The Vlaams Blok/Vlaams Belang and the National Demokratische Partei Deutschlands (NPD) on crime and crime control – a comparative analysis

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<th>Full Form</th>
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<tr>
<td>BIN's</td>
<td>Buurt Informatie Netwerken</td>
</tr>
<tr>
<td>CD&amp;V</td>
<td>Christen-Democratisch en Vlaams</td>
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<td>CVP</td>
<td>Christelijke Volkspartij</td>
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<td>DDR</td>
<td>Deutsche Demokratische Republik</td>
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<td>DNA</td>
<td>deoxyribonucleic acid</td>
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<td>FN</td>
<td>Front National</td>
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<td>GDR</td>
<td>German Democratic Republic</td>
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<td>NAZI</td>
<td>Nationalsozialismus</td>
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<td>NPD</td>
<td>Nationaldemokratische Partei Deutschlands</td>
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<tr>
<td>NSV</td>
<td>Nationalistische Studentenvereniging</td>
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<td>N-VA</td>
<td>Nieuw-Vlaamse Alliantie</td>
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<tr>
<td>REP</td>
<td>Die Republikaner</td>
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<tr>
<td>SED</td>
<td>Sozialistische Einheitspartei Deutschlands</td>
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<td>SP</td>
<td>Socialistische Partij</td>
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<td>SS</td>
<td>Schutzstaffel</td>
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<td>StGB</td>
<td>Strafgesetzbuch</td>
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<td>VB</td>
<td>Vlaams Block/ Vlaams Belang</td>
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<td>USA</td>
<td>United States of America</td>
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<td>VBJ</td>
<td>Vlaams Belang Jongeren</td>
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<td>VMO</td>
<td>Vlaamse Militanten Orde</td>
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<td>VLD</td>
<td>Vlaamse Liberalen en Democraten</td>
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<td>VNV</td>
<td>Vlaams Nationaal Verbond</td>
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<td>VPN</td>
<td>Vlaams Nationale Partij</td>
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<td>VU</td>
<td>Volksunie</td>
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<td>VVP</td>
<td>Vlaamse Volkspartij</td>
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<td>WW I</td>
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1 Introduction

In the beginning of the 21st century extreme right parties have still a considerable popularity in Western Europe. Since the 1980s, the sentiments expressed by these parties find apparently fruitful ground in a broader population according to the voting results in several European countries, for example in Austria, Belgium, Denmark, France, Italy, Norway, The Netherlands, Germany and even Great Britain. Often signified as the ‘third wave of post-war right-wing extremism’, currently many extreme right parties seem to generate a new extreme right challenge. No other parties have been given so much attention in the academia and public, but which party can be defined as extreme right?

Due to a missing general valued definition the identifying features vary enormously. ‘Extremism’ in general is often negatively determined as anti-democratic and anti-pluralist whereas the new right-wing extremism contains most notably an acceptance of parliamentary democracy and plurality of ideas and organizations, although a monocultural state is claimed. This could be taken as an indicator of a new management which opportunistically confirms ‘adapting’ as a probate or necessary tool to spread the sentiment. Therefore, ideological features which do have the capability to define a common ideology of an “extreme right party family” have to be determined as a precondition for the feasibility of a cross-country comparison. The features should neither be too narrow by focusing too much on regional party specifics that make a comparison impossible, nor too general about what causes a loss of value of the predication. Thus,

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1 There are different labels describing the same phenomenon. ‘Extreme right’, ‘right wing extremist’, ‘radical right’, ‘right wing populism’, just to mention the most common used notions. In the following the notion ‘extreme right’ will be used for semantic reasons which will be explained further on. The notion ‘Radical right’ is not used due to the impracticality for the German translations. ‘Radical right’ party is defined by the state and implies prohibition so that a use for not forbidden parties like the NPD would be incorrect.

2 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.6.

3 The notion ‘right-wing populism’ is often used as equivalent. This is misleading and thus in the following not used as equivalent. See: MUDDE, C., The Populist Zeitgeist, Government and Opposition 39 (2004), Heft 4, p.543, available on: http://www.extremismus.com/texte/ popzeitgeist.pdf who defines populism more precisely as an “ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, ‘the pure people’ versus ‘the corrupt elite’, and which argues that politics should be an expression of the volonté générale (general will) of the people.”

4 To determine extremism positively the following formal features are variables: offensive or defensive absolutism demand, dogmatism, utopianism respectively categorical abnegation of utopianism, friend-foe stereotype, conspiracy theories, fanaticism and activism, an anti-pluralist politics and society understanding based on the idea of homogeneity of the people and formal and informal authoritarianism, see: PFAHL-TRAUGHER, A., Rechtsextremismus in der Bundesrepublik, 2nd Edition, München 2000, p.12.

5 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.178, Therefore the notion ‘right-wing extremism’ is avoided because the anti democratic part is not a particularity of the examined parties (any more).

6 The used definition of ‘ideology’ is the following: The “party’s body of normative (-related) ideas about the nature of man and society as well as the organisation and purposes of society” see: MUDDE, C., The ideology of the extreme right, Manchester 2000, p.19.
nationalism, welfare chauvinism, xenophobia and law and order can be recognized as a minimum repertoire of core features in the scientific ‘definition conglomeration’ \(^7\) and will be the umbrella under which the parties Vlaams Belang/Vlaams Blok (VB)\(^8\) and the Nationaldemokratische Partei Deutschlands (NPD)\(^9\) shall be grouped as extreme right parties\(^10\). Furthermore, both examined parties rather accept and obviously do not reject to being called ‘extreme right’ which reinforces the labelling. Although the electoral success often fluctuates or is just visible on a regional or local level, the influence and importance for contemporary politics and society is enormous and the parties are on their way to becoming “normal” players on the political and social scene. What policy can be expected by the parties on crime and crime control? Crime and crime control over the last 30 years show a changing face in Western countries, as economical, social and cultural changes and crisis times caused transformations in crime and crime control. What do they stand for and are these processes similar in all areas?

The following analysis shall provide an examination of the topics of crime and crime control in the party programs of the VB and NPD to gain a deeper insight on how crime is recognized and handled, and if this is identical between the VB and the NPD. The track of this work is to assess the criminal policy as claimed in the official programs,\(^11\) to compare them with each other with respect to the historical, political, cultural, economical and social developments, and the parties’ dynamics self within the regional context. The hypothesis motivating the examination expects more differences than similarities on the policy issue of crime and crime control caused by different party developments and different regional particularities despite being part of the extreme right family.

\(^7\) MUDDE, C., The ideology of the extreme right, Manchester 2000, p.11/ 179.
\(^8\) http://www.vlaamsbelang.be/
\(^9\) http://www.npd.de/
\(^10\) Both parties are currently the ‘leading’ extreme right parties in their countries, Belgium and Germany, concerning the actual seats in federal or regional legislative organs.
\(^11\) There are no party internal documents used or proposals within the legislative organs, due to the fact that the NPD is in comparison to the VB just represented in state (Länder) parliaments and has thus limited opportunities to intervene on criminal policy matters as criminal justice is federal parliament authority.
2 VB and NPD history, roots and development

Vlaams Belang and Nationaldemokratische Partei Deutschlands - Who are these parties, where do they come from and how could they develop? This is worked out in the subsequent pages by recognising the micro, meso and macro context. The explanation of the parties in the broader context will lead to explanatory approaches of their policies on the crime and crime control sector.

2.1 VB in Belgium

2.1.1 Pre-war Belgium and the Flemish movement

The highest impact, and the most significant conflict potential, since Belgium’s independence from the kingship of William I. of Orange in 1830 is undoubtedly the problem of the language and cultural domination of the French speaking and Dutch speaking populations in the Belgian society. French was, from that point on, the dominating and official language, whereas Dutch was seen as the language of the former ruler which increasingly became a language of the poor and uneducated. French was the upper class and academic language, accompanied by a rich industrialized French speaking area in contrast to a more rural and poor mainly Dutch speaking area. This caused a movement towards equal treatment within the Belgian state that was expressed by a formed heterogeneous Flemish movement (Vlaamse Beweging). This movement developed further on in two big layers; one seeking for a patriotic culturally nationalistic Flanders within federal Belgium and one demanding separation of the French speaking regions, both politically and nationally. After the First World War, where a small part of the separatists collaborated with the occupying German troops with the aim to release Flanders, the Flemish movement shifted influenced from the mainly Catholic leaders and Flemish nationalist intellectuals towards the founding of the political party, the Flemish

12 A ‘theoretical’ equity of Dutch as official and school language in 1873 and 1888 was reached but de facto continued to be unequal.
15 Mostly active in the General Catholic Flemish Students’ Association (Algemeen Katholiek Vlaams Studentenverbond) and the Catholic Flemish University Students’ Association (Katholiek Vlaams Hogerstudentenverbond), what indicates the tradition of academics being involved in the nationalistic movements.
National Union (Vlaams Nationaal Verbond, VNV) in 1933 under Staf de Clercq. The idea was now to create a Greater Netherlands (Dietsland) which would incorporate a re-union with the Netherlands and North and South Flanders under a NAZI ideology. This fact lead to a fragmented collaboration with the NAZIs and fighting Flemish nationalists at the Eastern Front.

