

SUMMARY

**Introduction**

- ↳ What is the law and what is its context?
- ↳ The Bill

1. **Who is targeted when we talk about immigration?**

2. **Invoking “Principles of the Republic” and secularism to exclude Muslim women**

3. **Women migrate too!**

4. **Working conditions and job insecurity**

- ↳ Difficult access to work and over-exploitation
- ↳ Economic insecurity limits access to residence permits
- ↳ Economic insecurity limits access to housing

5. **Assimilationism and femonationalism**

Update November 14, 2023

**Conclusion**

NON À LA LOI DARMANIN

NOTE

This text was written during the spring/summer of 2023. Initially for a public meeting organized by a general assembly whose purpose was to explain the Darmanin and Kasbarian-Bergé laws. We then led a workshop at the Feminist Assembly in Grenoble with this same text, and in a feminist festival (la Poudrière) in Dijon. This text, now in brochure form, is also enabling the Coordination Féministe, a national feminist network we are part of, to talk about this bill and for all the different feminist organizations to create or join mobilization against this Asylum & Immigration law.

We are not legal experts; this brochure is the result of a feminist and activist reading and analysis of the bill, and the racist and Islamophobic political context in which it is set. Our priority was not so much to explain law's articles in detail as to provide a political analysis of their consequences, detailing in particular their impact on Muslim women.

The discussions we had during the presentations of this text enriched our analysis, and though the brochure is printed we remain open to any feedback, suggestions for additions or improvements to complete it. What's more, this brochure is not an end in itself, but a doorway to a collective reflection on the action we need to take against this bill. There is an urgent need to mobilize collectively against this racist law, which will reinforce the criminalization of undocumented people and Muslims, strengthen their control by the state, justify their confinement, deportation and death.

We also recognize that we don't decipher the issue of overseas France in this brochure.

We can't talk about Darmanin and racist policies without mentioning Mayotte, Guyana, Guadeloupe, Martinique or Reunion. However, in Grenoble, we are not in touch with the groups of people from overseas departments, who are in the best position to analyze the situation in these departments without falling into racist, paternalistic and colonial analysis. That's why, in order to avoid reproducing this, and because we admit that we're not sufficiently capable of talking about it, we've decided not to offer any analysis on this subject, and in particular on the dynamics between Mayotte and the other islands of the Comoros's archipelago. However, as mentioned above, this brochure is not set in stone, and if any organization wish to add a section on overseas France to this brochure, it is entirely possible, and we can be contacted at our organizations' e-mail addresses.

We feel it's important to set out some facts about Mayotte, without commenting on them, for the reasons given above and because they speak for themselves: The median wage there is 260 euros, and fonctionnaires sent from metropolitan France are paid 40% more than if they stay in metropolitan France. The law on foreigners is even less respectful of people than in mainland France: at the age of 18, any child born abroad in Mayotte, regardless of his or her situation, automatically becomes an illegal immigrant, which creates a lot of juvenile delinquency for survival.

40% of housing is made of sheet metal on a land where rents have doubled in 3 years. Operations to demolish substandard housing without rehousing people began in October 2021; for a year, a neighborhood was demolished every month. By 2022, 8,000 people had been thrown onto the streets. Operation "Wambushu", launched in April 2023 and resumed in May after being suspended by the courts, aimed to evict 20,000 people, demolish 1,000 houses in two months. The results from these demolitions are unverifiable at the time.

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# WHAT IS THE LAW AND WHAT IS ITS CONTEXT?

This bill goes by the name of "Asile Immigration", and was introduced by Darmanin himself. We talk about "Darmanin's law" because of what the minister represents in terms of racism and islamophobia, but it's his entire fascist policy that needs to be fought, and not just this man, who's just an incarnation of it.

Let's not forget that Darmanin was trained at Action Française (a right-wing extremist group), that he is the current Minister of the Interior, a potential candidate for the next presidential elections and a sexual assaulter. He represents everything we, as feminists, are fighting against, and this bill is part of that fight.

