under the influence of Ukrainian and other right-wing extremist nationalists.<sup>17</sup> In post-war Europe, several anti-communist transnational organisations operated as the Comité international d'Information et d'Action Sociale (CIAS), founded in 1956 and partially controlled by Western secret services.<sup>18</sup> The World Anti-Communist League (WACL), which was global in its scope of activities, was established in 1966 as an umbrella organisation for many national groupings that were partially under the patronage of several right-wing authoritarian politicians. This global network was later accused of having been infiltrated by right-wing extremists.<sup>19</sup> In 1990, it was renamed the World League for Freedom and Democracy (WLFDD); however, it continued to decline in importance. Anti-communist engagement in Eastern Europe included various dissident oppositional movements, which also established cross-border relations (e.g., between the Polish and Czechoslovak opposition).

If we turn back to the countering of right-wing extremism, organisations consisting of former anti-Fascist fighters and political prisoners played an important role in Western Europe as well as in Eastern Europe. This included The International Federation of Resistance Fighters – Association of Anti-Fascists, founded in 1951 in Vienna<sup>20</sup> (in the communist bloc, national member organisations were supported by their governments<sup>21</sup>). Jewish organisations, including the World Jewish Congress, were working to counter anti-Semitism. Activities against right-wing extremism in Western Europe also involved left-wing extremist groupings in the area of autonomous and anarchist action, including the rebirth of the Antifascist Action.<sup>22</sup> However, socialist and other democratic networks were also active. The rise of right-wing extremist subcultural violence in the 1980s and 1990s resulted in a stronger engagement by young people in countering this violence. The fall of the iron curtain opened new opportunities for transnational cooperation. The rapid growth of racism and anti-Semitism led to a mobilisation against these phenomena (e.g., the international conference “Antisemitism in post-totalitarian Europe,” organised by the Franz Kafka Institute in Prague in 1991).

The protection of human rights, typical of Western engagement in communist and right-wing authoritarian countries during the Cold War, was accompanied by criticism of non-democratic rule and procedures. Several transnational organisations were also important actors in the area of human rights policy, in particular Amnesty International which attempted to aid in the defence of democratic activists who were being prosecuted. Amnesty International’s activities continued after the fall of communism, among others against newly emerging racist violence in Central and Eastern Europe.<sup>23</sup>

### **Contemporary pan-European anti-extremist networks in Europe**

The rise of right-wing extremist violence after 1980 and the fall of communism in Central and Eastern Europe led to an intensification of the engagement by civic society in Europe on a transnational level. After the change of regimes in this region, the legacies of communism affected the landscape of left-wing extremism. And on the other side of the political spectrum, simmering nationalist conflicts and dissatisfaction with the new political situation caused the rise of nationalism and right-wing extremism.

In Western as well as in Eastern Europe, transnational ties between NGOs were established and strongly supported by international governmental organisations and national governmental bodies. The civic democratic engagement against racism (and within this context also against right-wing extremism) rose significantly in the 2000s and 2010s. The Council of Europe, the Organization for Security and Cooperation in Europe (mostly the Office for Democratic Institutions and Human Rights), and the European Union were international governmental organisations that were active in this field. At the global level, the United Nations encouraged cooperation of civil society against racism<sup>24</sup> and terrorism (the Civil Society Engagement Strategy was adopted by the United Nations Office for Counterterrorism in 2020).<sup>25</sup>

The European Union also supports the European Network Against Racism (ENAR), which was founded in 1998. ENAR describes itself as

a pan-European anti-racism network that combines advocacy for racial equality and facilitating cooperation among civil society anti-racism actors in Europe. The organization was set up in 1998 by grassroots activists on a mission to achieve legal changes at European level and make decisive progress towards racial equality in all EU Member States.<sup>26</sup>

The director of ENAR, Michael Privot, stated: “With over 150 civil society member organizations across the European states, ENAR seeks to build a broad and powerful coalition of actors committed to an anti-racist vision of European society.”<sup>27</sup> ENAR fights against various forms of racism (mostly anti-gypsyism, Afrophobia, Islamophobia and anti-Semitism<sup>28</sup>). Its representatives do not use the term extremism; however, they emphasise ENAR’s contribution to countering radicalisation.<sup>29</sup>

The ENAR published so-called shadow reports on individual countries as well as on the whole of Europe, in which official governmental information and statistics are challenged.<sup>30</sup> ENAR strongly criticises Islamophobia<sup>31</sup> but came under attack due to alleged ties to the proxy group of the Muslim Brotherhood.<sup>32</sup> In 2015, Frédérique Ries, a member of the European Parliament, asked the European Commission about the financing of several organisations with alleged links to the Muslim Brotherhood (according to media reports) from the EU budget.<sup>33</sup> In her reply on behalf of the Commission, Commissioner Věra Jourová stated: “The Commission is concerned about allegations, based on certain press reports, discrediting civil society organisations which have as their statutory mission contributing to the common objective of combatting racism, xenophobia, discrimination and other related intolerance.”<sup>34</sup> This case illustrates that the European Commission defended the democratic civil societal engagement of the ENAR.

The network Fare (Football against Racism in Europe), founded in 1999 in Vienna, is an example of a transnational NGO that focuses on a particular issue. Fare defines itself as an “umbrella organisation that brings together individuals, informal groups and organisations driven to combat inequality in football and the use of sport as a means of social change.”<sup>35</sup> It “combats all forms of discrimination, including racism, far-right nationalism, sexism, trans- and homophobia and discrimination against disabled people.”<sup>36</sup> Fare is partially sponsored by the EU and also has an established partnership with UEFA, but it is an independent organisation with “grassroot” members throughout Europe.

The Radicalisation Awareness Network (RAN), founded in 2012, is more closely integrated into the structure of the EU. It is a network of practitioners, decision-makers, and academics dealing with the issue of radicalisation within governmental and non-governmental spheres. Specifically, RAN is a supranational organisation which, due to a network of various groups and campaigns, encourages transnational cooperation of NGOs. The scope of its activities covers preventing radicalisation into forms of violent extremism and terrorism.<sup>37</sup>

Various advocate groups from ethnic and religious minorities are engaged in countering racism, xenophobia, and hate. Within this context, they fight mostly against right-wing extremism. The European Roma Rights Centre (ERRC) is typical for an organisation undertaking this kind of transnational activity. This NGO was founded with the help of the Open Society Fund (OSF) in 1996. It defends the rights of Roma people and monitors discrimination and attacks against Roma minorities in European countries.<sup>38</sup> The spectrum of groups and networks with a transnational dimension that advocate for communities and potential targets of right-wing extremist and racist hate is relatively broad. The Muslim-Jewish Leadership Council, formed in 2016, has a specific objective. Its main goal is advocacy that “upholds common Muslim-Jewish values, calls for the protection of the universal right to freedom of religion and belief, corrects stereotypes and builds inter-communal and intra-communal trust and cooperation.”<sup>39</sup>

With the activities of many transnational NGOs aimed at right-wing extremism and connected phenomena, a focus on left-wing extremism is relatively rare. In 2016, as a reaction to the aggressive politics of the Russian regime and its use of proxies in Europe, the US political analyst Paul Goble even called for the revival of the Anti-Bolshevist Bloc of Nations.<sup>40</sup> However, countering Russian hybrid interference is connected to inter-governmental structures cooperating with national NGOs, for instance to fight against fake news. At least one pan-European organisation deals with politics of memory related to crimes of the totalitarian regimes (which, of course, includes communism) – it is the Platform of European Memory and Conscience (see below).

### **Selected other forms of anti-extremist cooperation in Europe**

Transnational cross-border cooperation against extremism is not only a matter of stable and multilateral pan-European structures in the non-governmental sphere. Short-term activities reacting to a topical increase in extremist activities can be observed at regional and bilateral levels. As examples, I will cite two projects against the rise of right-wing extremist activities in the Czech-German borderland at the turn of the 2000s and 2010s. The first one was called “Dangerous liaisons: Right-wing extremism in local border traffic.” It was funded by the Heinrich Böll Foundation (the party foundation of the German Greens) and the Czech-German Future Fond (an intergovernmental fund financed by both countries) and carried out by the NGOs Cultural Office Saxony (Kulturbüro Sachsen) and Tolerance and Civic Society (Tolerance a občanská společnost) from Prague. The project’s main goal was the exchange of information between Czech and Saxonian NGOs about right-wing extremism and efforts to counter it.<sup>41</sup>

In 2013, the Kulturbüro Sachsen was also engaged in the project “Together against Extremism: a Strategy for Support of Democratic Culture at Local Level,” which it carried out together with the Czech NGO Eruditio Publica. The project focused on educational and training activities for municipalities which faced a wave of right-wing extremist demonstrations in the Czech Republic at that time, mostly against Roma communities. It was funded by the Sebastian Cobler Stiftung



für Bürgerrecht and by the Czech-German Future Fond and supported by the Ministry of the Interior of the Czech Republic.<sup>42</sup>

Numerous similar activities can be found in various border regions across Europe. It is also relatively common for protestors from various countries to participate in demonstrations against extremist activities. Such demonstrations are mostly targeted at right-wing extremism and in many cases involved left-wing extremists alongside democratic protestors. Educational civic democratic projects which transfer experience from one region to another also feature across contemporary Europe. As an example, I would like to mention the 2018 project “Where Do Nationalism and Extremism Lead?” which connected East Central Europe and the Western Balkan. It was organised by four NGOs: the “Center for European Policy from Slovakia, EUTIS, o.p.s. from the Czech Republic, the Croatian Europski dom Vukovar and the Bosnian Agora Centar. The project was supported by the Erasmus + program and by the Konrad-Adenauer Foundation.”<sup>43</sup>

The spectrum of transnational anti-extremist non-governmental organisations and activities is generally very broad (various groups helping migrants and refugees can also be subsumed under this category). The following case study serves as a demonstration of specific problems with transnational cooperation. The fact that combatting extremism has been a public policy in Germany (which is quite unique in Europe) can be mentioned as an explanation for this German activism at its borders and at the European level.

