

France: National Assembly bans Muslim headscarves in schools

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On February 10, the French National Assembly voted (494 in favor, 36 against, 31 abstentions) to adopt a law banning “symbols and clothing that ostentatiously show students’ religious membership” in public elementary, middle and high schools. The law will apply beginning in September 2004 throughout France and in many of its island territories.

Within the National Assembly, the ruling conservative UMP (Union for a Popular Majority) party voted massively in favor of the bill, as did the establishment left party, the PS (Socialist Party). The small center-right UDF (Union for French Democracy) and the Stalinist PCF (French Communist Party) both split their votes.

Despite its ostensibly even-handed character, the law was driven by a campaign to ban Muslim headscarves in French state establishments—schools, hospitals, government offices, etc.—that has been building in political circles and the mainstream media since early 2003. There is an ongoing debate on whether to write further laws banning Muslim headscarves in other establishments.

Those promoting the law cynically portrayed it as a defense of secularism and even invoked the progressive anti-clerical traditions of the French Revolution. That the right-wing forces who initiated the law were able to package the measure in this pseudo-democratic garb was largely due to the efforts of the liberal media and the Socialist Party and “far left” Lutte Ouvrière (Workers Struggle), which openly supported it, and the Communist Party, which adopted an inconsistent and conciliatory position toward it.

The law’s anti-democratic character is indicated by the fact that Education Minister Luc Ferry initially opposed the idea of a law against the headscarf, saying it would risk being declared unconstitutional. However, Ferry put aside such concerns and began writing the law last December.

The headscarf ban is a discriminatory measure that encourages right-wing forces, directed in the first instance against French Muslims, but ultimately against the democratic rights of the entire working class.

From the standpoint of the struggle for social equality and the objective interests of working people, the fundamental consideration in evaluating such a measure is: does it contribute to or impede the development of the international unity and political consciousness of the working class? This measure clearly works against both, encouraging anti-immigrant and communalist sentiment and fueling divisions within the working class.

From the standpoint of democratic rights, the law violates basic

rights of religious freedom and gives the French state new powers to intervene in matters of individual thought and expression. It is fundamentally false to equate the progressive democratic principle of secularism and the separation of church and state with a government fiat that abridges the right of individuals to express, in a manner that does not harm the rights of others, their personal religious beliefs.

Many of the law’s proponents claim that it is directed against the oppression of women, as symbolized by the headscarf. This, however, is a sophistic argument. It is impossible to attribute a democratic and “liberating” character to a law that stigmatizes an entire category of people, based on their religious observances. Nor is there any basis for suggesting, as is commonly done by those who support the ban, that opposition to the law implies support for Islamic fundamentalism or its relegation of women to an inferior position.

On the contrary, the inevitable result of this discriminatory law will be to encourage the development of religious separatism and communalist thinking among oppressed sections of the population who feel, justifiably, that they are being singled out for persecution.

Religious prejudices will be overcome through the political development and education of the working class in the struggle for democratic rights and socialism, not through state decrees imposed from above by governments that serve the interests of an entrenched social elite.

The anti-headscarf law is consistent with an array of repressive measures enacted by the government of Prime Minister Jean-Pierre Raffarin: a range of heavy fines for minor offenses, proposals for “proximity judges” to impose kangaroo-court sentences, and the centralization of the police into Regional Intervention Groups (GIR). These GIRs have already carried out mass raids in poor neighborhoods as well as large-scale, concerted strikebreaking operations.

The ban is being implemented under conditions of growing social discontent and popular opposition to the anti-working class policies of Raffarin and President Jacques Chirac. It is an effort to distract working people from the crisis in social conditions and the government’s agenda of pension cuts, attacks on social services, and police repression. As none of the parties in either the left or right of established politics has anything to offer workers, the political elite as a whole has turned to a policy of encouraging anti-immigrant chauvinism and law-and-order hysteria. It is employing

the time-tested tactic of divide and rule.

Significantly, this law passed shortly before a new election cycle. In advance of next month's regional elections, the mass media has been full of worried commentaries over the potential for sharp setbacks to the official parties and significant gains for the parties of the "far left" and the extreme right. The Raffarin government is deeply unpopular; a recent poll found that 65 percent of voters intended to use their vote to express their dissatisfaction with Raffarin. Polls in recent months have indicated that up to 30 percent of voters are leaning towards the "far left" list of the Ligue Communiste Révolutionnaire (Revolutionary Communist League) and Lutte Ouvrière candidates.

