



France Could Find Better Ways to Counter Extremists Than By Banning the Burqa

By David Rittgers

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The French government has enacted a ban against face-covering veils, and at least two Muslim women have been detained for violating the new law. Supporters of the new measure say it is consistent with French traditions separating church and state and necessary to counter Islamic radicalization. Unfortunately, the ban will probably create more problems than it will solve. The French could find better ways to counter extremists than banning the burqa.

America's Founders had it right with the First Amendment: government should refrain from establishing a state religion while respecting the right of individuals to worship as they please. The two goals are not mutually exclusive, and good policy flows from these principles. A third of the Muslim terrorist plots disrupted within the United States are done so with tips from the Muslim community. And America continues to peacefully assimilate immigrants from all parts of the world, a testament to the wisdom of keeping government from telling its citizens how to live.

The French see things differently. The text of the statute carefully avoids mentioning religion, but is clearly meant to target Muslims. Violators face a small fine or citizenship classes and those who force others to wear veils face a year in jail and a \$40,000 fine. Headscarves have been banned in French public schools since 2004, and the legislature voted the veil restriction into place by a large margin. Polls continue to show high public approval of the new law.

This shouldn't prompt support from this side of the pond. The French gave up a lot of their religious freedom a long time ago, starting with a law decreeing absolute separation of church and state in 1905. French schools don't just ban Muslim scarves; Christian crosses, Jewish yarmulkes, and Sikh turbans are also forbidden.

This policy wouldn't pass constitutional muster in the United States, but the real question is whether it will succeed in its ostensible goal of de-radicalizing French Muslims. It will likely fail on this front. The burqa ban is akin to using a sledgehammer to swat a fly. The Muslim talking points against this policy write themselves, and they aren't radical. One of the first Muslim women arrested for violating the ban on veils is already hitting the talk show circuit to defend her right to live and worship as she pleases.

The French would be better served by reforming their welfare system, which keeps unemployment rolls high and bankrolls many of the radicals that they seek to counter with the burqa ban. This is an unfortunate instance of big government begetting even more government. Maybe the French will be pleased to recoup some of their welfare checks by fining defiant women and those who impose the niqab or the burqa, but they'd be better off not spending the money in the first place.

The British Redcoats called American ministers the "black regiment" for their black robes and their pivotal role in whipping the Founding generation into a revolutionary fervor. The French government and people can counter radicals without creating a fresh set of religious martyrs with the same imagery.

David Rittgers, a legal policy analyst at the Cato Institute, served three tours in Afghanistan as a Special Forces officer and continues to serve as a reserve judge advocate. The views expressed in this op-ed are his alone and do not necessarily reflect those of the Defense Department or Army.

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