2.1.2 Post-war developments

As a consequence, the Flemish movement and Flemish nationalism was discredited in post war times and on a week point of state. Nevertheless, the language and culture regained actuality and the more moderate Christian People's Party (Christelijke Volkspartij, CVP) was born out of the Flemish movement. Many radical groups were also created who claimed amnesty for collaborators seen as fighters for the emancipation of Flanders. Groups like the Flemish Concentration (Vlaamse Concentratie) and the action-group Order of Flemish Militants (Vlaamse Militanten Orde, VMO) formed an electoral alliance called Christian Flemish People's Union (Christelijke Vlaamse Volksunie) which became in 1954, after little electoral success, the People's Union (Volksunie, VU) which received 6% of the Flemish votes in 1961 and signified a comeback of Flemish nationalism. 1970 saw the first state reform initiated, the federalism by territorial and economical regions and this caused the split in the political party landscape into French and Dutch speaking parties. This boosted the VU to 18,8% in 1971 and motivated the party to attempt to become a respectable coalition partner by being more moderate. The radical elements split up into non-party political organizations and formed inter alia the Association of Dutch Working Groups Protect Yourself (Verbond van Nederlandse Werkgemeenschappen, Were Di), a splitter of the

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16 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.81/82.
17 Collaboration existed also on the Walloon side of Belgium, e.g. Léon Degrelle, founder of the Rexist group and member of the Waffen-SS, who was visited by VB members. See: SPRUYT, M., Wat U moet weten over het Vlaams Belang - Het beste van Blokwatch, Berchem 2006, p.92.
19 Precusser of the political party Christian Democratic and Flemish (Christen-Democratisch en Vlaams, CD&V) and now CD&V/ N-VA (Nieuw-Vlaamse Alliantie) which has become the largest political party in the Belgian Chamber (19,42%) after the last elections in June 2007.
20 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.83.
22 The leader Bert Van Borghout was inter alia Waffen-SS voluntary at the Eastern front.
latter Outpost (Voorpost)\textsuperscript{23} and the new VMO under Bert Eriksson founded as a new violent, neo-NAZI action group which was outlawed in 1981 to be a private militia.

The Egmont pact of 1977,\textsuperscript{24} which foresaw the division of the country into three autonomous regions (Flanders, Walloon and Brussels) and two communities (Dutch and French speaking), was rejected due to the planned language regulations for Brussels. This caused trouble within the VU and the establishing of anti-Egmont pact forces in form of the Flemish National Party (Vlaams Nationale Partij, VPN) including former leader of the Antwerp People’s Union Youth (Antwerpse Volksunie Jongeren) Karel Dillen and the Flemish People’s Party (Vlaamse Volkspartij, VVP) with leader and former VU senator Lode Claes. Both parties campaigned with a joint list under the name Flemish Bloc (Vlaams Blok).

\section*{2.1.3 Vlaams Blok and the era Karel Dillen}

The former joint election list transformed to the political party Vlaams Blok in 1978 with Karel Dillen\textsuperscript{25} as leader and later on Roland Raes (former VVP) as his deputy. In the first years the party stayed in marginality and lived of the reputation of Dillen especially in his home area of Antwerp\textsuperscript{26}. Dillen and his party received support from the radical side of the Flemish movement from former collaborators and constantly recruited members from the ranks of activists in Flemish radical groups like Voorpost, Were Di, or VMO and the student organisation Nationalist Student Federation (Nationalistische Studentenvereniging, NSV)\textsuperscript{27}. The anti-Egmont pact and separatist policy turned from a monothematic view towards a more nuanced program where the issue immigration was prioritized\textsuperscript{28}. In 1987 after constantly poor election results and party internal ideology battles as a consequence, Dillen reacted with a massive change (Operation Rejuvenation) in the party council,

\begin{flushright}
\textsuperscript{23} VOORPOST VLAANDEREN, \url{http://www.voorpost.org/totaalVL.htm} \\
\textsuperscript{24} The opposition within the conservative government party CVP was too high so that new negotiations were demanded what was refused by the French speaking parties. Even the Egmont pact never entered into force the federalist provisions were followed up and extended by the coming state reforms in 1980, 1988/1989 and 1993. BELGIUM, Federal Portal, \url{http://www.belgium.be/}. \\
\textsuperscript{25} 16 Oct 1925 - \hfill 27 Apr 2007, Socialisation and education during the WW II influenced by Flemish nationalist teachers, was no active collaborator; he held a pre-university secondary diploma and worked a long time for the Antwerp taxi society, president for life time (what indicates the strong hierarchic party structure), senator in the Flemish parliament and member of the European Parliament, honorary chairman of Vlaams Belang. \\
\textsuperscript{26} MUDDE, C., The ideology of the extreme right, Manchester 2000, p.87. \\
\end{flushright}
introducing the young ambiguous members and academics Gerolf Annemans, Fillip Dewinter and Frank Vanhecke for deciding positions. A new generation was therefore introduced. Furthermore, a youth organisation called the Flemish Bloc Youth (Vlaams Belang Jongeren, VBJ) was established to become more independent, recruiting young members from the friendly radical organisations. As the biggest competitors from the right wing joined the VB the extreme right energy was bundled in one party. Under the slogan ‘Own people first!’ (Eigen volk eerst!) the VB started a sharp campaign based on xenophobic and welfare chauvinist topics but without essential changes of the program. This promptly doubled their parliamentary election result and they won, for the first time, a seat in the Belgian senate. This was followed in 1988 by local election success in several local councils which caused an enormous media hype and signified the necessity by the other political parties to take the VB seriously. This development caused the resolution of a first Democratic Charter (corдон санitaire) in 1989 between the biggest political parties which was not maintained. In the same year the election party financing law was amended and caused a gain of financial resources in the following years which were an unproportional increase when assessed against the number of voters. The attempt by old prominent party members to squeeze the new generation out of the party leadership failed because Dillen protected the newcomers. The first seat in the Brussels city council and one in the European Parliament (Dillen) followed where the pragmatic fraction as European Right was built with the German Republicans (Republikaner, REP) and the French National Front (Front National, FN) of Jean-Marie LePen. The high financial support was used for the infrastructure of the party and for propaganda purposes, and was accompanied by rising election success in the coming elections. In 1992 the first version of the so-called ’70 Points Plan’ (70-puntenplan) manifested an action plan to ‘solve’ the immigration situation and was mainly created by the new generation, Fillip Dewinter Gerolf Annemans and

29 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.88.
30 VLAAMS BELANG JONGEREN, http://www.vbj.org/
31 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.88.
33 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.88/89.
Frank Vanhecke, and was used in 2004 as evidence for the conviction of the party as racist by the Court of Cassation (Court van Cassatie)\textsuperscript{36}.

The real breakthrough and political implementation came in the 1991 parliamentary election and was preserved in the municipal election in 1994 with 28\% of votes in Antwerp and 10.3\% in Flanders. But the party was excluded from gaining any power as the second cordon sanitaire was signed by all major parties. They agreed neither to collaborate nor to negotiate with the VB, which was from then on until today isolated on the political arena. This did neither prevent a stabilisation nor stop the electoral success of the VB in Flanders\textsuperscript{37}.

\subsection*{2.1.4 Ideology and the new generation}

In 1996 Vanhecke became the chosen successor of Dillen. Therewith an internal ideological fight was prevented between the more Flemish nationalist wing around Annemens and the LePenist wing around Dewinter. The case of Dutroux\textsuperscript{38} and the public rumours and debates about the investigative failures and the ineffective justice system facilitated the VB with its harsh policy on justice matters. The VB used this policy in the following elections in 1999 in which they scored in the Flemish, Belgian and European parliament over 15\% of votes and replaced the Socialist Party (Socialistische Partij, SP) as third largest party in Flanders after the Flemish Liberals and Democrats (Vlaamse Liberalen en Democraten, VLD) and the CVP\textsuperscript{39}. The success again caused higher funding and a rise of members from 1.231 in 1980 to 6.500 in 1990 and 21.942 in 2005\textsuperscript{40}. The trial and conviction of systematic racism in 2004 on the basis of the Belgian law on racism and xenophobia \textit{(WET tot bestraffing van bepaalde door racisme of xenofobie ingegeven daden)}\textsuperscript{41} caused the VB to decide to renew the name Vlaams Blok into Vlaams Belang. What was medial presented as a new party signified in fact a follow up of the old program and agenda which is even written down explicitly in the new program by speaking of actions of “our
predecessor in title". Even this enormous incident did not interrupt the election success story. With Antwerp as traditional stronghold the current results are the following: After the last Flemish elections in 2004 VB holds the second rank with 24,15% of votes. The Federal elections in 2003 placed the VB in the line of the big parties with 11,59% in the Belgian parliament and 11,32% in the Belgian senate. This standard could be held in the Federal elections in 2007 with 11,99% in the parliament and 11,89% in the senate. The 14,34% in the 2004 Europe elections brought 3 seats for the party. The last federal elections did not bring the expected high figures due to the fact that the conservative CD&V/NVA became the strongest party alliance (parliament 18,51% and senate 19,42%) binding the moderate Flemish nationalists and protest voters of the former government, with the newly formed extreme right Lijst Dedecker (parliament 4,03% and senate 3,38%) skimming off some radical voters who potentially could have voted for VB. The claims and policies of these parties have been harmonizing during the last years so that the claims of the VB may seem to be more populist. However, the direction towards a more restrictive immigration policy or a strengthening and enforcement of the political communities is no exceptional demand by the VB. Nevertheless the VB stays extreme right and this is still proven by the current party program where all core features which identify the extreme right party are still evident, despite rhetorical tricks and the attempt to become a more decent political partner on the stage. The core feature of nationalism is expressed in the claim of a separated Flanders from Belgium in a community with the ethnical and cultural equal Netherlands and with the capital Brussels. The VB labels itself as a Flemish nationalist party and claims recognition of the Flemish people as a nation which needs to be protected. Welfare should be provided for the own people and

