

**French on Paper, French at Heart?**  
**France Debates Citizenship and Belonging in the Fifth Republic**

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## Introduction

In 1986, the French government initiated a proposal to reform the *Code de la Nationalité*, the legislation addressing the acquisition of French citizenship. Though a number of different political parties submitted proposals, then-Prime Minister Jacques Chirac's centre-right coalition led this initiative and pushed for measures that would have the effect of generally restricting eligibility for French citizenship. In particular, the government proposed to modify the process by which children born in France to immigrant parents could gain French citizenship. These reforms had come in the wake of a massive influx of immigrants in the second half of the twentieth century, many of whom came from North Africa but also elsewhere. As a new generation of young French men and women of immigrant heritage was coming of age, many in France began to raise questions about their inherent "Frenchness" and therefore place in French society and entitlement to nationality. According to proponents of the proposed amendments, by replacing the automatic right to citizenship through birth on French soil with an active process of application, these measures would ensure that only those expressing a desire to become French would receive citizenship. The proposals prompted a wide-scale and at times highly emotional debate throughout France that centred on core questions of national identity, multiculturalism and integration.

This essay will explore some of the contradictions and apparent inconsistencies in France's cherished national self-image and rarely-questioned mythology – examining what is remembered, taken on faith, discarded and forgotten. It will also probe how the modern debate on citizenship is both a reflection of, and reaction to, the deep-seated historical legacy that was shaped by France's successive Republics,

charting how the contemporary dilemmas facing the French nation have left their mark on its national identity as it struggles to move forward into a new era of heightened internationalism. The first chapter will establish the historical background to this debate, by exploring the particular combination of circumstances that led to its coming to a head at this specific point in France's history. The second chapter will explore France's national narrative of serving as a land of immigration, which successfully welcomed and integrated hundreds of thousands of immigrants going back two centuries. As we will see, the passage of time and distortions in national memory that overlaid earlier waves of immigration lie at the heart of France's national mythology and play a critical role in shaping France's self-image as a *terre d'accueil* (land of welcome), framing the debate on modern-day immigration and national identity. The third chapter will address the specific issues raised by the unresolved post-colonial tensions that remain a feature of contemporary French society and how these come to bear on the debate. Finally, the fourth chapter will analyse the problems posed by France's determination to eschew an overtly multicultural approach to integrating its newcomers, insisting instead on a single, common definition of French identity rooted in secular Republican values.<sup>1</sup>

This study has benefited enormously from the work undertaken by French historian and political scientist Patrick Weil,<sup>2</sup> whose contributions to the study of French citizenship and France's history of immigration have been considerable. Most notably,

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<sup>1</sup> 'Republican' is used throughout this essay as a translation of the French term, "*républicain*" which encompasses the various strains of ideologies of the French Republics. Republican values, "*les valeurs républicaines*," refers to the values derived from efforts to strengthen the Republic and its 'universalist' message. These include liberty, equality, fraternity (brotherhood), safety, public spirit, patriotism and universalism, merit, and of course secularism. Accessed on 10/3/13 from *Vie Publique*, a governmental internet portal devoted to the discussion of issues important to national debates France: <http://www.vie-publique.fr/actualite/alaune/societe-comment-transmettre-valeurs-republicaines.html>

<sup>2</sup> Patrick Weil, *La France et ses Étrangers: l'Aventure d'une Politique de l'Immigration, 1938-1991*, Calmann-Lévy, 1991; *Liberté, Égalité, Discriminations: l'Identité Nationale au Regard de l'Histoire*, Grasset, 2008; *Qu'est-ce qu'un Français?*, Gallimard: 2005.

Weil has played a key role in challenging the traditional conception of the French nation-state originally set forth by Rogers Brubaker, who contrasted French nationalism with the German model.<sup>3</sup> Thus while the German nation was seen as an ethnically-bound and exclusive nation-state, the French nation was lauded as a primarily territorial entity and an inclusive ‘civic’ national identity. As Weil’s work has since shown, the reality is much more complicated, with France only permanently instituting the principle of nationality by place of birth rather than by blood in 1881, while continual manifestations of an ethnically-defined conception of French national culture have created tensions within the country’s Republican framework. This essay will focus on a specific moment in recent French history that has only received a limited amount of attention in scholarship: the government’s effort to amend the provisions in the French Nationality Code as they apply to the French-born children of immigrants. This case not only highlights France’s long-standing struggle to reconcile its Republican values with its cultural heritage of Frenchness; it also illustrates how the language and rhetoric employed throughout the debate actively draws on historical memory, shaping it to suit competing interpretations of the national narrative.

Not only does the framing of this debate consolidate a particular conception of the French nation’s past, but to a large extent it also has an important role in shaping its present and future identity. To that end, this essay has focused primarily on the language politicians and intellectuals used to discuss and debate this issue publically. The main sources are therefore the official transcripts of the French National Assembly, published

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<sup>3</sup> Rogers Brubakers, Citizenship and Nationhood in France and Germany, Harvard University Press, 1992. Brubakers’ work remains very influential in the comparative study of French and German nationalism. His work draws on a historical study of the two countries’ respective paths to nation-statehood, which he argues provides the basis for understanding their modern legal frameworks and differing notions of citizenship, which have very different implications for each country’s efforts to manage growing immigration.

in the *Journal Officiel*, as well as editorials printed in daily newspapers and magazines – both of which feature a broad array of contemporary opinions on the matter that influenced public discourse. Finally, this study has also relied on the transcripts and final report issued by the Commission on Nationality, *la Commission de la Nationalité*, a body of independent experts appointed by the government to examine this issue and make recommendations. All primary sources were consulted at the François Mitterrand site of France’s National Library in Paris and translated by myself from the original French.

## Chapter 1: Historical Background to the Modern Debate

Over the last two hundred and twenty-three years since the fall of the *Ancien Régime*, the French government has undergone many transformations, with as many as thirteen different political regimes succeeding each other. These different forms of government have included several variations of monarchical rule, two Napoleonic Empires, and five Republics, as well as the Vichy Regime and numerous forms of interim rule. Accordingly, certain aspects of France's legal framework have mutated quite drastically as each successive regime left its mark. Yet despite these fluctuations, French civil law over the past two centuries has remained largely rooted in the Napoleonic legal tradition, so named for the Napoleonic Code (*Code Napoléon*) adopted in 1804. France's modern *Code civil* remains the legislative cornerstone of the French Republican tradition to this day. Nearly half of the modern-day *Code civil*'s articles date back, in some form, to the original Napoleonic Code.<sup>4</sup> Though there has certainly been a great deal of continuity in many areas of French legislation, the Republican ideology itself has often proved to be inconsistent, with the values enshrined in France's legal tradition re-interpreted and evolving significantly over time.<sup>5</sup>

As France struggles to adapt to the economic and demographic challenges of the post-colonial era, the core of the French national identity – the very principles upon which the Republic claims to have been founded – in reality represent a complex set of values that are by nature unstable and constantly evolving. These values are, in large part,

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<sup>4</sup> Jean-Louis Halpérin, *Le code civil*, Dalloz, 2eme edition, 2003.

<sup>5</sup> Maurice Agulhon, *The French Republic: 1879-1992*, Basil Blackwell Ltd. 1992, p.1.

tied to the French political and judicial system, which has also expanded and evolved significantly over time. So while Republicanism may continue to define the nation, its key components – most notably citizenship and the question of political participation – remain the subject of countless debates and new and competing interpretations. The legislation on French nationality clearly reflects this pattern, as every change made to France’s *Code de la Nationalité* has reframed the understanding of “who belongs” and “what makes a Frenchman.”<sup>6</sup> These amendments are thus of critical significance, as they effectively redraw the very parameters of the French nation by redefining whom it chooses to include or exclude. These questions first came to the fore in the aftermath of the French Revolution, when the overthrow of the monarchy brought naturalisation under the jurisdiction of the newly-formed government instead of the authority of the monarch. Early definitions were first outlined in the constitutions of 1791, 1793, 1795 and 1799, and were further expanded upon in Napoleon’s *Code civil* of 1804. The legislation surrounding citizenship continued to evolve significantly over the following centuries, reflecting the historical pressures produced by France’s ever-changing social and political circumstances.

### **Origins and Structure of the Modern French Nationality Code**

Though the modern-day French Nationality Code, or *CNF* to use the French acronym, is often hailed as a product of the legal tradition launched by the Revolution and the Napoleonic Code, it is actually the result of numerous reforms and amendments, the vast majority of which occurred over the course of France’s turbulent nineteenth century. As a result, many aspects of the CNF reflect the circumstances France faced at

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<sup>6</sup> Patrick Weil, *Qu’est-ce qu’un Français?*, Gallimard: 2005.



these times,<sup>7</sup> which produced a Nationality Code that encapsulates both principles of *jus sanguinis* and *jus soli*<sup>8</sup> in the conferment of French citizenship.<sup>9</sup> *Jus sanguinis* provides the basis for Article 17, which regulates the conferment of French nationality “by filiation,” and stipulates that any child (legitimate or otherwise) with at least one French parent is automatically recognised as French at birth.<sup>10</sup> Meanwhile, *jus soli* first appeared (though only briefly) in the earliest version of the Republican constitutions of the 1790s and was eventually permanently re-instituted with the passing of the 1889 Nationality Act.<sup>11</sup> Articles 23 and 44 of the 1973 version of the CNF represent a modified interpretation of the original principle of *jus soli*. According to Article 44, a child born in France to foreign parents (themselves not born in France) will automatically receive the French nationality at age 18, if, at this time, he/she has resided continuously in France for the five previous years. Article 23, often informally referred to as “double *jus*

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<sup>7</sup> Over the course of the nineteenth century, France was embroiled in numerous wars, which provoked a need for more soldiers. The evolution of the CNF reflects these needs, with naturalised foreigners eligible for conscription to the army.

<sup>8</sup> *Jus sanguinis* is the principle by which a child's citizenship is determined by his/her parents' citizenship. *Jus soli* is the principle by which the citizenship of a child is determined by the place of his/her birth.

<sup>9</sup> French legislation is actually remarkably welcoming to its aspiring citizens in contrast to the majority of other countries, and is one of the very few countries to recognise the principle of *jus soli*. Most countries – with the notable exception of the United States – tend to follow some model of *jus sanguinis* by restricting the conferment of citizenship to cases of filiation or marriage, with many countries even limiting the transmission of citizenship to male nationals.

<sup>10</sup> Légifrance, *Code de la Nationalité*, “Chapitre 1er: Des français par filiation,” Article 17.

Accessed on 9/3/13 from :

[http://www.legifrance.gouv.fr/affichCode.do;jsessionid=832706AF0D7A586CC32B875E6D747F52.tpdjo02v\\_1?idSectionTA=LEGISCTA000006120359&cidTexte=LEGITEXT000006071189&dateTexte=19930722](http://www.legifrance.gouv.fr/affichCode.do;jsessionid=832706AF0D7A586CC32B875E6D747F52.tpdjo02v_1?idSectionTA=LEGISCTA000006120359&cidTexte=LEGITEXT000006071189&dateTexte=19930722)

<sup>11</sup> Léo Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, University of Illinois Press, 2005, page 85.

*sol*”<sup>12</sup> grants automatic citizenship at birth to any child born on French territory to a parent also born on French territory.<sup>13</sup>

Extended residency in France is therefore critical in both cases, with Article 44 specifically requiring residency in France for a minimum of five years and Article 23 implying it, since it only applies in cases where two successive generations are born on French territory. This indicates that familiarity with French society and culture are expected of the subject, who would presumably be exposed to these through such key national institutions as schooling. The French government’s “Conditions for Naturalisation” also reflect this emphasis on cultural assimilation. In addition to knowing the French language, immigrants applying for naturalisation are expected to “prove their assimilation to the French community” by “adhering to the values of the Republic” and “having sufficient knowledge of France’s history, culture and society, equivalent to that of a student at the end of primary schooling.”<sup>14</sup> Thus, the universalist values of the Republic welcome outsiders by allowing all immigrants, irrespective of race, religion or nationality of origin, to *become* French; yet at the same time, the very definition of Frenchness that immigrants are required to embrace through their adoption of French nationality – one that elevates the strong cultural and historical identity that the French ascribe to their nation – is inherently at odds with the stirrings of diversity that are the natural consequence of substantial inflows of immigrants.