## **POLITICAL CONTEXT OF THE LAW:**

This bill, which we'll describe in concrete terms later, embodies the standards of "good" and "bad" immigration set by the State. The bad immigration would be men who come to rape women and steal the "good Frenchmen"'s job. With this image, migrant men become the only representatives of patriarchy, and under the guise of fighting against sexual violence, the government further

establishes systemic racism. Good immigration, on the other hand, would be that of women, which we'll come back to in the development of our analysis, as they represent a cheap labor force, particularly in feminized sectors (early childhood, domestic work, maintenance, etc.), enabling "good French women" (read: white, abled and wealthy women) to access better-paid and better-recognized jobs, while other women are exploited.

**This law is in the continuum of a flawed immigration and asylum system: hundreds of people are dying as a result of current migration policies. This law worsens an already mortifying situation. The law formalizes a system that the government has been building for years, and accelerates the development of an increasingly racist and security-conscious state, a society of inequality and control. The law is not an isolated project; the government has already normalized systemic racism. Among other things, Darmanin can say without consequence that he wants to "make life impossible for migrants" and that "Marine Le Pen is too soft". Since he has taken office alongside Macron, Darmanin has contributed to the rise of fascist policies, and already has a direct impact on immigration.**

Moreover, this bill must be understood in complementarity with Macron's neoliberalism: it's not just Darmanin who's behind this unequal social project, but the whole government, since liberalism and racism work together. Indeed, capitalism needs to exploit some of its population in order to function, and it can't do so without racism and patriarchy. Let's not forget that during his second election campaign, in 2022, Macron said he wanted to "control immigration". This bill on immigration, announced the very day after his re-election, is central to his policy.

Although presenting themselves as "centrist", Macron and his government are pushing through fascist and security-oriented policies that have a violent impact on migrants, or those perceived as such. They have shown their ferocity: they'll do anything to ensure the law is enforced. And this wouldn't be possible if it hadn't been so well prepared for years. In 2017, Macron had already launched a budgetary "Asylum, Immigration and Integration" mission, and today we are facing this "Asylum Immigration" bill in a context in which it is likely to be accepted.

However, this the racist social groundwork did not start with Macron's government. For about 65 years, on average, one immigration law has been passed every two years.

This is not a question of budget although it was put that way in the 2017 mission: there is money used in migration policies, but guaranteeing migrants dignified living conditions, politicians are putting money into controlling migrants and borders:

increasing the police budget, border surveillance and the creation of new administrative detention center (CRA in French). This represents the opposite of dignified living conditions for people facing repression and surveillance.

**To legitimize these racist and Islamophobic policies, Macron, Darmanin and the others don't hesitate to lie, distorting figures and events.**

For example, they claim that 50% of crimes committed in "Île de France" are committed by foreigners. This figure is false! They rely on the number found in the prefecture of people "implicated" in an offense. Of course, racism in the police and justice system makes the foreigners (or people perceived as such) way more likely to be arrested for any supposed or real crime, but that doesn't mean that this population is more delinquent than others. On top of this, they deliberately mix up all offenses, whereas only 0.8% of offenses committed by foreigners are crimes (compared to an average of 3% in 2019 in the whole population), and the vast majority of offenses they have committed are related to their residence permit (offenses which non-foreigners therefore cannot be guilty of!). **The government is lying shamelessly to make people believe that migrants represent a danger to "the good French population" to be able to implement and justify these racist security-oriented laws.**

Darmanin and his bill therefore embody state racism, but guillotining Darmanin won't be enough to stop these dangerous policies and projects, because behind him there are many others ready to take over. **The Republic has long relied**

**on its colonial history and values of the Republic, and with or without Darmanin it will continue to do so.**

As feminists, we must fight against this law and its application, not only alongside all migrant women (or women perceived as such) and Muslim women (or perceived as such) who are already suffering from the racist and anti-migratory policies of the French state; but also, alongside the men who are suffering and who will continue to suffer. A feminism that does not fight against racism and capitalism will only reinforce an inegalitarian, racist, repressive and violent system.