especially welfare support of the Walloon region should be redirected to the Flemish community and people what can be identified as welfare chauvinism. In addition the ideas concerning immigrants and the permanent link to the differences between Flemish and other cultures the general suspicion of immigrants to misuse the Flemish welfare system and particularly the grading of aliens must be recognized as xenophobia. The law and order affection will be examined further on.

2.2 NPD in Germany

2.2.1 Post-war Germany

After the unconditional surrender of Germany the 8 May 1945 and large territory losses of the German provinces east of the Oder-Neisse line namely East Prussia, Eastern Pommania and Silesia, Germany was divided into four military occupation zones with a divided capital Berlin. There were around 15 million refugees from the former provinces. The Allies prohibited the National Socialist Working Party (Nationalsozialistische deutsche Arbeiterpartei, NSDAP) and its co-organisations and ruled a denazification where ex-NAZIs were removed from administrative posts and some high ranked NAZIs were accused and convicted in the Nuremberg Trials. During these days just the German Conservative Party – German Reich Party (Deutsche Konservative Partei – Deutsche Reichspartei, DKP-DRP) was founded under the Ex-NAZI Adolf von Thadden who became later chairman of the NPD. This party was a reservoir of all conservative, monarchists, nationalist and national socialist supporters. Trouble about the ideological orientation lead in 1949 to the NAZI attached Socialist Reich Party (Sozialistische Reichspartei, SRP) which gained success in two states (Länder) which were formed within the Federal Republic of Germany, FRG (Bundesrepublik Deutschland, BRD) in the same year. In 1952 the SRP was prohibited by being a successor of the NSDAP and racist. The Constitution provides a remedy to prohibit parties which are a threat to the democratic constitutional organisation. All splitter or successor parties stayed in

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53 There are currently 16 states with own legislation powers and governments.
54 A short time after the German Democratic Republic, GDR (Deutsche Demokratische Republik, DDR) was formed out of the Russian occupation zone.
55 Art.21 Constitution (Grundgesetz).
marginality inter alia due to the conservative government of the Christian Democratic Party (Christlich Demokratische Union Deutschlands, CDU) who covered for a long period all conservative and right oriented voters.\textsuperscript{56}

### 2.2.2 The NPD in the 1960’s and 1970’s

In the year 1964 the NPD was founded with the aim to culminate all fragmented extreme right and nationalistic forces under von Thadden (DRP), the first chairman Fritz Thielen (CDU) and Waldemar Schütz (former NSDAP, Waffen-SS). In the first years the number of members increased quickly and first state elections could be won with seats in different state parliaments and regional and local councils with voters mainly from the middle class, raised and socialized during the Nazi regime.\textsuperscript{57} At the beginning of 1968 under the chairman von Thadden the party had 28,000 members including an overrepresented number of refugees and workers and employees.\textsuperscript{58} During the first big economical crisis and the formation of a big coalition of the CDU and the centre left Social Democratic Party (Sozialdemokratische Partei Deutschlands, SPD) the NPD received a boom and could win in several state parliaments seats. However, in the federal election in 1969 the NPD failed tightly the electoral 5% barring clause caused by improving economical conditions, the increasing isolation of the party and internal fights.\textsuperscript{59}

### 2.2.3 The Third Wave and the new management

In the beginning of the 1980s the party tried to recover by treating foreign immigration as a core issue on the agenda. But instead of the NPD two other extreme right parties REP around the journalist Franz Schönhuber and Germanns’ Peoples Union (Deutsche Volksunion, DVU) under publisher Gerhard Frey succeeded in the following years as the third generation of extreme right in Germany. They were focusing on the older voter groups. The NPD stayed behind and regained slowly its members. From 1991 to 1996

Günter Deckert was the chair-man of the NPD who was convicted for holocaust denying and had to pass the chair in 1996 to Udo Voigt who reformed the party and could benefit of the fall of the Berlin Wall and the raising support of extreme right sentiments in the new economic less developed states with increasing unemployment rates in East-Germany. From 1992 on Holger Apfel became chairman of the JN and was searching for the contact to militant neo-NAZI groups and skinhead gangs because he wanted to prevent the extinction of the party while the REP and the DVU also became obsolete. After the violent wave against asylum residences in Hoyerswerda, Mölln, Solingen and Rostock-Lichtenhagen the government reacted repressive on neo-NAZI groups and organisations so that many of them were prohibited. The ranked leaders joined the party to hide in ‘legality’ and so-called comradeships (Kameradschaften) were built up. Both intermediated and supported each other in diverse actions like protest marches or events. Voigt supported this strategy and neo-NAZIs received list places of the party and young people streamed in the party. This was the first new invention; the second was to become expressively a revolutionary party with concentration of social topics to become an alternative to the democratic parties. Using socialist rhetoric with demands for a social welfare state he triggers aspirations especially in Eastern Germany, where the social situation is far worse that in the Western part, particularly in the rural areas where a decline started after the German unification in 1990.

The biggest challenge NPD was a prohibition trial starting in 2001 for the reason of being a racist’s anti-constitutional party. The attempt to ban the NPD in the Constitutional Court (Bundesverfassungsgericht) failed, because the trial revealed that a large percentage of the party inner circle were in fact undercover agents or informants of the German internal secret services (Verfassungsschutz). The ban attempt strengthened the party. This expressed vividly the state elections in Saxony in 2004 with a entrance rate of 9,2% obtaining 12 seats in the parliament and the state elections with 6 seats and 7,3% of the votes in

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60 Voigt is son of a former SA member and studied political science.
62 Kameradschaften are hybrid groups which are in no fixed hierarchy or structure following the model of the anti-fascist 'black bloc'. These are lose connections which can be mobilized spontaneously and flexible. Therewith a judicial prohibition procedure shall be prevented.
Mecklenburg-Western Pomerania in 2006. Nevertheless the NPD never succeeded in federal elections until now. Furthermore, the party is constantly trying to unify the extreme right by merging with the DVU and REP which partly happen through renegades but, due to personal discrepancies of the leaders, not completely.

3 Crime and crime control

The core feature of law and order is most significantly outlined by a look at the policy of crime and crime control. The view on the supposed ‘reality’ of crime and its reasons, the priorities and demanded preventive and reactive measures are able to provide a picture of the ideological ideas of the extreme right parties. Both parties attract attention by the topic of crime and crime control. Nevertheless it has to be kept in mind that the NPD compared to the VB is just represented in state parliaments in which no criminal justice matters are handled due to the federal parliament’s authority. Parliamentary bills or claims on crime matters are thus not possible though they might be a crucial factor in the party's policy priorities and propaganda. Nonetheless, the party covers crime and crime control in its official party program. Crime and crime control matters are extracted out of the programs and put into context to obtain insights of the parties’ policies and ideologies.

3.1 VB program

The main lines of the crime and crime control policy of the VB are published in the party program (programmaboek) under the title “security and justice”. Some issues are separated under other titles, like amnesty which is placed under title 1 “the Flemish state”, or abortion and euthanasia which are put into an own title 4 “respect for life”. In addition, the party publish so called “dossiers” which deepen matters claimed in the party program. The two relevant dossiers for criminal matters are the dossiers on drugs (Dossier ‘Drugs’) and child protection law (Dossier: ‘Jeugdbeschermingsrecht’).