### **Case study: The Platform of European Memory and Conscience**

The Platform of European Memory and Conscience (PEMC) is a pan-European organisation which connects the memory and legacies of the totalitarian regimes in Europe with countering contemporary forms of extremism. It was founded in 2011 in Prague and was registered as a legal person in the Czech Republic. However, PEMC acts transnationally and its members – currently 63 organisations and institutions – come from 23 different countries (including 14 member countries of the EU).<sup>44</sup>

PEMC’s membership is made up of public as well as private, non-governmental organisations. The public members are mostly institutions of national memory and/or institutions responsible for the documents of former totalitarian secret polices (such as the German Federal Commissioner for the Records of the State Security Service of the former GDR) and public museums. The private members (NGOs) include organisations for victims of the totalitarian regimes, private foundations and museums focused on the communist past, and organisations representing immigrants from Eastern and Central European Communities in the West (for example, the Black Ribbon Day Foundation from Canada).<sup>45</sup>

The PEMC declares a set of several goals. The first three of them are as follows:

- to increase public awareness about European history and the crimes committed by totalitarian regimes and to encourage a broad, European-wide discussion about the causes and consequences of totalitarian rule, as well as about common European values, with the aim of promoting human dignity and human rights,

- to help prevent intolerance, extremism, anti-democratic movements, and the recurrence of any totalitarian rule in the future,
- to work toward creating a pan-European documentation centre/memorial for victims of all totalitarian regimes, with the aim of commemorating the victims and raising awareness of the crimes committed by those regimes.<sup>46</sup>

To achieve these goals, the PEMC and its members organise meetings, exhibitions, educational activities, lobbying of national as well as international institutions and more. Its impact is most visible in several post-communist countries in Europe. The roots of the establishment of the PEMC lay in the Prague Declaration from 2008. One of the first signatories of the document was former Czech dissident (during the late communist era) and later Czechoslovak and Czech President (after the fall of communism) Václav Havel.<sup>47</sup> The European Parliament resolution of 2 April 2009 on European conscience and totalitarianism called for the establishment of a Platform of European Memory and Conscience.<sup>48</sup>

The establishing of the PEMC was connected to the struggle of several politicians mostly, but not exclusively, from Central and Eastern Europe to encourage respect for the victims of communism (similar to remembrance dedicated to the victims of Nazism). This goal was also linked to the political fight against communism and deniers of its crimes in the recent era. These policies were actively supported by various NGOs active in this field as well as by members of national institutions for memory and academics from various disciplines.

However, the main mission of the PEMC and its predecessors has been criticised by activists and scholars who reject equalising Nazism and communism and their respective crimes. Laure Neumayer wrote that these European organisations “became venues where domestic conflict about the Socialist period can be continued or amplified.”<sup>49</sup> Christopher Hale sees a dangerous reason for the justification of collaboration with the Nazis during the Second World War in these activities.<sup>50</sup> Zoltan Dujisin even labels several activists connected with the platform as “anti-communist entrepreneurs” and added: “If, in the past, anti-communist entrepreneurs were only accountable to their domestic political patrons, they could now play the contradictory pulls of the Eurocratic field and domestic politics off each other.”<sup>51</sup> Despite these critical voices, the platform is still growing, at least in the sense of the number of member organisations from various countries. It continues advocating for its goals.

The reasons for the relative success of the PEMC can be seen in the political opportunity structures in contemporary Europe. Political forces on the right side of the political spectrum (mostly the Conservative Party family, i.e., a large part of the Christian democratic and liberal right and part of the Far Right) are trying to raise awareness of the crimes committed by communist regimes. They also want to eliminate the societal impact of the old Left and of part of the new Left. Actors from this left side of the political spectrum emphasise mostly the tragic legacies of Fascist and National Socialist historical regimes and, in the contemporary era, fight mostly against right-wing extremism. On the other side, the rightist part of

the political spectrum uses the remembrance of victims of communism to counter recent left-wing extremist narratives.

A network consisting of politicians from post-communist EU countries, conservative and liberal Western parties, as well as interest groups for victims of communism was established in the first decades of the 21st century and was able to win some influence in the Parliamentary Assembly of the Council of Europe as well as in the European Parliament. These institutions adopted several resolutions against totalitarian crimes, taking an equal approach to crimes of Fascist/National Socialist and communist regimes.<sup>52</sup> One of the important achievements to come out of the activities of this network is the establishment of the PEMC. As Laure Neumayer stated:

These networks lack a broad national and ideological representativeness and are limited to a narrowly defined segment of the EP: the Conservative representatives from the former Eastern bloc. MEPs from other ideological orientations criticize their staunch anti-Communist rhetoric, which is moreover characterized by mimetic rivalry with the Holocaust and collides with established Western patterns of remembrance.<sup>53</sup>

Activities of the PEMC are also connected with recent political events and in this sense, they can be instrumentalised in contemporary international politics. One example is the case of the Russian organisations International Memorial and Memorial Human Rights Centre (together known as the Memorial association). These two entities in Russia remembered the victims of Stalinism and also served to protect human rights under the Putin regime. They were delegitimised by Russian authorities in 2021 and terminated their activities in 2022. The PEMC wrote in a statement about this case:

The Platform of European Memory and Conscience calls on the European Parliament and the European Commission to undertake action in order to protect Memorial. We call on all individuals and organisations involved with memory and remembrance to join an international campaign in defence of Memorial.<sup>54</sup>

It shows the interconnection of traditional and modern forms of anti-extremism.

## **Conclusion**

The civil democratic engagement against extremism at a transnational level has a long tradition, however, it had clear links to governmental and, to a lesser extent, party political interests. For a long time, there has not been a common transnational platform of NGOs engaged against all forms of extremism (though some human rights entities work to protect victims of all regimes and of the major extremist movements), and not one with inter-governmental support. The engagement of left-wing extremists in anti-Fascist organisations and of right-wing extremists in

anti-communist organisations damaged many of the civil democratic transnational activities in this field.

It is the European Union and the Council of Europe that initiate and strongly support contemporary inter-governmental and supranational organisations. RAN is directly linked to the European Commission and its work focuses on all forms of extremism. The strongest transnational civil democratic engagement with links to anti-extremism deals with countering racism and hate. Right-wing extremism and in part also religious and ethno-separatist extremism are included here. However, the term right-wing extremism is usually not used by transnational NGOs. The fight against left-wing extremism is relatively weak in the landscape I have examined. The anti-totalitarian platform PEMC is criticised by several authors due to its equating of crimes of communism with crimes of Nazism; however, this approach continues to be encouraged by the PEMC founders and features in recent activities.

In contemporary Europe, stable organisations and networks consistently engaged in anti-extremist work as well as many short-term projects and platforms usually have the support of either the EU, other international organisations or national governments and inter(governmental) organisations. (The role of German political foundations was mentioned several times.)

Within national borders, but also at the transnational level, it is difficult to measure the effectiveness of long-term and short-term activities against extremism, in particular against its specific iterations. However, the engagement of many people and interconnected and continuous activities guarantee the existence of a strong barrier against extremism. This mass of activists helps to counter extremist threats, despite the lack of anti-extremist consensus in many cases (in the sense of all major forms of extremism being treated as equal). Preventive activities and reactions to the development of extremist scenes remain an important challenge for transnational anti-extremist cooperation and its support by European international governmental and supranational institutions.

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# 12 Civil democracy protection in (East) Germany

## Perspectives from the field

*Lisa Bendiek and Michael Nattke*

### Introduction

The 3rd of October 1990, the original German Unity Day, was overshadowed by right-wing extremist acts of violence in regions of the former GDR. In Zerbst, Saxony-Anhalt, approximately 200 right-wing extremist skinheads committed an arson attack against a leftist communal house in the night leading to 3 October 1990. This attack injured 17 people, some of them badly. In Magdeburg (Saxony-Anhalt), Guben (Brandenburg), Hoyerswerda (Saxony), and Bergen (Mecklenburg-Western Pomerania), hundreds of neo-Nazis attacked houses inhabited by immigrant contract workers (*Vertragsarbeiter\*innen*). In the two years following German reunification, the number of such attacks increased further. The cities Hoyerswerda and Rostock-Lichtenhagen became symbols for the racist attacks of the early 1990s. In fact, those right-wing attacks took place all over the former GDR.

People affected by racism or anti-Semitism have their own perspectives on the time of German reunification and the 1990s in the new federal states. The time was marked by great change. For these citizens, it primarily meant a growing feeling of being marginalised by the populations of East and West Germany alike, increasing racial discrimination, and disadvantages in the labour market.<sup>1</sup> Following racist riots in Hoyerswerda and Rostock-Lichtenhagen, the migrants perceived the tightening of the asylum law in Germany as the surrender by the state to the right-wing extremists.<sup>2</sup> This also brought with it a particular hardship for the former contract workers of the GDR. Most of them became unemployed after reunification, and many were deported to their home countries. Those who stayed, e.g., because they had started a family in Germany, were often marginalised and no longer perceived to be equal citizens.<sup>3</sup>

With the end of the GDR, the extent of right-wing extremist violence, racism, and anti-Semitism in its former territory grew more apparent and required consistent action on the part of the state. On the one hand, it became necessary to prosecute the crimes committed and to convict the perpetrators. On the other hand, however, it also became clear that criminal prosecution alone would not be enough to solve the more obvious problems associated with neo-Nazis and right-wing violence.

In our chapter, we will examine how the role played by civil society against right-wing extremism in Germany has emerged and developed since 1990. During the



first few years following German reunification, the state reacted to the conditions described above by launching a programme for engaging young people. The motivation behind this programme, its implications, the goals chosen, and the outcome of this programme are described in the next section of this chapter. This information is important in order to understand the conclusions that have been drawn and the reason why the focus of civil society work against right-wing extremism in Germany is different today.

By providing a historical outline, we would like to examine the concepts and approaches of civil society efforts against right-wing extremism and the lessons learned. As there were many different projects, we concentrate exclusively on the civil society work that has emerged out of federal programmes against right-wing extremism in Germany. This limitation ensures that we can describe, analyse, and discuss this section of civil society work most accurately.

We, the authors of this chapter, are ourselves civil society actors and look at democracy protection from a practical point of view. Our own work in civil society democracy protection is shaped by the conviction that Germany is a migration society. Our perspective from the field is framed by scientific studies and findings. It is our hope that our perspectives may supplement the other contributions in this volume and thus sharpen some important questions.

### **Failures in transformation: social work with neo-Nazi youth and the “cry for love” paradigm of civil democracy protection**

The first federally funded democracy protection programme in reunified Germany was a political response to the alarming increase in right-wing and particularly racist violence. It was created by Angela Merkel, then Federal Minister for Family Affairs, in 1992, and focused on perceived “crisis regions” of the former GDR. An important incentive for its creation was Germany’s desire to protect its international reputation. Understandably, the explosions of racist violence which accompanied the German reunification led to significant worries among Germany’s neighbouring countries and international allies. The programme’s name, “Aktionsprogramm gegen Aggression und Gewalt” (“action programme against aggression and violence,” AgAG), de-emphasised the racist motivation fuelling the violence in question.

The official goals of the AgAG were twofold: reducing youth violence and creating structures for youth social work (“Jugendhilfe“) in the former GDR. AgAG funded numerous projects of youth social work, particularly public youth centres and streetwork. It targeted primarily violent and right-wing extremist youth but, in some instances, also left-wing youth.<sup>4</sup>

#### ***The youth problem paradigm – right-wing violence as a “cry for love”***

In the dominant political and scientific discourse of the time, right-wing violence was depoliticised and interpreted as a youth-specific problem.<sup>5</sup> In fact, while young

white men were publicly visible during many racist attacks, not all the perpetrators were young, and only roughly one-third of the suspects were minors.<sup>6</sup>

In our opinion, the most concise summary of the AgAG's theoretical paradigm is a popular song by the West Berlin punk band Die Ärzte. "Your violence is nothing but a silent cry for love" ("Deine Gewalt ist nur ein stummer Schrei nach Liebe"), they sang in 1993. The entire lyrics of their song "Schrei nach Liebe" ("Cry for love") take the form of a fictive monologue addressing a young male neo-Nazi. Whilst the punk band's analysis of right-wing violence is presented as an ironic critique – the song's chorus, which starts with the "cry for love," famously ends with a shout of "asshole!"<sup>7</sup> – most policy makers and many social scientists of the time took the "cry for love" interpretation of right-wing violence very seriously.

