

France: Sarkozy government implements repressive police measures

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On the direct orders of right-wing French President Nicolas Sarkozy, the national security intelligence services have been significantly overhauled, giving full powers to the police to prosecute any individual or social or political organization whose activity is likely to disturb public order. Thirteen-year-old children can now be prosecuted under this legislation.

Justifying the extension of the collection of police records on 13-year-olds, minister of the interior Michèle Alliot-Marie said, “We have observed an increase in child delinquency.”

These developments represent a major attack on the freedom of expression and a threat to democratic rights. The mounting social crisis provoked by Sarkozy’s austerity programme has led to repeated protests by millions of French workers and youth. These changes are designed to curb mass resistance and political opposition.

A decree published July 1, 2008 in the Official Journal sets up a new data base called EDVIGE (Exploitation documentaire et valorisation de l’information générale—Documentary Exploitation and Enhancement of General Information).

EDVIGE organises the general and systematic establishment of files on “all individuals aged 13 and over... who have sought, exercised or are exercising political, trade union or economic responsibilities or who play a significant institutional, economic, social or religious role.” Its mission is “to centralise and analyse information relating to individuals, groups, organisations... which by their individual or collective activity are likely to endanger public order.”

EDVIGE will file even minor details: “information concerning family status and profession: home addresses, telephone numbers and electronic addresses... photographs, behaviour; ID documents;

vehicle number plates; information on tax and property; travel and judicial records... information about the person’s milieu, especially on present and former relationships, direct or chance.”

This gives powers to the police to spy on all the movements and private relations of people. The decree has been criticised by civil rights organisations, particularly regarding prosecution of suspects who are minors.

That the government should take this action is an indication of how teenagers have become politicized. High school students led mass demonstrations earlier this year against staff cuts in schools. In the autumn of 2005, the most oppressed sections of youth revolted in the form of violent clashes with police across the France—a police chase had led to the death of two youth. The government imposed a state of emergency and arrested thousands of youth and threatened to deport immigrant youth. Sporadic clashes with youth are endemic.

Justice Minister Rachida Dati, in an interview with the *Journal du Dimanche*, announced the creation of a “file on organised gangs” after an incident on the Champs de Mars by the Eiffel Tower in Paris in June involving clashes between youth and the police.

A *Le Monde* editorial of June 30 asked, “Who is likely to get into this ‘file on gangs’? People already indicted—but doesn’t that exist already?—or people presumed guilty of offences that they might commit because of their profile or of the company they keep? A state governed by the rule of law (*Etat de droit*) cannot accept the penalisation of supposed intentions.”

The League for Human Rights (LDH) has condemned “an awesome extension of political-police files on citizens... it is no longer files on the people who have committed proven offences, but for security, to target

those who are labelled in advance as future hypothetical delinquents. Preventive suspicion is enough to justify being put on file.”

The *Syndicat de la magistrature* (Magistrates’ Union) calls for opposition to this file “of anti-democratic inspiration... it involves informing the government on politically active people and no longer just facilitating the appreciation of a political or economic situation.”

An essential corollary to this repressive legislation is the creation of the means to impose it. This is provided by the updating of the Law for the Orientation and Programming for the Performance of Internal Security (LOPSI 2), which is due to come before parliament in the autumn. LOPSI 2 is designed to strengthen surveillance and spying via the Internet and the collection of data from personal computers and emails.

The *Le Monde* editorial of June 24, entitled “Security versus liberty,” states, “Similarly, the computer filing project Périclès, called for by this draft bill, would vastly extend the investigative powers of the police. If such a data base were created, it would make it possible to cross reference much information of citizens’ private lives (car logbook and driving licence number, cell phone chip or bills...)”

Fearing that the French state will be discredited, *Le Monde* stresses that security concerns “are not enough to justify wanting to insert emergency measures into ordinary law, nor that public freedoms and privacy should be undermined, to a greater or lesser degree. In the Republic, the ends do not justify all the means.”

Another sign of the drive for arbitrary repressive powers by the state, free from judicial scrutiny, is contained in a *Le Monde* report of June 24 that “the general secretary of national defence (SGDN), Francis Delon, is pressing for access by investigating magistrates to such places of power as the ministries or the secret services to be limited.”

The intelligence service has been completely reorganised. Now named the Central Directorate of Internal Intelligence (DCRI), it is the result of a merger of the DST (*Direction de la surveillance du territoire*) and the RG (General Information). 6,000 personnel deal with terrorism and security threats. The 2008 budget allocated to the DCRI amounts to 41 million euros. A close friend of President Nicolas Sarkozy, a son of a policeman, Bernard Squarcini, was appointed

head of the service.

According to the French Interior Ministry website, the DCRI aims to be an FBI *à la française*. For other tasks, such as counting numbers of demonstrators, urban violence and social conflicts [such as strikes], a sub-division (SDIG) made up of 1,000 police officers is set up at the Direction of Public Security (DCSP).

There are also several measures in the pipeline enabling the state to censor the Internet.

French Interior Minister Michel Alliot-Marie declared on 10 June 2008 that the French state had come to an agreement with the French Internet Service Providers (FAI) to block sites publishing content related to terrorism, paedophilia, racial hatred, and other unlawful sites. Alliot-Marie announced, “Since... February 14, we have worked with FAI on the protection of the most vulnerable—This set-up will be simple: the platform, by means of a black list, will pass on to the FAI the list of sites to block...”

ZDNet.fr June 11 quoted Daniel Fava, chairperson of the AFA (Association of Internet Providers and Services). Asserting that no agreement had yet been signed, he said, “We don’t want to become ‘Big Brothers’ nor that the internauts should feel spied on by their FAI.”



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