3.1.1 Reasons for crime

In most passages of the VB’s program, crime and the criminal seems just to exist and measures to eliminate these are presented. Explicitly mentioned to be a reason for increasing crime rates, the VB refers to the blurred norm awareness of people caused by the anti-authoritarian movement of the 1968s which refused authority and rules and whose

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layers can be found in the families, schools and in average life\textsuperscript{71}. In other words, all families should verify their norm awareness and if necessary change to a more authoritarian way of education. The reason for youth crime could also be linked to the latter even though no particular reason is mentioned. The reason for aliens’ crime is not drawn either but for the VB the attendance of aliens itself a cause of crime\textsuperscript{72}. Furthermore, pure drug consuming is leading to criminal behaviour according to the VB.

3.1.2 Street crime and violence

There is no definition of street crime mentioned in the program but vandalism, illegal dumping and roaming juveniles are matters which are put on the same stage with property crimes or violent offences\textsuperscript{73}. In short, a distinction between deviant behaviour, petty crimes and serious crimes are blurred and should be faced with a sort of zero tolerance policy. All deviant behaviour, whether petty or serious, should be pursued without any discretion. Here the link to the approach of the ‘Broken Windows Theory’\textsuperscript{74} shines through which, according to the VB, asks as a consequence zero tolerance in treatment by the authorities to fence crime with a reference to New York’s apparent decreasing crime rates. This repressive unilateral approach expresses the law and order feature in a pure way without taking contextual structural reasons into account.

3.1.3 Drug crimes

The general request of a hard treatment of drug trafficking contains even a claim of hardest penalties for the selling of the lethal dose, without any clarification what this means. Drugs are directly related to crime and there is no difference between soft and hard drugs. Basically, cannabis is seen as a hard drug caused by the good quality with reference to the legalised cannabis selling in the Netherlands\textsuperscript{75}. Thus a hard reaction on drug related

\textsuperscript{72} VLAAMS BELANG, Programmaboek, p.27 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf} (17/08/2007).
\textsuperscript{75} VLAAMS BELANG, Dossier ‘D rugs’ 25.03.2007, p.3 \url{http://www.vlaamsbelang.be/files/dossier_18.pdf} (14/08/2007).
activities is claimed. This expresses the way of seeing the problem. The VB is here again trying to eliminate the symptoms instead of the root causes. In economical terms of the ‘war on drugs’, the VB attempts to ‘solve’ the problem on the supply side instead of also taking the demand side and its background into account.

Cannabis is, according to the VB, very addictive and dangerous to the health and risky for safe streets by weekend accidents caused by young people. Cannabis consumption is conditio sine qua non to criminal behaviour; killing is here given as example. Drug deaths often started with a joint, so cannabis is the classical starting drug for a drug career which leads to a criminal career. The VB says that the end user is no criminal but one sentence later they demand educational penalties, fines or imperative drug rehabilitation measures which means de facto criminalisation of the end user. An addiction of a person is seen as a rational choice which leads again to the paradigm of the homo oeconomicus or rational choice human being who is making a cost analysis before acting. A prevention campaign is demanded, that shall include extended traffic controls on drugs, in schools and in discotheques, favouring a hard reaction on cannabis incidents by taking the penal judge Freddy Troch as example who is known for his high sentences concerning drug offences. The treatment of addicts by therapies or substitute medicines like methadone is rejected due to its costs and lack of success. Therefore, just a hard reaction is adequate to protect the community from these self determined addicted people. Drug using and trafficking are seen as a direct threat to the community which has to be combated without mercy as a fight against the drug mafia and its organised structure. Therefore the cooperation between the fiscal authority, commercial register, social inspection service, police and state security must be intensified.

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79 Acting presiding judge of the Court of First Instance Dendermonde. Troch is an opponent of a decriminalisation of soft drugs and is known for his high sentences vis-à-vis drug offences.
Institutions which are promoting drugs or banalizing drugs should be sanctioned by annulment of granted subsidies\textsuperscript{83} - whereby obviously the socialist and green party are addressed, because of their political efforts concerning a legalization of soft drugs. The police shall also be sensitized and alerted by installation of drug prevention teams in the cities. Closed rehabilitation institutions and special sections shall be built for addicted prisoners or dealers. To reduce drug consummation, educational measures, fines or obligated withdrawal cures are the propositions, prevention campaigns in lower schools are announced but also harsher control of the schools, traffic and night life economy\textsuperscript{84}. Problematic legal drugs like cigarettes or alcohol are not mentioned in any part, which could be the good caused by a likely good connection to the industry and a clear standpoint against the green and socialist party programs.

The treatment of crime by the VB must be named a repressive treatment which uses deterrence as the one and only remedy. Also a strengthening of the law enforcement apparatus is claimed, which contains again a layer of the law and order ideology.

### 3.1.4 Juvenile crimes

The VB is openly against the intention of the current juvenile protection law (jeugdbeschermingswet) and claims a juvenile penal law (jeugdstrafrecht) with a focus on the individual responsibility\textsuperscript{85}. Juveniles are seen as individuals who are fully responsible for their behaviour. Here we are again faced with the rational choice approach. A hard response to juvenile deviant behaviour is claimed to prevent the misuse of juveniles who are not responsible under criminal law by criminal adults and to break the dynamics of youth gangs\textsuperscript{86}. More permanent institutional places for correctional measures are needed\textsuperscript{87}. The elders should be held responsible for the acts of their children in a financial way and sentence reduction should be possible in the case of a chastisement stage. The VB claims juvenile prisons for recidivists which imply turn-away rehabilitative aims towards more

\textsuperscript{84} VLAAMS BELANG, Programmaboek, p.28 http://www.vlaamsbelang.be/files/200506_programma.pdf {17/08/2007}.

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repression. The purpose of punishment here is retribution and to save the society from the
criminal element by selective incapacitation of the delinquent. This hard treatment also
expresses the strong state demand which is responsible to keep the community running
and save and protect it from deviant juveniles who are seen as disturbance of the
community.

3.1.5 Alien crimes

For the VB, street crime, drug trafficking, car theft, prostitution, burglary are often
committed by Islamic second or third generation immigrants or East European men or
groups\textsuperscript{88}. This is based on the interpretation of the criminal statistics. A hard treatment of
alien crime is claimed. Criminal aliens shall be expelled and lose their Belgian nationality\textsuperscript{89}. Measures to reduce the crime committed by aliens or Belgian nationals with immigration
background are to be reduced by a reduction of immigration and naturalisation\textsuperscript{90}. Furthermore, a restrictive asylum law shall be created and illegal immigrants should not
have the opportunity to stay. In short, the VB holds on to the position that the fewer
immigrants, the less crime. Even though Islam is recognized as a reason for crime,
terrorism seems to be not important in the program.

3.1.6 Traffic deviancy

Traffic incidents are not seen as ‘real crime’ by the VB, therefore the current fine amounts
(‘monsterboetes’) are criticised\textsuperscript{91}. To stem the traffic incidents the VB asks for a better
education for the beginners and a better infrastructure. These preventive measures show
more support for the car driving citizens who are potential voters. Furthermore traffic
incidents are occurring to everybody, including the VB members. This is a deviation of the
repressive way of reacting on deviance and could be seen as part of an opportunistic way
of presenting policy.

\textsuperscript{88} VLAAMS BELANG, Programmaboek, p.27 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf}
(17/08/2007).
\textsuperscript{89} VLAAMS BELANG, Programmaboek, p.31 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf}
(17/08/2007).
\textsuperscript{90} VLAAMS BELANG, Programmaboek, p.21 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf}
(17/08/2007).
\textsuperscript{91} VLAAMS BELANG, Programmaboek, p.30 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf}
(17/08/2007).
3.1.7 Sexual crimes

Crimes against the sexual self-determination are not explicitly mentioned in the program. The only recognition of sexual crimes concerns the paedophile case of Dutroux, which is however, used to claim the abolition of the current imprisonment and release regulations\textsuperscript{92}. For a better protection of sexual offenders the VB states that permanently, an ex post revision of the statute of limitations of offences, procedural faults and the attestations of mental incapacities shall be possible. The sensitive topics of intra-family crimes or crimes against women are not regarded in the program. Reason could revolve around the media and propaganda utility of the topics. The case of Dutroux was an international media spectacle and had enormous impact on Belgian society where the topic of safety and criminal justice received an enormous boost and the VB obtained a propaganda vehicle par excellence to claim a change towards harsher punishments, more police and an enforcement of a strong state.

3.1.8 Amnesty

VB claims to grant amnesty for nationalists during the World War II\textsuperscript{93}. Criminals and collaborators with the German Nazi regime should be released from this old incident. This is no surprise taking into account the party history and the curriculum of the members who show a strong affection to revisionism. The party must be seen in the line of a long tradition of Flemish nationalists with a revisionist views venerating collaborators from the WW I and WW II\textsuperscript{94}. It can be spoken of as a decriminalisation of war criminals.

3.1.9 Abortion and euthanasia

Generally the VB is an antagonist to abortion. Abortion of a nasititus is seen as murder because they claim to provide legal personality to unborn children\textsuperscript{95}. For problematic cases like forced pregnancy, the community should provide financial, social and practical aid,
and also through the option of adoption. For the VB, euthanasia is an offence that should be affiliated in the penal code\textsuperscript{96}. Palliative care should be enforced and is thus accepted.