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<sup>12</sup> “Double droit du sol” literally means “double *jus soli*.”

<sup>13</sup> Article 23 recognised persons born in Algeria prior to its independence in 1962 as born on French soil. This also applies to a handful of other former colonial holdings as well as the “DOM-TOM,” France’s overseas departments and territories.

<sup>14</sup> Official Website of the French Administration, “Naturalisation: Conditions à Remplir,” [Acquisition de la Nationalité Française](http://vosdroits.service-public.fr/F2213.xhtml). Accessed on 4/2/13 from <http://vosdroits.service-public.fr/F2213.xhtml>

## Rumblings of Reform

The version of the CNF in effect in the 1980s was adopted in 1945, following the collapse of the Vichy government. Under the Provisional Government of the French Republic, all statutes and laws passed by the Vichy government were revoked, resulting in a new CNF that marked a return to the norms of the Third Republic. It was reformed yet again in 1973 under the presidency of Georges Pompidou, largely with a view to equalising the status of men and women and of legitimate and illegitimate children in citizenship legislation.<sup>15</sup> As such, these reforms overlooked the issues that would later prove so inflammatory in the 1980s. Overall, mainstream parties across the political spectrum accepted the 1973 CNF, not least President Pompidou's centre-right party of the UDR,<sup>16</sup> which had actively promoted the latest version and trumpeted the 1973 laws as "the most inclusive ones imaginable."<sup>17</sup> Outside of the political mainstream, however, Jean-Marie Le Pen's new extreme-right party, the *Front National*, appeared onto the scene in 1972 calling for reforms to French legislation – especially in the realm of immigration and citizenship.

Though initially rejected by mainstream political parties and boycotted by the French media, Le Pen's party grew to greater prominence over the 1970s and 1980s and steadily made a place for itself in French politics.<sup>18</sup> While the *Front National* failed to

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<sup>15</sup> Elaine R. Thomas, Immigration, Islam, and the Politics of Belonging in France: A Comparative Framework, University of Pennsylvania Press: 2012, p. 80.

<sup>16</sup> UDR (*Union des Démocrates pour la République*) was a Gaullist political party in France from 1968 to 1976, when it was succeeded by Jacques Chirac's party, the RPR (*Rassemblement pour la République*).

<sup>17</sup> Jean Foyer, member of President Pompidou's UDR party and one of the main authors of the 1973 reforms – as cited by Yves Jouffa in his testimony delivered to the Commission on Nationality on the 9<sup>th</sup> of October 1987. Commission de la Nationalité, Long et. al., Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité. Union générale d'éditions, 1988.

<sup>18</sup> James Shields, The Extreme Right in France: From Pétain to Le Pen, Routledge: 2007, p. 209.

gain any seats in the National Assembly throughout the 1970s, it shocked the nation by garnering 9.8% of the votes in the 1986 legislative elections<sup>19</sup> and thereby securing thirty-five seats in the National Assembly.

The rise of the *Front National* is arguably part of a larger process of *droitisation*<sup>20</sup> in French politics that went well beyond the extreme-right party's representation in the National Assembly. The election of a Socialist, François Mitterrand, to the presidency in 1981 suddenly cast France's centre-right parties into the role of the opposition, with the Socialists in power for the first time in the history of the Fifth Republic. This change in the political leadership had significant repercussions for France's right-wing parties, whose changing positions began to reflect this growing *droitisation*. Centre-right parties such as the *Rassemblement pour la République* (RPR) and the *Union pour la Démocratie Française* (UDF) began to court extreme-right votes by endorsing some of the more hardline policies first proposed by groups like the *Front National*. In some instances, the RPR and the UDF entered into political alliances with the *Front National* in smaller local constituencies so as to secure victory against the Left in local elections.<sup>21</sup> The image below is a caricature by the popular French cartoonist Jean Plantureux, known simply as 'Plantu,' commenting on this growing issue of *droitisation*. Jacques Chirac, the leader of the RPR, is depicted giving a speech on "insécurité"<sup>22</sup> while Jean-Marie Le Pen insists to

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<sup>19</sup> James Shields, *The Extreme Right in France: From Pétain to Le Pen*, p. 209.

<sup>20</sup> 'Droitisation' literally means 'rightification' and refers to the shift towards the far-right of centre-right political groups.

<sup>21</sup> In the 1983 electoral elections in the town of Dreux, four *Front National* deputies are incorporated into the RPR-UDF listing and this alliance secures them a clear majority over the Socialists. This event is considered a turning point in the rise of the *Front National*.

<sup>22</sup> Generalised fear for one's personal safety. Jacques Chirac vows that he will not allow Paris to become another 1930s Chicago.

a puzzled police officer, “I’m telling you, he pinched my speech!!”<sup>23</sup> Plantu is mocking the centre-right parties for adopting the rhetoric of the *Front National* to attract more extreme-right voters.



**Figure 1:** “Insécurité” by Plantu. Originally featured in *Le Monde* and later published in the collection, *Le Petit Raciste Illustré*, Éditions du Seuil, 1995.

The *Front National*’s growing popularity and its subsequent impact on mainstream politics were also compounded by France’s changing economic climate. The oil crisis of 1973 marked the end of the *Trente Glorieuses*, France’s thirty-year period of post-war economic growth. This stretch of sustained economic prosperity had prompted France to adopt extremely liberal immigration policies so as to promote the influx of

<sup>23</sup> Plantu, *Le Petit Raciste Illustré*, Plantu, Éditions du Seuil, 1995. Originally featured in *Le Monde* and later published in the collection, *Le Petit Raciste Illustré*.

migrant workers,<sup>24</sup> who were desperately needed to rebuild France's infrastructure in the wake of the Second World War and contribute a ready workforce to power its rapidly expanding industrial sector. The historian Patrick Weil describes this period as "a wind of liberalism blowing on naturalisation policies and nationality laws,"<sup>25</sup> but this wind would prove short-lived when labour demand suddenly abated, and with that the welcome mat for immigrants. As the economic downturn caused a rise in unemployment rates, the centre-right government of President Valéry Giscard d'Estaing clamped down on immigration and tried to promote an active policy of repatriation for non-European immigrants. While Giscard's initial efforts to promote a policy of forced return were eventually dropped,<sup>26</sup> French policy on immigration experienced a marked rightward shift, reflecting a turn in the mainstream political parties' positioning on this issue.

By 1985, the RPR and UDF had unveiled a joint platform, setting the stage for a new position for both parties on the CNF. This platform called for the amendment of Article 44, stating that "[French] nationality will have to be requested and accepted: its acquisition cannot arise from purely automatic mechanisms."<sup>27</sup> The RPR and UDF's new position challenged the "*automaticité*" – automatic entitlement – inscribed in the existing CNF, which, as it had stood, enabled French-born residents to gain nationality at the age

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<sup>24</sup> Between 1945 and 1973, applications for naturalisation were accepted at a rate of over 80% on average. Patrick Weil, *Qu'est-ce qu'un Français?*, Éditions Grasset, 2004, page 243.

<sup>25</sup> Patrick Weil, *Qu'est-ce qu'un Français?*, page 243.

<sup>26</sup> President Giscard d'Estaing's efforts to institute a policy of 'forced returns' were eventually dropped, in large part due to the mobilization of civil society, churches, left wing parties and many more. Patrick Weil, *Qu'est-ce qu'un Français?*, page 243.

<sup>27</sup> Yves Gastaut, *Immigration et l'opinion en France sous la Ve République*, Paris, Le Seuil: 2000, p.546-547.

of majority unless they took steps officially to decline it.<sup>28</sup> This new platform was similar to some of the measures first called for by Jean-Marie Le Pen and other extreme-right political figures, which had, until the early 1980s, been rejected by the mainstream political parties. When Socialist deputy Françoise Gaspard asked the RPR and UDF in 1985 why this initiative had not been taken “ten, fifteen or even twenty years earlier,”<sup>29</sup> the RPR deputies Hyacinthe Santoni and Serge Charles both exclaimed, “There was no point! Unemployment was not as high!”<sup>30</sup> Thus no effort was made even to dispel the sense that the economic downturn and the subsequent *droitisation* of the French political mainstream had provoked a shift in France’s discourse of the core principles underpinning the concept of ‘belonging’.

### Reforms and Proposals

Following the right wing’s victory in the 1986 legislative elections and Jacques Chirac’s subsequent appointment as Prime Minister,<sup>31</sup> the question of reforming the CNF gained increased attention in the government. Chirac addressed the issue on a number of occasions, reiterating his party’s call to revoke the *automaticité* clause in Article 44 as a

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<sup>28</sup> Vie Publique: Au Cœur du Débat Public, “L’Accès à la nationalité française,” accessed on 10/3/13 from <http://www.vie-publique.fr/chronologie/chronos-thematiques/acces-nationalite-francaise.html>

<sup>29</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française. Accessed from the archives of Bibliothèque National de France, François Mitterrand site.

<sup>30</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

<sup>31</sup> After the Centre-Right’s victory in the 1986 legislative elections, Mitterrand was obliged to appoint [Jacques Chirac](#), the leader of the RPR, as Prime Minister and leader of the legislative chamber. What followed is referred to as the period of ‘*cohabitation*’, which lasted from 1986 to 1988, when the Left regained the majority in the National Assembly (the lower legislative chamber). Throughout those two years, President Mitterrand focused on France’s foreign policy while Chirac oversaw internal affairs.

way to “avoid integrating persons who do not actually want to be [integrated].”<sup>32</sup> Within a few months of Chirac’s appointment, the government officially opened the question of reform and several different proposals were submitted to the Office of Parliament, reflecting an evident lack of consensus on the matter. Even within one political party, proposals ranged significantly, with Pierre Mazeaud, an RPR deputy, going so far as to publicly call for the outright elimination not only of Article 44 but also of Article 23, effectively revoking recognition of the principle of *jus soli* entirely.<sup>33</sup> The issue was turned over to the Ministry of Justice, which soon after drafted its official proposal, called the Chalandon bill.<sup>34</sup> The bill presented a more moderate version of the different suggested reforms, but remained centred on the question of *automaticité*, which it proposed to eliminate and replace with a process contingent on voluntary request. The bill also proposed the introduction of an oath of allegiance in the process of acquiring citizenship.<sup>35</sup> Articles 23 and 44 would therefore still provide for citizenship to be awarded in accordance with the principle of *jus soli*, but while the French-born children of immigrants would remain automatically eligible for French nationality at the age of majority, they would be required positively to apply for it, rather than receiving it by default.

The bill was submitted to the Council of State in October of 1986, only to have its main components deemed “contrary to the Republican tradition,”<sup>36</sup> forcing the

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<sup>32</sup> Christian Delorme, “La remise en cause de l’actuel code de la nationalité.” Unpublished paper, CIEMI collection, Paris.

<sup>33</sup> *Quotidien de Paris*, 7<sup>th</sup> of September 1987.

<sup>34</sup> Pierre Favier et Michel Martin-Rolland, *La Décennie Mitterrand v. 2 : Les Épreuves (1984-1988)*. Seuil: 1991, p.717.

<sup>35</sup> Patrick Weil, *Qu’est-ce qu’un Français?*, p. 259.

