

## **Identities, Nationalism, Citizenship and Republican ideology<sup>1</sup>**

Sophie Duchesne (CNRS, Maison Française d'Oxford). 24/09/2004

This is the preprint of an article whose final and definitive form has been published in *Developments in French Politics 3*, A. Cole, P. Le Galès et J. Lévy eds., ch. 16, Palgrave, 2005, 230-244.

### ***Intro: What is so special about French citizenship?***

Citizenship and national identities are central elements of political systems. They account for the political link, i.e. for the relationship between the citizens as well as between citizens and rulers. Citizenship is often analyzed through the notions of rights and obligations (Walzer 1989). As Jean Leca pointed out, these rights and obligations are not only a matter of status, of legal rules (Leca 1983). They also encompass a set of values or moral qualities as well as a series of social roles. The relationship between rules, values and roles is not straightforward. Civic values and the distinction between citizens' and private roles are part of the political culture of a country. The legal regulation of membership, rights and obligations is also supposed to reflect this political culture, but it may be influenced by external sources of constraint, such as supranational integration.

Moreover, a political culture is not an homogeneous set of values shared by all members of a political community. It is an evolving but persistent configuration of competing ideologies inherited from the main political struggles that the national community has gone through. The notion of national identity is embedded in the political culture. In the fullest sense of the term, a national identity is a complex pattern of meanings and values related to the group whose borders are defined by the state's capacity to intervene. Any change in the regulation of the group may be interpreted as a consequence as well as a cause of some change in national identity.

In the French case, political culture and national identity have long been described as very specific, in terms of republican ideology. Indeed, the notion of *République*, key notion of the republican ideology, is a rather odd one. The republican political community is basically conceived as a neutral sphere, where all citizens are considered equal, regardless of any difference such as gender, religious affiliation, ethnic and/or geographical origins, cultural preferences, etc. This abstract concept is a product of the Revolution. In seeking to break with the Ancien Régime, the French invented a universalistic model of citizenship, in which there is no *corps intermédiaire* (any intermediary body) between the citizen and his/her fellow, between him/her and the nation. This was achieved through the destruction of local and territorial representation and allegiance (Rosanvallon 1990), and by not recognizing dependant people as citizen

---

<sup>1</sup> Many thanks to Kathy Bramble, Géraldine Bozec, Henriette Dahan-Kahlev, Florence Haegel and the editors of this volume for their comments and suggestions on the draft of this chapter.

(Rosanvallon 1992). Accordingly, in the public sphere, the citizens are supposed to express their opinion and act in accordance with a general will. This general will is embodied in and implemented by the State, which leads them on the way to progress. In particular, the State is responsible for the schools where citizens will be educated in order to become competent, rise above their private interests and get involved in the French republican community. Anybody can enter the political community, as long as he/she accepts giving up his/her distinctive identities. By default, being born and raised on the soil of France is acknowledged as a sufficient condition to become a citizen. The French nation, considered as a common inheritance, gives its substance, colours and taste to this abstract political community. (Nicolet 1982)

Despite an apparent coherence, the French concept of the citizen and the nation combines different traditions and has given rise to different facets of nationalism. (Hazareesingh 1994). Famous French discourses about the nation, from Renan to De Gaulle, are the result of a compromise between competing ideologies, mainly the Catholic and the republican ones, which have struggled for dominance for more than a century in French political culture. Before the Revolution, France was a complete catholic country, Catholicism referring not only to religious belief, but also very much to a Church, to a supranational hierarchical source of power. France was well known as the “eldest daughter of the Church”. By the Revolution, the fight against Catholicism had at least two very different objectives: ensuring pluralism of religion in the sense of giving some space and recognition for others, especially Jews and Protestants, to practise their faith and moreover, gaining the freedom of conscience, the liberation of mind or will of French people from any religious power (Baudérot 2000). The fight against the Catholic Church and the attempt to eradicate the Catholic Church’s domination is a very long story (Rémond 1985), with lots of twists and turns, from the civil constitution of the clergy in 1790 to the separation of Church and State in 1905, via the Concordat from 1801. The education system, particularly primary and then secondary schools, was the main battlefield (Déloye 1994). Because in the early years of the Third Republic, the education system was completely dominated by the Catholic church, the republican government considered that the Republic could not be established without the setting up of a public, free, compulsory and laic primary schooling where all citizens would be educated, taught republican values and be free from any kind of domination of their thoughts. Indeed *Laïcité*, whose direct translation “laicity” does not make much sense, is not a plain equivalent for secularism. More than referring to the temporal dimension of life, by contrast with a spiritual or religious dimension of it, it refers to the independence of the temporal from the religious.