### 3.1.10 Other offences

White collar crime is not mentioned in the program at all and organized crime is rather marginal within the program. This expresses once more that ‘crime sells’ on the propaganda market, and there, the crime or deviant criminalized behaviours that are noticeable by the ‘normal’ citizen can be better used in gaining applause for implementing a strong repressive state than with invisible crime of the elite and rich. The mass can better be exploited to chase support. On the other hand, the VB is in the line of thinking that community safety is a main pre-condition to create a functioning community where all deviant elements which are threatening the community have to be incapacitated. Thus the priority lies on street crime, juvenile crime and alien crime more than on white collar or organized crime. The same reason causes the not recognized ecological crimes.

### 3.1.11 Criminal Justice

#### 3.1.11.1 Prevention

The strengthening of the family as ‘the’ institution of a functioning community is seen as the basis for a good education of values like responsibility, respect and solidarity and as best prevention of juvenile deviant behaviour. The educational institutions and youth movements are also seen to be capable of facilitating the necessary values. The family provides security and protection for the children and by a generational interaction, egoism, materialism, carelessness and increasing aggression can be prevented which means a functioning community where there is no need for a choice to become criminal\textsuperscript{97}. The state shall enforce on the citizens these values by punishment of neglected civil courage aggression cases. A permanent local placed police officer shall be the confidant par excellence for the citizens to be closer to ominous developments. With regard to the ‘Broken Windows Theory’, the VB sees order maintenance as one of the main probate prevention


measures\textsuperscript{98}. The VB claims to incarcerate all community disturbing elements without exception\textsuperscript{99}. Furthermore, camera surveillance and neighbourhood watches (Buurt Informatie Netwerken, BIN\textsuperscript{100}) are possible prevention measures but these measures are subordinated in security and prevention policy to the police which is the responsible institution to guarantee security with a strong hand as “repression stays in all cases the best form of prevention”\textsuperscript{101}. Therefore, a higher financial support for law enforcement agencies is claimed. Prevention measures like street work, public playgrounds, youth clubs or the material improvement of the neighbourhood are not seen as adequate prevention measures because they are too soft and thus not capable of combating crime\textsuperscript{102}. The VB is following the opinion that the elimination of the symptoms is sufficient to prevent crime; root causes of crime or structural measures are degraded to not being effective.

3.1.1.2 Police

The police force is seen as “mainly a social worker” who is showing zero tolerance only against car drivers\textsuperscript{103}. The police shall better act in a repressive, zero tolerance way against all criminal behaviour. More personal and more financial support is claimed for this\textsuperscript{104}. The police are seen as the strong hand of the state that is uniquely allowed and capable to assure security and fight crime to create and maintain a functioning community, and thus society. Finally VB explains that opposing crime threatening the life in cities and the community, a rough reply and a better cooperation between police and justice shall be the solution\textsuperscript{105}. The aspired police models behind these claims could be identified as to a far extending zero tolerance policing due to the opposition to the ‘social worker policing’, the


\textsuperscript{100} Closed contact between citizens and local police based on organized exchange of information, with the aim to prevent crime in the area by reporting suspicious acts. Biggest program in Belgium is available on: \url{http://www.buurtinformatienetwerken.be/}


\textsuperscript{103} VLAAMS BELANG, Programmaboek, p.28 \url{http://www.vlaamsbelang.be/files/200506_programma.pdf} (17/08/2007).


\textsuperscript{105} Paradoxically VB claims on p.31 a splitting of the Police and Justice! This is explained by the separation of Flanders of the rest of the country. So, basically closer cooperation by separation of the agencies!
fight against crime and everything that is labelled as such, and the claimed incarceration policy speak there for. The claimed special squads like drug prevention teams in the cities are an indicator for the specialisation. The strong state implies also that the police should be controlled by their own in hierarchical structure, which is a feature of the military-bureaucratic policing model.

### 3.1.11.3 Custody and Sentencing

The VB is in favour of a quick possibility to incarcerate in custody and to extend this especially for accused persons without permanent domicile, which is an obvious indicator that these subjects are seen as a disturbance of the community because they are without a domicile and thus not belonging to the former. The hard line is followed up concerning the demanded sentencing. It is regretted that not all fines are paid and not all prison sentences are served by the convicted. Rhetorically, alternative punishments and electronically curfew order are not rejected but are not seen as effective substitutes to imprisonment. The VB claims harsh prison sentences and further cumulative sentences with which the convict receives the punishment deserved. This shows the intent of punishment of the party; negative special prevention (to save the society of the deviant by selective incapacitation) and retribution as equalisation of the culpability. Furthermore, an ex post revision shall be an option for the statute-barred prosecution of offences, the claim of procedural errors or the declaration of a person non compos mentis if necessary. This embodies a reduction of offender rights in court and an extension of the prosecution.

### 3.1.11.4 Imprisonment

Reintegration is mentioned as a goal for imprisonment, but instead of sentence reduction the capacity of prisons is claimed to be enhanced from currently 8000 to 12000 cells with regard to a human treatment. All improvements of the rights of the prisoners with regard to human rights like own clothes or sexual contact or improvements of the prison

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condition, for instance paid jobs outside the institution (wet-Dupont), are rejected. According to the VB prison must be deterrence and therefore early release regulations for recidivists after two thirds of the time and others after one third shall be abolished (wet-Lejeune). Convicted offenders must serve their full sentence with regard to the public.

The death penalty is explicitly not claimed in the program or in other official documents of the party. Officially the death penalty is not on the agenda of the VB. The former leader Karel Dillen was an opponent and thus the party never claimed this. Nevertheless, 1987 Annemans proposed a parliamentary bill which demanded an introduction of a death penalty for drug dealers. Also Dewinter is personally in favour of the death penalty but is not claiming it for integrity reasons of the party.

3.1.11.5 Victims

The VB mentions in the very beginning of their program that the party is concerned for the victims of crime (from petty theft to violence threat), especially shop owners (middle class) are tried to be reached and the situation in the cities is called insecure and fearful. This fear of crime is also used to underline the claim to abolish the wet-Lejeune by using the Dutroux case as a scenario which always could reoccur if no hard line will be introduced. The rights of the victim must be extended with a continuation of the support of the victims of crime by a court-appointed council - like common practice for offenders - foreseen as well as a consultation and information of the victim by the investigating judge in release procedures. Furthermore, the party proclaims legitimate self-defence (wettige zelfverdeding) for property threats. The victim and its fear of crime are used at many points of the program in a populist way to legitimate harsh repressive actions and reaction of the state authorities.

112 MUDDE, C., The ideology of the extreme right, Manchester 2000, p.108.
3.2 NPD program

Lines of the policy on crime and crime control can be found in the published party program (Parteiprogramm)\textsuperscript{116} in broad scope statements under the title 14 “reformation of the justice system” and more detailed statements under title 4 “internal security” of the action plan (Aktionsprogramm)\textsuperscript{117}. Furthermore, the European program (Europaprogramm)\textsuperscript{118} enhances under title 7 “enforce security - combat crime” several statements concerning crime and crime control. In the dossier ‘restitution of law and order’ (Wiederherstellung von Recht und Gesetz)\textsuperscript{119} some additional ideas on this matter can be found. Nevertheless, some topics are noted under other titles mainly in the action plan, for instance abortion which is part of the title 3 “family and population policy”.

3.2.1 Reasons for crime

“Social disabilities, especially of juvenile violent alien offenders, poverty and consume terror, greed for material possession are the layers of a disunited, social, cultural, lingual and ethnical differentiated society and are the main reason for crime in Germany”, according to the NPD\textsuperscript{120}. In short, the market led multicultural society. The political, cultural and especially economical influence of the USA is the reason for a loss of values of the youth and a raising consumption, individualisation and materialisation also enforced by the USA media industry. This is accompanied by a loss of national identity with the result of a breakdown of the community (Volksgemeinschaft) which is not able to prevent crime any more\textsuperscript{121}. The other crucial factor for the party is the coexistence of aliens who are culturally not adaptable to the German community and who commit the majority of the crimes\textsuperscript{122}. Enforced by the EU enlargement and the open market liberties, criminal aliens from poorer countries coming to Germany are causing the crime situation\textsuperscript{123}.

