

# USA, Israel, France: How Democratic Institutions Become Trojan Horses for the Far Right

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**Abstract:** What now seems to be recurring, albeit with some novel aspects, is that the rise in anti-democratic extremism has found an ideal home at the very heart of the institutions and governments of these so-called democracies: United States, France, Israel. It is from within these democracies that the aforementioned gains are first being gradually eroded before disappearing entirely (without meeting almost any resistance), in a war of positions that has turned social movements into an antiquated and pointless maneuver war.

The United States, Israel and France are three emblematic examples of how democratic institutions can be subverted by certain forms of corruption or what will here be called counter-hegemony. The institutions that claim to guarantee freedom and public liberties are attacked head-on by supposedly democratic governments.

**Keywords:** democracy, hegemony, counterhegemony, far right, war

### **Endgame counter-hegemony**

1. The form of politics made up of fake news, manipulations of all kinds, untimely reversals and all-out manipulation of the symbolic has spread like wildfire, and is now visible all over the planet. But is there really a new far right, or are we sadly at the end of a process of anti-political, anti-enlightenment and fundamentally anti-democratic takeover? A process in which «the West» is the watchword, capable of rejecting all ethics, all morality, but also all knowledge, on the pretext of ultimately saving a supposed white Western civilisation in its mythically original historical location. Europe, white America, the Judeo-Christian cradle.

This watchword ‘the West’, or Western civilisation, circulates from Trump’s America to Macron’s France, not to mention Netanyahu’s Israel. Of course, each place uses the term differently, but what is constant in all cases is a way of shattering the boundary between democracy and anti-democracy, making the notion not just of democracy but of the extreme right more confused each time.

2. After all, democracy did not originate in France, the United States and Israel, despite them being emblematic places where democracy developed successively over the course of revolutions, gains in civil rights, women’s rights and gay rights, gains in foreigners’ rights, public freedoms and social rights, demands for equality for all citizens and social demands to combat poverty. What now seems to be recurring, albeit with some novel aspects, is that this rise in anti-democratic extremism has found an ideal home at the very heart of the institutions and governments of these so-called democracies. It is from within these so-called democracies

that the aforementioned gains are first being gradually eroded before disappearing entirely (without meeting almost any resistance), in a war of positions that has turned social movements into an antiquated and pointless maneuver war.

3. Gramsci takes the distinction between maneuver warfare and war of position from Clausewitz. If the Russian revolution could be said to be a maneuver war in the fact that it seized the state apparatus, Gramsci imagined that the revolution in countries like Italy would be a war of position, by snatching the support of the minds alienated from their own interests from the bourgeoisie. If the first model of rupture is that of insurrection, the second represents a kind of water-lily revolution in which one plant ends up invading the whole landscape, altering its ecology. In the second model, the confrontation with the state is only the final part of a now molecular strategy of political conflict in which businesses, the press, religious organisations, schools, the arts and so on must be culturally colonised. Gramsci was thus putting the superstructures, ideology and praxis that enabled the bourgeoisie to shift the balance of power and gain influence over the humble to new use, disalienating the oppressed almost in spite of themselves, by ultimately asserting one form of influence against another. Gramsci also speaks of a «passive revolution», underlining the ambivalence of this type of political process. It's about colonising minds.

4. His words did not fall on deaf ears. In 1969 the intellectuals of the new French right, including Alain de Benoist, created the GRECE, the «Groupement de recherche et d'études pour la civilisation européenne». Their aim was to oppose the mixture of Judeo-Christian culture and Marxist ideology in the French intellectual and academic world. They make no secret of the fact that they learned from Gramsci when he said that violence is not necessary to lead and win a revolution. The real challenge is to transform people's consciences through a dialectic of consent and coercion. GRECE regularly states that it wants to «fight more with ideas and astuteness than with force». As is the case in Gramsci, hegemony will be produced by intellectual workers who have the specific task of dismantling the values of the society they want to radically transform. In that sense, GRECE is competing with Marxism for a cultural renaissance of the West. There will be a pagan and a Christian version of the West. On the pagan side, a culture of pure Aryan blood. On the Christian side, a different, imaginary blood, a mixed blood that would extend the empire of the mystique of Christ while at the same time making the idea of non-exogamous marriages unbearable. As for same-sex marriages, they are not even conceivable within this purview, since they are not destined to reproduce.

