

France: Macron's Yellow Vest Response Makes Putin Look Soft

Friday 8 February 2019, by [BERSHIDSY Leonid](#) (Date first published: 9 February 2019).

Protester violence is a problem in France, but the Russian dictator is not a good example when it comes to dealing with popular discontent.

French President Emmanuel Macron's [handouts](#) to Yellow Vest protesters have damped the demonstrators' fervor somewhat but failed to stop the regular eruptions of violence, so now Macron and his government have decided to wield a heavier stick. The new rules being proposed ought to raise some eyebrows: They're tougher than the norms Russian President Vladimir Putin's regime uses to suppress political opposition.

The shift from a conciliatory tone toward law and order began with Macron's New Year's speech, in which he condemned extremists who had no right to speak in the name of the French people. "They are only the spokespeople of a hate-filled mob," he said. Then, on Monday, Prime Minister Edouard Philippe announced that the government would seek a new law to crack down on violent protest so that those who "take advantage of these manifestations to overrun, to break, to burn" don't "have the last word." The bill, he said, would likely be considered by parliament in early February; according to Philippe, it would be similar to a [measure](#) the Senate, controlled by the center-right opposition, approved in October.

The main points of that measure, for which Philippe voiced support, would allow the police to search the personal effects of people about to attend a demonstration; ban persons known to the police as violent from attending protests, the way soccer hooligans on police lists are kept out of stadiums; and toughen the punishment for covering one's face while protesting from a mere fine to, potentially, a year in prison.

France is the birthplace of the freedom of assembly: It first emerged after the French Revolution. Like a number of other [democracies](#), France has long imposed some restrictions on the right to assembly: Protest organizers, for example, must notify the authorities in advance and can be denied; that regularly happens. Unsanctioned protest, however, is traditionally tolerated if it's peaceful. Even police officers have demonstrated without prior notification.

That's how it should be in a democratic country, and even undemocratic ones, such as Russia, will often put up with spontaneous, unsanctioned but nonviolent rallies and marches. Russia, however, has tightened considerably the right of assembly legislation since Putin's return to power in 2012. It has banned people with previous offenses against public order from organizing protests, a rule that has been used heavily against anti-corruption activist Alexey Navalny, Putin's most hated political opponent. Navalny has been detained dozens of times on his way to rallies and has spent months in custody. Calling on people to participate in an unsanctioned rally is also punishable by detention; last month, 77-year-old human rights activist Lev Ponomarev spent 16 days under arrest for this

offense.

Not even in Russia, however, can police simply put someone on a list of people banned from public protests. And covering one's face, even during a protest that has turned violent and resulted in damage to people and property, is punishable only by a maximum fine of 300,000 rubles (\$4,500) and 20 days' arrest. The French proposal — a 15,000 euro (\$17,200) fine and a year in prison — is harsher.

The Putin regime tries hard to avoid accusations of arbitrariness, which are inevitable when police decide who is allowed to demonstrate and who isn't. And while it wants to deter protesters from trying to avoid identification, it won't jail people for wearing a scarf to minimize the effects of tear gas — something that may well start happening in France if the new rules become reality.

Democracies too occasionally go overboard in restricting freedoms. In 2015, Spain passed a highly unpopular public safety law, which banned demonstrations in the vicinity of key government buildings, put in place large fines for photographing police officers during a protest, and introduced other restrictions that prompted then-opposition leader Pedro Sanchez to promise the law would only last as long as the conservative government of Prime Minister Mariano Rajoy. Now, however, Sanchez is prime minister and he's [backtracked](#) on softening the law as he faces formidable protests in Catalonia.

France, however, has no real reason to follow the Spanish example. It's not clear that the French police — or the law enforcers in any democratic country — need any additional powers to curb the violence that accompanies protests from time to time. In the past eight weeks, as the Yellow Vest movement developed, French police arrested 5,600 people. What they need is enough manpower and equipment to curb fighting, burning and looting, not the power to search or ban anyone headed to a rally.

In a democracy, violence should be restricted and criminalized, but protest tolerated. The Putin regime has gradually discarded this distinction. Macron must be careful not to go so far.

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P.S.

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