<sup>36</sup> *Libération*, 1<sup>st</sup>/2<sup>nd</sup> of November, 1986.



government to water down its reform proposal. Yet despite being required to amend the bill before resubmitting it for approval, the Ministry of Justice made relatively limited edits to the original proposals, consisting of the elimination of the proposed oath of allegiance and the extension of the period of time during which subjects could apply for citizenship. The main elements of the original bill – the replacement of the automatic acquisition with an application process – were retained, and the amended bill was accepted by the Council of Ministers and scheduled for consideration by the French parliament.<sup>37</sup>

### **Controversial Implications: Framing the Debate**

The proposal soon attracted a lot of attention and provoked heated political and public debate. Many politicians and organisations, including President François Mitterrand, criticised the proposed legislation, which they argued could have damaging and long-lasting consequences on France's efforts to include and integrate immigrants and their descendants. Though the efforts to reform the CNF sparked the debate, the implications associated with the proposed legislation were of a much greater scale than simply altering the administrative procedure for gaining citizenship. The debate quickly turned to questioning the very nature of French identity and belonging, with the regulations inscribed in the CNF taken as a representation of the requirements for inclusion in French society. The Code was regarded as holding a symbolic status, enshrining a conception of French national identity that was deliberately civic and political rather than ethnic. The primacy of *jus soli* in the existing CNF promoted the idea

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<sup>37</sup> Elaine R. Thomas, Immigration, Islam and the Politics of Belonging in France: A Comparative Framework, University of Pennsylvania Press, 2012, page 82.

that Frenchness was predicated on participation in French society rather than a specific French ethno-cultural heritage. By differentiating between the children of immigrants and the children of French citizens, these proposed reforms were seen by many of their critics as discriminating on the basis of ancestry and favouring the status of those whose Frenchness derived through *jus sanguinis* over those who derived it through *jus soli*. The cartoon below,<sup>38</sup> which is also by Plantu, put its finger on the sensitive debate surrounding this issue. Plantu cheekily depicts the contrasting cases of two French schoolboys, one born to French parents and the other to African immigrants, both under parental pressure to study for exams. While the first only has to worry about “first passing” his high school baccalaureate exam in order to succeed in life, the child of immigrants must clear an additional “first” hurdle: passing his ‘integration exam.’

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<sup>38</sup> Plantu, Le Petit Raciste Illustré, Plantu, Éditions du Seuil, 1995. Originally featured in *Le Monde* and later published in the collection, Le Petit Raciste Illustré.



**Figure 2:** “Passe ton..!” by Plantu. Originally featured in *Le Monde* and later published in the collection, *Le Petit Raciste Illustré*, Éditions du Seuil, 1995.

The reforms proposed by the Chalandon bill would not strip second-generation immigrants of their access to French citizenship, but would instead make the acquisition of French nationality dependent on a ‘prior act of will,’ so as to “avoid integrating persons who don’t really want to be” French.<sup>39</sup> In fact, this version of the proposed reforms was already a complete departure from earlier proposals, which had unabashedly intended to restrict access to French citizenship rather than simply modify the process of acquisition. Nevertheless, this eventually became the general premise of the debate, and

<sup>39</sup> Chirac, quoted in *Le Matin*, 13<sup>th</sup> of October 1986.

efforts overtly to restrict access to citizenship were never officially endorsed by the mainstream political parties, though the *Front National* and individual politicians continued to advocate such measures.<sup>40</sup> Nevertheless, many critics still feared such reforms would de facto restrict access to citizenship by increasing the government's discretion in granting citizenship to applicants, or at the very least deterring the children of immigrants from applying.

The question of *automaticité* therefore leapt very much to the heart of this debate. For advocates of the reforms, the Code itself was seen as an important agent in the process of integrating France's immigrants. According to Alain Griotteray, a deputy of the centre-right UDF to the French National Assembly, the clause of *automaticité* had increasingly undermined the CNF's historic role in France's process of national assimilation. He explained in an editorial published in *Le Monde* in May of 1985 that reforming the CNF was necessary, precisely so as to ensure that all applicants “*want and deserve* to become French,” which he insisted meant repealing articles 23 and 44 of the existing Code. He argued that this would rehabilitate the CNF to its former role of serving as a “filter for naturalisation,” rather than simply a vehicle for automatic citizenship “merely on the basis of birth on French soil.”<sup>41</sup> He listed “the schooling system, the army and the filter of naturalisation” as France's main “assimilationist institutions” and called for a consolidation and reaffirmation of their roles in the formation of French national identity, especially for immigrants. It is clear from Griotteray's arguments and those put forward by others who share his position that they

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<sup>40</sup> Le Club de l'Horloge, “La réforme du Code de la Nationalité,” *Études et documents du Club de l'Horloge*, Edited by Le Club de l'Horloge, 1989, page 13.

<sup>41</sup> Alain Griotteray, “Comment aider à l'assimilation,” *Le Monde*, 4<sup>th</sup> of May 1985.

believed France's system for naturalising and integrating immigrants – while still legally functional – had fallen out of step with the evolving demands and realities of France's new waves of immigration, and therefore called for the implementation of these reforms.

Indeed, while many on both sides of the debate agreed that the process of integrating recent waves of immigrants had failed, the reasons for this failure remained contentious. Many claimed that while integration had historically been successful in France with earlier waves of immigrants, this had been due to the fact that the majority of these newcomers had migrated from nearby European countries such as Italy, Spain and Poland, and therefore shared more cultural and religious ties with their French hosts. In contrast, newer waves of immigration were characterised by a much higher representation of Muslim North Africans, also known as *Maghrébins*, whose cultural and religious norms impeded the process of integration. While this argument resurfaced throughout the debate in different iterations, the idea that 'the nature of immigration had changed' was a prevalent one across the spectrum of the debate. Many challenged this notion, however, arguing that these early waves of European migrants faced a similar – if not worse – kind of discrimination upon arrival, and that the integration of the *Maghrébins* was simply still in its early and difficult stages of the cycle. Others, meanwhile, argued that the problem was not with the immigrants or their religious and cultural ties, but rather with the French system of integration. As UDF deputy Christian Bonnet declared to the Commission on Nationality, "I have the sense that what has really changed is the French melting pot and not so much the immigrants."<sup>42</sup> Bonnet explained that the success of the French melting

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<sup>42</sup> Christian Bonnet, public hearings of the Commission on Nationality on the 16<sup>th</sup> of September 1987, as recorded by Commission de la Nationalité, Long et. al., Être Français. Aujourd'hui et Demain: Rapport de la Commission de la Nationalité.

pot, or “*le creuset français*,” had traditionally relied on the strength of its key institutions: its school system, the Church, the army, labour unions... all of which had declined in the Fifth Republic. Naturally, this diagnosis did not necessarily lead to shared conclusions as to how this should be solved. Some, like Alain Griotteray, insisted that the decline of these institutions required a modification of the CNF to meet the new demands of a dysfunctional integration process,<sup>43</sup> while others, like Christian Bonnet, posed an altogether different question, i.e. whether this augured a shift in the meaning of French identity.<sup>44</sup>

Thus, for many, the continued emphasis on the *automaticité* clause represented a way of rehabilitating the CNF as a tool in the process of integration. By emphasising the issue of positive choice and abolishing automatic citizenship, the legislation would ensure that only those who wanted to become French would do so. The prevalence of the term “*Français malgré eux*” (meaning “French in spite of themselves”) throughout these debates reinforced the view that many recent immigrants had received their citizenship involuntarily, and implicitly undeservedly, and did not identify as, or indeed want to be, French. Many other similar terms proliferated, including “French on paper” which was contrasted with “French at heart” or even “French by roots.”<sup>45</sup> These terms introduced a new and potentially dangerous turn in the discourse of belonging: not only did they differentiate between France’s citizens but they also implied a hierarchy based on differing degrees of ‘genuine Frenchness.’ While proponents of the Chalandon bill argued that replacing the CNF’s *automaticité* with a principle of voluntarism would

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<sup>43</sup> Alain Griotteray, “Comment aider à l’assimilation,” *Le Monde*, 4<sup>th</sup> of May 1985.

<sup>44</sup> Alain Griotteray, “Comment aider à l’assimilation,” *Le Monde*, 4<sup>th</sup> of May 1985.

<sup>45</sup> “*Français de papier*,” “*Français de cœur*” and “*Français de souche*” are the original French expressions for “French on paper,” “French at heart” and “French by roots,” respectively.

eliminate this issue by ensuring that all French citizens actively wanted to be French, others saw this as an attempt to institute a cultural rather than civic understanding of the French nation. The 'will' involved in actively applying for nationality was understood as a will to assimilate to French cultural norms. Thus, in requiring individuals to *choose* to become French, proponents of the reforms argued that applicants would have to demonstrate their willingness to assimilate to French culture. Meanwhile, critics challenged this cultural understanding of French belonging and even questioned the very notion of there being such a thing as the unified 'French culture' that proponents of the bill kept referring to and insisting immigrants should adopt. As the debate developed in scope, both side continually anchored their arguments in French national values and the Republican tradition.

## Chapter 2: France, land of immigration?

*“When, in a country, a question, a debate takes on such a subjective and passionate dimension [...] some, on the left as well as on the extreme right, would do well to remember the history of our country.”*

Michel Noir, (RPR deputy)

France has long functioned as an important site for immigration, historically taking in an enormous number of immigrants,<sup>46</sup> particularly over the last two centuries. This aspect of French history is recognised and proudly celebrated as part and parcel of France’s Republican tradition, reflecting the nation’s commitment to human rights and equality, while also strengthening the idea that French identity is a civic rather than an ethnic one. Though these early waves of migration were predominantly of European origin, they encompassed a great deal of cultural diversity and their integration is hailed as a great success of the French national ethos. This ethos was stated very clearly by the Commission on Nationality in the opening pages of its report, which explained that, “from a political perspective, France was characterised by a national project of a universalist dimension and a tradition of the nation-state, where national unity relied on cultural unity.”<sup>47</sup> In order to maintain this “cultural unity,” which the Commission defined as “manifested by the use of one language, reference to the same history and the sharing of the same cultural and patriotic values,” a policy of integration was adopted so as to ensure that naturalised immigrants and their children would participate normally in national life.

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<sup>46</sup> By 1881 some 78,000 inhabitants of France were naturalised citizens. This number had tripled by 1911, at which time their numbers reached beyond 250,000. Approximately a third of these naturalised foreigners were former Italians or their children born in France. Léo Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, University of Illinois Press, 2005, page 85.

<sup>47</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité. Union générale d’éditions, 1988, page 7.



The report also explains that as a result of these successful policies of integration, “French economic development and national defence have benefited from the contributions of Englishmen, Germans, Belgians, Swiss and *Maghrébins*, and from the transformation of their children into Frenchmen.”<sup>48</sup> Immigration as such is acknowledged and accepted as an important constituent of the French nation’s history, as well as part of the heritage of a significant proportion of France’s population. As Socialist deputy André Billardon reminded the National Assembly as it debated the CNF reforms:

“French culture was built and accumulated by those who constitute France today; a France where 18 million Frenchmen, which is to say a third of the population, are the first, second and third-generation descendants of Polish, Spanish and Italian immigrants.”<sup>49</sup>

But while immigration itself is not denounced, important distinctions were freely made between the different waves of immigration and the people they brought. Thus while the inflows of the nineteenth and early twentieth century were characterised by predominantly European immigrants, those of the second half of the twentieth century were marked by an important shift in the origins of newcomers, with the overwhelming majority coming from the Maghreb.

### **New Immigrants**

This shift prompted many to draw a correlation between the *Maghrébins*’ cultural and religious background and their perceived failure to integrate. This is not an unspoken subtext of the debate but rather an argument stated unambiguously by many of the reforms’ advocates. Henry de Lesquen, an extreme right-wing politician and founding

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<sup>48</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd’hui et Demain: Rapport de la Commission de la Nationalité*, 1988, page 7.