\textsuperscript{116} NPD, Parteiprogramm, \url{http://partei.npd.de/medien/pdf/Parteiprogramm.pdf} \{16/08/2007\}.
\textsuperscript{117} NPD, Aktionsprogramm, \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} \{16/08/2007\}.
\textsuperscript{118} NPD, Europaprogramm, \url{http://partei.npd.de/medien/pdf/Europaprogramm_Netz.pdf} \{18/08/2007\}.
\textsuperscript{119} NPD, Wiederherstellung von Recht und Gesetz, \url{http://www.npd.de/index.php?sek=0&pfad_id=9&cmsint_id=1&detail=15} \{18/08/2007\}.
\textsuperscript{120} NPD, Aktionsprogramm, p.38 \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} \{16/08/2007\}.
\textsuperscript{121} NPD, Aktionsprogramm, p.38 \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} \{16/08/2007\}.
\textsuperscript{122} NPD, Aktionsprogramm, p.37 \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} \{16/08/2007\}.
\textsuperscript{123} NPD, Europaprogramm, p.20 \url{http://partei.npd.de/medien/pdf/Europaprogramm_Netz.pdf} \{18/08/2007\}.
### 3.2.2 Street and violent crimes

It is remarked that violent crimes increased in the last 30 years according to the official criminal statistics. Due to this fact the NPD claims massively higher sentences for violent crimes. Street crimes are not particularly considered. This could have happened with regard to the groups related to the party, like skin-head groups who are often roaming and disturbing the community life. Furthermore the approach explaining crime is next to the xenophobic approach with the community poisoned through the market principles. Thus the program is addressed also to losers of the market and globalisation who can easily be caught with community deviant behaviour likes begging, roaming and so on. Therefore criminalized deviant behaviour is not on the agenda.

### 3.2.3 Drug crimes

In general the NPD recognizes the current policy of the state authority against drug trafficking as too laissez-faire. Consumption of drugs causes an enormous acquisition of crime that necessitates a hard line. The consumers are more seen as a victim and the real enemy are the dealers and the backers. Therefore, more therapy places are demanded to rehabilitate them. In the fight against the dealers the police and justice authorities should gain more competencies, such as the use of emetics to gain evidence. A harsh line is demanded on drugs because these are blamed as destroying community life.

### 3.2.4 Juvenile crimes

The high juvenile crime rates are explained by the incapacity of the state to transmit values like custom. Here the NPD expresses the strong state attitude which is responsible for the functioning community. In this context, the treatment of juveniles is, following the main program, a fewer concern.

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124 The figures used in the action plan are just partly identical with the official figures of the Federal Criminal Police Office (Bundeskriminalamt, BKA) [http://www.bka.de](http://www.bka.de); for example the figures announced on p.37 of the action plan (Aktionprogramm) concerning aliens’ crime in the year 2001 are not congruent to the figures of the BKA, see: [http://www.bka.de/pks/pks2001/index2.html](http://www.bka.de/pks/pks2001/index2.html) (16/08/2007). (Amusingly, the figures given by the NPD are lower than the ones published by the BKA!)


3.2.5 Alien crimes

Crimes committed by aliens are announced to be intriguingly high, underlined by the “official” crime statistics. Explanation for this un-proportional allocation is, according to the NPD, the alien itself who has a lower inhibition threshold to commit crimes against strangers and foreign communities (which the Germans use to be for aliens) than compared to his own community members of the same origin. This means that foreigners are naturally not part of the German community. Criminal aliens should be expelled with a non-return policy according to the NPD. The fact that the punishment in the “home country” could be higher should not be a burden against expulsion.

Even though the word ‘terrorism’ is not mentioned in the program, the NPD warn of the “criminal treat caused by the multicultural insanity of the government which upraised the September 11th 2001” and the permanent threat that citizens are faced with on German territory by terrorist aggression. The potential aggressors are not themselves responsible, but the solidarity of the German government with the “imperialism” of the USA.

“Poverty and cultural distance facilitate crime” is the way it is looked on aliens’ crime.

3.2.6 Traffic deviancy

It is shortly mentioned that the police should better pursue crimes than being present with radar traps and illegal parking. This is an indicator that traffic surveillance and deviancy is not very high on the agenda.

3.2.7 Sexual crimes

Concerning sexual crimes against children, the NPD claims punishment without lenience; recidivist should be punished with life long preventive detention (Sicherheitsverwahrung).
Notably it is recognized that most of the sexual crimes occur within families\textsuperscript{136}. For sexual offenders, a national DNA database is requested as well as a European one with regard to the Dutroux-case\textsuperscript{137}. To prevent sexual offences state prevention measures are asked in the form of an open sexual education of children and juveniles to induce an elucidated, unloaded and untied relation to sexuality. This would then prevent naïve trust of children concerning actions of adults and it would also prevent the development of sexually ill offenders\textsuperscript{138}. Furthermore, sanctions for psychologists who attest harmlessness of sexual offenders for the reason of arrest vacations are claimed if the convict commits another offence during his temporary release\textsuperscript{139}.

### 3.2.8 Amnesty

The NPD claims the accusation of the “Allied mass murders” during the Second World War\textsuperscript{140}. Amnesty is claimed for convicted after the WW II by FRG and GDR justice\textsuperscript{141}. The accusation of Allied forces indicates the rejection of the war guilt.

### 3.2.9 Abortion and euthanasia

Abortion should be allowed in case the mother risks her life during the childbearing, in cases of rape or if the child has a certain hereditary disease or a serious disability\textsuperscript{142}. It is argued that the family needs particular protection because here the genotype of the family lies and this has to be protected and extended. Therefore, abortion would be contra-productive.

\textsuperscript{135} An Instrument to keep a convict in prison after serving his sentence for the case the convicted personates a constant threat for the community by a high probability to commit serious crimes. This has to be verified periodically by a judge and the preconditions are very restrictive codified in §§ 66-66b German Penal Code (Strafgesetzbuch, StGB).


\textsuperscript{140} NPD, Parteiprogramm, p.17 [http://partei.npd.de/medien/pdf/Parteiprogramm.pdf](http://partei.npd.de/medien/pdf/Parteiprogramm.pdf) {16/ 08/ 2007}.

\textsuperscript{141} This amnesty claim is formulated very unclear. The reason could be the danger of realizing any holocaust denial related offence. NPD, Aktionsprogramm, p.40 [http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf](http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf) {16/ 08/ 2007}.

3.2.10 Other offences

White collar crime is not explicitly mentioned but in all documents a general accuse of politicians and industrials is visible and this is also seen in the general opposition to globalisation. Nevertheless, the catalogue for crimes committed by officials on duty is demanded to be extended\textsuperscript{143}.

The NPD claims hard measures against ecological crimes and animal mistreatment, especially against the large scale industry, and specialized ecological police should be introduced to prevent despotism\textsuperscript{144}.

The secret service crimes like tapping of all communication media stand on the agenda\textsuperscript{145}. Here an opportunistic reason could be found because the NPD is involved in observations by the internal state and federal constitution protection (Verfassungsschutz)\textsuperscript{146}.

Organized crime is just mentioned in the Europe program of the party where the open borders and European Market are facilitating the drug and human traffickers and money laundering. Criminal organisational structures are becoming more difficult to dismantle\textsuperscript{147}. As measure for the reinvention of the boarder controls are proposed, this means the protection of the community and the nationalistic sentiments shine through.

3.2.11 Criminal Justice

3.2.11.1 Prevention

The NPD claims the only way to increase the security in the population is to take measures against the root causes instead of the symptoms of crime\textsuperscript{148}. The NPD states that avoidance of crime is better than just a stronger prosecution. As the root causes of crime are seen in the market led multicultural society, the preventive measures offered concern the strengthening of the German community, family and culture with a provision of good school education for juveniles. Therewith the fragmentation of the community, the demolition of the population and family and the US media influences shall be stopped to counteract against losses of values by the youth and a selfish consume behaviour which

\textsuperscript{143} NPD, Parteiprogramm, p.17 \url{http://partei.npd.de/medien/pdf/Parteiprogramm.pdf} {16/08/2007}.
\textsuperscript{144} NPD, Parteiprogramm, p.17 \url{http://partei.npd.de/medien/pdf/Parteiprogramm.pdf} {16/08/2007}.
\textsuperscript{145} NPD, Aktionsprogramm, p.39 \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} {16/08/2007}.
\textsuperscript{146} Bundesamt für Verfassungsschutz, \url{http://www.verfassungsschutz.de/}.
\textsuperscript{147} NPD, Europaprogramm, p.19 \url{http://partei.npd.de/medien/pdf/Europaprogramm_Netz.pdf} {18/08/2007}.
\textsuperscript{148} NPD, Aktionsprogramm, p.38 \url{http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf} {16/08/2007}.
leads to criminal behaviour\textsuperscript{149}. Furthermore, a plan to expel immigrants is created. Also, a reduction of the power of the other political parties shall be performed to prevent corruption and nepotism which leads to manipulated immigration prosecutions or to protracted proceedings\textsuperscript{150}. A program towards an area oriented national economy (\textit{raumorientierten Volkswirtschaft}) shall provide work and decrease the unemployment rate and avoid the social climb-down\textsuperscript{151}. This links the criminal policy and the economical policy. A strengthening of the community will cause decreased crime rates. Structural measures like the state control of the free movement of persons, goods and money are announced to be a remedy against potential criminals committing crimes. The abolition of the Schengen Agreement\textsuperscript{152} might be the way to keep potential criminals out by reintroduced border controls\textsuperscript{153}. Back to the Europe of the Nations is the intention of the latter.