5. The United States, Israel and France are three emblematic examples of how democratic institutions can be subverted by certain forms of corruption or what will here be called counter-hegemony. The institutions that claim to guarantee freedom and public liberties are attacked head-on by supposedly democratic governments.

### **The conquest of first-rate institutional powers**

6. In the United States, the election of Donald Trump in 2016 initially left spectators stunned and incredulous as an orange-haired buffoon staged a takeover first of the Republican Party and then the American presidency. But tensions really rise once he managed to tip the balance of the Supreme Court. When the institution that is supposed to guarantee American democracy is itself in danger of adopting white supremacist positions, American democracy is in danger.

7. The Supreme Court has nine judges, each of whom was appointed for life by a President of the United States, and then received the approval of the Senate. Traditionally, US presidents appoint political figures or legal professionals whose political and ideological positions they share. Donald Trump appointed three of these judges, and installed a Supreme Court that is on the right and extreme right of the political spectrum. That is to say that six of the nine judges appointed for life are now from his Republican camp.

8. But this could not have happened without a prior institutional transformation, for while the President nominates, the Senate must confirm or reject this nomination. In 2017, Donald Trump's Republican Party, which has a majority (52 seats out of 100) in the Senate, voted to lower the threshold needed for a confirmation from 60 to 51 votes, in order to prevent the Democrats from blocking the nomination of Neil Gorsuch to the Supreme Court. The shift to a simple majority vote means that the President is no longer obliged to appoint judges who are capable of uniting people across party lines.

Each judge appointed to this institution which is key for the political life of the United States can transform the face of American society with regard to major issues.

9. The right to abortion has been directly attacked. As of 24 June 2022, abortion is no longer a federal right, instead it is up to each individual state to decide to ban or authorise abortion. This is a victory for the religious right, which is hostile to the 1973 Roe ruling which legalised abortion for all American women wishing to have an abortion. «It's God's decision», declared Donald Trump in the face of this historic step backwards for

women's rights. «God» for fifty years of methodical struggle waged by the religious right. The right to same-sex marriage and even contraception are also now on the chopping block.

10. On another front, on 30 June 2022, the Supreme Court limited the power of the federal government to act against climate change. The six conservative justices stripped the Environmental Protection Agency of the power to issue generalized rules to regulate emissions from coal-fired power plants. «The Court has stripped the Environmental Protection Agency of the power Congress gave it to respond to the 'most pressing problem of our time'», according to magistrate Elena Kagan. Bearing in mind that the six hottest years on record have been in the last decade, we can legitimately conclude that, rather than protecting democracy, the Supreme Court has opted to protect the interests of the coal industry. In a supposed populist move, they have opted to keep electricity prices low at the risk of a de facto policy of death. Viva la muerte? Except when you're fighting for abortion and contraception, or when you're supposedly fighting for «respect for life and privacy» and the constitution...

11. So we can see how certain civil liberties are ended as the result of a process of cultural counter-hegemony. Examples of this include various forms of supremacism against the universalist left, the religious right taking action against people's sovereignty over their own body and sexuality, and climate scepticism against scientific facts. Then the process is exacerbated at an institutional level : reducing the Senate's veto rights, appointing increasingly extremist judges to the Supreme Court, and extremist decisions made by the Supreme Court.

12. Let's move on to Israel. The recent judicial reform sought by Netanyahu's government is also aimed at making authoritarian government decisions absolute. The government's aim is to bypass any judicial review of its own decisions. There are several stages in this process. In 2021, the Prime Minister was on trial for fraud, breach of trust and corruption involving wealthy associates who had invested in the media. In November 2022, he invited the most extreme religious politicians into his camp in a bid to secure a majority in the fifth elections in four years. This coalition wants to place strict limitations on the powers of the Israeli Supreme Court, the last line of defence for the independence of the judiciary in the face of a Parliament that openly advocates hatred and sexism, and wants to turn a chauvinist religion into the new pillar of Israeli society. A number of draft laws have been put forward to push through a radically anti-democratic reform. This would do away with the independence of the only institutional counterweight to the elected majority, which acts as a Supreme Court and an administrative, civil and criminal court of appeal.

