

Chapter 9

**DEALING WITH EXTREMISTS
IN PUBLIC DISCUSSION:
FRONT NATIONAL AND
"REPUBLICAN FRONT" IN FRANCE¹**

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INTRODUCTION

In this article we investigate the way modern democracies can deal with extremists in public discussion. The first part of the article conceptualizes political discussion insofar as it makes a contribution to the democratic process. We focus upon the democratic process as a way of dealing with conflicts between citizens that stem from differences in moral outlook. We reflect upon this process mainly in relation to its capacity to overcome possible political deadlocks, in the perspective of collective decision making. In the second part we concentrate on the question of how public discussion in a modern democracy should look. Here, then, we take a similar perspective as Gutmann and Thompson (1996) in saying that we should try and define some central 'rules of the game' for public discussion. We make a distinction between entrance rules that are proscriptive and performative rules that are suggestive.

In the third part we show the empirical relevance of these rules. In this way we hope to put our conception of democratic discussion to the test of an analysis of a public debate with right-wing extremists. In doing so we link our rules for a democratic discussion to a real and serious challenge which faces some European democracies. In doing so we may find some answers to our central question: how can public debate keep the democratic process going when confronted with political extremism?

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We think that public discussion is often a better alternative in dealing with deep moral conflicts than other democratic procedures such as voting or strategic bargaining (Bohman 1998: 408). In his article, "The Coming of Age of Deliberative Democracy," James Bohman summarizes some of the recent literature on deliberative democracy. As Bohman rightly points out, there has been very little effort made to link theoretical reflections on deliberative democracy to actual public debates that take place.² We hope to fill this gap by applying some prescriptive rules to the public debate in France between the Front National and the "republican front".

DEMOCRACY AND PUBLIC DISCUSSION

In speaking about the sources of political conflicts between citizens, we should distinguish between differences of opinion, differences of interest, and differences in moral outlook. These distinct sources may require different institutional arrangements for the conflicts to be solved in a non-violent way, given the fact that collective decisions have to be taken. That will be binding for all. It is crucial for a democratic regime that one accepts the fact that diversity may lead to conflict and that these conflicts should be solved by peaceful means (Cf. Bobbio 1996, Sartori 1987). Tolerance, respect and willingness to live in uneasy compromise are central elements of a democratic culture in a morally divided society. It is our contention that public debate can be a very useful way to create such a culture.

Political extremism more often than not has to do with deep differences in moral outlook, which are subsequently translated into differences of opinion and perceived differences of interest. The presence of extremism thus forces democrats to think about ways to deal with deep differences in moral outlook.

It seems useful to start by distinguishing two distinct phenomena that are often referred to as public debate. Sometimes one speaks about public debate when referring to the debate between citizens or representatives taking place in an appropriate site where collective decisions are made. An example could be a town council meeting or a national parliament. In this case the debate is carried out by people who are present at the same time, who can reply immediately to each other, and who will have to take a collective decision that will be binding for all. In such public debate there will be a discussion leader who will try to maintain some order according to specific rules and regulations that require participants to express themselves in an orderly and respectful way. Rules and regulations of this kind of deliberation include the requirement to give arguments for standpoints before voting on specific issues. We will call this kind of debate *public deliberation*.

In quite another sense the term public debate is used when political discussion is carried out on television, in newspapers and in political meetings. This form of public debate, which we call for the sake of distinction *public discussion*, is different from public deliberation in three ways. First, it is not so closely linked to public decision making. It is, rather, part of the formation of public opinion. Secondly, a public discussion takes place at different times and sites where different groups of people talk with each other about public affairs, sometimes without being present at the same time or at the same place. Thirdly, there is no discussion

² There are some exceptions though. Gerhards (1997), for instance, is a fruitful effort to compare the public debate about abortion in Germany with theories about deliberative and liberal democracy.

leader for the whole public discussion. Most of the time there will be some sort of a discussion leader in different settings. A public meeting will normally have a chairman and an organizing committee, a debate in the newspapers is orchestrated by the responsible editors of the opinion pages, who will in turn be accountable to their editor-in-chief. Yet, these different discussion leaders cannot operate in a co-ordinate way, as is the case in totalitarian regimes, if one wants to have complete freedom of expression.

The distinction we make between public discussion and public deliberation may at first sight seem slightly confusing. The distinction between *public deliberation* as public debate in a regulated arena that is linked to decision making and *public discussion* as more dispersed and less institutionalized forms of public debate is not without precedence. Habermas makes a similar distinction between “institutionalized deliberative processes” and “informally developed public opinion” (Habermas 1996). Whereas modern theories of deliberative democracy emphasise that there should be an interplay between these two forms of democratic debate, in early theories of democracy a sharp distinction was drawn between public discussion and democratic deliberation in the formal popular assemblies. Thomas More, for instance, wrote in his Utopia “It is a capital offence to consult together on public business outside of the senate or the popular assembly”. (More 1989: 49).

In our view, in a liberal democracy all public deliberation should be accompanied by public discussion.³ The latter should be as unrestricted as possible. This does not mean, however, that there are no rules and regulations in democratic discussion. We are concerned in this article with these rules and regulations. Public discussion has many different forms and it is carried out in many different places. Still we think that there are some elements that can or should be common to all these different forms if the debate is to contribute to the democratic process.

It is our contention that an orderly public discussion contributes to a democratic way of solving or handling deep moral conflicts. Others have argued that peaceful solutions of deep moral conflicts sometimes require that public discussion on certain issues be avoided, and such a strategy of avoidance is certainly possible and sometimes even useful. As Bruce Ackerman states it: “We should simply say nothing at all about this disagreement and put the moral ideals that divide us off the conversational agenda of the liberal state”. (Ackerman 1989: 16). Yet a strategy of avoidance will only “freeze” the moral conflicts temporarily and will therefore only be a viable and attractive solution if the conflicts may disappear of their own - and by themselves. This will not often be the case with deep moral conflicts.