**This is the context of the law. Macron won't hesitate to push it through, as he has already announced, to ensure for the bill to be applied, using either their usual "49.3" or a series of decrees. Macron and his government don't give a damn about the National Assembly's decision nor the population and they have made this very clear!**

The bill is likely to be amended with proposals even worse than those we are about to present: the Republicans (LR) and the "Rassemblement National" (RN) are trying to toughen up the text, which they feel is not yet radical enough. The RN is calling for the right of asylum to be restricted, following the attack in Annecy in June 2023. RN President Bardella is calling to question "a certain number of European rules". According to Olivier Marleix (LR), Darmanin's bill is "too lax". His colleague, inspired by the RN, put forward a less lax bill in May, which would, among other things, ensure that any asylum application made in France

is automatically refused and subject to an OQTF (an obligation to leave the French territory). We can therefore fear that this bill, already racist and Islamophobic will be worsened by the time it comes to a vote in the next months since Darmanin said he was "open to proposals".

## **THE BILL :**

The government is putting forward a two-part approach in this law: **one aiming to sort out "good immigration" and the other aiming to repress and deport even more "bad immigration"**. Here are the main points we have noted:

Obviously, the first part is designed to make it harder to obtain a residence permit. It introduces a new procedure for obtaining a residence permit, known as a temporary residence permit for migrants working in sectors under stress. The new procedure is harder than the current procedure for a residence permit (which is already particularly complicated to obtain). This new residence permit will bind the migrant to employment in sectors under stress: this will make the person subservient to his or her boss (even more than today). To secure a residence permit, it will be necessary to provide proof of paid employment. Whether or not you work will have a direct impact on whether or not you can renew your residence permit, opening a path to exploitation by employers. Indeed, if an undocumented migrant needs to work in order to sort out his or her situation, he or she will be obliged to accept very harsh working conditions and minimal pay. The migrant will therefore find themselves in a situation of extreme dependence

on their boss. What's more, the sectors under stress will be arbitrarily determined and be dependent on the goodwill of the State. This measure does not aim to the regularization of undocumented migrants, but to facilitate exploitation and complicate access to residence permits; and yet it is the only measure proposed in the "regularization" section!

**Concerning asylum seekers, the law authorizes only some of them to work as soon as they apply for asylum.** Only the people from China, Syria, Eritrea, Afghanistan, Ukraine, Jamaica and Mauritius will have this possibility.

It seems like this point of the bill is most likely to be suppressed because the right wing is against it, but we haven't had the latest bill's update.

Secondly, the project aims **to systematize and lengthen OQTFs** (obligations to leave French territory) from 2 to 3 years, and IRTFs (prohibitions to return to French territory) from 2 or 3 to 5 years, thus closing off any possibility of having a resident permit in the future and cancelling out any steps previously taken.

**There are also plans to cut off access to child welfare benefits for young adults with an OQTF.** These tougher measures are of course accompanied by plans **to build new administrative detention centers** (prisons for migrants, where living conditions are inhuman), which would mean at least 3,000 new places, and **to register people with an OQTF in wanted persons files** (to legitimize the hunt for migrants, by further criminalizing them).

The law claims **to prohibit children's confinement**, but it actually only prohibits

minors and their families to be held in CRAs, but not in LRAs ("Locaux" instead of "Centre" de retention administrative). LRAs even worse than CRAs: there is no medical unit on site, and no association has the right to come and help families. In addition, this provision only applies to children under the age of 16 (whereas under international law a child is a person under the age of 18). Mayotte is, as usual, the exception: children under the age of 16 can be locked up in CRAs (despite the fact that there are 40 times more children locked up in Mayotte than in France at the moment).

