



Written by [Alex Newman](#) on July 11, 2010

French “Psychological Violence” Ban Under Fire

The French parliament voted unanimously June 29 to give final approval to a new law to criminalize “psychological violence,” prompting criticism from judges and rights groups who worry about privacy violations and how the rule will actually be enforced.



The statute, which critics charge is impossibly vague, defines mental violence as “repeated acts which could be constituted by words or other machinations, to degrade one’s quality of life and cause a change to one’s mental or physical state.” Those found guilty could face up to three years in prison and a 75,000-euro fine (about \$90,000), and the prospect of being monitored by electronic bracelet.

“We have introduced an important measure here, which recognizes psychological violence, because it isn’t just blows, but also words,” Family Affairs Minister Nadine Morano told parliament. “The judge could take into consideration letters, [text messages] or repetitive messages, because one knows that psychological violence is made up of insults.”

Morano justified the measure by pointing to domestic violence cases, which reportedly result in about 150 deaths per year in France among battered women. She also said that over 80 percent of calls to the domestic abuse hotline were to report psychological violence, and until now, authorities were powerless to do anything about it.

The legislation was introduced by a member of the Socialist Party and a parliamentarian from the ruling Union for a Popular Movement. But according to [news reports](#), it quickly gained widespread support among legislators from all parties.

Prime Minister François Fillon touted the bill as a “national cause” that would allow law enforcement to deal with “the most insidious situations, which don’t leave a mark to the naked eye, but can mutilate the victim’s inner self.”

But French judges were not as optimistic about the legislation. “The problem is, how do you show proof?” [wondered](#) judge Virginie Duval, head of France’s largest magistrate union.

“The law was modeled after the laws against moral and sexual harassment,” she said. “Harassment is already difficult enough to prove in the workplace, where there are witnesses.” And in cases of psychological violence in the home, there will usually not be any “objective” witnesses, she added.

Lawyers have also criticized the move. “Like so many laws that have the effect of restricting legitimate behavior, this one is impossibly vague. Anyone past the age of about eight could imagine all sorts of actions that may or may not violate the statute,” [wrote](#) attorney Robert Franklin, who’s with the public interest group Fathers and Families.

“Does hubby too vociferously disagree with his wife’s spending habits? It’s off to jail for him,” wrote



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Franklin. “What if he tries to convince her not to invest in the “can’t miss” business opportunity peddled by Snidely Whiplash? Is that a matter for sane discussion between the husband and wife? Well, it could be, but it could also be probable cause for his arrest, prosecution, conviction and incarceration. It’s her choice.”

Franklin believes the law will be used unfairly to target men, even though it is theoretically gender neutral. “And as before, the arm of the law grows ever longer,” he wrote, adding that the legislation criminalizes words. “Freedom of speech and the right of personal privacy are lost.”

How the law will be applied remains to be seen. But it again illustrates France’s strange priorities when it comes to government. As reported by [The New American](#), the French “culture” minister admitted in an autobiography to buying sexual services from “young boys” in Southeast Asia. He refused to resign. The government also harbored admitted child rapist Roman Polanski until he was finally arrested on a visit to Switzerland.

Even if this new legislation was well intentioned, it has the potential to wreak havoc on French families — particularly on men. If and when it starts to be abused, it is likely that another debate will ensue. But for now, French men had better think carefully about what they say. With the criminalization of “hate” speech in public and now “psychological violence” speech in private, the right to freedom of speech in France is virtually nonexistent.

Photo: French parliament



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