

# French parliamentary commission advocates banning the burqa

Kumaran Ira  
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After deliberating for six months, on January 26 a parliamentary commission in France charged with investigating the imposition of a ban on the burqa, or niqab, has released a report that calls for the passage of a law outlawing the head-to-toe garment worn by some Islamic women in any public facility run by the state.

The report recommends passing a parliamentary resolution, followed by a law, that would make it illegal for anyone to wear the burqa in hospitals, schools, mass transit, and other public buildings. It claims that the burqa is “contrary to the values of the [French] Republic,” and that the ban would ensure “the protection of women who are the target of coercion.” It also recommends that anyone wearing the burqa be refused work permits, political asylum, residency papers, and French citizenship.

The parliamentary commission was set up after President Nicolas Sarkozy’s address to the joint houses of parliament at the Palace of Versailles last June. Sarkozy said that the burqa “is not welcome on the territory of France” and declared his support for a ban. The commission, led by André Gerin, a PCF (Parti Communiste Français) deputy and the mayor of the poor Lyon suburb of Vénissieux, included deputies from the left and right of the political establishment.

The commission did not propose an outright ban in all public places, amid speculation in political and media circles that France’s Constitutional Council and the European Court of Human Rights would reject such a law.

On January 29, French Prime Minister François Fillon asked the Constitutional Council to examine the legal avenues for an anti-burqa law. He wrote, “You will study the judicial solutions that would allow for a ban on wearing a total veil that is as broad and effective

as possible.”

A large majority of deputies in the National Assembly from the Union for a Popular Movement (UMP)—the ruling right-wing party—is reportedly in favour of outlawing the burqa in all public places, including streets, shopping centres, and other public venues. Last December, François Copé, the head of the UMP majority in the National Assembly, announced that he was initiating legislation that would outlaw wearing the garment on the street. Offenders would receive a €750 fine.

Copé dismissed the idea that a full ban was unconstitutional. In an interview with the right-wing newspaper *Le Figaro* on January 29, Copé said, “It’s a ban on the burqa only in some public places that would, to my mind, pose significant problems for enforcement. How would we explain that we would outlaw the burqa in the post office and the hospital, but not in the neighbourhood bakery? Everyone agrees we must have a resolution that explains what is at stake, but that alone does not suffice.”

Any and all bans on the burqa are anti-democratic and reactionary. They trample on the constitutional principle of secularism, according to which the state cannot support or discriminate against religions. The outlawing of the coverings worn by Islamic women sets a dangerous precedent whereby the state can legally require citizens to modify their religious or social beliefs.

Although the law targets a minority of the population—less than 2,000 out of France’s five million Muslims—it is an attack on the democratic rights of the entire working class. It will lay the foundations for the targeting of any views or behaviour—political, as well as religious—deemed contrary to the interests of the government.

The ban is racist and is part of longstanding and deliberate efforts to whip-up anti-Muslim sentiment by promoting the conception that the social and economic problems confronting masses of people in France are caused not by the profit system, but by Muslims. In 2003-2004, Sarkozy's predecessor, Jacques Chirac, organized and passed a ban on Muslim girls wearing headscarves in public schools, a measure that found broad support in the bourgeois "left." This was aimed at fostering a right-wing atmosphere, particularly among teachers, in the aftermath of the widespread strikes against pension cuts in 2003.

The fact that a ban on the burqa—which Jean-Marie Le Pen of the neo-fascist Front National has supported by calling for it to be enforced through existing law—now finds support from the entire political spectrum is a sign of how profoundly French bourgeois politics has shifted to the right.

The ruling class's determination to push ahead with this reactionary law, despite widely acknowledged doubts over its constitutionality, underscores its move towards authoritarian forms of rule. It should be recalled that, in response to youth riots in poor suburban areas in 2005, the government passed a state of emergency in 2005—initially suggested by Le Pen—suspending basic legal rights for three months. The Parti Socialiste and the PCF voted in support of this action.

In a backhanded and hypocritical acknowledgement of the unconstitutionality of the law, the political establishment has concentrated on the debate between a total ban and a ban only in public facilities run by the state. Such a distinction is meaningless: someone denied access to education, medical treatment, and basic mass transit has, in effect, been banned from public life. This specification is designed to give a pseudo-legal shield to a law that violates the first article of the constitution: "France is an indivisible Republic, secular, democratic and social. It ensures equality before the law of all citizens without distinction of origin, race or religion."

If enacted, the law will turn France into a modern version of the US South during the Jim Crow era, at which time African-Americans were persecuted by the state and denied access to a wide range of public areas and services.

The ban on the burqa has found broad support in the

"left" establishment, including the PS and sections of the PCF more openly favourable to Gerin. The PS participated in Gerin's parliamentary commission. Immediately before the report was released, however, the PS withdrew from the body, saying it was "polluted by the debate on national identity and the initiative of Jean-François Copé."

However embarrassed the PS may be that it has participated in a neo-fascistic initiative, it has nonetheless indicated its further support for the principle of banning the burqa. On January 31, PS First Secretary Martine Aubry publicly congratulated Fillon for asking the Constitutional Council for advice on how to pass a burqa ban; Aubry said he was "bringing a bit of wisdom" back into the debate. Several prominent PS members—notably deputy Manuel Valls—favour a total ban.

The attack on women who wear the burqa is spreading throughout Europe under the thoroughly dishonest guise of "defending" women against oppression. On January 30, Italian Equal Opportunities Minister Mara Carfagna announced that the Berlusconi government would seek to outlaw the burqa. On the same day, the Danish government announced that the burqa was "diametrically opposed" to the country's values. It proposed rules to ban the garment in schools and workplaces.

The anti-burqa campaign, like other provocative and repressive measures against Muslims and immigrants throughout Europe, is a conscious policy of the European ruling elite intended to divide the working class.



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