This is not to say that we think that public discussion is the only way of handling deep conflicts, nor do we think it is suitable for every occasion. Public discussion is one of the ways of handling conflicts in highly complex and pluralistic societies, a way that puts the emphasis on public reasoning. This Means, then, that procedures of public discussion may very well exist along with other procedures And mechanisms of conflict solving. But not only are there different ways of solving conflicts, there also exist many different forms of public discussion. Not every verbal exchange or written polemic can be considered as part of a democratic discussion. Only if the discussion is conducted under certain conditions and according to certain rules can we speak of a truly democratic discussion. The regulation of public discussion forms, of course, part and parcel of the democratic procedures. We will distinguish between the rules of entrance to the public discussion and the rules of behaviour

³ See also Habermas 1989

in public discussion. The first set of rules is proscriptive in the sense that those who do not conform to these rules will be excluded from public debate. The second set of rules is suggestive: those who do not conform to the rules will not be punished, but the better the rules are followed the more the public discussion will contribute to the democratic process. It is of the utmost importance to make a clear distinction between the rules of entrance and the rules of democratic performance. The first set of rules can be made into positive law and sanctions can be imposed on trespassing the law. The second set of rules can never be more than a code of conduct to which parties voluntarily adhere. Both sets of rules, however, stem from the same democratic principles that will be discussed first.

In a democratic system all citizens are considered to be morally equal in the public sphere and in public decision making. Everyone's interest or opinion should be taken into account on an equal basis. In perspective of these first two tenets of democracy, *equality and inclusion*, it will in principle be harmful to restrict the articulation of ideas and opinions in the public sphere.⁴ Unrestricted public discussion increases the democratic quality of the decisions because it takes all existing opinions into account (Bohman 1998: 409). In our perspective, democratic governance requires full freedom of public expression not only as a fundamental right of citizens but also to allow the decision-making process to function properly. That is to say that we are libertarians where freedom of expression is concerned and we want in principle to include everyone and every sort of political opinion in the public debate.

A second important democratic principle is that societal conflicts, based on difference in moral outlook, interests or opinions, become *public*. The different positions of different actors should be made visible in public discussion. This can contribute to a peaceful regulation of conflicts and allows for diversity and opposition, which will strengthen the democratic regime in the long run. From this perspective a taboo on the discussion of certain issues or of certain points of view affects the democratic process in a negative way. It may lead to a situation in which central information is not available, or in which certain social conflicts are not articulated. It may well lead to a situation where a "populist leader" will pretend to say "*tout haut*" what many citizens think "*tout bas*".

A third central principle is democratic *accountability*. Accountability can be thought of both in relation to political actors and in relation to actors in the public discussion itself. A central feature of modern democracy is that it is capable of checking the acts of political leaders and collective actors by forcing them to justify their words and deeds. Representative democracy is inherently argumentative: decisions have to undergo the trial of discussion (Cf. Manin 1997, Gutmann and Thompson 1996, ch.4). Political acts and claims of representation can always be put to this test. In this way leading actors in the decision-making process can be made accountable.

It has become clear by now that in our conception the public debate should be as open and inclusive as possible. Yet some restrictions must be made to protect the democratic process. It would be going too far to elaborate our conception of the freedom of expression, because it is not the content of this article. We will only consider possible grounds to limit the freedom of expression for the sake of the democratic process itself. We distinguish three democratic grounds for limiting the freedom of expression.

The first type of expressions that should not be allowed in the political arena is any form of incitement to violence. The use of violence and the incitement to use it will impair the

⁴ See for an excellent elaboration of this point Sunstein 1993.

democratic procedure and it may throw society back to a pre-political stage. A fully open discussion requires an absolute guarantee that nobody will use violence as a political means in case of conflict.

Secondly, it is unacceptable in a liberal democracy to call for the exclusion of citizens from the body politic. To campaign for the limitation of political rights of citizens, be they women, blacks, gay people or the uneducated, should therefore be punished by the law. The same goes, of course, for ethnic groups or any other social category. To call for a limitation of the political rights of certain groups would reduce the accountability of democratic governance because the group that has been stripped of its political rights would no longer be able to influence the decision-making process on a par with the other groups in society. The democratic polity is the only association that cannot expel members at will, even though it can oppose the entrance of newcomers in the *demos*, for example, by denying foreign residents the right to vote. Note that this criterion, although universalistic in its formulation, is historically specific in its application. At the time that women were not enfranchised it was, in our conception, legitimate to resist female suffrage. Yet, at the very moment that women were enfranchised to call for their disenfranchisement became illegitimate. It is our contention that democratic rights are irrevocable; in this sense the process of democratisation is irreversible.

Thirdly, there is a category of expressions that incite to actions that deny the human dignity of other human beings. An example of the denial of human dignity would be the comparison of other citizens with animals. The fact that a human being is not merely an animal is the founding principle of moral autonomy and democracy (Taguieff 1995: 244). It should not be allowed, therefore, to claim that an opponent can be treated like an animal because he - or she - is not seen as a human being. In a general sense this third criterion means that an expression which calls for the denial of certain fundamental human rights to other people (citizens or not), and which is based in one way or another on a denial of their human dignity, can be forbidden (Nieuwenhuis 1997: 55).

Note that the three criteria to prohibit certain verbal acts are not based on substantive value judgements. Opinions should not be forbidden because they are racist, because they are blasphemous or because they are morally repugnant. Neither should one prohibit statements that criticize the democratic regime or the functioning of it. The right to enter the "market place of ideas" should be as unabridged as possible, and only if an expression calls for the limitation of access of others to that same marketplace should legal means be applied.

