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The Opinion Pages | EDITORIAL

The French Surveillance State

By THE EDITORIAL BOARD MARCH 31, 2015

Prime Minister Manuel Valls of France has presented yet another antiterrorism bill to Parliament. French lawmakers, who overwhelmingly approved a sweeping antiterrorism bill in September, are scheduled to debate the new bill this month. Mr. Valls argues that the bill's sweeping new provisions for government surveillance are necessary to monitor potential terrorist-related activity, especially on the Internet and cellphones.

Mr. Valls, who announced the bill on the day after the deadly attack at the National Bardo Museum in Tunis and as France still reels from the terrorist attacks in Paris in January, has assured the nation that the bill "is not a French Patriot Act," a comparison to America's post-9/11 law. But, in a statement on the bill, the Digital Council, which advises the French government about technology's effects on society, referred specifically to Edward Snowden's revelations of the extent of United States government surveillance, warning that the bill proposed by Mr. Valls would open the door to similar excesses in France.

Rights groups have warned that the bill, which includes the risk of "collective violence" and "the defense of foreign policy interests" among potential reasons for government surveillance, is too vague in defining who is a legitimate target. The bill also concentrates extraordinary power in the office of the prime minister by giving it, rather than judges, control over the approval process for surveillance requests from intelligence agencies. Parliament must restore judicial oversight to these decisions that touch the core rights and freedoms of French citizens.

The bill also jeopardizes freedom of the press. Under the terms of the bill, journalists risk triggering unwarranted government surveillance simply by doing research they need to do on the Internet to report the news. Reporters Without Borders warns the bill would seriously compromise journalists' ability to protect sources, as well as their ability to quote or relay via visual media the statements of

any group or individual deemed terrorist by the government.

The French are understandably jittery after the Paris and Tunis attacks, and they are alarmed by the radicalization of some in France who have fallen prey to jihadist recruitment on the Internet. There is no doubt that the French government has a duty to protect the nation from terrorist violence and jihadist recruitment. But Parliament has a duty to protect citizens' democratic rights from unduly expansive and intrusive government surveillance. French lawmakers should not approve the bill unless judges are given a proper role in authorizing government surveillance, vague definitions of what constitutes a terrorist threat are struck from the bill and freedom of the press is protected.

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