<sup>49</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. *Journal Officiel de la République Française*.

member of the *Club de l'Horloge*<sup>50</sup> was one such advocate of this position, stating during his hearing with the Commission on Nationality:

If the shortcomings of our legislation have become unbearable, it is because the waves of immigrants that France has faced over the last few decades no longer resemble the ones our country experienced in the past. At that time, they were foreigners coming from Europe and assimilation was therefore possible.<sup>51</sup>

The argument, at least from this part of the political spectrum, is thus very clear: the immigrants had changed, and the new ones either did not seem to want to integrate into French society or were fundamentally unable to do so. This idea recurs in different forms, sometimes with an emphasis on cultural and religious divisions and other times with a focus on the immigrants' willingness to integrate. Thus, in the midst of the National Assembly's debate on the CNF's proposed reforms, French Communist Party representative Guy Ducoloné's explanation that France had always been a land of immigration was interrupted by Jean-Claude Gaudin, president of the UDF, who declared: "Those ones [the earlier European immigrants], they wanted to become French!"<sup>52</sup>

### **Civilisational Difference as Unassimilable**

Meanwhile, in an editorial written by RPR representative Jean Foyer for the French newspaper *Le Figaro*, Foyer explained:

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<sup>50</sup> *Le Club de l'Horloge*, literally, "The Clock Club" is a French national conservative association and think tank. Established in 1974, it is closely associated with the *Front National* and was very active in promoting extreme reforms to the CNF throughout the late 1970s and the 1980s.

<sup>51</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, 1988, page 498.

<sup>52</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

The French nation can still assimilate Spaniards and Portuguese, as well as the Christians of Lebanon. France is, however, incapable of assimilating Muslim *Maghrébins*, Turks, Pakistanis, Sri Lankans, Filipinos and others, who come to France and do not want to assimilate, and expect to form enclaves within French sovereignty.<sup>53</sup>

This reflected the widespread perception that the issues *Maghrébins* faced in their attempts to integrate were somehow unprecedented in France's long history of immigration, and that these social tensions were provoked by their uniquely different cultural heritage. In an interview published in the French daily *Libération*, UDF representative Alain Madelin said, "And not to put too fine a point on it, the problem does not arise in the case of European immigrants. It arises when we depart from our common Christian reference points, and therefore principally for the Muslims."<sup>54</sup>

However, despite the prevalence of this perspective, many within the debate challenged this idealised view of the earlier waves of immigration and cited the extreme xenophobic sentiment that had already been commonplace in nineteenth and early twentieth century France, as well as, of course, the racist anti-Semitic policies of the Vichy Regime.

### **France's Dark History of Xenophobia**

Anti-immigrant sentiment was by no means a new phenomenon in France, but these historical truths had become buried within a broader national narrative that celebrated France as the nation of human rights and as a "*terre d'accueil*" and "*terre d'asile*" – a land of welcome and asylum. This narrative obscured many aspects of France's history of immigration, which had in fact been repeatedly marked by dark episodes of xenophobia and racial prejudice. Furthermore, it also undermined the fact that the presence of racially and religiously diverse immigrants was not unique to the post-

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<sup>53</sup> Jean Foyer, *Le Figaro*, 6<sup>th</sup> of June 1985.

<sup>54</sup> *Libération*, 6<sup>th</sup> of June 1985.

World War Two era, but was common throughout the first half of the twentieth century – though it certainly increased dramatically in the aftermath of World War Two. As the debate on the CNF reforms developed in scope, it quickly moved beyond the realm of the political and reached into intellectual and academic circles. While politicians and thinkers like Henry de Lesquen claimed that the problem was new and the result of cultural tensions, others – increasingly backed by academic historians – disputed this view and insisted that France’s history of immigration was in fact much darker and more painful, filled with trauma and xenophobia, notwithstanding these early immigrants’ European origins. Salem Kacet, a member of the Commission on Nationality who was a Frenchman of Algerian origin, rebuked Henry de Lesquen during his testimony to the Commission for what he regarded as his warped portrayal of national history, stating: “I must say that there are some moments in history that are forgotten by some people.”<sup>55</sup> Remarkably, however, the debate on the CNF reforms became such a hotly-debated public issue that intellectuals and academics were actively consulted on the matter and given fora in which to weigh in with their expert perspectives. These often challenged mainstream conceptions of France’s history and effectively contributed to displacing – or at the very least calling into question – some of the nation’s most cherished national myths and narratives.

### **A Commission of Wise Men and Women**

In line with this, the Committee on Nationality appointed in 1987 by the Minister of Justice, Albin Chalandon, to look into the question of the CNF was actually designed as a *Commission des Sages*, a Commission of Wise Men and Women. The

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<sup>55</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité, 1988, page 518.

sixteen committee members – nine of whom were university professors - were charged with a mission of “clarification and information, not only on the conditions of acquisition of French nationality, but equally on the attitude of the French community in this respect, and thus on the very conception of the nation.”<sup>56</sup> The task of the Commission was much larger than simply investigating the proposals to reform the CNF. Over the six months that ensued, the Commission attempted to, in its own words, “bring an objective answer to the question of potential reform of French nationality legislation. A reform that, in the months preceding the establishment of this Committee, had become the subject of a debate too passionate to reflect thoughtful and constructive opinions.”<sup>57</sup>

The contributions of the Commission were actually very influential: they held eleven public hearings, nine of which were televised, thereby bringing the specialists’ contributions to public attention.<sup>58</sup> The televised hearings were unprecedented in France, reflecting the significance attributed to this debate in particular and questions of nationality more broadly. Though the Committee members themselves reflected a fairly broad spectrum of opinions on the matter, after months of reading and listening to diverse views on French nationality, they eventually reached a consensus. Part of the Committee’s work involved examining contemporary issues surrounding modern-day immigration in light of France’s long and often difficult history of immigration. This is

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<sup>56</sup> *Libération*, 10<sup>th</sup> of September 1987.

<sup>57</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité, page 1.

<sup>58</sup> The Commission also held a number of private hearings. The public sessions were not only televised, but their transcripts were also included in the 1200 page report publicly issued by the Commission on January 7<sup>th</sup> 1988.

made very clear in their report, Being French Today and Tomorrow: Report of the Commission on Nationality,<sup>59</sup> which states in its introductory pages that:

Anti-Italian riots and violence in Southern France at the turn of the century were much more violent and murderous than the reactions we have seen to the *Maghrébin* presence in the *banlieues*<sup>60</sup> over the course of the 1970s. It is not because immigrants come from neighbouring countries or share our religion that these conflicts are any less violent. Xenophobia is just as possible with our closest Other as with our farthest Other. [...] The social and political functions of citizenship have not changed today, though the populations concerned are not the same. [...] geographic distance does not necessarily signify more difficulties to adapt [...]<sup>61</sup>

This effort to recast the CNF debates in terms of a more accurate historical understanding of France's past integration processes was indeed extremely important in rebalancing the debate and promoting efforts to de-stigmatise the *Maghrébin* immigrant.

### **Academic Interventions**

Beyond the Commission, intellectuals and academics frequently weighed in on the matter in the French media, something rather common in French social and political discourse.<sup>62</sup> In 1985, while the debate was still in its early stages, the left-leaning *Le Monde* ran a special issue on the CNF reforms, featuring editorials by various politicians and an overview of the political stances of the different political parties. At the end of this feature, *Le Monde* included a lengthy interview with Pierre Milza, a noted historian and director of the Centre for European History of the Twentieth Century at the Institut

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<sup>59</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd'hui et Demain: Rapport de la Commission de la Nationalité, 1988.

<sup>60</sup> Though *banlieues* literally means "suburbs," its connotations in France are akin to those of housing projects in the United States or council flats in Great Britain. These are generally immigrant-heavy lower-income neighbourhoods with subsidised housing on the outskirts of France's major cities.

<sup>61</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd'hui et Demain: Rapport de la Commission de la Nationalité, page 1.

<sup>62</sup> The involvement and influence of academics and intellectuals on public discourse is very common in France; one of France's leading newspapers, *Libération*, was actually co-founded by the philosopher Jean-Paul Sartre in 1973 in the wake of the protests movements of May 1968.

d'Études Politiques de Paris.<sup>63</sup> The interview was titled “Land of Asylum, Land of Development”<sup>64</sup> with the subheading, “Integration has almost always been a painful process, but our problems have always worked themselves out.” Over the course of the interview, in addition to highlighting France’s rich history as a land of immigration and the many prominent contributions foreigners had made to the country, Milza also emphasised how tense their reception had actually been, explaining:

Milza: [Italian immigrants were greeted] much less well than is generally thought. [...] There was some serious Italophobia [...] Italians are described as primitive or barbaric and compared to “a swarm of locusts.” There was at this time an entire mythology of “invasion.”

Le Monde: [...] Didn’t the fact that Italians and Poles were Catholic ease their process of integration into French society?

Milza: Religion does not always play the role that we think it does. In the history of immigration, Catholicism was sometimes a factor for rejection. The Poles, who were very devout Catholics, were put into contact with dechristianised French workers. [...] As for Italians, many of the slurs used against them were inspired by their religion: didn’t Marseille’s Neapolitan dockworkers’ habit of crossing themselves earn them the nickname “the Cristos”? [...]

Le Monde: Is anti-Maghrébin xenophobia comparable to the discrimination experienced by the Italians and Poles?

Milza: Quantitatively, the phenomenon has decreased: violence is much more limited, even though certain isolated instances have sometimes been worse. Xenophobia is much more controversial now than it was in the past.<sup>65</sup>

Contributions like Milza’s were important to the debate because they actively challenged the common misperceptions that exacerbated the anti-Maghrébin sentiment underpinning support for the reforms. Discussions of this narrative were by no means new or unprecedented; they were in fact widely accepted in academic circles. What is important, however, is that they remained contested and sometimes even forgotten in popular

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<sup>63</sup> The *Centre d'histoire de l'Europe du XXe siècle* was founded in 1984 at the Paris Institute of Political Studies (more commonly known as “Sciences Po”) to promote historical research and build archives from private materials. <http://cths.fr/an/societe.php?id=1447#>

<sup>64</sup> “Terre d’Asile, Terre Fertile,” *Le Monde*, 24<sup>th</sup>-25<sup>th</sup> of November 1985.

<sup>65</sup> “Terre d’Asile, Terre Fertile,” *Le Monde*, 24<sup>th</sup>-25<sup>th</sup> of November 1985.

memory, especially when such popular narratives came to bear on the analysis of France's modern-day immigration.

### **Historians' Perspectives**

In more recent years, historians such as James R. Lehning and Léo Lucassen have undertaken comprehensive studies of these chapters of French and European history and highlight the striking similarities between the earlier forms of xenophobia and its contemporary counterpart. In, To Be a Citizen: The Political Culture of the Early French Third Republic, Lehning discusses French reactions to the massive influx of predominantly European labour migrants during the second half of the nineteenth century. He cites the work of Alphonse Pradon, A Tax on Foreigners,<sup>66</sup> where Pradon argued that foreigners profited unfairly from their presence in France because they were not subject to military service and they refused to become full members of the community.<sup>67</sup> This echoes the claims of many right-wing politicians that *Maghrébin* immigrants resisted integration, and challenges the argument made by Jean-Claude Gaudin, who insisted that France's earlier waves of migrants differed from their modern-day counterparts because they, "wanted to become French!"<sup>68</sup> Instead, the history of France's previous waves of immigrants indicates that early instances of integration have historically always been contentious, with immigrants often perceived as unwilling to participate fully in national life.

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<sup>66</sup> Alphonse Pradon, Une taxe sur les étrangers. Extract from *La Revue Libérale*, Paris, 1883.

<sup>67</sup> James R. Lehning, To Be a Citizen: The Political Culture of the Early French Third Republic, Cornell University Press, 2001, page 114.

<sup>68</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.



Furthermore, Pradon labelled the influx of Italian and German labour an “invasion”<sup>69</sup> and portrayed the presence of German immigrants on French soil as a deadly threat to civilisation. Many of these prejudices, especially against the Germans, were tied to larger international political tensions, with France and Germany embroiled in conflicts throughout the nineteenth century. Pradon therefore cautioned his readers that delivering France to these “invaders”<sup>70</sup> would be sacrificing civilisation and humanity.<sup>71</sup> Léo Lucassen explains in The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850 that high tensions between French workers and Italian migrant labourers sometimes escalated into bloody confrontations, “which in some cases resulted in large-scale manhunts (*“chasse à l’Italien”*), killing dozens and wounding many more.”<sup>72</sup> Needless to say, these tragic episodes in France’s history have been airbrushed out of the popular consciousness, and are at best tacitly acknowledged but rarely highlighted in the French national narrative.

