

# Sarkozy proposes total ban on the burqa in France

Antoine Lerougetel  
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At the April 21 meeting of the French cabinet, President Nicolas Sarkozy announced that a bill banning the wearing of the burqa or niqab full-face veil in public would be put before the cabinet in May. The bill is a blatant attack on democratic rights, moving France towards extra-legal rule.

Prime Minister François Fillon stated that the government would fast-track this legislation, even though such a law could be ruled unconstitutional and contrary to the European Convention of Human Rights. “We are ready to take legal risks because we think that the stakes are worth it”, he said, adding. “We cannot encumber ourselves with prudence in relation to legislation that is unsuited to today’s society.... If we have to shift the jurisprudence of the [French] Constitutional Council and that of the European Court of Human Rights, we think that it is our public duty to do so”.

On March 30 the highest administrative court in the land, the State Council, ruled against legislation banning the burqa. *Le Point* wrote that the council, whose rulings have an advisory function for the government, “judged in its report that a law against the wearing of the full-face veil ‘could not benefit from any irrefutable legal basis’, adding, ‘A general ban on the wearing of the full-face veil as such, or of any way of hiding one’s face in the entirety of public space, would be subject to serious risks’, both ‘concerning the constitution’ and ‘the European Convention of Human Rights’”.

The State Council is adhering to the provisions of the European Convention of Human Rights, in Article 9, entitled “Freedom of thought, conscience and religion”. It says, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone

or in community with others and in public or private, and to manifest his religion or belief, in worship, teaching, practice and observance”.

Fillon’s statements imply that the French government no longer considers itself bound by existing law. Instead, it is whipping up a right-wing political atmosphere in which Muslims can be politically victimized, and anyone whose opinions are deemed undesirable by the political establishment can be effectively outlawed.

In one such case, Interior Minister Brice Hortefeux has denounced a Muslim man named Liès Hebbadj for alleged polygamy and allegedly belonging to a radical Islamic group, after his wife called a press conference to protest receiving a €22 fine for driving while wearing a niqab. However, the state prosecutor in Nantes confirmed to *Le Monde* that, even though polygamy is a criminal offense in France, the only current charge against Hebbadj’s family is the traffic fine.

Whatever the veracity of Hortefeux’s claims, it is clearly part of a state campaign to politically target and intimidate Muslims in France.

Claims that the government is imposing this legislation due to the supposed danger posed by burqa-clad women are both reactionary and ludicrous. As has been widely noted, of France’s population of over 5 million Muslims, fewer than 2,000 women wear full-face veils.

The bourgeois press has asked what would happen to the wives of rich Saudis, shopping on the Champs-Élysées in Paris. The reporter for the parliamentary commission on the burqa retorted that there would be no exceptions.

The insistence that an anti-burqa law is a security measure is in line with the ideology of the “war against

terrorism”—a cover for the destruction of democratic rights around the world. It is also designed to provide credibility to the bitterly unpopular NATO occupation of Afghanistan, where France has over 3,000 troops.

Sarkozy's lurch to the right comes at a moment when, after the defeat of the ruling UMP (Union for a Popular Movement) in last month's regional elections, Sarkozy's approval ratings have dropped to an unprecedented low of 35 percent—with 70 percent of those polled disapproving his record and 60 percent opposing his policies.

In particular, Sarkozy's plans for an anti-burqa law defy the massive unpopularity of the right-wing “national identity” debate that Sarkozy initiated during the regional election campaign. Under these conditions, he is making a bid to secure his remaining political support through neo-fascistic appeals to racism, Islamophobia and a law-and-order crackdown on youth in impoverished urban estates.

Sarkozy and Fillon represent the spearhead of a racist and Islamophobic campaign by the European political elite. Shortly prior to its collapse, the Belgian parliament was preparing to vote a similar national law, which already exists in several Belgian municipalities, with all-party support. In Italy several northern towns already ban the burqa. German municipalities are moving against Islamic headscarves in the schools. In Switzerland a successful referendum was organised against the building of Islamic minarets last year.

The stigmatisation of burqa- and niqab-wearing women is also a sign of France's support for the repressive governments of its former colonies in the Magreb (Morocco, Algeria and Tunisia)—an important area of investment for French capitalism. They are all under threat from Islamist movements, which, in the absence of politically independent leadership in the working class, might come to power amid mass unrest against oppression and poverty.

Sarkozy's law is only made possible by the support of the forces falsely claiming to be of the “left”. It is the lack of opposition in political circles that has encouraged Sarkozy and Fillon to make this brutal move against democratic rights, which represents a significant step towards police-state rule.

André Gerin, the *Parti communiste français* (Communist Party, PCF) deputy who headed an all-party parliamentary commission for the suppression of

the burqa set by Sarkozy last year, told RTL radio, “I am delighted that the government has taken this decision in continuity with the parliamentary commission”. He asserted that “what is important about this ban” is that it will “pitilessly sanction the fundamentalist gurus who...spoil the life of the neighbourhoods”.

The main bourgeois opposition party, the *Parti socialiste* (Socialist Party, PS), supports the principle of attacking burqa-wearing women's civil rights. Axel Urgin, a PS spokesman on this issue, said the PS was against “a disputable legal formulation” but was for the exploration of the legal arsenal for restricting the possibility of wearing the burqa.

To the extent that the PS has expressed reservations over Sarkozy's policies, it is fear that the ban, particularly if it is total, could create dangerous social unrest. On France Inter radio, PS leader Pierre Moscovici said a total ban on the burqa “risked reviving a number of religious and communalist disputes”.

The PS, the PCF, *Lutte Ouvrière* (Workers' Struggle, LO) and the *Ligue communiste révolutionnaire* (predecessor of the *Nouveau Parti Anticapitaliste*, NPA) supported the 2004 law banning Muslim girls from wearing the Islamic headscarves in school. LO supports the banning of the burqa. The NPA waited for months before issuing a brief statement against the proposed law, but it has not campaigned against it.



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