PERFORMATIVE RULES OF PUBLIC DISCUSSION

Even if all those who participate in a public debate respect the rules presented in the former section, this does not guarantee a democratic debate. One may very well frustrate a democratic debate without trespassing the law. The parliamentary technique of filibustering is just one example. This leads us to the suggestive rules that should be respected for a democratic debate to flourish, even though the law cannot and should not enforce them. They develop in the democratic process and grow within the democratic institutions. We touch here upon the role of *civic culture* in the democratic process. We assume that in a democratic discussion a substantial number of participants comply with these suggestive rules. On those

who do not (want to) comply, the process of discussion itself is supposed to have a civilizing impact. That is, the democratic discussion itself will induce extremists to argue and reason, and by doing so they will incrementally adopt the rules of the democratic game. For this reason, extremist parties who fear this mechanism of democratic enclosure are always reluctant to participate in parliaments. Yet, if a majority or even a substantial minority of the discussants does not respect the suggestive rules of the game, the public discussion breaks down.

Inducing the suggestive rules is the main reason why democratic deliberation is chaired by a person who is able to implement some order in the debate according to established rules. It may well be, for instance, that at a certain point deliberation is no longer possible because some participants refuse to submit themselves to some basic rules of the game. A chairperson might decide to expel these rule-breakers from the deliberation. Since in a public discussion there is not one single discussion leader, the rules should be self-imposed and agreed upon. If most participants voluntarily adhere to such rules, the discussion will contribute to the democratic process. Participants might decide to ignore the contributions made by someone whose only aim is to insult other people. Participants might decide to move to some other sort of conflict-solving device if they think that arguments and reasoning are no longer useful. Avoidance rather than confrontation may under certain circumstances be a prudent way of conflict solving, but it is from a democratic point of view always a second-best solution. Discussion offers the possibility of creating a positive commitment to a public decision, whereas avoidance leads at best to acceptance of the compromise. Therefore it is important that public debate continues as long as possible.

We have already seen that public discussion in general has no discussion leader. The rules we will formulate should be seen as suggestive regulations of a democratic debate; which could be implemented by different actors or discussion leaders in different fora of public discussion. We repeat that it should never be the aim to exclude those who do not follow these rules from the public discussion. We touch here upon a serious issue because we will have to combine our libertarian perspective on the freedom of speech with the will to implement some rules of the game for a democratic debate. To formulate these rules we must be able to evaluate the process of public discussion. As James Bohman clearly points out, we then need some sort of standard to know whether the process of public discussion is successful, whether it leads to good reasoning and good decisions, and whether it makes a contribution to the democratic process (Bohman 1998: 401-407). This is necessary to avoid complete relativism. If there were no standard at all by which to judge which arguments, opinions or outcomes of a public discussion are better than others, it would be very hard to make a distinction between deliberative democracy and populism. It would be impossible to make a distinction between the exchange of sounds, or insults, or cries and a democratic discussion and an exchange of arguments. Most theorists of deliberative democracy try to define standards through the construction of ideal procedures of public reasoning.

At this point we must be very cautious though, because it is easy to slip from some sort of standard for evaluating public debate to a form of paternalism towards the content and participants of the public discussion. Sometimes authors pretend to know in advance what the outcomes of the process of deliberation should be or will be (Bohman 1998: 405). Thereby it becomes unclear why there should be public discussion at all, apart from its more pedagogical function in making citizens agree on the outcomes that have already been defined as “reasonable” or “just”. Some present a weak version of this political paternalism by

presenting the argument in its negative form. They want to exclude from the public discussion those arguments and actors that are qualified as “unreasonable” or “unjust”. However, at closer inspection the unreasonable is often equated with standpoints the authors reject on moral grounds.

Kelly and McPherson consider the claim of intrinsic differences in ability between men and women as “philosophically unreasonable” because “there is no compelling evidence to underwrite these claims and much evidence to suggest that conventions could be different” (Kelly and McPherson 2000: sec. III). Here we see a common mechanism in political debate. The own moral position is said to be scientifically true and therefore philosophically reasonable, whereas the opponent’s claim is considered to be empirically false and thus unreasonable. If the unreasonable is subsequently prohibited this might lead to so-called “state truths” as is the case with the laws against the Holocaust denial in Western Europe.⁵

Others want to exclude actors who “abuse” the public sphere for their private interests. Habermas, for instance, who often speaks about the need to include weaker social groups in public decision making, seems to slip from his conception of communicative rationality to the will to exclude populist influences from the public sphere. He maintains: “The mass media ought to understand themselves as the mandatory of an enlightened public whose willingness to learn and capacity to criticism they at once presuppose, demand, and reinforce. ...” Habermas then concludes that “political and social actors would be allowed to ‘use’ the public sphere only insofar as they make convincing contributions to the solution of problems that have been perceived by the public or have been put on the public agenda with the public’s consent” (Habermas 1996: 378-379). This reasoning seems to tell us that those actors who do not want to make a contribution to the “solution of social problems” or to an “enlightened public opinion” can rightfully be excluded from the public debate. As we will see in our empirical example, this kind of argument is invoked by anti-racist organizations in France to justify the exclusion of members and leaders of the Front National from public debate.