### 3.2.11.2 Police

The NPD postulates a decentralized organisation and better equipment for strengthening the police to protect the population by becoming a “visible” police with no “reactive” police\textsuperscript{154}. The police are currently seen as a protective force of the powerful and rich capitalists and the other political parties, and not as a citizen police. The state is seen as a controlling police state à la GDR regime which the party rejects and calls “SED-dictatorship”. One reason could be their own surveillance by the Verfassungsschutz and the attempt to mobilize voters of the poorer areas of Germany, namely East Germany. A broader sphere of influence for the police is asked without bureaucratic burdens, which means de facto an independent police showing more presence on the streets, and this not just in cities but also in rural areas\textsuperscript{155}. On a European level, the abolition of EUROPOL is claimed which should be substituted by a European Criminal Police Office (\textit{Europäisches Kriminalamt, EKA}) acting as a logistic support institution without any executive powers and not under the auspices of the European Union\textsuperscript{156}.

3.2.11.3 Custody and sentencing

The authorities should have the opportunity to bundle many petty offences and make them into one serious offence which would legitimate custody\textsuperscript{157}. (The petty offence alone does not enhance this option.) This is particularly so in the efforts to combat drug offences as street dealers caught with small amounts of drugs could be incarcerated. In the case of drug offences, higher sentences are demanded as well as expulsion.

3.2.11.4 Imprisonment

The NPD openly states atonement and retribution as the aims of imprisonment\textsuperscript{158}. Furthermore a “social education” should be accomplished as precondition of a later re-socialisation of the prisoner\textsuperscript{159}. Unfruitful education attempts should be followed by a permanent imprisonment. A negative special prevention shall then make the criminal selectively incapable. For dangerous convicts, day parole and vacation should be rejected\textsuperscript{160}. Prison should function as a labour camp where the prisoners have to work to pay back their culpability\textsuperscript{161}. Here the claimed atonement effect obviously reflects experiences of past times. Lastly, the prisons have to be more secured to prevent outbreaks\textsuperscript{162}.

The death penalty is claimed for all serious offences, such as repeated sexual abuse or child molestation, robbery and mass-murder\textsuperscript{163}. Harsh sanctions free the community of the offenders by incapacitation.

3.2.11.5 Victims

Except the motto: “Victim protection priors offender protection” there are there no particular measures demanded or offered by the NPD concerning the victims of crimes\textsuperscript{164}.

\textsuperscript{157} NPD, Aktionsprogramm, p.39 http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf {16/08/2007}.
\textsuperscript{158} NPD, Aktionsprogramm, p.41 http://partei.npd.de/medien/pdf/Aktionsprogramm.pdf {16/08/2007}.
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However, here the priority lies on the victim’s side what is an indicator of the late modern phenomenon what necessitates a harsh reaction to the offender.

### 3.3 Comparison

#### 3.3.1 Reasons for crime

The VB and the NPD are reasoning crime by two main topics, on the one hand the existing multi-cultural society namely the existence of aliens in the community and on the other hand the community itself which is not functioning in the extreme right utopian manner. The expression of xenophobia by blaming aliens to cause crime by attendance or by misusing the police crime statistics must be seen as a core business of extreme right and is celebrated by both parties. The ethical and/or cultural differences are held up within the attitude of exclusiveness. Aliens are not just blamed for social miseries but particularly used as scapegoat for the contemporary crime situation. The reason of crime founded in the non functioning community is a similar expectance but the particular trigger is seen differently. While the VB recognizes a trigger inside the community, the NPD is blaming an external trigger for crime. For the VB, the lack of authority and norm awareness, as it is educated and lived by the families, in schools and in everyday life is explained by the existence of the anti-authoritarian ‘68 movement and its way of education. Thus the problem comes out of the community itself. The NPD blames external factors: concretely, the economical and medial influence of the globalized world with the USA as a dominating player for the loss of values and identity of the demanded utopian community. The raison d’être must be searched on the regional economical aerial and social level. It was characterized in Eastern Germany by the German reunification in 1990 and the crass system change from a totalitarian state led command economy towards a free market economy. This caused for many people a cognitive lack of orientation, followed by a loss of identity, disintegration and anomie which was accompanied by a failed adaptation of the region to the new system which caused many victims of the ‘new market led’ system.\(^{165}\) This situation is used by the NPD to mobilize voters with anti-globalization programs taken as a second pillar to explain the problems of society including crime. Flanders was not affected by such a system shock in the last decades. Therefore the last social revolution is taken as an explanation instead.

\(^{165}\) PINKERT, S., Nationalismus und Globalisierung, St.Ingbert 2000, p.43; A similar anomie caused social disintegration and a cognitive lack of orientation can also be found in Germany after WW I.
3.3.2 Street and violent crimes

The clear zero tolerance policy based on the ‘Broken Windows Theory’ applied by the VB for street crimes like vandalism, illegal dumping or roaming juveniles like for all other crimes can not be found in the program of the NPD. The classical post modern criminalisation of petty crimes and safety threats by deviant behaviour are not a topic for the NPD. This could occur through the permeation of young neo-NAZI leaders within the party due to the fact that these groups and especially the fragmented skinhead groups who would be the target of such a policy. Furthermore, the losers of globalisation are often involved. Nonetheless, higher sentences are claimed for violent crimes by both parties which prove the repressive claims.

3.3.3 Drug crimes

Both parties agree in an extreme hard line against drug dealers and a more or less victim role for the end users. The more detailed program on drugs of the VB does express very clearly the predominant paradigm of the rational choice human being (homo oeconomicus) which is not that obvious in the NPD program. In common and clear is the strengthening of the law enforcement apparatus and the demand for more competencies of law enforcement agencies like the police. The drug problematic is a common vehicle of extreme right to claim a stronger state authority because it creates uncontrollable community members which can cause disturbance.

3.3.4 Juvenile crimes

The VB deals with juvenile crimes in more detail when you compare it to the NPD program. Main declaration is the abolition of the rehabilitative aims of the juvenile treatment and the approximation of the juvenile protection law to the penal law in form of a juvenile penal law with the claim to punish harsher, again based on the rational choice offender. Such a law exists already in Germany since 1974 and provides the option of an
incarceration of juveniles for up to 10 years for serious crimes\textsuperscript{166}. Achievements on a harsher punishment also for juveniles can not be referred in the NPD program. The mainly young voting groups of the NPD who are attracted could be a reason but even more so, the fact that the JGG is directly related to the StGB and by claiming harsher punishments for any crimes, the theoretical amendment of the StGB would cause a change in the JGG, thus this topic is irrelevant for the NPD.

3.3.5 Alien crimes

As core feature both parties state the same, expulsion of all (criminal) aliens. The VB goes a step further in demanding the de-naturalisation of Belgian nationals with immigration background. Both seek a community containing just ethnical Flemish or Germans and are foreseeing more restrictive immigration laws to reach this. In contrast to the VB, the NPD does mention terrorism as a threat even though they do not refer to it as ‘terrorism’ due to the view that September 11\textsuperscript{16} is a logical consequence of the ‘imperialism’ of the USA, which is not unaccepted by the NPD. Blame on Islamic terrorism is not made because it also threatens Israel and this cause is highly supported. Ironically the NPD takes party for the Palestine people in its Europe program\textsuperscript{167}.

3.3.6 Traffic deviancy

Traffic deviancy is highly decriminalized by the VB and instead structural support is claimed, for example a better infrastructure. This concerns again the target group of the program namely the middle class who usually are dependent on vehicle traffic. All facilities on this matter will be seen as an asset. In the NPD program it is mentioned that the police would better combat ‘serious’ crimes. This goes towards a decriminalisation of traffic deviancy. For the VB this political matter can be used brilliantly to chase voters. In the highly infra structured Belgian society many people have cars and are potential addressees. Thus this must be recognized as a propagandist way of voter chasing within the middle

\textsuperscript{166}§ 18 I 2 Juvenile Court Law (Jugendrichtsgesetz, JGG); the offences listed in the StGB are applicable with certain modifications concerning the sentence and can be applied under certain circumstances until the age of 21.

\textsuperscript{167}NPD, Europaprogramm, p.20 http://partei.npd.de/medien/pdf/Europaprogramm_Netz.pdf {18/ 08/ 2007}. 
class. The NPD is not that dependent on that group so that the priority is shifted to other issues.

### 3.3.7 Sexual crimes

De facto all kinds of sexual crimes are not playing a big role for the VB. The link to the case Dutroux is less concerning the topic sexual crimes than the topic on using a medial effectual instrument to bring the claims for a more repressive criminal policy to the public. The NPD also refers to the case Dutroux using its medial impact to claim harsh sanctions. They provide some measures like a DNA data base or sanctions for professional psychologists who wrongly attest sexual offenders. One important remark can be found in the NPD program which recognizes the fact that most sexual crimes occur within the family. The preventive measure offered is however far from a realist way of regarding things. It is stated that an untied and sexual elucidated education of the children itself could prevent misuse of children by adults! An extensive interpretation could recognize a sort of reversal of the culpability: sexual uneducated and not elucidated children are causing the misuse! Away from these excesses sexual crimes stay more a propagandist vehicle than a serious concern for the parties.