The current and familiar figure of the French citizen is the product of this long battle between, mainly, Republicans and Catholics. Despite the efforts of preeminent intellectuals to give this concept of French citizenship a rational and consistent shape (Schnapper 1994), French citizens have actually inherited mixed beliefs about who they are and what their nation should be. Being a combination of meanings and values from different ideologies is not specific to the French national identity, nor does it mean that it is particularly fragile. But this special mixture of republicanism and Catholicism (plus others minor influences) gave rise to a tension between the desire for universalism and a need for a distinctive identity that is particularly acute in the French case. People do feel at the same time members of a distinctive united community and universal individuals responsible for humanity. They often feel themselves to be uneasy about fulfilling the contradictory requirements of these different ways of feeling about oneself (Duchesne 1997). This results in significant difficulty to understand pluralism, a tendency to confuse equality and uniformity and to suspect any claim to difference of being a step towards communitarianism – and hence towards the breaking of the national cohesion.

Thus, contrary to what it may appear from political discourse, where the myth of republican citizenship (Cole 1998) is strongly and regularly reasserted, it is really the mix of republican and Catholic traditions and the resulting tensions that are specific to French national identity.

How does such a complex balance between originally antagonistic concepts of membership of the political community react to the rapid transformation of the French political system caused by the growing mobility of people, the increasing interdependence of governments, the supranational integration of political communities, the fast expansion of worldwide communication systems and mass culture - in short, all the processes encompassed by the notion of globalization? The question is too difficult to be answered as such. Instead, this chapter will deal with four questions, related to nature of the political community, that have been subject to a change of regulation in the last decade. For each of them, we will try to assess if these changes seem to indicate a corresponding change in the configuration of French representations of citizenship. We will first consider the nationality laws which, in the French system where citizenship and nationality are almost equivalent, play an important role in the definition of the political community. We will see how all arguments, for and against the declaration of will introduced in 1993, refer to republican principles showing the permanent need to reinvent a consensus on the very nature of French national community. Secondly, we will examine the decision on parity and discuss the reality of a change in the French blindness to differences. Then we will turn to European integration and the multi-level democracy in progress that France seems to be becoming. We will observe that if

something is changing here, this is less the very nature of the national identity than the uneasiness of French people with the pluralism of power. Lastly, we will have a longer discussion of a quite incredible headscarf affair. The ferocity of this debate, that has lasted for a decade now, does not make sense unless you know that laicity at school is the most sensitive scar left by the battle between Republicans and Catholics at the core of French political culture.

### ***The return of the jus soli***

In 1993, in a context of strong political controversy, a law on French nationality was adopted introducing a further requirement for people to become French, the “declaration of will”. This rule was first suggested in 1986 by the Chirac government: a young person born in France of foreign parents would not automatically be French on becoming 18 but would have to express his/her will to become French. This proposal gave rise to a hotly contested debate. The government reconsidered and gave a special committee, chaired by Marceau Long, the task of examining possible ways to reform the legislation on nationality. By this time, the system had become quite complicated. The committee interviewed many people and wrote a report “Being French today and tomorrow” (Commission de la nationalité 1988). With the re-election of François Mitterrand and the forming of the Rocard government, nothing happened. But when the right came back to power in 1993, they made their intention to legislate on immigration very clear. Charles Pasqua, the Interior Minister, gave his name to a law on the conditions of entering and living in France for foreigners and Pierre Méhaignerie, the Justice Minister, gave his to the reform of nationality laws. This proposal was officially inspired by the Marceau Long report, which was quite consensual. Most people declaring themselves as Republican first found that the “declaration of will” suited the republican idea of the nation, as famously expressed in Renan’s 1882 conference “What is a nation?” (Renan 1992). But in 1993 the law was explicitly meant to satisfy the right wing electorate, whose expectations on the matter had been raised by the influence of the National Front. The left parties were then committed to change them as soon as they came back into power. Indeed, the reform of the Mehaignerie laws was mentioned by Lionel Jospin in his investiture declaration in 1997. The new socialist government asked Patrick Weil, a socialist political scientist, to establish another report explicitly on the application of *jus soli* (*Le Monde*, 1<sup>st</sup> of August 1997). A preliminary analysis of the consequences of the application of the declaration of will showed that the young people did not reject it at all, as it had sometimes been argued. On the contrary: in 1994, 33 255 young people became French after having expressed their will, and 30526 in 1995, in comparison with a

mean of 23000 eighteen year old who became automatically French in previous years (the increase being a mechanical result of the change in the range of age, from 16 to 21 years, provided by the law). A closer scrutiny revealed some problems, especially in the examination of rejected cases. There were differences in the treatment of applications according to the location, gender and geographical origin of the young people. Moreover, it appeared that some young people were not really aware of the fact that they had to express their will, and others, especially young women, could even be prevented by their family from applying. Nevertheless, the assessment was not all negative.