Another example can be found in John Rawls’s *Political Liberalism*. Rawls uses the idea of public reason to show how citizens with a different moral outlook or, as he calls it, with a different comprehensive doctrine, may come to agree on issues concerning society. The idea of reasonableness is for Rawls linked to the idea of social co-operation and to that of critical judgement.⁶ Rawls can thus make a distinction between different claims and arguments that are made in the public sphere: some are reasonable and some are unreasonable. Unreasonable views should be contained “like war and disease -so that they do not overturn political justice.” (Rawls 1993: 64). His military metaphors seem to imply that someone who holds an “unreasonable” opinion can a priori be excluded from the public debate. Concerning the issue of abortion, for instance, Rawls claims that it is reasonable that women have a qualified right to have an abortion in the first trimester. This means that “any comprehensive doctrine that leads to a balance of political values excluding that duly qualified right [to abortion, M.F./M.M.] in the first trimester is to that extent unreasonable; and depending on details of its

⁵ See for a discussion Fennema (1997; 2000). Kelly and McPherson try to prevent a paternalistic turn in their argument by making a distinction between philosophical and political unreasonableness. Only those who are politically unreasonable, those who refuse to grant other people the status of free and equal persons, can be excluded from the social contract.

⁶ Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so” (Rawls 1993: 49). On this point also Kelly and McPherson 2000, sec. II).

formulation, it may also be cruel and oppressive...” (Rawls 1993: 243-244). It is very much the question, though, whether all those who take a different stance on this issue (maybe as a result of their religious convictions) should be qualified as “unreasonable” and should be simply “contained” as if they stand for some kind of contagious disease.

The example shows how easy it is to slip from an idea about what opinions are “reasonable” to the will to contain (or exclude) all those opinions that are qualified as unreasonable or oppressive. We will use our case study to show that the same kind of argument is often used to claim that the opinions of opponents are not worth discussing. The opponents should simply be silenced because their ideas are indecent or dangerous. We are suspicious of any attempt to exclude people or opinions from the public debate by referring to what is “reasonable”. This is why we are democratic libertarians and only accept limitations on freedom of expression to protect the freedom of expression of other citizens. That is, only those claims can be outlawed which curtail or destroy the rights of others to participate in the democratic process. To call for the disenfranchisement of women or blacks is prohibited not because it is sexist and racist (and thus “philosophically unreasonable”) but because it threatens the democratic rights of others. The only acceptable substantive criteria to restrict freedom of expression are those that directly endanger the democratic procedures.⁷

On the same grounds we can evaluate what is a good democratic debate and what kind of behavior is needed to carry it out. The performative rules are meant to guarantee that the public debate is carried out according to the three democratic principles presented in the first section: inclusion, publicity and accountability. The greatest possible number of citizens should participate, the greatest number of different positions should be made visible and claims to representation of the actors should be put to the test. These are the principles of a democratic debate. The performative rules that contribute most to these two goals are *mutual respect* and *accountable representation*. However different the values that are held by different groups of citizens, a fruitful and democratic public debate remains possible as long as they comply with these two rules.

Mutual Respect

In a general sense the rule of mutual respect asks from those who participate in a public debate to accept that it is legitimate for others to have different conceptions of the good life, different opinions, different comprehensive doctrines or different interests. It is, not the opponent's *opinions* that one should respect, or the reasons invoked to defend his or her position, but only the fact that he or she has the *right* to articulate this point of view. For the way that participants engage in a public discussion the rule of mutual respect means at least two things.

It is a sign of mutual respect if *both* parties try to formulate their points of view in such a way that the form in which the arguments are presented is understandable and acceptable to the other party. The American political philosophers Amy Gutmann and Dennis Thompson use the concept of “reciprocity” to analyse this aspect of public discussion. An example they give is the opinion held by some fundamentalists that the Bible condemns the mixing of races. Gutmann and Thompson maintain that it is not a good strategy to attack this

⁷ See for a similar argument Dahl 1989.

fundamentalist opinion from the liberal democratic point of view with the argument that the Bible is not a legitimate source of law. A far better form of argument for a liberal to follow is to point out that not even his opponent takes everything in the Bible literally and that there are good reasons for not doing so in this case. It is possible therefore to enter into the discourse of the fundamentalists without violating one's own values (Gutmann and Thompson 1996: 56). The attempt to do this is a form of democratic respect which one should accord to extremists as well.

Mutual respect requires, in addition, that one takes the motives of one's opponent seriously and that one accepts his or her contribution to the debate as an opinion about how the public good can best be served. This is a difficult rule for everybody involved in a debate. Both left-wing and right-wing extremists often presume that they themselves act from idealistic motives while their opponents are only concerned with their own interests. This is in no way restricted to contemporary extremism. The Enlightenment philosophy, from Rousseau to Condorcet, is full of this type of Manichean reasoning. Condorcet, for instance, was convinced that conservatives could have no other motive for their political vision but to maintain their privileges in a feudal society. Enlightened people, on the other hand, had no such base motives, but acted for the sole purpose of progress of mankind. (Condorcet 1996: 51).

In a democratic debate about values one should not accuse the opponent of using his values merely as a loincloth to cover self-interest, because this precludes any serious debate about their conflicting sets of values. The assumption is that it is possible to agree on points of lesser importance without forcing the other party to give up its basic values. This can of course be very difficult, for instance, if someone is holding racist opinions. But even in that case the effort should be to find levels in the discussion on which it is possible to argue with the opponent, if only for the simple fact that he or she actually is a part of the democratic demos. What is probably more important is not to move in the opposite direction and claim that whatever the opponent has to say, for instance that he feels uncomfortable in his neighborhood, is not worth discussing *because* he is racist. This rule of mutual respect has to be followed by all participants in a discussion.

This means two things. First, if the opponent systematically refuses to accept this rule in a discussion it would be legitimate to look for other ways of dealing with the opponent. One option is to ignore the contributions made by the opponent, another option is to leave the public debate altogether. In both instances the public discussion has become less democratic. Secondly, if the opponent shows respect in the present discussion, even if he has not done so on many other occasions, this imposes the democratic obligation to engage in a democratic discussion and take a respectful attitude towards the well-behaving opponent. An example would be a member of the Front National who wants to engage in a public discussion. He would have to be admitted to the discussion from the moment that he follows the rules of the game. It would be undemocratic to exclude him from this debate by referring to how he behaved in former discussions or simply by claiming that he stands for "indecent" ideas.