This is evident, for example, in the words that Minister Merkel chose when she presented the AgAG programme in 1992:

Elements of right-wing extremism are often used as a provocation – to attract the attention of others, of the public, because people feel neglected, misunderstood, excluded. In many cases, this provocation contains a *hidden call for help* to fellow human beings; a call to take care of young people, to provide them with better opportunities for the future and to open up areas of meaningful activity. Society can win these young people back if it hears and takes up this call for help.<sup>8</sup>

Many social scientists argued along the same lines. Wilhelm Heitmeyer, for example, interpreted insecurity and deprivation among youth as important explanatory factors for right-wing violence. According to him, the socio-economic transformation resulting from the demise of the GDR and the processes of individualisation that followed inspired feelings of fear and disorientation among young East Germans, which were then acted out in the form of violence against others.<sup>9</sup>

The politico-economic transformation that followed reunification undoubtedly played a role in the rise of racist violence in Germany (particularly in the East) in the early 1990s. However, explaining violent behaviour *only* by pointing to socio-economic difficulties does not satisfy us. This approach cannot explain why some young people became violent neo-Nazis while others became goths or sang in a punk band. There is no empirical indication that young neo-Nazis of the 1990s faced greater socio-economic problems than their non-neo-Nazi peers. In fact, the opposite is true: Several studies have found that young people from stable middle-class families are actually more likely to hold right-wing extremist views than disadvantaged youth. In particular, there is a connection between strong achievement orientation (particularly one that values hard work as a means of access to status and money) and right-wing extremist views among youth. Therefore, Birgit Rommelspacher interpreted right-wing/racist violence as a form of hate crime against groups that are not valued and are perceived as useless – not only by the perpetrators, but by society at large.<sup>10</sup> The acts of violence "are primarily instrumental rather than expressive acts," Rommelspacher concluded.<sup>11</sup> Even the Dresden-based scientists

who conducted the accompanying research *within* AgAG stated in their evaluation that most AgAG users are “neither excluded nor marginalised.”<sup>12</sup>

Still, the entire programme was based on the “cry for love” paradigm, espousing the assumption that “re-integrating” right-wing perpetrators into society would lead to a process of political de-radicalisation. So, the AgAG’s main strategy was to re-integrate young right-wing men, for example by supporting them to finish school, find a job, a hobby, and a girlfriend. When a young male neo-Nazi found a job and impregnated his girlfriend, social workers tended to interpret this development as a success.<sup>13</sup> Girls and young women were not perceived as political actors at all, even when they were members of right-wing groups (a perspective that has hardly changed<sup>14</sup>). Instead, social workers viewed girls primarily as a potential positive influence on male right-wingers. Often, social workers would actively try to interest girls in spaces and/or activities dominated by young male neo-Nazis or hooligans to try and improve the atmosphere or support the boys.<sup>15</sup> Social workers thus implicitly delegated the task of civilising young right-wing men to young women after policymakers had delegated this task to social workers.

The educational concept that social workers and policymakers alike referred to within and beyond AgAG was called “akzeptierende Jugendarbeit,” “accepting” social work with youth. It was originally developed by Franz Josef Krafeld in the 1980s in Bremen, adopting approaches formerly used in social work with drug users.<sup>16</sup> Conceptually, right-wing/racist violence was thus equated with drug addiction.<sup>17</sup> In order to gain the acceptance of violent neo-Nazi youth, Krafeld argued, social workers had to focus on creating a relationship of trust and support youth in dealing with their self-perceived problems. Discussing politics could then come as a second step.<sup>18</sup> As numerous critics have pointed out, this concept meant that youth experienced right-wing violence as a successful strategy to gain access to resources (e.g., a public youth club), while non-violent youth were deprived of their access to public spaces by the threat of neo-Nazi violence.<sup>19</sup> Thus, the AgAG prioritised the needs of (potential) perpetrators of right-wing/racist violence over the needs of (potential) victims.

### ***Terrorists from the youth club – social work on the ground in Chemnitz***

When the neo-Nazi terror group National Socialist Underground (NSU) blew its cover in 2011, the world was shocked. For more than a decade, right-wing terrorists had travelled all over Germany, murdering 10 people (most of them migrant businessmen), planting bombs, and robbing banks. Even though the German domestic intelligence authorities (“Verfassungsschutz”) had several informants in the terrorists’ personal networks, they were never caught.<sup>20</sup> In the years following this shocking discovery, activists, journalists, and some policymakers have examined the failures of state and civil society in dealing with the NSU. In these analyses, the role of youth social work, particularly AgAG and Krafeld’s concept of “akzeptierende Jugendarbeit,” have come under scrutiny again.<sup>21</sup>

At Kulturbüro Sachsen, we have conducted participatory research projects in the Saxonian cities Chemnitz and Zwickau, where NSU members Böhnhardt,

Mundlos, and Zschäpe lived after going “underground.” Along with a group of interested young people, we conducted interviews with five former social workers and five people who grew up in 1990s Chemnitz.<sup>22</sup> The project’s geographic focus was the district “Fritz-Heckert-Gebiet,” a neighbourhood dominated by prefabricated high-rise buildings where many NSU members lived for a number of years.

All interviewees confirm many of the characteristics of social work during the period of East German transformation that have been pointed out in previous research. For example, social workers in the “Heckert” district worked under difficult conditions, including extremely long hours as well as a lack of access to further education and clinical supervision. Furthermore, the professional background of employees did not match the areas they worked in. Most professionals working with violent right-wing youth were originally trained as teachers or nursery teachers.<sup>23</sup>

We will focus on three defining aspects of social work with right-wing youth in East Germany after reunification: the routinisation of violence, the instrumentalisation of social work, and the displacement of democratically engaged youth.

For non-right-wing youth, the confrontation with violence was part of daily life – in the youth centre as well as on the street. Maik, who was a young left-wing activist in 1990s Chemnitz, describes the visceral nature of this omnipresent threat for young people labelled as anti-fascists or immigrants:

[T]his enormous level of violence... well, that also led to the imprinting of certain behaviours. [...] What is it actually like when you have to cross the central bus station in the evening? Someone goes ahead and looks at which groups are hanging around. Or you stand at the front of the bus stop, a bit off to the side. So, behind the tram stop, you first look into the tram to see who is in it. This orientation in the street, to look [...] where is an open door, that is, where is a back entrance, an escape possibility. Simply walking in the city with good foresight. I think you would definitely adopt that back then.<sup>24</sup>

This “level of violence” left its mark on practices of youth social work in the Heckert district. Federally funded youth centres sometimes served as rallying points for violent attacks on non-right-wing youth. At other times, youth centres were the targets of such attacks. Former social workers have told us about brawls among visitors, Molotov cocktails thrown at the windows of a youth centre, assassination attempts aimed at left-wing youth by right-wing youth, right-wing youth explicitly threatening the police, theft, sexual violence, excessive alcohol consumption, and arson attacks.

When trying to limit the amount of violence in their youth centres, social workers encountered difficulties. Most violent youth did not respond well to adults’ attempts to “talk about it.” So, social workers came up with new sets of rules to foster de-escalation. For example, in one youth centre, professionals decided to limit the amount of alcohol visitors were allowed to consume during parties. The result was that right-wing youth got drunk on the street and the social workers

received an instruction from their boss, an employee of the municipal administration, to get the group back into the youth club – no matter how much they drank inside.

This example points to a prevalent dynamic: because social workers were not backed up by local administration employees, who often were their formal superiors, they were unable to enforce any rules in their own institutions. Thus, policymakers and administration employees instrumentalised social work with right-wing youth to create an illusion of public order. Kathrin, a social worker who worked in a public youth centre in the Heckert district, poignantly summarised the dilemma: “Well, for us it was actually also often the case that any pedagogical approach to our work was undermined by the superiors simply to create calm in the residential area.”<sup>25</sup>

The political and administrative incentives to keep violent right-wing youth within youth centres as much as possible meant that these youth centres were not accessible to democratically engaged youth. The constant threat of routinised violence kept most leftist, immigrant, and LGBTIQ\* youth as well as a majority of young women from entering these dangerous spaces. As Kathrin explains, social workers in her youth centre made huge efforts and tried many strategies to invite “a different clientele” to their club – without success. Therefore, in the Heckert district, projects of social work that focused on right-wing youth effectively caused an exclusion of democratically engaged youth.

### *Documented failures of the “cry for love” paradigm*

The debate about Krafeld’s concept of “accepting” social work with right-wing youth has not been settled. While many authors<sup>26</sup> criticise conceptual flaws, others<sup>27</sup> defend the concept itself, blaming undeniable problems on mistakes during implementation. Few authors<sup>28</sup> analyse the AgAG’s failure within its political, social, and economic context.

Even though there is controversy regarding the concept, there seems to be consensus regarding the consequences of its application in East Germany during the 1990s transformation. The AgAG-funded social work and other projects relying on “akzeptierende Jugendarbeit” failed to turn violent neo-Nazis into peaceful democrats. If anything, it helped integrate right-wing youth into social structures through education, wage labour, and the encouragement of heterosexual unions. Nothing indicates that this process led to any change in political beliefs and/or activism. When it comes to evaluating the practice of social work within AgAG projects, even Krafeld himself is very critical:

We have sometimes had situations in projects in East Germany where staff members were forbidden to make political statements. Or where staff members misinterpreted the label “akzeptierende Jugendarbeit” to mean that they had to accept the political ideas of right-wing youth. We consider this a fatal development. [...] The whole concept of the AgAG programme of the federal

government of 1992 was built on feet of clay and in some places has brought about dire developments.<sup>29</sup>

Many former Heckert social workers passionately tried to, in Minister Merkel's words, "win back" right-wing youth through political discussions. Their evaluations of these attempts sound frustrated. Frederik, who spent a year working at the same youth centre as Kathrin as part of his professional training, says:

When it came to any political discussion, I would [share] my opinion too. I didn't hold back. And that was okay. It was the same with the colleagues. The discussion was desired [...] in order to then possibly make a difference. [...] Although in retrospect – it was actually pointless, a wasted effort. You invested a lot of money, personal commitment, sometimes maybe even your health and so on. And then, a lot of times, it didn't work. I thought that was a bit of a shame.<sup>30</sup>

From a social scientific perspective, this frustration should not come as a surprise. After all, there is abundant empirical evidence a social worker's influence is relatively weak compared to that of peers, parents, school, work environments, and mass media.<sup>31</sup>

Furthermore, some facts point to the possibility that AgAG-funded social work may have strengthened rather than weakened right-wing networks among youth. For example, many AgAG-funded youth centres were used as venues for neo-Nazi concerts.<sup>32</sup> The most prominent example is the public youth centre "Winzerclub" in Jena – the very place where NSU terrorists Mundlos and Zschäpe spent their leisure time before going underground. Sometimes, federal funds were used to buy musical instruments for neo-Nazi bands.<sup>33</sup> Antifascist activists have documented cases of neo-Nazis who were hired as auxiliary staff in AgAG projects.<sup>34</sup> In the municipal youth centre in Chemnitz's Heckert district, auxiliary staff may have secretly unlocked the building for right-wing youth during official closing hours. In any case, the youth centre's landline phone number was found on a contact list belonging to the NSU.<sup>35</sup> Because of incidences such as these, some critics conclude that through AgAG, "social work turned into a part of the problem it pretended to fight."<sup>36</sup>

### **Lessons learnt – civil democracy protection work after the 1990s**

This well-documented failing of the AgAG led to a rethinking of civil democracy protection approaches. The "cry for love" paradigm lost some of its popularity and, as our chapter will show, subsequent programmes of civil society protection started from different assumptions. In particular, the focus shifted from youth as a primary target group for interventions against right-wing extremism to society as a whole. Since right-wing extremism was no longer primarily viewed as a "youth problem," it made no sense to concentrate work against right-wing extremism on youth only. As some researchers<sup>37</sup> pointed out during the 1990s, discriminatory

beliefs in mainstream society are key to understanding racist and right-wing violence. One of the lessons learnt from attempts at civil society protection in the 1990s was that in order to fight right-wing extremism effectively, it was not enough to focus on violent youth. Instead, you had to look at society as a whole.