There is also a desire **to extend the scope of the double penalty**: if a foreigner is convicted of a criminal offense (and we know who the police and the justice system tend to convict more), they will be automatically threatened with expulsion. This measure, like many others as we shall see, is aimed not only at undocumented migrants but at all foreigners, which shows that this bill is not only anti-migratory but also profoundly racist.

The law will also allow **the ruling of a single judge** (instead of 3) for all asylum appeals. A single judge appointed directly by the prefect working under direct control of the Minister of the Interior.

Darmanin also wants to tighten the qualifying condition for eligibility to obtain a multi-annual residence permit: **migrants will need to prove an A2 level diploma in French** (the exam costs from 90 to 140 euros and is not paid for by the state), or an A1 level before entering the French territory for a reunification process. **With regard to family**

**reunification, a person settled in France will have to have been living in the country for 24 months instead of 18 before their family can join them.**

The text also put forward the reintroduction of a provision of the law against "separatism", which had been censured by the Constitutional Council enabling **the refusal or withdrawal of a residence permit for a "rejection of principles of the Republic"** (see more in part 2).

From a health point of view, several measures are presented:

↘ **Abolition of the possibility of obtaining a residence permit in the event of serious illness**, when the country of origin is unable to provide the necessary care (which would be contrary to the European Court of Human Rights)

↘ **Refusal to pay for one's treatment even if his or her life is in danger, if the consequences are not immediate** (which is also contrary to international law) for people in an illegal situation

↘ **Allowing an administrative judge to waive medical confidentiality**  
**Abolition of the Aide Médicale d'Etat (AME), replaced by an emergency medical aid** which would only give access to care in cases of immediate vital emergency.

↘ Finally, **the automatic procedure to obtain French nationality will be abolished**: a person born in France will have to apply for nationality before the age of 18, on one condition: they have to have lived in France for the past 5 years.

This will deprive many people of French nationality and a stable life simply because the information about how to become a citizen is inaccessible.

**This law aims to attack and deprive the rights of people already exploited by the government's migration policies.**

In many ways and in many places, this law affects women in particular, whether by failing to take into account their material realities, families, and migratory stories, or by targeting certain women in particular because they do not bow to the assimilationist demands of a state that never ceases to politicize and repress their bodies.

**This bill aims to repress and control all people from a migrant background, foreign origin, Muslim or perceived Muslim background.**



# WHO IS TARGETED WHEN WE TALK ABOUT IMMIGRATION?

**The political and media narratives of immigration maintain a blurred definition of migrants. This leads to racist considerations around the terms used to designate the people concerned by migration regulation bills, on two levels: migrants and all non-white French people.**

There is a socially constructed blur surrounding the word "immigrant". Immigrants who acquire French nationality, as well as the children and grandchildren of immigrants, remain on the fringe: it's not an administrative category, but a social one, which particularly concerns non-white people.

**We are thus witnessing the artificial creation of a population category.** This legitimizes social control over populations that need to be "managed". There's a continuum between discrimination against migrants and discrimination against non-white French people, more specifically identified as Muslims. The intensification of criminalization of foreigners, as promised by Darmanin's law, is leading to a general increase in police checks, particularly on women. This legitimizes

the increased control of working-class neighborhoods, where racial discrimination is already rife and takes concrete form in housing, job searches and policing.

There is also a clear difference in treatment between white and non-white immigrants. Foreigners' rights, for example, do not apply to European Union nationals. Non-white immigration is treated as a threat, unlike white immigration. We've seen this difference in the way the Ukrainians have been considered by the media and society.

There is not a before and after Darmanin's bill: it will reinforce an already deeply racist context, by justifying an increase in means given to the police to control, repress and ensure the proper application of this law. There is a continuum between border guard violence and police violence.

# INVOKING "PRINCIPLES OF THE REPUBLIC" AND SECULARISM TO EXCLUDE MUSLIM WOMEN

The issuance, maintenance and renewal of residence permits is subjected to the respect of the "Principles of the Republic": Their Islamophobia and their desire to exclude Muslim women from all spaces, even intimate ones—school, care, home—is clear... "Principles of the Republic" are established in opposition to a part of the population without ever naming the religion, even though everything is explicit.