Accountable Representation

In a modern democracy representatives and collective actors will inevitably largely conduct public discussion. It is therefore legitimate to present a point of view in terms of some group interest, group view or even group morals, but it is important to be clear about the relationship between the spokesman and the group. Our argument here is that in a democratic debate one should not speak for other people unless one is explicitly mandated to do so. All actors in the public debate who claim to be speaking for others, or who claim to be the exclusive and final representatives of certain citizens, should be mandated as such by democratic procedures. Virtual representation in the Burkean sense of the word is not part of a representative procedure and it also negatively affects the quality of public debate.

Thus, according to the rule of accountable representation, the trade unionist may speak for the members of his union, but he may not speak on behalf of the workers in general. The feminist may speak for the members of her movement, but not for women in general. A democratically chosen committee member of a trade union or a mosque association can speak on behalf of the members of their respective organization, because the rank and file can in due course call the committee member to account. On the other hand, when a private citizen has no organized relationship with the group for which he considers himself to be the spokesperson, then he acts as a self-appointed agent. To present oneself as an agent for a part of the *populus* or of the *populus in toto* without being mandated to do so makes it difficult for the citizens that are willy-nilly represented, to recall the self-proclaimed representative. Many specific groups, such as “workers”, “immigrants”, “native residents of the older neighborhoods” or “single mothers” are attributed clear-cut interests and opinions in this way. Nobody can substantiate such claims, as the French philosopher Alain Finkelkraut has convincingly argued.⁸ Unaccountable representation has, from a democratic point of view, a number of negative consequences.

The first is that the group one claims to represent has no means of correcting the political stance that the self-proclaimed agent has taken. Virtual representation assumes that the silence of the group should be taken as a sign of approval with the political position that has been taken in its name. If there is no institutional form of representation, anyone who wants to express her disagreement with the agent will find it difficult to find the means to enter the public debate.

Secondly, dissenting opinions coming from members of the group that the agent claims to represent will often be considered as not representative for the group or even faulty opinions. This is the more so if the discourse of the agent is based on the notion of objective interests. The black Frenchman who does not support the anti-racist SOS-racism is apparently not aware of his societal position. And if he supports the Front National he would most likely be considered as misled, if not a disgrace to his race. Equally the African woman who expresses her opinion in favor of legalization of clitoridectomy will easily be considered a victim of male repression. A French woman who speaks out against the free choice of abortion is seen as a person who is led astray by religious fanatics. All these opinions are not taken seriously by those who claim virtual representation. The claimed representation excludes other forms of representation. If one claims to speak for the French nation, nobody else can do so. And if it

⁸ Referring to the trial of Maurice Papon, a former Vichy public servant, Finkelkraut, said: "Nobody has the right to speak on behalf of the Jewish community" (*NRC-Handelsblad* 18/10/1999).

is assumed that the nation is “one and indivisible”, others cannot speak for even a part of the French nation. Thus, unauthorized representation tends to destroy diversity. This is especially the case if the discourse of virtual representation is embedded in a discourse of struggle. Dissenting voices then soon become disloyal and treacherous.

Thirdly, those who speak in the name of others tend to claim a moral superiority because of this virtual representation. If one speaks on behalf of women, the male opponent is already suspected of defending his vested and sexist interests. If one claims to speak for the sexually abused children, who would dare to contradict? If one speaks on behalf of the victims of the Holocaust, all others should be silent. Hence virtual representation can easily become a form of moral blackmail. “Speak for yourself” has to be the watchword in the context of a democratic discussion.

We think that a public discussion is only fully democratic when participants comply with these two rules: mutual respect and accountable representation. If participants do not do this, democratic debate may turn into a rhetoric civil war and the process of accommodating conflicts may become deadlocked.

FRONT NATIONAL AND “REPUBLICAN FRONT”

To analyze the way in which parties in a deeply divided democracy engage in public discussion, we take the public discussion in France between the Front National and some anti-racist movements, including the Parti Socialiste, as a case. By taking such an extreme example we are sure that the contending parties are divided by deep moral disagreement. Hence we might be able to investigate most of the issues concerning the rules of a democratic discussion. This approach gives us the opportunity to see whether the movements that oppose this extreme right party act upon an adequate conception of democracy and public discussion. We will show that from a democratic point of view it is very difficult to argue, as a lot of anti-racist movements do, that right-wing opinions should simply be excluded from the public sphere because they are “racist”, “dangerous” or “irrational” (Cf. Sunstein 1993). We will show that both the Front National and some of the anti-racist movements in France do not respect performative rules for public debate. This does not mean however that the ideas that those two contending parties represent are of equal value. We strongly disagree with the opinions of the Front National, and we favor the struggle for equality of the anti-racist movements. We think that everybody should equally respect democratic procedures, but this is not the same as being moral relativists.

In the remainder of this article we will analyze the public discussion - if we may call it so- in the written press between the Front National and their opponents loosely organized in the so-called “republican front” in France. In doing so we try to find out what the performative rules of public discussion can mean for a democratic debate that takes place in several French newspapers between two political forces who deeply disagree with each other. Do those who participate in a public debate respect the rules we have discussed so far? Does public discussion make it easier to resolve conflicts in a non-violent way? In analyzing the public debate between members of the Front National and their opponents in France between 1990 and 1998, we will show that in this case neither party seems to conform to the two rules for a democratic debate, mutual respect and accountability. This may not be a great surprise

in the case of the Front National, which as a right-wing extremist party will not fully support all these democratic rules. But from our point of view the opponents of the Front National have failed to apply democratic principles as well in their fight against the extreme right. Anti-racist organizations have been successful, for instance, in deadlocking any attempt to enter into public debate about the opinions that were put forward by the Front National.⁹ We think that here lies one of the reasons for the fact that the extreme right sometimes seems capable of paralyzing the democratic process in France. We will start by analyzing the public discourse of the Front National and the “republican front” according to the two criteria we have developed so far.