Elisabeth Guigou, the new Justice Minister, presented a reform plan while Jean-Pierre Chevènement, Minister of the Interior, introduced a new law on immigration (see Guiraudon's chapter in this book). The debate was fierce amongst the left, as the government did not choose to reintroduce an "integral" *jus soli*, which would have meant that a child of foreign parents born in France is French from his/her birth. Nor did they decide to return to the former arrangement, where the parents could apply on behalf of children under eighteen. In the first proposal, the *jus soli* was to apply only at eighteen. The opposition was fierce within the right wing parties, too. They had the majority in Senate, and even voted for an amendment providing for a referendum on the subject. Finally, the new measures are the following. A young person born in France of foreign parents is French when he/she is eighteen, if he/she has lived in France for five years in total since the age of eleven. He/she can anticipate the recognition by the State of his/her quality of Frenchness and express his/her will to become French from the age of thirteen (with his/her parents' consent between thirteen and sixteen). Or he/she can turn it down from six months before being eighteen and during one year afterward.

Should this return of the *jus soli* be interpreted as a new episode in Brubaker's point, namely as the way nationality laws epitomize a concept of the nation? In an often quoted book, based on a French-German comparison, Rogers Brubaker argued that the *jus soli* embodies a civic notion of the nation, open to newcomers, while *jus sanguinis*, characterises an idea of the nation based on ethnicity (Brubaker 1992). This demonstration has been contested recently (Weil 2002). First, *jus soli* cannot be considered as a French republican feature: it has been part of French law since only 1889. After the Revolution, French legislators chose the *jus sanguinis* as a way to break with the allegiance to the Ancien Regime that used to be implemented through the *jus soli*. Moreover, the idea that nationality laws epitomize one country's idea of the nation is debatable. According to Weil, *jus soli* is not the mark of civic nations but the rules adopted by countries that have come to consider themselves as countries of immigration. Nowadays, in the European Union, far from diverging from one another according to

contrasting ideas of the nation, nationality laws tend to converge according to a common experience of massive post-war immigration (Hansen & Weil 2001).

This demonstration contradicts most beliefs expressed in France in the last decade, where *jus soli* is generally considered as a republican principle. It is symptomatic that a right-wing government, even in its attempt to satisfy the far right-wing electorate, has not even tried to suppress the *jus soli*. The declaration of will has been interpreted by their opponents as reintroducing a sort of requirement of allegiance for children of foreign origin. Moreover, it has been considered at odds with the principle of equality. During the Third Republic, republicans fought against Catholics to impose the idea of the citizen as a person who has been educated according to certain values and principles. The second generation that was required to declare the will to become French has been socialised in French schools and hence, educated as French citizens. The national identity which in contemporary France encompasses *jus soli* as one of its devices is not a set of consensual beliefs. The French obsession with nationality laws (Favell 2001) accounts for the persistent questioning amongst French people about the very nature of their political community.

***The law on parity: a breach in French universalism.***

Voting became really universal – meaning for men and women – in France after the Second World War. Forty years later, French women were always a tiny minority in all elected Assemblies – less than 10% in the National Assembly until 1997, amongst the smallest proportion in the EU. Indeed, universalism has long been in the way of French feminists. First, because the feminist movement itself has been fiercely divided along this line, between supporters of the recognition of differences between men and women as a fundamental characteristic of human nature, and promoters of pure equality between them. Then secondly because the left-wing parties, which in other countries have been the best allies of feminist claims, were in France the more universalist, and hence, the more likely to reject any demand for specific treatment for women (Duchen 1986). The disconnection between gender differences and inequality of women claimed by Anglo-Saxon feminists (Young 1990) is far from achieved amongst French intellectual women. Thirdly, for a very long time, public opinion itself resisted the idea of treating men and women differently, because of the strength of universalism in French political culture. The notion of affirmative action has never won support in this context. The idea of giving any advantage to anyone because of what he/she is, even with the argument that because of what he/she is, his/her opportunities in life are lessened, is very difficult to justify for a French audience. Affirmative action definitively bears a notion

of unfairness that is made obvious by its (not very accurate) translation as “discrimination positive” (litt. positive discrimination) (Calvès 1999) In 1982, the National Assembly, that had recently acquired a Socialist majority, adopted a proposal of law that prohibited any list for city council elections which had 75% of more candidates of the same gender. Even this very light formulation, the Constitutional Council interpreted it as introducing a quota of reserved places for women. “All citizens being equal before it [the law], are equally admissible to all public offices, positions, and employments, according to their capacity, and *without other distinction than that of virtues and talents.*” (article 6 of the French Declaration of the Rights of Man and Citizen of 1797) The Declaration of the Rights of Man and Citizen being part of the Constitution, the project was declared unconstitutional.

As a consequence of this defeat, the claim to a better representation of women in the political sphere has been reformulated differently, as the so called *parité* (parity). Instead of quotas or any kind of affirmative action, feminist supporters of the recognition of gender difference have done their best to change the debate. Within a decade of mobilisation, and with the support, or even the encouragement of the Council of Europe, they have succeeded in framing the claim of equal representation through the quest for more democracy. Instead of focussing on the quest for equality, they have argued that women would act differently from men if they had the power, and denounced the very low proportion of women in ruling positions as a consequence of a deliberate attitude of male politicians (Mossuz-Lavau 1998). A high point of the parity movement was the publication in the newspaper *Le Monde* of a “Manifesto of the 577 for parity democracy” (*Manifeste des 577 pour une démocratie paritaire* – 577 being the number of seats in the National Assembly) signed by 289 women and 288 men, belonging to left and right parties. Parity did not win the support of all the feminist movement; for a hint on the persistent reluctance of some of them, contrast for instance (Pisier 2001) and (Baudino 2003).