Another important lesson concerned the temporality of democracy protection work. In order to generate lasting effects, civil society actors need time and material resources for their work. Within AgAG, social workers were often forced to react quickly to current crises and/or outbursts of violence. The creation and protection of democratic civil society, however, takes time. It is a tedious endeavour that invariably includes conflicts and setbacks. If it is to succeed, civil society actors have to cooperate with one another to create networks of exchange and mutual support. The next phase in the development of democracy protection funding in Germany was shaped by efforts to create and sustain precisely such long-term structures.

### **Civil democracy protection after the “uprising of the decent”**

In the summer of 2000, a series of right-wing extremist acts of violence were witnessed in Germany. On the 10th anniversary of German reunification, 3 October 2000, an arson attack was carried out against the synagogue in Düsseldorf.<sup>38</sup> The attack caused only minor property damage, but it brought with it a great horror in the context of right-wing extremist violence in Germany. The Federal Chancellor at the time, Gerhard Schröder (SPD), used the occasion to proclaim an “uprising of the decent.” At the scene he said: “We need an uprising of the decent, looking the other way is no longer allowed.”<sup>39</sup> In the days and weeks following the crime, demonstrations and candlelight vigils against right-wing extremism took place throughout Germany. In response to this, the government coalition made up of the SPD and Bündnis90/Grüne implemented a federal funding programme to combat right-wing extremism. As a response to the growing right-wing extremism, civil society institutions would be supported both financially and politically. Important tasks in the fight against right-wing extremism that lie outside the action of state criminal and security authorities should be promoted by the state yet remain independent.<sup>40</sup>

Beginning in 2001, this programme was divided into three funding areas. “Xenos” was endowed with 75 million euros and was intended to contribute to the fight against racism in companies, associations, and schools. The “Entimon” funding area was to distribute 65 million euros to pilot projects “against violence and right-wing extremism.” The new federal states in eastern Germany received additional support from the “Civitas” funding programme. The aim of this programme was the promotion of initiatives in the eastern federal states and Berlin campaigning against right-wing extremism and supporting democracy. This programme area was endowed with 52 million euros.<sup>41</sup>

With the help of educational activities and civil society activities, these federal programmes were supposed to strengthen tolerance in society. The advancement of these programmes assumed that such a “tolerant” society would be the best protection against racism, anti-Semitism, and right-wing extremism. The idea that

right-wing attitudes and extreme right-wing structures have a particularly difficult time where there is a strong, diverse, democratic society was the basis for these efforts.<sup>42</sup> This democratic society had to be created, particularly in the eastern parts of the Federal Republic where society was undergoing a major transformation.

After various extensions, the programme ran until 2006. The federal programme “Civitas” provided the initial impetus for the development of mobile counselling and counselling centres for victims of right-wing violence. Mobile counselling in support of democracy and against right-wing extremism (“mobile Beratung gegen Rechtsextremismus”) is a working approach that explicitly serves to empower democratic civil society in cities and municipalities dealing with right-wing extremism. In this manner, democratic civil society structures were to be developed in eastern Germany. Counselling centres for victims of right-wing violence are dedicated to advising and accompanying those victims. In addition, decentralised network points as well as local projects and initiatives were created. These offices were often smaller democratic initiatives in rural regions. They were closely linked to the mobile counselling teams of the respective areas and were intended to build local networks of democratic actors. Local projects were run by different organisations, often small associations, who sought to campaign for democratic values in their towns and villages and were able to apply for financial support from the federal government to these ends. With “Civitas,” a well-functioning network was created in the east that offered a civil society basis for the professionalisation of counselling and prevention work to counter right-wing extremism.<sup>43</sup> Recognising the democratic challenges posed by a society in transformation following the end of the GDR, this was an important contribution to support the rise of a democratic civil society in eastern Germany.

The follow-up programmes “Diversity does good” (“Vielfalt tut gut”) and “competent. for Democracy” (“kompetent. für Demokratie”) focused on promoting civil society as an actor and on crisis intervention as a method of combating right-wing extremism. “Competent. for Democracy” included the promotion of mobile counselling work, implementing crisis intervention from 2007 onwards. Instead of long-term supporting mobile counselling work and the establishment of structures for networking and exchange, the focus was now on reacting to local crises with “mobile intervention teams” for on-site intervention based on specific events, immediate and limited in time. From 2007 onwards, the programme coordinators in the federal states were to decide what counted as a crisis. The mobile counselling teams would then be commissioned by the coordinator handling the case.<sup>44</sup> As the federal government handed over the funding of the projects to the sovereignty of the (individual) states, the conditions and possibilities of the projects became very much dependent on the political constellations (considerations/concerns) in the respective federal states.<sup>45</sup> With this move, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth attempted to bolster financial participation by the federal states in the federal programmes through having greater control of mobile counselling work. In contrast to the “Civitas” programme and in the funding of these advisory networks, the nationalisation of the efforts increased through the control exerted at two federal levels – federal and state. Subsequently,



there has been continuous dispute and debate regarding the project's independence from the state. The promotion of democracy work implements the subsidiarity principle. This means that the state itself may only take on tasks that subordinate units are unable to perform. The implementation of democracy work by state-independent civil society actors is one such task. If the state then tries to influence the content and methods of the projects, it violates the socio-political principle of subsidiarity. In the orientation of the programme, the focus on strengthening civil society disappeared almost completely, and the level of state control made the executing agencies increasingly dependent on the respective ruling political majorities in the federal states.

This conflict between state control of work and the independence in actions of civil society remains an issue today. Since this phase of the federal programmes, an important new element has been the promotion of local action programmes (later called "Partnerships for Democracy"). These replaced the local network structures described above. The federal programme now passed money on to districts or municipalities, which was intended for the promotion of local democracy. The advantage of this is that democracy promotion also takes place at the local level and regional structures are activated. The disadvantage is that the local political authorities can define for themselves what they understand by promoting democracy. Occasionally, some local initiatives did not receive any money if they had publicly criticised the political situation in their area of influence.

Due to the shifting political winds at federal level, the priorities of federal programmes have changed repeatedly since 2001. What had started out as a support programme for fighting right-wing extremism by 2015 had changed almost beyond recognition. Time and effort now needed to be devoted to a diverse range of problems.<sup>46</sup> From the state's perspective, this meant, among other things, the areas of left militancy and Islamism.

In addition to the above-mentioned federal funding programmes, there has also been a funding programme from the Federal Ministry of the Interior since 2010. Under the title "Cohesion through Participation" ("Zusammenhalt durch Teilhabe," ZdT), this programme increased focus on the support of state tasks in dealing with "extremism" by non-state actors. The focus is on the task generally described as "preventing extremism." The projects should explicitly "act in advance of possible extremist threats."<sup>47</sup> The work centres on supporting large clubs and associations that train voluntary democracy trainers within their own organisations. These, in turn, ensure a democratic structure within the organisations and discussion of discriminatory or anti-democratic incidents. This programme is provided with an annual amount of 12 million euros.<sup>48</sup>

In addition, many federal states have their own dedicated programmes with additional focal points to promote democratic values. These programmes are not covered in this chapter, but just to give an example, the state of Saxony has established a programme with the title "Cosmopolitan Saxony" ("Weltoffenes Sachsen"). This programme aims to combat right-wing extremism, racism, and anti-Semitism in that state. Projects are funded to operate in a local or federal state-specific context, providing the country with an opportunity to set its own priorities

in certain regions where right-wing extremist structures are particularly strong or are dealing with certain changing subject areas that determine extreme right-wing discourses.

### **Objectives, structure, and approaches of current federal programmes**

The federal programme “Live Democracy!” (“Demokratie leben!”) has existed since 2015. This programme was initially developed for a period of four years but was later extended “indefinitely” and therefore has a permanent term for the time being. The 2015 budget for the federal programme “Live Democracy!” debuted at around 40.5 million euros and has grown to more than 100 million euros. Initiatives beyond countering right-wing extremism are funded as well. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth promotes “civil society projects that campaign for democracy and against all forms of extremism.”<sup>49</sup> As a result, as the budget has increased, so, too, have the range of topics, the breadth of approaches, and the number of different methods. There were four basic pillars within this programme until 2019:

- 1 The local level: Local authorities and districts can apply for and set up a “partnership for democracy.” This partnership then receives 100,000 euros per year from the federal government, as funding for local and regional initiatives. A coordination office and an advisory committee are also set up within the “Partnership for Democracy.”
- 2 State level: In each federal state, there is a state democracy centre with an office for coordination with several employees. As a rule, the state coordination office (LKS) is connected to a state ministry. In a few cases, the LKS is located at a university or at an independent organisation (NGO). These democracy centres are tasked with the coordination of democracy work in the country, such as mobile counselling, victim counselling, and other networks. For this, they receive funding from the federal government.
- 3 Federal level: Federal agencies serve to implement quality standards of work and content uniformly across the country. They often serve as umbrella organisations for certain work approaches, such as victim counselling, exit counselling, or mobile counselling.
- 4 Pilot projects: Innovation in new approaches. This is the most extensive area of the federal programme which ensures that innovative, new approaches and methods can be tried out and developed as pilot programmes to strengthen the democratic society. As a rule, applications for multi-year projects can be submitted to implement a federal pilot project.