Mutual Respect

In general, the Front National does not seem to accept that its opponents have a self-standing moral and political position, independent from their private interests. The Front National tends to assume that politicians are puppets on a string held by powerful financiers who rule behind the political scene. This conception of an impotent political class controlled by financial power—a conception that is also characteristic of extreme left discourse—necessarily leads to lack of respect for political opponents. Why should one listen to members of the political class if their power to influence political decisions is virtually zero? Why should one show respect for politicians who are corrupt? In the rhetoric of the Front National there is no reason to discuss at all with its opponents. Such a vision of the political process easily leads to conspiracy theories that explain the outcome of the political process by reference to all-powerful and scheming men behind the scenes who rule the world from their hidden corridors of power according to a master plan. To sum up, the discourse of the Front National is characterized by four related theses:

1. The adversaries’ political position is no more than a cover-up to hide their private interests.
2. Politicians are impotent when it comes to real political decisions.
3. The real powers hide behind the scenes and manipulate the politicians through bribes and blackmail.
4. The hatred of the political class towards the Front National is explained by the fact that it defends the real interests of the people.

Thus it is a waste of time to engage in a serious debate with people who are neither powerful nor honest. If we analyze the rhetoric of the leaders of the Front National, we will find that they prefer to ridicule their political opponents rather than to engage in a serious debate. A combination of vulgar ridicule and the “unmasking” of plots and conspiracies against the people form the bulk of the Front National’s political discourse (Cf. Soudais 1996; Schnapper 1996; Fennema and Pollmann 1998).

⁹ People who tried to discuss political issues that were central to the Front National discourse were sometimes accused of being “Le-Pen-ized”, they were said to be unconsciously infected by the ideas of the extreme right (Maussen 1997).

This extreme right discourse is mirrored, however, by the *front stage/back stage* theory that has long dominated the journalism and scholarly research on the Front National in France. In this theory it is assumed that the Front National hides its “true nature” behind a front stage of democratic decency. Some scholars and journalists hence set out to find “the real Le Pen”, that is the hidden fascist. Everything he says has to be decoded. The Front National has to be unmasked.

There is, of course, nothing against investigative journalism, but the *front stage/back stage* approach runs the risk of infinite regression. One can always maintain that when no signs of fascist organic ideology are found, one has not yet discovered the back stage of the party. To avoid this problem, we have to decide at what stage and under what conditions one can decide that the Front National is *not* a neo-fascist party. If one does not do that, one is in fact constructing a conspiracy theory of the extreme right.

From the perspective of a democratic debate, the problem is similar to that of the extreme right conspiracy theory. By assuming a *back stage* one does not respond to what is publicly presented as the political positions of the Front National, because these are not what the Front National *really* means. A critical examination of the anti-Le Pen discourse, then, shows some serious offences against the rule of mutual respect. Instead of presenting arguments against the anti-immigrant positions of the Front National, anti-racists try to unmask the Front National to show that it is not necessary to engage in a debate but that this party should simply be silenced and prohibited. Thus, the former president of the Parti Socialiste, Henri Emmanuelli, has several times called for the prohibition of the Front National. In *Le Monde* of June 26, 1991 he wrote: “Mister Le Pen is a fascist”. And he added that fascism “places itself outside the [democratic] system ...Its *raison d’être* exists in the destruction of it”. The Front National is characterized by “racism and xenophobia, extreme right populism, the affirmation of a mythical national identity, anti-parliamentarism, the rejection of politics, and state corporatism. It is an all-powerful party that is organized along military lines”. It does not really matter whether Emmanuelli is right in calling Le Pen a fascist. What is important here is that the Front National is denounced without further argument. Starting from a not very well defined definition of fascism, Emmanuelli jumps to the conclusion that the Front National may rightfully be excommunicated from the public discussion.

In the same vein, the former mayor of Strasbourg and minister in the Jospin cabinet, Catherine Trautmann, tried in 1992 to prevent the Front National from using the municipal auditorium for a public meeting. This decision was annulled by a court decision. Yet, her supporters maintained that the mayor's decision had been politically correct. A group of intellectuals organized in “*Rencontres de Strasbourg*” argued that the Front National “uses the democratic game, but is neither in its essence nor in its manifestations a democratic party”.¹⁰ This is a clear example of a *front stage/back stage* argument. To exclude the Front National would be “a strong and courageous decision, widely supported by public opinion that will see in such a ban a victory of the most simple moral rectitude.”

The argument for exclusion of the debate is often supported by a paternalistic conception of citizenship. Thus, in the same article, the Strasbourg intellectuals underline that the Alsace is a fertile ground for the Front National strategy because the region is going through a difficult period and “some Alsatian might be receptive to the extremist argument”. The Front National has to be banned because one is not sure that the citizens can resist the temptation of

¹⁰ *Le Monde* 14/12/1996.

right-wing extremism. This, of course, is also the reason why one should not engage in a public discussion with the extreme right. The anti-racist organizers want to protect the citizens against what they call “the ugly beast”. And the anti-racist organization *Ras l'Front* declared that the enemy is not just the Front National, the enemy is everywhere: “We should be vigilant. Lapses are numerous and everywhere”.¹¹ Here conspiracy theory and a paternalistic attitude reinforce one another. Such militant attitude not only leads to the exclusion of the branded “fascists” but also to a permanent surveillance of the public debate. On the one hand one denies the Front National its freedom of speech even if what they say is in itself not illegal and even if its spokesmen comply with the rules of the democratic game. On the other hand the general public is not to be trusted either and thus the citizens are denied the capacity for autonomous judgement. The anti-racists consider themselves as the guardians of democracy, which is, as Robert Dahl has convincingly argued, a contradiction in terms (Dahl 1989).