### 3.3.8 Amnesty

On this issue the roots of the extreme right parties and also the ‘new extreme right’ are the clearest. Revisionism can be found in both programs by claiming amnesty for the NAZIs and collaborators. This matter must be a little differentiated. The Flemish revisionists are in majority rendering homage to the collaborators because of their intention to separate Flanders from Belgium. This does not stand in the way of the national-socialist sentiments of some of its members but it does receive a different angle. In the NPD, the German revisionists exclusively venerate the national-socialist sentiment when amnesty is claimed. Nevertheless, in both cases there are attempts to decriminalize criminals and their inhumane actions during WW II.
3.3.9 Abortion and euthanasia
Abortion is treated in a relatively similar way by the parties. Hotly favoured is the child bearing because then the ethical community is one member richer. However, both accept the abortion as ultima ratio in dangerous inevitable cases. Euthanasia is claimed to be criminalized by the VB whereas the NPD does not mention this topic.

3.3.10 Other offences
The VB shows by non mentioning of organized crime, white collar crime and ecological crimes the way of thinking that community safety is a main pre-condition to create a functioning community where all deviant elements which are threatening the community have to be incapacitated. Therefore, the priority lies on street crime, juvenile crime and alien crime. The NPD expresses once again the anti liberal line by criminalizing the rich and elite who are more often involved in these forms of crimes.

3.3.11 Criminal justice
3.3.11.1 Prevention
The VB focuses in prevention matters on two big layers: on the strengthening of the family as institution of a functioning community and on repression. The NPD is also recognizing the family as a unit of the community which is an important institution to pass values to the own people and therewith to prevent crime. Both parties have similar ideas of an ethnical community (Gemeenschap/Volksgemeinschaft) which is based on solidarity between the members opposed to the parties of bad influences that lead to deviant behaviour. A functioning community consists of complete families without aliens. Here the features nationalism, welfare, chauvinism and xenophobia are combined and can be outlined as extreme right core basis. A main difference is the second mentioned layer ‘repression’. The VB claims that alone the strong hand on crime and the incarceration of the deviant elements is an effective prevention method. With the theoretical ‘Broken Windows Theory’ as background, zero tolerance is claimed to keep the community free from crime. Also camera surveillance and neighbourhood watch are accepted for a safe community. Thus the VB is going for the symptoms of crime. The NPD however states that security for the community can be maintained better by a control of the root causes of crime better
than the symptoms. The market dynamics and the multiculturalism as crime causes can be combated best by the area oriented national economy (raumorientierte Volkswirtschaft) which provides concepts to decrease the unemployment rate and social climb-down. This link between criminal policy and economical policy is new and unexpected but in its feasibility utopian. Nevertheless this is a fundamental difference to the pure repression idea of the VB. The anti-globalisation policy line also permeates the criminal policy of the NPD but with the one and only goal to create an ethnical community. The NPD was led by its chairman Voigt towards this approach to bring the party back into business with new success. A broader addressed circle can be reached: inter alia anti-capitalist left-wing forces, unemployed and globalization losers particularly in Eastern Germany.

3.3.11.2 Police

The VB openly claims the strong repressive police representing the state, which has to be enforced on all levels. With more manpower the police shall be the strong hand of the state implementing its zero tolerance policy.

The NPD however wants more blue on the streets and visible presence of the police, but is in the same moment stating not to introduce a controlling ‘police state’ like in GDR times. The current state is even blamed to be a controlling state because of the monitoring of the NPD itself. Here we find a precarious situation for the NPD. On the one hand a strong state ideology and on the other hand historical circumstances like the GDR regime which is still in mind of a majority of people. The rejected political system of the GDR had features, which the NPD is generally in favour of, like a strong state with high police manpower.

3.3.11.3 Custody and sentencing

Custody and sentencing are not a big issue on the NPD agenda. The VB claims cumulative sentences and a reduction of the offender rights in court. This emphasizes the harsh repressive line on all wheels of the criminal justice system.

3.3.11.4  Imprisonment

According to the VB, incarceration is a way of prevention as seen above. Therefore, a very concrete claim is stated to extend the capacities of imprisonment to 50% more cells. Extension of the capacities is offered in figures with 50% more cells. And again the rights of offenders shall be restricted by rejection of early releases. The demand to serve the full sentence expresses the aim of retribution and incapacitation. The NPD has similar approaches with an additional claim of atonement, which shows the repressive ideology behind the ‘preventive mask’ of the aforementioned. This shows the real face of the law and order ideology of the NPD. This finding is underlined by the demand for the reintroduction of the death penalty for serious crimes. As seen above no official document of the VB exists of a claimed reinvention of the death penalty but due to the statements of Annemans and Dewinter this sort of inhuman punishment can be counted to the repertoire of the intentions of the VB.

3.3.11.5  Victims

Both parties focus explicitly on the victim and his rights. While the NPD just mentions the victim protection to legitimate a harsh reaction, the VB is a bit more differentiated. The latter name the potential victims like “shop owners” as part of the middle class, which are vulnerable to become a victim especially of property crimes due to the decent prosperity standards. The fear of this group is activated by speaking about insecure cities and the necessity of a self-defence rule to protect the property\textsuperscript{169}. The reason why the NPD is not this concrete with the victim groups could have two reasons: firstly the anti-capitalistic program pillar is contradicting a focus on the prosperous middle class because the target group are more the un-wealthy and ‘globalisation losers’; secondly the party is not settled in the party landscape like the VB in Belgium, thus there is no existing permanent voter stronghold as basis which should be served. However, both parties legitimate their tough repressive attitude against offenders by a focus on the victim which is not exclusively done by the extreme right in late modern days.

\textsuperscript{169} There are already broad self-defence regulations for threatened property in the StGB and the German Civil Code (Bürgerliches Gesetzbuch, BGB) §§ 33, 34 StGB and § 859 BGB.
4 Conclusion

Two extreme right parties grown in the last centuries out of nationalist, conservative and radical streaming in their countries always depending on a certain reality of society are unified by a common ideology: extreme right! Getting deeper into the parties’ policies on crime and crime control confirmed vividly the core features of nationalism, xenophobia, welfare-chauvinism and the law and order attitude. Some crime types like alien crimes are treated in a similar manner from the explanation of the reason for crime to the recognition of it further to its treatment. Since xenophobia is a core feature nothing else was to be expected. With the revisionist handling of amnesty the two parties continuously prove their roots and influences in the nationalist movements which to any time were influenced by more radical forces. The abortion demands of the two parties express their community idea of solidarity which is related to the attitude towards drugs because they threaten the community by creation of useless members (end-users) and criminals (dealer) who enforce the decay of the community. The harsh sanctions claimed can be referred to that as well as the strengthening of the law enforcement apparatus to win the ‘war on drugs’ or better: the war on all crimes. More police forces shall support this according to both parties what can be seen as an expected layer of the zero tolerance policy of extreme right. So far the expectations are served by similar cores and measures but contents show an opposite angle to treat things like the explanation for the reason of crime. As the blame of aliens is not new and moreover ‘normal’ within the extreme right like as the non functioning community the NPD steps beside the more traditional view and argues with the economical impact by the globalized world. This signifies a shift from an individual reasoning towards a structural approach. This seems progressive but must be seen in context. The new management of the NPD decided to start with a anti system social argued propaganda which exploit the current late modern economical developments to gain votes from people affected by the situation. As the NPD is no settled party it could switch so paradoxical the approaches without the fear of being rejected by old traditional strongholds like it is in Flanders the Antwerp middle class. The regional economic and social decay after the unification in Eastern Germany let grow a milieu with a fruitful ground, young bad educated, disoriented men with identity crisis which are vulnerable for this sort of propaganda. This is barley recognizable in Flanders where the VB must be seen as a settled party on the scene (even if the cordon sanitaire is still into force). The conditions for the VB within Flanders are not comparable to the conditions of the NPD within
(Eastern) Germany. The NPD is on the transition to become an extreme right party of the - in my eyes - coming forth wave of extreme right protest parties. The VB however is on its way to adapt more and more to the system to succeed. Even though the NPD is now speaking of structural prevention instead of repression the inhuman racism will be induced further on and the roots of a repressive approach are still visible in the claim for atonement and long sentences. Nevertheless the victims to be protected are the ‘globalisation losers’ compared to the victims protected by the VB the prosperous middle class. Finally it must be said that despite tremendous differences between the parties and the social, economical and political differences and the modification of the NPD started that both parties are proved extreme right parties which should be detained to take over political power with regard to the history.
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