Decisions to issue residence permits are taken at the discretion of the prefect, based on anonymous denunciations. The decision is made by an impact study that offers illustrations of behavior "manifesting a rejection of the principles of the republic".

**EXTRACTS OF EXAMPLES GIVING TO DEFINE WHAT COULD BE CONSIDERED AS NOT RESPECTING THE "PRINCIPLES OF THE REPUBLIC":**

↳ "At school:  
*Encouragement of the conspicuous*

*wearing of religious signs and dress, incitement to prayer within the school, contestation of teaching or the content of teaching with a teacher, refusal of school activities, particularly sporting activities (swimming pool for young girls), etc. absences from the swimming pool, disenrollment from dance classes, non-participation in school outings, etc. failure to enroll little girls in nursery classes."*

Children's schooling is a condition when applying for a residence permit which is easily identifiable by prefecture services.

↳ "Other public services:  
*Verbal assault of a counter agent; refusal to be received or heard by an agent of the opposite sex on religious grounds; refusal to shake hands with an agent of the opposite sex on religious grounds.*

↳ In places of worship:  
*Radical statements made during sermons likely to encourage the propagation of theses contrary or hostile to the essential values of French*

society and marked with a white note or retransmitted on the Internet without the threat to public order being able to be characterized.

↘ Membership of associations:  
*Membership of movements or associations advocating an excessively radical practice of religion."*

Darmanin has already begun this project with the dissolution of the CCIF, Barakacity, the Palestine Vaincra collective and the Comité Action Palestine in 2022. Darmanin has also threatened the EU with cutting Alliance Citoyenne's subsidies because of the actions taken by the Muslim women's union.

↘ *"Qualified/complacent remarks made on social networks or in letters concerning the perpetrators of terrorist attacks without apology for terrorism; refusal to participate in minutes of silence."*

Consistent with children from secondary and elementary school being taken into custody for talking during the minute's silence in tribute to Samuel Paty.

Here, the terms are set:

↘ "In the home, and particularly in the case of women:

↘ *Confinement to the home, wearing of ostentatious religious signs whether under duress or not, prohibition of all communication with persons of the male sex*

↘ *Outrage to symbols of the Republic such as the flag or the national anthem committed during public performances or in a private setting but subject to public broadcast.*

↘ *At the hospital: refusal of obstetric care provided by male gynecologists to women, identification or care made impossible by the wearing of a full veil."*

All these "recommendations" are part of a clear reinforcement of extremely intrusive social control. They legitimize practices that control the intimacy of women and their bodies in both public and private spaces. To supposedly protect Muslim women, we'd have to withdraw their residence permits from evil Muslim men. The use of denunciation, even in people's own homes, creates a climate of fear and mistrust that destroys social bonds.

## WOMEN MIGRATE TOO!

Since 1960, women have represented half of all migrants. Yet, we see migration with male stereotypes, such as the cliché of the migrant man and the passive woman who follows her spouse.

**Immigration law is not only racist, but also sexist and patriarchal, not only because women are victims of specific discrimination but also because they are invisible as their migratory journey is never taken into account. Like all the French legislative landscape, this law is essentially conceived without women and/or trans people in mind, which implies numerous blind spots affecting them.**

In recent history, migration has been essentially economic since 1945. France brought in migrants from its colonies, who provided low-cost labor for the country's post-war reconstruction and economic recovery. Economic immigration was then closed, because despite the need for labor, migrant

workers tended to organize in unions and became harder to exploit.

Though the law governing foreign nationals still considers women as followers and constrains them as being only spouses, female immigration is much more complex. There are many single women, with or without qualifications, downgraded, working in France in difficult, precarious and denigrated jobs.