In subsequent developments, the federal level was changed to the extent that the federal central agencies were no longer adequately funded. Four competence centres and ten competence networks have been set up at the federal level for various subject areas. These should exchange information on the central topics of the respective network and secure knowledge on these topics for the general

public. However, there is a very strong connection to the responsible federal ministry which, as a funding provider, influences the work of the competence centres and competence networks. Through the federal programme “Live Democracy!,” more than 300 “Partnerships for Democracy” projects were funded up to 2019, 16 state democracy centres and their respective advisory structures were financed, 28 organisations were developed into federal sponsors, more than 50 pilot projects on selected phenomena of group-related enmity were funded, and more than 30 pilot projects to prevent radicalisation were promoted. This makes it the largest and most comprehensive federal programme against right-wing extremism that has ever existed in Germany. And it is also unique compared to the situation in other European countries.<sup>50</sup>

Our evaluation of the federal programme leads us to the conclusion that the democratic participation of people was promoted and strengthened by the measures. The expansion of the programme ensured that it was possible to react appropriately to the increasing polarisation in society and to changes in the problem areas. The evaluation takes a critical view of the fact that the many topics, projects, and approaches have created a confusing situation that is very difficult for the actors to grasp. In addition, the mixing of the prevention of extremism and the promotion of democracy is to be viewed critically, because there are considerable differences between the two approaches. The prevention of extremism has usually emerged from a state and regulatory perspective. Different “extremisms” (left- and right-wing extremism as well as Islamism) are dealt with here. Prevention approaches tend to focus on preserving the current political status quo, defending it against the potential dangers of various “extremisms.”<sup>51</sup> In contrast to this framework, the classic democracy work resulted from the civil society debate with right-wing extremism and from the lessons learnt from the failure of the AgAG programme. These approaches for promoting democracy are based on an understanding of social work as a human rights profession. Each field on its own offers sufficient space for the implementation of differentiated projects and uses different methods. Mixing the approaches can, however, lead to the goals becoming blurred and the project staff to be overwhelmed. The scientific evaluation found that projects that have a duration of less than 5 years have a very slim chance of making an impact. In addition, there is the problem that the projects are usually not 100 per cent funded and much work has to be invested in organising co-financing.<sup>52</sup> The scientific evaluation of specific offers in the federal programme “Live Democracy!” particularly attests to the work of the mobile counselling teams in the individual state democracy centres having a lasting effect.<sup>53</sup> It found that the portfolio of tasks of the mobile counselling has grown steadily and “tends to move away from interventions dealing with right-wing extremism towards an instance of universal strengthening of democracy and prevention.”<sup>54</sup>

### **Current problems and challenges in civil society work**

As we were able to show in this chapter, the attempt to work with right-wing extremists or right-wing adolescents using the method of “accepting” social work

with youth in eastern Germany has failed. A paradigm shift in the work for democratic values and against right-wing extremism followed. The thesis prevailed that right-wing extremism and racism can best be countered by a strong, democratic, and diverse society.

For more than 20 years, various organisations and their subordinate projects have been financed by the German state through federal programmes designed to promote democracy. On the one hand, crowdfunding, private sponsorship, or financing through private donations in Germany is underdeveloped when compared internationally. On the other hand, this issue has led to a growth in state funding of civil society. This in turn negatively influences crowdfunding, sponsorship, or private donations in Germany. Large portions of civil society in Germany find it much easier to apply for funding to the federal or state government than, for example, raising sufficient funds through donations.

The state funding of civil society in its struggle with right-wing extremism also means that the projects are in constant tension between independence (non-governmental organisations, NGOs) and state intervention in their work. Bianca Klose describes the civil society projects as “a kind of hybrid.”<sup>55</sup> The relationship between the state and the projects it finances and promotes means that “new compromises are constantly being made and constantly negotiated between all those involved.”<sup>56</sup> The struggle for independence from the state is ongoing. In the past, the state tried to heavily intervene in the public relations work of the funded projects. All publications were supposed to be submitted to the funder and be checked by the relevant administration before being made public. The state tries again and again to influence the work of civil society through management, control, and various accountability obligations. The so-called “extremism” clause has been particularly hotly debated in the past. Those running funded projects were forced to affirm in advance of their work, by signing a clause, that they would not work with any extremists. To exclude such cooperation in advance by means of a clause meant that the projects were suspected of attempting such cooperation and those involved in the initiatives rejected this general suspicion.<sup>57</sup>

The evaluation of the federal programme “Live Democracy!” also found that the issues to be dealt with by the projects are becoming less defined. The original issue of right-wing extremism has started to retreat into the background, particularly due to the diversification into different dimensions of group-related enmity and issues such as everyday racism, discrimination, or right-wing populism.<sup>58</sup>

From our perspective, this diversification of subjects appears as a logical and necessary next step within the development of civil society democracy protection, even though it can pose great challenges for the actors involved. If we assume that a diverse, democratic society serves as a bulwark against right-wing extremism, supporting diversity and fighting all forms of discrimination must be a central aspect of civil society work against such extremism. In particular, the perspectives of those affected by right-wing/racist attacks should take centre stage.

Within German civil society, this realisation is slowly starting to show its effects. For example, the network “unravelling the NSU complex” (“NSU-Komplex auflösen”) has linked the families of those murdered by NSU terrorists

to activists, artists, and NGO employees such as ourselves. The network organised several “civil society tribunals” to complement the official court case executed by the state authorities. In court, prosecutors as well as defence lawyers focused on the accused and the question of their guilt, as they are legally required to. However, the civil society tribunal focused on the victims, their families, and their pain. Civil society thus aimed at supporting and strengthening those who suffered from right-wing extremism instead of giving the floor to right-wing terrorists and murderers yet again.

Despite such examples, most organisations funded by civil democracy protection programmes are still not very good at cooperating with organisations led by People of Color, who are devalued by racism. The parts of civil society we currently reach are dominated by white, non-migrant, middle-class academics. But to counter right-wing extremist tendencies and strengthen democracy, broader alliances are urgently needed.<sup>59</sup> In order to create and maintain these alliances, we need to mainstream anti-racist and intersectional perspectives among agents of civil society protection.

The public and politicians often try to measure the success of civil society’s work against right-wing extremism by asking: Is there less right-wing extremism or racism at the end of the project period? From a scientific point of view, but also from the perspective of practitioners, this perspective is lacking. Whether right-wing extremism, racism, and anti-Semitism develop in a society or not, whether they increase or decrease, etc., depends on numerous factors that civil society work and projects against right-wing extremism have no influence on. Rather, the projects must be assessed according to “whether they succeed in fulfilling their stimulus and impulse function in trying out or further developing pedagogical approaches and strategies as models.”<sup>60</sup> Civil society democracy work should ensure that the democratic debate and the discussion on socio-political issues are supported and stimulated and that a position based on human rights is strengthened.

In the eastern federal states in particular, new extreme right-wing parties, such as the Alternative for Germany (AfD), have achieved a high percentage of votes in federal or state elections in recent years. The state associations of the AfD in eastern Germany are dominated by extreme right-wing actors. These actors see the established projects of democratic civil society as their natural opponents. The associations supporting projects against right-wing extremism (NGOs) are described by the AfD as left-wing extremists and are publicly defamed. With numerous small inquiries in the Bundestag and Landtag, the AfD tries to find out everything about these projects and democratic associations. Smaller clubs are put under pressure through campaigns by the AfD. Especially in rural areas, this is a heavy burden for the committed clubs and people. Only time will tell whether these small-scale civil society initiatives will be able to withstand the pressure.

## Notes

- 1 Alexander Weltz-Rombach/Gülriz Egilmez, “Mit offenem Blick/Acık Bakisla.” *Migrantische Perspektiven zur Erinnerungskultur des Mauerfalls und der Wendezeit.*

- In: Lydia Lierke/Massimo Perinelli (eds.), *Erinnern stören. Der Mauerfall aus migrantischer und jüdischer Perspektive*, Berlin 2020, pp. 157–188.
- 2 Ibid., pp. 183f.
  - 3 See among others: Patrice G. Poutrus, *Fremd im Bruderland. Vertragsarbeit und das Ende des Goldbroilers*. In: Lierke/Perinelli (eds.), *Erinnern stören*, pp. 277–298; Paulino Miguel, *Paulinos Tagebuch. Ein mosambikanischer Vertragsarbeiter erinnert sich*. In: Lierke/Perinelli (eds.), *Erinnern stören*, pp. 299–319.
  - 4 Irina Bohn/Richard Münchmeier, *Das Aktionsprogramm gegen Aggression und Gewalt AgAG*. Vol. 1: Dokumentation des Modellprojekts, Münster 1997, pp. 16–23.
  - 5 Nils Schuhmacher/Gillian Zimmermann, *Großversuch im Schatten der Gewalt. Erfahrungen im "Aktionsprogramm gegen Aggression und Gewalt" sowie in weiteren Ansätzen der Arbeit mit rechts(extrem) orientierten Jugendlichen in Sachsen bis Ende der 1990er Jahre*, Landesarbeitskreis Mobile Jugendarbeit Sachsen e.V. 2021, pp. 8, 14.
  - 6 Stefan Dierbach, "Das sind keine Nazis, das sind unsere Kinder" – die jugendtheoretisch unterlegte Entpolitisierung der Akteur\_innen rechter Gewalt als zentraler Geburtsfehler des ersten Bundesprogramms gegen Rechtsextremismus. In: Mathis Blome/Barbara Manthe (eds.), *Zum Erfolg verdammt. Bundesprogramme gegen Rechtsextremismus. Prävention und Intervention auf dem Prüfstand*, Düsseldorf 2014, pp. 16–22, here 17.
  - 7 See [www.dieaerzte.de/](http://www.dieaerzte.de/), accessed 29 June 2021.
  - 8 The original quotation reads: "*Versatzstücke des Rechtsextremismus werden vielfach als Provokation verwendet – um also die Aufmerksamkeit anderer, der Öffentlichkeit, auf sich zu ziehen; weil man sich vernachlässigt, unverstanden, ausgeschlossen fühlt. In dieser Provokation steckt in vielen Fällen ein verborgener Hilferuf an die Mitmenschen, sich um die jungen Leute zu kümmern, ihnen bessere Zukunftschancen bereitzustellen und sinnvolle Betätigungsfelder zu eröffnen. Die Gesellschaft kann diese Jugendlichen zurückgewinnen, wenn sie diesen Hilferuf hört und aufnimmt.*" Dierbach, "Das sind keine Nazis das sind unsere Kinder," p. 19; Andreas Buderus, *Fünf Jahre Glatzenpflege auf Staatskosten. Jugendarbeit zwischen Politik und Pädagogik*, Bonn 1998, p. 43. Translated into English by the authors of this chapter, emphasis ours.
  - 9 Wilhelm Heitmeyer (ed.), *Die Bielefelder Rechtsextremismus-Studie. Erste Langzeituntersuchung zur politischen Sozialisation männlicher Jugendlicher*, Weinheim/München 1992, p. 17.
  - 10 Birgit Rommelspacher, *Rassistische und rechte Gewalt: Der Streit um die Ursachen*. In: Birgit Rommelspacher (ed.), *Texte zu Fremdheit und Macht*, Berlin 1998, pp. 81–83.
  - 11 Rommelspacher, *Rassistische und rechte Gewalt*, pp. 84–85.
  - 12 Bohn/Münchmeier, *Das Aktionsprogramm gegen Aggression und Gewalt AgAG*, p. 183.
  - 13 Bohn/Münchmeier, *Das Aktionsprogramm gegen Aggression und Gewalt AgAG*, pp. 62–64, 110f.
  - 14 Cathleen Wasniewski, *Professionelle Sicht auf Mädchen in der rechten Szene in Sachsen*. In: LAG Mädchen (ed.), *Rundbrief 23. Spannungsfelder in der Mädchenarbeit. Schwerpunktthema Demokratie, Beteiligung, Projekte gegen Rechtsextremismus*, Dresden 2007, pp. 10–16.
  - 15 Andrea Pingel/Peter Rieker, *Pädagogik mit rechtsextrem orientierten Jugendlichen – Ansätze und Erfahrungen in der Jugendarbeit*, Leipzig 2002, pp. 42–48.
  - 16 Dierbach, "Das sind keine Nazis, das sind unsere Kinder," p. 19.
  - 17 Ilona Weber, *Chancen und Grenzen des "akzeptierenden Ansatzes" in der Jugendarbeit*, *Bulletin. Schriftenreihe des Zentrum Demokratische Kultur*, 1 (1999), pp. 13–18, here 13.
  - 18 Franz Josef Krafeld, *Ist die akzeptierende Jugendarbeit gescheitert? Jugendarbeit im Umgang mit Rechtsextremismus und Gewalt*. In: *Bulletin. Schriftenreihe des Zentrum Demokratische Kultur*, 1 (1999), pp. 9–11, here 10.