The recent history of the headscarf debate underscores the fact that it was brought forward as a means of deflecting and diffusing a growing social and political crisis. The first round of discussion—in April 2003 by UMP Interior Minister Nicolas Sarkozy and in May-June by PS notables Jack Lang and Laurent Fabius—coincided with a massive wave of protests and strikes against Raffarin's pension cuts. These actions were spearheaded by teachers, who were propelled into struggle not only by the proposed pensions cuts, but also by a government scheme to weaken and sectionalize the public education system.

The second round in the headscarf agitation—starting in October 2003, when Chirac and his right-hand man, UMP chief Alain Juppé, came out in favor of a legal ban—coincided with the Raffarin government's collapse in the polls, following its inactivity during the August 2003 heat wave that claimed 15,000 lives.

The PS firmly supported the measure from the beginning and the center-left media establishment, including prominently the daily *Le Monde*, played a key role in conferring an air of democratic legitimacy to this policy of racist scapegoating by the French establishment.

The rest of the French left largely followed suit. While Communist Party head Marie-George Buffet officially opposed the law, she had come out in favor of it in 2003 and significant sections of the PCF's National Assembly delegation voted in favor of the law. The "far left" split on the issue, with Lutte Ouvrière openly supporting the government campaign and the Ligue Communiste Révolutionnaire, internally split, proclaiming that a law was not needed. Even as it formally opposed the headscarf ban, the LCR forced one of its regional candidates for Aix-en-Provence in southeastern France, lawyer Benoît Hubert, to step down after having participated in a demonstration against the law.

The establishment left's backing of the UMP's anti-Muslim drive demonstrates the bankruptcy of the lesser-of-two-evils argument that it presented to French voters during the 2002 presidential election. When the Socialist Party candidate, then-prime minister Lionel Jospin, placed third and was eliminated in the first round, leaving the UMP's Chirac to face the neo-fascist National Front (FN) candidate Jean-Marie Le Pen, the Socialist Party, the Communist Party and the Greens aggressively campaigned for Chirac, holding him up as the savior of the "Republic" against the racist and anti-immigrant demagoguery of Le Pen.

Now Chirac and the UMP have taken a page from Le Pen's

playbook and launched their own anti-immigrant campaign, and the official left has escalated its treachery by supporting it. This experience should be emblazoned in the consciousness of working people and youth as a demonstration of the logic of the politics of opportunism.

Ruling circles in France are aware—and, to a certain extent, concerned—that their anti-immigrant propaganda will mobilize support for the National Front in the run-up to the March elections. Despite its support for the headscarf law, *Le Monde* has issued repeated warnings on this question. In a December 18 article, entitled "The FN Observes from Afar a Debate from which It Hopes to Benefit," it quoted without comment enthusiastic projections of FN leaders.

Marine Le Pen, daughter and political heir-apparent of FN leader Jean-Marie Le Pen, told *Le Monde*: "The headscarf affair underlines the importance of immigration in our country, and we've been talking about that for years.... When political scientists say that the FN will benefit from the current climate, I agree with them."

Although the French press has presented the question exclusively from a national point of view, the Raffarin government's moves against Muslims are part of a larger European agenda. European governments, attacking working conditions and social spending to compete on the world market while increasing military spending, have increasingly resorted to anti-immigrant measures and law-and-order demagoguery to contain growing social tensions. Other European governments are closely watching French developments as they consider passing similar laws.

In the aftermath of Chirac's December 17, 2003, speech decreeing the preparation of the law, several Belgian officials praised him and stated that Belgium should follow France's example. Belgian Interior Minister Patrick Dewael said, "We should do as much in our country.... It should be equally clear that public school students cannot wear veils or other ostentatious religious symbols." Belgian Prime Minister Guy Verhofstadt stated his opposition to public sector workers wearing Muslim headscarves.

Several German regions are also considering making Muslim headscarves illegal for all public sector workers (Sarre, Hesse, and Berlin) or simply for schoolteachers (Bade-Wurttemberg, Bavaria, and Lower Saxony).



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