This does not prevent these idealised and truncated re-rememberings of France’s early episodes of immigration from dominating the modern debate surrounding the nation’s future. Yet while some proponents of the reforms pointed to the ‘successful integration’ of Italians, Spaniards and Poles as evidence of the *Maghrébins*’ fundamental incompatibility with French society, a closer look at France’s history might have shown them that, in the words of Pierre Milza, “integration has almost always been a painful

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<sup>69</sup> Alphonse Pradon, Une taxe sur les étrangers, page 7.

<sup>70</sup> Alphonse Pradon, Une taxe sur les étrangers, page 11.

<sup>71</sup> James R. Lehning, To Be a Citizen: The Political Culture of the Early French Third Republic, page 115.

<sup>72</sup> Léo Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, University of Illinois Press, 2005, page 80. Lehning points to reports of seventy-seven recorded incidents of xenophobic violence between 1881 and 1893. To Be a Citizen: The Political Culture of the Early French Third Republic, page 115.

process, but our problems have always worked themselves out.”<sup>73</sup> In the case of the Italians and other nineteenth-century European immigrants, their integration into French society occurred slowly, over the course of many generations. According to Lucassen and Lehning, the main factors that aided this integration were the inclusion of Italian and other immigrant workers in French labour unions and their participation in worker strikes,<sup>74</sup> as well as the passage of legislation in 1889 that *automatically* naturalised the children of immigrants and ensured their legal and political incorporation into French society.<sup>75</sup> As a result of the 1889 Nationality Act, these second-generation immigrants became eligible for military conscription and were no longer perceived as a threat.<sup>76</sup> As non-citizen residents, immigrants were often viewed with hostility and seen as profiting without contributing, but once naturalised, newcomers were more generally accepted as genuine participants in French society.

### **The Past, Not So Different From the Present**

The contemporary debate on the CNF reforms certainly echoes many aspects of France’s earlier struggle to incorporate its immigrants. As Lehning explains, while the National Assembly did eventually adopt the Nationality Act of 1889 and institute the principle of *jus soli* in the French CNF, this was done with the understanding that the children of immigrants would have “a vocation” to be French and that France would turn these children, along with its Breton peasants and Occitan workers, into French men and women. And yet as Lehning also mentions, “implicit in the debate was a gnawing doubt

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<sup>73</sup> “Terre d’Asile, Terre Fertile,” *Le Monde*, 24<sup>th</sup>-25<sup>th</sup> of November 1985.

<sup>75</sup> Léo Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, page 85.

<sup>76</sup> James R. Lehning, *To Be a Citizen: The Political Culture of the Early French Third Republic*, page 120.

about the fixity of French national identity and the ability of foreigners to be worthy of it.<sup>77</sup> It seems that the beginnings of the tensions underlying France's attempts to be both an old nation-state and a universalist Republic were already apparent in the nineteenth century. Furthermore, Lucassen also cites the growing numbers of Algerian, Moroccan, Greek and Armenian immigrants after the First World War as a positive factor in aiding the integration of Italians, Spaniards and other European migrants. Lucassen refers to the demographer Georges Mauco's 1932 study of immigration,<sup>78</sup> which negatively juxtaposed France's new immigrants with what Mauco called "the white race,"<sup>79</sup> and by implication characterised these formerly unwelcome newcomers as relatively acceptable.

Race was certainly a factor in the debates on the CNF reforms, with many proponents of the reforms accused not only of xenophobia but also racism. While the tensions in France's historical relationship with the Maghreb are certainly the result of much more than racial discrimination, it is evident that the stigma of the *Maghrébin* immigrant, and especially the Algerian, is a central aspect of this debate. As André Billardon and Marc Lauriol, respectively Socialist and RPR legislators, debated the CNF reforms in the National Assembly, Billardon stated, "Let's be honest, Mr. Lauriol. The problem many have with immigrants is that they are *Maghrébin*. The integration of previous waves was sometimes difficult but today nobody argues that it has not succeeded."<sup>80</sup> Though France's immigration at that time still included some Europeans, the overwhelming majority of newcomers were from France's former colonial holdings

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<sup>77</sup> James R. Lehning, To Be a Citizen: The Political Culture of the Early French Third Republic, page 120.

<sup>78</sup> Georges Mauco, Les étrangers en France: Leur rôle dans l'activité économique, Paris, Librairie Armand Colin, 1932.

<sup>79</sup> James R. Lehning, To Be a Citizen: The Political Culture of the Early French Third Republic, page 125.

<sup>80</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

and protectorates, especially in North Africa. The history of this migration is inextricably tied to France's colonial relationship with these places, a tumultuous and often very painful bond between nations and their peoples. This legacy has deeply affected the *Maghrébin* immigrant experience in France and resulted in what is without question a very tense relationship between France and its North African immigrants.

### Chapter 3: France's Unresolved Colonial Past

Throughout the discussions that swirled around the CNF reforms, the subject of the debate was frequently reduced to the question of immigration, and more specifically with the growing presence of *Maghrébins* in France. As Robert Solé explained in his *Le Monde* editorial on the CNF reforms, “The debate is essentially limited to the children of foreigners born in France. And to be perfectly clear, to *Maghrébins*.”<sup>81</sup> The French-born children of North African immigrants were indeed at the centre of this debate. This new generation of “*Français issus de l’immigration*”<sup>82</sup> had emerged as a large and increasingly vocal group of young people challenging their marginalised status in French society. Their efforts to promote social equality and challenge racial discrimination in France had gained a growing amount of attention, especially in the wake of many successful and very public social action campaigns.<sup>83</sup> While these initiatives had attracted a great deal of support and solidarity in some segments of French public opinion, they also highlighted the racism many minorities faced in France and contributed to the perception that some groups, especially young *Maghrébins*, were poorly integrated into French society.

The dominant perception among many of the CNF reforms’ supporters was that these changes were therefore needed to repair a dysfunctional process of integration

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<sup>81</sup> Robert Solé, “Les Chemins de la Nationalité,” as part of the special feature “La Nationalité Française en Question,” *Le Monde*, 14<sup>th</sup> of March 1986.

<sup>82</sup> “*Français issus de l’immigration*” literally means, “French descended from immigration.” The term is the most politically correct way to refer to the French-born children of immigrants.

<sup>83</sup> These included the “March for Equality and Against Racism,” which the media nicknamed the ‘March of the *Beurs*’ (French slang for Arabs). Beginning in Marseille on October 15<sup>th</sup> and ending in Paris on December 3<sup>rd</sup> of 1983, the march saw over 60,000 people demonstrating against racism in France and demanding 10-year residence permits for foreigners. Another successful initiative was the campaign “*Touche pas à mon pote!*” which translates to, “Don’t touch my pal!” and was launched in 1984 by the anti-racist NGO *SOS Racisme*.

for France's immigrants, especially in light of many immigrants' cultural and religious differences. The Commission on Nationality's report, however, insisted that:

the sociological research undertaken and the testimonies collected over the course of the Commission's work all indicate that despite tensions and cultural and religious differences, the acculturation of children of Portuguese, Algerian, Moroccan or Asian origin, educated in France, is not any slower than the process undergone by the children of Italian or Polish immigrants in previous generations. Some sectors of public opinion attribute present difficulties to the fact that many of these immigrants are of Muslim origin. Some historians insist on the 'clash of civilisations' perspective. This Commission believes that all populations adapt to the culture of the country in which they live.<sup>84</sup>

As the Commission explains, tensions between France and its *Maghrébin* immigrants were often ascribed to cultural and religious differences, with some even going so far as to insist that France's place in so-called "Western civilisation" and *Maghrébins*' in "Islamic civilisation" made these two "peoples" fundamentally incompatible.

### **'France is a European Nation'**

In an editorial for *Le Monde* entitled "How to aid assimilation: the *Maghrébins* must choose between integration and return," the UDF representative Alain Griotteray clarified that while France "has a long tradition of welcoming foreigners" – irrespective of race or religion – French citizenship can only be attributed to those persons demonstrating a willingness to assimilate to French culture.<sup>85</sup> Griotteray then went on to describe the nature of this French culture, explaining that, "France is a European nation; she is deeply marked by the formative periods of her past: Antiquity, the Christian

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<sup>84</sup> Commission de la Nationalité, Long et. al., *Être Français. Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, 1988, page 10.

<sup>85</sup> Alain Griotteray, "How to aid assimilation: the *Maghrébins* must choose between integration and return," *Le Monde*, 4<sup>th</sup> of May 1985.

Middle Ages, the Renaissance, the Enlightenment.”<sup>86</sup> Griotteray unambiguously endorsed a cultural understanding of French identity, but what is more significant still is how he rooted his conception of French culture in what he considered to be the Christian and European character of France’s national history. Furthermore, he raised the question of whether such an understanding of the French nation – or for that matter, Europe – can ever really include Muslims? This echoes France’s current refusal to admit Turkey into the European Union – a position that has been explicitly defended on the basis of the experience France has had of integrating large pools of Muslim newcomers.

In Formations of the Secular: Christianity, Islam, Modernity, Talal Asad argues that “for both liberals and the extreme right the representation of ‘Europe’ takes the form of a narrative, one of whose effects is to exclude Islam.”<sup>87</sup> Echoing the description of French civilisation in Griotteray’s editorial, Asad explains that the concept of ‘Europeanness’ is largely defined as rooted in the historical influences that shaped the European experience, most notably, “the Roman Empire, Christianity, the Enlightenment, and industrialisation.”<sup>88</sup> Not only is Islam excluded from this representation of Europe,<sup>89</sup> but the tension between Islam and this ‘idea of Europe’ is further compounded by the fact that ‘Islamic civilisation’ is seen as intrinsically hostile to all non-Muslims. Islam therefore emerges in this narrative “as Europe’s primary alter”<sup>90</sup> and this perceived hostility between the two civilisations plays a crucial role in the formation of European identity. The presence of a growing minority of Muslims in Europe, and in this case in

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<sup>86</sup> Alain Griotteray, “How to aid assimilation: the *Maghrébins* must choose between integration and return,” *Le Monde*, 4<sup>th</sup> of May 1985.

<sup>87</sup> Talal Asad, Formations of the Secular: Christianity, Islam, Modernity, Stanford University Press, 2003, page 165.

<sup>88</sup> Talal Asad, Formations of the Secular: Christianity, Islam, Modernity, page 166.

<sup>89</sup> The 781 year long Muslim presence in Spain is conspicuously absent from this narrative.

<sup>90</sup> Talal Asad, Formations of the Secular: Christianity, Islam, Modernity, page 169.

France, raises questions as to how these communities can gain acceptance in the nation while preserving their right to maintain their own historical identities. Do these definitions of European or French identity allow for such a thing as a “European Muslim” or a “French Muslim”?<sup>91</sup> Considering France’s reluctance to recognise minority rights, which it views as a threat to national unity,<sup>92</sup> Muslim immigrants are faced with no choice but to assimilate fully into French culture, often at the expense of their own heritage, or continue to exist on the margins of the French national community.

### **Legacy of Colonial Encounters**

Beyond the question of religion, France’s relationship with North Africa is most significantly influenced by the legacy of the country’s colonial history in the region. While the same can be said of France’s ties with all of its former colonial holdings, the nature of French rule in the Maghreb, and more specifically in Algeria, created a complex legacy that is particular to the Franco-*Maghrébin* relationship. Unlike Tunisia and Morocco, which became protectorates in 1881 and 1912, respectively, Algeria came under French control in 1830 and from 1848 until its independence in 1962 was officially considered a French *département*. The colonial experience in the Maghreb is also distinct because of the comparatively high incidence of European settlement. Again, Algeria’s case stands apart: after its conquest, the French government immediately adopted a policy of populating Algeria with French settlers, known as *colons*, who under French colonial rule received numerous material and political privileges at the expense of indigenous

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<sup>91</sup> Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity*, page 168. Asad argues that in light of this view of Europe, “not all inhabitants of the European continent are ‘really’ or ‘fully’ European.” He explains that, “Russians are clearly marginal. Until just after World War II, European Jews were marginal too, but since that break the emerging discourse of a “Judeo-Christian tradition” has signalled a new integration of their status into Europe. Completely external to “European history” is medieval Spain.”