- 19 See Anetta Kahane, Die reine Lehre ist die reine Leere – zur Kritik der akzeptierenden Sozialarbeit, *Bulletin. Schriftenreihe des Zentrum Demokratische Kultur*, 1 (1999), pp. 5–7; Weber, Chancen und Grenzen des “akzeptierenden Ansatzes” in der Jugendarbeit, pp. 14f. See also Dierbach, “Das sind keine Nazis, das sind unsere Kinder,” p. 18.
- 20 Ellen Kollender, NSU-Prozess: die Rolle des Verfassungsschutzes bleibt fragwürdig, *bpb* 2014, [www.bpb.de/gesellschaft/migration/newsletter/191054/nsu-prozess](http://www.bpb.de/gesellschaft/migration/newsletter/191054/nsu-prozess), accessed 15 September 2015.
- 21 Committee of inquiry of the Thuringia parliament, *Bericht des Untersuchungsausschusses 5/1 “Rechtsterrorismus und Behördenhandeln,” Drucksache 5/8080*, Thüringer Landtag 2014.
- 22 The names of all interview partners have been anonymised.
- 23 Bohn/Münchmeier, *Das Aktionsprogramm gegen Aggression und Gewalt AgAG*, pp. 27, 162; Weber, Chancen und Grenzen des “akzeptierenden Ansatzes” in der Jugendarbeit, p. 13.
- 24 German original quote: “[D]ieses enorme Gewaltlevel-, also, was auch zum-, zum Einprägen von so bestimmten Verhaltensweisen halt geführt hat. [...] Wie ist das eigentlich, wenn man noch abends über die Zentralhaltestelle fahren muss, dass jemand vorgeht und guckt, welche Gruppen stehen da rum. Oder vorneweg ein bisschen an der Haltestelle abseitssteht. Also, hinter der Haltestelle unten erst mal in die Straßenbahn reinguckt, wer ist da drin. Das-, das Orientieren an den Straßen, zu gucken, [...] wo ist eine Tür offen, also, wo gibt es irgendwie einen Hintereingang, eine Fluchtmöglichkeit. Einfach das gut vorausschauende Laufen in der Stadt. Ich glaube, das konnte man sich damals auf jeden Fall aneignen.”
- 25 German original quote: “Also, für uns war es eigentlich auch oft so, dass jeder pädagogische Ansatz einer Arbeit auch ausgehebelt wurde von den Vorgesetzten, einfach um im Wohngebiet Ruhe zu schaffen.”
- 26 See Kahane, Die reine Lehre ist die reine Leere – zur Kritik der akzeptierenden Sozialarbeit; Ilona Weber, Offener Brief an Prof. Dr. Franz Josef Krafeld zur Presseerklärung “Ist die akzeptierende Jugendarbeit gescheitert?,” *Bulletin. Schriftenreihe des Zentrum Demokratische Kultur*, 1 (1999), pp. 11–12; Dierbach, “Das sind keine Nazis, das sind unsere Kinder.”
- 27 See Franz Josef Krafeld, Ist die akzeptierende Jugendarbeit gescheitert?; as well as Albert Scherr, Akzeptierende Jugendarbeit, Arbeitsprinzipien, Erfahrungen und Erfolgsbedingungen. In: Deutsches Jugendinstitut (eds.), *Rechtsextremismus und Fremdenfeindlichkeit. Aufgaben und Grenzen der Kinder- und Jugendhilfe*, Leipzig 2000, pp. 9–20.
- 28 See Lucia Bruns, *Der NSU-Komplex und die akzeptierende Jugendarbeit. Perspektiven aus der Sozialen Arbeit*, Differenzverhältnisse – *Schriftenreihe des Centers for Migration, Education and Cultural Studies (CMC)*, Oldenburg 2019, pp. 75–85. See also Schuhmacher/Zimmermann, Großversuch im Schatten der Gewalt.
- 29 German original quote: “Wir haben teilweise in Projekten u.a. in Ostdeutschland Situationen gehabt, wo z.B. MitarbeiterInnen politische Äußerungen verboten wurden. Oder wo Mitarbeiter und Mitarbeiterinnen unter dem Etikett akzeptierende Jugendarbeit verstanden haben, hinzunehmen, was für politische Vorstellungen rechte Jugendliche haben. Das halten wir für eine fatale Entwicklung. Da sehen wir aber auch die politische Verantwortung derer, die gesellschaftliche Probleme zu Jugendproblemen und auch entsprechend pädagogisch umdefinieren. Das ganze Konzept etwa des »Aktionsprogramms gegen Aggression und Gewalt« (AgAG) der Bundesregierung von 1992 war auf tönernen Füßen aufgebaut und hat an manchen Stellen wirklich schlimme

- Entwicklungen hervorgebracht.” Antifaschistisches Infoblatt, *Interview mit Franz Josef Krafeld*, 20 September 1998, [www.antifainfoblatt.de/artikel/interview-mit-franz-josef-krafeld](http://www.antifainfoblatt.de/artikel/interview-mit-franz-josef-krafeld), accessed 15 September 2015.
- 30 German original quote: “Wenn es um irgendwelche politischen Diskussionen ging, habe ich dann meine Meinung auch [gesagt], also nicht zurückgehalten. Und das war okay. Das war ja bei den Kolleg[in]en genauso. Die Diskussion war schon gewünscht mit denen, um dann vielleicht doch etwas zu bewegen. [...] Obwohl es im Nachhinein – es war sinnlos eigentlich, vergebliche Liebesmüh. Was man da investiert hat an Geld, an persönlichem Einsatz, manchmal vielleicht auch Gesundheit oder so. Und dann ein Großteil von dem einfach, wo es nicht funkt. Das fand ich ein bisschen schade.”
- 31 Scherr, Pädagogische Konzepte gegen Rechtsextremismus, p. 10.
- 32 Heike Kleffner, Die Leerstelle in der Fachdiskussion füllen, *Aus Politik und Zeitgeschichte*, 21 September 2015, [www.bpb.de/apuz/212367/sozialarbeit-und-der-nu-komplex?p=all](http://www.bpb.de/apuz/212367/sozialarbeit-und-der-nu-komplex?p=all), accessed 15 September 2015.
- 33 Kleffner, Die Leerstelle in der Fachdiskussion füllen.
- 34 Antifaschistisches Infoblatt, *Akzeptierende Sozialarbeit?*, 13 September 1998, [www.antifainfoblatt.de/artikel/akzeptierende-gewaltarbeit-1](http://www.antifainfoblatt.de/artikel/akzeptierende-gewaltarbeit-1), accessed 15 September 2015.
- 35 Jana Peters, Welche Kultur darf’s künftig sein?, *Freie Presse*, 10 October 2019, [www.freiepresse.de/chemnitz/welche-kultur-darf-s-kuenftig-sein-artikel10632460](http://www.freiepresse.de/chemnitz/welche-kultur-darf-s-kuenftig-sein-artikel10632460), accessed 15 September 2015
- 36 German original quote: “Soziale Arbeit wurde dadurch zu einem Teil des Problems, das sie zu bekämpfen vorgab.” Dierbach, “Das sind keine Nazis, das sind unsere Kinder,” p. 20.
- 37 Rommelspacher, Rassistische und rechte Gewalt: Der Streit um die Ursachen, pp. 81–85.
- 38 A few months after the arson attack, the perpetrators were arrested. They turned out not to be right-wing extremists, as many had assumed, but acted out an Islamist and anti-Semitic motivation. See: Tagesspiegel, *Düsseldorfer Synagoge: Der Brandanschlag ist aufgeklärt*, 7 December 2000, [www.tagesspiegel.de/politik/duesseldorfer-synagoge-der-brandanschlag-ist-aufgeklaert/184750.html](http://www.tagesspiegel.de/politik/duesseldorfer-synagoge-der-brandanschlag-ist-aufgeklaert/184750.html), accessed 23 April 2021.
- 39 Quoted after: Handelsblatt, *Schröder fordert “Aufstand“ gegen rechts*, 4 October 2000, <https://web.archive.org/web/20140225040432/http://www.handelsblatt.com/archiv/mehr-zivilcourage-schroeder-fordert-aufstand-gegen-rechts/2008364.html>, accessed 23 April 2021.
- 40 Bianca Klose, Professionalisierung und Veränderung zivilgesellschaftlicher Einrichtungen durch die Förderung über Bundesprogramme. In: Mathis Blome/Barbara Manthe (eds.), *Zum Erfolg verdammt. Bundesprogramme gegen Rechtsextremismus. Prävention und Intervention auf dem Prüfstand*, Düsseldorf 2014, pp. 24–30, here 24.
- 41 Bundesministerium für Familie, Senioren, Frauen und Jugend (BMFSFJ) (eds.), *Abschlussbericht zur Umsetzung des Aktionsprogramms “Jugend für Toleranz und Demokratie – gegen Rechtsextremismus, Fremdenfeindlichkeit und Antisemitismus,”* Berlin 2006.
- 42 Sarah Kleinmann, *Verbindungen und Brüche. Über (Neo-)Nationalsozialismus und die staatlichen Programme gegen Rechtsextremismus*, Berlin 2020, p. 23.
- 43 Grit Hanneforth, Dreizehn Jahre Bundesförderung, Stärkung demokratischer Kultur und Zurückdrängung der extremen Rechten. Situation, Ergebnisse und Zukunftsvisionen. In: Mathis Blome/Barbara Manthe (eds.), *Zum Erfolg verdammt. Bundesprogramme gegen Rechtsextremismus. Prävention und Intervention auf dem Prüfstand*, Düsseldorf 2014, pp. 68–74, here 70.
- 44 Ibid. pp. 70f.