But parity won greater support out of feminist circles and became one of the issues at stake for the 1995 presidential campaign. In October 1995, the new right-wing government set up an a committee to observe the evolution of parity between men and women (*Observatoire de la parité entre les hommes et les femmes*), which played an important role both in documenting the gap between men and women in ruling positions and as a resource, an arena for the supporters of parity. Alain Juppé did not respond very positively to the propositions made in the report that the *Observatoire* published in December 1996. But the dissolution of the National Assembly in Spring 1997 resulted in a change of majority. Lionel Jospin, the new left-wing Premier Minister committed his government to this reform and decided to revise the constitution accordingly. The revision was meant to prevent any further rejection of parity laws by the Constitutional Council. It had also a

high symbolic value. In the republican ideology, the Constitution epitomizes both the social contract: it sets the fundamental rules according to the people's choice, and the revolutionary spirit: the Constitution may be changed as the course of history may be changed, but not easily, and only for major purposes. It is symptomatic of a period of doubt about French citizenship that the Constitution has been revised twelve times since 1992 (and only five times between 1948 and 1992). Anyway, two amendments were adopted in July 1999 by the National Assembly and the Senate. A paragraph has been added in article 3 dealing with sovereignty: "the law favours the equal access of women and men to political mandates and functions" while article 4 now states that the political parties contribute to the implementation of this principle. These changes are far below the parity movement's expectations. So was the law adopted in June 2000. Basically, equal numbers of male and female candidates are required only for election with proportional representations in France either with alternation (European elections), or with equal numbers required for each group of six candidates (Regional and Municipal). There are some restrictions, the most important being for the Municipal elections in cities with less than 3500 inhabitants where the electoral system is not proportionally representative and for part of the Senatorial elections. No rule applies for the Presidential election. As for the National Assembly, there are only financial incentives: half of the subsidy for a party may be reduced according to the excess of male over female candidates. Supporters of the parity movements are all the more disappointed in that the law does make a difference where parity applies: the proportion of female MPs in the cities where the law applies doubled in 2001.

Even anti-parity supporters cannot deny that the constitutional change and the 2000 law constitute a success for the feminist movement. The equality of representation of men and women is now recognized as desirable, even if parity itself is far from being imposed. In many areas, as Amy Mazur shows it in the preceding chapter of this book dedicated to women's issues, the European Union is quite efficient at gendering the French legal and social system. But the French tendency to confuse uniformity and equality persists at the core of the belief system, the political level.

### ***France turning into a multi-level democracy ?***

The learning of abstract citizenship was made possible by the simultaneous building of the nation, whose warmth and strength made up, in the long term, both for the wrench from distinctive identities and the holding of civic duties (Nora 1984-1990). Looking today in depth into the imagination of French citizens, you can see how the power of the nation is exchanged



against the complete helplessness of the atomistic individual citizen. The identification with their nation is made reality by a feeling of common possession, of collective inheritance of the soil of France. It is fuelled by the memories of the dead, of the ancestors who fought, together or against each other, to make the country what it is now. (Duchesne 1997) The nation is imagined as embodying a common will, in a way which rules out any kind of plurality. Renan's well known phrase, the nation as "daily plebiscite", is a good example of the way anonymity is given distinctive identity in the imagination of a will inherited from ancestors. This gives the nation an exclusiveness in the affections and solidarities of the citizens, which reflects the centralisation of the French political system and the lack of pluralism, of check and balances, in the distribution of power. This exclusiveness was only challenged in a few regions, Brittany, the Basque Country and Corsica, where the region competes against the nation for these affections.

Yet in the last decade, the French political system has been challenged from below and above, by decentralisation, the Europeanisation of the State and more generally speaking, the impact of globalisation (see Le Galès and Smith's chapters in this book) Does this redistribution of power affect the national exclusiveness of French citizens' identification? Does the multi-level governance meet with a response in French citizens' alliances and slowly begin to turn into a multi-level democracy? (Schild 2001)

As a first remark, let's state that national pride, the most common measure of national identification, has not decreased in the last ten years. On the contrary: in France as in most European countries, the proportion of people who declare themselves proud of their country tend to increase, the French being rather under the European mean (less than 40% percent of respondents saying that they are very proud). Obviously, survey questions are poor measures of in-depth feelings of self like identifications. Many social scientists prefer other methods of inferring attitudes – in-depth qualitative interviews or social practice. The regular decrease of turnout in general elections, and especially in the first ballot of the 2002 presidential election, could for instance be interpreted as a contradictory indicator of a weakened national identification.

