

French government considers deprivation of nationality as possible sentence to all citizens

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After President François Hollande announced last month that France might deprive dual nationals convicted of terrorism or crimes against the state of French citizenship, the Socialist Party (PS) government is now considering extending that punishment to all French nationals.

This would be a flagrant violation of international law. Article 15 of the Universal Declaration of the Rights of Man specifies nationality as a fundamental right of any person, while a 1961 UN convention specifies that member states cannot deprive anyone of their nationality if this makes that person stateless. Indeed, in his announcement, Hollande said that the measure would only apply to dual nationals, in order to avoid making people stateless.

Nonetheless, on Monday, PS Junior Minister for Relations with the Parliament Jean-Marie Le Guen announced that deprivation of citizenship for all nationals was “an element in the debate.” Bruno Le Roux, the chair of the PS fraction in the National Assembly, seemed to go further, issuing an ambiguous call for depriving of French nationality “anyone who turns their weapons against the state.”

Government spokesman Stéphane Le Foll explained, “We will look at various positions and see what we can put on the table. The president and the government are concerned with obtaining a broad majority on a question that is above all the safety of the French people, and which must therefore go beyond the usual divisions.”

This shift even further to the far right is bound up with attempts to solidify the PS majority behind Hollande's reactionary plans. Initially, layers within the PS felt obliged to emit certain criticisms of deprivation of citizenship; it is a measure associated with the neo-fascist National Front (FN), the Nazi collaborationist regime of Vichy during World War II, and the Holocaust. The Vichy regime infamously used it to deprive thousands of

naturalized French Jews of their citizenship and deport them to their deaths in Nazi concentration camps.

Its last prominent use under a parliamentary regime came in February 1940, in the reactionary climate of the opening months of World War II, against the left. At that time, two leaders of the Stalinist French Communist Party (PCF), National Assembly deputies Maurice Thorez and André Marty, were denounced as tools of the USSR and deprived of their citizenship.

Now, however, under the pretext that the government is no longer discriminating against dual nationals, broad sections of the PS are moving to support Hollande's initiative. PS party chairman Jean-Christophe Cambadélis, who previously said that deprivation of nationality for dual nationals was “not an idea of the left,” said this week that it could be considered, “if it was open to all Frenchmen.”

The official conceit that this is a measure directed against French terrorists tied to the Islamic State in Iraq and Syria (ISIS), which carried out the *Charlie Hebdo* and November 13 attacks last year in Paris, is a political fraud. The measure does nothing to aid the surveillance or prevention of terrorist attacks. It would only serve to create a layer of individuals permanently deprived of any civil rights and forced to live and work illegally in France.

As the daily *Libération* wrote, “Indeed, deprivation of nationality can only be imposed after a definitive conviction and after the accused has served his time. This means at least 15 years delay (for terrorism-related crimes) and then an incongruous situation: made stateless, the individual would be marooned in France without papers, probably condemned to remain in this situation. ‘What other country would accept him on its territory?’ asked [Lille University law professor Gilles] Lepoutre.”

Moreover, it seems unlikely that a French Islamist who carried out a terror attack would be subject to deprivation of nationality. All of them—from 2012 Toulouse shooter

Mohamed Merah, to the Kouachi brothers and Amédée Coulibaly who perpetrated the Charlie Hebdo/Hyper Cacher attacks, to the November 13 attackers—either were murdered by paramilitary units or fled France.

Rather, the law moves France towards a situation where police could effectively outlaw anyone convicted of an ever-widening range of terrorism-related offenses or of violence against police and other representatives of state power.

Various politicians in and around the PS are still proposing alternatives to deprivation of citizenship. Green leader Jean-Vincent Placé is proposing deprivation of civil rights—a measure applied in the late 19th century to working-class supporters of the 1871 Paris Commune who survived the mass murder of the Communards by the bourgeois government of Versailles.

What is ever clearer, however, is that the PS is seizing upon the November 13 terrorist attacks in Paris to try to resolve the deep political crisis in France by shifting the official climate far to the right, and aligning itself with the policies of the FN.

In the period before the November 13 attacks, after the collapse of social-democratic parties like PASOK in Greece and the PSOE in Spain, the PS's long-term survival was in question. PS Prime Minister Manuel Valls had warned of “the death of the left.” PS policies of austerity and war garnered Hollande the lowest approval ratings of any French president since World War II, and there were questions as to whether the PS would survive next year's presidential elections.

For the PS, the November 13 attacks were a political godsend, allowing Hollande to declare himself the “war president” and try to fashion broader support for his administration on the basis of law-and-order measures.

The debate on deprivation of nationality is exposing the class content of this policy. As Le Foll's remarks show, the PS is seeking to “go beyond” the traditional division between left and right—that is to say, to overcome the bourgeoisie's reticence to employ policies too visibly linked to the heritage of 20th century fascism.

The reactionary pro-capitalist groups that for decades have passed for the left since the 1968 general strike, the petty-bourgeois parties that emerged from the student movement and the PS itself, are completing a historic degeneration. These forces represented, in the final analysis, an alliance between finance capital and sections of the affluent middle class hostile to Marxism. Over decades in which they imposed reactionary policies, starting with the PS presidency of François Mitterrand in

1981, they emerged as a social layer totally alien from the working class.

Now, as the PS's electoral fortunes collapse, they are veering rapidly onto the terrain of the far right, advocating state illegality and authoritarian forms of rule. The PS announced plans to rule through a permanent state of emergency, which Hollande aims to impose via a constitutional amendment. Beyond this, however, amid the confusion caused by the debate inside the PS and the media over the deprivation of citizenship, a broad series of attacks on democratic rights are being prepared.

The PS is hurriedly drafting a reform of the penal code to strengthen police powers, ostensibly under the pretext of fighting terrorism or organized crime. The law would extend police immunity for the use of deadly force during raids, broaden police powers to search persons and belongings without judicial authorization, and allow police authorities to detain individuals and consign them to house arrest for a month without judicial approval.

The police and the Interior Ministry are seizing enormous powers, effectively doing an end run around the courts and the judicial system. *Le Monde* wrote that the law's goal “is clear: to prolong measures authorized by the state of emergency beyond the state of emergency... It points to a basic tendency of successive governments: to marginalize the judiciary, particularly investigating magistrates that are legally independent [from the executive], and replace them with prosecutors, who are named by the government.”



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