<sup>92</sup> Commission de la Nationalité, Long et. al., *Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité*, 1988, page 10.



Algerians. With the support of the French state, the European settlers quickly took possession of Algeria's most fertile land and employed the indigenous peasants as labourers.<sup>93</sup> Furthermore, unlike France's other colonial holdings, Algeria was not seen as part of the Empire, but was actually considered *part of France* – notwithstanding the French administration's political and economic marginalisation of indigenous Algerians.

At its peak, the community of European settlers in Algeria is estimated to have reached approximately 1.3 million people.<sup>94</sup> Neil MacMaster explains in Colonial Migrants and Racism: Algerians in France, 1900-1962, that although indigenous Algerians were French subjects, they were second-rate citizens in a fiercely discriminatory regime that favoured European settlers. The French could only maintain and justify this colonial system of inequality by insisting that the Algerians, the *Arabes*, were uncivilised and racially inferior and therefore could not be granted the same rights as French or European settlers.<sup>95</sup> Lucassen explains that when Algerians received the freedom to migrate to France in 1914, “these racist ideas about Algerians also crossed the Mediterranean and were activated in metropolitan France.”<sup>96</sup> This colonial stigma tainted the presence of Algerian immigrants in France from the very beginning, stereotyping them as dirty, uncivilised and dangerous.<sup>97</sup> According to MacMaster, the early experiences of these Algerian immigrants during the 1920s played a crucial role in

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<sup>93</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, University of Illinois Press, 2005, page 173.

<sup>94</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, page 181.

<sup>95</sup> Neil MacMaster, Colonial Migrants and Racism: Algerians in France, 1900-1962, Palgrave Macmillan, 1997, page 127.

<sup>96</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, page 181.

<sup>97</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, page 181.

establishing anti-Arab sentiment in France. The propagation of these prejudices can also be traced back to colonial pressure groups, especially from within the community of European settlers in Algeria, who vehemently opposed the growing body of civil rights indigenous Algerians were beginning to enjoy.<sup>98</sup>

### **The Traumas of Decolonisation**

Finally, the stigma associated with Algerians, and with *Maghrébins* more generally, is undoubtedly also the result of the long-lasting traumas of decolonisation. The Algerian War of Independence was a particularly brutal and protracted anti-colonial war, lasting from 1954 to 1962, with hundreds of thousands of civilians – both indigenous Algerians and French settlers – caught up in the violence. Algerian anti-colonial forces such as the *Front de libération nationale*, better known as the FLN, employed terrorist tactics targeting civilian European settlers, while the French Army also pursued its own policies of terrorism, torturing and killing hundreds of thousands of indigenous Algerians. The horrors of the Algerian War had a powerful impact on France's internal politics, prompting the collapse of the Fourth Republic and the rise of the Fifth Republic in 1958. France was deeply divided by the war, with many refusing to give up French Algeria, while others advocated for its independence.

Beyond simply influencing the bilateral relationship, the violence and repression of Algeria's decolonisation also made its way into metropolitan France, with a string of terrorist attacks occurring in the *métropole* and the adoption of an official policy of strict surveillance and harsh repression against Algerian immigrants. Algerians at this time were seen and treated as an internal enemy, which further aggravated Franco-

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<sup>98</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, page 181.

*Maghrébin* relations. Nevertheless, despite the very damaging impact the war had on Algerians in France, Algerian immigration actually rose dramatically in the aftermath of independence.<sup>99</sup> By the time the war finally ended and France recognised Algerian independence, the economic situation in Algeria had become so desperate that hundreds of thousands of Algerians migrated to France. A large number of indigenous Algerians who had fought with French forces during the war, often referred to as *harkis*, were also brought to France, while at the same time, nearly a million of Algeria's French settlers, known as *pieds-noirs*, fled to the *métropole* on the eve of Algerian independence. All three groups faced a great deal of discrimination upon arrival, including the *pieds-noirs*, who bitterly resented the loss of French Algeria.

France's loss of Algeria, and decolonisation more generally, were a massive blow to the French nation, and left a long-lasting legacy that to this day influences the struggle to manage the growing population of North African immigrants. The subject of French colonial rule in Algeria remains largely controversial within French society: France only recognised the events of 1954-1962 as "the Algerian war" in June of 1999; until then, they had been referred to as "the operations for maintaining order in North Africa."<sup>100</sup> Similarly, the debates on the CNF reforms reflected many of these post-colonial tensions. A notable example of this is the mainstream political parties' reluctance to challenge Article 23 of the CNF, which granted automatic citizenship on the basis of "double *jus soli*." Though this clause enabled approximately 20,000 to 25,000 individuals to receive French citizenship automatically each year between 1978 and

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<sup>99</sup> Lucassen, The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850, page 181.

<sup>100</sup> *Libération*, 10<sup>th</sup> of June 1999.

1988,<sup>101</sup> it remained pointedly outside the scope of the proposed reforms. This is because Article 23 had unforeseen implications in France's post-colonial era: by holding that any person born in France to at least one parent also born on French soil was automatically deemed French at birth, its application in the case of Algeria, which up until 1962 had been considered to be 'French soil', meant that all children born in France to Algerian immigrant parents born in French Algeria (i.e. prior to 1962) automatically received French nationality at birth.

Although the Algerian government and some French politicians had long pushed for the removal of this clause, the French government had resisted because to do so would imply that France was *de facto* recognising its 132-year colonial rule in Algeria as illegitimate.<sup>102</sup> Additionally, the rise of the *Front National*, the party largely responsible for initiating efforts to restrict the *CNF*, was also tied to this colonial legacy. It is no coincidence that many of the extreme-right's leading figures were *pieds-noirs*, like Henry de Lesquen, the President of the *Club de l'Horloge*, or former soldiers who had served in the Algerian war, like the leader of the *Front National*, Jean-Marie Le Pen. These controversial figures are reminiscent of the colonial pressure groups' influence on French policy.<sup>103</sup> As such, layers of unresolved post-colonial resentment have made their way into French political discourse, especially as the wave of *droitisation* began to sweep France's mainstream politics in the 1980s.

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<sup>101</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, page 42.

<sup>102</sup> Weil, Patrick, *Qu'est-ce qu'un Français?*

<sup>103</sup> Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, page 181.

## Conceptualising a New Generation

This resentment in fact appeared and persisted on both sides, with many Algerians harbouring feelings of bitterness towards their former colonial masters. In this same editorial for *Le Monde*, Robert Solé explained the difficult position many second-generation Algerian and *Maghrébin* immigrants find themselves in, torn between the two worlds of their families and French society. Solé insisted that these children “adopt citizenship at the risk of a fracture, and often without their parents’ knowledge. The Algerian War has left deep marks.”<sup>104</sup> Memories of French colonial rule and the Algerian War continue to simmer below the surface, despite their relative absence from public discourse. Yet they left unspoken tensions that continued to fuel prejudices and stereotypes of the *Maghrébins*, even as the new generation of French-born children of North African immigrants came of age. Though born and raised in France, many of these young men and women were viewed with uncertainty: were they French or *Maghrébin*? As Gérard Dupuy explained in his *Libération* editorial in 1985,<sup>105</sup> the language surrounding the issue is indicative of the ambiguous status of the Franco-*Maghrébin* identity. Dupuy wrote:

Let me begin with a note on vocabulary: there is no real adequate word to describe the grave subject discussed yesterday in the National Assembly. “Immigrants” seems highly unsuitable for people who have been established and living in France for so long and who, for the most part, will stay here. “Foreigners” is no better: many of these “immigrants” are French citizens. As for their children, invited to initiate themselves to French culture and study on the benches of the nation’s schools [...] there is no name for them (as proved by the avatar of the word “*beur*”) and are therefore, in practical terms, without category.<sup>106</sup>

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<sup>104</sup> Robert Solé, “Les chemins de la citoyenneté,” *Le Monde*, 14<sup>th</sup> of March 1986.

<sup>105</sup> Gérard Dupuy, “Immigrés: L’Introuvable Débat,” *Libération*, 7<sup>th</sup> of June 1985.

<sup>106</sup> Gérard Dupuy, “Immigrés: L’Introuvable Débat,” *Libération*, 7<sup>th</sup> of June 1985.

The two identities had so long been juxtaposed against one another that the idea of melding them into one evidently proved troubling. As everyone, not least this new generation, struggled to define this hybrid identity, a number of terms surfaced that reflected some of the divisions they were seen to embody. These included “Français issus de l’immigration,” literally, “French coming out of immigration,” and ‘*beur*,’ a colloquial French expression derived from the inversion of the French word ‘*Arabe*.’<sup>107</sup> To complicate matters further, many in this new generation *issus de l’immigration* held dual citizenship, which contributed to the perception that their loyalties were divided.

More than anything else, the debate on the CNF reforms, which had quickly escalated into a debate on French national belonging, reflected many of French society’s deep-seated anxieties and fears. As proponents of the reforms struggled to define what French citizenship should mean, notions of duty and sacrifice recurred, stressing the responsibilities French citizens must honour towards their country. The emergence of such terms as “French despite themselves” and “French on paper” highlighted the growing perception that many French citizens *issus de l’immigration* were not “French in their heart” and were therefore less committed to the nation and its wellbeing.<sup>108</sup> Jean-Marie Le Pen’s *Front National* advocated eliminating dual-citizenship and making Franco-Maghrébin binationals choose one over the other, citing their cases as “conflicts of nationality.”<sup>109</sup>

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<sup>107</sup> “Beur,” as defined by the Larousse Dictionary. Accessed from <http://www.larousse.com/en/dictionaries/french-english/beur/8912>

<sup>108</sup> Jean-Marie Le Pen, *Pour la France: Programme du Front National*, Editions Albatros, Paris 1985, page 117-119.

<sup>109</sup> Jean-Marie Le Pen, *Pour la France: Programme du Front National*, Editions Albatros, Paris 1985, page 117-119.

### **‘Deserving’ French Citizenship**

Le Pen insisted that the existing CNF of 1973 enabled automatic accession to French citizenship without “any control over whether they deserve to become French.”<sup>110</sup> He contrasts this with the case of “the French Muslims,” the *harkis* and their descendants, who fought for France and therefore “acquired French nationality by spilling their blood.”<sup>111</sup> Le Pen’s message is clear: these immigrants and their children have not sacrificed for France or contributed to the growth and development of the nation and do not deserve to become French. This view of France’s historical relationship with North Africa deliberately undermines and obscures the enormous role played by colonial subjects in France’s history over the last two centuries, and well into the post-colonial era. Not only did a vast number of *Maghrébin* immigrants come to France as recruited labour, desperately needed to rebuild the country in the aftermath of the Second World War, but the contributions and sacrifices made by colonial subjects to the growth of the French Empire were also hugely significant in the development of the *métropole*’s economy and industry, to say nothing of its military defence.

Colonial troops were deployed in the service of the French Empire, including in both World Wars. The case of the Second World War is particularly notable, as colonial subjects enlisted as volunteers and played an important role in the liberation of metropolitan France. Their contributions and sacrifices are, however, largely forgotten in French national memory.<sup>112</sup> As Georgina Dufoix, then Minister of Social Affairs,

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<sup>110</sup> Jean-Marie Le Pen, *Pour la France: Programme du Front National*, Editions Albatros, Paris 1985, page 117-119.

<sup>111</sup> Jean-Marie Le Pen, *Pour la France: Programme du Front National*, Editions Albatros, Paris 1985, page 117-119.