What about Europe then? Should the low level of turnout June 2004 (42%) be seen as an indicator of a persistent difficulty for French people to accept the European level as legitimate ? For a long time, attitudes towards Europe have been considered in France, as in most European countries, as mere opinions, as attitudes towards a remote object, superficial, something that could not properly be analysed as an identity (Duchesne & Frogner 1995). After the ratification of the Maastricht Treaty, many observers expected the continuation of European integration and the institutionalisation of a European citizenship to result in the growth of more deeply grounded

feelings towards Europe – mainly negative feelings because of the strength of the potentially competitive national identification (Mayer 1996). Actually, general attitudes towards the EU continue to be largely positive. In a recent survey, the French Electoral Panel 2002, hardly 5% of the interviewees considered that France belonging to the EU was a bad thing. And this, even though most of them answered at the same time that they fear European Union will result in a deterioration of the social welfare system and an increase in immigration. Interestingly, positive attitudes towards the EU are so widespread that it makes more sense to search for an explanation of the resistance to Europe than of acceptance (Belot & Cautrès 2004). This is confirmed by the way French people have easily got accustomed to the Euro. Even if, like all other people in the Euro zone, they have complained about the increase in prices that was hidden by the change of currency. All fears that people might be unable to cope with the new range of values or that they would feel deprived of some part of their identity have quickly vanished.

Explaining this general acceptance of Europe without a corresponding weakening of national identification could be as follows. Instead of giving rise to a competing identification, attitudes about Europe seem to have easily fitted into a pattern of identifications based on the national level. The identification with one's nation is a process of building one's abstract loyalty. Rather than introducing a new kind of commitment between citizens and their polity, Europe seems to be one step further in this process that Inglehart has described as a cognitive mobilization (Inglehart 1977). When French people imagine the work in progress that is the European Union, most of them figure it out as the replication, at another time and on a different scale, of the process of nation building that France has gone through before. That is, a process of homogenisation. Hence they basically do not experience European belonging as a threat to French allegiance, as long as their politicians do not present it in that way. In France – and contrary to what happens in the British Isles – national and European are less competitive than cumulative. Instead of being a handicap for the development of European identification, strong national feelings open the way in a process of growing abstraction of the political community (Duchesne & Frogner 2002). But the nature of the link between the citizen and the polity remains the same, he/she becomes part of the quest for a European general will. Something very different from the kind of relationship you would expect in a multi-level democracy.

What about the regional level? The new regional assemblies and executives have long been in search of legitimacy and tried to get any possible evidence for it. For two decades now, the *Observatoire Régional du Politique* a public survey institute funded by the regions, has carried out large opinion polls and looked for any sign of increasing identification of the French with their

regions, with little success. The desire for greater proximity between citizens and their rulers seems to clash with a fear that more competences given to the regions would result in the disengagement of the State. Anyway, the last regional elections have been a surprise. First because of the (relatively) low level of abstention: more than 62% voted, which breaks with the persistent decrease of turnout since 1986. Secondly, because of the results: in all regions but one the opposition won the majority. This has been widely interpreted as a negative verdict from the voters against the government. It is always very risky to attribute a will to the electorate; similar votes may have very different motives and most voters find it difficult to really explain their choice anyway. However, another interpretation of the dramatic victory of left-wing parties is the growing capacity of French people to accept or favour some sharing of power. This could be compared with the different experiences of *cohabitation* (these situations where the French President is in political opposition with the majority of the National Assembly), originally analysed by French observers as consequences of irrational electoral behaviour, but subsequently found to be appreciated by public opinion. As well as a sanction against the government, last Spring regional elections could then be seen as a consequence of a growing acceptance of institutional pluralism, something that is supposed to be rather alien to French political culture (Safran 2002).

This is a vexed question, but matters of identification are complicated ones and it is difficult to give evidence for it. The point here is that the strength and abstraction of the French national community makes the development of European identification easier. It appears as a “natural” extension of the process of homogenisation that former French regions went through in the Nineteenth century. But this kind of identification is not the kind of relationship between a citizen and the polity that would be expected in a multi-level governance, where there is no supposition of general will behind the complexity of the decision making process. Nevertheless, some other elements indicate that French people may get slowly accustomed to some kind of pluralism of power. This may be a sign of a deeper change in French citizenship.

### ***Laicity at school: the return of the repressed.***

“Something disturbing is happening in France. It started with a seemingly innocuous debate about Muslim schoolgirls’ head scarves, yet it got transmogrified into a veritable Kulturkampf about the nature of public space in the French Republic” (Herald Tribune 5/02/04) How come France made such a fuss over ten Muslim schoolgirls a year refusing to get rid of their headscarves? This is what most countries, especially Britain and the States, wondered about France in the last couple of years. Indeed, when looking at

the facts, it is difficult to understand why French people have been so fiercely committed in the headscarf affair. Let us briefly recall what happened.