There are many examples of this kind of discourse in France. Mme Marie-Claire Mendès France, widow of the former Prime Minister, stepped down as the president of the association of *Le Monde* readers after a letter to the editor written by Jean-Marie Le Pen had been published. She wrote in defense of this abdication that the publication of this letter was an act of “banalising fascism in France”. With this phrase she clearly referred to the subtitle of the book written by Hannah Arendt, *Eichmann in Jerusalem* (1965), thus making a direct link between Eichmann and Le Pen. Yet, Le Pen in his letter to the editor had only pointed at the lack of democratic consistency of the political elite in France. He wrote: “When the people voted for the left, some thirty years ago, they were the carriers of hope, future, justice and progress. But now, as they vote for the right suddenly democracy is in danger... I am proud to defend my compatriots and I do not believe that among them there are *Untermenschen* nor *Lumpenproletariat*”.¹²

In response to Mme Mendès France, the editor of *Le Monde* defended himself by saying that it would not be in line with democratic values if Le Pen, who had been attacked in *Le Monde*, did not have the right to respond to the allegations made against him. In doing so he was referring to the democratic rule of respect, which in this case meant that one should give the attacked party in a debate the opportunity to argue for his point of view and to tell his side of the story.¹³ The editor also used another, more instrumental reason. The democratic debate would, according to him, eventually reduce the electoral support of the Front National because when French citizens were informed about the positions held by the Front National, they would be less inclined to vote for them.

To this argument he added that if the public discussion did not reduce the support for the Front National, “one should not hesitate to defend democracy by other means”.¹⁴ This second argument cannot be properly called democratic because the admission of Le Pen to the public debate is clearly conditional. Only if his public interventions destroy his electoral support is he allowed to speak. If it is true that procedural democrats believe that the democratic rules and regulations are self-enforcing, this is by no means tantamount to the instrumentalization of these rules and regulations. The procedural argument rests on the assumption that by

¹¹ *Telerama* 9/10/1996.

¹² *Le Monde* 10/9/1991

¹³ French law accords people who have been mentioned in a newspaper article in a sufficiently precise manner a “right to reply” in the same newspaper or magazine.

¹⁴ *Le Monde* 14/9/1991.

complying with these rules and regulations all participants will eventually also commit themselves to the democratic process. This commitment will either be direct, in that the extremists themselves start to accept the intrinsic value of the democratic procedure, or it may be indirect, because the supporters of the extremist party will expect it to comply with the democratic procedures and will turn away from the party when it does not live up to their expectations. In either case democracy will be strengthened. Yet, in no way can this mean that participation be granted *on the condition* that this will happen, because that would bring us back to the paternalism which we have rejected as incompatible with democratic principles. One may argue that our democratic assumption is naive, but it seems less naive than the assumption that the Front National will in the public debate “expose itself” and then will be destroyed like a vampire in daylight.

The exclusionist discourse of the “republican front” allows the Front National to present itself as the sole defender, if not the last bastion of French democracy. The Front National simply brings out the contradictions in the conception of democracy among its opponents. As early as 1990 Le Pen stated that “democracy is the acceptance of debate with those who do not share the same opinion”.¹⁵ He hit the nail on its head.¹⁶

Accountable Representation

If we look at the rule of accountable representation we find that the Front National often claims for itself the virtual representation of “ordinary French people” who are said to be afraid to speak out in public. By this rhetoric move it can disqualify all those who disagree with them as traitors or as “the anti-racist lobby”. It claims that all those are not worthy partners in public debate because they do not care about “the real problems of the French people”.

The Front National also aggressively claims to represent the French nation, thereby excluding its opponents from the nation. Thus the Front National candidate in the 1996 local elections of Dreux, Marie-France Stirbois was, according to the party journal *National-Hebdo*, “the target of an anti-national coalition”. With the term “anti-national coalition” the paper referred to the so-called “republican front”. The editorial of *National-Hebdo* thus stated explicitly what the name Front National says implicitly: there is no representation of the French nation outside the Front National. And since in the dominant political discourse the French nation is equated with the people, there cannot be an agent that represents the people outside the Front National. It is therefore no accident that the aforementioned editorial continues with a direct reference to a possible civil war between the national and the anti-national forces: “... in the suburbs the chronic mutiny of ethnic gangs takes the form of a prelude of a civil war”.¹⁷ It becomes clear that the Front National denies the legitimate representation of French people by the “republican front”.

Again it seems to be the case that the “republican front” is using similar arguments as the extremist arguments of the Front National. They claim to be the only representatives of the French republic and the sole heirs of its democratic traditions. For the French philosopher

¹⁵ *Le Monde* 1/6/1990.

¹⁶ Although, as we have seen, the Front National itself also refuses to engage in any serious public discussion

¹⁷ *National-Hebdo* 21/11/1996.

Bernard-Henri Lévy, the Front National does not represent the French democratic tradition and this is sufficient ground for excluding leaders, members and voters of the Front National from the public sphere.