# WORKING CONDITIONS AND JOB INSECURITY

## DIFFICULT ACCESS TO WORK AND OVER- EXPLOITATION

As explained in the previous paragraph, migration policies would be indexed to the economy and the labor market to supply sectors under pressure with workers. This procedure aims to facilitate access to resident permit if you work in sectors under pressure, which are mostly jobs where working conditions are not respected (industry, construction, home help, domestic help, nurses, care assistants, catering). But if you work in a trade under pressure, and if the trade is no longer under pressure, you'll have to look for another trade under pressure for your residence permit to be renewed.

**It doesn't matter what skills people have; access to work for migrant women is extremely difficult, and working conditions are unfair. Women who have studied in other countries find themselves in precarious jobs, firstly because their qualifications are not recognized, and secondly because if they have no papers, they have to work in sectors under pressure. Migrant**

**women are over-represented in domestic work: housework, childcare, home help, hotel work. Their dependence on their employer (they can't afford to lose their jobs because it's a condition of their residence permits) is a major factor in their over-exploitation. While working extremely poorly paid, exhausting jobs, they have to contend with paternalism, racism, sexist and sexual violence, and classist violence.**

The organization of work obviously complicates collective advocacy. For example, the fact that they are employed by private individuals, with no teamwork and staggered working hours, makes it impossible for them to meet and organize themselves. (Feedback from home helpers, in this case a white person, explained during the social movement that workers were pitted against each other, it was difficult to meet up, there was enormous classist violence and pressure not to go on strike).

This extreme precarity forces them to turn to subsidiary sources of income such as sex work, which concerns

many migrant women, particularly trans-migrant women, whose access to a job is extremely complex. They are exposed to violence that can go as far as femicide and HIV contamination, due to the deterioration in working conditions, particularly since the law criminalizing

clients was voted. HIV-positive transsexuals who come to France to try and access treatment are likely to be deported to countries where access is absolutely impossible, and thus to certain death.

## A FEW FIGURES, IN FRANCE:

### Wage income

**-28%** for women  
compare  
to men in 2019

### Income after marital separation

**-20%** FOR WOMEN  
(-2,5% for men)

### Violent spouse

**210 000** women victims  
in France per year

### Property owned by only one member of the couple

**15%** only are women

### Part-time employment:

**28%** OF WOMEN  
(vs 8,3% of men)

### Single-parent families

**83%** ARE SINGLE WOMEN  
WITH CHILDREN

### Alimony

**18%** of income for a single-parent  
families

### Inheritance

**16%** wealth inequality in France  
in 2015, compared with 6%  
in 1998

## **ECONOMIC INSECURITY LIMITS ACCESS TO RESIDENCE PERMITS:**

Numerous conditions limit access to the right to stable residence (multi-annual card and 10-year resident card) and family reunification. For example, it is necessary to provide proof of resources corresponding to full-time employment, which particularly discriminates against women (30% work part-time, compared with 8% of men). The Darmanin bill tightens up these conditions by increasing the resources required for family reunification, and by requiring proof of a higher level of language proficiency in order to obtain a permanent right of residence.

For women, this intensifies dependence on spouses and employers.

What's more, access to residence permits for sex workers is extremely complex, because obtaining a residence permit is condition to the conviction of the pimp, and proof of "exit from prostitution" (compensation of up to 343 euros per month), which makes no sense when the women have no other means to meet their needs.

## **ECONOMIC INSECURITY LIMITS ACCESS TO HOUSING.**

As a reminder, the Kasbarian Bergé law criminalizing those who are not able to pay their rent was passed last summer. Under the pretext of combating illegal squatting in buildings, this law

criminalizes the most vulnerable and accelerates the procedures of eviction. The Kasbarian law means that it's prison or the street for squatters and homeless people. This law has been in effect since June 2023.

Economic insecurity is the main obstacle to accessing housing. Women and/or trans people are therefore even more affected by the rising cost of housing in France, because of their greater poverty and all the inequalities resulting from the patriarchal system: salary inequalities, over-representation of women in part-time jobs and precarious work, lower retirement pensions... As pension contributions are low, the risk of poverty is long-lasting. Lack of money also deprives them of any assets.