In 1989, three Muslim schoolgirls were expelled from their school because they refused to give up their headscarves when asked to by the teachers, who considered that this was an offence to school neutrality in religious matters. Their parents went to appeal and finally Lionel Jospin referred to the *Conseil d'État*. The decision was that expressing one's belief through any piece of clothing was no breach of laicity as long as it was not meant to convert others to one's religion and did not affect the teaching. For five years, similar cases occurred, calling into question what should be considered as proselytism – and more precisely, if a headscarf, and what kind of headscarf, should be considered as such. In 1994, Francois Bayrou, Minister of Education, published a circular and ordered schools to forbid any form of religious ostentation. Things went on. According to Luc Ferry, Minister of Education between 2002 and 2004, there were about thousand five hundreds girls every year wearing headscarf at school, of whom about a hundred went to mediation which failed to resolve matters in about ten cases.

In 2002, in Lyon, teachers went to strike because the local education authority refused to punish two schoolgirls who were wearing a bandana at school by way of a headscarf. The debate became intense. A first manifesto in favour of a law on laicity at school was signed by about two thousand intellectuals. Jean-Louis Debré, chair of the National Assembly, set up a parliamentary mission “to think about religious signs at school”. Jacques Chirac then asked Bernard Stasi, ombudsman of the Republic, to chair a committee of twenty experts and give a report on the contemporary demand for laicity. While the parliamentary mission kept the focus on laicity at school, the wider scope of investigation of the Stasi committee, whose hearings got a large audience, contributed to an impression of creeping islamicization of French society. The expulsion from their school, in Aubervilliers, of two sisters, Alma and Lila, got widely publicised. By this time, Jacques Chirac had let it be known that he would address the nation in December, when the conclusions of the Stasi Committee would be published, and make a decision then.

The discussion was lively and quite confused. Every group, every political or religious affiliations were divided between those pro- and anti a law prohibiting the headscarf. Differences of opinion were highlighted, sometimes in inconsistent combinations. At the forefront was obviously a variable tolerance of foreigners. 9/11, as well as more than two decades of Front National's campaigning, carried great weight in the debate. A second important line of differentiation was the belief (or not) in the persistent efficiency of the republican integration model: are French schools still

capable of making citizens? Since the mid 80s, civic education had been reintroduced in primary schools, and the curriculum constantly refined and strengthened by every government, left or right. In 1999, “civic, legal and social education” was set up in secondary schools as well. The concept of citizenship taught at school is quite traditional and meant to be straight in the republican tradition: a citizen should be independent of his/her distinctive affiliations and commit him/herself into the public sphere in rising above his/her private interests. In a social context of cultural diversity and relative values, civic education claims the existence of common values, shared by all French citizens and embodied in the Republic. A third and very confusing aspect of the debate was the women’s liberation point of view. For French feminists, the headscarf was an obvious sign of women’s alienation. Shortly before Chirac’s decision, the magazine *Elle* circulated a petition asking the President to adopt a law against the headscarf considered “a visible symbol of the submission of women in places where the State has to be the guarantor of a strict equality between genders” (*Elle*, 9/12/03). In polls, opinion was favourable to a law: 55% in October, 53% in November, 57% in December, according to the survey institute *CSA*.

The report of the Stasi committee was made public on the 11<sup>th</sup> of October 2003. It strongly reaffirmed laicity as a principle of French public service, arguing that it should be implemented by public servants and respected by users. At the same time, it emphasized the necessity for more respect for religious diversity in France. It suggested the adoption of a law on laicity including articles in school prohibiting clothes and sign of religious or political affiliation. Large crosses, veil and kippa should be considered as such. It also suggested a couple of measures to encourage respect for religious diversity, including turning the two religious festivals Yom Kippur and Aid-el-Kebir into bank holidays. This later point gave rise to fierce opposition in the media.

A week later, Jacques Chirac declared himself in favour of a law prohibiting overt religious signs at school. In a passionate speech remembering the history and principles of the French Republic, he endorsed most of the conclusions of the Stasi Committee, apart from the point concerning new bank holidays, but putting the emphasis on the school question. Indeed, instead of a broad and encompassing law on laicity, the government prepared and presented on the 7<sup>th</sup> of January 2004 a proposed law with three articles and a long preceding statement of motivation. Basically, the proposition prohibited obvious religious signs at school. These signs were defined as signs or pieces of clothing whose wearing makes one’s religious affiliation immediately recognised. Compared to the existing rules, the law is giving schools the means to prohibit not only headscarves but even bandanas, if they were to adopt rules and regulations accordingly.