<sup>112</sup> Furthermore, in the wake of decolonisation the rights and benefits of these veterans were restricted by a series of laws, in contrast to the treatment of native French workers who continued to receive regular

reminded the National Assembly during its debate over the CNF reforms, “More than 35, 000 Muslim soldiers lie in our graves.”<sup>113</sup> But while the *harkis*’ loyalty to France in the Algerian War of Independence clearly set them apart from their brethren, entitling them and their descendants to a status as ‘deserving’ of French citizenship, the efforts of France’s former colonial soldiers and modern-day workers received little to no recognition in the French national narrative. Instead, the colonial legacy of prejudice and mistrust continued to permeate France’s relationship with both its *Maghrébin* immigrants and the new generation of French-born *beurs*, as doubts persisted about their willingness to participate fully in French society.

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pensions. This issue attracted a lot of attention in 2006 with the film “Indigènes,” which prompted then-president Jacques Chirac to raise these veterans’ pensions.

<sup>113</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.



## Chapter 4: The denial of a multicultural France

At the core of the debate surrounding French nationalism lies a fundamental tension between, on the one hand, France's myth of espousing Republican universalist values and, on the other, its insistence on defining a unified national cultural identity. As the Commission on Nationality announced in the introductory pages of its report, France's national project encompasses both "a universalist dimension and a tradition of the nation-state, where national unity relies on cultural unity."<sup>114</sup> References to France's Republican tradition recurred throughout the debate on both sides, as everyone – with perhaps the exception of the extreme-right – struggled to maintain a sense of continuity with this tradition. Michel Noir, an RPR deputy who had spoken in favour of the CNF reforms insisted that these were necessary to maintain France's Republican values, explaining that what the country needed was "a policy that is in keeping with the nation's humanist and Republican tradition; a policy that takes into consideration the new domestic and international economic, social and demographic circumstances."<sup>115</sup>

Meanwhile, on the Left, the Socialist Party insisted that France's recognition of the principle of *jus soli* in its Nationality Code was a defining part of French national values, and had only been revoked in the era of the Vichy Regime.<sup>116</sup> Thus, for the Socialist Party, reforming the CNF in the manner proposed would have been nothing

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<sup>114</sup> Commission de la Nationalité, Long et. al., Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité, page 7.

<sup>115</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

<sup>116</sup> Socialist deputy Françoise Gaspard referred to this during the National Assembly's debate on the CNF reforms, stating that, "Some of the projects proposed here remind us of the sad hours of the Vichy Government [...] Indeed, these proposals are very close to a text passed on the 17<sup>th</sup> of July 1940, one of the first to be adopted under Vichy, which made it possible to withdraw citizenship from people who had been naturalised since 1927." Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

short of “going against the Republican tradition and making France’s position inconsistent with other European countries’ legal developments.”<sup>117</sup> In this manner, both sides of the debate were able to lay claim to the Republican tradition while building their argument for or against the CNF reforms.

### **Promoting National Unity: Integration vs. Assimilation**

While the legitimacy of immigration itself was never challenged, the understanding of what was expected of France’s immigrants in terms of their integration into French society lay at the heart of the debate. The Commission on Nationality reached the consensus that France’s national unity was dependent on cultural unity, which the Commission defined as “the use of one language, reference to the same history and the sharing of the same cultural and patriotic values.”<sup>118</sup> The Commission also explained that historically France had relied on a policy of integration so as to transform all of France’s citizens, “whether they were Bretons, Occitans, Italians or Jews” into French men and women. The Commission carefully emphasised that this was not a policy of *assimilation* but rather one of *integration* because everyone retained the right to keep their religious or cultural faith in private.<sup>119</sup>

However, the distinction made by the Commission between integration and assimilation was not accepted by all sectors of French opinion, with many openly expecting a more rigorous form of assimilation. Thus, in his editorial for *Le Monde* in 1985, UDF representative Alain Griotteray insisted that:

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<sup>117</sup> Philippe Boggio, “La Culture des Premiers Cris,” *Le Monde*, 24<sup>th</sup> and 25<sup>th</sup> of November 1985.

<sup>118</sup> Philippe Boggio, “La Culture des Premiers Cris,” *Le Monde*, 24<sup>th</sup> and 25<sup>th</sup> of November 1985.

<sup>119</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité, page 7.

The French Republic has always been assimilationist: irrespective of skin colour or religious affiliation, French citizenship can be granted to foreigners who desire it on the condition that they ‘*have good character*’ and prove that they have ‘*assimilated to the French community and know the language.*’ That is all and it is already a lot.

Because France is not a *tabula rasa*. Nor is it a common geographical space, a simple hexagon. It is an idea, an ideal that “comes from time immemorial” (Charles de Gaulle). France is a European nation; she is deeply marked by the formative periods of her past: Antiquity, the Christian Middle Ages, the Renaissance, the Enlightenment.<sup>120</sup>

Griotteray makes it clear in his statement that he views complete assimilation to French culture as an obligatory step for the inclusion of immigrants into France. Yet at the same time, he also defines this French culture as derived from France’s ethnic, religious and ancestral experiences rather than Republican universalist values, raising the question as to whether such a definition of culture is in fact realistically accessible to outsiders. Not everyone agreed with Griotteray’s understanding of Frenchness, and in many ways the debate on the CNF opened up the fiercely-debated question of what it really means to be French.

Some, like Griotteray and Le Pen, upheld an ideal of the French nation that was rooted in a very strict understanding of an old ethno-cultural tradition. Others, instead, advocated for what they considered to be a more inclusive identity, founded strictly on Republican ideals, which they claimed were the only real basis for French culture. Jean-Luc Lemouché, a high school history teacher, wrote an editorial for *Le Monde* in 1984 commenting on the rise of the *Front National* and the nationalist ideology promoted by Le Pen.<sup>121</sup> Lemouché explained that Le Pen had emerged at a time when the world was becoming increasingly globalised, both economically and culturally. In the

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<sup>120</sup> Alain Griotteray, “Comment aider à l’assimilation,” *Le Monde*, 4<sup>th</sup> of May 1985.

<sup>121</sup> Jean-Luc Lemouché, “Une résurgence passiste,” *Le Monde*, 10<sup>th</sup> of March 1984.

midst of such change, Le Pen had appeared, championing an antiquated version of French nationalism that belonged in the nineteenth century. Thus he argued that:

The rise of the *Front National* appears as a reactionary and traditionalist resurgence of a France that is disappearing. [...] It is a bit like the passionate cry of a traditional and “super-Dupont”<sup>122</sup> France. Armed with her “camembert,” she [France] suggests, under the guidance of Jeanne d’Arc (evoked by Mr. Le Pen) to “give France back to the French”!<sup>123</sup>

Many of the arguments made by those in favour of the reforms actually articulated much of the sentiment mocked by Lemouché in this piece. There was a palpable sense of anxiety in some segments of French opinion that France’s traditional society and culture were in fact under threat.

### **Alarmist Discourse: the Demographic Threat**

The language employed by some who expressed this view is very striking. Unsurprisingly, the *Front National* was an influential player in stirring up this fear, publishing pamphlets entitled, “Are the French a species under threat of extinction?”<sup>124</sup> and systematically keeping track of both France’s birth rates and growing immigrant presence, which it presented as “two dimensions of the same problem.”<sup>125</sup> In his testimony to the Commission on Nationality, Henry de Lesquen announced that, “what is

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<sup>122</sup> ‘Dupont’ is the archetypal traditional French person – like ‘Smith’ in England. “Superdupont” was also the name of a comic strip in the 1970s parodying French nationalist attitudes. The main character, “Superdupont,” was an extremely patriotic superhero who used his powers to defend France against his sworn enemy, “Anti-France.” “Anti-France” was a sectarian terrorist organisation bent on destroying the nation; its agents spoke a mix of French interwoven with foreign words and challenged key aspects of France’s national cultural heritage: the national anthem, the Eiffel tower, French wine, etc. The series mocked the ultra-nationalist belief that all of France’s problems were the fault of immigrants.

<sup>123</sup> Jean-Luc Lemouché, “Une résurgence passéiste,” *Le Monde*, 10<sup>th</sup> of March 1984.

<sup>124</sup> Le Front National, “Le Peuple Français est-il une espèce en voie de disparition?,” *Le National*, February 1980, pages 8-10.

<sup>125</sup> Le Front National, “Dénatalité et immigration: deux problèmes liés,” *Le National*, May-June 1979, page 15.

at stake is the survival of the French nation.”<sup>126</sup> Similarly, another extreme-right political party, the *Parti des Forces Nouvelles*, a splinter group of the *Front National*, claimed that France’s policies were bringing about a “European demographic collapse and a genocide by substitution, symbolised by the current influx of Afro-Asiatic peoples into France.”<sup>127</sup>

The extreme-right were not the only ones promoting this alarmist discourse; in a special editorial for *Le Figaro Magazine*, UDF deputy Michel Poniatowski wrote that:

The Socialists want to destroy France’s personality and identity [...] by imposing (against the wishes of the French) the integration of Africans and Muslims who are totally foreign to the traditions, culture and civilisation of France. It is the beginning of a process of ‘*Lebanisation*’ threatening national unity.<sup>128</sup>

Indeed, the idea that France’s national unity was somehow threatened with factional or sectarian ruin was frequently raised by UDF and RPR deputies; they even coined the term ‘*Lebanisation*,’ which of course in the 1980s immediately conjured up violent and chaotic images of Lebanon’s horrific sectarian war. Indeed, the example of Lebanon surfaced quite frequently in the debate as a kind of cautionary tale against the dangers of “multiculturalism.” RPR deputy Michel Noir cited the Lebanese example during the National Assembly’s debates on the CNF reforms, stating:

Which country, my dear colleagues, has staked its wellbeing on the cohabitation of communities with no common linkages or shared values, and lives in peace and tolerance? This certainly isn’t the case of poor Lebanon, where communities have been massacring each other for decades!<sup>129</sup>

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<sup>126</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd’hui et Demain: Rapport de la Commission de la Nationalité*, page 498.

<sup>127</sup> “Le PFN demande le renvoi des immigrés de la deuxième génération,” *Le Monde*, 29<sup>th</sup> of March 1984.

<sup>128</sup> Michel Poniatowski, “Les neuf raisons de chasser les socialistes,” *Le Figaro Magazine*, 8<sup>th</sup> of March 1986. Poniatowski, a prominent figure in the French centre-right and close ally of President Valéry Giscard d’Estaing, was the architect of a rapprochement with the Front National that resulted in a merged electoral RPR-FN list in the closely-fought constituency of Dreux in 1983, and again in regional elections in 1992 and 1993. He was disavowed by fellow party members in 1991 and sidelined from mainstream national politics.

<sup>129</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. *Journal Officiel de la République Française*.

The message was clear: in order to avoid this path, France needed to consolidate its national unity by demanding that the children of immigrants born in France display an active willingness to assimilate to French culture, namely by applying for citizenship rather than receiving it automatically.

### **Can France be Multiculturalist?**

In advocating this assimilationist position, right-wing politicians explicitly rejected the idea of a multicultural France, insisting that such a policy would doom the nation to strife and internal divisions. Alain Griotteray argued in his 1985 *Le Monde* editorial, entitled “How to Aid Assimilation,” that the government needed to “reaffirm the role of French schools in transmitting the language, culture and history of the French nation and abandon the ambitions of a multicultural education, which does nothing but deliver a watered down message.”<sup>130</sup> Similarly, in the same speech to the National Assembly, RPR deputy Michel Noir condemned French multiculturalism by claiming that, “Never in our history has the idea of a multiracial or multicultural society been supported. That’s something for all of those who – by intellectualism or idealism – imagine that this could be a possibility for France.”<sup>131</sup>

Socialist deputy Frédéric Jalton, the National Assembly’s representative of France’s overseas department Guadeloupe, later intervened in the debate to counter the assertions made by Noir (and later other deputies) that rejected the notion of a multicultural France. As the representative of a department located in the Caribbean,

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<sup>130</sup> Alain Griotteray, “Comment aider à l’assimilation,” *Le Monde*, 4<sup>th</sup> of May 1985.