Single mothers are particularly exposed to precarity and thus deprived of access to housing. In 85% of cases, the single parent is a woman. While 20% of the population suffers from poor housing conditions in France, the rate rises to 40% for a single woman with one child, and 59% if she has three or more children. Many landlords are reluctant to rent to these women on the basis of sexist prejudices (doubts about their solvency and ability to maintain a home, supposed vulnerability). **36% of single mothers live below the poverty level, and 46% of children living with single mothers are poor.** This law has increased the risk of eviction from their homes.

Marital separation frequently pushes women below the poverty line. In a heterosexual couple, women are mostly responsible for day-to-day expenses

(food, clothing, etc.), while men with higher incomes are responsible for investments (car, mortgage if purchasing, etc.). When they separate, women don't get back all the money they have invested in day-to-day management, while the men leave with the investments (hence the fact that they get richer in separations). **In cases of separation because of domestic violence 17% of women remain without a housing solution.**

**2 out of 5 homeless people are women (INSEE, 2012), but they are invisible;** hidden away in garages, staircases, in hostels, in the homes of third parties. Yet the street is extremely violent, especially for women and/or trans people. A 2021 European study showed that family conflicts linked to sexual or gender identity were by far the leading cause of homelessness (71%) among LGBTQ+ people living on the streets.

The Kasbarian-Bergé law criminalizes precarious tenants, accelerating the rate at which they are thrown out on the street, making those who are already suffering violence and inequality even more precarious, and ignoring the reality of the landlord-tenant balance of power, permitting abuses. Aggressors will take advantage of the economic vulnerability of some women to exploit them and extort sexual acts from them, as is already the case with many violent spouses and landlords.





# ASSIMILATIONISM AND FEMONATIONALISM

**Femonationalism is defined as the reappropriation of feminist rhetoric for racist and Islamophobic purposes: "Attempts by European right-wing parties (among others) to integrate feminist ideals into anti-immigrant and anti-Islam campaigns" (Sara R. Farris).**

Femonationalism creates new sanctions using women's rights as a justification. It is always the same people who are targeted: people of color, poor people, foreigners. The government (embodied by Marlène Schiappa in recent years in France) carefully nurtures the myth that rapists are foreigners. In 2016, the reactionary right wing instrumentalized the events in Cologne to justify that foreigners were all rapists. Police control has therefore become an obsession, increasing their presence on the streets.

The fight against sexist and sexual violence is particularly central to femonationalist policies, which aim to "protect" (white and colored) women against Muslim men and working-class faction's supposed patriarchal "barbarism". It stigmatizes foreign men, specifically Muslim men, as the only

physical embodiment of toxic masculinity. It deflects the State's real inaction in dealing with sexist and sexual violence.

Femonationalism establishes who the "good victims" are: those who denounce men in their community to serve state racism. The Darmanin law adds that a man who perpetrates intra-family and/or sexual and sexist violence would automatically be deported. This makes it harder for victims to report violence, because of the consequences. This is a good example of the double standard in dealing with violence, which is only treated severely when committed by a foreigner: it is used as a pretext to deport foreign men. But a white man can rape women and still be a minister: Darmanin has shown us this.

Several examples show how the rights of women and LGBTI people are constantly used by the government to justify racist laws and polemics:

↳ **Example of Mila: a young lesbian girl who posted a video of herself insulting Muslims, who received threats in return, but above all a great deal of support**

from the government and the media only supporting the fight against homophobia when it comes to denouncing Arabs.

↘ A local example in Grenoble: Grenoble city council has set up the "Assises de la nuit" (night meetings), which are women-only walking groups to "regain confidence at night in the public space": this assimilates the night as the only dangerous setting for women and/or trans people. The fear of the night is partly based on fiction, pointing the finger again and again at the same colored and precarious people in certain neighborhoods considered as dangerous.