- 45 Klose, Professionalisierung und Veränderung zivilgesellschaftlicher Einrichtungen durch die Förderung über Bundesprogramme, p. 29.
- 46 Kleinmann, *Verbindungen und Brüche*, p. 17.
- 47 Christian Lüders/Björn Milbradt/Christopher Gess/Alexander Mewes, Die Bundesebene. Bundesprogramme zur Demokratieförderung und Extremismusprävention. In: Brahim Ben Slama/Uwe Kemmesies (eds.), *Handbuch Extremismusprävention. Gesamtgesellschaftlich. Phänomenübergreifend*, Wiesbaden 2020, pp. 581–594, here 586.
- 48 Ibid. pp. 586f.
- 49 Bundesministerium für Familien, Senioren, Frauen und Jugend, *Abschlussbericht Bundesprogramm. Demokratie leben! Erste Förderperiode (2015 bis 2019)*, Berlin 2020, p. 20.
- 50 Ibid.
- 51 Julika Bürgin, *Extremismusprävention als polizeiliche Ordnung. Zur Politik der Demokratiebildung*. Weinheim 2021, pp. 17–23.
- 52 Bundesministerium für Familien, Senioren, Frauen und Jugend, *Abschlussbericht Bundesprogramm. Demokratie leben!*, pp. 100f.
- 53 Ursula Bischoff/Katrin Haase/Frank König/Ina Weigelt, *Wissenschaftliche Begleitung der Landes-Demokratiezentren. Abschlussbericht 2019. Programmevaluation "Demokratie leben!"*, Berlin 2020, p. 107.
- 54 Ibid., p. 105.
- 55 Klose, Professionalisierung und Veränderung zivilgesellschaftlicher Einrichtungen durch die Förderung über Bundesprogramme, p. 25.
- 56 Ibid.
- 57 Ibid., pp. 24f.
- 58 Bischoff/Haase/König/Weigelt, *Wissenschaftliche Begleitung der Landes-Demokratiezentren*, pp. 144f.
- 59 Klose, Professionalisierung und Veränderung zivilgesellschaftlicher Einrichtungen durch die Förderung über Bundesprogramme, p. 28.
- 60 Lüders/Milbradt/Gess/Mewes, Die Bundesebene, p. 592.

# 13 Conditions of success for civil society organisations protecting democracy

*Uwe Backes*

Since Alexis de Tocqueville's observations on the young democracy in the United States of America,<sup>1</sup> the following insight seems to be one of the undisputed propositions of democracy theory: the validity of constitutional democracy requires a lively civil society. By the end of the 20th century, this old insight from the first half of the 19th century was supported by the observation that civil protest and civic commitment are important as a potential means of resistance and democratisation when it comes to overcoming autocratic rule in many states all over the world.<sup>2</sup> Based on the data provided by the "varieties of democracy" project of the University of Göteborg, Sweden, for the years 1900 to 2001, Michael Bernhard, Allen Hicken, Christopher Reenock, and Staffan I. Lindberg showed that an "active, mobilised civil society" is an important precondition for protecting "democracy from authoritarian takeovers."<sup>3</sup> Particularly during the transition from autocratic to democratic structures and in periods of crisis with significant tendencies towards a deconsolidation of democracy, civil society actors working for the establishment of democratic structures or for the reconsolidation of democracy have had considerable success. During periods of autocratic regimes being deconsolidated, organised, sustained street protest mobilising large parts of the population may be a crucial driving force for processes of democratisation. And in established democracies, in a best case scenario, organised citizens have the potential to threaten and sanction any attempts by anti-system actors to realise plans which might blow up the system. Civil society organisations are capable of making an important contribution to the development and maintenance of "credible bounds on the behaviour of political officials,"<sup>4</sup> so that the latter will act within democratic norms and for the public good. Furthermore, civic engagement in general contributes to the building of social capital,<sup>5</sup> which is an important "asset" for the legitimacy, efficiency, and stability of democratic government.

In this volume, we narrowed our perspective to civil society actors that are functionally differentiated organisations with a high degree of continuity of targeted action. The focus is therefore on a special group of actors within the broad spectrum of associations, who act strategically like non-governmental organisations (NGOs) rather than like more or less spontaneous, local grassroots initiatives. In addition, this volume is primarily concerned with those civil society organisations

(CSOs) who explicitly see themselves as promoters of democracy. The role of such organisations in several European countries was examined briefly in a comprehensive report by the Bertelsmann Foundation in cooperation with the Center for Applied Policy Research at the LMU Munich (lead management: Britta Schellenberg).<sup>6</sup> The findings presented form a valuable basis, even if the report mainly served to analyse the current situation in a special field of democracy protection (i.e., the prevention and repression of right-wing extremism).

However, among the civil society organisations protecting democracy (CSOPDs) we find very different forms of organisation and activism. Organisations with memberships in the millions (such as the Reichsbanner Schwarz-Rot-Gold in the Weimar Republic) stand alongside those that strictly limit their membership in order to increase their strategic ability to act. Where some strive to rally as many followers as possible, others prefer a leaner structure. Single-issue associations specialising in the protection of democracy stand alongside those addressing a broader range of concerns. While some of the organisations see themselves as pressure groups for democratic and emancipatory goals and exert pressure through various channels (such as protests or the media), others work primarily through research, information, and education.

Irrespective of this heterogeneity, it is the question of the conditions for success that is the focus of this essay. Is it primarily the quality of the actors that explains an organisation's establishment and longevity? Or are the successful organisations more likely to owe their prosperity to party political patronage and state support? Do socio-cultural conditions, especially the perception of threats and how to deal with them, play a major role? The conditions for success at the micro (actors), meso (competition between actors and opportunity structures, such as those that result from specific actor constellations under changing conditions of action), and macro (social, political, economic, and cultural framework) levels are likely to be closely intertwined and there will be no simple, generalisable answers. Nevertheless, I will attempt to arrange and relate the findings of the essays in this volume in such a way that knowledge about the conditions under which the organisations were created and developed can be advanced. It makes sense to first examine the relationship between parties and the state before taking a closer look at the qualities of the actors in their social environment.

### **CSOPDs and political parties**

According to David Truman's disturbance theory, humans get organised when their vital interests are under threat.<sup>7</sup> However, Truman's theory says nothing about what kind of self-organisation is most conducive to the democratic process. What he describes applies equally to political parties, which are often formed during periods of intensive political mobilisation. Such mobilisation requires the space and freedom for autonomous associations to be able to emerge and develop. Historically, this process is associated with phases of liberalisation that provide a safe environment in which social self-organisation can develop. Mostly, the resulting associations are expressions of behaviour that deviates politically from "the existing norms

and behavioural system of the time.”<sup>8</sup> Sometimes, those existing norms violate principles that today are considered basic hallmarks of a free and democratic order, such as the equal right to vote for all citizens.

Jean-Yves Camus connects the emergence of vital CSOPDs in France with the first period of the Third Republic (1870–1914) when, following the early phase of the French Revolution, the right of association was permanently codified.<sup>9</sup> The emerging CSOPDs were part of a culture war between moderate-left Republicans and Socialists on the one hand, and the authoritarian Conservatives and the Catholic Church on the other. They were, so to speak, part of the “social front” of the party blocs fighting with each other for political influence. This was a time when basic democratic consensus was only just beginning to form, and “leagues” for or against the gradually codified “values of the republic” were engaged in bitter disputes. During the Dreyfus affair (1894–1906), not only did the democratic Ligue des droits de l’homme (1898) come into being, but also the Ligue de la patrie française (1898) and the Ligue d’action française (1899), which, together with the Ligue des patriotes (launched in 1882), formed the “main channel for disseminating the ideas of the anti-parliamentarian, nationalist, authoritarian Right.”<sup>10</sup> A democracy-protecting civil society consequently emerged out of the confrontation with democracy-threatening forms of an “uncivil society”<sup>11</sup> – “uncivil” in the sense that these forms called into question the basic democratic consensus that had already been reached by important political actors.

The processes involved in the emergence of parties and CSOPDs were often inseparably intertwined. When parties form, they are initially part of an organising civil society. They then start playing a more systematic part in the power process by taking up citizen’s interests in the political realm and, by occupying political office, turning them into an element of the institutional structure of the state. Such a process could easily be traced in the emergence of social democratic/socialist parties from the labour movement or green parties from the anti-nuclear and environmental movement.<sup>12</sup> We can assume that in times of political relaxation, the more successful the political party, the less citizens will feel the need to continue maintaining autonomous CSOPDs. The party, then, in effect sucks up civil society and transforms its causes into political power.

If civil society actors continue to exist despite a highly institutionalised system of political parties, they often have a close relationship to the parties and share cooperative structures with them. If such relationships are long-lasting, in most cases they result in the CSOPDs gradually taking on a semi-official role and part of the work of the state, provided the parties concerned have lasting success running for political office. In fact, more than just a few civil society actors were actually initiated by established parties to then develop further to become (partly) autonomous (e.g., SOS-Racisme in France<sup>13</sup> or the German party foundations). A special role is played by organisations whose existence is due to being rooted in more than one political party. The Reichsbanner Schwarz-Rot-Gold in Germany’s Weimar Republic, for example, emerged as a result of an acute threat to democracy with a series of right-wing extremist attacks, a failed coup attempt (Kapp-Putsch), and communist uprisings. The majority of the Reichsbanner activists came from the

Social Democrats, with a minority coming from the other parties of the “Weimar Coalition,” the Catholic Centre and liberal German Democratic Party (DDP). This meant that the Reichsbanner remained largely impartial and as a result, party political issues were left off the agenda at Reichsbanner events.<sup>14</sup>

CSOPDs formed by parties can support democracy, but they can also undermine it. During the Cold War, many such organisations fighting for “true democracy” were front organisations of Moscow-oriented communist parties that combined fundamental criticism of the political system of “Western democracies” with loyalty to the Soviet Union and its satellite states. In the fight for “peace” and against “fascism,” they managed to gather many “fellow travellers” and politically credulous people behind their flag.<sup>15</sup> For these and other CSOPDs, Dominik Rigoll’s comments (following William Irvine) about the social function of the human rights leagues applied: they were a club without a membership fee, a place for the well-off to ease their social conscience and do good without suffering too much loss themselves.<sup>16</sup> For others, Jean-Yves Camus’s criticism of Truman’s approach (referencing Robert Salisbury’s theory) held true: “group organisers represent a set of benefits which they offer to potential members for the cost of joining the group, the benefits being material, solidary, and expressive.”<sup>17</sup>

Where civil society actors act beyond periods of extreme political escalation and with a high degree of organisational continuity, they often represent interests which are linked to the need for protection of minorities whose rights are not sufficiently represented by existing political parties and institutionalised anti-discrimination rules and practices. According to Margaret E. Keck and Kathryn Sikkink, the success of advocacy networks depends not least on whether they succeed in getting politically influential actors involved in their cause (political leverage) and, if necessary, on drawing the actors’ attention to the fact that their programmatic intentions in certain areas deviate from usual practice (political accountability), meaning that greater efforts are required to achieve common goals.<sup>18</sup>

For obvious reasons, a particularly large number of CSOs are based on or supported by Jewish organisations. The *Ligue internationale contre le racisme et l’antisémitisme* (LICRA) in France (in existence since 1927, with branches in Belgium, Germany, Austria, Switzerland, Luxemburg, Portugal, Canada, and even in the Republic of Congo), the Anne Frank Foundation in the Netherlands, and the Anti-Defamation League (ADL) in the USA are the most prominent examples. The latter two only emerged after the end of the Second World War, encouraged not least by the Universal Declaration of Human Rights of 1948. They are joined by a number of other initiatives representing the concerns of discriminated groups (other ethno-cultural communities, women, and sexual minorities). Most of the organisations discussed in this volume belong to this type. Political parties will frequently attempt to incorporate such interests and where this succeeds, autonomous organisations situated in the realm between political parties and private enterprises will lose significance.