This means in the first place that all voters or potential voters of the Front National should be seen as outside the republic and thus as illegitimate participants in the public debate. Bernard Tapi referred to voters of the Front National as “*salauds*” and some members of the anti-racist organisation *Ras l'Front* went so far as to call for a beating up of one-third of the voters of Vitrolles, meaning those who had voted for the Front National. In turn, the Jospin government also denies the Front National the legitimate representation of part of the nation by claiming that this party carries the fascist legacy. For this reason Prime Minister Jospin found it unnecessary to consult the Front National in the preparation of a law that would limit the accumulation of elected positions. Jospin declared openly that he would only consult the “republican parties”.¹⁸

This leads to a situation where each party claims the patrimony of the republic and refuses to consider the other as a legitimate representative of a part of the French nation. And because the republic is associated with democracy, each party sees the other as undemocratic. This then undermines all the possibilities of a democratic debate, because each party simply claims that it can by itself speak for the nation as a whole and does not need to know the opponent's opinions. The exclusion of the opponents from public debate is soon followed by an exclusion from the democratic *demos* altogether.

Secondly, it is important to see that anti-racist organizations often present themselves as the sole honest defenders of French democracy. They claim for themselves the only true and real representation of democracy and the struggle against racism, without their leaders being democratically appointed as such. Thereby they exclude the possibility that others might just as well be representing French people who are “against racism” or “for democracy”. Those who take a different and more liberal stand towards the Front National and their electorate are often referred to as traitors, spies, or as contaminated by the extreme right ideology. Anti-racists in France have over the last twenty years been very successful in paralyzing public discussion by using this kind of argument against their critics. Anybody who criticized the strategies of anti-racist organisations was referred to as an anti-anti-racist, and thus a racist and an enemy of democracy (Cf. Taguieff 1995). An exemplary case is the way the French researcher Pierre-Andre Taguieff was in the early 1990s accused of supporting the extreme right ideology. Some thought that Taguieff, who had studied the ideas of the extreme right thinker Alain de Benoist, was not critical and vigilant enough towards the object of his study. In one of the many appeals to vigilance published in July 1993 Taguieff was accused by Roger Pol Droit and others of banalizing extreme right thinking. He was also accused of paralyzing the “struggle against evil” by his criticism of anti-racist strategies in France.¹⁹ The authors of the manifest maintained, then, that only they themselves were authentically defending democracy in France, by fighting any attempt to banalize “fascist thinking”. Taguieff rightfully defended himself against this militant conception of public discussion when he wrote: “The worrying paradox of this process of abolishing the public sphere of debate, is that it is said to be done in defense of democratic ideals. The horizon of it can easily be drawn: a democracy that is conformist, without a public sphere, without conflicts of

¹⁸ *Le Monde* 27/9/1997.

¹⁹ *Le Monde* 13 and 27 July 1993.

opposing opinions” (Taguieff 1994: 351). Some anti-racist organizations then claim to be the only true representatives of the French democratic tradition. In doing so they deny other people the right to represent and defend democratic ideals in a different manner.

CONCLUSIONS

In the confrontation between democracy and extremism, democrats do not have to resign themselves to a choice between suicidal tolerance and the abolition of freedom of expression. If democrats are prepared to see democracy as a system which must repeatedly be renewed and strengthened, they can approach extremism from a democratic perspective. This is possible on condition that strict limits have been set to what is acceptable within the political arena. Within these limits all citizens have complete freedom to ventilate their opinions.

Faced with extremist attitudes, democrats do not need to be on the defensive but can draw on the strength of the democratic system. A debate with extremists offers the possibility to recognize social problems, to increase the legitimacy of government, and to reflect upon the quality of the political system. It may bring to light irrationalities and prejudices in public opinion, it may serve to commit extremists to democratic procedures, and may eventually convince the adherents of the extremist parties of the superiority of democratic values. Even if only some of these aims are realized, this will strengthen the democratic process.

A political debate between citizens with deep value conflicts is only possible if there is willingness to bridge some of the deep differences in basic values. A first condition for this is that both parties show respect for one another. Arguments should be put forward in a format that is acceptable to the other party. The opponent's motives should be taken seriously and one should realise the importance of agreement on points of secondary importance. Such “second order agreement” may lead to acceptance of the democratic procedures, even among those who do not share the underlying values. A second condition is that the participants do not hide behind unfounded claims of representation.

We are aware that this is only an initial attempt to indicate the lines along which a political debate between democrats and extremists can take place. Nevertheless we hope to have made plausible that the democratic process can gain strength in a public debate with extremists. Furthermore, differences with regard to fundamental social values exist not only between democrats and extremists but also between groups of citizens who show few signs of political extremism. This is why the investigation into the limits and possibilities of a democratic debate has an even greater importance. In a multicultural society different groups proceed from very different sets of values. For this reason the discursive repertoire which citizens choose in dealing with extremists is just as important in their dealings with one another. And, in the same way, the manner in which rulers deal with extremists is an indication of the way in which those rulers communicate with the citizens in general. In a society that is changing so rapidly, the survival of democracy is increasingly dependent on learning processes that are generated in democratic procedures.

To those who find this all excessively naive we would like to point out that from a democratic perspective the present situation offers no solution either. Both parties fight each other by “exposing” what the other party really stands for. In the case of the Front National this is fascism, while behind the scene of the “republican front” we find, according to the

Front National, nothing but corruption and subservience to the powers of international capitalism. In addition, both parties claim to represent the whole nation and by implication—and sometimes explicitly—the contending party is seen as “anti-national”. It has no legitimate position in the public space. The public debate takes the form of a discursive civil war in which both parties strive to liquidate the other party “branch and root”. There are no possibilities to compromise or to accommodate because the antinomy *“ami-ennemi”* dominates the political process, as has clearly been the case with the opposition between Front National and “republican front” in France for the past fifteen years. In reaction to the attempts to silence the extreme right, the Front National has successfully presented itself as the guardian of democratic procedures. This is a perverse effect of the lack of democratic consistency of the “republican front”. By not respecting the performative rules of democracy, those who struggle against right-wing extremism run the risk of turning against democracy itself. It would not be the first time in the course of democracy's life and times that well-meaning democrats turn out to be not so democratic after all.

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