↘ Example of a trans woman who was attacked by demonstrators in an anti-Bouteflika protest. Article in Valeur Actuelle (a very conservative journal), calling it inadmissible and transphobic! The far right is only against transphobia when it allows them to denounce Arabs.

immigration law will worsen their living conditions. For French nationals' foreign spouses, getting divorced or leaving their home is extremely complicated as couples are required to live together to prove their relationship. If a migrant has a child with a French person, they must prove that the French parent has contributed to the child's education and maintenance in order to retain their right to residency. This means a double penalty if the fathers are absent: having to look after the child alone and losing the right to residency.

Foreign women who are victims of domestic violence in France must have a protection order (given by the Prefet and extremely complicated to obtain) to be able to leave their husband and home without losing their residence permit.

In a context where migrants are overexposed to violence in general and migrant women are overexposed to sexist and sexual violence, the tightening of

**ON TUESDAY NOVEMBER 14, SENATORS VOTED FOR A TEXT EVEN MORE OUTRAGEOUS THAN THE ONE DARMANIN HAD WRITTEN. IN THIS VERSION OF THE BILL, A FEW THINGS WERE ADDED:**

- ↘ State medical aid (Aide Medicale de l'Etat) is abolished, with only vital emergency care covered for undocumented migrants.
- ↘ Migration quotas are introduced
- ↘ Acces to employment for asylum seekers is abolished
- ↘ Article 3 of the text, which provides for the regularization of people working in jobs in short supply, has been replaced by the possibility of regularizing some of these people on an exceptional basis.
- ↘ Protection against expulsion for people who have lived most of their lives in France has been abolished.
- ↘ Expulsion of people whose asylum applications have been rejected is accelerated.
- ↘ Issuance of residence permits is conditional on compliance with "principles of the Republic", defined in a very vague way, leaving the prefectures free to act arbitrarily.
- ↘ Automatic access to French nationality for people born in France and residing there for at least 5 years by the time they turn 18 is abolished.
- ↘ Family and housing financial help from the state can only be received after 5 years of legal residence (with a residence permit).
- ↘ Foreign nationals may only apply for family reunification with their spouse and minor children after 24 months of legal residence. The joining family will have to provide proof of a sufficient level of French and health coverage for each of its members.
- ↘ The offence of illegal residence is reinstated. It had been abolished in 2012. Since then, the mere fact of residing illegally in France no longer constituted an offence, unlike the fact of remaining in the country after having received an obligation to leave French territory (OQTF).
- ↘ Persons placed in administrative detention centers (prisons) will no longer be released in the event of a procedural irregularity.

The text in this version will be debated in the French National Assembly in the coming weeks, then voted on by a joint committee. The government is focusing all its reactions to the Senate's tougher stance on the abolition of the AME, which is likely to be reinstated in the National Assembly and clearly serves as a smokescreen for the other attacks on people's rights. The aim of this analysis and explanation is to help us understand the bill, so that we can act accordingly as a group.

# CONCLUSION

This Asylum-Immigration Act will reinforce the racial contract, denying undocumented migrants and, more broadly, non-white people access to rights (housing, work, health, documents). By classifying breaches of secular principles as offences, it justifies tighter controls and increases the stigmatization of non-white populations. As stated in the introduction, this law further criminalizes undocumented migrants and Muslims, reinforces their control by the State and justifies their confinement, deportation and death. It encourages and legalizes the use of denunciation as a means of repressing Muslims, and fuels the increasing violence on migrants, Muslim and non-white people.

We must remember that this law is not just there to "make life impossible for migrants", but also to make life impossible for Muslims, with or without papers. It completes the Separatist law in what was missing to have a real legislative arsenal to control and repress them, and nourishes in the public and political debate an increasingly unabashed racism, xenophobia and

islamophobia. It is to be expected that the measures described in the bill will be extended to all non-white people in France. Whether it's because of the racist police control (any non-white or Muslim person can be perceived as undocumented) or because it's about the government's racist and Islamophobic intentions, and in particular about not "respecting" the "principles of the Republic".