This also applies to the foundations of political parties insofar as they see the protection of democracy as an important part of their efforts. As Tom Mannewitz shows in his comparative study, these mostly deal with specific threats that are also

considered by the parties associated with them to pose the biggest danger to democratic accomplishments.<sup>19</sup> As a result, the focus is primarily on actors of the political opponent who are not considered to be capable of forming a coalition while extremist tendencies among potential allies tend to be generously overlooked. Opposing extremism from all sides is evidence that a party-affiliated CSOPD is to some extent independent from the strategic considerations of the party they are affiliated with.

### **CSOPDs and the state**

George Michael's contribution on CSOs in the US reveals "watchdog" associations that are particularly purposeful and efficient. They have taken over the task of democracy protection to a much higher degree than in European countries. On the one hand, this is a consequence of political parties that above all understand themselves as machines for election campaigns while being reluctant – in comparison with many of their European counterparts – to take on public tasks. But the case of the US also highlights the significance of the relationship between the state and society: in the US, with its optimism (widespread prior to the Trump presidency) and its tradition of emphasising civic commitment, what matters most is the defence against threats from the outside ("un-American activities").<sup>20</sup> Statehood is reduced to maintaining law and order and does not have the many elements of democracy protection of, in particular, the German security architecture. Both the norms of criminal law and the very modest arsenal of legal tools for repression reduce the options for state intervention. Here, civic organisations take over those tasks which in other countries are fulfilled by state institutions. For example, a type of civil litigation watchdog<sup>21</sup> that is particularly innovative, the Southern Poverty Law Center (SPLC), was established in Montgomery, Alabama, in 1971. Organisations of this kind file lawsuits against extremist organisations if their members violate legal norms.

The Netherlands is another example where CSOPDs have a high degree of autonomy in relation to state institutions. None of the associations examined by Sebastiaan van Leunen and Paul Lucardie developed in proximity to state institutions. Even the most successful of them, the Anne Frank Foundation, remained financially independent and developed its activities mainly on a basis of private donations, contributions, and support.<sup>22</sup>

The Belgian case highlights the problem of CSOPDs who benefit from state support. On the one hand, they often see themselves as spearheading democratic development, calling out the government's failures and pointing out ways of efficient democracy protection.<sup>23</sup> On the other hand, the CSOPDs taking over tasks of the state are appreciated by the representatives of state institutions, with the CSOPDs developing structures, based on a division of labour, that receive significant support from the state. In Germany, the formation of cooperative structures between civil society organisations and state institutions has a long tradition, especially in the field of security. In this way, some important civil society actors have developed into state institutions of sorts, thus running the risk of losing their

autonomy. Funding programmes with predominantly anti-right-wing extremist ambitions contributed to this development. (The “Demokratie leben” federal funding programme, founded in 2015, had an annual budget of 100 million euros with more than 4,000 projects receiving funding in 2020.<sup>24</sup>)

Lisa Bendiek and Michael Nattke point out the dilemma numerous CSOPDs in Germany face. On the one hand, they emphasise that their commitments are independent and have a critical attitude towards the conduct of state institutions. On the other hand, many rely mostly on state funding programmes to finance their activities, meaning sponsoring, crowdfunding, and personal contributions of the members continue to fall behind. “Large portions of civil society in Germany find it much easier to apply for funding to the federal or state government than, for example, raising sufficient funds through donations.”<sup>25</sup> This means a kind of state-funded democracy promotion scene has developed that is dependent on state services. Of course, this is true for almost all of the CSOPDs who agree with the constitutional consensus of the established parties and, other than e.g., militant anti-Fascist groups, are ready to undertake democracy protection work within the limits of valid legal norms.

On the one hand, civil society actors that are independent from the state need the help of private supporters. But on the other hand, individual contributions must not be too extensive to avoid creating a dependency. In any case, such dependencies are rare, at least in the European context, so the common view is that long-term support by the state is indispensable.<sup>26</sup>

In the best case, civil society and state-institutional democracy support and complement each other in a win–win situation. Non-state actors are able to react with more flexibility to new challenges because they are less tied to proven regulations of the rule of law. The success of CSOPDs may therefore also depend on the extent to which they can fulfil public tasks in a convincing manner. This is likely to depend to a large extent on how actively and successfully state institutions engage in the field of democracy protection. In the case of Germany, the constitutional protection authorities (Verfassungsschutzbehörden, almost unique in international comparison) investigating extremism “in advance” of illegal activity and informing the public about the results in extensive reports<sup>27</sup> leaves comparatively little room for similar activities by CSOPDs. However, the controversial actions of state authorities in investigating non-violent forms of fundamental political opposition have repeatedly triggered heated debates about possible illiberal consequences – especially when those affected moved in left-wing radical contexts. Critics of German “militant democracy” therefore advocate, among other things, for strictly limiting state democracy protection to violent forms of extremism and tasking CSOPDs with taking over some of the tasks.<sup>28</sup>

One basic problem with this proposal, however, is that CSOPDs are not subject to the same degree of accountability and judicial control. Organisations that are mentioned in the reports of Germany’s Office for the Protection of the Constitution can bring lawsuits against this institution, and sometimes these lawsuits succeed in the administrative court.<sup>29</sup> It is more difficult to bring legal action against being listed by a CSOPD. And, conversely, CSOPDs are more likely to be the victims

of unjustified lawsuits if the anti-democratic plaintiffs have more resources at their disposal than the defendants. (This is a parallel to the problem of Strategic Lawsuits Against Public Participation, SLAPPs, which has been discussed in other contexts.<sup>30</sup>) However, such a model, which is more strongly oriented towards US practice, would undoubtedly give CSOPDs greater scope for action than the model that is currently in force in Germany.

### **CSOPDs as competitors in the democracy protection market**

The relationship CSOPDs have with state institutions and established parties partly determines their conditions for success. However, success is usually closely linked to the organisation's calibre and competency, without which long-term survival in competition with other organisations pursuing similar goals would not be possible. Above all, this includes the ability to make measurable progress in the self-defined area of activity. Lisa Bendiek and Michael Nattke, in their dual role as democracy protection analysts and active democracy protectors in eastern Germany, illustrate this with the failure of socio-educational concepts that aimed to reintegrate right-wing extremist youth through "accepting" social work in the 1990s. According to Bendiek and Nattke, one of the pioneers of this approach admitted defeat when he spoke resignedly of the failure of efforts to support young people socially without confronting them with the problem of their right-wing extremist obsessions.<sup>31</sup> As a result, many initiatives avoided dealing directly with the "uncivil society" and instead focused on training civil society so it could pull the rug out from under political extremism.

However, the success of CSOs in this field is difficult to measure. In no case should the rise or fall in extremist behaviour be taken as a benchmark as we know this depends on many conditions over which CSOs have no control. In addition, Manès Weisskircher's summary of the effects of the Austrian protest against the Vienna Academic Ball (*Wiener Akademikerball*) also applies here. In most cases, civil society engagement is not characterised by major breakthroughs or defeats, but rather by small gains and losses.<sup>32</sup> Civil society actors hardly ever get exactly "what they want (and they hardly ever lose completely)."<sup>33</sup> The point of evaluation is therefore primarily to determine the effects of specific measures taken by CSOPDs.

There has been little research on how CSOPDs make decisions (internal and external). Since CSOPDs are mostly founded as advocacy organisations, their members are obliged to pursue more or less clearly defined goals. Often membership is limited in number and reserved for individuals who avowedly serve the purposes of the organisation. This is different for organisations that counteract anti-democratic movements by trying to mobilise counter-protests and rallies. A comparative study of these organisational principles remains an urgent research desideratum.

Only a few of the CSOPDs examined in this volume take a broad stand against extremism in the sense of opposing any challenge to the democratic constitutional state, no matter from which ideological background.<sup>34</sup> This may be for strategic



reasons: being aligned with a single “front line” makes it easier to attract allies. If a second “front line” is added, you may lose some of the combatants who gathered at the first line. Sometimes, CSOPDs lead a fight against democracy opponents from one camp in alliance with anti-liberal combatants from the other camp, as was the case with the Dutch association Kafka. The Dutch domestic intelligence service classified Kafka’s activities as “anti-democratic,” partly because in the “fight against the right-wing” Kafka considered methods such as threats, intimidation, and the use of violence to be legitimate.<sup>35</sup>

CSOPDs usually emerge in the face of an acute crisis that is perceived as an existential threat to democracy. Terrorist attacks, with deadly effect on symbolic targets that hit the “heart of the state”<sup>36</sup> (its central institutions or the core of the state identity), can be the trigger as well as successful mobilisation of parties/movements that question the fundamental values and rules of the constitutional state. Their success will ultimately depend on the perception of a threat persisting even after an acute danger situation has ended, or at least on the awareness that dangers can recur, and that preventive protection of democracy appears advisable.

Awareness of such dangers is likely to be greatest among vulnerable social groups who are at increased risk of victimisation. This explains why CSOPDs are often owned by social minorities and their supporters. The more they are heard in the majority culture, the easier it will be to mobilise resources for their concerns.

The success of CSOPDs for the protection of democracy depends essentially on the dominant culture for the protection of democracy and the corresponding culture of remembrance.<sup>37</sup> Peter Niesen used the term “negative republicanism” in reference to democracy protection cultures that are primarily focused on the dangers of the past and are shaped by the effort to prevent a renewed threat in the present.<sup>38</sup> The more credible the invocation of these dangers, the more likely it is that CSOPDs will have a voice for their cause. In contrast, organisations countering extremism in a principled defence against all potential threats to democracy will find it more difficult to mobilise resources if the evidence of current threats does not appear convincing enough. This applies regardless of whether dangers are perceived as coming from within or from without.

## Notes

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