13. The first law concerns the appointment of the fifteen members of the Supreme Court. Currently, these are chosen by a group of judges, deputies and lawyers under the supervision of the Minister of Justice. Under the new law, a second minister and two citizens would replace the lawyers, giving the government a majority of five votes out of nine. The second law aims to reduce the Supreme Court's permission to invalidate or amend laws which are contrary to the country's constitutional laws. The lawyer leading the government's fight is Simcha Rothman, of the Religious Zionist Party, a Jewish supremacist who defends settlers in the West Bank. The transformation of the judiciary will not only make it impossible to dismantle settlements which have been occupied in the Palestinian territories since 1967, but will authorise the outright annexation of the West Bank, or what people like Rothman call the «Judea and Samaria Area».

14. The moderate, let's say centre-left mayor of Tel Aviv, Ron Huldai, warned on 13 February 2023 that «dictatorships do not return to democracy, except in a bloodbath». President Isaac Herzog called for the reform to be put on hold, in order to first achieve a «broad consensus». In fact, week after week, Israeli society resisted the reform in demonstration after demonstration. The President – a cautious man of the left – is so aware of the dangers that he has gone beyond his ceremonial duties, so aware is he of the danger: «I have the feeling - we all feel it - that we are very close to a collision, perhaps even a violent one. Both sides must understand that if only one side wins - whichever side that may be - we will all lose.» In an article translated into several languages, two leading figures in the Israeli army, Roy Riftin (retired Brigadier General) and Joab Rosenberg (retired Colonel), published an article titled «The threat to Israel originates from its very government» (13 April 2023 in *Le Monde*). According to them, «Israel's government is threatening to institutionalize intolerance and smother democracy by passing laws that current and former attorneys general describe as effectively a self-coup, with the gravest of consequences for Israel's national security and the regional stability.» In hindishgt, we know how right they were to issue such a warning. National security was undermined as never before on 7 October 2023.

15. France might appear to be in a different category: didn't it just constitutionalize the right to abortion? Didn't its Constitutional Council recently reject a large part of Darmanin's law on immigration? To concede this would be to remain blind to what are essentially subterfuges. The devil is in the details, and as with the purloined letter, all you have to do is look.

16. Let's start with some interesting details. The former French Minister for Education has her children in a private Catholic school that does not respect the laws of the Republic. This school is sexist, as it opposes the right to free sexuality and abortion. Considering this last detail,

can it really be insignificant that she was entrusted with this post? Gerald Darmanin, the current Minister of the Interior, was educated in traditionalist Catholic schools, whose fundamentalist, sexist and homophobic positions he readily adopts. Darmanin has a history with figures like Christian Vanneste on the fringes of the right and extreme right. In 2008, he contributed to the far-right monthly *Politique Magazine*, the press organ of the Action française royalist party, which is inspired by Charles Maurras and linked to the Restauration nationale movement. More recently, in December 2022, during a debate on the immigration reform bill, he quoted the monarchist historian Jacques Bainville, a benchmark figure for the far right. Of course, l'Action française distanced itself from these remarks, which were considered to be highly confusing. But confusion is the hallmark of a Trojan horse. Finally, senior civil serviceman Fabrice Leggeri, a 55-year-old senior French civil servant, and a graduate of the Ecole Normale Supérieure, who headed Frontex (the European Union's border control agency) from 2015 to 2022, resigned following a disciplinary investigation. He has recently announced that he is joining the Rassemblement National (RN) for the European elections in June 2024. He will be third on Jordan Bardella's list. According to him, the RN has a concrete plan for combating the flood of migrants, which the European Commission and the Eurocrats do not see as a problem, but rather as a project.

17. So the dividing line between the traditionalist positions of the French far right and the state is by no means airtight. But beyond that, the President himself is fuelling the confusion in the minds of those ready to give themselves over to RN. Elisabeth Borne, his Prime Minister, said of Marine Le Pen: «I don't think we should trivialise her ideas; her ideas are always the same. So now the Rassemblement National is putting on a show, but I still think it's a dangerous ideology (...) inspired by Philippe Pétain, head of the Vichy regime who collaborated with Nazi Germany». Faced with this historical reminder, Macron replied «You won't succeed in making millions of French people who voted for the far right believe that they are fascists.» It is unwise to choose moral arguments that also happen to be historical arguments. What is the moral of history? According to President Macron, this type of argument is outdated. We need to respond to the RN by addressing the country's challenges without lies or denial.