Again, the debate about the adoption of the law was complicated, and parties were divided about it. Quite a few demonstrations occurred. But the government pushed it through fast. By the third of March, the law had been adopted without major change by the two Assemblies and by mid-May, the implementation circular had been adopted by the High Council of Education. The law came into force in September, in a tense atmosphere as two French journalists were taken hostage and their kidnapper asked the government to cancel the law. Nevertheless, the law seemed to be generally accepted as no incident occurred when the children got back to school. What does this all mean? Why did so many people mobilize for a law that really concerns a couple of schoolgirls? Obviously, because the principles at stake were felt to be of major importance. Indeed, because laicity and school happen to be two of the most emblematic points of tension and conflict in the French pattern of ideologies. We have seen how French people invented laicity because of the complete domination of the Catholic Church in the Kingdom of France. After a century of battle between Republicans and Catholics in and about schools, the so called neutrality of the French education system remains a very sensitive aspect of French national identity. Two decades ago, the then new socialist government dramatically failed to reform public financial support to Catholic private schools. Today, laicity is at stake in the headscarf affair. It reactivated important features of the French pattern of ideologies: the recurrent implication of Catholic domination over French society, the difficulty in understanding pluralism and the infinite quest for concrete, flesh and blood individualism. Public opinion reacts massively when such questions are at stake while French intellectuals keep trying to assert French distinctive identity in universalistic terms - indeed quite a challenge (Jennings 2000). Two enemies are pointed at in this quest: (selfish) individualism and communitarianism. Two elements were particularly confusing in the headscarf affair. Firstly, the way the question of laicity, which has been developed because of the domination of the Catholic Church, was raised again and applied without change to a minority religion. This practice indeed allowed people to suspect that a persistence of Catholic domination over French society was hidden behind the alleged defence of State neutrality. Jacques Chirac recently spoke of "our Jewish or Muslim countrymen, or most simply sometimes French people" in terms reminiscent of an unfortunate declaration of Raymond Barre, former Premier Minister, after an anti-Semitic attack in the rue des Rosiers in Paris (Jacques Chirac, televised interview, 14/07/04). This manifests the tendency to mix up French people with people from non-Jewish and non-Muslim religion. This obviously gives foreign observers good reasons for suspecting that the law against the headscarf is mainly inspired by xenophobia. It is much more complicated than that.

An other element that has to be taken into account is the reluctance of French people to think that religious belief may be a matter of choice. Again, because of the long term domination of the Catholic Church in French society, religious practice is considered a conventional behaviour, a way people conform to authority. The statistical relationship between Church attendance and conservative political orientation has long been interpreted as a confirmation of religious alienation (Michelat & Simon 1977) and of the implausibility of freedom of choice in religious matters (Donegani 1993). And yet, sociologists demonstrated early on that the decision made by French schoolgirls to wear the headscarf was mostly their own (Gaspard & Khosrokhavar 1995). At best, people could believe that young Muslim girls could find in the headscarf a way to gain some freedom and, for instance, to get family permission to go to University (Venel 1999). The incredulous comments on Alma and Lila's case was a good example of that. The two schoolgirls have a Jewish atheist father and a mother who is Kabyle Catholic. They were expelled from school because they refused to renounce their headscarf. The press could hardly believe that this was anything other than a teenage fancy manipulated by an activist father (Levy & Levy 2004). The way the report of the Stasi committee interpreted the wearing of the headscarf as a sign of "serious worsening of the situation of young women" is at odds with the general belief that nobody could ever choose to do such a thing of their own will. Again, French national identity is the result of an unfinished rebellion against Catholic domination that left little space for a recognition of religious beliefs as a personal choice, and religious pluralism.

### ***Conclusion.***

Far from being a consensual and homogeneous ideology, French national identity is a strong pattern of tensions and ambivalences hidden by a recurrent and loud claim to the republican tradition. Recent developments have shaken up the fragile balance that seemed to have been found after the Second World War. Massive immigration, women's liberation, European integration, globalisation: the last decade has been full of major changes in French political citizenship. Most of them are not specific to France. But the strong tension in French political culture between an atomistic and abstract concept of the individual citizen and a cohesive and distinctive national identity seemed to leave only a little space for change. The difficult adaptation of French citizenship to globalisation has been dramatically made visible on the 21<sup>st</sup> of April 2002. The four case studies presented in this chapter give an insight into the difficulty on adapting the French pattern of ideologies. The resistance is all the more strong when the change concerns the core of the republican tradition, established as a compromise: the

openness and universalism of the political community, the existence of a general will and the role of schools in the making of the citizens. Change is going on despite this resistance and a different compromise will renew from the inside the old republican outfit .

## **REFERENCES**

Baudérot, Jean (2000), *Histoire de la laïcité française*, Paris, PUF, Que Sais-je ? 3522.

Baudino, Claudie (2003), “Parity Reform in France: Promises and Pitfalls” in *Review of Policy Research*, 20/3, p. 365-384.

Belot, Céline & Cautrès, Bruno (2004), « L’Europe, invisible mais omniprésente » in *Le nouveau désordre électoral. Les leçons du 21 avril*, Cautrès B. & Mayer N. eds., Paris, Presses de Sciences Po.

Brubaker, Rogers (1992), *Citizenship and Nationhood in France and Germany*, Cambridge, Harvard University Press.

Calvès, Gwenaële (1999), *Les politiques de discrimination positive*, Problèmes politiques et sociaux n.822, La Documentation française.

