

French Senate votes burqa ban into law

Kumaran Ira
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On September 14, the French Senate voted into law a bill banning the wearing in all public places of full-face veils, such as the burqa or niqab, which are worn by some Islamic women. The bill was overwhelmingly approved by a vote of 246 to 1.

The decision to ban the burqa by the conservative government of President Nicolas Sarkozy, supported by the entire political establishment, is part of a growing attack on democratic rights and a violation of the principle of the rule of law.

The Senate vote to ban the burqa was overshadowed in the press by the dispute that emerged last week between Sarkozy and European Union officials over France's targeted deportation of Roma. European Justice Commissioner Viviane Reding criticized Sarkozy's policy against the Roma as "discrimination on the basis of ethnic origin or race."

Implicitly drawing a parallel with France's deportation of Roma during the Nazi Occupation, she added: "This is a situation I had thought Europe would not have to witness again after the Second World War."

As is now clear, the burqa ban was the political mechanism for a sharp shift in official French politics towards fascistic law-and-order measures and ethnic cleansing.

According to the bill, women wearing a burqa or niqab in France will face a €150 fine and will be forced to take citizenship classes. Anyone deemed guilty of forcing a woman to wear a full-face veil will face a €30,000 fine and one year in jail.

The lone vote against the ban was by a rightwing senator, Louis Giscard d'Estaing. This underscores the complicity of the bourgeois "left"—notably the Socialist Party (PS) and the Communist Party (PCF)—with Sarkozy's burqa ban. Of 116 PS senators, 46 voted for the ban and the others did not participate. The party officially applauded the principle of an all-out ban, but raised certain objections about the unconstitutionality

of Sarkozy's bill.

French officials cynically claimed that the burqa ban represented a defense of women's rights and of secularism in opposition to Islamic fundamentalism. In presenting the bill, French Justice Minister Michèle Alliot-Marie pompously declared, "Living in the Republic with an uncovered face, it's a question of dignity and equality. It's a question of respecting our Republican principles."

She added, "Full-face veils dissolve personal identity into that of a community. This puts in question our French model of social integration, based on the acceptance of the values of our society."

Alliot-Marie's comments, in fact, represent a repudiation of the principle of secularism. Far from upholding state neutrality on religious issues, the Sarkozy government is forcing women to abandon their religious practices and adopt certain social customs in order to have the right to walk out of doors. This targeting of the tiny minority of burqa-wearing women, some 2,000 out of the millions of female Muslims in France, is a calculated effort to stir up racist, anti-Muslim sentiment in order to divert rising discontent in the working class.

The Council of Europe and Amnesty International have criticized the bill, saying that the ban "violates the rights to freedom of expression and religion of women."

In an implicit admission of the extralegal character of the ban, the presidents of the Senate and the National Assembly (the lower legislative house) submitted the bill to the Constitutional Council after the Senate vote. They explained that this was "so that its conformity with the Constitution could not be affected by any uncertainty."

It is well known that the burqa ban is unconstitutional. In March, the State Council issued an advisory ruling acknowledging that a ban on full-face

veils “could not benefit from any irrefutable legal basis.”

With the Senate’s approval of the bill, France becomes the first country in Europe to pass a burqa ban. It was overwhelmingly approved by the National Assembly in July and will go into effect next spring.

Similar anti-burqa laws are being prepared across Europe. In Italy, the Northern League—a coalition partner of Silvio Berlusconi’s government—announced on September 17 that it would present a copy of the French ban to the Italian parliament. Marco Reguzzoni, the leader of the Northern League’s parliamentary group, declared, “We want to strengthen the French initiative.”

In April, Belgium’s lower house approved a nationwide ban on the burqa, under pain of a €25 fine and seven days’ imprisonment. However, as the parliament was dissolved shortly after the vote and no government has been formed since, the bill has not gone into effect.

The PS, PCF and middle-class supporters of the PS like the pseudo-left New Anti-Capitalist Party (NPA) played a critical role in promoting Sarkozy’s antidemocratic campaign.

The proposal to ban the burqa was initially made by André Gerin, a PCF deputy. After Sarkozy declared the same month that the burqa was “not welcome on the territory of France” at a meeting of parliament, he set up a parliamentary commission to investigate the possibility of imposing a ban. Gerin led the commission and the PS participated in it.

The anti-burqa campaign set a precedent for Sarkozy to carry out further reactionary attacks against immigrants, and ultimately against the entire working class. Soon after he launched the anti-burqa drive, Sarkozy opened up a “national identity” campaign in order to appeal to neo-fascist and nationalist sentiment.

When a French woman protested her arrest for driving while wearing a niqab this spring, the Sarkozy government retaliated by threatening to strip her husband of his French nationality and charged him with polygamy and benefit fraud. (See: “French government witch-hunts partner of niqab-wearing woman”).

This was the prelude to a broader attack on democratic rights, including the threat to strip French nationality from naturalized citizens convicted of violence against police or public officials. These

policies were directed toward suppressing popular resistance to police violence in France’s impoverished immigrant suburbs.

Further attacks on working people proposed by the government included eliminating social benefits for families whose children are absent from school, and holding parents criminally liable for alleged attacks on police by their underage children.

Outside of the International Committee of the Fourth International and the *World Socialist Web Site*, no party or publication warned working people of the dangers posed by the anti-burqa campaign.

The PS and PCF were actively complicit in it. The NPA, while making ambiguous criticisms of the measure, supported the principle of the ban on the basis of defending women’s rights, concealing the antidemocratic content of the measure.

Last spring, *Le Parisien* asked NPA spokesman Olivier Besancenot if “a fine of €150 to punish the wearing of the veil in public places” was “fair.”

Besancenot replied: “The problem is not the fine, but the use the politicians make of it. The burqa oppresses women, but any law would be inefficient and unfair. Who would be the big winners? The extremists of the far right and religious fundamentalists.”

Besancenot was indicating that he has no principled objection to the ban, but only a tactical objection.

In January, the WSWS wrote: “Presented in defiance of public opinion and disregarding constitutional objections, preparations to institutionalize state discrimination against forms of Muslim religious expression mark a turn towards overtly anti-democratic forms of rule.”

This analysis has been fully confirmed by subsequent events, most notably the racist witch-hunt against the Roma population in France.



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