18. It is in the name of the absence of denial that the President is defending the Asylum and Immigration Act, which toughens legislation on foreigners. After the impact of Le Pen on the mind, we now see the impact her politics has had on the law. For example, work permits will be restricted to unfilled job vacancies, and only to high-pressure occupations in sectors struggling to recruit, as defined on a regional basis. But even

more symbolic, Gérald Darmanin is in favour of the restrictions on l'Aide Médicale d'Etat (AME, or Government Medical Aid, which helps migrants get access to health care) put forward by the right and the far right. In January 2021, Marine Le Pen proposed replacing it with emergency vital aid, because according to her "it sometimes happens that an illegal immigrant is treated better than a French person, who pays contributions and is not reimbursed in full". In reality, the AME is only granted to illegal immigrants who earn less than €810 per month for a single person, just like the complementary health insurance scheme for French citizens. Health Minister Aurélien Rousseau warns: "This is a major public health issue. The aim of the AME, and of health care coverage, is to intervene before the situation becomes too serious, particularly for all infectious diseases. Tuberculosis, hepatitis, we're going to spread diseases. Spain, which tried this reform, later retracted it». Three thousand healthcare workers have called for the AME to be defended. Yet this was of no avail, as it went against the wishes of a large part of the Macronist troops, who are not backing down. The right to asylum itself is becoming increasingly complex.

19. In fact, in this country, it is often said that it is now time to try a de-diabolised Rassemblement National (RN), since there is no longer any morality which can intervene to pass judgement on it. After all, in the 2022 legislative elections, there was no anti-RN Republican front. Nor was there any morality. It is possible to send back to back LFI and the RN as two extremes where in 2017, LFI was declared protest ... In 2017, E. Macron had said «Not taking a position de facto helps Madame Le Pen». In 2022, he defended a case-by-case approach. At the time, all left-wing leaders criticized the majority for not taking a clear enough stand against the far right. As a result, 89 RN MPs were elected to the National Assembly, making it the largest opposition group. On 29 June 2022, two MPs were elected to prestigious posts in the Palais-Bourbon: Vice-President of the National Assembly. This election, which was won by an absolute majority in the first round of voting, included votes from the presidential camp. As a direct consequence of the massive influx of MPs from Marine Le Pen's party, this new historic development is not creating any unrest, regrets or remorse in the camp of the presidential majority formed by Renaissance, MoDem (Democratic Movement) and Horizons.

20. With the European deadline approaching, it must be admitted that re-diabolisation is going well. But despite the new law, the RN is defending the same economic policy as the majority, and is hardly making any social promises, but instead merely raising the spectre of immigration. There's nothing new in the show, the guignol is predictable, and the role-playing of the objective partners equally so.



## A dialectic of consent and coercion

21. In his essay “Critique of Violence”, Walter Benjamin first distinguishes between two types of violence: law-founding violence (legislative power) and law-preserving violence (executive power). Within this conservative form of violence, he makes a further distinction between executive or legal violence, which has no new purpose, and police violence. The essence of the latter is described as ignoble because it both conserves and creates law (with the right of disposition and ordinance), and juxtaposes executive and legislative power, which makes police power discretionary. Only virtue can serve as a limit to the police. On 26 Germinal year II, Saint-Just opposed the profession of henchman to the virtuous police officer, since only virtue can limit this discretionary power, in which law can become confused with fact. «The police was founded on false principles. It was thought to be a job for henchmen: not at all; nothing is further from severity than harshness, nothing closer to fright than anger. The police have walked a fine line between these two extremes.»

22. Today, police everywhere are witnessing a situation in which democracy is under attack by the very people who are supposed to protect it. Upholding public order requires both that people are able to live in relative safety as well as to safely express democratic conflictuality, thus protecting public freedoms.

23. In France, the police, who have won over the RN in a startling manner, are undermining their democratic function without being sanctioned. While this is not entirely new, it has become increasingly the case ever since the executive has been able to bypass a general assembly vote and initiate a state of emergency, thereby allowing the police to act without the scrutiny of a judge. The slogan “Police everywhere, justice nowhere” is finding more and more backing whether during the demonstrations against the Loi Travail, the Gilet Jaunes, or in the climate movement. The violence against the demonstrators in the Gilets Jaunes reached such extremes that doctors issued a statement of concern, as did Michèle Bachelet, the UN High Commissioner for Human Rights. She told the Human Rights Council in Geneva that “the demonstrators” were calling for a respectful dialogue and genuine reforms. And yet, in several cases, they were being met with violence and excessive uses of force, arbitrary detentions, torture and even, according to some reports, extrajudicial executions: “we encourage the French government to continue the dialogue and urgently call for a thorough investigation into all reported cases of excessive use of force”.

