

French law forbidding denial of Armenian genocide sent to Constitutional Council

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On January 31 a law penalising the denial of the Armenian genocide was referred to France's Constitutional Council by 77 senators and 65 deputies, who aim to have the law pronounced unconstitutional.

This would prevent the promulgation of the law, passed in both houses of France's legislature. The law, which punishes denial of the Armenian genocide with a €45,000 fine and a year's imprisonment, is strongly supported by President Nicolas Sarkozy.

Ninety-seven UMP (the ruling Union for a Popular Movement) parliamentarians and 39 bourgeois "left" (Socialist Party - PS, Communist Party, and Greens) senators and deputies supported the referral to the Constitutional Council, which has a month to give a ruling.

The law is a reactionary intervention by the state against democratic rights and freedom of historical enquiry, based on crass political calculations. The motivations of the legislators moving to challenge the law have the same basic character, however.

The main concern of the French bourgeoisie driving the legislators is not the massacre of between 600,000 and 1.5 million Armenians by the Turkish state from 1915 to 1918. Rather, it is the conflict between President Nicolas Sarkozy's desire to promote the law to support his re-election bid in the April-May presidential elections, and law's impact on the geo-political interests of French imperialism.

The referral to the Constitutional Court is a sign of considerable nervousness in sections of the French bourgeoisie about the harm the legislation is doing to

Franco-Turkish relations. Turkey, which itself outlaws references to the Armenian genocide, plays a key role in advanced plans for armed intervention in Syria by NATO powers to oust Syrian President Bashar al-Assad and impose a regime more amenable to their interests. The main NATO-backed armed "opposition" group, the Syrian Free Army (SFA), is based in Turkey.

Moreover, as *France24* reports, "Outside the European Union, Turkey is today the third largest trading partner with France, after the US and China and before Japan. Trade between the two countries amounted to €12 billion in 2011, according to the Quai d'Orsay. France was hoping, before the polemic on the law on genocide, to reach €15 billion by 2015."

Sarkozy's approval rating is at 30 percent and voting polls show him well behind the front runner, François Hollande, the Socialist Party (PS) candidate, closely followed by Marine Le Pen of the neo-fascist National Front.

His determination to get this law on the books is to curry favour with voters in the 600,000-strong Armenian community in France, which is largely in favour of such legislation, and the far right Islamophobic supporters of the neo-fascist National Front. Such considerations also play a major role in Sarkozy's consistent opposition to Turkey's accession to the European Union.

The law banning denial of the Armenian massacre was first passed in the National Assembly on December 22. It was supported by UMP, PS and PCF legislators with only 50 of the 577 deputies in attendance. Six voted against. The diplomatic crisis provoked by this provocation against the Turkish government created sharp divisions within the ruling UMP.

Turkish Prime Minister Recep Tayyip Erdogan responded to the National Assembly vote by announcing the suspension of bilateral visits between France and Turkey and the recall of the Turkish ambassador. He declared that “joint military exercises with France and all military activities with that country had been cancelled.” He said that all French requests to use Turkish air space for military flights would be considered on a case-by-case basis and barred French warships from visiting Turkish ports.

Foreign Affairs minister Alain Juppé privately condemned the law and attempted to mend fences with Turkey. He said that “Turkey is for France a strategic ally and partner,” and that “channels for dialogue and cooperation should be kept open.”

The law was approved in the Senate on January 30 by 127 votes to 86. Turkey lobbied French parliamentarians to bring the law before the Constitutional Court and has expressed satisfaction at the referral.

Some Turkish politicians have threatened to legislate a ban on the denial of the massacres carried out by French imperialism against the Algerian people during the Algerian war for independence from France.

The French law also faces criticism from Turkey’s artistic and intellectual community. The famed Turkish writer Orhan Pamuk, who has faced death threats and been harassed by the Turkish state for affirming the genocide, has condemned the law as undemocratic.

When a previous attempt to pass such a law was made in 2006, Turkish Armenian journalist Hrant Dink, who had been jailed in Turkey for asserting the genocide, declared that if it passed he would himself defy the law by coming to France and denying the genocide. He said: “How can we in future argue against laws which forbid us to talk about a genocide if France, for its part, now does the same thing?” Dink was murdered in January 2007 by a Turkish fascist.



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