Cole, Alistair (1998), « French Political Culture: Myth and Realities” in *French Politics and Society*, ch. 3, London: Prentice Hall.

Commission de la nationalité (1998), *Être Français aujourd’hui et demain*, Paris, La Documentation française.

Déloye, Yves (1994), *École et citoyenneté*, Paris, Presses de la FNSP.

Donégani J.M. (1993), *La liberté de choisir. Pluralisme religieux et pluralisme politique dans le catholicisme français contemporain*, Paris, Presses de la F.N.S.P.

Duchen, Claire (1986), *Feminism in France. From May’68 to Mitterrand*, London, Routledge

Duchesne, Sophie (1997), *Citoyenneté à la française*, Paris, Presses de Sciences Po.

Duchesne, Sophie & Frogner, André-Paul (1994) « Is there a European Identity ? » in Niedermayer, O. & Sinnott, R. eds., *Public Opinion and the International Governance* (Beliefs in Government Series vol. 4), Oxford, OUP.

Duchesne, Sophie & Frogner, André-Paul (2002) “Sur les Dynamiques sociologiques et politiques de l’identification à l’Europe”, *Revue Française de Science Politique*, vol. 52/4, August



- Dumont, Louis (1991), *L'idéologie allemande : France-Allemagne et retour*, Paris, Gallimard.
- Favell, Adrian (2001), *Philosophies of Integration. Immigration and the Idea of Citizenship in France and Britain*, Basingstokes: Palgrave, 2<sup>nd</sup> edition.
- Gaspard, Françoise & Khosrokhavar, Farhad (1995), *Le foulard et la république*, Paris, La Découverte
- Hansen, Randall & Weil, Patrick eds. (2001), *Towards a European nationality : citizenship, immigration and nationality law in the EU*, Basingstoke: Palgrave.
- Hazareesingh, Sudhir (1994), *Political Traditions in Modern France*, Ch. 3-5, Oxford University Press.
- Inglehart, Ronald (1977), *The silent revolution: changing values and political styles among Western publics*, Princeton University Press.
- Jennings, Jeremy (2000) « Citizenship, Republicanism and Multiculturalism in Contemporary France » in *British Journal of Political Science*, 30, p. 575-598.
- Leca, Jean (1983), "Questions sur la citoyenneté" in *Projet*, 171-172. p. 113-125.
- Levy, Alma & Levy, Lila (2004), *Des filles comme les autres. Au-delà du foulard*, Paris, La Découverte.
- Mayer, Nonna (1996), « La fierté d'être Français, de l'indépendance algérienne à Maastricht », in *L'année sociologique*, n°46(1).
- Michelat, Guy & Simon, Michel (1977), "Religion, Class, and Politics", in *Comparative Politics*, 10(1), 1977, 159-186
- Mossuz-Lavau, Janine (1998), *Femmes/hommes. Pour la parité*, Paris, Presses de Sciences Po, coll. La bibliothèque du Citoyen.
- Nicolet, Claude (1982), *L'idée républicaine en France, 1789-1924 : essai d'histoire critique*, Gallimard.
- Nora, Pierre ed. (1984-1992), *Les lieux de Mémoire* (vol. 1 La République, vol. 2 La nation, vol. 3 Les France), Gallimard
- Pisier, Evelyne (2001), "Parité" in *Le Dictionnaire du vote*, Perrineau P. & Reynié D. eds, PUF, p. 720-722.
- Rémond, René (1985), *L'antichléricisme en France de 1815 à nos jours*, Bruxelles, Complexe.

- Renan, Ernest (1991), *Qu'est-ce qu'une nation ? et autres essais politiques*, Paris, Presses Pocket.
- Rosanvallon, Pierre, (1990), *L'État en France de 1789 à nos jours*, Paris, Le Seuil, 1990.
- Rosanvallon, Pierre (1992), *Le Sacre du citoyen. Histoire du suffrage universel en France*, Gallimard.
- Safran, William (2002), « Pluralism and Multiculturalism in France: Post-Jacobin transformation » in *Political Science Quarterly*, 118/3.
- Schild, Joachim (2001), « National versus European Identities? French and German in the European Multi-Level System », *Journal of Common Market Studies* n°39, p.331-351.
- Schnapper, Dominique (1994), *La Communauté des citoyens. Sur l'idée moderne de nation*, Gallimard.
- Soysal, Yasemin (2002), "Locating Europe", *European Society*, 4(3), p. 265-284.
- Venel, Nancy (1999), *Musulmanes Françaises. Des pratiquantes voilées à l'Université*, Paris, L'Harmattan.
- Weil, Patrick (2002), *Qu'est-ce qu'un Français ? Histoire de la nationalité française depuis la Révolution*, Paris, Grasset.
- Walzer, Michael (1989), "Citizenship" in Ball, T., Farr, J. & Hanson R.L., *Political Innovation and Conceptual Change*, Cambridge University Press.
- Young, Iris Marion (1990), *Justice and The Politics of Difference*, Princeton University Press.