24. In Israel, the movement against Netanyahu's judicial reform has taken the form of recurring demonstrations against what is seen as a decision that could put an end to the democratic nature of the Israeli political system. In July 2023, the police were filmed violently beating demonstrators and photos with the names of the police officers were distributed by students denouncing these practices. Instead of prosecuting the police officers, the students were prosecuted for "insulting civil servants", "defamation" and "inciting violence", and branded as anarchists. The Minister for National Security, Itamar Ben Gvir, one of the members of the government from the extreme religious right, declared his full support for the police officers, who he described as "heroes", while opening a judicial investigation into one of them in order to show his support. Since coming to power, the same government has sought to create a national guard that is free from legal constraints and obeys only elected representatives. There is an ongoing conflict between a national police chief who asserts that the police must only obey the law, and this Minister of Internal Security – who is responsible for the border police and the police and is therefore the hierarchical superior of the previous minister – who claims that in a democracy, the police must only obey elected representatives. In this case, the government would have absolute power, being bound neither by the reform of the justice system nor the police.

25. In the United States, the murder of African-American George Floyd on 25 May 2020 in Minneapolis has become the emblem of police violence. In this city, black people are 8.7 times more likely to be arrested for minor offences and account for 60% of those killed by the police between 2000 and 2018. And yet, according to a Reuters study of 3,000 complaints of misconduct against Minneapolis police between 2012 and 2020, 9 out of 10 did not result in any disciplinary action. In fact, in Minneapolis, the police do not answer to the city council but to its very right-wing union, the powerful Minneapolis Police Federation (MPF). There is no class warfare within this union, since both senior and junior officers are part of it. While the Democratic mayor bans military training, the MPF pays for this training for its members. Bob Kroll, who has been in charge since 2015, has been the subject of twenty internal investigations and has only been disciplined three times. The same man describes demonstrations against racism and police violence as "terrorist". He supports Donald Trump and appears unassailable. Impunity is thus at the heart of so-called legitimate state violence.

## **End of story: the imbroglio paves the way for the fall of democracy**

26. Georges Balandier analyses imbroglio both as the exercise of cunning in politics and as a mode of intervention in the symbolic order. The imbroglio is an effective strategy which is pursued for its own sake insofar as it makes the facts on which the debates are based disappear. By labelling those who defend democracy as terrorists or anarchists, by making people forget that it is dubious coalitions that allow you to be in power and not a silent majority, and by subverting the institutions that guarantee democracy – the supreme court, parliament, the police – the imbroglio takes hold. Concepts disappear, such as the republican arc in France, while others reappear, such as the legitimacy of killing terrorists. When no one is sure of their reasoning, reality becomes shrouded in a thick fog. It becomes possible to sell off the lives of human beings and the life of the planet by a process of military rearmament and by rolling back all the resolutions taken in the face of the environmental crisis. Viva la muerte?

27. The disappearance of reality as such in an era of post-truth and falsification leads to the very impossibility of making history a reference point and of writing the history of the present, because no one knows where the referent of political discourse lies.

If the art of the historian is to cross-reference sources, will the artificial intelligence that has been promoted in the last few months as the supreme tool for cross-referencing all available data be capable of cross-referencing the true and the false, while distinguishing between them, or will it consider the value of truth to be a sheer multiplicity of occurrences? Will historians remain cops of the referent, or will they become cops of the AI figures?

28. When history becomes impossible to make, it also means that democratic politics is disappearing or has disappeared. Without a sufficient retrospective, it becomes difficult to enlighten citizens who, whatever they think about it, are reduced to rolling the dice when it comes to choosing the next representatives, or to seeing the political arena as a deregulated market where you have to try every product and every way of avoiding the rules.

In the United States, impunity is becoming a founding principle for Trump. He has already announced that if elected, he will pardon himself for his involvement in the assault on the Capitol. In Israel, for Netanyahu, political survival in the face of the justice demanded by a people that is still combative legitimises an alliance with the extreme religious right which is capable of the worst. And in France, who will unravel the murky game of variable-geometry de-demonisation of the RN?