<sup>131</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

Jalton defended the “particular idea of France” held by the vast majority of its citizens in France’s overseas departments, declaring that:

Blind are those who, like Mr. Chirac, proclaim that, “Our country does not want to become a multicultural society.” What ingratitude and contempt towards all those French citizens of the overseas departments who thought they had made a contribution to France’s cultural richness. French society is already multicultural and the citizens of the overseas departments are proud to have been a part of it. French culture and identity were made with contributions from all over and it is surprising that some have forgotten the march of history. [...] The Socialists of the overseas departments believe that there is a way of being French that is *réunionnaise*, *guyanaise*, *martinique*, *guadeloupéenne* and now, *maghrébine*. [...] <sup>132</sup>

For Frédéric Jalton, the question of debating a multicultural France was an indication of the racism pervading French society. Referring to the routine discrimination faced by France’s black Caribbean citizens in the *métropole*, Jalton asserted that, “The immigrants’ struggle for their place in French society is the same as that of the French of the overseas departments, because it is the fight against racism.”<sup>133</sup> However, Jalton did not reject the reforms outright. Instead, he pointed to the politically polarised nature of the debate and cautioned against the handling of such important and delicate questions in this rushed and demagogic manner.

### **A Politically Divisive Debate**

Jalton’s warnings were echoed by many, who voiced their concerns over the dangerous implications the debate might have in actually hindering social integration. Many critics of the reforms had long insisted that the CNF reforms were dangerous insofar as they risked further ostracising the children of immigrants by distinguishing their situation from that of the *Français de souche*. Thus, many argued that the real threat

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<sup>132</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

<sup>133</sup> Parliamentary Debates of the French National Assembly, 56<sup>th</sup> session, 6<sup>th</sup> of June 1985. Journal Officiel de la République Française.

to national unity was not immigration, or the lurking dangers of ‘ethnic ghettos’, but rather the normalisation of precisely the kind of debate that was being had, and the damaging effects this would have on France’s national unity. A group of politicians and human rights activists published an editorial in *Le Monde* in December 1986 calling the Chandon bill “a useless and dangerous project.”<sup>134</sup> They explained that the text would suddenly reject thousands of young men and women who were born and raised in France and happened to be the children of immigrants.

The reforms would “break the legal tradition so deeply inscribed in our history” and “brutally throw these young people out of the national community.” They insisted that this project threatened to divide France by alienating these youths and sending the message that they did not belong. Robert Solé’s *Le Monde* editorial in March of 1986 ended on a similar note, explaining that “Nothing prevents us from debating the Nationality Code. On the condition that we do so with the aim of promoting the integration of these youths and not to exclude them or give that impression.”<sup>135</sup> There is no doubt that the debate was heavily mired in political tensions, having largely polarised opinion along classic “right-left” divides. To avoid this, the government soon afterwards created the Commission on Nationality, which was explicitly charged with investigating these issues in an “objective and serene” manner – as opposed to the opinions voiced in the debate, which had become “too passionate.”<sup>136</sup>

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<sup>134</sup> Belorgey, Gaspard, Le Déaut, Worms, “Un projet inutile et dangereux,” *Le Monde*, 5<sup>th</sup> of December 1986.

<sup>135</sup> Robert Solé, “Les Chemins de la Nationalité,” as part of the special feature “La Nationalité Française en Question,” *Le Monde*, 14<sup>th</sup> of March 1986.

<sup>136</sup> Commission de la Nationalité, Long et. al., Être Français. Aujourd’hui et Demain: Rapport de la Commission de la Nationalité, page 11.



### Proposals by the Commission on Nationality

The Commission on Nationality's proposals supported efforts to reform the CNF and institute a principle of *volonté* (positive choice) in the acquisition of citizenship through *jus soli*. The Committee's final report called for amendments to abolish the *automaticité* previously inscribed in the CNF and replace it with an active process of request.<sup>137</sup> Though the French-born children of immigrants would effectively have to ask to receive French citizenship,<sup>138</sup> the Committee's proposals bore few other similarities to the Chalandon bill. The Committee had taken great pains to emphasise the purpose of the suggested reforms, which were intended to promote the integration of immigrants while also improving their reception within the French community.<sup>139</sup>

The Chirac government eventually dropped the Chalandon bill, but this did not prevent efforts to reform the CNF from resurfacing in the early 1990s, ultimately leading to the quiet adoption of a set of reforms under the government of Prime Minister Édouard Balladur. Known as the 'Pasqua Laws,' the government issued an official decree on the 30<sup>th</sup> of December 1993, providing new guidelines for the acquisition of French citizenship by the French-born children of immigrants, which included a "declaration of will"<sup>140</sup> to be made before a French official.<sup>141</sup> Unlike the Chalandon bill, the 'Pasqua Laws,' were passed with relatively little public attention, primarily because they

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<sup>137</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, page 206.

<sup>138</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, page 206.

<sup>139</sup> Commission de la Nationalité, Long et. al., *Être Français, Aujourd'hui et Demain: Rapport de la Commission de la Nationalité*, page 206.

<sup>140</sup> "Manifestation de volonté."

<sup>141</sup> Légifrance, *Code de la Nationalité*, "Décret n°93-1362 du 30 décembre 1993 relatif aux déclarations de nationalité, aux décisions de naturalisation, de réintégration, de perte, de déchéance et de retrait de la nationalité française." Accessed on 9/3/13 from:

<http://legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000699753&dateTexte=vig>

benefited from the legitimacy of the Committee. These reforms were based on the proposals made by the Commission on Nationality, which were widely regarded as constructive positions that had been developed by specialists, as opposed to the ugly discourse that had prevailed during the previous highly-politicised debates of the 1980s.

## Conclusion

Faced with a growing influx of *Maghrébin* immigrants following World War Two and the subsequent collapse of its colonial empire, France embarked on a project to reform its nationality laws and modernise its approach to immigration. This sparked a major debate that reached deep into its understanding of itself as a nation, forcing it to revisit its most deeply-held political and cultural values, and its commitment to a tolerant and inclusive model of Republicanism. The reforms to the *Code de la Nationalité Française* proposed in the mid-to-late 1980s threatened to turn on its head a long legal tradition that had its origins in the French Revolution and had come to define the French nation-state around a core set of Republican values. The reforms introduced the concept that French nationality – for those descended of immigrants, but not for those born to French citizens – could no longer be automatically gained through birth on French soil, but rather had to be triggered by an active choice: the concept of “*volontarisme*.” This seemingly innocuous change, couched as it was in language that suggested free will, was in fact a manifestation of the growing influence of the ultra-nationalist ideology espoused by the *Front National*, though it also served as an attempt to quell growing public discontent across the political spectrum at high unemployment rates. This debate on French identity also found fertile ground thanks to lingering tensions left over from France’s unresolved colonial past, as the legacy of colonialism and its brutal aftermath continued to fuel prejudices and social tensions.

Although the bitter debates of the 1980s ultimately gave rise to the broadly-accepted and much watered-down 1993 reforms, known as the ‘Pasqua Laws’, the new formula skirted a number of issues that had surfaced in the 1980s and still continue to

plague French political and social discourse twenty years on. Indeed, the debate was reopened only five years after the passage of the Pasqua Laws, when the government of then-Prime Minister Lionel Jospin repealed them in order to reinstitute the principle of *automaticité* in the CNF.<sup>142</sup> The pendulum then swung yet again – albeit thirteen years later in November 2011 – when the centre-right *Union pour un Mouvement Populaire* (UMP) party announced its intention to reinstate the 1993 Pasqua Laws, once again calling for citizenship for French-born children of immigrants to be contingent on a request rather than *automaticité*.<sup>143</sup> Though a vote in the National Assembly swiftly put paid to the UMP's efforts,<sup>144</sup> the issue quickly reignited the old public debate, with representatives of the UMP and the Socialist Party resuming the same divisive rhetoric of their 1980s forebears.

This fractious and recurrent debate serves as a potent warning of the long-lasting damage that can arise from failing to confront and resolve the legacy of colonisation, which has added a special colouration to the question of *Maghrébin* immigrants, and develop a framework for integrating newcomers that adapts to a changing, more fluid and globally interconnected world. While the hardline reforms first promoted by Le Pen were not ultimately adopted in their original form, they nevertheless

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<sup>142</sup> Légifrance, *Code de la Nationalité*, “Décret n°98-720 du 20 août 1998 portant application de la loi n° 98-170 du 16 mars 1998 relative à la nationalité et relatif aux déclarations, demandes, décisions et mentions en matière de nationalité française.” Accessed on 9/3/13 from: [http://legifrance.gouv.fr/affichTexte.do;jsessionid=284C1CBE5919CB4F81A017315033E771.tpdjo13v\\_3?cidTexte=JORFTEXT000000572984&dateTexte=20130405](http://legifrance.gouv.fr/affichTexte.do;jsessionid=284C1CBE5919CB4F81A017315033E771.tpdjo13v_3?cidTexte=JORFTEXT000000572984&dateTexte=20130405)

<sup>143</sup> “L’UMP se prononce pour un retour à la loi Pasqua sur l’acquisition de la nationalité française,” *Le Monde*, 10<sup>th</sup> of November 2011. Accessed on 1/4/2013 from: [http://www.lemonde.fr/politique/article/2011/11/10/1-ump-se-prononce-pour-un-retour-a-la-loi-pasqua-sur-l-acquisition-de-la-nationalite-francaise\\_1602245\\_823448.html](http://www.lemonde.fr/politique/article/2011/11/10/1-ump-se-prononce-pour-un-retour-a-la-loi-pasqua-sur-l-acquisition-de-la-nationalite-francaise_1602245_823448.html)

<sup>144</sup> The issue was settled by a vote in the National Assembly. 91 deputies (from the UMP, the Socialist Party and the French Communist Party) voted against reopening the subject while only 23 deputies (from the UMP party) voted in favour.

permeated the debate and left their mark through the Front National's unmistakable influence on France's mainstream politics. Adopted and adapted by France's more mainstream centre-right politicians, Le Pen's unabashedly xenophobic and retrograde world view has left a stubborn and disturbing imprint on the discourse of national belonging that continues to shape opinion today. Twenty years on, *Maghrébins* immigrants and their offspring continue to face significant discrimination, whether overt or subtle, that would provoke consternation in similarly multicultural societies such as the US, Canada, Britain or Germany – while successive generations of *Français issus de l'immigration* continue still to be seen by many as outsiders. Despite France's growing diversity, the nation remains reluctant to formally embrace the kind of multiculturalism Frédéric Jalton, deputy for the French Caribbean territory of Guadeloupe, had called for 25 years ago.

But what this study also reveals is that France's struggle to maintain a balance between its culturally "French" identity and the quintessentially universalist values of the French Republic is far from new: this tension has lain at the heart of the French national project since its first formulation as an explicit philosophy in the wake of the Revolution, and stems in part from France's original cultural and linguistic divisions. The French nation is by definition assimilationist, reflecting its emergence as a linguistically and culturally unified entity through a concerted process of centralisation during the nineteenth and twentieth centuries. Though it is difficult to imagine today, the Parisian urbanite once viewed the Occitan peasant with the same degree of disdain and Otherness that the *Front National* now reserves for North Africans. Thus the cherished national mythology of France's history as a land of immigration also carries within it a narrative

of assimilation: these waves of immigration are celebrated as part of French heritage because the immigrants adopted France's Republican values *and* because they eventually assimilated into French culture – though what is perhaps less recognised is that they surely contributed to shaping that culture in various subtle ways.

Though France unfortunately remains somewhat trapped by its aversion to *communautarisme*, the out-of-control sectarianism that it sees as the logical extension of multiculturalism, it seems also, with the passage of time, to repeatedly forget that it received, complained about, and eventually adapted to earlier immigrant inflows that had proved equally if not even more disruptive in their day. France may not realise it, or want to acknowledge it, but its own broadly successful record of integrating successive waves of immigrants, each of which provoked tensions, each of which was “unlike earlier incomers”, but each of which ultimately settled and blended in, may simply be a manifestation of a larger truth: that through the sheer march of demography and time, France cannot help but be “*multiculturaliste malgré elle*”.

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